# 2009 Annual Performance Report
# for the
# New York State
# Division of Criminal Justice Services

**NEW YORK STATE**
**David A. Paterson, Governor**

# New York State Division of Criminal Justice Services

# 2009 Annual Performance Report

This annual report provides information on the performance of the New York State Division of Criminal Justice Services (DCJS) as required by § 837(12) of the Executive Law. DCJS also publishes a New York State Criminal Justice Report which includes data on all New York State criminal justice agencies. Both reports can be accessed at www.criminaljustice.state.ny.us .

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**DIVISION OF CRIMINAL JUSTICE SERVICES**
**Sean M. Byrne**
**Acting Commissioner**

**DAVID A. PATERSON**
**GOVERNOR**

**SEAN M. BYRNE**
**ACTING COMMISSIONER**

November 2010

## Message from the Commissioner

The Division of Criminal Justice Services (DCJS) is a data-driven agency that compiles an enormous amount of information on many topics – criminal justice trends, crime statistics, sex offender management, offender re-entry, and much more that we share with law enforcement and the public. The information helps law enforcement develop strategies to address crime trends, provides the Governor and Legislature with the data needed to make informed public policy decisions and assists the public in evaluating our effectiveness as a government. We live by the adage "what gets measured gets done."

Among the flurry of statistics that cross my desk, there is one that particularly stands out. Twenty years ago in New York State, more than 1.1 million index crimes were reported. Last year, there were 448,557. That's about 690,000 fewer crimes, which means at least 690,000 fewer victims of crime. Granted, that's small consolation to the nearly one-half million people who were the victims of crime last year – and none of us at DCJS or our partner law enforcement agencies are ready to rest on our laurels – but it does demonstrate that we are on the right track. We have made enormous progress over the last 20 years and, in short, New York is a safer place to live, work, raise our families and run our businesses.

New York State's success in fighting crime is, I believe, a reflection of the effectiveness of its criminal justice agencies. In this annual report, we take a critical look in the mirror, focusing solely on DCJS agency operations.

It is no secret that New York State is in the midst of a fiscal crisis of historic proportions. We have cut back considerably, and we have asked everyone to do more with less. I believe this report is a testament to the commitment of the people who work at DCJS, and proof positive that despite the fiscal constraints, despite the depleted workforce, the public's business is being done – and done well.

Very truly yours,

Sean M. Byrne
Acting Commissioner

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# Executive Highlights

This report reviews activities within the New York State Division of Criminal Justice Services during 2009.  Throughout the year, DCJS continued to assess and streamline procedures and processes to uphold core mission requirements in the face of budgetary reductions.  To meet this fiscal challenge, DCJS staff found ways to work smarter and more efficiently through innovation and greater use of criminal justice technology.

**Office of Criminal Justice Operations (OCJO)**

- OCJO processed more than one million fingerprints - 596,200 arrest and nearly 523,000 civil. Arrests were processed and criminal histories returned in an average of 23 minutes.

- OCJO continued a major re-engineering of fingerprint processing to eliminate paper transmissions to and from DCJS.  Civil vendor management, electronic processing and electronic dissemination of fingerprints and criminal history information increased efficiencies and reduced costs.

**Office of Justice Information Services (OJIS)**

- To meet agency mandates to reduce travel costs, OJIS maximized available technologies and expanded the use of webcasts and webinars by DCJS offices.

- Substantial progress was made on three key public safety projects: migration of the agency's mainframe-based criminal history processing systems to a state-of-the-art environment; upgrade of the Statewide Automated Fingerprint Identification System (SAFIS) to eliminate reliance on unsupported hardware and software; and establishment of an integrated portal to merge the New York State Police Information Network (NYSPIN) and *e*JusticeNY, a secure communications network for law enforcement.

- At the end of 2009, more than 49,000 law enforcement personnel from more than 2,100 agencies were enrolled in *e*JusticeNY, receiving access to criminal history data, investigative tools and other information critical to law enforcement.

- The Customer Contact Center (a 24-hour help desk for *e*JusticeNY users) handled nearly 57,000 requests for assistance, an increase of 15%.  Despite this increase in workload and significant staffing reductions, CCC improved its customer response time over 2008 due to improved efficiencies implemented during 2009.

**Office of Public Safety (OPS)**

- OPS implemented an innovative and groundbreaking data-sharing approach that established four regional Crime Analysis Centers (CACs).  The intelligence generated by the CACs supports law enforcement decisions about tactical day-to-day deployment and long-term planning, and provides investigators and officers with leads and crucial information to solve crimes.

- The training and technical assistance program, which was initially modified in 2008 to provide expert assistance in the areas of crime analysis, field intelligence and investigative case support,

continued to focus on intelligence-driven policing and crime-fighting strategies to advance public and officer safety.  More than 180 law enforcement training courses were held around the state, training more than 8,000 law enforcement officers.

- The law enforcement accreditation program continued to grow, providing professional standards to improve officers' skills which keep the officers, and the public, safer.  Eight law enforcement agencies were newly accredited.  As of December 2009, there were 131 accredited police agencies in New York State.

- OPS staff repaired and certified nearly 6,800 speed and alcohol detection instruments used by local agencies, with all repairs and certifications completed within two days.

**Office of Probation and Correctional Alternatives (OPCA)**

- Nearly 200 ATI programs in New York City and 56 counties outside New York City were funded, serving more than 100,000 participants.

- A total of 66 training sessions were held on community corrections, with nearly 1,700 persons were trained.

- Local probation agencies outside New York City conducted more than 36,000 risk and needs assessments for adult offenders and nearly 18,000 reclassification assessments.   More than 50,000 assessments for juveniles were completed.

**Office of Sex Offender Management (OSOM)**

- Continued to maintain a registry of more than 30,000 offenders despite major staffing reductions.

- OSOM staff, in conjunction with the New York State Association of Chiefs of Police, produced a Sex Offender Management Training Video which is accessible on *e*JusticeNY.  The video provides an update on new laws enacted during 2008 and explains how local law enforcement can use *e*JusticeNY to proactively monitor offenders.

- Staff conducted more than 623,000 sex offender registry searches, 28% more than in 2008.  State statutes require this information to be shared with programs that enroll children, as well as the general public.  There were also 36.9 million offender profiles viewed on the public Sex Offender Registry website, 35% more than in 2008.

**Office of Forensic Services (OFS)**

- The DNA databank grew to nearly 375,000 specimens, with 1,595 hits that resulted in convictions in 2009 alone.  Of these, 27% involved sexual assaults, 49% involved burglary investigations, and 8% of the hits were against physical evidence collected in connection with homicide investigations.

- The statewide collection rate increased to 82% due to training and aggressive DCJS follow-up with agencies with low collections rates.

**Office of Program Development and Funding (OPDF)**

- OPDF monitored more than 900 active grant contracts. These contracts support critical local programs such as forensic laboratories, sexual assault forensic examiners, motor vehicle theft and insurance fraud prevention, reentry services and coordination, law enforcement and prosecution programs targeting guns and violence, juvenile crime prevention, and domestic violence prevention and advocacy programs.

- Staff conducted more than 500 site visits and responded to more than 11,000 requests for technical assistance to ensure that grantee organizations provided services in accordance with contract terms.

- OPDF provided staff support to the Statewide Re-entry Task Force and played a key role in the development of the New York State Transition from Prison to Community (NYTPC) model, formalized by DCJS, DOCS, Parole and OASAS in 2009. This model serves as the blueprint for transition from incarceration into the community.

- Staff provided staff support to the NYS Juvenile Justice Advisory Group (JJAG). Working with JJAG and Office of Children and Family Services, OPDF hosted a series of five symposiums on juvenile justice reform.

- A new training DVD was produced for medical professionals related to the examination and evidence collection process for sexual offense cases. The video, which received international recognition for its quality, creativity and resourcefulness, now serves as a national model.

**Office of Justice Research and Performance (OJRP)**

- OJRP prepared data and analysis in response to 652 requests for information from state and local criminal justice executives and managers, the public, local law enforcement and researchers.

- Major revisions to the research policy were implemented to ensure that limited DCJS staff resources support projects that will inform policymakers on what works. OJRP prepared and delivered 28 case-specific research files, working closely with more than 21 research organizations.

- Crime reporting staff implemented major changes to improve data quality and public reports for homicide, hate crime, domestic violence and juvenile justice.

- OJRP issued numerous publications and prepared and posted comprehensive data on the public website on criminal justice processing, crime, arrests and police agency information.

**Office of Administration**

- Administration staff coordinated efforts to move from paper-based business processes to electronic transactions, and coordinated agency-wide cost savings efforts to allow DCJS to continue to function with a high level of service during a year of fiscal constraints. These business improvements resulted in greater efficiency and reduced costs.

- Despite new centralized approval processes requiring specific forms and sign-offs, Administration executed 818 contracts, and distributed more than $125 million to grantees.

- Administrative Services saved nearly $77,000 by completing printing and copying jobs in-house.

**Office of Legal Services (OLS)**

- OLS held 37 human trafficking training sessions to educate nearly 1,900 law enforcement officials and service provider personnel regarding the new human trafficking legislation, including the new Penal Law trafficking offenses and the human trafficking victim confirmation process.

- OLS received and processed 841 Freedom of Information Law requests.

**Office of Internal Audit and Compliance (OIAC)**

- OIAC conducted four internal audits and 141 fiscal audits of grant contracts; reviewed operations in 669 agencies that used criminal history record information (rapsheets); and reviewed operations in 38 courts to verify the accuracy of dispositions reported to DCJS.

- Eight reviews of Uniform Crime Reporting (UCR) data submitted by agencies receiving Operation IMPACT funding were completed.

# Office of Criminal Justice Operations

## Mission
To provide timely and accurate fingerprint identification and criminal history records to authorized agencies.

## Scope of Operations
The Office of Criminal Justice Operations (OCJO) includes the following five program areas:

<table>
<tr><td>

- **State Identification** - Processes fingerprint transactions associated with felony and misdemeanor arrests, incarcerations and criminal justice-related inquiries. This unit also processes fingerprint transactions associated with applications for occupations or licenses that require a criminal history background check pursuant to state or local law.

</td><td>

**Key Public Service Areas**
- Criminal and Civil Fingerprint Processing
- Latent Print Processing
- Fingerprint Examiner Training
- Accuracy of Criminal History Records

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- **Civil Customer Service** - Responsible for implementation and oversight of the DCJS contract awarded to establish a Statewide Civil Vendor-Managed Network that is available for use by contributors authorized to submit civil prints to DCJS. Provides helpdesk support to civil contributors and applicants with questions and problems.
- **Latent Prints** - Receives latent crime-scene prints from law enforcement agencies across the state and country, and searches them electronically using the Statewide Automated Fingerprint Identification System (SAFIS) technology against a special database of fingerprint images.
- **Records Management** - Maintains the accuracy and completeness of the state's criminal history database. Responsible for data quality, case disposition and record sealing, and record review. Maintains Use and Dissemination agreements for all agencies in New York State that access criminal history information.
- **Administration** - Supports administrative functions, such as purchasing, procurements and personnel transactions. Supports civil validation, district attorney fingerprint certification requests, Judicial Subpoenas and special projects.

# Office of Criminal Justice Operations

## Arrest Fingerprint Processing

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. Fingerprints are processed against databases of nearly 50 million fingerprint images. When an arrest is made, fingerprints are submitted to DCJS by the arresting agency. DCJS returns criminal history record reports, commonly referred to as "rapsheets," to law enforcement agencies, district attorneys' offices and courts in response to the fingerprint submission. Rapsheets are returned electronically within approximately 30 minutes of receipt. This allows courts to use the positive identification of offenders, past criminal histories and any warrant information for arraignment and bail determinations.

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

√ An additional 161,202 fingerprint-based requests for criminal histories were processed by OCJO. These submissions were made for offenders who were incarcerated, on parole or probation, or for other inquiries.

**Arrest Fingerprints Processed**
(Annual)

| Year | Value |
|------|-------|
| 2005 | 534,820 |
| 2006 | 557,113 |
| 2007 | 585,264 |
| 2008 | 587,598 |
| 2009 | 596,186 |
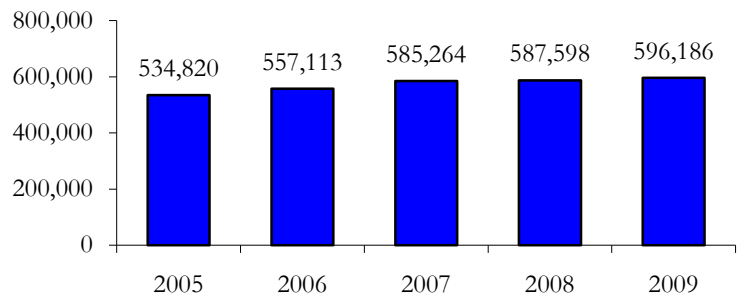
OCJO has established a target to process all arrest fingerprints submitted electronically within three hours of receipt.

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

| Year | Value |
|------|-------|
| 2005 | 99.7% |
| 2006 | 99.4% |
| 2007 | 99.3% |
| 2008 | 99.5% |
| 2009 | 99.5% |
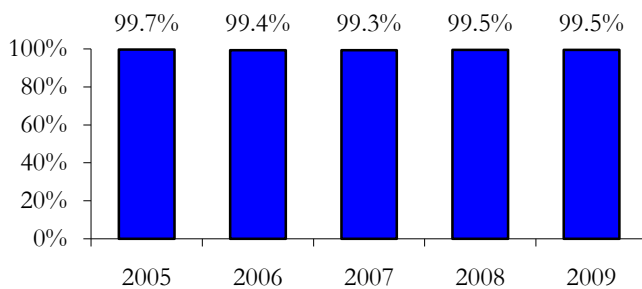
√ In 2009, nearly 100% of electronic submissions were processed within 3 hours of receipt, with an average turnaround time of 23 minutes.

# Office of Criminal Justice Operations

**Store and Forward Initiative**

To streamline processing and improve the quality of fingerprint searches, DCJS developed and implemented the Store and Forward Initiative. Store and Forward is an electronic interface that links remote fingerprinting sites to the Division's Statewide Automated Fingerprint Identification System (SAFIS). Electronic submission allows authorized civil and criminal justice agencies timely access to criminal history information for critical decision-making, including at arraignment; enables DCJS to forward authorized fingerprint inquiries to the FBI electronically for a quicker turnaround; and enables timely arrest notifications for immigration, wants, employment and licensing, and supervisory agencies. Electronic submission is critical for public safety, efficiency at arraignment and bail determinations.

In 2008, DCJS set a goal to achieve 100% of arrest and civil fingerprints submitted through Store and Forward by 2010. During 2009, DCJS implemented an aggressive strategy that included statewide notification of the new policy that all fingerprint submissions must be received electronically as of January 2010, follow-up with agencies that were mailing in fingerprint cards and funding for fingerprinting equipment for State Police. These efforts have resulted in significant progress, with 98.2% of all fingerprint submissions transmitted electronically in June 2010.

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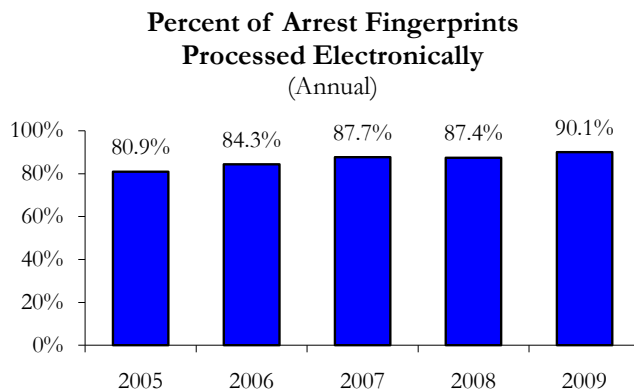


√ The percent of arrests processed electronically increased to 90.1% during 2009, as compared to 87.4% in 2008.

Criminal history responses are returned for all arrest fingerprint submissions. To reduce costs, extensive efforts were made in 2009 to eliminate all mailing of criminal history information, and instead to have this information sent electronically. During 2009, 44,520 rapsheets were mailed to town and village courts of arraignment that did not have access to *e*JusticeNY. This is significantly fewer rapsheets (-56%) than the 102,350 mailed during 2008. As of August 2010, the printing, sorting and mailing of rapsheets has been completely eliminated resulting in substantial savings in both staff time and mailing costs.

# Office of Criminal Justice Operations

## Civil Fingerprint Processing

DCJS processes fingerprint submissions associated with applications for certain occupations or licenses that by law require a criminal history background check. Applicant fingerprint submissions are forwarded to DCJS from more than 780 entitie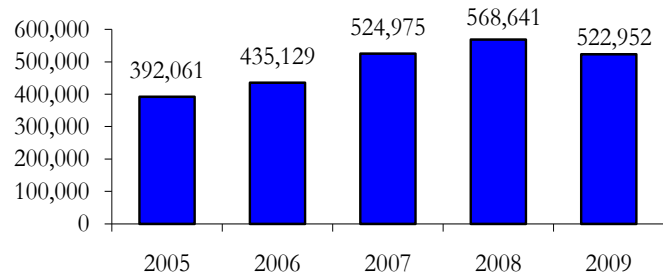s statewide. The timely processing of civil fingerprint submissions facilitates the suitability determination process of individuals who are seeking licenses or employment in positions of trust. This determination is essential to ensure that nursing homes, schools and other employers in especially sensitive areas do not hire individuals who may jeopardize the safety of the state's most vulnerable populations – children, the elderly and the handicapped.

√ There were 522,952 civil fingerprint transactions processed in 2009, a decrease of 8% as compared to 2008. This decrease is due to the decline in hiring around the state in 2009 during the economic downturn.

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

**Civil Fingerprints Processed**
(Annual)



| Year | 2005 | 2006 | 2007 | 2008 | 2009 |
|------|------|------|------|------|------|
| Civil Fingerprints | 392,061 | 435,129 | 524,975 | 568,641 | 522,952 |

**Civil Vendor-Managed Fingerprint Capture System**

In April 2009, DCJS implemented a vendor-managed fingerprint capture system to provide a statewide network of fingerprinting sites for the electronic transmission of civil applicant fingerprint transactions. The network consists of fingerprinting locations which cover rural, suburban and metropolitan areas throughout the state, with sites conveniently located within a 20-mile drive distance or 30-minute one-way travel time from most jurisdictions. In addition to saving time for citizens, the system provides a higher level of security and reduces costs statewide by eliminating system redundancy across several state and local agencies.

The vendor-managed system was implemented at no cost to DCJS. Aside from any applicable DCJS and FBI fingerprint search fees ($75 and $19.25 respectively), the vendor charges the applicant an additional fee of $11.50 for software, equipment and staffing costs associated with collecting and transmitting the fingerprints and photos electronically to DCJS. The DCJS Civil Customer Service Bureau provides a point-of-contact for civil contributors and applicants for questions or problems. The bureau also handles all applicant fingerprint processing fees, and expedites processing for fingerprint submissions from family and surrogate courts for adoptions, custody and guardianship.

√ As of December 2009, more than 100 livescan fingerprinting locations were in place throughout the state, with more than 370 civil contributor agencies using the network. By the end of August 2010, there were more than 570 civil contributors utilizing the Civil Vendor-Managed Capture System.

# Office of Criminal Justice Operations

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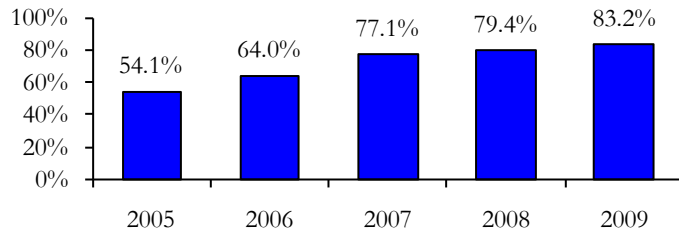


√ In 2009, 83.2% of all civil fingerprints processed were submitted electronically as compared to 79.4% in 2008. As of July 2010, 98.8% of all civil fingerprints were submitted electronically.

## Crime Scene Print Processing

DCJS serves as New York State's central SAFIS site among 19 regional sites networked to SAFIS across the state. OCJO staff process crime scene prints from the 17 counties in its geographic jurisdiction, as well as from other parts of the state and other countries, to assist law enforcement agencies in criminal investigations. Crime scene fingerprints are searched against a criminal database of more than 32 million fingerprint images at DCJS in an effort to positively identify the individual who left the prints. Crime scene prints also are searched against the FBI fingerprint database of more than 600 million fingerprint images on behalf of law enforcement agencies across the state. In addition to processing crime scene fingerprints, DCJS provides technical and production assistance to other sites when required, and oversees the certification process and annual proficiency examination for latent fingerprint examiners across the state. Staff also conduct training on latent print collection, analysis, comparison, evaluation and verification, in addition to searching and providing expert court testimony.

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

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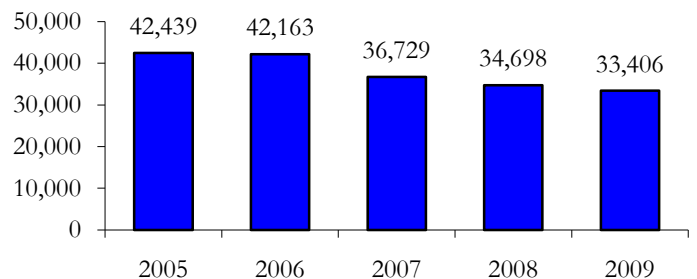


**Crime Scene Fingerprint Hits Against
DCJS Database**
(Annual)
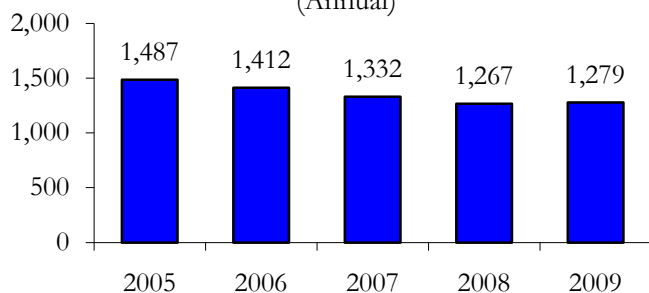


√ During 2009, DCJS positively identified 1,279 crime scene fingerprints.

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

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# Office of Criminal Justice Operations

√ DCJS also conducted 754 crime scene searches against the NYPD Palm Print database and positively identified seven crime scene palm prints during 2009.

## Fingerprint Training

Training on fingerprint collection is critically important. If fingerprints are not taken properly, they cannot be matched against criminal history records. To ensure that individuals are skilled in the proper fingerprint collection techniques, OCJO staff regularly provides training on fingerprinting essentials to law enforcement. Personnel from other state and local agencies, which are responsible for collecting fingerprints associated with applications for certain occupations or licenses that require a criminal history background check, also received training from OCJO.

√ During 2009, OCJO staff provided training to 616 personnel from numerous state and local agencies. This is a decrease (-46%) from the 1,138 personnel trained in 2008, largely due to the transition of many civil contributors to the Civil Vendor-Managed System.

## Records Management

Pursuant to 9 New York Code of Rules and Regulations Part 6050.1, DCJS affirms the right of an individual to review and challenge his or her own criminal history record information (CHRI). In addition, individuals may challenge the accuracy or completeness of criminal history record information provided by DCJS through an appeal process. There are two types of record reviews: a *Public Record Review* requiring fingerprints and a $61.50 processing fee, and an *Inmate Record Review*, which is provided free of charge to incarcerated individuals. During 2009, DCJS took steps to increase efficiencies and reduce mailing costs associated with this process. Electronic responses to requests replaced mailing wherever possible. In addition, applicants were referred to a civil fingerprint vendor for application processing, further streamlining the process.

**Public Record Reviews Conducted**
(Annual)

| Year | Reviews |
|------|---------|
| 2006 | 7,762 |
| 2007 | 8,043 |
| 2008 | 9,579 |
| 2009 | 11,854 |
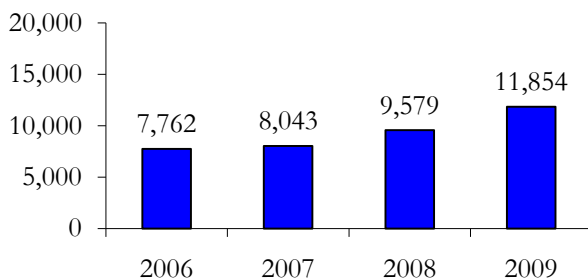
*Data prior to 2006 not available

**Inmate Record Reviews Conducted**
(Annual)

| Year | Reviews |
|------|---------|
| 2006 | 15,758 |
| 2007 | 14,298 |
| 2008 | 15,769 |
| 2009 | 15,292 |
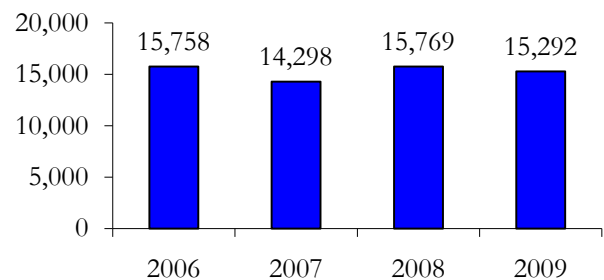
*Data prior to 2006 not available

√ During 2009, 27,146 Record Reviews were completed. Of these, 56% were Inmate Record Reviews and 44% were Public Record Reviews.

# Office of Criminal Justice Operations

√ Compared to 2008, there was a (+24%) increase in record reviews for the general public, and a reduction (-3%) in inmate requests for a review during 2009. As more occupations and licenses require criminal history background checks, more individuals are reviewing their criminal histories.

√ Individuals filed challenges in 5% (739) of the Inmate Record Reviews and 2% (198) of the Public Record Reviews completed in 2009.

## Scanning Project

In an effort to eliminate the need for extensive storage and maintenance of paper fingerprint cards and other documents, and to prepare for the conversion to the new SABIS system, staff from OCJO and Office of Justice Information Systems (OJIS) completed a project to scan and convert to electronic approximately 22 million hard copy fingerprint cards and related documents housed in Central Files. Since completion of the project, document scanning is a regular business practice. During 2009, 104,556 documents were scanned and converted to electronic files by a private vendor. Documents included fingerprint cards and forms associated with DNA collection. This project not only reduced the need for warehouse space, it also provided an opportunity to purge all extraneous documents housed at Central Files, which resulted in substantial savings and the reassignment of six staff.

## Completeness of Criminal History Records

Each quarter, DCJS reviews all arrests on file that occurred at least two years ago, and reports on the percent of these with a complete disposition on file. OCJO continually works to improve the quality of criminal history information through its training efforts.

√ Five training sessions were held during 2009. Approximately 450 town and village justices and court clerks attended training primarily focused on the submission of correct disposition information to the Office of Court Administration (OCA), which is then electronically transmitted to DCJS.

√ The number of all arrest events with a final disposition on the criminal history file has increased slightly each year since 2005.

**Criminal Court Dispositions on File - All Courts**
(Annual)

| Year | Percent |
|------|---------|
| 2003 | 93.1% |
| 2004 | 92.8% |
| 2005 | 91.4% |
| 2006 | 91.6% |
| 2007 | 92.0% |
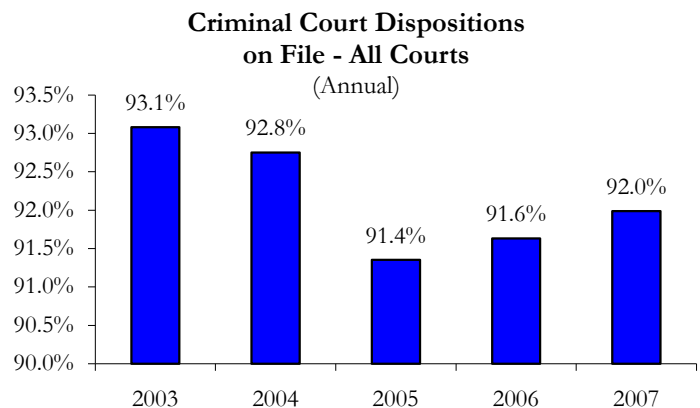
# Office of Justice Information Services

## Mission

To support the business functions and needs of DCJS and state and local criminal justice agencies by providing timely, accurate and complete information through efficient, effective and creative use of technology.

## Scope of Operations

The Office of Justice Information Services (OJIS) provides technology support for DCJS, the Crime Victims Board, the Office for the Prevention of Domestic Violence, the State Commission of Correction, and the Board of Examiners of Sex Offenders.  In addition, OJIS provides support for systems and software used by state and local criminal justice agencies.  OJIS plays a leading role in the Integrated Justice Advisory Board (IJAB), the governance board consisting of state-level criminal justice agencies in New York.  IJAB coordinates criminal justice system-wide technology and information sharing initiatives, and ensures the interoperability of agency-specific projects. Agencies represented on IJAB include DCJS, the New York State Police, the Department of Correctional Services, the Office of Homeland Security, and the Division of Parole.

### Key Public Service Areas

- Systems Development
- Systems Maintenance
- 24 - 7  Systems Availability
- Customer Service for Law Enforcement
- Technology Systems Training

OJIS includes the following six program areas:

- **Enterprise Development** - Supports business functions and needs through four major units:
  - **Systems Transformation** - Conducts large project analysis and development
  - **Application Development and Support** - Project development and production support
  - **Business Analysis and Quality Assurance** - Conducts analysis of project requirements and quality assurance testing
  - **Business Intelligence and Data Share** -  Develops and supports business intelligence and data share initiatives
- **Technology Services** - Provides technical infrastructure and support services for DCJS and its hosted agencies.  Staff develops, maintains and operates the agency's internal network infrastructure, databases on multiple platforms, and more than 40 different computer systems.
- **Customer Service** - Provides 24-hour user support for systems developed or supported by OJIS, including the DCJS website.  Customer Service consists of three groups:
  - **Customer Contact Center (CCC)** - Provides 24/7 helpdesk support for DCJS information systems used by 50,000 criminal justice personnel in nearly 2,600 agencies across the state. CCC also serves as the Help Desk for the *e*JusticeNY Integrated Justice Portal.
  - **Training and Support** - Works with local, state and federal criminal justice agencies to enroll, train and support nearly 50,000 users.
  - **Web Services** - Works with DCJS offices and other criminal justice partners to provide an accurate and easy-to-navigate website for the criminal justice community and the public.
- **Project Management Office (PMO)** - Oversees Project Portfolio Management, coordinates Executive approvals and decision-making on technology initiatives and closely monitors ongoing projects and the effective use of information technology resources.

# Office of Justice Information Services

- **Information Security Office (ISO)** - Implements and supports policies and procedures that protect the confidentiality, integrity, and availability of DCJS's information and data resources. Areas of responsibility include: access control policies, information security testing and evaluation, compliance with federal, state and DCJS policies, and ensuring that hardware and software in use meets current security requirements.
- **Systems Planning and Standards** - Coordinates the office budget and procurement of information technology hardware, software and consulting services, including contract management. The group also is responsible for the identification, procurement and management of federal funding to support information technology initiatives.

# Office of Justice Information Services

## Priority Technology Initiatives

During 2009, 13 major technology projects were completed, with 19 actively underway at the close of the year. Projects are described in more detail in this report due to either their critical impact on core mission, the important role they play in public safety, or significant staff resource dedication.

### Mainframe Systems Migration

DCJS is migrating to a new platform, its mainframe application processing systems that support the core DCJS functions of 24-hour fingerprint processing and the provision of criminal histories (rapsheets) to law enforcement. Substantial staff resources are dedicated to this multi-year effort, which will move the agency's complex mainframe-based criminal history processing systems to a new Oracle environment. The processing systems currently run on outdated, unsupported hardware and software, which is a substantial risk to DCJS operations. It is expected that the new systems will be deployed into production by the end of 2010.

### SAFIS System Replacement

A critical upgrade to the Statewide Automated Fingerprint Identification System (SAFIS) is underway to replace outdated systems with technology that will eliminate reliance on unsupported hardware and software. DCJS' current fingerprint system, which was established nearly 20 years ago, processes more than one million fingerprint transactions annually. The new automated fingerprint identification system, Statewide Automated Biometric Identification System (SABIS), will replace SAFIS. OCJO staff are working closely with OJIS and the vendor (MorphTrak) to customize the design of the new system specifically for DCJS. The system will significantly decrease the need for manual review of incoming transactions through the use of automated image determination. Deployment of the new systems for both Latent Print Identification and Ten Print Identification is scheduled for 2011.

### Integrated Criminal Justice Portal

A major development in the statewide criminal justice infrastructure is underway with the movement of interagency and cross-jurisdictional information from *e*JusticeNY to the *e*JusticeNY Integrated Justice Portal. Since 2006, DCJS has been working with the New York State Police to merge the New York State Police Information Network (NYSPIN) and *e*JusticeNY into the Portal. The Portal provides secure "one-stop shopping" through which authorized users can access information from federal, state and local agency sources. The Portal provides users with simple, quick and inexpensive access to timely and complete information. This ongoing effort is coordinated by the State's Integrated Justice Advisory Board (IJAB).

In 2008, law enforcement users began accessing the Critical Infrastructure Response Information System (CIRIS), a sophisticated mapping tool that allows public safety personnel and state officials to quickly search for, locate and visualize information about critical assets and infrastructure components from the Portal. During 2009, projects were initiated to standardize data exchanges and create an offender-related data repository accessible through the Portal to provide access to critical documents and data used by multiple criminal justice agencies. At the end of 2009, the following applications were accessible on the Integrated Justice Portal.

# Office of Justice Information Services

- Jail Management System
- NYSPIN services
- COMPAS
- *e*JusticeNY PSI Repository

**New York Offender Assessment and Data Sharing (NOADS)**

The New York Offender Assessment and Data Sharing (NOADS) technology project was initiated in 2008 to support re-entry efforts in DCJS, DOCS, Parole and Probation. The NOADS project, funded by the Byrne JAG grant, involves three major components:

- **Risk and Needs Assessment** - DCJS provides the technology support for the implementation of the COMPAS risk and needs assessment system in New York State. In 2008, the COMPAS system was moved to DCJS and is now accessed through the Portal. Probation departments use COMPAS to assist them in creating presentence investigations and to manage probation caseloads. All COMPAS data are stored centrally at DCJS to allow information to be shared among agencies. Parole began piloting "Re-entry COMPAS" in 2009 with extensive technical support provided by DCJS.

  √ In 2009, probation agencies conducted 44,367 assessments through the Portal, and conducted 17,449 reclassification assessments in COMPAS.

  √ In 2009, Parole conducted 1,168 assessments in the Re-entry COMPAS Pilot.

- **Statewide Repository of Pre-Sentence Investigation (PSI) Reports** - DCJS is establishing a centralized repository of PSI information. PSIs provide critical information to the Department of Correctional Services (DOCS) and Parole on individuals sentenced to prison. In 2009, OJIS established an interface with the New York City Department of Probation to electronically receive PSI data and images. This information is available to all probation agencies and state corrections agencies with portal access. At the end of 2009, there were 68,370 documents in the PSI Repository.

- **Transition Accountability Plan (TAP) Database** - DCJS is working closely with DOCS and Parole to develop a database that will support an important phase of the re-entry process that is being piloted. DOCS and Parole will work with inmates to develop a Transition Accountability Plan (TAP) to guide programming during incarceration and release. Implementation of a pilot of the TAP is planned in 2010.

**Sex Offender Management System (SOMS)**

During 2009, OJIS continued development of Phase I of a new sex offender management system. The new system, which has been under development for several years, replaces an outdated and inflexible system. The new system substantially expanded the address verification process to capture important updates on offender status. It expanded the type and accuracy of information available to the public and law enforcement, and improved tracking of correspondence sent to and received from offenders. During June 2010, the enhanced sex offender management system was rolled out to 20,000 users across the state.

# Office of Justice Information Services

**Enterprise Disaster Recovery Project**

In 2009, OJIS implemented the Enterprise Disaster Recovery Project designed to protect mission critical DCJS systems in the event of a disaster at the data center in Executive Park where DCJS is located. A risk assessment was completed to determine which DCJS systems needed protection, and how quickly systems would need to be recovered based on the impact to the criminal justice community. DCJS developed the Statewide Temporary EFTS (Fingerprint) Processing System (STEPS) to provide for the continuation of Priority 1 criminal fingerprint processing, in the event that the DCJS site in Albany were to become unavailable. During 2010, DCJS will set up the network, computer hardware, and systems at an alternate "high availability" location.

**New York State Data Exchange (NY-DEx)**

The New York State Data Exchange (NY-DEx) program, funded by a 2007 COPS Technology Grant, will provide a statewide information-sharing environment to aid local law enforcement officials in the criminal investigation process. NY-DEx provides law enforcement agencies with a vast reservoir of information that would not otherwise be accessible. This system is structured to support the investigative analysis process. NY-DEx allows vital information to be stored centrally, and provides access to information sources which "connect the dots" between information that is not obviously related or may even appear unrelated.

The FBI is engaged in a similar project, the National Data Exchange (N-DEx). N-DEx brings together data from law enforcement agencies throughout the United States, and the NY-DEx program dovetails nicely with the N-DEx model. This provides DCJS' local law enforcement partners with a single gateway to both state and federal criminal information. The delivery of statewide crime-related data to both the NY-DEx and N-DEx central repositories will provide a new, robust investigative tool to participating agencies. Substantial development was completed in 2009, with initial deployment scheduled for 2010.

**Spectrum Justice System (SJS)**

Spectrum Justice System (SJS) is a records management and police booking system currently in use in 221 police departments across New York State. Since fall 2009, DCJS has been working to replace the aging and increasingly unsupportable client/server version of this system (v6.5) with a new, browser-based version (v7.0). The new version will add functionality to link the system with the New York Prosecutors Training Institute's (NYPTI) Prosecutors Case Management System (PCMS) and the New York State Police Traffic and Criminal Software (TraCS) system. Statewide deployment began in 2010.

**Domestic Incident Report Database**

Using approximately $1.5 million available through the federal American Reinvestment and Recovery Act (ARRA), DCJS is working with the Office for the Prevention of Domestic Violence (OPDV) to create a Domestic Incident Report (DIR) repository. The repository will provide law enforcement agencies outside New York City with cross-jurisdictional access to DIR information. DIRs are filed by more than 550 police agencies in the 57 counties outside of New York City. In 2009, DCJS began planning the technical design and identification of the infrastructure needed to support the repository. The project completion date is scheduled for early 2011.

# Office of Justice Information Services

## *e*JusticeNY

*e*JusticeNY provides law enforcement with essential operational support, data and management information through a secure communications network.  Through *e*JusticeNY, "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.  OJIS is currently transitioning access to *e*JusticeNY to the Integrated Justice Portal.  The Portal will include upgraded NYSPIN services, *e*JusticeNY services, State Police NYS Intelligence Center (NYSIC) services and Homeland Security services.

### Enrollments and Usage

During the past four years, DCJS has been working to expand *e*JusticeNY access in anticipation of the rollout of the *e*JusticeNY Integrated Justice Portal.  DCJS closely monitors enrollments in *e*JusticeNY and usage of enrolled agencies.

√ The number of agencies enrolled in *e*JusticeNY increased 26% in 2009 compared to 2008, and 98% since 2005.  2,163 agencies were enrolled and supported by DCJS at the end of 2009.

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

**Agencies Enrolled in *e*JusticeNY**
(End of Year)



| Year | Agencies |
|------|----------|
| 2005 | 1,093 |
| 2006 | 1,323 |
| 2007 | 1,631 |
| 2008 | 1,722 |
| 2009 | 2,163 |
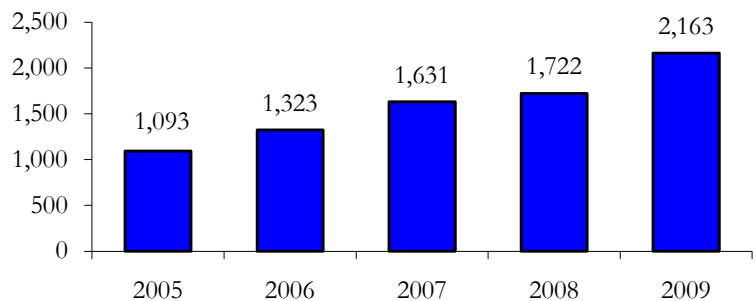
Users electronically search *e*JusticeNY for comprehensive criminal history information by using either the offender's name or New York State Identification Number (NYSID).  A rapsheet, including the photo taken at last arrest, is returned to the user when an inquiry matches a criminal history record.  Inquires are conducted in the course of criminal investigations.

# Office of Justice Information Services

**Individuals Enrolled in *e*JusticeNY**
(End of Year)
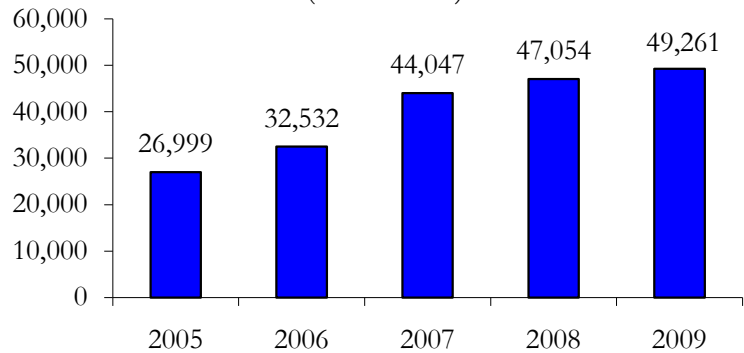
√ At the end of 2009, more than
49,000 individuals were enrolled in
*e*JusticeNY, an increase of 5% from
2008.

| Year | Enrolled |
|------|----------|
| 2005 | 26,999 |
| 2006 | 32,532 |
| 2007 | 44,047 |
| 2008 | 47,054 |
| 2009 | 49,261 |

**eJusticeNY  Total Offender Inquiries**
(Annual)

| Year | Millions |
|------|----------|
| 2005 | 1.5 |
| 2006 | 2.1 |
| 2007 | 3.0 |
| 2008 | 3.8 |
| 2009 | 3.9 |
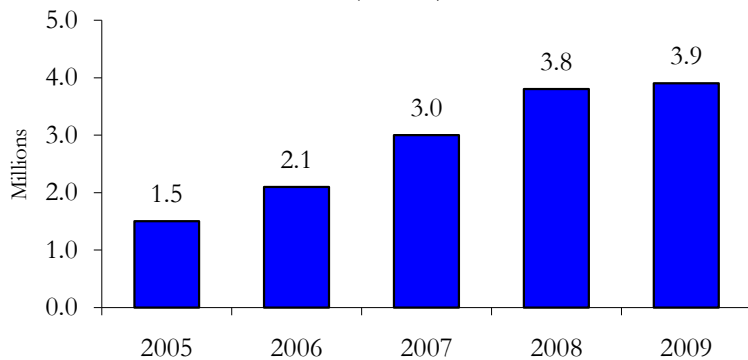
√ The number of offender
inquiries increased slightly in
2009.  A total of 3.9 million
inquiries were conducted in
2009, an increase of 1% as
compared to 2008.

Prior to 2001, with minor exceptions for local courts, the only way for local agencies to run a
rapsheet (criminal history record), was through a NYSPIN terminal.  Usage of NYSPIN to run the
old-style rapsheets has been discontinued.  *e*JusticeNY is now used to generate rapsheets that include
a photo.

DCJS monitors *e*JusticeNY response times for rapsheet requests and name search inquiries.  Good
response time is critical to DCJS customers and it can be negatively impacted by more users or new
*e*JusticeNY releases and functionality.  The average response time is measured in seconds from when
the request for a rapsheet or criminal history information is made and the actual return of the
rapsheet data or criminal history information to the user.

**eJusticeNY Average Response Time
Rapsheet Requests**
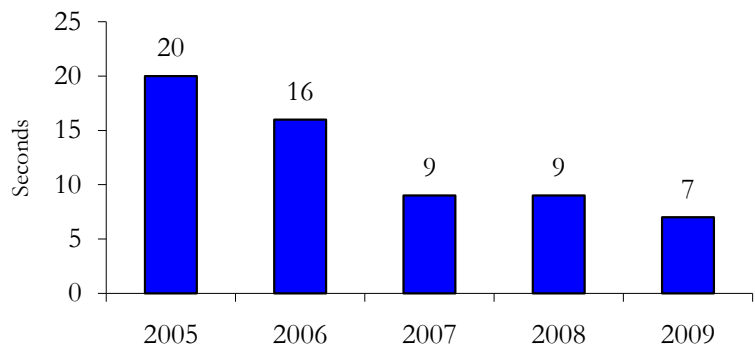
√ The average response time to
generate a rapsheet declined
further in 2009 to seven seconds.
Response time has steadily
improved since 2005.

| Year | Seconds |
|------|---------|
| 2005 | 20 |
| 2006 | 16 |
| 2007 | 9 |
| 2008 | 9 |
| 2009 | 7 |

# Office of Justice Information Services

## eJusticeNY Average Response Time
## Name Search Inquiries
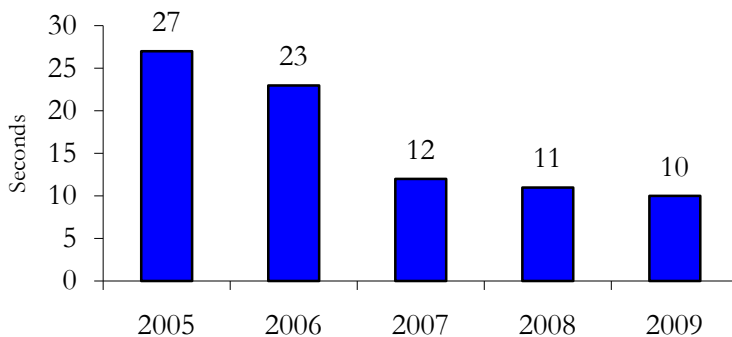


√ The average response time for name search inquiries has also continued to improve, from 27 seconds in 2005 to only 10 seconds in 2009.

### Training

OJIS staff regularly provide training on eJusticeNY to ensure that new users can access critical criminal justice information and learn about new features and reports available on eJusticeNY.  In addition to the training provided, all eJusticeNY users can call the DCJS Customer Contact Center at any time for technical assistance and support.  CCC operates a 24-hour help desk which serves all eJusticeNY customers; see page 17 of this report for more information.

√ OJIS conducted 85 training sessions   in 2009.

√ 2,819 criminal and civil agency personnel were trained in 2009, an increase (+6%) from 2008.  The large number trained in 2007 coincided with a dramatic increase in eJusticeNY enrollments.

## eJusticeNY
## Participants Trained
### (Annual)
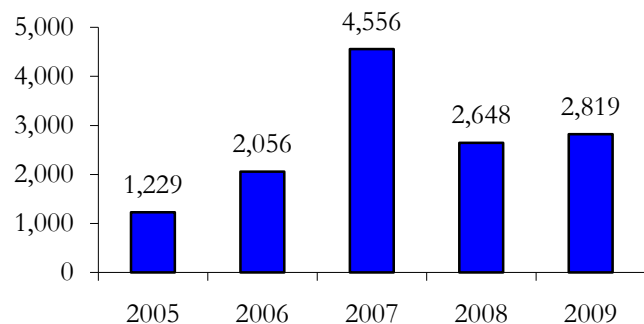


## Store and Forward

DCJS developed and implemented Store and Forward to reduce arrest and fingerprint processing time and improve the quality of fingerprint searches.  Store and Forward is an electronic interface that links remote fingerprinting sites to the Division's Statewide Automated Fingerprint Identification System (SAFIS).  Agencies that process fingerprints through Store and Forward transmit arrest fingerprint images and mug shots electronically to DCJS and receive a full criminal history (rapsheet) in time for offender arraignment, which is key to public safety.  DCJS' goal of 100% submission of arrest and civil fingerprints through Store and Forward resulted in a significant increase in participating law enforcement agencies in 2009.  OJIS provides technical support to DJCS offices and law enforcement agencies associated with this initiative.

# Office of Justice Information Services

**Law Enforcement Agencies
Participating in Store and Forward**
(End of Year)

[Bar chart showing Law Enforcement Agencies Participating in Store and Forward by year:
- 2005: 161
- 2006: 197
- 2007: 210
- 2008: 224
- 2009: 301]
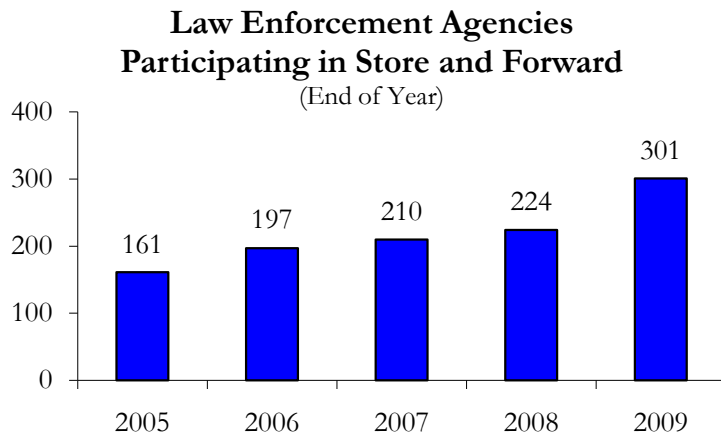
√ As of December 2009, 301 law enforcement agencies had Store and Forward capability, an increase of 77 agencies as compared to 2008.

## Mainframe System Operations

Uptime is monitored for four agency systems: *e*JusticeNY, DCJS Mainframe, CXL (SAFIS), and IXL (SAFIS).

**_e_JusticeNY** provides law enforcement with essential operational support, data and management information through a secure communications network.

**DCJS Mainframe** is a legacy system that had served as the principal computer platform for DCJS databases and interface with outside agencies through the mid-1990s. Since then, much of the mainframe functionality has been migrated to a new three-tiered client server architecture. This migration process is expected to be completed within the next two years. In the interim, the mainframe serves as the processing engine for a number of critical programs including the Automated Fingerprint Identification System (AFIS), court dispositions and National Crime Information Center (NCIC) services.

**IXL (SAFIS)** is the information system responsible for the identification processing of all fingerprint submissions received from authorized civil and criminal contributors. IXL receives electronic input from agencies through the Store and Forward system and from hard copy fingerprint cards mailed to DCJS and loaded into SAFIS. Many Store and Forward sites now electronically submit images into SAFIS using the Gateway Service Provider (GSP), eliminating a prior step whereby the prints had to be printed and manually re-acquired into SAFIS. IXL SAFIS uses two fingers in its searching process and includes every fingerprint record maintained by DCJS.

**CXL (SAFIS)** is the information system for identification processing of crime scene (latent) prints against a subset of the fingerprint images maintained on the IXL (all criminal prints). CXL SAFIS maintains electronic images of all ten fingers for each record for searches. CXL searches are generated by DCJS staff and those criminal justice agencies operating the regional CXL units.

# Office of Justice Information Services

A goal of 99% of uptime has been established for the four main agency systems.

**System Availability - Uptime**

(Annual)

|  | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|---|
| *e*JusticeNY | 96.7% | 97.2% | 97.7% | 97.5% | 97.6% |
| Mainframe | 99.4% | 99.6% | 99.5% | 99.4% | 99.7% |
| CXL (SAFIS) | 99.9% | 99.8% | 99.8% | 99.9% | 99.9% |
| IXL (SAFIS) | 99.6% | 99.7% | 99.6% | 99.6% | 99.7% |

√ Over the past five years, OJIS has exceeded its goal of 99% uptime for DCJS Mainframe, CXL (SAFIS) and IXL (SAFIS).

√ *e*JusticeNY uptime remained below the 99% target in 2009.  DCJS is working to improve uptime through software upgrades.

## Customer Contact Center

The Customer Contact Center (CCC) is the 24-hour help desk service for customers who need assistance with transmitting arrests or obtaining rapsheets, computer operations, software and other operational issues.  CCC supports law enforcement agencies throughout the state, customers within DCJS, and agencies hosted by DCJS.  CCC acts as a gatekeeper and assigns the tickets to the appropriate unit.  An increase, (+26%) in *e*JusticeNY enrollments from 2008 has greatly increased workload for this unit.

**Calls and Requests Received by DCJS CCC**

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

√ During 2009, the total number of calls and requests handled by CCC increased (+15%) from 2008, due in part to the increase in agencies enrolled.

√ 58% of the requests for assistance were from criminal justice agencies outside DCJS and civil agencies during 2009.

# Office of Justice Information Services

**Calls and Requests From**
**Law Enforcement Agencies Outside DCJS**
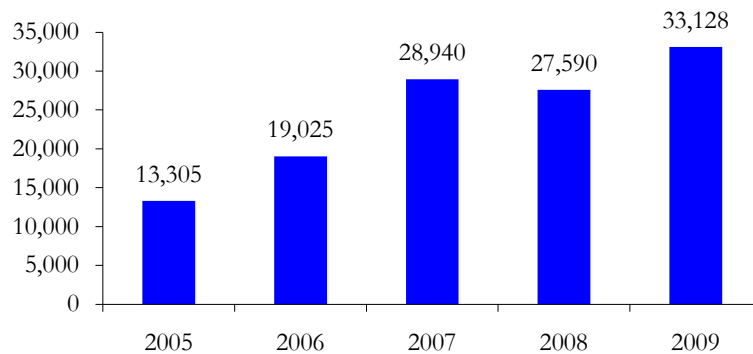


√ Calls originating from criminal justice agencies outside DCJS and civil agencies increased dramatically in 2009, coinciding with increased enrollments.

All calls are triaged by CCC staff.  The Customer Contact Center is improving its software capabilities and tools to be more efficient within available resources.  The goal is to effectively resolve more tickets upfront, decreasing the workload for second-level support.  Calls that cannot be resolved by CCC staff are assigned to the appropriate information technology operational area.  Of the 56,710 calls/requests made to CCC during 2009, 28,017 resulted in a CCC ticket.  CCC classifies tickets into one of four priorities.  Each priority has a specific response time goal, which is measured from the time the call is logged by CCC to the time the assigned operation area responds to the call.  It does not measure the time it takes to resolve the problem.

**Priority 1 Tickets** – CCC seeks to respond to all Priority 1 tickets within 30 minutes.  Problems classified as Priority 1 consist of major system or network outages impacting a large number (15 or more) of users, where no workaround exists.

**Priority 2 Tickets** – CCC seeks to respond to all Priority 2 tickets within one hour.  Problems classified as Priority 2 consist of system outages with no workaround and an impact on two to five users, or users unable to log on to the network.

**Priority 3 and 4 Tickets** – CCC seeks to respond to all Priority 3 and 4 tickets within 8 business hours.  Problems are classified as Priority 3 and 4 when a temporary workaround exists and there is no immediate urgency.

Priority assignments were reclassified in late 2008 and Priority 1 and 2 incidents are now limited to actual critical and major system outage events.  This change resulted in a substantial decrease in Priority 1 and 2 tickets, and a corresponding increase in Priority 3 and 4 tickets.

# Office of Justice Information Services

**CCC – Tickets Opened**

(Annual)

| Ticket | 2005 | 2006 | 2007 | 2008 | 2009 | 08 vs 09 % Change |
|---|---|---|---|---|---|---|
| Priority 1 | 294 | 462 | 683 | 608 | 157 | -74% |
| Priority 2 | 1,055 | 1,408 | 1,574 | 1,033 | 77 | -93% |
| Priority 3 & 4 | 23,176 | 28,876 | 41,211 | 47,562 | 56,476 | 19% |
| **Total** | **24,525** | **30,746** | **43,468** | **49,203** | **56,710** | **15%** |

√ During 2009, Priority 3 and 4 tickets increased (+19%), while Priority 1 and Priority 2 tickets each declined significantly.

√ Overall, CCC responded to 88% of all tickets on time during 2009, despite a significant increase (+15%) in workload. This improvement over 2008, when 86% of tickets were responded to on time, is due to the improved efficiencies described on page 18.

**Percent of Tickets Responded to On Time**



| Year | Percent |
|---|---|
| 2005 | 87% |
| 2006 | 87% |
| 2007 | 79% |
| 2008 | 86% |
| 2009 | 88% |
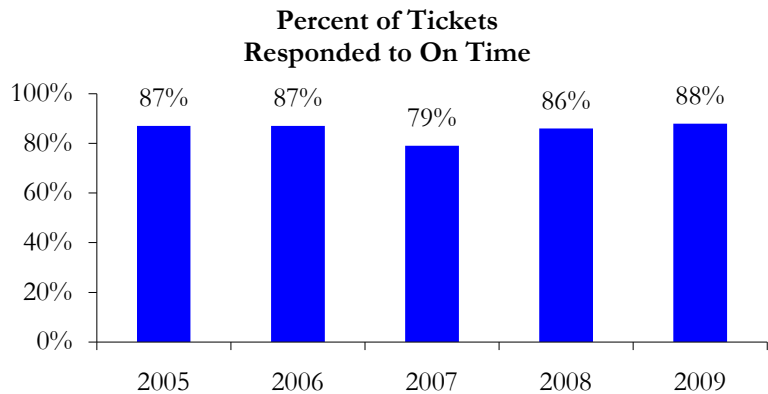
## Project Management Office

In 2005, DCJS established a Project Management Office (PMO) within the Office of Justice Information Services. The PMO was established to better account for DCJS Information Technology resources and to ensure alignment of these resources with agency priorities. The PMO monitors all Information Technology (IT) projects.

When a project requires a significant amount of IT resources or has major policy implications, a comprehensive analysis is prepared. These analyses referred as Business Cases, can be sponsored by either DCJS or hosted agency executive staff and are prepared in conjunction with IT staff. Project size can range from a request that involves 80 hours of staff effort to a multi-million dollar project that involves months or years of effort. Projects must be reviewed and approved by the IT Executive Review Board, which includes DCJS Executive staff members, before work can begin.

The PMO has also established a formal process to review requests for services for smaller projects. DCJS executive staff, hosted agencies and outside agencies can submit a service request for IT services when it is estimated that less than 80 hours of IT effort will be needed.

# Office of Justice Information Services

| **Business Cases** (Annual) | | | | |
|---|---|---|---|---|
| | **2006** | **2007** | **2008** | **2009** |
| Reviewed | 25 | 17 | 12 | 10 |
| Approved | 24 | 15 | 12 | 5 |

| **Service Requests** (Annual) | | | | |
|---|---|---|---|---|
| | **2006** | **2007** | **2008** | **2009** |
| Submitted | 155 | 159 | 124 | 116 |
| Approved | 120 | 119 | 105 | 88 |
| Completed | 93 | 109 | 77 | 58 |

During 2009, the number of service requests and approvals for smaller projects decreased due to a redirection of agency IT resources to the critical mainframe migration project. Due to agency-wide recognition of the resource-intensive migration project, fewer Business Cases were submitted in the past two years.

√ During 2009, the IT Executive Review Board considered ten Business Cases for major projects, and approved five.

√ During 2009, the PMO approved 88 service requests submitted by DCJS, the Office of Court Administration, and other agencies.

√ OJIS completed and delivered 58 service requests to customers in 2009.

# Office of Public Safety

## Mission
To provide training, support and technical assistance to enhance public safety within New York State.

## Scope of Operations
The Office of Public Safety (OPS) includes the following six program areas:

- **Crime Analysis Centers (CAC)** - CACs in Albany, Erie, Onondaga and Monroe counties conduct analyses of crime incidents, offender data and calls for service to provide a comprehensive picture of local crime. Information produced by these multi-jurisdictional centers assist law enforcement with investigations, crime prevention strategies, tactical deployment and officer safety.

- **Operation IMPACT** - Established in 2004, Operation IMPACT supports crime reduction through data-driven strategies within the 17 counties that account for 80 percent of the crime reported outside New York City. Staff support includes project management, hands-on technical assistance and training.

- **Law Enforcement Training** - Coordinates and delivers police officer training in officer safety, criminal investigation, crime analysis, field intelligence, traffic safety, law enforcement skills, and executive law enforcement issues. This unit coordinates the work and initiatives of the Municipal Police Training Council (MPTC).

- **Administrative Services** - Maintains a registry of all police and peace officers in New York State, as well as training records for these officers and security guards. This team also is responsible for administration of the Law Enforcement Accreditation Program.

- **Highway Safety Technology** - Maintains and certifies the calibration of speed and alcohol detection instruments utilized by municipal police departments throughout the state. Maintains a database of critical DWI data to be used for targeted enforcement and education initiatives.

- **Child Safety Services** - Administers the New York State Missing and Exploited Children Clearinghouse (MECC) and mandated statewide Missing Children repository.

# Office of Public Safety

## Crime Analysis Centers

Building upon the success of Operation IMPACT and the emphasis on intelligence-driven policing, DCJS implemented an innovative and groundbreaking data-sharing approach that established four regional Crime Analysis Centers (CAC).  The CAC program promotes the use of timely, accurate crime data and technology to complement and enhance traditional crime-fighting strategies that advance public safety and officer safety.  Each Center has a DCJS-employed director.  Participating law enforcement agencies assign command staff, crime analysts and field intelligence officers, while DCJS provides additional crime analyst positions through contracts with local research partners and universities.  The intelligence generated by the CACs supports law enforcement decisions about tactical day-to-day deployment and long-term planning; it provides investigators with leads to solve crimes and gives officers on the street crucial information that keeps them, and the public, safer.

Centers are equipped with technology, data systems, software, and hardware to facilitate the capture, analysis and dissemination of information and analytical products.  Data systems from participating law enforcement agencies within each county have been integrated to allow the efficient extraction of incident information.  CACs use state-of-the-art browser-based search software to access data on more than 50 databases which results in rapid identification of crime hotspots and potential hotspots, and identification of crime patterns before they become trends.  Daily briefs on crime data help law enforcement officials make informed tactical and deployment decisions.

√ The Monroe CAC opened in 2007, followed by Erie and Onondaga in 2008.  The Albany CAC became operational in 2009.

√ In 2009, DCJS received a "Best of New York" award from the Center for Digital Government for the digital collaboration and innovative use of technology central to the success of the CACs.  In May 2010, DCJS received an "Emergency Management Digital Distinction" award from the Center for Digital Government, and was one of eight government agencies nationwide recognized for using technology to enhance public safety.

### Status of Crime Analysis Centers
(End of Year)

|  | Albany | Erie | Monroe | Onondaga |
|---|---|---|---|---|
| Center Opened | 2009 | 2008 | 2007 | 2008 |
| Total Staff | 15 | 17 | 21 | 16 |
| DCJS Funded Staff | 4 | 7 | 8 | 12 |
| Other Participating Agencies | Albany PD | Buffalo PD | Rochester PD | Syracuse PD |
|  | Sheriff | Sheriff | Sheriff | Sheriff |
|  | State Police | State Police | State Police | State Police |
|  | HIDTA | HIDTA | HIDTA | HIDTA |
|  | Probation |  | Probation | Probation |
|  |  | DA | DA | DA |
|  |  | Cheektowaga PD |  |  |
|  |  | Housing Authority |  |  |
|  |  | FBI |  |  |
| PDs Contributing Data | 2 | 27 | 10 | 25 |
| Data Sources Accessible | 41 | 55 | 18 | 27 |
| # of Agencies Served | 6 | 29 | 18 | 30 |

# Office of Public Safety

## Support for Operation IMPACT

Operation IMPACT is New York State's comprehensive crime-fighting program. It supports the local infrastructures to achieve and sustain long-term crime reduction in the 17 counties that report more than 80 percent of the crime outside of New York City. The 17 counties participating in the IMPACT program are: Albany, Broome, Erie, Chautauqua, Ulster, Nassau, Orange, Niagara, Dutchess, Monroe, Schenectady, Rockland, Suffolk, Onondaga, Rensselaer, Oneida and Westchester.

Information sharing and the analysis of timely, accurate crime data are critical aspects of Operation IMPACT. All IMPACT funded agencies are required to report their crime statistics to DCJS within 30 days of the end of the month, and are contractually required to use several critical statewide information sharing systems, including the Safe Automated Fast Event Tracking Network (SAFETNet) - the state's deconfliction system and the New York State Criminal Gun Clearinghouse. In addition, IMPACT agencies are encouraged to assign and in many instances receive funding for Field Intelligence Officers (FIOS) whose main objective is to cultivate and disseminate intelligence among participating agencies.

OPS staff work closely with partners in the Operation IMPACT jurisdictions and counties. Staff provide oversight for the IMPACT program. IMPACT "Ambassadors" act as DCJS liaisons and provide day-to-day program support to more than 50 law enforcement agencies and 17 district attorneys' offices that participate in IMPACT partnerships. OPS IMPACT staff members monitor the crime conditions and assist in strategy implementation for each site.

√ OPS IMPACT staff routinely participate in local IMPACT monthly meetings. In 2009, staff attended 140 locally-held Operation IMPACT meetings.

√ The DCJS Commissioner regularly hosts IMPACT Crime Trends meetings during which one IMPACT partnership presents an analysis of its crime, and outlines strategies being implemented to reduce crime. In addition to DCJS employees, attendees include executives from the primary IMPACT police department, district attorney's office, probation and sheriff's office, and Parole, State Police, Office for Prevention of Domestic Violence, and State Liquor Authority.

In 2007, OPS established an IMPACT Technical Assistance Team to provide expert assistance in the areas of crime analysis, field intelligence and investigative case support. The team consists of retired law enforcement officials with extensive investigative and administrative experience, and individuals with expertise in crime analysis and information technology. In 2009:

√ Extensive assistance was provided to the four Crime Analysis Centers in the areas of crime analysis and data sharing technology.

√ The team coordinated and delivered 54 training courses on topics such as report writing, street encounters, major crime investigations and crime analysis. A total of 1,570 law enforcement and crime analysis personnel were trained by the IMPACT Technical Assistance Team.

√ The IMPACT Technical Assistance Team provided 320 days of on-site technical assistance to IMPACT jurisdictions. Technical assistance ranged from assisting command staff develop strategies to identify and address crime patterns to strengthening the case management skills of the detective squad.

# Office of Public Safety

## Law Enforcement Training

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

**OPS Training Courses Held**
(Annual)



\* Includes IMPACT Specialized Training
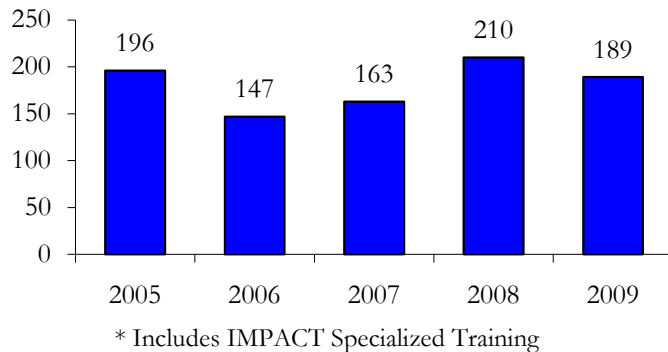
√ During 2009, 189 training courses were held around the state, a 10% decrease as compared to 2008. The decrease is primarily due to reductions in available funding at the local level to support travel to attend training.

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). OPS has established a target rating of 5 for all courses.

√ Since 2004, the course satisfaction rating has consistently averaged over 4.0 (Very Good) for all courses provided. Ratings remained consistent during 2008 and 2009.

**OPS Course Satisfaction Rating**
(Annual)
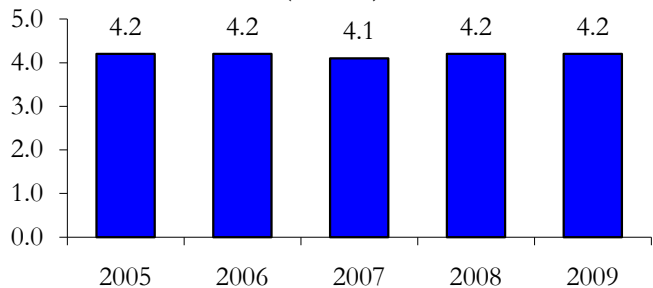


**Personnel Trained by OPS**
(Annual)
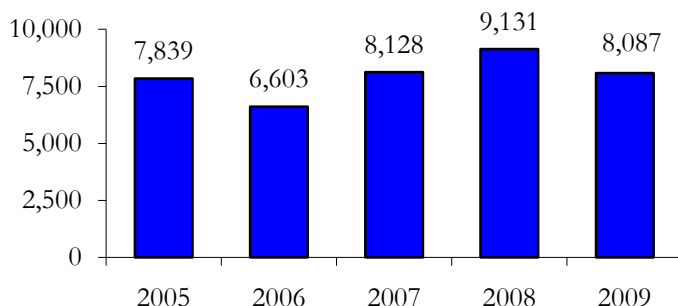


√ During 2009, 8,087 personnel were trained from the law enforcement community across the state, including officers and staff at the state, county and local levels. The 11% decrease is consistent with the decrease in training courses held.

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# Office of Public Safety

**OPS Training Held and Personnel Trained**
**2009**
(Annual)

| Course Categories | Courses Offered | Personnel Trained |
|---|---|---|
| **Investigative -** Property/Evidence Room Management Training, Prescription Drug Abuse Training Seminar, DNA Evidence Collection at Burglaries, Federal Law Enforcement Toolbox Training | 64 | 2,857 |
| **Street Enforcement -** Officer Safety and Street Encounters, Advanced Officer Safety and Street Encounters | 29 | 848 |
| **Leadership/Executive and Professional Development -** Police Executive Training Series #1 Labor Management and Public Policy, Executive Training - Freedom of Information Law | 14 | 662 |
| **Crime Analysis -** Critical Infrastructure Response Information System (CIRIS), CAC Orientation, Visual Analytics Incorporated Training | 8 | 101 |
| **Traffic -** DataMaster DMT Operator Update, Commercial Vehicle Enforcement, DWI Detection and Standardized Sobriety Instructor Update | 33 | 608 |
| **Specialized Training -** Safeguarding Reproductive Clinics & Providers, Police Mental Health In-Service Training, Conducted Energy Device - PILOT | 13 | 318 |
| **OPS Facilitated for Another DCJS Office -** Human Trafficking | 18 | 784 |
| **On-Line Training -** BAC Re-certification | - | 1,094 |
| **Conference/Seminar Presentations -** Police Mental Health Summit, Integrating Analysis Executive Training Conference, Domestic Violence Conference, NY Gang Investigators Association Conference | 10 | 815 |
| **Total Law Enforcement Personnel Trained During 2009** | 189 | 8,087 |

√ During 2009, training courses covering the Federal Law Enforcement Toolbox, Officer Safety and Street Encounters, Prescription Drug Abuse and human trafficking were among the courses with the greatest number of participants.

## Municipal Police Training Council (MPTC)

The Municipal Police Training Council (MPTC), created under Executive Law Section 839, determines minimally acceptable training and employment standards for law enforcement officers in New York State. The Council is comprised of eight members who serve two-year terms. The MPTC recommends rules and regulations for promulgation by the Governor. Once promulgated, these rules and regulations carry the force of law.

OPS serves as the staff arm of the MPTC. It is the responsibility of DCJS to assist in the planning and evaluation of basic and in-service training courses and to ensure that practitioners meet the minimum standards established by the MPTC.

# Office of Public Safety

√ DCJS led several new MPTC initiatives in 2009, including a model policy for the investigation of hate crimes, the creation of guidelines for the psychological testing of candidates who apply for public safety positions, and related training; a standard and associated training program on the use of CED devices (Tasers); and the creation of a process for individuals to receive state certification as crime analysts.

## Curriculum Review

OPS provides administrative oversight for police officer basic training and advanced in-service courses in New York State. OPS staff review curricula submitted by law enforcement agencies and academies to ensure that each course meets or exceeds the minimum standard for topics and hours established by the MPTC. OPS staff also ensure that instructors are appropriately certified to teach, and provide technical assistance to agencies and academies upon request. Program compliance is verified through site visits.

√ During 2009, OPS staff completed 1,043 reviews of police and peace officer curricula statewide.

## Law Enforcement Accreditation

The Law Enforcement Accreditation Program has operated since 1989. To become an accredited law enforcement agency, police agencies must meet 132 standards, undergo a three-day assessment and be approved by the New York State Law Enforcement Council. Accreditation formally recognizes that a law enforcement agency meets expectations of quality and implements sound and effective policies. Additionally, the accreditation process provides a comprehensive blueprint for effective, professional law enforcement and ensures that officers are adequately trained which keeps them, and the public, safer.

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

| Year | Agencies |
|------|----------|
| 2005 | 111 |
| 2006 | 116 |
| 2007 | 123 |
| 2008 | 124 |
| 2009 | 131 |
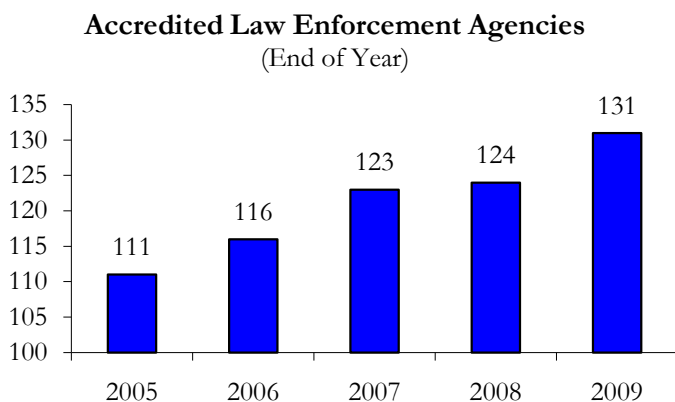
√ The number of law enforcement agencies earning accreditation has increased steadily since 2004. With the addition of eight police departments, and the dissolution of one department in 2009, 131 law enforcement agencies were accredited as of December 2009.

√ As of December 2009, nearly 50% of law enforcement officers working outside of New York City worked for accredited agencies.

# Office of Public Safety

## Administrative Services

### Police Administrative Studies

The Administrative Studies Program offers administrative assistance and an opportunity for in-depth study of existing law enforcement agencies. An Administrative Study provides professional and objective analyses to give decision-makers an impartial look at their police department and community. These studies include historical data and emerging trends and cover topics such as staffing and deployment, records management, and policy and procedures.

√ During 2009, OPS staff and consultants completed Administrative Studies for six police departments: the City of Auburn; the Town/Village of Mount Kisco; the City of Chautauqua/Chautauqua County Sheriff's Office; the Village of Penn Yan; the Village of Cornwall; and the Village of East Syracuse.

### Registry and Training Records Processing

Under Executive Law, DCJS is required to maintain a central registry of police officers and peace officers. At the end of 2009, there were nearly 167,000 police and peace officers registered in New York State. OPS staff maintains records of mandated training of these officers and private security guards, fulfilling the obligation.

**Registry Records Processed**
(Annual)

√ During 2009, OPS processed 13,699 registry records. This includes all transactions (additions and removals) required to keep the registry current.



| | |
|---|---|
| 2008 | 18,071 |
| 2009 | 13,699 |
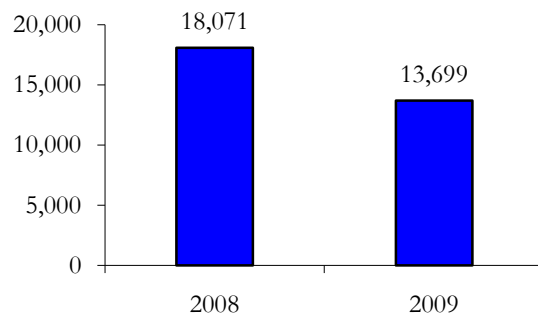
* Comparable data prior to 2008 not available

**Training Records Processed**
(Annual)



| 2005 | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|
| 174,375 | 169,385 | 176,580 | 187,689 | 183,251 |
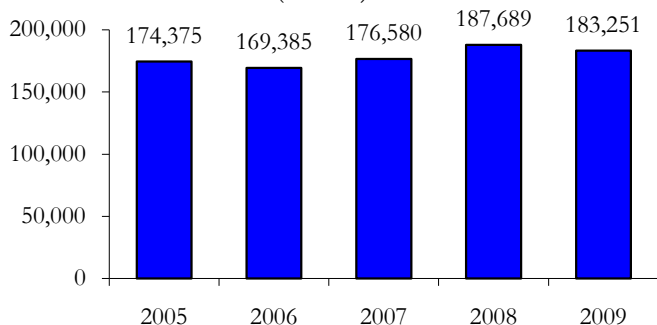
√ During 2009, OPS processed 183,251 training records.

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# Office of Public Safety

## Equipment Repair

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

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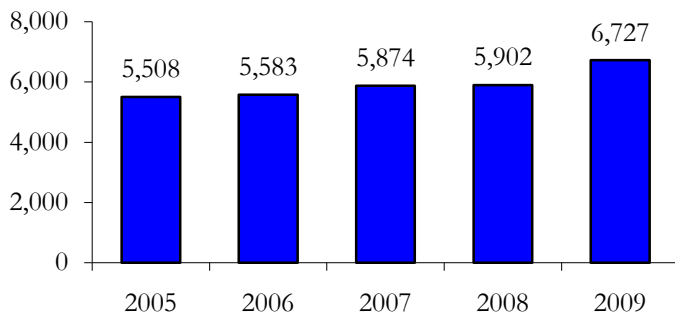


√ The number of instruments OPS repaired/certified was 6,727 in 2009, a substantial increase (+14%) over 2008. This increase is due to the implementation of the DataMaster Replacement Grant, which requires that DCJS staff certify new DataMaster equipment and re-certify older equipment.

√ During 2009, all repairs and certifications were conducted within two days.

√ The equipment repair center continued to earn consistent satisfaction ratings of "Excellent" throughout 2009.

**OPS Equipment Repair Satisfaction Rating**
(Annual)
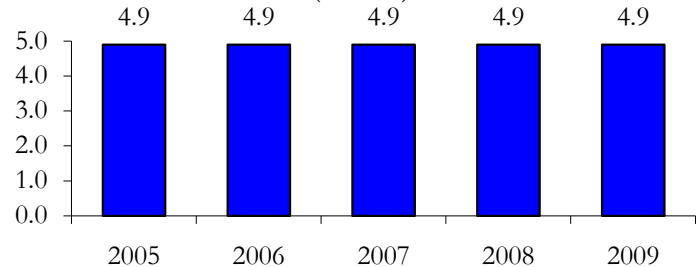


## Missing and Exploited Children Clearinghouse (MECC)

MECC was established by law to provide investigative support services for law enforcement agencies in connection with missing children cases, assistance to the family members of missing children, the delivery of community-based education programs to heighten awareness of the issue of missing children, and to reduce the incidence of missing children cases. MECC also administers the mandated statewide Missing Children Registry repository. The responsibility for the Missing and Exploited Children Clearinghouse (MECC) was transferred to the Office of Public Safety in January 2010.

# Office of Public Safety

**Missing NYS Children Referred to MECC for Assistance**
(Annual)
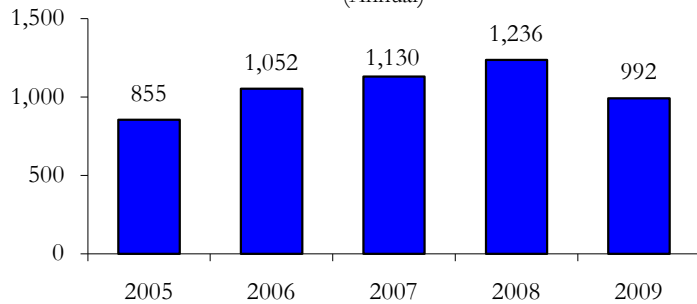


√ In 2009, the number of cases referred to MECC for assistance decreased 20% as compared to 2008. This decline is primarily due to staff reductions and a policy change in the types of cases accepted for services.

√ At the end of 2009, a total of 113 MECC cases were still active or pending, compared to 136 at the end of 2008.

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 hits to the DCJS/MECC website has declined slightly each year since 2006.
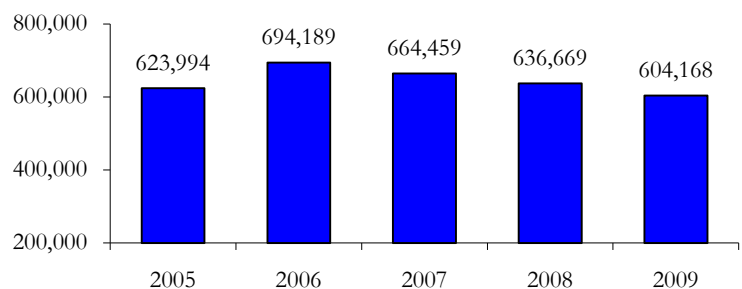


## Training

To reduce crimes against children and promote child safety, MECC staff conduct presentations on Internet Safety at community events and conferences throughout the state, presenting to middle and high school students, faculty and civic groups. These presentations focus on online safety rules for teens, featuring real life missing children cases and videos of children talking about their experience with online enticement and the consequences of risky behavior.

**MECC Presentations**
**Number of Attendees**
(Annual)

| Presentations | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|
| Internet Safety for Parents | 718 | 869 | 804 | 271 |
| Internet Safety for Children | 2,933 | 3,577 | 11,058 | 4,810 |
| Train the Presenter for Internet Safety | 123 | 110 | 105 | -- |
| Internet Safety for Teachers | -- | 577 | 145 | 28 |
| **Total Attendees** | **3,774** | **5,133** | **12,112** | **5,109** |

√ During 2009, MECC staff made presentations to 5,109 parents, children and teachers, a substantial decrease (-58%) from 2008. This decrease was primarily due to a reduction in available funding to support travel.

# Office of Public Safety

MECC also develops missing/abducted investigative strategies for police training programs.

**MECC Training - Officers Trained**
(Annual)

| Year | Officers Trained |
|------|------------------|
| 2006 | 305 |
| 2007 | 479 |
| 2008 | 97 |
| 2009 | 140 |

*Data prior to 2006 not available
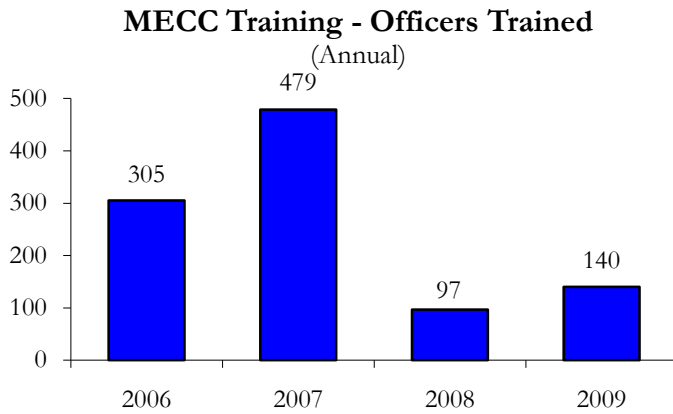
√ A total of 140 law enforcement officers were trained in Missing/Abducted Child Investigation during 2009.

# Office of Probation and Correctional Alternatives

## Mission
To reduce recidivism and promote community safety by providing oversight and funding to probation departments and community correction agencies that hold offenders accountable and provide restitution to victims of crime in New York State.

## Scope of Operations
The Office of Probation and Correctional Alternatives (OPCA), formerly the Division of Probation and Correctional Alternatives, was merged into DCJS in April 2010 as a result of the 2010-11 enacted State budget.

### Key Public Service Areas
- Probation Department Funding, Regulation and Training
- ATI Funding, Standards and Training
- Interstate Transfer

New York Executive Law mandates that there shall be a State Probation Commission which consists of a State Director and six other members, including members of the community, probation administrators and probation officers and the State Administrator of the Unified Court System. OPCA works with the State Probation Commission, local probation departments and community corrections programs to improve practices that promote public safety, ensure offender accountability, provide restitution to victims and reduce recidivism. OPCA includes the following eight program areas:

- **Adult Operations** - Coordinates the implementation of an automated probation case management system and the deployment of the NYCOMPAS Risk/Needs Assessment Instrument and other actuarial risk assessment tools for adult offenders. This unit oversees funding for Intensive Supervision programs and community-based prison diversion programs. Other responsibilities include training and oversight of the management of sex offenders under probation supervision, local probation department compliance with rules and regulations, and the regulation and implementation of the Ignition Interlock provisions of Leandra's Law. Technical assistance is provided to local jurisdictions regarding Local Conditional Release.

- **Juvenile Operations** - Promotes the use of actuarial risk assessment tools and protocols and evidence-based practices and programs and ensures that probation rules are aligned with evidence-based practices. This unit collaborates with other agencies to promote improved juvenile justice system performance and reduce recidivism of probation-involved youth.

- **Alternatives to Incarceration (ATI)** - Oversees funding, monitoring and contract performance for ATI programs, completes quality assurance processes which includes audits and establishes statewide ATI program standards. This unit also provides technical assistance and training to ATI professionals in Fundamentals of Community Corrections (FCC) and conducts the National Institute of Corrections (NIC) "*Thinking for a Change*" Facilitator Training. Additionally, this unit develops and monitors new ATI program models, such as the Probation Violation Residential Centers.

- **Family and Mental Health Initiatives** - Provides programming through performance-based *200% of Poverty* programs, evidence-based cognitive behavioral programs, and mental health initiatives. This unit also conducts NIC's Offender Workforce Development Specialist training for probation officers and ATI staff and provides technical assistance for local collaboration with the New York State Office of Mental Health Connect Program.

# Office of Probation and Correctional Alternatives

- **Training** - Develops and coordinates probation officer training and provides information to the criminal justice community and the public through the OPCA website, *e*Focus Newsletter and the Training Calendar.  This unit also provides guidance, training and assistance to probation departments in the area of domestic violence.
- **Interstate Transfer** - Coordinates the transfer of probation supervision cases into and out of New York State, and provides training and technical assistance to localities on the utilization of the national Interstate Compact Offender Tracking System (ICOTS) and the Interstate Compact Rules.
- **Legal Services** - Promotes public safety, offender accountability and professional practice through departmental legislation, rule making, standards and guidelines.  This unit also assists in the development of contracts, letters of agreement, memoranda of understanding, and requests for proposals.
- **Fiscal and Administrative Services** - Prepares and maintains a financial management plan; monitors program allocations, contracts, stimulus funding, and federal grants to ensure timely and accurate payments; coordinates internal controls; and coordinates annual state Minority and Women Business Enterprise Plan.

# Office of Probation and Correctional Alternatives

OPCA develops regulations and standards, provides general oversight and administers state aid funds to promote probation and other community corrections services. OPCA manages the disbursement of local assistance appropriations for 58 probation departments, nearly 200 Alternative to Incarceration (ATI) Programs, eighteen *200% of Poverty* programs, four Shared Services programs, and three Specialized Assistance for the Supervision and Treatment of Offenders programs.

In addition, OPCA oversees other grant-funded initiatives and special programs, including 39 adult Intensive Supervision Programs, seven Juvenile Risk Intervention Services Coordination programs, and 19 Probation Eligible Diversion programs.

## Adult/Juvenile Operations

OPCA supports and coordinates efforts across the state to provide consistent, effective probation supervision, and reduce recidivism.

### Caseload Explorer - Case Management System

Caseload Explorer is a comprehensive, software-based case management system, developed by Automon, Inc., that supports all probation functions from pre-trial services to restitution, fines, as well as criminal and family court investigation and supervision. It was specifically configured to meet the needs of all New York counties. The system includes 24 local management reports designed by a workgroup of local probation practitioners, agency staff and vendor representatives.

The system also is designed to automate and produce state-mandated reports, as well as local correspondence and forms, and integrates with the Integrated- Probation Registrant System (I-PRS) and YASI. The integrations provide efficiencies in eliminating double data entry, increasing the data available, and improving the accuracy and timeliness of the information.

√   As of December 31, 2009, the system had been implemented in 37 county probation departments across the state, with implementation in process in three additional counties.



KEY
AutoMon Customers:
■ Caseload Explorer Customers - Live
■ Caseload Explorer Customers - In Implementation
■ Prober Customers

Non AutoMon Customers:
□ New York Counties
□ Counties/Boroughs Comprising NYC
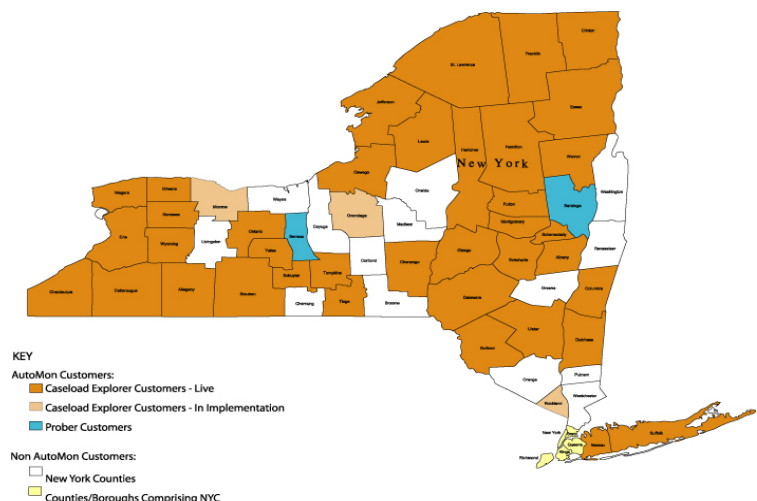
# Office of Probation and Correctional Alternatives

**Integrated-Probation Registrant System (I-PRS) Caseload Reconciliation**

OPCA monitors data quality of the Integrated-Probation Registrant System (I-PRS) to ensure complete and accurate information on adult probationers under supervision.  The I-PRS is the statewide notification system for probationers arrested for fingerprinted offenses.  The Threshold Report is shared regularly with probation departments to ensure that cases no longer under active supervision are closed in a timely fashion.  OPCA has established 5% as the acceptable threshold for tolerance of cases listed as being beyond their Maximum Expiration Date (MED) - that is, departments should have fewer than 5% of their cases listed as MED if there is no violation of probation pending.

√   As of December 31, 2009, the active I-PRS cases closeable statewide was 3%.

**New York Correctional Offender Management Profiling for Alternative Sanctions (NYCOMPAS)**

Probation departments in New York State supervise adult probationers, with 40,000 new offenders sentenced to probation each year.  During 2007, OPCA implemented the statewide use of the NYCOMPAS risk and need assessment instrument, customized for New York probation departments for adult offenders.  Risk and need assessment information is utilized at various stages of the criminal justice process such as: assessing likelihood of failing to appear if released on bail, when compiling information for the pre-sentence investigation and sentencing recommendations, for case planning while under community supervision, and when considering changes in supervision level (Reclassification) or early discharge.  DCJS supports the NYCOMPAS, which is accessed through the Integrated Justice Portal by probation staff.

**NYCOMPAS Assessments Completed 2007-2009**

| Year | Assessments |
|------|-------------|
| 2007 | 12,453 |
| 2008 | 33,070 |
| 2009 | 36,338 |
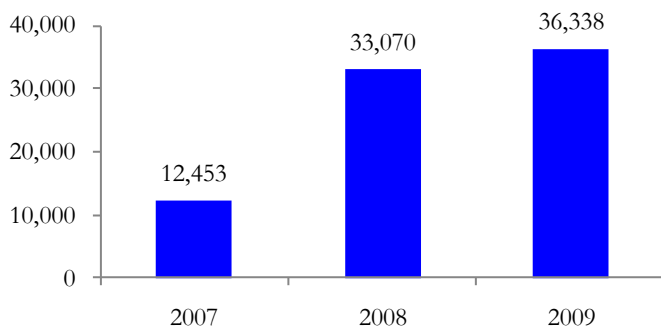
√   In 2009, probation agencies completed 36,338 assessments and 17,779 reclassification assessments through the Portal using NYCOMPAS.

√   At the end of 2009, a total of 57 departments, involving 2,249 probation staff, were using NYCOMPAS.  More than 81,000 offenders had been assessed.

**Youth Assessment Screening Instrument (YASI)**

In New York State, approximately 38,000 juvenile cases are seen annually at intake (pre-court screening and service provision) by local probation services. In recent years, there has been growing recognition among probation professionals that a comprehensive assessment protocol is an essential first step toward achieving the goals of public safety, youth accountability, and competency development.   The Youth Assessment Screening Instrument (YASI) is a set of assessment and case planning tools, practices, and software for use with PINS and JD cases at juvenile intake, investigation and supervision.

# Office of Probation and Correctional Alternatives

OPCA staff provides guidance, training and technical assistance to probation departments regarding the use of YASI for the juvenile population.

√ YASI was utilized by 57 jurisdictions as of the end of December 2009. Since the use of YASI began in 2000, probation agencies have completed over 200,000 assessments for inclusion in the statewide database. These assessments represent over 100,000 youth.

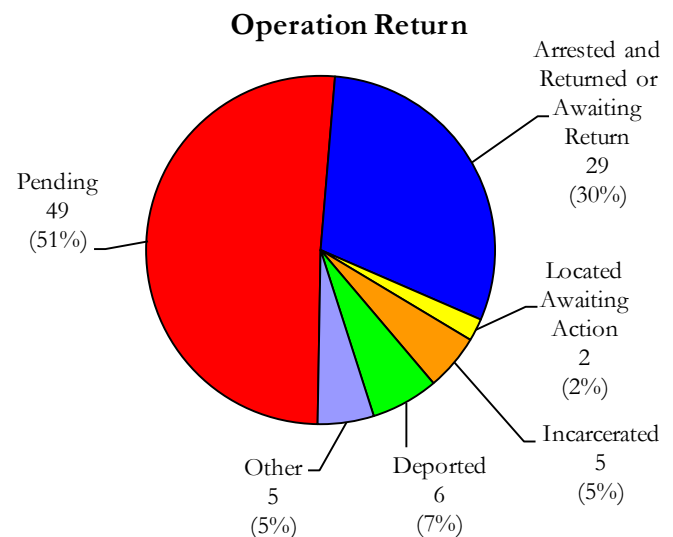**Probationer Sex Offender Address Confirmation**

OPCA requires all 58 probation departments to confirm quarterly the addresses of over 4,300 sex offenders listed in the New York State Sex Offender Registry (SOR) who are under probation supervision. If sex offenders are not residing at the registered address but their location is known, change of address forms are completed and sent to the DCJS Sex Offender Registry within 48 hours. If the probationer is an absconder, a request is made that a warrant be issued. Probation departments must certify to the State Director that a warrant for the arrest of every probation sex offender absconder has been requested or obtained.

√ As of December 31, 2009, 91% of sex offenders under probation supervision were at the residence listed. A change of residence was confirmed in three percent, and warrants were either active or requested in the remaining six percent.

**Operation Return**

In 2009, in response to sex offenders who absconded from probation, Operation Return was conducted. This initiative, funded by OPCA, involved the U.S. Marshals Service, DCJS, local probation departments and the NY/NJ HIDTA Center. Operation Return facilitates the location and arrest of Sex Offender Registration Act (SORA) Level 2 and 3 sex offenders who have absconded from probation.

**Operation Return**

√ As of December 31, 2009, 96 absconders were referred to Operation Return, and 45 were located. Dispositions include state imprisonment, local jail time, time served, and deportation. Two violators were determined to be deceased.



Pending 49 (51%)

Arrested and Returned or Awaiting Return 29 (30%)

Located Awaiting Action 2 (2%)

Incarcerated 5 (5%)

Deported 6 (7%)

Other 5 (5%)

**DNA Collections by Probation Departments**

Probation departments are required by law to collect DNA samples on convicted offenders under probation supervision for prescribed offenses. DCJS prepares monthly reports on the percentage of required DNA collected by probation departments. Since the inception of DNA legislation, probation departments have collected over 102,000 DNA samples.
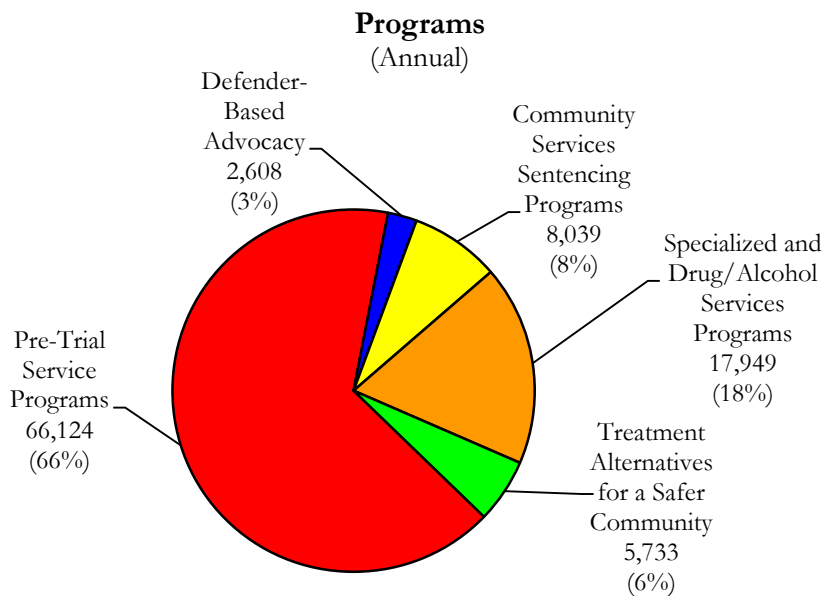
# Office of Probation and Correctional Alternatives

√ As of December 31, 2009, DNA samples collected from probationers in New York State have helped to identify offenders responsible for 929 crimes, including 87 homicides. Eleven of the 87 homicides were collected from probationers pursuant to the "Subject Index." Fifty-three of the 58 departments had strong collection rates (90% or higher) through December 2009.

## Alternatives to Incarceration (ATI) Programs

OPCA's ATI Unit manages the Alternative to Incarceration contracts serving Criminal and Supreme Court defendants from both general and special populations, including women, juvenile offenders, felony offenders, substance abusers, and the mentally ill. Staff closely monitor program operations through a combination of site visits, reviews of program quarterly reports and audits of case files. The ATI Unit also provides training to ATI professionals to improve services and ensure program success.

**Individuals Served in Alternatives to Incarceration Programs**
(Annual)



Defender-Based Advocacy 2,608 (3%)

Community Services Sentencing Programs 8,039 (8%)

Specialized and Drug/Alcohol Services Programs 17,949 (18%)

Pre-Trial Service Programs 66,124 (66%)

Treatment Alternatives for a Safer Community 5,733 (6%)

√ During 2009, funding was disbursed to nearly 200 programs in 56 counties and the City of New York which reported providing services to over 100,000 participants.

**Probation Violation Residential Centers**

Probation Violation Residential Centers (PVRC) assist probation departments in stabilizing convicted felony offenders sentenced to probation who are engaging in noncompliant behaviors that have, or will likely result in the filing of a violation of probation and possible commitment to state prison. The first two centers opened in April 2008 in Dutchess and Albany counties. The PVRCs offer drug treatment services through licensed treatment providers. They also include other appropriate evidenced-based interventions, such as cognitive behavioral treatment, to improve the offender's compliance and response to community supervision, while providing for public safety.

√ In 2009, OPCA funded two new PVRCs in New York City for adult drug-dependent probationers in New York and Bronx counties.

# Office of Probation and Correctional Alternatives

## Family and Mental Health Programs

OPCA funds Family and Mental Health Initiatives in 2009, including *200% of Poverty* programs which serve felony-charged and/or convicted offenders recently released from prison or jail. Participants are connected to mentoring, vital mental health and substance abuse treatment including treatment for co-occurring disorders. Services also include expanded job training and placement services, facilitating movement to transitional housing, case management services, and discharge planning.

**Individuals Served by Family and Mental Health Initiatives**
(Annual)

√ Individuals enrolled in *200% of Poverty* programs obtained 901 jobs in 2009.

√ 240 parents initiated or resumed child support.

Mental Health Shared Services 330 (17%)

*200% of Poverty* ATI 1,608 (83%)
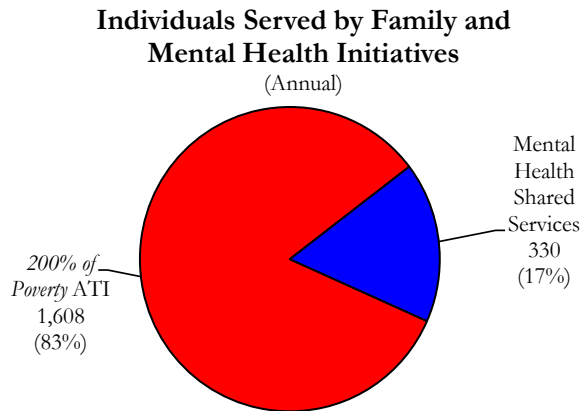
### Ready, Set, Work!

Ready, Set, Work! is a job readiness group for probationers or other individuals under criminal justice supervision which is facilitated by a probation officer or alternative to incarceration program staff. This 20-hour curriculum, developed using the National Institute of Corrections Offender Workforce Development Specialist (OWDS) training and for use by OWDS trained staff, assists participants with skill building to obtain employment and achieve job retention. Along with the traditional job readiness content, the curriculum also includes: Assessments; Barriers and Resources; Job Retention; Legal Issues and Employer Incentives; as well as a module which focuses on utilizing the local Department of Labor "One Stop" Centers.

√ OPCA conducted one OWDS Train-the-Trainer session in 2009, involving 21 participants from 11 different counties. These counties subsequently conducted 28 groups with more than 300 graduates during 2009.

## Providing Information

OPCA provides probation professionals with the most current information available to assist in effective community supervision of offenders. Policy Memoranda and Research Bulletins are periodically released to advise community corrections professionals and provide them with examples of evidence-based practices.

√ In January 2009, a research bulletin entitled *The Use of the Polygraph in Sex Offender Management* was released. This was the third in a series of research bulletins for probation professionals on sex offender management.

# Office of Probation and Correctional Alternatives

√  In August 2009, OPCA released the *New York State Probation Sex Offender Management Practitioner Guide.* This resource presents the most current research on sex offender management and summarizes probation practices throughout New York State. Developed with the assistance of probation professionals, OPCA defined best practices on managing sex offenders in the community.

√  In September 2009, OPCA issued its first *Model Victims Policy for Probation Departments in New York State.* The Model Policy incorporates the recommendations of a statewide workgroup comprised of representatives from probation departments, crime victims and victim' services, the courts, treatment services and other state agencies. The policy provides guidance in the development of departmental policies focused on serving victims of crime.

√  In October 2009, OPCA provided local governments with guidance in implementing a 2009 law change affecting local conditional release. The new law allows jurisdictions to establish a local conditional release commission to determine whether certain eligible inmates may be released early from local jails and be placed under the supervision of its local probation department.

√  During 2009, Annual Statistical Reports for all OPCA-funded Alternatives to Incarceration (ATI) programs were compiled and distributed.

OPCA prepared a number of electronic newsletters that are distributed to over 3,200 community corrections professionals.

√  During 2009, 11 *e*Focus newsletters for probation and community corrections professionals, as well as policy makers, were published to provide information and updates on probation and community corrections issues, policies, trainings and events.

√  During 2009, two **E-YASI** newsletters, written specifically for YASI users and policy makers, were published.

√  During 2009, two **In Touch with OWDS** newsletters for Offender Workforce Development Specialists (OWDS) and others interested in offender employment were published.

## Training

OPCA educates and trains probation officers and other community corrections professionals by providing virtual and live training sessions. OPCA works closely with members of a Statewide Training Committee, made up of probation professionals from across New York State, in the development, design and delivery of training curricula and the promotion of evidence-based practices. The training classes listed on the following page were offered during 2009.

# Office of Probation and Correctional Alternatives

| OPCA Training - 2009 | | |
|---|---|---|
| | **Courses Offered** | **Personnel Trained** |
| Interstate Compact Training (webinar) | 4 | 500 |
| Various Conference Workshops | 7 | 150 |
| Youth Assessment Screening Instrument (YASI) (1 day) | 7 | 141 |
| Probation and Polygraph Examiners: Working Together Effectively to Manage Sex Offenders | 4 | 139 |
| Domestic Violence Training | 3 | 90 |
| Probation Sex Offender Management | 6 | 77 |
| Motivational Interviewing (3 days) | 2 | 70 |
| Violence Against Women Act (VAWA) Project | 3 | 66 |
| FCC Specialized Focus Groups (1 day) | 3 | 60 |
| Probation Officer Safety and Survival Training (OSST) (2 days) | 3 | 47 |
| Fundamentals of Probation Practice (FPP) (10 days) | 3 | 47 |
| Peace Officer (3 days) | 3 | 46 |
| Cybercrime Seminar (2 days) | 2 | 44 |
| Firearms Training (5 days) | 2 | 32 |
| Pathways to Employment - Employment Matters | 1 | 26 |
| Motivational Interviewing (2 days) | 4 | 24 |
| Strength-Based Family Focused Approach ( 1 day) | 1 | 23 |
| Offender Workforce Development Specialist (14 days) | 1 | 21 |
| Thinking for A Change Facilitators Training (4 days) | 1 | 21 |
| Fundamentals of Community Corrections (FCC) ( 4 days) | 1 | 16 |
| Executive Leadership (1.5 days) | 2 | 13 |
| Fundamentals of Probation Practice Anchor Training (14 days) | 1 | 8 |
| Strength Based Family Focused Approach (TfT 2 days) | 1 | 7 |
| Thinking for a Change - Train the Trainer (4 days) | 1 | 7 |
| **Total** | **66** | **1,675** |

**Fundamentals of Community Corrections Training**

In 2009, OPCA and members of a statewide workgroup of ATI professionals completed the development of the *NYS Fundamentals of Community Corrections (FCC) Training* for community corrections professionals. This 28-hour curriculum is delivered regionally and recommended for community corrections managers and staff working directly with program participants as well as probation officers who are working in ATI community corrections programs. The *FCC* training includes the latest information on screening, assessment, interviewing, case planning as well as modules on effective programs, participant rights regarding employment and voting as well as Certificates of Relief. The training was designed to capture the most innovative approaches and best practices in the field.

√ In 2009, the FCC curriculum was piloted in the western part of the state, and rolled out to eight counties.

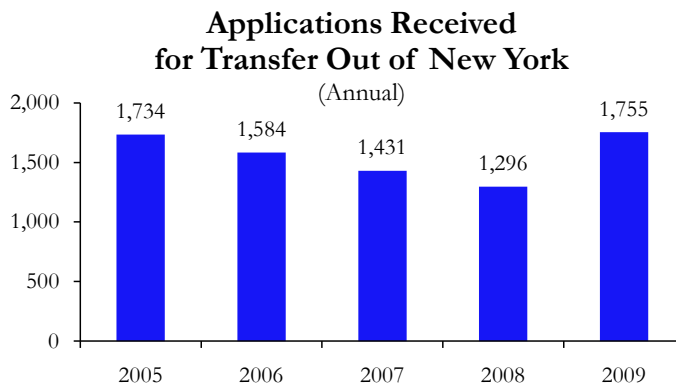# Office of Probation and Correctional Alternatives

**Sex Offender Management Training**

OPCA delivers specialized trainings focusing on the supervision and management of sex offenders under probation supervision. During 2009:

√ OPCA facilitated two 16-hour Cyber Crime training sessions delivered by New York State Police to 44 probation officers who supervise and/or investigate sex offenders' use of the Internet.

√ OPCA held six focus groups, involving 77 probation officers, administrators and treatment providers, which provided a forum to discuss and exchange best practices for sex offender management.

√ Four training sessions were conducted by OPCA which provided an overview of sex offending; the collaborative relationship among probation; polygraph examiners and treatment providers; and crossover sexual offending. A total of 139 probation personnel were trained.

## Interstate Compact

The OPCA Interstate Compact Unit manages the movement of adult and juvenile probationers into and out of New York State in accordance with relevant Interstate Compacts, for the purpose of maintaining continuous and uninterrupted supervision in the interest of public safety. Unit staff process transfer requests, respond to related correspondence, monitor transfer activities, provide technical assistance to local probation staff, and serve as the liaison between local jurisdictions and other State Compact Offices. Special attention is focused on more serious transfers such as sex offenders, domestic violence cases, violent felons, high profile and child victim cases.

**Applications Received
for Transfer Out of New York**
(Annual)



√ During 2009, 1,755 applications were processed by OPCA staff for the transfer of probation supervision out of New York State. This is a significant increase (+35%), over the 1,296 applications processed during 2008.

# Office of Probation and Correctional Alternatives

**Applications Received
for Transfer Into New York**

(Annual)
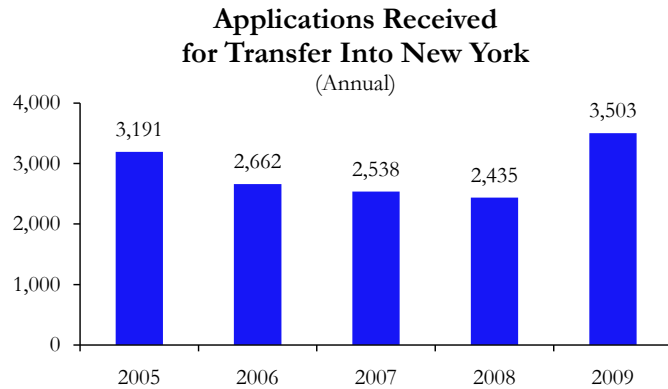


√ During 2009, 3,503 applications were received and processed by OPCA staff for the transfer of probation supervision cases into New York State, a significant increase (+44%), over 2008 (2,435).

## Promulgation of Rules and Regulations

OPCA promulgates rules and regulations and provides guidance to local probation departments and community corrections agencies to promote public safety and increase offender accountability. During 2009, the following regulatory measures were developed and/or adopted.

**Part 352: Graduated Sanctions and Violations of Probation** - establishes consistent procedures throughout the state with respect to the handling of violations of probation involving criminal or family court probationers to facilitate uniform decision-making and encourage the use of graduated sanctions.

**Part 365: Sex Offender Housing Procedural Guidelines** - sets forth minimum statutory and regulatory factors that must be considered by probation departments when investigating and approving the residence of SORA Level 2 and 3 sex offenders in accordance with Chapter 568 of the Laws of 2008.

**Part 356: Preliminary Procedure for Article 3 Juvenile Delinquency Intake** - developed a proposed new regulation to establish consistent procedures throughout the state in the handling of juvenile delinquency (JD) intake services. The proposed regulation reflects evidence-based practices by addressing youth needs underlying the JD behaviors. During 2010, the proposed regulation was submitted to the state's Governor's Office of Regulatory Reform for review.

**Other** - In accordance with Executive Order No. 17, OPCA staff submitted a preliminary list of recommended rule changes and deletions to the Office of Taxpayer Accountability in November 2009. This resulted from an extensive review of all agency rules and regulations. Findings were disseminated to all probation departments, the Council of Probation Administrators, NYS Association of Counties, the NYS Probation Officers Association, the State Probation Commission and the Division of Budget, and a meeting was held with all agency representatives for input.

# Office of Sex Offender Management

## Mission
To protect the public, ensure effective management and supervision of sex offenders and reduce recidivism.

## Scope of Operations

The Office of Sex Offender Management (OSOM) oversees the Sex Offender Registry and has responsibility for statewide sex offender management. The office implements legislative changes to Registry requirements, coordinates interagency initiatives and establishes standards and guidelines concerning how to best manage, treat and supervise sex offenders. Legislation enacted in 2007 also established a system to civilly confine or manage certain sex offenders. OSOM includes the following seven program areas:

### Key Public Service Areas
- Sex Offender Registry
- Public Information on Sex Offenders
- Sex Offender Address Verification
- Coordination of Civil Management

- **Sex Offender Registry** – Administers the New York State Sex Offender Registry. Maintains the accuracy and completeness of the Registry.
- **Registration Process** – Processes Sex Offender Registration forms and Change of Address forms.
- **Sex Offender Address Verification** – Oversees the annual address verification process, including notifying law enforcement when sex offenders fail to comply with the annual verification requirements. Responsible for updating offender photos in the Registry database and on the Registry website.
- **Law Enforcement Support** – Provides technical assistance and support to law enforcement agencies that manage sex offenders.
- **Sex Offender Searches** – Conducts searches against computerized Registry files. Searches are also done for the general public.
- **Training** - Provides training to law enforcement, prosecutors and supervising agencies on the Sex Offender Registration Act and the Sex Offender Management and Treatment Act.
- **Civil Management** - Coordinates with other state agencies and maintains a database of Civil Management cases to assist in monitoring.

The office is responsible for implementing new sex offender laws and policies. In recent years, this has included the following:

- ➢ Requirement that employment be collected (2003)
- ➢ Requirement for children's camps to check the Registry (2005)
- ➢ Requirement to submit updated photos (2006)
- ➢ Implementation of new address verification monitoring system for law enforcement (2007)
- ➢ Implementation of civil management (SOMTA 2007)
- ➢ Requirement that internet addresses be collected from registrants (e-STOP 2008)
- ➢ Requirement for family courts to check Registry in custody or visitation cases (2009)
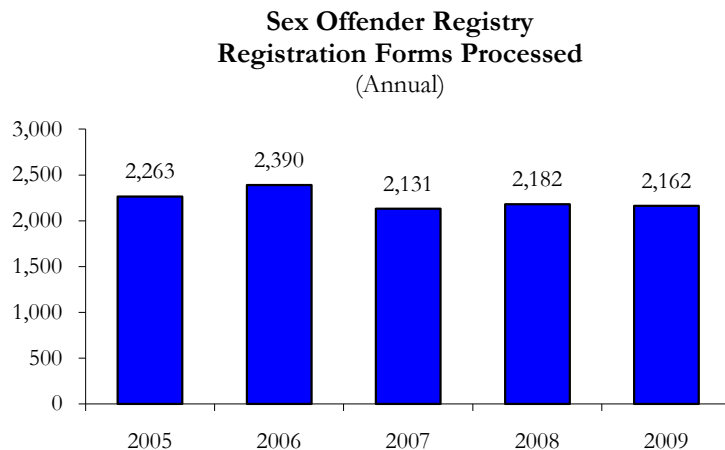
# Office of Sex Offender Management

## Sex Offender Registry

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

**Offenders on Registry**
(End of Year)

| Year | Offenders |
|------|-----------|
| 2005 | 22,227 |
| 2006 | 24,328 |
| 2007 | 26,002 |
| 2008 | 28,017 |
| 2009 | 29,851 |

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 by the state correctional facility 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)

| Year | Forms |
|------|-------|
| 2005 | 2,263 |
| 2006 | 2,390 |
| 2007 | 2,131 |
| 2008 | 2,182 |
| 2009 | 2,162 |

√ During 2009, 2,162 registration forms were processed, about the same as the past two years.

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

# Office of Sex Offender Management

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



√ During 2009, 97% of sex offenders were registered within SOR standards.
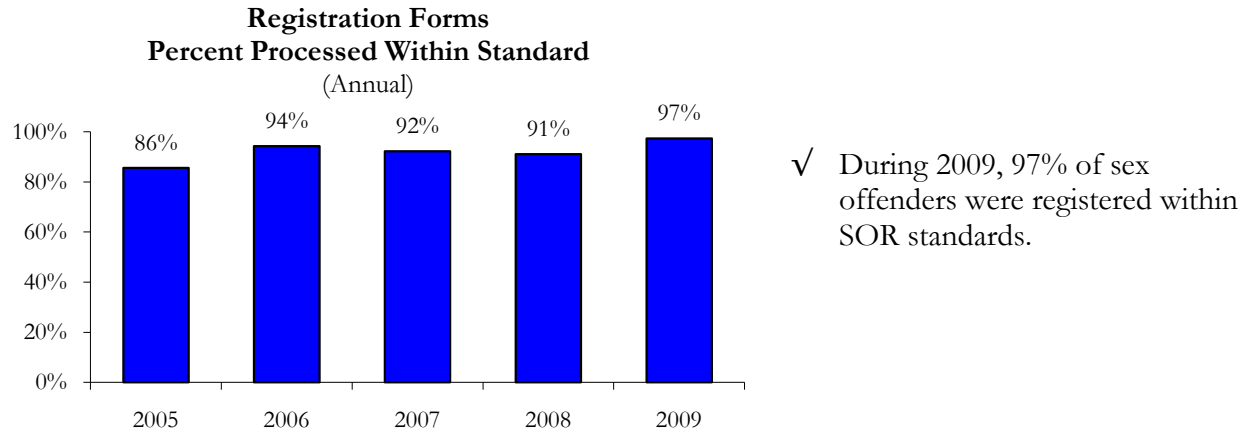
√ The SOR also processed 30,907 address changes for offenders during 2009, up 14% from 2008. All updates received must be processed quickly and accurately to ensure current offender address information is provided to the public and law enforcement.

## Establishing Risk Levels for Sex Offenders

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

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

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

|  | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|---|
| **Level 1** | 7,619 | 8,653 | 9,383 | 10,326 | 11,148 |
| **Level 2** | 8,169 | 8,903 | 9,490 | 10,074 | 10,648 |
| **Level 3** | 5,476 | 5,994 | 6,455 | 6,972 | 7,455 |
| **Pending \*** | 963 | 778 | 674 | 645 | 600 |
| **Total Cases** | 22,227 | 24,328 | 26,002 | 28,017 | 29,851 |

\* Includes cases not yet assigned to a court.

√ At the end of 2005, 963 of the 22,227 registered sex offenders had a pending risk level, representing 4.3% of all registrants. This proportion has been reduced by more than half over the past four years. At the end of 2009, 600 registrants were pending a risk level, representing only 2.1% of the 29,851 registered.
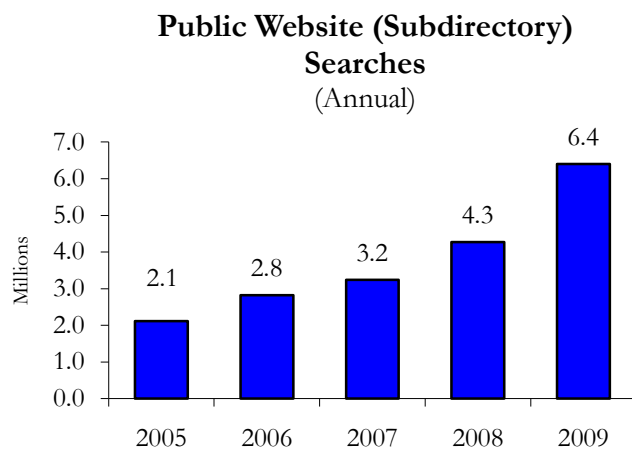
44

# Office of Sex Offender Management

## Training

DCJS provides training on the Sex Offender Registration Act, the Sex Offender Management and Treatment Act and on the usage of *e*JusticeNY, through which the complete Sex Offender Registry is accessed.

√ During 2009, OSOM convened leading experts to conduct training sessions across the state. Participants included: law enforcement; parole and probation personnel; judges; district attorneys; court personnel; treatment providers; victim advocates; DOCS and local jail personnel; and school representatives.  Forty-two training sessions were delivered to 2,286 participants in 21 counties.

√ In conjunction with the New York State Association of Chiefs of Police, OSOM conducted half-day trainings and produced a Sex Offender Management Training Video that can be viewed in the Sex Offender Management suite of *e*JusticeNY.  The video provides an update on laws passed during 2008 and explains how local law enforcement can use *e*JusticeNY to proactively monitor offenders.  The video also offers a "tool kit" that officers can use when charging offenders who violate SORA laws.

## Sex Offender Information Provided to the Public

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

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

| Year | Millions |
|------|----------|
| 2005 | 2.1 |
| 2006 | 2.8 |
| 2007 | 3.2 |
| 2008 | 4.3 |
| 2009 | 6.4 |

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

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

# Office of Sex Offender Management

**Offender Profiles Viewed**
(Annual)
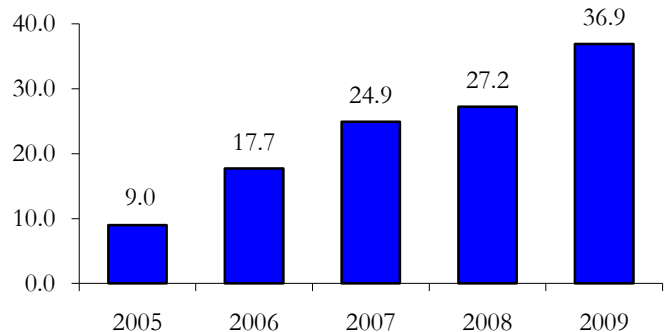
√ The number of sex offender profiles viewed by the public increased to 36.9 million in 2009, 35% higher than 2008.

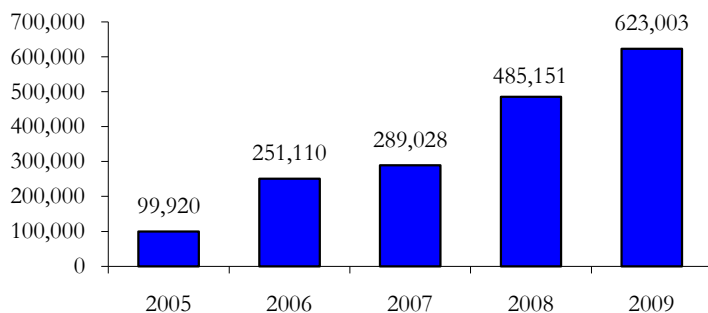| Year | Value |
|------|-------|
| 2005 | 9.0 |
| 2006 | 17.7 |
| 2007 | 24.9 |
| 2008 | 27.2 |
| 2009 | 36.9 |

In addition to the information available on the public website, citizens, organizations and employers can call the 24-hour 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 has accepted computerized files for comparison against the Registry. In addition to increasing efficiency, the acceptance of electronic files contributed to a dramatic increase in the number of searches conducted.

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

| Year | Value |
|------|-------|
| 2005 | 99,920 |
| 2006 | 251,110 |
| 2007 | 289,028 |
| 2008 | 485,151 |
| 2009 | 623,003 |

√ There were 623,003 name searches conducted by SOR staff in 2009, 28% more than 2008.

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

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

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

# Office of Sex Offender Management

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

## Managing Sex Offenders in the Community

DCJS plays a critical role in supporting and providing information to local law enforcement to enable them 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 *e*JusticeNY, a secure website for law enforcement use.  This database includes a complete sex offender address history, including last reported address, a history of the offender's compliance with annual verification requirements and current status information.  The complete Registry is available to all law enforcement agencies, district attorneys' offices, local parole offices, county probation departments and criminal courts, ensuring that all agencies that monitor and supervise sex offenders have the most up-to-date information available.  In 2009, legislation was enacted that required Family Courts to conduct a check of the Registry whenever they issue or modify an order of custody or visitation.  This resulted in a dramatic increase in the number of Registry searches.   The Registry also has a dedicated telephone line for law enforcement needing assistance, and handles more than 300 calls per month.  Calls are handled for law enforcement both within and outside of New York State.

√ There were 828,399 total searches of the complete Sex Offender Registry (available over *e*JusticeNY) conducted during 2009, more than three times the number of searches in 2008.  This increase was driven by a new Family Court Act requirement to check the Registry in advance of issuing or modifying an order of custody or visitation.

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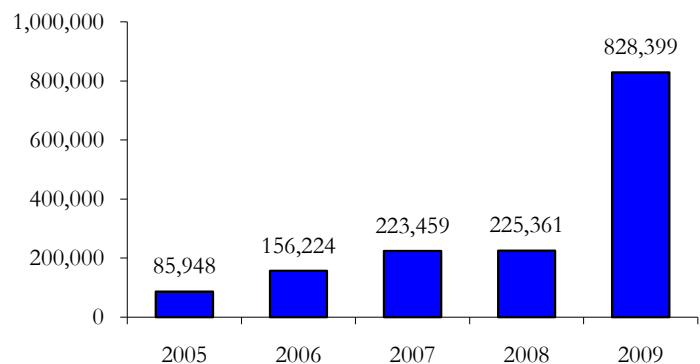


### Submitting Updated Sex Offender Photos

Legislation that became effective in April 2006 requires Level 3 sex offender registrants to submit an updated photo once a year, and Level 1 and 2 offenders to submit a photo every third year from the date of registration.  Offenders must report to their local police departments to be photographed.  In November 2006, a report was made available over *e*JusticeNY to assist the local departments with monitoring offenders who owe delinquent photos.  Having updated photos as part of the Sex Offender Registry helps ensure that sex offenders can be recognized by both law enforcement and the public.  A sex offender is subject to arrest for failure to provide a photo as required by law.  Registry staff compares and updates offender photos received electronically via LiveScan, *e*JusticeNY and email.  Hard copy photos are received from NYS DOCS, out of state agencies and offenders.  These photos are also scanned, compared and uploaded to the Registry.

# Office of Sex Offender Management

**Delinquent Photos**
(End of Year)
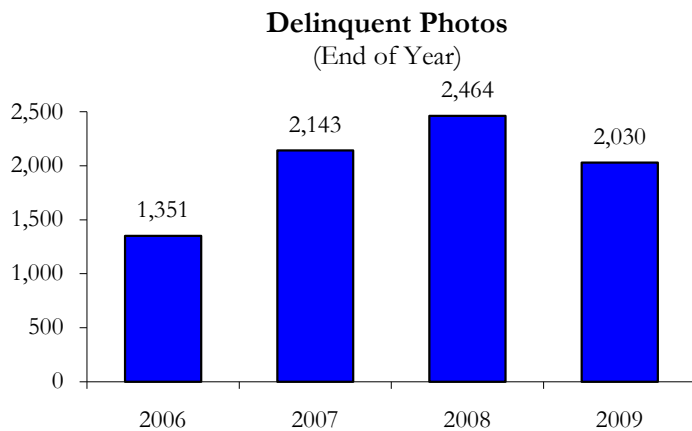


*Data prior to 2006 not available

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

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

## 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 forwards a notification 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. Since June 2009, all NYS agencies are notified electronically via *e*JusticeNY. All non-NYS agencies are notified via letter. Offenders who have been deported or are voluntarily living outside of the United States are excluded from the Annual Address Verification.

√ During 2009, more than 25,000 Annual Address Verification letters were mailed by DCJS. In addition, nearly 20,000 Annual Address Verification forms were processed by Registry staff, many of which contained offender information requiring an update to the Registry.

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

√ In 2009, Registry staff prepared 1,076 affidavits for law enforcement. When required, testimony is provided for prosecution of fail-to-register cases.

# Office of Sex Offender Management

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

| Year | Convictions |
|------|-------------|
| 2005 | 416 |
| 2006 | 474 |
| 2007 | 543 |
| 2008 | 533 |
| 2009 | 546 |
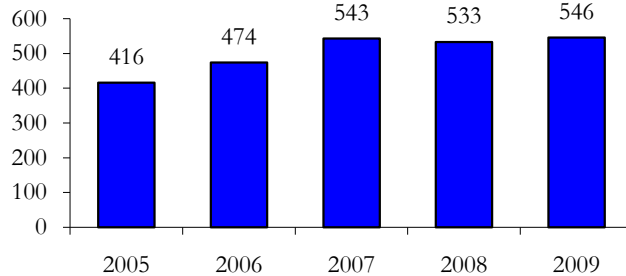
√ During 2009, a total of 546 convictions were reported, about the same as in each of the last two years.

## Reviewing Sex Offenders for Civil Management

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

The 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.

√ As of December 31, 2009, 1,734 sex offenders were referred to OMH for evaluation under SOMTA. OMH recommended civil management for 4% (66) of the offenders.

√ Petitions for Civil Management were filed in 65 of the 66 cases that OMH referred to the Attorney General's Office (AG), and four of these offenders were ordered civilly confined. Due to a lengthy due-process procedure, 17 cases were pending a probable cause determination and 42 cases were pending a disposition as of December 31, 2009. Two additional cases were returned to prison or a psychiatric center, but not due to civil management.

√ Since April 2007, a total of 4,279 cases were reviewed by OMH, 314 of which were referred to the AG. A total of 103 offenders have been ordered confined and 65 have been ordered to Strict and Intensive Supervision and Treatment (SIST).

# Office of Forensic Services

## Mission
To assist in solving and preventing crime by providing administrative oversight of the State DNA Databank, public forensic laboratory accreditation and local DNA specimen collection efforts.

## Scope of Operations
The Division of Criminal Justice Services provides administrative oversight of the DNA Databank through its Office of Forensic Services (OFS). The Databank was first established by statute in 1994, and authorized the collection of DNA specimens for a limited number of felonies, including murder and rape. The DNA law was amended to expand the number of qualifying offenses in 1999, 2004 and 2006. These amendments applied not only to newly convicted offenders but also to offenders in custody or under parole or probation supervision as of the

**Key Public Service Areas**
- DNA Databank Oversight
- DNA Specimen Processing Compliance
- Training, Education and Technical Assistance
- Laboratory Accreditation

effective date of the law. The June 2006 amendment broadened eligibility to include all persons convicted of a Penal Law felony, or an attempt to commit a Penal Law felony where the attempt is a felony, plus any of 35 specified misdemeanor offenses, including petit larceny. As a result of the 2006 amendments, 46% of offenders convicted of a Penal Law offense in the State are now required to provide a DNA specimen.

OFS includes the following four program areas:

- **Administrative Oversight of DNA Databank** - Reviews DNA submission records for offender samples and determines whether DNA samples were collected in accordance with State law.
- **Training and Technical Assistance** – Provides training and technical assistance to law enforcement officials on DNA Databank requirements and the DNA collection process. Also facilitates highly specialized technical training for crime laboratory personnel.
- **Laboratory Accreditation** – Monitors forensic laboratories' compliance with accreditation standards established by the NYS Commission on Forensic Science.
- **Staff Support** – Provides staff support to the NYS Commission on Forensic Science and DNA Subcommittee.

# Office of Forensic Services

## DNA Databank

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

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

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

### Offender Specimens on File
(Cumulative)
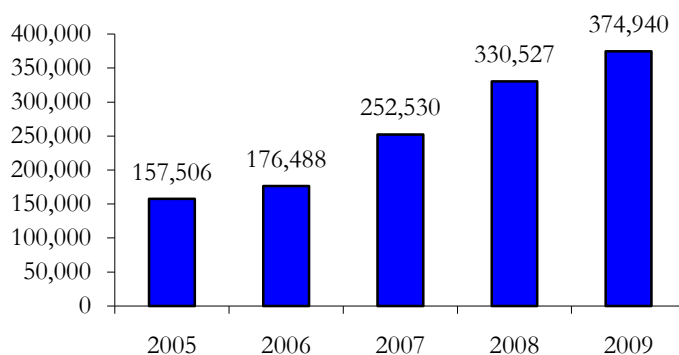


√ As of December 31, 2009, there were 374,940 offender specimens on file in the DNA Databank, a 13% increase from 2008, and more than double the number of specimens on file prior to the June 2006 law expansion.
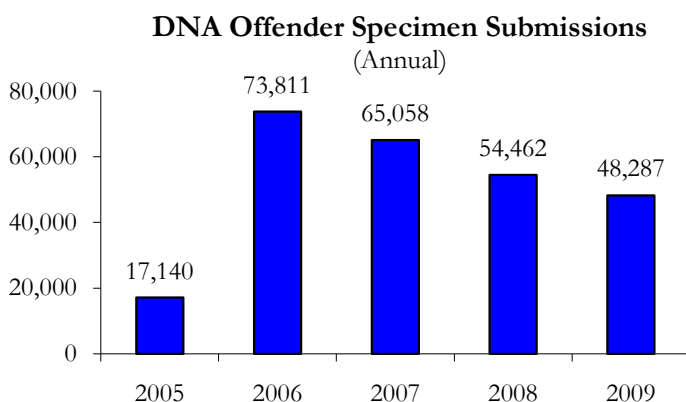
### Crime Scene DNA Profiles
(Cumulative)
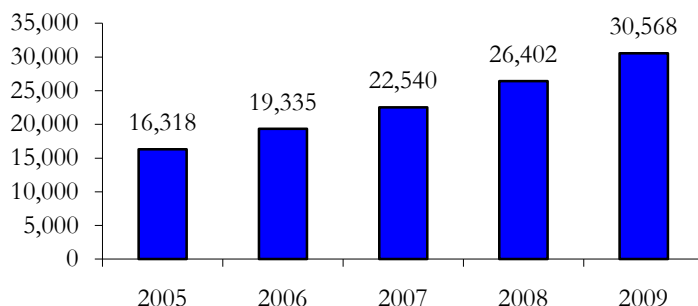


√ As of December 31, 2009, there were 30,568 crime scene profiles on file in the DNA Databank, a 16% increase over 2008.

# Office of Forensic Services

## 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 existing law from persons serving time on a state sentence or as part of a plea agreement, and an amendment to the law significantly expanded the number of convicted offenders required to submit a DNA specimen upon conviction and sentencing, and included retroactive application to those persons in custody or under supervision. Data in the following graphs are derived from DCJS and State Police information systems.
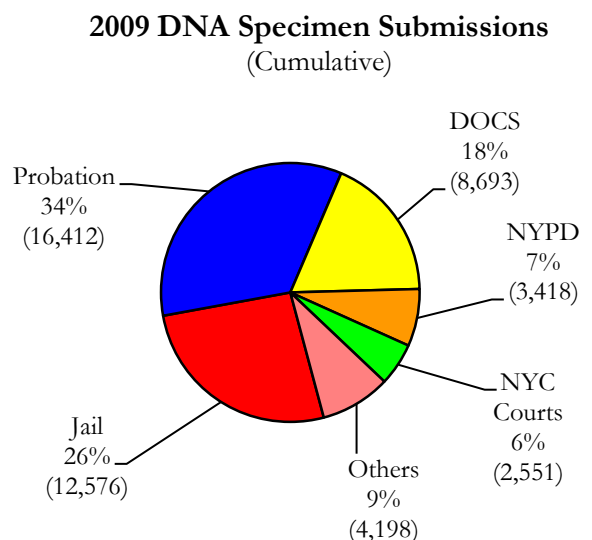
**DNA Offender Specimen Submissions**
(Annual)

| Year | Submissions |
|------|-------------|
| 2005 | 17,140 |
| 2006 | 73,811 |
| 2007 | 65,058 |
| 2008 | 54,462 |
| 2009 | 48,287 |

√ During 2009, 48,287 specimens were collected.  The high number of specimens submitted during 2006 and 2007 was primarily due to the retroactive application of the 2006 amendment.   Declines since then are due in part to the growth in the databank.  More and more offenders already have a sample on file upon conviction, and a second collection is not needed.

√ Prior to 2006, DNA specimens were generally collected by the agency charged with incarceration or supervision of the offender. Now that 35 misdemeanors require a DNA specimen, local jurisdictions are relying on police departments and court personnel to collect specimens from offenders who are not incarcerated or on probation.  OFS closely monitors DNA collection rates by county and collecting agency.  OFS staff routinely contacts any court, probation department, law enforcement agency or jail which has lower than acceptable collection rates in an effort to improve collections.

√ Probation departments and local jails were the largest contributors to the DNA Databank in 2009, collecting 60% of total DNA specimens submitted.  State DOCS submitted 18%.

√ 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 9% of the annual submissions.

**2009 DNA Specimen Submissions**
(Cumulative)

| Agency | Percent | Count |
|--------|---------|-------|
| Probation | 34% | (16,412) |
| DOCS | 18% | (8,693) |
| Jail | 26% | (12,576) |
| NYPD | 7% | (3,418) |
| NYC Courts | 6% | (2,551) |
| Others | 9% | (4,198) |

# Office of Forensic Services

While strict protocols at reception result in the State Department of Correctional Services collecting DNA from virtually every eligible offender, securing collections from offenders sentenced to a local jail, probation, or a non-incarcerative sentence has 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 rate is measured by calculating 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 *e*JusticeNY, so localities can take action.
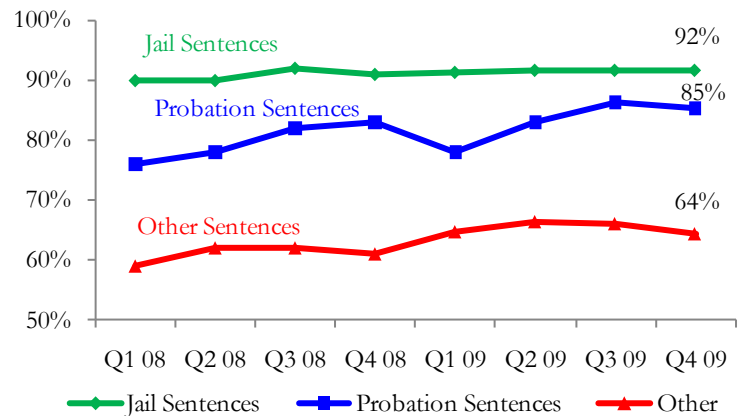
√ The overall statewide DNA collection rate ranged between 79% and 82% during 2009, and has generally increased over the past two years.

**DNA Submissions by Region**
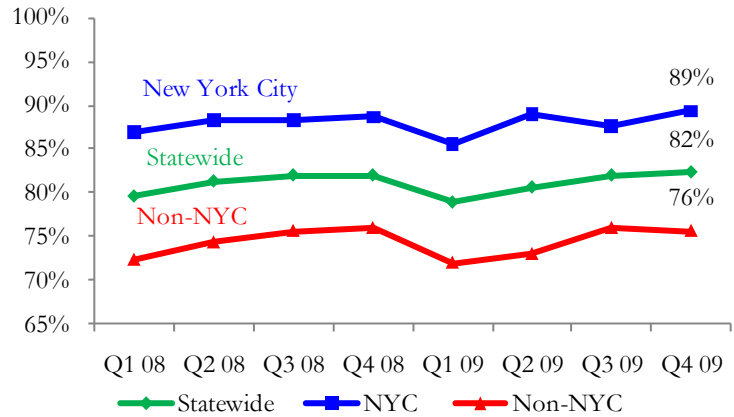


√ The DNA collection rate for local jails remained between 91% and 92% during 2009. The NYC Department of Correction (Rikers Island) collected at a high rate, at or above 95%, for all of 2009.

√ Collection rates by local probation departments increased steadily during 2009 due to aggressive follow up by DCJS to agencies with low collection rates. 53 of the 58 departments have strong collection rates (90% or higher) through December 2009.

**DNA Submissions by Sentence Type**



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

# Office of Forensic Services

## Training and Technical Assistance

OFS provides training and technical assistance to law enforcement officials statewide on the requirements associated with the DNA Databank and the DNA collection process.

√ During 2009, OFS conducted 12 training sessions for district attorneys, judges, court officers and clerks, state and local law enforcement officers and probation officers. In total, 308 individuals attended.

√ OFS personnel provided on-site assistance to the New York City Probation Department to assist in the collection of 210 DNA specimens from convicted offenders.

√ On two occasions OFS personnel collected DNA samples from family members of missing persons. In addition, OFS staff collected 21 DNA samples from family members at the 9th annual Missing Persons' Day ceremony.

√ OFS provided on-site technical assistance to the Monroe County District Attorney and the Rensselaer County District Attorney regarding various aspects of the DNA collection process, including a review of police booking procedures for offenders who owe a DNA specimen, an overview of the DNA banners found on rapsheets and establishing an effective collection procedure for offenders whose sentences do not include incarceration or supervision.

## DCJS DNA Databank Oversight

OFS provides administrative oversight of the DNA Databank. Currently, offenders convicted of designated offenses, as defined in Executive Law §995(7), must, in accordance with Executive Law §995-c(3), provide a DNA sample for inclusion in the State DNA Databank. Eligible offenses include all felony convictions, as well as 35 specified misdemeanors. DNA specimens with accompanying documentation are submitted by the collecting agency to the State Police Forensic Investigation Center (FIC) for processing. FIC staff record the receipt of a specimen 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. Specimens that have been collected according to DNA collection protocols are then approved for processing. 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, unless it was submitted for inclusion in the Subject Index. The Subject Index was added to the State DNA Databank effective January 3, 2006, pursuant to 9 NYCRR Part 6192. Specifically, the Subject Index DNA profiles are obtained from offenders convicted of crimes whose DNA specimens were collected: (1) pursuant to a plea agreement; (2) as a condition for participation in a DOCS' temporary release, comprehensive alcohol and substance abuse treatment ("CASAT"), or shock incarceration program; (3) as a condition of release on parole, post-release supervision, presumptive release, or conditional release on a definite or indeterminate sentence; or (4) as a condition of probation or interim probation supervision. The collection of DNA specimens from individuals to be included in the Subject Index are performed using the "standard" DNA specimen collection kit in use for obtaining DNA from offenders required to provide a specimen pursuant to Executive Law §995(7). However, a copy of the documentation which provides the basis for the collection must accompany the DNA Specimen Submission Form that is included in the kit in order for the offender's profile to be approved for inclusion into the Subject Index. OFS reviews the

documentation of each submission to ensure that there is authority to analyze and retain the sample in the Subject Index.

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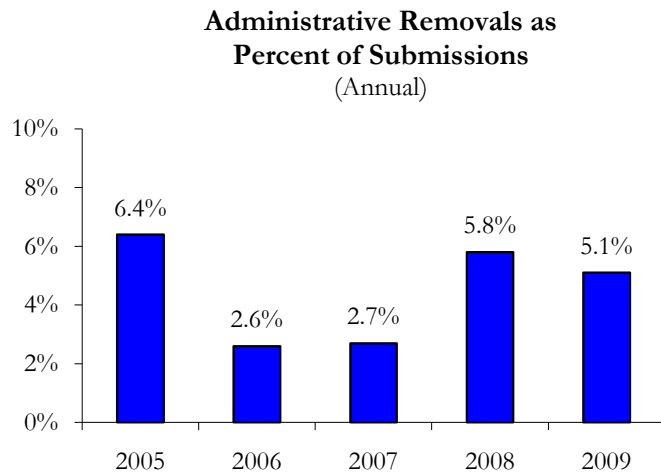


√ In 2009, 2,483 DNA specimens were administratively removed from the process, representing 5.1% of total submissions. This number has decreased from prior years due to extensive OFS training as well as OFS' in-house policy of sending notification to agencies that they have collected DNA samples from an ineligible offender. The combination of training and supervisors receiving specific information on which staff members are collecting samples erroneously has been very effective.

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

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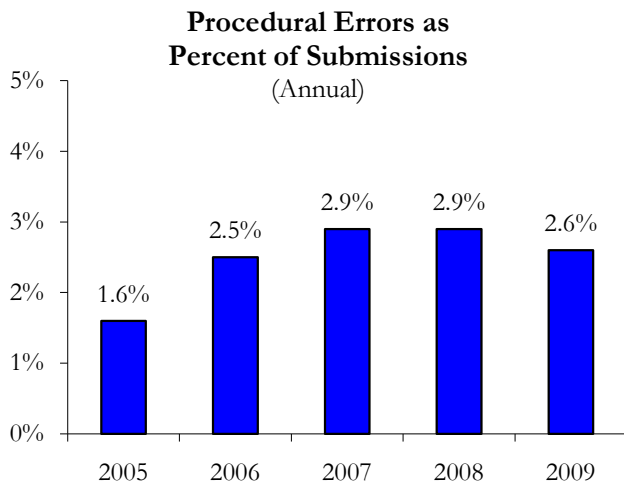


√ In 2009, 1,251 DNA specimens were removed from the Databank as a result of a procedural error, representing 2.6% of submissions. OFS has been successful in reducing this rate by retraining agencies with the highest error rates and providing regular notification to agency officials of these incidents. NYPD and NYSP have made DNA collection errors a cause for discipline.

## DNA Databank Hits

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

determines the significance of the evidence in the context of other investigative information when considering criminal charges.

**Total DNA Hits**
(Cumulative)
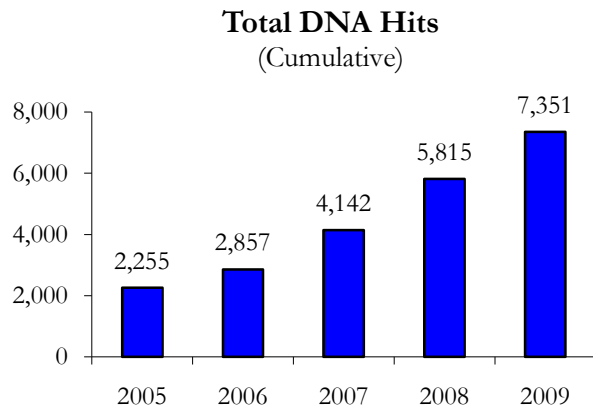


√ Since the Databank's inception, there have been a total of 7,351 hits.

√ In 2009, there were 1,536 hits on the DNA Databank, an 8% decrease from the 1,673 hits reported during 2008.

√ 60% of all hits since Databank inception occurred during the last three years.

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

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

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

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

# Office of Forensic Services

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

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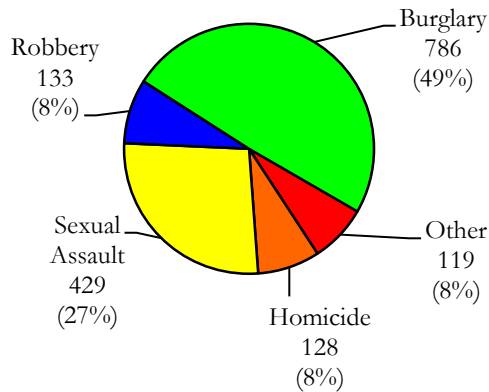


√ As of December 2009, 1,595 conviction outcomes were reported to DCJS, representing 22% of the total hits on the Databank.

√ Of the conviction outcomes reported, 786 (49%) were for burglary cases, 429 (27%) were for sexual assault cases and 128 (8%) were for homicide cases.

√ In 889 additional cases, an arrest was made in the case, but a final disposition had not been reported.

## Laboratory Accreditation

OFS monitors forensic laboratories' compliance with accreditation standards established by the NYS Commission on Forensic Science. Laboratories must demonstrate compliance with the standards of the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) or, if the laboratory performs only toxicology testing, the standards of the American Board of Forensic Toxicology (ABFT). In addition, DNA labs must comply with all conditions of the FBI's Quality Assurance Standards for Forensic DNA Testing Laboratories.

There are currently 22 public forensic laboratories accredited by the NYS Commission on Forensic Science. In addition to reviewing all documentation between the laboratories and the aforementioned forensic entities, OFS also facilitates specialized technical training and other activities to enhance lab efficiency, effectiveness and reliability, and promotes coordination and information sharing among the various laboratories activities include the following:

- **Staff Support to the NYS Commission on Forensic Science and DNA Subcommittee.** The Commission and Subcommittee were established pursuant to Article 49-B of the Executive Law to develop minimum standards and a program of accreditation for all forensic laboratories in New York State. Accreditation of forensic DNA laboratories is granted by the Commission upon the binding recommendation of the DNA Subcommittee. The Subcommittee also advises the Commission on any matter related to the implementation of scientific controls and quality assurance procedures for the performance of forensic DNA analysis.

- **Technical Support to the NYS Commission on Forensic Science.** During 2009, OFS facilitated four Commission on Forensic Science and three DNA Subcommittee meetings. OFS

# Office of Forensic Services

also conducted 13 technical working group (TWG) meetings that were attended by a wide range of laboratory personnel. The subjects covered in the TWG meetings included: toxicology; quality assurance; firearms; questioned documents; trace evidence; arson; digital evidence; latents; drugs; and biological evidence.

- **Technical Training for Crime Laboratory Personnel.** OFS facilitates highly-specialized technical training programs for crime laboratory personnel to maintain proficiency and currency in analytical methods. During 2009, OFS received a Paul Coverdell funding award from the National Institute of Justice which it utilized to fund its training program. The funding received was used for an "Expert Witness Testimony Workshop." The two-day workshop was attended by 86 analysts.

# Office of Program Development and Funding

## Mission
To develop programs and direct criminal justice resources to reduce crime and improve criminal justice services.

## Scope of Operations
The Office of Program Development and Funding (OPDF) allocates state and federal funding to support criminal justice strategies and monitors programs funded by DCJS. OPDF applies for formula and discretionary federal awards and pursues grant opportunities for state criminal justice agencies and local partnership projects. OPDF develops program initiatives identified through legislation or Executive priorities.

The Office of Program Development and Funding (OPDF) includes the following six program areas:

> **Key Public Service Areas**
> - Federal Funding Oversight
> - Administration of State and Federal Grant Programs
> - Local Assistance Contract Administration
> - ARRA Funding Oversight
> - Re-entry Policy Coordination
> - Juvenile Justice Policy Coordination

- **Administration** - Serves as the staff arm for the Deputy Commissioner, and provides support services to other OPDF program units. The unit distributes neighborhood watch materials, maintains the Grants Management System (GMS), and prepares website updates. This unit also administers federal formula grant funding awarded under the Byrne Justice Assistance Grant (JAG) and Byrne JAG American Recovery and Reinvestment Act (ARRA). JAG funds support initiatives under seven congressionally authorized purpose areas that support new approaches, and expand proven programs that improve the criminal justice system.
- **Juvenile Justice** - Promotes systemic reform and best practices in juvenile justice through interagency collaboration, administration of federal juvenile justice and delinquency prevention funding, and staff support of the New York State Juvenile Justice Advisory Group (JJAG). The unit, in conjunction with the JJAG is responsible, for planning, implementing and overseeing New York State's federal juvenile justice plan. Finally, the unit also administers youth services grants supported by the Byrne JAG funding stream and through New York State legislative initiatives.
- **Law Enforcement** - Oversees law enforcement grants to police departments, sheriffs offices, probation departments and county agencies. The unit includes the Motor Vehicle Theft and Insurance Fraud Prevention program which facilitates meetings of the Statewide Advisory Group for Motor Vehicle Theft and Insurance Fraud. The unit also oversees all grants pertaining to Operation IMPACT, Operation IMPACT Tools, and legislative member initiatives and Byrne JAG grants for law enforcement initiatives.
- **Community, Laboratories and Legal Services** - Provides resources to crime laboratories, courts, legal services agencies, and district attorneys' offices across the state, as well as local criminal justice agencies providing community prevention efforts. The unit also oversees local assistance grants authorized under legislative member initiatives and the Byrne JAG funds.
- **Violence Against Women** - Oversees the STOP Violence Against Women Act (VAWA) formula grant program designed to improve the criminal justice system's response to violent crimes against women. Also oversees the new Federal Sexual Assault Services Prevention Act

# Office of Program Development and Funding

grants, Federal Discretionary Grants to Encourage Arrest funding, as well as Byrne JAG and legislative member items that deal with domestic violence or sexual assault issues.

- **Re-entry Services** - Supports the development of evidence-based re-entry policy and programming across the state through implementation of the New York State Transition from Prison to Community (NYTPC) model. The unit coordinates the Statewide Re-entry Task Force and Steering Committee along with six workgroups (Case Management Coordination; TAP Implementation; COMPAS Implementation; Education and Training Development; Evidence-Based and Quality Programs; and Reentry Unit) responsible for different aspects of NYTPC model implementation. Additionally, the unit provides technical assistance to DCJS-funded County Re-entry Task Forces (CRTFs)

# Office of Program Development and Funding

## Support for Criminal Justice Initiatives

OPDF plays a key role in several criminal justices strategy and policy areas.

√ DCJS administers $67 million in ARRA stimulus funding which primarily supports implementation of the Rockefeller Drug Law Reform enacted in 2009. Specifically, the ARRA money supported the creation of new drug courts, the expansion of residential treatment capacity, the hiring of probation officers and prosecutors, alternatives to incarceration programs, residential centers for probation violators, juvenile reentry services, computer literacy training for state prison inmates, and technology upgrades. Additionally, DCJS is providing a total of $12.5 million to four organizations that provide transitional jobs and skills training to more than 1,600 individuals involved in the criminal justice system, with the goal of placing as many as possible in permanent employment.

√ DCJS Violence Against Women Unit (VAWA) supplies Sexual Offense Evidence Collection Kits free of charge to hospitals, rape crisis centers and law enforcement to satisfy legal considerations in the collection and preservation of evidence. In 2007, VAWA staff overhauled the State's Sexual Offense Evidence Collection Kit for the first time in 20 years. The new kits were piloted in several hospitals and released for use in October 2008. In 2009, VAWA staff produced a training DVD for medical professionals that demonstrates all 15 steps of the examination and evidence collection process. This DVD was endorsed by the federal Office on Violence Against Women, which provided a copy to every VAWA State Administrator in the states and territories.

√ The Motor Vehicle Theft and Insurance Fraud Prevention Unit (MVTIF Unit) facilitated three meetings of the Statewide Advisory Group for Motor Vehicle Theft and Insurance Fraud in 2009. The group is responsible for the Statewide Plan for the Interdiction of Motor Vehicle Theft and Insurance Fraud, which assesses motor vehicle crime and identifies effective strategies to reduce motor vehicle theft and vehicle insurance fraud. In 2009, the Governor's Traffic Safety Committee (GTSC) awarded $1.06 million in federal highway safety grant money to DCJS, which in turn provided a third round of funding so law enforcement agencies in 25 additional counties could purchase license plate readers. Over 350 law enforcement agencies statewide have now acquired and utilize license plate reader technology for traffic safety, criminal investigations and homeland security.

√ More than $1.3 million in Byrne JAG funding was awarded during 2009 to support 80 law enforcement projects. Awards were made to support IT positions at the regional Crime Analysis Centers, and the purchase of police equipment, including In-Car Video Systems, Mobile Data Terminals, and equipment to support electronic fingerprint processing. Awards were also made to four sites to plan and implement a Drug Market Intervention (DMI) Initiative.

√ The Law Enforcement Unit coordinates with the Office of Public Safety to ensure that all IMPACT contracts are processed efficiently and that agencies comply with all contractual requirements. During 2009, site visits were conducted with Operation IMPACT grantees to ensure compliance with goals and objectives. In addition, Operation IMPACT tools grants were funded in Essex, Franklin, Fulton, Madison, Saratoga, Schuyler, Sullivan, Warren, Wayne and Wyoming counties.

# Office of Program Development and Funding

## Re-entry Services

OPDF provides staff support for the Statewide Re-entry Task Force, a multi-agency Re-entry Steering Committee and six workgroups: Case Management Coordination; TAP Implementation; COMPAS Implementation; Education and Training Development; Evidence-Based and Quality Programs; and Re-entry Unit. OPDF staff organize, develop agendas for and facilitate meetings of each of these groups.   In addition, OPDF staff coordinate and provide the necessary training and technical assistance to move Task Force initiatives forward.  During 2009:

√  The Statewide Re-entry Task Force developed and adopted the New York State Transition from Prison to Community (NYTPC) model in 2009.  The NYTPC model outlines the components of New York State's system, which will serve as the blueprint for future re-entry efforts statewide.  The following NYTPC initiatives are currently underway:

- Development of a transition accountability planning (TAP) process for individuals returning from prison to the community;
- Implementation of Thinking for Change (T4C) programming for DOCS inmates with an identified need;
- Implementation of COMPAS risk and needs assessment;
- Development of a graduated response system to be used by Parole in addressing violative behavior;
- Establishment of selected Reentry Units to allow individuals to move "closer to home" 90-120 days pre-release to develop linkages with the community; and
- Utilization of gender responsive approaches and curricula for female inmates.

OPDF also provides staff support for the County Re-entry Task Force grant program implemented in 2006 with the goal of strengthening the community response to individuals transitioning from prison back to the community.  These locally-led partnerships arrange services for individuals released from prison.  The task forces are comprised of staff from a broad range of state and community agencies involved in the transition process, including social service and treatment providers, regional parole offices, law enforcement agencies, and victim advocacy organizations. Additionally, the unit provides technical assistance to DCJS-funded County Re-entry Task Forces (CRTFs) in their efforts to achieve three goals at the local level:  (1) helping returning individuals to be successful; (2) increasing capacity through strategic planning and system-wide coordination; and (3) educating the public.  OPDF provides training and ongoing support to participating counties.

√  In June 2009, Albany County began participation in the CRTF.

## Juvenile Justice

OPDF provides state leadership on strategic investment and policy development to reduce juvenile crime and break the cycle from juvenile placement to adult offending.  Those efforts include promoting juvenile justice system accountability, developing innovative front end strategies to reduce juvenile crime, and supporting statewide reform efforts focused on reducing unnecessary juvenile detention and placement.  In addition, the unit provides state leadership on cross systems issues affecting children of incarcerated parents and is actively involved on the efforts of the Governor's Children's Cabinet to address the needs of high risk disconnected youth.   This work is

# Office of Program Development and Funding

accomplished in partnership with the New York State Juvenile Justice Advisory Group (JJAG). In its capacity as staff to the JJAG, DCJS compiles and analyzes statewide juvenile justice data, researches best practice in juvenile justice, outlines how best practice can support data driven juvenile justice needs, and prepares applications for federal funds. In addition, OPDF designates a staff member to be a Juvenile Justice Specialist to represent the state to the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP), monitoring State compliance with the core protections of the Juvenile Justice and Delinquency Prevention Act (as a condition of receipt of the federal funds), and responsibility for the administration and ongoing monitoring of the use of federal juvenile justice funds. Together with the JJAG, OPDF launched efforts in four key areas for investment:

√ Promoting accountability in juvenile justice by developing a central clearinghouse for the many state and local sources of juvenile justice data, supporting key juvenile justice research initiatives, and strengthening and standardizing performance measurement in juvenile justice programming;

√ Developing front-end strategies to reduce entry into the juvenile justice system through school-based arrest diversion projects and local service collaborative planning:

- DCJS, in conjunction with the Office of Children and Family Services and OPCA, hosted a series of five symposiums to explore ways in which New York's juvenile justice system can be reformed. Symposium topics included cost-effective juvenile detention strategies, disproportionate minority contact with the juvenile justice system, residential care that reduces recidivism, innovative community-based juvenile justice strategies that work, and how to make change: implementing cost-effective juvenile justice.

√ Supporting statewide reform efforts to reduce the unnecessary use of juvenile detention and placement through alternative to detention programming for youth who are detained due to unsafe or unavailable home environments and through local initiatives to reduce disproportionate minority contact in secure detention settings.

√ The Juvenile Justice Unit developed two innovative juvenile re-entry program models geared toward reducing recidivism among high risk youth returning to the community from placement in state operated facilities. The New York City project adds a mobile component to the existing juvenile re-entry program to test the efficacy of engaging hard-to-serve youth in their home communities. The Monroe County model is DCJS' first effort to expand the local re-entry task force model to the juvenile population and provide community-based services during placement.

## Contract Monitoring

OPDF allocates local assistance funding to support criminal justice agencies and initiatives. The contract process, which is comprised of multiple activities and functions, begins with the development of the grant application and the grantee award notification. OPDF is responsible for all grant contracts until the grant contract is closed. Included in this process are developing Requests for Applications (RFAs), Requests for Proposals (RFPs), monitoring grantee progress, ensuring that the grant fulfills all obligations, approving contract payments, and processing all contract-related amendments.

# Office of Program Development and Funding

When the contract period is completed, and all required program and fiscal reports are received and fiscal claims are paid, the contract is closed.

### Contracts Executed/Closed
(Annual)

|                                | 2006  | 2007  | 2008  | 2009  |
|--------------------------------|-------|-------|-------|-------|
| Contracts Executed During Year | 866   | 1,513 | 1,088 | 933   |
| Contracts Closed               | 1,478 | 1,111 | 1,295 | 1,850 |

*Data prior to 2006 not available

√ A total of 933 new grant contracts were executed during 2009.

√ During 2009, 1,850 contracts were closed, an increase from 2008. This increase was the result of targeted efforts to address a backlog of expired grant contracts not yet closed and an emphasis on more timely closeout of current grant contracts as they expired throughout 2009.

### Active Contracts
(Annual)

| Contract Type            | 2006  | 2007  | 2008  | 2009  |
|--------------------------|-------|-------|-------|-------|
| Active (Fully Executed)  | 1,029 | 1,351 | 1,309 | 965   |
| Pending (In Process)     | 1,103 | 885   | 1,069 | 882   |
| Active/Pending Contracts | 2,132 | 2,236 | 2,378 | 1,847 |

*Data prior to 2006 not available

√ At the end of 2009, OPDF was responsible for 1,847 active or pending grant contracts. Of these, 882 were in process and 965 were fully executed.

√ The number of grantees, including those with pending and executed contracts, decreased in 2009 from 714 grantees to 565 grantees by December 31, 2009. Many grantees have more than one contract with DCJS.

OPDF staff who are assigned contract monitoring responsibilities conduct site visits of grantee organizations to ensure that services are provided in accordance with contract terms. In 2009, due to budget reductions limiting travel, OPDF made greater use of technology (e.g. webinars) to provide cost-effective training/technical assistance to grantees facing changes in grant reporting and program requirements.

# Office of Program Development and Funding

**Site Visits**
(Annual)
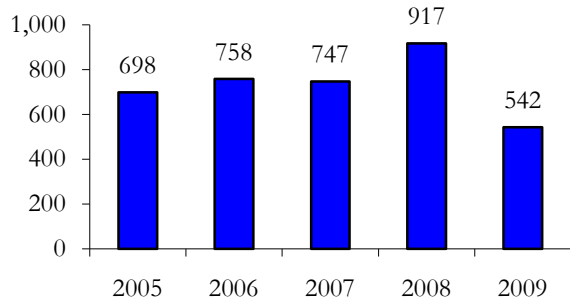


√ 542 site visits were conducted during 2009, significantly fewer (-41%) than the 917 visits in 2008. Budget reductions required travel to be curtailed. OPDF now prioritizes site visits according to a risk-based protocol.

√ Due in part to the reduction in site visits, OPDF staff handled an increase in technical assistance requests and other types of contacts from grantees. During 2009, there were 11,172 contacts made with grantees, a 30% increase from 2008 when there were 8,617 contacts.

An electronic Grants Management System (GMS) was implemented in 2001 to process applications for grant contracts. In 2004, a new web-based version of GMS became available. Grantees are now expected to submit grant contract applications and submit quarterly progress reports online through GMS. During the past three years, OPDF has made significant progress in getting nearly all grantees registered and using GMS.

**Percent of Grantees Enrolled in GMS**
(End of Year)
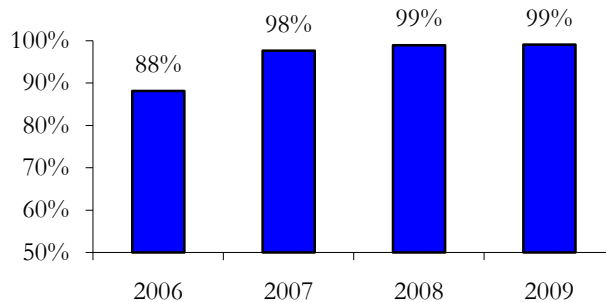
√ The number of grantees registered to file electronically increased from 88% in 2006 to 99% in 2009.



*Data prior to 2006 not available

DCJS has established a 170-calendar day processing time target for all grant contracts. Processing time is monitored in three categories: OPDF processing time, grantee time, and Financial Services processing time. Each month, progress in each category is measured as the percent of completed contracts that were processed within the time frame established for that category. During 2009, new grant processing procedures were instituted across state agencies in response to the fiscal crisis. The new centralized approval processes required specific forms and sign-offs, known as the Attachment A and B process, which delayed contract processing.

# Office of Program Development and Funding

**Percent of Contracts Processed Within 170 Days**
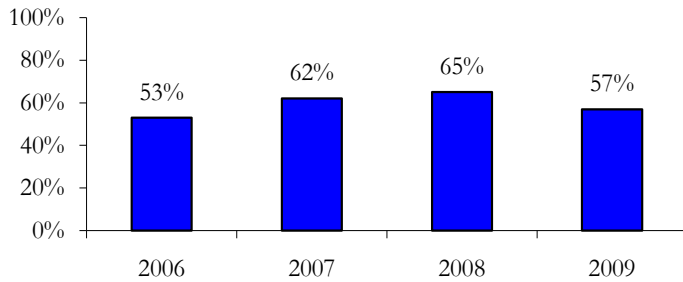


√ During the year, 57% of grant contracts were processed within the 170-day target, a decline from 2008. The decrease was related to the new statewide protocols which delayed contract processing.

*Data prior to 2006 not available

## Phases of Processing

OPDF processing time is the time OPDF staff spent processing a grant contract. OPDF has set a target time of 45 days for this segment of grant processing.

Grantee processing time consists of the number of days the grant contract is with the grantee. This includes time between the date the award notice is mailed to the grantee and the return of a completed application. Grantee processing time also includes the time it takes the grantee to return the signed contract to OPDF. A target time of 90 days has been set for this segment of the process.

Financial Services processing time is measured from the date the grant contract is forwarded by OPDF to Financial Services to the date it is returned to OPDF from Financial Services. A target time of 35 calendar days has been set for this segment of the process.

| Percent of Contracts Processed Within Target by Contract Phase (Annual) | | | | | |
|---|---|---|---|---|---|
| | **Target** | **2006** | **2007** | **2008** | **2009** |
| OPDF Processing | 45 days | 59% | 68% | 73% | 53% |
| Grantee Processing | 90 days | 57% | 60% | 48% | 65% |
| Financial Services Processing | 35 days | 70% | 81% | 81% | 73% |
| **Total Grant Processing** | **170 days** | **53%** | **62%** | **65%** | **57%** |

*Data from prior years not available

√ In 2009, 53% of grant contracts were processed within 45 days within OPDF. New centralized approval processes which require specific forms and sign-offs, known as the Attachment A and B process, delayed contract processing.

√ The percent of grant contracts returned within the 90-day standard was 65% during 2009, the highest of the last four years.

√ In 2009, 73% of contracts were processed within the 35-day target time frame for the Financial Services processing segment. The new Attachment A and B process impacted Financial Services contracting processing as well.

# Office of Justice Research and Performance

## Mission
To inform criminal justice policy by providing research, analyses and performance data.

## Scope of Operations
The Office of Justice Research and Performance (OJRP) provides research, analysis and performance data to DCJS, its hosted agencies, and other professional, governmental agencies and the public.

The Office of Justice Research and Performance (OJRP) includes the following six program areas:

### Key Public Service Areas
- Criminal Justice Research, Analysis and Statistics
- Crime Reporting
- Performance Management
- Deported Criminal Alien Program

- **Operations and Research Support** - Serves as the administrative arm of the office. Administers all agreements with outside researchers and coordinates research forums.
- **Crime Reporting and Data Quality** - Oversees the New York State Uniform Crime Reporting (UCR) program and the Incident Based Reporting (IBR) program. The unit works with law enforcement agencies to ensure the accuracy, completeness and timeliness of crime data, generates data files for the FBI, and oversees a comprehensive reporting system for Operation IMPACT.
- **Justice Systems** - Develops and maintains complex analytical files used for criminal justice research and maintains IBR and UCR databases. This unit also prepares and publishes data, information and reports using various sources of criminal justice data.
- **Crime Research and Analysis** - Conducts research in the areas of crime analysis, domestic violence and juvenile justice. Staff also conduct research for probation and alternative to incarceration programs and provide GIS/mapping services for DCJS offices and other criminal justice agencies.
- **Research and Evaluation** - Conducts research on offender re-entry, recidivism and sentencing policy, including the recent reforms of the Rockefeller Drug Laws. This unit coordinates monitoring and evaluation efforts for several re-entry initiatives.
- **Performance Management (Crimestat) Unit** - Coordinates the Crimestat program, and works with other criminal justice agencies and offices to develop performance measures. The unit prepares a wide range of performance reports and coordinates the criminal alien information-sharing efforts for DCJS.

# Office of Justice Research and Performance

## Provide Criminal Justice Information and Analysis

OJRP provides analytical and statistical information to criminal justice executives and managers, the public, local law enforcement, and researchers. Many information requests include requests for crime statistics, and arrest and disposition data.
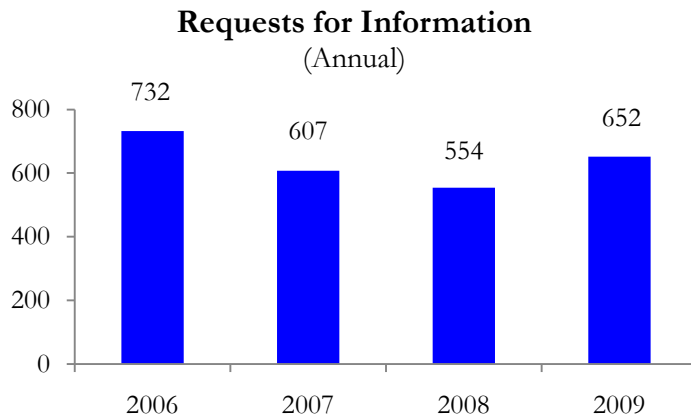
**Requests for Information**
(Annual)



√ During 2009, OJRP staff prepared and provided data and analyses in response to 652 requests for information, an 18% increase over 2008.

*Data prior to 2006 not available

OJRP prepares and posts statistical data to the DCJS public website with information on crime, adult arrest and dispositions, hate crime incidents and law enforcement personnel. Information is provided for the state as well as by county, geographic region and reporting jurisdiction. In 2009:

√ OJRP added two new features to the website, which now provide historical data on hate crime incidents and juvenile arrests.

√ OJRP worked closely with several district attorneys' offices to improve the reporting of criminal disposition data on the website. Several report changes were implemented.

√ Monthly and quarterly performance reports were provided to more than 500 police agencies, 62 district attorneys' offices, 58 probation departments, 58 sheriff's offices, and executives and managers within state agencies to help managers focus on areas that need attention. Many reports are also posted to *e*JusticeNY, the secure website for law enforcement, where they are available to more than 50,000 users.

## Promote Criminal Justice Research

In recent years, criminal justice policymakers and researchers have focused on the importance of implementing effective programming and supporting evidence-based practices. This has contributed to a dramatic increase in the number of requests for DCJS data which can be used for recidivism studies. As authorized by statute, DCJS releases case-specific criminal history and other criminal justice data to research organizations in support of research that informs the criminal justice community. In 2009, major revisions to the research policy were implemented to ensure that limited DCJS staff resources were supporting projects that, when completed, would inform policymakers on what works. The objectives of the revised policy were to:

# Office of Justice Research and Performance

- Make criminal history data available for legitimate, evidence-based research when possible, and ensure that research findings contribute to the knowledge of criminal justice.
- Make certain that data requirements for individual research projects could be met without unreasonable demand on DCJS resources.
- Require outside researchers to share their findings so state policy makers are informed about "what works."

In support of these new objectives, a new policy was implemented in 2009. Other accomplishments in this area included the following:

√ OJRP processed and prepared non-disclosure agreements for 11 new research requests. All agreements now require that researchers submit a draft report prior to publication, and formally present research findings after completion.

√ OJRP established a research forum series where researchers who have reviewed state data present findings to state officials and program managers from criminal justice agencies. Three research forums were held on: the long-term consequences of juvenile delinquency; the effectiveness of New York's drug courts; and the effectiveness of transitional employment programs on ex-offenders.

√ Twenty-eight research files were prepared and delivered in support of research on offender re-entry, mental health programming, sex offender recidivism, domestic violence interventions, juvenile recidivism, drug court evaluations, and probation and alternative-to-incarceration programming.

√ During 2009, OJRP worked closely with 21 different research organizations. Ten projects span several years and require on-going OJRP support and file preparation.

## Crime Reporting

Pursuant to New York State Executive Law, DCJS operates the New York State Uniform Crime Reporting (UCR) Program. More than 500 police agencies in New York State send monthly crime reports to DCJS, which are reviewed by staff for completeness and accuracy and added to the state database. The crime data are then compiled and submitted to the FBI. Crime data are also analyzed by DCJS, and reports are produced for law enforcement and the public. During 2009, Crime Reporting staff focused on improving data quality in four major areas: juvenile arrests, hate crime reporting, homicide, and domestic violence victim data.

√ In 2009, OJRP staff developed and delivered the first in a series of webcast trainings on the UCR reporting of juvenile arrests/criminal activity. UCR training continues to be expanded with more modules offered in 2010.

√ OJRP worked closely with 150 law enforcement agencies to verify the accuracy of hate crime incidents and arrests to ensure that the annual statutory reporting requirement could be met.

√ Crime Reporting staff developed comprehensive review procedures to ensure all information on homicides committed in New York State are reported timely and accurately. The homicide report

# Office of Justice Research and Performance

form was improved to facilitate more accurate reporting of victim to offender relationships and homicide circumstances.

√ OJRP staff developed an email-based notification system for crime reporting agencies that ensures the timely dissemination of program-related information to all agencies at no cost to the state. This important change eliminated the need for bulk mailings and postage.

√ OJRP staff responded to more than 2,100 requests for technical assistance on crime reporting issues.

**Requests for Technical Assistance**
(Annual)
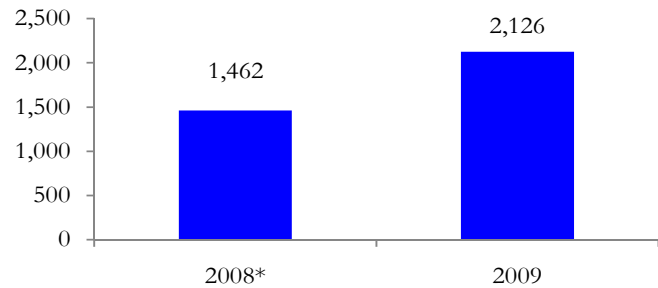


* Partial year data, data prior to May 2008 not available

OJRP has been working with the Office of Program Development and Funding (OPDF) to facilitate the timely reporting of crime data by police agencies around the state. As a condition of funding, all DCJS contracts with law enforcement now require that agencies report Part I crime data within 30 days. A total of 163 contracted agencies had this requirement as of December 31, 2009. OJRP staff closely monitor outstanding crime reports of all submitting agencies and tracks the monthly follow-up calls made to police agencies regarding delinquency.

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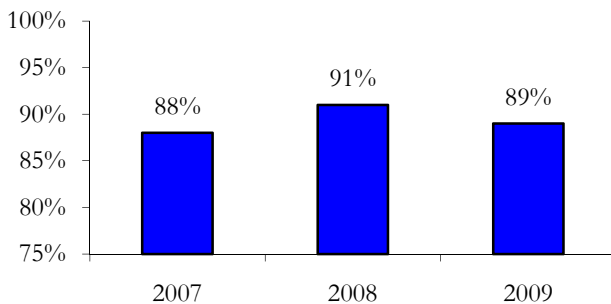


*Excludes reports from NYS Police for the months of May - October 2009. State Police were transitioning to a new reporting system which delayed reporting.

√ During 2009, OJRP staff made 838 delinquency calls to reporting agencies.

√ On average, 89% of non-New York City crime data were reported within 30 days during 2009.

OJRP works closely with the Office of Public Safety to monitor Operation IMPACT program performance. Analyses prepared by OJRP staff are used by IMPACT staff and partners to target state assistance and resources to the areas that need attention.
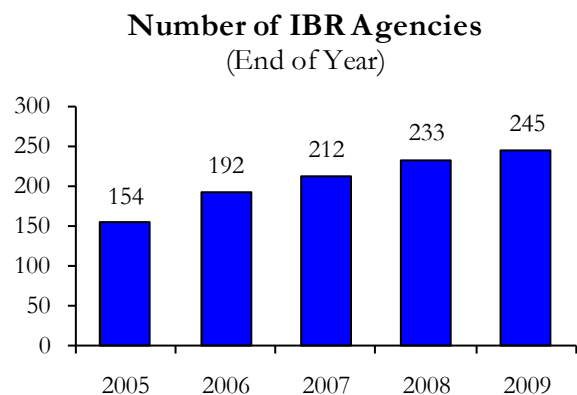
# Office of Justice Research and Performance

√  OJRP distributed a comprehensive analysis each month of crime, arrests, firearm-related crime and shooting incidents. These analyses were used by IMPACT staff and partners to target state assistance and resources to the areas that need attention. In addition, OJRP prepared a wide range of other IMPACT-specific reports to facilitate compliance with DNA collections, the management of sex offenders, and the usage of the SAFETNet deconfliction system within the IMPACT sites. These reports are distributed electronically each month to all IMPACT partners.

**Incident Based Reporting (IBR)**

Law enforcement agencies use one of two reporting systems to submit crime data to DCJS: Uniform Crime Reporting (UCR) or Incident Based Reporting (IBR). UCR participating agencies provide summary counts of reported crimes that have been aggregated into federally-defined crime classifications. In contrast, IBR agencies submit incident-specific details, including penal charge, and victim and offender information. This level of detail provides more comprehensive information on reported crime than is available with UCR data, and it is generally more accurate.

Prior to 2005, OJRP actively solicited agencies to convert from summary reporting (UCR) to incident reporting. However, the systems originally established to process IBR files were designed nearly 20 years ago when there were only a handful of participating agencies. Due to these technology limitations, as well as staffing limitations, agencies are no longer actively recruited, but are still accepted for transfer upon request. The current processing systems need to be automated in order to ensure all files submitted by the 245 participating agencies are processed efficiently and correctly.

√  During 2009, 12 law enforcement agencies transitioned to IBR.

√  At the end of 2009, 30% of the crime reported outside New York City was reported through IBR.

**Number of IBR Agencies**
(End of Year)

| Year | Agencies |
|------|----------|
| 2005 | 154 |
| 2006 | 192 |
| 2007 | 212 |
| 2008 | 233 |
| 2009 | 245 |

# Felony Processing Reporting Changes

Since 1973, DCJS has been required by statute to collect, analyze and report on felony case processing in the state. For more than 35 years, the Indictment Statistical System (ISS) was used to produce quarterly Felony Processing Reports that were distributed to prosecutors and the Legislature. ISS was a labor-intensive system that relied upon paper forms completed by prosecutors' offices and returned to DCJS for manual processing.

# Office of Justice Research and Performance

In 2009, OJRP completed a multi-year effort, to replace ISS with an automated system. Since the new system extracts superior court case information from criminal history records, it has eliminated onerous manual processing for both DCJS and the prosecutors.

√ Replacing ISS reduced DCJS costs associated with the purchase and mailing of multi-part forms, as well as staff resources associated with data entry. Prosecutors also saved time and money since form preparation and mailing was eliminated.

√ With input from the district attorneys, new and improved felony processing reports were developed.

√ The new felony processing data is a principal source of information to assess the impact of the 2009 changes to the Rockefeller Drug Laws.

## Support for Selected Initiatives

OJRP provides extensive support for offices within DCJS, as well as for criminal justice initiatives, domestic violence, drug law reform, offender re-entry, sex offender management, DNA, criminal aliens, juvenile justice and jail management. In addition, analytical support is provided to the Office of Probation and Correctional Alternatives (OPCA), the Office for the Prevention of Domestic Violence (OPDV) and the State Commission of Correction (SCOC).

**Drug Law Reform**

The Division of Criminal Justice Services, working in partnership the Office of Court Administration (OCA), the Office of Alcoholism and Substance Abuse Services (OASAS), the Department of Correctional Services (DOCS), the Division of Parole (DOP), and the Office of Probation and Correctional Alternatives (OPCA), is responsible for studying the impact of drug law reforms that took effect in 2009. With the enactment of the 2009 Drug Law Reform, OJRP assumed responsibility to monitor the implementation of the laws. OJRP coordinates the interagency effort and reports on changes in the system's processing of drug offenders. Regular briefings are held with district attorneys, advocacy groups and other interested stakeholders.

A dedicated webpage posts Drug Law Reform-related reference reports and updates for review by the public (http://www.criminaljustice.state.ny.us/drug-law-reform/index.html). The first two reports, published in February 2010, are described under Publications on page 74 of this report. In 2009, OJRP began developing a new Drug Reform database which will combine data from multiple sources, such as the Office of Court Administration and Office of Alcoholism and Substance Abuse Services. This will serve as an important resource for conducting research and evaluation of case processing, diversion and treatment issues surrounding Drug Law Reform.

**Offender Re-Entry**

Research and analytical support is provided to the DCJS-funded County Re-entry Task Forces and other re-entry initiatives.

# Office of Justice Research and Performance

During 2009:

√ County-specific listings with risk scores information were prepared each month for offenders scheduled for release to the community and distributed to the County Re-entry Task Forces and Division of Parole staff. This information enables local re-entry staff to identify high-risk offenders who will require assistance upon release.

√ OJRP staff prepared monthly offender re-entry reports to provide program managers with up-to-date information on re-entry trends and performance. This information enables managers to shape strategies within their programs.

√ OJRP staff completed county-specific recidivism studies for offenders released from prison and offenders sentenced to probation. These reports allow local re-entry partners to be informed about trends in their own communities.

## Probation

√ During 2009, OJRP staff prepared 54 reports and responded to 38 requests for probation-related analyses by OPCA, local probation agencies, and DCJS offices.

√ OJRP staff assisted OPCA in its follow-up evaluation of the COMPAS risk/needs assessment instrument which was completed by the instrument's vendor.

√ Staff worked with OPCA COMPAS data set to create management reports on the instrument for county probation departments.

## Criminal Aliens

OJRP works very closely with the Department of Homeland Security Immigration and Customs Enforcement (DHS ICE), conducting data exchanges to apprehend 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. When DCJS receives fingerprints belonging to one of these previously deported individuals, DCJS forwards an electronic notice to ICE's Law Enforcement Support Center (LESC) and a real-time Blackberry notification to ICE's New York City fugitive apprehension unit, to advise that a previously deported criminal alien has been re-arrested in New York State.

Beginning in 2006, OJRP coordinated interagency efforts to increase the number of deported criminal alien records on the State Computerized Criminal History (CCH). Several initiatives over the past four years have significantly increased the number of deportation records contained on file.

√ Through partnerships with ICE's NYC Violent Criminal Alien Section (VCAS) and Fugitive Operations Support Center (FOSC), OJRP conducts periodic data matches to update New York State criminal history records with deportation data from ICE. This provides DCJS the unique opportunity to collect deportation information on deported criminal aliens who did not serve a

New York State prison sentence but who have a New York State criminal history. Using data supplied by ICE, DCJS was able to add more than 5,000 new deported alien banners to the NYS CCH during 2009 (+16%).

√ During 2009, a total of 281 arrests were flagged, up (+70%) compared to 2008. This dramatic increase in flagged alien arrests can be attributed to the ongoing efforts by OJRP to increase the number of NYS CCH records that contain alien status information.

**Domestic Violence**

OJRP researchers completed several analyses in the domestic violence area, including an analysis of Domestic Incident Reports (DIR) filed in the latter half of 2005 and 2006. Two reports on domestic violence were published in 2009 (discussed below in Publications).

**Juvenile Justice**

During 2009, OJRP staff worked closely with OPDF to develop a juvenile justice performance indicator report which combines into a single document monthly and annual performance data for all processing points in the juvenile justice system, from arrest through placement. OJRP staff also conducted a telephone and field survey on reporting and recording practices of juvenile arrests in 29 police jurisdictions that report crime through Incident-Based Reporting.

# Publications

In addition to conducting analyses, preparing statistics for the website and responding to data requests, OJRP published six reports during 2009 which are available on the DCJS website.

√ *Criminal Justice Crimestat Report: 2008* provides criminal justice system data, including reported crime, criminal justice populations, and interagency strategy areas, such as Operation IMPACT, DNA, offender re-entry, sex offender management, and criminal aliens.

√ *Domestic Violence Victimizations in IBR Jurisdictions of New York State, 2007* provides information on domestic violence incidents reported to police in 2007 including: victim-to-offender relationships, types of crimes, and weapons used. The report details "incident based" crime data reported to DCJS by a portion of law enforcement agencies in New York State.

√ *Domestic Homicide in New York State, 2008* presents statewide and regional statistics on domestic homicide with a special focus on intimate partner homicide. It summarizes demographic characteristics of homicide victims, circumstances surrounding the homicide incidents and the types of weapons used.

√ *Crime in New York State: 2008 Preliminary Data* contains Index crime statistics for New York State in 2008 and historical crime data.

√ *Hate Crimes in New York State: 2008 Annual Report* chronicles hate crime incidents reported by law enforcement agencies to the New York SAC in 2008. It includes data on the number of hate crime incidents reported, the number of hate crime prosecutions, the disposition of cases that began with a hate crime arrest and the type of bias reported.

# Office of Justice Research and Performance

√ *2008 Annual DCJS Performance Report* contains performance data for all offices within the Division of Criminal Justice Services for 2008.

In February 2010, OJRP published two new baseline reports related to the 2009 Drug Laws.

√ *Felony Drug Arrest, Indictment and Commitment Trends 1973-2008* details the criminal justice processing of felony drug cases, beginning in 1973, when the Rockefeller Drug Laws took effect and ending in 2008, the year before the reforms were enacted.

√ *Profile of Felony Drug Offenders Committed to New York State Prison 2008* provides an overview of demographic and criminal history information of drug offenders admitted to prison in 2008, the year before the drug law reforms were enacted.  This report establishes a baseline for future reports to assess the impact of the reforms, and determine whether they are working as intended.

# Office of Administration

## Mission
To provide efficient and high-quality support services to the Division of Criminal Justice Services (DCJS) and hosted agencies.

## Scope of Operations
The Office of Administration provides support for the Division of Criminal Justice Services, the Crime Victims Board, the State Commission of Correction, the Office for the Prevention of Domestic Violence, and the Board of Examiners of Sex Offenders.

The Office of Administration includes the following three program areas:

**Key Public Service Areas**
- Human Resources Management
- Workforce Diversity and Equity Programs
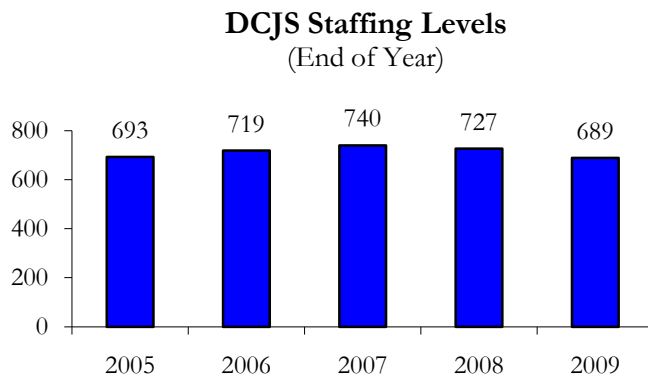- Financial Services
- Administrative Services

- **Human Resources Management** - Oversees position classification, training, examination planning, recruitment and staffing, time and attendance, payroll and benefits administration, employee and labor relations programs, and the agency's workforce diversity and equity programs.
- **Financial Services** - Manages cash, revenue, and local assistance funds. Responsible for purchasing, contracts, in-house grants, and voucher payments. Develops and implements budgets and spending plans, and prepares required reports.
- **Administrative Services** - Supports agency programs by providing mail and courier services, printing and graphics, central supply and warehouse services, telecommunications, and facilities management for all locations. Administrative Services is also responsible for agency fleet management, security systems, inventory and records management programs.

# Office of Administration

During 2009, Administration coordinated agency-wide cost savings efforts to allow DCJS to continue to function with a high level of service in the face of budget reductions. The automation and streamlining of processes by Administration and the other DCJS offices ensured continuity of business processes.

## Human Resource Management

Human Resources Management (HRM) is responsible for monitoring the staffing levels for all program areas within DCJS and for its four hosted agencies - State Commission of Corrections (SCOC), Office of Victims Service (OVS), Board of Examiners (BOE), and Office of Prevention of Domestic Violence (OPDV) - as well as providing technical guidance and support in the areas of organizational development, labor relations, affirmative action, recruitment and interview process, cultural awareness and diversity, reasonable accommodations, position classification, staff development and payroll and benefits.

**DCJS Staffing Levels**
(End of Year)



Note: DPCA was merged into DCJS in April 2010. For comparison purposes, staffing levels have been adjusted to include counts for both agencies.

√ Filled positions declined by 38 from 2008 to 2009.

√ In addition to the 689 DCJS staff, Administration provided support services for 152 staff in the hosted agencies during 2009.

√ Overtime costs have been reduced by 90% since 2006.

**DCJS Overtime Paid**
(Annual)
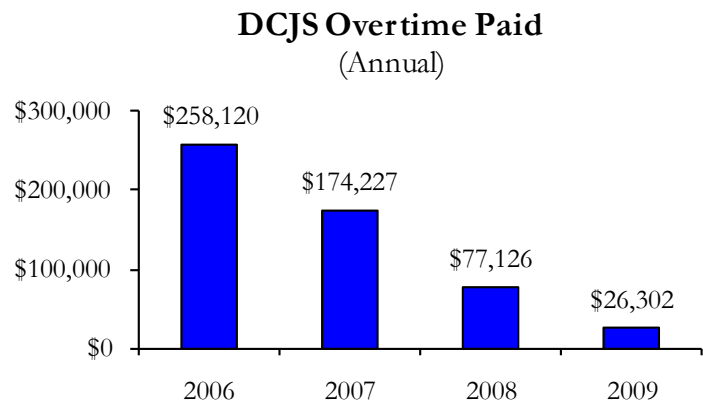


*Data prior to 2006 not available, excludes OPCA

# Office of Administration

In 2009, HRM provided extensive support for maintaining an effective workforce that can meet the needs of agency managers. HRM staff:

√ Completed 692 personnel transactions and 2,357 payroll transactions including OT, stand-by, lost time, hourly payments, deductions, tax changes, direct deposit changes, etc.;

√ Completed 75 personnel transactions involving classification of new positions, reclassifications of existing positions, extension of temporary positions and other actions;

√ Worked with the Department of Civil Service to prepare for examinations for ten titles that exist at DCJS and hosted agencies;

√ Organized jointly with OJRP a multi-agency work group to discuss major changes to the Program Research Specialist exam series. Through the efforts of the work group, Administration was able to negotiate with Civil Service on the frequency of the exam to allow more opportunities for recent graduates, revise some of the rubrics to produce more qualified candidates, and add validation attestations to decrease the possibility of false information on the candidate questionnaires. It is anticipated that these changes will have a positive impact on the research community as a whole;

√ Worked with the Civil Service Commission to process several significant actions, including Section 211 retirement waivers for Crime Analysis Center staff;

√ Worked with Civil Service to create a new title of Criminal Justice Program Representative (Administration), a two year traineeship leading to an SG-18 position. Civil Service plans on holding the first exam in Fall/Winter 2010;

√ Worked with Civil Service to create new positions to staff the Crime Analysis Centers;

√ Trained agency supervisory staff on the probation and performance evaluation process, as well as the coaching and counseling process;

√ Provided reasonable accommodations to 15 DCJS employees;

√ Instituted the Internal Discrimination Complaint Process and Procedure for DCJS and hosted agencies;

√ Instituted an electronic Exit Interview Survey for DCJS and hosted agencies;

√ Submitted Annual Affirmation Action reports for DCJS and each of the hosted agencies; and

√ Worked with agency procurement staff to exceed Minority or Woman Owned Business Enterprise (MWBE) annual goals.

# Office of Administration

## Financial Services

Financial Services is responsible for executing grant contracts. Contracts are reviewed to ensure that all required documentation is included before submission to the Office of the State Comptroller (OSC) and the Attorney General's Office (AG) for approval. During 2009, Financial Services focused extensive efforts to move from a paper-based business process to electronic transactions.

**Contracts Executed**

(Annual)

|                                        | 2006    | 2007    | 2008    | 2009    |
| -------------------------------------- | ------- | ------- | ------- | ------- |
| Grant Contracts Executed               | 876     | 1,327   | 968     | 818     |
| Contract Dollars Processed (Millions)  | $120.7  | $120.4  | $103.8  | $125.3  |

√ During 2009, Financial Services processed 818 grant contracts, a decrease (-16%) from 2008. The decrease is primarily attributed to contract processing delays associated with the new centralized approval process requiring specific forms and sign-offs. However, the Contract Dollars Processed was $125 million, up (+21%) from 2008.

A target of 35 calendar days has been established as the maximum number of days a grant contract should be in the Financial Services phase of contract processing. The 35-day period includes time needed for Financial Services review, OSC and AG review, and time needed to return the approved contract to the DCJS Office of Program Development and Funding (OPDF).

**Financial Services Processing Time**

(Median Days)
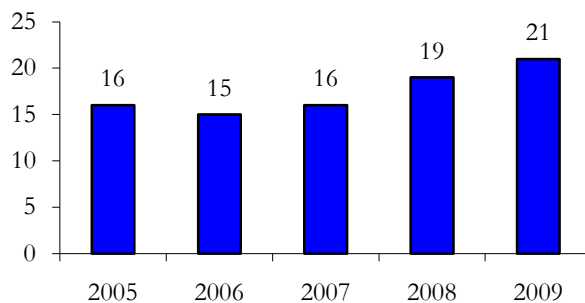


√ During 2009, Financial Services consistently met its goal, processing grant contracts within 21 days, well under the 35-day processing time target.

Financial Services reviews grant contracts prepared by program staff before submission to OSC and the AG for approval. Contracts that are inconsistent with OSC and AG guidelines are returned to OPDF for correction or modification. Financial Services and OPDF have set a goal of reducing the number of contracts rejected to fewer than 10 per month, or less than 120 per year.

√ During 2009, 38 grant contracts were rejected, as compared to 2008 when 21 contracts were rejected. This increase is also associated with the new contracting requirements noted above. However, the number rejected is well within the established goal of 120 per year.

# Office of Administration

**Contracts Rejected as
% of Total Contracts Executed**

√ Rejected contracts represented only 4.6% of total contracts processed. Financial Services and OPDF continue to work closely to ensure that grant contracts submitted for processing are complete and error-free.

Financial Services is responsible for paying all vouchers within the 30-day time frame prescribed under the State Finance Law. In instances where vouchers are not paid within the prescribed time frame, state agencies are required to pay interest on the late payment to any interest-eligible vendors. Recognizing that circumstances arise where late payments are unavoidable, Financial Services has established a "not to exceed" target of no more than 10 vouchers paid late per month and a dollar total of no more than $2,500 per month. In 2009, Financial Services met these targets.

**Vouchers Paid Late**
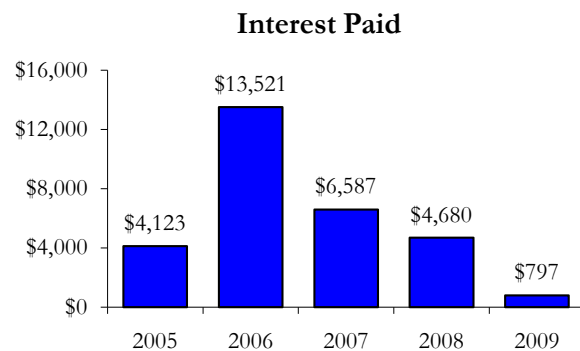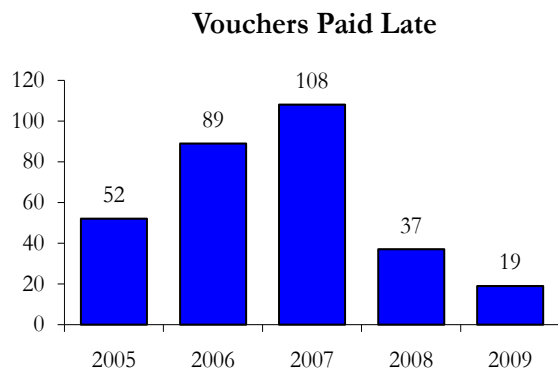
**Interest Paid**

√ During 2009, Financial Services paid 19 vouchers late, as compared to 37 in 2008. The late vouchers represent 0.15% of the 12,739 total vouchers processed.

√ A total of $797 in interest on late vouchers was paid in 2009, as compared to $4,680 in 2008. This represents a reduction of 83%.

Financial Services continues to implement improvements to its automated Financial Management System (FMS), which processes all transactions and provides automated access to agency financial transactions. FMS provides the necessary infrastructure for other business system improvements. New York State is in the process of developing a new statewide financial management system. DCJS is represented on the state project team, with the agency's Director of Financial Management serving as the Chair of the Steering Committee, in order to ensure that the agency's interests and needs are considered as the project moves forward.

Improvements to FMS have allowed DCJS to automate transactional record retention, resulting in efficiencies, in part by avoiding labor-intensive photocopy and filing processes. Additionally, agency

# Office of Administration

staff and auditors now have access to electronic records at their fingertips. OSC has recently approved an initiative which will no longer require DCJS to submit paper records along with an electronic voucher. DCJS has also received an increase to the agency's quick pay limit, enabling 1-2 day payment processing for the majority of our vouchers.

DCJS continues to operate under decentralized program budgeting that provides program managers with the authority to make spending decisions based on operational needs. Each deputy commissioner is provided with a personnel target and budget allocation for the fiscal year, and monthly expenditure reports are provided to assist managers in monitoring resources. Decentralized program budgeting has streamlined the financial decision-making process within the agency.

## Administrative Services

Administrative Services coordinates the printing and copying of agency publications and is equipped with state-of-the art printing and copying equipment. As a result, numerous print jobs are processed in-house at significant savings. The savings realized from processing printing/copying jobs for DCJS and its hosted agencies are tracked. This calculation is based upon an estimate of the cost of each printing/copying job as if it were sent to the Office of General Services for processing. These costs are accumulated on a monthly basis and reported as savings from in-house processing. During 2009, cost saving directives from the Governor's Office of Taxpayer Accountability changed the way agencies do business, mandating a greater use of information technology and a reduction in mailing and printing for all state agencies. DCJS reduced its print jobs by 42% and its bulk mailings by 51% in 2009, as compared to 2008.

**Print Jobs**
(Annual)

|  | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|
| Print Jobs Requested | 1,140 | 1,332 | 1,336 | 781 |
| Savings from In-House Printing/Copying | $219,000 | $277,900 | $265,004 | $76,760 |

√ Between January and December 2009, Administrative Services processed and completed 781 print jobs (an average of 65 per month) and 100% were completed within the time frame requested.

√ Administrative Services saved $76,760 during 2009 by completing printing and copying jobs in-house.

Administrative Services is responsible for operation of the DCJS mailroom and handles all requests initiated by program areas for mass mailings. This service includes folding and inserting correspondence into envelopes.

√ During 2009, Administrative Services completed 60 bulk mail requests. All requests were completed within the customer's specified time period.

Administrative Services has also implemented an extensive agency-wide recycling program which recycled 32,757 pounds of electronics, and 7,837 pounds of non-electronic material.

# Office of Legal Services

## Mission
To provide legal advice and counsel to the Division of Criminal Justice Services, and to support law enforcement agencies and district attorneys throughout the State.

## Scope of Operations
The Office of Legal Services (OLS) provides legal advice and guidance to the Commissioner and agency managers from DCJS and its hosted agencies (SCOC, OPDV, CVB and BOE). OLS provides guidance to agency staff in carrying out the agency's mission, including reviewing legal issues related to access to criminal history record information, the administration of the DNA Databank, law enforcement training and accreditation and agency procurement. In addition, OLS acts as legal advisor to the:

**Key Public Service Areas**
- Legal Advice and Opinions
- Development and Review of Legislation
- Human Trafficking Policy Coordination
- FOIL Requests
- Legal Training

- Commission on Forensic Science and its DNA Subcommittee
- Municipal Police Training Council
- Law Enforcement Accreditation Council
- Security Guard Advisory Council
- State Committee for Coordination of Police Services for the Elderly (TRIAD)
- Statewide Law Enforcement Telecommunications Committee
- Motor Vehicle Theft and Insurance Fraud Prevention Board
- Juvenile Justice Advisory Group

OLS is responsible for FOIL requests, administrative rulemaking, ethics issues and outside employment requests, criminal history record information and use and dissemination requests and non-disclosure agreements, representing DCJS and host agencies in administrative hearings pertaining to employee relations matters and providing legal advice to the Division's Office of Human Resources Management regarding employee relations issues. OLS also is responsible for training law enforcement agencies regarding human trafficking issues, and works with the Office of Temporary and Disability Assistance to determine if victim referrals are eligible for victim services. In addition, OLS acts as a liaison between the Commissioner and the Deputy Secretary for Public Safety, and the hosted agencies, in order to facilitate coordination of criminal justice policy.

The OLS Law Library maintains subscriptions to Westlaw and Lexis. It also contains legal publications, including McKinney's Consolidated Laws of New York, United States Code Annotated, Attorney General and Comptroller Opinions and some legal treatises.

# Office of Legal Services

## Training

During 2009, OLS staff trained law enforcement officials statewide on the new Penal Law offenses and the human trafficking victim confirmation process. OLS, in conjunction with OTDA, also conducted a series of human trafficking seminars around New York State. The course was designed for both law enforcement personnel and victim service providers. Topics include identifying sex trafficking, sex tourism and labor trafficking, updated investigative techniques and the benefits of a multidisciplinary approach when investigating and prosecuting human trafficking cases. In addition to human trafficking training, OLS provided statewide training on other subjects for law enforcement officials. These subjects included a Sexual Assault Examiner Course, Jury Selection, Closing Arguments, Effective Testimony, Adult Abuse Training and Child Fatality and Serious Physical Injury Child Abuse Investigations.

**Office of Legal Services Training**

| | 2008 | 2009 |
|---|---|---|
| Training Sessions Held | 24 | 37 |
| Number of Persons Trained | 583 | 1,882 |

√ During 2009, OLS held 37 training sessions statewide, and trained 1,882 law enforcement and service provider personnel on a variety of subjects.

## Human Trafficking

In 2008, regulations setting forth the procedures for confirming victims of human trafficking to receive services under the law were promulgated. New York State's first indictment for sex trafficking under Penal Law section 230.34 was filed in June 2008.

Between the passage of the State's human trafficking legislation in November 2007 through December of 2009, there have been 94 confirmed victims. Additionally, for the same time period, there have been 20 arrests for sex trafficking and two arrests for labor trafficking under State law.

## Support for Other DCJS Program Areas

√ 814 Freedom of Information Law (FOIL) requests were received and processed during the year, a slight decrease from 898 requests processed in 2008.

√ 33 requests for approval for employment outside DCJS were received and processed during 2009, as compared to 81 requests in 2008.

√ 45 Use and Dissemination requests were reviewed and 12 non-disclosure agreements were prepared during 2009.

# Office of Legal Services

√ Two employee disciplinary arbitrations, one of which was handled on behalf of a host agency, involving a total of 15 hearing days, as well as an unemployment benefits hearing, were handled.

√ OLS, Administration and OCJO jointly managed a team that implemented DCJS' vendor-managed fingerprint capture system to provide a statewide network of fingerprinting sites allowing for the electronic transmission of civil applicant fingerprint transactions.  This project included gaining the cooperation of several other agencies, including DMV, and was in the planning stages for a number of years.  DCJS developed specifications, released an RFP, awarded the project and performed the role of project manager so that the process met its implementation timetable.

√ OLS supported the effort to rapidly deploy the DCJS Regional Crime Analysis Centers, which resulted in agreements between DCJS and many police agencies throughout the State for the sharing of information and the joint housing of personnel from across multiple jurisdictions.

# Office of Internal Audit and Compliance

## Mission
To provide assurance to management and the public that agency resources are used effectively and efficiently and in accordance with state and federal laws.

## Scope of Operations
The Office of Internal Audit and Compliance (OIAC) coordinates and conducts audits for DCJS. These audits include reviews of the use of criminal history record information (CHRI) to ensure that law enforcement agencies are using these records consistent with state and federal laws. OIAC conducts fiscal audits of entities receiving federal and state funding to ensure that monies are spent in accordance with contract terms. In addition, OIAC conducts reviews of selected DCJS operations to ensure that internal controls have been established and programs are operating effectively.

**Key Public Service Areas**
- Internal Audits
- Grant Contract Audits
- Criminal History Audits
- Investigations of Fraud, Waste and Abuse

OIAC fulfills the statutory requirement for the DCJS internal audit function. It also offers internal audit services to the DCJS-hosted agencies: Office of Victims Services, the State Commission of Correction, the Office for the Prevention of Domestic Violence and the Board of Examiners of Sex Offenders.

OIAC provides audit and oversight services in the following 10 program areas:

- **Internal Audits** - Provide executives and managers with feedback on DCJS operations, including processes, procedures and program effectiveness. OIAC staff also conduct periodic risk assessments to guide the annual internal audit plan.
- **Criminal History Access Compliance Reviews** - Ensure that the access of individual criminal history records by courts, police departments, probation and parole offices, correctional facilities, district attorneys and other law enforcement officials was authorized, necessary and appropriate.
- **Court Arraignment and Disposition Accuracy Assessments** - Ensure that court data maintained in the electronic criminal history record information system (CHRI) matches the source documents maintained by state and local courts.
- **Uniform Crime Reporting Accuracy Reviews** - Determine whether the monthly crime statistics reported to DCJS by local law enforcement agencies are accurate and supported by incident reports and other source documentation.
- **Department of Motor Vehicle (DMV) Photo Audits** - Ensure that DMV photos accessed by law enforcement are used only for legitimate investigatory purposes.
- **Grant Contract Compliance Reviews** - Ensure that state and federal funds awarded to advance criminal justice goals and initiatives are expended in accordance with contract terms and that key deliverables are met. These reviews also deter and detect fraud, waste and abuse.
- **Single Audit Monitoring** - Tracks the submission of Single Audit reports by grantee agencies which receive more than $500,000 in federal funding. Audit reports are reviewed to identify any significant issues which may warrant follow-up.

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- **Coordination of External Audit Activities** - Ensures that auditors from Office of the State Comptroller (OSC), the Federal Bureau of Investigation, the U.S. Department of Justice, and other oversight agencies, have access to the resources and stakeholders needed to complete their reviews. OIAC also coordinates DCJS responses to external audits.
- **Investigations of Fraud, Waste, and Abuse** - Provides an independent evaluation of allegations of impropriety through fact finding and evidence gathering to assist DCJS in formulating an appropriate response.
- **Management Advisory Services** - Provides independent feedback on control environments, efficiency and effectiveness, development and documentation of procedures, or other areas in which OIAC staff can offer expertise to executive and program managers at DCJS and hosted agencies.

# Office of Internal Audit and Compliance

## Internal Audits

Under the terms of the New York State Government Accountability, Audit, and Internal Control Act, DCJS is required to have an internal audit function.  The Internal Control Act requires that internal audits are conducted in accordance with applicable internal audit standards.  Those standards include a mandate that audits be selected based upon a risk assessment of agency operations.  In 2009, OIAC was designated as the coordinator for all internal investigations and liaison with the New York State Inspector General's Office.  OIAC provides internal audit services to both DCJS and its hosted agencies, including the State Commission of Correction, the Crime Victims Board and the Office for the Prevention of Domestic Violence.  An agency-wide risk assessment was conducted in 2008 that confirmed the need for management to focus its attention on areas known to have the greatest risk.  OIAC management used the risk assessment to guide internal audit plans for 2009, and plans to review and revise the agency-wide risk assessment in 2010.
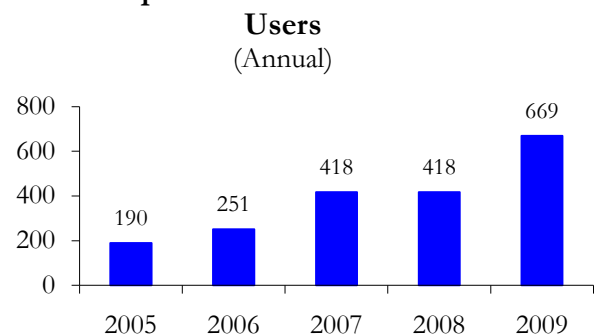
√ Four major internal audits were completed during 2009:  Laptop and Personal Computer Equipment; Sex Offender Registry 800 number; Procurement Practices; and Information Technology Consultant Costs.  Findings were shared with program managers who implemented corrective actions where needed.

## Criminal History Access Compliance Reviews

The Office of Internal Audit and Compliance reviews the use of criminal history record information (CHRI) at various state criminal justice agencies and local law enforcement agencies.  The auditors review from 25 to 100 transactions at each agency reviewed.  Documentation is reviewed for each transaction to ensure that requests for CHRI are consistent with state, federal and local laws.  During 2008, OIAC developed a monitoring database to track the results of site visits and self-audit surveys.  A risk score was developed that identifies agencies at a higher risk for engaging in inappropriate access of criminal records based on survey responses and previous audit reports.  The highest risk agencies are targeted for on-site view, enabling OIAC to more effectively allocate scarce travel and staff resources.

√ During 2009, OIAC reviewed 669 agencies that used official criminal history record information (rapsheets), a significant increase (+60%) over 2008.  The increase is primarily due to greater use of self-audits in 2009.  Nearly 70% of the compliance reviews were self-audits compared to 54% in 2008.  Findings were shared with audited agencies for corrective action.
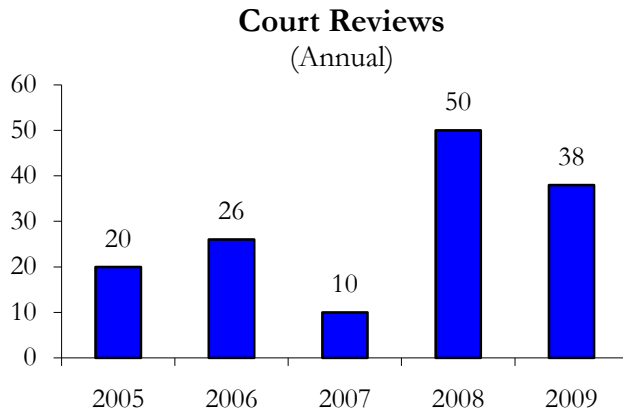
**Compliance Reviews of CHRI Users**
(Annual)

| Year | Reviews |
|------|---------|
| 2005 | 190 |
| 2006 | 251 |
| 2007 | 418 |
| 2008 | 418 |
| 2009 | 669 |

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## Court Arraignment and Disposition Accuracy Reviews

During Court Arraignment and Disposition Accuracy Reviews, case records maintained in the courts were compared to the arrest and disposition data provided to DCJS for inclusion in the criminal history record. The focus of court disposition reviews was also expanded during 2009 to include not only the accuracy of reported dispositions, but the reasons for any missing dispositions. During each review, a sample of 50 to 120 dispositions received by DCJS is compared to source documentation retained by the court.

**Court Reviews**
(Annual)

| Year | Value |
|------|-------|
| 2005 | 20 |
| 2006 | 26 |
| 2007 | 10 |
| 2008 | 50 |
| 2009 | 38 |

√ During 2009, the audit unit reviewed records from 38 courts to verify the accuracy of dispositions reported to DCJS. More than 2,000 cases were reviewed. Findings were shared with the individual courts, providing valuable feedback on records accuracy.

√ The court reviews showed a 92% accuracy rate among the courts reviewed in 2009.

## Uniform Crime Reporting Accuracy Reviews

Crime data reported to DCJS by law enforcement agencies becomes part of New York State and national crime statistics. In addition, crime data are summarized by DCJS, and provided to police departments for policy and planning purposes. The accurate reporting of crime data assists law enforcement personnel and administration in tracking patterns and trends, deploying resources, allocating funding and developing appropriate interventions for areas with a high volume of crime. Accurate crime data also is key in gauging the effectiveness of criminal justice programs targeted to crime reduction for certain offenses or geographic areas.

√ During 2009, OIAC initiated eight reviews of Uniform Crime Reporting data (UCR) submitted by agencies receiving Operation IMPACT funding.

## DMV Photo Audits

OIAC plays an important role in ensuring that DMV photos obtained by user law enforcement agencies were obtained consistent with DMV rules and regulations covering access and use of DMV photos. Beginning in 2009, DCJS assumed the lead role in conducting audits of user agencies, a responsibility that had previously been shared with the New York State Police. Site visits are

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conducted for agencies accessing more than 250 DMV photos per year, while self-audit surveys are permitted for agencies accessing photos less frequently. As of December 31, 2009, all user agencies accessing the DMV Photo File received either a site visit or self-audit.

√ 50 DMV photo audits were completed during 2009 in collaboration with the New York State Police.

## Grant Contract Compliance Reviews

DCJS administers more than 2,300 grant contracts with government, not-for-profit and law enforcement agencies. During 2009, more than $125 million in grants were administered through DCJS. Financial audits of grantee compliance with DCJS grant contract terms are conducted by audit staff. Auditors review documentation supporting the grantee's claim for expenditures incurred under its contract with DCJS. Auditors compare reported expenditures to the grant contract budget to ensure that Federal and State funds were expended consistent with the contract budget. OIAC's grant contract audits were further expanded through the use of desk audits (review of contract expenditures without a site visit) in 2009.

**Audits of Grant Contracts**
(Annual)
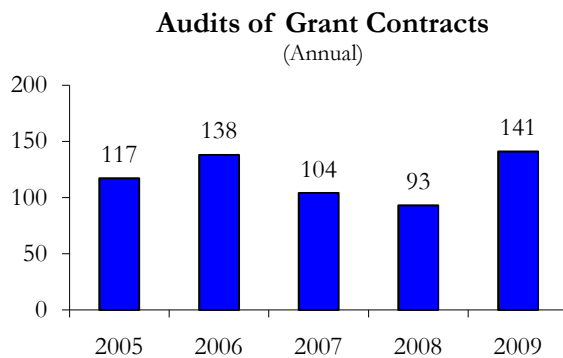


√ During 2009, OIAC conducted 141 fiscal audits of grant contracts with 89 agencies.

√ Of the 141 fiscal audits conducted, 97 were completed as desk audits.

## Monitoring of Single Audit Reports

Single audits are audits conducted by an independent Certified Public Accountant that included both financial and compliance components covering a grantees use of federal funds. OIAC monitors receipt of these single audit reports and reviews them to identify issues related to DCJS grantees.

√ During 2009, more than 73 Single Audit Reports were received and reviewed by OIAC.

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## Coordination of External Audit Activities

OIAC serves as the liaison between DCJS management and external oversight agencies.

√   During 2009, OIAC served as liaison and coordinated responses for five external audits or reviews conducted by either the NYS Comptroller's Office or federal auditors.

## Investigations of Fraud, Waste and Abuse, and Misuse of CHRI

OIAC responds to allegations of fraud and abuse which originate both within DCJS and from referral through oversight agencies such as the New York State Inspector General's Office.   In addition, OIAC responds to allegations of misuse of Criminal History Record Information (CHRI) reported by user agencies.

√   During 2009, OIAC conducted 27 CHRI misuse investigations.  Findings were shared with audited agencies for corrective action.