

THE COUNCIL OF THE CITY OF NEW YORK

Hon. Corey Johnson
Speaker of the Council

Hon. Mark Levine
Chair, Committee on Health



Report of the Finance Division on the
Fiscal 2019 Preliminary Budget and the
Fiscal 2018 Preliminary Mayor's Management Report for the
Office of the Chief Medical Examiner

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Office of the Chief Medical Examiner Overview

Falling under the Department of Health and Mental Hygiene (DOHMH), the New York City Office of the Chief Medical Examiner (OCME or the Office) conducts independent investigations using advanced forensic science in the service of families, communities, and the criminal justice system. The Office's work provides answers for those affected by sudden and traumatic loss and helps to protect public health. OCME experts investigate approximately 8,500 deaths per year in New York City and test tens of thousands of items of evidence in the OCME laboratories. These results inform legal proceedings, shape public health policy, and help families settle their affairs.

With more than 700 employees working throughout the five boroughs, OCME constitutes the largest medical examiner's office in the United States and operates the only molecular genetics laboratory housed in a medical examiner's office in the country. The Office's DNA crime laboratory remains the largest such public laboratory in the world, testing physical evidence from criminal cases in the City. OCME also maintains a specialized mass fatality management team that regularly shares its expertise in responding to disasters with other jurisdictions.

The Office maintains jurisdiction over the Repository at the World Trade Center Memorial. The Repository lies within the structure of the National September 11 Memorial complex and is accessed, operated, and maintained solely by OCME. Under the professional auspices of the Office, the Repository provides a dignified and reverential setting for victim remains to repose, temporarily or in perpetuity, as the identification work continues.

Regarding the authority and responsibilities of the Office, OCME investigates all deaths of persons in NYC occurring from criminal violence, by accident, by suicide, suddenly when in apparent health, or in any unusual or suspicious manner. OCME also reviews all applications for a permit to cremate the body of any person who dies in NYC. In addition, OCME serves as the mortuary for the City, with a legal mandate to take custody of all unidentified and unclaimed remains in the five boroughs.

Report Structure

This report reviews the Office of the Chief Medical Examiner's \$78.4 million Fiscal 2019 Preliminary Budget. The report provides a financial summary, followed by highlights of the Fiscal 2019 Preliminary Budget and the Fiscal 2018 Preliminary Mayor's Management Report and an analysis of OCME capital projects in DOHMH's Preliminary Commitment Plan for Fiscal 2018-2022.

Fiscal 2019 Preliminary Plan Highlights

Expense Budget

The Fiscal 2019 Preliminary Budget allocates \$78.4 million to OCME, an increase of \$5.3 million or seven percent, when compared to the \$73.1 million Fiscal 2018 Adopted Budget. City tax-levy (CTL) increased by \$4.2 million during this period to \$76.5 million. The State government provides nearly \$1 million in OCME's Fiscal 2019 Preliminary Budget, including forfeiture law enforcement funding. The federal government also provides about \$1 million in Fiscal 2019, including funding for the Urban Areas Security Initiative (UASI). The OCME budget represents less than five percent

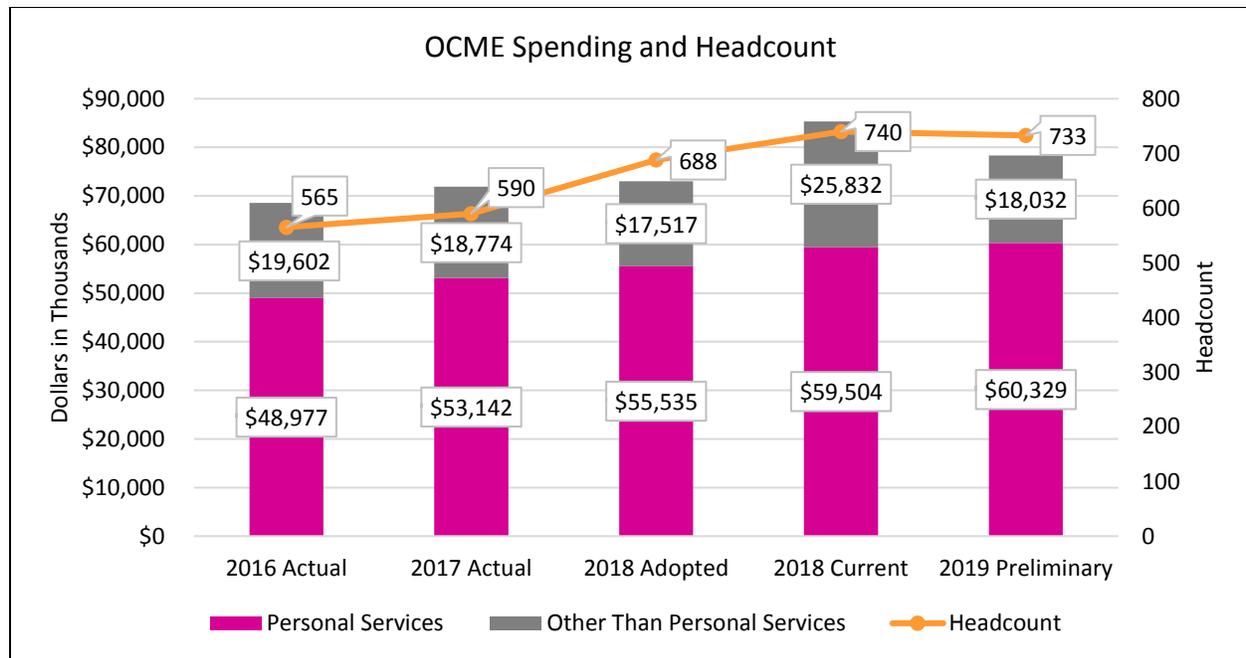
of the Department of Health and Mental Hygiene's \$1.6 billion budget. For more information, see Appendix A: DOHMH Budget Actions in the November and Preliminary Plans on page 12.

OCME Expense Funding						
<i>Dollars in Thousands</i>						
	2016	2017	2018	Preliminary Plan		*Difference
	Actual	Actual	Adopted	2018	2019	2018 - 2019
Spending						
Personal Services						
Full-Time Salaried - Civilian	\$41,401	\$44,451	\$49,245	\$51,594	\$54,031	\$4,785
Unsalariated	132	163	98	98	98	0
Additional Gross Pay	2,212	2,763	1,447	1,503	1,447	0
Overtime - Civilian	5,066	5,497	2,934	3,216	2,851	(83)
Amounts to be Scheduled	0	0	1,551	1,551	1,570	19
Fringe Benefits	166	267	258	1,542	331	73
Subtotal	\$48,977	\$53,142	\$55,535	\$59,504	\$60,329	\$4,794
Other Than Personal Services						
Supplies and Materials	\$4,625	\$4,691	\$4,852	\$8,453	\$6,492	\$1,640
Other Services and Charges	7,092	7,301	7,423	6,510	6,219	(1,204)
Property and Equipment	1,906	775	455	2,167	902	447
Contractual Services	5,980	6,008	4,788	8,702	4,420	(368)
Subtotal	\$19,602	\$18,774	\$17,517	\$25,832	\$18,032	\$515
TOTAL	\$68,580	\$71,916	\$73,052	\$85,336	\$78,361	\$5,309
Funding						
City Funds			\$72,231	\$72,487	\$76,460	\$4,229
Federal - Other			821	6,438	909	88
State			0	4,864	992	992
IntraCity			0	1,356	0	0
Other Categorical			0	192	0	0
TOTAL	\$68,580	\$71,916	\$73,052	\$85,336	\$78,361	\$5,309
Budgeted Headcount						
Full-Time Positions - Civilian	565	590	688	740	733	45
TOTAL	565	590	688	740	733	45

**The difference of Fiscal 2018 Adopted compared to Fiscal 2019 Preliminary Budget.*

The Fiscal 2019 Preliminary Plan increases the Office's headcount by 45 City-funded full-time positions, when compared to the budget at adoption. This seven percent increase in headcount raises the Office's total headcount to 733 positions in Fiscal 2019. Due to the staff-intensive nature of the Office's work, Personal Services (PS) spending accounts for 77 percent of OCME's total Fiscal 2019 Preliminary Budget at \$60.3 million. Other Than Personal Services (OTPS) spending represents the remaining 23 percent at \$18 million. OCME funding in the Fiscal 2019 Preliminary Budget supports various programs and services, from Emergency Management and Mortuary Operations to Histology and Toxicology.

The following chart shows the Office's actual and planned spending and headcount as of the Fiscal 2019 Preliminary Plan. For more information, see Appendix B: OCME Expense Funding on page 13.



Fiscal 2018

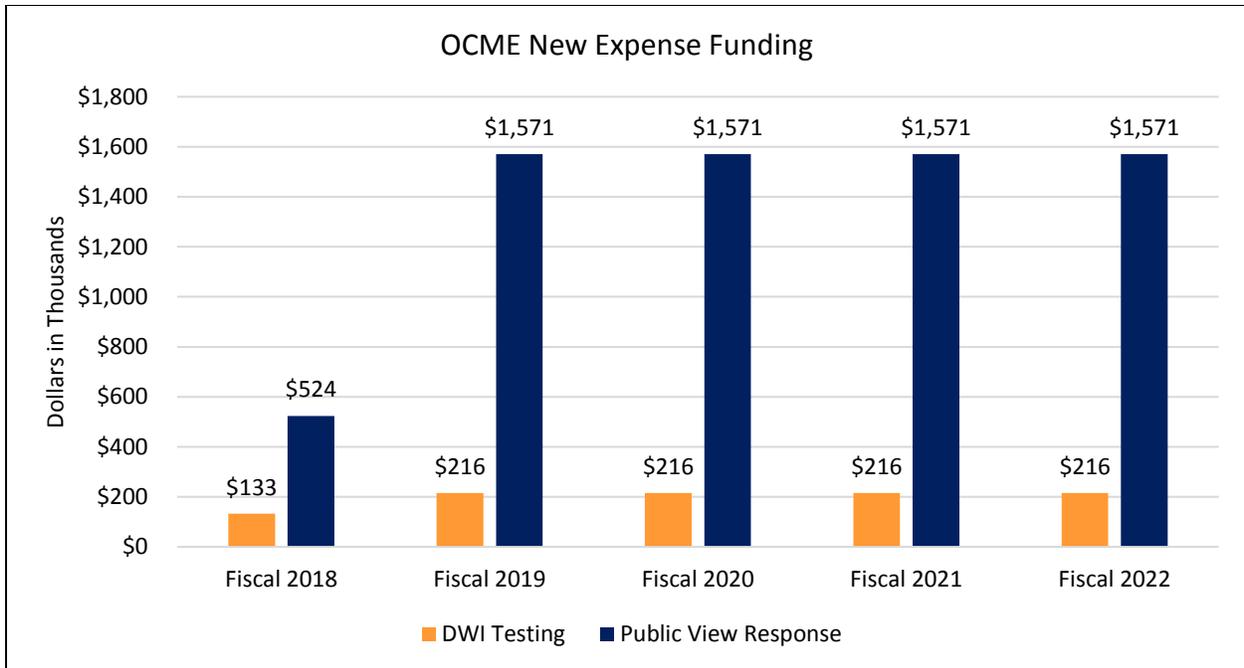
Regarding the current fiscal year, the Office’s budget totals \$85.3 million. The Office typically does not include federal and State funding in its preliminary appropriations but, rather, modifies the budget over the course of the fiscal year as it receives the funding. This funding is generally in the form of grants. In the Fiscal 2019 Preliminary Budget, the Office recognizes \$4.9 million in State funding in Fiscal 2018, \$6.4 million in federal funding, and \$1.4 million in intracity funding, as well as a \$192,000 other-categorical grant.

The Fiscal 2018 State funding includes a \$1 million DNA laboratory grant, as well as \$3.7 million in forfeiture law enforcement funding. The Fiscal 2018 federal funding includes \$2 million from the National Institute of Justice (NIJ), \$1.1 million from the UASI, and \$2.9 million for forensic casework to reduce the DNA backlog.

The Fiscal 2019 Preliminary Plan increases the headcount in the current fiscal year by 52 positions, or eight percent, when compared to the budget at adoption – to 740 positions.

New Needs

The Office’s Fiscal 2019 Preliminary Plan includes new expense funding totaling \$656,000 in Fiscal 2018 and \$1.8 million in Fiscal 2019 and in the outyears. Specifically, the Plan adds \$47,000 in Fiscal 2018 and \$141,000 in Fiscal 2019 and in the outyears for Driving While Impaired (DWI) testing, as well as two positions for the work. The Plan also adds \$524,000 in Fiscal 2018 and \$1.6 million in Fiscal 2019 and in the outyears for the Public View Response, as well as 20 positions for the project. The following graph shows OCME’s new expense funding in the Fiscal 2019 Preliminary Plan.



Driving While Impaired (DWI) Testing

The OCME Forensic Toxicology Laboratory constitutes the only New York City-based laboratory accredited for testing drugs and alcohol in forensic cases. The Laboratory boasts 26 technical staff accredited by the American Board of Forensic Toxicology (ABFT) and by New York State to test for alcohol in these cases. The new funding will increase the laboratory’s testing capacity as cases move from an out-of-state private laboratory to OCME. The OCME Forensic Toxicology Laboratory, with support from the five District Attorneys’ Offices and the Police Department, recently received approval to test all intoxicant specimens for drug or alcohol impaired driving collected in New York City.

In addition to laboratory supplies, computer supplies, and licenses, the funding will support two new positions starting in Fiscal 2018. The laboratory criminalist will accession new cases, monitor chain of custody, and perform routine drug and alcohol tests. The stock worker will manage laboratory supplies, handle gas cylinders, and liaise with the receiving department for delivery of goods.

Public View Response

OCME currently runs four Medical Examiner Transport Teams (METTs) 24 hours a day, 365 days a year – transporting approximately 10,000 decedents annually. Each METT vehicle requires a team of 10 personnel to operate. The Office currently runs the four METTs with 40 staff and runs a fifth METT on overtime. The new funding will support 20 additional staff, forming two new METTs and reducing response times to fatal incidents in public.

Fiscal 2018 Preliminary Mayor’s Management Report

The Preliminary Mayor’s Management Report (PMMR) for Fiscal 2018 provides a comprehensive assessment of the City’s performance from July through October 2017. The PMMR enables the public to evaluate agency effectiveness and efficiency in meeting the central needs of New Yorkers. The PMMR evaluates the ability of the Office to (1) perform the processes necessary to

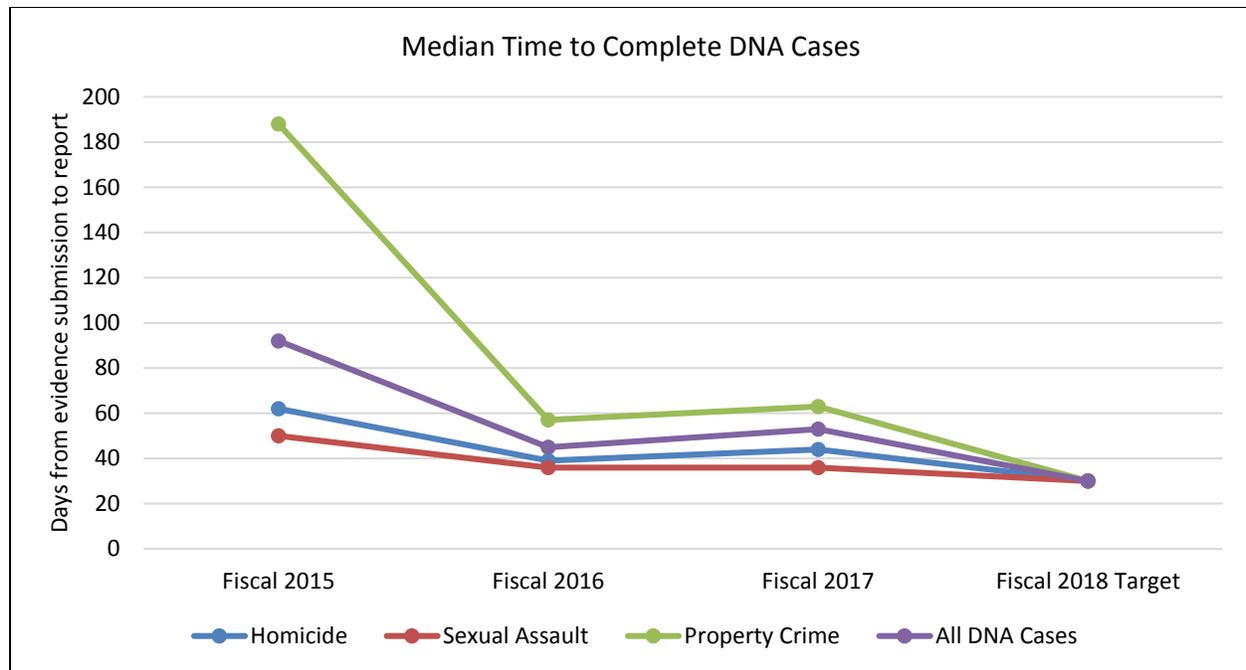
certify deaths falling within the agency’s jurisdiction; (2) provide mortuary services to the City; (3) respond to disasters and emergencies when fatalities are involved; and (4) provide services to the city for forensic purposes.

The Forensic Biology Laboratory

The Office, tasked with providing services to the City for forensic purposes, strives to provide timely and accurate laboratory services for criminal justice purposes. The Department of Forensic Biology operates the largest public DNA crime laboratory in the world, with more than 160 forensic DNA scientists. The Forensic Biology Laboratory performs serology and DNA testing on physical evidence from criminal cases within NYC. It tests approximately 40,000 items of evidence each year from nearly every category of crime including homicide, sexual assault, felony assault, robbery, burglary, hate crimes, and weapons possession. The Laboratory also performs testing associated with missing persons, unidentified remains, and the ongoing effort to identify World Trade Center victims.

The median time to complete analysis of a DNA case increased to 53 days in Fiscal 2017, an increase of eight days when compared to Fiscal 2016. In the first four months of Fiscal 2018, the Laboratory required 66 days to complete a DNA case – a 50 percent increase when compared to the same period last year. The largest increase in case completion time occurred for DNA property crime cases. During the first four months of Fiscal 2018, the median time to complete DNA property crime cases from evidence submission to report increased to 164 days, an increase of 110 days when compared to the same period last year. OCME reports that an increase in case submissions and OCME’s mandate, in partnership with enforcement agencies, to prioritize crimes against people and gun crimes over property crimes drove the increase.

Performance Indicators	Actual			Target		4-Month Actual	
	FY15	FY16	FY17	FY18	FY19	FY17	FY18
Median days to complete analysis of a DNA case	92.0	45.0	53.0	30.0	30.0	44.0	66.0
Median time to complete DNA homicide cases, from evidence submission to report (days)	62.0	39.0	44.0	30.0	30.0	38.5	39.0
Median time to complete DNA sexual assault cases, from evidence submission to report (days)	50.0	36.0	36.0	30.0	30.0	31.0	41.0
Median time to complete DNA property crime cases, from evidence submission to report (days)	188.0	57.0	63.0	30.0	30.0	54.0	164.0
DNA matches with profiles in database	6,008	7,758	8,719	-	-	3,039	2,919



The above chart shows the median time to complete DNA cases from Fiscal 2015 to the Fiscal 2018 target, measured in days from evidence submission to report – as stated in the PMMR for Fiscal 2018.

The Forensic Toxicology Laboratory

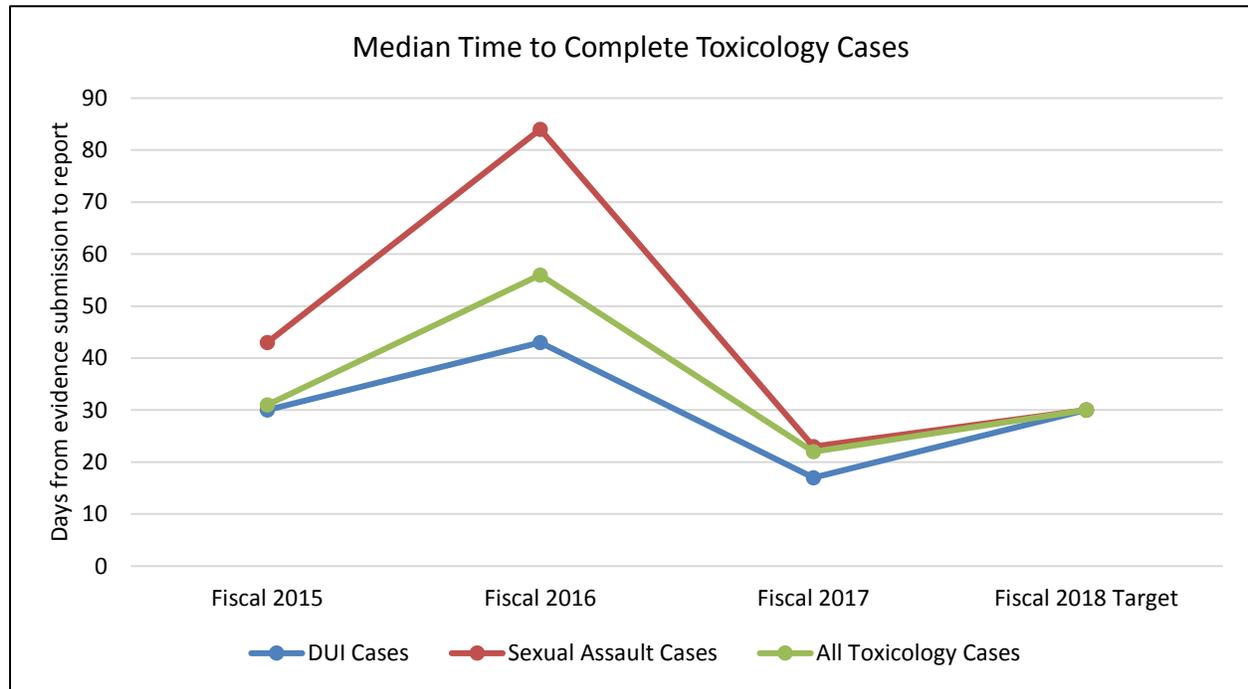
The OCME Forensic Toxicology Laboratory tests biological samples for illicit drugs and intoxicants and for therapeutic drugs. Over the past two years, the Laboratory has eliminated a backlog of more than 800 cases. OCME reports that the Laboratory completes more than 98 percent of all toxicology cases are within 30 days or less, twice as fast as the national standard.

In the first four months of Fiscal 2018, the Forensic Toxicology Laboratory completed toxicology cases in the median time of 18 days, representing an 18 percent improvement in median case completion time compared to the same period in Fiscal 2017. Specifically, in the Fiscal 2018 four-month actual report, the Laboratory reported 19 days as the median time to complete toxicology DUI cases and 17 days as the median time to complete toxicology sexual assault cases.

OCME revised the Fiscal 2018 and Fiscal 2019 targets for the median time to complete toxicology cases to 30 days, the same targets for the other median time indicators under the goal of providing timely and accurate laboratory services for criminal justice purposes. OCME reports that an anticipated increased workload at the Forensic Toxicology Laboratory informed the new targets.

Performance Indicators	Actual			Target		4-Month Actual	
	FY15	FY16	FY17	FY18	FY19	FY17	FY18
Median time to complete toxicology cases (days)	31.0	56.0	22.0	30.0	30.0	22.0	18.0
Median time to complete toxicology DUI (driving under the influence) cases (days)	30.0	43.0	17.0	30.0	30.0	19.0	16.0
Median time to complete toxicology sexual assault cases (days)	43.0	84.0	23.0	30.0	30.0	24.0	17.0

The below chart shows the median time to complete toxicology cases from Fiscal 2015 to the Fiscal 2018 target, measured in days from evidence submission to report – as stated in the PMMR for Fiscal 2018.



Death and Autopsy

In order to perform the process necessary to certify deaths falling within the agency’s jurisdiction, the Office strives to (1) respond promptly to scenes of reportable fatalities and conduct related investigations; (2) perform autopsies and examinations necessary to issue timely death certificates; and (3) provide timely investigation for all cremation requests.

During the first four months of Fiscal 2018, OCME met its Fiscal 2018 target of 1.7 hours as the median time for scene arrivals by medicolegal investigators. OCME also improved its median time to complete autopsy reports during the reporting period. During the first four months of Fiscal 2018, the Office required 41 days as the median time to complete autopsy reports, a decrease of 18 days, or 31 percent, when compared to the same period last year.

The median time to process cremation requests, however, increased to approximately 243 minutes in the first four months of Fiscal 2018. This represents an 84 percent increase, or 111 days, when compared to the same period last year. OCME reports that a larger-than-normal case volume over the summer increased the median time to process cremation requests.

Performance Indicators	Actual			Target		4-Month Actual	
	FY15	FY16	FY17	FY18	FY19	FY17	FY18
Median time for scene arrivals by medicolegal investigators (MLIs) (hours)	1.9	2.4	1.9	1.7	1.7	2.0	1.7
Median time to complete autopsy reports (days)	77.0	69.0	57.0	60.0	60.0	59.0	41.0
Median time to process cremation requests (minutes)	184.5	174.7	183.9	180.0	180.0	132.3	243.3
Deaths reported	27,984	27,674	28,940	-	-	9,316	9,471
Cases where Chief Medical Examiner takes jurisdiction	7,136	7,375	7,704	-	-	2,642	2,468

Mortuary Services

The Office, tasked with providing mortuary services to the City, strives to recover and transport decedents to the City mortuary facilities in a timely manner. The time spent removing decedents from non-hospital scenes after investigation increased from 56.7 minutes in Fiscal 2016 to 61.9 minutes in Fiscal 2017 – a 26 percent increase from the Fiscal 2015 median time of 49.3 minutes. In the first four months of Fiscal 2018, the Office reported a median time of about one hour to remove decedents from the scene after investigation.

Performance Indicators	Actual			Target		4-Month Actual	
	FY15	FY16	FY17	FY17	FY18	FY17	FY18
Number of decedents' remains transported and stored by OCME	10,721	10,108	10,330	-	-	3,449	3,533
Median time to remove decedents from scene (non-hospital) after investigation (minutes)	49.3	56.7	61.9	-	-	60.1	60.7

Identification

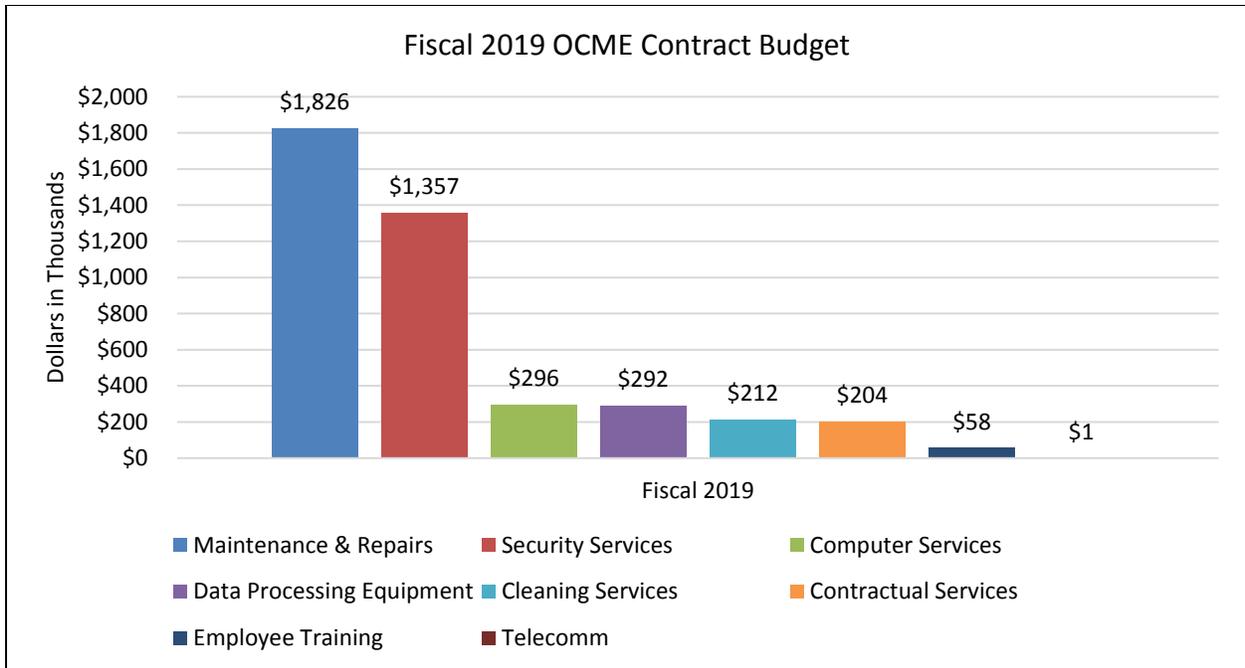
The Office responds to disasters and emergencies when fatalities are involved, providing rapid response and safe fatality management services to the City, as well as identifying victims of disasters and returning their remains to families in a timely manner.

OCME's Department of Forensic Biology continues its work on remains of victims of the September 11, 2001 terrorist attacks. In early Fiscal 2018, OCME reports that the Department scientifically identified the remains of the 1,641st decedent from the attack. OCME performed the identification of this victim using new technologies developed in-house and launched in Calendar Year 2017. OCME also reports that, during the first four months of Fiscal 2018, the Office re-associated many remains to previously identified victims. OCME continues its efforts to identify all the 2,753 victims of the disaster. To date OCME has identified 14,467 remains recovered from a disaster or mass fatality event.

Performance Indicators	Actual			Target		4-Month Actual	
	FY15	FY16	FY17	FY18	FY19	FY17	FY18
Remains recovered following a disaster or mass fatality incident (cumulative)	21,916	21,916	21,916	-	-	21,916	21,916
Remains identified following a disaster (cumulative)	14,202	14,308	14,370	-	-	14,332	14,467

OCME Contract Budget

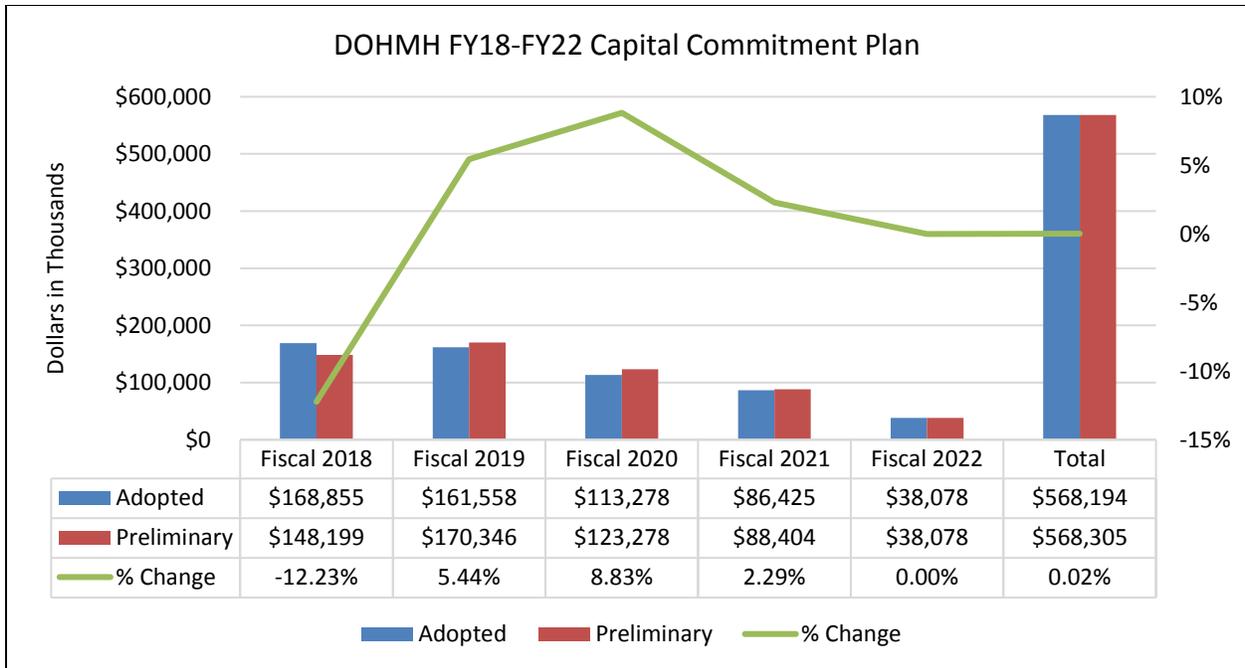
The New York City Charter mandates the preparation of a contract budget in order to identify expenditures for contractual services – defined as any technical, consultant, or personal service provided to the City by means of a contract. The Administration prepares a contract budget – a subset of the OTPS portion of the City's expense budget – twice each fiscal year. In January, the Administration prepares the contract budget with departmental estimates, and in late April, it submits the contract budget to the City Council with the executive budget. The following graph shows OCME's Fiscal 2019 contract budget broken down by category.



OCME’s Fiscal 2019 Contract Budget totals \$4.4 million and includes 31 contracts. The Maintenance and Repairs contract category, comprised of 23 contracts, constitutes the largest category at \$1.8 million in Fiscal 2019. The \$1.4 million Security Services contract is the Office’s largest single contract in Fiscal 2019.

OCME Capital Budget Summary

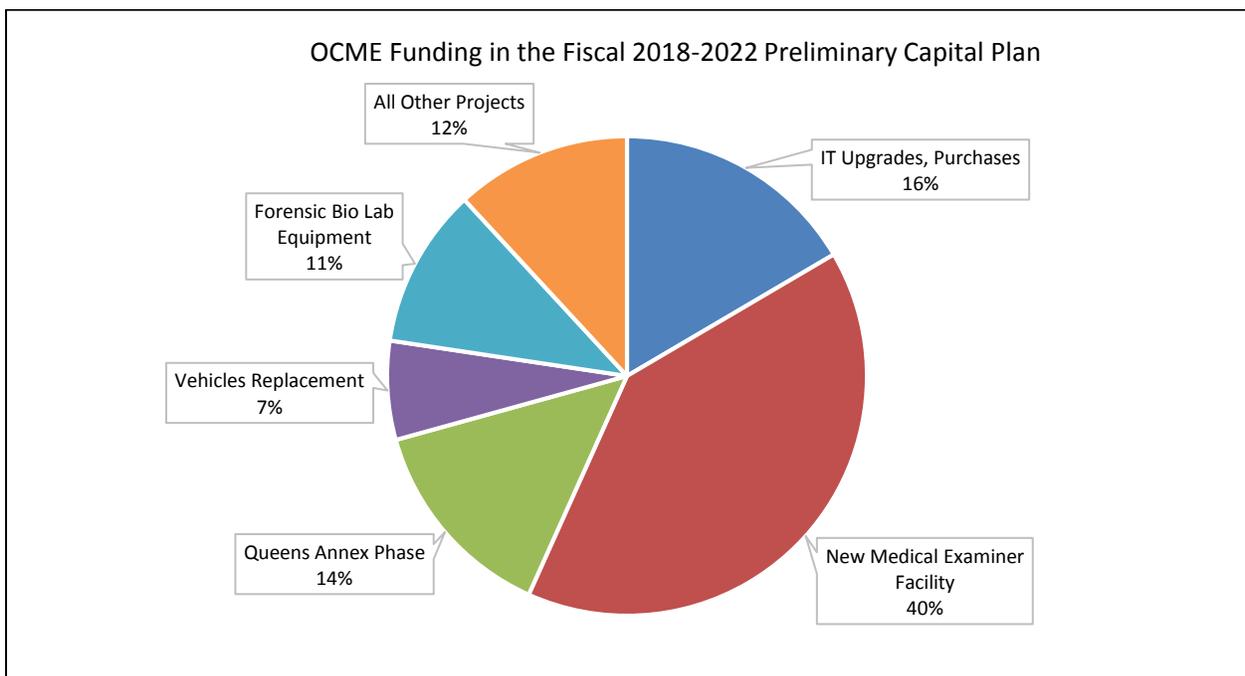
DOHMH’s Preliminary Commitment Plan for Fiscal 2018-2022 totals \$568.3 million and includes approximately \$55.6 million for OCME capital projects. OCME’s capital funding represents about 10 percent of DOHMH’s total plan, while DOHMH’s capital funding represents less than one percent of the City’s total \$79.6 billion Preliminary Commitment Plan.



As depicted in the above chart, DOHMH’s Fiscal 2018-2022 Preliminary Capital Plan increased by \$111,000 to \$568.3 million, an increase of less than one percent when compared to the Department’s Adopted Commitment Plan of \$568.2 million. Funding for OCME capital projects did not change during this period.

OCME’s Commitment Plan Funding

The Administration funds nearly all (98 percent) of OCME’s capital projects, but the City Council provides \$1.3 million for the purchase of toxicology equipment – scheduled for this fiscal year.



The Department of Design and Construction (DDC) manages one OCME project – the HVAC upgrades to the OCME evidence unit at 421 E. 26th Street in Manhattan. The \$352,000 project is scheduled for completion this fiscal year.

The graph above depicts the major OCME capital projects in DOHMH's Preliminary Commitment Plan for Fiscal 2018-2022, and the following table outlines all of OCME's capital projects.

OCME Capital Project	Prelim FY18-22 Funding
<i>Dollars in Thousands</i>	
Borough Security Installation	\$2
Agency-wide Various Equipment	\$695
Brooklyn Absorption Chiller Generator Re-tubing	\$100
Brooklyn Evaporative Condenser Replacement	\$65
City Council Fund for Toxicology Equipment	\$1,339
Evidence Unit HVAC Upgrades at 421 E. 26th St, Manh	\$352
Forensic Biology Laboratory Equipment	\$5,993
Histology Department Laboratory Equipment	\$399
IT Infrastructure Network Upgrade	\$2,870
IT Upgrade of Computers for OCME Sites	\$303
Lighting Upgrades	\$126
New Medical Examiner Facility	\$22,340
Purchase of IT Equipment & Services Lump Sum	\$5,647
Purchase of Robotics and Sequencing Systems	\$239
Qualtrax Agency-wide Software Upgrade	\$9
Queens Annex Phase	\$7,773
Records Room Reconfiguration at 421 East 26th St, Manh	\$458
Replacement of Forensic Lab Cyclers and Spectrometers	\$739
Replacement of Promega Lab Genetic Analyzers	\$1,778
Replacement of Queens Water Heater System	\$137
Replacement of Sandy Damaged IT Equipment	\$374
Upgrade of Core Network Switch at 599 Winthrop St, BK	\$3
Upgrade of Equipment for CODIS Database	\$110
Upgrade of VoIP System for OCME Sites	\$39
Vehicles Replacement	\$3,704
TOTAL	\$55,594

Appendices

A. OCME Budget Actions in the November and Preliminary Plans

<i>Dollars in Thousands</i>	FY 2018			FY 2019		
	City	Non-City	Total	City	Non-City	Total
OCME Budget as of the Fiscal 2018 Adopted Budget	\$72,231	\$821	\$73,052	\$74,673	\$131	\$74,804
New Needs						
DWI Testing	\$133	\$0	\$133	\$216	\$0	\$216
Public View Response	524	0	524	1,571	0	1,571
Subtotal, New Needs	\$656	\$0	\$657	\$1,787	\$0	\$1,787
Other Adjustments						
Fiscal 2018 November Plan	\$0	\$10,185	\$10,185	\$0	\$992	(\$3,906)
OCME PS Savings	(400)	0	(400)	0	0	0
Other Adjustments	0	1,843	1,843	0	779	779
Subtotal, Other Adjustments	(\$400)	\$12,028	\$11,628	\$0	\$1,770	(\$3,127)
TOTAL, All Changes	\$256	\$12,028	\$12,284	\$1,787	\$1,770	\$3,557
OCME Budget as of Fiscal 2019 Preliminary Budget	\$72,487	\$12,849	\$85,336	\$76,460	\$1,901	\$78,361