

Discussion Points

1a. Federal enactments and budget proposals often significantly impact State programs and fiscal resources. The Department of Law and Public Safety anticipates receiving \$215.6 million in federal funds in FY 2009, which is an increase of \$9.335 million or 4.5 percent from the previous fiscal year.

- *Question:* What specific increases or decreases in federal funding, including those received through the Office of Homeland Security and Preparedness, are anticipated in FY 2009? What specific new or revised federal mandates or matching requirements are expected? What impact would these changes have on the department's resources and activities in FY 2009? Please provide details regarding any local impact from these changes.

Answer:

The amount of federal funds anticipated in the FY 2009 Governor's Recommendation was projected prior to President Bush's proposed budget being introduced. Since then, President Bush has proposed his budget and more accurate information is available to estimate how this proposed federal budget will impact the level of federal funds for the Department. In fact, federal funding recommended for the Department of Law and Public Safety, without including the Office of Homeland Security and Preparedness, has decreased. The following represents the Department's significant federal funding changes for FFY 2009 based on this proposed federal budget:

Byrne Memorial Justice Assistance Grant (JAG) – The JAG program is targeted for elimination in FFY 2009 (FFY 2006 - \$416 million nationally; FFY 2007 - \$520 million nationally; FFY 2008 - \$170 million; New Jersey's FFY 2006 award was \$5.1 million; New Jersey's FFY 2007 - \$7.6 million; New Jersey's FFY 2008 award - TBD). Approximately 60% of the JAG grant funds are awarded to local governments.

If JAG is eliminated, 137 critical positions in all areas of New Jersey's criminal justice system, including State and county prosecutors, investigators, municipal police officers, substance abuse treatment professionals, and community workers, would be eliminated or seriously impacted by the drastic reduction in JAG funds. Loss of the JAG grant would affect law enforcement, the Judiciary, Corrections, and prevention and treatment programs, all of which receive JAG funding in New Jersey.

All 21 county multi-jurisdictional task forces, designed to aggressively target gang, gun and drug-related violence, and which rely on JAG funding for support of these operational costs, would be greatly affected by loss of JAG funding. Last year, the task forces conducted 3,700 investigations into illegal drug and

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criminal street gang activity, arrested over 4,500 individuals, and obtained 1,776 successful prosecutions. In addition to removing more than 1.2 million grams of illegal drugs from the streets, the task forces seized 207 firearms and approximately \$3.9 million.

Residential Substance Abuse Treatment (RSAT) - This program is targeted for elimination. (FFY 2006 - \$10 million nationally; FFY 2007 - \$10 million nationally; FFY 2008 - \$9.4 million nationally; New Jersey's FFY 2006 award was \$190,841; New Jersey's FFY 2007 award - \$188,445; New Jersey's FFY 2008 - award TBD). Without the RSAT program, several adult and juvenile substance abuse treatment programs will be eliminated or curtailed.

Paul Coverdell Forensic Sciences - This program is targeted for elimination. (FFY 2006 - \$19 million nationally; FFY 2007 - \$19 million nationally; FFY 2008 - \$19 million nationally; New Jersey's FFY 2006 award was \$297,337; New Jersey's FFY 2007 award was \$330,582; and New Jersey's FFY 2008 award - TBD).

This grant program was established by Congress to help improve the quality and timeliness of forensic science and medical examiner services statewide. Funding can be used to eliminate a backlog in the analysis of forensic evidence, and to train and employ forensic laboratory personnel, as needed, to eliminate such a backlog. Loss of this funding will diminish our ability to improve the quality, timeliness, and credibility of criminal-justice-related forensic science services.

Juvenile Justice Title V Delinquency Prevention - This program is targeted for elimination. (FFY 2006 - \$65 million nationally; FFY 2007 - \$65 million nationally; FFY 2008 - \$61 million nationally; New Jersey's FFY 2006 award was \$84,375; New Jersey's FFY 2007 award was \$56,250; and New Jersey's FFY 2008 award TBD).

A loss of Title V funding would result in the elimination of prevention programs for high-risk youth, as well as the loss of generalized prevention programs for all young people. The majority of these programs focus on keeping the youth out of the justice system. Elimination of these programs will impact negatively on the State's juvenile at risk population, as well as the communities in which they live.

Juvenile Justice Title II Delinquency Prevention - This program is targeted for elimination. (FFY 2006 - \$79.2 million nationally; FFY 2007 - \$79.2 million nationally; FFY 2008 - \$74.3 million nationally; New Jersey's FFY 2006 award was \$1,620,000; New Jersey's FFY 2007 award was \$1,692,00; and New Jersey's FFY 2008 award TBD).

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A loss of Title II funding would result in the elimination of programs designed to improve the quality of services provided to troubled youth, including reducing disproportionate minority contact, improving juvenile justice systems, creating alternatives to secure detention, preventing gang proliferation and providing gender-specific services for girls. Funds are awarded to county and local government programs, as well as non-profit organizations. Station House Adjustment programs, which are used to keep children who have committed a non-serious crime out of the juvenile justice system, will be impacted. Elimination of these programs will impact negatively on the State's juvenile population and the juvenile justice system.

Juvenile Accountability Block Grant (JABG) - This program is designated for elimination. (FFY 2006 - \$50 million nationally; FFY 2007 - \$49 million nationally; FFY 2008 - \$52 million nationally; New Jersey's FFY 2006 award was \$1,059,100; New Jersey's FFY 2007 award was \$1,059,100; New Jersey's FFY 2008 - award TBD). Seventy-five percent goes to the local level and 25% is utilized by the State.

The JABG program addresses the growing problem of juvenile crime by promoting greater accountability in the juvenile justice system. Loss of this funding would result in elimination of approximately 125 programs serving young people throughout the entire juvenile justice system.

Violence Against Women STOP Grant (VAW) - Although this formula program is not being eliminated, funding for it as well as various other VAW discretionary programs are being consolidated into a new competitive grant program which translates into an unknown award amount for New Jersey's violence against women program in FFY 2008. In addition to the transition to a competitive grant program, overall funding for the Violence Against Women programs is being reduced by approximately \$120 million. (FFY 2006 - \$187 million nationally; FFY 2007 - \$187 million nationally; FFY 2008 - \$184 million nationally; New Jersey's FFY 2006 award was \$3,235,426, New Jersey's FFY 2007 award was \$2,804,235; and New Jersey's FFY 2008 TBD).

A reduction in funding could result in a loss of local programs that focus on female victims of violence. It would also reduce the resources available to the State to manage these grants. Many of these initiatives focus on serving underserved populations, and incorporate such concerns as cultural diversity and issues confronting the elderly. With reduced funding, it is likely that certain important focus areas will not be given the attention they deserve.

There are no new or revised federal mandates or matching requirements expected in FFY 2009.

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The Office of Homeland Security and Preparedness will respond directly regarding significant changes to their federal funding in FFY 2009.

1b. The Division of Criminal Justice anticipates \$5.2 million in federal funding cuts for victim assistance programs. A report from the Division notes that due to these federal cuts, victim assistance programs in all 21 New Jersey counties will see award reductions.

- *Question:* Does the Governor's FY 2009 recommended budget accurately reflect these anticipated program reductions? Please provide details of the specific programs, by county, that will incur these decreases. For what purposes, and in what amounts, other than county grants were federal funds allocated? How are these purposes affected by the decrease in federal funding? Please set forth, in detail, the new funding formula reportedly developed to distribute these funds.

Answer:

The federal reduction from FY 2007 to FY 2008, for the State of New Jersey, is anticipated to be \$2.4 million. Federal funding for FY 2009 is anticipated to be equivalent to FY 2008. Due to federal funding cuts, the anticipated awards to the county victim witness offices were reduced. The county awards are based on the following formula:

- The base award amounts are determined by each counties' percentage above or below the population mean percentage.
 - Counties that fall 51% above the mean (400,682), receive a base amount of \$100,000.
 - Counties that fall 51% below the mean (400,682) receive a base amount of \$50,000.
 - Counties that fall within 50% of the mean (400,682) receive a base amount of \$75,000.
- In addition to the base amount, they also receive additional funding based on the average of two percentages: the number of arrests and the number of victims served in the county.

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In addition to funding the county victim witness offices, funds will also be used to support the following programs in FY 2008, which are anticipated to continue in FY 2009:

- Division of Criminal Justice victim programs - \$524,618
(Victim Notification System and State support of victims involved with State prosecutions)
- Victims of Crime Compensation Agency - \$77,802
- Victim Assistance Grants to non-profit agencies - \$2,100,000
- Mandated Sexual Assault Nurse Examiners/Sexual Assault Response Teams program - \$2,061,488
- 24/7 Domestic Violence Hotline - \$74,335
- Domestic Violence/Sexual Assault Multi-linguistic Line - \$31,000

The Department is evaluating the use of funds to ensure their best use, in light of the funding cuts. In addition, we are continuously reviewing funding allocations to ensure the most effective and efficient distribution of funds. We have strongly lobbied the federal government for the restoration of these funds.

2. The FY 2009 recommended budget reductions in the number of State employees, by a minimum of 3,000, through a combination of an early retirement initiative and layoffs. The ability to hire employees to fill these vacant positions will be limited. The impact, however, that these personnel actions may have on the department's programs and services is unclear.

In FY 2008, the department was required to eliminate 120 positions. According to the department's response to the *FY 2008 OLS Discussion Points*, 47 unclassified full-time positions were eliminated through a "reduction in force," and 47 full-time positions were eliminated through retirement or resignations. The remainder of the positions were vacancies that were not filled.

Question: How many employees are eligible for the early retirement initiative or might be laid off by the Department of Law and Public Safety to fulfill the FY 2009 Budget recommendations. To the extent that new employees cannot be hired, what services or programs would be reduced or eliminated?

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Answer:

The Governor's budget includes \$135.9 million for a net ERI savings. The savings assumes an overall 50% participation rate that varies by Department. The initial proposal is still under discussion and could be refined in the enabling legislation. Regardless, the Governor has stated that the backfills of participants will be limited to 10% on a Statewide basis. Approximately 1,200 Department employees could be impacted by both an Early Retirement Incentive (ERI) and by a Reduction in Force (RIF). We expect that all divisions and all program areas throughout the Department would be affected.

3a. The enacted FY 2008 budget anticipated a savings of \$25 million from management efficiencies. These savings, while reflected in the Interdepartmental Accounts section of the budget, were to be obtained from Executive agency budgeted appropriations, presumably in direct correlation with identified efficiency improvements.

- *Question:* What amount of the department's original FY 2008 appropriations were reallocated to Interdepartmental Accounts as savings from management efficiencies? What specific efficiencies were achieved by the department that correlate to the reallocations? What adverse impacts, if any on the output and outcomes of department programs and services resulted, or will result, from these funding reallocations, in the current fiscal year and as projected for FY 2009?

Answer:

The management efficiency savings were achieved by reducing or eliminating salary program funds that were allocated to the departments, based on contractual increase needs. The departments achieved the management efficiencies by internal reductions in order to fund the contractual increases. The Department of Law and Public Safety's share of the reduction was \$4.011 million. The Department achieved these efficiencies primarily through a combination of one-time use of revenues in FY 2008 and reductions. The one time revenue is being offset in the FY 2009 budget, by permanent reductions to Line of Credit accounts, the redirection of salary program funds, and by not backfilling vacancies in the Department.

The Department was permitted to implement one-time solutions in FY 2008 as long as they were replaced with permanent solutions for FY 2009. In FY 2008, the Department provided \$2.205 million in one-time revenue to meet the mandated reduction without any negative impact to the corresponding programs. In FY 2009, the Department replaced those funds with a total of

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\$2.205 million of permanent reductions to various line of credit accounts which were no longer needed.

In FY 2008, salary program funding was made available to the Department. Of the amount allocated, a total of \$1.386 million was redirected back to Treasury for a savings. A total of \$240,000 was reduced from the Division of Alcoholic Beverage Control without any negative impact on the Division. Finally, the Department saved approximately \$180,000 by unfunding two (2) funded vacancies within the Fiscal Oversight/SDA Bureau (formerly the Fiscal Oversight/Office of Government Integrity) within the Division of Criminal Justice.

3b. The FY 2009 recommended budget reflects that the Juvenile Justice Commission (JJC) will save \$1.328 million from operating efficiencies.

- *Question:* Please provide details as to how these JJC operating efficiencies were achieved.

Answer:

In FY 2009, the Juvenile Justice Commission is eliminating a total of twelve (12) funded vacancies and non-salary costs to achieve a total of \$1.328 million in operating efficiencies. The reduction of twelve positions will be in the administrative areas throughout the Commission.

4a. The Office of the Insurance Fraud Prosecutor (OIFP) in the Division of Criminal Justice focuses on various types of fraud. This year, according to the Governor's recommended budget, OIFP obtained approximately 200 criminal fraud convictions and collected \$9.6 million in criminal and civil penalties and restitution.

The Medicaid Fraud Unit is one of several fraud specific units in the Division of Criminal Justice. According to the 2007 Annual Report of the New Jersey OIFP, there was a total of \$2.1 million recovered from Medicaid fraud cases in FY 2007.

- *Question:* Please provide a spending plan for the Medicaid Fraud Unit. Please provide the number of personnel assigned to this unit, including position descriptions. How many criminal Medicaid fraud cases are currently under investigation? How many cases were prosecuted in FY 2005, FY 2006, and FY 2007 by type of provider such as individuals,

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pharmacies, corporations, etc.? How much has the unit collected specifically in penalties and fees during FY 2005, FY 2006, and FY 2007.

Answer:

The Medicaid Fraud Unit's annual budget is \$4.450 million and we currently employ 36 individuals, of which 8 are attorneys, 18 are investigators, and 10 are support personnel (nurses, auditors, analysts and support, etc.).

In 2005, the Unit indicted or convicted 27 defendants, comprised of 24 individuals and three corporations, collected \$4.9 million in restitution, \$2.5 million in civil fines, and \$306,916 in criminal fines.

In 2006, the Unit indicted or convicted 20 defendants, comprised of 19 individuals and one corporation, collected \$30.2 million in restitution, \$848,500 in civil fines, and \$70,000 in criminal fines.

In 2007, the Unit indicted or convicted 22 defendants, comprised of 20 individuals and two corporations, collected \$1.7 million in restitution, \$2.5 million in civil fines, and \$500 in criminal fines.

Thus far in 2008, the Unit indicted 7 defendants, collected \$12.6 million in restitution and \$878,618 in civil fines.

Restitution recoveries are typically divided in half between the State and the United States Government. Civil and criminal fines go to the State Treasury.

4b. In July of 2005, the Attorney General announced that the former Chief Financial Officer at the Mount Carmel Guild Hospital in Essex County had pled guilty to submitting fraudulent Medicaid reports. The fraudulent submissions resulted in \$40 million in State and federal Medicaid overpayments from May 1999 to April 2003. The Division of Criminal Justice has been in negotiations with Price Waterhouse regarding the firm's role in the Mt. Carmel Guild Medicaid accounting fraud since August 2005. To date, no settlement has reportedly been reached.

- *Question:* What is the current status of these settlement negotiations? If the case has been settled, how much did the State receive? How much has been recovered, specifically, from Mount Carmel?

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In 2004, the Department of Human Services entered a settlement agreement with Mt. Carmel Guild for \$33.6 million, to be collected half in cash payments and half in free services over a 30-year period.

The Division of Medical Assistance and Health Services has asserted an administrative claim against them in the amount of \$5,842,820, the difference between the actual fraud and the amount of the settlement with Mt. Carmel Guild. The matter is in litigation.

5a. The Governor's FY 2009 budget recommends continued State Aid funding of \$15 million for Capital for Homeland Security Critical Infrastructure, in the Office of Homeland Security and Preparedness (page D-286). This appropriation is intended to provide funding to local governments for interoperable communications, tools for intelligence sharing, and enhanced infrastructure protection such as fire suppression systems, communication towers and equipment. The OLS notes that as of April 1, 2008, about \$16.3 million of the total \$30 million appropriated for this purpose (\$15 million in FY 2007 and 2008, respectively) had been spent or committed.

In response to a discussion point on the FY 2008 budget, the department noted that it was in the process of conducting a Statewide vulnerability assessment, including an evaluation of homeland security equipment, infrastructure, and training needs, that would serve as a basis for allocating this funding.

- *Question:* Please list the projects, recipients, and amounts allocated from all appropriations to date. Please provide the spending plan for the allocation of uncommitted appropriations and FY 2009 funding, respectively. What percentage of funds expended or committed to date was directed to local governments, and what percentage to State critical infrastructure projects? Why are \$6.9 million in FY 2008 funds in 'reserve' status? Please provide an update on the Statewide vulnerability assessment. If updated, and to the extent possible, please summarize any findings and recommendations of this assessment. How frequently does the Office of Homeland Security and Preparedness plan to update or supplement this assessment? Please provide the process, timetable, and eligibility standards by which continued funding will be allocated. Has the Office of Homeland Security and Preparedness developed a multi-year funding plan and project priority list that supports the FY 2009 budget recommendation, and will this guide the use of these funds and serve as a

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basis for future budget recommendations? If so, please provide a copy or summary of that document.

Answer:

The Office of Homeland Security and Preparedness will respond directly.

5b. In FY 2008, the department provided an overview of the State's interoperability assessment for a complete Statewide communication system. It was projected that the State would be able to purchase a fully interoperable and redundant radio system for \$750 million. This system would ensure that first responders would be able to communicate with each other during unexpected emergencies.

- ***Question:*** Please provide an update on this assessment. Please provide an up-to-date spending plan on the interoperability system, including past expenditures. Does the State plan continue to meet federal guidelines? If not, please explain.

Answer:

The Office of Homeland Security and Preparedness will respond directly.

6. Pursuant to R.S.53:2-1, the State Police "shall primarily be employed in furnishing adequate police protection to the inhabitants of rural sections." The Department of Law and Public Safety currently provides 76 municipalities full-time rural policing services and provides part-time services to 13 municipalities. According to the department, these services are estimated to cost \$80 million annually.

The FY 2009 budget recommends, through six proposed budget language provisions (page D-274 and D-275), a system for providing rural patrol services only under cost sharing agreements with municipalities. According to initial information supplied by the department, the Division of State Police will charge certain municipalities \$330 per housing unit for full-time patrol services and \$230 per housing unit for part-time patrol services. Under these provisions, the budget anticipates that the department will collect \$20.5 million from certain rural municipalities.

- ***Question:*** Please explain how the service amount of \$330 per housing unit for full-time patrol and \$230 per housing unit for part-time patrol was devised. Although this is a fixed fee, would the service charge be

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revised for a municipality if crime increases or decreases, and would the patrols be increased or decreased based on those changes?

Answer:

Although an earlier proposal included the service amount of \$330 per housing unit for full-time rural municipalities patrol and \$230 per housing unit for part-time rural municipalities patrol, there is currently no fixed fee, nor has a cost sharing agreement funding formula been finalized by the State Treasurer to collect \$20.5 million. Under prior proposals, crime statistics have never been a factor in determining service charges for rural patrol.

- *Question:* Pursuant to recommended budget language (page D-275), if the Superintendent determines that a municipality shall receive patrol services in the absence of a cost sharing agreement, how would the cost of service be determined? Will the department consult with the municipality when it determines that State Police rural patrol is deemed necessary?

Answer:

Although the Superintendent, in consultation with the Attorney General, may determine that a municipality requires patrol services in the absence of a cost sharing agreement, the Division of State Police and the Department of Law and Public Safety will rely on the Department of Treasury to develop and implement the funding formula for assessing the municipality for such service. When State Police rural patrol is deemed necessary for a particular municipality, it is anticipated that the Department of Law and Public Safety and the Department of Treasury will together consult with that municipality regarding the costs entailed.

- *Question:* Please clarify the intent of the recommended budget language (page D-274) allowing the State Treasurer to "... use monies from any Grant in Aid or State Aid appropriated ... to meet the local share ..." of rural policing services. Is it intended that categorical State grants received by a municipality for a certain program or service, such as parks, could be diverted to fund State Police patrols? Given that these rural municipalities are likely to fall into the category of towns whose State Aid is scheduled to be eliminated or significantly reduced under the proposed budget, how will this be accomplished?

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Answer:

The collection of any and all monies in connection with the Division of State Police providing police services to rural communities is the responsibility of the Department of Treasury.

7a. The Division of Consumer Affairs' mission is to protect New Jersey citizens from consumer fraud and ensure consumers are educated about their rights. The New Jersey Division of Consumer Affairs supervises the activities of 43 boards and committees, regulating more than 80 professions and occupations. Approximately 600,000 New Jerseyans are licensed by these boards or committees.

- *Question:* From the time that the division receives a complaint concerning a violation of the Consumer Fraud Act (CFA), how long does it take for a settlement/ruling to be reached/issued, on average? How long, on average, does it take the division to collect payment of fines for violations of the CFA? What is the total amount of fines the division collects for violations of the CFA annually? How does combining cases affect the length of time it takes to resolve the case and the amount of fines and damages levied against the violator? Approximately what percentage of CFA cases are combined with other cases against the same violator? In approximately what percentage of CFA cases does the complainant receive damages? Is this something the complainant must pursue separately, or part of the division's settlement/ruling?

Answer:

The timing of how long a settlement/ruling is reached is dependent upon several factors, including: (1) the need for additional investigation of the alleged CFA violations; (2) the presence of other consumer complaints; (3) the willingness of the person/entity against whom the complaint has been filed to resolve the complaint; (4) whether it becomes necessary to file an action; and (5) whether a prior settlement requires that the complaint be resolved through the Division's Alternative Dispute Resolution (ADR) process. Once an action has been filed, the resolution of the consumer complaint will be affected by deadlines established by the court.

If a matter is concluded through a settlement, the settlement document will specify the timing of any payment to the Division. For most matters the Division expects payment to be made in full between six (6) months and two (2) years. However, depending on the dollar amount due and the subject's ability to pay off the debt, the Division has allowed payment plans to go longer. If a

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matter is concluded through a court order or judgment, the court will specify the timing of any payment. In those instances where the Division obtains a judgment from a defaulting party, the receipt of any monetary recovery is unlikely.

The Division may recover civil penalties, consumer restitution, as well as attorneys' fees and costs, under the CFA. Over the last five years, the Division has collected an average of \$4 million annually in consumer fines and costs.

When addressing violations of the CFA by a person/entity, the Division considers all consumer complaints filed against that person/entity. The number of consumer complaints will affect the time in which an investigation can be concluded and a matter resolved. The number of consumer complaints will also impact the monetary relief sought by the Division. The Division will refer to consumer complaints/documents in determining a restitution amount and in identifying CFA violations for which it will seek civil penalties.

As noted above, when addressing violations of the CFA by a person/entity, the Division considers all consumer complaints. For example, if the matter is concluded by settlement, the Division will release all consumer claims known up to the date of settlement. Thus, all consumer issues must be addressed as part of that settlement. Statistics pertaining to this are not available. Though percentages of CFA cases where the complainant receives damages is not maintained, the Division has ordered an average of \$3.5 to \$4 million annually in consumer restitution.

As noted above, the Attorney General has the ability to recover consumer restitution under the CFA, which provides for the restoration of any money or property acquired through the deceptive conduct at issue. A private party has the ability to recover treble (3 times) damages in an action brought under the CFA, [as well as attorneys' fees and costs]. A consumer always has the option of pursuing their own CFA claim. If a consumer opts to file a complaint with the Division, such complaint – if supportive of a CFA claim – will be included in the Division's investigation or litigation and any ultimate settlement or judgment.

7b. Complainants of Consumer Fraud Act violations are entitled to receive up to treble damages.

- *Question:* Please provide a general overview of how often consumers receive that full amount? Approximately what percentage of complainants receive at least the actual cost of damages? What percentage receives less than the actual damages?

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Answer:

Treble damages are not normally recoverable in actions commenced by the Attorney General under the CFA unless the violation was part of a scheme, plan, or course of conduct directed at senior citizens or persons with disabilities in connection with sales or advertisements. The recovery of treble damages for all other matters is only permitted in private actions. To date, the Division has not been involved in actions or investigations where the Division was able to request treble damages.

In actions brought by the Attorney General, the consumer recovery is restitution, which comprises any monies or property acquired by the person/entity from the consumer as a result of deceptive conduct. Whether consumers receive the complete monetary amount or property value is dependent upon many factors, including whether the consumer has documentary proof of any claimed loss. The number of matters where consumer restitution is ordered is not tracked by the Division; thus, the Division is unable to provide an estimate on the percent of matters where consumers receive complete recovery of damages. However, the Division recently deployed a case tracking system which will eventually be able to capture this data.

8. P.L.2005, c.311, approved in January 2006, increased motor vehicle registration surcharges by \$3.00, from \$1.00 to \$4.00. As a result of this language, the surcharge revenue dedicated to the New Jersey Emergency Medical Service Helicopter Response Program Fund increased from \$1.00 to \$3.00, and the additional \$1.00 surcharge was dedicated to funding new State Police trooper classes. At the time of enactment, the revenue from each \$1.00 surcharge was estimated to generate approximately \$7 million annually. Fiscal Year 2007 collections of surcharge revenue totaled \$29.3 million.

The FY 2009 recommended budget allocates this revenue by language through the Motor Vehicles Commission (MVC) budget (page D-389). Except for \$2.86 million allocated to the Department of Health and Senior Services (page C-16), the budget does not list the revenue separately from other MVC collections. Under several language provisions (pages D-167, D-273 to D-274 and D-389 to D-390) projected receipts and carry forward balances of unknown amounts are appropriated for purposes consistent with the statute, and for purposes in addition to those authorized by statute, specifically \$9.5 million for State Police salaries and \$5.6 million for State Police vehicles.

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- *Question:* What is the department's spending plan for the New Jersey Emergency Medical Service Helicopter Response Program Fund in both FY 2008 and FY 2009? Please provide an update of the State's helicopter fleet purchases. Please include the number of days in FY 2007, and thus far in FY 2008, each aircraft in the fleet was grounded for maintenance and repair. What is the estimated annual cost of fleet maintenance for FY 2007 and FY 2008? Please provide the number of Medevac flights conducted in FY 2007 and FY 2008 and the average cost per Medevac flight.

Answer:

The spending plan for New Jersey's Emergency Medical Service Helicopter Response Program in FY 2008 totals \$8.270 million including: \$2.75 million for salaries, \$2.77 million for helicopter maintenance, \$750,000 for training, and \$2 million in fuel. As the current fleet ages, helicopter maintenance costs are expected to rise in FY 2009. Current projections for maintenance costs in FY 2009 are approximately \$8.5 million.

On March 26, 2008, the Division of Purchase and Property publicly advertised a Request for Proposal (RFP) to purchase at least three, and as many as five, new helicopters. An estimated time line from contract award to delivery is eighteen months.

In FY 2007, the nine helicopters in the Aviation Bureau fleet were grounded a total of 1,133 days, an average of 126 days per aircraft, due to maintenance and repair. In just the first nine months of FY 2008, the helicopters have been grounded an average of 81 days per helicopter (723 days total). In FY 2007, there were a total of 1,621 Medevac missions conducted and in FY 2008 there have been 1,222 missions flown thus far. Costs are estimated at \$2,500 per flight on average.

- *Question:* What is the department's FY 2009 spending plan for new State Police recruit classes? Please provide an assessment of the State Police total force strength if no new recruit classes are conducted in FY 2009. Will the Division of State Police be able to meet its force strength goals? Please provide a statistical breakdown by gender and ethnicity of the FY 2006, FY 2007 and FY 2008 trooper recruit classes.

Answer:

In the FY 2009 Governor's budget recommendation, there are no funds provided for new recruit training classes. It is projected that the Division of State Police's

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enlisted staffing level will rise to approximately 3,079 by July 1, 2008, with the graduation of the 148th and 149th recruit classes in June 2008. If there are no recruit classes in FY 2009 and if attrition levels remain constant with projected FY 2008 levels, the level may drop to approximately 2,959 by July 1, 2009 Please see chart below:

Enlisted Staffing Levels

Current staffing level as of April 1, 2008	2,934
Additional known retirements -May and June 2008	(15)
148 th and 149 th recruit classes projected June graduates	<u>160</u>
July 1, 2008 projected enlisted staffing level	3,079
Projected attrition based on projected FY 2008, in FY 2009	(120)
Projected level of staffing on July 1, 2009	<u>2,959</u>

The following chart represents a statistical breakdown by gender and ethnicity of the recruits invited to and completing training since FY2006:

	<u>Invited to Training</u>		<u>Graduated Training</u>	
White Male	570	(78%)	437	(79%)
White Female	35	(5%)	24	(4%)
Black Male	32	(4%)	22	(4%)
Black Female	3	(<1%)	1	(<1%)
Hispanic Male	69	(9%)	55	(10%)
Hispanic Female	4	(1%)	2	(<1%)
Asian Male	17	(2%)	13	(2%)
Asian Female	1	(<1%)	1	(<1%)
American Indian Male	1	(>1%)	1	(<1%)
American Indian Female	0	(0%)	0	(0%)
Total	732	(100%)	556	(100%)

9. Since January 2006, the total number of cars issued to employees for work-related duty has declined by nine percent according to the Governor's recommended budget (page B-24). In addition, the Executive anticipates utilizing cars that are energy efficient when practical.

In 1999, the Division of State Police entered into a consent decree with the United States Department of Justice. To comply with the consent decree, State Police vehicles are equipped so that the Division of State Police may be able provide documentation of traffic stops.

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The FY 2009 Governor's budget recommends an appropriation of \$7.274 million, an increase of \$2.1 million, to continue the ongoing replacement of high-mileage State Police vehicles. In FY 2008, 250 vehicles were purchased under three year line of credit payments.

In addition, proposed budget language (page D-273) reallocates \$5.6 million from the New Jersey Emergency Medical Service Helicopter Response Program Fund to State Police vehicles.

- **Question:** What is the department's FY 2009 spending plan for State Police vehicles? Are any funds projected to be received by charging for rural patrol services to be used for rural patrol fleet replacement, and if so, what amount? Please provide a time-table and line of credit payment schedule for acquisition of new vehicles, assuming the budget is enacted as recommended. After this proposed acquisition, what would be the size of the State Police patrol fleet? What proportion of the new vehicles acquired in FY 2007 and FY 2008 are to replace vehicles retired from the fleet, and what proportion to expand the fleet? What percentage of the fleet would be unmarked? How many of these cars would be considered fuel efficient, including hybrid or alternative fuel? If any, what is the criteria used for determining "fuel efficiency?" What level of funding would be needed in FY 2010 for all line of credit payments on vehicles acquired prior to FY 2009?

Answer:

Funding in the proposed FY 2009 budget language will allow the Division of State Police (DSP) to replace 250 of its high mileage fleet. The DSP will request that all classifications of vehicles in the fleet be addressed. The rural policing plan is still in the planning stages; however, only salaries are affected by these initiatives. It is anticipated that any new vehicles that are purchased in FY 2009 will have a half year Line of Credit (LOC) payment (one payment) that would be \$1.8 million.

Any vehicles received from the FY 2009 purchase will be replacement vehicles only and, as such, the authorized strength of the fleet would remain the same: 2,306. The DSP did not receive any funding to purchase vehicles in FY 2007. None of the vehicles purchased in FY 2008 will increase the size of the fleet as they are replacement vehicles only. Approximately 65% of the DSP total fleet of vehicles is either unmarked, undercover, or specialty.

The Federal Energy Policy Act of 1992 exempts law enforcement vehicle fleets from participation in this act but, after the delivery of the 250 marked units purchased in FY 2008, approximately 310 of the vehicles will be E85 (85%

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ethanol and 15% gasoline) compliant and 12 operate on dedicated Compressed Natural Gas. The DSP makes every effort to purchase the smallest vehicle possible to perform specific ancillary functions (maintenance, non-police field work such as crime statistics gathering, etc.), but the bulk of the vehicles are police package vehicles and their fuel efficiency is determined by the manufacturers.

In FY 2010, LOC payments will be required for vehicles that were purchased in FY 2006 and a full year LOC payment for the FY 2008 vehicles. The DSP will have \$6.4 M in LOC payments in FY 2010.

10. The FY 2008 Budget provided \$4 million for the Juvenile Detention Alternative Initiative (JDAI) in the Juvenile Justice Commission. According to the *FY 08 Budget in Brief*, the goals of the initiative are to reduce the number of youth inappropriately held in secure detention without diminishing public safety; and to improve conditions in secure detention for those youth requiring that level of supervision. Strategies to be employed to accomplish these goals include: effective admission policies; enhancement of alternatives to secure detention; reduction of racial disparities in secure detention; and reduction in case processing delays.

The JDAI was in place in five pilot counties in 2004 (Atlantic, Camden, Essex, Hudson and Monmouth), for which funding from the Annie E. Casey Foundation had been secured. The FY 2008 State funding was intended to assist in the expansion of JDAI to five more counties (Union, Mercer, Bergen, Burlington, and Ocean).

Question: Please identify the counties where JDAI is in place, the year that JDAI was established in each, and the amount of funding allocated to each location in each fiscal year by source of funding (i.e. Annie E. Casey Foundation, State funding). Has the foundation ceased its financial support of JDAI in New Jersey, and if not, what are its expected FY 2009 contributions to the State and each recipient county? Were additional State and/or county-source funds required as a condition of foundation funding, and if so, how much from each source? What was the cost per such placement compared to the cost per secure detention placement, for each county?

With the recommended continuation of \$4 million in State funding for JDAI, to which counties, if any, will JDAI be expanded in FY 2009, and on what basis were these counties chosen? Are any additional county-source funds required as a condition of State JDAI funding, and if so, what is the match ratio? If expansion of JDAI occurs as planned, what State funding

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would be required in FY 2010 to sustain the initiative in all participating counties? How much State funding would be necessary to extend the program to all New Jersey counties on an annual basis?

Answer:

JDAI Counties

- (1) Atlantic, Camden, Essex, Hudson, Monmouth - JDAI established mid-2004.
- (2) Bergen, Burlington, Mercer, Ocean, Union - JDAI established in 2007.

For the first three years of NJ-JDAI, the Juvenile Justice Commission (JJC) received an annual allocation of \$200,000 from the Annie E. Casey Foundation. For most JDAI sites, Foundation funding ceases after three years. However, because of the accomplishments of NJ-JDAI, the JJC anticipates receiving a fourth year of funding, though the exact amount is not known at this time. Additional funding will be based on continued expansion and institutionalization of JDAI and continued achievements to meet the goals of JDAI.

Foundation funds are not distributed directly to counties. The Foundation requires that grant funds are used to (1) hold an annual JDAI conference for the hundreds of individuals presently involved in NJ-JDAI, (2) send teams from JDAI counties on training "site-visits" to national model sites, and (3) send a delegation from New Jersey to the Foundation's annual national conference. The balance of funds has been used to partially support the contracted staff providing direct support to JDAI counties, and to address cross-cutting and Statewide issues (e.g., disproportionate minority confinement/racial disparities, training regarding detention center conditions of confinement, pilot of the detention risk screening tool, accessing treatment through the juvenile justice system).

The Governor's Juvenile Justice and Delinquency Prevention Committee set aside funds for JDAI-related efforts. Monmouth County applied for and has received \$125,000 for an Evening Reporting Center, detention alternative program.

As a result of the accomplishments of NJ-JDAI in the five original sites, results achieved with virtually no new funding to counties, the FY 2008 budget included \$4 million to build upon the local institutionalization of JDAI core strategies in the five original sites and to expand JDAI to five additional sites. These funds were to serve three purpose areas: 1) \$700,000 was allocated to ensure continued funding and institutionalization of the JDAI staff who have played a critical role in the success of JDAI, 2) \$2.1 million was provided to counties as a continued incentive to those JDAI counties that have safely reduced detention populations

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by ensuring the resources necessary to provide adequate education within their detention centers are available, and (3) \$1.2 million was allocated for the development of innovative programming in furtherance of JDAI goals and the institutionalization of positive outcomes and systems-change achieved. Counties that have achieved the most in terms of implementing the JDAI core strategies and reducing the unnecessary or inappropriate use of secure detention have received the larger funding allocations.

Allocation of State FY 2008 funds to 10 JDAI Sites

County	Innovations Funding	Educational Incentive Funding
Atlantic	\$150,000	\$62,948
Camden	\$150,000	\$484,985
Essex	\$150,000	\$1,237,275
Hudson	\$150,000	\$144,050
Monmouth	\$150,000	\$170,742
Bergen	\$90,000	TBD for FY 09
Burlington	\$90,000	TBD for FY 09
Mercer	\$90,000	TBD for FY 09
Ocean	\$90,000	TBD for FY 09
Union	\$90,000	TBD for FY 09

While the Foundation does not require matching funds, it does require JDAI sites to examine existing resources, and reallocate or otherwise "leverage" existing funds to support detention system reform. The Foundation defines leveraged funds as dollars reallocated to support reform work, policy, practice, and programming. Each year New Jersey must report to the Foundation total funds leveraged by participating JDAI sites. The reporting period required of the Foundation is September 1 through August 31. Results provided to the Foundation regarding leveraged funds follow, and reflect the three-year period of 9/1/2004 through 8/31/2007.

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County	Leveraged Funds
Atlantic	\$76,400
Camden	\$230,000
Essex	\$2,094,000
Hudson	\$242,500
Monmouth	\$242,700
COUNTY TOTAL	\$2,885,600

JDAI is not a program comprised of “placements.” Rather, the JDAI is a process that follows a set of core strategies and related practices whereby the agencies and professionals who operate the detention system rely on data to conduct a continuous “system self-diagnosis.” A primary objective of that process is to hold ourselves accountable for operating the most efficient and effective juvenile justice system possible – a system that ensures youth are not inappropriately or unnecessarily detained, and that promotes positive outcomes for youth. As such, there is not a one-to-one ratio whereby a secure detention placement is substituted with an alternative placement.

However, some cost-saving calculations can be made based on the overall reduction of youth in secure detention as a result of JDAI. In the most recent year of JDAI (2007), across the ten JDAI sites, an average of 232 fewer youth were in secure detention on any given day as compared to pre-JDAI (232 X 365 days = a reduction of 84,680 child care days). At an approximate, average cost per day per youth in secure detention of \$175, the estimated annual savings is \$14,819,000 (84,680 child care days X \$175 per day). As noted previously, the positive outcomes of the first several years of NJ-JDAI and the resulting cost-savings were achieved with *virtually no new funds* provided directly to counties.

In 2006, all 12 non-JDAI counties that operate detention centers were given the opportunity to apply to become a JDAI site. Five counties applied, and all five were selected (Bergen, Burlington, Mercer, Ocean, Union). Then, in 2007 *all* remaining non-JDAI counties were invited to send a team of three individuals to the 3rd Annual NJ JDAI All-Sites Conference to learn about the initiative. These counties were encouraged to contact the Commission following the conference if they were interested in and committed to becoming a JDAI site. As a result, Somerset County is now in preliminary stages of laying the groundwork to become the next JDAI site. Additionally, Passaic County has recently seen a substantial increase in its secure detention population, while simultaneously experiencing county layoffs. As such, Passaic has expressed an interest in the strategies for population reduction and systemic reform that comprise JDAI.

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Finally, New Jersey's goal is to eventually make JDAI standard business practice in the local detention system of all 21 counties, likely bringing all counties into the fold by 2011.

Regarding county-matching funds, as described above, JDAI counties are required to demonstrate a reallocation and leveraging of existing resources. There is no traditional "match" required. The original sites have successfully reallocated existing resources to more effectively support the local detention/juvenile justice system; NJ-JDAI anticipates that the five new sites will be as successful. The \$4 million was in part received as a result of achieving notable results with no new influx of funding, i.e., because sites had demonstrated commitment to effectively and efficiently use what currently exists. New funds will now allow counties to make improvements upon what exists by implementing innovative programs, policies, and/or practices, and to continue to provide adequate, quality education in secure detention.

To continue JDAI expansion, funding at the current \$4 million level is needed, plus a COLA; no other increase is required. Although the initiative is growing, and therefore it would seem funding would need to grow, this is not the case. As New Jersey progresses with each newly established JDAI site, the foundation work is laid and the principles, policies, and practices created through the JDAI process are institutionalized. Resources can then be redirected and reallocated to new counties that are committed to becoming part of the Statewide JDAI effort. Also, it is expected that educational incentive funds will level off each year to individual sites, as those counties "right-size" their educational programs to account for their reduced detention populations. This will allow the educational incentive portion of the State funding currently allocated to just a handful of counties to be spread to all future JDAI counties that demonstrate results and reductions in detention populations.

11. The FY 2009 recommended budget provides \$24.8 million in Grants-in-Aid for various juvenile programs. In FY 2008, the Life Skills and Leadership Academy was contracted to Project Use, a third-party provider. The Life Skills and Leadership Academy is a residential program which provides age appropriate educational, social and work skills training to juveniles in order to better prepare them for reentry into the community. The outsourcing of this program to a third-party provider was expected to realize a \$1.6 million savings for the State as well as free up 50 State facility residential beds.

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• *Question:* Please provide an overview of the Project Use program. How many juveniles will the program serve in FY 2008? What is the FY 2008 Project Use budget? Will the expected \$1.6 million in State savings be realized? What is the long-term plan for contracting with the Project Use program?

Answer:

The Life Skills and Leadership Academy (LSLA) was closed in April 2007 and converted to a contracted residential program run by Project U.S.E. The Project U.S.E program operates on the site of the former Life Skills and Leadership Academy as a 50 bed residential program with a budget of \$1.8 million. The average daily population for this program during FY 2008 is 40 juveniles.

Closing LSLA was projected to yield a savings of \$1.6 million in custody overtime. While this savings was realized in the closure of the program, due to incidents at the Commission's other secure care sites (Johnstone Campus and New Jersey Training School), custody posts were added to ensure the safety of the staff and residents. These safety measures negated the savings achieved by the closure of LSLA.

Several options for this program are currently being studied for financial feasibility. A possible option is consolidation of several programs from a leased site into the State owned space currently occupied by Project U.S.E in Tabernacle. Various options are currently under internal review by the Commission and the Office of the Attorney General.

12. The Election Law Enforcement Commission, established in 1973, monitors the campaign financing of all elections in the State, including gubernatorial, mayoral, legislative, and city council. All candidates and campaign organizations are required to file contribution and expenditure reports with the Commission.

The FY 2009 recommended budget provides \$9.2 million to the Commission, of which \$5.1 million is dedicated to the upcoming gubernatorial election. In recent years, the Commissions mandated responsibilities and services have increased.

• *Question:* Please provide an overview of the current services provided by ELEC in FY 2008, including a breakout of cost for each service provided. What, if any, personnel cuts are expected within ELEC?

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Answer:

The Election Law Enforcement Commission will respond directly.

13a. In October of 2007, Governor Corzine released a three part public safety strategy which addressed “. . . enforcement, prevention and re-entry with an emphasis on a reduction of gang violence, violent crime and recidivism.”

According to the Executive's press release the strategy included the following principles:

[F]irst, every component will use data and analysis to both identify problems and eliminate them. Second, the state will serve in a support role to help identify problems and assist communities in applying appropriate solutions. Third, involved parties must communicate fully with one another in the development, delivery and assessment of strategies and programs. Finally, all programs will be critically evaluated through data driven analysis and adjusted appropriately to ensure maximum effectiveness. The enforcement aspect of the plan will target and prosecute those who engage in gang violence and carry illegal weapons.

Specifically, the State planned to assist law enforcement agencies implement intelligence-led policing prevention initiatives and require locals to submit crime data to the State in hopes to follow overall crime trends and offenders.

- *Question:* Please provide a program update of the Governor's public safety initiative. Please provide the spending plan for this public safety initiative? What, if any, FY 2008 funds were redirected from current programs to accomplish this initiative? What new capital funding, if any, was allocated to support this initiative, such as video technology? How does the State define "intelligence-led policing?" What training, if any, was provided to locals to assist in this initiative?

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Answer:

Law Enforcement:

The law enforcement component of the Governor's plan is underway, with State, county and municipal law enforcement agencies adapting their approaches and strategies to address the critical problems of gangs and gang-related violence. In December 2007, the Attorney General named a Statewide Director of Gangs, Guns and Violent Crime to collaborate with law enforcement agencies throughout the State in developing and implementing intelligence-led, objective-driven law enforcement strategies. Those collaborations are ongoing. Additionally, the Attorney General has worked with the county prosecutors to transform the counties' narcotics task forces into multi-jurisdictional task forces focusing on gangs, guns, and narcotics. The shooting response teams continue to produce positive results in the six cities where they are operating. Through intensive investigations of shootings, Operation CeaseFire's shooting response teams succeed through effective investigations and prosecutions of violent activity. Community outreach and their involvement remain critical components of combating violent offenses. In both the Newark/Irvington CeaseFire area and the City of Paterson, the efforts have reduced the number of shootings and increased the clearance rate of incidents. Recognizing that some local police agencies lack the technical resources and expertise necessary to support intelligence-led policing strategies, the Attorney General has worked with several municipalities and funding entities to assist the municipalities in securing funding.

In its *Practical Guide to Intelligence-Led Policing* (Sept. 2006), the State Police defined "intelligence-led policing" as:

a collaborative philosophy that starts with information, gathered at all levels of the organization that is analyzed to create useful intelligence and an improved understanding of the operational environment. This will assist leadership in making the best possible decisions with respect to crime control strategies, allocation of resources, and tactical operations. The adoption of ILP processes requires a concerted effort by all parties, including analysts, operators, and senior leaders. For analysts the key components of this process include the creation of tactical, operational and strategic intelligence products that support immediate needs, promote situational awareness, and provide the foundation for longer-term planning. For operators it requires becoming both

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better data collectors and better consumers of intelligence related products. This means shifting from emphasizing post-event evidence collection to constantly gathering all relevant data and ensuring it is provided for entry into appropriate databases, as well as drawing from the intelligence analysts and relevant databases all the information that is needed to support ongoing operations.

Training has been ongoing within the State Police, and we are in the process of designing a Statewide training program. Additionally, OAG has been working with the county prosecutors' offices to develop and implement intelligence-led law enforcement strategies targeting violent criminal offenders operating within their jurisdictions. A general breakdown of enforcement funding is as follows:

Department of Law and Public Safety

- FY 2007 CeaseFire Implementation \$588,000
- Narcotics/Gangs Task Force \$4,600,000
- Byrne Discretionary Program under Targeting Violent Crime \$544,030
- JAG – various years (\$922,577)

Department of Transportation

- Community safety surveillance equipment \$2,000,000

Prevention:

The Prevention component of the public safety initiative is underway. In February, 2008 a Prevention Director was hired to oversee and implement the strategy. The Prevention Director and other staff in the Office of Attorney General have been coordinating with key officials from each of the departments that are contributing funding to the crime prevention plan. The Director has also been coordinating with various community stakeholders from across the State as plans are developed to begin local planning and assessment efforts in at least five (5) pilot municipalities within the next few months.

Approximately \$36,140,000 has been committed to the Prevention component. This prevention funding originates from eight (8) different departments. A general breakdown of Prevention funding is as follows:

Discussion Points (Cont'd)**Department of Law & Public Safety:****Division of Criminal Justice:**

- Camden Prevention Initiative \$240,000
- Neighborhood Prevention/Intervention \$2,700,000
- Expansion of Community Justice Programs \$1,800,000

Juvenile Justice Commission

- Truancy Prevention \$1,200,000
- JDAI institutionalization & expansion \$800,000
- Stationhouse Adjustments \$300,000

Department of Children and Families

- Outreach to at-risk youth by social service agencies \$1,000,000
- Expansion of school-linked Youth services Programs \$2,000,000
- Statewide Teen Helpline \$700,000
- Replication of Delinquency Intervention Best Practices \$2,000,000
- Specialty Out of Home Treatment \$9,000,000

Department of Community Affairs

- Neighborhood Improvement planning grants \$625,000
- Expanded services for youth in low income families \$200,000

Department of Education

- Truancy Prevention \$100,000
- 21st Century Community Learning Centers \$2,100,000

Department of State

- Local Youth Prevention & Intervention Programs \$250,000

Department of Human Services

- Family Development/Pregnancy Prevention \$1,000,000
- Addiction Services \$100,000

Department of Treasury**Office of Management & Budget**

- DEDR funding to support prevention strategies \$3,000,000

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Department of Agriculture

Division of Food & Nutrition

- | | |
|--------------------------------|-------------|
| • Summer Food Service Program | \$7,000,000 |
| • Community Gardens initiative | \$25,000 |

As of April 7, 2008, the Department of Children and Families has released five (5) RFPs related to the Prevention Plan, and has made awards under three (3) of them totaling \$4.626 million. The Department of Community Affairs has awarded \$75,000 in CSBG funding to support model gang prevention programs. The Department of Education has released an RFP for its 21st Century Learning Centers and proposals will be awarded in June 2008.

The Department of Law and Public Safety is implementing the Camden Prevention Initiative with funding from the United States Department of Justice. It is also in the process of issuing continuation grants to existing community justice programs. The RFP for a Neighborhood Prevention program is being developed and expected to be released in May 2008. The Juvenile Justice Commission programs, and related RFP and awarding process, are under review and have not been released yet.

This summer the Department of Labor and Workforce Development (LWD), in partnership with businesses and State agencies, will launch a youth employment program – Summer HEAT (Help Employ Area Teens) - that will provide 1,000 jobs to teens in five target areas: Atlantic City, Camden, Elizabeth, Paterson and Essex. As part of the program, the LWD will provide teens with eight hours of employability skills/life skills training. A financial literacy component is also included. Through the New Jersey Youth Corps, LWD will also launch a Summer Corps program to provide crew-based community service work experiences, internships, and leadership development opportunities to 200 youth across the 11 Youth Corps sites throughout the State.

Finally, the Prevention Director is working with the Department of Military and Veterans Affairs and local officials from Newark and Atlantic City to develop plans to open youth centers in the armories in those cities.

Reentry:

The core of the Re-Entry Plan is the "Another Chance" demonstration project in which about 1,300 inmates and ex-offenders receive a battery of re-entry-related services aimed at reducing recidivism rates. Three groups of inmates have been identified for the project: (1) comprised of inmates newly admitted to State prisons; (2) comprised of inmates nine months or less from release; and (3)

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comprised of inmates recently released on parole. The project is operational, with participants receiving a series of services designed to enhance their ability to re-integrate into society, ranging from educational and vocational services to job counseling and training.

In addition to the demonstration project, the Re-Entry Plan also includes several policy and program initiatives involving vocational training, family reunification, access to viable photo identification, community supervision, and information sharing.

Among other developments, the Departments of Corrections ("DOC"), Labor and Workforce Development, and Education are working to align their vocational programming with current occupational trends. Concerning photo identification, the DOC, the State Parole Board, and the Motor Vehicle Commission ("MVC") entered into a Memorandum of Understanding providing that the MVC will honor DOC-issued photo-identification cards in determining eligibility for State identification cards and driver's licenses.

Notable legislative achievements include the passage of legislation enabling ex-offenders to obtain certificates of rehabilitation, and a bill expanding the accessibility of drug courts. Other legislative efforts are working their way through the legislature.

JJC currently operates transitional facilities in Mercer, Camden and Essex Counties. The facilities provide a short term (i.e. 30 day) "step-down" program where adolescents are matched with counselors and other community resources to assist with substance abuse treatment, technical training, and education. The programs have served at least 107 residents and initial reports from the JJC are promising.

Among other developments, JJC has created a new policy regarding discharge planning for residents at the NJ Training School (NJTS). The policy helps JJC move toward implementing a full service discharge planning re-entry center at NJTS. Some of the proposed offerings include work readiness training, family unification services, counseling, and referrals to community resources. In addition, JJC continues to implement the Video Teleconference (VTC) system in residential facilities, institutions, parole offices, and Day Reporting Centers. The VTC system will be utilized for distance learning educational programs, as well as family reunification.

There is \$1.19 million in redirected State and federal funds made available for the re-entry component of the public safety plan allocated by the Department of Labor and Workforce Development. The Department of Corrections, the State

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Parole Board, and the Department of Community Affairs are supporting this initiative with existing funds.

In order to successfully accomplish the Governor's public safety initiative, existing funds were redirected in a coordinated and cost-effective manner within the involved Statewide Departments. An assessment of existing programs, systems and resources revealed that certain areas could be restructured to ensure that the Departments would successfully implement this initiative while also adhering to the principles outlined in the Governor's strategy. This collaborative process served as a primary example of the importance of communication and its role as the cornerstone of intelligence-led policing, as well as the prevention and re-entry parts of the initiative. Such communication among all involved parties fosters an atmosphere in which they work together within integrated systems to achieve a common goal.

13b. Gun reduction strategies are part of the Governor's public safety initiative. To achieve this goal, response teams were established to investigate shootings quickly and strategies were devised to increase coordination with the Bureau of Alcohol Tobacco and Firearms national eTrace database to more effectively trace the sources of illegal firearms.

- *Question:* What new capital funding, if any, went to encouraging local law enforcement to enter data into the national eTrace database? Are the shooting teams part of local or State law enforcement? What training, if any, was provided to locals to assist in this initiative? How many guns have been traced to sources who illegally attained them?

Answer:

To date, no new capital funding is available to implement the national e-Trace database. However, the Department received approval to use \$620,000 of Bureau of Securities settlement funds for the development of technology to assist with the project. The monies will be used to modify the existing technology web-based applications that will be delivered through the Criminal Justice Information Systems to law enforcement services.

The shooting teams or Strategic Investigation Units associated with CeaseFire Operations are made up of State, county, and local law enforcement. All members of the Strategic Investigation Units have received 40 hours of training involving crime scene investigation, case management, and the CeaseFire philosophy from the DSP. The New Jersey e-Trace initiative recently began in March 2008. This initiative was implemented by testing 506 guns from the City of Trenton. This process subsequently resulted in seven (7) criminal arrests of

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individuals associated with the illegal sale/purchase of a gun. It is envisioned that approximately 10,000 guns will be entered into the system by the end of 2008 and will undoubtedly result in many additional arrests.

13c. Community participation is a part of the Governor's initiatives. The October press release noted that ". . . the Attorney General will ask law enforcement professionals to assess current protection programs and develop a new model protection program. Furthermore, the Department of Community Affairs (DCA) . . . agreed to provide housing vouchers, redeemable around the country, for witnesses and victims to violent crime."

- *Question:* Please provide an update on this new model protection program. How does this differ from current victim witness assistance programs? Please provide a spending plan for the program. What effect, if any, will the reduction in federal victim assistance programs have on the victim witness assistance program. How many housing vouchers are expected to be used through DCA for this program?

Answer:

The Divisions of Criminal Justice and the State Police are working with the Office of the Attorney General to review the existing victim witness assistance and relocation programs and develop recommendations for a new model protection program. Funding for witness assistance and relocation programs comes from State forfeiture funds, and no additional moneys beyond those forfeiture funds have been allocated for the proposed new program.

The loss of federal grant monies will have a direct and negative impact on the State's ability to fund a new model protection program to the extent the new program will require funding above and beyond State forfeiture funds. We intend to ask the legislature to assess additional surcharge fees to help fund these programs.

14. As noted in the last Annual Report of the Office of Government Integrity (OGI) in 2005, the OGI was created on May 21, 2002, by Attorney General Administrative Executive Directive 2002-2.

The office is the successor of the Office of the Inspector General, that was created in 2000, and whose duties, responsibilities and functions were memorialized by Attorney General Administrative Executive Directive 2001-1 on October 23, 2001. As provided by Attorney General Administrative Executive Directive 2002-2, the OGI included the Professional Responsibility Unit (PRU),

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the Unit of Fiscal Integrity in School Construction (FISC) and the Public Corruption Unit. Additionally, the OGI was directed to handle criminal cases and other matters specifically assigned by the Attorney General.

In the past, this office appeared to be a top priority of the department. In FY 2008 however, funding for the Fiscal Integrity Unit / Office of Government Integrity decreased \$650,000 below the \$4 million FY 2007 allocation to \$3.35 million, which reflected staff reductions and reorganizations. The FY 2009 budget recommends a reduction of \$1.5 million to \$1.85 million.

- *Question:* Please provide an updated annual report for the Office of Governmental Integrity. If a report is unavailable, please include the number of cases received and completed in the past year. What policy changes have occurred in the past year to change the financial importance of this priority? Does the decrease in funding signify that fewer resources are being devoted to investigating and prosecuting public corruption? If so, why is this justified?

Answer:

During 2007, 1,137 pre-qualification investigations were completed. In January 2007, the Attorney General reorganized the Division of Criminal Justice (DCJ) to better focus our law enforcement efforts on corruption and violent gangs. As part of the reorganization, DCJ was to assume responsibility for the former Office of Government Integrity (OGI), and to consolidate the corruption efforts of OGI with the work of DCJ. The DCJ Fiscal Oversight/SDA Bureau maintained the responsibility for certain bidding and public construction issues with respect to the Schools Development Authority (SDA) projects throughout the State. The Bureau conducts moral integrity screening for vendors who seek to submit bids on school facilities projects funded by the New Jersey Schools Development Authority. The responsibility for all public corruption matters, as well as any other criminal matters specifically assigned by the Attorney General was integrated into the DCJ Corruption Bureau. The Division has increased the resources devoted to the investigation and prosecution of public corruption, and this consolidation was an important part of that effort.

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