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The Honorable Hugh L. Carey
Governor

The Honorable Warren Anderson
Majority Leader of the Senate

The Honorable Manfred Ohrenstein
Minority Leader of the Senate

The Honorable Stanley Fink
Speaker of the Assembly

The Honorable James Emery
Minority Leader of the Assembly

NCJRS
MAY 24 1979
ACQUISITIONS

Gentlemen:

I am pleased to submit to you the Sixth Annual Report of the Division of Criminal Justice Services. The Report details the accomplishments of the Division during 1978 in providing many important services to the criminal justice community and to the public.

We believe that our programs and services have served to improve the criminal justice system in New York State. We will continue to expand our efforts during the coming year to improve the quality of justice for all citizens of the State of New York.

Sincerely,

A handwritten signature in cursive script that reads "Frank J. Rogers".

Frank J. Rogers
Commissioner



*Hugh L. Carey
Governor*



*Frank Rogers
Commissioner*



*Louis Cotrona
First Deputy
Commissioner*



*John Purcell
Assistant
Commissioner*



*William Bonacum
Deputy
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OPPA*



*Adam D'Alessandro
Deputy
Commissioner
IDS*



*William McMahon
Deputy
Commissioner
BMP*



*Susan Murphy
Director
OSS*



*Robert Schlanger
Counsel*

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INTRODUCTION

This is the sixth Annual Report of the Division of Criminal Justice Services, issued in accordance with Section 837 (12) of the Executive Law.

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. The agency came into being September 1, 1972.

The Division is organized into four major programs:

- Office of Identification and Data Systems (IDS);
- Office of Planning and Program Assistance (OPPA);
- Bureau for Municipal Police (BMP); and
- Office of Special Services (OSS).

The Division of Criminal Justice Services' goals and objectives are 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, clear-

inghouse 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. Administer and monitor the nonjudicial components of the State Felony Court Parts Program and the Major Violent Offense Trial Program;
10. Administer and monitor the Warrant Enforcement Program and the Legal Services Program.

OFFICE OF IDENTIFICATION AND DATA SYSTEMS

The primary mission of the Office of Identification and Data Systems of the Division of Criminal Justice Services is to provide accurate, complete, and timely responses to inquiries for criminal history records.

The sections which comprise the Office of Identification and Data Systems are Identification Operations, Support Services, Computer Operations, Technical Services, Research and Development and Data Systems.

The Identification Operations Section, which is the backbone of the Identification Segment of the Division, is responsible for providing responses to inquiries for criminal history records.

The on-line processing of inquiries made against the DCJS data bases and updating those files necessitate many other "housekeeping" tasks that must be performed to improve and maintain the accuracy and completeness of the files. The Support Services Section plays a primary role in discharging those responsibilities.

Computer Operations, which is responsible for the computer, related hardware and communication systems on a round-the-clock basis, assures the proper functioning and maintenance of the equipment utilized to meet the Division's mission.

The Technical Services Section provides the computer system design, programming, software services and systems support to initiate new programs and efficient maintenance of existing programs.

The Research and Development Section in its efforts to improve identification related functions developed and implemented a laserfax delivery system during 1978.

The Data Systems Section is charged with the responsibility for development and implementation of integrated criminal justice statistical systems.

units was a key factor in the improved response times achieved in connection with arrest fingerprint transactions submitted to DCJS via the facsimile system.

Ancillary projects designed to further expedite the processing of fingerprint transactions through "One-Floor Processing" included the implementation of an inter-unit electronic communications system. The system enables the Computer Operations Section to notify operating units singularly or on an "all-broadcast" basis of the operating status of their respective remote computer terminals. The communications system also provides the means by which operating units may confer on problems concerning a specific transaction in the processing system or of documents requiring special processing or corrective action.



Latent fingerprint examiner checks a possible suspect on a split-screen fingerprint comparator.

IDENTIFICATION OPERATIONS

1. Reconfiguration of Identification Operations

As part of the Division's continuing efforts to streamline its identification processing operations, the configuration of identification processing units were altered to a more efficient and effective arrangement. Key processing units were aligned on one floor with support units relocated to another floor. This "One-Floor Processing" configuration facilitates increased fingerprint processing productivity while decreasing response times to agencies utilizing DCJS identification services. Additionally, the new configuration aided the Division's attempts in realizing savings in rental fees through more efficient utilization of floor space. The reconfiguration of the operating

2. Use and Dissemination Agreements

DCJS provides identification and criminal record dissemination services to all statewide criminal justice agencies and certain other agencies including those qualified out-of-state agencies recognized by DCJS to be qualified to receive confidential information.

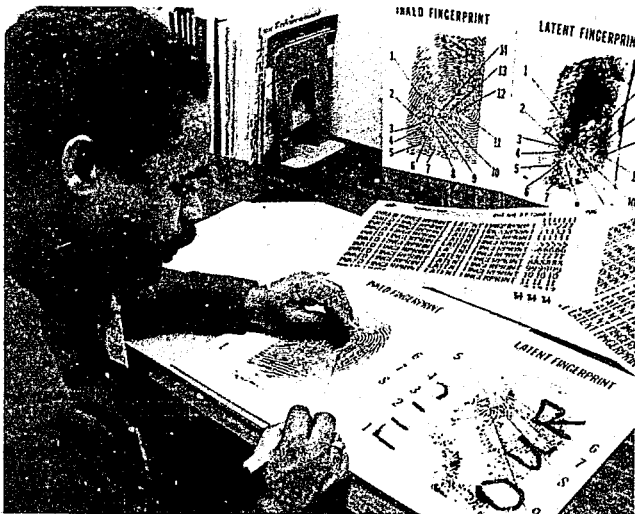
In keeping with DCJS' stringent criminal record dissemination policy and Title 28, Chapter 1, Part 20 of the Code of Federal Regulations which provides for the security and privacy of confidential information, DCJS requires all users of its services to execute Use and Dissemination Agreements. These agreements explicitly detail both how confidential information must be controlled and the liabilities inherent in using criminal record information for other than authorized purposes.

During 1978, the Division initiated a concentrated effort to ensure that each agency within New York State and each out-of-state agency utilizing DCJS services execute signed Use and Dissemination Agreements. Over 900 Use and Dissemination Agreements were sent to user agencies statewide and on the national level. As of the end of 1978, 87% of the agencies have executed the agreement and the remaining 13% indicate that their execution of the agreement is imminent. For those agencies that execute the agreements, access to the DCJS criminal record data base is granted commensurate with the agencies legislated authority for access to such information.

3. Latent Fingerprint Processing

During 1978, the Special Services Unit of Identification Operations continued its efforts to upgrade the level of latent fingerprint identification services afforded NYS law enforcement agencies. During the year, a questionnaire was distributed to 60 law enforcement agencies, as a representative sample of all law enforcement agencies across the state, to determine the extent latent fingerprints are used as an investigative tool and to determine the extent DCJS may be of assistance in identifying latent fingerprints. The questionnaire was also intended to assist in determining the potential workload DCJS could expect relative to searching latent fingerprints through its Automated Latent Print Search (ALPS) system.

The survey results indicate a tremendous potential for service to the law enforcement community. It was determined that on an average, a law enforcement agency outside of New York City has a file of 297 cases of unsolved crimes for which latent fingerprints are available.



Identification specialist prepares an exhibit of a latent fingerprint identification for court presentation.

As a result of this survey, DCJS began a phased expansion of its pilot program on automated searching of latent fingerprints against its base file of fingerprints of known offenders. The expansion of service, which was conducted commensurate with resources available, resulted in an 84% increase in the number of latent fingerprint identifications during 1978 as compared to 1977.

4. Identification File Rectification Projects

During 1978, file rectification projects were continued to improve the integrity of DCJS' computerized fingerprint and name search files.

The following describes operations and achievements associated with each specific file rectification project performed by Identification Operations:

a. Manual Fingerprint File Conversion

For historical and technical reasons, certain classifications of fingerprint records were never considered to be effectively searchable through automated techniques. Arch and Tended-Arch fingerprint records were consequently searched through labor-intensive manual methods which, by today's standards, would be considered counter-productive. As a result of this situation, intensive analysis was conducted to determine the practicality of converting manually-searched fingerprint records to computer search files. It was concluded that 75% of resident manually-searched records could be converted to automated search methods.

As of December 31, 1978, 317,735 manual fingerprint records have been converted to the DCJS automated fingerprint search file. The conversion of this data to computer-status is intended to bolster the identification rate of fingerprint records which were previously searched manually while concurrently decreasing the identification processing time by 15 minutes per transaction. Additional benefits derived from the conversion project include a reduction in the number of manual fingerprint searches by 50%; a reduction in the number of necessary additions to the manual fingerprint file by 75%; and a reduction in physical space required to contain the manual fingerprint file.

b. NCIC/DCJS Fingerprint Classification Comparison Project

Efforts were directed during 1978 towards verifying that fingerprints classification records contained on the DCJS computerized fingerprint search file are as accurate as possible.

To perform the verifications, NCIC fingerprint classification formulas, assigned by the Identification Division of the Federal Bureau of Investigation (FBI), are compared against individuals fingerprint records on the DCJS fingerprint search file. If disparities are detected between the two files, a listing is produced which reflects the NYSID Numbers of the incompatible records and the fingerprint classifications on both files. Fingerprint technicians, using the hard copy master fingerprint cards, reclassify the questionable fingerprint records to determine if modifications to the records contained on the DCJS fingerprint search file are required.

c. Age Purge

Efforts by DCJS to streamline its identification processing operation continued during the year through purging of documents and information pertaining to persons born prior to 1910, who are not currently on parole, probation or in prison and have had no fingerprint activity reported to DCJS since 1971.

The current purging project is intended to reclaim file space and help improve efficiency in searching and retrieving documents pertaining to active records. As of December 31, 1978, 27,609 inactive records were purged from DCJS files as part of the 1910 Age Purge Project.

d. Approved Grant Request for Search Algorithm and BETA Tape Comparison

Newly approved federal funds originally slated for continuing the Division's Age Purge project were diverted to fund a study of the fingerprint search program and a project to upgrade the search data contained on that specific file.

The computer fingerprint search program study will determine the reliability of this particular identification technique using the wide range of search parameters. Reliability tables will be developed through computer programs showing the effects that any changes in the search parameters will reflect in the identification and suspect search rates.

DCJS has also made arrangements to obtain a tape of the fingerprint search data used in the New York City Police Department's BETA search system. This information will be programmatically compared with corresponding fingerprint search data contained on the DCJS automated fingerprint search file. Similar to the DCJS/NCIC Fingerprint Classification comparison

project, a listing of incompatible mismatching records will be automatically produced. Working from this listing, DCJS fingerprint technicians will determine if modifications are required to the DCJS fingerprint search file. The New York City Police Department will also be notified of problems discovered on their fingerprint search file.

5. Relocation of the Manhattan Facsimile Fingerprint Site

One of the aspects of the DCJS identification processing system that categorizes it as one of the most sophisticated operations of its kind, is its facsimile network for transmission of fingerprint images. The facsimile fingerprint system affords the New York City Police Department and other law enforcement agencies throughout the state with the capability of transmitting to DCJS within minutes, via special electronic equipment and telephone lines, arrest fingerprint transactions which require timely responses in the form of criminal record reports.

The facsimile site located in Manhattan, which transmits the largest volume of fingerprint transactions on the system, was relocated during late 1978 from 80 Centre Street to the New York City Police Department's Headquarters at One Police Plaza. The relocation, which was effected as part of the newly instituted central booking operation in Manhattan, is expected to prove mutually beneficial to DCJS and the New York City Police Department in terms of expediting the pre-arraignment operation and improving the quality of fingerprints received by DCJS for identification processing.

Previously, when a police officer made an arrest in Manhattan, it was his responsibility to fingerprint his prisoner as part of the booking operation. This practice created problems for DCJS with respect to receiving fingerprints which were frequently of poor quality. With the implementation of the central booking operation in Manhattan, all prisoners are fingerprinted by specially trained personnel resulting in high-quality fingerprints which facilitate identification processing and generation of criminal record reports.

6. Identification Training Activities

In 1978, the Quality Control Unit of the Identification Operations Section successfully applied for a grant to provide a comprehensive re-training of the entire senior identification staff. The grant funded training positions were filled with qualified candidates selected from the line operations and preparatory work for this major project was begun.

The purpose of this special training program which will be conducted through 1979, is to standardize the identification operations on each of the operating shifts by providing a common training experience for the entire staff. This will provide a vehicle for reconciling differences in understanding and interpretation of the rules and guidelines of fingerprint identification. This re-training program will also produce supplemental materials such as video tape programs and other teaching aids.

In addition, the FBI's Fingerprint Training Manual was adapted to conform with New York State's American Classification System and a DCJS version will be printed and distributed to the Identification staff in 1979. This Manual will supplement and summarize the basic fingerprint text used by the agency, "American System of Fingerprint Classification".

7. Office of Drug Abuse Services Purge

During the period from 1967 to 1977, civil and criminal drug-related commitment data was submitted in the form of fingerprint cards by the New York State Office of Drug Abuse Services (ODAS) to DCJS for posting to its criminal record identification and information data base.

As a result of this practice, DCJS became involved in a court case along with ODAS and a previous client of ODAS concerning the dissemination of ODAS commitment information. Consequently, it was determined that all fingerprint cards and associated information submitted by ODAS over the years would be removed from DCJS computer and manual files. The purge project involved approximately 32,000 ODAS records evenly distributed between criminal and civil commitments.

Purging efforts commenced during 1977 with 7,265 ODAS related events having been purged from the DCJS data base. During 1978, 24,573 ODAS commitment fingerprint transactions were purged from DCJS files in addition to the task of performing tens of thousands of associated information deletions from DCJS computer and manual files.

It is anticipated that the ODAS purge will complete its operations during 1979 resulting in the elimination of all ODAS related data from base files and criminal record reports.

8. Non-Criminal Fingerprint Processing Fees

Section 837 of the state's Executive Law requires that a fee not to exceed \$10 be charged for each fingerprint

transaction processed by DCJS in connection with employment or license applications.

Such non-criminal fingerprint transactions for 1978 produced \$1,219,720 for the state's general fund. This represented a 15% increase over 1977 when \$1,038,580 was collected by DCJS.

Since the inception of the fee bill on September 10, 1976, DCJS has collected \$2,643,640 in fingerprint processing fees.

9. Record Review & Challenge Program

As outlined in Subtitle U Part 6050.1 of the Official Compilation of Rules and Regulations of the State of New York, the Division of Criminal Justice Services provides the opportunity for individuals to review, and where appropriate, challenge the information contained in their criminal history record maintained by DCJS.

During 1978, 1,969 Record Reviews were conducted; a 590% increase from 1977. Of the total record reviews held during 1978, 106 or 5% resulted in challenges concerning either incomplete or inaccurate information. This compares with a 7% rate of challenge during 1977.

Of the total Record Reviews conducted during the year, 112 were conducted during meetings between representatives of DCJS and the subject of the record or his/her attorney. One thousand eight hundred and fifty-seven (1,857) of the Record Reviews were conducted through correspondence between DCJS and inmates of State Correctional Facilities.

SUPPORT SERVICES

1. Sealing of Records

Criminal Procedure Law (CPL) Section 160.50 requires the sealing of arrest records and the return of fingerprints if the arrest is disposed of in favor of the defendant.

During 1978, a total of 68,959 seal orders were processed, the prints returned and the FBI notified in order that they may also purge their files. 17,739 seal orders were returned together with form letters to the originating agency for various reasons.

Criminal Procedure Law (CPL) Section 170.56 requires the sealing of arrest records but not the return of fingerprints in marijuana cases. An additional 3,103 records were sealed under this section of the law.

2. Parole

In March 1978, an "on-Line" system for entering Institution Releases, Parole Releases and Parole Discharges became operational. Heretofore, these transactions were received via list and keypunch cards. During 1978, a total of 6,414 Institution Releases, 2,777 Parole Discharges, and 8,598 Parole Releases were processed.

3. FBI Rap Sheet Processing

The reconciliation of FBI and DCJS records result in an assortment of processing activities.

Purge notices of retired FBI numbers were processed for 21,492 records. 73,843 FBI numbers were assigned to first time individuals on the data base. FBI numbers and out-of-state events were added to 10,848 individuals on our data base.

4. Processing Dead Prints/Death Notices

2,383 dead prints were received in DCJS, of which 1,451 were identified. In addition, 193 death certificates and 1,523 FBI dead notices were processed.

5. Felony Processing

The Felony Processing Unit received a total of 76,242 indictment and disposition forms. The information collected from these documents was published in the New York State Felony Processing Quarterly Report.

6. Jacket Conversion

As part of the continuing effort to computerize the entire criminal history file, the records of 7,656 individuals were converted to machine-readable form in 1978.

COMPUTER OPERATIONS

1. DCJS Facsimile Network

Due to the expiration of federal funding through the Offender Based Transaction Statistics (OBTS) program, the facsimile system was significantly modified in 1978. Twelve agencies were eliminated. Eleven other previously OBTS funded sites were retained on the assurance that these sites would pay the cost of transmitters effective April 1, 1979. Seven photo facsimile transmitters and one message receiver were added in Suffolk County along with three Foreign Exchange lines to permit the transmission of arrest fingerprints to Albany from Huntington, Babylon, Hauppauge, Bayshore, Patchogue, Coram and Yaphank. As a result of the above, DCJS now operates a facsimile

network of sixty-six photo transmitters and twenty-five photo receivers as well as twenty-four message receivers and five message transmitters. As an adjunct to the Suffolk County compiler interface, plans were formulated to establish a facsimile link between DCJS and the District Attorney's Office in the eastern half of Suffolk County. Once established, responses to arrest fingerprints received via facsimile can be returned through the Suffolk County computer to Riverhead.

2. Expansion of Data Storage

Continued growth of data files together with an ever increasing number of users has emphasized the need to update and expand the DCJS computer complex whenever it is economically feasible to do so. While some users are not new to the system, the change from batch processing methods to an on-line environment has allowed the user to increase input to the system on a more timely basis and has encouraged creation of new applications and, therefore, additional data storage.

In December 1977, a complete new disk storage system was ordered, which would supply an additional 1.3 billion characters of on-line disk storage at a lower cost than the previous disk system. This will bring the total storage capacity to 5.5 billion characters. Portions of the new system were installed in December 1978, and the remainder of the system is scheduled for January 1979. The increased storage capacity will allow additional data file growth of 26% at a price reduction of 34%.

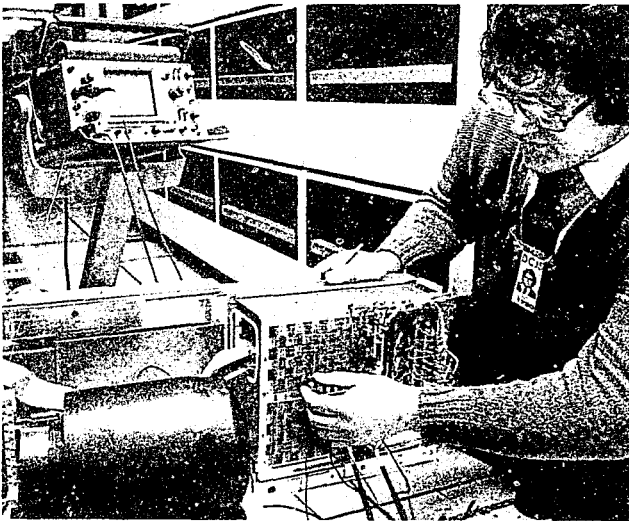


Computer operator prepares to load data base information on new disk system. Disk shown holds 94.5 million characters of information.

3. Back-up Computer Services

Since the DCJS data base was created, the need to protect this data from destruction has been apparent. To accomplish this, DCJS has scheduled the copying of all files to magnetic tape in duplicate. One copy of the files is sent to a secure, temperature and humidity controlled fireproof vault established at the Office of General Services Archives Center and one copy of this is kept in the computer room for use if necessary.

The need to provide continuing service to the many DCJS users in the event of unexpected destruction of the computer and data communications systems has led to the formation of a Backup Recovery committee to study and provide for rapid re-establishment of services using computer and data communications at an alternative site. Plans include cooperation from computer Vendor, Telephone Company, and others to make services available to reinitiate an interim identification and Summary Criminal History reporting system within a short time span.



Field engineering representative performs a final test on new disk drive before releasing it to Computer Operations.

TECHNICAL SERVICES

1. Redesign of the DCJS Computerized Criminal History Data Base and Processing System

DCJS received a federal grant in 1975 to develop an Offender-Based Transaction Statistics (OBTS) System. This is a five-year project to develop a method of tracking offenders as they pass through the criminal justice system and to statistically record exit points from the system.

Redesign of the DCJS data base which is the essential component of the OBTS system received priority attention in 1978.

During 1977, a decision was made to implement the OBTS system using Burrough's Data Management System (DMSII) and Burroughs Generalized Message Control System (GEMCOS). The approach had been to implement the new data base in phases, starting with identification-type data; however, in January 1978, the phased approach was modified to provide for the simultaneous conversion of all criminal history data.

A separate organization unit, consisting of 10 analysts, was created to insure individuals assigned to the project worked solely on the redesign tasks. By mid-February, the analysts had designed a preliminary data base. Although the format of the data elements were modified during the year, the structures originally proposed have remained unchanged. Considerable sampling of the current data base was necessary to aid in the conversion analysis, and a utility program was created to examine the various types of data.

Analysis for program specification began in March and continued through the end of the year. The proposed redesigned system consists of approximately 25 new application programs, each designed to operate under the GEMCOS communication environment.

In April, programmers were assigned to the group and throughout 1978, a total of 15 to 18 individuals were assigned to this project. Since neither GEMCOS or Burroughs Data Management System had been utilized by DCJS prior to the redesign effort, all programmers attended introductory training seminars given by the Software Support Group. By years end, specifications for 20 of the 25 major programs had been completed and 10 of those programs had been written. Analysis and programming changes were made to both the old and redesigned data base systems to allow for changes caused by the Violent Felony Laws and the Juvenile Offender Laws in the Governor's Crime Package.

System testing is currently scheduled for April of 1979 with conversion to the new data base expected within 1-3 months thereafter.

2. Violent Felony Offender Legislation

The Violent Felony Offender Legislation was enacted in July 1978 and provided two major areas of work for the Technical Services Section. The first area involved a modification to the existing juvenile processing system to permit the processing of the new category of juvenile offender. Juveniles in this category are initially processed

through the adult criminal court rather than family court. The second area established a new category of violent felony offenses and provided for stricter processing and sentencing. Special reporting systems were required to capture data upon receipt of arrest and disposition information.

The juvenile offender processing segment of the DCJS system received instant attention since many of the elements, particularly those related to arrests, had to be operational by September 1, 1978. Policies and procedures governing the processing of juvenile offender arrest fingerprints for both DCJS and arresting agencies were developed and promulgated. Also, programmatic modifications to the computerized summary case history system to allow for the receipt, processing, identification and response to juvenile offender arrest fingerprints were initiated and completed prior to the implementation date of the law. The uniqueness of the juvenile offender defendant status manifested itself in the DCJS processing system. Many internal processing procedures were developed to handle the removal of juvenile offenders from criminal court to family court, which in effect requires the reporting and processing of two final dispositions to DCJS. A system for processing of removal orders from the criminal courts was implemented. The juvenile delinquency disposition reporting system developed in 1977 is currently being used to report the final juvenile offender disposition rendered by Family Courts. Efforts during 1979 will be devoted toward improvement in the overall system for collection of juvenile offender dispositions.

The major item contained in the crime package was the definition of violent felony offenses and the revision of the sentence structure upon conviction for such offenses. The legislation mandates that the Division collect and report on statistical data relating to violent felony offenses and to submit annually an analysis of the processing and disposition of violent felony offender cases. The Identification and Data Systems Bureau as the State's central repository of criminal history record information was charged with responsibility for collection, storage and production of violent felony offender reports. In order to carry out this responsibility, the Technical Services Section completed the following tasks:

- a. The violent felony, armed felony and juvenile offender offenses were identified upon the receipt of an arrest fingerprint submission.
- b. A special statistical file was created to house violent felony related offenses.
- c. Provisions for updating the violent felony statistical

file, upon receipt of disposition and sentencing information were developed.

- d. Programming for the production of required reports via the violent felony statistical file was initiated.
- e. The Indictment Statistical System (ISS) was modified to provide for the collection of violent felony, armed felony and juvenile offender offenses from the prosecutors. The report production programs will be revised to include this information in 1979 reports prepared by the Division. Since the ISS system was the only existing system capable of collecting the required data within the parameters of the law, it was used as the vehicle to collect information from the prosecutors. It will soon be incorporated into the Office of Court Administration's Disposition Collection System and thus will be discontinued by DCJS.
- f. A concerted effort was undertaken to insure that user agencies complied with victim data guidelines established by the Division. Included were provisions relating to reporting of especially vulnerable, handicapped and elderly victims. The legislation contains provisions for reporting of victim data relating to violent felony offenses. A number of special field instructions and user agency call-back procedures have been implemented to improve the reporting of victim data.

Work will continue throughout 1979 to refine and improve reporting, and to include the Violent Felony System in the DCJS redesign effort.

3. DCJS Wanted System

During 1978, primary emphasis in the DCJS Wanted System continued to be a comprehensive system redesign. The Wanted Redesign encompasses an effort to create a new wanted system which includes enhancements in the following areas:

- a. To increase the ability of the system to accomplish its primary tasks, the detection and apprehension of wanted persons. The new system will provide historical criminal identification data to assist toward that end, including previous names and addresses.
- b. To add versatility to the system and offer a better service to user agencies. Examples of such enhancements are to allow more meaningful warrant identification data, more timely notification if a wanted suspect is arrested, ability to somewhat "localize" the system by use of an extradition code, and more effective

tive means of validating records with larger user agencies.

- c. To take advantage of new computer software packages which will assist in the areas of security and system recovery.
- d. To add controls to the system which will assure conformity of the DCJS and NCIC files and will assure effective use of the system by user agencies.

Efforts have included design and specification of the computer programs to be used, writing of those programs and tests of selected programs. At the end of 1978, the entry functions for DCJS alone, DCJS and NCIC together and the Missing Persons segment had been completed along with the inquiry function. Work was substantially completed on the record cancellation function, and work had started on the major remaining functions which include record modification, addition or removal of supplemental data, and the locate function, which is used in confirming system "hits". Programs necessary for conversion of the wanted system data base have also been largely completed. With data elements and processing already defined, work had begun at year's end on user manuals and in-house procedures. It is expected that the redesigned wanted system will be implemented in early 1979.

While the redesigned effort was underway, the existing wanted system had to be maintained and at times modified to perform selected new functions. The major efforts on the existing system during 1978 were:

- a. In order to monitor the throughput of the system, a change was made to collect statistics on the length of time it takes to process transactions received from NYSPIN. Analysis of the timing reports led to modification of the wanted system's mode of computer memory utilization which resulted in a significantly decreased response time. For the 3 weeks preceding the modification, the median response time was 2.9 - 4.0 seconds. The median for the 3 weeks following was 1.7 - 1.8 seconds.
- b. Since April 1978, seventeen requests to search our Missing Persons records using age and physical descriptor ranges were serviced. An earlier program was modified to accept these parameters in card input form and generate a list of records falling within the parameter limits. This program is used to aid in the identification of dead bodies not identified by other means.

4. Violent Felony Warrant

The special session of the legislature during August of 1978 provided funds for the implementation of a Violent Felony Warrant Enforcement Program. Although the full legislation was not acted upon and funds for Technical Services had not yet been released at years end, the Section was proceeding with selected portions of its anticipated tasks.

The Violent Felony Warrant program is designed to identify those individuals wanted by criminal justice agencies in connection with violent felony offenses. The program provides substantial resources to police agencies to promote apprehension of the individuals and provides funds to Technical Services to provide for identification and expedited handling of violent felony warrants on the DCJS wanted system, plus the initiation of special violent warrant statistics.

Technical Services anticipates four major tasks evolving from the Violent Felony Warrant Program. The first task is the identification and marking of warrants on file and those being added to the wanted file which involve violent felonies. By taking advantage of a required system validation, the Division of Criminal Justice Services identified 8797 records containing NCIC offense codes which indicated they were potentially violent felonies. Listings of these records were sent to user agencies with the request that violent felony warrants be identified with the appropriate NYS law code. These listings are being returned to DCJS for updating of the law codes to the records.

The second major task involves interaction with current system redesign efforts already underway in order to avoid extra effort by having to add to the redesigned system later on. Particular attention will be paid to automation of the locate function which confirms that a suspect given out as a possible "hit" by the wanted system is the individual being sought and confirms the willingness of the wanting agency to extradite or reintite the individual. Attention will also be paid to cross-comparison of bench warrant data obtained from the OBTS/Data Base Redesign system in an effort to improve timeliness and completeness of the wanted file. At years end, the wanted redesign group had added the necessary violent felony warrant data elements to their data base and completed reprogramming of those data elements into the basic functions completed by the wanted redesign group such as entry, modify, and cancel. Reworking of the locate function was underway, but the bench warrant project had not yet started.

Two remaining major tasks to be undertaken were to capture data on Violent Felony Warrants which are executed without entry into the wanted system and the improvement of statistical capabilities for violent felony warrant data.

5. Automated Fingerprint Image Retrieval

Over the past two years, DCJS has utilized federal funds to develop an Automated Fingerprint Image Retrieval (AFIR) system. The projected system will use a microfilm-based file of master fingerprint card images that will permit almost instantaneous access of any fingerprint image on file with the image clearly presented on a large screen display alongside a source fingerprint image. The proposed system will have a significant effect on existing manual operation by automating the present fingerprint tasks of retrieving possible suspect cards from the manual files, easing comparison of images, record updating, and returning of possible suspect and hits to the manual files.

Although the implementation of the final system is anticipated to be a few years into the future, the benefits which can be derived from its implementation are already evident. They include:

- a. Faster response time, reducing "out-of-service" time for police and requirements on detention facilities.
- b. Improved identification accuracy through use of enlarged and enhanced fingerprint images with original quality images as opposed to deteriorated master fingerprint cards.
- c. More accurate responses resulting from improved identification accuracy.
- d. Reduced processing time through the elimination of most of the activities presently required to perform a fingerprint comparison.
- e. Security files available in case of partial or total file destruction by smoke, fire, water or other damage.
- f. Reduced operational costs through system benefits such as reduced personnel requirements, reduced processing time, and space savings.

The first year's work involved basic research and the selection of a vendor (Harris Corporation). During 1978, effort has been concentrated on detailed system design and image quality demonstration. Much of the effort in the second half of 1978 involved testing and improvement of the image quality. Harris Corporation had made improvements in film processing which should rectify problems which affect ridge definition and cause slight loss of information at the light end of the gray scale spectrum. A

final evaluation is scheduled for January 1979 and it is expected that work will thereafter proceed to production of a working prototype model. Assuming adequate funding, evaluation of that model by DCJS should start in the last half of 1979. Once the prototype model is proven successful and future state or federal funding is obtained, future years tasks will involve the full system's equipment production, fingerprint file conversion, and system implementation.



Fingerprint technician reviews input and file fingerprints using a prototype video display station.

6. Communications Interfaces

Technical Services made the necessary analysis, programming and procedural changes to initiate three major communications interfaces during 1978. The first of these was a multi-unit hook-up with the Department of Correction. Facsimile transmitters and remote line printers were installed at the Clinton and Elmira Reception Centers to provide for rapid return of rap sheets on prisoners entering these centers. Additionally, a remote terminal and printer were installed at Correctional Services Headquarters in Albany to provide simultaneous printout of the new rap sheets plus the ability to inquire for updated rap sheets when an individual's NYSID Number is already known.

The second interface was accomplished by completion of programs and procedures necessary for a computer to computer link between Nassau County and DCJS. This link provides for transmission of rap sheets to Nassau County in response to facsimile inquiries plus the capability to inquire for a rap sheet on individuals whose NYSID Number is known. The NYSID Number Inquiry

function will eventually become an important part of the query before dissemination routines contained in the federal security and privacy regulations. At years end, all technical work was completed with only the final details of a Use and Dissemination Agreement to be worked out between the agencies.

Finally, the analysis, programming and procedures were complete for the establishment of a computer to computer link between the Suffolk County Police Department and DCJS. The link will interact with a countywide facsimile network being installed by Suffolk County under a federal grant. In this instance, only the ability to receive rap sheets in response to facsimile input will be provided. At years end, the system was in the testing stage with implementation hopefully scheduled for the first quarter of 1979.

These interfaces represent only part of an on-going communications expansion by which DCJS hopes to expand both equipment interfaces, and the scope of functions available. During 1979, DCJS already has plans to expand the existing Probation system by installing equipment in the Rochester and White Plains Probation Offices; to expand the New York City Police Department's capabilities by putting a remote printer on Staten Island; and to establish direct links to the Albany offices of both the Division of Parole and the Office of Court Administration. The day to day operation of the DCJS Communications System is the responsibility of the Computer Operations Section.

7. Office of the Special Prosecutor

Under a special funding agreement, DCJS is providing computer access and analysis/programming services to the Office of the Special Prosecutor (OSP) for Nursing Homes. The major developments in this system over the past year have been:

- a. The creation of reports and a data base to analyze approximately 650,000 records was completed. The reports provide information pertaining to administrators, controllers, purchasing agents, and independent accountants retained by the hospitals.
- b. The creation of an on-line system between the Offices of OSP and DCJS was completed, which allowed for the transmission of data to be searched or updated to OSP's data base and the return of reports to their printer. This replaced the card input process for updating and mailing of their report previously produced on our printers.
- c. The on-line interface with OSP created a major re-formatting of all of the reports. The sixteen reports and

variations had to be formatted in such a way that they could be produced on any of three types of output devices: Burroughs TC4000 low speed printer, MDS printer, or in-house high speed printer.

8. Fingerprint Programs

The fingerprint search and update programs are of primary importance to Identification processing. These programs have been in operation for ten years now, but must still be modified in response to new projects and system refinements. The primary effort of development during 1978 was concentrated in the following projects.

- a. Procedures were developed to accommodate the changeover of the old Burroughs TD820 input terminals to the more advanced TD830 model. Because of the complete change in the way data is handled by the TC830's and the lack of TD830 units to complete a full changeover to the new terminals, the fingerprint system was designed to work with either type of terminal.
- b. In the past, new fingerprint records, resulting from non-idents against the master fingerprint file, have been updated to the name search and fingerprint search file by means of a message automatically initiated when the NYSID Number is assigned. If the computer goes down during processing, these messages could be lost. To guard against this, a file was created on disk to store the update and then remove that record only after it had been processed through the update procedures.

9. Juvenile Justice Processing System

The juvenile arrest processing system developed in the latter part of 1977 was modified during 1978 to allow for the receipt and processing of the new defendant status known as "juvenile offender". The changes incorporated into the arrest processing system are described in another section of this report which deals with the Violent Felony Offender Legislation.

The Division For Youth (DFY) placement and family court disposition systems became fully operational during the year. These systems, together with the juvenile arrest system, are the essential components of the DCJS juvenile processing system. Since DFY and the family courts are not routine users and thus, not familiar with reporting standards required by DCJS, much developmental work has been conducted with these agencies. An objective of DCJS is to obtain and update placement information via fingerprints. This will greatly reduce the manual intervention and decision making responsibilities of the DCJS

processing personnel. At present, placement records are associated using such personal identifiers as name and date of birth which, in the juvenile situation, tend to be unreliable.

Juvenile Arrest Processing Regulations were approved and promulgated in June of 1978. These regulations govern the processing of juvenile arrest fingerprints, the reporting of dispositions, release of information upon subsequent arrest, and the use of DCJS Latent Fingerprint system by police departments. The regulations are being modified to reflect changes in the Family Court Act which altered the destruction of juvenile records for individuals between 13-15 years of age. The amended regulations will also contain provisions for reporting dispositions for juvenile offenders removed to Family Court. The 1978 changes did not amend the law to specifically allow for the reporting of such dispositions by the Family Court.

It is anticipated that the DCJS Technical Services staff will continue to devote efforts in the continued improvement and development of the juvenile processing system. Areas of concern will focus on the age verification problem; namely, development of mechanisms within the system to verify the date of birth of arrested juveniles which will insure that cases are disposed of in the proper court of jurisdiction. Another area will be the disposition reporting systems and procedures to be followed by juvenile justice agencies for cases involving juvenile offenders.



Criminal Justice professionals discuss a plan to establish a computerized statewide juvenile index.

10. Security and Privacy

The security and privacy of the criminal history records maintained and disseminated by DCJS has continued to be an important aspect of the operations of the Technical Services Section. The major tasks performed during 1978 are described below.

Federal funding was secured to develop a Criminal History field audit team. Initially, auditing procedures and guidelines will be established for conducting a complete criminal history records audit of a random sample of both large and small user agencies. Since the final funding approvals have not yet been received, only limited developmental work was completed at years end. The purpose of establishment of the audit team is to assure that DCJS user agencies are in compliance with LEAA Security and Privacy Regulations. DCJS was designated by the Governor as the state control terminal agency responsible for the criminal history records system within the state and charged with the responsibility for auditing other agencies for compliance.

Extensive analysis of in-house terminals usage was conducted during the year and as a result, a number of programmatic edit checks were instituted to prohibit unauthorized access. In addition to limiting selected functions to the different terminals, usage was also limited to specified time periods if the applications are routinely performed only during certain operating shifts.

11. Applicant Processing

Reductions to the expansion of fingerprint and criminal record files and consequent record maintenance was accomplished by setting up on-going purging criteria for two of the larger non-criminal categories.

The first area completed involved improvements to police applicant processing and was initiated by legislation. The major change in the law made it the duty of the police departments to inform DCJS of those applicants not hired, and those employees who have died, resigned, retired or been dismissed.

The second area of improvement involves pistol license applicants. The Division has set up a data exchange system with the State Police and will automatically purge individuals who have no recorded license issue date three years after the initial application date.

12. BMP Support

Technical Services has supported a limited number of programs for the Bureau of Municipal Police (BMP) during 1978.

The major effort for BMP involves the implementation of a police training record file. Such a file will allow BMP to rapidly retrieve course and general training information and alleviate an increasingly complex manual record-keeping problem within the Bureau. Sort programs for the training file were completed as well as a program to allow loading of the existing records, however, keypunching backlogs have delayed conversion of the data. At the end of the year, specifications for the complete system were being issued for approval by BMP and edit and error listing programs were being completed for the conversion.

A new terminal and low speed remote printer have been installed in BMP for the training records system and operating instructions were obtained for that equipment.

Training support was also provided by Technical Services personnel familiar with Juvenile Fingerprinting laws and regulations for a continuing Juvenile Officers Seminar.

13. Parole/Probation Support

a. The Violent Felony Offender Warrant Program includes several parts; one of which is the development of a Parole Registrant System. DCJS, in conjunction with the Division of Parole, has begun the preliminary design of the Registrant System.

The purpose of the Parole Registrant System is to provide for the inclusion on the DCJS computer system of all personnel under parole supervision. This registration process will be accomplished through the on-line entry of pertinent information by means of a computer terminal in the Parole Central Office and a terminal located in New York City.

In order to establish the computerized file initially, it will be necessary to convert to Parole Registrant punched card file. Plans for this are currently under development.

If a registered parolee whose fingerprints are on file with DCJS is arrested anywhere in New York State, a re-arrest notification will be prepared at the time the identification of the individual is made.

The re-arrest notification will be automatically transmitted to the terminal device which has jurisdiction over the parolee. The supervising parole officer will be notified and will follow-up on the case. Thus, the Parole Registrant System will, by its very nature, provide a more accurate check on those currently under parole supervision. Another benefit

of the system will be the management and operational reports that can be produced once the system is fully implemented.

b. During 1978, DCJS continued to support the statewide Probation Registrant System on the Division's computer system. Probation currently has eight terminals installed at seven locations. In the coming year, the number will rise to ten terminals at nine locations.

The operational statistics for the system in 1978 are as follows:

a. Total number of entries made	34,367
b. Total number of records cancelled	24,469
c. Total number of re-arrest notifications produced	21,469
d. Total number of probationers on file at year end	53,623

A terminal linked directly to the DCJS computer, intended for updating probation registrant records and receiving arrest notifications, was installed at the NYS Probation Department Albany office. This terminal will service upstate county probation departments. The arrest notification was modified to combine data on individuals who have been remanded to probation in the same county more than once. This replaces the multiple arrest notifications previously generated.

c. One of the major loopholes in the existing Probation Registrant System was co-op probation cases in which the individual on probation was transferred in from another state and has no New York State record. Because there was no New York State record present, key identification numbers and fingerprints were missing and those individuals were not entered on the system. At years end, DCJS, the Division of Parole and the Division of Probation had agreed on a design of a new fingerprint card for this purpose and work was commencing on the program and procedure modifications necessary to implement such a system.

14. Data Dissemination

The recent years have produced legislation and regulations which have made the question of who is entitled to what criminal history event data and in which set of circumstances, an extremely complex question. A few of the changes which have had a major effect on processing are:

- a. Changing of processing of juvenile delinquent records received in 1975, 1976 and 1977 to allow selected dissemination which was further complicated by the creation of the juvenile offender category during 1978.
- b. Sealing of records and return of prints under section 160.50 of the Criminal Procedure Law which was complicated by the requirement to retain fingerprints under provisions of Adjournments in Contemplation of Dismissal for drug events granted under Section 170.56 of the Criminal Procedure Law.

In response to these and other problems, Technical Services conducted an extensive review and analysis of the laws, regulations, policies and procedures governing dissemination of criminal history information. The end product of this review is a definitive listing which details the various modes of access and corresponding information entitlements for all qualified DCJS user agencies.

15. General Support

In addition to the normal day to day maintenance and trouble shooting of the existing systems, which in itself requires substantial effort, a number of other changes were initiated during 1978. Among the more important of these was:

- a. Implementation of programs necessary to automatically forward disposition data from New York City to the FBI after it is received and quality checked at DCJS. This system automates a process which in the past was performed manually. It will eventually eliminate the need for local agencies to submit disposition data directly to the FBI.
- b. Court ordered implementation of programs necessary to remove all narcotic commitment data from computer files. Suppressed printing of all remaining Mental Hygiene data in preparation for purging of that data.
- c. Changes to the name search programs to provide early notification to the central record files section to allow prompt retrieval of records which will require a manually prepared reply.
- d. Changes to the name search program to provide special audit trails on potential juvenile/adult record processing problems.

RESEARCH AND DEVELOPMENT

Since its inception, the Division has supported a Research and Development (R & D) Section having as its major objective the development and implementation of technical solutions to problems encountered in the delivery of criminal identification and information services to user agencies.

R & D projects have focused on the application of available and emerging technology to virtually every aspect of identification from methods of creating the fingerprint document to delivery of the document to DCJS headquarters to fingerprint classification and ultimately to fingerprint search and retrieval procedures and hardware.

During 1978, the R & D Unit continued work on several projects which represent state-of-the-art advancements in the processing of fingerprint records.

1. High Speed Fingerprint Facsimile Transmission System

During 1978, R & D tested a prototype High Speed Fingerprint Facsimile Transmission System between the Manhattan Facsimile Center in New York City and DCJS headquarters in Albany. The system utilizes the combined technologies of laserfax, microwave communications and cable television. R & D staff coordinated the efforts of the technical personnel from the State Office of General Services, the World Trade Center, the microwave common carrier and the vendor of laserfax equipment in the implementation of the system. Operations of the system required an FCC license for the microwave channel, installation of transmitter equipment and an antenna on the World Trade Center and interface with the Albany area cable television network.

Operational testing began in mid year and after an evaluation of the quality of transmission and reliability of the equipment, the system was considered operational during early July.

The following benefits projected during conceptual planning for the system were realized.

- a. Fingerprint document transmission was reduced from a former minimum of 9 and 14 minutes using conventional facsimile to 45 seconds using laserfax equipment.
- b. Overall fingerprint facsimile quality was vastly improved due to the increased resolution provided by the new equipment.
- c. Unit document paper cost was reduced by 60% for laser versus conventional facsimile.

In addition to the above predicted benefits, user feedback indicates that the high speed system may result in a streamlining of procedures at the Manhattan Facsimile Center. The high speed and reliability of the prototype network has also resulted in more efficient utilization of existing conventional facsimile equipment at DCJS headquarters in Albany.

As a result of evaluation of the prototype laserfax/microwave system, we plan to expand the network during 1979 to include other high volume users.

2. Semi-Automated Fingerprint Classification System

Fingerprint classification has historically resisted efforts to introduce a greater degree of automation for both technical and economic reasons. R & D made significant progress in this program area during 1978 with its continued evaluation of a Semi-Automated Fingerprint Classification System (SAFCS).

The SAFCS System utilizes a high resolution, closed circuit television system to assist fingerprint classifiers in the acquisition of data. During 1978, the system was installed within the main DCJS fingerprint processing system flow. Its operation was evaluated by a task force consisting of R & D staff, members of Identification Operations and Technical Services.

As a result of this evaluation, it was determined that the SAFCS System represents a practical alternative for



Fingerprint classifier displays an enlarged video image which permits the on-line classification of fingerprints.

streamlining fingerprint classification tasks. In addition, it represents the only way to introduce additional data which is critically necessary to improve fingerprint search reliability.

The operational evaluation of the SAFCS System conducted during 1978 also indicated that the SAFCS System requires further hardware and software development before it can be introduced as an integral component of the routine DCJS operations. Therefore, a decision was made to reassign the system to the R & D Unit where appropriate modifications will be designed, implemented and evaluated. This activity will be supported during 1979 by federal funds.

3. State Level Computer Assisted Latent Fingerprint Identification System

This project is federally funded through the LEAA Discretionary Grant Program. DCJS considers its latent crime scene fingerprint search operation a by product of the routine fingerprint identification process. The computer-assisted system enables a latent fingerprint examiner to access a file containing both fingerprints and summary criminal history data. This file is derived from DCJS operational files. The system utilizes a computer terminal for file inquiry and also provides automatic file update and search of previously unidentified latents against new arrest entries.

During 1978, R & D staff designed a program directed toward combining the further development of the SAFCS System with its efforts to improve the latent fingerprint identification system. With the implementation of this program during 1979, additional fingerprint data obtained by the SAFCS System will be introduced into the latent fingerprint system. This will result, ultimately, in an increased ability to identify latent fingerprints.

DATA SYSTEMS

1. Statistical Research Projects and Reports

"New York State Felony Processing/Quarterly Report" which includes data on felony arrests, drug charges, indictments, dispositions and sentences was prepared each quarter for the Governor and Legislature. Copies of these reports were also distributed to District Attorneys and Special Prosecutors, along with special summary statistics covering their jurisdictions.

The data collected for Felony Processing and Uniform Crime Reporting are also used to answer special requests from agencies and persons interested in crime statistics.

In 1978, the unit responded to 311 requests for data on crime statistics, 38% of these requests were from criminal justice agencies, 23% from the legislature and 12% from the news media.

In addition to providing statistical support for the *Annual Report - Crime and Justice 1977*, the unit also prepared studies on "Offenders and Victims", "Juvenile Arrests for Violent Crimes", "Violent Offenses", "Index Offenses and Arrests for Selected Areas, 1974-1977" and "Homicide Trends".

2. Statistical Analysis Center

The mission of the Statistical Analysis Center (SAC) is to enhance the quality of the analysis of criminal justice data in the state. This mission is accomplished in two ways: (a) by providing assistance in research development and the collection, processing, analysis, and interpretation of data to other criminal justice agencies, and (b) by initiating research and analyses that will help to fill gaps in the knowledge required to make informed criminal justice policy decisions.

Within the first of those realms, the Center regularly reviews the research designs of agencies requesting access to criminal history information for research purposes. The Center has also been providing on-going data processing and analytic assistance to the Office of Planning and Program Assistance in their process evaluation study of projects funded by that office. The major collaborative effort of the Center during 1978 was with the Legislative Commission on Expenditure Review; the Center provided a report to the Commission estimating the number of crime victims in New York City potentially eligible for victim compensation under state law.

In its second realm of work, the Center takes a proactive research role. The framework has been constructed for the production of a Management and Administrative Statistics Report which will explore the relationships among resources, workload, and outcomes in the various sectors of the criminal justice system on a county basis. Later, parallel analysis will be performed at the municipal level.

A data file has been developed for persons arrested for robbery in 1970 and 1973. The file contains rearrest data on those persons and will permit the analysis of recidivism as it relates to offender characteristics and dispositions resulting from the 1970 or 1973 arrest.

During 1978, Center started work which will result in two pilot surveys in 1979. The first survey involves eliciting opinions about crime and criminal justice from a representative community sample. The second survey

focuses on persons who, in the recent past, have reported some criminal victimization to the police. The Center is currently negotiating with several police departments to enable identification of a sample of known crime victims. When this is accomplished, the victims will be interviewed concerning their reactions to how their case was handled by the criminal justice system and their opinions about how the system can better meet victim needs.

3. Statistical Reporting

There are three major statistical reporting data sources which Data Systems, with the assistance of the Technical Services Section, can use in the preparation of either required reports or special request reports. These sources are the Uniform Crime Reporting System (UCR), which gathers much of the data for the state's annual crime and justice report and data that is forwarded to the Federal Bureau of Investigation. Second, is the Indictment Statistical System (ISS) initiated by the Special Drug Legislation in 1973 which produces indictment, disposition and sentence information provided by District Attorneys within the state. Finally, the criminal history system which, through the use of individually prepared programs, can be used to produce special reports.

The Uniform Crime Reporting Group worked with the Rochester Police Department during 1978 towards the development of an Incident-Based Uniform Crime Reporting System. Programs were written to process incident reports received on magnetic tape files, store the data in chronological files on tape, and to generate aggregate UCR reports as input into the existing UCR system. Processing of offense data from Rochester has proven the system to be functional; however, much work will be required to adapt the incident based system for those local agencies which already have established automated systems.

Work continued on modifying and maintaining the existing UCR system. Eighteen of the reports, primarily dealing with arrest data, were modified to provide comparative year data. Programs were written to produce age, sex, and race tables and detailed reports of fingerprintable arrests by agency from the criminal history files. The reports produced by the program will be used as a basis for conducting Uniform Crime Reporting program audits.

In addition to production of the Quarterly Felony Reports for the Governor's Office, the ISS group handled a number of special requests during 1978. Most notable was the provision of a number of reports dealing with sentencing for violent felonies, youthful offender sentencing, and plea bargaining reports which were prepared as background reports prior to the passage of the Gover-

nor's crime package. Modifications were also made in the method of accumulating data for the quarterly reports which will eliminate keying delays of two weeks at the start of a new reporting period. Finally, files of selected data were made available for the Statistical Analysis Center for their use in report preparation.

Special report preparation from the criminal history files was limited during 1978 because of commitments to other projects. The major effort in this area was the modification of the Drug Recidivist Arrest Report program which is provided for the Drug Enforcement Administration on a monthly basis. The program was modified to distinguish between Juvenile Delinquent and Juvenile Offender.

4. Field Service Operations

- a. The field staff provided technical assistance to agencies in the preparation of UCR, Felony Indictment, Court Disposition and Sentencing statistics for DCJS. During 1978, this assistance was provided on 466 occasions.
- b. Upon notification that a new police department has been established by a community within the state, the field staff confirms the existence of the department, arranges for its authorization to participate in the criminal justice services available, and introduces it to legislation mandating certain interactions with DCJS. This indoctrination includes the policies and procedures of DCJS relative to initial participation, as well as the necessary forms (fingerprint cards, uniform crime reporting, etc.) including instruction as to their purpose and preparation.
- c. Legislation mandating the submission of fingerprint cards to DCJS must also carry with it a responsibility for providing guidance for compliance. The Field Services staff provides the following fingerprint training:
 - (1.) On a request basis, the field staff conducts fingerprint training courses for any criminal justice agency experiencing fingerprint card rejection problems.
 - (2.) When called upon to actually take fingerprints for agencies who lack the necessary personnel with qualified experience.

- d. State and Federal Regulations concerning Security and Privacy of Criminal Records, require that DCJS provide for record review at a "reasonably convenient location and time".

The Field Services Unit provides this service across the state. Field staff members are required to compare the fingerprints of the requestor with those on the DCJS files before the review takes place. This service is being requested in an ever increasing number, the figures are contained in Section 9 in the preceding report on Identification Operations.

- e. The field staff is utilized to conduct periodic field audits of contributors in the following areas:
 - (1.) Compliance with Section 160 of the CPL concerning the submission of arrest fingerprints to DCJS.
 - (2.) Compliance with the required submission of Uniform Crime Reports and related criminal justice statistics to DCJS in a timely and accurate manner.
 - (3.) Compliance with Title 28 of the Federal Regulations concerning Security and Privacy of Criminal Records.

Field audits under the UCR and related statistical programs, although desired to measure and remedy crime reporting discrepancies and/or loss at the source of the data, serve an equally important purpose in that they provide the law enforcement administrators with an in-depth and comprehensive evaluation of their crime reporting and record-keeping systems. Beginning with the initial complaint, the DCJS-adapted UCR audit trail extends through the system to the final arrest of the perpetrator. The audit also permits DCJS to monitor the compliance and accuracy of fingerprint input as required by the Criminal Procedure Law.

Under the Security and Privacy Audit requirements of the Federal Regulations, this concept and its corresponding audit trail will be further expanded to include the use and dissemination of criminal history records as well. The preliminary plan for the implementation of the Security and Privacy phase of the Field Audits began on December 1, 1978 with the New York City Police Department being selected as the prototype agency.

OFFICE OF PLANNING AND PROGRAM ASSISTANCE

In order to receive federal funds from the Law Enforcement Assistance Administration (LEAA) under the Crime Control Act of 1976 and the Juvenile Justice and Delinquency Prevention Act of 1974, a State must maintain a "State planning agency" to oversee criminal and juvenile justice planning and supervise the distribution of funds in the State. In New York State the Crime Control Planning Board (The Board) and the Office of Planning and Program Assistance (OPPA) are the components of DCJS which constitute New York State's planning agency for administering funds received by the State under the LEAA program.

A Deputy Commissioner of DCJS serves as the Administrator of OPPA. The staff located in New York City, consists of approximately fifty attorneys, accountants, engineers and researchers, as well as persons with considerable operational experience in criminal justice agencies. The primary responsibilities of OPPA are to prepare an annual State Comprehensive Plan and to work with a network of local, court and State agency planners to develop, implement, fund and administer action programs designed to meet the objectives of the State plan.

The role of the Board is to review and approve programs for funding out of federal funds and to recommend general policies for the containment of crime and delinquency to the Governor and the Commissioner. In addition, the Board and OPPA have become increasingly involved with general planning, program development, policy-making, budgeting and evaluative matters in the criminal and juvenile justice areas. Composed of representatives of State and local government and professional and citizen interests, the Board assists in the coordination of activities relating to law enforcement and juvenile delinquency control, and advises the Governor and the Commissioner of DCJS regarding crime control planning and program development. The Board meets six times each year to consider applications for funding, and once a year to review and approve the DCJS Comprehensive Crime Control Plan. In addition to approving applications for funding and reviewing the Plan, the Board advises the Governor and the Commissioner of DCJS on criminal justice matters. Furthermore, an Executive Committee has been formed to advise the full Board on policy matters and to review appeals from staff decisions. The Board also has an Evaluation Committee which works with DCJS staff to develop evaluation policy and procedures.



Crime Control Planning Board meets to review the State Comprehensive Crime Control Plan.

MEMBERS OF THE CRIME CONTROL PLANNING BOARD

RICHARD L. GELB, Chairman, Chairman of the Board and
Chief Executive Officer Bristol Myers Corporation

RICHARD J. BARTLETT, New York State Administrative
Judge

STEPHEN CHINLUND, Chairman, New York State Com-
mission of Correction

JUNE JACKSON CHRISTMAS, Commissioner, New York
City Department of Mental Health and Mental Retarda-
tion Services

WILLIAM G. CONNELIE, Superintendent, New York State
Police

CARL J. COSTANTINO, Director, Niagara County Proba-
tion Department

JUDIANNE DENSEN-GERBER, Executive Director,
Odyssey House

MICHAEL F. DILLON, Justice, State Supreme Court,
Appellate Division, Fourth Department

PETER V. EDELMAN, Director, New York State Division
for Youth

PAULINE FEINGOLD, Assistant Commissioner, New York
City Department of Corrections

LOU GLASSE, Director, New York State Office for the
Aging

DANIEL GREENWALD, President, Nassau County Police
Benevolent Association

JOHN V. N. KLEIN, County Executive, Suffolk County

DANIEL R. KLEPAK, Commissioner, New York State Divi-
sion of Substance Abuse Services

LOUIS J. LEFKOWITZ, Attorney General, New York State

JOHN M. MARTIN, Professor, Fordham University

MARIO MEROLA, District Attorney, Bronx County

THOMAS RYAN, JR., Mayor, City of Rochester

THOMAS SARDINO, Chief, Syracuse Police Department

NICHOLAS SCOPETTA, Director, Institute of Judicial
Administration

T. GEORGE SILCOTT, Director, Wiltwyck School for Boys

SYDNEY M. SPECTOR, Vice President and Executive Direc-
tor, Westchester County Legal Aid Society

HERBERT J. STURZ, Deputy Mayor, New York City
Mayor's Office

ANTHONY VILLELLA, Sheriff, Niagara County

BENJAMIN WARD, Commissioner, New York State Depart-
ment of Correctional Services

PEGGY WOOD, Director of Public Health and Social Work,
Onondaga County Department of Health

Ex-Officio

HOWARD MILLER, Director, New York State Division of
the Budget

Another body which currently acts in an advisory capacity to the Board is the Juvenile Justice Advisory Board (JJAB). The JJAB, established in February of 1976, advises the Board in its deliberations on matters relating to the juvenile justice system and insures optimum coordination of youth services provided by State and local youth serving agencies. The JJAB members were appointed by the Governor in conformance with the requirements of the Juvenile Justice and Delinquency Prevention Act.

The duties of the JJAB include reviewing the juvenile justice sections of the annual Comprehensive Plan; reviewing all applications for juvenile justice projects seeking LEAA and JJDP funds; reviewing standards and goals relating to juvenile matters developed by the DCJS standards and goals process; and considering all juvenile justice matters referred to them by the Board or the Commissioner of DCJS.

In December of 1978 the first annual JJAB Conference was held. At the conference JJAB members began an early analysis of the 1980 Comprehensive Crime Control Plan as well as discussing the future role of the JJAB in the upcoming year. Additionally, members of the JJAB are currently developing policy positions on major state and federal juvenile justice issues and will be communicating their individual and collective position to the Governor in the foreseeable future.



Juvenile Justice Advisory Board members discuss a proposal requesting funds for a juvenile justice project.

MEMBERS OF THE JUVENILE JUSTICE ADVISORY BOARD

CAROL PARRY, Chairperson, Vice President, Chemical
Bank

GORDON M. AMBACH, Commissioner, New York State Department of Education
 SHEILA ANDERSON, President, New York State National Association for the Advancement of Colored People Youth Group
 NANCY ASCH, Student
 GEORGE AVENAUT, Staff, White Plains Youth Services Bureau
 THOMAS CALLANAN, Director, New York State Department of Probation
 GREGORY L. COLER, Assistant Commissioner, Bureau of Children's Services, New York State Department of Social Services
 PAUL DENNIS, JR., Executive Director, New Rochelle Youth Bureau
 PETER B. EDELMAN, Director, New York State Division for Youth
 ADRIENE L. FLIPSE, Member, Nassau County Youth Board
 JOSEPH B. GAVRIN, Executive Director, New York State Council of Voluntary Child Care Agencies
 JENE GREY, Student
 BRIAN J. KALEY, Staff, Project Gateway
 MICHAEL G. KALOGERAKIS, M.D., Associate Commissioner, New York State Department of Mental Hygiene
 FLORENCE KELLY, Judge of the Supreme Court, New York County
 HOWARD LEVINE, Judge of the Family Court, Schenectady County
 PATRICK LOONEY, Deputy Inspector, Juvenile Aid Bureau, Nassau County Police Department
 JOSEPH MAIORANA, Executive Director, Erie County Youth Board
 MIGUEL MEDINA, Counselor, New York State Division for Youth
 THERESA MELCHIONNE, Professor, John Jay College of Criminal Justice
 EDWIN MILLARD, Director, Parsons Child and Family Center
 SUZY L. NAGIN, Student
 ROBERT P. PATTERSON, President, New York State Bar Association
 ROBERT P. POLLACK, Child Care Worker, Berkshire Farm Center
 MARIA RIVERA DE BUCHANAN, Chief Administrative Officer, Puerto Rican Association of Community Affairs
 FLORA ROTHMAN, Member, National Advisory Committee on Juvenile Justice and Delinquency Prevention
 ROBIN SANDERS, Youth Worker, Wildcat Program
 BERNARD M. SCHIFFMAN, Executive Director, Community Council of Greater New York

T. GEORGE SILCOTT, Executive Director, Wiltwyck School for Boys
 DANIEL SUTTON, President, Sutton Real Estate Company
 CLARENCE WASHINGTON, Student
 DAVID S. WORGAN, Assistant District Attorney, New York County

In 1974, DCJS established the broad framework for a new planning and program development process. The new process was developed in response to deficiencies in the existing process and new directions recommended by the National Advisory Commission on Criminal Justice Standards and Goals by Federal and State legislation.

Since 1974, new local planning structures (Criminal Justice Coordinating Councils — CJCCs) have been created in seven major metropolitan areas (MPAs), staffs attached to these structures have been augmented and each MPA has prepared and submitted local plans. These plans, along with information memoranda submitted by other units of local government, and major State criminal justice agencies, constitute the principal source documents used by OPPA to identify the priority problems, programs and fund distributions set forth in this document.

I. PLANNING ACTIVITIES

The OPPA staff completed its preparation of New York State's 1979 Comprehensive Crime Control Plan and submitted the document to the State Crime Control Planning Board for its review. The Plan is structured according to a multi-year framework that includes: (a) crime analysis, (b) system description, (c) problem identification, (d) standard settings, (e) priority setting, and (f) multi-year forecasting of expenditures and accomplishments. The objective of the program as set forth in the Plan is to assist in improving the operation and organization of the criminal justice system, especially those aspects of system operation and organization which relate most directly to:

- a. the justice and humaneness of the case processing function from investigation through release from correctional supervision; and
- b. the system's potential contribution to the prevention and control of felonious criminal and delinquent behavior.

The Plan also sets forth one special priority of the program: the prevention of crimes committed against the elderly.

II. INTERNAL MANAGEMENT

During 1978, OPPA moved toward final implementation of its automated fiscal management information system. This

system, which utilizes a minicomputer, was made possible by a special \$100,000 discretionary grant from LEAA. Eventually the system will enable OPPA to automate all grant financial records as well as substantial portions of programmatic records and will provide OPPA management with the ability to better monitor funded programs.

Considered to be a pilot project by LEAA, the New York system has already received national acclaim. OPPA has hosted visits from representatives of a dozen State planning agencies and answered numerous inquiries about the system. Currently, several States are considering transferring the software developed by OPPA to their own State planning agency computers.



Data entry operator prepares to enter grant modification information into the automated fiscal management system.

III. FUNDING ACTIVITIES

A. Programs Funded in 1978

During 1978 the staff of OPPA recommended and the Board endorsed the funding of a variety of programs. In total, the Board funded over 189 projects totaling \$24,770,195. Of those projects funded, approximately 47% were for new initiatives and 53% were refundings. Of the 189 projects funded, 43 were juvenile justice programs, 39 law enforcement programs, 33 corrections/probation programs, 30 court, prevention or defense programs, 17 evaluation programs, 12 police communications programs, 10 criminal justice information systems programs, 4 community crime prevention programs and 1 comprehensive planning program.

In 1978, the Board awarded a majority of federal funds to localities. During six Board meetings, local governmental and community-based groups were awarded \$15,072,260 or 60.8% of available funds to implement criminal justice programs. Of the total funds awarded, New York City received nearly 50%, Suffolk 8%, Nassau 8%, Rochester/City of Monroe 7%, Erie/City of Buffalo 8%, Onondage/City of Syracuse 5%, County of Westchester/City of Yonkers 9%, and other localities 11%.

In addition, 20 localities throughout New York State were awarded a total of \$2,558,279 to initiate criminal justice planning activities. These 20 offices perform and will continue to perform the local planning, coordinating and monitoring functions provided for under the Crime Control Act and the Juvenile Justice and Delinquency Prevention Act.

The Board also awarded \$6,139,656 to State agencies to undertake a myriad of criminal justice programs. Over 10 State agencies including the New York State Division for Youth, the New York State Department of Correctional Services, the New York State Department of Law, and the Division of Criminal Justice Services received funding in order to develop or continue criminal justice initiatives.

B. Discretionary Funding

In addition to awarding funds to New York State through the block grant program, LEAA also makes funds available through a discretionary grant program. These discretionary funds are awarded by LEAA directly from Washington for programs which in their judgement have potential national impact. During 1978, OPPA encouraged and assisted governmental and community-based groups to apply for discretionary funding. As a result of OPPA's initiatives, New York State was awarded \$25,575,862 in federal funds to develop 94 projects. This represents a high proportion of all discretionary funds awarded nationally and testifies to the hard work and initiatives of OPPA staff to obtain alternate sources of funding to the block grant program. A majority of the funds, 55.9%, were awarded to governmental and community-based groups in New York City.

C. Local Plans As Funding Documents

In 1978 the Board approved procedures for the implementation of Section 303(a) (4) of the Crime Control Act: Plans as Funding Documents. Under these procedures, selected units of local government may prepare and submit local plans for approval by the Board which will result in the actual award of funds to the municipalities submitting a Plan.

Pursuant to Procedures and Guidelines set forth in the 1978 New York State Comprehensive Crime Control Plan, Nassau County prepared and submitted for OPPA review and

action the Nassau County Criminal Justice Plan for FFY 1979. Nassau County requested that the Plan be granted Funding Document status thus relieving Nassau County of having to submit individual applications to the Crime Control Planning Board for approval.

In brief, Nassau County submitted a document which presented extensive data and discussion on the crime and justice problems in the County, analyzed this information, described the resources available to address the problems, prioritized the problems not satisfactorily addressed with local resources and requested \$556,950 in FFY 1979 funding to implement an action program to address these problems. Priorities for funding were set forth in the following substantive areas: law enforcement, prosecution-defense-adjudication, corrections, juvenile justice and system-wide programs.

The Board based upon OPPA review of the document, approved two of the Plan's priorities. These two priorities are in the area of law enforcement management improvement through the establishment of a computer-aided dispatch capability and in the area of alternatives to formal court processing through the provision of community mediation services.

The Board approval of the recommendations resulted in the award of \$315,000 to Nassau County to implement projects consistent with approved program priorities. The Board will thus be delegating to the Nassau County CJCC the authority to approve project applications developed under the approved priorities and these individual projects will not subsequently be reviewed by the Board. OPPA staff will work closely with Nassau County to ensure that any problems that may arise in this revised process are overcome.



Juvenile Justice planner discusses program strategies with members of his staff.

IV. PROGRAM ACTIVITIES

A. Juvenile Justice

1. Removal of PINS and Non-Offenders from Juvenile Justice Correctional and Detention Facilities

The OPPA staff as well as members of both the Board and JJAB continue to be opposed to the Federal LEAA definitions of "juvenile detention and correctional facilities." Staff and Board members support that section of the definition that designates secure facilities and facilities that house juveniles with adults as correctional and detention facilities. They are, however, opposed to defining all non-secure facilities with a capacity of more than 20 beds as correctional and detention facilities merely because they house alleged or adjudicated juvenile delinquents with PINS and non-offenders. Considerable progress has been made towards a reduction in the number of PINS and non-offenders housed in secure facilities and in large institutions throughout the State. Operating under a philosophy of the least restrictive placement consistent with the needs of the individual youth, OPPA had moved toward reducing the population of large Division for Youth (DFY) administered and voluntary institutions as well as towards the removal of all PINS from secure detentions.

OPPA in cooperation with the State Department of Social Services and the State Division for Youth is developing additional residential alternatives to institutionalization. This program will provide incentives for the development and expansion of community based residential programs that will reduce the number of inappropriately institutionalized juveniles.

2. Separation of Juveniles from Incarceration in Adult Facilities

According to one LEAA mandate, a State to be eligible for JJDP funds must insure that no juveniles are incarcerated in adult facilities. In cooperation with the NYS Commission of Corrections and the NYS Division for Youth, OPPA has virtually eliminated the problem within the State of New York. In January 1978, only seven juveniles were detained in county jails or local lockups. In all cases, these detentions were approved by DFY and the juvenile was separated from contact with adults.

3. Exemplary Juvenile Justice Projects

During 1978 the Board refunded a number of exemplary juvenile justice projects in New York City. The Rheedlan Foundation Inc., operates a project designed to reverse patterns of chronic truancy and related activities that could

result in petitions to Family Court. Rheedlan's clients are children between the ages of 8 and 12 who reside in School District 3's catchment area, located on the Upper Westside of Manhattan and who have missed at least 50 days of school during the past year. Direct casework and educational services are provided by social workers, reading consultants, and corps of trained volunteers.

In Albany, the Bureau for Municipal Police (BMP) developed and operates a formal, standardized training program for police juvenile officers throughout the State. The training program is four days in length and includes instruction on the role of the juvenile officer, delinquency prevention and juvenile justice system, and juvenile rights. BMP's effort also include the promulgation of standards for police training and procedures in juvenile matters, the provision of training to civilians working in juvenile aid bureaus and assessment of the training program.

B. Adjudication

1. Innovative Video-Recording Projects

During 1978 DCJS initiated the funding of two innovative video recording units within the District Attorney's office of New York and Richmond Counties. The reliability and convenience of audio and visual equipment provides the criminal justice system with a means of preserving evidence in a readily accessible form conducive to speedy judicial determinations on evidentiary contentions.

The objectives of both grants are to utilize video tape recordings in the preparation and presentation of cases in the following contexts: recording inculpatory and exculpatory homicide statements of defendants; recording statements of defendants, victims, and witnesses in major felony cases; recording conditional examinations; recording crime scenes both to refresh the recollection of the witness and to accurately depict the scene and evidence to the judge and jury; recording line-ups; and recording suspect surveillance. An additional objective of both grants are to utilize the recording equipment for in-house training of Assistant District Attorneys.

2. Victim Witness Projects

During the past twelve months, the Board funded over 30 projects to improve the quality of justice including a variety of victim witness projects. Currently, 13 Board funded victim witness projects are operating which recognize the unique needs of victims and witnesses in the criminal justice system. Notable among these projects is the Kings County Victim Witness Assistance Project (V/WAP). First funded in 1975, V/WAP, which serves as a prototype for similar projects

throughout the State, operates a computerized case management notification component, a service delivery and referral component and a community mediation component.

V/WAP has developed procedures which give early and reliable notification of the likelihood that a police or civilian witness will be needed. Witnesses are put on telephone alert and subsequently notified of the status and disposition of their cases. In 1977, productivity and dollar savings by all V/WAP components were estimated at 2.8 million dollars and for 1978 projected savings were estimated at 5.6 million dollars. As a result of its notable success the project has been institutionalized by New York City and is being operated by the Victim Services Agency.

C. Law Enforcement

1. Police Training

During 1978, The Board funded 39 projects including the funding of several large police departments to address the problem of job stress. Through a multi-faceted programmatic approach of training, peer counseling, physical fitness and evaluation, police departments are enabling both police managers and line officers to deal more effectively with stressful situations and job tension.

The first of four such grants were awarded to the Rochester Police Department. The project contains both a stress awareness management training component and a peer counseling component. The project seeks to enable both rookie police officers and veteran supervisors to develop the ability to manage stress. The Syracuse Police Department was also funded to implement a stress management training project. The project based upon the Rochester model consists of three components: stress awareness and intervention, police officer peer counseling and professional consultation. In October of 1978, the Bureau for Municipal Police was awarded a grant to provide stress awareness and reduction training to police personnel in the Buffalo police department as well as developing a training prototype for other departments. One objective of the grant is to demonstrate that a stress management project can effectively eliminate somatic, behavioral and intellectual problems. Finally, the Nassau County Police Department has been funded to reduce police officer stress and its negative physiological by-products through the implementation of a pilot physical fitness training project.

Upon demonstrating positive results, the project will serve as the foundation for a mandatory in-service physical fitness project for all Nassau County police personnel.

2. Prevention of Arson

The growing problem of arson has demanded that State and local law enforcement agencies develop various strategies

to reduce the incidence of arson and to improve detection and investigative techniques for combatting this menace. Beginning with a grant to the City of New York in August 1975 to enhance the Fire Department's Fire Investigation Unit, the Board has awarded over \$2,338,000 to various projects designed to combat arson. Two such programs went to the District Attorney's offices in the Bronx and Monroe Counties to enhance the prosecution and case handling of arson and arson-related cases. In Suffolk County an arson task force was established which enhanced the Police Department's evidence collection capabilities. The City of Syracuse received a grant to provide arson investigation training to a specifically selected unit of police and firefighters brought together to form an arson investigation unit. Erie County also established an Arson Investigation Unit but through the County Sheriff's Department.

Finally, in February 1978, the Board granted funds to the New York State Department of State - Division of Fire Prevention and Control to conduct a three-day arson symposium. The purpose of the symposium was to provide both a framework and a vehicle through which public and private resources in New York State could jointly design and launch a coordinated assault on arson as well as improve the communication and coordination between government agencies and the private sector involved in the arson problem.

D. Enhancement of Police Communications

Of all the funded programs endorsed by the Board and OPPA the Mobile Radio District (MRD) program has had impact on the greatest number of localities. Almost single-handedly the LEAA funding program is modernizing the communications systems of local police and sheriffs across the State.

Within the past several years 18 MRD programs have been completed and full implementation achieved at a cost of \$5,804,000. In addition, 23 other MRD projects are currently on going and will be brought to completion over the next one to three years at a cost of \$7,949,267. In 1978 Erie County, Suffolk County and the City of Yonkers received \$2 million in available LEAA funds for MRD development.

During 1979 it is anticipated that major MRD systems will be started in the counties of Essex, Hamilton, Clinton and Franklin, which will be directly affected by the 1980 Olympics, as well as Broome/Tioga County, Chautaugua County and Washington County.

E. Corrections

During 1978, OPPA assisted governmental and community based groups to apply for discretionary funds which address the problem of drug and alcohol abuse. Through the

efforts of OPPA staff, federal funds were obtained under the Treatment Alternative Street Crime Program. Funded projects included: Buffalo treatment Alternatives to Street Crime; the Nassau County treatment Alternative to Street Crime and; the Westchester Treatment Alternative to Street Crime.

Additionally, staff efforts also resulted in LEAA awarding New York State \$194,377 to improve services for drug abusers at the Downstate correctional Facilities at Fishkill and \$71,859 to establish a substance abuse clinic in the Orange County Jail.

F. Evaluation of Funded Programs

The Crime Control Planning Board authorized OPPA to implement the Intensive Evaluation and Performance Evaluation Programs in 1976. The Intensive Evaluation Program selects for intensive study a small number of action programs that are priorities of the Board and of the subgrantees. These assessments determine the transferability of successful programs to other localities.

During 1978, Intensive Evaluations have been completed and final reports submitted on the following projects: Rochester's Youth Resources Center Project, New York State Division of Probation's Training Academy Project, New York State Division of Probation's Program Analysis and Review Team Project, and DCJS' Criminal History Reporting System. The findings of these evaluations are being used by OPPA and the implementing agencies as background material for future planning of similar type programs.

The Board also provided new grants to support the following evaluation programs: New York State Council on Children and Families Bronx State Court Related Unit Research Project; New York State Division of Probation's Juvenile Diversion Project; Nassau County Child Abuse Community Centers Program II; City of Rochester Police Department's Personal Alarm Security System (PASS) Project; Westchester County Department of Social Services' Intensive Evaluation of Non-Secure Detention Programming (Planning Phase); New York State Division for Youth's Community Board Services Program; New York City's Victim Services Project; and the New York City's Family Court Disposition Study.

The Performance Evaluation Program was begun in the last quarter of 1976 for the purpose of developing a performance evaluation information system that reports regularly on the achievement of objectives on every project funded by the Board. In 1978 the Performance Evaluation Program achieved the following results:

- a. The test phase of a Project Organization Questionnaire was completed. This questionnaire will subsequently

be used on a quarterly basis beginning in 1979 to examine staffing patterns, organizational patterns, policy and procedural implementations and their relation to the achievement of project objectives in all projects funded by the Board;

- b. A Criminal Case Processing Instrument, developed during 1977, entered its test phase, having gone through a successful pretest phase. This instrument covers all pre-trial screening projects, major offense and defense bureaus and all special prosecution units funded by the Board;
- c. The construction of a Community-Based Services Model was completed, as well as a Community-Based Services Questionnaire which has gone through a pretest phase and is being prepared for a test phase. This model and questionnaire cover all Board funded projects providing services to individuals who have had involvements in the criminal justice system, including juveniles who are involved in prevention and diversion programs; and
- d. The work of performance evaluation staff in a dozen major localities and State agencies was coordinated to assist in the design of the system's procedures and instruments and feed project data into this system. Also, technical assistance was rendered to those evaluators in the construction of local evaluation plans.

V. SPECIAL PROJECTS

A. Protecting the Elderly from Criminal Victimization and Providing Services to Elderly Victims of Crime

1. Legislative Mandate

On May 13, 1977, the Governor signed into law a bill (Chapter 145-Section 846 of the Executive Law) which required that the Board submit every year for the next three years on or before the 30th day of September an annual report on crime against the elderly to the Governor, the Legislature and the Director of the State Office for the Aging. In September OPPA staff completed and the Board approved the second annual report to the Governor, Legislature and Director of the New York State Office for the *Aging on Protecting the Elderly from Criminal Victimization and Providing Services to Elderly Victims of Crime*. The report specifically describes the extent to which programs and services for the protection of elderly persons was developed and implemented during the twelve month period prior to submission. The report also describes the extent and manner in which the Director of the State Office for the Aging, as well as director of local area agencies, were involved in the develop-

ment and initiation of such programs and services. In addition, the report contains recommendations, including the associate costs for new projects and statutory changes, rules and regulations designed to improve the protection of senior citizens.

2. Identification and Analysis of the Crime Against the Elderly Problem

Statistics concerning the extent of the problem of crime against the elderly were not systematically collected and reported. In order to rectify this situation and obtain statistics for more meaningful planning and program development, DCJS requested that Police Departments collect data which would more accurately describe the nature and the scope of the problem. The Commissioner of DCJS wrote these officials that the agency has initiated a program to collect victim data through the arrest fingerprint card which is submitted to DCJS for each fingerprintable arrest effected in New York State.

In the fall of 1978 DCJS implemented a program by which localities would report victim and offender information to the agency on an ongoing basis. This system collects detailed data, including victim characteristics, for felonies committed in New York State. Currently, DCJS is continuing in its efforts to encourage localities to report and it is expected that data on victim and offender characteristics will be expanded and updated on an on-going basis.

3. Program Initiatives Undertaken

DCJS' program initiatives in the area of crimes against the elderly fall into the following categories: those funded by the agency through the Comprehensive Crime Control Plan and implemented by other agencies and those operated by DCJS itself.

- a. *Funding of Crime Prevention and Victim Assistance Programs for the Elderly in Federal Fiscal Year 1978* — During the past twelve months, the Commissioner directed the staff of DCJS to direct its energies toward developing programs which impact upon crimes against the elderly. The responsibilities of OPPA and its staff includes: encouraging local governmental and community agencies to develop programs which address the problem; shaping applications received to include whenever possible, program components which will prevent crime against senior citizens or assist elderly crime victims; gather and analyze statistics on the issue in order to recommend appropriate solutions; and offering technical assistance to interested agencies and groups on how to address the problem and develop applications for funding.

The 1979 Comprehensive Crime Control Plan set forth the prevention of crimes committed against the elderly and the provision of services to elderly victims of crime as a "Special Priority" of the Crime Control Program in New York State. Furthermore, the Board in approving the Comprehensive Crime Control Plan, allocated over one million dollars to develop projects which in whole or in part, addressed the crime prevention needs of the elderly.

- b. *DCJS' Office of Crime and Delinquency Prevention* — In June 1977 the DCJS Office of Crime and Delinquency Prevention (OCDP) was established in the Bureau of Municipal Police. Initially, OCDP was mandated to address the problems of crimes committed against elderly persons in New York State, by working closely with local law enforcement agencies, State agencies, and the federal government as coordinator and/or creator of local crime prevention programs. For more detailed information on OCDP activities, consult the appropriate subsection under the Bureau for Municipal Police in a later section of this report.

B. Standards and Goals Program

The Standards and Goals Program of DCJS is a direct result of the federal initiative launched in 1973 with the development and publication of six volumes of standards for the criminal justice system by the National Advisory Commission on Criminal Justice Standards and Goals. The Standards and Goals Program for New York State began in October 1976 when OPPA obtained a federal discretionary grant to develop standards and goals.

A standards and Goals staff was hired which was divided into 5 subsystem groups: Police; Prosecution & Defense; Juvenile Justice; Corrections; and Community Crime Prevention. Each group consisted of one administrator and one research assistant and complemented by three support groups: A Task Force appointed by the Commission; and Advisory Panel appointed by the Commissioner; and Staff specialists within DCJS.

The final draft Standards and Goals were completed in December, 1977 for the five sub-system groups. It was anticipated that each component of the draft would be reviewed and recommendations made to the full Board for implementation of the Standards and Goals process into the planning process.

In order to facilitate the review process, the Chairman of the Board appointed five sub-committees to review the draft Standards and Goals. Each sub-committee consisted of three or four members, who together with OPPA staff were charged

with reviewing the draft, amending it where necessary and making recommendations to the Board for action.

A set of definitions and guidelines were adopted by the sub-committees for assessing and offering recommendations on the individual Draft Standards and Goals. They are as follows:

- 1) *ENDORSE IN PRINCIPLE* — Desirable
- 2) *ADOPT* — Adopted by the Committee and recommended to appropriate governmental and private agencies. In addition, OPPA staff should consider the Goals and Standards when reviewing applications for federal funding.
- 3) *AMEND AND ADOPT* — Adopted by the Committee and amended to further clarify the Goals and Standards.
- 4) *MANDATE* — Adopted by the Committee with the requirement that an applicant for federal funds be in compliance or present a plan to come into compliance with the Standards and Goals. Compliance or plan to comply with mandated Standards and Goals is mandatory *only* with regard to the specific area in which applicant seeks funding.
- 5) *AMEND AND MANDATE* — Language of Standard or Goal has been amended or clarified and the Standard or Goal is then mandated (see number 4 above).
- 6) *REJECT* — Committee rejects Standards and Goals.

During the past year, the Committees on Police, Juvenile Justice and Community Crime Prevention have made their recommendations to the Board and final action by the Board has been taken. These Standards and Goals will now be incorporated into the State's crime control planning and program design for 1980. Recommendations on Corrections are scheduled for February, 1979 and the Task Force on Prosecution and Defense expects to present their recommendations to the Board in June, 1979. Thus, the Standards and Goals process should be finalized by the fall of 1979.

V. PRIVACY AND SECURITY

A Security and Privacy Advisory Committee was established by Governor Carey in January 1977. The functions of this Committee are to advise the Commissioner of DCJS on matters relating to the security and privacy of criminal his-

tory records and to serve as an appeal board when a person challenges the accuracy or completeness of his criminal history record.

The New York State Security and Privacy Advisory Committee consists of the Chairman, John J. Murphy, Dean of St. John's University School of Law; James C. Goodale, Executive Vice President and General Counsel of the New York Times; Donald Grajales, Regional Director of Legal Services Corporation; Daniel P. Guido, Yonkers Police Commissioner; Joseph Lucca, Counsel for Bristol-Myers Inc.; Mary Johnson Lowe, Judge of the U.S. District Court for the Southern District of New York; Robert J. McGuire, New York City Police Commissioner; and Raymond T. McKay, President, District No. 2 Marine Engineers Beneficial Association.

The Committee, which has been meeting since March 1977, has been called upon to handle only one appeal. This indicates that the Division's review and challenge procedures are almost totally successful in satisfying inquirers as to the accuracy of their records or in resolving challenges in acceptable fashion.

The Committee has devoted most of its efforts to consideration of the extent to which criminal history records

maintained by DCJS should be disseminable, particularly in the context of the permissible scope of dissemination of such records as delineated in the regulations of LEAA (28 CFR Part 20). In the course of its deliberations, the Committee held a public hearing in early 1978 at which various positions favoring either expansion or restriction of the dissemination of criminal history records were offered. Previously in 1977, DCJS conducted three (3) such public hearings in Buffalo, Albany and New York City.

After full study of the question, the Committee, in the fall of 1978, recommended to the Commissioner of DCJS that criminal justice agencies should have access to all criminal history data. This represents no change in DCJS policy. The Committee also recommended that records of convictions, without the underlying arrests or associated data, be made available to the general public, including the media, in those situations where the Commissioner of DCJS is satisfied that the applicant has a "need to know" for such data.

The Commissioner has taken the Committee's recommendation under advisement and is exploring the legal, policy, and operational problems that this recommendation raises.

BUREAU FOR MUNICIPAL POLICE

The Bureau for Municipal Police was created within the Division of Criminal Justice Services and serves as the staff support to the Commissioner and to the Municipal Police Training Council. The Bureau for Municipal Police performs no police line functions, but instead acts in a staff capacity to all of the municipal police agencies in the State of New York, when so requested.

Chapter 399 of the Laws of 1972, effective September 1972, transferred the Municipal Police Training Council from the Office for Local Government to the newly created Division of Criminal Justice Services, and at the same time, transferred to the Division all the functions and duties of the Division for Local Police and the Municipal Police Training Council.

The Municipal Police Training Unit was initially established by legislative mandate in 1960 and was charged with the responsibility for training police officers throughout the State. This function required that police officer appointees had to complete a minimum basic training course, and the requirements of the course were to be promulgated by the Governor upon the recommendation of the Municipal Police Training Council. The statutory mandate called upon the Council to be a standard setting and monitoring group, while the actual instructor functions were to be carried out by the localities. Naturally, this led and still does, to a lack of standardization in training throughout the State due to the variety of instructors used by each of the localities. However, all of the training meets the minimum requirements in quality and hours, but at the same time, a portion of it exceeds those minima by a large degree.

With increased revenues made available by various federal grants, the training functions of the Bureau have considerably expanded. In these specialized police training courses, a centralized training pattern similar to that of the highway safety courses was developed so that actual instruction became the complete responsibility of the Bureau's staff. In this manner, the quality of instruction was uniformly maintained at an extremely high level. In excess of 2,900 students attended courses of training directly conducted or supervised by the Police Training Unit.

The Police Administrative Services Unit was created in 1966 by legislative enactment. Its purpose was to provide to the various municipal police agencies, upon their request, management consultant services to assist in planning and evaluation functions. These services are provided at no cost to the municipalities. Throughout the ensuing years, these requests have ranged from assignments in designing improved record keeping systems, to developing models for use in patrol manpower deployment, to finally, reorganizing the structure of an entire department.

The Highway Safety Unit with its breath test operator, crash management, radar operator and selective enforcement courses, trained in excess of 2,900 persons last year in its own schools staffed with its own instructors. These programs all had their inception through federal funding and continue to be so funded, except for the breath test operator program. The latter has been institutionalized and is now state funded.

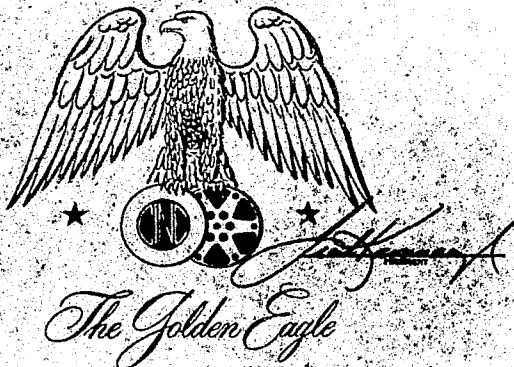
In 1977, Governor Carey and the Legislature, by executive direction and budgetary enactment, created the Office of Crime and Delinquency Prevention. This office was placed within the Bureau for Municipal Police for the purpose of commencing a coordinated statewide crime prevention effort. Initially, this effort was directed in the area of crimes committed against the elderly in specifically designated target areas in the State. However, at the present time, those programs initially developed are now being expanded statewide whenever local departments elect to participate. It is in this area of crime prevention that the Bureau comes the closest to performing a police line function. This is because crime prevention itself is a line function and because it is the Division's philosophy that it will, upon request, if staffing permits, go into a department and actually initiate a crime prevention program. However, in the main, the Bureau's efforts have been limited to assisting crime prevention units established within the municipal departments.

MUNICIPAL POLICE TRAINING UNIT

The Crime Control Planning Board awarded a grant jointly to the Division of State Police and the Bureau's Municipal

Police Training Unit, for the purpose of training police officers in the art of hostage negotiations. Approximately 3,000 members of the State Police were to receive training as well as 1,000 municipal police officers. The approximate amount of the funds available under this grant was \$536,000, of which \$463,000 went to the State Police and the remaining \$73,000 went to the Bureau for Municipal Police. The Unit's management decided to allocate a portion of its funds to the making of a hostage negotiation training film. It was decided that this step would be the most cost effective way of developing a hostage negotiation training mechanism that would survive the life of the grant and continue to serve effectively as a training device for years to come. Upon its completion, the State Police used it in its training effort under the grant. Since that time, the film has won eight awards. One of these was the Golden Eagle Award given by the Council on International Non-Theatrical Events. At the present time, the Unit owns 14 copies of this film, some of which are on permanent loan to larger police departments with the remainder being placed in the film library, available for booking by other municipal departments.

Cine 1978
 The Council on International Nontheatrical Events
 congratulates
 Bureau for Municipal Police
 for the motion picture
Hostage Negotiation for Police
 selected for its excellence to represent the
 United States of America in international
 motion picture events abroad and awards to it



The program has resulted in substantially contributing to the educational effort in the area of hostage negotiations afforded to all the police officers of the State of New York. In addition, various police agencies throughout the country have also purchased copies of the film to use in their own training efforts, including the FBI and the CIA.

During 1978, the Unit continued with its program for the administration of Police Instructor Development Seminars throughout the State. The Unit's objective was to further increase the quality of training in the municipal police classroom by instructing selected and qualified police officers in the proper pedagogical skills necessary for effective instruction. The vehicle for accomplishing this important objective was an 80 hour, 2-week course of instruction. The program consisted of exercises in public speaking along with instruction in the development of delivery systems. The instructions consisted of lectures and practical experience in the design of lesson plans by objectives, use of audio and/or visual equipment in the teaching process and psychology of learning.

During 1978, four instructor classes were conducted on a regional basis. Seventy-five instructor-candidates completed the Seminars satisfactorily, bringing the Statewide total to 461 trained instructors.

In conjunction with the Seminars, a program of Police Instructor Standards and Qualifications was proposed to the Municipal Police Training Council, who in turn recommended promulgation by the Governor. These standards were accepted by the Governor and became effective during the year.

For the first time in New York's history, municipal police trainers would be required to meet certain minimum skill levels. The Standards created two classes of police instructor; Provisional and Instructor, the latter renewable in two years while the former terminates in two years. In addition, the program also resulted in the development of Exceptions to the Standards and Special Certification requirements. Finally, the means by which students and school directors evaluate approved training programs also resulted from the program.

The Unit also continued the New York State Sheriff's Association Training Course for Recently Elected Sheriffs. The one-week course provided 18 new sheriffs and undersheriffs with information and skill required for the effective performance of their duties. Topics covered during this one-week training program consisted of the Design and Development of Executive Strategies, Management Vitality and Management of a County Jail. Additional topics included News Media Relationships, Civil Process and the Criminal Justice System.

In April 1978, the Unit received \$73,266 from the LEAA for the purpose of conducting a series of Police Juvenile Officer Seminars. The proposal for such training was premised on the fact that there are approximately 400 juvenile officers in New York State and this would be the first State sponsored opportunity for training aimed at addressing their needs.

The Unit developed a one-week curriculum bringing together expert instructors from all corners of the State. A multiplicity of topics were covered, including: Role of the Family Court, Role of the Division for Youth, Problem Solving, Child Abuse and the Family Court Act.

The anticipated end result of this training opportunity will be that the participants can return to their departments with a new perspective on the Juvenile Problem and with new resources and skills to make them more proficient in their duties. Presently, four of the ten seminars have been completed with 94 police officers in attendance. An additional six seminars will be held during early 1979.

During their October 1978 meeting, LEAA approved the funding of three additional grants; they are the Videotape Library, Executive Development Symposia and Stress Awareness and Reduction Training for Police.

The Unit will establish a centralized videotape library accessible to all police agencies in the State. The library will be a clearinghouse for up-to-date police training tapes. The tapes will be solicited from many sources, a catalog will be prepared, printed and disseminated and agencies wishing copies of the tapes can request them. Tapes will be copied on the subscribing agencies tape and returned to them free of charge.

The Executive Development Symposia is being developed for police executives. This will be a regionalized training program using experts in the fields of management, personnel administration, budgeting, and labor relations. Curriculum, and logistical data are presently being developed. It is not known at this time how many chiefs and sheriffs will be participating in this training program.

Stress Awareness and Reduction Training for police is a response to the increasing importance of job-related stress in law enforcement. The City of Buffalo Police Department has been selected for this one-year pilot study to develop a prototype stress awareness and reduction model to be utilized Statewide. Using biofeedback technology, each volunteer will train to learn new ways of coping with stress. The outcome will be a healthier, happier and more efficient police officer.

Future plans call for the institutionalization of the Instructor Development Program and the development of the police training videotape library. In addition, longer range objectives for this unit will be to have the Municipal Police Training Council revamp and expand the basic training course requirements, incorporating some of the recommendations by the Master Plan consultants, in order to obtain a better trained, more effective police officer; to standardize statewide, the actual course content of the various training programs by defining, utilizing and monitoring the terminal objectives of such programs and; to continue to evaluate and review the height, weight and physical fitness standards that are prescribed by the Municipal Police Training Council for police officer candidates to insure intrinsic merit and practicality of such standards.



BMP instructor conducts an executive development seminar for local police officers.

**RECAPITULATION OF MUNICIPAL POLICE TRAINING
FOR CALENDAR YEAR 1978**

COURSE TITLE	NUMBER OF SCHOOLS	AVERAGE HOURS/COURSE	NUMBER OF GRADUATES	AVERAGE HOURS OF INSTRUCTION
BASIC COURSE FOR POLICE:				
Full Time	33	414	964	13,662
Part Time	12	340	334	4,080
COURSE IN POLICE SUPERVISION				
ADVANCED IN-SERVICE	2	80	29	160
GENERAL IN-SERVICE	3	7	12	21
INTERMEDIATE	2	35	48	70
SPECIALIZED IN-SERVICE:				
Advanced Police Photography	3	35	31	105
Arson	2	32	65	64
Basic Fingerprint	4	35	205	140
Child Abuse/Sex Crime Investigation Course	2	40	35	80
Criminal Investigation	2	40	51	80
Defensive Tactics	1	40	30	40
Ethical Awareness	1	21	12	21
Evidence Technician	3	40	54	120
Executive Development	1	32	8	32
Hostage Negotiations	14	120	287	1,680
Instructor Development	5	80	99	400
Instructor Dev./Crisis Intervention	13	37	189	481
Juvenile Officer Training Seminar	4	46	104	184
Latent Fingerprint	2	35	27	70
Middle Management	1	40	33	40
Photography (Basic)	5	35	59	175
S.W.A.T.	1	40	15	40
Sheriff's Executive Sem.	1	40	18	40
24 Categories	128	1,734	2,927	22,555

POLICE ADMINISTRATIVE SERVICES UNIT

The Police Administrative Services Unit has been in existence for twelve years, and during that period has performed work simplification studies for approximately 270 different municipal police departments. These services embrace, among others, the following areas: departmental rules of procedure, manpower deployment studies, record-keeping studies, rules of conduct and new building studies. The overall goal of the unit is to provide professional, organizational expertise to the municipal police agencies in the State of New York and to make recommendations to improve their administrative procedures. A vast majority of the over 600 police agencies in New York State are in need of assistance in the latest techniques of administrative management. The National Advisory Commission on Criminal Justice Standards and Goals in 1973 on page 289 of their report, suggested that each state make police management consultation and technical assistance available at no cost to the local police department, as done in New York, and specifically stated, as follows:

1. "Each state should provide technical assistance teams capable of conducting an evaluation of an entire police

agency or of a specific division or operation thereof; analyzing its effectiveness and making recommendations for improvement."

2. "Each state should make this service available only upon the request of the chief executive of the police agency to receive the service."
3. "The technical assistance team should submit a written report of its findings together with its recommendation for improvements to the police chief executive of the agency."

This Unit has conducted administrative surveys for more than half of the counties, cities, towns and villages that have police departments. In addition, we comply with requests from communities having no local police departments to determine the feasibility and potential costs of creating a police department. Of the communities served by the Bureau, many have made repeated requests for studies or assistance in areas different from their prior request, which indicates satisfaction with the earlier work performed for them.

In addition to the work done in the field, our staff has been preparing administrative modules which are designed to

assist police administrators in updating specific areas of their management techniques without undergoing a complete survey. Included in these modules are:

- a. Sick leave procedures
- b. Disciplinary procedures
- c. Prototype rules of conduct
- d. Master name index file
- e. The formal directive system
- f. Patrol staffing requirements
- g. Daily activity report
- h. Outside employment guidelines
- i. Complaint memo card
- j. Radio/telephone log
- k. Computer printout showing hourly preparation of workload

Still in process is a computerized proportional rotating schedule of manpower.

This year a cost effectiveness research project was instituted along with research projects connected with special requests from the field.

A breakdown of the number of types of studies in 1978 is as follows:

	1978
Disciplinary Procedures	1
Work Schedules	4
Administrative Survey	11
Manpower Study	7
Records Systems	4
Rules of Conduct	6
Personnel Records	1
Building Facility	3
Public Housing Security	1
Extended Study (Manual of Procedure)	1
Secondary Employment	1
Assessment Center	1
Limited (Records, Manpower)	1
Number of Police Agencies Involved	42

One future plan for this Unit will be to reduce the backlog of pending studies so that the delay between initial request and completion of administrative management studies will be minimized. In addition, a longer range objective will be to develop management programs that will be capable of interface with new low cost mini-computer systems. In that way, many municipal departments would be better able to financially support advanced computer management systems that would further improve the efficiency of their operations.

HIGHWAY SAFETY UNIT

The Highway Safety Unit conducts a continuous series of schools, staffed by its own instructors, throughout the State. The subjects taught relate to the operation and maintenance of breath test equipment, crash management, radar operation and selective enforcement. All of these programs were federally funded at their inception and continue to be so funded except for the breath test operator program. This program, although federally funded initially, has now been institutionalized as a state sponsored program.

The Breathalyzer Maintenance Course commenced in July of 1978. It is a five day course in inspection and field maintenance procedures of the Breathalyzer Models 900 and 900A, designed to give Breath Test Operators the ability to conduct on-site repairs of the most common malfunctions found in these instruments. A combination of lectures and laboratory work give the students, limited to a class size of ten, the theory and hands-on experience to conduct routine on-site repairs of the most common malfunctions found in these instruments.



Local law enforcement officers conduct proficiency tests using Breathalyzer equipment during a recent training seminar.

The Breath Test Operator Program is the only state funded program and consists of 35 hours of instruction designed to qualify municipal police officers in the administration of chemical breath testing for alcohol. It is offered to all law enforcement personnel. The curriculum is conducted in

accordance with Part 59 of the Administrative Rules and Regulations, Subchapter D of Chapter 2, Title 10 (Health), of the Official Compilation of Codes, Rules and Regulations of the State of New York (10NYCRR59). Students successfully completing this program receive certification from the Division of Criminal Justice Services, and a Breath Test Operator permit issued by the New York State Health Department. This program is limited to 20 participants per class.

Course content includes instruction in the following: operation of breath testing devices currently in use in New York State, metric system and temperature conversions, pharmacology and toxicology of alcohol, effects on the human body, instrument operating procedures, instrument nomenclature, ampoule contents, simulator and equilibrators, legal aspects court testimony, mock trial, lab exercises and practice, instrument trouble shooting, and record-keeping.

The Selective Traffic Enforcement Program deals with recognizing high accident areas, causes of accidents, manpower allocation, evaluating accident statistics, use of pre-arrest screening devices, use of speed detection devices, and developing a selective enforcement program for each participating department. This course is designed for the department administrator or the Selective Enforcement Program Supervisor and is a 32-hour program.

The Radar Operation Program is an eight hour course which is provided to the police officer so that proper techniques will be utilized in the operation, calibration and handling of modern day traffic radar. Instruction includes radar theory, proper system checks, recommended recording and supervised field activity.

The Basic Crash Management course is designed for the police officer to collect the basic data at the scene of a crash to aid in the development of crash analysis. The officer is instructed in field triangulation and coordination measurements, determining minimum speed from skid marks, determining driver reaction time, determining stopping distances, use of the flaring formula, applying drag factor, definitions in crash management, recognizing physical evidence and the use of the traffic template for crash data analysis.

This program is limited to 24 participants per class and is a 32-hour program.

The Intermediate Crash Management course is the second phase of Crash Management and the Basic Crash Management Course is a prerequisite for attendance. It deals with underlying causes of the crash enabling the police officer to utilize scale diagrams to locate results of a traffic crash. These diagrams enable the police officer to be knowledgeable of causes and then institute the appropriate countermeasures required.

This course, limited to 24 participants per class, is designed to give the police officer hands-on field experience along with workshops and classroom work which consists of 32 hours.

The Advanced Crash Management course is designed for the police officer to become proficient in analysis of basic technical data from the scene of a crash and the Intermediate Crash Management Course is a prerequisite for attendance.

Instruction includes: lecture and field projects in vehicle dynamics, development from field sketches and scale diagrams of possible point of perception, actual point of perception, initial contact, maximum engagement and final resting place of the involved vehicles; lectures and field projects dealing with thrust diagrams, vehicle rotation and severity of crashes; lecture and project work in collision diagrams; lecture and field examinations of crashed vehicles utilizing a vehicle damage record sheet. If the student desires to use the department's camera to photograph the physical evidence, he is encouraged to do so and his work will be evaluated by members of the Highway Safety staff.

Advanced Crash Management is a 32-hour program limited to 24 participants per class.

The Technical Crash Management Program is a 32-hour course designed for the police officer to become proficient in the examination of tires and lamps that were involved in a crash so that the police officer is better able to determine contributing factors involved in an accident. Advanced Crash Management is a prerequisite to this course.

The tire examination segment enables the officer to determine possible causes of the tire damage and if the damage may have been a contributing factor to the crash, while the lamp examination segment enables the officer to determine the possible contributing factor of damaged lamps to the crash.

Legal aspects as they relate to accident investigation are studied and discussed.

The Highway Safety Unit also performed the following activities:

1. Office of Court Administration Program

A four hour program was designed for town and village justices which related to speed and alcohol detection. During the course of the year, two courses were held with 300 in attendance.

2. Police Traffic Surveys

A Planning and Administration grant provided the funds to conduct surveys within the municipal police departments by the Bureau's staff at the request of the departments themselves. These surveys are to determine

the departments' need for equipment and training in order to maintain a selective enforcement program, and based upon them, approximately 200 departments have already received the appropriate training and the following equipment:

- 407 Radar Units
- 139 Pre-Arrest Screening Units (alcohol)
- 76 Evidentiary Unit (alcohol)
- 84 Simulators, Mark IIA

This equipment is given to the departments and is purchased by the federally funded Crash Countermeasures grant.

3. Program Monitoring

In order to insure that the selective enforcement programs established in the various departments by virtue of federally purchased equipment are properly and effectively being maintained, these department programs are monitored by on-site visits. There have been 330 individual monitorings of the various departments and the funds to support this effort come from the Crash Countermeasures grant.

4. The Governor's Council of Women in Highway Safety

At the request of the Council of Women in Highway Safety, on 12 different occasions, including the State Fair, our staff manned a trailer and attended seminars to exhibit various models of radar and breath test instruments, answering questions asked by visitors and distributing speed and alcohol related material.

The future activities of the Unit will involve the initial planning to institutionalize the first two phases of its crash management course into recruit schools. This present program has been extremely well received throughout the State and its ready acceptance has illustrated the need for incorporating aspects of them in the recruit schools. In addition, two problem areas have been identified which illustrate the need for specific types of police officer training. The first concerns the DWI driver, and here there is a definite need to better enable the police officer to identify such violators. The second concerns the number of accidents in which police vehicles are involved. There is a need to examine them, determine their causes, develop a training program to counteract them, and to then incorporate this training into the recruit schools. Plans are being developed to examine both of these areas and to develop training programs to deal with these problems.

OFFICE OF CRIME PREVENTION

On May 23, 1977, Governor Carey sent a special message to the Legislature which detailed his concern for the elderly citizens of our State and the impact of crime upon their lives. With this in mind, he created within the Division of Criminal Justice Services, the Office of Crime and Delinquency Prevention, as a unit within the Bureau for Municipal Police. The Office was inaugurated with a grant from the LEAA, which underwrote its initial staffing for intensified crime prevention efforts in the target areas designated by the Governor: Niagara Falls, Rochester, Albany-Schenectady-Troy, Middletown, and four areas in New York City. A staff was recruited and hired, which on the professional level consisted of a Director, Assistant Director, four Crime Prevention Specialists, and one Assistant Crime Prevention Specialist. The majority of the staff and the crime prevention officers from the selected target areas attended a two-week training program given by the National Crime Prevention Institute.

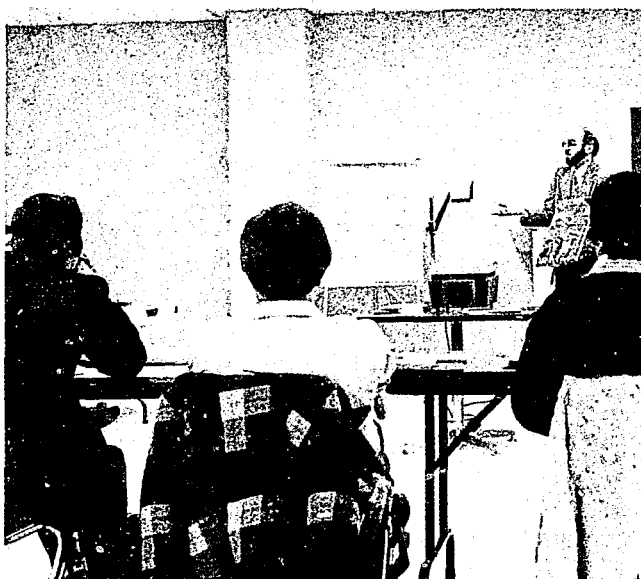
In April 1978, the Office of Crime and Delinquency Prevention became state-funded. Four additional Specialists were added to the staff, bringing the total staff number to sixteen (11 Professionals and 5 Support Staff). The target-area concept was broadened to incorporate the entire state. The concentration of programs for the elderly and juveniles was changed to include all age categories and the name of the Office was changed to the Office of Crime Prevention.

Initially, the Office of Crime Prevention, engaged in the following activities:

1. The Crime Prevention logo is now visible on office letterheads, brochures, Public Service Announcements, and the crime prevention van.
2. On March 7-8, 1978, an evaluation training seminar was held at Albany for practicing crime prevention personnel throughout the state. Thirty-three participants attended this two-day seminar, which dealt with evaluation of local programs, beginning with selling the concept to funding organizations or the Chief, through review of various crime prevention activities once underway.
3. At the time of the evaluation seminar, the Office of Crime Prevention took delivery of its 27-foot Crime Prevention van. This vehicle serves as a classroom on wheels to educate the public in all phases of security. Two Crime Prevention Specialists are assigned to the van for a week. Initially, requests and scheduling were handled on a first-come, first-serve basis. After six months of operation, an evaluation indicated procedural changes were necessary. The van now systematically visits specific locations within the training

zones and will respond only to some type of public activity where a number of people will attend. Each Specialist is assigned a specific training zone and is responsible for coordinating van activities in that zone. From March to December, 1978, the van visited 100 different communities, covering 13,650 miles and it is estimated that in excess of 10,000 persons went through the van's exhibits.

4. An 8-hour Basic Crime Prevention Course was developed by the staff and implemented in the Municipal Police Training Council recruit schools. This course instructs the recruit in the following areas of crime prevention: History and Principles, Locks and Alarms, Security Survey and the Role of Law Enforcement in Crime Prevention. Five of these courses were given to 202 recruits.
5. A 40-hour Basic Crime Prevention course was constructed by the professional staff. This course is designed to provide an inservice police officer or other public servant with the skills necessary to implement any number of crime prevention programs in his/her respective jurisdictions. It is taught by Office of Crime Prevention staff, with the exception of an instructor from NYS Office for Aging, who teaches the "Crime and the Elderly" portion. It instructs the in-service police officer in the following areas of crime prevention: History & Principles, Programs, Locks, Alarms, Lighting, Personal Security, Alcohol, Rape, Salesmanship, Evaluation and an overview of the curriculum stressing relevancy to contemporary enforcement



Crime prevention specialist conducts a training session for police officers on the latest techniques employed to prevent crime.

philosophy. Upon successful completion of this course, a "Crime Prevention Specialist" certificate is awarded. Three schools were held in 1978 with 90 graduates receiving certificates.

6. The fledgling PASS program, who acronym stands for Personal Alarm Security System, consumed most of 1978 in the effort of getting off the drawing board and into the realm of physical and electronic reality.

PASS is a new system of direct, two-way emergency communications between individuals in Rochester, New York, and their police department, funded the first year by the 1977 State Legislature. The components of PASS are 200 small radios the size of a pocket calculator; six receivers and two transmitters mounted atop buildings in the city; and a small console resembling an office electric typewriter for the police department dispatcher to use. The console and its attendant gear, and the small radio were "invented" expressly for the PASS system.

In late January, PASS was designed and constructed for its experimental inauguration by the first week in October, 1978. During these preliminary stages, recipients of the 200 radios are volunteer elderly residents of the appropriate parts of Rochester served by the system, who are at least moderately active and have average hearing ability with or without a hearing aid. Rochester Police assumed the responsibility for field testing the system with Harris, soliciting the volunteers, training them and the dispatcher staff, distributing the PASS radios, and running the full-scale evaluation project.

Results of PASS radio usage during the remainder of fall 1978 revealed that the public service band in Rochester, to which the system had been assigned, was too crowded with competing radio signals for reliable reception of PASS emergency calls at the police department. Application for use of another frequency was approved by the FCC by the end of the year. In addition, it appeared that although the system met the required specifications, further refinements should be made due to the urban environment in which the system operated. Various avenues of overcoming this difficulty were being explored, and it appeared that with certain equipment modification, the performance of the system would be immeasurably improved. It appears that a change of scope of the existing contract would be necessary and if accomplished, the system could be fully operational in the second quarter of 1979.

7. Operation Identification, which addresses itself to both ends of the stolen-property problem, made encouraging progress in 1978. By warning potential thieves that property of value is marked, and is therefore, more difficult to convert to cash, the program can serve to deter theft. If the property is stolen and later recovered, its rightful owner can be quickly identified through the unique number engraved on it. This is because New York State's Operation I.D. system takes advantage of a numbering system already in place and readily recognizable to any police or sheriff's agency in the United States. It is the National Crime Information Center's alpha-numeric code for each law enforcement agency in the country. By using a combination of this NCIC number and a sequence number assigned by the local police or sheriff's department, property owners are thus given a number to use which is peculiar to them. Thus, when stolen property is recovered by the authorities anywhere in the United States, the alpha-numeric NCIC number immediately identifies the law enforcement agency which can identify the owner of the property. The great advantage of this system is, that while it can be computerized, it is just as effective when operated manually.

Once the system was designed, it was offered to every law enforcement agency in New York. The Office of Crime Prevention would supply all the necessary materials (preprinted numbered cards for police record-keeping, electric engravers, warning stickers for the exteriors of citizens' homes, and promotional brochures, and a program administrator's guide), but the operation of the program, and the encouragement of local citizenry to participate, would rest largely with the individual departments. By the end of the year, 190 departments, serving approximately eight million New Yorkers, had joined the State Operation I.D. program.

8. By way of helping to promote the crime prevention concept, radio and television commercials in varying lengths were prepared, duplicated by the New York State Commerce Department, and sent to all radio and television stations in New York requesting that their program managers include the messages among their public service announcements. The first full month of airing these was December, during which 33 radio and television stations reported using \$36,716 worth of broadcast time for the announcements.

Some of the messages are concerned with precautionary measures people can take to protect themselves, their homes and businesses, or their neighborhoods from criminal incidents. Others go on to encour-

age people to call their respective law enforcement agencies for information about crime prevention programs in general and Operation I.D. in particular. All the messages, but one Spanish radio announcement, are in English.

9. N.Y.S. Office for Aging and Office of Crime Prevention were jointly awarded \$192,000 by the Crime Control Planning Board in June 1978, to establish and run a program known as the Crime Awareness and Elderly Security Project. In each of four target areas (Poughkeepsie, Yonkers, Erie County/Buffalo, Binghamton), local Offices for Aging and Police Departments would together provide presentations and displays to make older persons more aware of what they can do to minimize their chances of victimization, conduct home security surveys, and install first-quality locks in homes of older persons who need them but are otherwise unable to afford them. The State Offices offer training, supplies, and technical assistance to local agencies under the grant.



Crime prevention specialist prepares local law enforcement personnel for a presentation to senior citizens on the proper installation of anti-burglar locks in their homes.

The 1978 State Supplemental Budget included funds for three special projects in New York City and Long Island. Since the activities provided for were of a community crime prevention nature, the Office of Crime Prevention was given the responsibility for supervising and monitoring the following programs:

1. Intercultural Resources Development, Inc., of New York City, is providing escort services for older residents of the area, using 40 youths who are residents

of the same area and enrolled in its neighborhood schools. Training and counseling sessions are provided to the young people who work about 12 hours each per week for \$2.90/hour.

2. Urban Crisis Task Force, of the Bronx, is providing Escort Services and home security surveys for older residents, also using people paid \$3.75/hour in its program.

3. Sunset City Civic Association of North Babylon, New York, was formed to create a Community Crime Council consisting of representatives from business, church, government, school, and retired persons. It's purpose is to provide direct service to a group of youth services programs and juvenile delinquency prevention efforts, all in order to coordinate and make more effective, existing community programs and inaugurate new ones. The project employs one full-time and two part-time people.

In addition to the foregoing activities, the Crime Prevention Unit was also involved in the following tasks:

1. Technical Assistance and Support Materials: The Crime Prevention professional staff has received intensive training in the field and is able to render technical assistance to any requesting department for the development, implementation and evaluation of crime prevention programs. In conjunction with these efforts, approximately 5,000 brochures were distributed.
2. Film Library: The Office of Crime Prevention has previewed a number of films and purchased 30 to become part of the Bureau for Municipal Police's film library. Films are continually previewed to make certain that the newest and best films are available, and to the present, 30 films have been loaned to 40 different agencies.
3. Toll-Free Number: All of the television and radio public service announcements, and the printed materials prepared by the Office of Crime Prevention carry its toll-free number, 800-342-4202. This is to encourage the public and the police agencies throughout the state to participate in the various crime prevention programs by affording them free and immediate

access to any crime prevention information they may desire.

4. Crime Prevention Clearinghouse: The Office of Crime Prevention has accumulated various brochures that are printed by different crime prevention efforts throughout the country. Requests from the police departments are received and filled at no charge.
5. School Halloween Program: Staff members designed and produced a four page Halloween safety and crime prevention brochure for students in grades Kindergarten through three. Approximately 500,000 brochures were distributed to the children in New York State by the various municipal police departments. These departments were also furnished with a number proposed classroom activities to be conducted in conjunction with the distribution of the brochure.

This project was extremely effective and successful, and plans for the coming year include not only an increased printing but a Spanish translation as well.

Future activities of the Office of Crime Prevention will include the development of a statewide curriculum for crime prevention in the primary and secondary school systems and in adult education. Further, the Office will attempt to develop a close working relationship with the Division for Youth similar to the present relationship maintained with the Office for Aging. In addition, plans are being made for the creation of a "Crime Prevention Institute" for the northeast section of the United States. This area, labeled as Region I by the National Crime Prevention Institute, includes the states of Maryland, Pennsylvania, New York, Massachusetts, Rhode Island, Maine, Delaware, New Jersey, Connecticut, New Hampshire, Vermont and Washington, D.C. At the present time, Region I must send its people to either Kentucky or Texas for formal crime prevention training, and New York could fill a large training gap by the creation of such an institute here.

Finally, future plans also call for an extensive review of all current programs in order to ensure that they are delivering the quality of services to the user within required levels of efficiency and effectiveness. As a result of this ongoing evaluation, programs will be revised if they are not achieving the purpose for which they were originally created.

OFFICE OF SPECIAL SERVICES

The Office of Special Services was created to direct, coordinate and administer the overall activities of special programs whose objectives are to provide vital services and assistance to particular segments of the Criminal Justice Community.

The units which comprise the Office of Special Services are Prosecution and Defense Services, State Felony Court Program, Juvenile Justice Institute, Major Violent Offense Trial Program and the Violent Felony Warrant Enforcement Program.

BUREAU OF PROSECUTION AND DEFENSE SERVICES

Created in 1976, the Bureau of Prosecution and Defense Services (BPDS) was designed to improve the quality of criminal advocacy in New York State by providing a permanent office through which vital services and assistance can be channeled into the offices of local prosecutors and public defense counsel. Since that time, BPDS, together with its subunit, the Criminal Justice Appellate Reference Service (CJARS), has made available a wide range of educational, technical, and research services never before available on a statewide basis. For the many prosecutors and public defense attorneys in small offices, this represents their only access to even limited support services. For those in larger offices, BPDS offers a highly professional and much needed supplement to their internal efforts.

In 1978, LEAA funds awarded to BPDS and CJARS were \$168,081 and \$62,702 respectively. In addition, BPDS received a \$49,993 grant to establish a special training program in criminal trial advocacy. BPDS has also obtained funds to administer several other statewide projects. These include a \$1,000,000 discretionary grant to implement the PROMIS computerized and manual case tracking system in several counties throughout the state, and an additional \$2,000,000 to set up a prototype Career Criminal Prosecution Program in fourteen counties. BPDS will also administer a \$125,000 grant for an evaluation of the provision of defense counsel to indigent defendants in the State as well as a 1.7 million dollar program to reimburse assigned counsel at parole revocation hearings.

The staff of the Bureau consists of 20 people, including six attorneys, a director of training, and six research assistants who are law students. A greater range of legal experience and expertise is provided by the BPDS Advisory Board. The

fifteen members of the Board contribute significantly to the selection of curriculum and faculty for BPDS programs. In addition, the Board advises on project funding and further expansion of statewide services. The present members of the Board are:

Hon. Donald Austin
Public Defender
Oneida County

Joseph M. McLaughlin
Dean
Fordham University Law School

Hon. Harold Birns
Associate Justice
Appellate Division
First Department

Hon. Patrick Moisserrate
President
New York State District
Attorneys Association and
District Attorney
Broome County

Mark D. Fox, Esq.
Cohen, Bavoso, Weinstein
& Fox

Hon. Francis T. Murphy, Jr.
Presiding Justice
Appellate Division
First Department

Susan Ackerman Goltz
Legal Officer
United States Supreme
Court

Hon. Archibald Murray
Executive Director and
Attorney-in-Chief
The Legal Aid Society of
New York

Hon. Kenneth Gribetz
District Attorney
Rockland County

Peter O'Conner, Esq.
Professor of Law
Fordham University Law School

Hon. John F. Keenan
Special Prosecutor
State of New York

Wilfred O'Connor, Esq.
President
New York State Defenders
Association

Paul Kelly, Esq.
Assistant Director
Legal Division
Waterfront Commission
of New York Harbor

Hon. Daniel Sullivan
Justice
Criminal Court of the City
of New York

Michael McEneny
Director of the Management
and Planning Office
Office of Court Administration

Training and Continuing Legal Education

BPDS has continued its policy of presenting joint co-operative training for both prosecutors and public defense attorneys. Not only does this approach consolidate efforts and costs for training, but it also provides an opportunity to present the subject matter from both the prosecution and defense point of view in order to reach a more complete understanding of the legal questions involved. Furthermore, it provides a forum where the opposing sides can meet to discuss common problems and discuss possible solutions.

During 1978, BPDS built up on the foundation established in earlier phases of the project. A wider range of programs was offered, attracting even more students. In 1978 the following programs were conducted:

1. *The Basic Course for Prosecutors*: 1978 was the third year that the Bureau conducted a large scale introductory course for new assistant district attorneys. This year the course, held in August, was presented both in New York City and upstate in Albany. During the four day program, experienced prosecutors and trial attorneys attempted to introduce the participants to all aspects of the work that awaited them as assistant district attorneys. Over 500 attendees heard lectures on every phase of criminal prosecution from investigation and preparation for trial through Grand Jury presentations, juror selection, opening statements, treatment of witnesses, presentation of evidence, direction and cross-examinations, summations, and appellate practice. Accompanying the lectures was a set of manuals. These included detailed discussions of the subjects of search warrants, discovery, summations, and voir dire as well as the Basic Course book, presented this year in two volumes.
2. BPDS also conducted two advanced seminars on specific topics within the criminal law. The first of these was entitled the *Prosecution and Defense of Drug Offenses*. This program, of two days duration, was held in Albany in February for over 125 attendees. Covering the subject of drug offenses from investigation through trial, it was designed to present the subject from both the prosecution and defense point of view, including, furthermore, contributions from the State Police on the police work involved in investigating such cases. BPDS staff, with the help of some of the speakers, prepared a manual of over 350 pages for distribution at the program. It included an extensive discussion of the statutes and case law in the area of drug abuse as well as sections on electronic surveillance, search warrants, and Grand Jury problems. The second of the advanced

seminars studied the subject of economic and white-collar crime in a three-day program presented in April in Albany and repeated in New York City at the beginning of May. The *Economic Crime* seminar analyzed the investigation, prosecution and defense of such crimes as welfare and Medicaid fraud, business opportunity fraud, embezzlement and forgery. The Bureau drew the lecturers for the program not only from the pool of local talent, but from out-of-state experts as well, including both the director of the National District Attorneys Association Economic Crime Project and a nationally recognized authority on computer fraud. Again BPDS staff wrote a comprehensive manual of over 300 pages to supplement the lectures. Close to 100 people attended the program in Albany, and over 250 attended in New York City.

3. The success of the Recent Developments series of lectures in 1977 encouraged BPDS to continue and expand the program in 1978. The series examined the criminal law as it changed in both the legislature and the courts. Nine lectures in all, held on Saturday mornings from January to April in New York City and upstate, were attended by over 400 assistant district attorneys, public defense attorneys, representatives of the police, and members of the judiciary. The programs covered both an overview of past and pending legislation affecting the criminal law and major US Supreme Court and NYS Court of Appeals decisions as well as in-depth studies of topics of current interest in the field of criminal justice such as arson, battered wives and children, plea bargaining, wiretapping and electronic surveillance, the police officer as a witness, and crimes against the elderly. The subjects were investigated from a number of points of view by prosecutors, defense attorneys, judges, police officers, and other experts in the different fields. Extensive written materials accompanied the lectures.
4. During the month of June, BPDS conducted a training program on the subject of criminal law for law students. This series of lectures, entitled *Criminal Justice Training for Law Students*, was designed to familiarize them with the fundamentals of the criminal justice system and to further their interest in public service in the field of criminal law. The program consisted of fourteen separate lectures covering the court system and an overview of every phase of a criminal trial. The material, presented by practicing prosecutors, defense attorneys, and judges, was designed to give the participants a practical understanding of the functioning of the criminal justice system. Close to one hundred

students attended the program and received the written materials which supplemented the lectures and demonstrations.

Educational Support Services

In addition to the continuing professional education provided in the training programs, BPDS issued an extensive series of manuals and other written materials which could be used by individual agencies to improve their own internal training capabilities. The library of materials prepared by the Bureau now numbers 14 manuals and 47 papers and memoranda. This year BPDS wrote and distributed new manuals on economic crime and drug offenses. The course book for the Basic Course for Prosecutors was substantially rewritten. Several other manuals, including *Local Criminal Court Practice*, the *Summation Manual*, *Criminal Discovery*, and the *Complete Search Warrant, Annotated*, were revised and updated. To answer a continuing demand, the Bureau reissued a few other texts, including the 1977 *Basic Course for Prosecutors*, the *Trial of a Homicide Case*, and the *Driving While Intoxicated Manual*. Extensive materials were developed for the Recent Developments series, including substantial studies of the law of arson, family law, the problem of domestic violence and child abuse, and electronic surveillance.

BPDS has also created an extensive library of audio-visual materials by recording its own programs. Audio tapes are made of all lectures; the major programs are videotaped. At present, BPDS maintains 224 audiotapes and 180 videotapes. Audiotapes are duplicated upon request for both agency and individual use. Videotapes are duplicated or made available



Bureau of Prosecution and Defense Services' staff member duplicates video cassette training tapes for distribution to various District Attorneys.

on a loan basis for use in the internal training programs of agencies. For those agencies without videotape capability, regional viewings are arranged at State University campuses across the State.

Training Program Plans for 1979

The Bureau plans to continue its tradition of introductory seminars and in-depth training programs in 1979. Already scheduled for the end of February is a two day seminar on juvenile justice practice. In the spring BPDS plans to hold another advanced seminar on the subject of sex offenses as well as to continue the Recent Developments series. Another major program will be scheduled in the late spring on a subject to be chosen. Again, the two introductory programs, one for law students and the other for new assistant district attorneys, will be held in the summer.

In addition, BPDS has obtained a grant to establish the New York State Trial Advocacy Institute. This project has grown out of the interest of seminar participants in improving their courtroom tactics and skills by practical exercises. In this program, experienced trial attorneys will act as instructors for small groups of students in an intensive course. Instructors and students will work together all day for an entire week on exercises that will each focus on a particular phase of a criminal trial. This technique emphasizes continuous practice by each participant in opening statements, direct and cross-examination of witnesses, introduction of evidence, and other aspects of the trial. While trial advocacy programs have been available to the private bar for a number of years, their high cost has precluded attendance by attorneys in public service. With the creation of the Institute, New York is the first state to establish a trial advocacy skills program for the public bar.

Additional Programs to be Administered by BPDS

Consistent with its mandate to expand and improve services for prosecutors and the public defense bar, BPDS has obtained federal funding for several other statewide programs and been assigned the responsibility of administering and co-ordinating these projects. In October, LEAA awarded New York State \$2,000,000 to implement a prototype Career Criminal Prosecution Program which will isolate and identify serious felonies and repeat offenders for prompt disposition. This project will initially be installed in the district attorney's offices in fourteen counties throughout the state and will be administered by the Bureau. In conjunction with the Career Criminal Prosecution Program, the State also received an additional \$1,000,000 to install PROMIS, a case control information system for prosecutors, in eight district attorney's offices. Again, BPDS will be responsible for administering and co-ordinating this program.

Two additional programs will address the needs of the public defense bar through the state. BPDS has been instrumental in setting up the New York State Indigent Defense Assessment Study and, along with the New York State Bar Association, will oversee the project. This program, by means of a grant of \$125,000, will study and evaluate the quality of legal services provided to indigent defendants in New York State and recommend needed improvements where appropriate. BPDS will also administer a 1.7 million dollar program to reimburse assigned counsel at parole revocation hearings.

Criminal Justice Appellate Reference Service

The Criminal Justice Appellate Reference Service (CJARS), also created in 1976, provides other support services to the BPDS constituency.

In 1978, CJARS has continued to publish the *Criminal Law Review* on a monthly basis. This publication, the first of its kind in New York State to be distributed free of charge to every judge, prosecutor, and public defense attorney in the State, keeps its over 6,000 readers advised of developments in the criminal law by digesting recent court decisions which, in the judgment of the staff attorneys, will have a significant effect on the criminal law. Also included in the *Review* are discussions of any legislation affecting the criminal justice system.

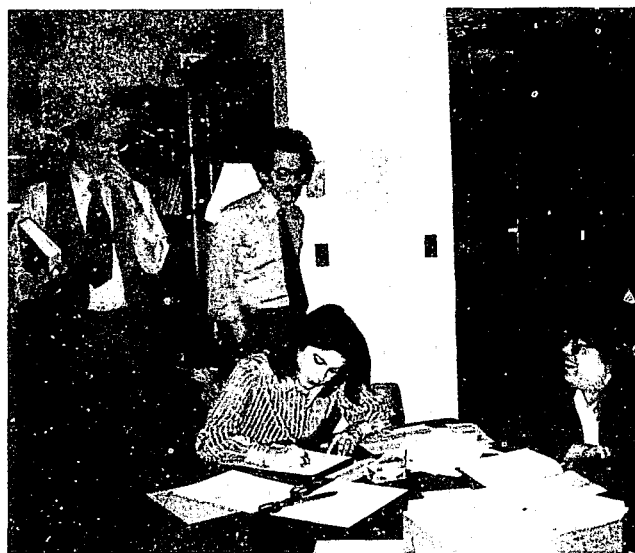
Each issue of the *Review* offers a memorandum of law on a subject of current interest researched and written by the CJARS staff attorneys. At this time, CJARS maintains a library of close to 50 such memoranda which are distributed upon request to interested readers of the *Criminal Law Review*. In 1978, memoranda were written on the following subjects: the role of non-lawyer judges in New York State criminal proceedings, the rights of indigent defendants on appeal, the right to effective assistance of counsel, restitution as a sentencing alternative, the role of the news media in criminal trials, the professional responsibility of the attorney, and the New York State law of insanity and fitness to proceed to trial.

The *Review* also periodically advertises the availability of appellate briefs prepared by prosecutors and public defense attorneys. Briefs on significant issues are collected by CJARS attorneys to be stored in the CJARS brief bank. At this time, over 500 briefs have been so collected. CJARS is in the process of developing an indexing system to facilitate access to the information in the briefs. Permission has been granted by the West Publishing Company to use their Key Number system for this purpose.

In addition to its other services CJARS provides brief writing and appellate assistance to district attorneys' offices

with legal staffs of ten or fewer. In 1978, 28 different district attorneys availed themselves of this service. To date, CJARS has undertaken the appeal in well over 100 cases, including the *Patterson* case, which upheld the affirmative defense in cases of extreme emotional disturbance, and *Gannett*, an important case in the fair trial/free press controversy which was heard by the United States Supreme Court in November.

CJARS staff attorneys also provide research assistance at the request of public defense and prosecution agencies on individual questions of law that arise on a day-to-day basis.



Staff attorneys from both the Criminal Justice Appellate Reference Service and the Bureau of Prosecution and Defense Services discuss the preparation of a brief.

STATE FELONY COURT PROGRAM

The State Felony Court Program administers the non-court components of three programs which established felony court parts throughout the State. These programs, the Special Narcotics Program, the State Felony Program (formerly known as the Dangerous Drug Control Program), and the Emergency Felony Case Processing Program were created by the legislature in response to crises in narcotics law enforcement and the processing of felony matters. Components of the programs funded by DCJS consist of district attorneys' offices, Legal Aid Societies, public defenders, assigned counsel programs, probation departments, crime laboratories, sheriff and corrections departments. The Special Court Projects Unit works in conjunction with the Office of Court Administration, which is responsible for the court component of these programs.

The responsibilities of the Special Court Projects Unit include the planning and development of programs and facilities, budgeting and allocating of resources, collection and compilation of statistical data, and liaison with the various localities involved in the programs. The 76 court parts are distributed among the counties of Albany, Erie, Monroe, Nassau, Onondaga, Suffolk and Westchester, as well as New York, Kings, Bronx and Queens. A more detailed description of each program is provided below.

1. *Special Narcotics Program* — The Special Narcotics Program (SNP) began in 1971 as a legislative response to the need for an efficient, specialized, and coordinated narcotics law enforcement operation within the City of New York.

Pursuant to this program, the five New York City District Attorneys appointed a Special Narcotics Prosecutor to head an office having city-wide jurisdiction in drug related matters. His staff consisted of Assistant District Attorneys and support personnel assigned to him by the five County District Attorneys. Twelve court parts, concerned solely with the handling of narcotics related cases, were created. A Special Narcotics Grand Jury, also with city-wide jurisdiction, was established.

The Office of the Special Narcotics Prosecutor serves five of the court parts which are centrally located in Manhattan and convenes the Grand Jury. The remainder of the parts are decentrally located in Manhattan (two), Kings (two), Bronx (two), and Queens (one). Support agencies such as the Probation Department, the Legal Aid Society, and the Corrections Department, are also funded under this program.

The Law Enforcement Assistance Administration (LEAA) awarded an initial grant of \$7.5 million to implement the SNP. From 1972-1977 the program was granted federal funds each year in addition to the monies appropriated by New York City and New York State. In 1975 the New York City fiscal crisis seriously threatened the continued effectiveness of the program when New York City funds were cut by almost 40 percent. Although DCJS and New York City were able to obtain additional federal funds in 1976 for SNP, those monies served only to hold cut backs in staff to a bare minimum acceptable level. On June 30, 1977, after an unprecedented five years funding by LEAA, all federal funds terminated. The City of New York increased its appropriation to SNP to make up the loss of federal monies, and DCJS was able to obtain a supplemental state Budget appropriation to match the City's commitment.

Since 1972 the federal government has contributed approximately \$16 million to SNP for all components including the court component. The State and City have each spent approximately \$7.6 million for the non-court components of SNP. Additional monies have been spent by the State and

City for the Court component. The cost of the non-court components of SNP is currently shared by the State and City on a 50 percent basis. The cost of the court component is reflected in the Judiciary budget on the same basis as reimbursement to localities for a regular felony part.

During the years of its existence, the SNP has had a major impact on the handling of narcotics cases in New York City. An independent evaluation of SNP (as mandated for LEAA supported programs) found that backlogs in all felony matters were reduced as a direct result of the SNP. A high level of legal and administrative expertise was achieved in the handling of narcotics cases, as well as high quality of case investigation and preparation by both the prosecution and defense. Cooperation among the implementing agencies and the police was found to be excellent.

In 1978 the SNP city-wide Grand Jury indicted 1,191 defendants. 1,492 cases were disposed of, including 182 after or during trial, for a 12.1 percent trial rate. It had a conviction rate of 69.6 percent and a felony plea rate of 59.7 percent.

2. *The State Felony Program*. The State Felony Program (SFP), originally established as the Dangerous Drug Control Program, became effective in September, 1973. Amendments to the Penal Law in 1973 sharply increased the penalties for defendants convicted of narcotics offenses and for second felony offenders (predicate felons). At the same time plea bargaining opportunities were severely restricted. These changes placed an enormous burden on the courts because they caused substantial increases in the number of felony trials conducted throughout the State. Recognizing the potential financial burden on localities, the legislature authorized 100 percent state reimbursement for personnel and operating costs, and for facilities and furnishings for any additional court parts opened in direct response to the new law.

The 1973 changes in the Penal Law also caused a heavier workload for regional crime laboratories because qualitative, specific purity of a drug, as well as quantitative analyses of drug evidence had to be made, and the analyses had to be completed within new time limits.

From 1973-1974, 49 fully staffed felony court parts were opened. At the commencement of the program, eighty percent of the cases handled in these new parts had to be drug or predicate felony matters. During 1975, the so-called "eighty percent rule" was relaxed, and the parts were opened to homicide and other violent crimes. As a direct result, serious backlogs in all "A" felony matters were avoided. Consequently, the program was renamed the State Felony Program. The SFP parts continue to be used to their fullest capacity while pressure to dispose of drug cases is maintained.

During 1978, funding for seven regional crime laboratories (located in Buffalo, New York City and Syracuse, as well as in Monroe, Nassau, Suffolk and Westchester Counties) continued to be funded with State Felony Program monies.

Conviction rates in 1978 under the law remained high. The rate was 78.7 percent of the total drug felonies disposed of statewide, compared with 76.7 percent in 1977, 72 percent in 1976 and 70 percent in 1975. The State prison rate increased from 32.8 percent in 1975, 40 percent in 1976 to 42 percent in 1977 and 43.5 percent in 1978.

The non-court components of the SFP are 100 percent State supported. The cost of the court component is reflected in the Judiciary budget on the same basis as reimbursement to counties and cities for a regular felony part.

3. *Emergency Felony Case Processing Program.* In 1972, after determining that an emergency of acute proportions existed in the processing of felony cases in the metropolitan counties of the State (especially in New York City), the Legislature created the Emergency Felony Case Processing Program (EFP). The State Administrator of the Courts and the Division of Criminal Justice Services were mandated to jointly implement a program designed to reduce the time in the processing of all felony matters.

The basic accomplishments of the EFP have been:

- The establishment of 15 new criminal term parts of the Supreme Court in New York City (4 in New York County, 8 in Kings County, and 3 in Bronx County), made possible by the conversion of civil term parts to criminal term parts and adding to them the necessary non-judicial and ancillary personnel;

- The adoption by the Administrative Board of uniform standards for all Supreme Court, criminal terms;

- An immediate and thorough study of the processing of felony cases in New York City in order to develop programs for federal funding dealing with case processing priorities, case preparation, the use of the grand juries, and the organization of the courts and ancillary services;

- The design and implementation of a case disposition monitoring system for felony matters in New York City;

- A review of the policies and procedures for the assignment of judges to criminal term parts in New York City; and

- The conversion of all Supreme Court, civil term trial parts in the four principal boroughs to Individual Calendar parts.

The State Administrator of the courts and the Commissioner of DCJS, assisted by their respective staff, worked with representatives of the Appellate Division, the Supreme Court, the three concerned district attorneys, the Legal Aid Society, the City and State Probation Departments, the City's Bureau of the Budget and the City's Criminal Justice Coordinating

Council to develop specific staffing, budgeting, and facilities plans.

An immediate and more substantial crisis existed in the delivery of Supreme Court probation services in Kings County. Consequently, 35 additional probation officers and 11 transcribing typists were hired by the City pursuant to the EFP. Also, five mobile units of two persons each were established within the State Division of Probation to concentrate initially on completing the backlog of felony presentence reports for jailed defendants in Kings County. Thereafter, the units were made available to supplement probation offices in the rest of the City whenever a backlog built up.

The District Attorneys of New York, Bronx and Kings Counties were authorized an additional assistant district attorney per every two felony parts allocated under the EFP to his county. The district attorneys of the involved counties also agreed to take part in a productivity experiment aimed at weighing the costs and benefits of assigning more than two assistants to a criminal part. Additional assistant district attorneys were assigned to each of the new parts to aid in this productivity experiment.

The Legal Aid Society of New York City was authorized to hire additional staff attorneys and support personnel. Court officers, senior court officers, court clerks and typists were authorized to be hired by the Court Administration, in addition to those persons already employed and assigned to the civil parts which were to be converted into criminal court parts. Monies were also expended for equipment and furnishings.

In addition to the creation of 15 new criminal court parts and staffing thereof, the EFP was responsible for the following innovations:

- Improved case processing programs such as priority setting and case screening and preparation were developed within the district attorneys' offices;

- A case monitoring system to monitor case backlog, intake and disposition in criminal matters was developed;

- Some felony parts were converted to deal exclusively with Legal Aid Society representation;

- EFP funds were used to aid in the running of additional criminal parts during the summer.

In 1978 the EFP was supported by New York City (55 percent) and New York State (45 percent) funds.

Juvenile Justice Institute

During 1978, the Juvenile Justice Institute, a research and information dissemination arm of the Division of Criminal Justice Services, continued its ongoing tasks and developed several new programs.

One of the Institute's responsibilities is to prepare descriptive and statistical material for the juvenile justice section of

the Annual Crime Control Plan. As part of this task, the Juvenile Justice Institute interprets statistics on PINS and juvenile delinquency cases, and develops a need analysis based on its findings. Due to major changes in the family court system resulting from the passage of the Juvenile Justice Reform Amendments and the Juvenile Offender Laws in the summer of 1978 (chapters 478 and 481 of the Laws of 1978), the juvenile justice section and needs analysis in the 1979 Plan had to be entirely and speedily redone. The Institute completed the revision within the space of a few months.

Starting in June 1978, the Institute began publishing a free newsletter detailing new legislation, programs, and important court cases in the state and federal juvenile justice systems. The *Juvenile Justice Report*, published eight times a year, is sent to legislators, judges, attorneys, law schools, and community and government agencies. There are at present 1600 subscribers in New York and other states. The August issue of the *Juvenile Justice Report*, which outlined the complex provisions of the new juvenile offender laws, was used as a training aid by the police officers of the New York State Juvenile Aid Bureaus.

When the Institute for Law and Medicine wanted to initiate a project to develop a medical protocol to be used in autopsies of suspected child abuse deaths, the Juvenile Justice Institute served as sponsor. A research design for the sociological autopsy was begun as part of this project. In addition to acting as sponsor, the Juvenile Justice Institute contributed to this effort by compiling a comprehensive bibliography of state and national child abuse laws, by developing a practitioner's guide to child abuse laws in New York State, and by reviewing the major court cases involving child abuse.

Pursuant to the new juvenile offender laws, the Division of Criminal Justice Services is mandated to collect, analyze, and report to the legislature on juvenile offender statistics. This responsibility has been assigned to the Juvenile Justice Institute. To obtain the data, the Institute has devised and now operates a designated felony and juvenile offender tracking system. Currently, the tracking system is manual, but the Institute anticipates that it will be computer-run by mid-March of 1979. To date, by use of this manual system, the Institute has compiled monthly statistical reports for September 1 through December 31, 1978, and has completed the implementation report required by state law.

The Juvenile Justice Institute has been a long-time advocate of comprehensive care and treatment for mentally disturbed court-related juveniles. One program providing such care is the experimental New York State Court-Related Unit for violently disturbed adjudicated male juvenile delinquents. The Institute has monitored and supported this Unit's activi-

ties, and has written several reports documenting the unit's progress and success.

The quality and availability of preventive and diversion services has been of great concern to the Juvenile Justice Institute. During the summer of 1978, the Institute began a county-by-county survey of such services. It is now preparing a catalog of this information, expected to be complete in the spring of 1979.

The Juvenile Justice Institute did a preliminary study of adjudicated juveniles who have spent long periods in detention awaiting placement in juvenile facilities. The study, based on a small population of long-term detainees, isolated a number of problems the Division for Youth has encountered when it seeks to place certain juveniles problems which lead to the lengthy and inappropriate detention experienced by the juveniles in this study. The construction of a research design for a larger, more in-depth study is now underway.

The Institute has become aware of the vital need for a computerized pointer system to aid probation departments throughout the state to assemble the background information they should have before they decide whether or not a case ought to be adjusted. The Juvenile Justice Institute is now in the process of negotiating with the various agencies involved to set up such a system.

At the end of 1978, in anticipation of the expected court challenges to the new juvenile offender laws, the Juvenile Justice Institute and the litigation department of the Attorney General's office began discussing the idea of developing a prosecution and defense brief bank for juvenile offender cases.



Director of the Office of Special Services discusses the preparation of statistical material for juvenile justice research with members of her staff.

MAJOR VIOLENT OFFENSE TRIAL PROGRAM

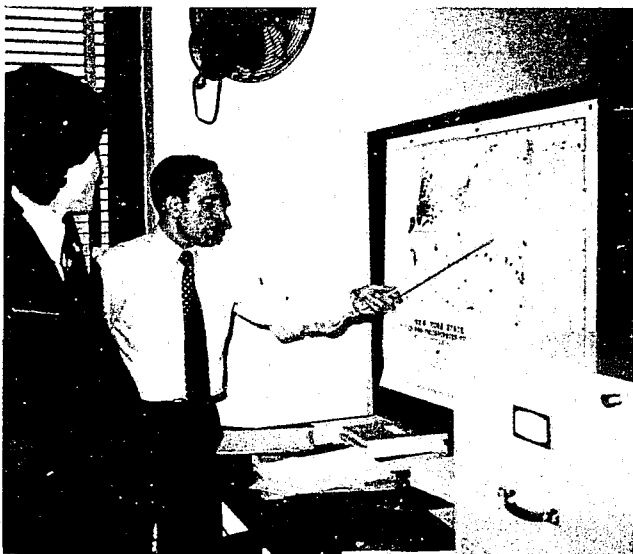
The New York State legislature on July 14, 1978, in an extraordinary session enacted chapter 481 of the laws of 1978. Effective September 1, 1978, this law established a new classification of offenses designated as "violent felony offenses" and defined a specific type of felony as an "armed felony". It introduced a new category of offenders entitled "juvenile offenders," applied to persons between the ages of 13 & 15 who commit certain specified crimes.

At the same time, the law established the Major Violent Offense Trial Program, an eleven million dollar program whose purpose is to provide additional resources to the courts and local criminal justice agencies; to insure swifter and more effective processing of certain criminal actions and proceedings and to reduce the administrative pressures for inappropriate plea bargaining in such cases.

Twenty new felony parts were created throughout New York State, and with ten existing felony parts known as "Long Term Detainee" parts, comprise this new Major Violent Offense Trial Program. (MVOTP)

In addition to New York City, where 21 of the court parts are in operation, the parts are located in the counties of Erie, Suffolk, Monroe, Onondaga and Westchester. Historically, over 90% of the violent felonies occurring in New York State, are committed in these jurisdictions.

DCJS has formed a special Administrative unit whose sole function and responsibility is to monitor and evaluate the activity generated in these thirty special felony parts and to report on the impact that the program has had on the criminal justice system.



Director of the Major Violent Offense Trial Program indicates the location of additional court parts to a member of his staff.

Programmatically, this unit is implementing a monitoring system designed to provide data concerning the prosecutorial and defense elements of the program. Intake and disposition statistics on cases processed through the 30 parts are collected and analyzed by Criminal Justice Analysts. The Identification Data System Unit in Albany, is working with us to develop a computerized system for sophisticated statistical analyses. Periodically, reports are submitted by DCJS to the Governor and to the Legislature.

At this time, the entire program has been in operation for only four months. No meaningful statistics or impact can be reported concerning the activity generated by the twenty new parts.

However, the existing 10 "Long Term Detainee" parts continue to keep a lid on the growth in the number of inmates incarcerated for a period longer than six months awaiting trial. As of December 31, 1978 there were 492 inmates incarcerated for a period longer than six months. Eighty five are in prison for longer than 12 months. In June 1976, when the project started, there were approximately 700 individuals in NYC awaiting trial for longer than six months, and about 275 in jail for more than 12 months. Thus the program continues to successfully keep the number of long term detainees to a minimum.

Fiscally, the unit monitors the \$11 million that is expended by the District Attorneys, Legal Aid, Public Defenders, Probation departments and Correctional agencies. It determines that the expenditures are proper; in conformity with generally accepted accounting principles and in accordance with New York State regulations. In addition to receiving monthly financial reports, periodic visits are made to all agencies involved in the program to ascertain that the books and records are being properly maintained.

VIOLENT FELONY WARRANT ENFORCEMENT PROGRAM

As part of the Governor's anti-crime package, as presented in the 1978 Supplemental Budget, the Office of Special Services (OSS) received 4.2 million dollars to develop a comprehensive plan for the implementation of a Violent Felony Warrant Enforcement Program within New York State. This plan seeks to enhance and upgrade the existing law enforcement and support systems of the State in an effort to ensure the identification and apprehension of persons wanted for violent felony crimes, and the prompt execution of court issued warrants. This plan further recognized the responsibility of the Division of Criminal Justice Services' Office of Identification and Data Systems to act as the central reposi-

tory of criminal history and warrant information, and to provide such information to requesting agencies in as timely a manner as possible.

Funds were provided to the New York City Police Department to assign 160 police officers and 27 support personnel to the Warrant Enforcement Division. The primary responsibility of these personnel is to increase the apprehension of persons wanted for warrant felony cases, especially those identified within legislative mandate, to deliver recidivists who are wanted on warrants to the appropriate courts of jurisdiction, and finally, to safeguard the rights of all citizens with particular concern for those who are most vulnerable to predatory attacks, including those 60 and above, the handi-

capped or infirmed and those 12 years and under. In addition, the Office of Identification and Data Systems received support for additional staff and equipment to upgrade the Statewide Warrant System and to establish a Parole Registrant System for the Division of Parole. Further, funds were provided to expand the Laser Fingerprint Facsimile System in the downstate area, and to install additional facsimile transmitters at four State Police Troop Headquarters. Finally, OSS was charged with the responsibility for program evaluation and monitoring, as well as the coordination of the New York State Police Violent Felony Program, the New York State Division of Parole Absconder Program, and the New York City Division of Probation Warrant Liaison Program.



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