

THE COUNCIL OF THE CITY OF NEW YORK

Hon. Corey Johnson
Speaker of the Council

Hon. Keith Powers
Chair, Committee on Criminal Justice



Report of the Finance Division on the
Fiscal 2022 Preliminary Plan for the

Department of Probation

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Table of Contents

Department of Probation Overview	1
DOP Fiscal 2022 Preliminary Budget: Expense	1
Agency Budget	3
Headcount	5
Contract Budget.....	6
Fiscal 2021 Preliminary Mayor’s Management Report (PMMR).....	7
Issues and Council Priorities	8
Appendices	9
A: Budget Actions in the November and the Preliminary Plans.....	9
B: DOP Contract Budget.....	9
C: Program Areas	10
Probation Services.....	10
Executive Management.....	11

Department of Probation Overview

The New York City Department of Probation (DOP) is the largest alternative to incarceration in New York City. DOP works with Adult and Family Court and utilizes programs and supervision to expand opportunities for New Yorkers to move out of the criminal and juvenile justice system. Through programs, DOP improves community safety with meaningful education, employment, health and behavioral health services, family engagement and civic participation. In addition, DOP offers a wide array of services and programs across its seven Neighborhood Opportunity Networks (NeON). DOP also provides information and recommendations to the courts to inform sentencing and disposition decisions and contribute to optimal court processing and decision-making.

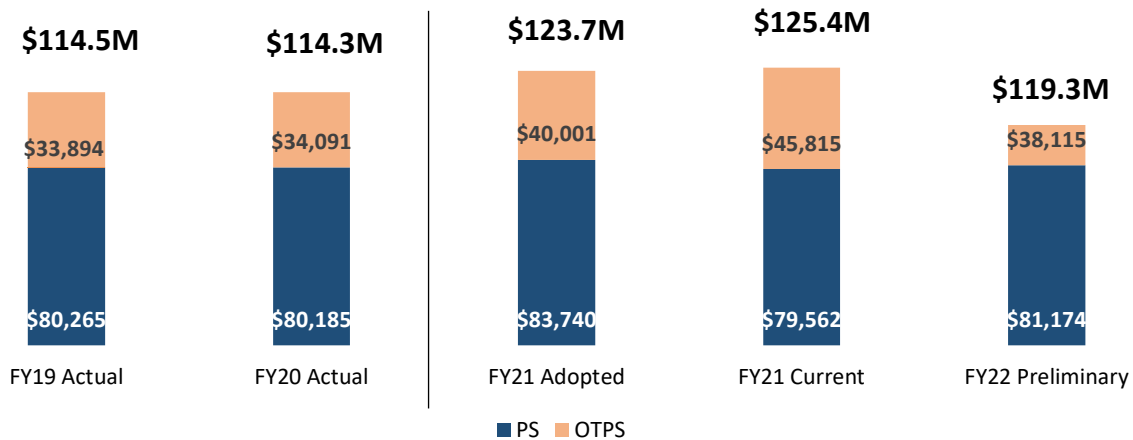
Adult Court, Family Court, Programs and Supervision	
Contribute to optimal court processing and decision-making in delinquency and criminal justice matters	Improve community safety through a combination of accountability and support activities with those under probation supervision

This report offers an overview of the Department of Probation’s (DOP) Fiscal 2022 Preliminary Budget, the Department’s Contract Budget, DOP’s programs and functions, and the Fiscal 2021 Preliminary Mayor’s Management Report (PMMR).

DOP Fiscal 2022 Preliminary Budget: Expense

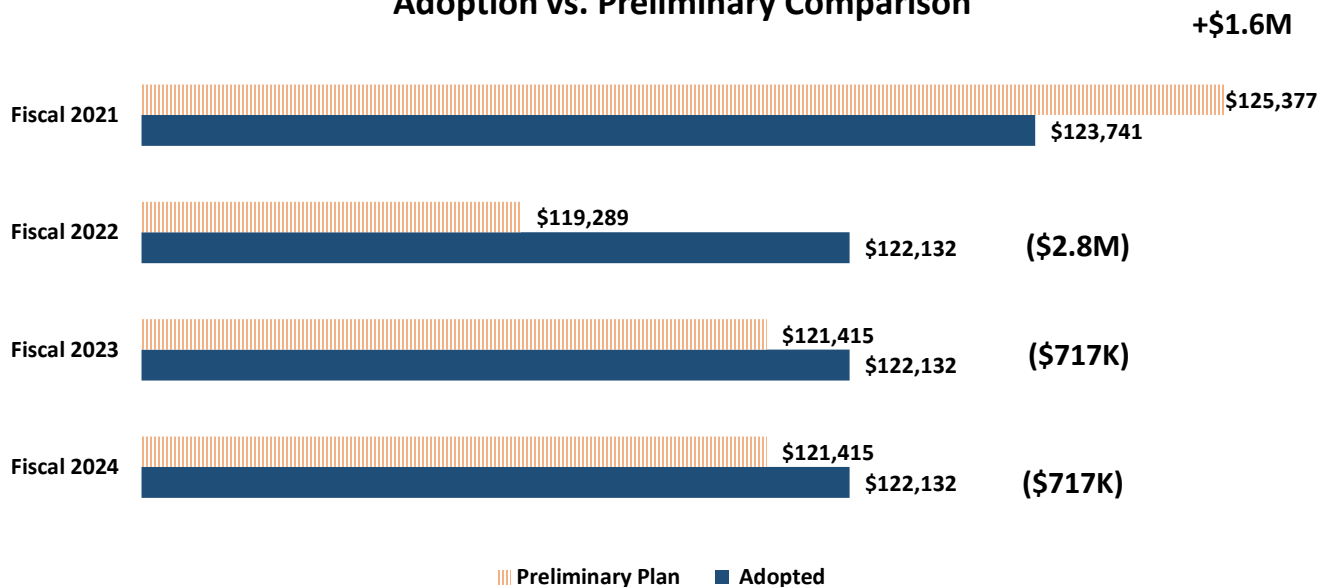
DOP’s Fiscal 2022 Preliminary Budget totals approximately \$119.3 million and includes just over \$81.2 million for personal services (PS) and approximately \$38.1 million for other than personal services (OTPS). This represents less than one percent of the City’s total Fiscal 2022 Preliminary Budget of \$92.3 billion. The Department’s budget supports a budgeted headcount of 1,134 full-time positions in Fiscal 2022, less than one percent of the City’s total headcount of 325,378. The Fiscal 2022 Preliminary Budget is approximately \$4.4 million less than the Fiscal 2021 Adopted Budget. The PS and OTPS budgets decrease by \$2.5 million and \$1.9 million, respectively.

DOP PS and OTPS Budget, FY19-FY22



The November 2020 and Preliminary Financial Plans introduced several modest budget adjustments, and savings but no new needs for DOP. Adjustments and savings introduced in the November 2020 and Preliminary Plans increase DOP’s Budget by \$1.6 million in Fiscal 2021 and decrease it by \$2.8

DOP Total Budget Adoption vs. Preliminary Comparison



million in Fiscal 2022. In Fiscal 2021, additions include a \$5 million spending increase for programs with the New York City Housing Authority (NYCHA) supported with categorical funding and approximately \$800,000 in State and intra-City transfers for other programming. These additions are offset by approximately \$4.2 million in PS and OTPS spending cuts in Fiscal 2021 from the Preliminary and November 2020 Financial Plans.

The November 2020 and Preliminary Plans decrease the Fiscal 2022 Budget by \$2.8 million by introducing approximately \$3.1 million in savings from various PS savings actions. This is offset by a

net increase of \$265,172 in other adjustments across both plans. Highlighted changes in the Preliminary Plan are below, and further detail can be found in Appendix A.

Preliminary Financial Plan

- **PS Accruals.** The Preliminary Plan introduced savings of \$775,000 in Fiscal 2022. The Department has not yet determined how it will achieve its savings targets.
- **OTPS Savings.** The Plan reflected additional OTPS savings for \$250,000 in Fiscal 2022. L

Agency Budget

The DOP's budget is broken into two sections, Probation Services and Executive Management. These program areas are funded with a combination of City tax-levy funds and other resources and are budgeted in two unit of appropriation (U/A) pairs. City tax-levy makes up 82 percent of the Department's funding in Fiscal 2022. State funding is 12 percent of DOP's Fiscal 2022 Budget and intra-City transfers from other City agencies is five percent. The following table provides an overview of DOP's actual expenditures for Fiscal 2019 and Fiscal 2020, the Adopted Budget for Fiscal 2021, and planned expenditures for Fiscal 2021 and Fiscal 2022 as proposed in the Preliminary Plan. More detail on program area budgets can be found in Appendix C.

DOP Financial Summary						
<i>Dollars in Thousands</i>						
	FY19	FY20	FY21	Preliminary		*Difference
	Actual	Actual	Adopted	FY21	FY22	FY21-FY22
Spending						
Personal Services	\$80,265	\$80,185	\$83,740	\$79,562	\$81,174	(\$2,566)
Other Than Personal Services	33,894	34,091	40,001	45,815	38,115	(1,885)
TOTAL	\$114,159	\$114,276	\$123,741	\$125,377	\$119,289	(\$4,452)
Budget by Program Area						
Probation Services	\$104,679	\$104,735	\$113,228	\$115,151	\$108,949	(\$4,279)
Executive Management	9,480	9,542	10,513	10,226	10,340	(173)
TOTAL	\$114,159	\$114,276	\$123,741	\$125,377	\$119,289	(\$4,452)
Funding						
City Funds			\$102,798	\$98,543	\$98,346	(\$4,452)
State			14,605	14,931	14,605	0
Federal - Other			0	67	0	0
Other Categorical			0	5,097	0	0
Intra City			6,338	6,738	6,338	0
TOTAL	\$114,159	\$114,276	\$123,741	\$125,377	\$119,289	(\$4,452)
Budgeted Headcount						
Full-Time Positions	1,159	1,116	1,148	1,096	1,134	(14)
TOTAL	1,159	1,116	1,148	1,096	1,134	(14)

**The difference of Fiscal 2021 Adopted Budget compared to Fiscal 2022 Preliminary Budget.*

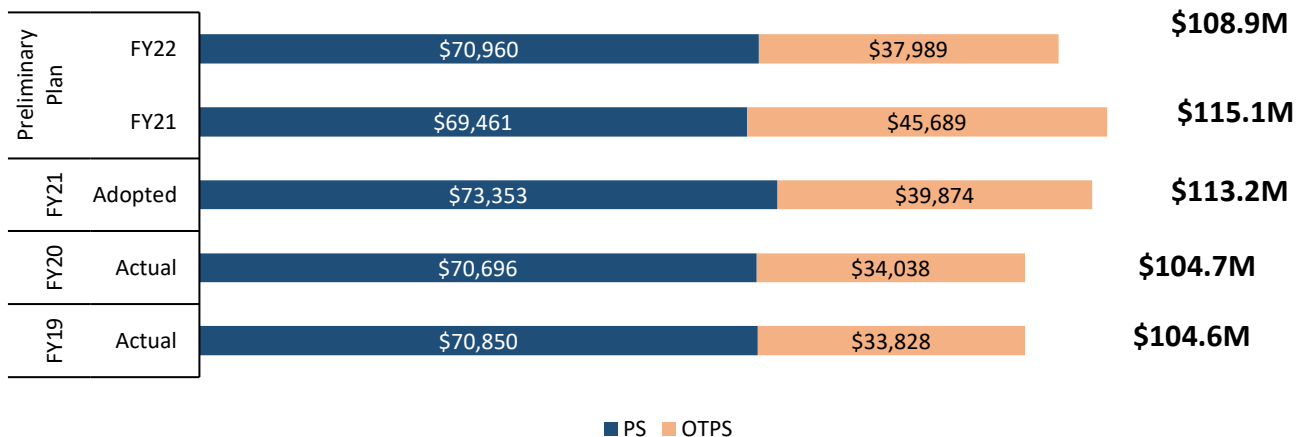
COVID-19 Spending

The COVID-19 pandemic has had very little impact on the DOP budget. In Fiscal 2021, COVID-19 related spending is approximately \$70,000 for personal protective equipment (PPE), technology, and personnel. As a result of COVID-19, the Department has transitioned to a hybrid model. DOP conducts field operations and staff work in-person when necessary. DOP programming and certain functions are operating remotely and approximately 25 percent of DOP staff are currently working from home.

Probation Services

Probation Services administers investigations of most adult and juvenile offenders before sentencing and supervises those sentenced to probation in adult and family courts. Probation Services also operates several supervision programs for adult probation clients, and alternative to placement programs for juvenile probation clients. Probation Services represents 91 percent of DOP’s budget in Fiscal 2022. The Probation Services budget decreased by \$4.3 million in Fiscal 2022 compared to the Fiscal 2021 Adopted Budget. The decrease was driven by approximately \$2.4 million in PS savings and \$1.9 million in contract savings.

Probation Services Budget Overview



Probation Services Programs

Table 2 below, provided by DOP, shows the overview of DOP’s programs, program capacity, the number of new enrollees since the last Financial Plan, and the total number of people served as of the November 2020 Financial Plan.¹

Table 2: Department of Probation Program Summary

Program	Capacity	# of New Enrollees	Total Served
AIM	76	20	47
Arches	460	83	158
ECHOES	60	5	18
MiNY Animation	2,868	1,800	1,800
NeON Arts	1,300	506	937
Works Plus	119	129	204
Total	4,883	2,543	3,164

Neighborhood Opportunity Network (NeON)

NeONs offer a wide variety of programming and services to seven communities around the City: Brownsville, Bedford-Stuyvesant, East New York, Harlem, Jamaica, North Staten Island, and the South Bronx. Services include high school equivalency classes, employment preparation, mentoring, healthcare, literacy programs, arts and sports programs, and food pantries. These services are available to the community and are not limited to people on probation. The Fiscal 2022 Preliminary Plan includes approximately \$5.5 million for NeON Works, NeON Programming, and NeON Special

¹ <https://www1.nyc.gov/site/probation/services/services.page>

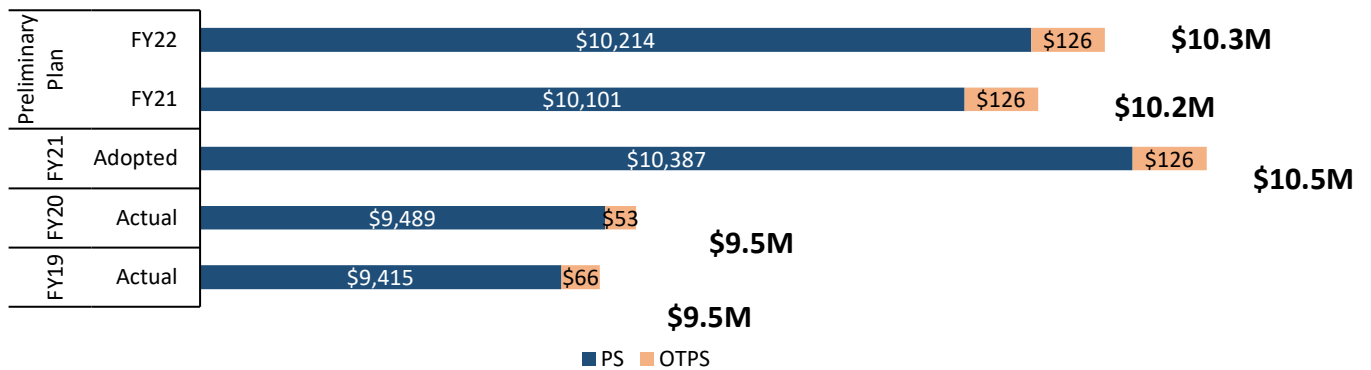
Programs in Fiscal 2022. NeONs shifted their operations to offer additional programming and support in response to the COVID-19 pandemic highlighted below.

- **NeON Nutrition Kitchen.** In response to the pandemic, DOP expanded its NeON Nutrition Kitchen food pantry program to provide meals and food supplies for families with unreliable access to food. As of mid-December, the Department increased its feeding capacity four-fold to 375,368 people.
- **NeON Summer.** DOP operated a remote summer program in 2020 available to young people, 14-24, in neighborhoods hardest hit by COVID-19. The program served 2,700 people in 107 cohorts over six weeks.²

Executive Management

Executive Management is responsible for setting policies and developing short- and long-term plans and strategies; providing legislative review and legal analysis; and coordinating with governmental oversight agencies. Staff in Executive Management provide management of general support services.

Executive Management Budget Overview

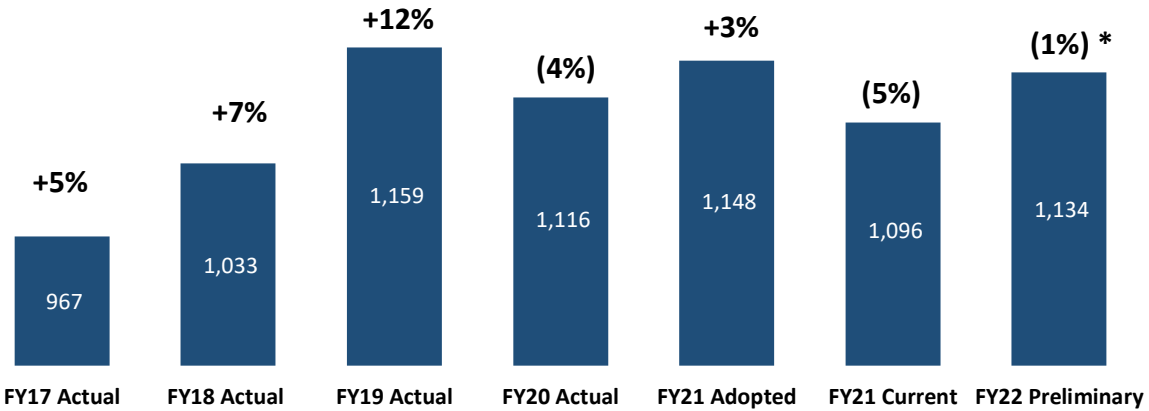


Headcount

DOP’s Fiscal 2022 Preliminary Budget supports a headcount of 1,134, a one percent decrease from the Fiscal 2021 Adopted Budget. The Preliminary Budget reduces the current Fiscal 2021 headcount by 14 positions, or approximately five percent, when compared to the headcount at Adoption. The chart below shows the actual headcount for Fiscal 2017-2020, the adopted and modified budgeted headcount for Fiscal 2021, and the projected headcount for Fiscal 2022.

²[NeON Summer NYC](#)

DOP Headcount FY17 Actual-FY22 Preliminary



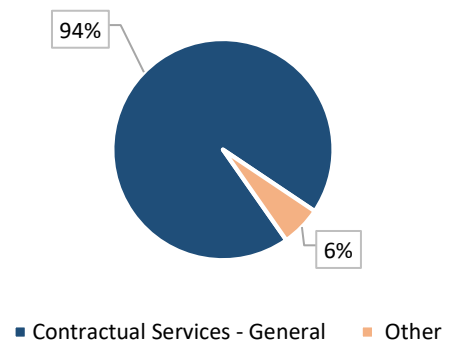
*The difference of Fiscal 2021 Adopted Budget compared to Fiscal 2022 Preliminary Budget.

DOP’s actual headcount grew by nearly 20 percent between Fiscal 2017 and 2019 and has fluctuated slightly since then. Actual headcount as of January 2021 was 1,070. The Department has been able to participate in citywide PS savings initiatives while keeping its headcount consistent.

Contract Budget

DOP’s Fiscal 2022 Preliminary Contract Budget is \$28 million, approximately \$1.9 million less than the Fiscal 2021 Adopted Contract Budget. DOP’s Contract Budget represents approximately 24 percent of the Department’s total budget. The Department uses its Contract Budget to support substantial parts of its services and programming. Programs like NeON Works; Arches Transformative Mentoring; Advocate, Intervene, Mentor (AIM); Every Child Has an Opportunity to Excel and Succeed (ECHOES) are supported by the Department’s Contract Budget. Additionally, programs related to Raise the Age are also supported in the Contract Budget. The vast majority, 94 percent, of the Contract Budget supports general contractual services while just six percent supports all other categories of contracts including maintenance, repairs, and professional training. DOP’s Contract Budget by category for Fiscal 2021 and 2022 can be found in Appendix B.

DOP Fiscal 2022 Preliminary Contract Budget



Fiscal 2021 Preliminary Mayor's Management Report (PMMR)

DOP's PMMR outlines two service goals for the Department.³

1. Contribute to optimal court processing and decision-making in delinquency and criminal justice matters.
2. Improve community safety through a combination of accountability and support activities with those under probation supervision.

For the first service, the PMMR includes performance indicators on the number of pre-sentence investigations and their completion rates as well as indicators of juvenile cases identified for diversion from court proceedings. For the second service, the PMMR provides metrics on the number of supervision cases for both adults and juveniles. Performance is demonstrated through indicators on program enrollment, completion rates, violation rates, and rearrest rates. However, the PMMR does not provide further breakdown on types of programming or their performance. While the PMMR discusses NeON programming and services in its Focus on Equity section, the PMMR does not include specific indicators on the seven NeONs, their services, or their outcomes.

- **Produce timely and accurate pre-sentence investigations.** One of DOP's core functions is the production of pre-sentence investigations (PSIs). All New Yorkers who have been convicted of a felony or certain misdemeanors must undergo a PSI administered by DOP probation officers. In Fiscal 2020 DOP completed 6,550 PSI for adults and 971 for juveniles, a 40 and 32 percent reduction since Fiscal 2019 respectively. In Fiscal 2020 the Department had an on-time completion rate of 96 percent for adult PSIs and 88 percent for juvenile PSIs. In the first four months of Fiscal 2021, DOP's completion rate for juvenile and adults was 99 and 100 percent respectively.
- **Identify youth appropriate for diversion from formal juvenile court proceedings via adjustment services.** As a result of raise the age legislation, youth arrested between the ages of seven and fifteen under family court jurisdiction are processed by DOP. Sixteen and seventeen-year-olds charged with lower level offenses or who avoid criminal court are also processed by DOP. DOP processed 6,097 juvenile intakes in Fiscal 2020, a 38 percent increase from the previous year.
- **Assess risk to match individuals with supervision and monitoring levels; use rearrests and violation trends to make adjustments to supervision level components.** Adult supervision cases declined by 16 percent from Fiscal 2019 to Fiscal 2020. Initial risk or need assessments administered by DOP decreased by 12 percent in Fiscal 2020, from 10,705 in Fiscal 2019 to 9,432 in Fiscal 2020. These indicators followed COVID-19 based declines in new supervision cases and year over year decreases in NYPD arrests. In the first four months of Fiscal 2021, there were 1,685 administered assessments, a decrease of 57 percent from the same period last year.

Assessments for juveniles increased from 1,905 in Fiscal 2019 to 2,264 in Fiscal 2020, a 19 percent increase. This increase is attributed to the increased caseloads as a result of raise the age legislative changes.

³ [Fiscal 2021 DOP PMMR](#)

- Increase the probability of successful completion of probation terms through maximizing the use of evidence-based practices and community-based interventions.** Successful completion rates for adult and juvenile probationers have increased since Fiscal 2018. In Fiscal 2018, 76 percent of adults and 84 percent of juveniles successfully completed their probation terms. In the first four months of Fiscal 2021, success rates had grown to 90 percent for adults and 94 percent for juveniles. In addition, 95 percent of adult probationers were approved for an early completion of their probation terms.

Issues and Council Priorities

- Local Conditional Release Commission.** In June 2020, the Council enacted Local Law 60 to reestablish a Local Conditional Release Commission.⁴ State law allows the City to establish a Local Conditional Release Commission to review and conditionally release people serving City-sentences. State law requires the Commission be appointed by the Mayor and the Department of Probation is required to staff and operate the Commission.

According to the Department of Probation the previous Commission had a staff of four: an executive director, an analyst, and two administrative staff. DOP estimated that salary costs and per diem stipends for Commissioners would amount to almost \$500,000 annually. In the Council’s assessment, the Department currently has sufficient budgetary resources to support the Commission without additional funding. According to Department, new funding for the Commission has not been made available.

- City Council Discretionary.** The Fiscal 2021 Adopted Budget includes \$331,000 to support two Council initiatives contracted through DOP. DOP receives \$130,600 the the Crisis Management System to support [expalain what DOP get money to do, does a CBO get the funding],. The Council also supports Carnegie Hall to offer arts programming to NeON Arts program participants.

Fiscal 2021 Council Initiatives	
<i>Dollars in Thousands</i>	
Initiative	Amount
Innovative Criminal Justice Programs	\$200
Crisis Management System	131
TOTAL	\$331

⁴ [Local Law 60](#)

Appendices

A: Budget Actions in the November and the Preliminary Plans

<i>Dollars in Thousands</i>	FY21			FY22		
	City	Non-City	Total	City	Non-City	Total
DOP Budget as of the Adopted FY21 Budget	\$102,798	\$20,943	\$123,741	\$101,189	\$20,943	\$122,132
Savings						
Hiring Freeze	(\$567)	0	(\$567)	(755)	0	(755)
PS Accruals	(2,295)	0	(2,295)	(1,806)	0	(1,806)
Salary Differential Savings	(297)	0	(297)	(297)	0	(297)
OTPS Savings	(565)	0	(565)	(250)	0	0
Hiring and Attrition Management	(524)	0	(524)	0	0	0
Subtotal, Savings	(\$4,247)	\$0	(\$4,247)	(\$3,108)	\$0	(\$2,858)
Other Adjustments						
City Service Corps	(\$237)	0	(\$237)	0	0	\$0
Citywide discretionary training freeze	(22)	0	(22)	0	0	0
Citywide Wireless Services	(8)	0	(8)	(36)	0	(36)
DOP Electronic Monitoring	0	66	66	0	0	0
Fund DCJS Grant	0	238	238	0	0	0
DOJ Grant	0	67	67	0	0	0
Managerial Furlough Savings	(131)	(16)	(147)	0	0	0
MOME DOP TAP transfer	0	400	400	0	0	0
NYC Service Bureau Program	40	0	40	0	0	0
Vehicle Service Freeze	(97)	0	(97)	(273)	0	(273)
Rollover DCJS Grant	0	40	40	75	0	75
YMI Funding Adjustment	500	0	500	500	0	500
Office Supplies Spending	(53)	0	(53)	0	0	0
Fund NYCHA with DOP	0	5,097	5,097	0	0	0
Subtotal, Other Adjustments	(\$8)	\$5,891	\$5,884	\$265	\$0	\$265
TOTAL, All Changes	(\$8)	\$5,891	\$5,884	\$265	\$0	\$265
DOP Budget as of the Preliminary FY22 Budget	\$98,544	\$26,833	\$125,377	\$98,346	\$20,943	\$119,289

B: DOP Contract Budget

DOP FY20 Preliminary Contract Budget				
<i>Dollars in Thousands</i>				
Category	FY21 Adopted	Number of Contracts	FY22 Preliminary	Number of Contracts
CLeaning Services	\$43	1	\$43	1
Contractual Services General	28,283	5	26,393	5
Data Processing Equipment	150	2	150	2
Hospitals Contracts	111	3	111	3
Maintenance and Repair General	72	1	72	1
Office Equipment Maintenance	90	2	90	2
Printing Contracts	20	1	20	1
Professional Services Other	102	4	102	4
Security Services	1,017	1	1,017	1
Telecommunications Maintenance	3	1	2.5	1
Temporary Services	16	1	16	1
Training Program for City Employees	25	2	25	2
TOTAL	\$29,930	24	\$28,041	24

C: Program Areas

Probation Services

Probation Services						
<i>Dollars in Thousands</i>						
	FY19	FY20	FY21	Preliminary		*Difference
	Actual	Actual	Adopted	FY21	FY22	FY21-FY22
Spending						
Personal Services						
Full-Time Salaried - Civilian	\$61,850	\$63,539	\$67,782	\$62,390	\$65,389	(\$2,393)
Other Salaried and Unsalari ed	172	282	8	8	8	0
Full-Time Salaried - Uniform	3	0	0	0	0	0
Additional Gross Pay	5,500	4,024	3,847	3,847	3,847	0
Overtime - Civilian	3,308	2,640	1,716	3,216	1,716	0
Fringe Benefits	18	211	0	0	0	0
Subtotal	\$70,850	\$70,696	\$73,353	\$69,461	\$70,960	(\$2,393)
Other Than Personal Services						
Supplies and Materials	\$1,037	\$1,042	\$1,473	\$1,410	\$1,470	(\$3)
Fixed and Misc Charges	662	929	11	914	11	0
Property and Equipment	1,243	1,324	1,336	1,653	1,207	(129)
Other Services and Charges	10,384	10,368	7,153	9,071	7,289	136
Contractual Services	20,502	20,375	29,901	32,642	28,012	(1,889)
Subtotal	\$33,828	\$34,038	\$39,874	\$45,689	\$37,989	(\$1,885)
TOTAL	\$104,678	\$104,734	\$113,227	\$115,150	\$108,949	(\$4,279)
Funding						
City Funds			\$92,345	\$88,377	\$88,066	(\$4,279)
Federal – Other			0	67	0	0
Intra City			6,338	6,738	6,338	0
Other Categorical			0	5,097	0	0
State			14,545	14,872	14,545	0
TOTAL			\$113,228	\$115,151	\$108,949	(\$4,279)
Budgeted Headcount						
Full-Time Positions- Civilian	1,055	1,014	1,015	963	1,001	(14)
TOTAL	1,055	1,014	1,015	963	1,001	(14)

**The difference of Fiscal 2021 Adopted Budget compared to Fiscal 2022 Preliminary Budget.*

Executive Management

Executive Management						
<i>Dollars in Thousands</i>						
	FY19	FY20	FY21	Preliminary		*Difference
	Actual	Actual	Adopted	FY21	FY22	FY21-FY22
Spending						
Personal Services						
Full-Time Salaried - Civilian	\$8,840	\$9,079	\$10,040	\$9,754	\$9,867	(\$173)
Other Salaried and Unsalariated	43	5	4	4	4	0
Fringe Benefits	0	1	0	0	0	0
Additional Gross Pay	374	262	198	198	198	0
Overtime - Civilian	159	142	145	145	145	0
P.S. Other	(1)	(0)	0	0	0	0
Subtotal	\$9,415	\$9,489	\$10,387	\$10,101	\$10,214	(\$173)
Other Than Personal Services						
Supplies and Materials	\$18	\$5	\$42	\$42	\$42	\$0
Fixed and Misc Charges	0	0	2	3	2	0
Property and Equipment	12	20	21	21	21	0
Other Services and Charges	35	28	32	32	32	0
Contractual Services	0	0	28	27	28	0
Subtotal	\$66	\$53	\$126	\$126	\$126	\$0
TOTAL	\$9,480	\$9,542	\$10,513	\$10,226	\$10,340	(\$173)
Funding						
City Funds			\$92,345	\$88,377	\$88,066	(\$4,279)
State			60	60	60	0
TOTAL			\$92,405	\$88,437	\$88,126	(\$4,279)
Budgeted Headcount						
Full-Time Positions	104	102	133	133	133	0
TOTAL	104	102	133	133	133	0

*The difference of Fiscal 2021 Adopted Budget compared to Fiscal 2022 Preliminary Budget.