



FIRST ANNUAL REPORT

~~STATE OF NEW YORK~~

DIVISION OF CRIMINAL JUSTICE SERVICES - FIRST ANNUAL  
REPORT, 1973

EXECUTIVE PARK TOWER  
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ALBANY, NEW YORK 12203

AND

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SEPTEMBER 1, 1972 THROUGH DECEMBER 31, 1973

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DIVISION OF  
CRIMINAL JUSTICE SERVICES

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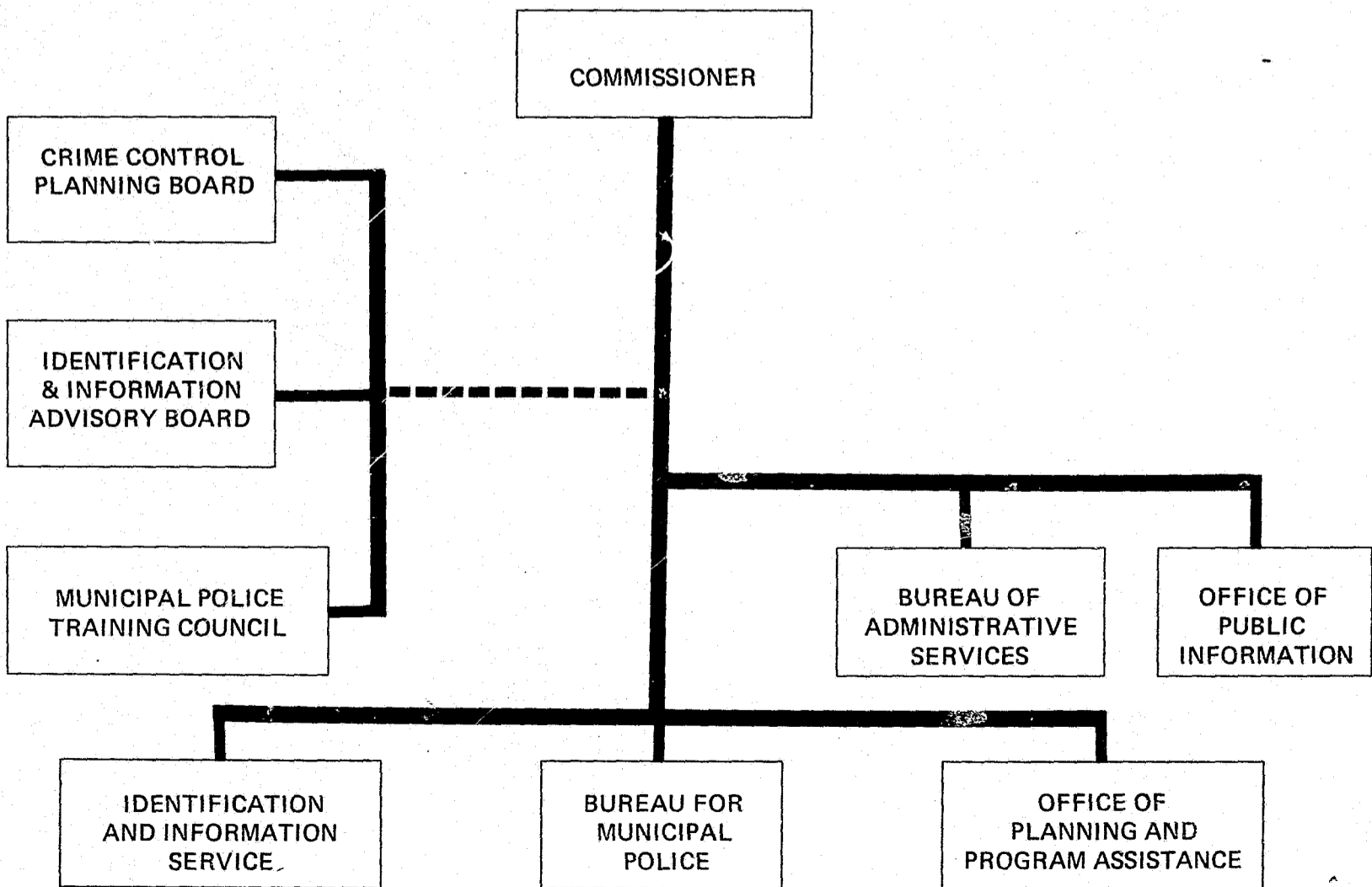
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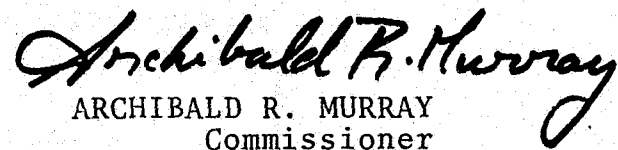
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TO: His Excellency, Malcolm Wilson, Governor,  
and the Members of the Legislature  
of the State of New York

I am pleased to submit herewith the first annual  
report of the Division of Criminal Justice Services  
for the period September 1, 1972 to December 31, 1973.

In accordance with Section 837(12) of the Executive  
Law, this report describes the activities and  
accomplishments of the Division during the preceding  
year.

Respectfully,

  
ARCHIBALD R. MURRAY  
Commissioner

## INTRODUCTION

The New York State Division of Criminal Justice Services was created by Chapter 399 of the Laws of 1972. The legislation consolidated the Division for Local Police, the New York State Identification and Intelligence System and the Division of Criminal Justice which was then in the Office of Planning Services. The new agency came into being September 1, 1972. The three major components have been designated the Bureau for Municipal Police, Identification and Information Service, and Office of Planning and Program Assistance.

The Division of Criminal Justice Services is empowered to:

1. Advise and assist the Governor in developing policies, plans and programs for improving the coordination, administration and effectiveness of the criminal justice system;
2. Make recommendations to agencies in the criminal justice system for improving their administration and effectiveness;
3. Act as the official state planning agency pursuant to certain Federal acts and in accordance therewith, prepare, evaluate and revise statewide crime control and juvenile delinquency prevention plans; receive and disburse funds from the Federal government, for and on behalf of the Crime Control Planning Board;
4. Undertake research, studies and analysis of the administration of criminal justice, using the personnel of the Division or in cooperation with any public or private agencies, and act as a central repository, clearinghouse and disseminator of research studies and information relating to the administration of criminal justice;
5. Conduct studies and analyses of the administration or operations of any criminal justice agency when requested by the head of such agency, and make the results available for the benefit of such agency;

6. Establish, through electronic data processing and related procedures, a central data facility with a communication network serving qualified agencies throughout the State, so that they may contribute and have access to information contained in the central data facility; the information shall include, among other things, criminal records, personal appearance data, fingerprints, photographs and handwriting samples;

7. Receive, process and file fingerprints, photographs and other descriptive data for the purpose of establishing the identity and previous criminal record of arrested persons;

8. Adopt appropriate measures to assure the security and privacy of its files;

9. Accept and contract as agent of the State for grants and gifts that are consistent with the purposes of the Division.

There are two statutory boards contained within the Division--the Municipal Police Training Council and the Crime Control Planning Board.

#### MUNICIPAL POLICE TRAINING COUNCIL

The Municipal Police Training Council recommends to the Governor rules and regulations governing the approval of local police training schools, requirements for training of local police officers for initial appointment, and approval of advanced in-service training programs for local police officers. The Council advises and makes recommendations to the Commissioner of the Division of Criminal Justice Services with respect to municipal police training problems, and recommends studies and reports to be made by the Division concerning such problems. The Council also establishes standards governing the height, weight and physical fitness of police candidates.

The Council consists of eight members appointed by the Governor for terms of two years. The Council must include the Police Commissioner of the City of New York, or a member of his department nominated by him, and two nominees each of the New York State Sheriffs' Association and the New York State Association of Chiefs of Police, chosen by the Governor from a panel of six experienced incumbent law enforcement officers nominated by each of the two associations. The other three members are appointed by the Governor without any statutory limitation concerning source of nomination. The Chairman is designated by the Governor. Members receive no compensation other than expenses.

MUNICIPAL POLICE TRAINING COUNCIL  
Executive Park Tower  
Stuyvesant Plaza  
BMP Albany Phone [518] 457-6043

John M. Perhach, Chairman, Sheriff, Broome County  
Michael J. Codd, Commissioner, New York City  
Police Department  
Patrick J. Corbett, Sheriff, Onondaga County  
James W. Flater, Chief of Police, Town of Colonie  
Warren D. Keller, Chief of Police, Town of  
West Seneca  
William E. Kirwan, Superintendent, New York  
State Police  
John F. Malone, Assistant Director, FBI,  
New York City  
William A. Valentine, Mayor, City of Rome

## CRIME CONTROL PLANNING BOARD

The Crime Control Planning Board, composed of representatives of State and local government, and professional and citizen interests, assists in the coordination of activities relating to law enforcement and juvenile delinquency control, and advises the Governor and the Commissioner of the Division of Criminal Justice Services regarding crime control planning and program development. The Crime Control Planning Board was initially established by Executive Order in 1968, and was continued by Executive Order No. 49, which transferred staff services for the Board from the former Office of Crime Control Planning to the Division of Criminal Justice in the State Office of Planning Services. Chapter 399 of the Laws of 1972 made the Board part of the Division of Criminal Justice Services.

The Crime Control Planning Board reviews and approves all policies, plans, regulations and priorities for the distribution of money grants to the State and localities pursuant to the Crime Control Act of 1973 (Public Law 93-83) and the Juvenile Delinquency Prevention and Control Act of 1968 (Public Law 90-445).

The Board consists of twenty-nine members appointed by the Governor with the advice and consent of the Senate. Members serve at the pleasure of the Governor. They receive no salary but are reimbursed for actual and necessary expenses.

CRIME CONTROL PLANNING BOARD  
250 Broadway  
New York, New York  
NYC Phone [212] 488-4856

Richard J. Bartlett, Glens Falls, New York  
Bartolo Buigues, New York, New York  
William Cahn, Lido Beach, New York  
Carl J. Costantino, Niagara Falls, New York  
Harris B. Dates, Ludlowville, New York  
Sanford D. Garelik, New York, New York  
Frank S. Hogan, New York, New York  
Howard A. Jones, New Rochelle, New York  
William E. Kirwan, Albany, New York  
Louis J. Lefkowitz, New York, New York  
Francis B. Looney, Farmingdale, New York  
Milton L. Luger, Niskayuna, New York  
Robert MacCrate, Plandome, New York  
John M. Martin, New York, New York  
Stephen May, Rochester, New York  
Thomas F. McCoy, New York, New York  
Reverend Earl B. Moore, Mt. Vernon, New York  
Peter Preiser, Scarsdale, New York  
Al Sgaglione, Albany, New York  
Sydney M. Spector, White Plains, New York  
Herbert J. Sturz, New York, New York  
B. John Tutuska, Buffalo, New York  
Leo Zeferetti, Brooklyn, New York  
Richard L. Dunham, Maldenbridge, New York

This first annual report will review the highlights of activity within the Division from its inception on September 1, 1972 through the close of calendar year 1973. The work of each of the major components of the Division will be reviewed and then some attention will be given to program activities of the Division that have cut across unit organizational lines.

Considerable attention was devoted during the first sixteen months of the life of the agency to a management analysis of operations. The study, conducted under the guidance of the Management Unit of the Division of the Budget, has been of invaluable assistance. The study has led to a realignment of functions that enhances coordination of the entire range of support services offered to the criminal justice system by the new Division.

BUREAU FOR MUNICIPAL POLICE



## BUREAU FOR MUNICIPAL POLICE

### TRAINING

The Bureau for Municipal Police, working with the policy guidance of the Municipal Police Training Council, has responsibility for administering training for local law enforcement officers outside the City of New York. As of December 31, 1973, a total of 16,853 law enforcement officers have graduated from the basic training course sponsored by the Bureau since the inception of the program on July 1, 1960. This total represents approximately seventy-five percent of the municipal police officers and sheriffs' deputies outside the City of New York. Although the original enabling legislation only mandated this kind of training for police officers appointed after July 1, 1960, many chiefs and sheriffs have insisted that all officers under their command undergo this training even though the officers may have begun service before the starting date of the program.

The format of schools sponsored by the Municipal Police Training Council and operated by the Bureau has been regional. The student body for each school is drawn from police departments and sheriffs' departments within the region and the instruction is offered by experienced personnel drawn from federal, state and local agencies whose competence in the subject matter has been reviewed and certified by the Division beforehand. The regional approach to training is an important aspect of Division policy because it fosters interdepartmental cooperation and instills in new officers a sense of the inter-relations that are so important in the criminal justice system. These schools often bring together officers from a variety of departments, State Police officers, members of the FBI, district attorneys, judges and correctional officials.

The overall training program in 1973 showed an increase over the figures for 1972. A summary of these figures divided by types of programs are as follows:

Basic Course: 1,509 certificates were awarded in 1973, a decrease of 215 from 1972. Thirty-five separate Basic Courses were held which is a decrease of two from the previous year. Two schools which commenced in the Fall of 1973 are still in session and will be carried on the 1974 report: a total of 156 students.

Intermediate Course: 58 certificates were awarded in this category in 1973, a decrease of 46 from 1972. This program is still rather slow because it is a voluntary program which requires the attendance by the officers either on their own time, or in a duty status. Bargaining agreements make overtime pay almost a necessity.

Advanced In-Service: 545 officers completed this thirty-five hour course sponsored at the Nassau County Police Department. Since Nassau started this course in January, 1970, 3,021 officers have been awarded the State certificate.

Supervisory Course: 388 first-line supervisors completed this mandated program in 1973, a decrease of 27 from 1972. Sixteen schools, two more than the previous year, were held. The supervisory program continues to be received enthusiastically by the students. Critiques submitted by the officers attending are almost unanimous in the opinion that the course content is relevant, interesting and valuable.

Latent Fingerprints: Two classes were held, one at the DCJS Training Room with 19 students, and one at the Regional Police Training Academy, Syracuse, with 29 students. Instruction was provided by FBI instructors.

Police Photography: 102 officers completed nine five-day programs held at various locations around the State. Instruction was provided by FBI instructors.

Police Traffic Services: Operating under a grant from the National Highway Traffic Safety Administration, several programs are being offered to the field.

1. Traffic Law Enforcement. This is a four-day program presented, usually, in the Basic Course, covering the fundamental techniques in traffic direction and control, speed detection and enforcement, driving while intoxicated and accident investigation. Our two instructors are equipped with a variety of audio-visual aids designed to bring about a more meaningful learning situation for the students. A total of 577 officers received this instruction in fifteen schools this year.

2. Defensive Driving Course. This is a one-day program presented in conjunction with the Traffic Law Enforcement program. Not an Emergency Vehicle Operations course, it is intended to teach how to drive safely under the most commonly encountered traffic conditions. A total of 577 officers received this instruction in fifteen schools.

3. Breath Testing Operator. This is a four-day program to qualify departmental operators of the Alco-Tector and Breathalyzer instruments. In twenty-five schools this year, 674 operators were certified as Breath Testing Operators. This represents a 300 percent increase over 1972.

Campus Security Officers: Five four-week schools were held for security personnel of the State University of New York. A total of 188 officers graduated.

Sheriffs' Executive Seminar: One five-day seminar for eighteen newly-elected Sheriffs was held at the DCJS Training Room. This school, the first of its kind, was funded through the DCJS Office of Planning and Program Assistance.

Second Annual Institute for Police Training Officers: A three-day seminar for thirty training officers was held at Binghamton, New York.

Film Library: A total of 991 film bookings were made in 1973. This is a decrease of 85 bookings from the previous year.

Drug Abuse Control Law: Seven Statewide one-day seminars were held to familiarize law enforcement officers with the Drug Abuse Control Laws which became effective September 1, 1973. A total of 1,066 officers attended.

Motor Vehicle Accident Report Form: A revised accident report became effective January 1, 1974. A series of eighteen four-hour seminars were held throughout the State for 966 local law enforcement officers in cooperation with the Department of Motor Vehicles.

#### MANAGEMENT ANALYSIS

The Bureau is also responsible for offering management analysis and assistance to local law enforcement agencies upon request.

The following is a report of the management assistance activities of this unit from January 1, 1973 to December 31, 1973. As of December 31, 1973 there were twenty-eight assignments which remain pending. There are nine pending assignments from prior years. This Bureau maintains a policy of not publicizing information as to the identity of the agencies requesting assistance unless the agency gives permission, or itself releases the information.

Since the Bureau is now completing its eighth year of existence, a review of that entire period might be of interest. A total of 220 municipalities and State agencies have requested field and reporting services from this Bureau in the past eight years. This includes 52 towns, 41 cities, 91 villages and 29 counties. It is interesting to note that the Bureau has done work for approximately half of the counties and approximately half of the villages and towns that have police departments.

Of the 220 different municipalities serviced by this Bureau, 77 have been repeat requests for areas of assistance different from the prior request, indicating some degree of satisfaction with the earlier work.

Forty-nine different municipalities now operate with record systems either installed by or substantially changed by this Bureau. One hundred twenty-two different law enforcement agencies operate with the rules of conduct prepared for them by this Bureau. New building studies have been done for twenty-eight law enforcement agencies and since the construction of a new building requires considerable time, we are now seeing the fruits of some of this endeavor in Ithaca, Amsterdam, Jamestown, Lynbrook and Schenectady where buildings are either completed or well underway.

The number of studies decreased from seventy-four to sixty-two for the year 1973, but the actual volume of work has increased, because as the Bureau grows older, the requests for assistance involve work of a more complex nature.

There has been a growing emphasis on manpower analysis and deployment studies which were done in some depth for eight agencies this past year.

A new method of evaluating the services of the Bureau was started in June of 1971, and is continuing to assist us in the evaluation of services rendered. The practice is to visit or telephone a department six months after completion of the requested work to find out if the recommendations were accepted and to determine the extent to which they have been implemented. The survey also seeks suggestions on how services might be improved.

The results of these surveys performed to date show that most of our recommendations are being accepted. Exceptions do occur. For instance, in records management studies, the department may desire to proceed in stages rather than all at once in changing its recording system.

As a result of the studies and recommendations performed by this Bureau over the past eight years, about 90 percent of the recommendations have been implemented by local law enforcement agencies. This figure of 90 percent contrasts sharply with the low implementation rate which we have seen associated with studies performed in New York State by private firms that lack our follow-up mechanisms.

#### PLANNING FOR THE FUTURE

As a result of the merger of the Bureau into the Division of Criminal Justice Services, a major thrust of the Bureau's work will be to improve the management and operations of municipal law enforcement. While there has been no substantial increase in budget requests in this area, both the quantity and quality of the studies have increased. Valuable methods used in this area have been taken from both the public and private sectors in this and other states and excellent assistance has been obtained from the National Association of Directors of Law Enforcement Training and Standards.

Because of this unit's deep involvement in management studies and its awareness of police management problems, it has been able to be of considerable assistance to the Division's Office of Planning and Program Assistance, particularly in the areas of field assistance and grant application review.

Training sessions will be conducted for field staff of the Bureau during 1974 so that they may become even more proficient in explaining the mission of the Division overall, as well as in acting as field liaison for all elements of the Division.

#### PHYSICAL STANDARDS

For many years, the Municipal Police Training Council has had responsibility for establishing minimum qualification standards in the area of height, weight and physical fitness that must be met by males who seek to become police officers. Chapter 66 of the Laws of 1973 struck the word "male" from the statute and thus conferred upon the Council responsibility for setting standards which apply to female candidates.

The Bureau, acting as the staff arm of the Council, began an analysis of all the relevant cases, statutes and scientific studies that were available. In late November, 1973, the Bureau organized a round of public hearings for the Council. The hearings were conducted in Buffalo, Syracuse, Albany, and New York City. They were intended to elicit the views of all interested parties concerning what might be appropriate standards for male as well as female officers. After the hearings, the Council deliberated at length on the issues.

Early in 1974, the Division will publish a new set of standards adopted by the Council to govern height, weight and physical fitness of male and female police applicants.

IDENTIFICATION AND INFORMATION SERVICE

## IDENTIFICATION AND INFORMATION SERVICE

### BACKGROUND

The New York State Identification and Intelligence System (NYSIIS) was established in 1965 by statute, as an agency within the Executive Department. The main objective of NYSIIS was the creation of a computerized data base of criminal history information which would be accessible to all qualified criminal justice agencies. In 1972, NYSIIS was merged with two other existing agencies into the newly created Division of Criminal Justice Services. Shortly after the establishment of the Division, an extensive study of the agency was conducted jointly by the Division and the Management Unit of the Division of the Budget. The study focused heavily on the component formerly known as NYSIIS. That component is now called the Identification and Information Service. As a result of this study many operational and policy improvements were adopted.

Before the merger, NYSIIS consisted of three separate Bureaus: Identification, Computer Operations and Systems Development. These units, as a result of the study, were consolidated into a single unit responsible for identification and information systems.

Further internal organizational changes were initiated within all sections to improve the processing flow and to increase control over the quality of the data base and the output of the agency. A Management Reporting Unit was established to audit the efficiency and responsiveness of all operations and a Quality Control Unit was created to monitor the accuracy of the identification process. Many technical changes in the processing of data were also made to improve the accuracy and efficiency of operations.

The study culminated in a reorientation of the basic mission of the Identification and Information Service toward improving the basic services presently offered to user agencies and concentration on the development of a comprehensive criminal justice information system.

The basic function of the Identification and Information Service has been the provision of criminal identification service to criminal justice agencies. Whenever a person is arrested on a charge for which he must be fingerprinted, copies of those fingerprints are sent to the Identification and Information Service of the Division by the arresting agency. In the case of larger jurisdictions, the transmission is done over a facsimile network in a matter of minutes. Smaller communities may mail the fingerprints to the Division or transmit them over a terminal located in a neighboring jurisdiction. The fingerprints are analyzed and classified by staff of the Identification and Information Service and then compared with other fingerprint records maintained at the Division. As a result of that search and comparison, the Identification and Information Service advises the submitting agency whether or not the person arrested has a prior criminal record.

The Division's report of the prior criminal history of the defendant is supplied to the court to aid it in making an appropriate decision on the question of bail or pre-trial release.

The information received by the Identification and Information Service becomes the basis on which to establish a new record if the person arrested had no prior criminal history or the information may be added to an existing record if the arrested person already has a prior criminal history. Most of these files are computerized in order to facilitate rapid searches.

In addition to these basic criminal history files, the Identification and Information Service maintains a number of related information files. Among them are lists of persons wanted by law enforcement authorities and persons for whom warrants have been issued.

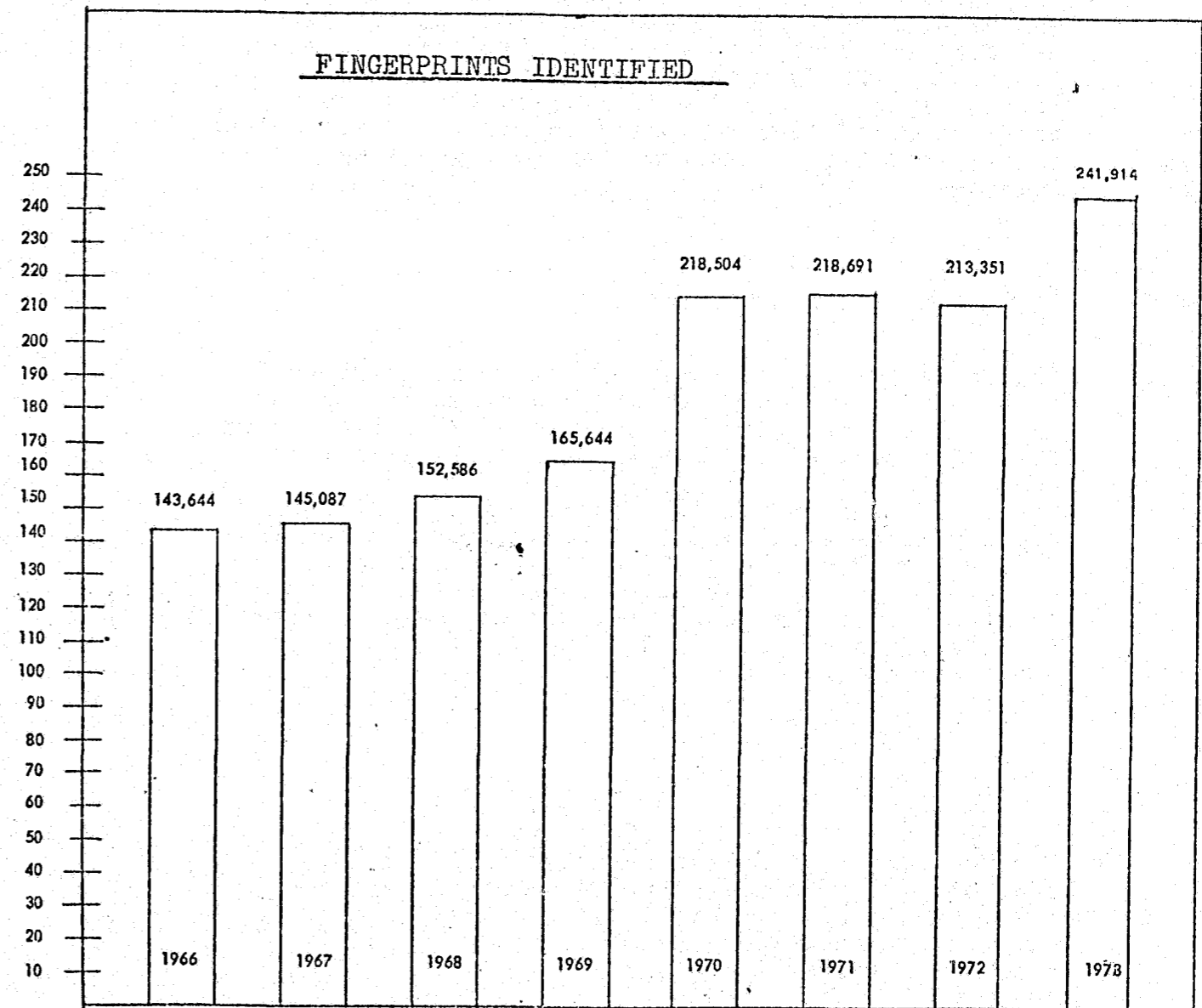
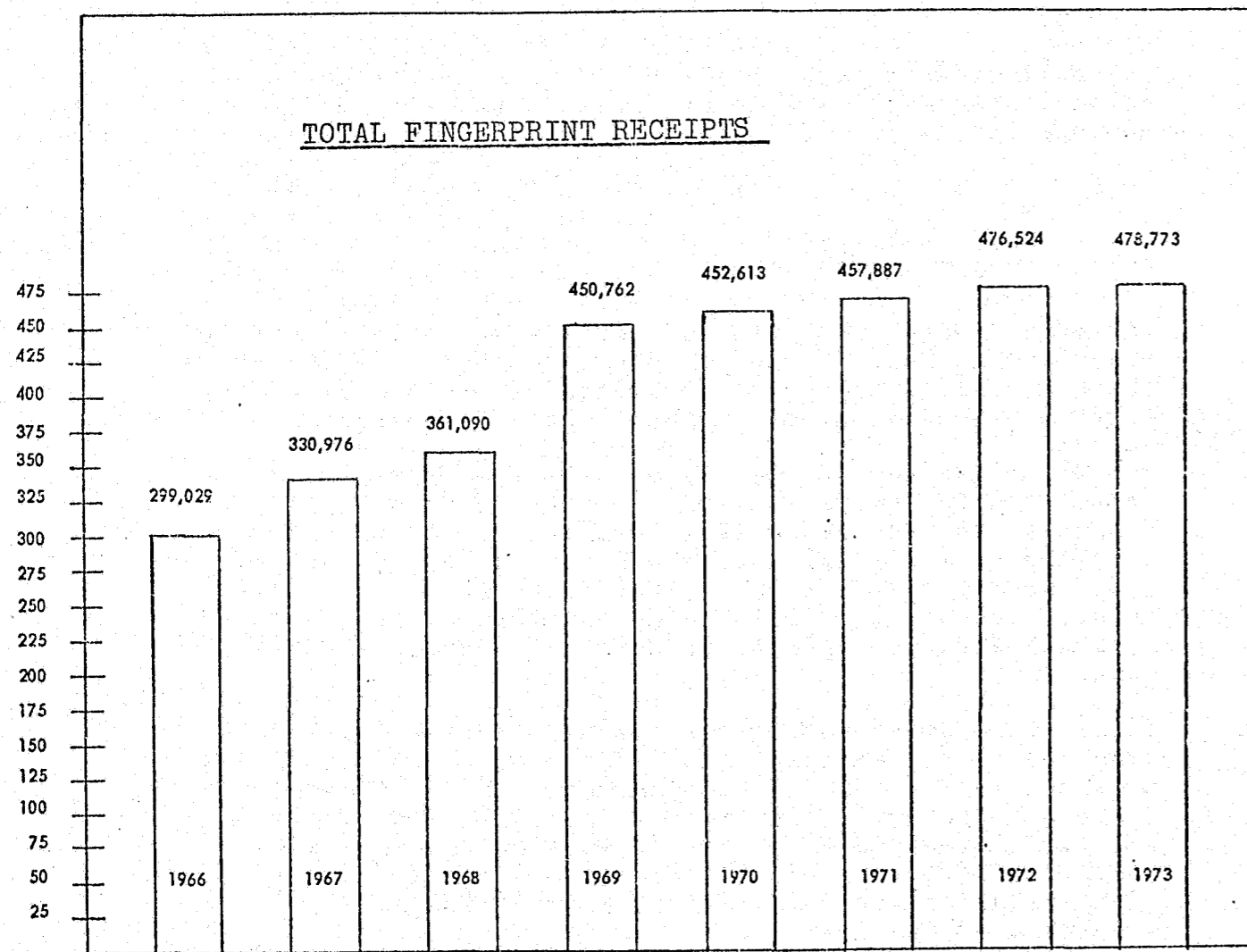
The following sections describe the operations and accomplishments of the Identification and Information Service during the past year.

#### IDENTIFICATION STATISTICS

In recent years, the trend of total fingerprint receipts has been an upward curve. However, in 1973, the number of fingerprints submitted increased by only .5 percent over the number received in 1972.

The stabilization of the fingerprint receipts can be attributed to several factors. First, the initial effect of the September 1971 Criminal Procedure Law resulted in a significant rise in the volume of prints processed in 1972. However, the fingerprinting requirements of the 1971 law now provide a more controlled rate of growth of criminal fingerprint submissions.

Total fingerprints on file as of December 31, 1973 amounted to 8.2 million, an increase of 5 percent over the 1972 figure. The technical staff effected 242,236 fingerprint identifications during the year. This total represents an identification rate of 50.5 percent of all transactions as opposed to an identification rate of 44.7 percent for transactions submitted during 1972.





Significant changes have been directed toward improving the quality of the identification process. As previously noted, an independent auditing unit has been established to monitor both the quantity and quality functions of the identification system. Also, new procedures have been implemented to provide increased review of all identified and non-identified fingerprints prior to the distribution of criminal history information to requesting agencies.

FACSIMILE NETWORK STATISTICS

Facsimile activity for all agencies on the network totaled 202,394 inquiries at an average of 555 per day. This represents an increase of 29 percent from the 1972 total of 157,165 inquiries at 429 per day.

The percentage of the 1973 total volume contributed by each major group was 67 percent from the New York City Police Department, 26 percent from upstate municipal police departments, 4 percent from the Criminal Court (New York City), 2 1/2 percent from the sheriff's offices, and 1/2 percent from the State Police.

NEW YORK CITY

The New York City Police Department transmitted 135,591 sets of fingerprints via facsimile during 1973, an average of 371 per day. This was a 35 percent increase from the 1972 volume of 100,799 sets of prints or 275 per day.

NEW YORK CITY FACSIMILE TRANSMISSIONS

<u>AGENCY</u>	<u>1972</u>		<u>1973</u>		<u>DIRECTION &amp; % OF CHANGE</u>
	<u>TOTAL VOLUME</u>	<u>MONTHLY AVERAGE</u>	<u>TOTAL VOLUME</u>	<u>MONTHLY AVERAGE</u>	
Kings Pre-Arraignment	43,592	3,633	37,054	3,088	down 15%
Queens Pre-Arraignment	19,588	1,632	17,973	1,498	down 8%
Bronx Pre-Arraignment	28,616	2,385	25,716	2,143	down 10%
*Staten Island Pre-Arraignment	628		2,976	248	
*Manhattan Pre-Arraignment	6,822		50,286	4,191	
Identification Bureau	1,553	129	1,583	132	up 2%

\*Kings, Queens and Bronx Pre-Arraignment Centers, as well as the ID Bureau of the New York City Police Department used the network throughout 1972. Staten Island was added in October 1972 and Manhattan was added in November 1972. Kings, Queens, Bronx, Staten Island and Manhattan Pre-Arraignment Centers, as well as the ID Bureau used the network throughout 1973.

UPSTATE MUNICIPAL POLICE AGENCIES

Fingerprint transmissions from upstate totaled 52,756 in 1973, an average of 145 per day. This was an increase of 12 percent from the 1972 total of 47,085 sets of prints or 129 per day.

SHERIFFS' OFFICES

Together the Sheriffs' Offices sent 5,188 sets of fingerprints via facsimile in 1973, an average of 14 per day. This was an increase of 20 percent over the 1972 total of 4,323 documents or 12 per day.

STATE POLICE

Total transmissions from the State Police amounted to 967 sets of fingerprints, an average of 3 per day, which is a decrease of 50 percent from 1972's total of 1,941 transmissions or an average of 5 per day.

Cicero no longer contributes prints via facsimile as of June, 1973, which explains the substantial decline in total volume of transmissions for 1973.

CRIMINAL COURTS, NEW YORK CITY

Total activity for all the courts amounted to 7,892 sets of prints, an average of 30 per day and an increase of 162 percent from the 1972 total of 3,017 sets of prints, an average of 8 per day.

UPSTATE FACSIMILE TRANSMISSIONS

<u>AGENCY</u>	<u>1972</u>		<u>1973</u>		<u>DIRECTION &amp; % OF CHANGE</u>
	<u>TOTAL VOLUME</u>	<u>MONTHLY AVERAGE</u>	<u>TOTAL VOLUME</u>	<u>MONTHLY AVERAGE</u>	
Albany	1,524	127	2,179	182	up 43%
Buffalo	9,396	783	10,124	844	up 8%
Nassau	14,181	1,183	15,202	1,267	up 7%
Niagara Falls	1,078	90	1,353	113	up 26%
Poughkeepsie	1,420	118	1,235	103	down 13%
Rochester	5,580	465	5,232	436	down 6%
Suffolk	8,197	683	11,613	968	up 42%
Syracuse	3,547	295	3,487	291	down 2%
Utica	657	55	608	51	down 7%
Yonkers	1,505	125	1,723	144	up 14%

SHERIFFS' FACSIMILE TRANSMISSIONS

<u>AGENCY</u>	<u>1972</u>		<u>1973</u>		<u>DIRECTION &amp; % OF CHANGE</u>
	<u>TOTAL VOLUME</u>	<u>MONTHLY AVERAGE</u>	<u>TOTAL VOLUME</u>	<u>MONTHLY AVERAGE</u>	
Broome	405	34	536	45	up 32%
Chautauqua	783	65	911	76	up 16%
Erie	1,024	85	800	67	down 22%
Putnam	379	32	408	34	up 8%
Rockland	1,077	90	1,798	150	up 67%
Westchester	655	55	699	58	up 7%
*Oswego			36	3	

\*Oswego was added to the facsimile network in September 1973. Total volume and monthly average is only for a period of 4 months.

STATE POLICE FACSIMILE TRANSMISSIONS

<u>AGENCY</u>	<u>1972</u>		<u>1973</u>		<u>DIRECTION &amp; % OF CHANGE</u>
	<u>TOTAL VOLUME</u>	<u>MONTHLY AVERAGE</u>	<u>TOTAL VOLUME</u>	<u>MONTHLY AVERAGE</u>	
Ferndale	764	64	816	68	up 7%
Cicero	1,177	98	151	30	(for 5 months)

CRIMINAL COURTS, NEW YORK CITY, FACSIMILE TRANSMISSIONS

<u>COURT</u>	<u>1972</u>		<u>1973</u>		<u>DIRECTION &amp; % OF CHANGE</u>
	<u>TOTAL VOLUME</u>	<u>MONTHLY AVERAGE</u>	<u>TOTAL VOLUME</u>	<u>MONTHLY AVERAGE</u>	
Kings	218	18	508	42	up 133%
Queens	1,764	147	1,172	98	down 34%
Bronx	515	43	2,558	213	up 39%
Manhattan	520	43	3,654	305	up 603%

DCJS CRIMINAL JUSTICE STATUS SYSTEM  
(Wanted/Missing Persons)

The DCJS Identification and Information Service maintains a file of individuals "wanted" in a criminal or civil action. Criminal entries include individuals wanted for felonies or misdemeanors, escapees from correctional institutions, parole and probation absconders and Drug Abuse Control Commission elopees. Missing persons and deserting parents comprise all entries of a civil nature. Information stored on the file is available for inquiry and update on a twenty-four hour day, seven day week basis.

Access to the system is provided through in-house Cathode Ray Tubes (TV screen), a CRT at the Department of Social Services, and teletype terminals throughout the State that are part of the New York Statewide Police Information Network (NYSPIN). Additionally, the Criminal Justice Status file is accessed by DCJS staff during the processing of fingerprint documents submitted to DCJS.

A computerized nationwide wanted file is maintained in Washington, D. C. by the FBI's National Crime Information Center (NCIC). Both the DCJS and NYSPIN computer systems are tied directly into the NCIC system.

All terminals on the NYSPIN network have the capability to make on-line inquiries and updates to the DCJS wanted file and the NCIC file by means of a single terminal entry. The on-line inquiry capability became operational in the Fall of 1972, the update capability, in July 1973.

Prior to implementation of on-line inquiries, all wanted checks required either a telephone call or teletype message to DCJS. When the inquiry was received, DCJS personnel keyed the search data into the computer and returned the results via telephone or teletype. All updates were accomplished by teletyping or mailing notice of the action required to DCJS. However, confirmation notices were not returned.

Implementation of the on-line capabilities has provided the users with more timely responses as well as immediate turnaround of all transactions in error. Of significance is the fact that the user now receives a confirmation on all entries and cancellations made to the file.

Currently, only entry, cancellation, clear and inquiry transactions are handled on-line. All transactions of a modification nature are teletyped to DCJS for updating in-house. When implemented, DCJS will be in a position to provide this additional service to its system users. Several user agencies, such as the Division of Parole and the Drug Abuse Control Commission, currently mail updates to DCJS; most of these agencies are considering or are in the process of obtaining a terminal on the NYSPIN network in order to have on-line access to the DCJS system.

All fingerprint documents submitted to DCJS for identification and preparation of a criminal history response are automatically checked against the DCJS and NCIC wanted files. When a search of input data results in a possible identification on either wanted file, notification is made both to the agency submitting the fingerprints and to the wanting agency.

Deserting parent information is entered by Department of Social Services personnel via a CRT terminal located in the Department of Social Services. Dissemination of information regarding deserting parents is restricted to Department of Social Services personnel.

As part of file verification, DCJS prepared a listing of all records on the file for each user agency for validation. The agencies were asked to cancel records which were no longer active and to modify those which contained incomplete or incorrect data.

#### "FAILSOFT" EQUIPMENT

Since September, 1972, the Division has had a partially redundant computer system. All components making up the computer system were duplicated with the exception of data storage devices. Nevertheless, when certain components failed, it became necessary to postpone processing data until the component was repaired and tested. Because of the need to provide users with a rapid response around the clock, it has become imperative that computer processing be available twenty-four hours a day, seven days a week. Accordingly, in October, 1973, equipment was installed that would provide DCJS with the ability to restructure the components of the computer system rapidly through a control panel ("failsoft"). In the event that a specific component of the computer fails, the component is separated from the system and processing is continued at a reduced level. When the component that failed has been satisfactorily repaired, it can then be restored to full operation in the system.

Installation of "failsoft" equipment also allows the computer system to be configured to provide two separate operating systems. The agency can take advantage of this capability to split the system during periods of reduced user demand and thus provide internal testing and development of new or improved services for users. The arrangement also permits the agency to carry on a preventative maintenance program.

#### REMOTE PRINTING OF CRIMINAL HISTORIES AT NEW YORK CITY COURT LOCATIONS

Arrest fingerprints are transmitted, via special purpose facsimile transmitters, to DCJS from four court locations in New York City. These prints are classified at the Division for purposes of criminal identification and the preparation of a criminal history response, detailing the prior criminal record, if any, of the person arrested. The criminal history response is then transmitted by facsimile back to the police and the court for purposes of arraignment.

The use of message facsimile to transmit the criminal history response to the court, although an improvement in turn-around time compared to the use of mail or courier service, still left much to be desired. The New York City requirement for multiple copies of the criminal history response had an adverse effect upon the overall clarity of the copies received. The facsimile machines were not designed to accommodate transmission of multiple copies. Secondly, the facsimile transmission speed of four minutes for each page of criminal history is slow when compared to even a low speed computer-driven line printer.

In 1972, the Division's Office of Planning and Program Assistance made a grant to the City of New York to permit installation of remote line printers in the four major court locations in New York City (Bronx, Brooklyn, Manhattan and Queens). A fifth printer was to be installed in the Identification Bureau of the New York City Police Department.

Early in 1973, a request for proposal was distributed to vendors of remote printers. Proposals were received and a vendor selected by New York City in March, 1973. The systems design was completed in April. Programming began in May and was completed in June. The vendor delivered a printer to DCJS in late June to be used for testing purposes. Hardware, software and program testing were completed during July and August. Early in September, the vendor went into bankruptcy. A new vendor was selected in October and a test printer delivered to DCJS. Program changes were made and testing began with new printers in early November. The four printers for the court locations were installed by December.

The production of criminal history responses by remote printer went into full operation at all four court locations on December 6, 1973. The project has been highly successful. The quality of the criminal history response is excellent and the improvement in the speed of transmission is significant. Facsimile transmission time for a single page is four minutes. The remote printer can produce a single page in less than fifteen seconds. The overall response time has been improved because less manual intervention is now required. The use of the remote printers for the production of all computer-produced criminal history responses for the City of New York has resulted in a major improvement in DCJS service to its principal user. It should be noted, however, that in the case of criminal histories prepared from manually maintained files, the criminal history will be transmitted by facsimile not by line printer.

### IDENTIFICATION PROCESSING

Identification of a fingerprint submission can be made utilizing three different methods; Automated Name Search, Manual Name Search and an Automated Fingerprint Search.

An Automated Name Search is initiated when arrest information is entered into the computerized system or a specific inquiry is made. If this inquiry does not result in an identification, a search of the manual files is made using the "soundex" coding for the individual's name. If neither method results in an identification, the fingerprints are fully classified and a search is made of the automated fingerprint file or manual file depending upon the type of classification. In all cases where the person in question is found to have a record in the system, the fingerprints of the individual are compared to the corresponding fingerprints on file and a positive identification is made prior to transmission of a criminal history.

In certain cases, the individual is identified by the arresting agency and his New York State Identification (NYSID) number is also submitted. The table below indicates the number of identifications resulting in each area.

<u>Search Method</u>	<u>Number of Identifications</u>	<u>Percentage of Total</u>
Automated Name Search	176,282	72.7
Manual Name Search	44,185	18.6
Fingerprint Search	17,334	7.0
Identification in the Field	<u>4,113</u>	<u>1.7</u>
TOTAL	241,914	100.0

In addition to fingerprint cards, the agency also processes investigative inquiries from authorized agencies. In 1973, this volume amounted to over 141,000 pieces of correspondence. These inquiries are not supported by fingerprints and are processed only through the name search procedures.

#### REDESIGN OF SUMMARY CRIMINAL HISTORY REPORT

In order to meet user concerns and improve the readability and usefulness of computer written criminal history reports, the Identification and Information Service initiated a complete redesign of the report in 1973. This revision was undertaken in conjunction with a committee of users comprised of representatives of:

Bronx County District Attorney  
Kings County District Attorney  
New York County District Attorney  
Queens County District Attorney  
Richmond County District Attorney  
New York City Department of Correction  
New York City Criminal Court  
New York City Police Department  
New York State Association of Chiefs  
of Police  
New York State Department of Correctional  
Services  
New York State Division of Probation  
New York State Judicial Conference  
New York State Police  
New York State District Attorneys'  
Association  
New York State Sheriffs' Association

Each of the agencies offered criticisms and suggestions and contributed to the redesign effort. They also approved the final format prior to its installation by DCJS.

The revised report primarily modifies the manner in which data are presented to the recipient. The new format provides for four major sections in the following order:

- a. *Identification Section*
- b. *Criminal History Section*
- c. *Other Criminal History Section*
- d. *Other Information Section*

The *Identification Section* contains internal control data in addition to personal information relating to the subject, such as names previously used, date of birth, race, sex and height.

The *Criminal History Section* is divided into three columns representing arrest data, arrest charges and dispositions and corrections data.

Entries in the *Other Criminal History Section* contain information concerning arrest or incarceration events which are not supported by fingerprints in the possession of DCJS. These events are captured mainly from FBI records.

The *Other Information Section* contains additional personal data relative to the individual such as aliases, addresses, nicknames, birth dates used, etc.

The new report is in use and is now being provided to all qualified user agencies.

#### COLLECTION OF UNREPORTED CASE DISPOSITIONS

At the time of the merger in 1972, NYSIIS was largely dependent upon the Judicial Conference for the collection and reporting of the court dispositions of cases that were first reported to NYSIIS at the time of arrest. At that time, the Conference was not engaged in a Statewide effort of collecting dispositions. In the areas of the State not covered by the Judicial Conference, a few police agencies on a volunteer basis reported some dispositions from time to time. In January, 1973, the Judicial Conference expanded its collection effort to cover the entire State. As might be expected, there were significant numbers of dispositions which were never collected and entered on the criminal history records of the Identification and Information Service.

In 1973, the Identification and Information Service and the Judicial Conference conducted a joint analysis of the problem to determine the magnitude of the collection effort that had to be launched to capture the missing case dispositions. The Identification and Information Service and the Judicial Conference applied to the Division's Office of Planning and Program Assistance for a grant to assist in accomplishing the collection effort. The grant was awarded and much of 1974 will be spent collecting missing felony dispositions with the assistance of court personnel working on an overtime basis.

#### FELONY INDICTMENT STATISTICAL REPORTING SYSTEM

As part of the Emergency Dangerous Drug Control Program adopted at the 1973 Legislative session, a new reporting responsibility was imposed upon the Division of Criminal Justice Services under Chapter 603 of the laws of 1973. Article 35, Section 837-a of the Executive Law now provides that: "...the division shall:

1. Collect and analyze statistical and other information and data with respect to the number of persons indicted for the commission of a felony, the felony for which the person was indicted, the county within which the indictment was filed, the disposition of the indictment including, but not limited to, as the case may be, dismissal, acquittal, the offense to which the defendant pleaded guilty, the offense the defendant was convicted of after trial, and the sentence.
2. The division shall present to the governor, temporary president of the senate, minority leader of the senate, speaker of the assembly and the minority leader of the assembly, a quarterly report containing statistics and other information required by subdivision one hereof. The initial report required by this paragraph shall be for the period beginning September first, nineteen hundred seventy-three and ending December thirty-first, nineteen hundred seventy-three and shall be presented no later than January fifteen, nineteen hundred seventy-four. Thereafter, each quarterly report shall be presented no later than fifteen days after the close of each quarter."



To discharge these new responsibilities, staff of the Division drawn from the Identification and Information Service, as well as the New York City Office, working closely with the New York State District Attorneys' Association, designed and implemented a new statistical reporting system.

During the latter part of the Summer of 1973, newly designed forms and instructions were distributed to the offices of each county district attorney, as well as special prosecutors throughout the State. Concurrently, a computerized sub-system was established on the Division's main computer operated by the Identification and Information Service, to file, maintain and analyze the data submitted by the source agencies. Tables illustrating comparisons were developed to assist in production of the quarterly report. The work done in connection with the development of this system has served not only to produce the required report, but has aided in laying the foundation for:

- Establishment of a centralized and uniform collection of fundamental data elements concerning indictments and felony prosecutions.
- Establishment of a data base to be used to study the felony phase of criminal justice processing.
- Establishment of regular measures and analysis of felony processing.
- Development of a flexible core of statistical data which can be expanded to include other phases of criminal justice processing.
- The creation of the ability to respond to ad hoc questions and provide data to assist in administrative decision making.

As a result of these initial efforts, sixty-one of the State's sixty-two county district attorney offices and the Special Narcotic Courts participated in the reporting effort during its first period, September 1, 1973, through December 31, 1973. The counties of the participating offices represented 99.9 percent of the State population. During the first week of January, 1974, the statistical report was produced and delivered as required.

The numbers of cases reported were less than 100 percent of the reportable data. Nevertheless, the patterns and correlations observed in the data are important. The reporting, even though less than total, was an encouraging sign. The fact that sixty-one of sixty-two district attorneys contributed data on a voluntary basis is a hopeful signal of growing cooperation within the criminal justice system.

#### DRUG INFORMATION REWARD PROGRAM

Also, as part of Governor Rockefeller's comprehensive drug control program, the Legislature amended Article 35 of the Executive Law to add a new section 838 entitled "Rewards for Information on Dangerous Drugs". The new section took effect September 1, 1973 and provided for the creation of a fund known as "The Rewards for Information on Controlled Substances Fund". The money in the fund is available for payment of rewards to persons who provide information to the Division leading to the arrest and conviction of an individual for a Class A drug felony.

The law provides that the Commissioner of the Division of Criminal Justice Services is empowered to pay from the fund a reward of one thousand dollars (\$1,000), to each person who provides the requisite information, except that in the case where two or more persons provide the information, each shall be entitled only to a proportionate share of the reward.

To facilitate the receipt of information, toll free Statewide telephone lines were installed. In addition, because it was expected that a high proportion of the calls would emanate from the New York City area, two additional lines were installed for the convenience of residents in that area. To accommodate those who might be reluctant to use the telephone, a postal service box was established to receive written information.

TO REPORT INFORMATION ABOUT ILLEGAL  
DRUG TRANSACTIONS, ONE SHOULD  
TELEPHONE: (800) 342-9872, TOLL FREE

OR, WRITE TO: DRUG REWARD PROGRAM  
P. O. BOX 244  
GUILDERLAND, NEW YORK  
12084

Planning for the new program envisioned that information concerning sellers of drugs would probably be forthcoming at any time of day or night. As a consequence, staffing was provided to cover the telephones twenty-four hours a day, seven days a week. Experience has demonstrated the correctness of that decision. A high percentage of calls have been received during the late evening and early morning hours. A significant number of informants had difficulty in communicating in English with the DCJS personnel. Accordingly, several Spanish speaking clerks were added to the staff.

Although a major educational campaign was launched to inform the public of various aspects of the total drug program, it was felt that a specialized effort should be made to focus attention on the drug information reward program. Accordingly, a campaign of spot announcements was launched with local radio and television stations throughout the State. The time for those announcements was donated by the stations as part of their public service contribution. The response to this educational program which was conducted at minimal cost to the State has been encouraging.

During the first four months of the program, over 3,600 telephone calls were received from concerned citizens. Of that number, 1,883 were of sufficient substance to transmit to the appropriate law enforcement officials for investigation. The remaining calls were divided among those seeking information about the program and repeat calls to provide additional information concerning calls previously made. In addition, a total of 91 letters providing information about drug dealers were received. To insure that the information was referred to the appropriate law enforcement agency, especially in areas outside the major cities, the reports were routed through the district attorneys of the various counties. A geographical analysis of the information sources is outlined in the table on the following page.

As the table indicates, while the initial response was heavily New York City oriented, subsequent activity showed a growing proportion of calls originating outside the New York City area.

During this same period a total of twenty-one arrests were effected as a result of information received through this program. Experience with other programs has shown that continuing public education is needed to maintain the effectiveness of such a program. During the coming year, every effort will be made to insure that the public is aware of the existence of the program.

GEOGRAPHICAL ANALYSIS OF INFORMATION SOURCES

<u>MONTH</u>	<u>STATEWIDE</u>	<u>PERCENTAGE</u>	<u>NEW YORK CITY</u>	<u>PERCENTAGE</u>	<u>OTHER JURISDICTIONS</u>	<u>PERCENTAGE</u>
September	762	100	728	95.5	34	4.5
October	499	100	469	94.0	30	6.0
November	307	100	254	82.7	53	17.3
December	<u>315</u>	<u>100</u>	<u>228</u>	<u>72.3</u>	<u>87</u>	<u>27.7</u>
TOTAL	1,883	100%	1,679	89.2%	204	10.8%

RESEARCH AND DEVELOPMENT

The Identification and Information Service, as part of its effort to deliver the best criminal identification service possible to user agencies, maintains a small unit devoted to criminalistics research. Some of the more rewarding efforts of 1973 were:

Semi-Automated Fingerprint Encoding System.

A prototype device has been built and partially evaluated which, it is hoped, will demonstrate the potential feasibility and viability of a Latent Fingerprint File organized and structured on ridge data (minutiae).

The tasks accomplished included the design and development of a semi-automated input encoding device; the development of storage and retrieval software and the creation of a semi-automated microfilm based pilot fingerprint record file.

The Rochester Police Department is a participant in this program to the extent that it is routinely submitting actual crime scene fingerprints for test purposes.

Pilot Computerized Infrared Data File.

The objective of this program was to demonstrate the feasibility and potential utility of a remotely accessed, computer-based centralized scientific data file in support of "Crime Lab" activity. The pilot project has been conducted for over a year with two remote terminals located in two of the major crime labs of the State. Utility was clearly demonstrated and operational experience obtained.

Although still in the "pilot" stage, an unexpected benefit has accrued to these labs in connection with the stepped-up identification and screening activities imposed on the participating labs in connection with the new drug law prosecutions.

*New Fingerprint Recording System.* A prototype device was built to demonstrate the feasibility and utility of an inkless method of recording fingerprints of uniformly high contrast and resolution, smudge free and essentially with low distortion.

The device employs a new optical technique which produces records of photographic quality.

*New Fingerprint Classification System.* A research project was completed which has resulted in the identification and evaluation of several potential new descriptors which can be used in place of, or in conjunction with, the ridge classification system currently used.

The new descriptors are more computer compatible (i.e., lend themselves to semi-automated input), impose fewer subjective demands on the individual classifier and are inherently more reproducible from an accuracy point of view.

OFFICE OF PLANNING AND PROGRAM ASSISTANCE

THE CRIME CONTROL PLANNING BOARD  
AND THE  
OFFICE OF PLANNING AND PROGRAM ASSISTANCE

In order to receive federal funds from the Law Enforcement Assistance Administration under the Crime Control Act of 1973, a state must establish a "state planning agency" to oversee criminal justice planning and supervise the distribution of funds in the state. In New York, the Crime Control Planning Board and the Office of Planning and Program Assistance are the components of DCJS which constitute New York State's approved planning agency for administering funds received by the State under the LEAA program.

The principal activities of the Office of Planning and Program Assistance are to prepare an annual comprehensive crime control plan for the State and to work with a network of local and State agency planners to develop, administer, monitor and evaluate demonstration programs. The role of the Crime Control Planning Board is to review and approve particular programs for funding out of federal monies and to recommend general policies for the containment of crime to the Governor and the Commissioner.

However, because of their responsibility to prepare and approve an annual plan and to superintend a large and diverse grant-in-aid program, the Crime Control Planning Board and the Office of Planning and Program Assistance have increasingly become involved with general planning, program development, policy making, budgeting and evaluative matters in the criminal justice field. These activities, although grounded in the grant-in-aid function, go well beyond the strict requirements of the grant-in-aid program. Moreover, since the Office of Planning and Program Assistance is the component which contains the legal staff of the Division, it provides the Commissioner with the staff assistance necessary to initiate and review legislative proposals.

ORGANIZATIONAL HISTORY OF THE OFFICE  
OF PLANNING AND PROGRAM ASSISTANCE  
AND THE CRIME CONTROL PLANNING BOARD

The Office of Planning and Program Assistance is the successor of the Office of Crime Control Planning which was established in 1968 by Executive Order to comply with Federal requirements under the Omnibus Crime Control Act of 1968. The Office of Crime Control Planning continued as a small agency in the Executive Department until April, 1, 1971, when it was merged into the Office of Planning Services as the Division of Criminal Justice. The Division of Criminal Justice remained a part of the Office of Planning Services until it became a part of DCJS on September 1, 1972.

The Crime Control Planning Board was also established in 1968 in order to provide an entity which could generally supervise the work of the Office of Crime Control Planning, recommend criminal justice standards for the State and approve specific programs for funding. Although its size has been enlarged, the Board has retained its name and general functions throughout its organizational journey, along with the Office of Planning and Program Assistance and its predecessors, from its early status as an independent board in the Executive Department to its present status as part of DCJS.

FUNCTIONS OF THE CRIME CONTROL PLANNING BOARD

The twenty-nine member Board meets in March, June, September and December, to consider applications for funding. The Board also meets once each year, usually in February, to review and approve a comprehensive crime control plan for the State. Recently, the Board appointed two sub-committees, one to work with the Office of Planning and Program Assistance staff in developing a revised criminal justice planning process and structure, and the other to formulate policy recommendations in the area of minority group recruitment and promotion by criminal justice agencies.

ORGANIZATION AND FUNCTIONS OF THE OFFICE  
OF PLANNING AND PROGRAM ASSISTANCE

A Deputy Commissioner of DCJS serves as the Administrator of the Office of Planning and Program Assistance. Day-to-day operations are supervised by a Deputy Administrator. The staff, which is located in New York City, consists of approximately fifty professional members. Staff members include sociologists, systems specialists, attorneys, accountants, engineers and researchers, as well as persons with considerable operational experience in criminal justice agencies.

Under an interim management study completed by the Management Unit of the Division of the Budget in October, 1972, the Office of Planning and Program Assistance has been structured to reflect organizationally the following major functions:

- Planning. Gathering and analysis of data concerning crime and the capabilities of criminal justice agencies; preparation of the annual comprehensive plan; formulation of substantive and procedural standards to guide State and local program development.
- Program Development. Assisting in the development of programs in a locality or within a State agency which address specific problems uncovered during the planning process; reviewing applications for funds which are received by the Office of Planning and Program Assistance; monitoring the substantive progress of funded programs.
- Evaluation. Assessing, in a rigorous way, the results of individual funded programs and comparing operations and the results among groups of similar programs.
- Grant Administration. Completing all project control, contracts administration, fiscal and audit activities necessary to maintain the effectiveness and integrity of a major grant-in-aid program.

- Legal. Providing the Administrator (and indirectly DCJS as a whole) with legal analyses of proposed legislation and federal and state statutes and regulations; participating in planning and program development activities which directly relate to the courts and court-related agencies.

In carrying out its functions, the Office of Planning and Program Assistance is assisted by a network of criminal justice planners situated in major localities, on regional planning board staffs, in State criminal justice agencies and in the offices of administrative judges. In all, these planners number approximately seventy-five. Planners are located in the Department of Correctional Services, the Division of Probation, the Division for Youth and the Judicial Conference, in all of the State's judicial departments, and in the following cities, counties and regions:

New York City  
 Buffalo  
 Rochester  
 Syracuse  
 Yonkers  
 Albany  
 Erie County  
 Monroe County  
 Onondaga County  
 Westchester County  
 Nassau County  
 Suffolk County  
 Genesee-Finger Lakes Regional  
 Planning Board  
 Central New York Regional Planning  
 and Development Board  
 Capital District Regional Planning  
 Commission  
 Southern Tier East Regional  
 Planning Board  
 Black River/St. Lawrence Regional  
 Planning Board

Herkimer/Oneida Regional Planning  
 Board  
 Southern Tier Central Regional Crime  
 Control Planning Committee  
 Mid-Hudson Crime Control Planning  
 Commission  
 Lake Champlain/Lake George Regional  
 Planning Board

Planning staffs in the field, as well as the staff of the Office of Planning and Program Assistance, are primarily supported by planning funds received each year from the Law Enforcement Assistance Administration. For the current federal fiscal year (1974), the Office of Planning and Program Assistance has received \$3.6 million in planning funds. About 55 percent of this amount supports the field planning structure, while the balance is spent on the Office of Planning and Program Assistance staffing and special studies of a planning nature. Court and State agency staffs are supported out of program funds.

#### PROGRAM FUNDING ACTIVITY

Each year, DCJS receives an allocation of "action funds" from the Law Enforcement Assistance Administration, an arm of the United States Department of Justice. For federal fiscal year 1973, \$47.5 million of action funds were made available, and the same amount will be forthcoming from the fiscal year 1974 appropriation. State agencies typically receive about 25 percent of the available action funds,\* and the "Big Six Cities" and the most populous counties receive almost 93 percent of the balance.

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\*Although funds supplied under Part C of the block grant "action funds" must be distributed in a manner that assures that 80 percent goes to units of local government, Part E funds supplied for support of correction programs is not subject to any formula of that kind.

As of December 31, 1973, the Crime Control Planning Board had committed \$41 million in fiscal year 1973 funds. This grant activity resulted in the following distribution of funds:

<u>GRANTEE(S)</u>	<u>\$(M)</u>	<u>%</u>
New York City	19.0	46.2
Major Upstate Localities	8.4	20.6
All Other Localities	2.3	5.5
State Agencies	11.3	27.7
Totals	41.0	100.0

Law Enforcement Assistance Administration guidelines for state comprehensive planning require that programs be developed across the major functional areas of the criminal justice system. These functional areas include crime prevention, detection and apprehension, adjudication and rehabilitation. Consistent with these directives, the New York State Plan addresses major problems affecting law enforcement and criminal justice activities within the broad functional categories approved by the Law Enforcement Assistance Administration. Funds are allocated to each such problem area for programs which show promise of addressing the problem at the local or State agency level, as appropriate.

The 1973 Comprehensive Crime Control Plan allocates available action funds across seven major functional areas as follows:

● Improving Law Enforcement \$ 8,674,800

Improving the patrol function; community relations programs; crime analysis and operational planning; improving police handling of juveniles; reorganizing the investigative function; updating police radio communications; improving forensic laboratory services; and police training.

● Preventing and Controlling Organized Crime \$ 500,000

Developing coordinated efforts in metropolitan areas to investigate organized criminal activities and prosecute identified suspects.

● Preventing Crime and Delinquency \$ 5,516,500

Assisting inter-related efforts by criminal justice agencies, other governmental agencies and community-based organizations to reduce crime and delinquency.

● Improving the Adjudicatory Process \$ 8,859,400

Improving the planning and management capabilities of court and court-related agencies; creating new mechanisms for decision-making points, such as case screening, bail and sentencing; and providing legal services for inmates.

● Pre-Trial Detention and Its Alternatives \$ 8,000,000

Reducing the numbers of juvenile and adult detainees; improving juvenile and adult detention conditions.



- Post-Adjudicatory Services and Programs \$14,291,800

Decentralizing and diversifying field correctional services; decentralizing institutional programs; upgrading training and planning capabilities of correctional agencies.

- Data Processing Support for Criminal Justice Activities \$ 1,153,500

Design and documentation of components of an integrated criminal justice information system.

Since the inception of the Law Enforcement Assistance Administration program in 1968, the Crime Control Planning Board has awarded \$11 million in planning funds and \$140 million in action funds in support of the criminal justice system of the State. While it is impossible to describe a grant-in-aid program of such diversity adequately within the constraints of an annual report, the following examples of projects undertaken may hint at the scope and complexity of the effort:

- Two awards have provided unmarked vehicles and communications equipment to support the anti-crime patrol units of the New York City Police Department. Reports indicate that where disguised and plainclothes policemen have been used under this program, stranger-to-stranger street crime has been reduced.

- The Crime Control Planning Board has contributed substantial funds to support a major effort by the Vera Institute of Justice to find supported work situations for ex-offenders in New York City.

- In Nassau County, a deferred prosecution program supported by the Board has now been absorbed by the County after an independent evaluation indicated that defendants who are offered intensive social services under the auspices of the Probation Department are significantly less likely to become recidivists than are defendants who are prosecuted in the traditional manner.

- District Attorney charge screening and case assessment projects in major upstate counties have uniformly resulted in significant reductions in felony case backlogs.

- In the City of Albany, a Neighborhood Police Unit has enlisted the support of residents of the area of operations by establishing a store-front headquarters and adopting a distinctive "civilianized" uniform. As a result, the Unit's patrol and investigative work is enhanced by citizen cooperation. The Unit, which is now supported by the City out of its own funds, has served as a model for similar efforts in many other states and localities.

- The State Judicial Conference received funds to establish a Management Planning Unit in the office of the State Administrator. In addition to taking a leadership role in planning under the Emergency Felony Program in New York City and the Emergency Dangerous Drug Control Program in the State, the Unit has begun to be the locus for the intermediate and long-range administrative planning activities of the court system.
- Grant funds from the Board have supported a variety of changes and innovations by the State Department of Correctional Services ranging from an improvement in food services in institutions to the establishment of community-based residential centers for parolees.
- Radio communications equipment has been upgraded in many of the State's counties outside New York City under a "mobile radio district" plan and implementation grants.

#### FUTURE DIRECTIONS

Despite large expenditures and the implementation of many worthwhile projects, the program has not yet realized its full potential in generating broader State and local planning and evaluative efforts. Local staffs often operate more as application drafters and grant administrators than as planners. Also, planners are employed under the present framework by different units or levels of government (i.e., city, county, region or State), and there is insufficient attention given to joint planning activities where planners serve in contiguous jurisdictions that have overlapping concerns. At DCJS and Crime Control Planning Board levels, a substantial amount of time must be spent reviewing and approving individual applications for funds.

Passage of the Crime Control Act of 1973 and the report of the National Advisory Commission on Criminal Justice Standards and Goals reinforce the determination of the Division to support a local planning process that is at once comprehensive as well as responsive to local concerns.

As a result of the new Federal act and a general desire to encourage local planning, the Office of Planning and Program Assistance began an intensive effort during the Fall of 1973 to reassess existing criminal justice planning structures and processes in New York State. This effort included a close review of new provisions in the Crime Control Act of 1973 and a series of workshops to examine a range of issues involved in the criminal justice planning process. More recently, the Office of Planning and Program Assistance staff, working in close cooperation with a special subcommittee of the Crime Control Planning Board, has devoted considerable time to developing the elements of a revised planning process. These efforts have resulted in a series of recommendations which outline the major elements of a new planning process. This new process has been designed specifically in light of the problems which exist in the current planning process, as well as the requirements of Federal and State law. As such, it reflects a careful assessment of the most appropriate roles of State and local governments in carrying out the tasks of criminal justice planning. For the State, the process will mean more than the simple distribution of funds either geographically or functionally. Rather, the Office of Planning and Program Assistance and the Crime Control Planning Board will provide the procedural and substantive framework under which comprehensive planning, priority-setting and program development may be conducted by localities and State agencies. This will require more emphasis by the Office of Planning and Program Assistance on monitoring, audit and evaluation of funded programs.

Although final details of the new process are still being worked out, it is anticipated the major elements will be included as part of the 1974 comprehensive State Plan.

The major elements of the new process may be summarized as follows:

- The establishment of criminal justice coordinating councils in New York City and the most populous counties in the rest of the State.
- The preparation of an annual comprehensive plan by each coordinating council and by each State agency which has major criminal justice responsibility.
- The development of procedural and substantive standards by the Division of Criminal Justice Services to guide local and State agency plan development.
- The creation of statewide programs which address specific criminal justice support needs, such as information system development, which are common to a number of jurisdictions or the State as a whole.

EMERGENCY DANGEROUS DRUG CONTROL PROGRAM

## EMERGENCY DANGEROUS DRUG CONTROL PROGRAM

In 1973, the Legislature substantially increased penalties for violations of the State's narcotics laws. That legislation also severely restricted the opportunities for plea bargaining that previously existed. Additionally, the new legislation required the prosecution to offer proof regarding both the qualitative and quantitative analysis of contraband drugs.

Chapter 603 of the Laws of 1973 authorized the creation of up to one hundred new judgeships to cope with the expected increase in court workload and appropriated approximately \$66 million to meet the costs incurred as a result of the new law. The same chapter provided that the infusion of new resources for the courts would be accomplished in accord with a plan prepared jointly by the State Administrator of the Courts and the Commissioner of Criminal Justice Services. The \$66 million was divided between the enforcement functions and the treatment function--\$36 million to \$30 million. The Division was given major responsibility for overseeing the expenditure of the \$36 million for enforcement.

An analysis of workload data in the courts, the availability of building space for courtroom use, and a practical assessment of the capacity of the criminal justice system to absorb new resources in a short period led to the judgment that fifteen new court parts\* would be established in New York City at the outset. A team of analysts was assembled in the New York City office of the Division and intensive work was begun with administrative judges, prosecutors, the Legal Aid Society, probation, correction and police agencies in New York City to plan for implementation of the new court parts and ancillary services.

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\*A court part is a fully staffed courtroom.

The number of fifteen trial parts in New York City was confirmed by a meeting of district attorneys, Legal Aid Society representatives, court representatives, staff of the Judicial Conference and staff of the Division of Criminal Justice Services. That decision was followed by detailed examination of the staffing, equipment, salary, expense, supply and training needs of each agency required to support the work of a single courtroom. From the outset it was agreed that budgets would be prepared on a per part basis. In other words, the needs of each agency required to support the work of a single courtroom would be considered and when all of the needs of all of the agencies concerned were identified, all of those budgets would be assembled. That total would represent the budget for one court part. The advantage of this planning and budgeting process is that it is exceedingly flexible. If, for example, there had been a sudden upsurge in police arrest activity during the summer which suggested a need for twenty parts instead of fifteen, it would have been a relatively simple mathematical transaction to determine how many additional personnel and resources of each kind would be required.

The fifteen parts were allocated among the four largest counties within the City as follows: three in the Bronx, five in New York, five in Kings, and two in Queens. These allocations were derived from an examination of workloads, population, and tentative estimates of growth in work under the new law.

There were distinctive differences between the budgets of the various counties. For example, in a courthouse where detention cells are located adjacent to a trial courtroom, the New York City Department of Correction can be expected to deliver incarcerated defendants directly to the courtroom. If there is no cell

adjacent to the courtroom, the complement of court officers must be increased to provide the necessary escort service. Disregarding local peculiarities for the moment, a typical budget for the court's personnel in a New York City part consisted of the following:

Annual Cost Per Trial Part  
Emergency Dangerous Drug Control Program

1.0 Justice at \$43,317	\$ 43,317
1.0 Law Secretary at \$22,450	22,450
1.0 Court Clerk II at \$16,125	16,125
1.5 Court Reporter II at \$18,760	28,140
4.0 Senior Court Officer at \$12,075	48,300
.2 Court Clerk III at \$18,975	3,795
1.0 Court Clerk I at \$14,725	14,725
.4 Interpreter at \$10,250	4,100
.33 Law Stenographer at \$9,050	2,987
.33 Law Assistant II at \$18,000	5,940
.4 Secretary at \$8,000	3,200
.4 Court Assistant at \$8,300	3,320
.15 Identification Officer at \$8,200	1,230
.2 Clerk-Typist at \$5,500	<u>1,100</u>
SUB-TOTAL: PERSONNEL	\$198,729
Fringe Benefits at 28%	\$ 55,644
Maintenance & Operation at \$500 per position	5,955
Uniform Allowance at \$125 per Senior Court Officer	500
Stenographic Fees	9,000
Jury Fees	50,000
Overtime	<u>12,000</u>
SUB-TOTAL: OTPS	\$133,099
<u>TOTAL</u>	<u>\$331,828</u>

Similar per part budgets were prepared for district attorneys, Legal Aid Society, probation, and the New York City Department of Correction. Excluding the cost of space and renovation, the annual operating cost of a typical part in New York City is \$606,000 approximately. Because the new program included transportation of prisoners in greater numbers to new locations, it was necessary to make a one-time allocation to the City Department of Correction for the purchase of five vehicles.

#### TEMPORARY DETENTION AT OSSINING

As planning progressed, it became increasingly clear that judges would be likely to set bail in higher amounts in the cases of defendants who were facing severely increased penalties. The City Department of Correction, in the Summer of 1973, had reduced its inmate population to less than 100 percent of capacity for the first time in many years. The Mayor and Commissioner of Correction became deeply concerned that implementation of the drug program could result in a return to overcrowding in City detention facilities. In response to this concern, the Governor recommended to the 1973 Special Session of the Legislature a measure that would permit the housing of detainees from New York City at the Ossining Correctional Facility in Westchester--the State facility closest to New York City. The measure, chapter 1054 of the Laws of 1973, became law on August 3, 1973. An extensive building rehabilitation effort was launched at Ossining to prepare space for eight hundred New York City inmates. By the end of September, detainees were being received from New York City.

#### POLICE LABORATORIES

The new drug legislation increased the analytical tasks that would have to be performed by forensic laboratories. The proof required in drug cases under the new law includes both qualitative and quantitative analysis. Moreover, because of the expected increase in the number of defendants who would insist upon going to trial, it became apparent that the staffing of police forensic laboratories would have to be increased to compensate for the loss of laboratory analysis time when these chemists went to court.

#### SPACE ACQUISITION

One of the most difficult planning and coordinating efforts encountered was the process of identification, acquisition and alteration of building space for housing the new court parts. In late June, 1973, the Governor named the Commissioner of General Services as Special Coordinator of the Emergency Dangerous Drug Control Program. The Special Coordinator took major responsibility for the provision of suitable space for courts and related agencies. The process in New York City was substantially facilitated by the cooperation of the Presiding Justices of the Appellate Division in the First and Second Judicial Departments.

By agreement, three parts of the Civil Court in Bronx County were shifted to judicial chambers and those courtrooms were prepared for use as special narcotics parts. In New York County, space formerly occupied by the Workmen's Compensation Board was converted into courtrooms for the Civil Court and a number of Civil Court parts were transferred there to permit the creation of five new special narcotics parts in the Civil Court Building. This series of

moves was dictated by the fact that there was no expansion room available in the Criminal Courts Building and detention cells already existed in the Civil Court Building. In Kings County, five courtrooms in the Supreme Court Building were secured for temporary use. In the meantime, the Civil Court was moved to a private building from the courthouse it shared with the Criminal Court. Renovation of the courthouse was then undertaken with the intention of consolidating within it all criminal business in the County--Criminal Court, Criminal Term of the Supreme Court and special narcotics courts. In Queens County, the old Long Island City courthouse was rehabilitated to house two new special narcotics parts and one existing narcotics court part which had been created under chapter 462 of the Laws of 1971.

NEW JUDGES AND PARTS

On September 10, 1973, the Governor named sixteen\* new Court of Claims judges to preside over the parts created in New York City. The judges took the oath of office that day and began a two week preparation course at Fordham University Law School. The judges have been presiding over trials since September 17. The second week of training was completed at night sessions.

\*The Governor named sixteen judges although only fifteen new parts were planned. This permitted the assignment of one judge to New York County as a replacement for a Supreme Court justice who was occupied with the work of the Special Prosecutor.

After the initial planning was securely launched in New York City, a comparable process was undertaken in other areas of the State. That process has resulted in the creation of new courts. However, there has been no need to appoint Court of Claims judges to handle the new parts outside New York City. As of December 31, 1973, there are twenty-four special narcotics parts in operation statewide. They are distributed as follows:

<u>Location</u>	<u>Date of Opening</u>	<u>Number</u>	<u>Court of Claims Judges</u>	<u>Other</u>
Westchester	September 4	2		X
Bronx	September 17	3	X	
Kings	September 17	5	X	
New York	September 17	6	X	
Queens	September 17	2	X	
Nassau	October 15	4		X
Erie	November 1	1		X
Monroe	November 1	<u>1</u>		X
TOTAL		24		

The Division continues its planning and development work in close cooperation with the staff of the Judicial Conference. The parts appear to be able to cope with the caseloads to date. Arrests and indictment trends are being watched closely. However, it is still difficult to say what proportion of defendants under the new law will plead guilty and what proportion will elect to go to trial. Until those proportions are more clearly defined, planning must proceed so that steps can be taken to add new parts expeditiously when and if they are needed.

**END**