



New York City Council

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Finance Division

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**Hearing on the Mayor's Fiscal Year 2012 Preliminary Budget &
the Fiscal Year 2011 Preliminary Mayor's Management Report**

Department of Correction

March 11, 2011

Committee on Fire and Criminal Justice Services

Hon. Elizabeth Crowley, Chair

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Summary and Highlights

Department of Correction Financial Summary

Dollars in thousands

	2009 Actual	2010 Actual	2011 Adopted	2011 Feb Plan	2012 Feb Plan	Difference, 2011 – 2012*
Personal Services	\$879,917	\$894,414	\$888,462	\$907,330	\$896,239	\$7,777
Other Than Personal Services	130,283	117,582	123,145	129,250	124,689	1,545
Table Total	\$1,101,200	\$1,011,995	\$1,011,607	\$1,036,580	\$1,020,928	\$9,321

*Difference refers to the variance between the Fiscal 2011 Adopted Budget and the Fiscal 2012 Preliminary Budget

The Department of Correction's Fiscal 2012 Preliminary Expense Budget of \$1.02 billion remains relatively static in comparison to its Fiscal 2011 Adopted Expense Budget of \$1.01 billion.

At the time of Adoption for Fiscal 2011, the agency's estimated budget for Fiscal 2012 was approximately \$11.5 million greater than the Adopted 2011 budget. The agency's estimated Personal Services budget of \$900.7 million for Fiscal 2012 was approximately \$12.3 million higher than its Fiscal 2011 Adopted PS Budget of \$888.5 million. The agency's estimated OTPS budget of \$122.4 million for Fiscal 2012 was \$737,000 less than its Fiscal 2011 Adopted OTPS budget of \$123.1 million.

The Fiscal 2012 Preliminary Budget now increases by \$9.3 million when compared to the Fiscal 2011 Adopted Budget rather than the \$11.5-million increase at the time of Adoption. This reduction of \$2.2 million is due to the November Plan's proposed budget reductions of \$8.9 million offset by February Plan new needs in the amount of \$4.9 million and other adjustments in the amount of \$1.8 million.

The February Plan for Fiscal 2011 is \$25 million greater than the Fiscal 2011 Adopted amount. This is the result of \$3.4 million in Program to Eliminate the Gap (PEG) proposals offset by \$2 million in new needs, \$5.2 million in other adjustment and \$21.2 million in PEG restorations.

Budget Proposals and Highlights

- **Elimination of 51 Correction Officer Positions.** According to the November Plan, the Department will reduce its correction officer staffing by 51 positions through attrition. This proposed action is estimated to save \$2.8 million in Fiscal 2012, \$2.9 million in Fiscal 2013 and 2014, and \$3 million in Fiscal 2015.
- **Administrative Support Staff Reduction.** As per the November Plan, "The Department will eliminate administrative support staff assigned to Assistant Deputy Wardens, civilianize assigned to Deputy Wardens and reduce the number of administrative support staff assigned to Wardens. This action is designed to reduce DOC expenditures by approximately \$1.7 million in Fiscal 2011 and \$3.5 million in Fiscal 2012 and the outyears. This reduction stems from the elimination of 61 uniform positions and the creation of 33 civilian positions, for a net staff decrease of 28 positions.
- **Health Management Division (HMD) Sick Desk Staffing Reduction.** In order to generate annual savings of approximately \$13 million annually beginning in Fiscal 2012, the Department proposes to reduce HMD staffing and redeploy them to other posts within the agency. There would be no headcount implications from this action.

- **Headquarters Civilian Reduction.** To generate savings of approximately \$600,000 annually beginning in Fiscal 2012, the Department is proposing to reduce civilian headcount at its headquarters by 10 positions through attrition.
- **Overtime Savings.** According to the January Plan, “The Department of Correction was unable to achieve overtime savings in FY11 due to an inmate population increase and the delay of a new inmate classification system.” As such, a one-time restoration of \$12 million was included in the Plan.
- **Large-Scale Restorations.** As has been the case for the last several Financial Plans, the recent November and February Plans restore millions of dollars of previously proposed PEGs whose proposed savings have failed to materialize. Combined, these November and February PEG restorations total \$37.6 million in City funds in Fiscal 2011.

Department of Correction

The Department of Correction (DOC) provides custody, control and care of misdemeanants and felons sentenced to one year of incarceration or less; detainees awaiting trial or sentence; newly sentenced felons awaiting transportation to State correctional facilities; alleged parole violators awaiting revocation hearings; and State prisoners with court appearances in New York City. Professional care and services, including health and mental health care, opportunities for religious observance, educational instruction, vocational training, discharge planning and substance abuse counseling are provided. In Fiscal 2009, the Department handled over 100,000 admissions, managed an average daily population of 13,362 and transported 307,149 individuals to court.

Key Public Services Areas

- Provide a safe and secure environment for inmates, staff and host communities.
- Prepare inmates for return to their neighborhoods as civil and contributing members.
- Provide victim-focused and victim friendly services.

Critical Objectives

- Ensure the security and safety of inmates while in custody and reduce inmate violence in correctional facilities.
- Ensure that uses of force are authorized and appropriate.
- Provide inmates with timely access to health services.
- Efficiently manage bed capacity and cell maintenance and repair in a timely manner.
- Ensure timely transport of inmates to courts throughout the City.
- Increase access to programs, including educational opportunities, jobs training, and mental health and substance abuse services.
- Notify crime victims when inmates are released and provide inmate information to the public.

SOURCE: Mayor's Management Report

Department of Correction Financial Summary by Program Area						
<i>Dollars in Thousands</i>						
	2009	2010	2011	2011	2012	Difference,
	Actual	Actual	Adopted	Feb Plan	Feb Plan	2011 – 2012
Budget by Program Area						
Jail Operations	\$826,099	\$831,967	\$881,659	\$898,141	\$883,807	\$2,148
Rikers Security & Operations	32,084	30,545	21,409	23,761	21,606	197
Infrastructure & Environ. Health	39,230	39,434	32,233	35,343	36,208	3,975
Hospital Prison Ward	18,591	18,499	14,001	14,001	14,001	0
Health & Programs	13,023	14,164	11,293	12,744	11,317	24
Management & Administration	46,784	42,925	45,104	46,767	48,080	2,977
Academy & Training	34,389	34,461	5,908	5,823	5,908	0
TOTAL	\$1,010,200	\$1,011,995	\$1,011,607	\$1,036,580	\$1,020,928	\$9,321
Funding						
City Funds			\$969,057	\$1,006,447	\$981,658	\$12,601
Federal – Other			41,309	28,175	38,030	(3,279)
Intra-City			131	355	131	0
State			1,109	1,213	1,109	0
Other Categorical			0	390	0	0
TOTAL			\$1,011,607	\$1,036,580	\$1,020,928	\$9,321

Department of Correction Headcount Summary

	2009 Actual	2010 Actual	2011 Adopted	2011 Feb Plan	2012 Feb Plan	Difference, 2011 – 2012
Positions						
Full-Time Positions – Civilian	1,420	1,395	1,638	1,689	1,677	39
Full-Time Positions - Uniformed	9,068	8,772	8,576	8,638	8,437	(139)
TOTAL	10,488	10,167	10,214	10,327	10,114	(100)

Agency Overtime Reconciliation**Actual Overtime - Fiscal 2006-2010**

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Uniform	\$64,956,427	\$91,382,925	\$98,621,364	\$91,004,855	\$7,148,607
Civilian	\$6,102,352	\$9,152,219	\$8,899,003	\$7,842,406	\$90,285,551
Total OT	\$71,058,779	\$100,535,144	\$107,520,367	\$98,847,260	\$97,434,158

Planned Overtime - Fiscal 2012 February Plan

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Uniform	\$72,912,000	\$68,668,480	\$68,668,480	\$68,668,480	\$68,668,480
Civilian	\$6,478,609	\$7,266,113	\$6,141,107	\$6,141,107	\$6,141,107
Total OT	\$79,390,609	\$75,934,593	\$74,809,587	\$74,809,587	\$74,809,587

The Department of Correction submits a proposal for its uniform and civilian overtime budget each time the Mayor releases a Financial Plan. Whereas the Fiscal 2012 February Plan above shows projected overtime of approximately \$79.4 million in Fiscal 2011, \$75.9 million in Fiscal 2012 and \$74.8 million in each of the outyears, this sum is significantly lower than the roughly \$100 million figure spent by the agency in each of three prior fiscal years. This difference is attributable to DOC's aggressive efforts to damp down planned overtime costs. However, due to attrition and the Department's inability to hire up to its authorized headcount, actual uniform overtime expenditures frequently exceed the budgeted amount. This is because the Department is forced to staff on overtime fixed security posts that would otherwise be run on straight time.

Miscellaneous Revenue

	Actual		Planned				
	2009	2010	2011	2012	2013	2014	2015
Vending Machine	\$351,408	\$375,079	\$440,000	\$440,000	\$440,000	\$440,000	\$440,000
Commissary Funds	\$12,000,837	\$12,979,848	\$12,800,000	\$12,000,000	\$12,000,000	\$12,000,000	\$12,000,000
Other	\$9,930,638	\$9,671,877	\$8,799,000	\$7,499,000	\$7,499,000	\$7,499,000	\$7,499,000
TOTAL	\$22,282,883	\$23,026,804	\$22,039,000	\$19,939,000	\$19,939,000	\$19,939,000	\$19,939,000

The Department of Correction collects miscellaneous revenue from jail commissary operations, vending machines and surcharges on inmate telephone calls. Commissary funds represent revenue received from the sale of commissary goods. In Fiscal 2009, the Department collected \$22.3 million in revenue while in

Fiscal 2010 it collected approximately \$23 million. For Fiscal 2011 the projected amount decreases by approximately \$1 million, bringing the total to approximately \$22 million. For Fiscal 2012 and the outyears, the Department projects the receipt of \$19.9 million from all miscellaneous revenue sources. Of note, of the approximately \$7.5 million in "Other" miscellaneous revenues projected for Fiscal 2012 and the outyears, about \$5.5 million is generated by inmate telephone fees. Baseline commissary franchise revenue in the amount of \$2.5 million was included in prior plans but has been removed in recognition of the fact that DOC has scrapped its plans to privatize commissary operations.

Capital Program

Agency Overview

DOC manages fourteen jails, including ten Rikers Island facilities and four borough facilities. It also staffs court detention facilities in each borough, and prison wards in City hospitals. Cumulatively, the City's jails have a maximum physical capacity of 19,404 beds.

Capital Budget Summary

The February 2011 Capital Commitment Plan includes approximately \$1.01 billion in Fiscal 2011-2014 for the Department of Correction (including City and Non-City funds). This represents 3 percent of the City's total \$33.2 billion February Plan for Fiscal 2011-2014. The agency's February Commitment Plan for Fiscal 2011-2014 is 16 percent less than the \$1.2 billion scheduled in the September Commitment Plan, a decrease of \$188.8 million.

Over the past five years the Department of Correction has only committed an average of 18 percent of its annual Capital Plan. Therefore, it is assumed that a large portion of the agency's Fiscal 2011 Capital Plan will be rolled into Fiscal 2012, thus greatly increasing the size of the Fiscal 2012-2015 Capital Plan. Since Adoption last June, the Capital Commitment Plan for Fiscal 2011 has decreased from \$400.7 million to \$256.4 million, a reduction of \$144.3 million, or 36 percent.

Currently the Department of Correction's appropriations total \$460 million in City-funds for Fiscal 2011. These appropriations are to be used to finance the agency's \$249 million City-funded Fiscal 2011 Capital Commitment Program. The agency has \$211 million, or 85 percent more funding than it needs to meet its entire Capital Commitment Program for the current fiscal year.

2011-2014 Commitment Plan: Adopted and Preliminary Budget

Thousands of Dollars

	FY11	FY12	FY13	FY14	Total
Adopted					
Total Capital Plan	\$400,687	\$150,546	\$30,906	\$617,694	\$1,199,833
Prelim					
Total Capital Plan	\$256,367	\$131,886	\$69,574	\$553,174	\$1,011,001
Change					
Level	(\$144,320)	(\$18,660)	\$38,668	(\$64,520)	(\$188,832)
Percentage	-36.02%	-12.39%	125.11%	-10.45%	-15.74%

2011-2014 Commitment Plan Highlights

The Four-Year Commitment Plan for DOC for Fiscal 2011-20114 has been reduced by \$191.8 million (14.9%), going from \$1.285 billion in September to \$1.093 billion in the current February Plan. Funding for the currently unoccupied James A. Thomas Center is reduced in the current Four-Year Plan from \$83.3 million to only \$1.7 million. The most significant items funded in the Plan are:

- \$564.5 million to build a new correctional facility on Rikers Island. This project had previously been funded at \$660 million.
- \$104.6 million to construct a Fire Safety System.
- \$97.4 million for the construction of a Co-Generation Power Plant.

Preliminary 10-Year Capital Strategy

The Department's Ten-Year Capital Strategy includes a total of \$1.48 billion in funding for: acquisition of new equipment, capacity replacement, and a major overhaul of building systems, infrastructure and support space for Fiscal 2012-2020. The Strategy document includes the following summary of DOC's long-term Capital Plans:

In August 2010 the Department publicly announced a redesigned Capacity Replacement Plan. This plan outlines a strategy to reduce inmate bed capacity by almost 3,000. This reflects the consistent decline in inmate population over the past 20 years from a record high of about 21,400 inmates daily in 1992 to approximately 13,000 today. Projections over the next five years suggest slow growth in population to a possible maximum average daily population of 14,000 inmates. To ensure there are sufficient beds for seasonal surges, routine maintenance and special categories of inmates new bed capacity will be set at 16,546.

Implementing the redesigned Capacity Replacement Plan will involve demolishing nearly 4,000 beds in 50 deteriorated housing units on Rikers Island and taking offline 1,200 beds at the currently unoccupied James A. Thomas Center (JATC). In addition, 800 new beds will come online in the Spring of 2011 from a completed addition to the Rose M. Singer Center and 1,500 new beds will be added through the construction of a new jail facility on Rikers Island.

The DOC continues to work to support improvement of Rikers Island's infrastructure, which is a major component of the Department's capital program. Funding is also allocated in this Preliminary Ten-Year Capital Strategy to complete a power cogeneration system for Rikers Island, build additional classroom space, improve plumbing and ventilation systems, replace facades, roofs and windows at various facilities, and ensure compliance with fire/life safety standards. In addition, information systems, telecommunication equipment, and security apparatus will be upgraded.

Equipment & Vehicles

The Ten-Year Capital Strategy provides \$104.4 million for upgrades and or replacements of vehicles, computers, security equipment, and communication systems.

Capacity Replacement

The Ten-Year Capital Strategy provides \$635 million for the capacity replacement program. As per the Preliminary Capital Strategy, DOC will fund the design and construction of a new 1,500 bed jail on Rikers Island and infrastructure reconstruction at the Brooklyn House of Detention Center (BKDC). Design of the new Rikers Island facility and the reopening of the BKDC are scheduled to begin in FY12. The reopening of the BKDC will provide inmate beds while facilities on Rikers Island are closed for reconstruction.

Below please find the capacity of the jails on Rikers Island and in the Boroughs as of last year.

<i>Rikers Island Facilities</i>	<i>Capacity</i>
Anna M. Kross Center	2,388
Robert N. Davoren Center	2,238
Eric M. Taylor Center	2,051
George Motchan Detention Center	2,978
George R. Vierno Center	1,310
James A. Thomas Center	1,194
North Infirmary Command	475
Otis Bantum Correctional Center	1,697
Rose M. Singer Center	1,139
West Facility	940
<i>Rikers Island Sub-total</i>	<i>16,410</i>
<i>Borough Facilities</i>	<i>Capacity</i>
Brooklyn House of Detention	759
Queens House of Detention	467
Manhattan Detention Center	898
Vernon C. Bain Center	870
<i>Borough Sub-total</i>	<i>2,994</i>
<i>Max. Operating Capacity</i>	<i>19,404</i>

Source: Department of Correction

Building Systems, Infrastructure and Support Space

The Ten-Year Capital Strategy provides \$299.5 million for improvements to building systems, infrastructure (including roofs, windows, facades, plumbing, ventilation and fire/life safety systems, and mechanical and permanent electrical power upgrades), and support space.

Fiscal 2012 Preliminary Contracts Budget

Category	Number	Budgeted	Pct. of DOC Total	Pct. of City Total	Pct. Change from 2011 Adopted
Contractual Services General	13	\$8,634,258	38.0%	1.72%	-3.3%
Telecommunications Maintenance	2	6,223,320	27.4%	12.61%	115.4%
Maint. & Repair of Motor Vehicle Equipment	1	198,620	0.9%	1.41%	0.0%
Maint. & Repair, General	30	6,502,226	28.6%	6.58%	1.7%
Office Equipment Maintenance	6	95,475	0.4%	0.67%	0.0%
Temporary Services	1	1,000	0.0%	0.00%	0.0%
Cleaning Services	1	175,000	0.8%	0.85%	0.0%
Transportation Expenditures	1	260,829	1.1%	1.99%	0.0%
Training Programs for City Employees	2	229,820	1.0%	1.61%	0.0%
Professional Services: Other	5	419,516	1.8%	0.33%	0.0%
Preliminary Budget	62	\$22,740,064	100.0%	0.22%	16.1%

Program Areas

Jail Operations

This program area includes funding for the operation of the jails on Rikers Island and in the Boroughs, custody of inmates at the various Court Pens, and transportation of DOC inmates to and from court.

<i>Dollars in Thousands</i>	2009 Actual	2010 Actual	2011 Adopted	2011 Feb Plan	2012 Feb Plan	Difference, 2011 – 2012
Spending						
Personal Services	\$738,791	\$754,178	\$797,195	\$814,679	\$802,562	\$5,367
Full-Time Salaried – Civilian	37,135	40,001	46,205	47,297	49,379	3,174
Full-Time Salaried – Uniform	518,214	533,801	561,529	566,331	565,989	4,460
Other Salaried & Unsalariated	3,005	3,048	3,142	3,154	3,154	11
Additional Gross Pay	76,583	75,908	84,784	94,184	85,618	834
Overtime – Civilian	3,357	2,919	6,141	\$6,141	6,141	0
Overtime – Uniformed	80,676	79,994	70,000	72,912	68,668	(1,332)
Fringe Benefits	19,821	18,508	24,828	24,660	23,614	(1,214)
Amounts to be Scheduled	0	0	567	0	0	(567)
Other Than Personal Services	\$87,308	\$77,789	\$84,464	\$83,462	\$81,244	(\$3,219)
Supplies and Materials	42,092	36,458	39,224	38,517	35,331	(3,893)
Property and Equipment	1,034	595	1,469	1,455	1,049	(420)
Other Services and Charges	38,144	35,537	36,294	36,878	36,294	0
Social Services	3,494	3,446	3,128	3,128	3,128	0
Contractual Services	2,382	1,691	1,622	2,974	2,715	1,093
Fixed and Misc. Charges	161	62	2,726	509	2,726	0
TOTAL	\$826,099	\$831,967	\$881,659	\$898,141	\$883,807	\$2,148
Funding						
<i>City Funds</i>			\$839,240	\$872,209	\$844,668	\$5,428
<i>Federal – Other</i>			41,309	24,724	38,030	(3,279)
<i>State</i>			1,109	1,208	1,109	0
TOTAL			\$881,659	\$898,141	\$883,807	\$2,148
Positions						
Full-Time Positions - Civilian	752	739	944	977	967	23
Full-Time Positions - Uniformed	7,964	8,162	7,962	8,016	7,823	(139)
TOTAL	8,716	8,901	8,906	8,993	8,790	(116)

Additional gross pay and overtime are included in the Jail Operations Program area for Fiscal 2011 and Fiscal 2012. These funds will later be modified into the other program areas which currently show no funding in these object classes.

Performance Measures

	FY 08	FY 09	FY 10	4-Month Actual FY 10	4-Month Actual FY 11	Target FY 12
Inmates delivered to court	317,612	307,149	285,366	100,059	91,709	*
On-trial inmates delivered to court on time (%)	99.4%	99.6%	99.7%	99.9%	97.6%	95%

Population of Inmates in the Correctional System

Fiscal Year	2006	2007	2008	2009	2010*
Admissions	103,830	108,767	107,516	99,939	48,401
Average Daily Population	13,497	13,987	13,849	13,362	13,170
Average Length of Stay	48 days	47 days	47.5 days	49 days	49.9 days

through January 2010

Note: DOC does not project these statistics very far into the future. According to the agency, however, no significant changes are forecast over the course of the Financial Plan

Actual Detainee Average Length of Stay (days)			
2006	2007	2008	2009
46.7	46.3	48.5	50.3

Actual City-Sentenced Average Length of Stay (days)			
2006	2007	2008	2009
37.0	37.0	34.3	34.8

Fiscal 2010 “Fallout” Rate for All Inmates in the Correctional System

Length of Stay in Days	Percentage of all Admissions *
3	30%
7	49%
10	54%
15	60%
30	71%
60	85%
* Fiscal Year 2009	

Programs to Eliminate the Gap (PEGs)

- **Elimination of 51 Correction Officer Positions.** According to the November Plan, the Department will reduce its correction officer staffing by 51 positions through attrition. This proposed action is estimated to save \$2.8 million in Fiscal 2012, \$2.9 million in Fiscal 2013 and 2014, and \$3 million in Fiscal 2015.
- **Administrative Support Staff Reduction.** As per the November Plan, “The Department will eliminate administrative support staff assigned to Assistant Deputy Wardens, civilianize assigned to Deputy Wardens and reduce the number of administrative support staff assigned to Wardens. This action is designed to reduce DOC expenditures by approximately \$1.7 million in Fiscal 2011 and \$3.5 million in Fiscal 2012 and the outyears. This reduction stems from the elimination of 61 uniform positions and the creation of 33 civilian positions, for a net staff decrease of 28 positions.
- **Health Management Division (HMD) Sick Desk Staffing Reduction.** In order to generate annual savings of approximately \$13 million annually beginning in Fiscal 2012, the Department proposes to reduce HMD staffing and redeploy them to other posts within the agency. There would be no headcount implications from this action.
- **Headquarters Civilian Reduction.** To generate savings of approximately \$600,000 annually beginning in Fiscal 2012, the Department is proposing to reduce civilian headcount at its headquarters by 10 positions through attrition.
- **Reduction in Correction Assistance Response for Employees (CARE) Staffing.** The November Plan called for a reduction of six uniformed positions in the Department’s CARE Unit for a savings of approximately \$350,000 beginning in Fiscal 2012. The attrition of these six positions would leave funding for three uniformed staff.
- **Reduction of Non-Essential Food Servings.** To generate savings of \$175,000 in Fiscal 2011 and \$350,000 annually beginning in Fiscal 2012, DOC will adjust “servings of non-essential food items.”

Revenue PEG

- **Increase Telephone Revenue.** “Based on historical and current performance,” DOC anticipates additional revenue from the usage of the inmate telephone system. The additional revenues are budgeted at \$1.5 million in Fiscal 2011 and \$1 million annually beginning in Fiscal 2012.

New Needs

- **“Benjamin” Litigation.** The February Plan adds approximately \$2 million in Fiscal 2011 and \$4.9 million in Fiscal 2012 to address new needs arising out of the “Benjamin” litigation. This funding will support 16 civilian positions to “address sanitation condition needs within inmate facilities.” A portion of the funding will also provide OTPS funds for “cleaning and maintenance and repair materials.”

PEG Restorations (Fiscal 2011 Only)

As has been the case for the last several Financial Plans, the recent November and February Plans restore millions of dollars of previously proposed PEGs whose proposed savings have failed to materialize. Combined, these November and February PEG restorations total \$37.6 million in City funds in Fiscal 2011. The repeated, large-scale restorations demonstrate just how ambitious a task it is for DOC to identify savings within its budget after so many prior rounds of reductions. As DOC is an agency with fixed-post staffing and myriad legal requirements pertaining to its care, custody and control missions, recent PEG proposals have had to be increasingly creative, with some of its proposals requiring variances, cooperation from other government entities, and the Courts. Inevitably, many of these savings efforts have failed, and many others have been delayed.

- **Leasing Beds to Other Jurisdictions.** According to OMB, there is a severe shortage in the Northeast of jail beds to house inmates facing charges. Conversely, DOC has surplus capacity. Last year's January Plan contained a PEG proposal to have 300 inmates phased in to DOC custody beginning in Fiscal 2010.

The net savings of this action was forecast at \$455,000 in Fiscal 2010 and approximately \$3.2 million in Fiscal 2011 and the outyears. Funding was to be added to cover the hiring of 16 additional correction officers in Fiscal 2010, increasing to 33 officers by Fiscal 2011, to provide custody of these inmates. However, the revenue (\$3.6 million in Fiscal 2010 rising to approximately \$16.4 million by Fiscal 2014) was scheduled to far exceed these amounts. As such, the agency planned to remove significant City tax-levy funds from its budget -- approximately \$3.6 million in Fiscal 2010 and approximately \$13.2 million in Fiscal 2011 and the outyears.

Having failed to reach agreement with any jurisdiction to house inmates, the sum of \$13.2 million in City funds is being restored to the agency's Fiscal 2011 budget and revenues of \$16.4 million are being removed. The current Plan still has net savings projected for DOC in Fiscal 2012 and the outyears. Until negotiations are finalized to have other jurisdiction house their inmates in DOC facilities, this gap closing initiative must be considered a budgetary risk.

- **Increase Housing Efficiencies.** According to the February Plan, "The Department of Correction is unable to achieve the savings associated with a new inmate classification system due to implementation delays." As such, a one-time restoration of \$8.6 million is included in the Plan.
- **Alternative for Rose M. Singer Center Nursery.** According to the February Plan, "The Department of Correction has not been able to secure a community based alternative to the Rose M. Singer center Nursery." As such, a one-time restoration of \$213,000 is included in the Plan.
- **Mix Detainee and City-Sentenced Inmates.** According to the February Plan, "The Department of Correction has not received the variance needed to achieve the post reductions that would result from the ability to mix detainee and sentenced inmate populations." As such, a one-time restoration of \$378,000 is included in the Plan.
- **Transportation Efficiencies.** According to the February Plan, "The Department of Correction has not received the cooperation from courts required to achieve these savings through scheduling alternative court delivery times." As such, a one-time restoration of \$210,000 is included in the Plan.
- **Overtime Savings.** According to the January Plan, "The Department of Correction was unable to achieve overtime savings in FY11 due to an inmate population increase and the delay of a new inmate classification system." As such, a one-time restoration of \$12 million was included in the Plan.
- **Four-Day Visit Schedule.** According to the January Plan, "The Department of Correction has not received the variance needed to achieve overtime savings associated with altering the inmate visit schedule from five to four days per week. Overtime savings would be achieved by reducing posts and

redeploying officers.” As such, a one-time restoration of approximately \$2.9 million was included in the Plan.

Operations – Rikers Security and Operations

This program area provides for operational security throughout all of the Department's facilities including the Emergency Service Unit, the tactical team on call 24 hours a day for critical situations; the Tactical Search Operation, to assist in maintaining order & retrieving inmate contraband; and the Rapid Response Team, for heightened security alerts on Rikers Island such as inmate escape attempts or potential riot situations.

<i>Dollars in Thousands</i>	2009 Actual	2010 Actual	2011 Adopted	2011 Feb Plan	2012 Feb Plan	Difference, 2011 – 2012
Spending						
Personal Services	\$29,752	\$28,850	\$18,776	\$18,951	\$18,872	\$97
Full-Time Salaried – Civilian	1,864	1,976	1,986	2,126	2,083	97
Full-Time Salaried – Uniform	19,411	18,585	16,789	16,789	16,789	0
Additional Gross Pay	3,128	3,002	0	0	0	0
Overtime - Civilian	109	163	0	0	0	0
Overtime - Uniformed	5,121	5,017	0	0	0	0
Fringe Benefits	119	107	0	0	0	0
Other Than Personal Services	\$2,332	\$1,695	\$2,634	\$4,810	\$2,734	\$100
Supplies and Materials	1,410	852	1,631	1,687	1,731	100
Property and Equipment	671	573	595	832	595	0
Other Services and Charges	0	0	0	2	0	0
Contractual Services	251	269	408	2,289	408	0
TOTAL	\$32,084	\$30,545	\$21,409	\$23,761	\$21,606	197
Funding						
<i>City Funds</i>			\$21,409	\$21,403	21,606	\$197
<i>Federal – Other</i>			\$0	2,357	0	0
TOTAL			\$21,409	\$23,761	\$21,606	\$197
Positions						
Full-Time Positions - Civilian	45	45	45	45	45	0
Full-Time Positions - Uniformed	254	240	236	236	236	0
TOTAL	299	285	281	281	281	0

Performance Measures from the Fiscal 2010 PMMR

	FY 07	FY 08	FY 09	4-Month Actual FY 09	4-Month Actual FY 10	Target FY 11
Incidents and Allegations of Department Use of Force	1,751	1,915	2,196	714	694	*
Serious Injury to Inmate	NA	NA	252	87	67	*
Inmate Deaths (exclusive of suicides)	28	25	18	9	3	*
Stabbings and Slashings	37	19	21	6	8	*
Assaults on Staff	442	427	457	152	159	*
Fight/Assault Infractions	6,576	6,109	6,696	2,076	2,317	*
Jail-based arrests of inmates	738	751	567	178	191	*
Searches	192,398	208,440	214,605	71,435	72,078	*
Weapons Recovered	2,472	1,439	1,295	484	378	*
Escapes	0	0	1	1	1	*
Suicides	2	2	0	0	2	*

Performance Measures from the Fiscal 2011 PMMR

	FY 08	FY 09	FY10	4-Month Actual FY10	4-Month Actual FY 11	Target FY 12
Incidents and Allegations of Department Use of Force	1,915	2,196	2,222	694	816	*
Violent inmate-on-inmate incidents (per 1,000 ADP)	NA	21.7	24.3	23.3	26	*
Serious injury to inmates by inmates (per 1,000 ADP)	NA	NA	NA	NA	1.3	*
Inmate assault on staff (per 1,000 ADP)	NA	2.9	3.2	3.1	3.3	*
Serious staff injury via inmate assault (per 1,000 ADP)	NA	NA	NA	NA	0.3	*
Fight/Assault Infractions	6,109	6,696	7,475	2,317	2,637	*
Jail-based arrests of inmates	751	567	526	191	145	*
Searches	208,440	214,605	203,403	72,078	65,823	*
Weapons Recovered	1,439	1,295	1,213	378	651	*
Escapes (per 1000 ADP)	NA	0.01	0.01	0.02	0.00	*
Non-natural inmate deaths in custody (per 1,000 ADP)	NA	0.00	0.01	0.04	0.02	*

Changes in Relevant Preliminary Mayor's Management Report (PMMR) Indicators

The following narratives are taken directly from the MMR:

- In order to account for fluctuations in the population, indicators describing safety in the jails have been revised to include the universe of violent incidents in the jails. 'Violent Inmate-on-Inmate Incidents (monthly rate per 1,000 Average Daily Population)' and 'Serious Injury to Inmate(s) as a Result of Inmate-on-Inmate Incidents (monthly rate per 1,000 ADP)' replaced 'Serious Injury to Inmate Incidents' and 'Stabbings and Slashings.' 'Violent Inmate-on-Inmate Incidents' includes all instances of fights and assaults, including stabbing and slashing incidents, between inmates. 'Serious Injury to Inmate(s) as a Result of Inmate-on-Inmate Incidents' includes all violent inmate-on-inmate incidents resulting in an inmate injury that requires a level of treatment beyond the application of analgesics or minor first aid.
- The Department replaced 'Assaults on Staff' with two new indicators—'Inmate Assault on Staff (monthly rate per 1,000 ADP)' and 'Serious Injury to Staff as a Result of Inmate Assault on Staff' (monthly rate per 1,000 ADP). The new indicators more clearly describe the frequency with which inmates assault staff and for the first time, the rate at which staff sustains serious injury. Additionally, the new indicators include, again for the first time, both uniformed and civilian personnel.
- 'Escapes,' previously reported as a raw number, has been replaced by a monthly rate of escapes per 1,000 inmates to account for fluctuations in the population.
- 'Non-natural Inmate Deaths in Custody' (monthly rate per 1,000 ADP) has replaced 'Suicides.' The new indicator reflects any non-natural death of an inmate in custody, including suicide, homicide, and accident.

Although accounting for fluctuations in the population by reporting certain data using a per-1,000 ADP (average daily population) is a reasonable performance management methodology, the loss of the associated raw data is both unfortunate and unnecessary. Leaving in the actual figures for serious injury incidents; stabbing and slashings; assaults on staff; escapes; and suicides would provide the public with important, concrete data.

Operation – Infrastructure and Environmental Health

DOC is charged with the complete responsibility for maintaining the infrastructure on Rikers Island, including building system improvements, facilities reconstruction, repair and daily maintenance.

<i>Dollars in Thousands</i>	2009 Actual	2010 Actual	2011 Adopted	2011 Feb Plan	2012 Feb Plan	Difference, 2011 – 2012
Spending						
Personal Services	\$26,482	\$25,739	\$22,452	\$23,186	\$24,765	\$2,312
Full-Time Salaried – Civilian	17,885	17,563	18,690	19,086	19,877	1,187
Full-Time Salaried – Uniform	3,760	3,759	3,763	3,763	3,763	0
Additional Gross Pay	1,301	1,276	0	0	0	0
Overtime - Civilian	3,236	3,172	0	338	1,125	1,125
Overtime - Uniformed	667	529	0	0	0	0
Fringe Benefits	45	43	0	0	0	0
P. S. Other	(412)	(423)	0	0	0	0
Other Than Personal Services	\$12,749	\$13,695	\$9,781	\$12,157	\$11,444	\$1,663
Supplies and Materials	4,195	4,794	4,154	6,517	6,868	2,714
Property and Equipment	65	104	118	118	166	48
Contractual Services	8,165	7,987	5,509	5,522	4,410	(1,098)
Fixed and Misc. Charges	323	810	0	0	0	0
TOTAL	\$39,230	\$39,434	\$32,233	\$35,343	\$36,208	\$3,975
Funding						
<i>City Funds</i>			\$32,233	\$35,343	\$36,208	\$3,975
TOTAL			\$32,233	\$35,343	\$36,208	\$3,975
Positions						
Full-Time Positions - Civilian	231	220	237	253	253	16
Full-Time Positions - Uniformed	45	41	46	46	46	0
TOTAL	276	261	283	299	299	16

Operations – Hospital Prison Ward

The Department maintains secure facilities in two City Hospitals, including the Elmhurst Hospital Prison Ward, for female inmates requiring acute psychiatric care, and the Bellevue Hospital Prison Ward for male inmates requiring psychiatric or medical care.

<i>Dollars in Thousands</i>	2009 Actual	2010 Actual	2011 Adopted	2011 Feb Plan	2012 Feb Plan	Difference, 2011 – 2012
Spending						
Personal Services	\$18,591	\$18,499	\$14,001	\$14,001	\$14,001	\$0
Full-Time Salaried – Uniform	14,468	14,132	14,001	14,001	14,001	0
Additional Gross Pay	2,358	2,284	0	0	0	0
Overtime - Uniformed	1,547	1,879	0	0	0	0
Fringe Benefits	\$218	204	0	0	0	0
TOTAL	\$18,591	\$18,499	\$14,001	\$14,001	\$14,001	\$0
Funding						
<i>City Funds</i>			\$14,001	\$14,001	\$14,001	\$0
TOTAL			\$14,001	\$14,001	\$14,001	\$0
Positions						
Full-Time Positions - Uniformed	200	188	202	202	202	0

Health and Programs

This program area includes funding for programs ranging from discharge planning services to various correctional industries including the bakery, tailor shop, laundry, and print shop. These programs are designed to keep inmates healthy and attempt to eliminate the root cause of recidivism of inmates.

<i>Dollars in Thousands</i>	2009 Actual	2010 Actual	2011 Adopted	2011 Feb Plan	2012 Feb Plan	Difference, 2011 – 2012
Spending						
Personal Services	\$6,566	\$7,105	\$5,542	\$5,932	\$5,542	\$0
Full-Time Salaried – Civilian	4,349	4,497	4,338	4,360	4,338	0
Full-Time Salaried – Uniform	1,379	1,681	1,204	1,567	1,204	0
Other Salaried & Unsalariated	0	5	0	0	0	0
Additional Gross Pay	330	386	0	0	0	0
Overtime - Civilian	341	287	0	0	0	0
Overtime - Uniformed	147	222	0	0	0	0
Fringe Benefits	20	27	0	4	0	0
Other Than Personal Services	\$6,457	\$7,059	\$5,751	\$6,811	\$5,775	\$24
Supplies and Materials	1,429	1,504	1,056	1,906	1,056	0
Property and Equipment	592	830	573	689	573	0
Other Services and Charges	5	0	0	96	0	0
Social Services	185	212	120	120	120	0
Contractual Services	4,246	4,512	4,001	\$4,001	4,025	24
TOTAL	\$13,023	\$14,164	\$11,293	\$12,744	\$11,317	\$24
Funding						
<i>City Funds</i>			\$11,161	\$12,197	\$11,185	\$24
<i>Intra-City</i>			131	151	131	0
<i>Other Categorical</i>			0	390	0	0
<i>State</i>			0	5	0	0
TOTAL			\$11,293	\$12,744	\$11,317	\$24
Positions						
Full-Time Positions - Civilian	81	81	81	82	81	0
Full-Time Positions - Uniformed	19	22	17	25	17	0
TOTAL	100	103	98	107	98	0

Performance Measures

	FY 07	FY 08	FY 09	4-Month Actual FY 09	4-Month Actual FY 10	Target FY 11
Inmate health clinic visits	88,110	92,558	86,130	31,067	28,973	*
Average clinic waiting time (minutes)	27	23	30	27	30	*

Performance Measures from the Fiscal 2010 PMMR

	FY 07	FY 08	FY 09	4-Month Actual FY 09	4-Month Actual FY 10	Target FY 11
Inmates transported directly to community-based service sites upon discharge through Riker's Island Discharge Enhancement (RIDE) program	4,829	3,736	2,947	1,018	1,045	*
Average daily attendance in school programs	767	865	833	852	763	750
Average daily number of inmates in vocational skills training programs	125	125	188	153	141	*

Performance Measures from the Fiscal 2011 PMMR

	FY 08	FY 09	FY 10	4-Month Actual FY 10	4-Month Actual FY 11	Target FY 12
Inmates participating in skills-building activities/discharge planning (%)	NA	NA	NA	NA	9%	*
Inmates with a mental health diagnosis (% ADP)	NA	27.0	29.0	28.0	31.0	*
Average daily attendance in school programs	865	833	814	763	791	750
Average daily number of inmates in vocational skills training programs	125	188	193	140	130	*

Changes in Relevant Preliminary Mayor's Management Report (PMMR) Indicators

The following narratives are taken directly from the MMR:

- 'Inmates Participating in Skills Building Activities/Discharge Planning' (%) has replaced 'Inmates Transported Directly to Community-based Service Sites upon Discharge through RIDE' to more comprehensively describe the population participating in reentry programming prior to community release.
- The Department has added a new indicator, 'Inmates with a Mental Health Diagnosis (percent of Average Daily Population).' Inmates with identified mental health needs comprise an increasing percentage of the Department's population and pose unique custodial management challenges.

The new indicator 'Inmates with a Mental Health Diagnosis (percent of Average Daily Population) is a welcome addition to the agency's performance reporting. That almost a third of all inmates have been diagnosed with a significant mental health issue speaks volumes about the challenges facing DOC and the challenges facing the inmates themselves. It also raises important questions about who gets entangled in our criminal justice system, the underlying causes of crime, and potential solutions to crime and victimization, on one hand, and potential system reforms and cost savings on the other.

Programs

In recent years, the Department of Correction has placed a strong emphasis on the need to provide discharge planning services and post-release placement to its inmates in an effort to promote reintegration into the community and prevent recidivism. The objective of discharge planning is to ensure that inmates

leaving the custody of the Department of Correction have access to programs, including educational opportunities, drug abuse programs and vocational training.

Administration – Management and Administration

This program area includes funding for central administrative services.

<i>Dollars in Thousands</i>	2009 Actual	2010 Actual	2011 Adopted	2011 Feb Plan	2012 Feb Plan	Difference, 2011 – 2012
Spending						
Personal Services	\$25,924	\$26,099	\$25,029	\$25,114	\$25,029	\$0
Full-Time Salaried – Civilian	19,767	20,596	21,317	21,402	23,317	0
Full-Time Salaried – Uniform	3,641	3,235	3,710	3,710	3,710	0
Other Salaried & Unsalariated	9	4	0	0	0	0
Additional Gross Pay	1,210	1,244	3	3	3	0
Overtime - Civilian	793	598	0	0	0	0
Overtime - Uniformed	453	379	0	0	0	0
Fringe Benefits	51	42	0	0	0	0
Other Than Personal Services	\$20,859	\$16,826	\$20,075	\$21,653	\$23,051	\$2,977
Supplies and Materials	2,076	777	388	401	284	(104)
Property and Equipment	1,152	1,225	1,872	791	1,825	48
Other Services and Charges	11,687	7,907	9,996	10,578	9,996	0
Contractual Services	5,901	6,874	7,775	9,840	10,903	3,128
Fixed and Misc. Charges	42	42	44	44	44	0
TOTAL	\$46,784	\$42,925	\$45,104	\$46,767	\$48,080	\$2,977
Funding						
<i>City Funds</i>			\$45,104	\$45,470	\$48,080	\$2,977
<i>Federal</i>			0	1,093	0	0
<i>Intra-City</i>			0	204	0	0
TOTAL			\$45,104	\$46,767	\$48,080	\$2,977
Positions						
Full-Time Positions - Civilian	298	297	317	318	317	0
Full-Time Positions - Uniformed	43	44	43	43	43	0
TOTAL	341	341	360	361	360	0

Administration – Academy and Training

This Program Area includes operating funds for the Training Academy, including salaries for academy staff and correction officer recruits.

<i>Dollars in Thousands</i>	2009 Actual	2010 Actual	2011 Adopted	2011 Feb Plan	2012 Feb Plan	Difference, 2011 – 2012
Spending						
Personal Services	\$33,811	\$33,943	\$5,467	\$5,467	\$5,467	\$0
Full-Time Salaried – Civilian	792	861	792	792	792	0
Full-Time Salaried – Uniform	28,207	28,072	4,674	4,674	4,674	0
Additional Gross Pay	2,245	2,543	0	0	0	0
Overtime - Civilian	5	7	0	0	0	0
Overtime - Uniformed	2,394	2,249	0	0	0	0
Fringe Benefits	169	212	0	0	0	0
Other Than Personal Services	\$578	\$518	\$442	\$357	\$442	\$0
Supplies and Materials	74	32	140	40	140	0
Property and Equipment	19	15	24	24	24	0
Contractual Services	485	471	278	293	278	0
TOTAL	\$34,389	\$34,461	\$5,908	\$5,823	\$5,908	\$0
Funding						
<i>City Funds</i>			\$5,908	\$5,823	\$5,908	\$0
TOTAL			\$5,908	\$5,823	\$5,908	\$0
Positions						
Full-Time Positions - Civilian	13	13	14	14	14	0
Full-Time Positions - Uniformed	543	75	70	70	70	0
TOTAL	556	88	84	84	84	0

Appendix A: Budget Actions in the November and February Plans

Description	Fiscal 2011			Fiscal 2012		
	City	Non-City	Total	City	Non-City	Total
Agency Budget as per June 2010 Plan	\$969,057	\$42,550	\$1,011,607	\$983,868	\$39,270	\$1,023,138
Program to Eliminate the Gap (PEGs)						
Eliminate Housing			\$0	(\$2,811)		(\$2,811)
Headquarters Civilian Reduction			0	(580)		(580)
Health Mgmt. Division (HMD) Sick Desk Staffing Reduction			0	(1,332)		(1,332)
One-Time Inventory Drawdown	(1,500)		(1,500)			0
Reduce Correction Assistance Resp. for Emps. (CARE) Staffing			0	(340)		(340)
Reduce Non-Essential Food Servings	(175)		(175)	(350)		(350)
Secretarial Staff Reduction	(1,734)		(1,734)	(3,491)		(3,491)
Total PEGs	(\$3,409)	\$0	(\$3,409)	(\$8,904)	\$0	(\$8,904)
New Needs						
Benjamin Litigation (Feb.)	\$2,037		\$2,037	\$4,920		\$4,920
Total New Needs	\$2,037	\$0	\$2,037	\$4,920	\$0	\$4,920
Other Adjustments						
Eliminate A Stations Fringe			\$0	\$806		\$806
Headquarters Civilian Fringe			0	160		160
Multi-Service Discharge Planning		5	5			0
Radio Repair Mechanics CB	108		108	108		108
Reduce CARE Staff Fringe			0	95		95
Secretarial Staff Reduction Fringe	279		279	581		581
ARRA Fringe Benefits - 1st Quarter (Feb.)		(167)	(167)			0
ARRA Real Time (Feb.)		334	334			0
ARRA DOC Energy Efficiency (Feb.)		1,008	1,008			0
ARRA DOC Energy Manager (Feb.)		85	85			0
Budget Mod (Feb.)		7	7			0
Bulletproof Vest Program (Feb.)		401	401			0
Byrne Competitive Grant Adjustment (Feb.)		23	23			0
Byrne Competitive Grant (Feb.)		1,600	1,600			0
CEO Funding Adjustment (Feb.)			0	24		24
Commissary Service Adjustment (Feb.)	800		800			0
FY11 Intra-City (Feb.)		20	20			0
FY11 Intra-City EHR (Feb.)		204	204			0
Parole Restoration Project (Feb.)		99	99			0
Transitional Services Project (Feb.)		390	390			0
Total Other Adjustments	\$1,187	\$4,009	\$5,196	\$1,774	\$0	\$1,774
PEG Restorations and Substitutions (PRS)						
Four-Day Vistit Schedule	\$2,912		\$2,912			
Overtime Savings	12,000		12,000			
Alternative for Rose M. Singer Center Nursery (Feb.)	213		213			
Increase Housing Efficiencies (Feb.)	8,625		8,625			
Leasing beds to Federal Government (Feb.)	13,238	(16,425)	(3,188)			
Mix Detainees and City-Sentenced Inmates (Feb.)	378		378			

Description	Fiscal 2011			Fiscal 2012		
	City	Non-City	Total	City	Non-City	Total
Transportation Efficiencies (Feb.)	\$210		\$210			
Total PEG Restorations and Substitutions (PRS)	\$37,575	(\$16,425)	\$21,150	\$0	\$0	\$0
Total January Plan Budget Changes	\$37,390	(\$12,416)	\$24,973	(\$2,210)	\$0	(\$2,210)
Agency Budget as per the February 2011 Plan	\$1,006,447	\$30,133	\$1,036,580	\$981,658	\$39,270	\$1,020,928

*Continuation from previous page

Appendix B: Reconciliation of Program Areas to Units of Appropriation

Dollars in thousands

	Personal Services		OTPS		TOTAL
	001	002	003	004	
Jail Operations	\$26,296	\$776,267	\$81,244	\$0	\$833,807
Rikers Security & Operations	0	18,872	2,734	0	21,231
Infrastructure & Environmental Health	3,417	21,348	11,158	285	36,208
Hospital Prison Ward	0	14,001	0	0	14,001
Health & Programs	2,798	2,744	5,290	484	11,317
Management & Administration	24,378	651	6,748	16,304	48,080
Academy & Training	0	5,467	442	0	5,908
TOTAL	\$56,889	\$839,350	\$107,616	\$17,073	\$1,020,928