

THE CITY OF NEW YORK

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MAYOR’S OFFICE OF CRIMINAL JUSTICE DIRECTOR LOGAN, NYPD CHIEF OF DEPARTMENT MADDREY TO TESTIFY AT JOINT LEGISLATIVE HEARING ON CRIMINAL JUSTICE DATA

MOCJ Director Logan: “New York City has a recidivist problem. And that recidivist problem is driving much of the crime we see today.”

NYPD Chief of Department Maddrey: “...top 327 shoplifting recidivists account for about 30 percent of all retail theft arrests. Forty-six percent of these 327 individuals have prior felony convictions.”

NEW YORK – New York City Mayor’s Office of Criminal Justice Director Deanna Logan and New York City Police Department (NYPD) Chief of Department Jeffrey Maddrey will today provide testimony at the New York State joint legislative hearing on criminal justice. Also attending today’s hearing will be Molly Slothower, executive director of research innovation at MOCJ and Chief Michael LiPetri, chief of crime control strategies for the NYPD.

A copy of their remarks, as prepared, can be found below.

MOCJ Director Deanna Logan:

Good morning, Chairs Bailey, Dinowitz, Salazar, Dilan, Hoylman-Sigal, and Lavine. I’m Deanna Logan, director of the mayor’s office of criminal justice (MOCJ). I’m joined today by Molly Slothower, executive director of research innovation, and our colleagues from the New York City Police Department (NYPD), Chief Jeffrey Maddrey, Chief of Department, and Chief Michael LiPetri, chief of crime control strategies. We are here representing the city of New York’s public safety agencies on behalf of Mayor Eric Adams. Thank you for the opportunity to present testimony to your committees on the crime data trends and needs that we are seeing in the City of New York.

MOCJ advises the mayor on criminal justice policy and is the mayor's representative to the courts, district attorneys, defenders, and state criminal justice agencies, among others. MOCJ works with law enforcement, city agencies, not-for-profits, foundations, and the public to implement effective strategies that make the city safer by improving system coordination. MOCJ brings together community and institutional stakeholders to address the systemic issues that undermine the safety and stability of our neighborhoods. MOCJ strives to move our city forward by providing better resources and the access to supports needed to promote and maintain healthy communities for all New Yorkers. Our office is committed to implementing Mayor Adams' vision for a safe and just city for all New Yorkers.

Mayor Adams is a longtime advocate for criminal justice reforms that help to establish a fairer system — indeed, it's been his life's work. The legislature's reforms have made it less likely that people will remain in jail because of poverty alone, and they make it possible for accused individuals to remain in the community as their cases move through the legal system. The reforms included important changes that on balance helped to create a fairer justice system. The reforms have also made the collection and review of data critical to analyzing the impact of the reforms and to making any targeted changes necessary to realize a just system that is also safer for New Yorkers. We are excited about the legislature's commitment to proactively review data and its collection, because data not only identifies challenges, but also illuminates the pathway to solutions.

Under Mayor Adams's leadership, the city's public safety agencies have begun unprecedented collaboration to align crime data across city systems. MOCJ, NYPD, and the Department of Correction (DOC) work together to coordinate data systems to produce a more accurate picture of public safety within the criminal justice framework of New York City. MOCJ is also in discussion with the Department of Probation (DOP) identify ways to collaboratively analyze and review data that is consistent with the privacy protections for young people under which DOP operates. Additionally, MOCJ has a longstanding relationship with OCA's data team that both drives the data that is available and helps to analyze criminal justice trends. In addition to our sister city and state agencies, MOCJ also works with partner service providers and justice-involved people to obtain, review, and analyze quantitative and qualitative data from the organizations that work most closely with those in need.

Our unprecedented collaboration across multiple data streams has allowed us to drill down into our city's most challenging public safety matters. This deep dive reveals something clearly: New York City has a recidivist problem. And that recidivist problem is driving much of the crime we see today.

We identified approximately 2,000 individuals who have a recent persistent pattern of interaction with the criminal legal system and go on to commit a violent felony. An even larger number of people with a recent persistent pattern go on to commit other crimes. This small portion of the population causes a disproportionate amount of New York City's crime, and reflects a serious recidivism problem.

Our more collaborative approach to the city's data also exposed gaps in the data that we use to develop and implement new and innovative solutions for the criminal justice system. These gaps

in data make it more difficult to accomplish the precision and accuracy in accountability that the reforms sought to encourage. In the current system, it is difficult to determine why a case was dismissed — but the data does show that dismissals have increased substantially. The data shows that the percentage of cases that were dismissed increased from 41 percent to 62 percent between 2019 and 2022 and that case dismissals for misdemeanors increased from 48 percent to 74 percent , and felony dismissals increased from 21 percent to 35 percent during that period. In order to provide an accurate view of how and why cases are dismissed, we would like to see more specific information on dismissals. Currently, it is impossible to know if a case has been dismissed because of lack of timely information, or if the defense and prosecution worked together to produce a solution that results in an alternative to incarceration for the defendant. Additionally, the data shows that the length of time from arraignment to disposition has increased from 330 days in 2019 to 424 days in 2022. This may mean that dangerous people are out on the streets longer and innocent people are waiting longer to clear their names.

Availability of more specific information would significantly reduce the use of guesswork when trying to develop remedies for addressing the case backlog. More importantly, better information allows the legislature and the city to appropriately allocate the resources that create a safer and fairer justice system for all. We are committed to working with all our partners to strike the right balance between enforcement that promotes accountability and the interventions that afford healing and rehabilitation — all in pursuit of both safety and justice.

I'll now turn it over to Chief Maddrey.

NYPD Chief Jeffrey Maddrey:

Good morning, Chairs Bailey, Dinowitz, Salazar, Dilan, Hoylman-Sigal, Lavine and members of the Senate and Assembly. I am Jeffrey Maddrey, the chief of department for the NYPD. On behalf of Commissioner Keechant L. Sewell, I am pleased to be here today to testify before your committees regarding criminal justice data.

One of the most vital tasks that we, as government officials, have is ensuring that the people of New York are safe. Everything that is necessary for a prosperous society flows from this simple fact. Declines in public safety prevent our citizens from enjoying access to public spaces, make it difficult for our children to learn, negatively affect our physical and mental health, and significantly impact the quality of life in the city. Unfortunately, we saw significant increases in serious crime over the last three years, which lasted until we started reversing that trend in the last quarter of 2022.

While driving down crime is a paramount concern for the city of New York, we know that we must ensure that we do so in a way that is both fair and just. The NYPD has spent the last decade working with our community partners and elected officials to ensure that our own policies and procedures maximize fairness while protecting public safety. This process has required that we constantly monitor how we police this city and continuously make adjustments to ensure that we meet our goal of making New York the safest and most just city in the country.

The NYPD has acknowledged that aspects of the criminal justice system, as it existed in 2019, were unfair, and that the legislature was correct to make changes. We testified in front of the State to this fact in February 2020 and again in October 2021. I know that the Adams administration and the NYPD stand ready to work with the legislature to make necessary adjustments that ensure that the needs of those who are accused of crimes are balanced with the needs of victims, who too often feel that they have been deprived of justice.

In order to strike this correct balance, it is imperative that we are able to evaluate the impact that various reforms have had on the criminal justice system and adjust policies accordingly. Incomplete data has vexed many policy makers who have attempted to tackle the reason behind crime increases that began in 2020. The NYPD and the Mayor's Office of Criminal Justice have analyzed the data that is available. Our data shows that there are a small number of individuals who cause a significant amount of harm. It is these individuals who we need to work together to address. Using court data, the Mayor's Office of Criminal Justice found that only approximately 2,000 Individuals who have had a recent persistent pattern of interaction with the criminal justice system and subsequently commit a serious violent crime, are responsible for an outsized share of crime in the city. Our data, which analyzes data at the point of arrest, paints a similar picture. It shows that the top 327 shoplifting recidivists account for about 30 percent of all retail theft arrests. 46 percent of these 327 individuals have prior felony convictions. In 2022, 25 percent of people arrested for burglary and 17.9 percent of people arrested for grand larceny were re-arrested for another felony within 60 days. So far this year, half of the people we have arrested for a burglary are out on other felony cases. The city is committed to working with the state to identify ways to ensure these small groups of persistent offenders stop their cycle of re-offense.

Another troubling trend is the increase in juvenile involvement in crime, both as a perpetrator and as a victim. The number of juvenile shooting victims has doubled since 2017 (75 v. 153). That is 10 percent of all shooting victims in New York City. The number of juveniles who have been identified as a shooter has increased 156 percent since 2017 (48 v. 123). There has been a 62 percent increase in juvenile gun arrests since 2017 (275 v. 448) and sadly 24 percent of youth arrested with a gun in 2020 were involved in a shooting within 2 years, either as the victim or the shooter. Unfortunately, data silos and sealed records make it difficult to analyze case outcomes and work with partner agencies to intercede and to help these children. How can we measure the success of our efforts?

As we do our best to analyze existing data, there are troubling gaps that sometimes make it difficult to get an accurate picture of what is happening in the criminal justice system. For example, these data gaps have made it difficult to understand exactly what is causing a significant increase in case dismissals in our courts. We do know that the percentage of cases that are dismissed has significantly increased since 2019. These represent a significant problem for justice, and have undermined the public's trust in the criminal justice system. However, we do not have accurate data on what, exactly is driving these dramatic increases in case dismissals. We are left using anecdotal evidence about the ways in which discovery reforms has affected the efficiency of the criminal justice system. More and better data would allow us to pinpoint where changes need to be made.

Analyzing crime data is a complex topic, but I think we can all agree that the more data that we have, the better off that we are.

I now turn it back to Director Logan.

MOCJ Director Deanna Logan:

Members of the legislature, thank you for the opportunity to appear before you today. We are confident that together we can develop cohesive metrics that afford more transparency to the operation of the criminal justice system. With the right tools, we can effectively and efficiently direct the investment of resources needed to ensure a fairer criminal justice system that we owe our constituents. We look forward to working with the legislature to ensure that New York is both safe and fair. We welcome any questions that you may have.

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