

Public Safety

*Department of Corrections and Community Supervision
Division of State Police
Division of Criminal Justice Services
Office of Indigent Legal Services
Division of Homeland Security and Emergency Services
Division of Military and Naval Affairs
Division of Veterans' Affairs
Division of Alcoholic Beverage Control*

I. Overview

The State spends \$4.8 billion annually to protect New York's residents. The public safety agencies assist local communities with crime prevention, supervise criminal offenders both in prison and in the community, patrol the highways, protect critical State assets, and respond to natural disasters and terrorist threats. With nearly 40,000 staff, many of whom serve within the State's 67 prisons, public safety agencies currently comprise 27 percent of the State workforce under Executive control.

II. History/Context

Over the past 10 years, the overall rate of crime in New York declined 25 percent, and the number of major crimes fell 23 percent, even as the State population grew by a half-million people. However, there has been a major shift in where crime occurs, with the counties outside New York City now accounting for 58 percent of reported crime statewide, as compared to 51 percent in 2000.

Simultaneously, the State's prison population fell from a peak of 71,600 in 1999 to under 56,300 currently. In 2009, New York had the third largest decline in state inmate population nationwide, and the seventh largest percentage decline nationwide (2.8 percent). Notably, the decline is not the result of extraordinary new release policies, but rather from a real reduction in crime. As a result, the prison system in New York developed excess capacity, and the State began consolidating operations and closing facilities in 2009.

During the past decade, spending for public safety programs grew by 42 percent, of which nearly half was dedicated to prison operations. Another 22 percent of this increased funding supported growth in State Police operations.

III. Proposed 2011-12 Budget Actions

The Executive Budget will enhance protection of the public at lower cost through right-sizing initiatives that will reduce unnecessary excess prison capacity, improve the management of offenders as they move from prison into civilian life, and reduce bureaucracy.

To realign the prison system's capacity with its significantly reduced offender population and achieve real and recurring savings for State taxpayers, Governor Cuomo will create a task force by Executive Order to identify prisons to be closed. If the task force does not recommend rightsizing, the Commissioner of Correctional Services would be empowered to implement facility closures. There are at least 3,500 excess beds in medium and minimum security facilities. Communities affected by the closures would receive assistance from the Governor's new regional economic development councils, with up to \$100 million available to help communities end their reliance on incarceration as a major source of employment and economic sustainability.

In addition to consolidating the prison system, the 2011-12 Executive Budget redesigns the provision of State services and recalibrates State spending by merging the Department of Correctional Services and the Division of Parole into the new Department of Corrections and Community Supervision. This combined agency will seamlessly coordinate offender programs to provide support throughout the period of incarceration and reintegration into the community. As a result, offenders will re-enter their home communities better prepared and with more consistent support, thereby lowering their risk of recidivism.

Further, building on the recent consolidation of the Division of Probation and Correctional Alternatives into the Division of Criminal Justice Services (DCJS), the 2011-12 Executive Budget proposes a further expansion of the DCJS mission. The Office for the Prevention of Domestic Violence, the Office of Victim Services, and the State Commission of Correction will be consolidated within DCJS. Each consolidated agency will be assured of receiving continued support, even as the State recalibrates the overall cost of government. The consolidation offers opportunities for shared operations, program synergies, and the maximization of funding sources, while ensuring the critical missions of these three agencies are safeguarded.

IV. Summary of Spending (All Funds)

Category	2010-11 (\$ in millions)	2011-12 (\$ in millions)	Change	
			Dollar (in millions)	Percent
Public Safety	4,839	4,496	(343)	(7.1)
Department of Corrections and Community Supervision (adjusted for comparability in 2010-11)	2,994	2,757	(237)	(7.9)
Division of State Police	707	647	(60)	(8.5)
Division of Criminal Justice Services (adjusted for comparability in 2010-11)	416	374	(42)	(10.1)
Division of Homeland Security and Emergency Services	358	379	21	5.9

V. Major Initiatives

Gap-closing Actions

Proposal	2011-12 (\$ in millions)	2012-13 (\$ in millions)
Right-size the Prison System	72	112
Reduce Administrative Staff	5	5
Create the Department of Corrections and Community Supervision	6	8
Reduce the Parole Board Membership	1	1
Merge Criminal Justice Agencies	—	—
Ten Percent General Fund State Operations Reductions	331	331
Total	415	457

- **Right-size Prison System.** The prison population is projected to remain steady in 2011-12, after a decline of nearly 15,000, or more than 20 percent, over the past 11 years. Despite the efforts of the Department of Correctional Services to consolidate and achieve savings, the system continues to maintain more facilities than are necessary to house the State's prison population safely. With the closure of only five small facilities during the past several years, excess capacity remains. Total capacity in medium and minimum general confinement facilities is approximately 36,400, of which at least 3,500 beds are not needed. The transfer of inmates into facilities that operate the most efficiently and offer more rehabilitative services is expected to yield significant recurring savings and eliminate most of the excess capacity. The closures will be undertaken after a task force created by Executive Order makes recommendations regarding specific facilities to be closed; and economic development assistance will be provided to communities where a closure occurs. The Budget also proposes to eliminate the 12-month statutory notification before closing a facility to allow closures as soon as practicable after the task force has made its recommendations. *(2011-12 Value: \$72 million; 2012-13 Value: \$112 million)*
- **Reduce Central Management Staff.** The central management staff of the prison system will be reduced by 10 percent to reflect reductions associated with the right-sizing of the system. *(2011-12 Value: \$5 million; 2012-13 Value: \$5 million)*
- **Create the Department of Corrections and Community Supervision.** The Department of Correctional Services and the Division of Parole will merge into a single agency, with a mandate to seamlessly blend operations to strengthen the focus on re-entry. The combined entity will coordinate its efforts throughout the period of incarceration and better connect programming both inside and outside the prisons, thereby enhancing the prospects of offenders successfully returning to their home communities. The Parole Board will continue as an independent body, but housed within and receiving administrative support from the new agency. *(2011-12 Value: \$6 million; 2012-13 Value: \$8 million)*
- **Reduce Parole Board Membership.** Consistent adoption of laws granting the courts authority to fix specific terms of incarceration for violent and drug-related offenses has significantly reduced the need for Parole Board hearings. Hearings are down 45 percent since 1995, allowing the elimination of six of the 19 Board members. *(2011-12 Value: \$508,000; 2012-13 Value: \$763,000)*

- **Merge Criminal Justice Agencies.** The operations of the Office for the Prevention of Domestic Violence, the Office of Victim Services, and the State Commission of Correction will merge with the Division of Criminal Justice Services (DCJS). Similar to the merger of the Division of Probation and Correctional Alternatives into DCJS last year, the important missions of these agencies will be preserved and enhanced as specialized offices within DCJS. DCJS already provides administrative support to these smaller agencies, and a full merger offers a more efficient, goal-oriented and cost-effective environment for the delivery of programs and services for which these agencies are responsible. The merger will also improve coordination of policies and programs. *(2011-12 Value: \$477,000; 2012-13 Value: \$477,000)*
- **Ten Percent General Fund State Operations Reduction.** The Executive Budget will decrease General Fund spending for State agency operations by 10 percent through a redesign effort focused on rightsizing government, increasing efficiencies, as well as by reducing workforce spending, including continued suspension of State Police training classes. Governor Cuomo intends to partner with State employee labor unions to achieve these workforce savings; if negotiations are not successful, significant layoffs are likely. *(2011-12 Value: \$323 million; 2012-13 Value: \$323 million)*

Other Budget Actions

- **Statewide Interoperable Communications Grants.** Enacted as part of the 2010-11 budget, the new Statewide Interoperable Communications Grant Program of the Division of Homeland Security and Emergency Services has been delayed. Grant guidance is now expected to be submitted to the Statewide Interoperable and Emergency Communications Board in March 2011. Counties should expect the \$20 million in grants included in the 2010-11 Enacted Budget to flow in mid-2011. The second round of grants, still recommended at \$45 million, would be awarded by mid-2012.
- **Investment in Indigent Defense.** The Office of Indigent Legal Services created in 2010 is expected to be fully operational in 2011, with a recommended operating budget of \$3 million and authorization to distribute \$77 million in a combination of formula-based and incentive grant funding.

