

**REPORT TO THE GENERAL CONFERENCE COMMITTEE BY THE
SUBCOMMITTEE ON PUBLIC PROTECTION ON THE ENACTMENT OF
THE STATE FISCAL YEAR (SFY) 2012-2013 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 2012-2013 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 \$5 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, help to ensure successful re-entry, 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.

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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:

Concur with the Executive proposal to repeal the requirement for a pistol and revolver ballistic identification database, known as CoBIS and replaced with a nationally recognized alternative.

Concur with the Executive proposal to require that the trial date for a traffic violation must be a date subsequent to the date of an initial appearance.

Concur with the Executive proposal to extend the expiration date for a year, continuing to allow District Attorneys in New York City to retain a portion of settlement recoveries they make before the filing of an accusatory instrument against a defendant.

Amends the Executive proposal related to the effective date of the DNA expansion from October 1, 2012 to August 1, 2012, and to provide necessary resources to DCJS and State laboratories to process the additional samples, conduct profile comparisons and conduct DNA testing ordered by the courts.

Amend the Executive proposal to clarify municipalities responsibilities when they receive or offer aid through Intrastate Mutual Aid Program (IMAP) with technical amendments and allowing for the Commissioner to develop a plan or process for the inclusion of school districts and Board of Cooperative Educational Services to participate in the Intrastate Mutual Aid Program.

Amend cyberbullying language to provide clarification for diversion programs for youth involved in cyberbullying and/or sexting conduct.

Reject the Executive proposal related to persons sentenced to probation.

Rejects the Executive proposal to expand the authority of State judges to order the forfeiture of proceeds in a sentencing.

Enact the Senate and Assembly proposals to amend the Indigent Legal Services Fund to make backup center support for public defense services an allowable purpose and provides language for the State to reimburse counties for the statutory increase to District Attorney salaries mandated by the Judicial salary increase. Both of these provisions are effective for one year.

Enact the Senate proposal that would provide employees previously in the facility parole officer title to be transferred to an open parole officer or senior parole officer position before that position is filled by a newly hired employee.

Enact the Senate proposal to modify current reporting requirements for the Department of Corrections and Community Supervision.

Enact the Senate proposal to amend SFY 2011-12 language pertaining to Public Safety Answering Points. By allowing \$2 million of the \$9 million provided in SFY 2011-12 to be provided to counties, who are not eligible for grants, to be reimbursed for expenses relating to local Public Safety Answering Points (PSAP) operations. The Commissioner of the Division of Homeland Security would develop a plan for the distribution of such reimbursement, in consultation with the New York State Interoperable and Emergency Communication Board.

IV. Other Issues:

The Subcommittee makes no change to the Judiciary's Budget.

The Subcommittee provided for additional grant funding to be made available to counties to improve the quality of indigent defense services.

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 Steve Englebright

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 26, 2012.

APPENDIX A**PUBLIC PROTECTION CONFERENCE COMMITTEE - TABLE AGREEMENTS****TABLE TARGET: \$5,000,000**

Division of Criminal Justice Services	Amount
Alternatives to Incarceration	\$1,200,000
District Attorney Salaries	\$700,000
Family Court Domestic Violence Services	\$600,000
Prisoner's Legal Services	\$500,000
Domestic Violence Training for Law Enforcement and Judges	\$500,000
Law Enforcement, Anti-Violence, Anti-Drug, Crime Control, Prevention Programs	\$450,000
New York City Correctional Officer Stab-Resistant Gloves	\$250,000
Common Justice	\$200,000
Greenpoint Outreach Domestic and Family Intervention Program	\$150,000
Legal Services NYC - DREAM Clinics	\$150,000
New York State Immigrant Action Fund	\$150,000
Make the Road NY	\$150,000
GRAND TOTAL	\$5,000,000