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**FY 2016-2017 Budget Testimony**  
**Division of Criminal Justice Services**  
**February 4, 2016**

Good morning Chairwoman Young, Chairman Farrell and distinguished members of the Legislature. I am Mike Green, head of the Division of Criminal Justice Services. Thank you for inviting me to appear before you today.

Governor Cuomo's proposed budget for Fiscal Year 2016-2017 will allow DCJS to support the criminal justice system in communities across the state, expand the use of evidence-based programs proven to be effective and cost efficient and continue the development of innovative programs that position New York as a national leader in effective public safety policy.

New York continues to experience reductions in crime and prison population. Reported crime reached an all-time low in 2014 and that year, we maintained our standing as the safest large state in the nation. New York also has the lowest imprisonment rate of any large state. Statewide crime data is not yet available for 2015 but preliminary trends indicate that crime continued to decline last year. We will have better data for 2015 by mid-Spring.

**Criminal Justice Reform**

In addition to reintroducing legislation to raise the age of criminal responsibility, the Governor has proposed a range of other reforms to enhance the fairness and effectiveness of our criminal justice system and build trust between law enforcement agencies and communities.

*Video Recording of Interrogations/Identification Procedure Reform*

In his Built to Lead agenda, Governor Cuomo advocates for legislation requiring recording of interrogations in serious cases and reforming identification procedures to bring New York in line with 49 other states that allow photo array identifications into evidence at trial. Law enforcement agencies have embraced recording, and we have already provided approximately \$3 million for them to purchase and install the technology. DCJS plans to announce additional funding this year. The Innocence Project and the District Attorneys' Association support these concepts; it's time they became law.

*Bail Reform*

The Governor also is committed to reforming New York's bail statute. New York is one of only four states prohibiting judges from considering risk to public safety as a factor when setting bail. A common sense amendment will allow judges to consider that risk when setting bail or allowing release and permit them to use proven risk assessments to aid in pre-trial release decisions. Other jurisdictions have successfully implemented the use of risk assessments, which has resulted in fewer individuals being detained pre-trial as well as increased public safety.

**Strengthening Community Alternatives**

Through the Pew-MacArthur Results First Initiative, DCJS has strengthened the state's community-based alternative to incarceration (ATI) network, funding programs that are effective in reducing recidivism and cost-efficient. We are training ATI providers, in addition to

implementing a fidelity and evaluation system to ensure the programs we fund are delivered as designed.

New York's ATI realignment work has been touted by Pew-MacArthur in a recently published case study as a best practice for other states to follow to reduce recidivism and maximize taxpayer dollars.

The Governor's budget invests nearly \$26.2 million in programming to reduce incarceration and recidivism. That figure includes new funding: \$1 million to expand the state's County Re-Entry Task Force initiative by creating a new task force in Queens County and increasing the capacity of existing county task forces; and \$1 million to create a new defendant screening and assessment program in jurisdictions outside New York City.

### **The GIVE Initiative**

In its second year, New York's Gun Involved Violence Elimination (GIVE) initiative supports the use of proven strategies to reduce shootings and save lives. GIVE targets the 17 counties that collectively report 87 percent of the violent crime outside of New York City.

GIVE provides police departments and their county law enforcement partners \$13.3 million in funding, in addition to training and technical assistance from national experts to help implement programs shown to be effective.

New York is unique among states in its commitment to funding only evidence-based work through GIVE. The initiative's emphasis on procedural justice – which focuses on ensuring interactions between law enforcement and individuals are fair, and that individuals who come in contact with police believe they are being treated fairly and respectfully – also sets GIVE apart. More than 200 law enforcement professionals recently attended a two-day symposium to help them put procedural justice theory into action. Research has shown that positive police-community relations contribute to safer communities.

To help stem the tide of gun violence that continues to claim too many lives – particularly those of young men of color – DCJS encourages GIVE jurisdictions to implement street outreach work into their strategies. We provide additional funding to support street outreach in 10 GIVE jurisdictions and the Bronx. The Governor's budget proposal funds GIVE and street outreach work at the same level as the current budget.

This 2016-17 budget proposal will allow DCJS to continue supporting our local partners, expanding our evidence-based work and implementing initiatives designed to foster fairness, respect and transparency in the state's criminal justice system.

Thank you for the opportunity to speak with you today. I am ready to take your questions.