



New York County District Attorney's Office
Testimony before City Council Public Safety and Finance Committees
FY17 Preliminary Budget
May 23, 2016

Good afternoon, Chairs Gibson and Ferraras, and members of the Committees on Public Safety and Finance. Thank you for the opportunity to speak today about my Office's Fiscal Year 2017 Executive Budget. The City's investment in the District Attorney's Offices has helped to keep violent crime in our city at record low levels and the support we receive from the City Council is critical to our continued success.

As part of the executive budget, my Office requested \$600,000 in baseline funding for the creation of an Alternatives to Incarceration Unit within the Manhattan DA's Office. In an attempt to further reduce the unnecessary incarceration of individuals at Rikers Island and state prisons, we have worked with our City and State criminal justice partners to create more community-based supervision and diversion options. As prosecutors, we must develop the institutional capacity to evaluate these programs, encourage their utilization, and monitor their effectiveness. This new unit will serve as a resource for my entire Office, identifying programs that are worthy diversion options and identifying defendants who can benefit from them without compromising public safety. Staff from this unit will also follow up with defendants who have been diverted from the court system to check on their progress in the community. Lastly, the unit will collect information on the effectiveness of the programs and share it with other city agencies. Developing this capacity within the District Attorney's Office is critical to achieving the goals shared by my Office and the City Council to improve the likelihood of successful outcomes for those exiting the criminal justice system. Representatives from my Office have had fruitful discussions with the Office of Management and Budget and the Mayor's Office of Criminal Justice (MOCJ) regarding this resource need. However, I also ask for your support in securing baseline funding for this new unit.

We are also working in collaboration with the Mayor's Office and my fellow District Attorneys on a coordinated approach to combating gun violence throughout the City. In addition to agreeing to information-sharing and participating in regular strategy meetings, I requested expanding my Office's Violent Criminal Enterprise Unit (VCEU) with three additional assistant district attorneys and two intelligence analysts to support their work. These additional staffing resources will enable VCEU to expand the breadth and depth of its caseload – which in the past six years, has included 18 indictments against 19 different gangs, as well as 22 indictments brought

against gun traffickers – and enable my Office to conduct a comprehensive investigation of all unsolved shootings where no arrest has been made. This comprehensive review would ensure that no shooting goes unsolved due to lack of resources. Discussions with MOCJ regarding this collaboration are ongoing, and I am optimistic that, working collectively, we can successfully tackle the gang-related gun violence.

I just want to take one more moment to update the committee regarding the recently launched summons initiative. As of March 7th, my Office no longer prosecutes in criminal court most low-level, non-violent violations and infractions, unless there is a demonstrated public safety reason to do so. Rather than being arrested, violators are given criminal summonses. When I last appeared before this committee in March, I explained how this initiative – which we developed over the past year in partnership with the NYPD and New York State Office of Court Administration (OCA) – will prevent unnecessary detention and jail-time for low-level, non-violent violations committed by those who pose no threat to public safety. Although the initiative is only in its third month, the results are promising. Low-level, non-violent violation arrests are down dramatically. Since this initiative has started, violation and infraction arrests are down by nearly 80 percent (78.8%) in Manhattan for March and April, from 1,842 during this time period in 2015 to 390 in 2016. Strikingly, this initiative has *not* led to a surge in crime, as some feared or predicted. In fact, in the past month, according to NYPD CompStat numbers, index crimes in Manhattan have decreased by 4.1% compared to the same point last year. This initiative, along with others like the two Clean Slate events hosted by my Office in conjunction with the NYPD, OCA, and Legal Aid Society – help individuals that pose no risk to public safety from becoming unnecessarily entangled in the criminal justice system by clearing up outstanding summons warrants, while freeing up law enforcement and the courts to focus on more serious offenses. We will continue to closely monitor the impact of this new summons policy and will report our findings as we learn more.

I thank you again for the opportunity to speak today. I urge City Council to continue its support in ensuring that New York City prosecutors have the funding we need to keep our streets safe and the criminal justice system more fair. With your support, we are confident that New York will continue to thrive as the country's safest big city.

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