

Respond to: **LEGAL ACTION CENTER**  
153 Waverly Place, New York, NY 10014 • (212) 243-1313 • FAX: (212) 675-0286

## **POSITION PAPER ON THE 2003-04 CRIMINAL JUSTICE BUDGET**

As we head into what is sure to be a challenging year, New York State must maintain its highly effective network of Probation and alternative to incarceration (ATI) and related programs (pre-trial services, defender-based advocacy, client specific planning, community service sentencing, TASC, legal and employment assistance). These programs have been a crucial component of the success of New York's justice system in:

Protecting Public Safety: ATI and related programs and Probation, in coordination with the courts, law enforcement and other criminal justice agencies, have helped reduce the crime rate to its lowest levels in memory. They perform the critical functions of monitoring and supervising arrestees and offenders, overseeing and imposing appropriate sanctions, and providing interventions and services that often prevent future crime.

Enforcing the Laws Cost-Effectively: By supervising and providing services to adjudicated individuals at a fraction of the cost of prisons and jails, as well as playing an important role in reducing the State's prison population, probation and ATI and related programs save New York tens of millions of dollars every year in costs associated with mental health, foster care, housing and other intensive services.

We urge the Executive to:

- **Maintain base funding for ATI and related programs in the 2003-2004 Executive Budget, and provide necessary resources to expand capacity if and when sentencing reform is enacted.**
- **Maintain \$4 million in funding and, if possible, add \$3.5 million to continue and expand the very successful TANF initiative to move individuals with criminal records under community supervision from welfare to work.**
- **Reform the Rockefeller Drug and Second Felony Offender Laws to provide judges with greater discretion in sentencing and to reduce sentences for those convicted of A and B drug felonies and non-violent second felony offenders, and reinvest the savings from reduced incarceration to expand the full continuum of drug and alcohol treatment and prevention services and Probation and ATI, including pre-and post-trial and related programs.**

While we recognize the difficult economic circumstances facing the state due to the recession and after-effects of the September 11<sup>th</sup> tragedy, **New York State must continue its support of ATI and related programs and Probation to preserve their ability to continue reducing crime and saving the State substantial sums of funds, as well as meet additional capacity demands that sentencing reform would create.**

**Alcoholism & Substance Abuse Providers of  
New York State, Inc. (ASAP)**

**Center for Alternative Sentencing and  
Employment Services (CASES)**

**Center for Community Alternatives (CCA)**

**Center for Employment Opportunities  
(CEO)**

**Correctional Association**

**EAC/TASC**

**Family Justice Inc./La Bodega De La Familia**

**Fortune Society**

**Legal Action Center**

**New York Association for Alternative  
Sentencing Programs (NYAASP)**

**New York Association of Pre-Trial Service  
Agencies (NYAPSA)**

**New York State Council of Probation  
Administrators (COPA)**

**New York State Probation Officers  
Association (NYSPOA)**

**Osborne Association**

**Project Greenhope Services for Women**

**TASC of the Capital District**

**Women's Prison Association**