

2008-09 Spending Plan	Division of Criminal Justice Services
	Denise E. O'Donnell, Commissioner

A. Overview of Proposed Plan

A.1 Overall Approach

The Division of Criminal Justice Services is a multi-function criminal justice support agency with a variety of responsibilities, including collection and analysis of statewide crime data; maintenance of criminal history and fingerprint files; administration of Federal and State criminal justice funds; support of criminal justice-related agencies across the State; and administration of the Sex Offender Registry.

In order to achieve recurring savings at the required levels, the Division's managers reviewed their program areas to eliminate non-core function activities and identify all possible efficiencies in the delivery of essential services.

While required savings are achieved, the Spending Reduction Plan maintains support for the Governor's criminal justice priorities and provides funding for critical new initiatives (see sections A.3 and A.4 below).

A.2 Achievement of Savings on a Recurring Basis

The proposed Spending Reduction Plan achieves the required savings levels of \$2.7 million for State Operations (\$2.0 million General Fund and \$0.7 million Special Revenue-Other) and \$1.77 million for Aid to Localities (\$1.2 million General Fund and \$0.57 million Special Revenue-Other). While not all of the proposed 2008-09 actions will result in recurring savings, we have also identified areas for reduction which will result in on-going savings for 2009-10 and beyond (see Section K).

A.3 Protecting Key Priorities

The Spending Reduction Plan was developed with the intent of maintaining funding for key criminal justice priorities:

- **Reduce violent and firearm-related crime outside of New York City.** While local funding for Operation IMPACT will be reduced by two percent (approximately \$0.3 million), the Division will continue to facilitate and enhance intelligence-led policing activities, and provide technology, technical assistance and analytical support to law enforcement partners in all 17 Operation IMPACT jurisdictions.
- **Sex Offender Management.** The Division will ensure the operability of the Office of Sex Offender Management and provide training and inter-agency coordination for the civil commitment process.
- **Reduce recidivism through re-entry.** Local assistance funding for county re-entry task forces will be slightly lower than requested, but the Division will continue to develop an inter-

agency re-entry strategy and provide training and technical assistance to task forces and service providers.

- **Increase DNA collection and compliance.** The Division will continue to work to improve DNA collection rates by criminal justice agencies across the State.
- **Improve criminal justice information technology systems.** The Division will re-engineer critical systems currently running on obsolete platforms, complete implementation of an integrated portal to provide a single information point-of-access to law enforcement, and solicit bids for a new Statewide Automated Biometric Identification System (SABIS) to replace the existing fingerprint system.

A.4 Treatment of New Initiatives

The Spending Reduction Plan will not impact new initiatives which are critical to public safety:

- **Local Crime Analysis Centers.** During 2008-09, the Division intends to implement crime analysis centers in four locations: Buffalo, Rochester, Syracuse and Albany. These centers will serve as hubs for in-depth crime analysis and information sharing among local law enforcement agencies. The locations were selected due to their high incident rate of violent and firearm-related crime. The centers will be staffed by crime analysts from local law enforcement agencies, and the primary mission will be to drive down the rate of violent crime in their area through the comprehensive analysis of local crime incidents in a timely and accurate manner.
- **Statewide Automated Biometric Identification System (SABIS).** The existing fingerprint identification system processes more than one million criminal and civil fingerprint transactions per year. This mission-critical function has become a concern due to aging hardware and software, as well as limited vendor support. The Division is in the process of releasing an RFP for the acquisition of a new biometric identification system, with vendor selection planned for September 2008. This initiative will be supported with bonded Capital Projects funding, to be expended in 2008-09 and 2009-10.

B. Summary of General Fund Financial Impacts

GENERAL FUND -- SAVINGS SUMMARY			
	Required Reduction	2008-09 Savings	2009-10 Savings
Local Assistance	\$1,217,000	\$1,217,000	\$1,217,000
Personal Service	N/A	\$451,400	\$451,400
Non-personal Service	N/A	\$1,553,700	\$1,222,700
Total State Operations	\$2,000,000	\$2,005,100	\$1,674,100
Capital	N/A	N/A	N/A
TOTAL	\$3,217,000	\$3,222,100	\$2,891,100

GENERAL FUND -- YEAR-TO-YEAR CHANGE, AFTER SAVINGS			
	2007-08 Actual	Revised Projection	Percent Change
Local Assistance	\$74,014,300*	\$82,697,000**	11.7
Personal Service	\$33,614,000		
Non-personal Service	\$25,455,000		
Total State Operations	\$59,069,000	\$58,791,000	(0.4)
Capital	N/A	N/A	N/A
TOTAL	\$133,083,300	\$141,488,000	6.3

*Excludes \$13.4 million in Community Projects Fund (007)

** Excludes \$10 million in Community Projects Fund (007)

C. Identification of Proposed General Fund Actions

	2008-09 Cash	2009-10 Cash	2010-11 Cash
GENERAL FUND			
Local Assistance			
1. Aid to Prosecution (\$297,000), District Attorney salaries (\$58,000), Aid to Crime Labs (\$184,000), Drug Diversion Programs (\$17,000), Road to Recovery Program (\$90,000). These cuts will result in across the board reductions to all recipients.	(\$646,000)	(\$646,000)	(\$646,000)
2. New York Prosecutors Training Institute (\$64,000) Special Narcotics Prosecutor (\$23,000), Westchester County Policing (\$52,000). These are directed grants, and will result in reduced funding for each recipient.	(\$139,000)	(\$139,000)	(\$139,000)
3. Operation IMPACT (\$242,000), Operation IMPACT Anti-gun Initiative (\$40,000), Community-based Crime Prevention (\$40,000). These funds are distributed through RFP's, and the cuts will result in less funding available for awards.	(\$322,000)	(\$322,000)	(\$322,000)
4. Witness Protection Program (\$10,000) and Re-entry Programs (\$86,000). Funding levels represent increases over 2007-08 funding.	(\$96,000)	(\$96,000)	(\$96,000)

	2008-09 Cash	2009-10 Cash	2010-11 Cash
5. Soft Body Armor reimbursement. Cut will result in reduced funding available to reimburse localities.	(\$14,000)	(\$14,000)	(\$14,000)
State Operations			
6. Personal service reduction. Reduce personnel target by 4.5 positions, downgrade other items, overtime cuts and vacancy controls.	(\$451,400)	(\$451,400)	(\$451,400)
7. Eliminate mailing of hit notices/rap sheets to eJusticeNY customers. eJusticeNY provides for electronic transmittal of criminal history information.	(\$75,000)	(\$75,000)	(\$75,000)
8. Eliminate DCJS participation at NYS Fair. The Division will not host a booth at the Fair.	(\$30,000)	(\$30,000)	(\$30,000)
9. Revise agency fleet management policy. Extend mileage standards and adjust maintenance program.	(\$57,000)	(\$57,000)	(\$57,000)
10. Reduce energy costs. Implement energy conservation program throughout agency.	(\$64,000)	(\$64,000)	(\$64,000)
11. Telecommunications savings. Review usage and line charges, and reduce phone change orders.	(\$75,000)	(\$75,000)	(\$75,000)
12. Reduced OFT charges. Latest OFT rates will result in savings.	(\$386,000)	(\$386,000)	(\$386,000)
13. Grant funding for business intelligence project. We have identified a source for Federal funding for this project.	(\$164,000)	-0-	-0-
14. Travel restrictions. Travel will be restricted to essential activities.	(\$110,000)	(\$110,000)	(\$110,000)
15. Reduced equipment purchases. All equipment purchases will be carefully reviewed.	(\$182,900)	(\$15,900)	(\$15,900)
16. Reduced training. Managers will restrict training to essential course offerings.	(\$105,000)	(\$105,000)	(\$105,000)
17. All other NPS. Includes supplies, building renovations, contractual services, printing, etc.	(\$304,800)	(\$304,800)	(\$304,800)
Capital Projects			
18. N/A			

D. Summary of Impact on Other Funds

OTHER FUNDS -- SAVINGS SUMMARY			
	Required Reduction	2008-09 Savings	2009-10 Savings
Local Assistance	\$573,000	\$573,000	\$573,000
Personal Service	N/A		
Non-personal Service	N/A		
Total State Operations	\$700,000	\$732,000	\$182,000
Capital			
TOTAL	\$1,273,000	\$1,305,000	\$755,000

OTHER FUNDS -- YEAR-TO-YEAR CHANGE, AFTER SAVINGS			
	2007-08 Actual	Revised Projection	Percent Change
Local Assistance	\$19,667,100	\$30,374,000	54.4
Personal Service			
Non-personal Service			
Total State Operations	\$15,458,300	\$25,299,000	63.6
Capital	N/A	N/A	N/A
TOTAL	\$35,125,400	\$55,673,000	58.5

E. Identification of Proposed Other Fund Actions

	2008-09 Cash	2009-10 Cash	2010-11 Cash
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OTHER FUNDS (Note the fund/s affected by each proposal, in parentheses at the end of each entry)

Local Assistance

- | | | | |
|---|-------------|-------------|-------------|
| <p>1. Payments to District Attorneys (Crimes Against Revenue program). Grant levels will be performance based.</p> | (\$100,000) | (\$100,000) | (\$100,000) |
| <p>2. Defense services (\$70,000) and Prosecution Services (\$100,000) (Legal Services Assistance Account). These cuts will result in across the board reductions to all recipients.</p> | (\$170,000) | (\$170,000) | (\$170,000) |

	2008-09 Cash	2009-10 Cash	2010-11 Cash
3. District Attorney Loan Forgiveness program (Legal Services Assistance Account). This program provides payments to attorneys working in District Attorney offices to assist in repayment of student loans.	(\$30,000)	(\$30,000)	(\$30,000)
4. Anti-Auto theft programs (Motor Vehicle Law Enforcement Account). These funds are distributed through RFP's, and the cut will result in less funding available for awards.	(\$87,000)	(\$87,000)	(\$87,000)

State Operations

5. Eliminate data encryption project (Fingerprint Identification and Technology Account). We will postpone activities related to this project.	(\$400,000)	-	-
6. Savings related to IT architecture group (Fingerprint Identification and Technology Account). The work will be completed at a reduced cost.	(\$150,000)	(\$150,000)	(\$150,000)
7. Savings from Missing and Exploited Children's Clearinghouse Project (Fingerprint Identification and Technology Account). This project will be completed at a cost lower than originally projected.	(\$150,000)	-	-
8. Reduced spending on travel supplies (Motor Vehicle Law Enforcement Account, Conference and Signs Account). Reflects reduced spending requirements.	(\$32,000)	(\$32,000)	(\$32,000)

F. Plan to Manage the Workforce

F.1 Overall Approach

In developing the Spending Reduction Plan, agency managers carefully reviewed current staffing patterns to identify opportunities for personal service savings. Nearly 60 percent of the Division's employees work in two units which support core mission activities: Criminal Justice Operations, which is responsible for processing criminal and civil fingerprint transactions; and Justice Information Services, which provides critical IT infrastructure and support for thousands of criminal justice personnel throughout New York State.

The agency personnel target of 738 positions includes 102 items supported by Federal funds, with 82.5 positions funded through the Byrne/JAG grant. Byrne grant levels have been drastically reduced and, absent restoration of Federal funds, we will lack sufficient resources to maintain all of the 82.5 positions in SFY 2009-10. This issue will require careful workforce planning in 2008-09 (see Section F.2).

F.2 Plan for Refill of Vacant Positions (both current and anticipated vacancies)

The agency plan for the refill of vacant positions in 2008-09 will focus on maintaining fill levels in all critical areas, while addressing the Federally funded position issue raised in Section F.1. We will use prior year Byrne grant fund balances to support currently filled positions.

The agency's request to fill vacant positions process will be closely monitored, and requires sign off by the appropriate Deputy Commissioner, as well as approval by both the Deputy Commissioner for Administration and the Executive Deputy Commissioner. This process will ensure that all fills are consistent with the agency's plan.

Workforce Impact -- All Funds	
a. Initial Target: 738 [for reference]	-----
b. Current Fills PP# 3 or 4	701
c. Recurring impact of proposed actions (see Parts C & E)	(4.5)
d. Recurring impact of vacancy-refilling plan (see F.2)	37
e. Total FTEs March 31, 2009 (line b minus line c, plus/minus line d)	733.5
f. Change from Initial 2008-09 Target (line a minus line e)	(4.5)

G. Monthly Projections: All Funds Workforce; General Fund State Operations/Local/Capital

See attachments 1, 2, and 3

H. Assumptions Underlying the Proposed Plan

The Spending Reduction Plan is based on two assumptions:

- Several significant IT infrastructure renewal projects will continue on schedule with cash expenditures as planned; and
- Any non-recurring savings identified for 2008-09 will be more than covered in 2009-10 and beyond by savings opportunities currently under review (See Section K).

I. Management of Risks Inherent in the Plan

- **Increasing agency workload.** Several of the agency's workload indicators have increased significantly:
 - **Fingerprint processing.** One of the Division's core functions is the identification of fingerprints. Total fingerprint input increased 13.6 percent from 2006-07, and preliminary data for 2008 shows this trend continuing. Increased workload puts further stress on our outdated system, and could result in deterioration of service.
 - **eJusticeNY usage.** eJusticeNY provides law enforcement with essential operational support, data, and management information through a secure communications network.

The number of individuals enrolled in eJusticeNY increased by 35 percent (to more than 44,000) from 2006 to 2007. This increase drives additional workload for agency IT staff. Between 2006 and 2007, the number of calls for support from law enforcement personnel increased by 52 percent, to nearly 29,000.

- **Sex Offender Management.** The Division leads interagency initiatives to improve sex offender management, one of the most important of which is the Sex Offender Registry. Public use of the Registry has risen dramatically. The number of searches on the public website increased to nearly 25 million in 2007, or 41 percent higher than 2006. In addition, searches requested through the Registry's toll-free phone line increased by 15 percent (to more than 289,000) between 2006 and 2007.
- **DNA Databank.** The Division works with State and local agencies to ensure collection of DNA from all eligible offenders. Legislative changes enacted in 2006 greatly expanded the number of convicted offenders required to submit DNA specimens. In 2007 nearly 86,300 DNA specimens were analyzed, more than 3 times the number in 2006.
- **New Responsibilities.** The Division has assumed several new responsibilities in the past year, including hosting the Commission on Sentencing Reform, co-chairing the State's Human Trafficking initiative, and most recently, implementing the e-Stop legislation to protect against sexual predators on the Internet.

J. Additional Savings Opportunities for 2008-09

Agency managers will continue to carefully review all spending planned for 2008-09 to identify potential savings opportunities. Programs have been prioritized to determine those with the greatest impact on public safety. We have identified savings proposals for further review (see Section K), but we require more time for analysis before we can develop accurate fiscal impacts.

K. Potential Future Savings Opportunities/Operational Improvements (indicate if statutory change is required)

We have identified three areas where potential exists for additional savings in the future:

- **IT maintenance contracts.** We are currently reviewing all maintenance contracts for our IT systems, with the objective of reducing costs and, where possible, consolidating service. Due to contractual requirements, cost savings is unlikely to be realized until 2009-10.
- **Software review.** IT managers have initiated an analysis of all software programs currently in use in the agency. The goal of the analysis will be to identify under-utilized or excess numbers of programs which can be eliminated for cost savings.
- **SABIS upgrade.** The agency will soon be releasing an RFP to upgrade our fingerprint identification system. We anticipate vendor selection by September 2008 with implementation completed within approximately 24 months. As part of the implementation of the new system, we will conduct a detailed review of current business practices to evaluate all potential operational savings possibilities.

POLICY ADVICE

Each of these initiatives presents recurring savings opportunities, but none will be completed in 2008-09. We anticipate that savings identified through these projects will be realized in 2009-10 and beyond, and will serve as replacement for non-recurring 2008-09 savings, as well as providing additional savings.

ATTACHMENTS, if any:

1. 2008-09 Staffing Plan (All Funds)
2. State Operations Spending Plan (General Fund)
3. Local Assistance Spending Plan (General Fund)

Attachment 1

Division of Criminal Justice Services
SFY 08/09 Staffing Plan

	<u>Plan</u>	<u>Actual</u>
April	696	696
May	701	
June	705	
July	709	
August	714	
September	718	
October	722	
November	726	
December	733.5	
January	733.5	
February	733.5	
March	733.5	

Attachment 2

disbu0809.xls

STATE OPERATIONS
Div. of Criminal Justice Services
Program: All
General Fund (003-00)

DOB PS ceiling (4/09/08) \$31,470,000
DOB NPS ceiling (4/09/08) \$27,321,000
Total cash ceiling \$58,791,000

Date: 5/2/2008

	PROJECTIONS						ACTUALS DISBURSEMENTS					
	2007-08 Carryover Approps	CASH 2008-09 PS	DISBURSEMENT Appropriations NPS	FROM Reappropriations	Monthly Disbursement Total	Yr.-To-Date Disbursement Total	2007-08 Carryover Approps	2008-09 New Approps PS	Appropriations NPS	Reappropriations	Monthly Disbursement Total	Yr.-To-Date Disbursement Total
APRIL	\$3,449,500	\$2,877,900	\$0	\$0	\$6,327,400	\$6,327,400	\$3,449,500	\$2,877,900	\$0	\$0	\$6,327,400	\$6,327,400
MAY	\$3,660,300	\$2,331,200	\$1,382,100	\$50,000	\$7,423,600	\$13,751,000	\$0	\$0	\$0	\$0	\$0	\$6,327,400
JUNE	\$3,830,000	\$2,340,900	\$1,851,100	\$50,000	\$8,072,000	\$21,823,000	\$0	\$0	\$0	\$0	\$0	\$6,327,400
JULY	\$0	\$2,346,000	\$1,437,300	\$0	\$3,783,300	\$25,606,300	XXX	\$0	\$0	\$0	\$0	\$6,327,400
AUGUST	\$0	\$2,328,800	\$1,939,400	\$0	\$4,268,200	\$29,874,500	XXX	\$0	\$0	\$0	\$0	\$6,327,400
SEPTEMBER	\$0	\$2,404,400	\$1,751,500	\$0	\$4,155,900	\$34,030,400	XXX	\$0	\$0	\$0	\$0	\$6,327,400
OCTOBER	\$0	\$3,695,900	\$2,433,600	\$0	\$6,129,500	\$40,159,900	XXX	\$0	\$0	\$0	\$0	\$6,327,400
NOVEMBER	\$0	\$2,265,200	\$1,468,600	\$0	\$3,733,800	\$43,893,700	XXX	\$0	\$0	\$0	\$0	\$6,327,400
DECEMBER	\$0	\$2,339,000	\$972,300	\$0	\$3,311,300	\$47,205,000	XXX	\$0	\$0	\$0	\$0	\$6,327,400
JANUARY	\$0	\$2,338,500	\$1,166,300	\$0	\$3,504,800	\$50,709,800	XXX	\$0	\$0	\$0	\$0	\$6,327,400
FEBRUARY	\$0	\$2,474,900	\$1,587,200	\$0	\$4,062,100	\$54,771,900	XXX	\$0	\$0	\$0	\$0	\$6,327,400
MARCH	\$0	\$2,477,300	\$1,541,800	\$0	\$4,019,100	\$58,791,000	XXX	\$0	\$0	\$0	\$0	\$6,327,400
TOTAL	\$10,939,800	\$30,220,000	\$17,531,200	\$100,000	\$58,791,000	\$0	\$3,449,500	\$2,877,900	\$0	\$0	\$6,327,400	

DCJS(001-00) 82,697,000

LOCAL ASSISTANCE
Div. of Criminal Justice Services
Local Assistance Account
General Fund 001-00

Date: 5/2/2008

	PROJECTIONS					ACTUALS				
	2007-08 Carryover Approps	CASH 2008-09 New Aprops	DISBURSEMENT Reappropriations	FROM Monthly Disbursement Total	Yr-To-Date Disbursement Total	2007-08 Carryover Approps	CASH 2008-09 New Aprops	DISBURSEMENTS Reappropriations	FROM Monthly Disbursement Total	Yr.-To-Date Disbursement Total
APRIL	\$158,300	\$0	\$10,181,900	\$10,340,200	\$10,340,200	\$158,300	\$0	\$10,181,900	\$10,340,200	\$10,340,200
MAY	\$0	\$0	\$4,150,000	\$4,150,000	\$14,490,200	\$0	\$0	\$0	\$0	\$10,340,200
JUNE	\$0	\$0	\$3,900,000	\$3,900,000	\$18,390,200	\$0	\$0	\$0	\$0	\$10,340,200
JULY	\$0	\$75,000	\$2,970,000	\$3,045,000	\$21,435,200	\$0	\$0	\$0	\$0	\$10,340,200
AUGUST	\$0	\$775,000	\$3,725,000	\$4,500,000	\$25,935,200	\$0	\$0	\$0	\$0	\$10,340,200
SEPTEMBER	\$0	\$2,750,000	\$2,775,000	\$5,525,000	\$31,460,200	\$0	\$0	\$0	\$0	\$10,340,200
OCTOBER	\$0	\$3,950,000	\$3,900,000	\$7,850,000	\$39,310,200	\$0	\$0	\$0	\$0	\$10,340,200
NOVEMBER	XXX	\$5,000,000	\$4,950,000	\$9,950,000	\$49,260,200	XXX	\$0	\$0	\$0	\$10,340,200
DECEMBER	XXX	\$5,275,000	\$2,950,000	\$8,225,000	\$57,485,200	XXX	\$0	\$0	\$0	\$10,340,200
JANUARY	XXX	\$5,850,000	\$1,450,000	\$7,300,000	\$64,785,200	XXX	\$0	\$0	\$0	\$10,340,200
FEBRUARY	XXX	\$7,250,000	\$3,125,000	\$10,375,000	\$75,160,200	XXX	\$0	\$0	\$0	\$10,340,200
MARCH	XXX	\$4,750,000	\$2,786,800	\$7,536,800	\$82,697,000	XXX	\$0	\$0	\$0	\$10,340,200
TOTAL	\$158,300	\$35,675,000	\$46,863,700	\$82,697,000	\$0	\$158,300	\$0	\$10,181,900	\$10,340,200	\$10,340,200