STATEMENT OF POLICE COMMISSIONER RAYMOND W. KELLY BEFORE THE NEW YORK CITY COUNCIL FINANCE AND PUBLIC SAFETY COMMITTEES ON FISCAL YEAR 2010 EXECUTIVE BUDGET

May 19, 2009

Good Morning. Thank you for the opportunity to discuss the Mayor's Executive Budget for Fiscal Year 2010.

Despite the tough economy, I am pleased to report that major felony crime in New York City continues to fall. In fact, in the first three months of the year, we recorded the fewest number of major crimes of any first quarter since the early 1960s.

Crime is down by more than 12% so far this year, including an 18% drop in murders. To place this significant achievement in context, based on the most recently available full year data submitted to the FBI, there were 6 murders per 100,000 population in New York City. In New Orleans that number was 94.7, or nearly 16 times greater. The rate was 7.5 times greater in Detroit, 3 times greater in Miami, and more than double in Chicago, underscoring just how safe New York City is.

Crime is also down by 19% in public housing, with double-digit declines in every major category including a 39% drop in murders. In the transit system crime is down by 11%, due in part to strategic deployments of police officers during school dismissals and the evening rush hour, which are typically the peak hours for criminal activity.

Operation Impact continues to be one of the main drivers of the ongoing crime reduction we've seen. Through May 10th, major felony crime within the current Impact zones has decreased 25% from last year. So far in 2009, officers assigned to Operation Impact have made nearly 3,000 arrests and issued approximately 10,000 summonses for quality of life offenses. We intend to sustain this program, and to assign the members of the July Academy class to it while redeploying a significant number of existing Impact officers to precincts where staffing needs are greatest.

Removing illegal firearms from the streets of New York City remains a major priority for the Department. While street enforcement and investigations will always serve as the cornerstone of our efforts, we continue to seek new and innovative ways to remove guns from public circulation. As I mentioned during my last appearance before the City Council in March, we have achieved a significant level of success with a new gun buy-back initiative in cooperation with the City's District Attorneys and community religious leaders. By holding gun buy-backs inside churches, we hoped to attract individuals who were fearful of turning a gun in at a police facility. We also doubled the amount paid for an illegal weapon to \$200. The program has exceeded expectations. Since it began last summer, a total of 4,538 firearms has been recovered. Our most recent event, which took place in the Bronx on April 27th, led to the

recovery of 987 firearms, the single highest total of any of the seven church buy-backs that have taken place so far.

We also continue to devote resources and apply creative solutions to other enforcement challenges like a troubling rise in bank robberies. This is a trend we've seen both locally and nationally and it poses a significant risk to public safety. To give you some idea, in 2008 we recorded 444 bank robbery incidents in New York City. This represented an increase of 58% from the prior year and was the highest number of bank robberies in a single year since 1993.

The Police Department devotes extensive investigative resources to every bank robbery, but the fact is we need the cooperation of the banking industry to stem this problem. In January, we hosted a conference of New York City bank executives at which we reinforced the need for banks to adhere to a series of best security practices we developed with their participation in 2002. We asked the executives for their renewed commitment to these practices, and for a reevaluation of existing levels of security in retail branches. We know the best security practices, if applied consistently, are very effective in reducing the number of bank robberies and protecting the public. And in fact, we've seen a decline of 19% in bank robberies so far this year. But if this trend is to continue we must maintain our resolve.

On that theme, I applaud the Council's interest in the issue of bank robbery and your introduction of a bill, Intro. No. 960, that would mandate bullet-resistant barriers in all banks in New York City. Bandit barriers are the cornerstone of a bank's comprehensive security plan to protect customers and employees alike. Not only do they act as a deterrent to bank robberies, they also allow tellers to walk away safely from robbery attempts. We have additional suggestions as to how other best practices can be integrated into this legislation that we'd be happy to discuss with you.

The Police Department engages in a constant review of strategies in order to maximize our resources. That is especially important in these challenging fiscal times, when every aspect of our mission must be scrutinized for cost savings, including our vehicle fleet. In addition to utilizing flex fuel and electric vehicles, the Department acquired 120 hybrid vehicles to help reduce emissions and fuel consumption. These vehicles are not currently used for patrol activities, however we have acquired an additional 40 hybrid vehicles which have been deployed on patrol and are now on the streets. If the program is successful, we will acquire more hybrids for patrol.

Turning to the topic of counterterrorism, the Police Department continues to seek federal counterterrorism funding to enhance our capacity to protect vital assets including the Financial District, the transit system, bridges, tunnels, and ports. From Federal Fiscal Years 2003 through 2008, New York State received and allocated \$1.748 billion, of which \$974.4 million, or 56%, was allocated to the City of New York. Of that amount, \$535.9 million or 55% was allocated to the NYPD. To date, including grant funds that did not pass through the State, the Department has received a total of \$587.6 million in counterterrorism funds from both DHS and Department of Justice appropriations.

A status update on the Department's grant submissions for the Federal Fiscal Year 2009 Homeland Security Grant Programs, the American Recovery and Reinvestment Act of 2009, and other federal grants is as follows:

OMB submitted the City's funding proposals to the State Office of Homeland Security for inclusion in the Federal Fiscal Year 2009 Homeland Security Grant Program in March. Included in the submission is the Police Department's funding request totaling \$75 million, comprised of the following items:

- Midtown Manhattan Security Initiative \$21 million
- Recruit Training and Personal Protective Equipment—\$20 million
- Response, Mitigation, Rescue Equipment and Training \$9.8 million
- Joint Operations Center and Emergency Operations Center Integration and Equipment \$5.5 million
- Critical Infrastructure Protection Programs -- \$7.4 million
- \$3.7 million for the purchase of new cameras to expand the Argus wireless CCTV system. We anticipate adding another 500 cameras citywide in addition to the 500 cameras already installed
- Joint Terrorist Task Force Overtime (JTTF) \$6.0 million, and
- Intelligence Division Analysts \$1.8 million

The DHS awards should be announced next month; however, it takes some time for the State to receive the official award documentation from FEMA and funding allocations to filter down to City agencies.

With respect to grants which provide stimulus funding under the American Recovery and Reinvestment Act of 2009, applications were submitted for three grants: the COPS Hiring Recovery Program; the Justice Assistance Grant; and the Edward Byrne Memorial Competitive Program.

First, on April 14, 2009, in coordination with CJC and OMB, an application for 2,000 officers under the COPS Hiring Recovery Program was submitted. However, as I explained in March, this grant process will be highly competitive and will likely result in an award of funds to support hundreds of new officers, not thousands, based on past grant funds allocated to the NYPD from the COPS Office.

It is anticipated that the award will be released by mid-summer. The grant will provide 100 percent funding for approved entry-level salaries and fringe benefits of full-time officers for 36 months. There is no local match requirement. However, all sworn

officer positions awarded under this grant must be maintained for a minimum of 12 months following the 36-month grant period.

Second, regarding the Justice Assistance Grant, CJC has indicated that the Department will receive \$2.5 million in funds to preserve 57 Police Communications Technician positions. PCT positions have been funded by general appropriations under previous Justice Assistance Grants, which were not part of the American Recovery and Reinvestment Act.

Third, the Edward Byrne Memorial Competitive Grant Program is designed to help communities improve the capacity of state and local justice systems and provide for national support efforts including training and technical assistance programs strategically targeted to address local needs. The Department submitted a proposal in two parts on April 27, 2009. The first part seeks \$3.95 million for the technological upgrade to the NYPD's Crime Data Warehouse and Real Time Crime Center. This upgrade will address the capacity growth patterns anticipated for the Crime Data Warehouse and will allow for the integration of additional data to enhance the Real Time Crime Center's capability. This upgrade will provide more in-depth data mining and analysis of crime data used by investigators in solving crimes. It will also increase our disaster recovery capacity.

The second part of the Byrne grant proposal seeks \$3.2 million to enhance the Department's forensic analysis capabilities through the creation of 13 new positions for the NYPD's Crime Scene Unit and the Forensic Investigations Division's Office of Chief Medical Examiner Liaison Unit. This proposal will enable these two units to enhance their forensic and crime scene investigations and meet the projected increase in forensic case workload, while increasing the effectiveness of the City's crime fighting strategies and the functioning of the criminal justice system.

Under the Port Security Grant Program, the Department submitted a \$6.5 million stimulus funding proposal to the Port Authority of New York and New Jersey, the fiduciary agent for the Port Security Grant Program, to rebuild the Harbor Adam pier which serves as the dock for two NYPD police boats that patrol the south shore of Queens and Brooklyn. This proposal was sent in response to a solicitation for capital projects that may qualify for stimulus funding for review by the Port Authority of New York and New Jersey, FEMA and the US Coast Guard. The national appropriation is \$150 million and the Guidance and Application is expected to be released later this month.

Finally, the American Recovery and Reinvestment Act of 2009 also includes \$150 million nationwide in stimulus funds under the Transit Security Grant Program. The Grant Guidance and Application is expected to be released later this month. The Department will review the Grant Guidance to determine if there are any projects that would qualify for stimulus funds.

In addition to the DHS and stimulus funding just mentioned, the Department has also submitted an application for \$19.7 million under the FFY09 Transit Security Grant Program and \$17.7 million under the FFY09 Port Security Grant Program. The Department received both of these grants for the first time in Federal Fiscal Year 2007

after persistent lobbying and stressing the importance of our inclusion in these critical programs. Both programs stress regional collaboration and emphasize those projects that most effectively manage risk in the metropolitan area.

The Department also actively engages with the DHS Domestic Nuclear Detection Office through the "Securing the Cities Initiative." The program is aimed at detecting and deterring any attempt to smuggle an improvised nuclear or radiological device into the region. This program involves not just the NYPD but also a network of over 80 regional law enforcement partners and first responders within a 50 mile radius of New York City whom we train and drill with on a regular basis. The Police Department will continue to serve as the lead agency in this project and work with regional law enforcement partners to enhance the region's cooperation, capability, and sustainability to face the threat of nuclear terrorism.

DHS awarded the Department \$3.25 million in Federal Fiscal Year 2007 to begin the program. This funding is being used to develop an information collection and sharing system which will connect all of the Initiative's mobile radiological detection equipment to the Lower Manhattan Security Coordination Center. In Federal Fiscal Year 2008, the City received \$29.5 million to purchase mobile radiation detection and interdiction equipment, train regional law enforcement personnel in the appropriate use of the equipment, and begin establishing a permanent radiological defensive ring around Manhattan through the installation of fixed-site radiological detection systems at bridges and tunnels. We are currently in the preparation and planning process for Federal Fiscal Year 2009 funds. We expect to use these funds to expand the fixed site project and begin to wirelessly connect the region's radiation detection equipment.

To date, we have procured over 4,600 units of radiation detection equipment that we expect delivery of within weeks. Following the delivery, we will commence training and exercises with all of our regional partners. Unfortunately, however, the President's Federal Fiscal Year 2010 Budget proposes the elimination of funding for this program. Without funding in the FY'10 budget, the STC Initiative will be unable to complete the fixed-site radiation detection project and wirelessly connect and monitor all radiation sensors as we have always planned to do. In the absence of a federal partner and significant federal funding, it is uncertain how the STC Initiative and our regional effort will be able to move forward. We will continue to urge the President, Congress, the DHS, and FEMA to provide the City with the funding needed to adequately defend itself from ongoing terrorist threats.

Regarding the Executive Budget and its impact on the Police Department:

The Department's FY'10 budget is \$4.35 billion, of which 94% is allocated for Personal Services and 6% for Other-Than-Personal-Services. The FY'10 budget is \$217 million lower than this year's budget of \$4.57 billion. This amount reflects several changes to the Department's budget, most notably the impact of gap-closing programs. In addition, throughout the course of the year, federal, state, and private funds will further increase the FY'10 budget.

During the Executive Plan process, all City agencies were required to submit new budget reduction proposals for FY'10. For the NYPD, the target was 0.5% of the operating budget, or \$20.3 million, recurring annually. The past January and November Financial Plans included budget cuts of \$189.5 million in FY'10, \$211 million in FY'11, \$157 million in FY'12 and approximately \$169 million annually thereafter in addition to this latest round of cuts.

A summary of the Executive Plan reductions is as follows:

- 125 Traffic Enforcement Agent positions assigned to traffic control functions will be eliminated to save approximately \$5 million each year.
- Civilian staffing has been further reduced by 395 positions in FY'10, 315 in FY'11, 310 in FY'12 and 300 in FY'13 and thereafter. This reduction will be realized through layoffs of primarily clerical positions effective July 1, 2009. The employees most affected by these layoffs are provisional Police Administrative Aides.

With the loss of these 520 positions, civilian cuts made since January 2008 now total 865 in FY'09, which increases to 1,796 in FY'10 and remains at approximately 1,710 thereafter.

Our full-time civilian headcount will decrease from 14,809 positions in FY'09 to 13,771 in FY'10. The FY'10 part-time staffing is 3,062, which includes School Crossing Guards and Police Cadets. The total civilian authorized headcount for Fiscal Year 2010 is 16,833.

No changes to the Department's uniformed headcount were included in the Executive Financial Plan. However, as I stated in my last appearance before you, the January 2010 class has been eliminated. As a result, the Department will reach a peak headcount once next year, in July 2009 only.

- Due to lower year-to-date attrition than previously anticipated, the revised projection for this fiscal year is now 1,387, which is 117 positions less than the 1,504 estimated in March.
- With a class of 275 in July 2009, we anticipate reaching an actual peak headcount of 35,846.
- The revised year-end headcounts are 35,571 for June 2009 and 34,304 for June 2010.
- The Budgeted Peak Headcount for the out-years, which was 37,838 in the prior Executive Plan, is now 35,663 in FY'11, 36,556 in FY'12, and 36,838 in FY'13 and beyond.

In addition to the gap-closing programs previously mentioned, the Mayor's Citywide Fleet Reduction Initiative to reduce the City's vehicle fleet by 15% was implemented in the Executive Plan. The goal of this initiative is to reduce carbon emissions by 30% by 2017, and generate savings towards the FY'10 budget gap. The Department's

FY'10 fleet budget was reduced by \$4.5 million in FY'10 and \$375,000 in the out-years. The savings will be achieved by reducing 121 light-duty vehicles from our active fleet, through the expansion of hybrid and more fuel-efficient vehicles, and by expanding our parts salvage program.

The Executive Financial Plan provided funding for collective bargaining increases for civilian personnel, overtime for Traffic Enforcement Agents, and lease adjustments.

Our FY'09 overtime-spending projection is \$513.2 million, \$22.2 million higher than FY'08 actual expenditures of \$491 million after adjusting for collective bargaining increases. Approximately \$55.3 million of the FY'09 overtime costs will be reimbursed through grants and other revenue. The current FY'09 overtime budget plus expected revenues will total \$401.1 million, which leaves an unfunded balance of \$112.1 million. We will cover a portion of this amount with surplus funds. However, our ability to do this has been limited by past reductions that removed turnover savings from the PS budget.

The FY'10 overtime budget of \$379.4 million is \$21 million lower than the current FY'09 budget. The difference is due mainly to non-City overtime-funded programs that are not yet included in the FY'10 budget.

As always, we will work to achieve savings in overtime wherever possible. Since Calendar Year 2002, our uniformed deployment to planned events has been reduced, thanks to careful management efforts. As a result, overtime costs for Planned Events decreased by a cumulative total of \$131.7 million through Calendar Year 2008.

On May 1st, the FY'10 Executive Budget and Ten-Year Capital Strategy was also released. It totals \$1.782 billion for the Police Department and covers Fiscal Years 2009 to 2019.

In this plan, the Department's capital program was reduced by \$286.9 million, or 30% from levels published in the January Capital Commitment Plan and Preliminary Ten-Year Capital Strategy.

This reduction was implemented as follows:

• \$238.5 million was eliminated from the budgeted amount in FY'13 for the construction of a new Police Academy. This project is now budgeted at \$761.5 million, which includes \$50.2 million in registered contracts in FY'08 and is currently in the design process. The revised budget will allow for the construction of the initial portion of the new Police Academy, which will greatly enhance the ability to train incoming officers, and will form the core of a complete NYPD training facility, serving all members of service. This initial construction will be designed for expansion and the infrastructure will be provided, where appropriate, to allow for construction of a complete facility in the future when additional funding is available.

• \$47.4 million was eliminated from the budgeted amount in fiscal years 2009, 2010 and 2013 for the Aqueduct Tow Pound project since this site is not available, and \$1 million was transferred to the Parks Department to fund improvements to a park adjacent to the proposed Site A Tow Pound, which is located on Rockaway Boulevard between Guy Brewer and Farmers Boulevards, adjacent to JFK Airport. The City agreed to fund improvements to this adjacent park in order to facilitate the ULURP approval process for Site A. The proposed relocation of the College Point Tow Pound to Site A is currently funded at \$28.7 million.

The FY'09 to FY'19 capital plan maintains funding for the following precinct construction and rehabilitation projects:

- Design and Construction of a new facility for the 121st Precinct, budgeted at \$53.2 million which supplements \$3.7 million budgeted in prior fiscal years. On March 20th the construction documents went out to bid and are due back later this month. We expect to award a construction contract in June 2009 with construction to start in July 2009. It is estimated that construction will be completed in December 2011.
- The restoration and renovation of the landmark Central Park Precinct is moving ahead. The current budget is \$9.9 million, which supplements \$43.8 million budgeted in prior fiscal years. Construction started in September 2007, with an estimated completion date of March 2010.

There are four other precinct replacement projects that are included in the outyears of the Capital Plan. The 40th, 66th, 70th, and 110th precincts are each budgeted for \$30 million in the out-years of the Capital Plan beginning in fiscal year 2013. It is estimated that an additional \$32 to \$42 million will be required to complete each of these precincts in the years currently funded.

I thank you for the opportunity to discuss these issues with you. At this time, I will be pleased to answer any questions you may have.



RICHMOND COUNTY DISTRICT ATTORNEY

Daniel M. Donovan, Jr. District Attorney

FISCAL YEAR 2010 CITY COUNCIL EXECUTIVE BUDGET HEARINGS

May 19, 2009

OFFICE OF THE RICHMOND COUNTY DISTRICT ATTORNEY

Members of the Committee on Public Safety and the Finance Committee of the New York City Council:

Good afternoon and thank you for the invitation to address the Committees on Public Safety and Finance regarding the Fiscal Year 2010 Executive Budget. Listed below are funding and other issues that need to be addressed.

Public Safety and Revenue to the City

There is a direct correlation in New York City between public safety and revenue to the City. In recent years, New York City has benefitted from an upsurge in the number of tourists who have visited here. According to New York City statistics (nycgo.com), the number of visitors to New York City has steadily risen each year starting in 1998 when 33.1 million people visited the City to 46 million in 2007. The associated economic impact is startling. In 2007, visitors spent \$28.9 billion; total wages generated by tourism was \$17 billion; the number of jobs supported by visitors spending was 353,536 and the spending by visitors generated \$6.5 billion in taxes. In addition to providing relief to the City's budget at a time when cuts have been necessary, this economic windfall has helped local businesses even as the national economy continues slowing down. This good news story will only get better with time as Mayor Bloomberg has stated that the City is closing in on its goal of having 50 million annual visitors by the year 2015. By using the same statistics cited for the year 2007, it is projected that 50 million visitors would generate \$7.1 billion in tax revenue.

New York City lures tourists here every year for a myriad of reasons. There are countless places to visit and numerous events taking place every day. The dramatic reduction in crime has been well publicized and arguably is the single most contributing factor for the surge in tourism. If people did not feel safe here, they would not visit. In the early 1990's, crime was much higher and tourism was significantly lower. In 1990, in particular, there were 2,262 murders committed, an all time high for New York City. The following year, only 23 million tourists visited the City compared to 46 million that visited in 2007 when there were 496 murders. In 2008, 47 million people visited the City and spent \$30 billion. Clearly, there is a direct correlation between the level of tourism, revenue and the level of crime.

New York City, as a whole, continues to experience a reduction in crime and remains the safest big city in the country. The investment in public safety is crucial, not only in fighting crime, but for the economic gains that are achieved because of it. Public safety also provides a boost to businesses other than tourism. As crime increases, non tourist-related business also suffers. Funding reductions to law enforcement agencies seems somewhat shortsighted when considering the financial impact that the perception of public safety has on the economy.

The failing economy could lead to an upsurge in criminal activity as more and more people become unemployed. Without income to pay for basic needs, people may resort to crime in order to support their families. According to an article in the NY Times; "The last time stocks on Wall Street fell hard, in 1987, crime was exploding, and the city saw historic highs in murders in the following years. Before that, the fiscal crisis of the 1970s helped lead to the abandonment of neighborhoods, failing schools and startling crime rates: robberies built through those years to a high in 1981, when there were 107,495 of them, for an average of 294 a day. (Last year's total reported robberies 21,787, was the lowest figure in modern history.)" The articled went on to quote several subject matter experts;

"Every recession since the late '50s has been associated with an increase in crime and, in particular, property crime and robbery, which would be most responsive to changes in economic conditions, ... Typically there is a year lag between the economic change and crime rates."

Richard Rosenfeld, sociologist at the University of Missouri-St. Louis.

"You see a strong relationship between falling wages and higher unemployment rates for less educated men and crime rates that tend to go up"

Bruce A. Weinberg, an associate professor of economics at Ohio State University, who studied data from 1979 to 1997.

Thankfully, the City of New York has not yet seen an increase in crime as the economy continues to slip. However, the law enforcement community must remain on "stand-by" and be prepared because this could be a very real possibility. In order for us to continue to do that, we will need to have our current level of resources maintained.

Budget Cuts

The Executive Budget contains a 9.15% funding reduction beginning July 1, 2010. Originally, the reduction for my office, which totals \$648,899 annually, was scheduled for FY 2009. However, the Mayor recognized that cutting the budget of the District Attorneys would yield negative results. Working with the Criminal Justice Coordinator's Office and the Office of Management and Budget, the District Attorneys agreed to streamline and make more efficient the procedures for processing criminal cases in order to reduce other costs borne by the City. The District Attorneys also agreed that these reforms can be implemented without compromising public safety. By agreeing to these reforms, the City deferred the implementation of the reduction to FY 2011 and restored the funding to our FY 2010 budget which had been reduced in the November Financial Plan. I implore the members of the City Council to see that this restoration of funds is maintained. The annual reduction beginning the following year poses very critical challenges with extremely difficult decisions to be made. Without a permanent restoration of funds, the legal and non-legal staff will be reduced since the proposed cuts cannot be achieved without the elimination of positions.

Funding Issues

A recent article in the New York Law Journal made a claim that the combined tax levy funding levels for the City's five District Attorneys and the Special Narcotics Prosecutor are increasing from Fiscal Year 2009 to Fiscal Year 2010 by 2.5%. When reading the article, on the surface, it appears that the budget for the Richmond County District Attorney has been increased from \$7.3 million to \$7.4 million. Further review of this apparent increase reflects that the 1.4% reported is below the 2.5% average increase. A complete analysis of the purported increase concludes that the only additional funds are strictly due to collective bargaining. This money pays for contractually mandated salary increases for non-legal staff in unions. It cannot be used for discretionary spending. Furthermore, if the collective bargaining funding increases were removed, the budget for my office actually decreases by \$19,300.

The article also referenced changes made to the New York City Law Department's budget comparing the same periods. Funding for the Law Department increased by 4.75%, from \$122.1 million to \$127.8 million. What is interesting is that a substantial portion of their increase is attributable to discretionary funding. It somewhat perplexing that our offices are treated so differently. After all, the Law Department represents the residents of New York City regarding civil matters and the District Attorneys represent the same citizens in criminal matters.

Assistant District Attorney (ADA) Salaries

Assistant District Attorney (ADA) pay continues to lag behind the salaries of lawyers working in other agencies throughout the City of New York. The Mayor recently held back funding for managerial raises. In the past, when this money had been granted, it was also used to pay for salary increases for employees in exempt titles such as ADAs since they do not have union representation at collective bargaining negotiations. As District Attorney, I am the only voice for the ADAs in my office. While employees throughout the City, including unionized attorneys in all City agencies, have received two 4% raises retroactive to March 2008, ADAs in my office are currently paid the same salary they were earning two years ago. Applying the same two 4% increases given to union represented titles; the cost of adjusting the salaries of ADAs in my office would be approximately \$289,000. This money should be added to our budget, so that we simply receive our fair share of funding.

Workload

In calendar year 2008, our office experienced a 20% increase in cases filed. During the same period, the number of ADAs decreased by 6%. While the number of cases in Staten Island continues to rise each year, we are now investigating other newly prevalent crimes which we anticipate will cause an increase in the number of filings even further. Complaints related to mortgage fraud and predatory lending are on the rise and they are extremely labor-intensive cases. We are now in a position of having to investigate these complaints without any additional funding. While we will never neglect the victims of these crimes, the additional workload it is causing is putting a tremendous burden on our existing resources. For example, Criminal Court caseloads on Staten Island have increased from 150 – 175 cases per ADA to 225 – 250 cases per ADA.

Economy and Grant Funds

The budget for my office totals nearly \$8 million. Of that amount, \$1 million is supported by State and Federal grants. My office has come to depend on these outside resources, but the failing economy has taken its toll in this area as well. Our programs associated with Aid to Prosecution, Motor Vehicle Theft and Insurance Fraud, Violence Against Women and Drug Treatment Diversion grants have all suffered funding reductions.

Our overall staff consists of 43 prosecutors and 58 employees in support functions (which includes Detective Investigators). Of the 43 ADAs, 20 are at least partially grant-funded while 11 positions in support functions are funded by grants. If these outside funding sources provided to our office were to be eliminated, we would have to cut those 20 legal

positions and the 11 support staff roles. On the legal side, the remaining 23 ADAs which are supported with tax levy funding, equate to only 53% of the total number of the current legal staff employees.

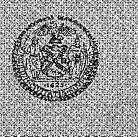
As the economy continues to falter with no white knight on the horizon, we would have to logically assume that grant funding will continue to decease as well. With that thought in mind, it is even more imperative that our FY 2010 funding be maintained.

Conclusion

Government's most important responsibility is the public safety of its residents. The predicted cuts in the out years of the financial plan will be addressed at that time. We have an obligation to deal with our current level of funding. I do once again ask that the City Council ensure that the restoration of funds for FY 2010 remain intact. Additionally, please recognize that a 9.15% budget reduction beginning in FY 2011 is not practical. Our current level of funding must be maintained.

The Richmond County District Attorney's Office is responsible for ensuring the safety and security of Staten Island residents by investigating crime, fairly and aggressively prosecuting those who violate the law and providing essential services to those impacted by crime. I remain committed to making life safer and better for the residents of Staten Island, but certain budget setbacks have made this task more difficult. Despite this, I remain focused on identifying sources of funding to help cover the budget shortfall.

Thank you again for your time and I look forward to working closely with the members of the New York City Council to help resolve these important issues.



ROBERT M. MORGENTHAU

New York County District Attorney's Office

Testimony

before the

City Council
Public Safety Committee

FY 2009-2010

TESTIMONY OF ROBERT M. MORGENTHAU

BEFORE THE

CITY COUNCIL PUBLIC SAFETY COMMITTEE

MAY 19, 2009

Thank you for the opportunity to address the Mayor's Proposed Fiscal Year 2010 Executive Budget and its impact on the New York County District Attorney's Office. We are grateful for the commitment the City Council has made to this office in the past, providing us with \$1,100,400 in funds that are vital to accomplishing our mission. This support is even more critical in light of city budget cuts over the years that have reduced our base budget by \$7.2 million since 2002. Without the City Council funds we cannot provide the programs necessary for a successful office and safe and economically vibrant community.

Council funding allows us to maintain the low crime rate during the current economic downturn that is crucial to achieving a strong recovery. As reported in the New York Times earlier this year, "If a shrinking economy, soaring jobless claims and a troubled financial sector are not angst-producing enough, the threat of increased crime is leading many conversations toward a nagging and persistent question: Will the bad old days of record numbers of murders and ubiquitous street mugging be far behind?\frac{1}{\text{....}}People have this longtime misconception that crime came down in New York City because the economy has improved, and I have been telling people that it is just the reverse – the economy improved after crime went down. Hotel occupancy went up after crime went down, airport arrivals went up after crime went down. Employment went up after crime went down."\frac{2}{2}

Thus far, Manhattan's overall decline in crime over the past two decades remains intact, but upswings in shooting victims and shooting incidents in 2008 (9 percent and 6 percent, respectively, when compared to 2007) are troubling. According to the New York Police Department CompStat report, from January 1, 2009 through May 10, 2009, burglary arrests are up 45.45 percent in New York County when compared to the same period last year. Grand Larceny arrests are up 4.05 percent during the same period. Total arrests through May 10, 2009 have increased 5.55 percent. This increased volume of arrests means additional work for this office.

¹ Baker, Al, "As Hard Times Loom, Will New York's Streets Get Meaner?" New York Times, 3/01/09, p. B1

² Ibid, Professor Dennis C. Smith, Robert F. Wagner Graduate School of Public Service, NYU, quoted in above article.

Increased arrests will result in increased arrest to arraignment times, longer pretrial city jail delays, and police overtime, if not accompanied by a stable and reliable budget for this office. While we applaud the city's recognition that this office can play an important role in contributing to a more efficient system, we could play an even more valuable role if we have our budget cuts restored.

Despite past cuts, this office continues to initiate many important white collar crime prosecutions. In Fiscal Year 2009 alone, we returned \$180 million to the city—more than twice our budget, as well as handled the high volume of street crime cases that appear in our Complaint Room each day. In addition, we are struggling to keep up with our important initiatives in prosecuting gun crimes, child abuse, and identity theft, while undertaking new programs delivering important community services.

Because Manhattan's paramount role in the city's economy, maintaining these hard fought gains is vitally important to New York City as a whole. Manhattan accounted for 66.3 percent of New York City's personal income tax and 81.8 percent of the wages disbursed in New York City in 2008. Manhattan contributes 79.4 percent of New York City's corporate tax collections and 86.2 percent of the city's financial corporate taxes. Overall, Manhattan alone was responsible for 66.6 percent of all taxes collected by New York City last year.

We require City Council support if we are to maintain a lower crime rate and an improved environment for business and residents to flourish. Effective programs enhanced by City Council funding are outlined below.

Gun crimes:

This office is dedicated to the investigation and prosecution of gun crime. These cases are handled by senior assistant district attorneys, as well as by the senior legal and investigative staff in the specialized Firearms Trafficking Unit and Homicide Investigation Unit. In recognition of the intricate link between gun and drug crimes, members of these Units pursue complex, labor-intensive investigations. Collaboration with local, regional, and national agencies is also essential to uncovering some of the largest, most pervasive gun trafficking schemes with roots or activities in Manhattan.

These investigations are expensive, as they require a staff composed of legal, investigative, and analytical experts to thoroughly investigate a criminal case. The investigative work can be directly credited for a stunning decline in the number of homicides and for a reduction of violence in Manhattan. Thus far in 2009, Manhattan's 13 homicides was second only to Staten Island in the lowest number of homicides in the city. This follows 2008, when Manhattan had the lowest number of homicides for the county since 1937, when statistics were first kept. In one recent example of the benefits of these investigations, the Firearms Trafficking Unit developed a confidential informant who revealed details about planned armed robbery of a commercial establishment. Before the criminals were able to execute the planned robbery, the NYPD arrested them and recovered various firearms, thus permanently removing these weapons from

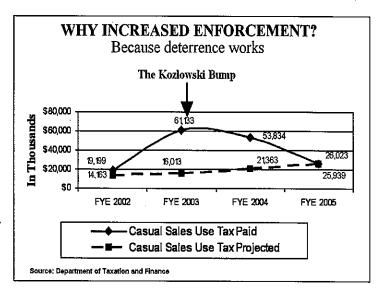
circulation in New York's neighborhoods. This office's work in the area of gun crimes directly ensures the prevention of violent activities and is thus fundamental to public safety in New York City. City Council funding has been instrumental in keeping this effort going.

White Collar, Financial and Money Laundering Crimes:

This office continues to play a major role in ensuring the integrity of the financial sector. This is even more important now as the economy has faltered and investor and consumer confidence becomes even more crucial. For example, in January 2009 this office settled a matter involving international bank fraud (Lloyds TSB Bank), which resulted in \$69 million in revenue to the city. This remains a bold example of how sophisticated financial investigation can yield substantial revenue to the city. We urge the city to continue to offer financial support to these types of investigations. These investigations are extremely expensive and require the support of the revenue program.

Other examples in the recent past include:

- April 1, 2009 An investigation into Take-Two Interactive Software, Inc.'s fraudulent executive compensation practices resulted in fines by the Securities and Exchange Commission.
- February 10, 2009 The New York State Department of Finance calculates that an additional \$75 million of tax revenue (referred to by Finance as the "Kozlowski bump") was generated as a result of the work of this office. The Kozlowski bump also affects funds that are returned to the city.



- December 22, 2008 The investigation into the Deutsche Bank fire resulted in the indictments of three individuals and one company for manslaughter, criminally negligent homicide and reckless endangerment in the deaths of the firefighters. The City and Bovis Lend Lease LMB, Inc agreed to institute major remedial safety measures.
- December 17, 2008 Former sales manager pleaded guilty to stealing over \$2 million from a retail foreign exchange and business payment specialist in the Financial District.

- November 20, 2008 Menachem Lifshitz pleaded guilty for falsifying his personal tax return. He has paid a total of \$4.75 million in taxes, penalties and interest to settle the charges.
- November 19, 2008 Defendant (Igor Klopov) was sentenced to 3 ½ 10 ½ years in state prison for stealing \$1.5 million and attempting to steal another \$10.7 million from wealthy Americans through the identity theft ring that the defendant ran.
- November 18, 2008 A former Bank of Montreal (BMO) natural gas trader pleaded guilty to intentionally mismarking his trading book, resulting in one of the largest fraud-related trading losses of over \$800 million from a trading desk in Manhattan. This was part of a joint investigation with the United States Attorney's Office for the Southern District of New York and the FBI. The defendant agreed to forfeit up to \$4,410,000 as proceeds of his illegal conduct.

Money Laundering: Large-scale criminal enterprises cannot make use of the proceeds from their illicit activity without obscuring the origin of their funds. Often these organizations are engaged in illegal conduct including, widespread sale of firearms or drugs, and prostitution or gambling. Money laundering is the vehicle by which illicitly-obtained funds are rendered useful by processing them through depository institutions.

The 2005 <u>U.S. Money Laundering Threat Assessment</u>—the first and most recent government-wide analysis of money laundering in the United States—indicates that New York State receives the second-highest number of suspicious activity reports (SARs) from depository institutions in the country; over 48 percent these filings cite suspected money laundering activity. New York State also receives the most SARs from U.S. money service businesses—17 percent of all SAR filings from these entities. As Manhattan is home to the vast majority of banks and money service businesses in the state, the New York County District Attorney's Office plays a vital role in investigating and prosecuting money laundering crimes.

The Office's Money Laundering Unit investigates and prosecutes sophisticated financial crimes in which multi-million dollar transactions are laundered on a domestic and international scope. The Unit restores revenues and ill-gotten gains through restitution, criminal fines and forfeiture proceedings. Investigations conducted by the Unit are often proactive and employ both traditional and innovative techniques.

* *

The office's demonstrated ability to handle complex white collar criminal cases, as well as the benefits realized by the city's economy and the business community, call for a financial commitment to this office's white collar prosecutions, so that we can

³ U.S. Money Laundering Working Group. (Dec. 2005). <u>U.S. Money Laundering Threat Assessment:</u> Page 6. Accessed at: http://www.ustreas.gov/offices/enforcement/pdf/mlta.pdf

⁴ U.S. Money Laundering Working Group. (Dec. 2005). <u>U.S. Money Laundering Threat Assessment:</u> Page 9. Accessed at: http://www.ustreas.gov/offices/enforcement/pdf/mlta.pdf

continue to conduct expansive, labor intensive investigations that can be a cornerstone of the city's economic recovery, as well as return needed revenues to our cash-strapped budget. Without the support of the City Council and the revenue program, we could not conduct these important investigations. Council funding allows us to focus on areas that are vital to the well-being of the residents of Manhattan.

IMPORTANT NEW PROGRAMS

More than ever, this office's commitment to public safety extends beyond the courtroom. With the Council's support, we have established numerous specialized units, that have allowed to coordinate across the criminal justice system, as well as with agencies, service providers, and residents from throughout the community. Our Community Affairs Unit responds directly to residents regarding specific crime concerns; our Witness Aid Services Unit directly counsels crime victims and also connects them to resources; our Drug Treatment Alternative to Prison (DTAP) program screens and diverts repeat offenders who are abusing drugs into community treatment programs.

In this spirit, DANY has developed, with the support of vital City Council funding, initiatives to address major crime problems and service gaps, including re-entry services, immigrant affairs, organized gang crime, and child advocacy. These new initiatives, established with existing limited resources, will be at risk of termination without the continued support of the Council.

Immigrant Affairs

DANY has increased its involvement in the very sensitive and timely issue of immigrant affairs. The Manhattan District Attorney's Immigrant Affairs Advisory Council led to the creation in 2007 of a dedicated Immigrant Affairs Program. An Attorney-in-Charge coordinates with elected officials, government agencies, and community-based non-profit organizations that work with different immigrant groups in New York. The goal of this collaboration is to determine how best this office can address criminal justice related issues that confront the immigrant community in New York. Attorneys assigned to the program engage in outreach to aid victims and witnesses who fear cooperation with law enforcement because of their immigration status. These attorneys also prosecute cases related to a diverse set of frauds perpetrated against immigrants, as well as to fraudulent construction industry safety and employment practices. The program's major legal achievements includes a conviction for a multimillion dollar pyramid scheme that preyed on Dominican communities in Manhattan, several corrupt minority labor coalitions, and numerous prevailing wage cases.

Re-Entry Services

Each year, over 25,000 individuals are released from New York State prisons. Over 75 percent return to New York City, and more people return to Manhattan than to any other borough. Regrettably, this office sees many of these released prisoners back in the court system facing new criminal charges.

In February 2008, this office launched its *Fair Chance Initiative*, an effort to address re-entry issues for Manhattan offenders. This Initiative's major finding was a need for better coordination between the law enforcement and service providers. Consequently, we hired an in-house Re-Entry Coordinator. The Coordinator works with ADAs in our office to identify offenders who may be well-suited for rehabilitative services in lieu of prison, and then coordinates services with providers in Manhattan. The Coordinator ensures that the appropriate plea is offered and that the offender completes the program to which he is sentenced.

This office also believes that if prisoners are engaged immediately after release and connected with appropriate social services, we can prevent the re-incarceration of non-violent offenders. Thus, the office is also pursuing formal partnership opportunities with providers such as the Doe Fund, whose well established re-entry service program offers an important model of early intervention.

Organized Gang Crime

A great portion of violent crime in Manhattan is the result of gang activity and gun and drug trafficking that can pervade and overwhelm the borough's residential neighborhoods. Our ongoing gun, drug, and gang investigations produce information about the gang members, traffickers, and other actors responsible for this violence. In early 2007, for example, a group of ADAs successfully prosecuted several major crime rings by analyzing previously gathered intelligence, and identifying links among various incidents prosecuted across the office. This experience revealed the usefulness of centralizing investigative information collected throughout the office's Investigative and Trial Bureaus. As a result, a group of ADAs have created an enhanced informationsharing database, "DANY Resource." This is an electronic repository of information related to defendants involved in gang and drug-related violence, as well as other related violent crime. The database tracks offender details not typically conveyed in individuals' criminal records, such as gang associations and memberships, hierarchies in drug organizations, and the identities of individuals committing violent crimes for their own benefit, or at the request of others. This database enables ADAs to focus their investigations on those defendants who are most responsible for violent crime within Manhattan's neighborhoods. Just a year after creation of the database, over 40 individuals within the office are using it regularly, including ADAs, paralegals, and analysts who continuously update the database to reflect the ever-evolving nature of violent criminal activity. This is expensive to maintain because it needs the regular commitment of our lawyers and technical staff to ensure its accuracy and timeliness.

Child Abuse/Child Advocacy Center

Recognizing that child abuse cases are best managed by specially trained attorneys and support staff, the office created its Child Abuse Unit in 1989, which is now part of an expanded Family Violence and Child Abuse Bureau. The Unit has developed a highly effective, multidisciplinary approach to investigating and prosecuting child abuse cases. In the development of these cases, the office uses the services of staff and consultants, including social workers, psychologists, and physicians.

Enhancing these efforts is the newly established Child Advocacy Center (CAC), the first in Manhattan. This office was integral in the collaborative establishment of the CAC, which opened last year under the management of Safe Horizon. ADAs from our Child Abuse Bureau and counselors from our Victim Services Unit continue to be involved in cases originating from the CAC. The Center is instrumental in building cases, because it provides child-friendly interview rooms to make information-gathering more comfortable. Its on-site forensic specialists help expedite case development by performing on-the-spot assessments of evidence.

This office is staffing the facility using existing agency resources, without any targeted funding. We are currently only able to assign one victim specialist for one day each week, and ADAs from our Child Abuse Bureau are available only on a case-by-case basis. Diversion of staff from our main office on a full-time basis would diminish our capacity to prosecute and investigate our existing caseload. We are thus unable to capitalize on this wonderful new facility. Additional resources would allow us to assign a full-time ADA and victim specialist to work on the CAC premises, thus providing immediate services and legal information to victims, as well as working with DANY's array of legal, investigative, and victim-oriented resources at its headquarters.

In sum, we seek your help in maintaining the funding that you have provided to this office, as well as restoring the funds that have been lost to our baseline budget over the years. Your funds help this office continue our important work, fighting street crime and economic crime, as well as support our new programs vital to the communities we serve. It also enables us to work on important investigations that play a major role in restoring financial integrity to our economic system, while through the revenue program, returning millions to the city's coffers.

Testimony of

Queens District Attorney Richard A. Brown

Before New York City Council Committees on Finance and Public Safety

> May 19, 2009 City Hall

The major challenge that I -- and my fellow prosecutors -- continue to face this year is the impact that the repeated and substantial budget cuts we have suffered over recent years continue to have on our day to day operations.

In the aftermath of the events of September 11, 2001, the budgets of New York City's prosecutors were cut by close to 20% -- with the most significant cuts on the City level.

And even with the Council's help in recent years in providing us with some additional funding to offset the cuts — as well as some new needs funding to address a number of emerging crime issues — my office is still down nearly \$2.0 million in our baselined budget from that first round of cuts alone.

* * * *

We also suffered in other ways. The Police Department, for example, reduced the number of detectives assigned to our office — and we had to make up the difference by hiring more of our own detective investigators to fill the gap. Our OTPS costs have also been steadily on the rise, in areas such as expenses in the handling of extraditions, taxi fares for witnesses, storage costs and software and hardware maintenance.

In response, we long ago reduced our costs in order to maintain our core functions -- case intake, hearings, trials, appellate litigation and our highly specialized investigative initiatives. We re-organized and re-aligned staffing office-wide to streamline case processing and allow for peak efficiency. We cut OTPS in our control to the bone. We closed down our Family Court Bureau and reduced staffing for some of our community-based, youth anti-violence initiatives.

And when we had to, we reduced staffing through attrition and reduced levels of hiring -- and in the process we lost many of our experienced mid level assistants and support staff, many of whom moved on to the private sector and higher salaries -- simply because we could not

keep pace.

* * * *

At the same time, we implemented a wide variety of new initiatives that have returned needed revenue to the City and achieved substantial cost savings and efficiencies in the criminal justice process — including our highly successful arrest to arraignment program and our specialized revenue crimes initiative. But, however valuable these new programs are—practically speaking — each has required us to re-direct available staffing and resources from other investigative and prosecutorial functions.

* * * *

Then, in July, 2008 we began to be hit again with a new round of cuts -- first a further 3.63% baselined cut for FY 2009 followed in November, 2008 with an additional 3.68% cut for FY 2010 and beyond. And in December, 2008, the City's Office of Management and Budget told us to plan for possible additional baselined reductions of 5% and 2% for Fiscal 2010. This was followed just this past month with the Mayor's announcement of additional potential reductions for Fiscal 2010 and beyond.

In response, we have worked with the City and have been able to identify a few more areas where cost savings and efficiencies can be achieved in case processing. And as a result of agreeing to take on still more initiatives on behalf of the City in this regard, we have been able to offset or defer a number of the newest cuts that have been proposed for Fiscal 2010.

* * * *

But, as you know, while \$3.9 million in the newest rounds of cuts were offset or deferred for the upcoming fiscal year, baselined cuts totaling \$3.9 million dollars re-appear once again in our FY2011 budget and beyond,

with additional non-baselined funding of close to \$450,000 added to our Fiscal 2010 budget also failing to re-appear in FY2011 baselined numbers.

As a result, we remain deeply concerned about the impact that all of this will inevitably have on our operations, our staffing levels and continuation of many of our specialized initiatives — including initiatives in the areas of child abuse, domestic violence, gun trafficking, gang violence and related crime and many others.

* * * *

Our problems have been further compounded by the fact that much of the additional funding that we rely on from year to year on the state, local and federal levels continues to fall into a non-baselined or "unknown at this time" category.

Perhaps, most importantly for today's discussion, for example, my office has a large unknown from year to year in the nearly \$540,000 non-baselined funding that the Council has provided to us to help offset budget reductions each year since Fiscal 2006 -- which, I would add, we sorely need this year once again and hope to have baselined.

There are also still significant numbers of unknowns on both the federal and state level, including in critical State Aid to Prosecution and federal Byrne/JAG funding. And while we understand new JAG/economic stimulus monies may be available in the upcoming fiscal year, this too remains a large unknown, as well.

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Beyond that, arrests continue to rise -- up in Queens County over 70% since the early 90's to 72,000 last year. Caseloads have steadily grown to well over 200 per assistant, with our attorneys having to take on more responsibility at an earlier stage in their careers.

In the child abuse area alone, caseloads have grown dramatically, with close to 12,000 cases of child abuse, maltreatment and neglect reported to the State Central Registry in Albany from Queens County and over 3100 referred to us last year to investigate for possible criminality -- up from 2200 in 2005. And new trends such as the increase in homicides, the proliferation of gang violence and the growing number of real estate and mortgage fraud cases and other crimes require additional attention.

* * * *

What all this means for us is uncertainty. From New York City budget numbers alone, we face a potential loss of nearly \$4.4 million between FY 2010 and FY2011 alone. The impact of all of this is enormous. Even with the improvement that we now see in our Fiscal 2010 projected numbers, the non-baselined nature of the funding simply does not provide a stable budgetary plan that will allow us to make intelligent decisions on hiring, staffing levels, salaries, and a myriad of other issues that affect our day to day operations.

* * * *

And so, once again, we ask for your help. We need to stabilize our budget situation and maintain the level of resources we need to do our job. We need baselined restorations of the cuts that we have suffered -- and not have to live from year to year not knowing what monies we can rely upon.

And we need, especially, for you to continue in this year's budget -- and, hopefully this year baseline -- the nearly \$540,000 in additional support that you have provided to us each year since Fiscal 2006.

* * * *

The bottom line in everything I've said today is that we need you -- the members of the City Council -- more than ever before -- to once again provide

us with the resources necessary to allow us to continue our efforts in reducing the level of violence within this City and improve the quality of the lives of our residents.

* * * *

I hope that this year you can, once again, assist us.

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Testimony of Ernest F. Hart, Chair Civilian Complaint Review Board Before the Finance and Public Safety Committees of the New York City Council

May 19, 2009

Chairs Weprin and Vallone and members of the Finance and Public Safety committees, my name is Ernest F. Hart and I am the Chair of the Civilian Complaint Review Board. With me is Joan Thompson, our Executive Director. Ms. Thompson and I will be available to answer your questions after my testimony.

I want to thank you for giving us the opportunity to testify today about the preliminary budget for 2010 and its projected impact on the operations of the CCRB. I will speak briefly about the CCRB and our agency's budget history, and then discuss some of the specific challenges we foresee for next year. In this testimony, all references to years are to fiscal years.

Background

As we testified at the preliminary budget hearing in March, high quality, timely investigations of alleged police misconduct are of value in a number of ways. Officers are held accountable for past misconduct and may be deterred from future misconduct. Investigative records are an important source of information not just about an officer or an incident, but about patterns or policies within the department as a whole and may lead to improvements in policing practices. Transparent public reporting of statistics gleaned through the investigation of individual complaints provide the public with important information, and facilitates informed public debate about policing in our city.

As the Council has always recognized, not least by supporting past requests for additional resources, institutions are only effective if adequately funded, and we are concerned that successive cuts in our budget run the risk of leaving our City with oversight in name only.

Budgetary History

From 2004 to 2007, the City Council provided us with supplemental funding in the amount of approximately \$1,000,000 per year so as to prevent cuts in our investigative staff. In 2008 the Administration incorporated this additional amount in the executive budget, rendering it unnecessary for us to seek supplemental funding in the adopted budget. In that year we had an authorized headcount of 192 full-time positions, of which 157, or 82%, were dedicated to the core mission of the agency, namely, the resolution of complaints by investigation or mediation.

A total of \$863,518 was cut from the agency's 2009 budget through the administration's PEG actions, of which \$668,962 was recurring for 2010 and the out-years. This resulted in the loss of 12 positions, reducing our authorized headcount to 180, of which 146 positions, or 81%, are devoted to core functions. Absent restoration, three actions taken in this year's financial plan will impose additional cuts of \$1,491,776. In addition to other reductions, these cuts are projected to result in the loss of an additional 16 investigative and four administrative positions, reducing our authorized headcount to 160, of which 129, or 81%, will be devoted to core functions. In short, the current 2010 financial plan for the CCRB shows a loss of \$2,160,738 and 32 positions when compared with 2008.

Effects of the Proposed Budgetary Reductions

For a small agency such ours, the cuts which have already been made, and the proposed cuts for 2010, are major cuts. The effects of the existing cuts are already being felt, and those of the proposed cuts can be predicted. In the case of 2009 we are able to extrapolate from year-to-date figures. For 2010, we expect new complaint filings to be 8,200 and we have made our projections based on that figure. This represents an increase of 700 filings compared with the projections we gave you in March.

I would like to draw your attention to three indicators: the number of open cases, the number of cases per investigator, and the time taken to complete an investigation.

In round figures, the average number of open cases was 3,600 in 2008, is on track to be 4,300 in 2009 and is now predicted to be 5,810 in 2010 (compared to our March prediction of 5,600). This figure is an indicator of the size of the task faced by the agency's investigative staff at any point in time: the higher the number, the more work there is to be done.

The average open docket per investigator was 28 in 2008, is on track to be 33 in 2009 and is now predicted to be 65 in 2010 (compared to our March prediction of 59). Of course, the higher the number, the greater the challenge for an investigator to complete all investigative steps in a timely way.

The average number of days which it takes for an investigator to complete a full investigation was 306 in 2008, is on track to be 341 in 2009 and is now predicted to be 423 in 2010 (compared to our March prediction of 404). This figure is important to the complainant, the police officer, the officer's supervisors,

and to others within the department who may be considering such officer for transfer or promotion, because a decision as to transfer or promotion may be delayed until the results of an open investigation are known.

It is also important to the department advocate's office, who have told us that the older the case, the more difficult it is to prosecute. In fact they have said that to have enough time to review our substantiated cases they need to receive them no later than 15 months after the incident date. This is because, in normal circumstances, charges must brought against an officer within 18 months of the incident date, and they need a certain amount of time to evaluate our substantiated cases.

Of cases substantiated in 2008, 80% or 134 were closed in less than 15 months. The year-to-date figure for 2009 is 62% or 76 cases. We now project that the proportion of cases closed in less than 15 month for 2010 will be 45% (compared with our March projection of 50%).

We are of course continually looking for ways to streamline our operations, but we believe that we are already conducting such operations very efficiently in a difficult environment. Precisely because we have already cut so many non-investigative positions over the years, we are forced to cut investigative positions when facing cuts of the magnitude which are now proposed.

In my introduction, I have already spoken about the value to complainants, police officers, the police department, and our city as a whole, of having an effective, independent CCRB. The benefits which a properly funded CCRB can provide include the thorough and timely resolution of civilian complaints, through investigation or mediation; accountability, to the actions of police officers; transparency and, through the statistics gleaned from our investigations,

improvements in policing practices; and an increased level of public trust in our police department. I share the Board's belief that these benefits are worth the cost of providing them.

Although the budget process is not yet complete, it appears unlikely that any part of the cuts will be restored by the administration. As a result, we are asking the Council to restore to our 2010 budget enough funding for us to retain 25 investigative positions. This will make a real difference to our ability to handle the significantly increased level of complaints which we are now receiving.

Such a restoration will enable us to reduce the average number of days to complete a full investigation from the 423 we are currently projecting to 363. This represents a 60-day reduction, which we think will be worthwhile, not least because of the impact it will have on our substantiated cases: it will mean that 59% of our substantiated cases will be closed within 15 months of the incident date instead of the 45% which we are currently projecting.

Although we are aware of the difficult fiscal climate the City faces we think that such a restoration will strike a fair balance between the City's need for fiscal prudence and the need to provide the City with effective, independent police oversight. One aspect of the value of such oversight was apparent in the Council's recent Stop and Frisk subcommittee hearing, where the CCRB was able to identify and draw to the attention of the Council a number of important statistical trends from data gleaned from CCRB investigations.

Thank you for your time. Ms. Thompson and I will be happy to answer any questions you may have.

Testimony City Council 2010 Budget Hearings Joint Public Safety and Finance Committees May 19, 2009

By Ralph Palladino 2nd Vice President DC 37 Local 1549

Civilianizing the NYPD makes sense from a public safety and finance point of view. We have documented 3500 civilian positions that are being occupied by uniformed officers. That's why we won the arbitration case against the NYPD.

Police officers make twice the annual salary than do clericals. Comptroller Thompson and former Comptroller Hevesi both estimated cost savings by civilianizing. The Hevesi savings was \$36.2 million over a decade ago. We estimate the cost savings to the taxpayers at \$127 million a year. Think of the tax dollars that could have been saved over the last 20 years if the city had listened to us then.

More officers on the street instead of behind desks mean safer streets. This is exactly what Suffolk County found when it successfully civilianized their police department a few years ago.

The NYPD has submitted an application for funding to hire 2000 uniformed officers through President Obama's COPS Hiring Recovery Program designed to both enhance public safety and jobs. Sadly the NYPD plans to use the new officers to either directly fill the reduced clerical positions or use the new officers to replace current officers who will do so.

Most of these officers don't even live in New York City. Nearly all the clericals in the NYPD and on the current civil service list do.

Will the NYPD get any of this funding when the Federal Government finds out how many officers, even by the police commissioners own accounting are currently filling and will fill clerical positions. Will they take the NYPD's intent of lowering crime serious?

DC 37 and Local 1549 support hiring of more police officers. We want to make the city safer. We support getting stimulus funding to do it. But we cannot support using those funds directly or indirectly to aid and abet the city in reducing jobs of New York City residents who need them.

There is a need for jobs in the city. Having able bodied New Yorkers working in clerical positions in the NYPD would help reduce unemployment, mean more working people who could spend money in local businesses and pay taxes.

The City Council could avert these reductions by supporting Speaker Quinn's proposal for a wealth tax. Revenue raising, ending wasteful contracting out and committing to civilianizing all the uniformed agencies. This would save money in the long run is the way to balance the city's budget. It also means job creation.

Thank you.

New York City Council Budget Hearing Public Protection

ALTERNATIVE TO INCARCERATION AND REENTRY PROGRAMS

[www.ati-ny.org]

May 19, 2009

Center for Alternative Sentencing and Employment Services (CASES)

Center for Community Alternatives (CCA)

Center for Employment Opportunities (CEO)

Fortune Society

Legal Action Center (LAC)

Osborne Association

Women's Prison Association (WPA)

Testimony Presented By
Tracie M. Gardner
Director of New York Policy
Legal Action Center

My name is Tracie Gardner. I am director of New York Policy for the Legal Action Center, one of the seven organizations that make up the ATI Coalition. The Coalition includes the Center for Alternative Sentencing and Employment Services (CASES), Center for Community Alternatives (CCA), Center for Employment Opportunities (CEO), Fortune Society, CASES, Osborne Association and Women's Prison Association (WPA). I am here on behalf of the coalition and those organizations.

These seven programs provide alternative to incarceration and reentry services in all of the five boroughs. Our ATI work takes us into the courts where, in cooperation with judges, prosecutors and the defense bar, a person's appropriateness for one of our programs is assessed and a determination is made whether to admit him or her to the program instead of incarceration. Our reentry work is at the back end of the system when individuals are released from incarceration and returning to their communities.

On behalf of the ATI Coalition, I want to thank the City Council for the assistance you have provided to our programs and to our clients. For over 10 years your support has allowed us to leverage that support many times over, all of which will allow the seven organizations that comprise the ATI coalition to serve over 17,000 clients this fiscal year.

We all know that this is a very difficult budget year and you are faced with difficult choices as you develop the City's budget. In that context it is crucial to note that savings achieved from our programs are immediate. The defendant who enters an ATI program is not being held in detention on Rikers (\$164 per day) or in a DJJ facility (a staggering \$551 per day). By comparison, our programs cost less that \$25 per day. We estimate that the savings to the City and State correctional systems exceed \$100 million a year.

There are other savings as well. City hospitals and emergency rooms, homeless shelters achieve additional savings. For defendants who enter CASES mental health program psychiatric hospitalizations are reduced by 56% during their time in the program. And finally, because we prepare our clients for work and help them find jobs, they pay taxes and child support. CEO has collected over one million dollars in child support payments.

We all know that crime affects each of New York City's communities – victims, the person committing the offense, families, community members, and taxpayers. Incarceration has long been the primary response to crime. Too often though, that response fails to improve public safety or prevent future crimes by people released to the community. Incarceration isolates young people and adults from needed supports; disrupts families and contributes to the cycle of poverty and recidivism.

Our programs provide effective services as an alternative to incarceration and for individuals just released from jail or prison. We work in the Criminal, Supreme and Family Courts in all five boroughs. Our offices and services are spread across the five

boroughs as well. The maps in the Atlas attached to this testimony give a good picture of the breadth and the depth of our services across the City.

The work of the ATI Coalition is an integral part of the strategy that has enabled the City to reduce crime. We have made important contributions to the lower populations in the jails, prisons and juvenile detention facilities. The Coalition brings services to some of the City's most disadvantaged neighborhoods. As opposed to incarceration, our programs invest in people and their families and ultimately strengthen whole communities. Supporting the Coalition is a cost-effective way to reduce crime, help people change their lives for the better, strengthen communities, and save taxpayer dollars.

While all of our clients are involved in the criminal justice system, the range of the ATI Coalition's work stretches across the social services, housing and employment fields. Our work strengthens families, helps youth achieve their potential, provides relevant and appropriate services for women, connects people to stable employment, provides a home in the community, addresses the problems of substance abuse, and provides effective solutions for the mentally ill. Our work is part of a process to develop the skills and resources to avoid future criminal involvement.

ATI Coalition programs reduce recidivism.

- A program that serves young people charged with a felony: 80% of graduates not convicted of any new crime within 2 years
- A program that serves adults with serious and persistent mental illness charged with a felony: 97% reduction in conviction rate following intake into the ATI program
- A residential program for women who have committed felonies: 97% of graduates not convicted of a new crime within one year
- Findings from an independent random-assignment evaluation show that participation in CEO significantly decreases several measures of recidivism including a 40% reduction in re-incarceration for a new crime through two years of follow up.

The results go beyond recidivism. No only do we keep our clients out of jail and prison, we help them make dramatic changes in their lives. And helping our clients helps communities.

ALTERNATIVE TO INCARCERATION AND REENTRY PROGRAMS HELP YOUTH ACHIEVE THEIR POTENTIAL

Participants in CEO's Young Adult program are 1.4 times more likely to be placed in a job and are 34% more likely to keep a job for a year, than young adults at CEO who do not join the program.

60% of CCA youth were truant from school at intake, none were truant at program graduation; 100% were promoted to the next grade level.

78% of the young people who had internship placements while in CASES youth program received a diploma or were working one year after graduating the program

74% of the students registered at the CASES-Department of Education High School earned high school credits.

91% of young people graduating from CASES youth program were employed, in school and/or receiving services in their community.

ALTERNATIVE TO INCARCERATION AND REENTRY PROGRAMS STRENGTHEN FAMILIES

Over 200 young fathers enroll in CEO's voluntary Responsible Fatherhood Program each year and attend classes on effective parenting; learn how to find and reconnect to their children; and get help meeting their child support obligations. CEO has collected over \$1 million in child support payments.

100% of the fathers who took Osborne's parenting course at Rikers Island showed improvement in their attitudes toward parenting.

ALTERNATIVE TO INCARCERATION AND REENTRY PROGRAMS PROVIDE RELEVANT AND APPROPRIATE SERVICES FOR WOMEN

Among the predominately homeless women participating in WPA's Hopper Home, 78% enrolled in an employment program; 92% improved housing post-completion; 85% obtained health care coverage, and 68% strengthened their family relationships by either regaining custody of their children or improving parenting skills.

WPA's Law Project helped 76 women and their families address family visitation and custodial concerns while helping to reduce Family Court system costs by expediting or eliminating the need for court proceedings in 68% of the cases.

88% of the clients receiving case management from WPA's Community Linkage Unit obtained identification necessary to obtain legal employment, housing, or benefits and 62% improved their housing situation.

75% of women in CCA's Crossroads program in need of family reunification services were reunited with their children and 100% were linked to health care.

ALTERNATIVE TO INCARCERATION AND REENTRY PROGRAMS CONNECT PEOPLE TO STABLE EMPLOYMENT

CEO made 1,226 placements in permanent jobs in 2008; wages averaged \$9/hour.

In 2007, 473 clients completed Fortune Society's job readiness program. Clients who were placed into employment averaged salaries of over \$9/hour and received two years of job retention services

45% of the women in CCA's Crossroads program – all of whom were unemployed at intake – held jobs at program completion.

In 2008, the Legal Action Center helped 397 individuals overcome 443 legal problems related to their criminal records and overcome barriers to employment, including errors on rap sheets, inaccurate answers to job application questions about past criminal convictions and illegal discrimination by employers.

ALTERNATIVE TO INCARCERATION AND REENTRY PROGRAMS PROVIDE A HOME IN THE COMMUNITY

Since 2002, The Fortune Society's phased permanent housing has helped nearly 382 individuals find stable housing.

50% of women entering CCA's Crossroads program were homeless; 85% of those women were living in stable housing at time of program completion.

ALTERNATIVE TO INCARCERATION AND REENTRY PROGRAMS ADDRESS THE PROBLEM OF SUBSTANCE ABUSE

65% of the men and women enrolled in Osborne's drug treatment program in 2008 stopped using drugs; 100% of Osborne graduates had either Medicaid or private health insurance; and 75% improved their employment or educational status.

88% of clients enrolled in The Fortune Society's substance abuse treatment services were substance free 12 months later.

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92% of clients were homeless at intake into CASES mental health program for individuals with serious and persistent mental illness; after one year all are in safe and secure housing and 61% of those are in long-term permanent housing

CASES mental health program reduced psychiatric hospitalizations by 56% during program participation

At admission none of the clients admitted to CASES mental health program were engaged in employment or education; during program participation over 30% became engaged in employment or education.

Thank you for your support. We look forward to continuing to work with the City Council.

New York City Council Budget Hearing Public Safety

ALTERNATIVE TO INCARCERATION AND REENTRY PROGRAMS

[www.ati-ny.org]

May 19, 2009

Center for Alternative Sentencing and Employment Services (CASES)

Center for Community Alternatives (CCA)

Center for Employment Opportunities (CEO)

Fortune Society

Legal Action Center (LAC)

Osborne Association

Women's Prison Association (WPA)

Testimony Presented By Joel Copperman CEO / President CASES My name is Joel Copperman. I am the CEO and President of CASES, one of the seven organizations that make up the ATI Coalition. The Coalition includes the Center for Alternative Sentencing and Employment Services (CASES), Center for Community Alternatives (CCA), Center for Employment Opportunities (CEO), Fortune Society, Legal Action Center (LAC), Osborne Association and Women's Prison Association (WPA). I am here on behalf of the coalition and those organizations.

These seven programs provide alternative to incarceration and reentry services in all of the five boroughs. Our ATI work takes us into the courts where, in cooperation with judges, prosecutors and the defense bar, a person's appropriateness for one of our programs is assessed and a determination is made whether to admit him or her to the program instead of incarceration. Our reentry work is at the back end of the system when individuals are released from incarceration and returning to their communities.

On behalf of the ATI Coalition, I want to thank the City Council for the assistance you have provided to our programs and to our clients. For over 10 years your support has allowed us to leverage that support many times over, all of which will allow the seven organizations that comprise the ATI coalition to serve over 17,000 clients this fiscal year.

We all know that this is a very difficult budget year and you are faced with difficult choices as you develop the City's budget. In that context it is crucial to note that savings achieved from our programs are immediate. The defendant who enters an ATI program is not being held in detention on Rikers (\$164 per day) or in a DJJ facility (a staggering \$551 per day). By comparison, our programs cost less that \$25 per day. We estimate that the savings to the City and State correctional systems exceed \$100 million a year.

There are other savings as well. City hospitals and emergency rooms, homeless shelters achieve additional savings. For defendants who enter CASES mental health program psychiatric hospitalizations are reduced by 56% during their time in the program. And finally, because we prepare our clients for work and help them find jobs, they pay taxes and child support. CEO has collected over one million dollars in child support payments.

We all know that crime affects each of New York City's communities – victims, the person committing the offense, families, community members, and taxpayers. Incarceration has long been the primary response to crime. Too often though, that response fails to improve public safety or prevent future crimes by people released to the community. Incarceration isolates young people and adults from needed supports; disrupts families and contributes to the cycle of poverty and recidivism.

Our programs provide effective services as an alternative to incarceration and for individuals just released from jail or prison. We work in the Criminal, Supreme and Family Courts in all five boroughs. Our offices and services are spread across the five boroughs as well. The maps in the Atlas attached to this testimony give a good picture of the breadth and the depth of our services across the City.

The work of the ATI Coalition is an integral part of the strategy that has enabled the City to reduce crime. We have made important contributions to the lower populations in the jails, prisons and juvenile detention facilities. The Coalition brings services to some of the City's most disadvantaged neighborhoods. As opposed to incarceration, our programs invest in people and their families and ultimately strengthen whole communities. Supporting the Coalition is a cost-effective way to reduce crime, help people change their lives for the better, strengthen communities, and save taxpayer dollars.

While all of our clients are involved in the criminal justice system, the range of the ATI Coalition's work stretches across the social services, housing and employment fields. Our work strengthens families, helps youth achieve their potential, provides relevant and appropriate services for women, connects people to stable employment, provides a home in the community, addresses the problems of substance abuse, and provides effective solutions for the mentally ill. Our work is part of a process to develop the skills and resources to avoid future criminal involvement.

ATI Coalition programs reduce recidivism.

- A program that serves young people charged with a felony: 80% of graduates not convicted of any new crime within 2 years
- A program that serves adults with serious and persistent mental illness charged with a felony: 97% reduction in conviction rate following intake into the ATI program
- A residential program for women who have committed felonies: 7% of graduates not convicted of a new crime within one year
- Findings from an independent random-assignment evaluation show that participation in CEO significantly decreases several measures of recidivism including a 40% reduction in re-incarceration for a new crime through two years of follow up.

The results go beyond recidivism. No only do we keep our clients out of jail and prison, we help them make dramatic changes in their lives. And helping our clients helps communities.

ALTERNATIVE TO INCARCERATION AND REENTRY PROGRAMS HELP YOUTH ACHIEVE THEIR POTENTIAL

- Participants in CEO's Young Adult program are 1.4 times more likely to be placed in a job and are 34% more likely to keep a job for a year, than young adults at CEO who do not join the program.
- 60% of CCA youth were truant from school at intake, none were truant at program graduation; 100% were promoted to the next grade level.
- 78% of the young people who had internship placements while in CASES youth program received a diploma or were working one year after graduating the program.
- 74% of the students registered at the CASES-Department of Education High School earned high school credits.
- 91% of young people graduating from CASES youth program were employed, in school and/or receiving services in their community.

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- CASES mental health program reduced psychiatric hospitalizations by 56% during program participation.
- At admission none of the clients admitted to CASES mental health program were engaged in employment or education; during program participation over 30% became engaged in employment or education.

Thank you for your support. We look forward to continuing to work with the City Council.

Testimony of Eddie Rodriguez
President, Local 1549, DC 37, AFSCME, AFL-CIO
Before the City Council Committees on
Finance and Public Safety
FY 2010 Executive Budget
May 19, 2009
Civilianization / NYPD

Good afternoon Chairs Weprin and Vallone and members of the Committees on Finance and Public Safety. My name is Eddie Rodriguez and I am the President of Local 1549, District Council 37 (DC 37) representing 18,000 members. I want to thank you for giving me this opportunity to speak with you today.

Approximately 3000 of my members are assigned to the police department in the civilian titles of Police Administrative Aide (PAA) and Senior Police Administrative Aide (SPAA). In September of 2004, the Union prevailed in an arbitration proceeding where the arbitrator, Maurice Benewitz directed the Police Commissioner to immediately cease and desist

assigning clerical/administrative work to able-bodied uniformed personnel. He ruled that those duties must be assigned to Police Administrative Aides and Senior Police Administrative Aide. In 2005, the New York State Supreme Court confirmed the Award, which was again appealed. In 2007, the Appellate Division upheld the Union's confirmed arbitration decision.

This was a win-win situation for the City and the Union. Trained officers could be freed up to do what they do best: protect and serve the people of the City of New York. DC 37 has tried in good faith to resolve award through negotiations with the city, but has been unsuccessful. It is disturbing to hear that due to budget constraints no clericals can be hired to replace the uniform personnel doing clerical work. This includes police officers, detectives, sergeants and lieutenants. We have been advised that the Executive Budget for fiscal year 2010, plans to

reduce the civilian headcount at NYPD by 989 employees.

To add insult to injury, the police department has also not complied with two additional arbitration awards citing that Traffic Enforcement Agents and School Safety Officers were doing clerical / administrative work and that this practice should cease immediately.

These difficult economic times demand that these obvious cost savings to the city must be fully implemented without further delay.

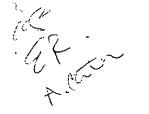
As the Union has prevailed in the arbitration, and two court cases, the only legal remedy left is to commence a contempt proceeding against the City, the Police Commissioner and the Commissioner of the Office of Labor Relations. It is our belief that such action should be unnecessary. It is time for the

City to realize the true cost savings which may be obtained through civilianization.

To best learn about what civilians do, I would like to invite you and the committee to a PAA / Clerical Chapter meeting and hear from my members about police officers working in Payroll, Rollcall, Telephone Switchboard, Lead Clerical, Com –Stat / Crime Analysis and the Integrity Control Office.

In conclusion, I know that you have the best interests of the citizens of this great city. I know you will investigate this matter fully. I am sure your findings will surprise you.

Again, thank you for giving me this opportunity to bring this most serious matter to your attention. I would be glad to answer any questions at this time.



Memo

To:

Eddie Gates

From:

Jose Alamo

CC:

Evelyn Seinfeld, Vilma Ebanks, Ronald Harris

Date:

April 22, 2009

Re:

Police Administrative Aide List

Attached is the published list for Police Administrative Aide, Exam No. 6055. The list was published on April 1, 2009. DCAS advises us that they intend to establish the list in approximately two months from the published date.

In the interim, eligibles who wish to dispute their score will have the opportunity to do so, in advance of the list being established.

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APR 0 1 2009 LIST MADE PUBLIC PRESS RUN EXAM NO 6055 GRP NO 000 POLICE ADMINISTRATIVE AIDE

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411123456789012345678901234567890123456789012345678901234567890123456789012345678901234567890123456789444444444444444444444444444444444444	CINDY KAY-TRINA ROMILEE CRYSTAL JENNIFER ZELDA TATILANA EMILY TALEEN JOHN EVELYN SOPHIA BINGKENG IRIS CARLOS JEANNETTE SHAWN DEIDRA ADRIENNE RACHELLE RAGINA JESSICA SHAUNTAY DELORES DIANA CHARNELL ANISA TANORA SANDRA CHARNELL ANISA TANORA SANDRA CHRISSIEJO TINA OLIVE STEVEN ALANA FRANCINE TIFFANIE DEBORAH CHRYSTAL SHAKIMA IAN CARYN SHAQUANNA MARIA JOSEPHINE TIFFANIE DEBORAH CHRYSTAL SHAKIMA IAN CARYN SHAQUANNA MARIA JOSEPHINE RUBY NATALIE RUBY NATALIE RUBY NATALIE RUBY NATALIE CHARITA JENNIFER	JIMENEZ M THOMAS T BENAVIDES C LONDONO RUIZ A PERRY D PRINCE MATAMOROS T WHITE C MEUSER MARTINEZ Y VOLKENS CHEN B GREENAWAY-DANIE A NEGRON M CALEB NOWLIN WELCH FINCHER S SMITH-LAWSON A WORRELL J BULLOCK D PAYNE R DAVIS MERCADO D BLIZZARD N FOFANA S WILSON AYALA FEDELE A FORD D BACCHUS M JENKINS R SPENCE L CARROLL A HAREWOOD K JOHN B NUESSALEIN S THOMAS R GORDON FATA E CLARK E RAMOS S CHIU L DAVIS C SEUDATH D FLORES V WHEELER S SAMUELS C DAVIS L HACKETT	88.7500 88.75000 87.50000

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460 461 462 463 4667 4667 467 467 4771 4772 4774 4777 4778 4777 4778 4777 4779 4777 4779 4779	TINA ROSA ATHENA DENISE MARINA DARRYL PATRICIA CHERIE CORETTA HALINA MOHAMMAD PHILLIP STEPHANIE JANICE KATHLEEN SHARON NICOLE KAI WHENONA NANCY DANTE JAMES YISANIA KATINA CHUNMATIE YONG JIAN SANDRA JANETTE CHIEH CHIEH CHIEH CHIEH CHICA THEODORE TISHIMA BRANDI VERONICA BELINDA YANYA MARIE CONNIE BRANDY ADRIANNE ELIZABETH VANESSA JANET LINDA RENA STEPHANIE EBONY YANET RUAN	E TURNER M GRINNARD R SEASE C WILLIAMS AROV V HUMPHREY A WILKINS STEVENSON L BECKHAM M TATARYNOWICZ Z RAHMAN S MARKS A RODRIGUEZ D JACOBS FERGUSON M DE ROBERTIS D WILLIAMS L BOBO D GIBSON F LAWYER PEREIRA WALLS T BELL M CRISPIN L HEYWARD SRIDAT CENG I TAYLOR MARTINEZ M CHOU A MIRANDA J GRAFF S BROWN N CLARK HARRIS S WILLIAMS L SHEFFIELD L RODRIGUEZ CHEUNG D BASCOM F RODRIGUEZ CHEUNG CASTILLO L REED A DIAZ YUEXING YUNG	87.50000 87.50000
510	STEVEN	YUEXING YUNG	86.2500 86.2500

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512 513 5114 5516 5517 5517 5517 5517 5517 5517 5517	LORRAINE GAIL RATHALIE KAYANN COLLELOT JR TIFFANY RIA-DAWN MARJON MARJON MARJON MYRIS MYRIS MYRIS MYRIS MYRIS MYRIS MELIS MYRIS A DENIGEN MYRIS MELIS MORAN LA LE MINE MELIS MINE MINE MELIS MINE MINE MINE MINE MINE MINE MINE MINE	RIVERO L HAYES MICHEL M WILLIAMS A BASHERADAN F MCPHERSON RICHARDESON M AIKEN J HORSHAM R BROWN T ORTIS CORCINO R HARPER SANTIAGO T HAWKINS DAVIS GLAUDE M GARONE ARIAS LARRIER DUBOC M THOMPSON J SANDS A BENAVIDES CLEMONS SOTO A HAINES DANDRIDGE SAUNDERS M POLANCO A WILLIAMS D DAVIS CLEMONS CLEMONS SOTO A HAINES DANDRIDGE SAUNDERS M POLANCO A WILLIAMS D DAVIS A HERNANDEZ M JEAN-PAUL E GRADY L FONG S MORGES Y NEAL T EDELEN A GRICE T WIGGINS C PACHECO R BROWN M JORIS C PACHECO R BROWN	86.2255000 86.2255000

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562 563 5665 5667 5667 5569 5771 5772 5773 5777 5777 5777 5777 5777 581 582 588 588 588 588 588 588 599 599 599 599	TINA ROBIN VANESSA DOROTHY NESTOR ELIZABETH TANIENE	L RUFF BULLOCK A PETERS A BUTTS G MORELLI A RICHARDSON HUNTER PIRULLI J GARZILLO G TAYLOR A BARNETT-APEDO PIERCE CRUZ M WHITE C THOMPSON S RILEY FINDLEY J MARTINEZ TORRENCE DEVEAUX BENVENUTO CHAN D CARTER I TSCHERNE WANG MUCHANYEREI A MCPHERSON NARAIN HULL D SCHULTZ BLAIR S GARLAND C FOURNIER E AUGUSTA D HAMM S MIDGETTE ZHENG V WALKER BARKLEY P MYERS J ADISON A GAGAT A ARROYO J PEREIRA A ADELAJA E GREENE CARRASCO BASSETT I TAMAYO BERNSTEIN T DERRICK	86.2500 86.2500 86.2500 86.2500 86.2500 86.2500
	DULCE GLORIA MARY TIFFANY JANETTE LORRAINE IVONNE DENISE DELORES	A ARROYO J PEREIRA A ADELAJA E GREENE CARRASCO BASSETT I TAMAYO BERNSTEIN T DERRICK	85.0000 85.0000 85.0000 85.0000 85.0000 85.0000 85.0000 85.0000

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613 614 615 616 617 618 619 620 621 6223 6223 6223 6223 6226 6227 6228 6227 623 6331 6331 6332 6331 6340 6447 6445 6447 6445 6447 6445 6447 6447	MILAGROS ELISAURA DENISE CHARLENE ROSEMARY WANDA CLARIBEL SHONETTE DENISE	A CAMACHO ROSADO FRAZIER BROADUS MASON I VIVES RIVERA JUNIOUS TOWNSEND BROWN K WHITE C CARRILLO M MOLLOY N MORRIS EDWARDS A ALAIMO-SETA MAI JOHNSON G PARRIS ACEVEDO Y MERCADO L ALI Y SUTTON G DUNSTON MULLIGAN E KEAZER V TAYLOR L BROWN MCMILLAN M BIBB E GARDENHIRE F TORREDELFINO M FRASIER ENG OGORMAN B BROWN M SQUITTERI LINGARD CAMA A CALDWELL T GALLMAN A DHANESSUR TOJEIRA REGULA CHEUNG W PHIFER MARZILIANO E DAVIS ROBINSON E SWEET ENGLISH	85.0000 85.7500 83.7500

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664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 684 685 688 689 691 692 693 694 695 696 697 700 701 702 703 704 705 707 707 710 711 712 713 714	MONICA NICOLE TIFFANY LAVERN DALENE EMELY LAVE ARLENE EMELY CANNA KEISHA MICHELL INDA KEISHA MICHESHA SYUSE SAHAUDIY AKALEMA SYUSE SHAUDIY ANABELE ANDTINA DIARRA MICHESHA ANTINA DIARRA MELNA M	GRIFFIN FELIPE S JENKINS-BRUNSON L SMALL A HILL BOWERS NORGROVE MALDONADO LAU PARRIS JOHNSON'KNOX E WEBSTER VARGAS L POTEAT V QUAINOO L SMALLS E GREENIDGE A ROJAS A GWENDOLYN L WINE K GOODWIN M CADENA TOLER M JOHNSON A HOLMES R YOUNG R SINGLETON M AGOSTO ASSERSON J SKEVELAIR LIGON HARGRAVES C CHIRIANO S BAKER A SANTIAGO C CHAN WRIGHT E LOBUR JOBLONSKI PHILI LAI M POSADA M BARFIELD-DIXON L KELLY D LEVINE E KAPITAN E LATSON COOPER D JOHNSON E EALEY LLOYD P MULLIGAN	83.7500 82.5000 82.5000

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715 716 717 718 719 720 721 722 723 724 725 727 728 730 731 732 7334 735 7337 738 739 741 742 7445 745 747 748 749 751 752 753 7556 757 758 7560 761 762 763 765	SAMATHA THERESA JENNIA ANGELA JENNIA MARIE NOREEN PAULA BEL NOREEN PAULA CLAVON TIMMITHO SHANDAL SHANDAL SHANDAL SHANDAL LO-AN LO-AN JOANHET ANDAL LO-AN JOANHEE MONIQUE TIMMITHO LAUREN LO-AN JOANHEE MONIQUE TIMMITHO SHANDA BRENDA BRENDA LINDA CLA BARBA ANJOOMAN MARY JENNIC SHANDA REBECCA FRANCIA SHANDA REBECCA SHANDA REBECCA SHANDA REBECCA SHANDA CHIME SHAND JASHIE CHIMES SHARON JASHIE CHIMES SHARON SHARON SHARON SHARON JOCEL TORON SHAND SHARON SHARON SHARON SHARON SHARON JOCEL SHARON SHARON SHARON SHARON SHARON JOCEL SHARON SHARON SHARON SHARON JOCEL SHARON SHARON SHARON SHARON JOCEL SHARON SHARON SHARON SHARON SHARON JOCEL SHARON	BROWN SPEZIO V MELETICHE K ZAPATA L DIBARTOLO CASTRO A SANDY A KORPALSKI CONCEPCION L LEWIS S WEAVER HARGETT FRANKLIN SANTIAGO R NORMAN CIMINO L MULLIGAN ASHRAF CAMPBELL PAROUSE H TA F SHARK ANDERSON MCGRAW S WARD WILLAMSON STALLINGS CAMPFIELD UBILES SMITH D ZANDERS A PIERCE MESA A HOLZHAUER BERKLEY A PARKER MARTIN A DANZA JOHNSON L HARRIS A ABBED EDWARDS PHUONG M VALENTIN M GIBSON A PEREZ D SMALL FREEMAN L PACK-RHEM I HOLLOMAN FIGUEROA	82.5000 82.5000

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766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 V 814	LENORE RACHEL TAMIKA REUNELL PAMELA MELA MELA MELA MELA MELA MELA MELA	M SMITH ESTRADA MELTON H GORDON COBIN M BLOUNT F HAWKINS A ROTHMAN ARROYO MCKNIGHT ROSADO B GUADELOUPE S MITH THOMAS D SERRANO Y HUANG R FOSTER-CUMBERB C PENNY IRIZARRY LIMONIK SHPITALNIK TAYLOR-BOLLING S QUEZADA PARRILLA SMITH M JAMES C WILLIAMS L SINGLETON U FIELDS M PELLICCIA SANCHEZ HUERTAS A ASHE A FORD GOMEZ QUINONES Y SIU RAMEY R DAVIS THOMAS A JACOBS LIN Y CHEN GARCIA R RANDALL G BUSH J PINKNEY JOHNSON A GLYNN D FLOURNOY NAGASAWA	81.2500 81.2500
815 816	CHARLENE DEOMATTIE	NAGASAWA	80.0000

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817 818 819 820 8212 8223 8224 5677 8828 8826 88278 88314 88315 88334 88334 88335 88334 8838 8839 8839 8839 8839 8839 883	JULISSA ERWIN BRENDA TIESHA FELEC:A SHERYL TIFFANY BRIGITTE SHIRLEY SAPRINA LORRAINE ANDREA LEATRICE ALEXAND SHAKEENA KEISHA CHANLISS NADINE NAHALI TARCA FLORA CHRISTINE TARCA TARCA GLORIA MARTHA MILLIA MILLIA MALLINA MILLIA MARJORI DAWN PAULA AMAND PAULA AMAND TAMAIA JENNY TAMAIA THE	BAEZ E ROBINSON JUSINO A GEORGE JUDGE A LOCKETT J SMITH ASENG JOSEPH BROWN HARRIGAN M WILLIAMS T KPAKA AUSTIN T HOUSTON M KING M CAIN J MAYSONET F CATARCIO LANCASTER AKSELROD E CABRAL C HINDS D DUNN E VILLAMAR DANIELS NORALES M PABON A PRICE B GALATI M WHALEN D MURRIEN M JENKINS A JAMES WU CALDERON T DORSEY MENDEZ D JUSINO K LESAINE A LIND BRICE L BRAXTON-SLATER MASON	80.0000 80.0000 80.0000 80.0000 80.0000 80.0000 80.0000 80.0000 80.0000 80.0000 80.0000 80.0000 80.0000 80.0000 80.0000 80.0000 78.7500

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868 869	LYNETTE	J DAVIS	78.7500
870	NAMEN ANCELLEA	M SALESMAN	78.7500
871	MADV	VEGA A ULBITED	78.7500
872	1 180	A DUNIER	78.7500
873	SIMAN	1 6 LUMED A 2 LAGE FIOM	70.1000
874	MIGDALLA	ORTEGA	77.5000
875	PENNIF	C SMITH	77.5000 77.5000
876	PAMELLA	P DADAILLE	77.5000
877	LUZCARIME	BAEZ	77.5000
878	KIMMESHA	L DOE	77.5000
879	UELLA	DAUTRUCHE	77.5000
880	ELVIA	R CHERY	77.5000
881	VIRGIE	L LEE	77.5000
882	JON	R BAER	77.5000
883	THOMAS	VARGHESE	77.5000
884 885	IRAIDA	E TORRES	77.5000
886	ADA	Y PARKER	77.5000
887	KOSALIND	M HARVIN	77.5000
888	FI IZARETU	MCPHERSUN-ANDER	77.5000
889	DONZELLA	CLOMALIE	77 5000
890	JONY	11	77.5000
891	MI CHAEL	A PIFRRE	77.5000
892	NASIR	M SHAH	76.2500
893	DEANNA	1 CARR	76,2500
894	TASIA	M EDWARDS	76.2500
895	EDITH	KEARSE	76.2500
896	SHARICE	J. WHITE	76.2500
897	DOLETHA	HUNTE	76.2500
898 899	MAKTA	L CURRAN	76.2500
900	ANIUINELLE	M HARRIS MCMAHON	76.2500
901	COPERANZA	OQUENDO	76.2500
902	ANDREA	2 FOAE DENION	76.2500
903	JANELLE	1 FOLIADOS	76.2500
904	SANDRA	D KNUX	76.2500
905	SUZANNE	A PINDER	76.2500
906	JACQUEL INE	RODRIGUEZ	76.2500
907	MARIA	C LAURO	76.2500
908	MARTHA	LEE	76.2500
909	FATEMA	A I M A	76.2500
910	BOONYAWAN	SUNPITAKSAREE	76.2500
911	MILDRED	LEBRON	76.2500
912	ROCHELLE	A REID	76.2500
913	SHAWNIQUA	M LOVE	76.2500
914 915	KEYNALDO MELIERA	L GALVAN	75.0000
915 916	MELISSA Suamae	GASKIN	75.0000
917	SARNAE MARV	E MIDDLEION	75.0000
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919012345678999933345678999999999999999999999999999999999999	TAMARA MILCA SHIRLEY PHUONGTRUC GEETHA MARITZA DIANE KIM MARITZA DIANE KIM TASHEMA LORRAY KASHA BLANCA BOLORES WANDA SARAH ANTOINETE DOREEN MIGDALI LETICETTA DEANNE PAMELA MARCUS JOSEPHIPY CONSANIA INGRID BARBAA DIANT ANGELIA PRINCETIA PRINCETIA PRINCETIC BEVERLEY CONSANIE EVELYN ALICIA INGRID BARBAA DIANT INGRID BARBAA DIANT INGRID BARBAA DIANT ANGELIC BARBAA DIANT BARBAA DI	R THOMAS I ROMERO P REED N GREEN GRANT M LUCENTE V WILLIAMS N MCINNIS A FLORES JACKSON ALOMAR JORDAN JENKINS L SMALL S DUNNELL ACOSTA KING RUIZ S EALY L SMALLS F THOMAS SPARACIO PANNONE M TAFFE ASHLEY D CHIN SOTO RAMIREZ MACEO R STANLEY M MACEIRA ROMAN MCFARLANE A VIGIL K FRAZIER V VARGAS	75.0000 75.0000 75.0000 75.0000 75.0000 75.0000 75.0000 75.0000 75.0000 75.0000 75.0000 75.0000 75.0000 75.0000 73.7500
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FINAL TOTAL: 969













Georgia Lerner Executive Director

TESTIMONY BEFORE NEW YORK CITY COUNCIL, PUBLIC SAFETY COMMITTEE May 19, 2009

Good afternoon, my name is Georgia Lerner; I am the Executive Director of the Women's Prison Association and a member of the ATI Coalition.

I appreciate having the opportunity to share with you the importance of the City's Alternative to Incarceration programs as vehicles for responding to crime and improving public safety, at a lower cost than jail and prison.

And, while our programs are more economical than incarceration, they are not free; so I am here to impress upon you the importance of continued support for these initiatives. After several years of reduced, then level funding, our dollars were cut significantly—by 37%-- last year, and we were forced both to cut essential staff and to reduce the number of people we serve. Our program could not survive another such reduction, and the significant short- and long-term benefits of investing in ATI extend beyond criminal justice to many areas of City life.

ATI and Reentry programs save money because a day in any of these community programs is less expensive than a day in a prison or jail.

ATI and Reentry programs save money because people graduate from these programs in less time than they would have spent in prison. One woman who spends a year in an intensive, residential ATI program, instead of spending 4 years in prison (the typical minimum sentence for a client of WPA's ATI program) saves the City and State well over \$100,000 on incarceration costs alone.

ATI and Reentry programs save money because graduates of ATI programs are less likely (fewer than 20%) to be arrested and convicted on new charges than their peers who go to prison (nearly 70% arrested, 47% reconvicted, and more than half returning to prison or jail).

Reentry programs save money by connecting people with immediate and concrete assistance upon release from jail and prison. The risk for rearrest is great during the first weeks and months after release, so it is especially important to help people weather this unstable period. Connecting with people before they leave prison and jail to plan what they'll do when they get out not only assures that someone has a place to go, it also lets her know that there are people in the community who are interested and care what happens to her.

When a woman comes home, she needs a place to stay, a legal way to get money, drug treatment and other health and mental health care, and she wants to connect with her family. In order to get these things, a woman needs identification and, usually, temporary public assistance. Reentry programs, including WPA's Community Linkage Unit, help people obtain these, and program leaders have been instrumental in helping to change jail and prison practices so that it is sometimes possible to get identification and benefits upon, or soon after, release.

75% of women in prison have children, and most want to reconnect with and care for those children after they return home. Often, they are at risk for losing parental rights if they don't act quickly.

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WPA's Reentry Law Project helps women participate actively in decisions about the custody of their children. This legal assistance contributes to better outcomes for families, while saving court costs by facilitating agreements and assuring preparedness for scheduled hearings. The cost and length of stay in foster care are both reduced when mothers can resume custody of their children.

Women as ATI clients deserve a particular focus, because they present relatively low risk to public safety and the potential savings are great. Women who go to prison generally have poor educational achievement and absent work histories. While in an ATI program, a woman can earn her GED and participate in vocational training or higher education. And, in ATI programs such as WPA's Hopper Home, a woman must have a legal way to support herself in order to graduate; for almost all women, this means a job. The experience of living in an ATI program offers the opportunity to function in the community and try new behaviors, and to get immediate coaching and feedback on efforts and results. Plus, doing chores like cooking and cleaning, and managing all of their appointments with limited money and transportation helps women develop the household management, budgeting, and time management skills we all need to live in the community.

In an ATI program, women become better versed at understanding and acting in response to their emotions and can manage their behavior more adaptively than in the past. These women are much more likely to be successful in a workplace and as neighbors than women whose time is spent in prisons, where they do not have either the responsibility or opportunity to make budget decisions or schedule their own appointments.

ATI graduates participate in the workforce, pay rent, care for their families, and live law-abiding lives. Their experiences in ATI programs arm them with greater self-awareness and the new experience of getting positive results through their own constructive behavior.

WPA, and the entire coalition of ATI providers, appreciate and encourage the Council to maintain its investment in these programs that are so critical to the safety and well-being of New Yorkers.