



NEW YORK CITY COUNCIL FINANCE DIVISION

New York City Council

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Finance Division

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Term and Condition (T&C) - Jail Safety:

Fiscal 2015 Term and Condition is in relation to jail Safety at the Department of Correction

Rationale:

In the last three years, the reporting methods for some of the Department’s performance indicators have drastically changed. To account for fluctuations in population, jail violence indicators have changed to report data on either a monthly rate per 1,000 of the average daily population (ADP), or as a rate per 1,000 of the ADP. While it is a reasonable performance management methodology, it is not raw data, and it does not accurately reflect the number of incidents that are occurring in the City’s jails. The quarterly reports from the Department will allow the Council to accurately gauge the number of occurrences of jail violence.

Overview:

The City Charter authorizes the Council to attach terms and conditions to any unit of appropriation in either the expense budget or the capital budget that impose certain requirements as a condition of spending. These requirements often consist of reporting on indicators related to the progress of spending the appropriated funds, or certain programmatic aspects of the spending. The Fiscal 2015 Budget for the Department of Correction includes a term and condition that requires a report to related to jail safety.

Frequency of Reporting:

The term and condition requires quarterly reports to be submitted as follows: the first report shall be submitted on or before October 15, 2014 and shall cover the period beginning July 1, 2014 and ending September 30, 2014. The second update shall be submitted on or before January 15, 2015 and shall cover the period beginning October 1, 2014 and ending December 31, 2014. The third update shall be submitted on or before April 15, 2015 and shall cover the period beginning January 1, 2015 and ending March 31, 2015. The fourth update shall be submitted on or before July 15, 2015 and shall cover the period beginning April 1, 2015 and ending June 30, 2015.

The Department of Correction submitted the first quarterly update on jail violence on December 23, 2014, which was after the deadline of October 15, 2014. The Department of Correction submitted the second quarterly update on jail violence on January 16, 2015, one day after the deadline of January 15, 2015. The Department of Correction provided all the necessary information to address the term and condition.

T&C:

As a condition to the expenditure of funds appropriated to the unit of appropriation numbers 001, 002, 003, and 004, the Department shall provide quarterly reports to the Council detailing the actual numbers of occurrences of jail violence. Such reports shall include the number of: 1) violent inmate-on-inmate incidents; 2) serious injury to inmate(s) as a result of violent inmate-on-inmate incidents; 3) inmate assault on staff; 4) serious injury to staff as a result of inmate assault on staff; 5) Department use of force incidents with serious injury; 6) Department use of force incidents with minor injury; and 7) Department use of force incidents with no injury.

Analysis of the T&C:

The total number of jail violence occurrences in the first quarter was 2,540, 43 percent of total incidents were violent inmate-on-inmate incidents and 11 percent of the total incidents were inmate assault on staff. Total jail violence occurrences increased to 2,557 in the second quarter and four out of seven categories saw an increase in the second quarter. The total number of incidents of violent inmate-on-inmate incidents increased to 1186 or 47 percent of total jail violence occurrences. According to the Fiscal 2014 Mayor’s Management Report, the Department of Correction saw an increase in inmate-on-inmate violence of 29 percent, the quarterly updates provided by the Department of Correction indicates that inmate-on-inmate violence has continued to trend upwards.

Department of Correction: Jail Safety Quarterly Report				
Fiscal 2015 First and Second Quarter				
	Jail Violence Indicators	1st Quarter JUL-SEP	2nd Quarter OCT-DEC	Diff.
1	Violent inmate-on-inmate incidents	1089	1186	97
2	Serious injury to inmate(s) as a result of violent inmate-on-inmate incidents	69	73	4
3	Inmate assault on staff	281	240	(41)
4	Serious injury to staff as a result of inmate assault on staff	9	9	0
5	Use of force incidents with serious injury	35	34	(1)
6	Use of force incidents with minor injury	502	431	(71)
7	Use of force incidents with no injury	555	584	29
	Total Incidents	2540	2557	17