

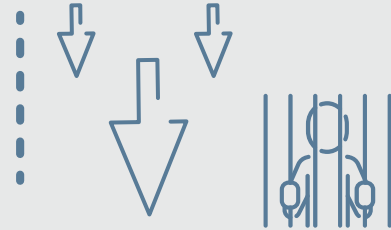


PUBLIC SAFETY

New York's taxpayers are saving

\$292 million since 2011 due to a **52% Drop**

in the prison population and the closing of **18 prisons** since 2011 - **without laying off workers.**



PROTECTING OUR DEMOCRACY



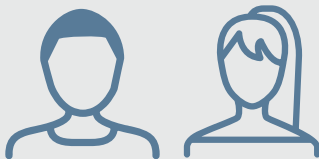
Modernize and secure **New York's elections** by improving absentee ballots processes, **extending voter registration dates**, and expanding early voting.

Reduce risk of gun violence by closing **federal loophole** permitting individuals with **active warrants to purchase guns** and requiring law enforcement agencies to share more data



More than **3,000 New York National Guard** soldiers mobilized to staff **COVID-19 testing sites** and **alternative care facilities.**

THE OFFICE FOR THE PREVENTION OF DOMESTIC VIOLENCE



(OPDV) is transforming into the **Office to End Domestic-and Gender-Based Violence**, creating the **first agency** to address gender-based violence in the nation.

Budget Highlights

End Domestic and Gender-Based Violence. The Budget includes legislation transforming the Office for the Prevention of Domestic Violence into the Office to End Domestic and Gender Based Violence to provide critical services to those who experience crimes related to gender or domestic violence.

Establish a Cannabis Regulatory Framework. The Budget proposes a comprehensive cannabis regulatory framework, administered by the newly established Office of Cannabis Management.

Strengthen New York's Policing Profession. Building on Executive Order 203, the Budget includes legislation establishing hiring standards for all police officers, instituting accreditation requirements for departments, and establishing enforcement decertification standards.

Recruitment Incentive and Retention Program. The Budget extends DMNA's tuition benefit program for eligible service members enrolled at a two or four-year college in New York.

Protecting Our Democracy. The Budget includes elections reforms to expand opportunities for voter participation, modernize absentee voting and counting procedures, and improve access to early voting.

The FY 2022 Executive Budget affirms New York's progressive values within the criminal justice system and continues to support the emergency response agencies that have been on the frontlines of the pandemic, working to keep New Yorkers safe and healthy. To promote public safety, the Budget advances the Women's Agenda, and invests in prevention, diversion, treatment, re-entry and supervision services at the State and local level.

Overview

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.

The Department of Corrections and Community Supervision (DOCCS) is responsible for providing services that offenders need in safe and secure facilities, preparing offenders for release, and ensuring they receive appropriate monitoring and support while under community supervision.

The Division of Criminal Justice Services (DCJS) collects and analyzes statewide crime data, administers local criminal justice programs, administers the State's Sex Offender Registry and DNA Databank, and tracks the effectiveness of system-wide criminal justice strategies designed to enhance public safety.

The Division of State Police protects the citizens of the State, prevents and detects crime and other violations of law and promotes highway safety.

The Division of Homeland Security and Emergency Services (DHSES) is dedicated to the preparation and protection of the State's citizens, communities, resources, economy, and infrastructure from threats and acts of terrorism, natural disasters, and other emergencies.

The Office of Indigent Legal Services (ILS) and the associated Indigent Legal Services Board are responsible for examining, overseeing, and improving the quality of New York's county-based system of providing legal representation to people who are unable to afford an attorney.

The Division of Military and Naval Affairs (DMNA) provides fully capable land, air, and naval military forces and facilities executing global missions across unified air and land operations in support of our communities, State and Nation.

Responding to the Pandemic

Public Safety and General Government Agencies have been critical partners in supporting the State's response to the COVID-19 pandemic.

- **Division of Military and Naval Affairs (DMNA)** – DMNA has responded to the pandemic with the largest civil support activation in the National Guard's history, with over 3,000 soldiers activated during Spring of 2020. DMNA's mission includes staffing testing sites and alternate care facilities, setting up test kit assembly operations, and managing and distributing personal protective equipment (PPE) from State stockpiles. They are also stationed at airports throughout the State to ensure completion of COVID-19 screening forms. Beginning in January, DMNA began assisting in vaccination efforts throughout the State, including operating call centers to schedule appointments, providing security at vaccine sites, and providing trained medics to administer the vaccine.
- **Division of Homeland Security and Emergency Services (DHSES)** – DHSES' Emergency Operation Center (EOC) has been activated since March 2020 in response to the pandemic. Their asset management personnel have coordinated the receipt, storage and distribution of millions of pieces of PPE and durable medical equipment at locations throughout the State. They are involved managing the State's diagnostic testing operations, procuring test kits, distributing medical supplies, and facilitating mask fit testing.
- **Division of State Police** – During the early stages of the response, the State Police were responsible for the safe transport of thousands of test samples from numerous testing sites to appropriate laboratories for analysis. Additionally, the State Police assumed an important role of assisting Department of Health officials in collecting data from travelers entering New York State, at seven of the State's regional airports.
- **Department of Corrections and Community Supervision (DOCCS)** – In order to mitigate the spread of COVID-19, low level technical parole violators were released from state custody to reduce congestion within the facilities and allow safe social distancing. Additionally, DOCCS decommissioned over 3,000 top bunks allowing less congestion within dorm settings and developed new protocols to prevent the spread of COVID-19. Further, DOCCS Correctional Industries program (CorCraft) was enlisted to develop and produce hand sanitizer. Upwards of 100,000 gallons a week was shipped across the state to schools, nonprofits, and other institutions, filling the shortage originally experienced at the start of the pandemic.
- **Multi-Agency Collaborations** – Several agencies, including DHSES, DMNA, OVS, and DCJS, supported DOL's Unemployment Insurance program by supporting the benefits hotline. The Multi-Agency Task Force to combat violations of coronavirus-related regulations at bars and restaurants is led by SLA and State Police. In addition to the State Liquor Authority and State Police, the Task Force includes investigators from various other State agencies.

Improving Public Safety and Fairness

New York has one of the lowest crime rates in the country and the lowest imprisonment rate of any large state. The crime rate in New York State declined for the seventh consecutive year in 2019, the fewest number of crimes reported since reporting began in 1975. This makes New York the second safest large state, ranking behind only Pennsylvania. The significant decline in crime coincides with a 52 percent drop in the State’s prison population from a peak of 72,600 in 1999 to a current population of approximately 34,500 – the lowest level in more than two decades. Through this decline, excess capacity has begun to build and as a result the State has achieved \$292 million of savings for taxpayers by closing 18 prisons since 2011 without laying off workers. This includes the 3 facilities that will close this year. The FY 2022 Executive Budget extends the current authorization by two years, to allow the State to act expeditiously to right-size and eliminate excess capacity with 90-day notice.

More recently, however, the rates of hate and bias-motivated incidents have spiked nationwide and in New York, as well. Reported hate crimes in New York State increased 18% during 2019, reversing a two-year decline and marking the highest number of incidents reported to law enforcement agencies in a single year since 2012. In New York City these crimes increased 19% and by 18% in the rest of the state. The Budget continues and expands initiatives the Governor has developed to ensure that New York continues to be one of the safest states in the nation and protects all New Yorkers from crimes fueled by hate and prejudice.

Table 15: Summary of All Funds Spending

Category	FY 2021 (millions)	FY 2022 (millions)	Change	
			Dollar (millions)	Percent
Department of Corrections and Community Supervision	3,985	3,173	-812	-20.38%
Division of State Police	1,115	897	-218	-19.55%
Division of Criminal Justice Services	256	277	21	8.20%
Division of Homeland Security and Emergency Services	1,678	1,240	-438	-26.10%
All Other	548	510	-38	-6.93%
Total Public Safety	7,582	6,097	-1,485	-19.59%

Spending for public safety agencies is projected at \$6.1 billion for FY 2022. In FY 2021, DOCCS and State Police shifted payroll

Performance Profile

Improving Public Safety.

New York has one of the lowest crime rates of any large state in the country. When compared to all states, New York has the ninth lowest Index crime rate, behind seven states with fewer residents.

Rightsizing the Prison System.

The significant decline in crime coincides with a 52 percent drop in the State’s prison population since 1999 to 34,500 – the lowest level in more than two decades. This decline has made it possible for the State to close 18 prisons since 2011, generating an annual savings of \$292 million. This includes the 3 facilities that will close at the end of March.

Improving Interoperable Communications.

The Budget continues funding to improve emergency communications statewide and deploy new technology that helps counties link their systems together. DHSES has awarded more than \$450 million in seven rounds to 57 counties and New York City since 2010.

Executive Order 203.

The New York State Police Reform and Reinvention Collaborative requires all local governments and police departments to engage their community and develop a plan to modernize policing strategies and strengthen their relationships with the communities they serve by April 1, 2021.

costs to the Coronavirus Relief Fund (CRF) provided for in the Federal CARES Act. As a result, the associated fringe costs are not included in FY 2022 spending. Spending reductions may be restored if the State receives requested Federal COVID relief funds.

Proposed FY 2022 Budget Actions

Advancing the Women and Families Agenda

Governor Cuomo has long championed the needs of survivors of gender-based violence and fought to prevent domestic violence. The COVID-19 pandemic exacerbated the problem of domestic violence, as evidenced by a 33.5 percent increase in calls this year. The FY 2022 Executive Budget will take the lessons learned from the pandemic to expand the approach to stopping gender-based violence.

- **Establishing a Domestic Violence Misdemeanor** – As part of the Executive Budget, the Governor will be establishing a domestic violence misdemeanor. This crime will be added to a list of those disqualifying an individual from owning a firearm.
- **The Office to End Domestic and Gender-Based Violence** – New York is proud to be the only State with an executive-level agency dedicated to the issue of domestic violence. The Office for the Prevention of Domestic Violence (OPDV) will transform into the Office to End Domestic and Gender-Based Violence, aimed at bringing together multiple efforts to address gender-based violence and create the first agency addressing gender-based violence in the nation. The new office will encourage collaboration among agencies and service providers, eliminate redundant processes, and simplify survivor interactions with the State.
- **Coordinate Interagency Funding for Domestic Violence and Sexual Assault** – The Executive Budget proposes the establishment of a panel of State agencies tasked with creating a Domestic and Gender-Based Violence Consolidated Funding Application. The panel will coordinate and consolidate the various funding streams available to victims of gender-based violence and the agencies that serve them.
- **Require Abusers to Pay Survivor Housing Costs** – The Executive Budget includes legislation allowing courts to require abusers to pay for damages to housing units, moving expenses and other housing costs when related to a domestic violence incident.

Facilitating Police Reform

During 2021, Governor Cuomo took action to respond to community concerns and rebuild public trust in the law enforcement profession. The Governor signed the “Say Their Name” reform agenda which repealed 50-a, banned chokeholds, prohibited race-based 911 calls, and codified the Executive Order that appointed the Attorney General (AG) as an independent prosecutor for police involved deaths of unarmed civilians. The Governor also signed legislation creating an office within the AG to investigate complaints of misconduct against law enforcement.

In addition, Governor Cuomo issued Executive Order 203 creating the New York State Police Reform and Reinvention Collaborative. This created a collaborative process requiring all local

governments and police departments to develop plans to modernize their policing strategies and strengthen relationships with their communities. These plans must be completed and certified by April 1, 2021. Failure to complete this process will result in loss of State funding. Building on these initiatives, the FY 2022 Executive Budget continues to strengthen New York's policing profession.

- **Strengthen Hiring Standards for Police Officers** – This legislation will require all law enforcement agencies to comply with background check standards that include a criminal history check, a mental health exam, prior employer disclosure, review of the police registry for permanent decertification, and disclosure of previous misconduct.
- **Require Accreditation of Police Departments for Background Checks** – This legislation will require all law enforcement agencies to become accredited for purposes of standardizing background checks in order to ensure that only those most qualified can serve as a law enforcement officer.
- **Instituting Accreditation Requirements for Police Departments** – This legislation will require all law enforcement agencies to meet hiring accreditation standards in order to enhance the effectiveness and professionalism of policing statewide.
- **Establish Decertification Standards for Police Officers** – This legislation will create a more robust accountability mechanism to prevent bad actors from serving as police officers by clearly defining conduct that results in permanent decertification, mandating reporting of misconduct, and requiring information sharing of serious misconduct by officers.
- **Monitorship** – This legislation will require the Attorney General to appoint a monitor to oversee police agencies located in municipalities that fail to complete a plan by April 1, 2021 as required by the New York State Police Reform and Reinvention Collaborative (Executive Order 203). The monitor would be at the expense of the police agency or local government.
- **Fund Body Worn Cameras** – The Executive Budget includes funding to support recently passed legislation requiring all State Police Officers on patrol to wear body cameras.

Ensuring the Safety and Security for All

The FY 2022 Executive Budget targets known threats to public safety.

- **Close the Federal Loophole Permitting Individuals with Active Warrants to Purchase Guns** – The Executive Budget includes legislation to prohibit the purchase or acquisition of a rifle, shotgun, or firearm by any person who is subject to an active arrest warrant for a felony or serious misdemeanor offense. This will allow these types of arrest warrants to be entered into the National Instant Background Check System (NICS) database as a state-specific prohibitor ensuring that individuals wanted in New York for a serious crime cannot acquire new guns.

- **Enhance the Sharing of Crime Gun Data** – The Executive Budget includes legislation requiring law enforcement agencies to submit identification data from all firearms recovered by law enforcement to the Bureau of Alcohol, Tobacco, Firearms, and Explosives’ (ATF) crime gun trace data sharing program. Law Enforcement agencies will also be required to collect and submit qualifying ballistics evidence to the National Integrated Ballistics Identification Network to assist local and state law enforcement agencies in matching and analyzing ballistic evidence found at crime scenes to ballistic data from across the state and nation.
- **Securing Communities Against Hate Crimes (SCAHC)** – The Securing Communities Against Hate Crimes grant program boosts safety and security at New York’s nonpublic schools, community centers, and day care facilities at risk of hate crimes or attacks because of their ideology, beliefs, or mission. The SCAHC Grant provides up to \$50,000 in funding for security needs including cameras, state-of-the-art technology, door-hardening, improved lighting, and other related security upgrades at each eligible facility.
- **Continue Phase-in of Hurrell-Harring Settlement (HHS) Implementation** – The Executive Budget provides \$50 million in Local Assistance funding for the fourth year of a five-year phase-in of increased support for the Office of Indigent Legal Services. This funding provides for the continued expansion of the Hurrell-Harring Settlement reforms to every county in order to improve the quality of indigent criminal defense statewide through three initiatives: Counsel at Arraignment, Caseload Relief, and Quality Improvement.

Protecting and Safeguarding Democracy

Governor Cuomo will continue to lead efforts to modernize and secure New York’s elections system by introducing a sweeping package of legislative reforms to the State’s election laws. The proposals include:

- **Absentee Ballot Reforms** – These election reforms will extend the time for voters to request an absentee ballot, ensure a quick turnaround of a request, allow ballots to be tracked, provide an opportunity to cure contested votes, and speed up the processing of ballots. The Governor will also urge the Legislature to pass a second resolution allowing for no excuse absentee voting.
- **Voter Registration** – In addition to urging the Legislature to pass a second resolution allowing for Same Day Voter Registration, the Governor will advance legislation that pushes the voter registration deadline back from 25 days to 10 days prior to an election.
- **Early Voting** – Building upon his legislation from 2019, the Governor will advance new legislation that expands the early voting hours by one hour on weekdays and three hours on weekends.

Establish a Comprehensive Cannabis Regulatory Framework

In January 2018, Governor Cuomo directed the Department of Health (DOH) to conduct an impact study in consultation with other state agencies to review the potential impact of regulated cannabis

in New York State. The report issued in July 2018 concluded that the positive impacts of a regulated cannabis program in New York State outweighs the potential negative aspects.

The report states that the regulation of cannabis benefits public health by enabling government oversight of the production, testing, labeling, distribution, and sale of cannabis. The creation of a regulated cannabis program would enable New York State to control licensing, ensure quality control and consumer protection, and set age and quantity restrictions. Moreover, the report found that a regulated program would reduce racial disparities in criminalization and incarceration rates, noting that there have been more than 800,000 arrests for possession of small amounts of cannabis in New York with the majority of those arrested people of color.

Based on the findings of the impact study, the Governor charged a Regulated Marijuana workgroup to provide advice to the State on legislative and regulatory approaches and launched a series of listening sessions on regulated cannabis across the State that drew approximately 2,400 community members.

- **Office of Cannabis Management (OCM)** – The FY 2022 Executive Budget includes legislation establishing a regulated adult-use cannabis program that protects public health, provides consumer protection, ensures public safety, addresses social justice concerns, and invests tax revenue. To best achieve these goals, the Governor proposes a comprehensive cannabis regulatory framework, administered by the newly established Office of Cannabis Management (OCM) that centralizes all the licensing, enforcement and economic development functions in one entity. The OCM will administer all licensing, production, and distribution of cannabis products in the adult-use, industrial, and medical cannabis markets.