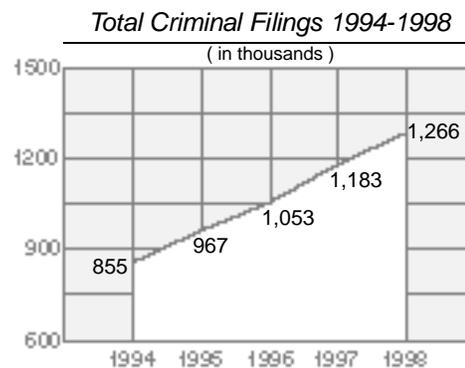


CRIMINAL JUSTICE

While crime rates thankfully continued their decline across the State in 1998, criminal filings in the State courts continued their upward march, topping 1.25 million cases last year. The bulk of the increase was in the New York City Criminal Court, a misdemeanor court heavily impacted by “quality of life” law enforcement initiatives in New York City. Throughout 1998, the Unified Court System worked both to manage these caseloads and to develop innovative criminal justice programs.

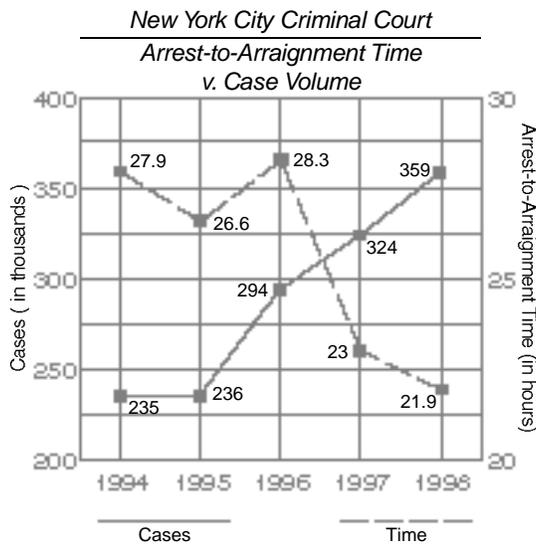


New York City Criminal Court Case Management Programs

Recent criminal justice policies in the City of New York have dramatically impacted the caseload of the New York City Criminal Court. Law enforcement initiatives targeting drug and quality of life offenses boosted 1998 filings in this misdemeanor court 11 percent over 1997’s record-breaking levels (and some 67 percent over filings in 1994). Changes in the Police Department’s policies regarding the issuance of Desk Appearance Tickets, moreover, also swelled the number of detained defendants brought to court and thus the number of cases subject to “arrest-to-arraignment” time restrictions. During 1998, the Criminal Court worked to find effective methods of dealing with an enormous number of low-level—but often socially significant—offenses.

Reducing Arrest-to-Arraignment Times

Despite record increases in the number of detained defendants brought to the Criminal Court over the past two years, the Court has actually reduced its arrest-to-arraignment times in this same time period. As the accompanying graph illustrates, in 1996 the Court handled 294,338 on-line arrests and the average arrest-to-arraignment time was 28.3 hours. While on-line arrests rose 22 percent over 1996 levels in 1998, the



average arrest-to-arraignment time fell 22 percent to under 21.9 hours. This remarkable achievement was the product of collaboration with partner agencies, deployment of resources to meet the daily demands and expanded use of technology. The Criminal Court now operates 108

arraignment parts per week, day and night, devoting approximately 25 percent of its judicial staff to this task.

Monitoring Compliance with Alternative Sanctions

Quality of life offenses comprise over one-third of the Criminal Court's arraignment caseload. In many of these cases, alternative sanctions—such as community service, drug treatment or other social service programs—can be an appropriate response, and certainly more meaningful than sentences of “time served.” Alternative sentences require accountable programs and follow-up to ensure defendant compliance. In 1998, the Court began planning for a centralized system of referral and monitoring to improve current practice in this area. A first step was a pilot post-disposition part in New York County to track defendant compliance with court-ordered alternative sentences. Future plans include development of a customized technology application that will provide a centralized directory of available programs, individualized defendant criminal history data and monitoring capability.

The Summons Automation Project

In 1998, the Criminal Court looked to the power of technology to help manage the nearly one-half million (489,000) summons cases it received. To replace the current labor-intensive system that calendars fewer than two-thirds of the summonses issued, the new computerized system will automatically calendar every summons, allowing warrants to be promptly issued for non-

appearing defendants. An interface to the CRIMS system will allow downloading of warrant information to law enforcement officials. A new Citywide cashiering module—replacing nine separate cashiering databases throughout the five boroughs—will expedite the processing of fines.

The automated system is now being implemented on a pilot basis in New York County, with installation in the remaining boroughs to follow as necessary cabling and electrical work is completed.

Drug Treatment Courts

Just four years ago, New York State's first Drug Treatment Court opened in Rochester City Court. Modeled on the treatment-based approach pioneered in Miami, Florida in the late 1980s, the Rochester Treatment Court targeted a population

Jodi Calkins, who graduated from Rochester's Drug Treatment Court last February, had hit rock bottom when she arrived there following her arrest for drug possession. Pregnant at the time, Jodi had already given up her other two children to drugs. She says, "I don't know if I'd be around today if not for the court, which motivated me to stay clean and take responsibility for my life. I had a healthy baby, obtained joint custody of my middle son, resumed my relationship with my eldest child and became reacquainted with my mom." Jodi recently discovered she enjoys working with her hands and is now learning construction skills. She is also active in the court's alumni group, which assists relapsing participants and has been a great support network for her. "Not every day is easy, but life is good," she adds.

particularly prone to recycling through the criminal justice system: nonviolent, drug-addicted offenders. By requiring that defendants complete an intensive drug treatment program as an alternative to jail—and rigorously monitoring their progress—the Rochester Treatment Court sought to break, not merely interrupt, the frustrating cycle of drug-fueled criminal recidivism.

From that one program in Rochester, a network of fifteen Drug Treatment

Courts has grown across the State, with six additional courts scheduled to come on line this year. Statewide, close to 1,000 defendants have now graduated from these demanding court

programs, and 1,500 others are currently in treatment under court supervision.

Stand-out programs include the Buffalo City Treatment Court—recently selected a “mentor court” by the National Association of Drug Court Professionals and the United States Department of Justice—and the Brooklyn Treatment Court—also a mentor court and the busiest drug court in the nation. A custom-built computer system that helps the judge keep close tabs on defendants has been piloted in Brooklyn and will soon be available for use by treatment courts across the State.

To provide court planners with comprehensive information about the number and characteristics of defendants enrolling in drug court programs, the extent of their participation, the types of treatment delivered and the frequency of subsequent arrests, a Statewide Drug Court Evaluation Project will be launched this year. The database to be assembled will provide a valuable tool for assessing drug court performance and planning future expansion of these programs.

This past Fall, personnel involved in the operation of or planning for drug courts came together for the first annual Conference of the New York Association of Drug Treatment Court Professionals. During two days of workshops, participants shared lessons and strategies for successful court interventions that get defendants off drugs and out of the criminal justice system.

Combating Domestic Violence

In recent years, both the public and government officials have come to recognize that domestic violence is a major social problem that affects the health and safety of thousands of adults and children in this State. In 1998, New York’s courts commenced new initiatives and expanded ongoing programs to address the special challenges that domestic violence matters present to the criminal justice system.

The Brooklyn Felony Domestic Violence Court

The court system opened the State’s first specialized court dedicated to domestic violence felonies in Brooklyn Supreme Court in June 1996. A collaborative effort between the courts, the Kings County District Attorney’s Office, the defense bar, Victim Services and the Center for Court Innovation, the Brooklyn Felony Domestic Violence Court seeks to improve the



handling of domestic violence cases by stressing offender accountability and victim safety. To better ensure defendant compliance with court orders, the Brooklyn DV Court features enhanced monitoring—both before and after case disposition—through frequent court appearances and dedicated intensive probation supervision. To better ensure victim safety, the Court emphasizes enhanced services, including assignment of a victim counselor in every case.

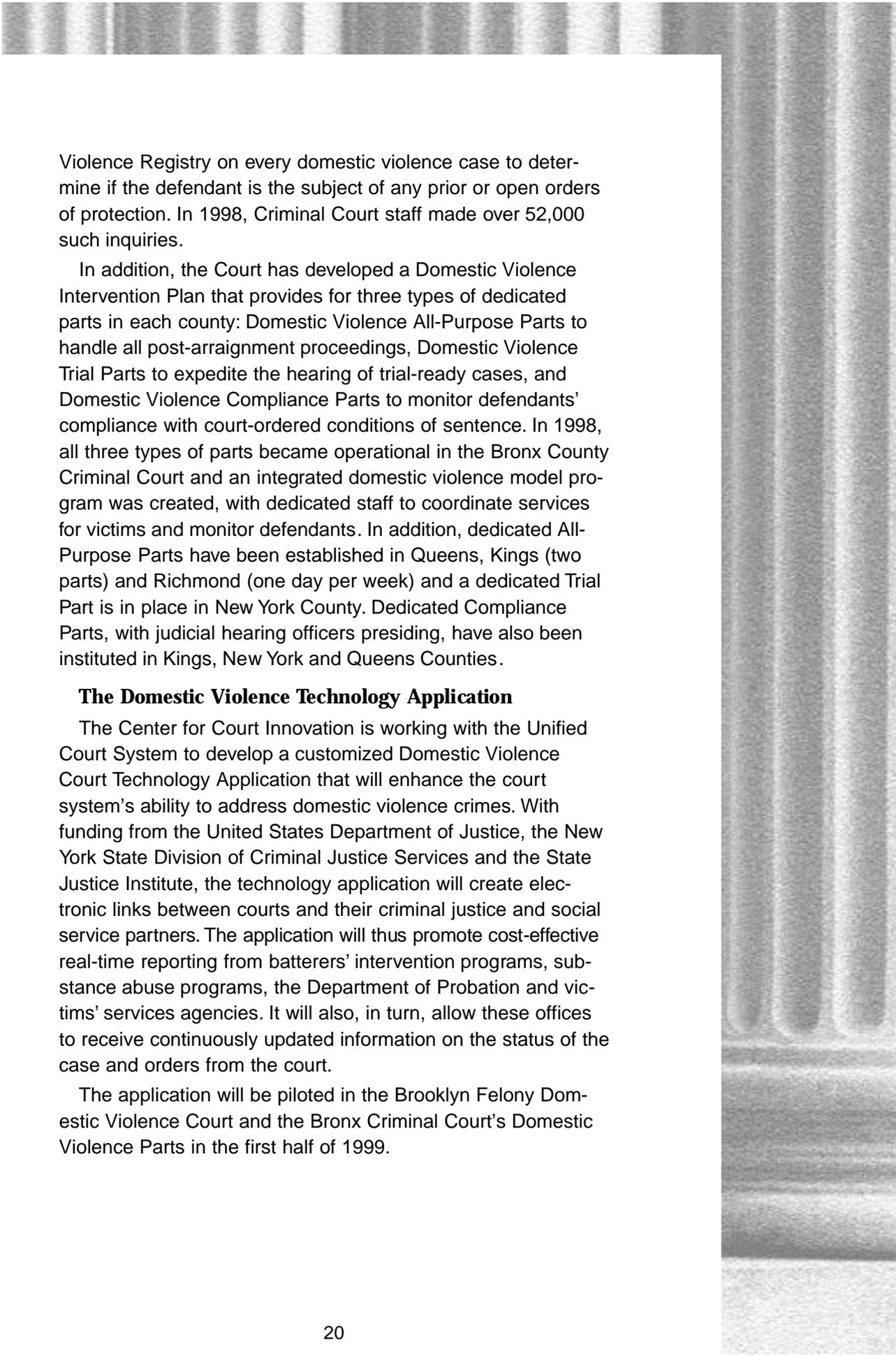
This past year, the Brooklyn DV Court expanded its operations to two court parts. The expanded Court continues to feature the enhanced staffing, intensive monitoring and concentration of services that have played such a key role in the Brooklyn DV Court's success to date. The Court is developing a new staff position—Coordinator for Children of Domestic Violence—to improve the delivery of services to the children of families involved in the Court. It is also making plans for a new Defendant Assessment/Case Management Unit to improve the Court's ability to assess, monitor and supervise mentally ill and substance-abusing defendants.

New York City Criminal Court Domestic Violence Parts

The New York City Criminal Court arraigns every domestic violence arrest in New York City and retains jurisdiction over the vast majority of these cases. In 1998, Criminal Court judges arraigned over 25,000 domestic violence matters and disposed of over 30,000 such cases. This enormous volume creates a particular challenge for the court to ensure that every domestic violence matter is treated fairly and consistently, with adequate attention to victim safety and offender accountability. As a first step to expand the amount of information available to arraignment judges, an inquiry is made to the court system's Domestic

Ovita Williams, a social worker who helps domestic violence victims from Brooklyn's Domestic Violence Court get back on their feet, talks about her work:

"My clients are people who've been battered and abused for much of their lives. I'm there to make them understand that they have options. As one of the court's victim advocates, I provide counseling, safety planning and comprehensive referral services to help victims of domestic violence gain safety and break away from the abusive relationship. It's so fulfilling whenever a client moves on to a safe and better life."

A vertical, grayscale image of a classical column with fluted shaft and a decorative capital, positioned on the right side of the page.

Violence Registry on every domestic violence case to determine if the defendant is the subject of any prior or open orders of protection. In 1998, Criminal Court staff made over 52,000 such inquiries.

In addition, the Court has developed a Domestic Violence Intervention Plan that provides for three types of dedicated parts in each county: Domestic Violence All-Purpose Parts to handle all post-arraignment proceedings, Domestic Violence Trial Parts to expedite the hearing of trial-ready cases, and Domestic Violence Compliance Parts to monitor defendants' compliance with court-ordered conditions of sentence. In 1998, all three types of parts became operational in the Bronx County Criminal Court and an integrated domestic violence model program was created, with dedicated staff to coordinate services for victims and monitor defendants. In addition, dedicated All-Purpose Parts have been established in Queens, Kings (two parts) and Richmond (one day per week) and a dedicated Trial Part is in place in New York County. Dedicated Compliance Parts, with judicial hearing officers presiding, have also been instituted in Kings, New York and Queens Counties.

The Domestic Violence Technology Application

The Center for Court Innovation is working with the Unified Court System to develop a customized Domestic Violence Court Technology Application that will enhance the court system's ability to address domestic violence crimes. With funding from the United States Department of Justice, the New York State Division of Criminal Justice Services and the State Justice Institute, the technology application will create electronic links between courts and their criminal justice and social service partners. The application will thus promote cost-effective real-time reporting from batterers' intervention programs, substance abuse programs, the Department of Probation and victims' services agencies. It will also, in turn, allow these offices to receive continuously updated information on the status of the case and orders from the court.

The application will be piloted in the Brooklyn Felony Domestic Violence Court and the Bronx Criminal Court's Domestic Violence Parts in the first half of 1999.

Expanding the Domestic Violence Court Model

Building on the success of these pioneering model court programs, the Unified Court System is making plans to adapt these models to other settings throughout the State. Projects currently underway include:

- ***Bronx Felony Domestic Violence Court***

Replicating the Brooklyn DV Court in Bronx County, this court will have an adapted version of the Domestic Violence Technology Application that will feature a linkage to the Bronx Criminal Court Domestic Violence Parts.

- ***Buffalo Domestic Violence Court***

In the Winter of 1999, the Buffalo City Court will open a misdemeanor domestic violence court modeled on the Bronx Criminal Court program.

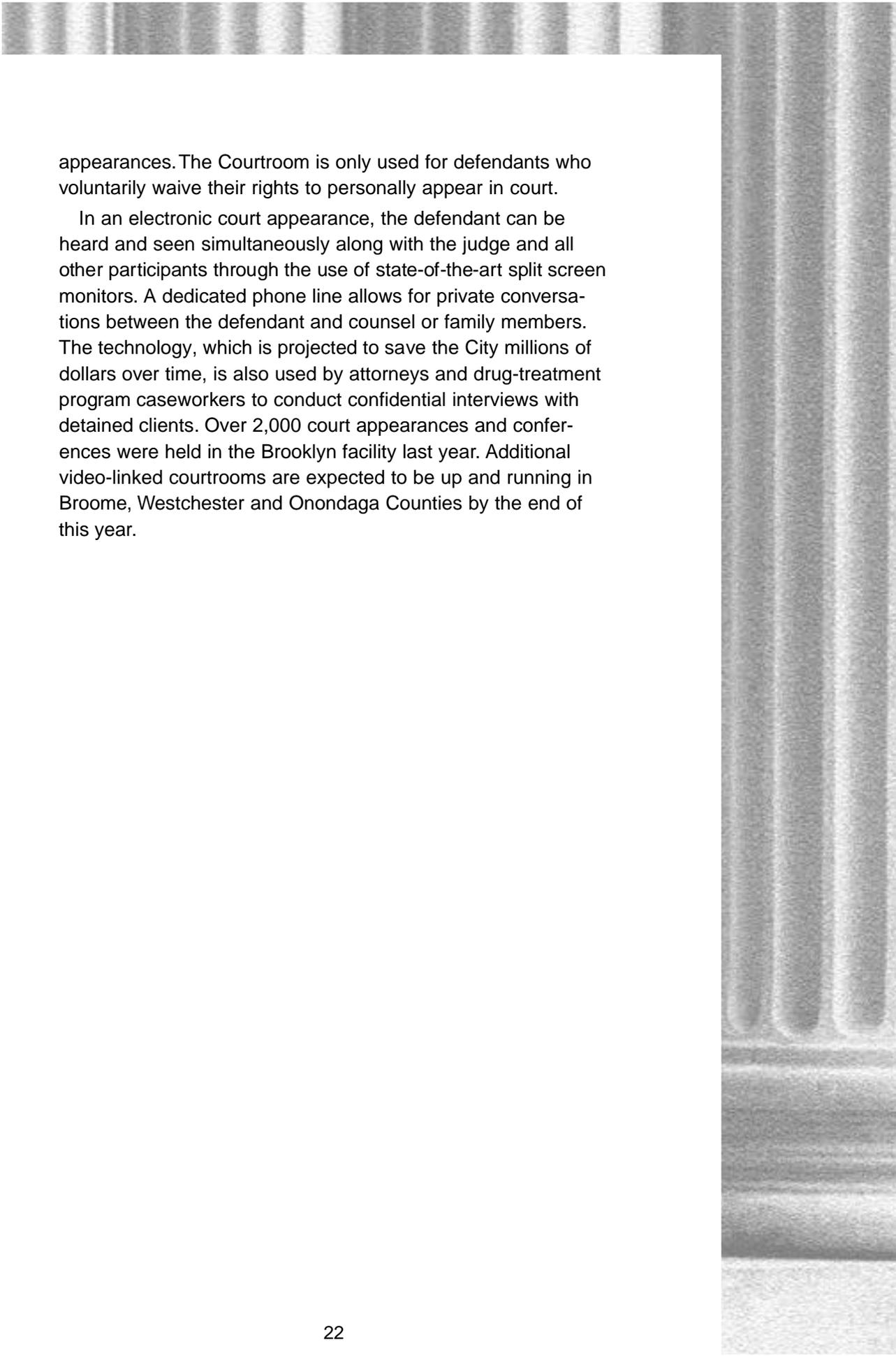
- ***Westchester Domestic Violence Court***

Later this year, a Domestic Violence Court will open in Westchester County Supreme Court to handle domestic violence felonies. Court planners are also exploring the possibility of including misdemeanor matters in the caseload to maximize court and social service resources.

Now that a critical mass of judges and court administrators involved in domestic violence courts is emerging, the court system is planning a series of Domestic Violence Court Roundtables so that those involved in the planning or operation of such courts can share the lessons being learned as our experience in this area grows.

Brooklyn Supreme Court Video Courtroom and Conference Center

In April 1998, the court system officially opened the Kings County Supreme Court's Video Courtroom and Conference Center, a video-linked courtroom that allows defendants housed at Riker's Island to make routine court appearances without leaving the detention facility. The Video Courtroom was established by the courts in conjunction with the New York City Department of Correction, the Department of Information Technology and the Office of the Criminal Justice Coordinator to save transportation costs and reduce waiting times for court

A vertical, grayscale photograph of a classical architectural column, likely from a courtroom, running along the right edge of the page. The column has a fluted shaft and a decorative capital at the top.

appearances. The Courtroom is only used for defendants who voluntarily waive their rights to personally appear in court.

In an electronic court appearance, the defendant can be heard and seen simultaneously along with the judge and all other participants through the use of state-of-the-art split screen monitors. A dedicated phone line allows for private conversations between the defendant and counsel or family members. The technology, which is projected to save the City millions of dollars over time, is also used by attorneys and drug-treatment program caseworkers to conduct confidential interviews with detained clients. Over 2,000 court appearances and conferences were held in the Brooklyn facility last year. Additional video-linked courtrooms are expected to be up and running in Broome, Westchester and Onondaga Counties by the end of this year.