

**NEW YORK STATE DEPARTMENT OF
CORRECTIONS & COMMUNITY SUPERVISION**



Research In Brief
***State Criminal Alien
Assistance Program
As of December 31, 2013***



OVERVIEW: The State Criminal Alien Assistance Program (SCAAP) was developed to provide partial compensation to the states and local jurisdictions for costs associated with the incarceration of undocumented criminal aliens. The New York State Department of Corrections & Community Supervision (DOCCS) must provide the Bureau of Justice Assistance with identifying information for criminal aliens under the Department’s custody during the SCAAP reimbursement period.

The Department has received a total of over \$667 million under SCAAP during the 19 years that SCAAP has been in existence and New York State (i.e., DOCCS and localities) has received a combined total of over \$1.1 billion under SCAAP for the 19 year period.

NEW YORK STATE SCAAP AWARDS: Table 1 lists the SCAAP awards specifically for New York State. Only States were eligible to receive SCAAP reimbursement awards in 1995. Beginning in 1996, both States and localities were eligible to receive reimbursement under SCAAP. During the 1995-2013 time period, DOCCS received 58 percent of the total New York State SCAAP award while the New York City Department of Corrections (NYC DOC) received 33 percent and the remaining localities received 10 percent. NYC DOC received the largest proportion of local awards in New York State, receiving an average of 77 percent of the State’s local awards over the seventeen year period of 1996-2013.

TABLE 1

NEW YORK STATE SCAAP AWARDS

AWARD YEAR	DOCCS	NYC DOC	LOCALITIES	TOTAL
1995	\$13,405,808	\$0	\$0	\$13,405,808
1996	\$46,842,600	\$15,571,566	\$405,213	\$62,819,379
1997	\$60,903,689	\$29,250,432	\$4,332,301	\$94,486,422
1998	\$55,900,860	\$33,425,997	\$7,092,093	\$96,418,950
1999	\$54,011,658	\$32,296,346	\$6,858,918	\$93,166,922
2000	\$66,385,899	\$38,830,599	\$9,062,062	\$114,278,560
2001	\$55,738,099	\$32,114,199	\$6,916,623	\$94,768,921
2002	\$58,403,799	\$30,736,199	\$8,024,972	\$97,164,970
2003	\$25,405,342	\$15,975,239	\$2,418,460	\$43,799,041
2004	\$30,859,709	\$20,667,392	\$5,468,334	\$56,995,435
2005	\$24,022,356	\$15,893,255	\$2,899,202	\$42,814,813
2006	\$33,864,661	\$21,010,799	\$6,381,350	\$61,256,810
2007	\$28,069,430	\$18,870,708	\$6,620,616	\$53,560,754
2008	\$23,909,899	\$17,911,891	\$7,034,990	\$48,856,780
2009	\$26,045,254	\$11,870,015	\$8,526,302	\$46,441,571
2010	\$17,927,031	\$13,450,977	\$5,919,949	\$37,297,957
2011	\$18,560,857	\$12,366,801	\$6,914,645	\$37,842,303
2012	\$13,371,017	\$9,535,609	\$10,574,522	\$33,481,148
2013	\$14,093,549	\$9,477,810	\$5,825,390	\$29,396,749
Total	\$667,721,517	\$379,255,834	\$111,275,942	\$1,158,253,293
AVERAGE PROPORTION	58%	33%	10%	100%

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STATE & LOCALITY AWARD DISTRIBUTION: The number of localities nation-wide receiving SCAAP awards has steadily increased over the lifespan of SCAAP. The number of localities nation-wide in a given award year has certainly decreased the proportion of awards received by state DOCC's. However, in addition to the number of localities obtaining SCAAP awards in a given year, the proportion of available SCAAP funds received by State DOCC's depends upon the number of reimbursable inmate days. As the locality proportion of the total number of reimbursable days increased, the proportion of annual SCAAP awards received by State DOCC's decreased. Consequently, the proportion of annual SCAAP awards received by State DOCC's is dependent upon the number of localities granted SCAAP awards as well as their proportion of reimbursable inmate days.

TABLE 2
NUMBER OF LOCALITIES OBTAINING SCAAP AWARDS
FFY 1995-2013

	1995	1996	1997	1998	1999	2000	2001	2002	2003
Number of Localities	0	94	220	244	282	361	463	613	753
Locality Awards									
State Awards	\$0	\$40,245,410	\$113,467,720	\$149,495,988	\$161,447,412	\$162,154,248	\$175,241,791	\$198,286,055	\$82,100,659
Total Award	\$128,730,000	\$455,147,341	\$376,990,262	\$425,916,286	\$414,378,067	\$405,639,557	\$361,412,151	\$346,603,117	\$163,325,546
State Proportion	100%	92%	77%	74%	72%	71%	67%	64%	67%

TABLE 2 (CONTINUED)
NUMBER OF LOCALITIES OBTAINING SCAAP AWARDS
FFY 1995-2013

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Number of Localities	696	704	740	756	818	849	807	879	838	839
Locality Awards										
State Awards	\$101,604,265	\$92,734,454.00	\$182,854,110	\$130,944,748	\$135,632,801	\$143,062,136	\$124,524,403	\$105,404,768	\$117,540,368	\$79,717,086
Total Award	\$180,001,027	\$194,408,641	\$247,812,002	\$246,378,975	\$250,582,809	\$250,879,649	\$199,179,883	\$166,833,483	\$130,456,255	\$132,287,367
State Proportion	64%	68%	58%	65%	65%	64%	62%	61%	53%	62%

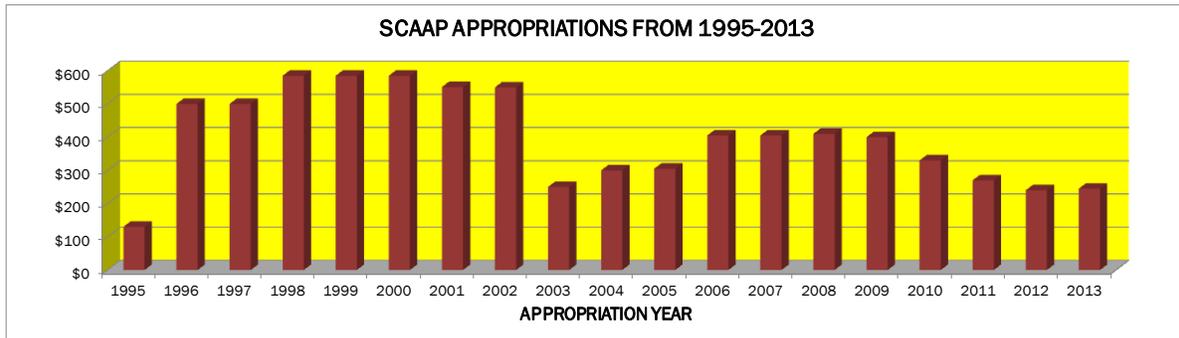
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CONGRESSIONAL APPROPRIATIONS FOR SCAAP: The chart below shows that Congress has appropriated varying amounts of SCAAP funding over the years. These appropriation levels obviously affect the proportion of a correctional department's actual cost of incarcerating undocumented criminal aliens for which it receives reimbursement.



CONCLUSION: The State Criminal Alien Assistance Program (SCAAP) provides partial reimbursement to states and localities for the costs associated with the incarceration of undocumented criminal aliens. From 1995 to date the Department has received over \$667 million in Federal reimbursement under the SCAAP program.

SCAAP has been funded for FFY 2014 at \$180 million. Assuming that the Department will retain its percentage of the total 2013 appropriation, the Department's projected 2014 SCAAP award would be approximately \$10.3 million, or \$3.7 million less than the Department's \$14 million 2013 SCAAP award.