

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE,
JOINTLY WITH COMMITTEE ON FIRE AND CRIMINAL JUSTICE
SERVICES

----- X

June 2, 2014
Start: 11:07 a.m.
Recess: 2:52 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E:

JULISSA FERRERAS
Chairperson
ELIZABETH S. CROWLEY
Co-Chairperson

COUNCIL MEMBERS:

Ydanis A. Rodriguez
James G. Van Bramer
Vanessa L. Gibson
Robert E. Cornegy, Jr.
Laurie A. Cumbo
Corey D. Johnson
Mark Levine
I. Daneek Miller
Helen K. Rosenthal
Vincent M. Ignizio
Peter F. Vallone, Jr.
Mathieu Eugene
Fernando Cabrera
Rory I. Lancman

A P P E A R A N C E S (CONTINUED)

Salvatore J. Cassano
Fire Commissioner
New York Fire Department

Edward Kilduff
Chief of Department
New York Fire Department

Don Shacknai
First Deputy Commissioner
New York Fire Department

Stephen Rush
Assistant Commissioner for Budget & Finance
New York Fire Department

James Esposito
Chief of Fire Operations
New York Fire Department

Abdo Nahmod
Chief of EMS
New York Fire Department

John Benanti
Deputy Commissioner
Support Services & Human Resources
New York Fire Department

Joseph Ponte
Commissioner
New York City Department of Correction

Ari Wax
Senior Deputy Commissioner
New York City Department of Correction

Erik Berliner
Deputy Commissioner for Strategic Planning
and Programs
New York City Department of Correction

A P P E A R A N C E S (CONTINUED)

William Clemons

Chief of Department

New York City Department of Correction

[gavel]

CHAIRPERSON FERRERAS: Good morning and welcome to the 10th day of the City Council's hearings on the Mayor's Executive Budget FY2015. My name is Julissa Ferreras and I am the chair of the Finance Committee. This morning we are joined by the Committee on Fire and Criminal Justice, chaired by my colleague, Council Member Elizabeth Crowley.

I wanna take this opportunity to thank the sergeant at arms that keep us safe, Sergeant at Arm Eddie Cojaso [sp?] and Israel Martinez, who are here with me just as long as all these days have been, and also for the film crew of NYC Media, John Vigoa and Jeffrey Garello [sp?]. We've been joined by Council Members Fernando Cabrera; Robert Cornegy.

Today we will hear from the FDNY, together with the Emergency Medical Services and the Department of Corrections. These hearings are a lot of work and I wanna thank the Finance staff for putting the hearings together. I'd like to thank Acting Director Latonia McKinney, Division and Committee Counsel Tanisha Edwards, Deputy Director Regina Poreda Ryan, Unit Head Eisha Wright, and the Finance superstars Nicole Anderson and Maria Pagan,

1
2 who pull everything together; thank you for your hard
3 work.

4 Before we get started, I wanna remind
5 everyone that the public will be allowed to testify
6 on the last day of budget hearings on June 6,
7 beginning at 3:30 p.m.; the public session will be
8 held in this room. For the members of the public who
9 wish to testify but cannot make the hearing, you can
10 email your testimony to the Finance Division and the
11 staff will make it a part of the official record.

12 The email address is
13 financetestimony@council.nyc.gov.

14 Today's Executive Budget hearing kicks
15 off with the Fire Department. The FDNY's Fiscal 2015
16 budget totals \$1.77 billion; highlights in the FDNY
17 budget includes several initiatives that will
18 increase budgeted civilian head count. These changes
19 will help to right size staffing levels and avoid
20 overtime spending in the Executive Budget. \$1.2
21 million is added to the Fleet Services Division for
22 18 civilian positions, \$272,000 is provided to add
23 five EMS trainers at the FDNY High School, \$256.8
24 million is provided to add three positions in the
25 radio repair mechanics unit and \$554,000 is added to

1
2 provide seven positions for the Facilities Division,
3 which includes plumbers, oilers and electricians.
4 The Executive Budget will also include \$1.4 million
5 for 16 positions for additional IT staff to support
6 the Department's new Fire Prevention Information
7 Management System.

8 On the capital side, the FDNY's
9 commitment plan includes 27 bathroom renovations,
10 projects for firehouse, which will allow all FDNY
11 facilities to accommodate both female and male
12 employees. This is a very big deal, as it will
13 further gender equality at the FDNY. I'm also happy
14 to see the Executive Budget includes a PEG
15 restoration that adds \$43.7 million for 505 positions
16 at 20 firehouses that the prior administration sought
17 to close to achieve budget savings. In prior years
18 the Council has prevented the closure of fire
19 companies by restoring the proposed budget cuts, so
20 by adding funding for these companies, this is
21 another step towards ending the infamous budget
22 dance.

23 These are all good changes; however, in
24 the Council's budget response we called on the
25 administration to reduce a supervisor to emergency

1
2 medical technical or paramedic ratio from 1-19 to 1-7
3 by hiring 76 emergency supervisors. This would allow
4 adequate supervision, coordinate responses among
5 divisions and units while in the field.

6 Unfortunately, the Executive Budget does not include
7 an increase for emergency medical service staff. It
8 is my hope that after a round of budget hearings the
9 administration will take the concerns expressed by
10 council members and the public regarding the FDNY's
11 proposed budget and work with the Council to ensure
12 that Fiscal 15 adopted budget reflects all of our
13 priorities and values. I look forward to hearing
14 from Commissioner Cassano to learn more about how
15 this Executive Budget affects the agency's
16 operations.

17 Before we hear from the Commissioner, I
18 will turn my mic over to my Co-Chair, Council Member
19 Elizabeth Crowley for a statement.

20 CO-CHAIR CROWLEY: Good morning, my name
21 is Elizabeth Crowley and I am the Chair of the Fire
22 and Criminal Justice Services Committee here at the
23 Council; I am pleased to be co-chairing this hearing
24 with the Finance Chair, Council Member Julissa
25 Ferreras and my colleagues who are here today; I

1
2 wanna thank you for joining us. I too am pleased
3 that this Executive Budget allocates additional funds
4 for personnel that will be responsible for
5 diversifying the Department, both by race and gender.
6 I am also pleased about the plan to equip all
7 firehouses with women's bathrooms and changing
8 facilities, which is in line to be completed by the
9 end of Fiscal Year 2016.

10 The City's average EMS response times are
11 too high. I am troubled by the fact that the
12 administration has not heeded the Council's
13 recommendation to hire more EMS supervisors in order
14 to reduce the span of control and to be in compliance
15 with the federal government guidelines.

16 I would also like the Department to add
17 more ambulance tours and create a plan to reduce
18 times for life-threatening emergencies. The City's
19 average response time of nine minutes and 22 seconds
20 for life-threatening emergencies is simply not
21 acceptable and we must do more to reduce this time.

22 For many years the overtime spending has
23 been extraordinarily high within the Department; with
24 the hiring freeze lifted, it still continues to be
25 too high. I'd like to hear from the Department about

1
2 their plan to reduce overtime spending in the coming
3 fiscal year.

4 I am also pleased that the budget
5 contains \$143 million for fire alarm boxes and that
6 the funding for 20 fire companies that have been on
7 the chopping block year after year has been baselined
8 in this budget.

9 I wanna welcome the Fire Commissioner and
10 all the staff that is here from the Fire Department.
11 Commissioner, I wanna thank you for your 44 years
12 plus of service to the City, outstanding service;
13 it's been a pleasure working with you; I know that
14 this is your last hearing as commissioner, so I
15 wanted to be sure to thank you for all that you've
16 done.

17 And now I'm going to recognize
18 [background comment] Council Members for having been
19 here -- we've been joined by Council Member Gibson
20 and [background comments] Cornegy. Yeah, he his
21 here. [background comment] Okay. Please.

22 COMMISSIONER CASSANO: Thank you. Good
23 morning Chairpersons Ferreras and Crowley and Council
24 Members, thank you for the opportunity to speak with
25

1
2 you today about the Executive Budget for Fiscal Year
3 2015 for the New York City Fire Department.

4 I am joined this morning by FDNY Chief of
5 the Department, Edward Kilduff, First Deputy
6 Commissioner Don Shacknai and Assistant Commissioner
7 for Budget, Steve Rush. Also with me here are our
8 Chief of Operations, James Esposito, Chief of EMS
9 Operations, Abdo Nahmod and other members of my
10 senior staff.

11 As we said when we testified at our
12 preliminary budget hearing in March, we're happy to
13 report that for the first time in five years we are
14 not testifying about the possibility of closure of 20
15 fire companies or any fire companies. When the Mayor
16 presented his preliminary and executive budgets this
17 year, he pledged to restore baseline funding for the
18 20 FDNY companies that were previously cut from the
19 City's budget. I am pleased that the Mayor has
20 removed firehouse closing or fire company closings
21 from possible budget cuts that we have to consider.
22 We genuinely appreciate the support of the Council
23 over the years to push for restoring the fire
24 companies.
25

1
2 As we reported in March, the Department
3 achieved some significant milestones in 2013; some
4 highlights include: our fatal fires are at record
5 lows; in 2013, with 67 fire deaths, we recorded the
6 fifth straight year with fewer than 75 fire deaths.
7 For the last decade we talked about the success at
8 keeping fire deaths below 100 each year. We now have
9 five straight years below 75 deaths, an unprecedented
10 achievement that has never happened before in the
11 last 98 years, when accurate recordkeeping began.

12 When I became Commissioner in 2010, I set
13 a goal of zero fire deaths; though I have yet to
14 reach that goal, it remains our objective and the
15 Department has been very successful in continuing to
16 reduce fires and fire-related deaths throughout the
17 City.

18 We continue to meet the increasing
19 demands for EMS as well. EMS call volume in New York
20 City increases every year, and even in light of
21 hospital closings or discontinued ambulance tours, we
22 continue to manage the workload. In 2013, EMS
23 handled more than 1.3 million incidents; that's up by
24 10,000 incidents from 2012 and up by more than 50,000
25 incidents from 2011. To meet this challenge, we are

1
2 leveraging improvements and innovations in technology
3 and free [sic] hospital medicine to ensure that we
4 are providing the best possible care to New York City
5 residents and visitors.

6 The first classes in almost five years
7 entered the Fire Academy in 2013, and after almost
8 five years with no firefighter hiring, two new
9 classes entered the Fire Academy in 2013 and a third
10 class is graduating from the Academy tomorrow. We
11 are happy to report that 47 percent of the graduates
12 of these classes are minorities and 12 women are
13 among them. At least one more class will be entering
14 the Fire Academy this year. We look forward to using
15 our current and very diverse list for several more
16 years as we plan for an even more successful next
17 recruitment campaign.

18 Based on our extraordinary recruitment
19 efforts to date, we know now that by 2017 the
20 firefighter rank will be at least 25 percent people
21 of color; that means, on average, every time our
22 members step off an engine or a ladder, one
23 firefighter will be a person of color.

24 We continue to add resources in several
25 units in the Department to further improve our

1
2 diversity and inclusion and equal opportunity
3 employment programs. These include nine positions
4 for Office of Recruitment and Diversity, 13 for Human
5 Resources; 2 for Compliance, and 1 for EEO. Among
6 these new positions will be a Department Advocate,
7 and as we had previously proposed, a Chief Diversity
8 and Inclusion Officer.

9 We will continue to request significant
10 funding for many other strategic initiatives that
11 we're implementing to further strengthen our EEO,
12 recruitment, diversity and inclusion and human
13 resources programs. Notably, FY2015 includes
14 \$700,000 for diversity training for every Department
15 employee.

16 We also have \$2 million in funding for a
17 recruitment advertising campaign that will start in
18 the next fiscal year and through the filing period
19 for the next firefighter exam.

20 Funding for five EMS training positions
21 at the FDNY High School will allow us to continue to
22 enhance our presence and programming at our partner
23 high school in East New York. The FDNY High School
24 is currently in its 10th year; in that time, 78
25 graduates have become certified EMTs and 15 currently

1
2 work for the FDNY as EMTs. An additional 26 former
3 students work as EMTs for private ambulance companies
4 as they await their civil service list number to be
5 reached so they too can join the FDNY.

6 In May of 2013 the first FDNY High School
7 alumnus was promoted to firefighter from FDNY EMS and
8 another alumnus; in fact, someone I personally
9 mentored for many years, is graduating from the
10 Probationary Firefighter School tomorrow; he's an
11 extraordinary young man.

12 The FDNY's worked with various City
13 agencies to implement the Mayor's plan to provide
14 universal pre-K throughout the City. To that end, we
15 are funded for five new inspectors for the Bureau of
16 Fire Prevention that will increase in UPK classroom
17 inspections that we anticipate will be needed before
18 the start of the school year in September going
19 forward.

20 The FDNY Bureau of Fire Prevention
21 generates approximately \$60 million annually from
22 fees, inspections and permits. Starting in FY15, we
23 will add 16 new positions to help build out a new
24 inspection services and billing system. We
25 anticipate the processing improvements will

1
2 streamline workflows, enhance interagency
3 communications and data sharing, implement mobile
4 technology, improve inspector productivity, and
5 enable us to complete more inspections to further
6 improve public safety and increase revenue. And of
7 course, for the Mayor's Vision Zero Initiative, the
8 Department has funded \$1.3 million per year to
9 provide one-day driver refresher training to all fire
10 and EMS personnel who operate apparatus.

11 We are adding three new radio repair
12 mechanics to support a variety of communication
13 services and systems. In addition, \$2.3 million for
14 technology we added to our budget for FY15, and
15 additionally \$100,000 and \$500,000 for technology
16 needs will be added in FY16 and 17, respectfully.

17 Among other things, this funding will
18 enable us to replace all handy talky radio batteries
19 and maintain or replace end-of-life FDNY network
20 components.

21 Eighteen vital positions will be added to
22 FDNY Fleet Services after several years of losing
23 staff through attrition and not being able to replace
24 them due to hiring freezes. These include 15 auto
25 mechanics, 2 auto service workers and then 1 employee

1
2 to work on complex apparatus specifications and
3 expedite that process. Similarly, we are adding 7
4 new lines for facility services, which include
5 maintenance workers, plumbers and electricians. We
6 anticipate these new hires for Fleet and Facilities
7 will lower overtime costs and improve facility and
8 vehicle maintenance.

9 We have a Tech Services Unit that
10 provides tools and equipment to our field forces and
11 mask services unit, VAT [sic], as the name applies,
12 service of Mask 1 [sic] by all first responders.

13 These two units will be funded an
14 additional \$1.4 million in FY15 and \$1 million each
15 year starting in FY16, to address cost increase in
16 medical equipment and other supplied for field units,
17 such as foam used to combat fuel-fed fires and
18 maintenance for mask service compressors.

19 Finally, we are working with Corporation
20 Counsel's office to have a functional skills test
21 component of the probie academy validated by experts,
22 and we have developed a comprehensive plan to ensure
23 that 100 percent of our firehouses have female
24 bathrooms by the end of 2016.

1
2 As I turn over the reigns to Commissioner
3 Nigro after a 45-year career, I want you to know that
4 the Fire Department and its members are better
5 trained, better prepared, safer and more diverse than
6 ever before. I'm proud of the diverse team of
7 uniform and civilian members of the FDNY who
8 successfully rebuilt the Department after September
9 11th and I am confident that the Department will
10 build on these successes. We thank these committees
11 and the entire City Council for their ongoing support
12 and at this time I'll be happy to take your
13 questions.

14 CHAIRPERSON FERRERAS: Thank you for your
15 testimony, Commissioner. We're going to have a five-
16 minute clock for members; the Chair and I will have
17 questions. I wanted to speak... and before I do that,
18 I just wanna acknowledge that we've been joined by
19 Council Member Daneek Miller and Council Member
20 Eugene.

21 So I wanna talk a little bit about
22 transparency, which has been the theme that we've had
23 throughout these budget hearings this year, and this
24 is bringing up budgeted head count and actual head
25 count. I have here, maybe for the last, perhaps five

1
2 years, that the budgeted head count has always been
3 significantly less than... more than your actual and
4 we'll talk about 2014, which was 10,243 was your
5 actual, your budgeted was 10,619. Can you speak to
6 me why these discrepancies in the last couple of
7 years and I really wanna work with you to see how we
8 can get it more to the accurate number, which is how
9 we vote on the budget so that we have an accurate
10 budget.

11 COMMISSIONER CASSANO: Sure. Well, the
12 reason why our budgeted head count is higher than our
13 actual head count is we hadn't had a class we had
14 hired since July of 2008; we didn't hire a
15 firefighter for almost five years, four-and-a-half
16 years to be exact. So we got behind by many
17 firefighters in that rank. Now as we hire a class we
18 lower that disparity and we hope by the year 2016 we
19 should be up to full head count. It's not because we
20 weren't hiring, it's because we didn't hire because
21 of the lawsuit and at one time was actually a little
22 bit of a budget constraint. But that's the reason,
23 that's the main differences in the firefighter rank;
24 if you look right now, we're down 691 firefighters;
25 as we hire in July another 300, we'll lower that

1
2 number and hopefully get to our goal of full head
3 count by 2016, Stephen, you think? 2017.

4 CHAIRPERSON FERRERAS: 2017?

5 COMMISSIONER CASSANO: But it's a matter
6 of we weren't hiring for almost five years.

7 CHAIRPERSON FERRERAS: So is there any
8 way that we can do for this fiscal year an accurate
9 count, since won't be able to do it till 2017? We're
10 trying to find every area where we can find...

11 [interpose]

12 COMMISSIONER CASSANO: Sure.

13 CHAIRPERSON FERRERAS: savings and
14 dollars. So if you... if the budget is being captured
15 with this number that's higher than what you're
16 really going to have and we've addressed that this is
17 really not gonna happen till 2017, perhaps we can
18 work... you can work with OMB and the administration to
19 have this budget reflect a more accurate number.

20 COMMISSIONER CASSANO: It will, except we
21 do pay... you know, built into that budget is the
22 overtime costs that will be incurred because of that
23 difference in the firefighters that we actually need
24 and the firefighters that we actually hire.

25

CHAIRPERSON FERRERAS: I understand and you know, we don't wanna...

COMMISSIONER CASSANO: Sure.

CHAIRPERSON FERRERAS: inhibit you from being able to do the job and have the firefighters do the overtime, which is a whole other conversation that we have here. But it's something that I really hope that you can work with OMB and I'm gonna be speaking to Dean Fuleihan specific to this issue of the differential.

COMMISSIONER CASSANO: Absolutely.

CHAIRPERSON FERRERAS: Okay. Now I wanna talk about firehouse bathrooms, and I know that in your testimony you stated, you know, the... I used to be the chair of the Women's Issues Committee; my colleague and Chair is the head of the Women's Caucus, so this is a very big, important issue, besides the fact that we're both amazing women. [laughter] So I know that you... [interpose]

COMMISSIONER CASSANO: Which I have no doubt of.

CHAIRPERSON FERRERAS: So you said that there's a 100 percent... at some point will be 100 percent all male-female bathrooms... [crosstalk]

1

2

COMMISSIONER CASSANO: Yeah.

3

CHAIRPERSON FERRERAS: in the firehouses.

4

Are there any other facilities where we have issues

5

with bathrooms and access for women, other than the

6

firehouses?

7

COMMISSIONER CASSANO: No; I mean our EMS

8

stations all have female facilities. All of our

9

other facilities have ample female bathrooms. Now

10

not... in addition to the female bathrooms and all the

11

firehouses; we're also looking to access to the

12

bathrooms to make sure that there's access without

13

going through locker rooms and things like that. So

14

by 20... the end of 2016 we should be completely... have

15

a firehouse with each bathroom a female and access to

16

those female bathrooms so that people don't have to

17

pass through locker rooms, etc. [interpose]

18

CHAIRPERSON FERRERAS: So...

19

COMMISSIONER CASSANO: and we worked with

20

the Council on that already and we're gonna continue

21

to work with them.

22

CHAIRPERSON FERRERAS: Right. So with

23

other agencies, and I'm hoping that yours isn't the

24

case, but capital spending is a very big problem; do

25

you project that you will be able to build out these

1
2 bathrooms and spend down all your capital monies by...
3 by... [interpose]

4 COMMISSIONER CASSANO: Yes.

5 CHAIRPERSON FERRERAS: next fiscal year?

6 COMMISSIONER CASSANO: Yes we will.

7 CHAIRPERSON FERRERAS: Okay. So I wanna
8 talk about the Fire Prevention Information Management
9 System. can you explain to me the needs for the FPMI
10 [sic] system and its functionality?

11 COMMISSIONER CASSANO: The billing
12 system... well that's why we're going to a new billing
13 system and FPIM has been around a long and we know we
14 had to change that, so that's why we're going to an
15 updated and modern billing system and you know, it's
16 part of technology improvements, and not only in fire
17 prevention, but all of our areas. So FPIMs will be
18 eventually done away with and have this modern
19 billing system that will allow us to not only bill
20 but to schedule as well... [interpose]

21 CHAIRPERSON FERRERAS: Right.

22 COMMISSIONER CASSANO: so that we can
23 also schedule the inspections in a timely fashion and
24 bill electronically.
25

1
2 CHAIRPERSON FERRERAS: So are the 19
3 positions all IT-related for the upgrade or the what...
4 [interpose]

5 COMMISSIONER CASSANO: Yeah. Yes. Yeah.

6 CHAIRPERSON FERRERAS: So are those... once
7 the upgrade happens, do the 19... are they just needed
8 for a season or do they remain... [interpose]

9 COMMISSIONER CASSANO: No, no, they stay,
10 they stay.

11 CHAIRPERSON FERRERAS: Okay.

12 COMMISSIONER CASSANO: No, this is... this
13 is built in; we need all those positions to continue
14 this new system.

15 CHAIRPERSON FERRERAS: Okay. And one of
16 the issues that we've had with other agencies is also
17 cost overruns on any IT projects, so how can we
18 ensure that this is not gonna happen?

19 COMMISSIONER CASSANO: We have been very
20 diligent in our costing system, our Commissioner of
21 Technology, Joel Golub is here, and Joel's been with
22 us since October of 2008 and has done a tremendous,
23 tremendous job in overseeing that bureau, and our
24 overruns have been very, very little.

25

1
2 CHAIRPERSON FERRERAS: Okay. I wanna
3 talk about the elimination, the PEG that we had in
4 2011 on the elimination of the fifth officer, the
5 fifth firefighter on the 60 engine companies; given
6 the improved fiscal conditions on the City, has the
7 Department and the administration considered adding
8 the fifth firefighter to the 60 companies that we
9 lost in 2011?

10 COMMISSIONER CASSANO: At this time we
11 haven't; you know we... previous to the 60 firefighters
12 in those companies, we had 130 four-engine companies
13 with 60 firefighters and we have procedures in place
14 to stretch hose lines with the first and second new
15 engine pairing up. So at this time, while the budget
16 is good, we haven't considered putting that fifth
17 firefighter back.

18 CHAIRPERSON FERRERAS: Well obviously
19 that's something that's important to this Council and
20 we would hope... [interpose]

21 COMMISSIONER CASSANO: Sure.

22 CHAIRPERSON FERRERAS: that as you pass
23 the baton you might put that in the new
24 commissioner's ear... [interpose]
25

1
2 COMMISSIONER CASSANO: Part of my
3 briefing.

4 CHAIRPERSON FERRERAS: Okay, very good,
5 part of your briefing. Is there... I know that we had...
6 I remember you testifying the frustration, because we
7 were in a tough time; it was a PEG; can you just
8 speak on how much effective, and clearly the
9 firefighters are doing the best job possible, but how
10 much effective a fire can be addressed with the fifth
11 officer, with the fifth firefighter, if added to the
12 60?

13 COMMISSIONER CASSANO: Well naturally,
14 five is better than four; six is better than five..

15 CHAIRPERSON FERRERAS: I know.

16 COMMISSIONER CASSANO: but we... you know,
17 with these procedures in place, and I was on those
18 hose lines and helping stretch and as a firefighter
19 and then a fire officer; if people proceed as the
20 policy states, we're a very effective fire
21 department; we do that every day. You know, it's
22 three years since we've instituted that and our major
23 fires and our major alarms are down, so it's
24 obviously working.

1
2 CHAIRPERSON FERRERAS: Right. I just
3 wanna... for the record, if we were to get this fifth
4 firefighter, which is where we were, is there... and I
5 know that you're doing the best with what we have... or
6 is there no need for the fifth firefighter because
7 we've done so well?

8 COMMISSIONER CASSANO: Look, say there's
9 no need; if our budget allows to have more
10 firefighters, I wouldn't turn more firefighters down...

11 CHAIRPERSON FERRERAS: Okay.

12 COMMISSIONER CASSANO: but we have
13 procedures in place that allows us with four
14 firefighters in an engine company to perform our job
15 very satisfactory; actually, better than
16 satisfactory; we have the best staffing in the
17 country.

18 CHAIRPERSON FERRERAS: Right. I agree.
19 I agree; just tryin' to get you more support...
20 [interpose]

21 COMMISSIONER CASSANO: No. Sure.

22 CHAIRPERSON FERRERAS: Okay. I'm going
23 to pass it over to my chair and then on the second
24 round I'll come back for more questions. Thank you,
25 Commissioner. Chair.

1
2 CO-CHAIR CROWLEY: Thank you, Chair
3 Ferreras. I wanna start out my questioning with the
4 EMS supervisory head count. Our preliminary response
5 form the Council asked that the City include \$6.7
6 million to increase the number of supervisors for EMS
7 so that they can reach a ratio of seven EMTs to one
8 supervisory EMT, but the funding was not included in
9 the Executive Budget; can you tell us why the Fire
10 Department did not include this in the Executive
11 Budget?

12 COMMISSIONER CASSANO: Well we... we have...
13 we've asked for 24 additional supervisors; that will
14 allow us to have all of our EMS stations as station-
15 based, with a lieutenant staying in the firehouse;
16 that'll increase our head count of conditions bosses
17 by seven in the field.

18 CO-CHAIR CROWLEY: And what would that
19 bring the span of control to?

20 COMMISSIONER CASSANO: Well, when you say
21 1 or 19, you know you're talking about persons, not
22 ambulances and that's the difference; we have this
23 difference of opinion. We have... if we have a
24 supervisor for seven ambulances, that's 1 in 7; not 1
25 in 14. So we've put in for the additional station

1
2 base to get seven more conditions lieutenants out in
3 the field and each... [interpose]

4 CO-CHAIR CROWLEY: And... and Commissioner,
5 it's not my opinion, it's the federal government's.

6 COMMISSIONER CASSANO: Well we're in
7 arbitration; we'll see what... you know June 30th we're
8 goin' back and they'll make a ruling and we'll see
9 what the ruling says.

10 CO-CHAIR CROWLEY: And that's reflected
11 in the budget, to bring your span of control for
12 every one supervisor there'll be seven ambulances?
13 [interpose]

14 COMMISSIONER CASSANO: Not yet. We've
15 asked for 24 additional positions and then that will
16 allow us to get seven more conditions supervisors out
17 in the field.

18 CO-CHAIR CROWLEY: Is that in this fiscal
19 budget?

20 COMMISSIONER CASSANO: We asked for it;
21 we didn't... [interpose]

22 CO-CHAIR CROWLEY: You asked for it, but...
23 [interpose]

24 COMMISSIONER CASSANO: Yeah.

25 CO-CHAIR CROWLEY: but it's not...

1

2

COMMISSIONER CASSANO: No.

3

4

CO-CHAIR CROWLEY: reflected in the budget?

5

COMMISSIONER CASSANO: No.

6

CO-CHAIR CROWLEY: Well I'm glad you asked for at least that much. The Council's of a different opinion; we believe you need closer to 60 additional supervisors and that's just looking at the number of tours you currently have, but we both know that the response time to life-threatening emergencies is over nine minutes...

13

COMMISSIONER CASSANO: Uhm-hm.

14

CO-CHAIR CROWLEY: and if you don't have oxygen going to your brain, you're in cardiac arrest; you don't have five minutes, let alone nine minutes; as good as dead. And this is only life-threatening emergencies; what is the Department going to do to bring that number, that average response time to within one that the Council could accept as being safe?

22

COMMISSIONER CASSANO: And what is that?

23

CO-CHAIR CROWLEY: Under six minutes.

24

COMMISSIONER CASSANO: Oh. Life-threatening emergencies -- we are continuing to do

25

1
2 our best to reduce the response times to life-saving
3 emergencies. As hospitals close and as hospitals do
4 away with their ambulance service, we're replacing
5 those tours that are given up and we're doing it as
6 quickly as possible to provide us with the best
7 possible way to get our response times down. And
8 we'll continue to look at the way we respond and
9 where we put our ambulances and move cross street
10 locations and when it gets busy in a certain borough,
11 we'll relocate ambulances and we're doing everything
12 we possibly can to keep our response times down.

13 [background comments]

14 CO-CHAIR CROWLEY: Commissioner, I still
15 don't think that you'll bring the response time down.
16 I mean, you know what's really alarming to the
17 Council is that in the past we didn't measure end to
18 end, so we as a city didn't have the idea of what the
19 actual response was until this Council passed that
20 [background comment] bill which became law that we
21 had to have the Fire Department give us the response
22 time. So you know, just taking over tours when
23 hospitals close does not guarantee that the
24 Department will be able to reduce response time.
25

1
2 COMMISSIONER CASSANO: Well you have an
3 engine company there also within about four-and-a-
4 half to five minutes who is providing..

5 CO-CHAIR CROWLEY: Right.

6 COMMISSIONER CASSANO: CFRD, as well, you
7 know, certified first responder defibrillator...
8 [crosstalk]

9 CO-CHAIR CROWLEY: There were a few high
10 profile fires where children died, another one where
11 an officer was in need of emergency medical services;
12 there were delays of an ambulance getting to those
13 fires just simply because you do not have the
14 resources to dispatch when a fire is called in. Now
15 have you taken an analysis... and you had a chief who
16 testified on Friday at the hearing that we had
17 regarding the UCT, that at no time in the history of
18 the Fire Department did you dispatch ambulances when
19 a fire occurred, however, you had the head of the
20 union testify that that was not true. So first, is
21 it true that you at one time in the history of the
22 Fire Department dispatched ambulances when a fire was
23 called in at any time, if you can answer that, and
24 have you done any analysis on what it would cost the
25

1
2 Department to ensure that an ambulance is sent out
3 when a structure fire happens?

4 COMMISSIONER CASSANO: First, to my
5 knowledge, we have never dispatched an ambulance on
6 the report of a structural fire, and that's what I
7 was briefed on by my Chief of EMS, who is more
8 knowledgeable than anyone in this department on EMS
9 situations and operations and procedures. Secondly,
10 if you want to dispatch an ambulance on the report of
11 a structure fire, okay, report; it makes no sense
12 whatsoever.

13 CO-CHAIR CROWLEY: It would've made sense
14 in at least two cases that we've seen in the last
15 couple of weeks where people died, it would've made
16 sense. The ambulance would've gotten there right
17 around the same time the engine company got there.
18 In the case where you had the two young children who
19 died in Rockaway, it took... [crosstalk]

20 COMMISSIONER CASSANO: That's... that's...

21 CO-CHAIR CROWLEY: upwards of 20 minutes.

22 COMMISSIONER CASSANO: that's if that
23 ambulance was available and it was not responding to
24 a false alarm.
25

1
2 CO-CHAIR CROWLEY: What is the
3 availability of ambulances in Far Rockaway?
4 [crosstalk]

5 COMMISSIONER CASSANO: Well, depending on
6 the time; the borough, but last year alone..
7 [interpose]

8 CO-CHAIR CROWLEY: That in itself is a
9 problem, that's a huge problem. If there are certain
10 parts of the city that are underserved with ambulance
11 services, it's not fair to the constituents in those
12 communities, and Far Rockaway is a good example of
13 that.

14 COMMISSIONER CASSANO: We had 20... almost
15 20,000 false alarms last year; most of them were
16 reports of structure fire; if we have an ambulance
17 responding to a report of a structural fire and it's
18 not available for a true life-threatening emergency,
19 well I think that doesn't make any sense.

20 CO-CHAIR CROWLEY: We can continue to
21 disagree on whether it makes sense, but at the end of
22 the day... [crosstalk]

23 COMMISSIONER CASSANO: It doesn't make
24 sense. It doesn't make sense.
25

CO-CHAIR CROWLEY: an average response time greater than nine minutes; the answer to reducing that is simple, you need to add more tours, more FDNY ambulance tours. I have more questions, but I'll let some other council members go. Thank you.

CHAIRPERSON FERRERAS: Thank you, Chair Crowley. We're gonna have Council Member Vanessa Gibson, followed by Council Member Miller. We've been joined by Council Member Mark Levine, Council Member Vallone and Council Member Lancman.

COUNCIL MEMBER GIBSON: Thank you very much, Madame Chairs; thank you, Commissioner and you and your team, and I also wanna echo the sentiments of one of my co-chairs and just expressing my appreciation and gratefulness for all the work you've done, the incredible public service over the years...
[interpose]

COMMISSIONER CASSANO: Thank you.

COUNCIL MEMBER GIBSON: and we certainly wish you well in your new chapter; there's always life [laughter] after public service.

I just will be very brief and my colleague, Co-Chair Crowley and I convened an

1
2 oversight hearing just last Friday on the 911 unified
3 call system and obviously we are looking at the best
4 approach that we can take as an administration and as
5 New Yorkers that really wanna provide the safety for
6 everyone, and so the co-chair asked the question
7 about the analysis of some of the structural fires
8 that are reported and you indicated that there were
9 about 20,000 that were false alarms; we are trying to
10 figure out the best way to make this work for
11 everyone and while most of the 911 calls that are
12 taken by NYPD operators have been handled
13 professionally with efficiency, the tragedies that
14 we've had are one too many -- Ariel Russo, the two 4-
15 year-olds in Far Rockaway and we've had others --
16 it's disturbing when you hear about these tragedies
17 because we know that we could've done things to
18 prevent that. So I guess the question that we're
19 trying to find out is, the EMS dispatching and I am
20 very concerned about the number of supervisors and
21 the ratio of the EMS workers to a supervisor and it's
22 not included in this budget, so that's one concern.
23 And then also, how we can dispatch EMS in a quicker
24 fashion. So are we going to continue to wait until
25 it's a verified fire and EMS should be there or are

1
2 we going to look at possibly having them on call, and
3 I know you were asked the question just now, but I've
4 been told by others that there was a time when EMS
5 was dispatched and when they were on call, absolutely
6 disputing what you said as well at my hearing on
7 Friday. So we're just trying to find clarity to
8 figure out what analysis has been done and is that
9 something that we can get to a point of agreement on?

10 COMMISSIONER CASSANO: Done?

11 COUNCIL MEMBER GIBSON: Yes.

12 COMMISSIONER CASSANO: Okay. From... to my
13 knowledge, we have never dispatched an ambulance on
14 the report of a structural fire. We can do an
15 analysis to see how many more ambulances it would
16 take to send somebody on the report of a structure
17 fire, but it's not only the false alarms, there's
18 many reports of structural... reports of structural
19 fires that become an odorous smoke, that become a
20 different type of emergency that's never a structural
21 fire, so it's more than the 20,000 I described. I
22 mean we can do an analysis and it may require many,
23 many more ambulances to provide it. If you look at
24 the bottom line, it really doesn't make any sense
25 unless you know you have a fire. It takes four or

1
2 four-and-a-half to five minutes for an engine company
3 to get there or a unit to get there and they quickly
4 will let the dispatcher know that there is a fire,
5 whether it's smoke condition or fire and the
6 ambulance is dispatched. Ambulances are much closer
7 because of their cross street locations to that
8 location. We can do the analysis and see what it
9 turns out to be, but at this time, at least for the
10 next six days, we're not gonna change that policy.

11 COUNCIL MEMBER GIBSON: Okay. Well I
12 know that you're moving on, but I certainly will go
13 on record in saying that I want that analysis done,
14 because to speak to Ariel Russo's mother and all the
15 others that have lost children, we certainly need to
16 assure them that that type of tragedy will not happen
17 again, and I think this is a strong component that
18 should be discussed further so we can try to remedy a
19 lot of what's happened.

20 COMMISSIONER CASSANO: Absolutely.

21 COUNCIL MEMBER GIBSON: And I also want
22 to certainly applaud the Department, we've had so
23 much work done to get to a point where we recognize
24 that FDNY must be diversified and inclusive of more
25 women and people of color, and as someone who fits

1
2 both titles, I certainly will love to see more
3 firewomen coming through the Department that look
4 like me that possibly come from my community, so I'm
5 very happy to hear about that and will continue to be
6 a strong advocate and wanna thank you again for your
7 service.

8 COMMISSIONER CASSANO: Thank you.

9 COUNCIL MEMBER GIBSON: Thank you, Madame
10 Chairs.

11 CHAIRPERSON FERRERAS: Thank you, Council
12 Member. We're joined by Majority Leader Van Bramer,
13 and now we will have Daneek Miller, followed by
14 Council Member Cornegy.

15 COUNCIL MEMBER MILLER: Thank you, Madame
16 Co-Chair and to my Chair. Good morning,
17 Commissioner; how are ya... [crosstalk]

18 COMMISSIONER CASSANO: Good morning.

19 COUNCIL MEMBER MILLER: and as a life-
20 long civil servant, I certainly appreciate the years
21 that we've spent together and... [interpose]

22 COMMISSIONER CASSANO: Absolutely.

23 COUNCIL MEMBER MILLER: your service to
24 the City and during the life beyond civil service
25 [laugh] again. So I'd like to speak to a number of

1
2 things, and normally... and obviously, having that
3 civil service background I wanna speak to the
4 workforce and the development of the workforce and
5 but before we get to that, I particularly wanna talk
6 about [bell] the train... wow, that was quick... [bell]
7 [background comment] the training, and you spoke a
8 little bit about training in your testimony, and
9 there is a number of things; on the EMS side, I know
10 that they... with the closing of hospitals throughout
11 the City, they're takin' on a number of additional
12 tasks and we wanna make sure that they have the
13 proper equipment and training to do so, and so as go
14 on, I would like for you to elaborate on how you have
15 addressed that issue. And then, I know that some of
16 your fire officers are required to do building
17 construction inspection; what type of qualifications
18 and training are they receiving to do this,
19 considering some of the construction accidents and a
20 lot of thing that have occurred by virtue of poor
21 construction in the City; what type of training are
22 they receiving? So just on the training issues.
23 Yeah.

24 COMMISSIONER CASSANO: Sure. I mean I
25 think if you know my record and my career, I'm a

1
2 strong advocate for training for sure, and the EMS
3 side, as hospitals close, as we take on more
4 responsibilities, and make no mistake about this; the
5 members of our EMS command, our officers, our EMTs
6 and our paramedics are second to none, they are
7 tremendous, tremendous employees, have a very tough
8 job and they deserve a lot more credit than actually
9 people give them. We constantly, constantly update
10 their training; if there's something new, state-of-
11 the-art, we will look at it, if it makes sense we'll
12 implement it; we're lookin' at technology now; we
13 have hand-held devices that allow them to actually
14 make it simpler to fill out patient forms; we have
15 exchange ER if possible where it goes to the
16 emergency room [sic]; a lot of cross-training with
17 our firefighters and we have drills that we include
18 EMS in, so that we ensure that at the scene of a fire
19 that's not the first time they've interacted with
20 their co-workers. So as new things come up, we
21 implement those policies; our Chief of EMS is a
22 strong advocate for training as well, our new Chief
23 of EMS Training, Roger Ahee, Chief Ahee, is a strong
24 advocate for training. So we are constantly looking
25 at the ways to increase our training so that our EMTs

1
2 and paramedics have the state-of-the-art equipment
3 and the state-of-the-art training.

4 COUNCIL MEMBER MILLER: And to the fire
5 officers... [interpose]

6 COMMISSIONER CASSANO: Yes.

7 COUNCIL MEMBER MILLER: and the...

8 COMMISSIONER CASSANO: Now as you said,
9 it's a very difficult city to work in because of all
10 the construction, all the difficult buildings; you
11 see buildings in New York City that you don't see
12 anyplace else, and to recognize that difficulty, as
13 much as we train our officers, it's still very
14 difficult. So we have... we've... we've instituted...
15 approximately three or four years ago, we have a
16 building inspection hotline where we have officers in
17 an office in Fort Totten from 7 in the morning till 7
18 at night that will answer any questions that are
19 thrown to them from the field. So if an officer goes
20 to a building to inspect it and there's something
21 that he's not familiar with, he will call this
22 hotline, who... the officers that are there are very
23 highly trained; that's what they've been doing, they
24 have all the reference material in front of them, and
25 they will coach that officer in the best way to

1
2 inspect it, who to call if he needs additional help
3 or she needs additional help and what to do for that
4 particular building for that particular inspection.
5 It's ongoing, it's gonna stay; we're gonna make that
6 more redundant, so it actually helps the officers in
7 the field, and the firefighters, do building
8 inspection, which is extremely, extremely important.

9 COUNCIL MEMBER MILLER: Okay, I
10 appreciate that. I trust that... from that answer that
11 they have, to this point, not received a thorough...
12 that we're dependent on the officers at Fort Totten
13 to provide additional information; we wanna make sure
14 that they on the scene are able to make the proper
15 inspection... [interpose]

16 COMMISSIONER CASSANO: Sure.

17 COUNCIL MEMBER MILLER: without that. So
18 in terms of equipment, I know that there has been
19 some debate over some of the road life of some of the
20 apparatuses that continue to be on the road and that
21 that was something to be addressed. Where are we
22 with that; have we purchased new equipment; is it
23 coming, and I know some should have been off the road
24 by now?

1
2 COMMISSIONER CASSANO: Right. We have
3 new pumpers that we've gotten from this manufacturer,
4 KME; they're coming in -- one per week, John? --
5 starting in June, one per week and we are working
6 with the court; Chief Kilduff has sat down with the
7 judge and... you wanna just give a little brief update
8 on where we're at? This is Chief Kilduff, our chief
9 of Department, who's been working with the UFOA and
10 the arbitrator on the settlement.

11 CHIEF KILDUFF: We've had several
12 conferences with the judge who is looking over the
13 UFOA decision... [interpose]

14 CHAIRPERSON FERRERAS: I'm... I'm so sorry;
15 I hate to interrupt; if you can just say your name
16 and... for the record. Sorry. [crosstalk]

17 CHIEF KILDUFF: I'm sorry; my name is
18 Edward Kilduff and I'm the Chief of Department. So
19 we've had several conferences with Judge Freed to try
20 to sort out this [bell] particular issue; right now
21 we're scheduled to meet with Judge Freed in about a
22 week-and-a-half once again to report to her where we
23 stand with the implementation of apparatus coming in
24 under that 10-year period. We are slightly over at
25 this point because of the ordering process moved from

1
2 about 27 months to 33 months, when we were ordering
3 these 90 KME engines. There were several processes
4 within the City itself that caused us to move back
5 the delivery schedule on these engines. We have
6 assurances now from the manufacturer that the engines
7 will come in at least one a week and we're hoping
8 that the manufacturer will be able to increase
9 production where we can possibly get two a week or
10 three every two weeks. We believe that we will be
11 caught up probably by the end of this year and that
12 we will be in full compliance. In the meantime, we
13 have apparatus that are in use in the field that
14 receive inspections quarterly and we feel that they
15 are still safe apparatus to operate on, but we will
16 be replacing this out of date apparatus; we have a
17 schedule; we will be done most likely by the end of
18 this year as these 90 engines are delivered.

19 COUNCIL MEMBER MILLER: Thank you so
20 much, and thank you, Commissioner.

21 CHAIRPERSON FERRERAS: Thank you, Council
22 Member Miller. Just as a follow-up; how many people
23 are staffed at the hotline; is the hotline 24 hours,
24 and what's the budget?

25 COMMISSIONER CASSANO: It's 7 till 7.

1

2

CHAIRPERSON FERRERAS: 7 till 7.

3

4

COMMISSIONER CASSANO: And that's... and that's the hours... that's even more than the hours of building inspection.

5

6

CHAIRPERSON FERRERAS: Yes, you're right. And how many staff... how many staff the line?

7

8

COMMISSIONER CASSANO: Sixteen.

9

CHAIRPERSON FERRERAS: Sixteen. Do you know the budget of the hotline?

10

11

COMMISSIONER CASSANO: I'll get it for you.

12

13

CHAIRPERSON FERRERAS: Can you please submit to the Committees? [crosstalk]

14

15

COMMISSIONER CASSANO: Sure. Absolutely.

16

17

CHAIRPERSON FERRERAS: Thank you very much. Now we will have Council Member Cornegy, followed by Council Member Levine.

18

19

COMMISSIONER CASSANO: Good morning.

20

COUNCIL MEMBER CORNEGY: Good morning, Commissioner.

21

22

COMMISSIONER CASSANO: Good morning.

23

COUNCIL MEMBER CORNEGY: Thank you, Madame Chairs. I just wanted to say that as a

24

community; I live in a predominantly brownstone

25

1
2 community and as a creative way to help reduce
3 response times for all emergency services we came up
4 with something I just wanted to get your opinion on.
5 We're painting the addresses of homes on the rear of
6 the home, because if you recognize that there's a
7 fire with those houses that are abutting, you call
8 EMS or you call FDNY; there's no way possible that
9 you could give the address, and so someone's on the...
10 EMS shows up on the block and doesn't know exactly
11 where the fire is. And then for businesses, we're
12 painting it on the top of businesses, so if there's
13 helicopter or response service they can recognize
14 immediately where it is. It's a relatively
15 inexpensive way of... we believe, of reducing response
16 times in our area; I just wanted to know your
17 thoughts.

18 COMMISSIONER CASSANO: I like it. And
19 I'll tell you one of the reasons why is; we get many
20 people that call in fires from their building and
21 they say, I'm looking at the building across the
22 street; I don't know what the address is, but I'm
23 calling from... and they call from their address and
24 that's where the response goes sometimes. So if they
25

1
2 saw an address on the rear of a building it would
3 really help.

4 COUNCIL MEMBER CORNEGY: So... So that's
5 what we thought and we're doing... [crosstalk]

6 COMMISSIONER CASSANO: Okay.

7 COUNCIL MEMBER CORNEGY: it in iridescent
8 paint, because everybody can't afford to... [crosstalk]

9 COMMISSIONER CASSANO: We would... we...
10 good...

11 COUNCIL MEMBER CORNEGY: everybody can't
12 afford to have the lighting in the back, so it's done
13 in iridescent paint, and so far so good, so we're
14 hoping that that reduces response times. And then
15 secondly, in the true spirit of being part of a
16 progressive administration, you've talked a lot about
17 the diversity in the Department; we happen to know
18 that there's a difference between diversity and
19 sensitivity and my question was whether or not during
20 the placement process after graduation you had
21 considered placing... using those demographics in the
22 demographics that they serve, so you know, if African
23 Americans are represented higher in the graduating
24 class, placing them in houses that are in
25 communities.

1
2 COMMISSIONER CASSANO: We are, we've
3 just... we're just finishing up our assignments now and
4 we've worked with the Vulcan Society; we've worked
5 with the probies, actually... we've given the probies
6 their choice too; I mean, there are some African
7 American firefighters that wanna work in Manhattan,
8 because it's good... it's just different place to work,
9 a different whole mindset. But we are definitely
10 sensitive to where we place our firefighters and if
11 they wanna work in a community where they would make
12 a role model, that's a good idea too. We're working
13 on it, we're doing it.

14 COUNCIL MEMBER CORNEGY: Thank you; I
15 appreciate it.

16 COMMISSIONER CASSANO: You're welcome.

17 CHAIRPERSON FERRERAS: Thank you, Council
18 Member Cornegy; Council Member Levine, followed by
19 Council Member Vallone. [background comment] And
20 joined by Council Member Johnson.

21 COUNCIL MEMBER LEVINE: Thank you Chairs
22 Ferreras and Crowley. Gentlemen, pleasure to see
23 you. Wanted to ask about the fire call boxes for
24 which you're asking for significant capital upgrade I
25 believe for the wiring; looks like it's scheduled to

1
2 cost \$143 million [interpose, background comment].
3 Tell us how important a role these fire boxes play
4 today, how frequently do you get calls; what percent
5 of the fire calls come off these boxes?

6 COMMISSIONER CASSANO: Very few calls
7 come off our fire boxes, but these were boxes that
8 were destroyed in Hurricane Sandy, and that's, you
9 know... [background comments] it's a network
10 underground; all the wiring was destroyed, so we're
11 look... [interpose, background comment] we're looking
12 to replace that, because that actually sends, you
13 know, some of the calls to our firehouses.

14 COUNCIL MEMBER LEVINE: Do... So some of
15 the wiring that was destroyed is required even for
16 calls coming in through other channels; is that what
17 you're saying? You said some of the... the wiring...
18 [crosstalk]

19 COMMISSIONER CASSANO: No... no, no, it... it
20 actually gets some communications into our firehouses
21 as well; that's the underground wiring.

22 COUNCIL MEMBER LEVINE: Understood.
23 Understood. But you're investing a lot to replace a
24 service which you say is rarely used; is that right?
25

1
2 COMMISSIONER CASSANO: That's correct,
3 yeah.

4 COUNCIL MEMBER LEVINE: Has there been a
5 thought of using that money for something more
6 impactful?

7 COMMISSIONER CASSANO: Just let my budget
8 director, Commissioner Steve Rush answer that and
9 then I'll give you some of the information I have.
10 [crosstalk]

11 COUNCIL MEMBER LEVINE: Okay.

12 COMMISSIONER RUSH: Good morning. The
13 \$143 million anticipated in the capital budget is an
14 anticipation of FEMA recognizing the need. The whole
15 network that goes under the ground services alarm
16 boxes and firehouses, so dispatch messages come from
17 firehouses, from the dispatch center to the firehouse
18 and also to the alarm boxes, so it's a whole
19 connected network. And the engineers have been
20 reviewing this for some time now and the conclusion
21 is, that with salt water corrosion to much of the
22 Rockaways and parts of Staten Island and Brooklyn,
23 there would be a need to upgrade the conduit at some
24 point and we are making that request to FEMA as we
25 speak; if FEMA approves that, we will be looking at

1
2 different methodologies of servicing the communities
3 thereafter with the alarm box network and with
4 underground cable.

5 COUNCIL MEMBER LEVINE: Okay. Is it true
6 that in case of disasters this network could remain
7 operational when the cell phone network is down; is
8 this a substitute?

9 COMMISSIONER RUSH: The... [background
10 comment] the alarm box network suffered a lot of
11 damage during the storm, because it was under water,
12 so a lot of the boxes were out of service, so in
13 fact, it was out of service as well, as were overhead
14 lines, driven down by wind.

15 COUNCIL MEMBER LEVINE: I'm really
16 grasping at a rationale then for the network,
17 considering it's not used routinely and it's
18 underground in a flood... [interpose]

19 COMMISSIONER CASSANO: But... Right.
20 [background comment] Right, there's... [interpose]

21 COUNCIL MEMBER LEVINE: Other than that
22 we get FEMA money for most of it; not all of it,
23 though, but... [interpose]

24 COMMISSIONER CASSANO: I... [laugh] Listen,
25 we... it's mostly to get the communications from the

1
2 firehouses, but we have asked to remove the alarm
3 boxes; there's an ongoing litigation now, because
4 it's such a small percentage of calls that come in
5 from alarm boxes and the majority of 'em are false
6 alarms, but we are now legally bound to replace them.
7 If we can find ways for the deaf or hard of hearing
8 to get a call into the dispatch office, we probably
9 will be able to get rid of them, but at this time we
10 can't, we're mandated to do it by the courts.

11 COUNCIL MEMBER LEVINE: That reminds me a
12 little bit of our payphone network, which is
13 extensive and rarely used now; wasn't so great in its
14 heyday, but now it's... it's just junk on the street in
15 many cases [background comment] and there's a very
16 creative idea that the Mayor has put forth to
17 repurpose them as internet hotspots; [background
18 comment] I wonder whether we could think creatively
19 about the fire boxes; one idea, you know, we're
20 fighting forest fires now with having offset remote
21 sensors, something called... hyperspectral I think
22 they're called; perhaps in an urban environment this
23 could serve to alert the Fire Department of a fire
24 even before a human being could pick up the phone.
25

1
2 COMMISSIONER CASSANO: That may be a
3 little more than it can do, but we have looked at
4 using alarm boxes as radiation detectors; chemical
5 detectors so that they are dispersed throughout the
6 City, there's approximately 14,000 still left. So if
7 we have to keep them, we may try to make 'em dual,
8 triple-purpose in that respect.

9 COUNCIL MEMBER LEVINE: That sounds like
10 a smart idea and I'd love to hear more about that.

11 COMMISSIONER CASSANO: Okay.

12 COUNCIL MEMBER LEVINE: Alright, thank
13 you very much.

14 CHAIRPERSON FERRERAS: Thank you Council
15 Member Levine, and we'll now have Council Member
16 Vallone.

17 COUNCIL MEMBER VALLONE: Good morning,
18 gentlemen.

19 COMMISSIONER CASSANO: Good morning.
20 [background comment]

21 COUNCIL MEMBER VALLONE: Just wanted to
22 extend my congratulations and you will be missed,
23 Commissioner; I know we extent back upon [sic] few
24 generations of Vallones and so at least I got to say
25

1
2 I was with you a little bit of time before...

3 [interpose]

4 COMMISSIONER CASSANO: Thank you.

5 COUNCIL MEMBER VALLONE: We had asked,
6 like the last time we were together; I just wanna see
7 if there's any update on our... the promotions list and
8 our captains and do we plan on extending or workin'
9 on that before you...

10 COMMISSIONER CASSANO: We couldn't extend
11 the list, it just, you know wasn't... DCAS wouldn't
12 approve an extension, but we are promoting 40
13 captains tomorrow...

14 COUNCIL MEMBER VALLONE: Oh, alright.

15 COMMISSIONER CASSANO: and... comment] I'm
16 sorry, Thursday, probie graduation tomorrow, 40
17 captains on Thursday, and then before the list dies
18 in July, we are gonna look to project to see how many
19 we will need before a new list is established and
20 promote up to till that number, so there'll be
21 another... another, hopefully significant amount of
22 promotions in July to meet the need before a new list
23 is established.

24 COUNCIL MEMBER VALLONE: Does that affect
25 any way the... the... the candidates that weren't

1
2 promoted yet; are they able to be placed back on the
3 new list?

4 COMMISSIONER CASSANO: They have to take
5 the test; test is being formulated now; they'll have
6 to study again.

7 COUNCIL MEMBER VALLONE: Yeah, that
8 would... [background comment] that would be
9 appreciated, there's [background comment] a lot of
10 good guys on that list. [background comment] You
11 just mentioned the probies; how are we doing with the
12 graduates this year; how many...

13 COMMISSIONER CASSANO: It's great; we're
14 gonna graduate approximately 200... 286 probies are
15 gonna graduate tomorrow. Great class, very diverse
16 and we're gonna hire another class July 14th; that
17 will be the second class of this year. They're
18 doin'... [background comment] they're great... these are
19 great, great kids.

20 COUNCIL MEMBER VALLONE: That... that's
21 awesome. What's the next step after that; I'm just
22 not familiar? So from graduation, where do they... how
23 does it determine where they get placed; where do
24 they go?

1
2 COMMISSIONER CASSANO: At 11:00... [laugh]
3 at 11:00 they were given their assignments; at 11:01
4 the whole world knew where they going, [laugh] social
5 media, it's great. But we looked at... we asked them...
6 you know, we went by division; the judge had told us
7 that we tried to assigned and we gave 'em a choice of
8 division... you know, they had two divisions where they
9 wanted to go; we looked at people of color, if we
10 could... we placed them in the areas where we needed
11 people of color, and there were... [background
12 comments] we tried to hold as much as we could, yet
13 still, for the needs of the Department; we were short
14 in some areas and we had to place 'em in areas we
15 were short as well. But for the most part, people
16 got into the division where they wanted, but
17 definitely their first or second choice.

18 COUNCIL MEMBER VALLONE: Are there any
19 firehouses now that are understaffed... [interpose]

20 COMMISSIONER CASSANO: Oh we're still
21 understaffed, we're... we're... from my last report, as
22 of today is we're still 691 firefighters short, so we
23 have houses that are still short.
24
25

1
2 COUNCIL MEMBER VALLONE: So what would be
3 the direct impact on that; is that... the shifts are...
4 will there be overtime?

5 COMMISSIONER CASSANO: Overtime.

6 COUNCIL MEMBER VALLONE: Overtime.

7 COMMISSIONER CASSANO: Yes. We'll use
8 overtime as needed to make sure that every ladder
9 company has five, every engine company has four;
10 every rescue squad, HAZMAT has five and, you know,
11 and HAZMAT has seven.

12 COUNCIL MEMBER VALLONE: Is that number
13 including this... today's or tomorrow's graduates,
14 [crosstalk]

15 COMMISSIONER CASSANO: Yeah; no, they're
16 already on, they've already been hired, so we're
17 still 691 short. You know, as we hire 600
18 firefighters a year, approximately 300 retire, so as
19 you see, it's not easily... it's not 600 and we reduce
20 it by 600, so it's probably two for every one. It's
21 two for every... every... every two hires, one is
22 retiring. So it's... that's why it's gonna take us a
23 while to catch up.

24 COUNCIL MEMBER VALLONE: And the last
25 thing was something we brought up on Friday's

1
2 hearing; just wondering if you had any follow-up on
3 that -- I had mentioned and then we submitted a
4 proposal to submit either online or in a hard copy to
5 each family a 911 information card, 'cause it seemed
6 like there was a, a disconnect both ways on the
7 information that would be needed for the operator
8 when someone calls 911; like my concern was, if I'm
9 not home, my children, my... my mother, my... whoever's
10 helping me in the day won't know the information that
11 the operator's gonna ask for. So if we were to
12 provide each household that information, similar to
13 the way the Sanitation Department gives out the
14 recycling cards and everything else, so I would think
15 it would be a very good idea to give -- know your
16 cross streets, know your contact information
17 [background comment] so that each family would have
18 that information readily available if the mother or
19 the father wasn't home.

20 COMMISSIONER CASSANO: We'll follow up on
21 that for sure. I mean it sounds like a very
22 reasonable idea. So that there's no... there's no
23 fumbling around, there's no... you know your cross
24 streets; that's a big part of it too. We'll follow
25 up on that for sure.

1
2 COUNCIL MEMBER VALLONE: Thank you very
3 much and congratulations again.

4 COMMISSIONER CASSANO: Thank you very
5 much.

6 CHAIRPERSON FERRERAS: Thank you, Council
7 Member Vallone. Commissioner, I have a question on
8 the role, if you can just walk me through the role
9 that the Department has with illegal conversions and
10 what if any... if... for example, there's new members and
11 there's also people watching at home; what is the
12 role of FDNY when you call the Department of
13 Buildings, potentially, about an illegal conversion?

14 COMMISSIONER CASSANO: Well we'll... we'll
15 call for Department of Buildings for their possible
16 vacate... if it's an eminent life hazard, we will
17 vacate that illegal conversion; first we have to get
18 in, you know, we don't... we're not allowed to inspect
19 apartments, you know private apartments. If somebody
20 calls us for an illegal occupancy, we have to be able
21 to get in to see if it's illegal. At fires, we'll
22 pick up a lot at fires; we'll go there and we'll see
23 more than one person in an apartment, we'll see locks
24 on doors, maybe single... you know, single-room
25 occupancies, but we call Buildings Department for

1
2 their expertise; working with them, we'll decide
3 whether it should be vacated, whether it should be a
4 partial vacate; allow one person to live on that
5 floor and move the other people out. But we work
6 very closely with them on illegal conversations. As
7 I said, that building inspection hotline is also
8 there to inform the offices of the latest rules and
9 regulations; sometimes they change, [background
10 comment] so we're working close with all the other
11 agencies as well -- HPD's involved, we have a task
12 force that we put together with those agencies.

13 CHAIRPERSON FERRERAS: Thank you. I
14 wanna talk about... this is something that I'm having,
15 and a bigger conversation with the Department of
16 Buildings, and Certificate of Occupancies at public
17 schools. I have one of the largest public schools in
18 the City, PS19 in Corona. So if the school is... we
19 know, you build a school and it's supposed to
20 accommodate a certain amount of children; it just
21 seems that as we get overcrowding you just add more
22 children, and I've gotta believe that that poses a
23 challenge. So what is your relationship, if any,
24 with the Department of Education when schools are
25 overcrowded; is there a different plan that's

1
2 addressed for fire drills; is there a different plan
3 that's addressed for where the kids are learning,
4 'cause some of them are now learning in closet... what
5 was a, you know a closet at one time; is now an
6 office, so is there any interaction that you have
7 with the Department of Education?

8 COMMISSIONER CASSANO: Well we... we
9 inspect schools annually, you know, the Department
10 inspects schools annually. If we saw something...
11 again, C of O; that's they're issue... I don't wanna
12 say issue, but that's what they... they issued a
13 Certificate of Occupancies, but if we go to a school
14 and we would see, as you said, if we saw kids in a
15 closet, we would... we would certainly issue... well we
16 don't issue violations to schools, we issue them
17 notices that they would have to stop, for sure. But
18 we don't come across overcrowding in schools as much
19 as you would think; the cla... you know, classroom's
20 gonna have 30-35 children. But again, we work with
21 the Buildings Department; we work with DOE very
22 closely.

23 CHAIRPERSON FERRERAS: I've just seen...
24 you know, it's a challenge for me... [interpose]

25 COMMISSIONER CASSANO: Sure.

CHAIRPERSON FERRERAS: I've visited schools and I've seen some spaces that are questionable where our young people are... are either taking remedial courses or just having one on one meetings in spaces, or even in the hallway, right, so they're set up all in the hall and there's these structures in the hall, but that's where you're supposed to be able to run out in case of a fire; how do you... [interpose]

COMMISSIONER CASSANO: There's not supposed to be students set up in the hallway to learn; that's... that's means of egress; that's not allowed.

CHAIRPERSON FERRERAS: Right, well they are.

COMMISSIONER CASSANO: Well... [crosstalk]

CHAIRPERSON FERRERAS: So then...

COMMISSIONER CASSANO: if you give us the address, we'll go look.

CHAIRPERSON FERRERAS: Okay, well I'm gonna give you... I'm gonna give you... [laugh]
[interpose]

COMMISSIONER CASSANO: Okay. Okay.

1

2

CHAIRPERSON FERRERAS: You're gonna get a list. But, so walk me through the issue of notice; what does that mean?

5

6

7

8

9

10

COMMISSIONER CASSANO: Well we would give them a, you know, a letter that they would have to stop and desist from having that; we would tell them to get the... you can't have children learning in a hallway; that's embarking on means of egress and access.

11

12

CHAIRPERSON FERRERAS: Right. So...

[interpose]

13

14

15

16

COMMISSIONER CASSANO: And we would follow up on that. I mean I'm sure that if we give that to DOE, they would take care of it right away.

[interpose]

17

18

19

20

CHAIRPERSON FERRERAS: Yeah. So we'll follow up. And you know, in some ways it's just principals trying to do the best that they can...

[interpose]

21

22

23

24

25

COMMISSIONER CASSANO: Sure.

CHAIRPERSON FERRERAS: 'cause the schools are overcrowded, but we really need to get these agencies communicating with each other, because we're trying to address the overcrowding from one

1
2 perspective, but there is challenges from the
3 buildings; the buildings are old in many cases and
4 they can't accommodate. So I just needed to have a
5 better understanding what... [interpose]

6 COMMISSIONER CASSANO: And you'll get us
7 the addresses where you think that's happening, we
8 will address it.

9 CHAIRPERSON FERRERAS: Okay. Thank you.
10 I just wanna talk about, very quickly, about the FDNY
11 High School, and I know that you have a \$272,000
12 budget line to add five trainers. So it's 347
13 students; I have a challenge understanding how many
14 graduate from this year; is this an FDNY school,
15 'cause it got an index grading of an F?

16 COMMISSIONER CASSANO: Yeah, uh no, no,
17 [background comment] that was four years ago...
18 [interpose]

19 CHAIRPERSON FERRERAS: So... Okay, so walk
20 me through the... [interpose]

21 COMMISSIONER CASSANO: 'Kay, I'm... I'm
22 gonna let my First Deputy Fire Commissioner,
23 Commissioner Don Shacknai, address that; he's...
24 Commissioner Shacknai and Commissioner Maglione have
25

1
2 spearheaded our FDNY High School, which we're
3 extremely proud of... [interpose]

4 CHAIRPERSON FERRERAS: Okay.

5 COMMISSIONER CASSANO: and it's... it's 10
6 years now in the making and we've talked about so
7 many graduates and you know it's our pipeline into
8 that area of how to get people to become members of
9 the FDNY, whether EMTs and paramedics or
10 firefighters, eventually. I'll let Don talk about
11 it; we're very proud of our high school.

12 CHAIRPERSON FERRERAS: Okay. Walk me
13 through it; I wanna be proud too.

14 DON SHACKNAI: Good morning; you'll be
15 proud... [interpose]

16 CHAIRPERSON FERRERAS: Good morning. Don
17 Shacknai, First Deputy Fire Commissioner. So the
18 FDNY High School is a [background comment]
19 partnership school with Department of Education, so
20 DOE runs the school and the school was created when
21 the very large high school Thomas Jefferson, was
22 divided into four smaller high schools as part of the
23 New Visions for New Schools initiative that was our
24 third partner. So approximately 100 students; it is
25 in East New York, Brooklyn; approximately 100

1
2 students enter every year; the Department commits
3 dozens of people in different roles to train the
4 students as part of an EMT curriculum; our goal was
5 to have students graduate with a diploma and an EMT
6 certificate, and in fact, as the school has
7 progressed, we're able to accomplish that more and
8 more often; many of our grads progress to become
9 EMTs, some for the Fire Department and some for
10 private ambulances. We graduate approximately 70-80
11 students per year; the graduation rate has increased
12 dramatically since the school was converted from
13 Thomas Jefferson, and we now have... we'll... as of
14 tomorrow we'll have two high school students who
15 joined FDNY EMS who have then been promoted to
16 firefighter, so that's a... it's a path to firefighter
17 as well, and we have a lot of great young people that
18 are benefiting from the relationship and partnership
19 with the school; we run a summer boot camp for the
20 students, so there's a summer component to it, and we
21 wanna do even more and if possible in the future, try
22 to replicate this relationship; it's very labor-
23 intensive, but if we can find other partners where we
24 can do some of this kind of programming, we would
25 like to see that happen.

1
2 CHAIRPERSON FERRERAS: So you actually
3 answered the second part of my question, because if
4 it's working, and we're gonna have to verify the
5 numbers you gave me, so of the 100 students, and I
6 guess at some point Thomas Jefferson High School was
7 having a hard time graduating their... [background
8 comment] their high school students. So why this
9 program is working so well, which, you know, what is...
10 what's the complexity, and I know that you just
11 mentioned that, of replicating that opportunity in
12 other high schools? Do you need the intensive... for
13 it to be so intense or can we work with a smaller
14 pilot program... well you're in a pilot program now,
15 but a different type of program that we can take to
16 other high schools?

17 COMMISSIONER CASSANO: That's not a
18 pilot, we're... we're... we're on full...

19 CHAIRPERSON FERRERAS: Right. Right.

20 COMMISSIONER CASSANO: we're full steam
21 ahead... [crosstalk]

22 CHAIRPERSON FERRERAS: Full steam ahead.
23 Got it.

24 COMMISSIONER CASSANO: this is 10 years.
25 This is 10 years.

1
2 CHAIRPERSON FERRERAS: Right. I don't
3 wanna call the new thing a pilot, 'cause you've
4 already proved... proved it.

5 COMMISSIONER CASSANO: Yeah.

6 DON SHACKNAI: It is very labor-
7 intensive. So we have our personnel directly in the
8 classroom training a group of about 30 students
9 during their junior and senior years; we train them
10 to take the EMT certification test. So the ratio of
11 instructor to student is very low; these students
12 typically are not the... they may be two's, so they
13 need remediation in some of their learning skills, so
14 we have to provide that as well; we've gotten some
15 grand funding flowing to the school, so you know, it
16 can be replicated; it would need significant funding
17 and we would certainly welcome the Council playing a
18 role in that.

19 CHAIRPERSON FERRERAS: And... Okay. And I
20 think we should talk to OMB to bring it up to... I'll
21 bring it up on the... [interpose]

22 DON SHACKNAI: Definitely.

23 CHAIRPERSON FERRERAS: Okay. So as a
24 follow-up to that question, when... when you say that
25 you need the five additional trained instructors, are

1
2 those full-time or how does... who are we talking
3 about?

4 DON SHACKNAI: Yes, I think those are
5 full-time... full-time lines to kind of beef up the
6 staffing model and ensure... see an interesting thing
7 is that this school's becoming more popular...
8 [crosstalk]

9 CHAIRPERSON FERRERAS: Right.

10 DON SHACKNAI: the parents and the
11 community is really embracing this school; I just met
12 with the principal on Friday at a ceremony, and now
13 147 students are scheduled to start as freshmen in
14 the fall; that's a record-breaking number, so if that
15 number goes higher, [background comment] we're gonna
16 need some corresponding resources.

17 CHAIRPERSON FERRERAS: So is this a zoned
18 school or can young people from across the street...
19 across the city, not the street... [background comment]
20 across the city apply?

21 DON SHACKNAI: Anybody can apply and
22 it's... you're ranked, your schools, when you're... when
23 you're in middle school [background comment] and try
24 to... try to get in; we've done a lot of recruitment in
25 the middle schools to try, you know, let people know

1
2 that the school exists; that we're doing well; the
3 school has gotten a B the last several years in the
4 DOE grading system, [background comment] so things
5 are on the rise.

6 CHAIRPERSON FERRERAS: Good. Well we'll
7 correct the F grade here [background comments]
8 [interpose]

9 DON SHACKNAI: Yes. Yeah, that was...

10 CHAIRPERSON FERRERAS: 'cause that
11 wasn't... that's not good.

12 DON SHACKNAI: Yeah.

13 CHAIRPERSON FERRERAS: So thank you for
14 that. If you can also share with this committee the
15 information of the high school; we all have eBlasts
16 [sic] and information to get out to our constituents
17 so that we can give more opportunities to our young
18 people to apply, I'd appreciate it.

19 COMMISSIONER CASSANO: We've had a
20 request from already, another high school that would
21 like to get involved in the program; we're lookin' at
22 that if we can do it.

23 CHAIRPERSON FERRERAS: Okay, very good.
24 Thank you very much, Commissioner; now you'll... I'll
25 give it back to my co-chair, Chair Crowley.

1

2

CO-CHAIR CROWLEY: Thank you, Chair

3

Ferreras. Commissioner, I'll follow-up some of the

4

questions that Chair Ferreras has on the Department

5

of Education and schools. Each school has a website

6

in the city of New York that they're a DOE school and

7

within that website they have a page that looks at

8

their building facility report. Now, on that report

9

the building... you know, the facility has the list if

10

they have DOB or DOH violations, but there is no

11

report for FDNY building violations, and it is within

12

your Fire Prevention Unit that you do visit schools...

13

[interpose]

14

COMMISSIONER CASSANO: And our companies

15

do also.

16

CO-CHAIR CROWLEY: Your companies do as

17

well. Now, how often, if you could give us your best

18

guess or estimate or if anybody has actual numbers,

19

do you find schools to not be in compliance?

20

COMMISSIONER CASSANO: Rarely.

21

[interpose]

22

CO-CHAIR CROWLEY: Really?

23

COMMISSIONER CASSANO: We look... we look

24

at extinguishers, [background comment] we look at

25

means of egress, exit doors that are locked or

blocked, rubbish accumulation; we find very little at our schools.

CO-CHAIR CROWLEY: And if they are, if you do find them to be out of compliance, how quickly do they have to fix and become... fix the problem and become... [interpose]

COMMISSIONER CASSANO: Well most of the ones they... of... I told you about, other than the extinguishers are... are immediate; we have... we go back within 24 hours; if we find rubbish, we tell 'em to remove it immediately..

CO-CHAIR CROWLEY: Yeah.

COMMISSIONER CASSANO: blocked exit, you have to remove immediately, so.

CO-CHAIR CROWLEY: So you're revisiting that school?

COMMISSIONER CASSANO: Right away, oh right away. Right. The only ones that... [crosstalk]

CO-CHAIR CROWLEY: So it may not make sense for them to have this report, to... [interpose]

COMMISSIONER CASSANO: Yeah, we... we get it cleaned up immediately.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CO-CHAIR CROWLEY: Okay. But it might be good for parents and the public to know if a school is a continued offender and continues to not be safe.

COMMISSIONER CASSANO: We don't... we don't really find that and...

CO-CHAIR CROWLEY: Okay, well that... that's good, I'm glad. Now in 2013, the FDNY began to be the only City agency that licenses the Public Place of Assembly Unit permits, right? And before it was done exclusively by DOB or in conjunction...

[crosstalk]

COMMISSIONER CASSANO: In conjunction with us, yeah.

CO-CHAIR CROWLEY: and now with the 2014 Fire Code there's more that the Fire Prevention Unit has to do in making sure, especially high-rise buildings, that they have a voice communication system, that they have a fire and life safety director; that's all new requirement; they have to follow a Level 1 Plan, correct? And with the addition of pre-Ks going to full day and you have in this budget five new inspectors for pre-K, and a total of eight new, since FY14, which is not [cough] a number that I'm particularly impressed with for a

1
2 number of reasons. First, your unit only costs, to
3 run the unit, from the fiscal budget that I'm looking
4 at, approximately \$32 million a year to run the cost
5 of staffing unit, but your fines and fees generate
6 \$87 million. Now, one would only think if you were
7 to put more money into the cost of running the unit
8 that also with that, the fines and fees would also
9 increase, whereby finding violators and making the
10 City safer, would you agree?

11 COMMISSIONER CASSANO: I would agree that
12 we could use more inspectors and to offset some of
13 the inspectors that we don't have, and we're always
14 asking for more inspectors, they more than amply pay
15 for their salary... [interpose]

16 CO-CHAIR CROWLEY: Always asking for more
17 inspectors?

18 COMMISSIONER CASSANO: they...

19 CO-CHAIR CROWLEY: Did you let the
20 Mayor's office know and OMB that... [crosstalk]

21 COMMISSIONER CASSANO: We've... we've...

22 CO-CHAIR CROWLEY: eight may not be
23 enough and that you need more?

24 COMMISSIONER CASSANO: We put in for more
25 inspectors to offset that.

1

2

CO-CHAIR CROWLEY: How many more?

3

4

COMMISSIONER CASSANO: Can I finish my
que... [interpose]

5

CO-CHAIR CROWLEY: Sure.

6

COMMISSIONER CASSANO: response, please?

7

CO-CHAIR CROWLEY: Yes.

8

9

COMMISSIONER CASSANO: Okay. To offset
that, we've put in fire officers to do inspections as
well for U pre-K, UP pre-K; we have a number of
officers offline that are doing those inspections.

10

11

12

Secondly, we have taken... we have promoted over in the
office of ranks to offset that as well, so we have
officers doing those inspections, because they have a
knowledge of it as well. So we're offsetting some of
the fire inspectors with fire officers and in
combination we are doing a lot of inspections that
are required.

13

14

15

16

17

18

19

CO-CHAIR CROWLEY: Do you know how many
of... what percentage of the fees and fines are
generated from your fire officers?

20

21

22

COMMISSIONER CASSANO: No, but I can get
that for you. We will now how many violations were
issued for sure.

23

24

25

1
2 CO-CHAIR CROWLEY: I've received
3 complaints from people who work within the unit, the
4 Fire Protection and Prevention Unit, that they have
5 inadequate workspace, that they're working with
6 substandard vehicles; sometimes these vehicles don't
7 even have heat [sic] in the summertime, sometimes
8 they have to use their own vehicles; that they're
9 housed on different floors and different areas of
10 MetroTech and it makes work difficult for them to
11 work together. Can you answer any of those
12 complaints?

13 COMMISSIONER CASSANO: I'm shocked that
14 you got complaints.

15 CO-CHAIR CROWLEY: Really?

16 COMMISSIONER CASSANO: Kidding. We are...
17 we are... you know the good thing is we're running out
18 of space; [background comment] I mean that's... that's
19 a positive and that we are looking for some offsite
20 space for other bureaus so we can consolidate Fire
21 Prevention. The good thing is we have more
22 inspectors; we don't have as much room as we need for
23 them, so Commissioner Benanti from Support Services
24 is looking for places where we can move other agency,
25 you know, agency people and free up more space for

1
2 Fire Prevention, either within the building or in
3 another offsite location. As far as the vehicles go,
4 we are looking at our vehicles for sure; I work with
5 Chief Jensen closely and again, Commissioner Benanti
6 and Fleet Services to get them better vehicles; we've
7 put in for some more... let me just ask Steve... how much
8 more money did we put in for vehicles... [background
9 comment] \$600,000 to get some more vehicles. But we
10 understand their concerns, and they're not far off,
11 we are tight for space, but we're looking for it.

12 CO-CHAIR CROWLEY: Okay. [crosstalk]

13 COMMISSIONER CASSANO: Definitely.

14 CO-CHAIR CROWLEY: And how often do... How
15 often do they have to use their own vehicle?

16 COMMISSIONER CASSANO: I don't know that.

17 CO-CHAIR CROWLEY: Okay, well with the
18 increased number of pre-Ks, [background comment] for
19 the full-day need, and just based on this weekend's
20 Daily News report of how many were not within the
21 Department of Health regulations and guidelines, I
22 would... and with the number that you currently have
23 and the amount of fees and fines you do generate and
24 the new Fire Code, I would say that eight is not
25

1
2 enough and that we need to go back to the Mayor and
3 ask for more staff for the Fire Prevention Unit.

4 Now I wanna ask a question... some
5 questions were asked by my colleagues about the \$143
6 million needed to bring fire alarm boxes up to par,
7 make them working again in areas that they've been
8 out of service, I've seen some statistics of these
9 boxes outside of the Sandy hit area and from the
10 numbers I look at, it looks like at any given day one
11 out of three are not working; is that true?

12 COMMISSIONER CASSANO: I don't know if
13 it's one out of three, but they are... you know, the
14 alarm boxes have been out of service, we hired 16 new
15 electricians I believe in our last budget to handle
16 that problem, you know... [interpose]

17 CO-CHAIR CROWLEY: Right.

18 COMMISSIONER CASSANO: and you know how I
19 feel about alarm boxes; I think they should be done
20 away with, but we can't do away with them...
21 [interpose]

22 CO-CHAIR CROWLEY: But... but now that
23 we're investing \$143 million... [interpose]

24 COMMISSIONER CASSANO: Right. That was...
25 that was... [interpose]

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CO-CHAIR CROWLEY: you know... you know how I feel about alarm boxes, especially in schools, especially with what's happening with Unified Call taking it and not know how many minutes that call's going to be processed before medical emergency or fire help is on the way, right?

COMMISSIONER CASSANO: Uhm-hm.

CO-CHAIR CROWLEY: I'm always on the street looking out, especially in places that I frequent, where those boxes are and whether there's a pushbutton box and not a pull, and that is because I'm always worried about if people I'm with, if they have a medical emergency, goes with the nine-and-a-half-minute time or an average. So whenever I can, I'm looking and I believe in them and it's not even my choice or your choice, it's also the federal government.

COMMISSIONER CASSANO: Absolutely.

CO-CHAIR CROWLEY: So... and you know, since we have to maintain them and we're putting a significant amount of money into them, I saw in news reports that based on Bloomberg's plan to bring kiosks into the city where you could hook up your phone or computer, is there any thought within the

Department; the City that maybe we could collaborate and make areas where you would have some similar type of kiosk near an alarm box where you could expand the use of the alarm box to be multi-used? [interpose]

COMMISSIONER CASSANO: I don't think we would allow peop... you know, to use the alarm box for a kiosk type thing, it's just... it's... [interpose]

CO-CHAIR CROWLEY: Sorry; these kiosks are also gonna have a button that you can push for 911, so [background comments] it's something...

[interpose]

COMMISSIONER CASSANO: Okay.

CO-CHAIR CROWLEY: not so far-fetched.

COMMISSIONER CASSANO: Yeah. I mean we would... as I explained to the councilman, the idea of using an alarm box for maybe, you know, hazardous material detection, radiation detection -- if we have to keep them, that's the way we're gonna go. We will look at all that for sure.

CO-CHAIR CROWLEY: You're looking at that?

COMMISSIONER CASSANO: We have looked at it in the past, but if we are going to keep them, we will look at better ways to use them to make them

1
2 multifunctional. And as I said, we are trying to fix
3 them as quickly as possible.

4 CO-CHAIR CROWLEY: Before... earlier, when
5 you answered the question about EMS supervisors and
6 the amount in the budget, just because our budget
7 doesn't reflect that, [background comment] we would
8 ask for you to make sure OMB gets this, the numbers...
9 [interpose]

10 COMMISSIONER CASSANO: Sure. Sure.

11 CO-CHAIR CROWLEY: so we know exactly how
12 much that is. I have a question about FDNY
13 promotions. [background comment] Now at the
14 preliminary budget hearing we spoke about a large
15 number of lieutenants that are on a list that could
16 be promoted to captain and that list will expire in
17 July. Now, have you worked with DCAS to extend that
18 list?

19 COMMISSIONER CASSANO: We had a number of
20 letters from a lot of elected officials... [interpose]

21 CO-CHAIR CROWLEY: Yeah.

22 COMMISSIONER CASSANO: I got them all...
23 [interpose]

24 CO-CHAIR CROWLEY: Right.
25

1
2 COMMISSIONER CASSANO: DCAS got them all;
3 they said they would not extend the list... [interpose]

4 CO-CHAIR CROWLEY: The won't?

5 COMMISSIONER CASSANO: It's a DCAS call...
6 [interpose]

7 CO-CHAIR CROWLEY: They will not?

8 COMMISSIONER CASSANO: but they won't
9 extend the list.

10 CO-CHAIR CROWLEY: And how does that
11 affect your overtime budget; are these captains... are
12 there not enough captains to go around? [interpose]

13 COMMISSIONER CASSANO: Well we're over
14 right now in the captains rank and we're gonna make
15 40 more tomorrow, we'll promote some chiefs as well,
16 we're lookin' at that. But before the end of the
17 list in July, our budget people have done an analysis
18 of if the list... a new list doesn't come out after the
19 test is formulated, how many people we think we'll
20 need and we'll promote that many more in July to have
21 enough people to fill our companies, fill our
22 overtime ranks. So we're lookin' at that again,
23 there'll be more promotions in July. [interpose]

24 CO-CHAIR CROWLEY: You do not know what
25 the overtime cost is versus the straight time cost?

1
2 COMMISSIONER CASSANO: Don't know; I mean
3 I can get that for you.

4 CO-CHAIR CROWLEY: You'll get that for
5 us? [crosstalk]

6 COMMISSIONER CASSANO: Yeah, sure. Yeah.

7 CO-CHAIR CROWLEY: Right. Because year
8 after year we've talked about the increasing number
9 that the Department is spending on overtime and
10 although earlier you did answer the Chair's question
11 about this, citing that since 2008 you could not hire
12 with the freeze, but... and so your down head count is
13 about 691. [interpose]

14 COMMISSIONER CASSANO: As of this morning
15 we're 691.

16 CO-CHAIR CROWLEY: And you're
17 accelerating by having sometimes three classes per
18 year; is that correct? [interpose]

19 COMMISSIONER CASSANO: We'll... We'll
20 probably have five classes in two years. You know
21 we'll pick up one extra class each year, each two
22 years.

23 CO-CHAIR CROWLEY: And that's the best
24 you could do; is there a way of increasing the number
25 of academy participants?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMISSIONER CASSANO: We... In order to provide the intense training that we provide, we can't have classes any bigger than we have now; otherwise the students will not get the training and the amount of attention they need by the instructors. It's a very tight quarter, we're doing 320 and by the time we have attrition we'll probably be down to 290. But that's...

CO-CHAIR CROWLEY: But that's right now...
[crosstalk]

COMMISSIONER CASSANO: That's max.

CO-CHAIR CROWLEY: because your members are working with an expired contract too, right? Now a lot of... everybody... every uniform has a contract that is expired, correct?

COMMISSIONER CASSANO: I know our fire officers and our firefighters do. Yeah.

CO-CHAIR CROWLEY: Yeah. Right. But you...

COMMISSIONER CASSANO: I mean their contract ended in 2010, I believe, 2011... [crosstalk]

CO-CHAIR CROWLEY: Right. So the Mayor agrees with the union that they get a new contract;

1
2 that could accelerate the number of retirees...

3 [crosstalk]

4 COMMISSIONER CASSANO: Could, sure.

5 CO-CHAIR CROWLEY: and a number of people
6 who will trade out [sic]; it would naturally do that,
7 so I would implore you to consider that when looking
8 at ways of increasing class numbers...

9 COMMISSIONER CASSANO: Uhm-hm.

10 CO-CHAIR CROWLEY: just so that we can
11 reduce the overtime burden in a more efficient way.
12 [background comment] Okay. I'd like to recognize
13 Council Member Cornegy for questions.

14 COUNCIL MEMBER CORNEGY: Thank you,
15 Madame Chair. I just wanna revisit the idea of the
16 call boxes. We know that the technology exists to
17 make those boxes wireless and more efficient; I find
18 it hard to believe that we would at this point spend,
19 you know upwards of \$140 million to put into an
20 antiquated system when we could really look at the
21 need and the use for the technology that already is
22 present to make these boxes wireless.

23 COMMISSIONER CASSANO: We are looking at
24 wireless boxes as well, but you still need some of
25 the underground infrastructure to get back to the

1
2 firehouses, the lines that were destroyed, for
3 communications to the firehouses. But we are lookin'
4 at wireless boxes as a possibility of not being
5 hardwired. But again, wireless has to work all the
6 time, you know you have that connectivity to make
7 sure that if a person does pull that box, you know,
8 press the button, that it has connectivity. But we
9 are looking at one of the technologies, Commissioner
10 Golub is looking at that as well.

11 COUNCIL MEMBER CORNEGY: And... and I think
12 that we should look very hard at it, because I think
13 that there's ways that with the wireless boxes and
14 that technology it can also reduce the rates of false
15 alarms, because with some of those experimental boxes
16 the person has to be present and you can identify the
17 person making the call, so it would reduce... and I
18 mean so it seems like... [crosstalk]

19 COMMISSIONER CASSANO: Yeah, sure.

20 COUNCIL MEMBER CORNEGY: two... two ways to
21 be more cost-effective in reducing the false alarms
22 and in upgrading the technology and preparing us for
23 the future, which we should be doing. [interpose]

24 COMMISSIONER CASSANO: Yeah. And we are,
25 with uh... you know we are looking at different ways to

1
2 use the box and the technologies, because it's so
3 new. Not that it's that new, but it's new.

4 COUNCIL MEMBER CORNEGY: Oh and just... I'm
5 sorry, I did wanna ask, there was... there have been
6 reports with the ambulances being on standby with
7 the... with hos... Brooklyn, for sure, with the hospital
8 closures, that people will have... what... what has been
9 the impact; negative on... with... with the hospital
10 closures and the more need for medical services
11 through... [interpose]

12 COMMISSIONER CASSANO: Sure. Well we... as
13 the hospitals close, we will replace... [pause] as the
14 hospitals close, we will replace the tours that were
15 taken away. In addition, to try to make up for the
16 additional travel time, if it's a longer distance to
17 go for the hospitals, we'll look at and do an
18 analysis to see if we need to put another ambulance
19 or two to make up for that travel time, waiting time
20 in a hospital, you know, turnaround time. So we're
21 constantly making these analyses.

22 COUNCIL MEMBER CORNEGY: Early on in your
23 testimony we talked about the fact that when there's
24 a fire you don't automatically call an ambulance;
25 there's gotta be some way in-between that you can put

1
2 'em on notice that they may be necessary to... it may
3 be necessary to use them so that they're available,
4 but not call them out.

5 COMMISSIONER CASSANO: And then what if
6 somebody's having a heart attack and that ambulance
7 is available for a possible fire? I mean I know... I
8 know it... it sounds good, but at the end of the day,
9 if a life-threatening emergency is being called in;
10 if we had an ambulance that might be on standby for a
11 possible fire, we have to send them to the emergency
12 that we know is taking place at that time. That's
13 why, when it's a confirmed fire, when the engine or
14 the ladder company gets there in four to four-and-a-
15 half minutes and they call on that fire, an ambulance
16 will be dispatched.

17 COUNCIL MEMBER CORNEGY: Thank you.

18 CO-CHAIR CROWLEY: Thank you, Council
19 Member Cornegy. Commissioner, in line with the
20 questions my colleague just asked, there are times
21 when 911 gets phone calls, multiple phone calls about
22 the same emergency; you know, unfortunately sometimes
23 the system collapses, crashes because of that, but
24 then you know at that point that EMS should get on
25 their way to the scene of the emergency and not wait

1
2 for... but do you wait for the 1075 or whatever the
3 Fire Department... [crosstalk]

4 COMMISSIONER CASSANO: We wait till it's
5 confirmed; there are... I wouldn't say a lot, but
6 there's a number of times when you get a lot of calls
7 and it's not a fire; most of the time it's a fire and
8 we can look at that... if there is a number of calls; I
9 mean... [interpose]

10 CO-CHAIR CROWLEY: Please look at that...

11 COMMISSIONER CASSANO: We'll look at it.
12 Absolutely... [crosstalk]

13 CO-CHAIR CROWLEY: because I do think
14 that makes a difference if five people on the same
15 block are callin' about a house on fire in the middle
16 of the night, you've gotta believe that there are
17 people in that. And anyway, when you have
18 firefighters, you know, fighting fires in dangerous
19 circumstances, situations, you would think that their
20 likelihood of needing an ambulance also increases.
21 So for the safety of the public as well as those
22 risking their lives for the public, please consider.

23 COMMISSIONER CASSANO: Uhm-hm.

24 CO-CHAIR CROWLEY: And then I'm almost
25 finished with my questions; I heard earlier that the

Department plans to update all the rigs that are 10 years plus old; there was an incident when, you know, parts of a rig fell apart in Lower Manhattan on its way to an emergency; did you hear about that?

COMMISSIONER CASSANO: I didn't, no.

CO-CHAIR CROWLEY: Oh, some equipment fell off of it; I heard that. And then my final question has to do with your Facilities Division; that I am glad to see that there are more people who are working on the different houses, maintaining them, being hired because of the overtime; however, I don't see any new needs for painters; are painters included?

COMMISSIONER CASSANO: [background comment]

[background comment] [interpose]

CHAIRPERSON FERRERAS: You have to go up... I'm sorry; you have to... [interpose]

COMMISSIONER CASSANO: Okay, this is Commissioner John Benanti, who is our Commissioner for Facilities and Fleet Maintenance.

[background comment] [interpose]

CHAIRPERSON FERRERAS: You have to go up to the mic.

1
2 COMMISSIONER CASSANO: Just answer it,
3 John, just uhm... [background comment] please.

4 [cough]

5 [background comment]

6 JOHN BENANTI: We have several painters
7 on staff and we generally use a painting contractor
8 if we have to do some of the firehouses. So when
9 we do our firehouses we generally have the staff that
10 we have and we do have on-call contracts.

11 CO-CHAIR CROWLEY: Right. I've seen some
12 comptroller reports in prior years that fiscally
13 doesn't make sense or add up to contract out when you
14 have an in-house number of people that do the same
15 work; you could keep them busy with your 200 plus
16 firehouses that you have. How many houses do you
17 have?

18 JOHN BENANTI: 217.

19 CO-CHAIR CROWLEY: Okay. So... because
20 I've seen in firehouses firefighters painting; does
21 this happen?

22 JOHN BENANTI: Shouldn't be hap... Oh I'm
23 sorry.

24 CO-CHAIR CROWLEY: Okay.
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMISSIONER CASSANO: I will answer that. In the 44-and-a-half years that I've been in the Department, we've painted.

CO-CHAIR CROWLEY: Right... you have?

COMMISSIONER CASSANO: Sure.

CO-CHAIR CROWLEY: Yeah. No, I mean I shouldn't say I've seen... [crosstalk]

COMMISSIONER CASSANO: Why not?

CO-CHAIR CROWLEY: I've heard. But I'd rather firefighters be running to life-threatening emergencies, [background comment] putting out fires, inspecting buildings... [crosstalk]

COMMISSIONER CASSANO: We... we... we don't paint in lieu of responding, believe me.

CO-CHAIR CROWLEY: Right, there is a trade that... you know, you're taught as a firefighter to fight fires, people who will paint, they go through apprentice programs, they learn how to be a painter, and so just for the City's resources, I hope that the final budget we vote on includes more painters. Thank you.

CHAIRPERSON FERRERAS: Thank you, Chair.

[background comments] Thank you, Commissioner; congratulations. We are now coming to the end of

1
2 this portion of the hearing; we will hear from the
3 Department of Corrections. We are going to take a
4 20-minute break; you can have lunch [background
5 comments] today. Alright, thank you very much,
6 Commissioner...

7 COMMISSIONER CASSANO: Thank you.

8 CHAIRPERSON FERRERAS: and
9 congratulations.

10 [background comments]

11 [pause]

12 CO-CHAIR CROWLEY: I wanna welcome the
13 administration; Commissioner, just wanted to let you
14 know that we're gonna be delayed for approximately 10
15 minutes; I'm sorry for the delay, but I did wanna let
16 you and the members of the public know that.

17 [pause]

18 [gavel]

19 CHAIRPERSON FERRERAS: We will now resume
20 the City Council's hearing on the Mayor's Executive
21 Budget FY2015. The Finance Committee and the
22 Committee on Fire and Criminal Justice Services,
23 chaired by Council Member Elizabeth Crowley; we just
24 heard from the FDNY; we will now hear from the
25 Department of Corrections.

1
2 The Department of Corrections Executive
3 Plan for Fiscal 2015 totals \$1.06 billion, which
4 reflects an increase of \$3.1 million from last year's
5 adopted budget. Highlights include \$25 million
6 increase in uniform overtime spending in Fiscal 2014,
7 \$1.8 million in 16 uniformed positions for staffing
8 of the North Infirmary Command, \$1.2 million in 12
9 civilian positions for operational costs associated
10 with the Cogeneration Plant, \$1.3 million in other
11 than personnel services for the demolition of modular
12 and sprung building structures, and \$562,000 for
13 building maintenance contracts for automated
14 temperature control systems within the jails. While
15 I'm happy to see increased funding and new needs in
16 the Executive Budget, I am not happy that concerns
17 expressed by the Council's budget response were not
18 addressed.

19 In the City Council's budget response,
20 the Council called on the administration to replace
21 the 200 uniformed officers performing administrative
22 tasks with lower-paid civilian employees so that
23 those officers can be assigned to security positions
24 within the jails. Civilianization of those positions
25 would have ensured that more security posts are

1
2 operated on straight time, which could curtail
3 overtime spending. Despite our call, the Executive
4 Budget does not include any actions to civilianize
5 any of the 200 positions identified by DC37.

6 Additionally in the response, the Council
7 also urged the administration to reduce its overall
8 solitary confinement capacity by at least 50 percent
9 to 11 areas during the next year and... during the next
10 year and to prioritize removing adolescent and
11 mentally ill inmates from solitary confinement units.
12 Solitary confinement not only has serious
13 consequences for inmates, but it also has serious
14 fiscal implications, as it requires higher staffing
15 levels because inmates require one on one escorts
16 when outside of the jail cell.

17 Closing one punitive housing area
18 generally saves the cost of five correction officer
19 positions, which are likely... [coughing]... excuse me...
20 paid on overtime. The average cost of filling one
21 full-time equivalent position in overtime is \$84,022
22 and the cost of five positions is just over \$420,000.

23 Closing 11 punitive segregation housing
24 areas could yield annual overtime savings of \$4.6
25 million.

1
2 Despite our call, the Executive Budget
3 does not include any actions to reduce its overall
4 solitary confinement capacity. It is my hope that
5 after this round of budget hearings the
6 administration will take the concerns expressed by
7 council members and the public regarding the
8 Department's proposed budget and work with the
9 Council to ensure that Fiscal 2015 adopted budget
10 reflects all of our priorities.

11 I look forward to hearing from the
12 Commissioner to learn more about how this Executive
13 Budget effects its agency operations and also the
14 Department's plan to address the mental health
15 population and the upsurge in staff.

16 Before we hear from the Commissioner, I
17 will turn my mic over to my Co-Chair, Elizabeth
18 Crowley for a statement.

19 CO-CHAIR CROWLEY: Good afternoon. I am
20 Elizabeth Crowley; I chair the Fire and Criminal
21 Justice Committee Services here at the Council; I'd
22 like to thank my Co-Chair, Council, Chair of the
23 Finance Committee, Council Member Julissa Ferreras,
24 for the work that she's done during today's hearing
25

1
2 and the weeks of review that she's put into this
3 Executive Budget.

4 I'd like to welcome the new Commissioner
5 and thank him for the recent tour that he gave myself
6 and a number of my colleagues of Rikers Island.

7 During today's hearing I'd like to focus concerns
8 that I have in the Department in addition to what my
9 colleague said, on your over-reliance of overtime;
10 I'd like to focus on the safety of both inmates and
11 staff in regard to the excessive overtime; also, the
12 safety of staff and inmates with the rising, alarming
13 rates of violence within Rikers and the various
14 facilities that make up Rikers Island. I'd like to
15 also look at where the Department is in addressing
16 the failed heating systems on the Island and I look
17 forward to hearing from the Commissioner regarding
18 his vision and outlook for the agency with regard to
19 staffing, caring for adolescents and the mentally ill
20 and his plan to address the aging infrastructure on
21 the Island.

22 Now I welcome the Commissioner and invite
23 you to begin your testimony.
24
25

1
2 COMMISSIONER PONTE: Thank you. I'm
3 gonna ask the people at the table to introduce
4 themselves before I start, if that's okay.

5 ARI WAX: Ari Wax, Senior Deputy
6 Commissioner.

7 ERIK BERLINER: Erik Berliner, Deputy
8 Commissioner for Strategic Planning and Programs.

9 WILLIAM CLEMONS: William Clemons, Chief
10 of Department.

11 COMMISSIONER PONTE: Thank you. Good
12 afternoon Chairpersons Crowley and Ferreras and
13 members of the Committee on Fire and Criminal Justice
14 Services and Finance. I am Joe Ponte, Commissioner
15 for the New York City Department of Corrections.

16 When Mayor de Blasio announced my
17 appointment just a few months ago, he made much of my
18 record in leading reform in troubled jails and
19 prisons around the country. I am a modest man, but I
20 am proud of my record and determined to bring what I
21 have learned over the past 40 years to Corrections
22 here in New York City.

23 So I want to thank you for inviting me to
24 testify today on the Department's Executive Budget
25 for Fiscal Year 2015, just as I want to thank those

1
2 of you who toured Rikers Island with me a few weeks
3 ago. And again, I would encourage all Committee
4 members to take that tour; I think we've made
5 improvements over time and if you haven't been to the
6 Island in a while, we'd invite you to come back.

7 Before I begin discussing the budget, I'd
8 like to take a moment to tell you what I've learned
9 about the Department of Corrections since I started
10 here two months ago, on April 7th.

11 From experience I know that no single
12 individual can reform a prison or jail system,
13 especially one as large as ours. Our reform will be
14 a team effort involving strategy, wisdom and hard
15 work from all quarters. I have spent a lot of time
16 over the past two months visiting every command and
17 meeting staff at all levels to better understand the
18 complexity of our system and the challenges we are
19 facing together. It is clear to me, as it is
20 probably to all of you, that despite the tireless,
21 everyday effort of many fine men and women, New York
22 City Department of Corrections is in deep trouble.

23 A few stark statistics bear this out;
24 over the past four years, from FY2010 to FY2013, uses
25 of force increased by 59 percent, from 1,871 to

1
2 2,977; slashing and stabbing incidents doubled from
3 34 to 68; assaults on staff increased by 30 percent,
4 from 500 to 646, and overtime spending increased from
5 \$97 million to \$155 million.

6 We have already implemented some common
7 sense changes to begin to address these unacceptable
8 trends. For example, we repositioned officers in
9 some of our medical areas that had blind spots; we
10 installed new, strategically placed panic alarms,
11 security mirrors and cuffing ports; have also made
12 significant changes in our senior management,
13 including the appointing of a Chief of the
14 Department, William Clemons, who is seated here on my
15 left today, a superb corrections professional and a
16 great leader, which will bring strong integrity to
17 our organization.

18 As I said, the Department's past
19 performance has been unacceptable; this is not to
20 say, however, that the people at the DOC were not
21 working hard to find solutions to these problems. My
22 predecessor accurately located the primary areas of
23 concern among the adolescent, mentally ill and gang-
24 involved populations and took steps to better manage
25 those groups. Likewise, our staff up and down the

1
2 organization worked hard to see these changes
3 through, but the tactics ultimately failed to make a
4 significant impact because they failed to address
5 underlying problems. Department of Corrections
6 officers and supervisors are confronting new
7 challenges with tools that are outdated in a
8 corrections industry. They operate an aging,
9 inefficient physical plants, face limitations on
10 information that should inform custody management
11 choices and have a training program that has yet to
12 catch up with the reality of a growing concentration
13 of inmates who are legitimately hard to manage.

14 Our approach to improving this
15 performance starts with improving training for
16 officers to give them the tools and the skills they
17 need to manage today's jail population while also
18 improving communication up and down the chain of
19 command and among the many units and other agencies
20 that play a role in custody management.

21 The Department's top priority is to
22 reduce all types of violence, whether it's inmate on
23 inmate or inmate on staff. To do this we need to
24 better understand the risks and needs of an
25 increasingly complex inmate population and we need to

1
2 give our staff the training and support they need to
3 provide appropriate care, custody and control,
4 especially for the youngest inmates and those who
5 have been diagnosed with mental illness.

6 Let me repeat this, because it's very
7 important. Our top priority is to bring down
8 violence and we will do it by providing staff with
9 the training, support they need to provide
10 appropriate care, custody and control of our inmate
11 population, especially the mentally ill and our
12 adolescents.

13 By now it should be evident to all of us
14 that the characteristics of New York City's inmate
15 population has changed. As the number of people in
16 our custody on any given day, our average daily
17 population has decreased from 13,751 in FY2004 to as
18 few as 10,800 in recent weeks; the percentage who are
19 mentally ill has gone up. In FY2007, 24 percent of
20 our inmate population had been diagnosed with mental
21 illness; today nearly 40 percent have. A similar
22 trend is occurring in jails and prisons across the
23 country, but the response here is more complicated
24 because health and mental health services in New York
25 City jails are handled by our partners, the

1
2 Department of Health and Mental Hygiene, requiring an
3 extra level of interagency coordination.

4 As previously stated, some steps have
5 already been taken to bridge the gap and respond to
6 the emerging challenge. Most notably, the clinical
7 alternative to punitive segregation (CAPS) and
8 restrictive housing unit (RHU) programs carried out
9 under the previous administration in partnership with
10 DOHMH are a significant improvement over the historic
11 response to misbehavior by inmates who are mentally
12 ill or seriously mentally ill. But these programs
13 are available only to inmates after they have
14 committed infractions, and in too many of these cases
15 another inmate or a staff member have had to pay the
16 price for the safety.

17 This must and will come to an end; we
18 have stepped up our cooperation with DOHMH to extend
19 specialized custody management and mental health care
20 to all mentally ill inmates, including those in our
21 mental observation units who have not acted out. We
22 are working together to develop better communication
23 so that all staff working in mental observation
24 housing areas have the information they need to make
25 those areas as safe as possible.

1
2 For example, security and health staff
3 now meet at the beginning of each tour so that all
4 staff know about pertinent inmate behavior and
5 interactions. For the first time, Health and DOC
6 staff are communicating about patients who may be a
7 safety concern; I am pleased to report that since
8 this practice began, officer observation of psychotic
9 or manic behavior among inmates has contributed to
10 several inmates being sent to Bellevue Hospital where
11 they received a higher level of mental health
12 treatment they require.

13 We are also developing improved training
14 for officers and supervisors to give them more tools
15 to manage mentally ill inmates effectively and
16 safely. The current recruit class at the academy
17 will be the first to receive, in addition to the
18 existing 38.5 hours of mental health training
19 curriculum, a new 8-hour basic mental health course,
20 which I will describe in more detail shortly.

21 Just this morning the City announced the
22 Task Force on Behavioral Health and the Criminal
23 Justice System, an interagency task force comprised
24 of commissioners from city, state and law enforcement
25 agencies in the intersecting worlds of criminal

1
2 justice and behavioral health that will create a
3 strategic, actionable plan to transform the City's
4 criminal justice system. A key component to that
5 task force's efforts will be to develop strategies
6 for the city jails to improve the provision of mental
7 health care services for mentally ill inmates already
8 in the system.

9 The Department of Corrections is
10 developing a similar comprehensive approach to the
11 management of adolescent inmates, drawing on the best
12 practices from juvenile justice jurisdictions and
13 experts across the country. Our goal is to make the
14 management of adolescent inmates as problem-free as
15 possible while also tending to their necessary
16 development and educational needs. I will have more
17 to report on this to you in the coming months.

18 One recent development regarding younger
19 inmates does warrant mention today; as you know, New
20 York State recently responded to a federal initiative
21 and lowered the age at which young people in
22 correctional facilities are considered adults, from
23 19 to 18. As a result, 18-year-old inmates now
24 classified as adults must be kept separate from 16-
25 and 17-year-old adolescents. To comply with this

1
2 law, we have separated the 18-year-olds from the
3 younger inmates, but we have done so within the same
4 facility. This has allowed 18-year-olds to complete
5 the school year with minimal disruption and I am
6 justifiably proud of the staff's accomplishment in
7 this effort.

8 DOC is focused on mentally ill and young
9 inmates because they represent unique challenges. I
10 want to assure you, however, that we are committed to
11 making the jails safer for all staff and inmates and
12 we will continue to explore all options and practices
13 to reduce violence and improve outcomes.

14 As we do this, two key questions cannot
15 be lost: what human, technological, infrastructural
16 and financial resources do we need and how can we
17 most effectively deploy our resources? Those
18 questions cannot and should not be answered only by
19 the Department of Corrections. Success will come
20 with collaboration and not just with DOHMH and our
21 union leadership, who will necessarily plan an
22 important part in this collaboration, but more
23 importantly, with our line staff who work every day
24 inside our jails.

1
2 Our expense budget is meant to sustain
3 day to day operations, so we must work together with
4 OMB to develop initiatives and goals that are
5 financially sustainable. If after thoughtful and
6 thorough evaluation we determine we need additional
7 or different resources, sufficient planning will be
8 done to submit timely budget requests to support our
9 goals. That said, we will of course always strive
10 for responsible efficiencies.

11 The DOC's Fiscal Year 2015 Executive
12 Expense Budget is \$1.07 billion, of which \$939
13 million, 88 percent, is allotted to personnel
14 services and \$129 million, 12 percent, for other than
15 personnel services. The Department's total
16 authorized head count for the fiscal year is 10,495;
17 8,889 uniformed; 1,606 civilian staff. This includes
18 an increase of 16 uniformed and 12 civilian
19 positions, which I will describe in greater detail
20 later in this testimony.

21 I am pleased to announce that on May 8th
22 a class of 150 recruit officers entered the academy.
23 These recruits will spend 16 weeks preparing
24 academically and physically gaining the skills they
25 need to successfully perform the duties of a New York

1
2 City Corrections Officer. As I noted earlier, in
3 collaboration with the Department of Health and
4 Mental Hygiene we have developed and implemented a
5 new 8-hour basic mental health course which presents
6 an overview of mental illness and substance use
7 disorders, introduce participants to the risk factors
8 and warning signs of mental health problems, build
9 understanding of how mental illness may impact their
10 efforts and overviews common treatments and
11 approaches. The current recruit class and all future
12 classes will receive this training in addition to the
13 existing mental health curriculum.

14 The academy is also modifying on-the-job
15 training to include more hands-on experiences and
16 practical application of the recruit curriculum
17 content. OMB is continuing to work with us to
18 maintain a hiring plan for correction officer
19 recruits going forward that makes financial sense and
20 lets us keep pace with attrition.

21 As then acting Commissioner, Mark
22 Cranston reported at the DOC's hearing in March, the
23 Department has taken aggressive measures to reign in
24 overtime spending. Since then we have cut our
25 overtime projection another 3 percent, from \$143

1
2 million to \$139 million. Several measures, in
3 addition, increased management accountability, will
4 reduce overtime spending for the remainder of FY14
5 and going forward. For example, in consultation with
6 DOHMH and City Hall, we have centralized adult male
7 restrictive housing units into better physical plants
8 within a single facility (GRVC). Incidentally, this
9 move designed to yield staffing efficiencies has also
10 largely eliminated slashings in our RHU environment
11 and conspicuously increased inmate participation in
12 programming. As part of the FY2015 Executive Budget,
13 OMB allotted the Department an additional \$25 million
14 in overtime funding for FY14.

15 Our goal is to end FY15 with a budget
16 that makes sense for the Department and allows us to
17 carry out our mission in the safest way possible.
18 Our FY15 overtime budget is \$73.8 million,
19 significantly lower than what the Department has
20 spent over the past eight years.

21 I look forward to working with my staff,
22 as well as OMB to determine if the level of funding
23 is sufficient to sustain the Department's overtime
24 needs going forward. As part of the FY15 Executive
25 Expense Budget, OMB approved some critical funding

1
2 needs, including head count increases. In addition
3 to the reopening of the main building of the North
4 Infirmary Command early this summer, OMB has approved
5 15 additional... 16... excuse me, 16 additional uniformed
6 positions, supervisor ranks, totally \$1.8 million
7 annually. NIC's main building closed in 2011 to
8 facilitate the installation of fire alarm systems and
9 other renovations.

10 We are looking forward to repopulating
11 these beds which are suitable for housing our most
12 challenging populations. The Department also
13 received an additional 12 civilian positions and \$1.2
14 million in advance of the opening of our new
15 cogeneration plant. Staff and trade titles need to
16 be in place well before our expected December 2014
17 opening to receive proper training and perform
18 critical testing of our new equipment.

19 The Department is extremely proud of the
20 cogeneration project which will substantially reduce
21 carbon emissions and cut energy costs by an estimated
22 \$8 million annually. This project will also improve
23 energy reliability by providing Rikers Island with
24 three sources of electrical power. Cogeneration will
25 reduce the demand on ConEd grid by 15 megawatts, the

1
2 equivalence of 15,000 homes, which will also benefit
3 the surrounding community.

4 As was reported to you in March, the head
5 count for the Investigations Division (ID) has
6 increased by 26 positions. To accommodate this
7 increase, the ID staff relocated from Rikers Island
8 and an additional \$58,000 in FY15 and \$350,000
9 annually thereafter has been provided to lease an
10 additional suite at the DOC headquarters in the
11 Bulova building. This consolidation allows ID staff
12 to turn out from the same central work location and
13 afford more comfortable and confident interview
14 space. It will also open a trailer on Rikers Island
15 that will be repurposed as part of the Hurricane
16 Sandy Shoreline Restoration Project.

17 To continue the investment of the safety
18 and security of our facilities, beginning in FY15
19 \$247,000 annually has been provided for maintenance
20 of our most critical security equipment. The
21 security equipment to be covered as part of this
22 contract will help ensure that detectable contraband
23 does not enter our facilities and pose a danger to
24 our staff or the inmate population.
25

1
2 The Department also received \$563,000 in
3 FY15 and \$750,000 annually thereafter for an on-call
4 and preventative maintenance contract for existing
5 and planned HVAC control systems.

6 In addition to scheduled and unscheduled
7 maintenance, the contract covers repairs,
8 replacements and diagnostic services. We hope to
9 have this contract registered in mid to late FY15.

10 Lastly, \$646,000 has been provided in
11 FY2015 for the purchase of 99 new cell doors.
12 Equipped with larger vision panels, boost [sic] locks
13 and splash guards, these new doors will increase the
14 safety and security of our uniform and civilian
15 staff.

16 In addition to modifications being made
17 through the expense budget, the Department submitted
18 a Capital Commitment Plan to OMB as part of the
19 Executive Budget process that demonstrates our
20 dedication to the quality of life for both our staff
21 and inmates. The Department's five-year capital
22 budget FY14, Fiscal Plan 2018 totals includes \$1.25
23 billion, the capital plan includes \$611.8 million for
24 capital replacement, as well as support space not
25 directly related to inmate housing, \$555 million for

1
2 fire life safety projects and various upgrades, such
3 as electrical lighting facades, windows, roofs, HVAC,
4 showers, and plumbing, \$79 million for Hurricane
5 Sandy related projects, \$61.6 million for IT
6 infrastructure and telecommunications, \$25.2 million
7 for upgrades and replacement of miscellaneous
8 equipment, such as nutritional services equipment and
9 generators, and \$19.4 million for life cycle vehicle
10 replacements.

11 The capital plan submitted to OMB as part
12 of the FY15 Executive Budget includes much-needed
13 funding for projects critical to the state of good
14 repair of our facilities. As we near the end of the
15 rollout of the firearm installation, or Fire Life
16 Safety Phase 1, funding is needed to begin the next
17 phase of implementation. Phase 1, which should be
18 completed by December 15 was done to install working
19 fire and smoke alarms to meet 2008 NYC Building Codes
20 and NFPA 72 requirements for all DOC facilities.

21 Phase 2 is set to begin in FY16 and we will now move
22 on to installing fire protection systems, sprinklers
23 and construct fire separation barriers to limit the
24 spread of fire and smoke in all DOC facilities.

25 Installation of fire separation barriers will include

1
2 adding fire smoke compartments, fire smoke doors,
3 fire smoke dampers at all fire-rated walls and
4 petitions. Furthermore, as part of the Phase 2, we
5 will rehabilitate various life-safety devices that
6 are not functioning properly, such as cell door gang-
7 release systems, and install new electronic
8 electromagnetic systems to release all cell doors in
9 case of a fire event.

10 To begin working on fire safety Phase 2,
11 funding was provided from FY16 through FY18, totaling
12 \$64 million. This funding will allow the Department
13 to begin the design and construction necessary to
14 upgrade fire protection systems.

15 The Department is extremely grateful to
16 OMB for the acknowledgement of this mandated new
17 need, but this is only the beginning. As we move
18 forward with the project and determine what our needs
19 are, we will work with OMB and request any additional
20 funds in subsequent financial plans.

21 Continuing the work the Department has
22 done over the years to bring our facilities to a
23 state of good repair, \$46.5 million from FY15 to FY18
24 will allow us to perform necessary modifications to
25 automatic temperature controls, radiators, chillers

1
2 and coils for five of our facilities. Nearly half of
3 the capital budget is allotted for capacity
4 replacement; most significantly a new 1,500-bed jail
5 on Rikers Island. The intended design includes a
6 central admissions facility; however, given the
7 emerging needs of our vulnerable population, I will
8 be looking at the cost benefits of adjusting the
9 design to focus on alternative programmatic areas.

10 Thank you again for the opportunity to
11 discuss the Department of Correction's Executive
12 Budget for FY15 and I look forward to working with
13 you and I'm happy to answer any questions you have at
14 this time.

15 CO-CHAIR CROWLEY: Thank you,
16 Commissioner for your lengthy and informative
17 testimony. I wanna first compliment the
18 administration, the Mayor, for undertaking this task
19 force that was mentioned in the New York Times today
20 and in your testimony, and I think I'll just delve
21 into questions as regards to that population and what
22 happens currently in your clinical alternative to
23 punitive segregation units and your restrictive
24 housing units. Commissioner, how many inmates are in
25 both of these units? And just for the benefit of the

Committee, these are all those that have mental observation classifications; is that correct?

COMMISSIONER PONTE: That would be correct. You wanna take that one? [background comment]

ERIK BERLINER: There are... excuse me... There are about 30 people in CAPS this morning and there are 101 inmates, adult inmates in the male RHU, 9 in the female RHU, and 30 in the adolescent RHU.

CO-CHAIR CROWLEY: How many inmates are on a waiting list for one of these units?

ERIK BERLINER: Around 645.

CO-CHAIR CROWLEY: Why would one be put into one of these units and why is there such a long waiting list?

COMMISSIONER PONTE: There's actually two ways in, so you know the punitive... RHU has been the replacement of the punitive seg, so I'm not sure if the waiting list has both populations in mind; I'll have Erik respond to that.

ERIK BERLINER: There are fewer beds available than there are inmates in the system with mental illness who have committee infractions, so we

1
2 prioritize those whose infractions were most serious
3 when beds become available.

4 CO-CHAIR CROWLEY: So if I add 30 and 30
5 I have 60, and then 101, 161, plus 9 is 170 total
6 between the three different groups you classified as
7 to female and juvenile. And so, are there women
8 waiting; so where's the backlog of the 600; is it in
9 juvenile?

10 ERIK BERLINER: No, most of the backlog
11 are adult males; on any given day there may be a
12 couple of women waiting for beds, but that is usually
13 not our problem.

14 CO-CHAIR CROWLEY: So the backlog is with
15 the general population that have mental observation
16 classifications of nearly 600 that have infractions.
17 Now what is the Department's plan to assure that
18 more... and if there's a waiting list, that you're
19 going to have the units available for that
20 appropriate population and where are they currently
21 housed when they're on the waiting list?

22 [background comment]

23 ERIK BERLINER: Inmates who are on the
24 waiting list are either in general population or
25 mental observation housing, depending on their

1
2 particular level of mental health need while they
3 await a bed in one of these units.

4 CO-CHAIR CROWLEY: Is there a unit I
5 don't know about that is for mental observation other
6 than CAPS or RHU?

7 ERIK BERLINER: Mental observation
8 housing is general population, meaning nonpunitive,
9 nonsegregated housing for inmates who require a
10 certain level of closer mental observation by health
11 care staff, so it's a general population housing area
12 in the sense that they receive all lockout and
13 services the same as GP, but they also receive an
14 additional mental health programming component on the
15 unit.

16 CO-CHAIR CROWLEY: So the 600 are not
17 with the general population, the 600 on the waiting
18 list?

19 ERIK BERLINER: The 600 on the waiting
20 list are not all mental observation inmates; they are
21 a mix of mental observation and general population
22 inmates, so they are out in what everybody would
23 consider the general population, mixed with other
24 inmates. [crosstalk]

1
2 CO-CHAIR CROWLEY: Wouldn't you put the
3 general population in centralized punitive
4 segregation?

5 ERIK BERLINER: Not if they have a mental
6 health condition.

7 CO-CHAIR CROWLEY: So then all of the 600
8 are mental ill; that's what I'm trying to get at.

9 ERIK BERLINER: Oh, okay. All of them
10 have a mental health diagnosis; they don't all
11 [crosstalk]

12 CO-CHAIR CROWLEY: So now, are the 600 in
13 an area where there's clinicians or are they with the
14 general population... [crosstalk]

15 ERIK BERLINER: They're with...

16 CO-CHAIR CROWLEY: where there's just
17 correction officers?

18 ERIK BERLINER: There... it's a mix of the
19 two; some whose illnesses are... require more care are
20 in mental observation housing, others who are more
21 stable in general population live in general
22 population and receive outpatient mental health
23 services.

24 CO-CHAIR CROWLEY: Are there clinicians
25 in areas of the general population where those

1
2 inmates who are on the waiting list are housed with
3 general population or is just correction officers
4 there?

5 ERIK BERLINER: It's just correction
6 officers in those units.

7 CO-CHAIR CROWLEY: And correction
8 officers in those locations have no idea that those
9 that are on a waiting list require a different type
10 of care because they have a mental health
11 observation, uh you know, area... [crosstalk]

12 ERIK BERLINER: They would...

13 CO-CHAIR CROWLEY: attached to them
14 anymore?

15 ERIK BERLINER: They would know only most
16 basically that somebody had a mental health
17 diagnosis; they would not know what that diagnosis is
18 or how it was being treated.

19 COMMISSIONER PONTE: And there's level of
20 functioning, so many of these inmates function fine
21 in that population, so if they're severely mentally
22 ill they wouldn't be in an open, normal population,
23 so they would... they would be moved to one of these
24 other specialty units. So the fact they've got a
25 mental illness doesn't preclude them from being in

1
2 population 'cause they can function in the
3 population.

4 CO-CHAIR CROWLEY: I mean are they... the
5 number of infractions, as you mentioned in your
6 testimony, and I do respect you, Commissioner for you
7 not... you know I don't... I know you have a lengthy
8 career and you're coming to the Department with the
9 determination to do good and work with your partners,
10 but before you arrived the number of incidents where
11 Department of Correction officials had to use force
12 or the number of violent occurrences -- plain and
13 simple, violence has been increasing year after year;
14 now if your tracking infractions is... are those that
15 are waiting infrac... waiting an area where they're to
16 be segregated, such as be put in CAPS or RHU, those
17 600, are they, whatever percentage of them that are
18 in general population, which I'd like to get a
19 percentage of, but are they more likely than the
20 average inmate to get into another incident of
21 violence? Are they more likely to have a
22 reoccurrence?

23 COMMISSIONER PONTE: I don't have the
24 data, but I would say probably, only because they've
25 already infringed once, so likely they may infract

1
2 again. But we do have a system in place for those
3 that have serious violence, that they basically go to
4 the head of the line, they do not stay in population
5 and wait. But there is a priority for the type of
6 infraction that the inmates committed as to how long
7 they wait and what... what place in line they are so to
8 speak.

9 CO-CHAIR CROWLEY: Earlier in the year we
10 had the acting commissioner at the time testify that
11 looking at the table of organization that there was
12 no need for additional staff, but if I heard
13 correctly from your testimony today, that you do not
14 believe that and that there are areas where you need
15 additional staff?

16 COMMISSIONER PONTE: I think as we look
17 at changing the mission of the agency we'll need to
18 at least have a dialogue about what types of staff
19 will move us in that mission change, though it's the
20 kind of definition of insanity where we continue to
21 do the same things over and over and have the same
22 outcome. So I think we need to look at how we do
23 business, how we train staff, what is the skill
24 level, and what types of people do we need in the
25 organization to have safe, secure jails. As we get

1
2 through that, then I think we need to have a dialogue
3 about what does that look like; does it mean more or
4 different types; we don't... [crosstalk]

5 CO-CHAIR CROWLEY: Right.

6 COMMISSIONER PONTE: I don't have that...

7 CO-CHAIR CROWLEY: And does it mean more
8 of your CAPS and RHU units; is that in your immediate
9 short-term goal plan?

10 COMMISSIONER PONTE: I think it's open to
11 all of that, so it isn't just CAPS and RHU, it's our
12 adolescent population is... what do we do with our 18-
13 year-olds, now that they're separated? So we create
14 a subset population for 18 to 20 or 21-year-olds
15 because they are... you know, they're a better program
16 separately; what does that look like; what type of
17 staff would you need to do that? All kind of big
18 picture questions that, you know we don't have
19 answers to today.

20 CO-CHAIR CROWLEY: Okay. What is the new
21 training that you mentioned in... for correction
22 officers; it says that those that are working with
23 the mental health... within the mental health unit or
24 with that population are going for additional
25 training?

[background comments]

ERIK BERLINER: So there are a couple of different trainings; we have for staff working in CAPS, RHU or mental observation housing areas, we have a one-day basic skills development training course; in addition to that, the recruit class that's in the academy now will be receiving the mental health first-aid course that was developed by the Health Department and we're looking very much forward to that training and seeing how our staff react to it and hoping that they gain some significant skills from it.

[background comment]

CO-CHAIR CROWLEY: Now how do you measure the success of the CAPS unit and the RHU?

COMMISSIONER PONTE: I think first you look at the clinical outcomes and obviously the reduction in violence and the reduction in infractions, but it is a clinically-driven, so it's a treatment program and so we look for better clinical outcomes and we don't cure mental illness; we have... it really is allowing those that are mentally ill to adapt in an open, in this case, jail.

[background comments]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CO-CHAIR CROWLEY: Commissioner, is it within your budget that you'll expand CAPS and RHU?

COMMISSIONER PONTE: Those staff would come from DOHMH, so it wouldn't be within our budget.

CO-CHAIR CROWLEY: But you would have to have more training for officers that work in that population.

COMMISSIONER PONTE: We would provide more training for the officers working in that population. [interpose]

CO-CHAIR CROWLEY: But as the Department looks to the next fiscal year about space and whatever capital it would take to get space ready, is there any plan... have you decided that working towards a CAPS and a RHU are programs that make sense, that reduce violence, that help those with mental classifications get out of an area where they're segregated?

COMMISSIONER PONTE: I think the bigger question for us, before we can answer that question, is what do we do in the big picture, and I think the Mayor's task force, which has a fairly short-running time limit to it, will give us some answers that not only we can adapt for our setting in the jails, but

1
2 what happens prior to coming to jail and how do we
3 get these inmates back out in the community in a more
4 stable way? So as we tie those all together, we may
5 have less of a need in our jails for total systems
6 work [sic]. [interpose]

7 CO-CHAIR CROWLEY: Right. Well, that
8 would be ideal and the previous mayor had a task
9 force as well and while there are... there is much that
10 we need to do as a city to prevent this population
11 from entering into Rikers Island, the fact still
12 remains that every day more and more violence is
13 happening and if this model has worked and
14 implementation of the model has already happened,
15 then I would think that you would have to look at
16 what short-term, immediate fixes you could do to make
17 the Island safer.

18 COMMISSIONER PONTE: And we are doing
19 that. I'm not sure if the CAPS program is the answer
20 to that; you know, it really is a collaborative
21 effort between all of the stakeholders and looking at
22 what's the best approach with the inmates currently
23 in our system; some of those items come from our
24 budget; many of those costs would be clinical and
25

1
2 medical costs that would come outside of our budget.
3 [background comment]

4 CO-CHAIR CROWLEY: 'Kay. I have a
5 question about your capital plan before I turn it
6 over to the chair. I see that you have over... I don't
7 have it in front of me... over \$500 million set aside
8 this year for a building this Fiscal Year 15 and I
9 understand that that building needs new designs and
10 one of the things that I've been calling for in terms
11 of changes on the Island is the physical makeup of
12 the buildings, many of which are backdated or were
13 only supposed to be temporary modulars, many are
14 falling apart; you mentioned in your testimony,
15 complying with heating and ventilation, but the
16 overall physical makeup of the Island... where are we
17 with that one building and then, what would be an
18 ideal budgetary allocation capital construction-wise
19 for you to get that facility to where you need to
20 have it for it to... for your care and custody of
21 inmates?

22 COMMISSIONER PONTE: Well the 1,500 bed
23 facility that's on the table now, we're looking to
24 see how much it would cost to look at a redesign,
25 given the current state of our population; we may

1
2 think... I think the original design was an intake type
3 of facility, so we may think more of a treatment,
4 mental health type facility would be more
5 appropriate. Most of our facilities are very staff-
6 intensive; we've got a staff to inmate ratio that's
7 about 1 to 1; in most places that ratio is probably
8 about 1 to 5 in some places and 1 to 10 in others,
9 but... so good designs will make the operation of
10 correctional facilities in the state and the city of
11 New York much more efficient and effective. But I
12 wouldn't guess what that cost would be; it's gotta be
13 \$600 million for one 1,500 bed facility; I don't know
14 if you could even guess that. [background comments]

15 ARI WAX: Once we're looking to repurpose
16 or how we're gonna program the building, we'll have a
17 better sense... [interpose]

18 CHAIRPERSON FERRERAS: I'm sorry; can you
19 just state your name for the record again? Thank
20 you. [crosstalk]

21 ARI WAX: Oh sure. Ari Wax; first name
22 is spelled A r i; last name W a x. The current
23 funding for the 1,500 bed facility is approximately
24 \$500 million; once we are able to assess
25 programmatically what the needs of the Department are

1
2 and ought to be, then we'll be sitting down with DDC
3 and the design consultants to see if that changes the
4 funding or not. We're not in the position yet to
5 know that because we haven't made a determination of
6 what any of these programmatic changes might be.

7 CO-CHAIR CROWLEY: Commissioner, you said
8 it may be a building that would house those with
9 mental health needs, 1,500 people?

10 COMMISSIONER PONTE: Right. But again,
11 it's a half-a-billion-dollar project, \$500 million..
12 [interpose]

13 CO-CHAIR CROWLEY: Right. I understand
14 the need to slow down and take a look; I... I'm not
15 critical of that... [crosstalk]

16 COMMISSIONER PONTE: so uh... uh..
17 [crosstalk]

18 CO-CHAIR CROWLEY: however, I... I... I'm
19 just... you know I don't believe that... that looking at
20 building one facility that would house 1,500 when 90
21 percent of your facilities, from the trip I took out
22 there, appear to be in disrepair, especially the area
23 where you house juveniles. So then, I understand
24 this building, possibly 1,500, serve one population,
25 but what about the other 9,000 plus inmates,

1
2 especially those that are young and juveniles, is
3 there any plan to improve the facilities where you
4 house 16-, 17- and 18-year-olds?

5 ARI WAX: Part of what we're doing is, we
6 have to also reassess where we're going to be housing
7 that population with the change of the law to the 18-
8 year-olds, we have to make determinations what makes
9 sense to house where; that being said, we do have
10 funding for upgrades in our facilities, including
11 RNDC. Long-term we are looking at, as the
12 Commissioner mentioned, the Fire Safety Phase 2 --
13 the advantage of when you do the fire safety projects
14 or the disadvantage when you do them, it takes a
15 substantial amount of beds offline to do that work;
16 it makes sense when you're doing that to do other
17 infrastructure upgrades at the same time and we've
18 commenced some discussion with OMB about what that's
19 going to look like and as we go forward we'll start
20 crystallizing what that is and we'll use that
21 opportunity ideally to determine what funding makes
22 sense and what upgrades make sense [crosstalk]

23 CO-CHAIR CROWLEY: Right, but do you have
24 that in your plan?

1
2 ARI WAX: We have the initial design in
3 the plan for the current plan and this will be in
4 first future financial plans we haven't discussed
5 with OMB about... [crosstalk]

6 CO-CHAIR CROWLEY: And from the shape of
7 RDNC, you know, it seems like putting millions to
8 patch up a facility is a waste of money when you need
9 to just build new facil... so how much... [background
10 comment] is the Commissioner prepared to go back to
11 the Mayor and say look, we need a larger capital
12 budget, we need to build new buildings and not patch
13 up modulars that were never meant to last more than
14 10 years and now have been there for 40 plus year?

15 ARI WAX: And the mods that are outdated
16 are being replaced; we have emptied over 35 of them
17 already, taken them offline; the ones that remain
18 online actually have 70-year life expectancy and
19 they're the concrete and steel variety and we're
20 pretty safe with those. It's kind of like an awkward
21 situation -- yes, we agree with you, the ideal
22 situation is to build a whole bunch of new buildings,
23 but that's an extremely long-term capital plan and
24 the Commissioner has directed that our capital staff
25 start developing such a capital plan; in the interim,

1
2 you still have to invest in the existing
3 infrastructure to make it safe and inhabitable
4 because it's such a long-term project, anything new,
5 you still have to sustain that which you have, and
6 that's what we are trying to do.

7 CO-CHAIR CROWLEY: No further questions.

8 CHAIRPERSON FERRERAS: Thank you, Chair.

9 I just wanna piggyback on the capital question of the
10 560. Oh, I'm sorry; let me introduce my colleagues
11 first -- Council Member Gibson, we've been joined by
12 Council Member Vallone and Council Member Miller. So
13 the \$560,000 is approximately half of what you put in
14 for your capital expense, yet you've pushed it out
15 only one year, to FY15; if we're recalibrating or
16 reassessing the needs of the building and structure-
17 wise, do you honestly believe that you're going to
18 spend this money within this fiscal year?

19 ARI WAX: The money was never intended to
20 be fully spent in this fiscal year; that's the entire
21 plan for that new building.

22 CHAIRPERSON FERRERAS: Okay. So we're
23 going through this process of transparency and having
24 the capital budget reflect exactly what's going to be
25 happening in that year... [interpose]

1
2 ARI WAX: You have to commit the money to
3 do the design, so the money has to be there.

4 [crosstalk]

5 CHAIRPERSON FERRERAS: I understand, but
6 we can commit the cost of the design for this year
7 and then put the capital expense in the appropriate
8 years as we move forward, which is what I'm gonna
9 show... suggest to the OMB director and I hope that,
10 you know, you can recognize that we have to... this
11 Council votes on a budget from the perspective of
12 what's before us, and it's usually line items and
13 we've had a hard time and we will have a hard time,
14 moving forward, passing budgets with capital expenses
15 that are unrealistic... [crosstalk]

16 ARI WAX: Understood.

17 CHAIRPERSON FERRERAS: So I understand
18 what's been done in the past; what I'm saying is,
19 moving forward we wanna have it more reflective...
20 [crosstalk]

21 ARI WAX: I'll be happy to work with you
22 on that.

23 CHAIRPERSON FERRERAS: So I wanna talk
24 about civiliniz... civilin... civilianization... it's been
25 a long day... in the City Council's preliminary budget

1
2 response the Council called on the administration to
3 hire 200 clerical associates. What is your opinion
4 on this, Commissioner, and has the Department
5 experienced difficulty in hiring civilians to work in
6 the jail facilities and currently, how many uniformed
7 officers are working in civilian titles?

8 COMMISSIONER PONTE: And we have made
9 effort and I'll have uh Mr. Wax... [crosstalk]

10 CHAIRPERSON FERRERAS: And you... Okay.

11 ARI WAX: Over the last several years we
12 have completed civilianizations of approximately 200
13 positions in the jails; we are continuing to identify
14 additional positions to do that with. We have had a
15 problem, not so much in identifying civilians to work
16 in the jails, but retaining the civilians to work in
17 the jails has been an ongoing problem, so it's not
18 that we have officers assigned to those posts
19 anymore, but inevitably what happens if you hire a
20 civilian to be let's say a timekeeper or a stock
21 worker or a secretary and they end up not being happy
22 in the jail environment, they leave and pending the
23 backfill of that civilian an officer's gonna be
24 filling because the function has to be performed. So
25 we are continuing to aggressively try to backfill and

1
2 continue to try to hire the civilians, 'cause we
3 agree with Council, that if it's a post that's not a
4 security post and we could put a civilian in there,
5 we're much better off doing exactly that. But it's
6 been an ongoing difficulty retaining that kinda
7 staff.

8 CHAIRPERSON FERRERAS: So what is the
9 average time or when do... how long does an officer on
10 average remain while you kind of backfill that
11 position?

12 ARI WAX: It's hard to say, it varies; it
13 depends on the identification of the candidates
14 getting the list to hire off of, but you're usually
15 talking several months at a minimum.

16 CHAIRPERSON FERRERAS: Several months.
17 Okay. Well I'm glad that you agree with the Council
18 from that perspective, we really don't want our
19 officers leaving important posts.

20 I wanna kind of go back to training. I
21 know that you had mentioned in your testimony that
22 there's 38.5 hours of training...

23 COMMISSIONER PONTE: Mental health
24 training, yeah.

1

2

CHAIRPERSON FERRERAS: of mental health training. So is that a total of 38.5 hours; is that correct?

5

6

COMMISSIONER PONTE: And we're adding 8 hours to that. [interpose]

7

8

CHAIRPERSON FERRERAS: I'm sorry; can you just turn the mic to you; it's just for the recording? Thank you.

10

11

12

COMMISSIONER PONTE: And... and we're having... it is 38.5 and we're adding 8 hours to that 38.5.

13

14

15

CHAIRPERSON FERRERAS: So anyone working within these two populations will receive a total of 46.5 hours?

16

17

COMMISSIONER PONTE: Starting with this basic training class that's in training now. Yeah.

18

19

20

21

22

CHAIRPERSON FERRERAS: Started with this. So... [background comment] So... [laugh] [background comment] So for... not every correction off... Oh, what is... Walk me through the training time of every correction officer.

23

24

25

ARI WAX: So the new recruits have approximately 16 weeks of training in the academy before they're assigned into the field; annually our

1
2 staff get a refresher training of two days every year
3 as well. What we've also started to do is roll out
4 specialized mental health training on top of that, a
5 full 8-hour training in crisis management and we
6 started focusing on the CAPS units and the RHU units
7 and then will be rolling that out to the other mental
8 observation units that Deputy Commissioner Berliner
9 was discussing, to make sure that our officers
10 staffed in the units that have the most mentally ill
11 individuals are best equipped to deal with those
12 individuals. So we've been refining our courses hand
13 in hand with the Department of Health and Mental
14 Hygiene because they bring expertise to the table to
15 help us in part what our staff need to know and
16 that's what we've been trying to roll out going
17 forward.

18 CHAIRPERSON FERRERAS: How many hours of
19 the two-day refresher training are specific to mental
20 health?

21 ARI WAX: Approximately 4 hours and then
22 we're looking to add that additional 8 for those in
23 those particular housing areas.
24
25

CHAIRPERSON FERRERAS: And that's for general... I'm sorry; what was that you said towards the end?

ARI WAX: Pardon me?

CHAIRPERSON FERRERAS: Towards the end I didn't hear.

ARI WAX: The additional 8 hours for staff assigned to mental observation units or mental health housing areas.

CHAIRPERSON FERRERAS: So what I'm trying to get at is, obviously you're at 40 percent, as the Commissioner's testimony stated, of inmates with mental health issues, so obviously perhaps we need to... and I know that you're trying every effort maybe through these specialized trainings, but it seems like the specialized training is to wrap around those that are in this special population; however, the general population probably needs that much if not more training equally. So what's the challenge; how can we help you get those officers trained? Not those officers; every officer trained.

COMMISSIONER PONTE: Right. That would be a significant undertaking; I don't have the answer for... [interpose]

CHAIRPERSON FERRERAS: I have faith in you.

COMMISSIONER PONTE: Oh... well, you're asking what we need; I'm not sure how to answer that, but... [crosstalk]

CHAIRPERSON FERRERAS: Okay.

COMMISSIONER PONTE: we would need resources to do that... [crosstalk]

CHAIRPERSON FERRERAS: I agree.

COMMISSIONER PONTE: Right. So starting with our new class, they're getting much better training than the... the officers before them...

CHAIRPERSON FERRERAS: Right.

COMMISSIONER PONTE: the existing officers that are working with these groups of inmates are getting additional training, but you're right, a lot of the inmates are in a general population that are mentally... I couldn't even guess at what... what that would cost us. [background comment]

CHAIRPERSON FERRERAS: So I'd like for you to look into that and get back to both of our committees on what the cost would be, 'cause I think... you know, I think it's amazing and a great step in

1
2 the right direction of this administration and you,
3 Commissioner are taking and your team to have this
4 great specialized group that... the new class is ready
5 to go, or will be ready to go, but we have an entire
6 force in the jails that will not have the proper
7 training, [background comment] and these officers
8 will be hand in hand with someone that might not have
9 the training that they do, and I think it's unfair
10 and it's a great pressure that we're putting on the
11 workforce that wasn't trained, so somebody might be
12 trained, somebody might not be trained, the
13 interaction that the inmates will have is unfair and
14 unrealistic, so I urge you to go back, get... I'd love
15 for it to happen before we pass this budget, so we're
16 gonna follow up with you on what it would cost to get
17 this workforce trained so that then we can address --
18 which is where I'm going to next -- our jail safety
19 issues. Because if we're engaging in a trained way,
20 perhaps we can bring down, and you know, in light of
21 the highly publicized assaults on civilian workers
22 and the officers, are there any immediate changes
23 that you see in your structure to help both civiliz...
24 civi... the civilians... I'm having a very hard time with
25

1
2 that word today... [laugh] the civilian population and
3 also officers at Rikers?

4 COMMISSIONER PONTE: I think the best
5 thing we could do, and we've started probably a month
6 ago, is much better communication. We didn't share
7 arrest data with our own officers, so an officer,
8 when an inmate came into custody, would not know why
9 the inmate was arrested or the circumstances of that
10 arrest. What we've learned from our incidents was,
11 that could be very valuable in a mental health unit,
12 because some of the behaviors that happened before
13 incarceration may reoccur in incarceration. So we
14 started sharing that data, our staff have that; they
15 share that data with our clinical staff and the
16 clinical staff share data about behavioral changes
17 that they're seeing in individuals. We think that
18 communication that happens daily now, shift by shift,
19 is having a very positive impact in developing a
20 solid work team on how to manage these difficult
21 inmates. So that... that's been a real plus for us and
22 I think it's had very good outcomes.

23 CHAIRPERSON FERRERAS: Well thank you,
24 and is there anything else that you see down the
25 pipeline that could help improve, besides

1
2 communication, is there anything structurally that
3 you see that you can improve this process?

4 COMMISSIONER PONTE: At this point I
5 think the physical plants that we're using are
6 adequate for what we're doing; the improvement's
7 gonna be on development, I agree, the skills of our
8 staff, as they get better skills, they'll learn to
9 react better in these environments. It's a different
10 population.

11 CHAIRPERSON FERRERAS: Right, of course.
12 And I wanna... before I open it up to my colleagues for
13 questions, you know, in... I visited with the Co-Chair...
14 how many now, maybe three or four years ago, the last
15 time we went that we went to visit the women's
16 facility, and the entire experience of going to
17 Rikers is, you know, it takes aba... you're taken aback
18 a little, but going into the nursery or the Rose
19 Singer Center was something very... as a new mom, you
20 know you'd never think that that's where a baby would
21 be born into, but it's also a very special space for
22 women that are having children that are unfortunately
23 caught in the situation. Can you give me an update
24 on that facility; how many women are there currently
25

1
2 or what's the average stay of those mothers and those
3 children?

4 COMMISSIONER PONTE: Last report there
5 was one infant in that area; I'm not sure if that's
6 changed. [background comment]

7 CHAIRPERSON FERRERAS: Now is it your
8 opinion that it's a space that is still needed?

9 COMMISSIONER PONTE: I would think it's a
10 space that we underutilize; I think it's a space that
11 we can utilize more and better than we currently do.
12 I see it... we can improve on what we currently do
13 there.

14 CHAIRPERSON FERRERAS: So you can improve
15 what is... Can you...

16 COMMISSIONER PONTE: Well many of our
17 women inmates are having children in a hospital and
18 still having to give up the child, so we think we can
19 do better working with social service agencies to
20 improve on those that can, you know, build that
21 attachment, even though they're incarcerated.
22 Because I'm not sure of the numbers; I'll have Erik
23 talk about that, but we do have a number of inmates
24 that give birth outside and give up that child and
25 the child does not stay in the nursery.

CHAIRPERSON FERRERAS: Okay.

ERIK BERLINER: Yeah, we've had... over the last several years we've had a decline in the census in the nursery, there are, you know, lots of reasons; some of them are good reasons; the female population in jail has basically cut in half over the last 10 years, which is obviously a good thing; others are some sort of urban legends that flow through the system about what applying for the nursery means for your own case with ACS, so we're working to combat some of those myths so that we can better utilize the nursery. We also wanna renovate the facilities a little bit, they're a little old and could use a little bit of a sprucing up, [background comment] but it's definitely something that we believe is a good thing and we wanna make the most use of it we can.

CHAIRPERSON FERRERAS: Right, any time that a mom can stay with their newborn is important. I'm gonna actually pass it on to my colleagues and then I'll come back. We have been joined by Council Member Miller who will ask his first questions.

COUNCIL MEMBER MILLER: Thank you, Madame Chair and Madame Co-Chair, doing a fantastic job

1
2 again getting information and transparency out to not
3 just the Council, but to the citizens of the city.

4 Commissioner, welcome to you and your
5 staff and obviously your reputation precedes you on
6 prison reform and I think that's where I'll start
7 there; while there's a great need for that, we know
8 that Rikers Island and New York City Department of
9 Corrections is actually more of a holding facility
10 and so some of the... you know I... ultimately I wanna
11 hear again kinda just, what do you think your vision
12 entails for that temporary housing that you are
13 responsible for? Before we get there though, there's
14 been a lot of talk about overtime and my question is,
15 the overtime, is it a direct result of assaults,
16 injuries on duty, workers' compensation, and if so,
17 as there is more conversation about training, will
18 this training... is this training specific enough to
19 deal with the high-risk, high-needs groups that
20 perpetrate the majority of the violence in the
21 prisons and it stands to reason that they are kinda
22 connected; if we can address this issue, then we can
23 reduce the injuries on duty, the compensation and all
24 those other things. So I think that as the Chair of
25 Finance just said, that it's a worthwhile investment

1
2 to kinda invest in this training. But again, so
3 then, before... I guess you could finish with just your
4 short-term view of it, but who is responsible for...
5 whose responsibility is the Queens House of
6 Detention; is that under purview of the Department of
7 Corrections?

8 COMMISSIONER PONTE: Yes it is, it's one
9 of our facilities.

10 COUNCIL MEMBER MILLER: So what's going
11 on with it?

12 COMMISSIONER PONTE: Well it's used for
13 court, it's used for... it's still an intake facility
14 for us, so new inmates coming into the system come
15 through the Queens House; it's pretty good cell
16 space, so if you went through Rikers Island, you
17 looked at some of the areas where housing people in,
18 the Queens House has been substantially renovated,
19 it's in reasonably good shape. As we take on some of
20 these other projects, the fire safety projects, we
21 need some ability to move inmates out of facilities
22 in order to do these major renovations in some of our
23 existing facilities, so it's a... [interpose]
24 [crosstalk]

25

1
2 COUNCIL MEMBER MILLER: So... So that's
3 their primary function now?

4 COMMISSIONER PONTE: Right now the
5 primary function is the ability to handle overload or
6 again, we've had... since I've been here, we've emptied
7 out three or four cell blocks because of a plumbing
8 issue, so those big numbers, we need some place to
9 put these guys; that gives us some flexibility on our
10 populations.

11 COUNCIL MEMBER MILLER: Okay, because I
12 know that the District Attorney was here and he was
13 looking for additional space, being that he's housed
14 in that facility; I guess that's a conversation that
15 you guys could have. So in terms of your overall
16 budget, I know it's pretty ambitious, there's a lot
17 of things that you want to accomplish in terms of
18 keeping inmates and obviously the employees safe on
19 the Island there; what impact, if any, of this year's
20 budget will be as a result of the collective
21 bargaining agreement, and are you... do you think that
22 the collective bargaining agreement ultimately signed
23 would be consistent with the pattern that has already
24 been set through other municipal unions?
25

1
2 COMMISSIONER PONTE: I'm not sure if I
3 can answer that question; I have not been involved
4 directly in the collective bargaining; that's done,
5 you know, from the Mayor's Office, so I'm not sure
6 where that's going with the negotiations achieved or
7 not achieved.

8 COUNCIL MEMBER MILLER: Okay. So I'm
9 just sayin' that ultimately you've gotta know what
10 you've gotta pay your people in order to have a real
11 budget. But that being said, if you could just, in
12 my brief time that we have left, talk a little bit
13 about what you think can be done on a positive note
14 that is more consistent with your overall view of
15 prison reform in the short period of time that you
16 have some of these inmates to work with.

17 COMMISSIONER PONTE: Yeah, I think, from
18 the short time I've been here, the people who know
19 New York City Corrections best are the people working
20 in these jails every day; we need to involve them,
21 and they already know what the problem is, they're
22 the ones in there every day dealing with the issues,
23 dealing with mentally ill, dealing with adolescents,
24 dealing with very violent inmates; we need to involve
25 them in the solution; I'm sure there's many things

1
2 that they can recommend on how we can do better; my
3 hope is to make them part of the solution so together
4 we can build a strong team and make the Island and
5 New York City Corrections safer for everyone.

6 COUNCIL MEMBER MILLER: Okay, thank you
7 so much. And if we could see those numbers, in terms
8 of those who are out via IOD and workers'
9 compensation due to injury on the job, could we have
10 a look at that, please?

11 COMMISSIONER PONTE: Sure.

12 COUNCIL MEMBER MILLER: Thank you so
13 much.

14 CHAIRPERSON FERRERAS: Thank you, Council
15 Member. We will now have Council Member Gibson.

16 COUNCIL MEMBER GIBSON: Thank you. Thank
17 you very much, Madame Chairs and good afternoon,
18 Commissioner; congratulations to you in your
19 appointment and to your team that's here, thank you.
20 A lot to ask, but I will do so in my allotted time.
21 I appreciate your testimony and all the information
22 that you're providing on how we move this agency
23 forward in such a creative way to provide the overall
24 safety for all of our CO staff as well as the
25 inmates. I just have a quick question -- the

1
2 previous administration under Mayor Bloomberg had a
3 Steering Committee of the Citywide Justice and Mental
4 Health and what this committee was composed of --
5 Corrections, Probation, Health and Hospitals,
6 Department of Health -- and working together tried to
7 establish borough-based CIRT programs that were Court
8 Intervention Resources Teams that really worked in a
9 way to identify those young adults that were low-
10 level crime offenders that had mental health issues
11 and it was working in conjunction with the courts and
12 made a series of different recommendations. So now
13 that today's announcement has been made on this new
14 task force on behavioral health and the criminal
15 justice system, I just wanted to get your take on how
16 you think there would be a difference; is this a
17 holistic approach; are we recognizing the mental
18 health facet, and what are we doing to streamline and
19 bring the necessary partners and stakeholders to the
20 table?

21 COMMISSIONER PONTE: The CIRT program is
22 still ongoing; I'll have Erik talk about that. I
23 think the Mayor's initiative is a whole new look at
24 the problem, with current information, so wasn't here
25

1
2 for the other task force and what they accomplished,
3 and there are... [crosstalk]

4 COUNCIL MEMBER GIBSON: Neither was I.

5 COMMISSIONER PONTE: there are things
6 that are ongoing from that, which I think are gonna
7 have positive outcomes.

8 ERIK BERLINER: So the... [clearing throat]
9 the last task force which led to the CIRT program was
10 really looking at leveling the playing field for
11 inmates in our system who have mental illness,
12 because they were staying two to three times longer
13 than those without mental illness for seemingly no
14 other reason, and the CIRT program is a big attempt
15 to try to do just that, to shorten lengths of stay by
16 diverting people safely out of the jail system and
17 into community-based treatment where the... seemingly
18 the... you know the reasons are not about their risk or
19 their risk of flight, but rather, you know the mental
20 illness and the way the system seems to slow down.
21 The ambition of this task force I think is a little
22 more significant, which is to take a holistic look at
23 the criminal justice system from the beginning to the
24 end and find all of the ways in which interventions
25

1
2 can be made and so we're also very much looking
3 forward to working with that.

4 COUNCIL MEMBER GIBSON: And I would just
5 add as well, the training is extremely crucial for
6 the COs and of particular concern to me are those
7 that live with mental illnesses that are not
8 necessarily identifiable and we've had so many cases
9 across the city; unfortunately, once it hits the
10 criminal justice system, then the Pandora's box
11 starts to open and you realize that this person was
12 diagnosed with a condition, not taking medication and
13 many of the other issues. So I guess the training is
14 really important and I know that within this new 8-
15 hour mental health course that we're now starting
16 we're going to wait a while to see the success of the
17 mental health course, but for the current COs, you
18 talked about improving the training for the officers
19 with a mental health component; does that require
20 more hours? Because I know there were times when you
21 had longer training over, you know, five or six days
22 and has there been some modification and now it's two
23 and three; are we focusing on the current workforce
24 and what we can do to increase their training, in
25 particular, the number of hours?

1
2 COMMISSIONER PONTE: The answer is yes,
3 but it's a very expensive proposition and we've
4 asked... we'll go back and actually give you some
5 detail on what that would cost. We don't have an
6 active plan in place; we have increased the training,
7 and we do daily training on post now with our
8 clinical staff and our officers together talking
9 about the behavioral inmates in their care, so that
10 is an exchange of information and skill... building
11 skills, but to retrain everybody to the level that
12 they probably need, that would get very expensive,
13 so.

14 COUNCIL MEMBER GIBSON: Well I certainly
15 know I would love to get some numbers, because if we
16 can start to address that, I think it will go a long
17 way in making a lot of difference. The workforce at
18 your agency is incredible and I applaud the work they
19 do each and every day; it's never easy when you're in
20 public service, but I'm very big on training and
21 education and making sure that our men and women are
22 equipped with understanding how they can do their
23 jobs more effectively and efficiently.

24 I just have one last question about the
25 building maintenance systems. I know that there's

1
2 money in FY15 that focuses on the automatic
3 temperature control systems and obviously, in light
4 of the case of Mr. Murdough that recently happened,
5 [bell] has your agency identified any faulty HVAC
6 systems that are in the facilities, and if so, is
7 there a plan to start to address fixing those HVAC
8 systems?

9 [background comment]

10 ARI WAX: We did identify one faulty
11 temperature control system in AMKC and that work is
12 ongoing; it should be completed by August of this
13 year. We did a thorough check of everything else; we
14 are currently working on upgrades to our air
15 conditioning system on VCBC; we're doing some in AMKC
16 as well, but things are for the most part functioning
17 as they ought to, but that doesn't mean we can't keep
18 a really close... we haven't... we need... need to keep a
19 really close eye on everything and because the new
20 systems are much more complicated and complex, we
21 really need the outside expertise of a vendor to come
22 in and do this work for us and that's the real intent
23 of this particular contract, so we have people that
24 really understand all these nuances of the systems to
25 come in, and most important, do preventive

1
2 maintenance before we actually have to do the
3 repairs, we wanna make sure we identify things before
4 they happen, and that's really the goal.

5 COUNCIL MEMBER GIBSON: So the contract
6 you just described is current or was that a part of
7 previously?

8 ARI WAX: We have one contract currently
9 in place that we've amended to expand to all our
10 jails and that's currently in place; this contract
11 will be in place probably in the fall and that will
12 carry us on for several years.

13 COUNCIL MEMBER GIBSON: Okay. Thank you
14 very much. Thank you, Madame Chairs.

15 CHAIRPERSON FERRERAS: Thank you, Council
16 Member. I have a question on inmates that either
17 have emergencies or fall sick and have to go to
18 Elmhurst Hospital; Elmhurst Hospital is in my
19 district, and for someone who's visiting the hospital
20 on their own emergency, it is very startling to also
21 have one or two or maybe five inmates in the
22 emergency room with you; I'm working currently with
23 HHC for an expansion of Elmhurst Hospital; is there
24 another facility where... that may be closer where
25

1
2 inmates can be taken or is Elmhurst Hospital the only
3 option? [crosstalk]

4 COMMISSIONER PONTE: I'm not sure if we
5 get to make that choice and [sneeze] Erik...

6 ERIK BERLINER: We don't. When inmates
7 can be safely held for transport by the Department of
8 Correction, we take inmates to Bellevue Hospital
9 directly. Our understanding over many years now is
10 that EMS protocol is to take inmates coming from
11 Rikers to the closest municipal hospital, which is
12 Elmhurst, and that's why there are so many there; we
13 do have a lot of EMS runs off of the Island; we work
14 closely with the Health Department and HHC to
15 minimize that to the lowest number possible
16 obviously, but yes, anybody who's been to the
17 Elmhurst ER knows of what you speak.

18 CHAIRPERSON FERRERAS: Right, on any
19 given day... and I have been there when there are other
20 inmates and not necessarily sitting there quietly
21 waiting for their doctor to come give them attention;
22 it's quite nerve-wracking actually for someone who's
23 in an emergency situation themselves to have to then
24 be a part of... So do you work at all with the HHC
25

1
2 staff to train them or... and how many officers travel
3 with an inmate to the hospital?

4 COMMISSIONER PONTE: It would depend on
5 their security designation, but I think the minimum
6 for us is two, right Chief?

7 CHAIRPERSON FERRERAS: So two officers.
8 And they could be taken... are they replaced by
9 overtime officers or how long does it take...
10 [interpose]

11 COMMISSIONER PONTE: The...

12 CHAIRPERSON FERRERAS: on average for an
13 officer to be with an inmate off the Island?

14 COMMISSIONER PONTE: It... I would say, as
15 we've been to emergency rooms, it sometimes takes a
16 while, so...

17 CHAIRPERSON FERRERAS: Yeah.

18 COMMISSIONER PONTE: the officers that go
19 on these emergency trips are replaced with overtime
20 as the need... so you may have a couple officers,
21 depending on what you're doing any course of the day
22 that could take an emergency trip and not require
23 overtime, but you quickly diminish that if you have
24 [background comments] several trips going out, so
25 it's really a decision made by the facility on, you

1
2 know, what's available at a particular point in time.
3 [interpose]

4 CHAIRPERSON FERRERAS: So...

5 COMMISSIONER PONTE: The evening shift
6 would have much less... [interpose]

7 CHAIRPERSON FERRERAS: Right.

8 COMMISSIONER PONTE: flexibility.

9 CHAIRPERSON FERRERAS: Are there
10 emergency medical, I guess unit or doctors or nurses
11 on Rikers currently?

12 COMMISSIONER PONTE: Yes there is, and we
13 do have the ability to do emergency first aid, but
14 you know we're not a hospital... [crosstalk]

15 CHAIRPERSON FERRERAS: Right.

16 COMMISSIONER PONTE: but need to get
17 them... [crosstalk]

18 CHAIRPERSON FERRERAS: And then can you
19 just walk me through the difference between the
20 Bellevue trip and the Elmhurst trip? Like how is a
21 decision made?

22 ERIK BERLINER: It's made typically by
23 the medical staff about what the emergency level is;
24 anybody who's in... seemingly in distress or whose
25 transport requires, you know skilled medical

1
2 technicians would have to go via EMS and therefore to
3 Elmhurst Hospital, so we use Bellevue Hospital where
4 we can; most of our male psychiatric ones would go
5 there; in addition, anything that was for, you know,
6 basic testing, not likely to be life-threatening
7 could go to Bellevue Hospital and obviously for
8 follow-up care and things like that we can do it via
9 our transportation, but the decision about the speed
10 with which somebody needs to get to the hospital is
11 made by the doctor, and just to add to what the
12 Commissioner said, there's an MD in every DOC
13 facility 24/7, so there's always clinical staff
14 there.

15 CHAIRPERSON FERRERAS: Okay. Thank you.
16 I'm gonna pass it over to my Chair before we wrap up.

17 CO-CHAIR CROWLEY: Earlier my colleague,
18 Council Member Gibson, was asking questions about
19 your building maintenance system, [background
20 comment] the death of Jerome Murdough due to the
21 faulty equipment at Rikers, did the Department know
22 that there was a problem with that HVAC system before
23 Mr. Murdough died?

24 ARI WAX: No.
25

1
2 CO-CHAIR CROWLEY: No? 'Cause I had read
3 reports, and I'm not sure if they were true, that
4 there was some maintenance report that was submitted
5 a few days earlier and that the system was failed. I
6 mean... and also, like I'm surprised that it took
7 somebody to die to realize that there was a HVAC
8 system problem in that facility.

9 ARI WAX: Well there was some malfunction
10 in that facility that triggered the problems with the
11 V... [interpose]

12 CHAIRPERSON FERRERAS: You... I'm sorry;
13 can you speak into the mic, please?

14 ARI WAX: There was some malfunctioning
15 equipment in that facility that contributed to the
16 problems with the heat; it wasn't necessarily a
17 systems fail in and of itself, it was a perfect storm
18 of things that went wrong there.

19 CO-CHAIR CROWLEY: I was under the
20 impression that was going on for days before it was
21 addressed and that it was only addressed because of
22 the death.

23 ARI WAX: Well the matter is still under
24 investigation as to how the work orders were
25 submitted and how they were acted upon.

CO-CHAIR CROWLEY: Were there any complaints about that heating system the Department was made aware of prior to the death of Mr. Murdough?

ARI WAX: Again, the matter is currently under investigation, so we can't really comment.

CO-CHAIR CROWLEY: Can't say for certainty. Well are other faulty systems outside of the HVAC system that we should know about?

ARI WAX: No, not that we're aware of that we have to... there's ongoing maintenance to a whole bunch of systems that now... there's no... [crosstalk]

CO-CHAIR CROWLEY: All of your fire alarm systems work?

ARI WAX: Fire alarm systems are being brought up [background comment] as we go along; that's what the Commissioner talked... [crosstalk]

CO-CHAIR CROWLEY: But are there jails where you house inmates where this system for fire alarm notification is broken?

ARI WAX: If anything is broken it is identified by the Fire Safety Unit and it's repaired, but again, we're in the process of upgrading all our fire alarm systems and all our... [crosstalk]

CO-CHAIR CROWLEY: I know, but DOC's been updating the fire alarm systems since I've become the Chair of the Committee, [laugh] which has been four years [sic]. [crosstalk]

ARI WAX: We're on the verge of getting it done; it's been an extensive project and facilities that are being brought online are actually working... [crosstalk]

CO-CHAIR CROWLEY: I just, you know... and there was a fire a few years ago; thank god nobody was seriously injured, however, a fire like that can happen again and if we know that the systems are not working properly, we must do our best to get them up to speed. [background comment]

I wanted to ask a question about your North Infirmary Command; it appears that there will be more uniformed positions in this area; is this the area where an inmate assaulted a clinician recently, that was documented on video? I read about it in the Daily News, I think or some other newspaper.

[background comments]

ERIK BERLINER: No. The North Infirmary Command is two buildings, one is our infirmary that continued to be open for many years; the main

1
2 building has been closed for the last two or three
3 years now for renovation. The incident that you're
4 talking about occurred in... I'm not sure which one,
5 there were two high-profile incidents, but one
6 occurred in AMKC and one occurred in GRVC.

7 CO-CHAIR CROWLEY: Okay. And earlier my
8 colleague, Council Member Ferreras, asked about the
9 protocol when bringing an inmate to Elmhurst
10 Hospital; has your protocol changed when an inmate is
11 brought to a clinician, doctor or any type of health
12 care staff to prevent a tragedy from happening like
13 what happened that day when the doctor got her jaw
14 broken from an inmate?

15 COMMISSIONER PONTE: I'll let Erik finish
16 this answer, but the change in how we treat inmates
17 or how clinicians interact with inmates is different...
18 [interpose]

19 CO-CHAIR CROWLEY: No, I mean really, the
20 escort, safety, because [background comment] there
21 was nobody to restrain that inmate from hurting the
22 clinician. So has... [crosstalk]

23 COMMISSIONER PONTE: Correct.

24 CO-CHAIR CROWLEY: policy changed; had
25 there been a correction officer protecting the

1
2 doctor, then maybe her jaw would never have been
3 broken.

4 COMMISSIONER PONTE: There were officers
5 in the immediate proximity that responded
6 immediately; it was such a instantaneous act that I'm
7 not sure if three people standing there could've
8 prevented it. So the awareness of staff is...
9 situational awareness is one thing that will help
10 keep them safe; we've covered that in training,
11 wardens meet with medical and clinical staff to talk
12 about protocols and equipment and policy procedure...
13 [interpose]

14 CO-CHAIR CROWLEY: But Commissioner,
15 staff is aware that inmates can act up any time and
16 they're dealing with inmates before you changed the
17 training around after this situation. I mean...

18 COMMISSIONER PONTE: Right.

19 CO-CHAIR CROWLEY: what has the
20 Department done to ensure that this would never
21 happen again?

22 COMMISSIONER PONTE: I don't think
23 there's an answer where we could assure it will never
24 happen again. [crosstalk]

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CO-CHAIR CROWLEY: Okay. But the likelihood of such an act...

COMMISSIONER PONTE: I think we... again, we've made everybody aware, we've improved the communication, we've increased a dialogue between uniformed staff and our clinician staff; we made our wardens aware of what's happening in these units to make sure that they're directly involved with the unit staff, and I think it's much more of a team approach...

CO-CHAIR CROWLEY: Right.

COMMISSIONER PONTE: but for clinicians to interact with inmates they need to have that contact and so I'm not sure if there's anything more... [interpose]

CO-CHAIR CROWLEY: I believe there was only one correction officer near the inmate at that time; whether the Department knew that that inmate was a violent inmate, but you know, it's one thing to have a policy for inmates that are nonviolent, but when a violent inmate is brought to a doctor, I believe there should be two correction officers very close... just like you're doing when you bring an inmate to Elmhurst Hospital. I think it would be a

1
2 wise decision on part of the Department. Moving
3 forward, just in the interest of time, earlier a lot
4 of talk happened between various different questions
5 from the Committee here and Commissioner about the
6 train... I think it's it important for the Committee to
7 know that when an inmate has a mental health
8 diagnosis, your correction officer does not know
9 that; most of the time they're in general population
10 and so when you talk about training, additional
11 training for a few officers, the need is for all.
12 The Chair said that earlier, I am going to reiterate
13 that, whether you know, you have two-day refreshers,
14 which... 4 or 8 hours, doesn't seem like a whole lot of
15 training that happens, because I know that your
16 officers are getting trained in up-to-date CPR, first
17 aid, sexual harassment, fire safety, you know,
18 different reports that they have to write; it doesn't
19 leave a whole lot of time to train them about care of
20 a mental health inmate and how they should give that
21 care to all inmates because they do not now which
22 inmates have that diagnosis. And just lastly, with
23 your table of organization and your head count, on
24 average it appears the Department is having
25 correction officers work an ungodly amount of hours

1
2 in overtime; it does not appear that the classes are
3 staffing up to meet the demand and I mean there's
4 laws that are being broken because... I don't know the
5 amount of hours, but I've heard before in previous
6 budget hearings it's about 30 some odd hours a months
7 of overtime an officer is allowed to have, but yet on
8 average your officers are exceeding that by two or
9 three times; I highlight this because the likelihood
10 of incidents happening, officers being tired; staff,
11 getting out of control could lend itself to a
12 situation where the officers are overworked. What is
13 the amount of hours, just for the Committee to know?

14 ARI WAX: The correction officer has a
15 maximum cap of 57 hours; we have about 8 percent of
16 our correction officer staff exceed that cap; it's
17 usually in the specialized units, like ESU and so
18 forth where that happens. The average overtime
19 earned by a correction officer is approximately 17
20 hours a month.

21 CO-CHAIR CROWLEY: Okay. I know that
22 Council Member Gibson has questions.

23 [background comment]
24
25

1
2 CHAIRPERSON FERRERAS: We... actually, I
3 have Council Member Vallone, followed by Council
4 Member Gibson.

5 COUNCIL MEMBER VALLONE: Good afternoon
6 and congratulations Commissioner. [background
7 comment] Thank you for having me at your... the last
8 corrections and the Board of Corrections meeting last
9 week; as always, it's very informative when you hear
10 from all three sides.

11 One of the things that came up I guess
12 was the study that Corrections performed in looking
13 at alternative systems throughout the country and
14 there was important... there was testimony at that
15 monthly hearing that in San Francisco, in California
16 was probably the closest comparative system, but the
17 main obstacle and the reason why it wouldn't ever be
18 realistic here in the City is because of the
19 structural or the infrastructure difference between
20 the facilities there in San Francisco and there on
21 Rikers Island. Is that pretty much a fair summary of
22 what the testimony was that day?

23 COMMISSIONER PONTE: That was a summary
24 of what other said, yes.
25

1
2 COUNCIL MEMBER VALLONE: And I see in
3 this year's budget, almost half of it is for the
4 starting of the initiative of the new facility, for
5 the new jail; seems like most of that's gonna carry
6 over to next year, but yet it's in this year's
7 budget, so... and then also, it seems like they're
8 putting that on hold to give I guess some time for
9 you to assess what's the best ways to use that
10 building. I would like to see that building start
11 going as soon as possible, 'cause putting good money
12 after bad on trying to renovate some of these older
13 facilities is not really gonna be an answer; can... it
14 may have been addressed, I apologize for coming late,
15 but can you give me an update on that new facility?

16 COMMISSIONER PONTE: I think what we're
17 doing is exactly what you're asking, is to look at
18 the program and see if the program will fit in the
19 current design or should we modify the design to fit
20 the program; as, what you said, the San Francisco
21 model was better... the facility was a better design
22 for that program; that's kind of the discussion we're
23 having.

24 COUNCIL MEMBER VALLONE: But I also
25 don't... I think the priority should be to get that

1
2 structure as quickly online as possible, whether we
3 tweak a particular room [sic] or not, I think there's
4 not a jail there on Rikers that doesn't need a major
5 overhaul, so a new structure would be well, I think,
6 intended to overtake the air conditioner issues,
7 segregation issues, better use of mental health
8 treatment and facilities, better having the inmates
9 or the detainees segregated in a way that's best,
10 'cause I think what a lot of folks, without going to
11 Rikers Island, don't understand the complexities that
12 face... the Island itself creates a situation that
13 nowhere else exists in the world.

14 COMMISSIONER PONTE: Right.

15 COUNCIL MEMBER VALLONE: Is there... I see
16 in your statement future interagency relations with
17 the Department of Health; I don't know if that was
18 addressed, but I'd be very interested on hearing how
19 that's gonna change, 'cause if I were to give my
20 summary of what the biggest problem/concern or focus
21 would be, a lot of times the Department of Health
22 with a handcuff or have situations that the
23 Department of Corrections, is left to fix and visa
24 versa, the Department of Health would like the
25 Department of Corrections to have better interaction

1
2 with their medical facility; there always seems to be
3 this problem between the two in joining [sic] at
4 Rikers. So what are some of the initiatives you
5 would like to see change?

6 COMMISSIONER PONTE: I started off, since
7 Commissioner Bassett and myself are both new, I met
8 with the Commissioner and we talked about, you know,
9 what could we do moving forward as a partnership
10 between her agency and ours, so rather than to talk
11 about each other, about talking about a partnership
12 to improve the quality of the care that we're
13 required to provide. So I think we've started that
14 dialogue, but between the commissioners we took that
15 dialogue and met with out command staff with that
16 same mindset; let's talk about how do we fix problems
17 and not who to blame and I think we've made some
18 progress on that and some willingness to work on
19 issues that we were kind of taking positions on
20 before. So there's a much more openness, better
21 consideration of each other's positions and I think
22 as we discuss problems and we really talk about how
23 to fix things and not talking about what the problem
24 is as much as how do we make progress.
25

1
2 COUNCIL MEMBER VALLONE: Well how's that
3 gonna happen though? I'm just curious; is there
4 gonna be a different setup or protocol at the Board
5 of Corrections meetings; is there gonna be more
6 interagency... 'cause it just goes from month to month
7 and I'd like to see that change; maybe with your
8 leadership that could take that step in that
9 direction.

10 COMMISSIONER PONTE: Yeah. And with
11 Commissioner Bassett also, we attend these meetings;
12 I think we're gonna be much more involved in how
13 things move forward, to make sure that we're always
14 focused on outcomes. And so we're all here for one
15 purpose and if we focus on the outcomes, then we
16 really can't go wrong.

17 COUNCIL MEMBER VALLONE: The jail
18 management system, how close are we to finalizing the
19 completion of the overhaul there?

20 ARI WAX: We hope by the end of next
21 calendar year.

22 COUNCIL MEMBER VALLONE: What is left to
23 be done?

24 ARI WAX: We have to... an RFP is being
25 released to get... [interpose]

1
2 CHAIRPERSON FERRERAS: I'm sorry; can you
3 just talk into the...

4 ARI WAX: I'm sorry. We have to switch
5 vendors, [bell] so we have to bring a new vendor into
6 place to do this. A lot of the initial design work
7 has been done, but the implementation work requires a
8 new vendor and that process is underway.

9 COUNCIL MEMBER VALLONE: We need a new
10 vendor?

11 ARI WAX: Yes.

12 COUNCIL MEMBER VALLONE: What couldn't
13 the old vendor do?

14 ARI WAX: There are reasons why this old
15 vendor was not working out to the best interest of
16 the agency, so we have to select a new vendor.

17 COUNCIL MEMBER VALLONE: And you're
18 thinking by the end of this year?

19 ARI WAX: No, no; end of next year. End
20 of next year to complete the project; identify
21 another vendor in the next several months.

22 COUNCIL MEMBER VALLONE: Has the RFP been
23 released?

24 ARI WAX: Yes.
25

1

2

COUNCIL MEMBER VALLONE: Have...

3

[crosstalk]

4

5

ARI WAX: The RFP actually is being reviewed by the oversight agency; then it'll be released.

6

7

8

COUNCIL MEMBER VALLONE: And my last statement would be just, I look forward to the cooperation, using the Board of Corrections and the agencies together so that we can solve these problems. I thank you.

10

11

12

13

14

15

16

17

CHAIRPERSON FERRERAS: Thank you very much, and we'll have follow-up questions for the Committee, Council Member, so we'll be sure to include that so they can circle back with us. Now we will hear part of our second round and a three-minute clock from Council Member Gibson.

18

19

COUNCIL MEMBER GIBSON: Okay, I'll be very quick.

20

21

22

23

24

25

CHAIRPERSON FERRERAS: Thank you.

COUNCIL MEMBER GIBSON: I just wanted to ask about any potential additional borough facilities. So I represent Bronx County, with the barge in Hunts Point, so I just wanted to know; is that permanent, temporary; are there any future plans

1
2 to expand; how that necessarily, if it does or does
3 not tie into Rikers Island, and is there any new
4 facility being planned for Bronx County, so I know?

5 COMMISSIONER PONTE: Not that I know of.
6 [laughter] There is no new facility being planned
7 for Bronx County; the barge, VCBC, is there for a
8 long haul, it's some 800-odd air conditioning beds
9 that we have out there; it is an important facility
10 for us to have, it also does our intake from Bronx
11 and Queens County; it's not going anywhere any time
12 soon, but we do not have any plans on doing any new...
13 building any new facilities in the Bronx.

14 COUNCIL MEMBER GIBSON: No new facilities
15 in the Bronx, right? I just wanna make sure so I
16 assure my residents that there's nothing new coming
17 to the Bronx.

18 COMMISSIONER PONTE: There is no such
19 plan on the table at this point in time, no.

20 COUNCIL MEMBER GIBSON: Okay. Thank you
21 again.

22 [background comment]

23 CHAIRPERSON FERRERAS: Thank you for your
24 detailed and comprehensive testimony as you are
25 charged with providing care and custody for New York

1
2 City's vulnerable population; as Chair of the Finance
3 Committee I look forward to reconvening the
4 discussions in the next few months to finalize the
5 plans of DOC's reconstruction and how this Council
6 can work with you to ensure that there is enough
7 trained officers and resources available to meet the
8 demands of your agency. So I thank you for you
9 coming to testify today.

10 COMMISSIONER PONTE: Thank you.

11 CHAIRPERSON FERRERAS: This concludes our
12 hearings for today; the Finance Committee will resume
13 the Executive Budget hearings tomorrow, June 3rd, at
14 10 a.m., the hearings will be held in this room.
15 Tomorrow we will hear from the five libraries, the
16 Department of Cultural Affairs, the School
17 Construction Authority and NYCHA. As a reminder, the
18 public will be allowed to testify on the last day of
19 budget hearings on June 6th, beginning at
20 approximately 3:30 p.m. The public session will be
21 held in this room, the members of the public who wish
22 to testify but cannot make the hearing, you can email
23 your testimony to the Finance Division and the staff
24 will make it a part of the official record. The
25 email address is financetestimony@council.nyc.gov.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Thank you again... we've been joined also by Council
Member Cumbo. This hearing is now adjourned.

[gavel]

[background comments]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date June 6, 2014