



**Division of Criminal  
Justice Services**

**New York State's Application for Edward Byrne Memorial Justice  
Assistance Grant (JAG) Program Funds – FY 2019  
Program Narrative  
June 25, 2019  
Grant Request: \$8,818,775**

This proposal is for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2019 in the amount of \$8,818,775.

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### **a. Description of the Issue**

Reported Index crime in New York State declined for the fifth consecutive year in 2017, with 361,510 Index crimes reported, the fewest since statewide reporting began in 1975.<sup>1</sup> The number of homicides also was the lowest on record since reporting began: 547 statewide. This historic low in reported Index crime, combined with an increase in the state’s population by 450,000 residents in the past decade, resulted in New York’s Index crime rate declining by 24 percent when comparing 2008 vs. 2017. During that 10-year period, the violent crime rate decreased 11 percent and the property crime rate declined 26 percent.

#### Change in Crime Volume: 2008 vs. 2017

Between 2008 and 2017 index crime declined with 103,181 fewer crimes reported. This represents a 22.2 percent reduction in the volume of reported crime over that 10-year period. Reported Index crime has also declined annually since 2012.

#### Trends in Regional Crime: 2008 to 2017

Index crimes in the state’s two regions — New York City (five counties, also called boroughs) and Rest of State (57 counties) — declined when comparing 2008 to 2017. Between 2008 and 2017, reported Index crime declined 13.7 percent in New York City and 28.5 percent in the Rest of State. During the same time period, the decrease in violent crime in the 57 counties was more than four times greater than in New York City: 16.8 percent vs. 4.1 percent. Index crime has decreased annually in New York City since 2012, while it has declined every year since 2010 in the Rest of State. As noted, New York State’s implementation of the FBI’s expanded definition of rape resulted in an uptick in violent crime in both regions from 2014 to 2015. This change resulted in 3,751 additional crimes being classified as rape; prior to the change, those offenses would have been classified by the FBI and the state as Part II sex offenses.

#### Statewide Crime Trends: 2016 vs. 2017

The number of Index crimes reported in New York State decreased 4.3 percent in 2017 as compared to the previous year. Six of the seven Index crimes declined, with the largest reductions reported in murder (-13.2%), burglary (-12.6%) and robbery (-10.1%). There were 547 murders reported in 2017, the lowest number recorded since statewide reporting began in 1975. Violent crime decreased by 4.8 percent, with decreases reported in three of the four categories. Rape increased slightly (+1.9%). Property crime decreased by 4.2 percent. All three property crime categories declined.

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<sup>1</sup> New York State Division of Criminal Justice Services, New York State Crime Report: Crime in New York State 2017 Final Data.

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### Regional Crime Trends: 2016 vs. 2017

#### **New York City**

Index crimes decreased by 1.8 percent in 2017 due to decreases in five of the seven crime categories. A significant reduction in murder and robbery contributed to the decrease in violent crime. New York City reported 292 murders last year, the fewest ever and a 12.8 percent decline from 2016. Robbery declined by 10 percent. Aggravated assaults (-3.6%), motor vehicle theft (-10%) and burglary (-7.8%) also decreased, while larceny (+1%) and rapes (+0.1%) increased slightly.

#### **Rest of State**

The Rest of State saw a larger decline in reported crime than New York City, down 6.5 percent when compared to 2016. The decrease was driven by reductions in six of the seven index crimes. Murders decreased 13.6 percent with 255 reported. This is the lowest number reported since 1999 (Rest of State also reported 255 murders in 2011). Burglary decreased 14.6 percent; robbery, 10.5 percent; larceny, 5.5 percent; motor vehicle theft, 4.6 percent; and aggravated assault, 1.6 percent.

#### **Trends in Violent Crimes by Firearm 2013 vs. 2017**

Police departments and sheriffs' offices in New York State report the number of violent crimes that involved the use of a firearm. In New York City, violent crimes involving firearms have decreased dramatically; a 36 percent decrease since 2013. Violent crimes involving a firearm in the 57 counties outside of New York City decreased by 15 percent since 2013. Between 2015 and 2016, violent crime by firearm increased in the Rest of State by 4.5 percent, followed by a sharp decline of 13 percent between 2016 and 2017. In 2017, the Rest of State reported 4,046 violent crimes involving a firearm: the lowest number reported since 1989.

#### **Regional Trends in Homicide 2016 vs. 2017**

The number of homicides reached a historic low in 2017, with 547 reported in New York State, which is the fewest since statewide reporting began in 1975. Homicides decreased 13.2 percent statewide, with decreases reported in both regions of the state. Homicides in New York City declined 12.8 percent (292 vs. 335) while homicides in Rest of State decreased 13.6 percent (255 vs. 295). Since 2008, total homicides statewide have decreased 34.6 percent and homicides involving a firearm declined 37.8 percent. The number of homicides by firearm was 294 in 2017, which is the first time that number has been below 300 since statewide reporting began in 1975.

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### **Criminal Justice Reform**

In 2019, the legislature passed and the Governor signed a number of criminal justice reforms, including the right to a speedy trial and improving the transparency in the discovery process. This includes disclosing information in a timely manner. Both prosecutors and defense will share information in their possession well in advance of trial, and defendants will be provided an opportunity to review whatever evidence is in the prosecution's possession prior to pleading guilty to a crime.

Also enacted was bail and pre-trial detention reform; cash bail is limited to the most serious offenses to significantly reduce the number of people held in jail pre-trial and to ensure due process for all individuals awaiting trial. Additionally, the Governor and the Legislature recently announced an agreement to be implemented administratively that that will significantly reduce the use of solitary confinement in correctional facilities.

### **Funding Priorities**

Based on an analysis of crime data and related information, New York State will utilize the fiscal year (FY) 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) to support the following priorities in an effort to continue the positive public safety trends noted above:

- Improve the quality, accuracy, and timeliness of criminal justice records.
- Streamline fingerprint processes and procedures through the use of Livescan technology.
- Improve the capabilities of forensic laboratories in DNA identification, ballistic evidence processing, new technologies, and overall work quality.
- Enhance the quality and effectiveness of violent crime enforcement and prosecution.
- Support strategies to improve or enhance the investigation of nonfatal shootings at two pilot sites.
- Provide support for community-based opioid abuse and prevention strategies.
- Improve the quality and effectiveness of prosecution and defense services.
- Provide additional support for the State's Regional Crime Analysis Centers who share information and provide law enforcement with accurate and timely data.

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The projects to be funded illustrate the comprehensive nature of New York’s Byrne JAG Program: a variety of projects to improve the accuracy and completeness of state criminal history records and facilitate electronic data sharing among authorized users; forensic services including the enhancement of ballistic evidence and DNA processing; prosecution and defense programs that handle cases involving guns, gangs, and drugs; crime analysis designed to assist local law enforcement; and law enforcement efforts to improve or enhance the investigation of non-fatal shootings at two pilot sites.

### **Award Process and Timeline**

Allocation of Byrne JAG monies in New York State, including the determination of specific grantees, is a shared responsibility of the Executive and Legislative branches. During the course of annual budget negotiations each Spring, the Executive and Legislature agree on an amount of local pass-through funds to be allocated at the Legislature’s discretion, and in recent years that amount has consistently represented approximately eleven percent of anticipated local pass-through funds. The Executive Deputy Commissioner of DCJS will engage in a collaborative dialogue with legislative leaders to foster a coordinated funding approach consistent with overall criminal justice goals, and it is expected that both houses of the Legislature will continue to be responsive to constituent demands and needs and will fund a broad array of programs consistent with their longstanding patterns and Byrne JAG guidelines.

The timeline for awarding Byrne JAG funds will vary. The State Legislature announces their Byrne JAG funding allocations at their discretion, either upon or shortly after the enactment of the annual state budget in early April. Byrne JAG funding authorized by the Executive Deputy Commissioner of DCJS will be awarded in varying ways using both directed and competitive methodologies. DCJS will award grants designed to advance the public policy objectives identified under “Funding Priorities,” as well as based on emerging crime patterns around the State.

### **Program Descriptions**

- Improve the quality, accuracy and timeliness of criminal justice records.

Each year, a substantial portion of the State’s Byrne JAG award is allocated for enhancement of State and local criminal justice records through DCJS administered data access and data quality initiatives and local efforts to automate records and records management systems. A broad range of agencies, including police, prosecutors, public defense agencies, probation departments, parole/corrections and others have benefited from these funds. These funds have enabled New York law enforcement and other criminal justice agencies to keep pace with the latest information technology, promote electronic data sharing, and improve data quality. Among the projects funded are:

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- Deployment of the DCJS Spectrum Justice System (SJS) records management system in local law enforcement agencies;
- Automation of local probation department records management through deployment of Caseload Explorer;
- Implementation of electronic Palm Print Processing in NYS for transfer to the FBI;
- Implementation of Domestic Incident Reports (DIR) and Warrant Notification to Probation;
- Implementation of Integrated Name Search, improving accuracy of records through fewer missed identifications;
- Electronic Submission of DIR;
- Implementation of enhanced Probation Risk Assessments, through the NYCOMPAS;
- Enhancements to the DNA Management System;
- Enhancements to the Electronic Fingerprint Processing System;
- Automation and electronic submission of Sex Offender record data;
- Automation of Probation Adjustments for Juvenile Delinquent Cases; and,
- Juvenile records cleanup through identification and expunction of legacy juvenile records.

Support for these efforts will be continued with FY 2019 funding.

- Streamline fingerprint processes and procedures through the use of Livescan technology.

DCJS will continue to use Byrne JAG funding to provide Livescan equipment for electronic fingerprint submission by police departments, sheriffs' offices, and jails throughout the state. Livescan equipment provides better quality fingerprint submissions than traditional ink and roll fingerprints, and the newer models are also capable of processing palm prints. Livescan facilitates more timely receipt of arrest fingerprint search results by law enforcement agencies and the courts while providing greater efficiency for DCJS, as it eliminates the need for DCJS staff to manually

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enter ink and roll arrest fingerprint cards into the fingerprint repository. The FY 2019 Byrne JAG funding will be used to update and replace older Livescan equipment with current technology where needed.

- Improve the capabilities of forensic laboratories in DNA identification, ballistic evidence processing, new technologies, and overall work quality.

Forensic services supported through the Byrne JAG program have enabled New York to take advantage of the capabilities afforded by the collection and analysis of DNA samples from known offenders and crime scene evidence. The advances in this area have already yielded impressive dividends, leading to the closure of numerous unsolved cases. These benefits will continue to accrue as state and national DNA databases expand, law enforcement agency skills improve through additional training, and additional resources are devoted to emerging technologies.

DCJS' Office of Forensic Services (OFS) was created following enactment of Executive Law §995, et seq., (Chapter 737 of the Laws of 1994) providing for:

- DCJS design and oversight of the DNA Identification Index (synonymously known as the “DNA Databank” throughout the law);
- Management and coordination of the New York State Commission on Forensic Science and its DNA Subcommittee; and
- DCJS activities related to the accreditation of all New York State public forensic laboratories.

The 2012 expansion of the DNA Databank is continuing to show important results. As of April 2019, there were 694,245<sup>2</sup> unique DNA offender profiles in the Databank. Since inception, there have been more than 26,741 hits to the DNA Databank. A total of 28,005 law enforcement investigations have been aided since August 2000. Byrne JAG funding will continue to be used to supplement State resources devoted to the activities of the DCJS Office of Forensic Services.

- Enhance the quality and effectiveness of violent crime enforcement and prosecution.

### **Gun Involved Violence Elimination (GIVE) Initiative**

The GIVE initiative is a state-supported program that serves 17 counties in the state – Albany, Broome, Chautauqua, Dutchess, Erie, Monroe, Nassau, Niagara, Oneida, Onondaga, Orange, Rensselaer, Rockland, Schenectady, Suffolk, Ulster and Westchester counties – which requires

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<sup>2</sup> *Division of Criminal Justice Services website*, DNA Databank Statistics, April 2019, <https://www.criminaljustice.ny.gov/forensic/dnabrochure.htm#B> .

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jurisdictions to focus exclusively on reducing and preventing shootings and firearm-related homicides. The GIVE initiative emphasizes information sharing, while expanding the use of crime analysis, evidence-based practices and community partnerships to assist in the reduction of firearm-related homicides and shootings.

The initiative focuses on communities in those 17 counties served by 20 law enforcement agencies that collectively report 86 percent of the violent crime in the state outside of New York City: police departments in Albany, Binghamton, Buffalo, Hempstead, Jamestown, Kingston, Middletown, Mount Vernon, Newburgh, Niagara Falls, Poughkeepsie, Rochester, Schenectady, Spring Valley, Syracuse, Troy, Utica and Yonkers, as well as Nassau and Suffolk counties.

Crime-fighting strategies developed under GIVE vary by jurisdiction and include, but are not limited to: enhanced patrols in identified “hot spots” or locations that have shown to be the most prone to gun violence; focused deterrence against violent gangs and groups considered responsible for the most gun violence in communities; increased supervision of individuals on parole and probation; and the deployment of street outreach workers to interrupt cycles of violence or prevent retaliation. GIVE staff also will provide technical assistance so that agencies can effectively implement their strategies.

DCJS will continue to work with our partner agencies in the sixth year of GIVE. DCJS may use FY 2019 Byrne JAG funding to supplement the \$14 million in state grant funds.

### **SNUG Social Work**

DCJS has supported neighborhood-based gun violence reduction strategies under the SNUG Outreach (“GUNS” spelled backwards) initiative since 2010. SNUG Outreach has a goal of reducing gun-related injuries and deaths in selected localities with high rates of such injuries among youth and young adults. The programs are designed around street outreach workers working to connect with the highest risk youths and young adults in the community. In 2019, New York State has partnered with the state Office of Victim Services to provide funding to hire Social Workers and Case Managers to work with victims of crime from the communities who experience trauma resulting from the gun violence and other violence in the community. The Social Workers will work with both staff and community members who are experiencing trauma either as a direct result of violent crime – or secondary trauma. The main goal of the funding is to bridge the gap for victim services and young men of color, which is a population that has been challenging to reach to provide victim services.

DCJS may use FY 2019 Byrne JAG funding to provide supplemental support to this federal Victims of Crime Act (VOCA) funded initiative.



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### **Gang Violence**

In May of 2019, the Governor announced state funding of \$5.5 million to help at-risk youth and combat gang violence. The funding includes \$1 million investment in Long Island to combat MS-13 violence and \$4.5 million to support upstate youth in improving workforce skills and avoiding crime. The funding is to support workforce and educational development programs through the Workforce Development Demonstration Project. Youth who are significantly behind in basic skills will receive help in obtaining their high school diploma, state equivalency credential or will be engaged in post-secondary school. Occupational skills training will be offered in the building trades, service industry trades, information technology, health care and maintenance.

DCJS may use FY 2019 Byrne JAG funding to provide supplemental support to this state-funded initiative.

- Support strategies to improve or enhance the investigation of nonfatal shootings at two pilot sites.

### **Nonfatal Shooting Initiative**

As a *Boston Magazine* journalist discovered in 2017, “There is almost no available data on arrests for nonfatal shootings in the United States...”<sup>3</sup> Low clearance rates for nonfatal shootings are often attributed to victims’ reluctance to cooperate with investigations, though it is sometimes observed that they are no less cooperative than the victims of homicide. Witnesses and other parties with information may be more willing to provide information to law enforcement when victims sustain fatal wounds, but such cooperation seems unlikely due to the disparity in clearance rates. One major difference between solving gun homicides and nonfatal shootings is in the personnel and other resources invested in the investigations.

Recognizing that non-fatal shootings are typically solved and prosecuted at much lower rates than homicide cases, DCJS awarded Byrne JAG funding to police departments and district attorney’s offices in two pilot sites — the City of Newburgh in Orange County and the City of Utica in Oneida County — for the purpose of a demonstration project. The explicit focus of the project is on “bullet-to-body shootings,” with the objective of maximizing the likelihood that the perpetrators would be apprehended, prosecuted, and sanctioned for their offenses.

DCJS has provided three years of Byrne JAG funding for personnel, including a project-dedicated investigator in each police department and each district attorneys’ office, and a project-dedicated crime analyst in each site to support investigations. DCJS has also arranged for training and technical assistance to each site, and facilitated timely forensic laboratory analysis of evidence.<sup>4</sup>

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<sup>3</sup> David S. Bernstein, “Boston Is a Shooters’ Paradise,” *Boston Magazine*, February 12, 2017.

<sup>4</sup> Technical assistance was provided by the National Training and Technical Assistance Center (NTTAC) of the Bureau of Justice Assistance (BJA).

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Each participating police department committed to conducting thorough investigations of all nonfatal shootings, and each district attorney committed to support “evidence-based” prosecution even in the absence of a cooperative victim.

The Nonfatal Shooting Initiative facilitates additional enforcement activities due entirely to additional dedicated resources. The investigative activities made possible through the initiative should produce, on average, stronger evidence that would make arrest or indictments of offenders more likely and, in turn lead to successful prosecutions.

DCJS also awarded Byrne JAG funds to support an academic researcher to evaluate the initiative. The researcher filed an interim report in August 2018. The researcher found the outcomes so far to be positive, but cautioned it was premature to pronounce the Nonfatal Shooting Initiative a success. The major findings included<sup>5</sup>:

- clearance rates have risen over the 2014-2016 baselines in both sites
  - clearances in Utica have risen from 19% for the period 2014-2016 to 42% for 2017-2018
  - clearances in Newburgh have risen from 10% for the period 2014-2016 to 67% for 2017-2018
- Provide support for community-based opioid abuse and prevention strategies.

### **Opioid Abuse and Prevention**

Opioid overdose deaths among New York State residents increased sharply in 2015 and 2016. The rate of overdose deaths involving any opioid in New York State was almost three times higher in 2016 (15.1 deaths per 100,000 population) than it was in 2010 (5.4 per 100,000). The 2015 statewide rate of overdose deaths involving heroin was 6.5 per 100,000 population, while the rate of deaths involving “opioid pain relievers” was 11.7 per 100,000. In addition:

- A total of 15,616 unique naloxone administrations were reported electronically by Emergency Medical Service (EMS) agencies throughout New York State in 2017, having increased by about 50 percent from 10,319 reports received in 2015.
- In 2016, there were more than 11,000 emergency department (ED) visits for any opioid

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<sup>5</sup> The John F. Finn Institute for Public Safety, Inc., “The Nonfatal Shooting Initiative Evaluation: First Interim Report”, August 2018.

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overdose among New York State residents, with a statewide crude rate of 56.9 per 100,000 population.

- Statewide, the number of unique clients admitted to OASAS-certified chemical dependence treatment programs for any opioid increased 21.1 percent between 2010 and 2016 before declining slightly in 2017.<sup>6</sup>

In his 2019 State of the State and Budget address, Governor Andrew M. Cuomo acknowledges the heroin and opioid crisis in New York State as a public health emergency. The Governor's proposals for 2019 build on the success of the legislative package he signed in June 2016 by increasing access to treatment, expanding community prevention strategies and limiting the over-prescription of opioids in New York. The FY 2018 Budget built on this progress by investing over \$200 million of state resources to support prevention, treatment and recovery programs targeted toward chemical dependency, residential service opportunities, and public awareness and education activities.

For 2019, Governor Cuomo outlined additional measures to address the problem:

- Expand Access to Buprenorphine - Buprenorphine is an important advance in Medication Assisted Treatment, which, like methadone and injectable naltrexone, is used in combination with counseling as appropriate to help people reach and sustain recovery from Opioid Use Disorder. To expand use of buprenorphine, the Department of Health (DOH) will require all hospitals statewide to develop protocols for their Emergency Departments to address Opioid Use Disorder based on the standard of care for treatment or referral for treatment.
- Expand Access to Medication Assisted Treatment in Criminal Justice Settings - To expand access to treatment in prisons and jails, the New York State Office of Alcoholism and Substance Abuse Services (OASAS) will distribute over \$4 million to support addiction treatment services in over 50 facilities. Additionally, OASAS will expand access to Medication Assisted Treatment by providing \$1.2 million to support the establishment of up to three new MAT programs in State prisons.
- Increase Access to Naloxone - DOH will advance legislation that expands Good Samaritan laws to apply to workers in restaurants, bars, and other retail establishments. In addition, DOH will increase access to naloxone at SUNY and CUNY by ensuring that naloxone is

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<sup>6</sup> New York State Department of Health,  
[https://www.health.ny.gov/statistics/opioid/data/pdf/nys\\_opioid\\_annual\\_report\\_2018.pdf](https://www.health.ny.gov/statistics/opioid/data/pdf/nys_opioid_annual_report_2018.pdf)

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provided as part of every dorm first aid kit, or available for the Resident Assistant on duty every night in every SUNY and CUNY dorm.

- Launch a Comprehensive Substance Use Prevention Blueprint for Schools - New York State will launch a statewide collaborative to streamline all prevention resources and develop best practices, standards, and metrics for substance use prevention into a focused "Prevention Blueprint" that will assist schools to follow a comprehensive, evidence-based and data-driven approach to prevention. OASAS will work in collaboration with the State Education Department, Department of Health and the Office of Mental Health to develop the Prevention Blueprint for use in the 2020-21 school year.

In 2019, DCJS will continue to work with the State's Legislature to expand community-based opioid abuse and prevention strategies and will use 2019 Byrne JAG funding to support these programs in communities around New York State.

- Improve the quality and effectiveness of prosecution and defense services

Byrne JAG funding will continue support for both prosecution and defense services designed to enhance the quality and effectiveness of violent crime and drug prosecution; and to improve case outcomes by expediting the flow of drug and violent offenders through the criminal justice system. For over twenty years, Byrne JAG funding has provided additional resources to prosecutors in the State to combat identity theft, violent crime, gangs and the trafficking of illegal guns and drugs, as well as community prosecution programs.

Defense programs have also received Byrne JAG funding to improve the defense of indigent special population groups (drug or alcohol addicted, persons with mental health issues, sex offenders, etc.) or those indigent defendants processed through specialty courts (Drug, Domestic Violence, Sex Offender, etc.), or to enhance early defense intervention strategies and representation during initial court proceedings.

In 2017, legislation was enacted to increase transparency and strengthen peoples' faith in the justice system by requiring law enforcement officials to video-record custodial interrogations of suspects for serious offenses, including homicide, kidnapping and sex offenses. The legislation was supported by the District Attorneys Association of the State of New York, the Innocence Project, and the New York State Bar Association, among others.

Since 2013, the state has supported the Video Recording of Statements Program with more than \$3 million in funding, some of it Byrne JAG, to police departments, sheriffs and district attorneys' offices to purchase and install video recording equipment, increase the number of rooms available to record statements where interviews occur, and add data storage capacity for existing equipment.

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This program also improves the effectiveness of law enforcement and leads to enhanced outcomes for the prosecution.

Byrne JAG funds may to be used to support the Video Recording of Statements Program to ensure the reliability of evidence and integrity in the criminal justice system.

- Provide additional support for the State’s Regional Crime Analysis Centers who share information and provide law enforcement with accurate and timely data.

### **DCJS Supported Crime Analysis Centers**

Byrne JAG funds will continue to provide partial support for the State’s existing nine regional Crime Analysis Centers (CACs) with on-site training, guidance and assistance in developing effective intelligence-led crime reduction strategies for improving local crime analysis capabilities. The Centers are comprised of law enforcement personnel and crime analysts from federal, state, county and local agencies. The goals of the Centers are to share information and provide law enforcement with accurate and timely data, which they can then use to identify patterns, deploy resources and reduce crime throughout the State. New York State invests approximately \$7 million annually on personnel and technology to support the Crime Analysis Center network of which approximately \$1.2 million comes from Byrne JAG.

In 2018, the New York State Crime Analysis Center network expanded to Dutchess, Orange, and Ulster counties. This is the ninth intelligence and data-sharing center established by DCJS in partnership with local law enforcement agencies. The network provides investigative support and information to help police and prosecutors in the Hudson Valley region to more effectively solve, reduce, and prevent crime. Located in the Orange County Emergency Services Center in Goshen, NY, the Hudson Valley Center serves 65 police agencies in the three-county area that includes 96 municipalities and more than 2,700 square miles. The center opened in March 2018 and features a state of the art video wall that displays multiple sources of data and information in real time, including feeds from public surveillance cameras.

### **Less than \$10,000 Jurisdictions Funding**

DCJS will competitively award Byrne JAG funds to the jurisdictions in New York that did not qualify for direct awards from the Department of Justice (the less than \$10k jurisdictions) to enhance local law enforcement efforts to effectively and efficiently reduce the incidence of crime and violence in their jurisdiction. Fiscal Year (FY) 2019 Byrne JAG funds will be used to provide equipment, research, training, resources, and program development to the law enforcement agencies throughout the state.

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### **National Incident-Based Reporting System (NIBRS) Three-Percent Set-aside**

New York State recently completed work under a \$925,900 grant under the Bureau of Justice Statistics' FY 2015 National Crime Statistics Exchange (NCS-X) Implementation Assistance Program: Phase 1 Support for State Programs. While New York State cannot yet claim full NIBRS compliance, DCJS is actively testing with the FBI for NIBRS certification. This is the last step in becoming NIBRS compliant which should be completed by September 2019. The mandatory three-percent set-aside has been included in the application budget, but once the FBI certifies compliance a Grant Adjustment Notice (GAN) will be filed so the three-percent can be spent on other priorities.

### **b. Project Design and Implementation**

#### **State Strategic Plan**

As a result of the recent amendment to the Byrne JAG program statute, New York State needs to create a strategic plan for submission with the FY 2019 Byrne JAG program application. DCJS staff attended the National Criminal Justice Association's (NCJA) Strategic Planning Regional Training on September 24-25, 2018 in Minneapolis, Minnesota. DCJS is currently working on developing a strategic plan. The first phase of sending out a survey to determine the criminal justice priorities is underway. Once those survey results are compiled and analyzed, New York State will develop the plan and submit for approval. While this strategic plan is not yet finalized, New York State expects the plan to be filed with the Bureau of Justice Assistance prior to award acceptance.

The strategic planning process will involve a variety of stakeholders at the state and local level. The Governor's Deputy Secretary for Public Safety oversees the activities of all state criminal justice agencies. The Deputy Secretary's role involves determining program and budget priorities in conjunction with agency heads/commissioners charged with the administration of corrections, parole, probation, juvenile justice, criminal justice information systems such as the criminal history and fingerprint databases and the NYS Sex Offender Registry, and other functions. Support for these programs is provided using a combination of State and federal resources, including JAG funds, although the majority of criminal justice funding is largely the responsibility of localities. Thus, the Deputy Secretary receives input from stakeholders including state agency commissioners and local criminal justice officials (e.g., district attorneys, police, probation), which is factored into the development of the state's criminal justice plan as reflected in the Executive Budget. In addition, many state criminal justice functions are governed by advisory boards that have input as to the distribution of funds for programs involving forensics, juvenile justice, motor vehicle theft and insurance fraud, alternatives-to-incarceration and other areas.

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### **Coordination and Planning**

The NYS Legislature and the Judiciary are separate branches of government; however, they too have an important stake in the State’s strategic planning process. For example, through longstanding agreement with the Executive branch, the Legislature allocates a portion of JAG funds each year. Their process reflects input from local stakeholders, including law enforcement agencies, community crime prevention groups, domestic violence organizations, substance abuse service providers, schools, and others. There is also consultation between the Legislature and Executive branches to ensure that unmet needs are satisfied and to avoid duplication of effort.

In summary, NYS takes into consideration and weighs the distribution of the JAG funds in conjunction with numerous state policy makers and based on data-driven statistics. New York State has also used JAG funds as “seed” money, based on the indication of data and research, to start a variety of different public safety initiatives that are then supported with state general funds in later years. Many of these initiatives involve collaboration with local public safety agencies to implement a funded JAG program.

The initiatives outlined in this narrative reflect the priorities identified in New York State’s 2019-2020 enacted budget. They include improving the effectiveness of statewide enforcement and prosecution efforts against violent crime (including gun, drug trafficking, and gang violence), developing local capacity to adopt intelligence-led policing strategies based on real-time crime analysis, and maintaining high quality criminal justice records and forensic laboratory services. Most sources of funding (both State and federal) administered by DCJS will be awarded or granted to local criminal justice agencies contingent upon their creation and implementation of programs designed to impact these priorities.

Some of the requirements imposed by DCJS as a condition of receiving both State and federal funding promote coordination and planning. Two of the State’s major crime prevention initiatives, the GIVE initiative and the County Reentry Task Force initiative, require recipient jurisdictions to form a local partnership or consortium to develop a local strategy as part of their application to DCJS and as part of their continued programming. In past years, Operation IMPACT required local consortiums whose memberships included the U.S. Attorney, as well as federal, state, and local law enforcement agencies. GIVE is utilizing the partnerships and consortiums developed under the earlier Operation IMPACT to address the problem of gun violence, focusing those resources on shootings and homicides. Similarly, the twenty state-supported County Reentry Task Forces have a local consortium requirement which assures the perspectives of multiple State and local agencies are reflected in each jurisdiction’s plan. County Reentry Task Forces are required to collaborate throughout their programming year.

All gun, gang, and drug enforcement and prosecution initiatives funded with Byrne JAG monies, either partly or in whole, will have this same requirement. In addition, the mechanisms that will



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be employed to fund these programs, combining federal and State dollars from several agencies and funding streams, ensure shared responsibility and ownership. State agencies also collaborate on research efforts designed to ascertain the efficacy and cost effectiveness of various anti-crime strategies.

### **c. Capabilities and Competencies**

DCJS enhances public safety by providing resources and services that inform decision making and improve the quality of the criminal justice system. DCJS is a multi-function criminal justice support agency with a variety of responsibilities, including collection and analysis of statewide crime data; operation of the DNA databank and criminal fingerprint files; administration of federal and state criminal justice funds; identifying and funding programs that reduce crime, recidivism, and victimization. Additionally, DCJS administers the state's Sex Offender Registry. DCJS conducts research on critical criminal justice issues and provides training, legal guidance and regulation to the State's law enforcement, community corrections, and prosecution communities.

### **d. Plan for Collecting the Data Required for this Solicitation's Performance Measures (PMT)**

Since BJA's PMT system became operational, DCJS has integrated the required performance measures into each Byrne JAG sub-recipient grant contract. DCJS requires each sub-recipient to submit PMT data directly into the PMT system and monitors the submission of such data closely. DCJS also conducts ongoing training for sub-recipients and assists them in complying with the reporting requirement.