

Public Safety

*Department of Corrections and Community Supervision
Division of State Police
Division of Criminal Justice Services
Office for the Prevention of Domestic Violence
Office of Victim Services
State Commission of Correction
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 Executive Budget advances key initiatives to enhance public safety, including creating an all-crimes DNA database and improving emergency response and preparedness, while supporting recovery from Hurricane Irene and Tropical Storm Lee and continuing to lower the cost of ongoing operations.

The State spends \$4.6 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 37,000 staff, many of whom serve within the State's prisons, public safety agencies currently comprise 30 percent of the State workforce under Executive control.

II. History/Context

New York is the safest large state in the nation and has the lowest rate of incarceration of any large state. From 2001 to 2010, the overall rate of crime in New York declined 21 percent, and the number of major crimes fell 19 percent. 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 53 percent in 2001 and 37 percent in 1990.

Simultaneously, the State's prison population fell from a peak of 71,600 in 1999 to under 55,200 currently. In 2010, New York had the third largest decline in State inmate population nationwide, and was the sixth largest percentage decline nationwide (3.5 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. The largest consolidation occurred in 2011, when seven facilities closed, eliminating 3,800 beds.

During the past decade, spending for public safety programs grew by 34 percent. Approximately 36 percent of this \$1.2 billion increase was dedicated to prison operations, with another 29 percent supporting growth in State Police operations.

III. Proposed 2012-13 Budget Actions

The Executive Budget advances key initiatives to enhance public safety, while continuing to lower the cost of ongoing operations.

- **All-Crimes DNA Database.** Current law only requires the collection of DNA from those convicted of any felony and certain misdemeanors defined in the penal law. However, these crimes represent less than half the crimes on the books in New York. To better protect New Yorkers and improve the State's criminal justice system, the Executive Budget advances Governor Cuomo's announcement to require collection of DNA from all defendants convicted of any penal law misdemeanor and any felony defined in any New York law. The State's existing DNA databank has already provided leads in over 2,700 convictions and led to 27 exonerations of the wrongfully accused. With this expansion, the justice system gains an improved tool, proven to fight crime and ensure the protection of the innocent.
- **Recovery from Hurricane Irene and Tropical Storm Lee.** An estimated \$1.5 billion will be invested in helping communities impacted by Hurricane Irene and Tropical Storm Lee recover and rebuild. More than 42,000 individuals and families are receiving \$250 million in disaster assistance. The cost of State and local response and recovery efforts is estimated at nearly \$900 million, and public authorities estimate their costs at more than \$250 million. Federal reimbursement is anticipated for at least 75 percent of these costs. Targeted State programs in excess of \$50 million supplement traditional federal assistance and spur recovery efforts. The Executive Budget reflects this ongoing effort, with the State's share of disaster costs projected at \$65 million in 2011-12, and another \$108 million projected in the subsequent two years.
- **Improving Emergency Response and Preparedness.** The destructiveness of Hurricane Irene and Tropical Storm Lee revealed limitations in the State's emergency response operations, including breakdowns in communications and transportation, duplication of efforts, and misdirected resources. In an effort to build the best state emergency operation in the country and prepare New York for future emergency situations, the Executive Budget supports efforts of the Office of Emergency Management within the Division of Homeland Security and Emergency Services to improve the State's readiness. These include establishing a new protocol to manage rapidly emerging incidents, establishing regional rapid support teams, training State executives, completing and implementing an after action report on the recent disasters, creating a real-time inventory of major State assets that may be needed for a response and developing a protocol for deploying them faster. Further, to improve the ability of local governments to share resources in emergency situations, legislation is advanced that sets clear guidelines for how shared resources will be deployed and costs will be appropriately shared.

Spending for public safety agencies, excluding the impact of disaster aid, will decline 2.0 percent in 2012-13, as savings continue to accrue from the closure of unneeded correctional facilities, the 2011 merger of the former Department of Correctional Services with the Division of Parole, and the 2010 consolidation of all response functions within the Division of Homeland Security and Emergency Services.

IV. Summary of Spending (All Funds)

Category	2011-12 (\$ in millions)	2012-13 (\$ in millions)	Change	
			Dollar (in millions)	Percent
Public Safety	4,658	4,662	4	0.1
Department of Corrections and Community Supervision	2,855	2,796	(59)	(2.1)
Division of State Police	720	717	(3)	(0.5)
Division of Criminal Justice Services	287	282	(5)	(1.7)
Division of Homeland Security and Emergency Services	518	586	68	13.1

V. Major Initiatives

- **Annualized Value of Prison Closures.** During 2011-12, the Department of Corrections and Community Supervision closed seven prisons, eliminating excess capacity of 3,800 beds. The 2012-13 fiscal year reflects \$112 million in savings, \$40 million above the current year savings of \$72 million. As a result, DOCCS will save \$184 million over two years.
- **State Police Academy Classes.** After three years during which the State Police Academy did not operate due to budgetary constraints, the Division of State Police will resume the recruitment and training of new members. The Division plans to hold two classes next year bringing in up to 230 new recruits. These classes are necessary to maintain member strength at 4,458 officers, which reflects a decline of 9.7 percent from a peak of 4,939 officers in 2009.
- **Statewide Interoperable Communications Grants.** The Statewide Interoperable Communications Grant Program of the Division of Homeland Security and Emergency Services assists counties in developing a single public safety communications network that will allow all emergency responders statewide to communicate with each other seamlessly. The program recently awarded \$20 million in grants to counties, and guidance to applicants for a new round of \$45 million in grants will be issued shortly. The 2012-13 budget includes an appropriation for a third round of grants at \$75 million, the maximum amount of annual assistance pledged to counties under the 2010 legislation creating the program.