
NEW YORK STATE
COMMITTEE FOR THE COORDINATION OF POLICE
SERVICES TO ELDERLY PERSONS

ANNUAL REPORT
CALENDAR YEAR 2009
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Governor
State of New York

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Preface

The following report of the New York State Committee for the Coordination of Police Services to Elderly Persons is submitted pursuant to §844-b (3-a) of the New York State Executive Law. The report includes statistical information relating to 2009 Domestic Incident Reports (DIR) involving elderly victims as well as information regarding the activities of the Committee in calendar year 2009.

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NEW YORK STATE COMMITTEE FOR THE COORDINATION OF POLICE SERVICES TO ELDERLY PERSONS

Chapter III of the Laws of 1993 established the New York State Committee for the Coordination of Police Services to Elderly Persons. As prescribed by §844-b (2) (a) of the Executive Law, the Committee is composed of 16 members appointed by the Commissioner of the Division of Criminal Justice Services (DCJS). Committee membership includes: a representative of DCJS; one representative from the New York State Police; two representatives of the Sheriffs' Association; two representatives of the Association of Chiefs of Police; one representative of the Crime Victims Board; one representative of the Office for the Aging; two representatives from the District Attorneys' Association; one representative from the Attorney General's Office; one representative from the Office of Children and Family Services; one representative of the New York City Police Department; one representative of the Crime Prevention Coalition; and two representatives from the Legislature, one to be appointed by the Temporary President of the Senate, and one by the Speaker of the Assembly. Additionally, as has been past practice, a representative from the Office of Temporary and Disability Assistance is included on the Committee as a representative of the former position of State Commissioner of Social Services (as prescribed in Section 844-b). A list of current Committee members is included in this report.

Duties and Responsibilities

Pursuant to Executive Law §844-b(3), the Committee shall advise DCJS, the State Police, county sheriffs and other local law enforcement agencies, and senior advocates chosen in consultation with the State Office for the Aging, in the study and evaluation of "Triad Programs" as an effective response to the problems of crime against elderly persons. "Triads" are community policing programs aimed at improving the quality of life and safety of elderly persons.

Additional Duties

The Committee may also perform the following additional duties:

- Consult with experts, service providers, and representative organizations engaged in the protection of the elderly.
- If appropriate, recommend the development of "Triad Programs" in New York State to assist the elderly to avoid criminal victimization through coordinated efforts of State and local law enforcement agencies and organizations which provide services for the elderly.
- If appropriate, recommend policies and programs to assist law enforcement agencies to implement "Triad Programs," including training and prevention standards and technical assistance. Such recommendations may include:

- (1) The establishment of a statewide and central clearinghouse of information and education materials.
- (2) The development of innovative community police programs for the elderly.
- (3) Providing assistance to the Municipal Police Training Council in the development and delivery of training to law enforcement professionals involved in "Triad Programs," including, but not limited to: crimes against the elderly and the protection of elderly persons; police sensitivity to the needs of elderly persons as victims and witnesses; and social and human services.
- (4) Providing assistance to State and local law enforcement officials and not-for-profit corporations and other organizations with respect to effective policies and responses to crimes against elderly persons.
- (5) Promoting and facilitating cooperation among State agencies and local units of government.
- (6) Effective advocacy of services to protect elderly persons and elderly victims of crime.
- (7) Evaluating the relationship between crimes against elderly persons and other problems confronting elderly persons, and making recommendations for effective policy response.
- (8) The collection of statistical data and research.

Reporting Requirements

Pursuant to Executive Law Section 844-b (3-a), the Committee "shall report to the Temporary President of the Senate, the Speaker of the Assembly, the Chair of the Assembly Committee on Aging and the Chair of the Senate Committee on Aging, on the incidence of reports of abuse of elderly persons consisting of reports to local law enforcement agencies pursuant to Section 140.10 of the Criminal Procedure Law".

**New York State Committee for the
Coordination of Police Services to Elderly Persons**

Committee Members as of December 2009 *

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Vacant (nomination not received).

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NYS Office of Children and Family Services
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Vacant (nomination pending).

*Committee Members in **Bold Type**

2009 ACTIVITIES OF THE COMMITTEE FOR COORDINATION OF POLICE SERVICES TO ELDERLY PERSONS

The Committee met on April 7, 2009 at the Division of Criminal Justice Services (DCJS) in Albany.

During the meeting, the Training Sub-Committee provided the Committee with report on the June 24, 2008 training conference titled "STEPS: The Multidisciplinary Path Toward Enhancing Police Services to Elderly Persons." The training held in Albany at the State Police Academy was co-sponsored by the Committee, the Office of Public Safety, DCJS, the New York City Police Department and the New York State Police. A total of 137 attendees from 62 law enforcement, prosecutorial and elder service agencies attended. Members reviewed the course surveys and identified topics from the training that could be expanded for future training sessions.

Committee members from Office of Children and Family Services (OCFS) provided an overview of the annual Adult Abuse Training Institute (AATI) conference held in September 2008. The two-day conference on issues affecting the elderly was attended by over 400 persons with the largest contingent from backgrounds in Adult Protective Services and the Office for the Aging. The Committee agreed to increase the Law Enforcement presentations and participation in the 2009 AATI.

Staff from the DCJS Bureau of Justice Research and Performance presented 2008 Statewide Domestic Incident Report (DIR) Submissions for Elderly Victims. Current year DIR data is available on line at:
<http://www.criminaljustice.state.ny.us/crimnet/pubs.htm>.

A new Training and Coordination Sub-Committee was formed and met on July 22, 2009 at DCJS in Albany. In summary, the group determined that more coordinated efforts could be achieved through expanding membership to include both public and private agencies currently not represented. Recommendations would be made to the next Committee meeting.

In September 2009, the Committee contributed to sponsoring and coordinating four workshops featuring Law Enforcement presenters and topics during the OCFS sponsored annual AATI. The workshop results will be reviewed at the next Committee meeting scheduled for March 30, 2010.

The Committee meeting scheduled for October 22, 2009 was rescheduled to March 30, 2010. The results of the Committee meeting will be included in the 2010 Annual Report.

Member Status

During 2009, Committee member Loraine Noval representing the Office of Temporary and Disability Assistance retired from state service. Special Assistant Logan Joseph was nominated to complete Ms. Noval's term and is awaiting confirmation. The position of representative from the State Assembly has remained vacant. No nomination was received from the Assembly in 2006 when the Committee was re-activated or in response to a second request from DCJS in 2007.

Executive Order Number 3

In accordance with Executive Order Number 3 (Promotion of Public Access to Government Decision Making – 1/1/07), meetings of the Committee continued to be webcasted during 2009.

2009 STATEWIDE DOMESTIC INCIDENT REPORT (DIR) SUBMISSIONS FOR ELDERLY VICTIMS

Mandate

In accordance with New York State Executive Law, §844-b (3-a), the Committee for the Coordination of Police Services to Elderly Persons is mandated to provide an annual report on domestic incidents reported to the police that involve elderly persons, ages of victims and alleged offenders, circumstances of the incident whether arrests were made and the sentence, if any, of the offenders.

Data

This report is based on the Domestic Incident Report (DIR), a New York State standardized form that is completed by law enforcement officers for all alleged incidents of domestic violence.¹ The Division of Criminal Justice Services (DCJS) maintains a database comprised of *only* DIRs completed on victims sixty-five years of age or older.² DCJS is creating a centralized Domestic Incident Report Repository of all DIRs that will be operational in 2011.

On a monthly basis, the New York City Police Department electronically submits *all* of their DIRs to DCJS.³ Using the victim's age as a guide, an elderly NYC DIR dataset is derived for the current analysis.

¹ The DIR form is usually prepared at the time of the incident and is not intended to record sentence information.

² According to Section 140.10 of the Criminal Procedure Law, a copy of the Domestic Incident Report involving a victim who is sixty-five years of age or older, is required to be sent to the Committee for the Coordination of Police Services to Elderly Person.

³ New York City Police Department submits DIRs for the following counties: Bronx, Kings, New York, Queens and Richmond.

What is New

This report presents statewide Domestic Incident Report (DIR) data for 2009. Regional DIR data are presented for New York City (NYC) and the rest of New York State (hereafter Rest of State) which includes Long Island and upstate jurisdictions.

Table 1 presents the number of domestic incidents involving elderly victims by county. Table 2 presents a descriptive analysis of incidents reported in 2009 involving victims sixty-five years of age or older for both NYC and jurisdictions outside of NYC. The table also includes information on the relationship between the victim and suspect, victim and suspect demographics, offense level, orders of protection and arrest information.

Total DIRs

- In 2009, law enforcement agencies in New York State documented a total of 7,799 DIRs involving elderly victims sixty-five years of age or older.⁴ Between 2008 and 2009 the number of DIRs involving elderly victims increased by approximately 12%. In 2008 a total of 6,985 DIRs were recorded statewide.
- Of the 7,799 elderly DIRs recorded, 3,662 (47%) elderly incidents were reported by NYC and 4,137 (53%) elderly incidents were reported by Rest of State.
- Of a total of 252,324 DIRs documented in NYC in 2009, approximately 1.5% of these incidents involved elderly victims.

Elderly Victims by Region and County

- In the NYC region, Kings (1,180), Queens (834), and New York (795) reported the highest numbers of DIRs involving elderly victims in 2009 (Table 1).
- For the Rest of State, Nassau (752), Suffolk (680), and Westchester (378) reported the highest numbers of DIRs involving elderly victims in 2009 (Table 1).

Relationship Between Elderly Victim and Suspect

- In 2009, partner relationships comprised 19.9% of DIRs involving elderly victims in NYC and 23.6% of DIRs in Rest of State.⁵ Partner relationships include spouse, ex-spouse, child-in-common, girlfriend, boyfriend, ex-

⁴ DIR data reported as of March 2, 2010.

⁵ **The definition of “members of the same household or family”** (CPL 530.11(as amended in the Laws of New York, 2008, Ch. 326) has been expanded to include “persons in intimate relationships regardless of whether such persons have lived together at any time.” This law became effective July 22, 2008.

girlfriend/boyfriend and living together or formerly living together girlfriend or boyfriend.

- Family relationships in 2009 accounted for the majority of elderly DIRs for both NYC (89.9%) and Rest of State (84.9%). Family relationships include spouse or ex-spouse, child-in-common, parent, child, and other relatives (i.e., siblings, grandparents, grandchildren, stepchildren).⁶
- Elderly victims involved in domestic incidents were more likely to be victimized by their children. In 2009, the child of the elderly victim was the suspect in 42.7% of incidents in NYC and in 43% of incidents in Rest of State.
- Suspects characterized as relatives comprised the second largest group after child suspects of elderly victims. Relatives of the elderly victims in NYC were involved in 32.4% of the elderly incidents. In Rest of State, this percentage was lower (23.2%).

Victim Demographics

- In 2009, the majority (70.7%) of elderly victims in NYC were females. For Rest of State, females accounted for 63.2% of DIRs involving elderly victims.
- In 2009, 13.4% of elderly victims in NYC were White, non-Hispanic, while in jurisdictions outside of NYC, 70.7% of elderly victims were White, non-Hispanic.⁷
- For both NYC and Rest of State, the 65 to 69 age group represented the largest group of elderly victims (39.2% and 41.6%, respectively). The average age for victims was similar for NYC (73) and jurisdictions outside of NYC (73).

Suspect Demographics

- Males accounted for almost two-thirds of the suspects involved in elderly incidents in NYC (62.5%) and jurisdictions outside of NYC (64.4%).

⁶ The combined percents of partner and family relationships sum to more than 100% because the relationship categories are not mutually exclusive and often overlap.

⁷ According to the U.S. Census, 35% of the population in NYC is White, non-Hispanic and 79% for jurisdictions outside of NYC. U.S. Census Bureau; American Community Survey, Demographic and Housing Estimates: 2006-2008. Accessed from American Fact Finder; <<http://factfinder.census.gov>> on March 15, 2010.

- The percentage of minority suspects in 2009 varied widely by region. In NYC minority suspects accounted for 74.8% of elderly incidents and in Rest of State minority suspects comprised 26%. (Not presented in table).
- In 2009, the average age of suspects involved in elderly incidents in NYC was 39 years of age. In Rest of State the average age of suspects was higher at 43 years of age. The 40 to 49 age group represented the largest group of suspects for both NYC (18.7%) and Rest of State (26%).

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Offense Characteristics

- Most of the incidents involving elderly victims for both NYC and Rest of State did not involve a criminal offense as defined as a felony or misdemeanor (77.8% and 82.4%, respectively). The majority of these incidents were recorded as “verbal disputes or disturbances.” Law enforcement officers are mandated by law to complete and file a DIR when investigating a report of a crime or offense, regardless of whether a crime actually occurred.
- In 2009, of the 3,662 incidents involving elderly victims reported to police in NYC, 6.1% were felonies, 16.1% were misdemeanors, and 13.9% were violations.
- In Rest of State, of the 4,137 incidents involving elderly victims, 4% were felonies, 13.7% were misdemeanors, and 15.2% were violations.
- In 2009, 16.5% (134) of elderly incidents in NYC involved some type of serious physical attack (i.e., choking, kicking, punching, sexual abuse, using weapons, or homicide), when a misdemeanor or felony was recorded. Rest of State reported that 21.1% (154) of elderly incidents involved some type of serious physical attack when a misdemeanor or felony was recorded.

Order of Protection

- In approximately 6% (211) of elderly incidents in NYC, a valid order of protection was in place at the time of the incident. Of these valid orders of protection, a total of 87.2% (184) were violated.
- In 2009, Rest of State reported 7.5% (311) of elderly incidents involved a valid order of protection of which 55% (171) were violated.
- For NYC and Rest of State combined, of the 522 valid orders of protection in place, 167 orders were not violated because either no offense was involved in the incident or the DIR was not completely filled out. (Not presented in table).

Suspect On-Scene

- In 2009, in 51.9% of the incidents involving elderly victims in NYC, the suspect was on-scene when law enforcement responded. In Rest of State, the suspect was on-scene in 65% of the incidents involving elderly victims.

Arrest (Suspect On-Scene)

- In 2009, 86.3% (277) of incidents in NYC involving an elderly victim resulted in an arrest when the suspect was on-scene and the incident involved a felony or misdemeanor. In Rest of State, 69.6% (256) of elderly incidents resulted in an arrest when the suspect was on-scene and a felony or misdemeanor was involved.

**Table 1. Number of Domestic Incident Reports (DIRs)
Involving Elderly Victims by County, 2009**

County	Elderly DIRs	
	Number	Percent
New York City		
Bronx	682	8.7
Kings	1,180	15.1
New York	795	10.2
Queens	834	10.7
Richmond	171	2.2
Subtotal	3,662	47.0
Rest of State		
Albany	207	2.7
Allegany	15	0.2
Broome	102	1.3
Cattaraugus	16	0.2
Cayuga	34	0.4
Chautauqua	34	0.4
Chemung	13	0.2
Chenango	7	0.1
Clinton	11	0.1
Columbia	27	0.3
Cortland	19	0.2
Delaware	21	0.3
Dutchess	81	1.0
Erie	190	2.4
Essex	11	0.1
Franklin	13	0.2
Fulton	25	0.3
Genesee	20	0.3
Greene	18	0.2
Hamilton	0	0.0
Herkimer	22	0.3
Jefferson	53	0.7
Lewis	7	0.1
Livingston	16	0.2
Madison	31	0.4
Monroe	257	3.3
Montgomery	3	0.0
Nassau	752	9.6
Niagara	27	0.3
Oneida	138	1.8
Onondaga	108	1.4
Ontario	37	0.5
Orange	85	1.1
Orleans	1	0.0
Oswego	40	0.5
Otsego	22	0.3
Putnam	16	0.2
Rensselaer	51	0.7
Rockland	160	2.1
Saint Lawrence	26	0.3
Saratoga	65	0.8
Schenectady	85	1.1
Schoharie	8	0.1
Schuyler	2	0.0
Seneca	9	0.1
Steuben	12	0.2
Suffolk	680	8.7
Sullivan	25	0.3
Tioga	2	0.0
Tompkins	27	0.3
Ulster	53	0.7
Warren	4	0.1
Washington	18	0.2
Wayne	42	0.5
Westchester	378	4.8
Wyoming	5	0.1
Yates	6	0.1
Total	4,137	53.0
Grand total	7,799	100.0

Table 2. Rest of State and New York City Domestic Incident Reports (DIRs) involving Elderly Victims (Age 65 and older), 2009

	New York City		Rest of State	
	2009		2009	
	Number	Percent	Number	Percent
Total Elderly Incidents	3,662	100.0	4,137	100.0
Relationship (Suspect to Victim)				
Spouse or Ex-Spouse	537	14.7	758	18.3
Intimate Partner	193	5.3	217	5.2
Parent	5	0.1	7	0.2
Child	1,562	42.7	1,778	43.0
Relatives	1,188	32.4	961	23.2
Other	3	0.1	273	6.6
Missing	174	4.8	143	3.5
Total	3,662	100.0	4,137	100.0
Partner Relationship¹	730	19.9	975	23.6
Family Relationship²	3,292	89.9	3,514	84.9
Female Victim	2,589	70.7	2,616	63.2
Male Suspect	2,290	62.5	2,665	64.4
White, non-Hispanic Victim	492	13.4	2,925	70.7
White, non-hispanic Suspect	448	12.2	2,550	61.6
Victim Age Group				
65 to 69	1,437	39.2	1,723	41.6
70-74	1,036	28.3	1,038	25.1
75-79	622	17.0	686	16.6
80 and over	567	15.5	690	16.7
Average Age	73		73	
Suspect Age Group				
5 to 15	283	7.7	216	5.2
16 to 19	438	12.0	399	9.6
20 to 29	506	13.8	459	11.1
30 to 39	426	11.6	545	13.2
40 to 49	686	18.7	1,076	26.0
50 to 59	391	10.7	555	13.4
60 to 69	244	6.7	338	8.2
70 and over	279	7.6	481	11.6
missing	409	11.2	68	1.6
Average Age	39		43	
Offense Level				
Felony	223	6.1	164	4.0
Misdemeanor	589	16.1	565	13.7
Violation	509	13.9	629	15.2
Other/None/Missing	2,341	63.9	2,779	67.2
Incident involved Misd or Felony and Serious Attack³	134	16.5	154	21.1
Order of Protection	211	5.8	311	7.5
of Ops, orders Violated	184	87.2	171	55.0
Offender on-scene (ALL incidents)	1,900	51.9	2,689	65.0
Offender on-scene (Misd or Felony involved)	321	8.8	368	8.9
Arrest Made	277	86.3	256	69.6

Source: Domestic Incident Report (DIR), 2009

1. Partner relationships include spouse, ex-spouse, child-in-common, boyfriend/girlfriend and ex-boyfriend/ex-girlfriend.
2. Family relationships include spouse, ex-spouse, parent, grandparent, stepparent, child, grandchild, stepchild, sibling, in-laws, aunt, uncle, niece, nephew, and other family.
3. Serious attack includes choking, homicide, kicking, punching, sexual abuse and using weapons.