



Statement before the
New York City Council

Committee on Criminal Justice Services
Keith Powers, Chairperson

and

Committee on Finance
Daniel Dromm, Chairperson

By Cynthia Brann, Commissioner
NYC Department of Correction

on the Executive Budget for Fiscal Year 2019

May 11, 2018

Good Morning, Chair Powers, Chair Dromm, members of the Committee on Criminal Justice, and members of the Committee on Finance. I am Cynthia Brann, the Commissioner of the New York City Department of Correction (DOC). My colleagues and I are here today to discuss the executive budget for Fiscal Year 2019. The budget reflects the Department's priorities as we move forward with our reform agenda. Our goal is to make our Department a national leader in corrections and establish procedures for long-term success.

As we discussed at the March hearing on the preliminary budget and the hearing on Safety in the Jails last month, the Department has achieved success in key areas, including all categories of inmate-on-inmate violence. We continue to take a holistic approach to reducing incidents. Since we have had the most success in the areas where we focused the most attention and resources, we used those lessons learned to build on and expand our effective reforms to broader populations.

Since FY14, we have seen promising improvements in incident levels, particularly those involving some of the most vulnerable or problematic populations. In the first three quarters of FY18,

- Inmate fights have decreased by 6.4%;
- Serious injuries to inmates resulting from fights or assaults have decreased by 14%; and
- Stabbings and slashings have decreased by 41%.

In specialized units such as CAPS and PACE, ESH and the Secure Unit, and our restarted General Population units, we have seen reduced violence and increased program engagement.

The last Federal Monitor's report praised us for being compliant with 78% of the 313 individual stipulations of the consent judgment. This is a testament to the hard work we have accomplished since the end of 2015. While this is encouraging, our goal is to achieve and sustain 100% compliance with the entire order and have the court release us from further obligations. I have the utmost confidence that we will achieve that goal.

Also noted in the report, we continue to be challenged by the number of Uses of Force (UOF). We work closely with the monitoring team to implement important changes, including providing comprehensive training to all staff that includes improved defensive tactics, understanding the revised UOF policy, conflict resolution, and de-escalation techniques. This curriculum goes well above and beyond the requirement of the consent judgment and we believe that once staff have completed the training, it will yield a change in our overall need to use force and significant reductions in assaults on staff, inmate fights, and other violence indicators.

In response to the Monitor's report and our own concerns, we implemented a Use of Force Improvement Action Plan. This plan includes:

- Deploying de-escalation teams;
- Enhancing the collection of gang intelligence to prevent the occurrence of violence, which may require the use of force;
- Increasing real-time video monitoring and analysis, including opening the Compliance and Safety Center (CASC);
- Redesigning the agency's Rapid Review process so that we can quickly identify and unusual or problematic incidents; and
- Assigning Mentoring Captains to the facilities to provide staff with support and on-site training.

We launched this plan a few weeks ago, have already seen successes, and are optimistic that it will lead to improvements in both the quantity and the quality of UOF.

Other Recent Accomplishments

Reducing violence and keeping our staff safe requires a holistic approach to management. Every service and program we expand creates a better environment, which helps reduce violence in custody and prepare people to be more successful when they to return to our communities later. Under this administration, we have expanded programming to five hours per day, restructured our custody management system, increased the number of hard and soft skills vocational training, and incorporated programming that is responsive to specific populations – such as those with mental health challenges, young people, women, and the persistently violent. We are not done. Since our last budget hearing in March, we have:

- Opened a dedicated New York Public Library location at MDC, our second in the Department;
- Launched visitor shuttles from Manhattan and Brooklyn, making it easier for those in custody to maintain meaningful relationships with their families and friends, something that is critical for success;
- Held a family visit at the Children's Museum of Manhattan; and

- Started an online bail payment system – one of the first in the country – to make it easier for people to pay bail.

Looking Forward to FY19

Culture change takes time, particularly in an agency as vast and complicated as Corrections. While we have experienced success in many areas, there is still work to be done. We are confident that our achievements over the last few years prepares us for continued success in FY19 and beyond.

Success is never achieved in a vacuum. I thank the Mayor and the Members of the City Council for your continued support as we carry out our mission. Your support of our staff and the very difficult work they do every day is clearly reflected in the executive budgets of this administration. It is very much appreciated.

Some highlights of the FY19 executive budget include funding for:

- 71 added civilian positions to our Investigations Division;
- RTA implementation;
- New and improved cell doors;
- Areas of the UOF Improvement Action plan, such as facility-based Emergency Services Unit teams and the CASC.

FY2019 Executive Budget and Its Impact on DOC

The Department's Fiscal Year 2019 Expense Budget is \$1.40 billion. The vast majority of this, 88%, is allocated for Personal Services, and 12% for Other than Personal Services. The Fiscal Year 2019 budget is \$20 million less than this year's budget of \$1.42 billion. This decrease in funding is mainly from uniformed headcount reductions due to the closure of the George Motchan Detention Center (GMDC) on Rikers Island, which takes full effect in Fiscal Year 2019.

Included in the Executive Budget are decreases of \$28 million in Fiscal Year 2018 and \$2.6 million in Fiscal Year 2019, and increases of \$24 million in Fiscal Year 2020, \$14 million in Fiscal Year 2021, and \$10.7 million in Fiscal Year 2022 and the out years.

The following is an overview of the major changes that were included in the Department's budget:

Reductions to DOC's Budget

- **Personal Services Accruals** - reduction to DOC's full-time salary budget of \$28.8 million in FY2018 and \$27.7 million in FY2019 due to hiring less Correction Officers than anticipated in the May 2017 and November 2017 classes.
- **Citywide Savings Initiatives** - Citywide savings initiatives developed by OMB resulted in a reduction of \$192 thousand in FY2018, \$1.3 million in FY2019, \$1.5 million in FY2020 and \$1.7

million beginning annually in FY2020. Reforms that will result in budgetary efficiencies are anticipated to be developed through reviews of Citywide phone plans by DoITT, stricter adherence to civilian overtime policies and procedures, transition to battery powered electric vehicles and automated enhancements to the City's procurement processes.

New Needs Funded

- To further enable the Department to satisfy requirements within the Nunez Consent Decree specific to Use of Force a total of \$3.4 million in FY2019 and \$4.9 million beginning annually in FY2020 was funded to support an additional 71 investigator positions.
- To enhance staff and inmate safety and security at RNDC, \$5.6 million in FY2019 was provided for the replacement of all sliding cell doors with hinged tamper proof cell doors.
- To ensure compliance with New York State Commission of Correction (SCOC) and New York State Office of Children and Family Services (OCFS) standards during the transition of 16 and 17 year inmates from DOC to ACS custody, \$9.9 million in FY2019 (assumes 9 months), \$13.1 million in FY2020 (assumes full year value) and \$3.3 million in FY2021 (assumes only 3 months) for 159 uniformed positions to staff the Horizon facility for two full calendar years.
- To provide additional emergency response patrol units during our most active and violence-prone shifts at our high-risk facilities, \$3.6 million beginning annually in FY2019 for 45 uniformed positions was funded.
- On January 31st, DOC opened the Compliance and Safety Center (CASC) housing the Department's Compliance and Video Monitoring Units and the new Emergency Operations Center. The CASC will serve as both an integrated command post to aid in the Department of Correction's rapid-response efforts to keep personnel and inmates safe in emergency situations, and to strengthen compliance with correctional standards and protocols. An increase of \$1.2 million in FY2018 and \$4.9 million beginning annually in FY2019 for 55 uniformed positions has been provided to support the operations of the CASC.

Capital Funding

With regard to capital funding, the Fiscal Year 2019 Executive Capital Budget and Commitment Plan, no additional funding was provided. The plan totals \$2.1 billion, which covers Fiscal Years 2018 through 2022.

Headcount

The Department continues to hire Correction Officers at historic levels. Most recently, 856 Correction Officer recruits were hired in January 2018 and are presently undergoing intensive training to prepare for graduation next month. This new Academy class along with the 5,700 hired since May 2014 have enabled us to enact the reforms necessary to provide a safer and better environment for our inmates and staff.

With the graduation of the current academy class, in combination with the closure of GMDC, Fiscal Year 2019 will be the first year we will be fully staffed in our jails since our reform agenda began in 2015. This will also yield a further decrease in overtime costs and allow for more efficient use of our resources. To date, we have been able to reduce our uniformed overtime spending from \$240.4 million in FY2017 to a projected \$196.6 million in FY2018. This anticipated 18% reduction in uniformed overtime expenditures represents the Department's commitment to bringing our overtime costs down. As posts are filled with new full-time hires, the Department will be able to reduce overtime reliance to achieve the \$150.4 million uniformed overtime budget in FY 2019.

The following is a summary of the changes to Department's civilian and uniformed authorized staffing levels included in the Executive Plan:

- The civilian authorized full-time headcount is 2,195 in FY2018 and 2,273 beginning annually in FY2019. The authorized headcount increase from FY2018 to FY2019 is due to newly funded initiatives that will not begin until FY2019.
- The uniformed authorized headcount is 10,427 in FY2018, 10,226 in FY2019, 10,242 in FY2020 and FY2021, and 10,083 beginning annually in FY2022. The authorized uniformed headcount decreases from FY2018 to FY2019 due to the closure of GMDC, which takes full effect in FY2019. However, that decrease is offset by uniformed headcount increases included in the FY2019 Executive Budget for the staffing of the Horizon Detention Facility, Compliance and Safety Center and the Emergency Services Unit. The average uniformed headcount is estimated to be 10,695 in FY2018, which represents an increase of 807 compared to an average of 9,888 in FY 2017.

Thank you again for the opportunity to testify today and for your continued support. We are happy to answer any questions that you may have.