

State of New York
Department of Correctional Services

Building Number 2
Harriman Office Campus
Albany, New York 12226

**NEW YORK STATE'S VICTIM
NOTIFICATION PROGRAM:
A STATISTICAL SUMMARY
2008**



**David A. Paterson
Governor**



**Brian Fischer
Commissioner**

Table of Contents

| | |
|--------------------------------------------------------------------------------------------------|----|
| Executive Summary..... | ii |
| Legislative History of New York State Victim Notification Program..... | 1 |
| Operation of NYS Department of Correctional Services Written Victim Notification Program..... | 4 |
| Commitment Crime Notification Request on File..... | 6 |
| Gender and Region of Commitment Notification Request on File..... | 8 |
| Increase in Percent of Violent Felons Under Custody with Notification Request on File..... | 12 |
| Automated Telephone and E-Mail Notification Service | 14 |
| Internet Based Forms | 15 |
| Conclusion..... | 16 |
| Appendix A – Trend Data 1994-2008 | 18 |
| Appendix B – Region and County Row Percent | 19 |
| Appendix C – Region and County Violent Felons..... | 20 |
| Appendix D – Internet Form Request for Victim Notification | 22 |
| Appendix E – Department Directive on Notification to Victim of Inmate Release | 24 |

EXECUTIVE SUMMARY

This is the fourteenth report issued by the Department of Correctional Services on New York State's Victim Notification Program.

- The number of new registrations for notification on the Victim Information and Notification Everyday (VINE) system jumped to 5,042 during 2008, as compared to 2,510 in 2007. This sharp increase in total registrations was the result of the new strategy used by Victim Services to enroll victims through local district attorney offices (See Table 5, page 15).
- The total number of confirmed notifications to victims grew to 2,174 in 2008, up from 1,880 in 2007. The number of confirmed e-mail notifications to victims on the VINE system in 2008 was 805. This large increase from 69 in 2007 was due to the full year use of the victim website and e-mail this year (See Table 5, page 15).
- Over 3,100 certified notification letters were sent to victims by DOCS in 2008 upon the release of the inmate for whom they had registered (See Table 1, page 5).
- Twelve percent (N = 7,478) of the inmate population on January 1, 2009 had at least one victim notification request on file (See Table 2, page 7).
- Eighteen percent (18%) of the violent felons under custody as of January 1, 2009 had at least one notification request on file (See Table 2, page 7).
- Of the 7,478 inmates with notifications on file, 6,413 (86%) were committed for Violent Felony Offenses (See Table 2, page 7).
- Female offenders constituted 232 (3%) of the 7,478 inmates with victim notifications on file, including 177 women committed for Violent Felony Offenses (See Table 3B, page 10).
- Fifty-five percent of the offenders under custody on January 1, 2009 with victim notification requests were committed to prison from the five counties of New York City, 10% from Suburban New York, 22% from Upstate Urban counties, and 13% from Other Upstate counties (See Table 4, page 11).

NEW YORK STATE'S VICTIM NOTIFICATION PROGRAM: A STATISTICAL SUMMARY: 2008

This report provides information on the Victim Notification Program of the New York State Department of Correctional Services (DOCS), which is mandated by Criminal Procedure Law (CPL) Section 380.50, Subdivisions 4 and 5. Amendments to the Criminal Procedure Law pertaining to victim notification were enacted as part of Chapter 1, Laws of 1998, also referred to as Jenna's Law. This report presents a brief summary of the legislative history of victim notification and statistical data on the extent of the utilization of the program.¹

Legislative History of New York State's Victim Notification Program

New York State's victim notification legislation was initially passed by the Legislature and signed into law as Chapter 504, Laws of 1985, effective as of November 21, 1985. The 1985 law gave victims of violent crime the opportunity to be notified by certified mail when the offender was released from the custody of the Department of Correctional Services due to parole, other discharge of the sentence, conditional release, escape, or abscondance from temporary release. The 1985 Law stated that:

“Victim notice” means a form prescribed by the commissioner and distributed by the district attorney, prior to sentencing, on which a victim or a family member of a victim may indicate a demand that he or she be advised of the escape or absconding, discharge or parole, of any inmate convicted of a crime of which he or she or a family member was a victim. (Correction Law 149A)

In 1991, Correction Law 149A was amended to add the additional requirement that a victim be notified when an inmate was placed into the Department's temporary release program (i.e., work release).

In 1998, Correction Law 149A was repealed and the laws pertaining to victim notification were placed in Criminal Procedure Law Section 380.50 (CPL 380.50). In addition, two new sections were added to CPL 380.50 which strengthen victim notification. In the first important change, the 1998 legislation requires the District Attorney's Office to furnish the victim with a form for demanding notification of the release of the offender. This option is available to the victim even if the victim elects not to make a statement to the court at the time of sentencing. Subdivisions 4 and 5 of CPL 380.50 state:

¹ Earlier Department reports in the series were prepared for 1994, and each year from 1996 through 2007. All were entitled “New York State's Victim Notification Program: A Statistical Summary”, NY DOCS, Albany, NY 12226.

4. Regardless of whether the victim requests to make a statement with regard to the defendant's sentence, where the defendant is committed to the custody of the Department of Correctional Services upon a sentence of imprisonment for conviction of a violent felony offense as defined in section 70.02 of the penal law or a felony defined in article one hundred twenty-five of such law, within sixty days of the imposition of sentence the prosecutor shall provide the victim with a form, prepared and distributed by the Commissioner of the Department of Correctional Services, on which the victim may indicate a demand to be informed of the escape, absconding, discharge, parole, conditional release or release to post-release supervision of the person so imprisoned. If the victim submits a completed form to the prosecutor, it shall be the duty of the prosecutor to mail promptly such form to the Department of Correctional Services. (Criminal Procedure Law 380.50 (4)).
5. Following the receipt of such form from the prosecutor, it shall be the duty of the Department of Correctional Services, at the time such person is discharged, paroled, conditionally released or released to post-release supervision, to notify the victim of such occurrence by certified mail directed to the address provided by the victim... (CPL 380.50 (5)).

Further, where an inmate has escaped from custody or absconded from work release, it shall be the duty of the Department of Correctional Services to "notify immediately the victim of such occurrence at the most current address or telephone number provided by the victim in the most reasonable and expedient possible manner" (CPL 380.50 (5)).

CPL 380.50 requires the state to offer victim notification for "violent felony offenses" as defined in Section 70.02 of the Penal Law; criminal offenses in which the victim "has suffered a direct adverse effect consisting of death, physical injury, rape, sodomy or aggravated sexual abuse". Also included are all Penal Law Section 125 homicide class offenses (e.g., Murder 1st, Murder 2nd, Vehicular Manslaughter 1st and 2nd, and Manslaughter 2nd). The Department's guidelines for the victim notification program, however, go beyond the statutory requirement. The Department's policy is to honor all victim notification requests received from a District Attorney or a victim even if the underlying crime does not meet the statutory definition of a violent crime.

Besides the victim of a violent crime, family members of the victim have been eligible for notification and continue to be eligible by Department policy. The repealed Correction Law 149A defined a family member as "any person related to a victim within the third degree of consanguinity or affinity or any person residing in the same household with a victim." This language has also been incorporated into DOCS Directive 4036, entitled "Notification to Victim of Inmate Release or Damages Award" (attached as Appendix E).

Subdivisions 4 and 5 of CPL 380.50, covering Correctional Services Victim Notification, only utilize the word “victim” and do not include the previously specified Correction Law 149A statutory definition of a family member. The pre-existing CPL 380.50, within which these subdivisions have been added, is entitled “Statements at Time of Sentence.” In this section, the following statutory language on victims exists:

2a. For purposes of this section, “victim” shall mean:
(1) the victim as indicated in the accusatory instrument; or (2) if such victim is a child unable or unwilling to express himself or herself before the court or a person so mentally or physically disabled as to make it impracticable to appear in court in person or the charge was one of homicide, a member of the family of such victim, or the legal guardian or representative of the legal guardian of the victim where such guardian or representative has personal knowledge of and a relationship with the victim, unless the court finds that it would be inappropriate for such person to make a statement on behalf of the victim. (CPL 380.50 (2) (a).)

The second important change in the 1998 legislation is the mandate that the Department

establish an automated telephone system that a victim, family member of a victim, a witness or any member of the general public may call to obtain information relating to the crime and sentence of an inmate who is serving a determinate or indeterminate sentence of imprisonment...the Division of Parole, in cooperation with the Department of Correctional Services, shall implement a program to provide a victim, family member of a victim, a witness, or any member of the general public with access to information concerning the community of residence of a person who has been paroled, conditionally released or released to post-release supervision and the address and telephone number of the regional parole office to which such person has been assigned.

This section of CPL 380.50 has resulted in the establishment of the VINE system (“Victim Information and Notification Everyday”) which is discussed in further detail later in this report.

Department's Written Victim Notification Program

Department Directive #4036 (see Appendix E) specifies the procedures by which this statutory Victim Notification Program has been implemented. The Directive was most recently revised in August 2005 to bring it into accordance with Chapter 1 of the Laws of 1998.

The procedures set forth in Chapter 1 of the Laws of 1998 are as follows. The prosecuting District Attorney "shall provide the victim with a form, prepared and distributed by the Commissioner of the Department of Correctional Services, on which the victim may indicate a demand to be informed of the escape, absconding, discharge, parole, conditional release or release to post-release supervision of the person so imprisoned" (CPL 380.50 (4)). It is the responsibility of the District Attorney's office to promptly mail the form to the Department of Correctional Services.

The old form, entitled VICTIM*DEMAND – NOTICE OF INMATE'S RELEASE, which is available in both English and Spanish, was distributed by the Commissioner of the Department of Correctional Services to all District Attorneys. The old Department Form 3617 is attached as Appendix E (see page 26). Although this old form will still be accepted, the more current form is attached as Appendix D. It is available at www.docs.state.ny.us and everyone is encouraged to utilize the current form.

If using the old form, mail the completed forms to the Office of Victim Services at the New York State Department of Correctional Services, 1220 Washington Avenue, Building 2, Albany, NY 12226. Mailing instructions for the new form are included on the form.

Upon receipt, the Office of Victim Services confirms that the offender is in the custody of the Department of Correctional Services and updates the Department's computer records to reflect the existence of a demand for victim notification. A letter acknowledging receipt of the demand for notification is sent to the victim(s). This acknowledgement letter includes additional information on services available to the victim in the post-sentencing phase of the criminal justice process including Crime Victim Board compensation, the "Victim Information and Notification Everyday" (VINE) automated telephone notification system (described below), and the parole victim impact process.

All victim demands for notification are maintained in the Department of Correctional Services' Office of Victim Services, not the individual Correctional Facilities. The forms are confidential and unavailable to inmates. The form is exempt from Freedom of Information Law requests "as it would constitute an unwarranted invasion of personal privacy" (Public Officers Law, Article 6, Section 87 (b) (2), see also Departmental Directive #4036, attached as Appendix E).

Based on the Department's computerized information system, the Office of Victim Services sends the appropriate notification to the victim by certified mail. Notification letters are sent in the language preference of the victim, either English or Spanish, based on the original demand for notification being completed on either the English or Spanish version of form 3617. The Office of Victim Services maintains a log of all notifications sent by certified mail. Any unsuccessful notifications are noted in this log and a diligent effort is undertaken by the Office of Victim Services to locate the victim(s). During calendar year 2008, the Department sent 3,132

certified notification letters to victims. See Table 1 below for the monthly distribution of notifications sent.

If an offender is returned to the Department of Correctional Services as a parole violator or for violating post release supervision with no new term, the Office of Victim Services reactivates any demands for victim notification.

Although the law specifies that victims are to demand notification of an offender's release with the assistance of the prosecutor, the Department also accepts a request for notification directly from the victim provided that the victim contacts the Office of Victim Services requesting notification of the offender's release. In addition, the Department also accepts requests for notification of the release of inmates committed for crimes that are not mandated by the governing statute.

TABLE 1:
Number of Certified Notification Letters Sent Each Month
By the Office of Victims' Services: 2008

| | |
|-----------|-------|
| January | 242 |
| February | 237 |
| March | 246 |
| April | 285 |
| May | 280 |
| June* | 260 |
| July | 313 |
| August | 273 |
| September | 238 |
| October | 266 |
| November | 250 |
| December | 242 |
| Total | 3,132 |

*Estimated due to transition to new database in June 2008

Number of Victim Notification Requests on File: January 1, 2009

As of January 1, 2009, a total of 7,478 under custody inmates had at least one victim notification request on file according to the Department's computer system. This designation on the computer system simply indicates that a request is on file. It is possible for an inmate to have multiple victim notification requests on file.

Commitment Crime

Of the 7,478 inmates with notifications on file, 86% (N=6,413) were committed for violent felony offenses (VFO's) (see Table 2).

Besides the 6,413 inmates committed for VFO's who had a victim notification on file, there were another 150 offenders committed for Section 125 homicide crimes that have victim notifications on file. There were also 915 other offenders who had victim notifications on file although their offenses are not specified in Criminal Procedure Law Section 380.50 as requiring notification.

Offenders who were the most likely to have a victim notification lodged against them were those committed for assaultive or sexual offenses. When commitment offenses are considered individually, offenders committed for Manslaughter 2nd were most likely to have a notification request (35%). There were nine other crimes for which twenty percent (20%) or more of the offenders had notification requests on file: Murder, Assault 1st, Rape 1st, Manslaughter 1st, Attempted Murder, Sodomy 1st, Burglary 1st, Sexual Abuse 1st and Other Homicide.

TABLE 2.
COMMITMENT CRIME BY VICTIM NOTIFICATION STATUS OF INMATE
UNDER CUSTODY POPULATION ON JANUARY 1, 2009

| CRIME AND COMMITMENT OFFENSE TYPE | VICTIM REGISTERED | | NOT REGISTERED | | TOTAL | |
|--------------------------------------|-------------------|--------------|----------------|--------------|---------------|---------------|
| | NUMBER | PERCENT | NUMBER | PERCENT | NUMBER | PERCENT |
| VIOLENT FELONY OFFENSE | | | | | | |
| MURDER | 1,578 | 20.7% | 6,045 | 79.3% | 7,623 | 100.0% |
| ATTEMPTED MURDER | 342 | 23.1% | 1,141 | 76.9% | 1,483 | 100.0% |
| MANSLT 1ST,AG 2ND | 592 | 25.1% | 1,769 | 74.9% | 2,361 | 100.0% |
| RAPE 1ST | 456 | 24.5% | 1,403 | 75.5% | 1,859 | 100.0% |
| ROBBERY 1ST | 932 | 17.7% | 4,340 | 82.3% | 5,272 | 100.0% |
| ROBBERY 2ND | 436 | 13.1% | 2,891 | 86.9% | 3,327 | 100.0% |
| ASSAULT 1ST | 465 | 24.3% | 1,448 | 75.7% | 1,913 | 100.0% |
| ASSAULT 2ND | 193 | 12.9% | 1,303 | 87.1% | 1,496 | 100.0% |
| BURGLARY 1ST | 215 | 21.3% | 793 | 78.7% | 1,008 | 100.0% |
| BURGLARY 2ND | 419 | 12.6% | 2,895 | 87.4% | 3,314 | 100.0% |
| ARSON 1ST,2ND | 21 | 11.5% | 161 | 88.5% | 182 | 100.0% |
| SODOMY 1ST | 281 | 23.8% | 901 | 76.2% | 1,182 | 100.0% |
| SEX AB 1ST,AG.2 | 242 | 20.3% | 952 | 79.7% | 1,194 | 100.0% |
| WEAPONS OFFENSES | 161 | 5.9% | 2,562 | 94.1% | 2,723 | 100.0% |
| KIDNAPPING 1ST,2ND | 71 | 18.3% | 317 | 81.7% | 388 | 100.0% |
| OTHER VFO SEX OFF | 5 | 14.3% | 30 | 85.7% | 35 | 100.0% |
| OTHER VIOLENT | 4 | 7.8% | 47 | 92.2% | 51 | 100.0% |
| TOTAL | 6,413 | 18.1% | 28,998 | 81.9% | 35,411 | 100.0% |
| NON VFO HOMICIDES | | | | | | |
| MANSLAUGHTER 2ND | 127 | 35.4% | 232 | 64.6% | 359 | 100.0% |
| OTHER HOMICIDE | 23 | 25.0% | 69 | 75.0% | 92 | 100.0% |
| SUBTOTAL | 150 | 33.3% | 301 | 66.7% | 451 | 100.0% |
| ALL OTHER OFFENSES | | | | | | |
| ROBBERY 3RD | 116 | 8.6% | 1,227 | 91.4% | 1,343 | 100.0% |
| ATT ASSAULT 2ND | 26 | 6.0% | 407 | 94.0% | 433 | 100.0% |
| CONSPIRACY 2,3,4 | 17 | 5.8% | 274 | 94.2% | 291 | 100.0% |
| OTHER WEAPONS | 23 | 3.6% | 616 | 96.4% | 639 | 100.0% |
| OTHER SEX OFFENSES | 182 | 16.5% | 923 | 83.5% | 1,105 | 100.0% |
| OTHER COERCIVE | 36 | 7.5% | 442 | 92.5% | 478 | 100.0% |
| DRUG OFFENSES | 91 | 0.8% | 11,852 | 99.2% | 11,943 | 100.0% |
| BURGLARY 3RD | 124 | 5.8% | 2,010 | 94.2% | 2,134 | 100.0% |
| GRAND LARCENY | 70 | 5.0% | 1,323 | 95.0% | 1,393 | 100.0% |
| FORGERY | 17 | 2.7% | 619 | 97.3% | 636 | 100.0% |
| STOLEN PROPERTY | 16 | 3.0% | 514 | 97.0% | 530 | 100.0% |
| DRIVE INTOXICATED | 7 | 0.8% | 882 | 99.2% | 889 | 100.0% |
| YOUTHFUL OFFENDER | 51 | 5.4% | 892 | 94.6% | 943 | 100.0% |
| JUVENILE OFFENDER | 30 | 16.2% | 155 | 83.8% | 185 | 100.0% |
| CONTEMPT 1ST | 54 | 16.2% | 280 | 83.8% | 334 | 100.0% |
| ALL OTHER FELONIES | 55 | 5.8% | 888 | 94.2% | 943 | 100.0% |
| SUBTOTAL | 915 | 3.8% | 23,304 | 96.2% | 24,219 | 100.0% |
| GRAND TOTAL | 7,478 | 12.4% | 52,603 | 87.6% | 60,081 | 100.0% |

Gender of Offender

While the offenders with a victim notification request on file were typically men (see Table 3A, page 9), 232 women offenders (or 3% of the 7,478 cases with notifications) had such a request on file (see Table 3B, page 10).

It appears that the gender of the offender does not affect whether a victim notification is likely to be registered. Of the 1,020 women convicted of Violent Felony Offenses who were under custody on January 1, 2009, 17% (or 177) had victim notification requests on file. This percent is roughly the same as the 18% (6,231) of the men convicted of a Violent Felony Offense who had a victim notification on file. Among homicide offenses that are not designated by the Legislature as violent felony crimes (Non-VFO homicides), 30% (N=14) of women offenders had a victim notification on file as compared to 34% (N=136) for men.

Region and County of Commitment

Fifty-five percent (N=4,092) of under custody inmates with victim notification requests on file were committed from the five counties of New York City (New York, Bronx, Kings, Queens and Richmond). (See Table 4).

Twenty-two percent (N=1,650) of offenders with notifications on file were from Upstate Urban counties (Albany, Broome, Erie, Monroe, Niagara, Oneida, Onondaga, Rensselaer and Schenectady), all of these counties have cities with populations over 50,000 residents.

Another 13% of cases with victim notification on file were committed from Other Upstate counties (N=995) while 10% were from Suburban New York counties (N=740).

Table 8 in Appendix B presents the percentage of **all inmates** committed by each county who have demands for notification on file, while Table 9 in Appendix C shows the percentage of **violent felons under custody** from each county who have demands for notification on file. Table 10 in Appendix C shows the percentage of **violent felons admitted** from each county during calendar year 2008 who have demands for notification on file.

TABLE 3A.
COMMITMENT CRIME BY VICTIM NOTIFICATION STATUS FOR MALE OFFENDERS
MALE OFFENDERS UNDER CUSTODY ON JANUARY 1, 2009

| COMMITMENT CRIME | MALE | | | | TOTAL NUMBER | PERCENT |
|-------------------------------|-------------------|--------------|----------------|--------------|-----------------|---------------|
| | VICTIM REGISTERED | | NOT REGISTERED | | | |
| | NUMBER | PERCENT | NUMBER | PERCENT | | |
| VIOLENT FELONY OFFENSE | | | | | | |
| MURDER | 1,531 | 20.7% | 5,878 | 79.3% | 7,409 | 100.0% |
| ATTEMPTED MURDER | 334 | 22.9% | 1,122 | 77.1% | 1,456 | 100.0% |
| MANSLAUGHTER 1ST | 556 | 25.2% | 1,646 | 74.8% | 2,202 | 100.0% |
| RAPE 1ST | 455 | 24.6% | 1,396 | 75.4% | 1,851 | 100.0% |
| ROBBERY 1ST | 909 | 17.6% | 4,246 | 82.4% | 5,155 | 100.0% |
| ROBBERY 2ND | 429 | 13.3% | 2,794 | 86.7% | 3,223 | 100.0% |
| ASSAULT 1ST | 440 | 24.4% | 1,364 | 75.6% | 1,804 | 100.0% |
| ASSAULT 2ND | 186 | 13.2% | 1,225 | 86.8% | 1,411 | 100.0% |
| BURGLARY 1ST | 213 | 21.6% | 775 | 78.4% | 988 | 100.0% |
| BURGLARY 2ND | 407 | 12.6% | 2,813 | 87.4% | 3,220 | 100.0% |
| ARSON 1ST,2ND | 19 | 11.7% | 143 | 88.3% | 162 | 100.0% |
| SODOMY 1ST | 277 | 23.6% | 898 | 76.4% | 1,175 | 100.0% |
| SEX AB 1ST,AG.2 | 240 | 20.3% | 944 | 79.7% | 1,184 | 100.0% |
| WEAPONS OFFENSES | 161 | 6.0% | 2,532 | 94.0% | 2,693 | 100.0% |
| KIDNAPPING 1ST,2ND | 70 | 18.8% | 303 | 81.2% | 373 | 100.0% |
| OTHER VFO SEX OFF | 5 | 14.3% | 30 | 85.7% | 35 | 100.0% |
| OTHER VIOLENT | 4 | 8.0% | 46 | 92.0% | 50 | 100.0% |
| SUBTOTAL | 6,236 | 18.1% | 28,155 | 81.9% | 34,391 | 100.0% |
| NONVFO HOMICIDES | | | | | | |
| MANSLAUGHTER 2ND | 115 | 36.1% | 204 | 63.9% | 319 | 100.0% |
| OTHER HOMICIDE | 21 | 24.7% | 64 | 75.3% | 85 | 100.0% |
| SUBTOTAL | 136 | 33.7% | 268 | 66.3% | 404 | 100.0% |
| ALL OTHER OFFENSES | | | | | | |
| ROBBERY 3RD | 113 | 8.7% | 1,185 | 91.3% | 1,298 | 100.0% |
| ATT ASSAULT 2ND | 24 | 6.0% | 378 | 94.0% | 402 | 100.0% |
| CONSPIRACY 2,3,4 | 17 | 6.1% | 262 | 93.9% | 279 | 100.0% |
| OTHER WEAPONS | 22 | 3.5% | 608 | 96.5% | 630 | 100.0% |
| OTHER SEX OFFENSES | 179 | 16.5% | 903 | 83.5% | 1,082 | 100.0% |
| OTHER COERCIVE | 33 | 7.4% | 413 | 92.6% | 446 | 100.0% |
| DRUG OFFENSES | 88 | 0.8% | 11,091 | 99.2% | 11,179 | 100.0% |
| BURGLARY 3RD | 119 | 5.7% | 1,964 | 94.3% | 2,083 | 100.0% |
| GRAND LARCENY | 61 | 5.1% | 1,139 | 94.9% | 1,200 | 100.0% |
| FORGERY | 15 | 2.9% | 501 | 97.1% | 516 | 100.0% |
| STOLEN PROPERTY | 16 | 3.2% | 485 | 96.8% | 501 | 100.0% |
| DRIVE INTOXICATED | 7 | 0.9% | 816 | 99.1% | 823 | 100.0% |
| YOUTHFUL OFFENDER | 50 | 5.6% | 849 | 94.4% | 899 | 100.0% |
| JUVENILE OFFENDER | 29 | 15.9% | 153 | 84.1% | 182 | 100.0% |
| CONTEMPT 1ST | 53 | 16.2% | 275 | 83.8% | 328 | 100.0% |
| ALL OTHER FELONIES | 48 | 5.6% | 811 | 94.4% | 859 | 100.0% |
| SUBTOTAL | 874 | 3.8% | 21,833 | 96.2% | 22,707 | 100.0% |
| GRAND TOTAL | 7,246 | 12.6% | 50,256 | 87.4% | 57,502 | 100.0% |

TABLE 3B.
COMMITMENT CRIME BY VICTIM NOTIFICATION STATUS FOR FEMALE
OFFENDERS; FEMALE OFFENDERS UNDER CUSTODY ON JANUARY 1, 2009

| COMMITMENT CRIME | FEMALE | | | | | |
|-------------------------------|-------------------|---------|----------------|---------|--------|---------|
| | VICTIM REGISTERED | | NOT REGISTERED | | TOTAL | |
| | NUMBER | PERCENT | NUMBER | PERCENT | NUMBER | PERCENT |
| VIOLENT FELONY OFFENSE | | | | | | |
| MURDER | 47 | 22.0% | 167 | 78.0% | 214 | 100.0% |
| ATTEMPTED MURDER | 8 | 29.6% | 19 | 70.4% | 27 | 100.0% |
| MANSLAUGHTER 1ST | 36 | 22.6% | 123 | 77.4% | 159 | 100.0% |
| RAPE 1ST | 1 | 12.5% | 7 | 87.5% | 8 | 100.0% |
| ROBBERY 1ST | 23 | 19.7% | 94 | 80.3% | 117 | 100.0% |
| ROBBERY 2ND | 7 | 6.7% | 97 | 93.3% | 104 | 100.0% |
| ASSAULT 1ST | 25 | 22.9% | 84 | 77.1% | 109 | 100.0% |
| ASSAULT 2ND | 7 | 8.2% | 78 | 91.8% | 85 | 100.0% |
| BURGLARY 1ST | 2 | 10.0% | 18 | 90.0% | 20 | 100.0% |
| BURGLARY 2ND | 12 | 12.8% | 82 | 87.2% | 94 | 100.0% |
| ARSON 1ST,2ND | 2 | 10.0% | 18 | 90.0% | 20 | 100.0% |
| SODOMY 1ST | 4 | 57.1% | 3 | 42.9% | 7 | 100.0% |
| SEX AB 1ST,AG.2 | 2 | 20.0% | 8 | 80.0% | 10 | 100.0% |
| WEAPONS OFFENSES | 0 | 0.0% | 30 | 100.0% | 30 | 100.0% |
| KIDNAPPING 1ST,2ND | 1 | 6.7% | 14 | 93.3% | 15 | 100.0% |
| OTHER VIOLENT | 0 | 0.0% | 1 | 100.0% | 1 | 100.0% |
| SUBTOTAL | 177 | 17.4% | 843 | 82.6% | 1,020 | 100.0% |
| NONVFO HOMICIDES | | | | | | |
| MANSLAUGHTER 2ND | 12 | 30.0% | 28 | 70.0% | 40 | 100.0% |
| OTHER HOMICIDE | 2 | 28.6% | 5 | 71.4% | 7 | 100.0% |
| SUBTOTAL | 14 | 29.8% | 33 | 70.2% | 47 | 100.0% |
| ALL OTHER OFFENSES | | | | | | |
| ROBBERY 3RD | 3 | 6.7% | 42 | 93.3% | 45 | 100.0% |
| ATT ASSAULT 2ND | 2 | 6.5% | 29 | 93.5% | 31 | 100.0% |
| CONSPIRACY 2,3,4 | 0 | 0.0% | 12 | 100.0% | 12 | 100.0% |
| OTHER WEAPONS | 1 | 11.1% | 8 | 88.9% | 9 | 100.0% |
| OTHER SEX OFFENSES | 3 | 13.0% | 20 | 87.0% | 23 | 100.0% |
| OTHER COERCIVE | 3 | 9.4% | 29 | 90.6% | 32 | 100.0% |
| DRUG OFFENSES | 3 | 0.4% | 761 | 99.6% | 764 | 100.0% |
| BURGLARY 3RD | 5 | 9.8% | 46 | 90.2% | 51 | 100.0% |
| GRAND LARCENY | 9 | 4.7% | 184 | 95.3% | 193 | 100.0% |
| FORGERY | 2 | 1.7% | 118 | 98.3% | 120 | 100.0% |
| STOLEN PROPERTY | 0 | 0.0% | 29 | 100.0% | 29 | 100.0% |
| DRIVE INTOXICATED | 0 | 0.0% | 66 | 100.0% | 66 | 100.0% |
| YOUTHFUL OFFENDER | 1 | 2.3% | 43 | 97.7% | 44 | 100.0% |
| JUVENILE OFFENDER | 1 | 33.3% | 2 | 66.7% | 3 | 100.0% |
| CONTEMPT 1ST | 1 | 16.7% | 5 | 83.3% | 6 | 100.0% |
| ALL OTHER FELONIES | 7 | 8.3% | 77 | 91.7% | 84 | 100.0% |
| SUBTOTAL | 41 | 2.7% | 1471 | 97.3% | 1,512 | 100.0% |
| GRAND TOTAL | 232 | 9.0% | 2,347 | 91.0% | 2,579 | 100.0% |

TABLE 4. REGION AND COUNTY BY VICTIM NOTIFICATION STATUS OF INMATE UNDER CUSTODY POPULATION ON JANUARY 1, 2009

| REGION AND COUNTY | VICTIM REGISTERED | NOT REGISTERED | TOTAL |
|-------------------|-------------------|----------------|--------|
| NEW YORK CITY | | | |
| KINGS | 738 | 7,368 | 8,106 |
| NEW YORK | 736 | 10,095 | 10,831 |
| QUEENS | 676 | 4,347 | 5,023 |
| RICHMOND | 95 | 646 | 741 |
| BRONX | 1,847 | 3,658 | 5,505 |
| TOTAL | 4,092 | 26,114 | 30,206 |
| | 54.7% | 49.6% | 50.3% |
| SUBURBAN NEWYORK | | | |
| NASSAU | 345 | 1,635 | 1,980 |
| ROCKLAND | 31 | 521 | 552 |
| SUFFOLK | 232 | 2,631 | 2,863 |
| WESTCHESTER | 132 | 1,526 | 1,658 |
| TOTAL | 740 | 6,313 | 7,053 |
| | 9.9% | 12.0% | 11.7% |
| UPSTATE URBAN | | | |
| ALBANY | 118 | 1,664 | 1,782 |
| BROOME | 29 | 766 | 795 |
| ERIE | 174 | 2,607 | 2,781 |
| MONROE | 734 | 2,295 | 3,029 |
| NIAGARA | 173 | 439 | 612 |
| ONEIDA | 36 | 1,039 | 1,075 |
| ONONDAGA | 196 | 1,734 | 1,930 |
| RENSSELAER | 107 | 352 | 459 |
| SCHENECTADY | 83 | 784 | 867 |
| TOTAL | 1,650 | 11,680 | 13,330 |
| | 22.1% | 22.2% | 22.2% |
| UPSTATE OTHER | | | |
| ALLEGANY | 6 | 44 | 50 |
| CATTARAUGUS | 9 | 215 | 224 |
| CAYUGA | 12 | 254 | 266 |
| CHAUTAUQUA | 32 | 248 | 280 |
| CHEMUNG | 15 | 332 | 347 |
| CHENANGO | 6 | 87 | 93 |
| CLINTON | 17 | 193 | 210 |
| COLUMBIA | 4 | 136 | 140 |
| CORTLAND | 26 | 131 | 157 |
| DELAWARE | 4 | 83 | 87 |
| DUTCHESS | 65 | 475 | 540 |
| ESSEX | 7 | 65 | 72 |
| FRANKLIN | 11 | 104 | 115 |
| FULTON | 15 | 118 | 133 |
| GENESEE | 5 | 221 | 226 |
| GREENE | 3 | 117 | 120 |
| HAMILTON | 3 | 9 | 12 |
| HERKIMER | 11 | 153 | 164 |
| JEFFERSON | 23 | 194 | 217 |
| LEWIS | 1 | 29 | 30 |
| LIVINGSTON | 6 | 194 | 200 |
| MADISON | 8 | 85 | 93 |
| MONTGOMERY | 9 | 169 | 178 |
| ONTARIO | 81 | 446 | 527 |
| ORANGE | 158 | 1,161 | 1,319 |
| ORLEANS | 24 | 124 | 148 |
| OSWEGO | 27 | 264 | 291 |
| OTSEGO | 7 | 116 | 123 |
| PUTNAM | 9 | 73 | 82 |
| ST LAWRENCE | 50 | 138 | 188 |
| SARATOGA | 37 | 208 | 245 |
| SCHOHARIE | 7 | 41 | 48 |
| SCHUYLER | 6 | 29 | 35 |
| SENECA | 7 | 60 | 67 |
| STEUBEN | 43 | 287 | 330 |
| SULLIVAN | 14 | 458 | 472 |
| TIOGA | 4 | 94 | 98 |
| TOMPKINS | 10 | 151 | 161 |
| ULSTER | 86 | 375 | 461 |
| WARREN | 24 | 283 | 307 |
| WASHINGTON | 13 | 199 | 212 |
| WAYNE | 58 | 200 | 258 |
| WYOMING | 12 | 91 | 103 |
| YATES | 20 | 42 | 62 |
| TOTAL | 995 | 8,496 | 9,491 |
| | 13.3% | 16.2% | 15.8% |
| GRAND TOTAL | 7,477 | 52,603 | 60,080 |
| | 100.0% | 100.0% | 100.0% |

County of commitment data is unavailable for 1 registered case.

Percent of Violent Felons Under Custody with a Notification Request: 1994-2008

Since 1994, there has been a significant increase in the percent of Violent Felony Offenders under custody with a victim notification request on file. As of the end of December 1994, only 4% (N=1,398) of the 34,478 Violent Felony Offenders under custody had a victim notification request on file (see Charts A, B and Table 6 in Appendix A). As of the end of December 2008, 18% (N=6,413) of the 35,411 inmates under custody for violent felonies had a notification request on file.

The percentage of VFO's under DOCS custody registered with at least one victim notification has been relatively stable since 2003 declining from 19% to 18%.

CHART A
NUMBER OF VIOLENT FELONS
WITH NOTIFICATION REQUEST ON FILE

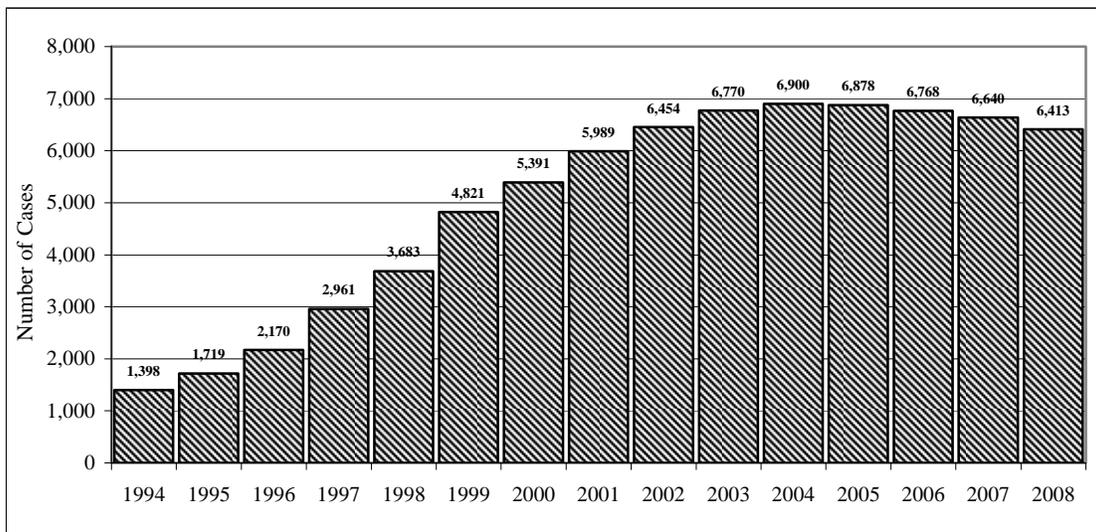
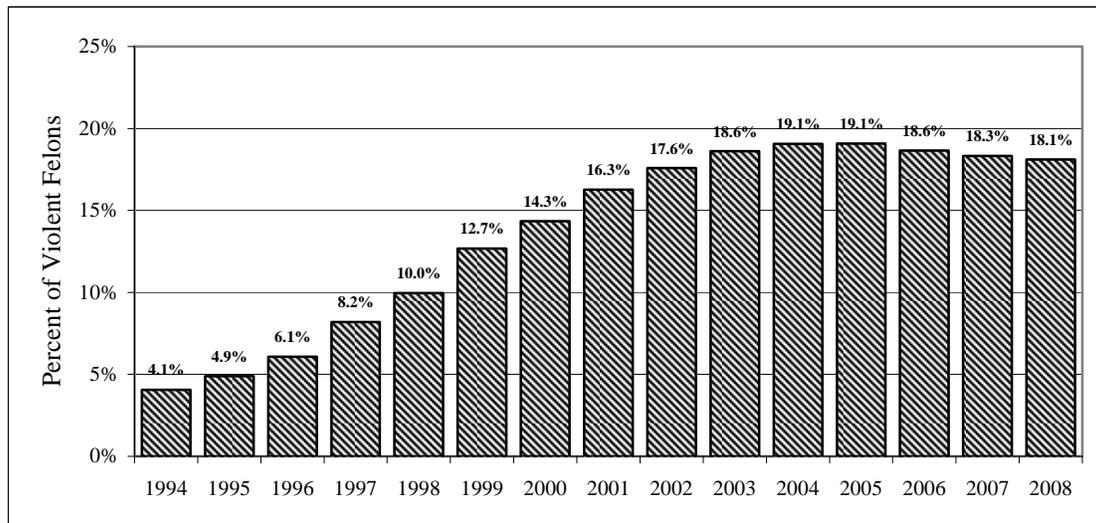


CHART B.
PERCENT OF TOTAL VIOLENT FELONS
UNDERCUSTODY AT END OF YEAR WITH NOTIFICATION
REQUEST ON FILE



Charts C and D show the number and percent of **all offenders** under custody at end of year (not just violent felons) for which a victim notification is on file. While the number of registered cases has decreased in recent years with the drop in the under custody population, the percent of the under custody population registered with at least one victim notification has remained stable since 2003.

CHART C.
 PERCENT OF UNDERCUSTODY INMATES
 AT END OF YEAR FOR WHOM VICTIMS HAVE
 REQUESTED WRITTEN NOTIFICATIONS
 OF RELEASE (1999 TO 2008)

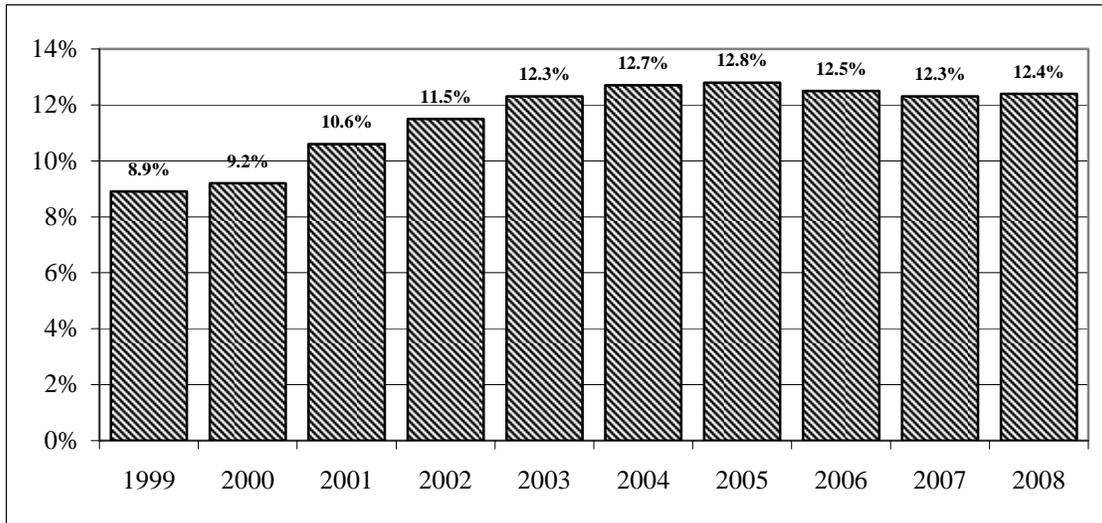
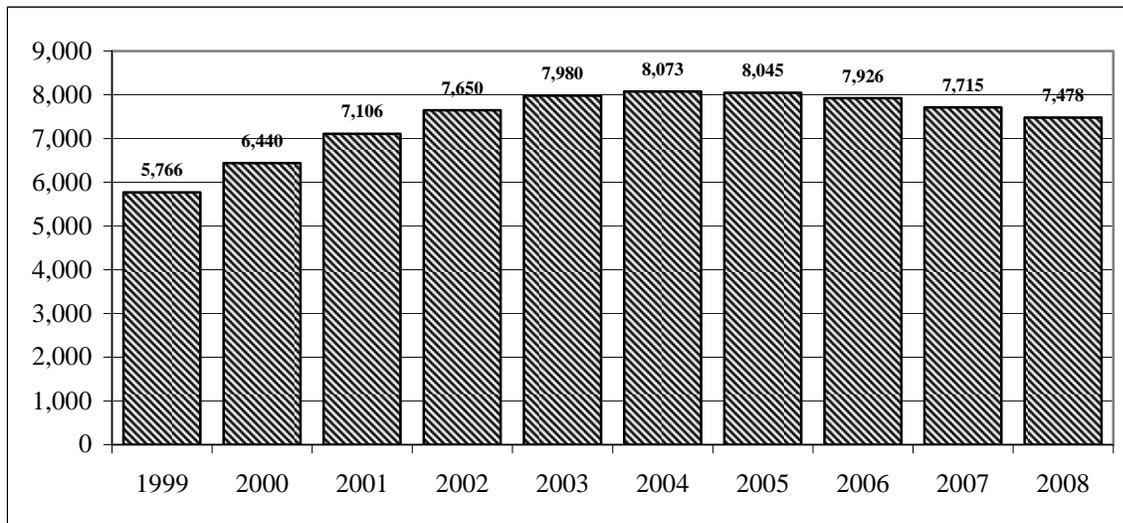


CHART D.
 NUMBER OF UNDERCUSTODY INMATES AT END OF YEAR
 FOR WHOM VICTIMS HAVE
 REQUESTED WRITTEN NOTIFICATIONS
 OF RELEASE (1999 TO 2008)



Notification Services

Automated Telephone Notification Service

The Department established an automated toll free telephone information and notification system on January 1, 1999. The VINE system (“Victim Information and Notification Everyday”) is available around the clock in both English and Spanish to any member of the general public wishing to obtain information relating to the crime and sentence of an inmate serving a sentence in a New York State correctional facility. VINE provides these data on all New York State prison inmates with the exception of Youthful Offenders (Y.O.’s), for whom release of case information is prohibited by statute. To use the VINE system, the caller must use a touch tone telephone and dial 1-888-VINE-4-NY (1-888-846-3469). The caller must provide the Department Identification Number (DIN) of the offender, or the New York State Identification Number (NYSID) of the offender, or the name and date of birth of the offender in order to obtain information on custody status. When using the system to register for notification, the caller is asked to provide the telephone number at which they wish to be notified and a four-digit Personal Identification Number (PIN) to confirm receipt of the notification call.

Since April 1, 1999, specific information on the inmate’s release has included the county of release and supervising area parole office.

Registration

The total number of new registrations for notification by telephone or e-mail of an offender’s release was 5,042 for 2008 (see Table 5), more than double the level recorded in 2007 (N=2,510). This jump is due to a new strategy by the DOCS Victims Services Unit to enroll people in the program through the local District Attorney offices around the state. This strategy has not only increased new registrations, it has resulted in victims registering earlier in the sentence of the offender.

Beginning in 2007 victims and other concerned citizens could register to be notified via e-mail notification through the VINELink (the National Victim Notification Network) when an offender’s custody status changes. Internet registrations increased from 325 in 2007 to 2,984 in 2008. Internet registrations represented 59% of the 5,042 total registrations in 2008. Internet access to VINELink is at: www.vinelink.com .

Telephone and E-mail Notification

The number of confirmed telephone notifications to victims was 2,174 for calendar year 2008 (see Table 5), an increase of 294 from 2007. While telephone notifications have not increased as much as total new registrations in the last year, they are expected to increase as inmates reach the end of their sentences.

Internet registration for e-mail notification allows crime victims to obtain timely and reliable information about criminal cases and the custody status of offenders 24 hours a day nationwide. The number of confirmed e-mail notifications jumped to 805 for 2008, as compared to 69 in 2007.

Internet Based Forms

Victims can now get notification forms from the DOCS website. The DOCS homepage (<http://www.docs.state.ny.us>) has a link in the left margin for victim services. There is a form (<http://www.docs.state.ny.us/VictimSvc/VictimNotification.pdf>) that can be printed and filled out by the victim. Mailing instructions are on the form. This new form is shared with the Division of Parole and can also be accessed on the Division of Parole website (<http://www.parole.state.ny.us>) The form also allows victims to register to be notified of upcoming parole hearings; to submit a written, video-taped or audio-taped victim impact statement; or to meet with a Parole Commissioner to provide a face-to-face victim impact statement. More information about this can be obtained on the Division of Parole website (<http://www.parole.state.ny.us/VICTIMimpact.asp>).

**TABLE 5. ANNUAL DATA 1999 - 2008
NUMBER OF REGISTRATIONS AND NOTIFICATIONS THROUGH VINE**

| Year | New Registrations for Notification | | | Confirmed Notifications | | |
|-------|------------------------------------|--------|--------|-------------------------|--------|--------|
| | Telephone | E-Mail | Total | Telephone | E-Mail | Total |
| 1999 | 1,438 | | 1,438 | 164 | | 164 |
| 2000 | 2,156 | | 2,156 | 520 | | 520 |
| 2001 | 2,196 | | 2,196 | 850 | | 850 |
| 2002 | 2,146 | | 2,146 | 986 | | 986 |
| 2003 | 2,228 | | 2,228 | 1,238 | | 1,238 |
| 2004 | 2,158 | | 2,158 | 1,247 | | 1,247 |
| 2005 | 2,332 | | 2,332 | 1,312 | | 1,312 |
| 2006 | 2,389 | | 2,389 | 1,678 | | 1,678 |
| 2007 | 2,185 | 325 | 2,510 | 1,880 | 69 | 1,949 |
| 2008 | 2,058 | 2,984 | 5,042 | 2,174 | 805 | 2,979 |
| Total | 21,286 | 3,309 | 24,595 | 12,049 | 874 | 12,923 |

Conclusion

Although initially responsible for the development of the automated telephone notification system (VINE), the Office of Victim Services now has the additional responsibility for the mandated written notification services and acts as the primary contact for victims with questions regarding the Department's policies and procedures. The mission of the Office of Victim Services is to work in partnership with other criminal justice agencies and victim service providers to represent, protect, and advance the interests of crime victims. In an effort to ensure that victims are aware of the services offered by the Office, community outreach and training about the Department's services are provided to other criminal justice and crime victim programs. The services provided by the Office are victim driven. Victims can contact the Office toll-free at 1-800-783-6059. Additional information on services to victims is available on the Department's webpage www.docs.state.ny.us.

While it is true that not all victims wish to be notified of the offender's release from the Department's custody, the fact that over 5,000 victims registered last year clearly indicates that victims are interested in exercising the notification rights granted to them in Criminal Procedure Law 380.50 (Jenna's Law).

As a result of the amended "Son of Sam" Law, a victim or his/her representative may commence a civil lawsuit against the perpetrator to recover monetary damages for injuries suffered during the commission of the crime. The lawsuit may be commenced within three (3) years of the victim or his/her representative becoming aware of the anticipated receipt by the perpetrator of a money damages award. Moreover, the law provides a mechanism to employ a provisional remedy to freeze the damage award sum before the funds are received and dissipated by the perpetrator. The Department's Office of Victim Services plays a vital role in identifying victims so that victims can be informed by the NYS Crime Victims Board of their rights under the enhanced "Son of Sam" Law.

In addition to civil justice through the "Son of Sam" Law, the Department works to further assist victims by collecting court-ordered restitution from inmates. A total of \$268,133.32 in restitution was collected in 2007 from inmates and disbursed to county probation offices or, in New York City, to Safe Horizon for those programs to disburse the restitution to the victims.

As required by statute, the Department sent over 3,000 certified notification letters to victims (see Table 1). Unfortunately, for a wide variety of reasons, only 25% of the notifications were successfully delivered. Continued community support and the Department's efforts to locate and successfully notify victims is ongoing. It is imperative victims update their address with the Office of Victim Services to insure successful notification. Allowing victims to complete a notification form available on the Department's webpage www.docs.state.ny.us should also improve the successful delivery of notification letters.

The community outreach efforts of the Department's Office of Victim Services and increased victim advocacy efforts in the county District Attorneys' offices have contributed to the high rate of victim notification requests on file. The Department's Office of Victim Services staff are available to coordinate training and community education efforts so that the successes of the past years continue.

APPENDICES

APPENDIX A

TABLE 6
VIOLENT FELONS UNDER CUSTODY FOR WHOM VICTIMS
HAVE REQUESTED WRITTEN NOTIFICATIONS OF RELEASE

| End of Year | Violent Felony Notification Cases | Violent Felons Under Custody | Percent On File |
|-------------|-----------------------------------|------------------------------|-----------------|
| 1994 | 1,398 | 34,478 | 4.1% |
| 1995 | 1,719 | 35,188 | 4.9% |
| 1996 | 2,170 | 35,686 | 6.1% |
| 1997 | 2,961 | 36,181 | 8.2% |
| 1998 | 3,683 | 36,958 | 10.0% |
| 1999 | 4,821 | 38,059 | 12.7% |
| 2000 | 5,391 | 37,592 | 14.3% |
| 2001 | 5,989 | 36,831 | 16.3% |
| 2002 | 6,454 | 36,694 | 17.6% |
| 2003 | 6,770 | 36,379 | 18.6% |
| 2004 | 6,900 | 36,216 | 19.1% |
| 2005 | 6,878 | 36,059 | 19.1% |
| 2006 | 6,768 | 36,295 | 18.6% |
| 2007 | 6,640 | 36,243 | 18.3% |
| 2008 | 6,413 | 35,411 | 18.1% |

TABLE 7
ALL INMATES UNDER CUSTODY FOR WHOM VICTIMS
HAVE REQUESTED WRITTEN NOTIFICATIONS OF RELEASE

| End of Year | Number | Percent Under Custody Population |
|-------------|--------|----------------------------------|
| 1999 | 5,766 | 8.9% |
| 2000 | 6,440 | 9.2% |
| 2001 | 7,106 | 10.6% |
| 2002 | 7,650 | 11.5% |
| 2003 | 7,980 | 12.3% |
| 2004 | 8,073 | 12.7% |
| 2005 | 8,045 | 12.8% |
| 2006 | 7,926 | 12.5% |
| 2007 | 7,715 | 12.3% |
| 2008 | 7,478 | 12.4% |

APPENXIX B

TABLE 8.

REGION AND COUNTY BY VICTIM NOTIFICATION STATUS OF INMATE (ROW PCT)
UNDER CUSTODY POPULATION ON JANUARY 1, 2009

| REGION AND COUNTY | VICTIM REGISTERED | | NOT REGISTERED | | TOTAL | |
|-------------------------|-------------------|--------------|----------------|--------------|---------------|---------------|
| | NUMBER | PERCENT | NUMBER | PERCENT | NUMBER | PERCENT |
| NEW YORK CITY | | | | | | |
| KINGS | 738 | 9.1% | 7,368 | 90.9% | 8,106 | 100.0% |
| NEW YORK | 736 | 6.8% | 10,095 | 93.2% | 10,831 | 100.0% |
| QUEENS | 676 | 13.5% | 4,347 | 86.5% | 5,023 | 100.0% |
| RICHMOND | 95 | 12.8% | 646 | 87.2% | 741 | 100.0% |
| BRONX | 1,847 | 33.6% | 3,658 | 66.4% | 5,505 | 100.0% |
| SUBTOTAL | 4,092 | 13.5% | 26,114 | 86.5% | 30,206 | 100.0% |
| SUBURBAN NEWYORK | | | | | | |
| NASSAU | 345 | 17.4% | 1,635 | 82.6% | 1,980 | 100.0% |
| ROCKLAND | 31 | 5.6% | 521 | 94.4% | 552 | 100.0% |
| SUFFOLK | 232 | 8.1% | 2,631 | 91.9% | 2,863 | 100.0% |
| WESTCHESTER | 132 | 8.0% | 1,526 | 92.0% | 1,658 | 100.0% |
| SUBTOTAL | 740 | 10.5% | 6,313 | 89.5% | 7,053 | 100.0% |
| UPSTATE URBAN | | | | | | |
| ALBANY | 118 | 6.6% | 1,664 | 93.4% | 1,782 | 100.0% |
| BROOME | 29 | 3.6% | 766 | 96.4% | 795 | 100.0% |
| ERIE | 174 | 6.3% | 2,607 | 93.7% | 2,781 | 100.0% |
| MONROE | 734 | 24.2% | 2,295 | 75.8% | 3,029 | 100.0% |
| NIAGARA | 173 | 28.3% | 439 | 71.7% | 612 | 100.0% |
| ONEIDA | 36 | 3.3% | 1,039 | 96.7% | 1,075 | 100.0% |
| ONONDAGA | 196 | 10.2% | 1,734 | 89.8% | 1,930 | 100.0% |
| RENSSELAER | 107 | 23.3% | 352 | 76.7% | 459 | 100.0% |
| SCHENECTADY | 83 | 9.6% | 784 | 90.4% | 867 | 100.0% |
| SUBTOTAL | 1,650 | 12.4% | 11,680 | 87.6% | 13,330 | 100.0% |
| UPSTATE OTHER | | | | | | |
| ALLEGANY | 6 | 12.0% | 44 | 88.0% | 50 | 100.0% |
| CATTARAUGUS | 9 | 4.0% | 215 | 96.0% | 224 | 100.0% |
| CAYUGA | 12 | 4.5% | 254 | 95.5% | 266 | 100.0% |
| CHAUTAUQUA | 32 | 11.4% | 248 | 88.6% | 280 | 100.0% |
| CHEMUNG | 15 | 4.3% | 332 | 95.7% | 347 | 100.0% |
| CHENANGO | 6 | 6.5% | 87 | 93.5% | 93 | 100.0% |
| CLINTON | 17 | 8.1% | 193 | 91.9% | 210 | 100.0% |
| COLUMBIA | 4 | 2.9% | 136 | 97.1% | 140 | 100.0% |
| CORTLAND | 26 | 16.6% | 131 | 83.4% | 157 | 100.0% |
| DELAWARE | 4 | 4.6% | 83 | 95.4% | 87 | 100.0% |
| DUTCHESS | 65 | 12.0% | 475 | 88.0% | 540 | 100.0% |
| ESSEX | 7 | 9.7% | 65 | 90.3% | 72 | 100.0% |
| FRANKLIN | 11 | 9.6% | 104 | 90.4% | 115 | 100.0% |
| FULTON | 15 | 11.3% | 118 | 88.7% | 133 | 100.0% |
| GENESEE | 5 | 2.2% | 221 | 97.8% | 226 | 100.0% |
| GREENE | 3 | 2.5% | 117 | 97.5% | 120 | 100.0% |
| HAMILTON | 3 | 25.0% | 9 | 75.0% | 12 | 100.0% |
| HERKIMER | 11 | 6.7% | 153 | 93.3% | 164 | 100.0% |
| JEFFERSON | 23 | 10.6% | 194 | 89.4% | 217 | 100.0% |
| LEWIS | 1 | 3.3% | 29 | 96.7% | 30 | 100.0% |
| LIVINGSTON | 6 | 3.0% | 194 | 97.0% | 200 | 100.0% |
| MADISON | 8 | 8.6% | 85 | 91.4% | 93 | 100.0% |
| MONTGOMERY | 9 | 5.1% | 169 | 94.9% | 178 | 100.0% |
| ONTARIO | 81 | 15.4% | 446 | 84.6% | 527 | 100.0% |
| ORANGE | 158 | 12.0% | 1,161 | 88.0% | 1,319 | 100.0% |
| ORLEANS | 24 | 16.2% | 124 | 83.8% | 148 | 100.0% |
| OSWEGO | 27 | 9.3% | 264 | 90.7% | 291 | 100.0% |
| OTSEGO | 7 | 5.7% | 116 | 94.3% | 123 | 100.0% |
| PUTNAM | 9 | 11.0% | 73 | 89.0% | 82 | 100.0% |
| ST LAWRENCE | 50 | 26.6% | 138 | 73.4% | 188 | 100.0% |
| SARATOGA | 37 | 15.1% | 208 | 84.9% | 245 | 100.0% |
| SCHOHARIE | 7 | 14.6% | 41 | 85.4% | 48 | 100.0% |
| SCHUYLER | 6 | 17.1% | 29 | 82.9% | 35 | 100.0% |
| SENECA | 7 | 10.4% | 60 | 89.6% | 67 | 100.0% |
| STEUBEN | 43 | 13.0% | 287 | 87.0% | 330 | 100.0% |
| SULLIVAN | 14 | 3.0% | 458 | 97.0% | 472 | 100.0% |
| TIOGA | 4 | 4.1% | 94 | 95.9% | 98 | 100.0% |
| TOMPKINS | 10 | 6.2% | 151 | 93.8% | 161 | 100.0% |
| ULSTER | 86 | 18.7% | 375 | 81.3% | 461 | 100.0% |
| WARREN | 24 | 7.8% | 283 | 92.2% | 307 | 100.0% |
| WASHINGTON | 13 | 6.1% | 199 | 93.9% | 212 | 100.0% |
| WAYNE | 58 | 22.5% | 200 | 77.5% | 258 | 100.0% |
| WYOMING | 12 | 11.7% | 91 | 88.3% | 103 | 100.0% |
| YATES | 20 | 32.3% | 42 | 67.7% | 62 | 100.0% |
| SUBTOTAL | 995 | 10.5% | 8,496 | 89.5% | 9,491 | 100.0% |
| GRAND TOTAL | 7,477 | 12.4% | 52,603 | 87.6% | 60,080 | 100.0% |

County of commitment data is unavailable for 1 case.

APPENXIX C

TABLE 9. VICTIM NOTIFICATION STATUS FOR VIOLENT FELONS BY COUNTY
INMATES UNDER DOCS CUSTODY ON JANUARY 1, 2009 (VIOLENT FELONS ONLY)

| REGION AND COUNTY | VICTIM REGISTERED | | NOT REGISTERED | | TOTAL | |
|-------------------|-------------------|---------|----------------|---------|--------|---------|
| | NUMBER | PERCENT | NUMBER | PERCENT | NUMBER | PERCENT |
| NEW YORK CITY | | | | | | |
| KINGS | 666 | 11.0% | 5,364 | 89.0% | 6,030 | 100.0% |
| NEW YORK | 682 | 11.8% | 5,108 | 88.2% | 5,790 | 100.0% |
| QUEENS | 635 | 17.2% | 3,063 | 82.8% | 3,698 | 100.0% |
| RICHMOND | 81 | 18.9% | 347 | 81.1% | 428 | 100.0% |
| BRONX | 1,554 | 44.9% | 1,905 | 55.1% | 3,459 | 100.0% |
| SUBTOTAL | 3,618 | 18.6% | 15,787 | 81.4% | 19,405 | 100.0% |
| SUBURBAN NEWYORK | | | | | | |
| NASSAU | 310 | 25.0% | 931 | 75.0% | 1,241 | 100.0% |
| ROCKLAND | 26 | 9.6% | 245 | 90.4% | 271 | 100.0% |
| SUFFOLK | 188 | 12.6% | 1,307 | 87.4% | 1,495 | 100.0% |
| WESTCHESTER | 118 | 10.2% | 1,037 | 89.8% | 1,155 | 100.0% |
| SUBTOTAL | 642 | 15.4% | 3,520 | 84.6% | 4,162 | 100.0% |
| UPSTATE URBAN | | | | | | |
| ALBANY | 66 | 7.7% | 794 | 92.3% | 860 | 100.0% |
| BROOME | 23 | 6.2% | 348 | 93.8% | 371 | 100.0% |
| ERIE | 143 | 7.6% | 1,745 | 92.4% | 1,888 | 100.0% |
| MONROE | 681 | 33.7% | 1,337 | 66.3% | 2,018 | 100.0% |
| NIAGARA | 142 | 40.6% | 208 | 59.4% | 350 | 100.0% |
| ONEIDA | 30 | 5.5% | 518 | 94.5% | 548 | 100.0% |
| ONONDAGA | 175 | 17.6% | 820 | 82.4% | 995 | 100.0% |
| RENSSELAER | 80 | 31.0% | 178 | 69.0% | 258 | 100.0% |
| SCHENECTADY | 64 | 14.1% | 390 | 85.9% | 454 | 100.0% |
| SUBTOTAL | 1,404 | 18.1% | 6,338 | 81.9% | 7,742 | 100.0% |
| UPSTATE OTHER | | | | | | |
| ALLEGANY | 4 | 16.0% | 21 | 84.0% | 25 | 100.0% |
| CATTARAUGUS | 7 | 10.6% | 59 | 89.4% | 66 | 100.0% |
| CAYUGA | 10 | 9.9% | 91 | 90.1% | 101 | 100.0% |
| CHAUTAUQUA | 25 | 27.2% | 67 | 72.8% | 92 | 100.0% |
| CHEMUNG | 9 | 5.3% | 161 | 94.7% | 170 | 100.0% |
| CHENANGO | 4 | 7.0% | 53 | 93.0% | 57 | 100.0% |
| CLINTON | 13 | 21.7% | 47 | 78.3% | 60 | 100.0% |
| COLUMBIA | 2 | 3.7% | 52 | 96.3% | 54 | 100.0% |
| CORTLAND | 16 | 28.1% | 41 | 71.9% | 57 | 100.0% |
| DELAWARE | 4 | 8.2% | 45 | 91.8% | 49 | 100.0% |
| DUTCHESS | 58 | 20.9% | 220 | 79.1% | 278 | 100.0% |
| ESSEX | 4 | 15.4% | 22 | 84.6% | 26 | 100.0% |
| FRANKLIN | 8 | 17.8% | 37 | 82.2% | 45 | 100.0% |
| FULTON | 13 | 21.0% | 49 | 79.0% | 62 | 100.0% |
| GENESEE | 3 | 2.9% | 100 | 97.1% | 103 | 100.0% |
| GREENE | 2 | 3.9% | 49 | 96.1% | 51 | 100.0% |
| HAMILTON | 2 | 40.0% | 3 | 60.0% | 5 | 100.0% |
| HERKIMER | 9 | 10.7% | 75 | 89.3% | 84 | 100.0% |
| JEFFERSON | 12 | 11.3% | 94 | 88.7% | 106 | 100.0% |
| LEWIS | 1 | 7.7% | 12 | 92.3% | 13 | 100.0% |
| LIVINGSTON | 2 | 2.4% | 80 | 97.6% | 82 | 100.0% |
| MADISON | 6 | 9.8% | 55 | 90.2% | 61 | 100.0% |
| MONTGOMERY | 6 | 8.5% | 65 | 91.5% | 71 | 100.0% |
| ONTARIO | 69 | 28.8% | 171 | 71.3% | 240 | 100.0% |
| ORANGE | 122 | 21.3% | 452 | 78.7% | 574 | 100.0% |
| ORLEANS | 17 | 30.4% | 39 | 69.6% | 56 | 100.0% |
| OSWEGO | 20 | 19.8% | 81 | 80.2% | 101 | 100.0% |
| OTSEGO | 5 | 10.4% | 43 | 89.6% | 48 | 100.0% |
| PUTNAM | 9 | 20.0% | 36 | 80.0% | 45 | 100.0% |
| ST LAWRENCE | 32 | 30.8% | 72 | 69.2% | 104 | 100.0% |
| SARATOGA | 24 | 27.3% | 64 | 72.7% | 88 | 100.0% |
| SCHOHARIE | 6 | 21.4% | 22 | 78.6% | 28 | 100.0% |
| SCHUYLER | 5 | 27.8% | 13 | 72.2% | 18 | 100.0% |
| SENECA | 5 | 17.9% | 23 | 82.1% | 28 | 100.0% |
| STEUBEN | 30 | 27.3% | 80 | 72.7% | 110 | 100.0% |
| SULLIVAN | 10 | 4.6% | 208 | 95.4% | 218 | 100.0% |
| TIOGA | 3 | 6.0% | 47 | 94.0% | 50 | 100.0% |
| TOMPKINS | 10 | 11.9% | 74 | 88.1% | 84 | 100.0% |
| ULSTER | 63 | 30.1% | 146 | 69.9% | 209 | 100.0% |
| WARREN | 21 | 23.9% | 67 | 76.1% | 88 | 100.0% |
| WASHINGTON | 12 | 11.2% | 95 | 88.8% | 107 | 100.0% |
| WAYNE | 42 | 35.3% | 77 | 64.7% | 119 | 100.0% |
| WYOMING | 10 | 23.3% | 33 | 76.7% | 43 | 100.0% |
| YATES | 13 | 56.5% | 10 | 43.5% | 23 | 100.0% |
| SUBTOTAL | 748 | 18.2% | 3,351 | 81.8% | 4,099 | 100.0% |
| GRAND TOTAL | 6,412 | 18.1% | 28,996 | 81.9% | 35,408 | 100.0% |

County of commitment data is unavailable for 1 case.

TABLE 10.
VICTIM NOTIFICATION STATUS FOR VIOLENT FELONY ADMISSIONS BY COUNTY
NEW COURT COMMITMENTS 2008 (VIOLENT FELONS ONLY)

| REGION AND COUNTY | VICTIM NOTIFICATION FLAG | | | | | |
|-------------------|--------------------------|---------|----------------|---------|--------|---------|
| | VICTIM REGISTERED | | NOT REGISTERED | | TOTAL | |
| | NUMBER | PERCENT | NUMBER | PERCENT | NUMBER | PERCENT |
| NEW YORK CITY | | | | | | |
| KINGS | 14 | 2.3% | 607 | 97.7% | 621 | 100.0% |
| NEW YORK | 25 | 3.5% | 696 | 96.5% | 721 | 100.0% |
| QUEENS | 85 | 15.4% | 467 | 84.6% | 552 | 100.0% |
| RICHMOND | 3 | 4.2% | 68 | 95.8% | 71 | 100.0% |
| BRONX | 193 | 52.6% | 174 | 47.4% | 367 | 100.0% |
| SUBTOTAL | 320 | 13.7% | 2,012 | 86.3% | 2,332 | 100.0% |
| SUBURBAN NEWYORK | | | | | | |
| NASSAU | 18 | 9.4% | 173 | 90.6% | 191 | 100.0% |
| ROCKLAND | 0 | 0.0% | 34 | 100.0% | 34 | 100.0% |
| SUFFOLK | 22 | 8.9% | 226 | 91.1% | 248 | 100.0% |
| WESTCHESTER | 3 | 1.6% | 183 | 98.4% | 186 | 100.0% |
| SUBTOTAL | 43 | 6.5% | 616 | 93.5% | 659 | 100.0% |
| UPSTATE URBAN | | | | | | |
| ALBANY | 10 | 8.6% | 106 | 91.4% | 116 | 100.0% |
| BROOME | 0 | 0.0% | 49 | 100.0% | 49 | 100.0% |
| ERIE | 12 | 4.1% | 283 | 95.9% | 295 | 100.0% |
| MONROE | 13 | 4.0% | 315 | 96.0% | 328 | 100.0% |
| NIAGARA | 5 | 14.3% | 30 | 85.7% | 35 | 100.0% |
| ONEIDA | 1 | 1.1% | 89 | 98.9% | 90 | 100.0% |
| ONONDAGA | 10 | 5.7% | 164 | 94.3% | 174 | 100.0% |
| RENSSELAER | 4 | 13.3% | 26 | 86.7% | 30 | 100.0% |
| SCHENECTADY | 9 | 9.7% | 84 | 90.3% | 93 | 100.0% |
| SUBTOTAL | 64 | 5.3% | 1,146 | 94.7% | 1,210 | 100.0% |
| UPSTATE OTHER | | | | | | |
| ALLEGANY | 0 | 0.0% | 5 | 100.0% | 5 | 100.0% |
| CATTARAUGUS | 0 | 0.0% | 6 | 100.0% | 6 | 100.0% |
| CAYUGA | 0 | 0.0% | 16 | 100.0% | 16 | 100.0% |
| CHAUTAUQUA | 2 | 11.8% | 15 | 88.2% | 17 | 100.0% |
| CHEMUNG | 1 | 3.7% | 26 | 96.3% | 27 | 100.0% |
| CHENANGO | 0 | 0.0% | 5 | 100.0% | 5 | 100.0% |
| CLINTON | 0 | 0.0% | 14 | 100.0% | 14 | 100.0% |
| COLUMBIA | 0 | 0.0% | 9 | 100.0% | 9 | 100.0% |
| CORTLAND | 3 | 42.9% | 4 | 57.1% | 7 | 100.0% |
| DELAWARE | 0 | 0.0% | 6 | 100.0% | 6 | 100.0% |
| DUTCHESS | 6 | 12.2% | 43 | 87.8% | 49 | 100.0% |
| ESSEX | 0 | 0.0% | 3 | 100.0% | 3 | 100.0% |
| FRANKLIN | 0 | 0.0% | 5 | 100.0% | 5 | 100.0% |
| FULTON | 0 | 0.0% | 8 | 100.0% | 8 | 100.0% |
| GENESEE | 0 | 0.0% | 17 | 100.0% | 17 | 100.0% |
| GREENE | 0 | 0.0% | 6 | 100.0% | 6 | 100.0% |
| HERKIMER | 0 | 0.0% | 19 | 100.0% | 19 | 100.0% |
| JEFFERSON | 0 | 0.0% | 17 | 100.0% | 17 | 100.0% |
| LEWIS | 0 | 0.0% | 2 | 100.0% | 2 | 100.0% |
| LIVINGSTON | 0 | 0.0% | 10 | 100.0% | 10 | 100.0% |
| MADISON | 0 | 0.0% | 10 | 100.0% | 10 | 100.0% |
| MONTGOMERY | 0 | 0.0% | 8 | 100.0% | 8 | 100.0% |
| ONTARIO | 6 | 17.6% | 28 | 82.4% | 34 | 100.0% |
| ORANGE | 9 | 8.0% | 103 | 92.0% | 112 | 100.0% |
| ORLEANS | 2 | 15.4% | 11 | 84.6% | 13 | 100.0% |
| OSWEGO | 0 | 0.0% | 7 | 100.0% | 7 | 100.0% |
| OTSEGO | 0 | 0.0% | 10 | 100.0% | 10 | 100.0% |
| PUTNAM | 1 | 14.3% | 6 | 85.7% | 7 | 100.0% |
| ST LAWRENCE | 6 | 26.1% | 17 | 73.9% | 23 | 100.0% |
| SARATOGA | 10 | 45.5% | 12 | 54.5% | 22 | 100.0% |
| SCHOHARIE | 0 | 0.0% | 1 | 100.0% | 1 | 100.0% |
| SCHUYLER | 0 | 0.0% | 1 | 100.0% | 1 | 100.0% |
| SENECA | 0 | 0.0% | 3 | 100.0% | 3 | 100.0% |
| STEBEN | 3 | 17.6% | 14 | 82.4% | 17 | 100.0% |
| SULLIVAN | 0 | 0.0% | 32 | 100.0% | 32 | 100.0% |
| TIOGA | 0 | 0.0% | 11 | 100.0% | 11 | 100.0% |
| TOMPKINS | 0 | 0.0% | 18 | 100.0% | 18 | 100.0% |
| ULSTER | 3 | 7.9% | 35 | 92.1% | 38 | 100.0% |
| WARREN | 0 | 0.0% | 12 | 100.0% | 12 | 100.0% |
| WASHINGTON | 0 | 0.0% | 12 | 100.0% | 12 | 100.0% |
| WAYNE | 1 | 9.1% | 10 | 90.9% | 11 | 100.0% |
| WYOMING | 0 | 0.0% | 7 | 100.0% | 7 | 100.0% |
| YATES | 1 | 100.0% | 0 | 0.0% | 1 | 100.0% |
| SUBTOTAL | 54 | 8.2% | 604 | 91.8% | 658 | 100.0% |
| GRAND TOTAL | 481 | 9.9% | 4,378 | 90.1% | 4,859 | 100.0% |

APPENDIX D – NEW INTERNET FORMS

CONFIDENTIAL

| REQUEST FOR VICTIM NOTIFICATION SOLICITUD PARA NOTIFICACION A LA VICTIMA | | | | | | | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------|-------------------------------------------------------------------------|-------------------------------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------------------------------|---------------------------|-----------|------------|
| (PLEASE PRINT/FAVOR DE USAR LETRA DE MOLDE) (The NYS Department of Correctional Services (DOCS) and the NYS Division of Parole (Parole)) (El Departamento de Servicios Correccionales (DOCS) y la División de Libertad Bajo Palabra del Estado de Nueva York) | | | | | | | | | | | |
| Complete this form IF you would like to request notification from DOCS that an inmate from a state correctional facility has been released, OR if you would like PAROLE to inform you of an inmate's upcoming parole hearing date, thereby giving you the option of submitting a victim impact statement. Completed forms may be mailed to: <i>NYS Division of PAROLE, Victim Impact Unit, 97 Central Avenue, Albany, NY 12214-6131</i> . You may also register ON-LINE at parole.state.ny.us . If you have questions, you may contact the Parole Victim Impact Unit at 1-800-639-2650 (or 518-486-4400) , or the DOCS Office of Victim Services at 1-800-783-6059, (or 518-402-6600) . | | | | | |  <p>Llene este formulario si quiere recibir notificación del Departamento de Servicios Correccionales cuando un recluso haya salido de una institución correccional estatal o si quiere que la Junta de Libertad Bajo Palabra le informe cuando un recluso vaya a comparecer delante la Junta de Libertad Bajo Palabra, proveyéndole la opción de someter una declaración del impacto en la víctima.</p> <p>Una vez que llene el formulario, envíelo a: <i>NYS Division of PAROLE, Victim Impact Unit, 97 Central Avenue, Albany, NY 12214-6131</i>. También puede registrarse electrónicamente en la página del Internet "parole.state.ny.us".</p> <p>Si tiene preguntas puede comunicarse con la unidad de Impacto a la Víctima de la Junta de Libertad Bajo Palabra llamando al 1-800-639-2650 o 518-486-4400 o con la Oficina de Servicios para las Víctimas del Departamento de Servicios Correccionales llamando al 1-800-786-6059 o 518-402-6600.</p> | | | | | |
| INMATE INFORMATION (INFORMACION DEL RECLUSO/PRESO) (Please work with your district attorney's office to provide as much information as possible.) (Si necesita ayuda para conseguir esta informacion, favor de consultar con la oficina del Fiscal del Distrito) | | | | | | | | | | | |
| First Name (Primer nombre) | | | | MI (Inicial) | | Last Name (Apellido) | | | | | |
| DATE OF BIRTH / fecha de nacimiento | Month (Mes) | Day (Dia) | Year (Año) | County of Conviction (Condado de la convicción) | | | | DATE RECEIVED / fecha de comulata | Month (Mes) | Day (Dia) | Year (Año) |
| Indictment # (número de la acusación) | | | | DIN # | | NYSID | | | | | |
| PERSON REQUESTING INFORMATION (SOLICITANTE) ("Person Requesting Information" refers to an adult party who is capable of receiving communication. DO NOT complete this form with the name of a deceased person, minor, or otherwise, compromised person.) ("Solicitante" se refiere a una persona adulta, capacitada para recibir comunicaciones. No llene este formulario con el nombre de una persona muerta, menor de edad o de alguna manera incapaz de representarse a si misma) | | | | | | | | | | | |
| I am a /Soy <input type="checkbox"/> new applicant (for the offender listed above)/ Nuevo solicitante (para el recluso enumerado arriba) <input type="checkbox"/> current registrant, updating my information /Solicitante corriente, actualización de información | | | | | | | | | | | |
| Title: <input type="checkbox"/> Ms. <input type="checkbox"/> Mrs. <input type="checkbox"/> Mr. <input type="checkbox"/> Other: _____ | | | | | | | | Phone Numbers (Numeros de Telefono) | | | |
| First Name (Primer nombre) | | | MI Inicial | | Last Name (Apellido) | | | HOME / Su casa | Area code (Prefijo local) | | |
| Street # (Calle) | | | Name of Street or PO Box # (Your mailing address is needed)/(Domicilio) | | | | APT #/Unidad | | Area code (Prefijo local) | | |
| City (Ciudad) | | | State (Estado) | | Zip (Código postal) | | | CELL / Cebular / Trabajo | Area code (Prefijo local) | | |
| | | | | | | | | | | | |
| I prefer notification in/ Prefiero la notificación en <input type="checkbox"/> English/Inglés <input type="checkbox"/> Spanish/Español (Please work with a victim advocate if you need additional translation services/Por favor trabaje con un consejero de victima si usted necesita servicios de traducción adicionales.) | | | | | | | | | | | |
| Applicant's relationship to victim/La relación del solicitante a víctima <input type="checkbox"/> I am not a victim; I was a witness to a crime/No soy la víctima; Soy un testigo a un crimen) <input type="checkbox"/> Self/Uno mismo <input type="checkbox"/> Partner/Spouse or Ex (Compañero/Cónyuge/Espos(a) o ExCompañero/Cónyuge/Espos(a)) <input type="checkbox"/> Parents/Padre/Madre <input type="checkbox"/> Son/Daughter/Hijo/a <input type="checkbox"/> Legal Representative/Representante Legal <input type="checkbox"/> Other/Otro: _____ | | | | | | | | | | | |
| Is the victim a minor (under 18 years of age)/ Es la víctima menor de edad (menos de 18 años)? <input type="checkbox"/> Yes/Sí <input type="checkbox"/> No | | | | | | | | | | | |
| I would like to/Me gustaría: (check ALL that apply/Marque todos lo que aplican) | | | | | | | | | | | |
| <input type="checkbox"/> ... be notified of an offender's release from a New York state-level correctional facility/Ser notificado cuando un recluso salga de una institución correccional estatal del estado de Nueva York. | | | | | | | | | | | |
| <input type="checkbox"/> ... be notified of NYS Parole Board interviews with an offender, and the results of those interviews. (Note that this right only applies to crime victims and their families.) / Ser notificado cuando un recluso vaya a comparecer delante de la Junta de Libertad Bajo Palabra y el resultado de la entrevista (este derecho aplica sola mente para las víctimas de crimen y sus familiares.) | | | | | | | | | | | |
| <input type="checkbox"/> ... provide or update a VICTIM IMPACT STATEMENT to Parole. (This right only applies to crime victims and their families. If you select this option, you will be provided with more information about impact statements at a later date.)/Proveer o acualizar la declaración del impacto en la víctima para la Junta de Libertad Bajo Palabra (este derecho aplica solamente para las víctimas de crimen y sus familiares. Si selecciona esta opción se le proveerá en el futuro con información adicional sobre la declaración del impacto a la víctima.) | | | | | | | | | | | |
| I understand that any information I give to the NYS DOCS and the NYS Parole Board will be kept strictly confidential. I understand that it is my responsibility to notify DOCS and Parole of any changes in the contact information I provided above, OR any changes in my request for information, by completing and submitting a new "REQUEST FOR VICTIM NOTIFICATION" registration form. Entiendo que cualquier información que le provea a Departamento de Servicios Correccionales y a la Junta de Libertad Bajo Palabra del Estado de Nueva York, será mantenida estrictamente confidencial. Entiendo que es mi responsabilidad notificarle al Departamento de Servicios Correccionales y a la Junta de Libertad Bajo Palabra si hay cambios de dirección o teléfono o de alguna otra información en mi solicitud. En tal caso debo llenar un formulario nuevo de "SOLICITUD PARA LA NOTIFICACION A LA VICTIMA". Signature/Firma: _____ Date/Fecha _____ | | | | | | | | | | | |

----- CUT HERE/Corte aquí -----

YOU HAVE A RIGHT TO KNOW
(Para Español, mire en el lado trasero de este formulario)



Victims of crime in New York State, and in certain cases, other interested parties, have several opportunities to access information about incarcerated and released offenders:

- (1) You can access the **NYS DOCS look-up system** to obtain information on prison inmates such as facility location, date admitted, crime, and sentence length. (www.docs.state.ny.us)
- (2) You can use your **touch-tone phone** to make a toll-free call to obtain information about the **custody status** of an adult offender who is in a NYC or county jail, or in a NYS prison. ((1-888-VINE-4NY) (1-888-846-3469).)
- (3) You can register to receive **confidential notification of an inmate's release** from any correctional facility. (To register, call 1-888-VINE-4NY (1-888-846-3469).
- (4) *If you are a victim of a crime*, you can register with PAROLE to be notified when an inmate is scheduled to be interviewed **by the Parole Board**. You also have the option of submitting a **VICTIM IMPACT STATEMENT**. (Use the above form to register. Questions? Call Parole at 1-800-639-2650 or visit www.parole.state.ny.us)
- (5) You can be **notified by certified mail** from the NYS Department of Correctional Services when an offender is released from a state prison. (Use the above form to register. Questions? Call DOCS at 1-800-783-6059.)

TIENE EL DERECHO DE SABER



Las Víctimas de crímenes en el Estado de Nueva York, y en algunos casos otras personas, tienen varias maneras de obtener información acerca de personas que están encarcelados y aquellos que han liberados de la prisión:

- (1) Electrónicamente puede entrar a la **página del Internet del Departamento de Servicios Correccionales** (docs.state.ny.us) para buscar información sobre los reclusos, como la institución correccional donde están, la fecha en que fueron encarcelados, crimen y sentencia.
- (2) Puede **llamar libre de cargos al teléfono 1-888-VINE-4NY (1-888-639-2650)** para obtener información sobre **la custodia de reclusos adultos** que se encuentran en cárceles de la ciudad de Nueva York (NYC), en una cárcel del condado o en una prisión estatal.
- (3) Puede registrarse para **recibir notificación telefónica confidencial** de cuando un recluso salga de cualquier institución correccional estatal llamando al 1-888-VINE-4NY (1-888-846-3469).
- (4) *Si es una víctima de un crimen* puede registrarse con la Junta de Libertad Bajo Palabra para que le notifiquen cuando un recluso va a comparecer delante de la Junta de Libertad Bajo Palabra. También tiene la opción de someter **una declaración de impacto a la víctima**. Regístrese usando este formulario. Si tiene preguntas llame al 1-800-639-2650 o visite nuestra página en el Internet parole.state.ny.us.
- (5) DOCS puede **notificarle por correo certificado** cuando un recluso salga de una prisión estatal. Regístrese usando este formulario. Si tiene preguntas llame al 1-800-783-6059.

APPENDIX E - DIRECTIVE

| | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|----------------------|---------------------------------|
|  <p>STATE OF NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES</p> <p>DIRECTIVE</p> | TITLE | | NO. 4036 |
| | Notification to Victim of Inmate Release or Damages Award | | DATE 08/06/2003 |
| SUPERSEDES DIR# 4036 Dtd. 08/29/01 | DISTRIBUTION A | PAGES PAGE 1 OF 3 | DATE LAST REVISED 08/04/2005 |
| REFERENCES (Include but are not limited to) Criminal Procedure Law 380.50 | APPROVING AUTHORITY  | | |

- I. POLICY.** In accord with the provisions of Section 380.50 of the Criminal Procedure Law, the Department shall notify, by certified mail, a victim, family member, legal guardian, or legal representative of the legal guardian of an inmate's escape, abscondance, discharge, parole, conditional release or release to post-release supervision when a request for such notification has been received via a district attorney's office.
- Notwithstanding the foregoing, the Department's Office of Victim Services will honor a request for notification of an offender's release from any member of the community who expresses safety concerns.
- In accord with the provisions of the federal Prisoners Litigation Reform Act of 1995, the Department shall make reasonable efforts to notify crime victims that monetary damages are about to be paid to an inmate pursuant to a civil action against a federal, state or local correctional facility or an official of such facility.
- In accord with the provisions of Section 632-a of the Executive Law, the Department shall notify the New York State Crime Victims Board whenever an inmate's account balance exceeds \$10,000. This notification is performed by the Department's Office of Victim Services. It is then the responsibility of the New York State Crime Victims Board to determine if the inmate has been convicted of a "specified crime" as defined in the statute. Further, it is the responsibility of the New York State Crime Victims Board to contact victims and inform them of their rights to bring forward a civil action.
- II. DEFINITIONS**
- A. "Victim" means the victim as described in the accusatory instrument, where the inmate has been convicted of a violent felony offense as defined in Section 70.02 of the Penal Law or of a homicide offense as defined in Article 125 of the Penal Law or family member, legal guardian or representative of the legal guardian of the victim.
- B. "Family member" means any person related to a victim within the third degree of consanguinity or affinity or any person residing in the same household with a victim.
- C. "Requester", as used in this directive, means the "victim" as defined above.
- D. "Inmate" means a person convicted of a violent felony offense as defined in section 70.02 of the Penal law or a felony as defined in Article 125 of the Penal Law and incarcerated in a state correctional facility.
- E. "Victim demand" means a form prescribed by the Commissioner and distributed by the prosecutor. Such form, may be completed by a victim and should be submitted to the prosecutor. It shall be the duty of the prosecutor to mail promptly such form to the Department of Correctional Services, Office of Victim Services.
- III. PROCEDURE - INMATE ESCAPE, ABSCONDANCE, TEMPORARY RELEASE, DISCHARGE OR PAROLE**
- A. Receipt of Request. The Office of Victim Services, Central Office, shall receive the "Victim Demand - Notice of Inmate Release," Form 3617 (Attachment "A") from district attorney's offices.
- B. Confidentiality. The "Victim Demand - Notice of Inmate Release" form is confidential. Under no circumstances shall these "requests" be reproduced. If the computer record (F451 program screen #81) is reproduced for or by Guidance or Parole staffs, the field containing victim notification data should be

"whited out." Inmates are not to see these requests. Disclosure is not required by the Freedom of Information Act as it would constitute an unwarranted invasion of personal privacy.

- C. Notice of Discharge/Temporary Release/Parole. The Office of Victim Services, upon receipt of automated release data on discharge or temporary release or release to parole supervision or conditional release or placement into post-release supervision, shall notify the requester, by certified mail, of such discharge/temporary release/release at the time it occurs. In the case of temporary release, the notice to the victim shall be sent at the initial release. It is not to be sent on a repeated basis if the temporary release is part of an on-going program such as work release or day reporting. If the Temporary Release program is not on-going (such as Temporary Release Furlough) the notification must be sent each time.
- D. Notice of Removal from On-going Temporary Release Program. If an inmate is removed from work release or another on-going temporary release program, the Office of Victim Services shall notify the requester by certified mail.
- E. Notice of Escape or Absconding. The Office of Victim Services, upon notice of an inmate escape or abscondance, shall notify the requester immediately of such event as expeditiously as possible by telephone or certified mail. If notice is given by telephone, it shall be confirmed in writing by certified mail.
- F. Notice of Recapture. The Office of Victim Services, upon notice of return after recapture, shall notify the requester of the inmate's recapture by certified mail within 48 hours after such regaining of custody.
- G. Notice of Returned Violator (No New Term) From Parole Supervision. The Office of Victim Services, upon notice of a returned parole violator (no new term), shall reactivate any requests for notification of the victim filed in the inmate's inactive record.

IV. PROCEDURE - INMATE COMPENSATORY DAMAGES AWARD. Counsel's Office and the Office of Victim Services shall be responsible for making reasonable efforts to notify crime victims when inmates under Departmental custody are awarded monetary damages.

- A. Counsel's Office will notify the Office of Victim Services of the imminent payment of a federal civil rights compensatory damages award. The notice that Counsel's Office will provide will also list the name and civ. (federal identification) number of the lawsuit. A copy of this notice will also be sent to the superintendent of the facility in which the inmate is housed.
- B. Upon receipt of this notice, the Office of Victim Services shall review the inmate's file to ascertain whether a "victim notice" has been filed in accordance with Criminal Procedure Law Section 380.50. If the requester is a victim, victim's relative or victim's co-resident, the Office of Victim Services shall send the requester a letter notifying him or her of the pending damages award.
- C. If the victim's name and address are not on file as a "victim notice," the Office of Victim Services shall make a reasonable effort to notify the victim by requesting assistance in notifying the victim from the office of the district attorney of the county in which the inmate was prosecuted.

Further, upon receipt of the notice from Counsel's Office, the Office of Victim Services shall review the inmate's commitment paper to determine if a restitution order is in effect. If a restitution order is in effect, Central Office Inmate Accounts will be notified of the pending award.

STATE OF NEW YORK – DEPARTMENT OF CORRECTIONAL SERVICES
VICTIM*DEMAND – NOTICE OF INMATE’S RELEASE

NAME OF INMATE: _____
one offender/inmate name per form

COUNTY OF COMMITMENT: _____ INDICTMENT #: _____

NYSID #: _____ INMATE DATE OF BIRTH: _____

DATE OF SENTENCING: _____ NOTE: if under age 16, will not enter NYSDOCS

I request to be notified of the release of the above named inmate. I understand this information will be confidential.

NAME OF REQUESTOR: _____

NOTE: requestor cannot be a minor

ADDRESS OF REQUESTOR: _____ APT. # _____

TELEPHONE NUMBER: _____

NAME OF VICTIM: _____

RELATIONSHIP TO VICTIM (circle one): SELF PARENT SPOUSE CHILD SIBLING

LEGAL REPRESENTATIVE LEGAL GUARDIAN OF MINOR CHILD OTHER (specify) _____

*Section 380.50 of the Criminal Procedure Law provides that the victim, as defined below, may receive notification of the release of an inmate where the defendant has been convicted of a violent felony offense as defined in Section 70.02 of the Penal Law or a homicide offense as defined in Article 125 of the Penal Law.

“Victim” means the victim as indicated in the accusatory instrument, or, if such victim is unable or unwilling to express himself or herself before the court or a person so mentally or physically disabled as to make it impracticable to appear in court in person or the victim is deceased, a member of the family of such victim, or the legal guardian or representative of the legal guardian of the victim where such guardian or representative has personal knowledge of and a relationship with the victim, unless the court finds that it would be inappropriate for such person to make a statement on behalf of the victim.

THIS FORM SHOULD BE RETURNED TO THE DISTRICT ATTORNEY’S OFFICE FOR THAT OFFICE TO SUBMIT THE FORM TO THE DEPARTMENT OF CORRECTIONAL SERVICES

WAS THERE AN ORDER OF PROTECTION ISSUED? YES _____ NO _____
IF YES, PLEASE ATTACH A COPY OF THE ORDER OF PROTECTION

The victim or designated representative may provide additional statements and/or information to the Parole Board regarding the impact of the crime. Contact the Parole Victim Impact Unit at: 97 Central Avenue, Albany, NY 12214-6131 or 1-800-639-2650.

FOR ADDITIONAL NOTIFICATION SERVICES BY PHONE, CALL 1-888-VINE-4-NY

My signature below indicates I am demanding written notification of the above named offender’s release from the Department of Correctional Services. I understand it is my responsibility to complete a new form with the District Attorney’s office if my address changes.

Signed: _____ Date: _____

CHECK HERE IF THIS IS A CHANGE OF ADDRESS REQUEST yes _____ no _____

Prepared by:

Dan Bernstein
Program Research Specialist III
Program Planning, Research & Evaluation

Janet Koupash, Director
Office of Victim Services

2009