

**REPORT TO THE GENERAL CONFERENCE COMMITTEE BY THE
SUBCOMMITTEE ON PUBLIC PROTECTION ON THE ENACTMENT OF
THE STATE FISCAL YEAR (SFY) 2011-2012 BUDGET**

I. Introduction:

Honorable Members of the General Conference Committee:

Over the past several days the Subcommittee on Public Protection (the "Subcommittee") has met on three occasions to resolve differences between the Senate and the Assembly on implementation of those portions of the SFY 2011-2012 Budget which impact our state's criminal justice and public protection systems. These discussions have been frank, productive and useful. Through our discussions, we have come to a full understanding of the many issues which need to be resolved to finalize this year's state budget and we have adopted this joint report, reflecting the product of our work, for your review.

The Subcommittee reports as follows:

II. Spending Targets:

In accordance with the spending targets provided by the General Conference Committee, the Subcommittee recommends that spending in the amount of \$10 million above the level proposed by the Executive budget be enacted to further provide necessary resources for law enforcement, civil or criminal legal services, domestic violence crime victims, and related justice system needs. The Subcommittee believes that these additional resources will significantly enhance public safety, save money by reducing crime and provide necessary support to the dedicated law enforcement and other personnel who work to make New York's streets, homes and communities safer.

The Subcommittee recommends that this additional spending be specifically allocated to the initiatives described in "Appendix A", attached.

III. Article VII Issues:

The Subcommittee has discussed the Article VII bill included in the Executive budget, and new proposals advanced by the Senate and Assembly.

The Subcommittee has agreed to:

Amend the Executive proposal to extend various provisions for three years which would otherwise expire in 2011. Instead we agree to extend such provisions for two years and also include an extension of the Interstate Compact for Adult Supervision; the ability of State correctional facilities to house local inmates.

Amend the Executive proposal to make permanent and change the distribution of pre-indictment settlement monies recovered by District Attorneys in New York City and instead provide for a sunset of this provision in one year.

Accept the merger of the Division of Parole and Department of Correctional Services (DOCS) into a new Department of Corrections and Community Supervision (DCCS). Under the agreement the Board of Parole maintains its independence, and duties with respect to parole release determinations and revocations of supervision.

Amend the Executive proposal to deny the transfer of \$1.5 million from the Public Safety Communications Account to the Emergency Services Revolving Loan Fund. This transfer would be suspended for two years.

Reject the Executive proposal to repeal the requirement that at least one-year notification be provided before the closure of a state correctional facility, and to establish a Prison Advisory Closure Task Force. However the committee has agreed to allow the Executive to close correctional facilities

in State Fiscal Year (SFY) 2011-12 by providing at least sixty days notice prior to closure.

Reject the Executive proposal to merge the Office of Victim Services, the Office for the Prevention of Domestic Violence and the State Commission of Corrections into the Division of Criminal Justice and restore the Executive proposed ten percent reduction to these agencies.

Enact the Senate proposal related to the District Attorney and Indigent Legal Attorney Loan Forgiveness by make a technical change to ensure that residency requirements are met and grandfathering in the eligibility of certain district attorneys who met the eligibility requirements prior to a change in the statute in SFY 2009-10.

IV. Other Issues:

The Subcommittee refers Judiciary to the General Conference Committee. Members of this Subcommittee are prepared to work with the General Conference Committee to resolve these matters as we move toward enactment of this year's budget.

The Subcommittee has agreed to allow the Executive to close correctional facilities in State Fiscal Year (SFY) 2011-12 by providing at least sixty days notice prior to closure.

In addition, the Subcommittee rejects the Executive proposed increase of \$1.5 million in support for the Office of Indigent Legal Services.

The Subcommittee further provided for an additional \$9 million in grant funding be available to counties for operations and consolidations of public safety answering points to be made available in SFY 2012-13 from the Public Safety Communications Account.



Senator Stephen M. Saland (co-chair)



Assemblyman Joseph R. Lentol (co-chair)

Senator Elizabeth O'C. Little

Senator Michael Nozzolio

Senator Gregory Ball

Senator Martin J. Golden (alternate member)

Senator Ruth Hassell-Thompson

Senator Michael Gianaris (alternate member)



Assemblymember Helene Weinstein

Assemblymember Jeffrion Aubry

Assemblymember RoAnn Destito

Assemblymember Daniel O'Donnell (alternate member)

Assemblymember Phil Boyle

Assemblymember Joe Giglio (alternate member)

All of the regular members of the Subcommittee concur in this report, by vote at a regular meeting of the Subcommittee held March 28, 2011.

APPENDIX A

PUBLIC PROTECTION CONFERENCE COMMITTEE - TABLE AGREEMENTS

TABLE TARGET: \$10,000,000

Division of Criminal Justice Services

Partial Restoration: Local Assistance Programs	3,000,000
Restorations: Civil or Criminal Legal Services	2,886,000
Domestic Violence Services	1,218,000
Indigent Legal Services for Incarcerated Persons	1,000,000
Domestic Violence, Civil or Criminal Legal Services	650,000
Oneida County Public Safety Answering Point (PSAP)	600,000
State Operations Restoration: Rejection of Agency Consolidations	396,000
New York State Defenders Association	250,000

SUBTOTAL	10,000,000
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GRAND TOTAL	10,000,000
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