

# THE COUNCIL OF THE CITY OF NEW YORK

Hon. Corey Johnson  
Speaker of the Council

Hon. Rory L. Lancman  
Chair, Committee on Justice System



Report of the Finance Division on the  
Fiscal 2020 Preliminary Plan and the  
Fiscal 2019 Preliminary Mayor's Management Report for the

## **Mayor's Office of Criminal Justice**

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## Mayor's Office of Criminal Justice Overview

The Mayor's Office of Criminal Justice (MOCJ or the Office) facilitates cooperation and partnerships among the agencies and stakeholders involved in crime-fighting and criminal justice in New York City. MOCJ serves as a liaison between the Police Department (NYPD), the Departments of Correction (DOC) and Probation (DOP), the five District Attorneys' offices, the Office of the Special Narcotics Prosecutor, the courts, and other agencies to help coordinate consistent citywide policy on criminal justice and manages court projects Citywide. MOCJ also advises the Mayor on criminal justice matters and is responsible for developing and implementing policies, legislation, and strategies in the fields of public safety and criminal justice.

Since MOCJ is not a department, it does not have its own budget. The operating budget for the Office is a component of the budget for the Mayor's Office. Most of the Personal service (PS) and other than personal service (OTPS) costs associated with operation of the Office are in the Criminal Justice Programs units of appropriation. The actual cost of the Office, however, is not captured in these units of appropriation. The major criminal justice programs managed by MOCJ and supported through contracts, such as alternative to incarceration programs and indigent defense are budgeted in the City's miscellaneous budget. The costs of some of the MOCJ staff are also budgeted in other agencies, such as the Department of Probation. The presentation of information related to the Office and all the programs it manages in the City's budget is incomplete and difficult to piece together.

The first section of this report provides a review of MOCJ's Fiscal 2020 Preliminary Plan located within the Mayor's budget and the contracted services funding summary as well as performance indicators connected to MOCJ's work in the Fiscal 2019 Preliminary Mayor's Management Report (PMMR). The second section of the report discusses broad multi-agency initiatives that MOCJ oversees and the third section reviews the City Council initiatives that are procured through MOCJ. The final section will review the \$1.3 billion Ten-Year Capital Strategy, the Fiscal 2020 Commitment Plan, and the Fiscal 2020 Preliminary Capital Budget for Courts.

In the section and table below, the Fiscal 2020 Preliminary Plan is presented in a chart which details MOCJ's spending by Personal Services (PS), Other Than Personal Services (OTPS), and full-time headcount.

## Fiscal 2020 Preliminary Plan Overview

The Fiscal 2020 Preliminary Plan for MOCJ totals \$6.5 million with a budgeted headcount of 32 full-time civilian positions. The Fiscal 2020 Budget for MOCJ increases by \$338,000 when compared to the Fiscal 2019 Budget, and MOCJ's Fiscal 2019 Budget increases by \$651,987 when compared to the Fiscal 2019 Adopted Budget.

<b>Mayor's Office of Criminal Justice - Expense Budget (002)</b>				
<i>Dollars in Thousands</i>				
	<b>FY19</b>	<b>Preliminary Plan</b>		<b>*Difference</b>
	<b>Adopted</b>	<b>FY19</b>	<b>FY20</b>	<b>FY19-FY20</b>
Personal Services	\$2,820	\$3,017	\$3,158	\$338
Other Than Personal Services	3,337	3,792	3,337	0
<b>TOTAL</b>	<b>\$6,157</b>	<b>\$6,809</b>	<b>\$6,495</b>	<b>\$338</b>
<b>Budgeted Headcount</b>				
Full-Time Positions - Civilian	32	35	32	0
<b>TOTAL</b>	<b>32</b>	<b>35</b>	<b>32</b>	<b>0</b>

*\*The difference of Fiscal 2019 Adopted Budget compared to Fiscal 2020 Preliminary Budget.*

## Contracts Summary

As discussed above, MOCJ's budget is partially housed in the Miscellaneous Budget. The portion of the Miscellaneous Budget that supports MOCJ's contracts is displayed in the table below. MOCJ's programs fall into two categories: Indigent Defense and Criminal Justice Programs.

<b>Mayor's Office of Criminal Justice – Contracts Summary</b>	<b>Adopted</b>	<b>Preliminary Plan</b>		<b>*Difference</b>
<i>Dollars in Thousands</i>	<b>2019</b>	<b>2019</b>	<b>2020</b>	<b>2019 - 2020</b>
<b>Indigent Defense</b>				
<b>Sub-total, Indigent Defense</b>	<b>\$291,137</b>	<b>\$319,426</b>	<b>\$299,226</b>	<b>\$8,089</b>
<b>Criminal Justice Programs</b>				
Pretrial Screening, ATI and ATD Programs	57,880	65,737	59,735	1,855
Crime Victims	20,992	22,298	19,964	(1,027)
Court Operations	2,756	2,756	2,756	0
Mediation	1,325	1,325	1,100	(225)
Mayor's Action Plan for Neighborhood Safety	9,920	13,319	2,201	(7,719)
Anti-Gun Violence	16,701	19,498	16,525	(176)
Federal Asset Forfeiture	0	0	0	0
Re-Entry Services Total	13,416	13,416	13,416	0
Other Programs	7,531	9,151	7,857	326
<b>Sub-total, Criminal Justice Programs</b>	<b>\$130,520</b>	<b>\$147,498</b>	<b>\$123,554</b>	<b>(\$6,966)</b>
<b>City Council Initiatives</b>				
<b>Sub-total, City Council Initiatives</b>	<b>\$40,569</b>	<b>\$31,059</b>	<b>\$0</b>	<b>(\$40,569)</b>
<b>Total</b>	<b>\$462,226</b>	<b>\$497,983</b>	<b>\$422,780</b>	<b>(\$39,446)</b>

*\*The difference of Fiscal 2019 Adopted Budget compared to Fiscal 2020 Preliminary Budget.*

Source: MOCJ

MOCJ is responsible for managing the City's indigent defense system, which includes procuring contracts with legal service organizations and improving the efficiency, accountability, and quality of representation that indigent New Yorkers receive. MOCJ also contracts with community-based organizations to provide a variety of criminal justice programs; crime victims' services, pretrial services, alternative to incarceration and alternative to detention programs, mediation, court operations, re-entry services, and other services and initiatives. As of the Fiscal 2020 Preliminary Plan, the total contract value is \$422.8 million. The Fiscal 2020 Budget includes \$299.2 million for indigent defense contracts and \$123.5 million for criminal justice programs. The drop in funding shown between Fiscal 2020 and the Adopted Budget for Fiscal 2019 is due largely to the one-time City Council discretionary funding included in Fiscal 2019 and the

conclusion of a City University of New York City contract within the Mayor's Action Plan for Neighborhood Safety.

The total contract budget for Fiscal 2019 as of the Preliminary Plan is approximately \$497.9 million (including City and non-City funding.) Of this amount, \$147.5 million is funding for over 100 criminal justice programs, \$31 million is council discretionary funding, and \$319.4 million is exclusively dedicated to funding indigent defense. For more information on the City's indigent defense budget, please visit the Council's website: <https://council.nyc.gov/budget/fy2020/> and see the Legal Aid Society and Indigent Defense report.

Budget changes introduced in the November 2018 and Preliminary Financial Plans that impact MOCJ's contractual programs include the following.

- **Supervised Visitation.** The November 2018 Plan added \$187,300 in Fiscal 2019 and \$702,000 in Fiscal 2020 and in the outyears to support free supervised child visitation for parents involved in divorces where domestic violence is present and supervision is required to prevent the pattern of abuse from continuing. The \$702,000 is for all boroughs, but services have only begun in Queens under a contract with Safe Horizon in the Queens Family Court; other boroughs contracts are still being negotiated. As of the November 2018 Plan, MOCJ stated that Staten Island could potentially start services in Fiscal 2019, but the Office did not have a definitive timeline. MOCJ is working with the Mayor's Office to End Gender-Based Violence to identify spaces that would meet the program needs so that the program can become fully operational in all five boroughs.
- **Supervised Release.** The Fiscal 2020 Preliminary Plan recognizes funding of \$55,476 in Fiscal 2019 increasing to \$4.2 million in the outyears. The \$55,476 added to Fiscal 2019 supports expansion of supervised release programming in Staten Island. The baselined increase for supervised release replaces the forfeiture funds that have been supporting the program with City funding.

## Multiagency Initiatives

In its role as liaison between law enforcement and criminal justice agencies, MOCJ's work shapes and funds strategies and policies in the criminal justice process. Because of this the Office's work has impacts on other agencies' budgets. Below are some of the multiagency initiatives coordinated and managed by MOCJ that involve agencies beyond law enforcement and criminal justice organizations.

## Mayor's Action Plan (MAP) for Neighborhood Safety

For the past four years the Administration has implemented a comprehensive multi-agency effort to address public safety and community development in 15 of the 326 New York City Housing Authority (NYCHA) developments. With MOCJ's oversight, the Department for the Aging (DFTA), Department of Probation (DOP), Department of Parks and Recreation (DPR), Department of Youth and Community Development (DYCD), Human Resources Administration (HRA), New York Police Department (NYPD), the Mayor's Office for Economic Opportunity, the Mayor's Office to End Gender Based Violence (ENDGBV)<sup>1</sup>, the Mayor's Office of Operations, and NYCHA, provide a myriad of human-centered services in an effort to bring neighborhood residents and government together to reduce crime and build community-trust. According to the PMMR, the initial investment was \$210.5 million to fund a variety of programs. Information on the funding for MAP is not available in the City's budget, and as of this writing, MOCJ has not provided a budget for MAP.

### MAP Developments

#### Bronx:

- Butler
- Castle Hill I & II
- Patterson

#### Brooklyn:

- Boulevard
- Brownsville
- Bushwick
- Ingersoll
- Redhook E and W
- Tompkins
- Van Dyke I & II

#### Manhattan:

- Polo Grounds
- St. Nicolas
- Wagner

#### Queens:

- Queensbridge I & II

#### Staten Island:

- Stapleton



Source: PMMR

The Fiscal 2019 PMMR report includes indicators relevant to the Mayor's Action Plan on Neighborhood Safety. Below are the relevant indicators for Fiscal 2019.

- In Fiscal 2019, MOCJ and DOP began a new partnership with the Center for Employment Opportunities to build a career pathway for Next STEPS participants and other MAP youth

<sup>1</sup> Formerly the Mayor's Office to Combat Domestic Violence (OCDV)

ages 18-25 by providing resume and interview preparation, paid transitional employment, and permanent job placements. The program piloted with 30 participants, and the next cohort is expected to start in the summer of 2019 with MAP residents from the Bronx.

Crime Statistics in the 15 MAP Developments	Actual FY18	4-month Actual		Percent Change
		FY18	FY19	
<b>Number of Incidents</b>				
Total Index Crime	778	287	269	(6.3)%
Violent Crime	558	202	192	(5)%
Shootings	22	5	9	80%
The seven index crimes are murder, rape, robbery, felony assault, burglary, grand larceny auto. Violent crimes include murder, rape, robbery, and felony assault.				

Source: PMMR

- There was a decrease of 6.3 percent in the total index crime in the 15 NYCHA developments.
- Shootings increased during this reporting period, but have decreased 36 percent overall since inception of the program.

Mayor's Action Plan for Neighborhood Safety Fiscal 2018 PMMR Indicators						
Agency/Office	Indicator Name	Actual	Actual	4-month actual		Target
		FY17	FY18	FY18	FY19	FY19
<i>Improved Infrastructure/Environmental Design</i>						
NYCHA	Permanent lights installed	4,789	1,310	310	NA	*
	Layered access projects completed (repairing and adding additional security to development entry and access points) (# bldgs)	1	6	2	3	6
	Cameras installed (closed-circuit television) (# cameras)	218	1,118	200	232	977
<i>Community Engagement and Programming</i>						
DPR	Kids in Motion participants across MAP sites	58,002	52,301	52,301	43,510	65,000
	Shape-Up participants across MAP sites	3,511	19,414	4,251	5,056	3,000
DYCD	MAP Summer Youth Employment (SYEP) enrollees	1,816	2,826	2,826	3,033	35,000
NYC Opportunity	NYCHA youth enrolled in Work Progress Program (WPP)	602	397	16	80	*
DOP	Participants enrolled in the Next STEPS youth mentorship program*	172	264	89	80	240
	Participants who positively exited the Next STEPS program	105	117	48	17	144
ENDGBV	Healthy Relationship Academy Workshops held	180	91	37	0	80
	Community outreach events	417	266	150	155	450
HRA	Appointments to connect individuals to HRA services	1,798	2,669	895	645	2,000
	Individuals connected to HRA services	1,111	1,559	542	378	1,000
	Percentage of clients seeking SNAP and Emergency Assistance benefits enrollment who are successfully enrolled in those benefits	41%	NA	24%	52%	30%
DFTA	Grandparent support participation	417	400	234	387	325
	Seniors engaged at public events	8,117	4,604	3,055	645	6,500
	Program intakes	90	165	51	343	150

Source: PMMR

Below are additional indicators for MAP as they are related to improved infrastructure/environmental design and community engagement and programming.

During this reporting period in Fiscal 2019 the following occurred.

- Grandparent support participation increased by 65 percent, while number of seniors engaged at public events decreased by nearly 79 percent.
- No Healthy Relationship Academy Workshops have been held yet for the reporting period in Fiscal 2019. According to the PMMR, the target has been reduced due to prolonged staff vacancies within ENDGBV. The target is expected to return to a higher level for Fiscal 2020.
- The percentage of clients seeking SNAP and Emergency Assistance benefits enrollment who successfully enrolled in those benefits more than doubled.
- The number of Summer Youth Employment (SYEP) participants increased seven percent, and the PMMR projects a tremendous increase in SYEP participation. DYCD will soon award new contracts for the SYEP program and a significant portion of SYEP slots will be set aside for NYCHA residents.

In year five, MAP plans to focus on strengthening neighborhood engagement and drawing upon local knowledge to develop solutions for the MAP neighborhoods. The MAP Initiative seeks to include community members in the City's decision-making process around issues that most impact the communities served. MOCJ hopes to create culturally-appropriate and sustainable solutions that meet the needs of MAP communities.

### **Mayor's Task Force on Behavioral Health and Criminal Justice**

Implemented in 2015, the Taskforce on Behavioral Health and Criminal Justice that seeks to ensure that individuals with behavioral health disorders are: diverted from the criminal justice system; treated outside of a jail setting if they do enter; receive appropriate treatment that is therapeutic rather than punitive if they are in jail; and are connected to services upon release. Led by MOCJ, the Task Force is a partnership with the Department of Correction (DOC), the Department of Health and Mental Hygiene (DOHMH), DOP, Health and Hospitals (H+H), the Human Resources Administration (HRA), and the NYPD. This action plan is supported with a \$145.6 million investment, of which \$40 million is asset forfeiture funds contributed by the District Attorney of Manhattan (DANY). Below are the allocations for City agencies offering programming at interventions at each of the various points a person would enter and exit the criminal justice system.



Mayor's Taskforce on Behavioral Health				
Focus Area	Agency Partner	Programs and Services	FY15-19 Funding*	
			City	DANY
Before Arrest	NYPD; DOHMH	NYPD Mental Health Training; Public Health Diversion Centers	\$3,446	\$13,050
From Arrest to Disposition	DOHMH; MOCJ	Pre-arraignment screening; matching people to services	7,220	15,060
Inside DOC	DOHMH; DOC	Reduce staff to inmate ratio in adolescent housing; crisis intervention teams; training for DOHMH and DOC; camera system expansion at DOC; capital upgrades to Rikers School	52,642	-
Release and Re-entry	DOC; HRA; DOHMH	Connecting inmates to Medicaid; ICAN programming expansion	38,162	-
In the Community	DHS	Permanent Supportive Housing	-	9,000
Other Services	DOP; MOCJ	Health Services Team; Evaluation; Training; Data sharing and Technology	4,200	2,890
<b>Subtotal</b>			<b>\$105,670</b>	<b>\$40,000</b>
<b>Grand Total</b>			<b>\$145,670</b>	

*Dollars in Thousands*

\*Includes capital expenditures added in Fiscal 2016.

Source: MOCJ

### PMMR Highlights

Performance Indicators	Actual			4-month Actual		Target		Cumulative Actual
	FY16	FY17	FY18	FY18	FY19	FY18	FY19	FY15 - FY18
NYPD officers who completed crisis intervention training	3,994	1,899	3,990	1,206	1,609	*	*	11,544*
Participants enrolled in supervised release slots	911	3,324	4,723	1,563	1,545	*	*	10,519**
Screens conducted by H + H in the Pre-Arrest Screening Unit	7,554	31,222	40,676	14,001	12,808	*	*	93,291***
Individuals placed in DOHMH permanent supportive housing slots	65	43	19	6	8	*	*	135

\*Includes 52 officers trained in Fiscal 2015.  
 \*\*Includes 16 participants enrolled in Fiscal 2015.  
 \*\*\*Includes 1,031 screens conducted in Fiscal 2015.

Source: PMMR

During this reporting period in Fiscal 2019 the following occurred.

- Over 11,544 police officers have completed crisis intervention training, and as of the Fiscal 2020 Preliminary Plan, the Administration baselined \$1 million to support expanding this training for all NYPD. The training includes role playing, briefings on relevant mental health laws, and conversations with individuals with mental illness who have had police encounters in the past. CIT has been incorporated into the NYPD Training Academy for new recruits and is a part of ongoing trainings for patrol officers.

The number of individuals placed in DOHMH permanent supportive housing has steadily decreased overtime.

### Crisis Management System

The Crisis Management System, launched by the City Council in Fiscal 2013, delivers a multi-agency approach to reduce gun violence in New York City. In February 2017, the Mayor created

the Mayor's Office to Prevent Gun Violence within MOCJ to oversee the continued expansion of violence intervention strategies. In Fiscal 2019, the Administration and the Council committed a total of \$36.3 million to continue providing a comprehensive community-based approach to addressing gun violence in 22 police precincts, five more precincts than Fiscal 2018. The total funding of \$36.3 million is an \$8.9 million increase from Fiscal 2018.

**City-Spending on Crisis Management**

	FY18	New	Baselined	FY19
<b>Council</b>	\$11,357,800	\$460,000	\$9,457,800	\$2,360,000
<b>Admin</b>	15,952,400	8,483,904	9,457,800	\$33,894,104
<b>Total</b>	<b>27,310,200</b>	<b>8,943,904</b>	<b>0</b>	<b>\$36,254,104</b>

The Administration provides \$33.9 million and the City Council provides \$2.4 million of the total. The Council funded \$11.4 million in Fiscal 2019, of which \$9.5 million was baselined for Fiscal 2019. In addition, the Council added funding of \$460,000 for two providers.

- **Prince Joshua Avitto Community Center (PJACC).** The Council added \$400,000 for Man Up! to provide services for PJACC in East New York, which opened in May 2018. The funds will go to support to support the fatherhood program which helps fathers reconnect with their children and develop essential parenting skills. It will also support other music, arts, athletic, and educational programs.
- **Five More Precincts Served.** The Fiscal 2020 Preliminary Plan includes new baseline funding of \$4.1 million for the 48<sup>th</sup>, 52<sup>nd</sup>, 81<sup>st</sup>, 88<sup>th</sup>, and 90<sup>th</sup> precincts. Four providers each receive \$994,400 to implement four programs in each precinct. The table below details the new funding. The 90<sup>th</sup> precinct is not included as it receives \$100,000 as discussed below.

**New Precincts and Allocated Funding**

Precinct	Provider	Cure Violence	Jobs Program	School Conflict Mediation	Therapeutic
<b>48th</b>	Bronx Connect/Urban Youth Alliance	\$750,000	\$129,400	\$80,000	\$35,000
<b>52nd</b>	Good Shepherd Services	750,000	129,400	80,000	35,000
<b>81st</b>	Man Up	750,000	129,400	80,000	35,000
<b>88th</b>	Gangsta's Making Astronomical Community Changes	750,000	129,400	80,000	35,000
<b>Total</b>		<b>\$3,000,000</b>	<b>\$517,600</b>	<b>\$320,000</b>	<b>\$140,000</b>

- **Public Safety Coalition.** The Fiscal 2020 Preliminary Plan baselines \$200,000 beginning Fiscal 2019 for a public safety coalition that will serve as the liaison between police, community and clergy to support existing or new community-based violence reduction practices around coalition building, violence prevention strategy, and community engagement. The providers are the 67<sup>th</sup> Precinct Clergy Council and Los Sueres in the 90<sup>th</sup> precinct.

- **Mobile Trauma Units.** In Fiscal 2019, \$1.75 million has been added for mobile trauma units that respond to communities after shooting incidents to provide counseling and peacekeeping services.
- **Cure Violence.** The Cure Violence program has been allocated additional resources of \$1.4 million to reach detention facilities including Riker's Island, Horizon Juvenile Center, and Crossroads Detention Center. In addition to \$3.0 million for Cure Violence for the four providers discussed above, the additional funding for detention facilities brings the total of new funding for Cure Violence to \$4.4 million. Crisis Management System now provides \$19.5 million for this program, of which the Council funds \$60,000.
- **Domestic Violence Coordinators.** New baseline funding of \$632,335 in Fiscal 2019 goes to the Center of Court Innovation to provide domestic violence services citywide. There are six coordinators and one supervisor that will provide short-term counseling, assistance with safety planning, service referrals, and other services.

### Supervised Release

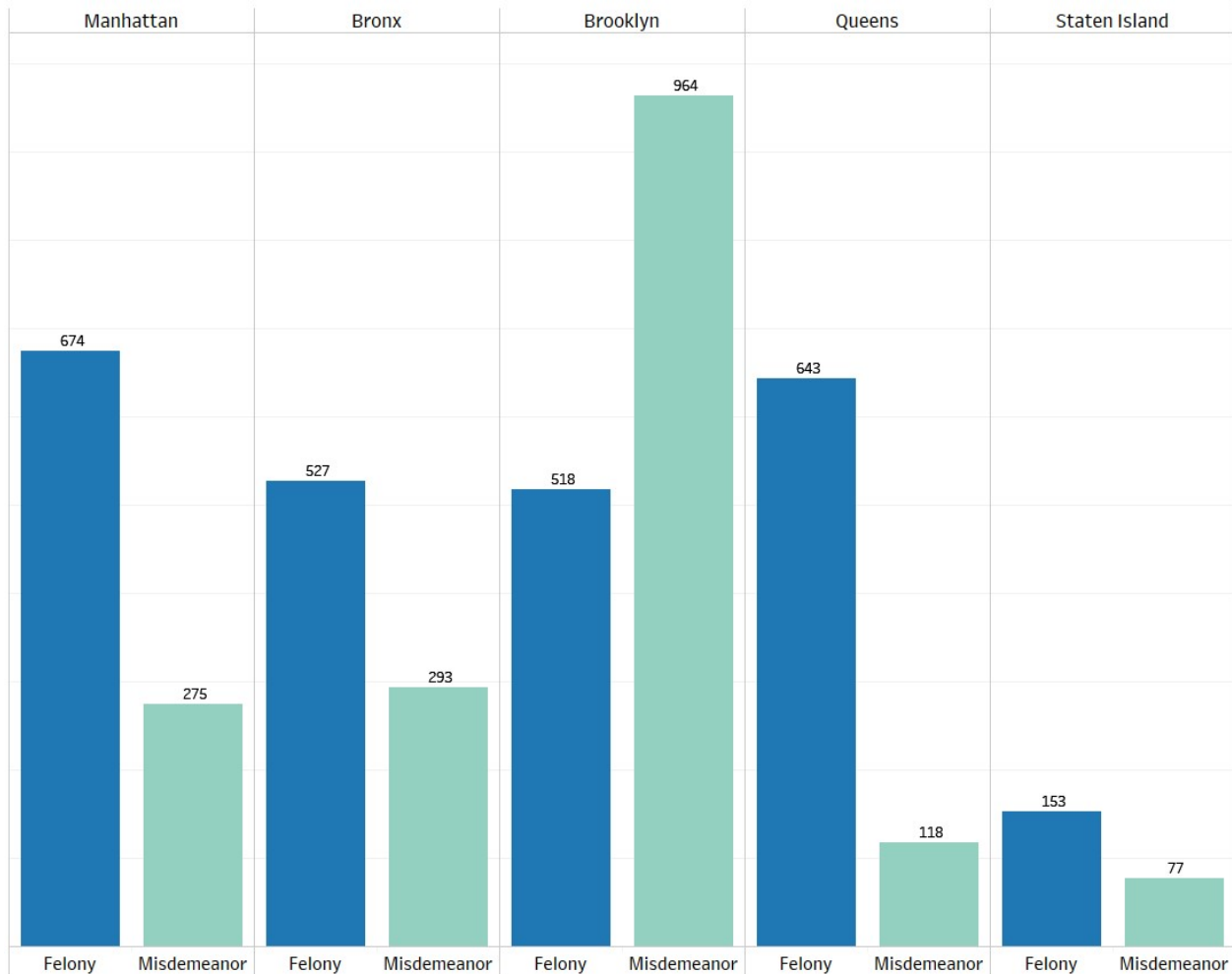
In July 2015, the Administration added new supervised release programs and as part of its strategy to reduce pretrial detention and reduce reliance on money bail. Providers work with identified defendants ensure their return to court and connect them to supportive services, such as mental health counseling, substance use treatment, and a variety of other services. Supervised release went Citywide in March of 2016 and provides judges with alternative options to release people who would otherwise be detained.

The Fiscal 2019 contract budget for supervised release totals \$13.5 million. Since the launch of the program, 11,535 participants have been enrolled, with an average of 4,700 individuals per year. In calendar year 2018, 4,456 participants completed the program, of which 76 percent were successful or administratively discharged.

### Supervised Release Highlights in Fiscal 2019

- **Brooklyn Youth Pilot Program Success.** In March 2018 the City Council and MOCJ launched the Pretrial Youth Engagement Program (PYEP) for Brooklyn youth. PYEP services 16 to 19 year olds who are higher risk utilizing a youth development model and community engagement. As of September 2018, PYEP had 80 clients, of which, 95 percent made every one of their court appearances and 88 percent were not re-arrested for a felony.
- **Youth Engagement Track Expansion.** Concurrently with the Raise the Age Implementation, Supervised Release expanded its Youth Engagement Track to all five boroughs. The program provides mentoring, cognitive behavioral programming, community-based services and engagement to 16 and 17 years charged with Assault 2 or Robbery 2 (previously ineligible charges).
- **Increased Intakes in Staten Island.** Between 2017 and 2018, Staten Island intakes increased by 73 percent, compared to just seven percent in the other four boroughs. The 2020 Preliminary Plan enhances Supervised Release Funding by \$ 55,000 in Fiscal 2019 for expansion of Staten Island services.

The chart below displays the number of supervised release mandates by borough and charge for 2018. The total intake for 2018 was 4,627, an increase of 371 from calendar year 2017. Fifty-seven percent of intakes were felony offenses, 43 percent were misdemeanor offenses, 30 percent were drug-related offenses, and 24 percent were theft or larceny charges. MOCJ is continuously evaluating how much can safely be done through supervised release when considering expanding the types of charges that would be eligible for the program.



Source: MOCJ

The Fiscal 2020 Preliminary Plan recognizes several budget actions related to supervised release.

- **Expansion of Supervised Release.** The Fiscal 2020 Preliminary Plan includes \$55,476 in Fiscal 2019 for programming in Staten Island to support increased intakes.
- **City Funding for Supervised Release.** Since its inception, supervised release has been funded through forfeiture funds. Given that forfeiture funds are not guaranteed to be an ongoing source of revenue, the Fiscal 2020 Preliminary Plan provides an incremental plan to replace forfeiture funds with City funds. Beginning in Fiscal 2020, the Plan allocates \$1.4 million; increasing to \$3.2 million in Fiscal 2021, and \$4.2 million in the outyears.

- **Adolescent Population Reduction Strategy.** The Fiscal 2020 Preliminary Plan includes baseline funding of \$4.3 million to support various efforts and programs that support Raise The Age implementation and diverting young people from jail; \$1.5 million for Fiscal 2019 and \$2.9 million for Fiscal 2020. This funding is for four different areas that are mostly focused on 16-17 year olds who are no longer at Rikers.
  - 1) **Technical Assistance and Research.** The Fiscal 2020 Preliminary Plan adds \$437,000 in Fiscal 2019 to fund technical assistance and research support for the implementation of Raise The Age, which went into effect on October 1, 2018.
  - 2) **Criminal Justice Agency (CJA) Bail Expediting Program.** The Fiscal 2020 Preliminary Plan adds \$262,000 in Fiscal 2019 and \$573,000 in Fiscal 2020 for expansion of CJA's bail expediting program. Under this program, individuals ages 17 and under who have bail set are re-interviewed to determine whether the defendant has more potential sureties and whether CJA can either facilitate bail payment or refer the individual to the bail fund program. This funding also supports staff in Manhattan, Queens, the Bronx, and Brooklyn who work with the young person's family or other support systems at arraignment and assist them in navigating the bail payment process.
  - 3) **Youth Engagement Track.** A portion of this funding is allocated for expansion of Supervised Release's new Youth Engagement Track to all boroughs: \$803,000 has been allocated in Fiscal 2019 and \$979,000 for Fiscal 2020. These contracts are with Center for Court Innovation for Staten Island, Brooklyn, and the Bronx; CASES for Manhattan; and CJA for Queens.
  - 4) **High Risk Youth Program.** A total of \$1.4 million has been allocated in Fiscal 2020 to provide intensive support, engagement, and services to young people in the community who are at high risk of incarceration and participation in criminal behavior.

### Closing Rikers

The Independent Commission on NYC Criminal Justice and Incarceration Reform (the Commission), chaired by former New York State Chief Judge Jonathan Lippman, made a set of recommendations for reducing the population of Rikers Island and improving safety in the criminal justice process in April 2017. The Commission called for closing Rikers Island, the building of state-of-the-art jails in all five boroughs located closer to the courts, investing in a new training academy, and reforms at multiple stages of the criminal justice process. The Administration agreed with the Commission's and the Council's call to close Rikers and established a task force to guide related policy decisions.

On June 22, 2017, the Administration released: "Smaller, Safer, Fairer: A Roadmap to Closing Rikers Island," formed a Justice Implementation Task Force, and announced a \$30 million investment in programs to safely reduce the size of the City's jail population. The plan also includes steps to expand services and renovate facilities to ensure that those who work and are incarcerated in City jails have safe and humane conditions as quickly as possible. At the same

time, the City will be in the process of renovating and developing jails off Rikers Island and in the boroughs of the City. The complete roadmap is available at <https://rikers.cityofnewyork.us/>

The roadmap includes 18 steps to close Rikers Island and replace it with a smaller network of modern, safe, and humane facilities. The initiatives focus on three goals:

1. **Smaller** - To reduce the ADP to 7,000 by a) reducing the number of people who enter the jails, and b) reducing the amount of time people spend in the jails;
2. **Safer** - To ensure safe, human and productive environments for staff and incarcerated individuals as quickly as possible; and
3. **Fairer** - To provide staff and incarcerated individuals with paths to success.

To ensure effective implementation of the roadmap, the City launched a Justice Implementation Taskforce, chaired by Elizabeth Glazer, Director of MOCJ, and Zachary Carter, Corporation Counsel of the City of New York. The taskforce includes three working groups that focus on safely reducing the jail population; improving culture for both staff and incarcerated individuals; and designing and siting safe, modern and humane jails.<sup>2</sup> The Taskforce and its working groups began meeting in late 2017.

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<sup>2</sup> <http://www1.nyc.gov/office-of-the-mayor/news/427-17/mayor-de-blasio-smaller-safer-fairer--roadmap-closing-rikers-island->

## City Council Initiatives

The Fiscal 2019 Adopted Budget includes \$31 million for City Council initiatives that support the work of community-based organizations within the criminal justice, domestic violence, legal service, and public safety program areas. MOCJ is the contracting agency for these services which are provided by more than 80 community-based organizations. Many of the Council's initiatives supplement contracts that organizations hold with MOCJ such as the Alternative to Incarceration (ATI) programs, Center for Court Innovation (CCI), and the Child Advocacy Centers (CAC). The table below provides an overview of funding for Fiscal 2019. For details on each Initiative please see Appendix A.

<b>FY19 Council Changes at Adoption</b>	
<i>Dollars in Thousands</i>	
<b>Council Initiatives</b>	
Alternatives to Incarceration (ATI's)	\$8,107
Bail Fund	1,555
Center for Court Innovation	1,445
Crisis Management System	1,885
Domestic Violence and Empowerment (DoVE) Initiative	9,225
Initiative for Immigrant Survivors of Domestic Violence	350
Initiative to Combat Sexual Assault	2,810
Legal Information for Families (LIFT)	485
Legal Services for Low-Income New Yorkers	250
Lippman Commission	500
Prevent Sexual Assault (PSA) Initiative for Young Adults	275
Prisoners' Rights Project	1,000
Support for Victims of Human Trafficking	1,200
Supportive Alternatives to Violent Encounters (SAVE)	1,000
Local	972
<b>Total</b>	<b>\$31,059</b>

## Courts Overview

MOCJ is responsible for assisting with the maintenance of the New York City's 29 court facilities, which include civil, criminal, family, housing, small claims, supreme and surrogate courts. Pursuant to New York State Law, localities bear the responsibility of providing adequate, functional and sufficient court facilities. Oversight includes contracting capital projects for work done in any New York City court facilities. The State and City agencies who manage the operational and programmatic activities in the courthouse include the Office of Court

Administration (OCA) - the administrative arm of the New York State court system, OMB, MOCJ and the Department of Citywide Administrative Services (DCAS).

MOCJ, OMB and OCA manage the infrastructure improvements and upgrading of courthouse facilities throughout New York City. DCAS' Asset Management Division is responsible for managing the maintenance staff who work in the courts and some capital projects. Depending on the scope of work, projects are managed by DCAS, the Department of Design and Construction DDC (the City's primary capital construction project manager) or the Dormitory Authority of the State of New York (DASNY) New York State's facilities finance and construction authority).

### Courts Financial Plan Summary

The Department of Citywide Administrative Services (DCAS) is responsible for cleaning and maintaining all the City's courts. DCAS' budget includes a U/A pair for asset management – public facilities. The courts Financial Summary below provides an overview of the portions of DCAS' budget used for court maintenance, disaggregated by Appellate Courts and Unified Courts System. The table below provides an overview of DCAS' actual expenditures for Fiscal 2017 and Fiscal 2018, the Adopted Budget for Fiscal 2019, and planned expenditures for Fiscal 2019 and Fiscal 2020 as proposed in the Fiscal 2020 Preliminary Plan.

<b>Courts Maintenance Financial Summary</b>						
<i>Dollars in Thousands</i>	<b>Actual 2017</b>	<b>Actual 2018</b>	<b>Adopted 2019</b>	<b>Preliminary Plan</b>		<b>*Difference</b>
				<b>2019</b>	<b>2020</b>	<b>2019-2020</b>
<b>Spending</b>						
<b>Appellate Courts</b>						
Personal Services	\$1,343	\$1,121	\$1,766	\$1,766	\$1,777	\$11
Other Than Personal Services	24,660	24,001	25,811	25,811	26,815	1,004
<b>Subtotal</b>	<b>\$26,003</b>	<b>\$25,122</b>	<b>\$27,577</b>	<b>\$27,577</b>	<b>\$28,592</b>	<b>\$1,015</b>
<b>Unified Court System</b>						
Personal Services	\$41,377	\$44,630	\$44,462	\$44,462	\$44,918	\$456
Other Than Personal Services	2,353	2,267	4,157	4,157	0	(4,157)
<b>Subtotal</b>	<b>\$43,730</b>	<b>\$46,897</b>	<b>\$48,619</b>	<b>\$48,619</b>	<b>\$44,918</b>	<b>(\$3,701)</b>
<b>TOTAL</b>	<b>\$69,733</b>	<b>\$72,019</b>	<b>\$76,196</b>	<b>\$76,196</b>	<b>\$73,510</b>	<b>(\$2,686)</b>
<b>Funding</b>						
City Funds	\$16,916	\$15,896	\$16,947	\$16,947	\$17,334	\$387
State	52,817	56,123	59,249	59,249	56,176	(3,074)
<b>TOTAL</b>	<b>\$69,733</b>	<b>\$72,019</b>	<b>\$76,196</b>	<b>\$76,196</b>	<b>\$73,510</b>	<b>(\$2,686)</b>
<b>Budgeted Headcount</b>						
Appellate Courts	18	18	18	18	18	0
Unified Court System	624	624	624	624	624	0
<b>TOTAL</b>	<b>642</b>	<b>642</b>	<b>642</b>	<b>642</b>	<b>642</b>	<b>0</b>

*\*The difference of Fiscal 2020 Adopted Budget compared to Fiscal 2019 Adopted Budget.*

The Fiscal 2020 Preliminary Plan decreases by approximately \$2.6 million primarily due to a lack of recognition in State funds for OTPS in Fiscal 2020 for the Unified Courts System. DCAS expects to see these funds reflected in the Fiscal 2020 Budget later in the year.

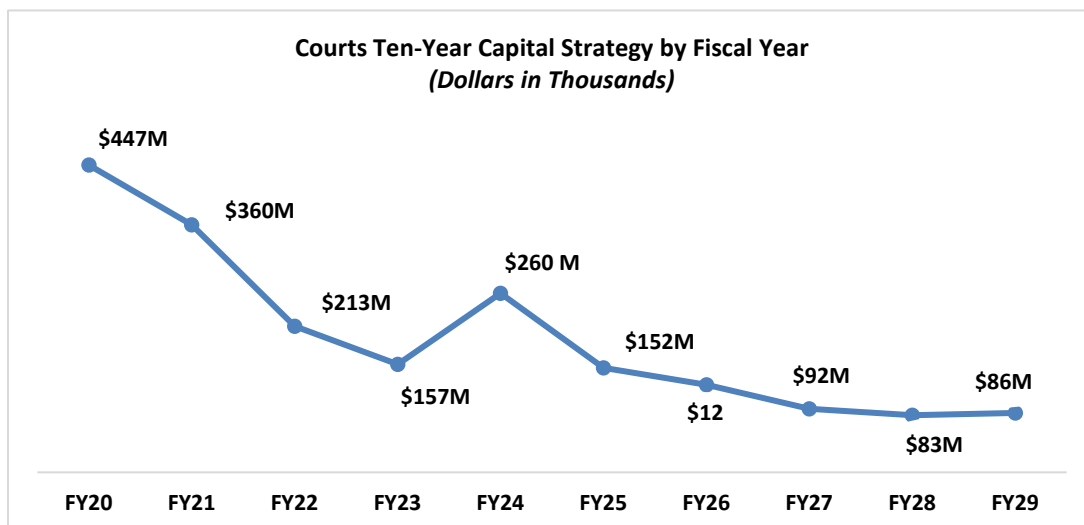
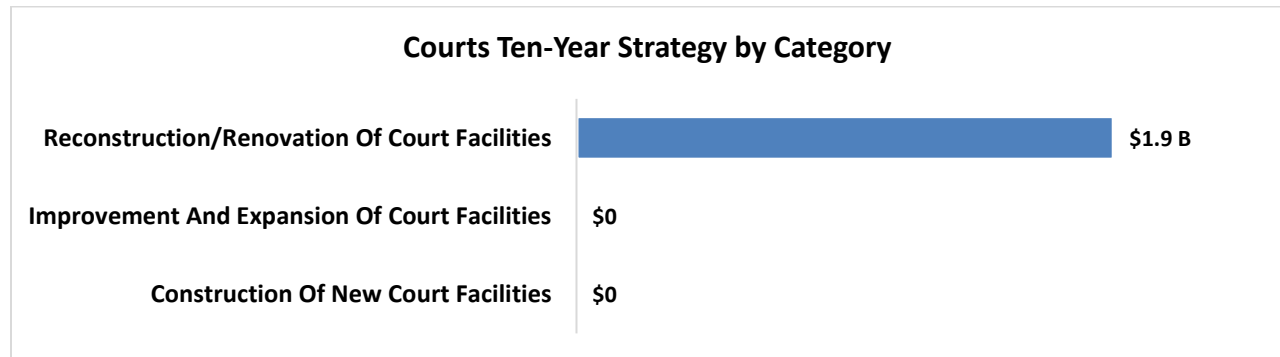


## Capital Program

### Preliminary Ten-Year Capital Strategy for Fiscal 2020-2029

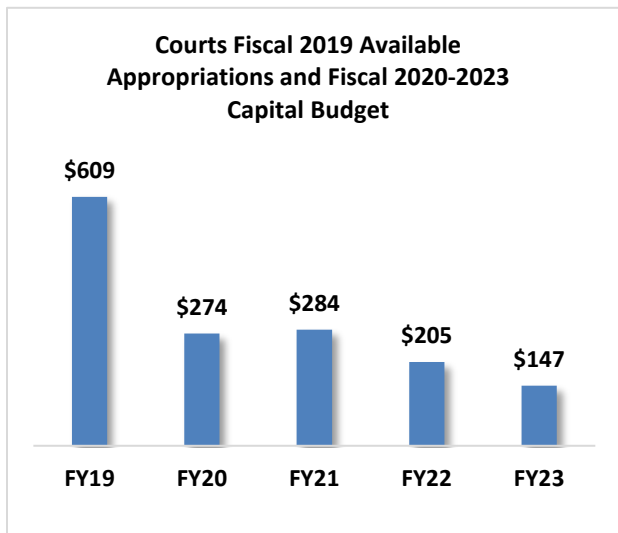
This section of the report will provide a discussion of Courts Ten-Year Capital Strategy (the Strategy), Capital Commitment Plan and Capital Budget. The Ten-Year Strategy is a long-term capital planning document that projects the City’s capital needs by agency and by major category over ten years. The Preliminary Capital Budget presents a four-year plan for what appropriations each agency anticipates will be needed to complete its projects. Finally, the Capital Commitment Plan provides details on how each agency plans to spend the appropriations allocated in the Capital Budget. The Commitment Plan breaks the budget lines down into individual projects and timelines for their completion.

The Ten-Year Capital Strategy for Courts’ is just shy of \$2 billion, or two percent of the City’s total Strategy of \$104.1 billion. The chart below summarizes the Courts Strategy over the ten years by category: construction of new court facilities, improvement and expansion of court facilities, and reconstruction/ renovation of court facilities. The proceeding chart demonstrates that the Courts Ten-Year Strategy is not actually a ten-year plan as contemplated by the Charter; 75 percent of all funding is planned to the first five years of the plan and funding is allocated to just one category (reconstruction and renovation). Using a single category for all capital projects across the Courts’ vast network of facilities, and frontloading the planned to the first five years, renders the Strategy meaningless as a planning tool.



- **Construction of New Court Facilities.** The Preliminary Ten-Year Capital Strategy does not plan any funds for construction of new court facilities.
- **Improvement and Expansion of Court Facilities.** The Preliminary Ten-Year Capital Strategy does not plan any and funds for improvement and expansion of new court facilities.
- **Reconstruction/ Renovation of Court Facilities.** The Strategy plans all of its \$1.9 million in commitments toward reconstruction/ renovation of court facilities.

### Fiscal 2020 Preliminary Capital Budget for Fiscal 2020-2023



(Dollars in Millions)

The Capital Budget provides the estimated need for new appropriations for Fiscal 2020 along with projections for the subsequent three-year capital program. The Courts Fiscal 2020 Preliminary Capital Budget includes \$910 million in Fiscal 2020-2023. This represents approximately two percent of the City’s total \$52.8 billion Capital Budget for 2020-2023. Fiscal 2019 capital appropriations for Courts total \$608.5 million. This includes \$603.5 million in reauthorized prior appropriations, and approximately \$5 million in authorized Fiscal 2019 appropriations. Of the \$608.5 million, only \$2.5 million has been committed, leaving a \$606 million balance as of November 2018.

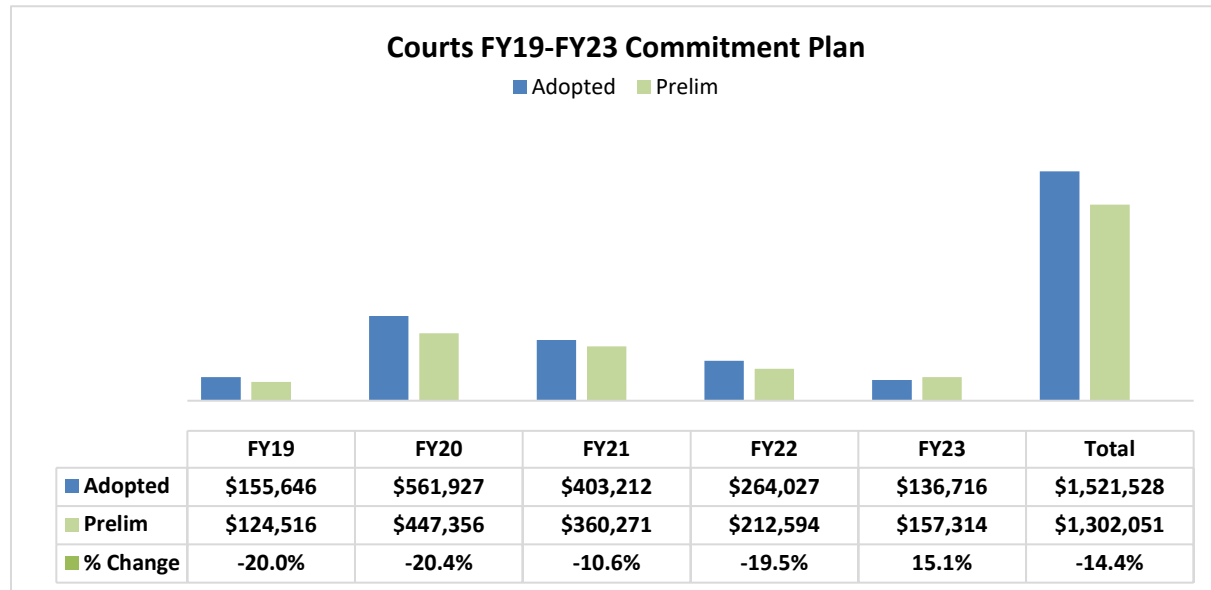
### Fiscal 2019 Preliminary Capital Commitment Plan for Fiscal 2019-2023

The Courts Preliminary Capital Commitment Plan of \$1.3 billion in Fiscal 2019-2023 has decreased by \$219 million or 14 percent since adoption. The Courts Capital Commitment Plan represents approximately 1.6 percent of the City’s total \$83.8 billion Preliminary Commitment Plan. The Commitment Plan provides project-level funding detail as well as an estimate of expenditure dates. The total appropriations for the court system in Fiscal 2019 are \$608.5 million against planned commitments totaling only \$124.5 million.<sup>3</sup> This excess balance of \$484 million in appropriations gives the Courts considerable flexibility within the capital plan.

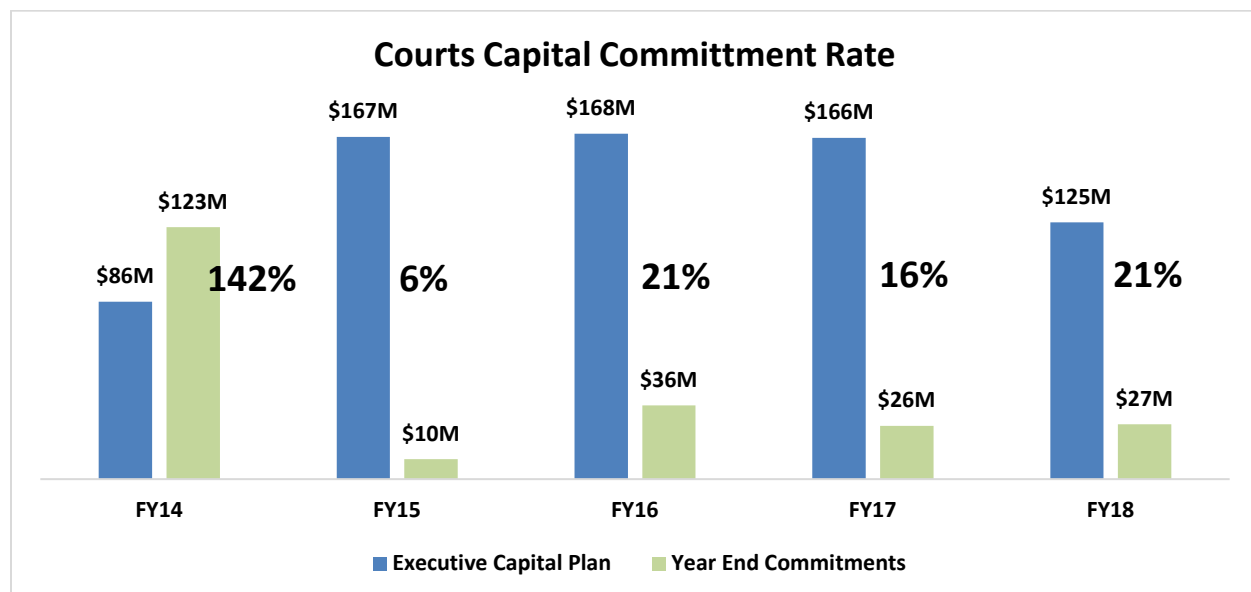
The Court System Commitment Plan shows 10 percent of all its commitments in Fiscal 2019, increasing substantially to 34 percent in Fiscal 2020, then decreasing slightly to 28 percent, 16,

<sup>3</sup> Appropriations for Fiscal 2019 are calculated by summing the available appropriations listed in the commitment plan with actual commitments to-date. Because commitments to-date excludes inter-fund agreements (IFA), this figure may be slightly lower than the total appropriations for Fiscal 2019. In addition, a very small portion of the difference between appropriations and planned commitments are necessary to fund IFA, which are excluded from this planned commitments figure.

and 12 percent, respectively in Fiscal 2021 to 2023. The Courts four year plan parallels its Ten-Year Strategy as the bulk of the spending is seen in the first five years in each of those Plans. The Commitment Plan indicates the Courts need to plan for the outyears more strategically and utilize all three categories. The chart below shows the Fiscal 2019 through Fiscal 2023 Commitment Plan at Adoption and as of the Current Preliminary Plan and the percent change.

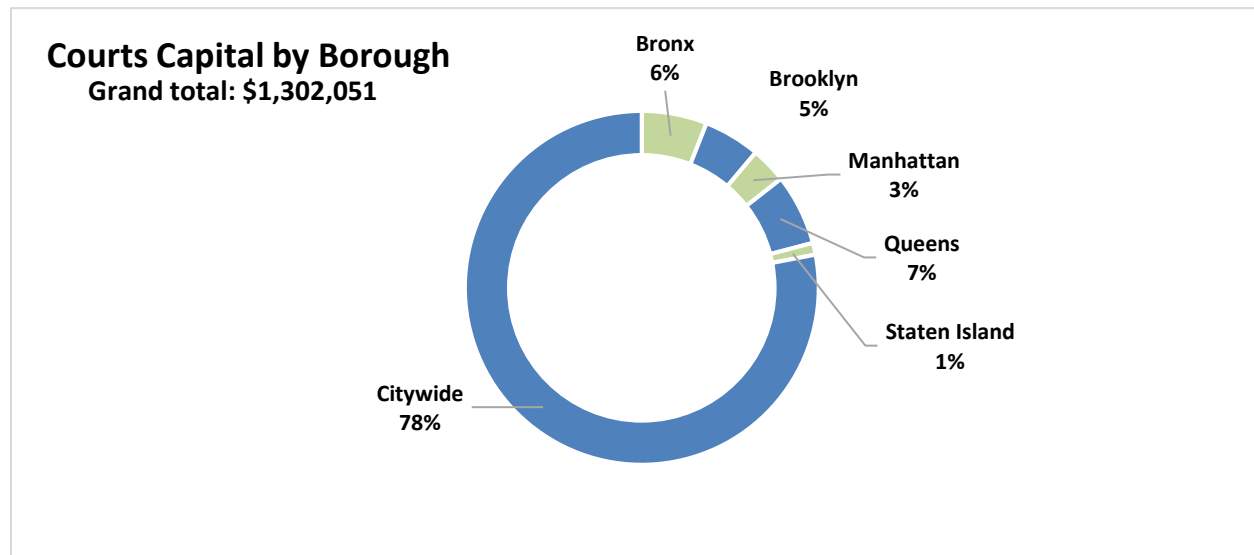


Given the court’s five year commitment rate average of 41 percent, it is likely that the Court System will end the coming year with unmet commitment targets and significant appropriations rolled into Fiscal 2020 and in the outyears. As shown in the chart below, the commitment rate for Fiscal 2014 was 142 percent; however, if that outlier is removed, it brings the commitment rate to just 16 percent demonstrating that Courts is not estimating, nor spending their capital commitments accurately.



## 2020 Preliminary Capital Commitment Plan by Borough

The chart below displays the \$1.3 billion capital commitment plan by either the borough to citywide projects. The majority of projects, approximately \$1 billion of the total \$1.3 billion, are citywide, while just 12 percent of projects are associated with a specific borough: \$77.6 million for the Bronx, \$67.4 million for Brooklyn, \$42.8 million for Manhattan, \$84.5 million for Queens, and \$14 million for Staten Island. Since capital projects for court are usually building specific, it is remarkable that OMB categorizes the majority of planned commitments as citywide.



## 2020 Preliminary Capital Commitment Plan Highlights

Major capital projects included in the Preliminary Capital Plan for Fiscal 2020 include the following.

- Rehabilitation of Various Court Facilities.** The Fiscal 2020 Preliminary Capital Commitment Plan includes \$710.5 million over the next four years for the rehabilitation of various court facilities throughout the City, which represents 54 percent of the Courts' total Capital Commitment Plan of \$1.3 million. The Courts' Capital Budget is not transparent on what this funding is for, and project titles could be improved to more accurately reflect the details and nature of these various projects throughout the City.
- The Office of Court Administration Relocation from 141 Livingston Street to 210 Joralemon Street in Brooklyn.** The Fiscal 2020 Preliminary Capital Commitment Plan includes \$244.6 million over the next four years, of which \$205 million is committed in Fiscal 2020.
- Fire Alarm System and Sprinkler Upgrade.** The Fiscal 2020 Preliminary Capital Commitment Plan includes \$98 million for fire related safety upgrades to the Brooklyn and Bronx Supreme Courts over the next four years. Fifty-five million is planned for Brooklyn Supreme Court, and \$43 million is planned for Bronx Supreme Court.
- Electrical Upgrades.** The Fiscal 2020 Preliminary Plan includes \$48 million for electrical upgrades to Queens Criminal Court buildings over the next four years.

## Appendix A

- **Alternatives to Incarceration - \$8.1 million.** Funding supports alternative-to-incarceration (ATI) programs that provide individuals involved in the criminal justice system with intermediate sanctions, such as community service and substance abuse counseling, as an alternative to pre-trial detention, sentence to jail, or prison. Other services provided for current and formerly incarcerated individuals include short-term and long-term housing, job placement and vocational training. Funding of \$400,000 will provide individuals involved in the criminal justice system with a pathway to higher education opportunities, and \$375,000 will provide pretrial community-based supervision for individuals as an alternative to pretrial detention. Additionally, \$1.75 million will support the expansion of this initiative.
- **Bail Fund - \$1.6 million.** The Bail Fund Initiative will support the operational and administrative costs of a charitable bail fund as well as support efforts for bail improvement. The Criminal Justice Agency (CJA) will receive \$125,000 to improve bail making for bail fund eligible defendants. Additionally, \$200,000 will support development of a bail fund for detained immigrants in NYC's immigration court.
- **Center for Court Innovation - \$1.9 million.** Funding supports Center for Court Innovation's (CCI) overall operations of a variety of community courts, drug courts, mental health courts, domestic violence courts, and school justice centers and youth programs throughout the City. Support also includes neighborhood adjudication panels in the Bronx as an alternative to the traditional criminal justice system. A panel of community members will adjudicate individuals charged with low-level misdemeanors and expansion of Project Rest in Brooklyn for youth as an alternative/ diversion to the traditional criminal justice system.
- **Crisis Management System - \$1.9 million.** This allocation supports the Crisis Management System, which is a composition of programs centered in neighborhoods with high frequencies of shooting incidents. Interventions include cure violence, employment readiness, legal services, and school based conflict mediation.
- **Domestic Violence and Empowerment Initiative (DoVE) - \$9.2 million** The DoVE Initiative supports a range of services that include case management, crisis intervention, referrals, counseling, empowerment workshops, legal advocacy and referrals. Safe Horizon, the administrator for this program, serves as a liaison between the City and the community based organizations to resolve complex administrative issues, and provides training, technical assistance, and direct services.
- **Initiative for Immigrant Survivors of Domestic Violence - \$350,000.** Funding supports organizations that provide resources for immigrant survivors of domestic violence with services that may include interpretation, referrals, counseling and legal representation for U Visas and T Visas.
- **Initiative to Combat Sexual Assault - \$2.8 million.** Funding supports community-based organizations that provide physical and sexual assault related services, which include

crisis intervention, legal advocacy, individual and group trauma-focused therapy, short-term counseling, forensic training to medical personnel, and referrals. Post-adoption, the Council will designate \$1,062,000 to fund sexual assault services and prevention. In addition, this allocation partially supports operating costs for four Child Advocacy Centers (CACs) that are located in Brooklyn, Queens, Staten Island, and the Bronx. CACs work hand-in-hand with law enforcement and child protective services to coordinate and expedite the investigation and prosecution of child sexual abuse cases.

- **Legal Information for Families (LIFT) - \$485,000.** Funding provides the necessary resources to operate the Family Court Legal Information and Support Program. Other services supported include telephone, email and live chat hotlines.
- **Legal Services for Low-Income New Yorkers - \$250,000.** Funding supports services that include direct legal representation, which includes a range of matters such as class action cases, unemployment insurance, supplemental security income, consumer/finance, education, employment, family, juvenile, health, housing, income maintenance, individual rights, hotline-based services and other miscellaneous benefits. Other programs funded are community legal education presentations and pro-bono/volunteer lawyer programs.
- **Lippman Commission. - \$500,000.** Funding support the evaluation of the City's progress towards closing Rikers, development of benchmarks for continued reform, and outreach to educate New Yorkers about the importance of improving the justice system.
- **Prevent Sexual Assault (PSA) Initiative for Young Adults - \$275,000.** Funding supports prevention and intervention services to end sexual exploitation of young women, transgender and LGBT youth. Programming helps clients to plan for safety, and offers referrals and counseling among other services.
- **Prisoners' Rights Project - \$1 million.** Funding supports the Prisoners' Rights Project (PRP) addresses the basic protection of human rights, safety, abuse and improved conditions for incarcerated individuals within the City's jail system. Other services provided include access to PRP's hotline, educational assistance for young prisoners, medical and mental health counseling, legal advocacy for discrimination and mistreatment of disabled and LGBT prisoners.
- **Support for Victims of Human Trafficking - \$1.2 million.** This allocation supports programs that offer counseling and assistance with mental health, educational, immigration, housing and employment, as an alternative to detention or incarceration, for defendants in the City's five human trafficking intervention courts; and for other victims of human trafficking.
- **Supportive Alternatives to Violent Encounters (SAVE) - \$1 million.** This allocation support supports Sanctuary for Families in providing legal services for immigrant and other underserved victims of domestic violence and sex trafficking.