

Statement of Elizabeth Glazer

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Good afternoon, Chair Gibson and members of the Committee on Public Safety. My name is Elizabeth Glazer and I am the Director of the Mayor's Office of Criminal Justice ("MOCJ"). Thank you for the opportunity to testify today. Jean Claude Lebec, Chief Operating Officer, and Alex Crohn, General Counsel from my office, are here with me to answer questions.

The Mayor's Office of Criminal Justice advises the Mayor on public safety strategy and, together with partners inside and outside of government, develops and implements policies aimed at reducing crime, reducing unnecessary arrests and incarceration, promoting fairness, and building strong and safe neighborhoods.

New York City's experience over the last two decades stands in contrast to the rest of the country. It is a continuing demonstration that we have had more safety with less enforcement and there may be room to move further in that direction. Since 1993, major crime has dropped 76% and our use of jail has dropped by almost half, even as prison populations in rest of the country were rising. New York City crime drops have driven the reduction in the state prison system as well. Low-level enforcement has also reduced dramatically – the number of summonses issued citywide has dropped 38% since 2012, for example.

As we consider how best to invest public resources to promote safety, our city's experience shows that we can have both more safety and less use of jail. A look at comparable European cities suggests that that it may be possible to have even safer neighborhoods and while deploying a still lighter criminal justice touch.

To drive toward the balancing point between safety and the lightest possible criminal justice touch, my office is pursuing an array of initiatives that can be grouped under three strategies.

The first strategy is moving toward a risk-driven system. If risk were the guiding principle in our criminal justice system: jail beds would be used by individuals who pose a risk to public safety; those who are not dangerous would wait for trial at home; and law enforcement resources would be

concentrated on the few individuals driving violent crime. The goal is to improve the criminal justice system's accuracy by ensuring we can separate the few individuals who should be detained from the many who should not.

Over the last year, we have moved closer to a risk-driven system in multiple ways. The first is bail reform. Currently, New York is one of only two states that prohibit judges from considering public safety risk when setting bail; with a few narrow exceptions, judges are limited to considering risk of flight when making bail determinations. The Mayor has called for this change to state law. Additionally, the City is working to improve the bail payment process to avoid unnecessary detention for lower-risk individuals through expanded alternatives to detention like supervised release. Last week marked the citywide rollout of supervised release, a program that allows judges to release eligible defendants to providers who supervise them in the community while they wait for trial. Eligibility determinations are made using a new, validated risk assessment tool and the program is designed to use the least restrictive means to ensure people return to court. In the last week alone, 40 individuals who otherwise would have been detained on bail were instead placed in supervised release. Combined, we project that the bail reform projects already underway in New York City will safely reduce the City's average daily jail population by 295 inmates.

The second way in which we are moving toward a more risk-driven system is Project Fast Track, an initiative the Mayor's Office announced last month in partnership with the State Courts, the NYPD, and the City's five District Attorneys to institutionalize a system-wide focus on the limited number of individuals driving gun violence. This initiative balances safety and fairness focusing on the few high-risk individuals driving gun crime and concentrating on building the strongest cases against these individuals. These cases are then assigned to a special court part, where they will be resolved within six months. This will ensure prompter evaluation of the strength of a case so that unnecessary detention time is avoided and sentences for the highest risk individuals can be imposed swiftly. If this approach reduces the amount of time these cases take to within six months, we will also reduce our jail population by approximately 98 inmates.

Another strategy my office is pursuing is working with representatives from all parts of the criminal justice system to implement system changes that improve fairness and efficiency.

A key example of this work is reforming the summons process so individuals can more easily understand when and where they need to appear in court and expand options for doing so. Work done together with our partners at NYPD and the state courts will soon result in the citywide rollout of a series of changes that we believe will reduce the number of warrants issued for summonses. These changes include a redesigned summons form, a text message reminder system before court dates, later court hours to accommodate work schedules, flexible court appearance dates, and a website that allows individuals to access complete information about and translations of their summons. These changes are targeted toward reducing the high failure to appear rate in summons court, which can lead to the court issuing warrants that can lead to unnecessary arrests.

Another example of working across the criminal justice system is Justice Reboot, an initiative launched by the Mayor and former Chief Judge Lippman last April. Judges, prosecutors, defense lawyers, witnesses, correctional officers, juries and grand juries of citizens all have a role in determining how quickly or not a case will move. Few of these entities answer to the same boss. In convening a system-wide working group monthly, Justice Reboot has succeeded in reducing the backlog that existed when we announced. Our initial goal was to resolve 50% of these 1,427 target cases – all of which were pending in Supreme Court and involved detained defendants – within six months. We met this goal within four months. While reaching this immediate goal is promising, new cases continue to age into the backlog that has been pending for longer than one year. Our current work with our partners in the courts, the district attorneys' offices, and the defenders focuses on addressing systemic problems and improving case processing times in an enduring way.

The final strategy I would like to discuss today is ensuring not only that the system is fair but that New Yorkers see it as fair and legitimate. This trust is the foundation of a fair criminal justice system: it means people will call 911, appear as witnesses, serve as jurors and grand jurors. Public engagement is a foundational public safety strategy.

To foster this trust, one strategy we are pursuing is the imminent launch of NeighborhoodSTAT, which brings residents of 15 high-crime public housing developments together with City agencies to identify together key public safety issues, review relevant data, and work hand in hand in developing solutions based on their combined expertise. NeighborhoodSTAT will work alongside the other components of the Mayor's Action Plan for Neighborhood Safety – targeted law enforcement, physical improvements, and expanded opportunities for work and play – that led in the first year of the program to felonies being 5% lower than they would have otherwise been, according to an analysis by Crime Lab New York (a group of criminologists, economists, and policy analysts working with the city).

As we continue to drive down both crime and the use of jail in New York City, my office's priorities will continue to be focused on solving these difficult system challenges, allowing New York City both to continue to be the safest big city in the country and to reduce unnecessary incarceration even further.

Thank you for the opportunity to testify here today. I would be happy to answer any questions.