

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

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE JOINTLY WITH
COMMITTEE ON CRIMINAL JUSTICE

----- X

May 11, 2018
Start: 10:08 a.m.
End: 11:34 a.m.

HELD AT: Council Chambers - City Hall

B E F O R E: COUNCIL MEMBER DROMM

COUNCIL MEMBERS:

- Daniel Dromm
- Adrienne E. Adams
- Andrew Cohen
- Robert E. Cornegy, Jr.
- Laurie A. Cumbo
- Vanessa L Gibson
- Barry S. Grodenchik
- Rory I. Lancman
- Steven Matteo
- Francisco P. Moya
- Keith Powers
- Helen Rosenthal
- James G. Van Bramer

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

COUNCIL MEMBER DROMM: [Gavel] Okay good morning and welcome to the City Council's fourth day of hearings on the Mayor's Executive Budget for Fiscal 2019. My name is Daniel Dromm and I Chair the Finance Committee. We are joined by the Committee on Criminal Justice Chair by my colleague Council Member Keith Powers. We have been joined today by Council Member Bob Holden, Council Member Alicka Samuel and Council Barry Grodenchik as well and today we will hear the Department of Correction. Before we begin, I'd like to thank the Finance Division staff for putting this hearing together including the Director Latonia McKinney, Committee Council Rebecca Chasen, Deputy Directors Regina Poreda Ryan, and Nathan Toth. Unit Head Isha Wright. Finance Analyst Jen Lee and the Finance Division Administrative Support Unit Nicole Anderson, Maria Pagan, Roberta Catarono[SP?] who pull everything together. Thank you all for your efforts. I'd also like to remind everyone that the public will be invited to testify on the last day of budget hearings on May 24th beginning at approximately 4:00 p.m. in this room. For members of the public who wish to testify but cannot attend the hearing, you can email your testimony to the finance

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 division at financetestimony@council.nyc.gov and the
3 staff will make it part of the official record. The
4 Department of Corrections Fiscal 2019 Executive
5 Budget total \$1.4 Billion which includes \$17.5
6 Million in new needs since the Preliminary Budget.
7 Today, I'd like to focus on a number of items that
8 DOC has said would accomplish or which the state has
9 said it must accomplish but which the Council feels
10 the Department does not have a well-defined strategy
11 to complete. First, is one of the major initiatives
12 in the city that is impacting DOC's budget, which is
13 Raise the Age. The plan to Raise the Age of Criminal
14 responsibility to 18-years-of-age and to provide 16
15 and 17-year-old justice involved youth with age
16 appropriate housing and programing. The executive
17 plan adds \$9.8 Million in Fiscal 2019, \$13.1 Million
18 in Fiscal 2020, and \$3.3 Million in the Fiscal 2021
19 for Raise the Age as well as 159 uniform positions.
20 Given that youth need to be off Rikers Island by
21 October 1st, the Council is extremely interested in
22 learning more specific details about how the
23 department intends to meet that deadline. As from
24 out perspective, the plan is not yet clear or
25 solidified. Second, the budget shows a \$55.7 Million

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 and 698 head count decrease due to the plan summer
3 2018 closure of the GMDC facility on Rikers. As with
4 Raise the Age, we have an impending deadline without
5 a clear plan for caring out the directive. The
6 Council is concerned that DOC will not be able to
7 close GMDC by the end of the summer, but we hope to
8 hear testimony today about the steps DOC is taking to
9 achieve this aggressive timeline that might allay
10 those fears. Last, is the issue of hiring delays,
11 DOC has accounted for \$27.7 Million savings in the
12 Fiscal 2019 as a result of hiring accruals for vacant
13 civilian positions. Year after year the department
14 is unable to fill its budget and civilian head count,
15 but the Council has yet to see a serious plan from
16 the agency to address this long-standing issue.
17 Before we begin, I'd like to remind my colleagues
18 that the first round of questions for the agency will
19 be limited to minutes per Council Member and if
20 Council Member's have additional questions, we will
21 have a second round of questions at two minutes per
22 Council Member. I now turn the mic over to my Co-
23 Chair Council Member Powers and then we will hear
24 testimony from the Commissioner of the Department of
25

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

Correction Cynthia Brann after she is sworn in by
Council.

COUNCIL MEMBER POWERS: Thank you and good
morning everybody and thank you for being here and I
have to give a very big shout out to the Chair of the
Finance Committee Danny Dromm who has been here and
been sitting through every single hearing including
this one and many more ahead, so thank you for those
comments. My name is Keith Powers, I'm the Chair of
the Committee on Criminal Justice. I am pleased to
join my colleagues and Chair of the Finance Committee
Danny Dromm for or today's Fiscal 2019 Executive
Budget hearing to review the Department of
Corrections Budget. Since we had our hearing in
March, a lot has happened. The Fiscal 2018-2019
State Budget included a design bill legislation to
expedite the construction of new jails to replace
Rikers Island. On April 5th the Independent
Commission on New York City Criminal Justice and
Incarceration Reform released their follow up report
and commonly known as the Lippman Commission. A more
just New York City one year forward that states that
Rikers Island jails could be shut and replaced with
borough facilities by 2024, three years sooner than

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 the original projection. We also released all our
3 Fiscal 2019 Preliminary Budget response with
4 recommendations to create additional units of
5 appropriations for the department and because it was
6 unclear how much of the states \$100 Million to
7 implement Raise the Age would be for New York City,
8 we called on administration to add the appropriate
9 funding to implement Raise the Age. The Department
10 also announced the unveiling of its first ever
11 housing area exclusively for military veterans and
12 the city also announced that the DOC will house
13 inmates consistent with their gender identity.
14 Additionally, the city announced a launch of a new
15 online bail payment system to make it easier for New
16 Yorkers to pay bail and the Department also launched
17 free express visitor buss services to Rikers Island
18 and most recently on April 23rd this committee held
19 an oversight hearing on safety and security in DOC
20 facilities and I should also mention, I think just
21 two weeks ago or last week, the department also
22 opened a new library at the Manhattan Detention
23 Facility and I'm sure there's many more that I missed
24 and you can make note of. These are all positive
25 steps in reforming and modernizing the criminal

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 justice system. I and I think others are certainly
3 excited by these changes but also recognize that
4 there is tremendous work ahead of us. The
5 Departments Fiscal 2019 Executive Budget totals \$1.4
6 Billion. A decrease of approximately \$42.6 Million
7 last year. The departments head count totals 12,499
8 with 10,226 uniform positions and 2,273 civilian
9 positions for Fiscal 2019. As mentioned a decrease
10 is largely driven by the closing of GMDC. The
11 expense budget adds in new funding for a compliance
12 and safety center and investigations division and the
13 expansion of the emergency services unit. The DOC's
14 budget also includes \$9.8 Million in Fiscal 2019.
15 \$13 Million in Fiscal 2020, and \$3.3 Million in
16 Fiscal 2021 to implement Raise the Age which we will
17 talk about. The funding for this is coming from city
18 tax but the city also needs the states contribution
19 in order to safely and adequately implement the
20 legislation. The departments capital plan does not
21 have any new additions to the plan but does separate
22 out the \$1.1 Billion for new jails over the two
23 Fiscal Years. Something that the Council has asked
24 for and although we did call for this in our budget
25 response, it does not have additional units of

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 appropriation that the Council has asked for for the
3 department and other agencies to give us a clear
4 understanding of how money is being spent for
5 different capital items, so hopefully as we get to
6 the adopted budget and moving forward we'll continue
7 to see more units of appropriation to give us a clear
8 understanding of how money is being spent. With all
9 of that, we're looking forward to hearing more from
10 the department. We thank you for being here. I just
11 wanted to thank quickly the folks from the Finance
12 Committee Jen Lee, Isha Wright, Josh Kingsley, Will
13 Honyac[SP?] and of course my staff Abigail Bessler
14 and Emily Walsh who have helped to put this hearing
15 together and helped us work through the budget
16 process to date. I would also like to welcome and
17 thank Commissioner Brann her staff and all the folks
18 who are working at the department for the work that
19 they do every day. I've said this in the past, but I
20 think we all know how challenging the job is every
21 single day and certainly we know that your role is
22 critical in both the closing of Rikers Island but
23 also all the work that we have to do to make sure
24 that people are safe and secure every single day.

25

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 So, thank you for being here and with that I'll hand
4 it back over to the Chair.

5 COUNCIL MEMBER DROMM: Thank you very much and I'm
6 going to ask Council to swear in the panel. I'm
7 sorry, I forgot to mention that we've also been
8 joined by Council Member Cohen.

9 COUNCIL CLERK: Do you affirm that your testimony
10 will be truthful to the best of your knowledge,
11 information and belief?

12 COMMISSIONER BRANN: I do.

13 COUNCIL MEMBER DROMM: Okay, please begin.

14 COMMISSIONER BRANN: Good morning Chair Powers,
15 Chair Dromm, members of the Committee on Criminal
16 Justice and members of the Committee on Finance. I'm
17 Cynthia Brann the Commissioner of the Department of
18 Correction. My colleagues and I are here today to
19 discuss the Executive Budget for Fiscal Year 2019.
20 The budget reflects the departments priorities as we
21 move forward with our reform agender. Our goal is to
22 make our department a national leader in corrections
23 and establish procedures for long term success. As
24 we discussed at the March hearing on the Preliminary
25 Budget and the hearing on Safety in the jails last
month, the department has achieved success in key

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1 areas including all categories on inmate violence.
2 We continue to take a holistic approach to reducing
3 incidents. Since we have had the most success in the
4 areas where we focus the most attention and
5 resources, we use those lessons learned to build on
6 and expand our effective reforms to broader
7 populations. Since Fiscal Year 2014, we have seen
8 promising improvements in the incident levels
9 particularly those involving some of the most
10 vulnerable or problematic populations. In the first
11 three quarters of Fiscal 2018, inmate's rights have
12 decreased by 6.4%. Serious injuries to inmates
13 resulting from fights or assaults have decreased by
14 14% and stabbings and slashings have decreased by
15 41%. In specialized units such as Caps and Pace, ESH
16 enhance supervision housing in the secure unit and
17 our restarted general population units we have seen
18 reduced violence and increased program participation.
19 The last Federal Monitors Report praised us for being
20 complaint with 78% of the 313 individual stipulations
21 of the consent judgement. This is a testament to the
22 hard work we have accomplished since the end of 2015.
23 While this is encouraging, our goal is to achieve and
24 sustain 100% compliance with the entire order and
25

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 have the court release us from further obligation. I
3 have the upmost confidence that we will achieve that
4 goal. Also noted in the report, we continue to be
5 challenged by the number of uses of force. We work
6 closely with the monitoring team to implement
7 important changes including providing comprehensive
8 training to all staff that includes defensive tactics
9 understanding the revised use of force policy,
10 conflict resolution, and de-escalation techniques.
11 This curriculum goes well above and beyond the
12 requirement of the consent judgement and we believe
13 that once staff have completed the training, it will
14 yield a change in our overall need to use force and
15 then see significant reductions and assault on staff,
16 inmate fights, and other violence indicators. In
17 response to the monitors report and our own concerns,
18 we implemented a use of force improvement action
19 plan. This plan includes deploying de-escalation
20 teams enhancing the collection of gang intelligence
21 to prevent the occurrence of violence which may
22 require the use of force. Increasing real time video
23 monitoring and analysis including the opening of the
24 compliance and safety center. Redesigning the
25 agencies rapid review process so that we can quickly

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 identify any unusual or problematic incidents and
3 assigning mentoring captains to the facilities to
4 provide staff with support and onsite training. We
5 launched this plan a few weeks ago and have already
6 seen successes and are optimistic that it will lead
7 to improvements in both the quantity and quality of
8 our use of force. Reducing violence and keeping our
9 staff safe requires a holistic approach to
10 management. Every service and program we expand
11 creates better environment which helps reduce
12 violence in custody and prepare people to be more
13 successful when they return to our communities.
14 Under this administration we have expanded programing
15 to five hours per day, restructured our custody
16 management system, increased the number of hard and
17 soft scales vocational training and incorporated
18 programing that is responsive to specific populations
19 such as those with mental health challenges, young
20 people, women, and the persistently violent. We are
21 not done. Since our last Budget hearing in March, we
22 have opened a dedicated New York Public Library
23 location at NDC which is the second in the
24 department. We've launched visitor shuttles from
25 Manhattan and Brooklyn making it easier for those in

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 custody to maintain meaningful relationships with
3 their families and friends, something that is
4 critical to success. We've held a family visit at
5 the Children's Museum in Manhattan and started an
6 online bail payment system, one of the first in the
7 country to make it easier for people to pay bail.
8 Culture change takes time. Particularly in an agency
9 as vast and complicated as corrections. While we
10 have experienced successes in many areas, there is
11 still work to be done. We are confident that our
12 achievements over the last few years prepares us for
13 continued success in Fiscal Year 2019 and beyond.
14 Success is never achieved in a vacuum. I thank the
15 Mayor and the members of the City Council for your
16 continued support as we carry out our mission. Your
17 support of our staff and the very difficult they do
18 every day is clearly reflected in the executive
19 budgets of this administration and it is very much
20 appreciated. Some highlights of the Fiscal Year 2019
21 Executive Budget include funding for 71 additional
22 civilian positions for our investigations division,
23 Raise the Age Implementation, new and improved cell
24 doors and areas of the use of force improvement
25 action plans such as the facility-based emergency

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 services unit teams and the Compliance and Safety
3 Center. The departments Fiscal Year 2009 Expense
4 Budget is \$1.4 Billion. The vast majority of this
5 88% is allocated for personal services and 12% for
6 other than personal services. Fiscal Year 2019
7 Budget is \$20 Million less than this years' budget of
8 \$1.4 Billion. This decrease in funding is mainly
9 from uniform head count reduction due to the closure
10 of the George Motchan Detention Center on Rikers
11 Island which takes a full effect in Fiscal Year of
12 2019. Included in the budget, are decreases of \$28
13 Million in Fiscal Year 2018 and \$2.6 Million in
14 Fiscal Year 2019 and increases of \$24 Million in
15 Fiscal Year 2020, \$14 Million in Fiscal year 2021,
16 and \$10.7 Million in Fiscal year 2022 and the out
17 years. The following is an overview of the major
18 changes that were included in the departments budget.
19 Personal services accrual reduction to DOC's full-
20 time salary budget of \$28.8 Million in Fiscal Year
21 2018, \$27.7 Million in Fiscal Year 2019 due to hiring
22 less corrections officers than anticipated in May
23 2017 and November 2017 classes. City wide savings
24 initiatives developed by OMB resulted in a reduction
25 of \$192 in Fiscal Year 2018, \$1.3 Million in 2019,

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 \$1.5 Million in 2020 and \$1.7 Million beginning
3 annually in Fiscal Year 2020. Reforms that will
4 result in budgetary efficiencies are anticipated to
5 be developed through reviews of citywide phone plans
6 by DoITT, stricter adherence to civilian overtime
7 policies and procedures transitioned to battery
8 powered electric vehicles and automated enhancement
9 to the cities procurement processes. To further
10 enable the department to satisfy requirements within
11 the Nunez Consent Decree specific to the use of
12 force, a total of \$3.4 Million in FY19 and \$4.9
13 Million beginning annually in FY20 was funded to
14 support an additional 71 investigator positions. To
15 enhance staff and inmates' safety and security at
16 RNDC, \$5.6 Million in FY19 was provided for the
17 replacement of all sliding cell doors with hinged
18 tamper proof cell doors. To ensure compliance with
19 the New York State Commissioner of Correction in New
20 York State Office of Children and Family Services,
21 standards during the transition of 16 and 17-year-old
22 inmates from DOC to ACS custody \$9.9 Million in FY19
23 assumes nine months. \$13.1 Million in FY20 assumes a
24 full year value and \$3.3 Million in FY21 assumes only
25 three months for 159 uniform positions to staff the

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 Horizon Facility for two full calendar years. To
3 provide additional emergency response patrol units
4 during our most active and violent prone shifts at
5 our high-risk facilities, \$3.6 Million beginning
6 annually in FY19 for 45 uniform positions who is also
7 funded. On January 31st DOC opened the Compliance
8 and Safety Center, housing the departments compliance
9 and video monitoring units in the new emergency
10 operations center. The task will serve as both an
11 integrated command post to aid in the Department of
12 Corrections rapid response effort to keep personal
13 and inmates safe in emergency situations and to
14 strengthen compliance with correctional standards and
15 protocols. An increase of \$1.2 Million in FY18 an
16 \$4.9 Million beginning annually in FY19 for 55
17 uniform positions has been provided to support the
18 operations of the center. With regard to capital
19 funding Fiscal Year 2019 Capital Budget and
20 Commitment Plan, no additional funding was provided.
21 The plan total is \$2.1 Billion which covers Fiscal
22 years 2018-2022. The department continues to hire
23 corrections officers at historic levels. Most
24 recently, 856 corrections officer recruits were hired
25 in January 2018 and are presently undergoing

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 intensive training to prepare for graduation next
3 month. This new academy along with the 5,700 hired
4 since May 2014 have enabled us to enact the reforms
5 necessary to provide a safer and better environment
6 for our staff and inmates. With the graduation of
7 the current academy class in combination with the
8 closure of GMDC, Fiscal Year 2019 will be the first
9 year we will be fully staffed in our jails since our
10 reform agenda began in 2015. This will also yield a
11 further decrease in overtime costs and allow for more
12 efficient use of our resources. To date we have been
13 able to reduce our uniformed overtime spending from
14 \$240.4 Million in Fiscal Year 2017, to a projected
15 \$196.6 Million in Fiscal Year 2018. This anticipated
16 18% reduction in uniform overtime represents the
17 departments commitment to bringing our overtime costs
18 down. As poster filled with new full-time hires, the
19 department will be able to reduce overtime reliant to
20 achieve the \$154 Million uniform overtime budget in
21 Fiscal Year 2019. The following is the summary of
22 the changes to the department civilian and uniform
23 authorized staffing levels included in the executive
24 plan. The civilian authorized full-time head count
25 is 2,195 in Fiscal Year 2018 and 2,273 beginning

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 annually in Fiscal Year 2019. The authorized head
3 count increases from 2018 to 2019 is to newly funded
4 initiatives that will not begin until FY19. The
5 uniform authorized head count is 10,427 in 2018,
6 10,226 in Fiscal Year 2019, 10,242 in Fiscal year
7 2020 and 2021 and 10,083 beginning annually in Fiscal
8 Year 2022. The authorized uniform head count
9 decreases from Fiscal Year 2018-2019 due to the
10 closure of GMDC which takes full effect in FY2019.
11 However, that decrease is offset by uniform head
12 count increases included in the Fiscal Year 2019
13 Executive Budget for the staffing of the Horizon
14 Detention Facility, Compliance and Safety Center and
15 the Emergency Services Unit. The average uniform head
16 count is estimated to be 10,695 in Fiscal Year 2018
17 which represents an increase of 807 compared to an
18 average of 9,888 in Fiscal Year 2017. Thank you
19 again for the opportunity to testify and for your
20 continued support. We are happy to answer any
21 questions you may have.

22 COUNCIL MEMBER DROMM: Thank you Commissioner and
23 let me just start off with just something I noticed
24 in your testimony. On page 4 regarding head count,
25 you mentioned that your going to have a graduation

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 next month and I'm wondering if you've ever had
4 Council Members come and speak at those graduations?

5 COMMISSIONER BRANN: We have had Council Members
6 attend but have not requested to speak but we are
7 more than willing to fit anyone into the program who
8 wishes to do so.

9 COUNCIL MEMBER DROMM: Okay, so we look forward
10 to getting that invitation and hopefully, we'll be
11 able to make it and have an opportunity to address
12 the correction officers as they come out of the
13 academy. I've done that with the NYPD, so I think it
14 would be a great addition to do it with correction as
15 well.

16 COMMISSIONER BRANN: We welcome you. Thank you,
17 sir.

18 COUNCIL MEMBER DROMM: Okay, thank you. Alright,
19 now Units of Appropriation. The Councils Preliminary
20 Budget response call for a number of agencies to
21 create new units of appropriations. The UFC's Budget
22 is comprised of seven program areas but only has four
23 U of A's. What is your assessment of how creating
24 new U of A's to match program areas would improve
25 DOC's overall budget structure?

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COMMISSIONER STAFF MEMBER: Good morning. Thank
4 you for the question. The department is committed to
5 working with the Council and OMB to create greater
6 transparency in the departments budget, so we're
7 happy to work with you both during the adopted budget
8 process or further to create units of appropriation
9 that properly and clearly reflect our spending.

10 COUNCIL MEMBER DROMM: So, you're having
11 discussions with OMB now?

12 COMMISSIONER STAFF MEMBER: Yes.

13 COUNCIL MEMBER DROMM: Okay, good because that is
14 a priority for the Council. The department has
15 budgeted civilian head count of 2,273 in the Fiscal
16 2019 Executive Budget, but historical actual head
17 count tells us the department is consistently under
18 budgeted civilian head count. For example, in Fiscal
19 2017, the department budgeted 2,182 civilian
20 positions but the actual head count was 1,729. That
21 is 453 below the budgeted civilian head count. What
22 is the department strategy for hiring up to the
23 budgeted head count going forward?

24 COMMISSIONER STAFF MEMBER: Thank you for the
25 question. As you accurately reflect our headcount
and civilian head count, we have a number of

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

vacancies that is due to several reasons. The first is we have several hard to fill titles which we actively recruit and try to fill at the agency but historically we have had a hard time filling.

COUNCIL MEMBER DROMM: And what are those?

COMMISSIONER STAFF MEMBER: Investigators, information technology, construction, trades titles. We also have a high turn over due to the location of Rikers Island and gaining access, so what we typically experience is that individuals that we hire, once they get familiar with the commute to Rikers and having to work inside of a jail environment, we have a high turnover. Also, linked to that high turn over is the same commute and access to Rikers Island as it relates to the salary. So, the salary is the same for the inconvenience of having to work in a jail setting or coming to Rikers Island but as I mentioned before, we are actively recruiting and trying to unfill those hard to fill titles.

COUNCIL MEMBER DROMM: So that seems to be more of a problem with retention than recruiting from what you're describing.

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COMMISSIONER STAFF MEMBER: Well the recruiting
4 is impacted up front with the salary and having to
5 come to Rikers Island.

6 COUNCIL MEMBER DROMM: So, can you tell me how
7 you do recruitment for these positions? How do you
8 go out and try to find people?

9 COMMISSIONER STAFF MEMBER: We use the posting,
10 citywide postings. Career fairs and our recruitment
11 unit both and we pull from the established list
12 hiring poles.

13 COUNCIL MEMBER DROMM: Do you ever go to
14 community fairs or events like that within the
15 community to advertise the positions?

16 COMMISSIONER STAFF MEMBER: We do through our
17 recruitment unit, yes and our human resources
18 department.

19 COUNCIL MEMBER DROMM: One of the things that I
20 found with the school crossing guards, with the NYPD
21 is that they were only recruiting like in police
22 precincts, so I hope that with these efforts that
23 you're making into the community that you're doing a
24 wider expansion than that because how many people run
25 into police precincts you know. So, same question I

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

think you know would apply here in terms of making
sure that you do that outreach extensively.

COUNCIL MEMBER female: Yes, Council Member
Dromm, in 2017 our recruitment division attended 508
recruiting events and –

COUNCIL MEMBER DROMM: How many?

COMMISSIONER STAFF MEMBER: 508 and those are
both in community centers, college, or educational
settings. They are career affairs and other-directed
locations at malls and other events. We also do a
targeted attempt to get diversity, and so up to 15%
of those 500 events were diversity driven as well.

COUNCIL MEMBER DROMM: Okay good, so what type of
an impact does you know, being under the budgeted
civilian head count have on the departments budget?

COMMISSIONER STAFF MEMBER: The under-head count
has resulted in a greater reliance on overtime
expenditures but as we move forward to fill civilian
positions, we hope to reduce the reliance on overtime
as a result. We've also had some major initiatives
that had warranted additional increased overtime
spending, so for the trades title example, camera
installations throughout our facilities to know that
project is concluded, we would see those expenditures

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 no more in our budget because that project has been
4 completed.

5 COUNCIL MEMBER DROMM: Okay, lets talk a little
6 bit about Raise the Age. The Executive Budget
7 includes funding to implement Raise the Age over the
8 course of two calendar years. Is the department on
9 track to transfer adolescents into ACS custody?

10 COMMISSIONER BRANN: Yes, we are, and we are
11 committed to meeting that deadline and we're working
12 closely with ACS to make a concrete plan to make that
13 happen.

14 COUNCIL MEMBER DROMM: And how many adolescents
15 are currently on Rikers?

16 COMMISSIONER STAFF MEMBER: As of today,
17 adolescent males a total 98 and females are 3.

18 COUNCIL MEMBER DROMM: So, Raise the legislation
19 was enacted in 2017 and there has been planning
20 underway since then. Adolescents are currently in
21 DOC custody, but we still see adolescent custody
22 transition into ACS custody. The law mandates this
23 but why us DOC providing temporary security at
24 juvenile facilities for approximately two years. So,
25 the heart of my question is really the idea with
moving them off of Rikers was to get them away from a

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 jail environment. If your still having corrections
3 officers at the other facilities, its still creating
4 a jail environment, so why is that in the budget for
5 two years moving forward?

6 COMMISSIONER STAFF MEMBER: Thank you for the
7 question. I think as you indicated in your question,
8 the law specifically provides that ACS in conjunction
9 with the Department of Correction will jointly manage
10 those 16 and 17-year-olds who are currently in the
11 Department of Corrections custody located in Rikers
12 Island and who will move off Rikers Island as of
13 October 1st and so by law we been directed to jointly
14 manage that population for that period of time. I
15 think Chief Kanti[SP?] can discuss the Departments
16 anticipated role and certainly the detention center
17 will be a secured detention center and not a jail
18 located on Rikers Island, but the departments
19 custodial responsibilities remain as ACS already has
20 custodial responsibilities, our functions will be
21 very similar.

22 COUNCIL MEMBER DROMM: So, the corrections
23 officers will always be in the adolescent facilities.

24 COMMISSIONER STAFF MEMBER: No, the expectation
25 is that correction officers will have a role

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

initially at the ACS facility and as ACS ramps up their hiring the role of New York City correction officers will diminish.

COUNCIL MEMBER DROMM: Okay, and then what type of training are they getting for this transition?

COMMISSIONER STAFF MEMBER: We are currently working with Olar[SP?] and the collective bargaining units to access that.

COUNCIL MEMBER DROMM: And will that include some child psychologist or child psychology type training?

COMMISSIONER STAFF MEMBER: All those plans the transition and what that training will require, is under consideration and we're working with the union and the Office of Labor Relations to work those issues out.

COUNCIL MEMBER DROMM: Okay, because I certainly hope so. That is part of the reason I think why we're moving off of Rikers is to treat them in a better way. So, the full-time line for the transition is how long, two years?

COMMISSIONER STAFF MEMBER: So, the funding and the positions we have in the executive budget spans two calendar years. That's why they're proportionally in Fiscal Year 2019 for a full year

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 value in 2020 and then a three-month value in 2021,
3 so we anticipate it will take those two years for our
4 correction officers to be within the facility while
5 ACS hires up.

6 COUNCIL MEMBER DROMM: Okay, so the DOC is
7 anticipating a minimum staffing level of one officer
8 for every six adolescents. Whats the current
9 correction officer to adolescent ratio?

10 COMMISSIONER STAFF MEMBER: The current staffing
11 is one to fifteen.

12 COUNCIL MEMBER DROMM: One to fifteen.

13 COMMISSIONER STAFF MEMBER: Yes, sir.

14 COUNCIL MEMBER DROMM: So, that is a major
15 improvement of going down to one to six and that will
16 be implemented within the two years or will that be
17 implemented immediately.

18 COMMISSIONER STAFF MEMBER: That is immediately,
19 sir.

20 COUNCIL MEMBER DROMM: Immediate?

21 COMMISSIONER STAFF MEMBER: Yes.

22 COUNCIL MEMBER DROMM: Thank you. Are the 159
23 correction officers scheduled to be assigned at
24 Horizon Juvenile Center undergoing specialized
25

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 training? I think I asked that and you're in
3 negotiations about who will provide that training?

4 COMMISSIONER STAFF MEMBER: We are in
5 negotiations as to what will be in compass in that
6 training yes.

7 COUNCIL MEMBER DROMM: Okay. Of the total number
8 of adolescents in DOC custody, how many have been
9 identified as LGBTQ?

10 COMMISSIONER STAFF MEMBER: I don't believe we
11 have that number, but we can get that to you by the
12 end of the day.

13 COUNCIL MEMBER DROMM: Do you collect that data?

14 COMMISSIONER STAFF MEMBER: We collect the data
15 if they self-identify. We don't require them to
16 disclose so if they self-identify, we would have
17 that.

18 COUNCIL MEMBER DROMM: That's good. Okay, the
19 East River Academy serves students between the ages
20 of 16 and 21 in multiple locations on Rikers Island.
21 I think you know I was a New York City public school
22 teacher for 25 years. So, education is important to
23 me. With Raise the Age implementation, is DOC in
24 conversation with the DOE and ACS regarding how best
25

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 to move forward with the education for this
4 adolescent population?

5 COMMISSIONER STAFF MEMBER: Yes, that is a part
6 of the transition from Rikers to Horizon's.

7 COUNCIL MEMBER DROMM: And I know on Rikers and
8 subsequently I've met with the Director I guess and
9 the Principal from the Academy as well. Will those
10 teachers then be assigned to Horizon? How would that
11 work?

12 COMMISSIONER STAFF MEMBER: Those details haven't
13 been agreed on yet but we're working on a plan that
14 will make the transition easy and have the youth be
15 successful in their education.

16 COUNCIL MEMBER DROMM: No detaining on Rikers
17 Island. In the school, it's a question I've always
18 been meaning to ask, in the school are teachers able
19 to access internet to use like a white board or to
20 pull up a video or something?

21 COMMISSIONER STAFF MEMBER: I'm told the answer
22 to all your questions is yes.

23 COUNCIL MEMBER DROMM: Yes. Are those classrooms
24 eligible for capital funds from the class from the
25 council? In other words, sometimes we give capital
funding to schools in our districts and they provide

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 things you know as such as those but there not called
3 white boards, their called smart boards and I'm
4 wondering if that is something that might be in need
5 in the school?

6 COMMISSIONER BRANN: We already have smart boards
7 sir but we're willing to take some more if you'd like
8 to give us some.

9 COUNCIL MEMBER DROMM: We going to need more
10 capital funding but I'm trying to be a little
11 generous here. Alright, the Executive Capital
12 Commitment plan modifies the \$1.1 Billion for new
13 jails by spreading the funding across two Fiscal
14 years with \$300 Million in Fiscal 2019 and \$765.6
15 Million in Fiscal 2020. We understand that we'll see
16 an improved allocation of funds once the CPSD study
17 is done but had the DOC arrived at this plan in
18 spreading the funding across two final years.

19 COMMISSIONER STAFF MEMBER: So, we took the
20 feedback from the council and prelim hearing very
21 seriously and we had discussions with OMB regarding
22 taking the funding, the \$1.1 Billion out of Fiscal
23 Year 2018 and reallocating it. So, the thought was
24 to allocate resources in Fiscal Year 2019 that we
25 would hope could be applied to a design contract by

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 the end of the Fiscal Year along you know, the CPSC
3 study concludes that the Ulurp concludes, that was
4 the kind of the timeline we were moving on and then
5 for Fiscal Year 2020, the remainder of those
6 available funds available for construction.

7 COUNCIL MEMBER DROMM: Okay, let me talk a little
8 bit about closing Rikers. The city has set out a
9 ten-year goal according to the road map to closing
10 Rikers Island which indicates major milestones that
11 the city plans to reach in order to close Rikers
12 Island. We saw a couple of new needs in the
13 Preliminary Financial plan as a result of adding new
14 initiatives from the road map. Are there additional
15 new needs that we'll see going forward?

16 COMMISSIONER STAFF MEMBER: At this time, we feel
17 all the needs and priorities that we had to achieve
18 swiftly have been funded and we also look to when we
19 can internally fund as much as possible.

20 COUNCIL MEMBER DROMM: Is there anything on DOC's
21 budget that could be repurposed to meet the needs of
22 the road maps goals instead of adding new funding?

23 COMMISSIONER STAFF MEMBER: We continually
24 evaluate that as the plan moves forward, so I
25 couldn't give you a definitive answer right now, but

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 that is always a part of the analysis we do is how
3 much can we take care of internally.

4 COUNCIL MEMBER DROMM: Okay, one of the goals
5 from the road map is to complete renovations of the
6 existing facilities on and off Rikers. We see Fiscal
7 2019 Executive Budget Funding to replace cell doors
8 at RNDC. How many facilities other than RNDC are due
9 for renovations and what is the estimated cost for
10 renovations to facilities on Rikers Island?

11 COMMISSIONER STAFF MEMBER: There are several
12 facilities on Rikers Island that are in need of state
13 of good repair. Work such as roof replacements, HVAC
14 upgrades, cell doors, I don't have quantified in
15 front of me by facility that information, but we can
16 certainly follow up with you on that.

17 COUNCIL MEMBER DROMM: So, on one of my visits to
18 Rikers, I forget which building it was but actually
19 on numerous visits, I would walk down the hall way
20 and every ten feet or so there were buckets placed to
21 absorb the water, to hold the water dripping. What
22 buildings are you going to do the roof repairs in?
23 I'm assuming that was the issue was that it was rain
24 water or leakage from the roof coming in.

25

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

COMMISSIONER STAFF MEMBER: Umh again, I apologize, I don't have the specified list, but we can certainly follow up with you on that as to where the roof replacements are, the HVAC, all those itemized.

COUNCIL MEMBER DROMM: Do you know if that roof repair work that you're going to do would cover all of the buildings that have this problem?

COMMISSIONER STAFF MEMBER: That would be the goal.

COUNCIL MEMBER DROMM: That would be the goal?

COMMISSIONER STAFF MEMBER: Yes.

COUNCIL MEMBER DROMM: But you don't know if that's included in the budget?

COMMISSIONER STAFF MEMBER: The current facilities were all at the time, [inaudible 40:38] so going forward, obviously maintaining the building in a state of good repair is an ongoing effort so -

COUNCIL MEMBER DROMM: Actually, what I saw was pre-sandy, so these conditions have there for a very long period of time. I think I visited there in 2010 when I first saw it, so this has been a long time coming, so I really would like to get those answers.

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COMMISSIONER STAFF MEMBER: We'll get them to
4 you, sir.

5 COUNCIL MEMBER DROMM: Okay, thank you.
6 Transgender housing unit, I'm going to turn it over
7 to my Co-Chair. The Mayor in the Department recently
8 announced that DOC will house inmates consistent with
9 their gender identity and that DOC is working with
10 the Commission on Human Rights to maintain the
11 transgender housing unit as an additional safe
12 housing option for transgender inmates. How many
13 corrections officers are currently assigned to the
14 transgender housing unit and what is the plan for
15 staffing going forward?

16 COMMISSIONER BRANN: Currently, the transgender
17 unit is in operation and will remain so. The
18 department is working with the City Human Rights to
19 develop a plan on how we will accomplish this. We
20 have currently a full staffing plan for the
21 transgender unit. They don't have a separate
22 staffing plan in any other housing unit and we will
23 maintain a safe staffing plan as we move forward.

24 COUNCIL MEMBER DROMM: Okay and is the CPD's
25 study for the new jails looking to the needs of LGBT
detainees?

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COMMISSIONER BRANN: Uhm yes, and we can include
4 that in our discussions with all as we move forward.

5 COUNCIL MEMBER DROMM: Okay, that also as you
6 know is an extremely important issue to me as well.

7 COMMISSIONER BRANN: Absolutely.

8 COUNCIL MEMBER DROMM: Okay, thank you. Alright
9 Chair Powers?

10 COUNCIL MEMBER POWERS: Yes, thank you and I want
11 to note that we've been joined by Council Member
12 Lancman, Council Member Cumbo, Council Member Van
13 Bramer, Council Member Moya, and Council Member
14 Gibson was here and had to leave, so thank you all
15 for joining us. I had a couple follow up questions
16 from Chair Dromm. The first one being on the cell
17 doors. Are there other facilities that need beyond
18 RNDC that need cell door upgrades? If so, are we
19 planning for them, is there a cost to those?

20 COMMISSIONER STAFF MEMBER: There are other
21 facilities on Rikers Island that have the rail and
22 rack sliding doors. The replacement doors that we're
23 putting in RNDC are swing doors, tamper proof swing
24 doors and so it's a different type of technology.
25 The rail and rack sliding doors, I know existed AMKC
and EMTC, but as we move to close Rikers and move

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 into community-based facilities we are considering
3 where the needs for that kind of funding to replace
4 those doors at that expense is necessary. RNDC is as
5 you're aware a facility that has the East River
6 Academy, the largest school space plus the additional
7 recreation and programming space that we've been
8 using for the 16 and 17-year-olds and as we close
9 GMBC, a significant number of our young adult
10 population, we intend to move into RNDC because of
11 the availability of those programs-based schools and
12 services. That way RNDC, the investment and the
13 doors there right now for us makes sense. With
14 respect to the consideration of the other facilities
15 that may have those doors, it will depend on as we
16 move forward and close facilities, which facilities
17 have a need to remain open the longest.

18 COUNCIL MEMBER POWERS: So, just to clarify the
19 answer to that. Yes, some do.

20 COMMISSIONER STAFF MEMBER: Yes, yes some do.

21 COUNCIL MEMBER POWERS: Is there a reason we're
22 not replacing those cell doors - I think your part is
23 about the closing of the long-term plans - you know
24 longer term plan to close Rikers Island but what are
25 the other facilities that would need it?

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

COMMISSIONER STAFF MEMBER: So, it's not that they would need it. Its that AMKC and EMTC I know are two facilities that have those types of doors, but GMDC has those types of doors as well but we're closing GMDC this summer. So, the doors themselves as the Nunez independent monitor issue to report this spring, the doors themselves are standard in many correctional settings and there not inherently unsafe. The department has systems and processes and procedures in place to monitor the functioning of those doors and ensure that the doors when they are not operable, or not functioning properly aren't in use and then to make necessary repairs but they are old doors. Our facilities are old which is part of why newer facilities would be better -

COUNCIL MEMBER POWERS: Just a follow up question. What would be the timeline to replace the doors at RNDC once the money is into the budget? Like how long will it take to replace them? And second, I think the answer is no, but is any - would those cells that were found to be had malfunctioning cell doors, those are taken off line in terms of holding people in them?

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

COMMISSIONER STAFF MEMBER: Correct, correct. We have an automated tracking system for maintenance requests and the doors, when there identified, there taken off line. Individuals aren't housed in that cell and the door is either repaired and then put back on line or remains off line. In terms of the timeline, I think for the replacement of the doors, so the funding's available in Fiscal 2019, so we anticipate the project to be completed. Although, we're taking steps now to begin ordering and working with the vender to get everything ready for delivery, so we can begin the work July 1st.

COUNCIL MEMBER POWERS: So, when you say completed, that money goes in July 1st, whats the anticipated completion date?

COMMISSIONER STAFF MEMBER: The completion date - that I don't have on me right now, but I can get back to you, but it will be done next Fiscal Year.

COUNCIL MEMBER POWERS: This Fiscal Year.

COMMISSIONER STAFF MEMBER: 2019 yes.

COUNCIL MEMBER POWERS: Okay, moving to Raise the Age. I know Council Member Dromm covered some of this. I want to just ask some follow up questions on it. With the 159 correction officers that are going

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 to be placed at Horizon, I don't know and I'm sorry
4 if its repetitive, but I don't know if Council Member
5 Dromm - or that you guys had answered. Is the
6 policeman - is 159 officers new officers or are they
7 existing at other facilities that will be transferred
8 there? And if so, how is that determination made
9 about who, what facility they get placed at and who
10 goes to Horizon?

11 COMMISSIONER STAFF MEMBER: There is a
12 requirement that those that go to work at the
13 Horizons facility with the adolescence coming from
14 Rikers Island have at least two years of experience
15 working with this 16 to 21-year-old age population
16 and so that will drive in some part who could be
17 eligible, but they will come from existing staff and
18 I'll defer to the first update Commissioner with
19 respect to how the staff will be identified.

20 COMMISSIONER STAFF MEMBER: So, the
21 identification of the staff to be assigned at
22 Horizon. I'm sorry, I didn't catch that part of the
23 question.

24 COUNCIL MEMBER POWERS: The question is how are
25 you going to choose the 159 correction officers that
are going to work at Horizon? And I think part of

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 the answer is there is a minimum requirement of two
3 years history working with that population. So, that
4 means that would be existing officer and it sounds
5 like for two years history. The question is beyond
6 that, what are the other considerations or how is the
7 selection going to be made about who leaves one
8 facility and moves to Horizon?

9 COMMISSIONER STAFF MEMBER: Right, so the main
10 consideration is uhm, officers who have already
11 worked with that population at RNDC. So, we
12 anticipate that of the staff that have either worked
13 with the adolescent population or have the required
14 two years of working with the population will be able
15 to staff Horizon.

16 COUNCIL MEMBER POWERS: How many officers at RNDC
17 right now?

18 COMMISSIONER STAFF MEMBER: Approximately 760.

19 COUNCIL MEMBER POWERS: Okay, so you have 760, so
20 how do you get from — my question really is how do
21 you those 760 get to the 159, so some population
22 perhaps doesn't have the two-year experience
23 requirement, maybe most, I don't know but the
24 question is what are the extra considerations? Is it
25 interest level? Is it experience level? Is it you

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 know, how is that determination made about who moves
3 over?

4 COMMISSIONER STAFF MEMBER: So, as a result of
5 the Nunez Consent Decree, we have been recruiting
6 over the last four years. So, all of the great
7 majority of staff who work at RNDC either have prior
8 experience or have expressed an interest in working
9 with this population. So, the staff that is
10 currently at RNDC fits the criteria for Horizon.

11 COUNCIL MEMBER POWERS: I think that's a
12 different answer than I was asking. What I was
13 really - the question is essentially you have 760
14 officers, so what is the criteria behind choosing the
15 159 that will end up at Horizon. We know what the
16 minimum standard would be, and I appreciate that but
17 a second question, which is what are the additional
18 considerations that are given? And the point is that
19 the purpose of the law with Raise the Age is to move
20 them out of the correction facilities and put them in
21 the custody of ACS and I understand the transition
22 need of having 159 officers. The question is how are
23 you going to choose that population noting that there
24 has been a special consideration given to this age
25 population?

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COMMISSIONER STAFF MEMBER: So not all of the 700
4 officers work with the adolescent population. There
5 is an adult population in the facility as well. So,
6 the number is much less. So, there is the experience
7 requirement. There is also seniority that we have to
8 take into account and when we're transferring new
9 folks to new post. So, we're not only working within
10 the agency but we're also working with OLR and the
11 Unions to decide who that staff will be that goes
12 over.

13 COUNCIL MEMBER POWERS: So, seniority can
14 determine where you -

15 COMMISSIONER BRANN: That's correct.

16 COUNCIL MEMBER POWERS: And what about
17 disciplinary records, use of force, how are those
18 factors into -

19 COMMISSIONER BRANN: All of those are taken into
20 consideration because we look at that because of the
21 Nunez Consent Decree.

22 COUNCIL MEMBER POWERS: And does that - is
23 seniority placed before that in terms of a
24 consideration? Meaning does that - how is that used?
25 Like how does your use of - or your disciplinary
records let's say, factor into a determination of

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 whether your placed with the 16 and 17-year-old
3 population?

4 COMMISSIONER STAFF MEMBER: We do a holistic
5 review of the candidates who have – you know if there
6 is an eligibility criterion for a particular post
7 assignment. First meeting the eligibility criteria
8 and second would be looking at the persons employment
9 history with us and so, that's how the assignments
10 have been made within the department and that's how
11 the assignments will be made here as well and as the
12 Commissioner mentioned, there is obviously use of
13 force history and outcome investigation outcome
14 determination criteria that play a part in assign it
15 to specialized populations and units. So, that will
16 be followed as well.

17 COUNCIL MEMBER POWERS: Okay, thank you for that
18 and what happens after two years when it sounded – I
19 think the answer was that if we're budgeting and
20 we're expecting two years for the 159 officers to be
21 at Horizon. Is there a population that stays after
22 that or do they come back to existing facilities or
23 do they get absorbed by ACS or what happens?

24 COMMISSIONER BRANN: Our officers would return to
25 Rikers.

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COUNCIL MEMBER POWERS: Return to Rikers?

4 COMMISSIONER BRANN: Yes.

5 COUNCIL MEMBER POWERS: Okay, got it. So, moving
6 to new jails, I know that we covered some of this.
7 There is a kind of current capital commitment plan is
8 \$1.1 Billion for new jail facilities. What does that
9 \$1.1 cover? What is that amount? Why \$1.1 Billion
10 of the total cost which we know will be more than
11 that?

12 COMMISSIONER BRANN: So, the \$1.1 Billion was
13 just internally within our existing ten-year plan.
14 The reallocation of funding predominantly for the
15 what was the new 1,500 bed facility to be on Rikers
16 Island that takes up a large majority of that amount
17 and the remainder was associated with the capital
18 projects that were slated for the borough facilities.

19 COUNCIL MEMBER POWERS: So, it money that was
20 committed for other projects in the past, so for the
21 new facility, a new facility on Rikers Island, or
22 capital upgrades at existing facilities.

23 COMMISSIONER BRANN: Right.

24 COUNCIL MEMBER POWERS: That was rolled in. So,
25 its essentially repurposed money for the -

COMMISSIONER BRANN: Yes.

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

COUNCIL MEMBER POWERS: And, got it. And I know there is the ongoing to study from Perkins Eastman as they were hired as the official consultant for the project. Are there any preliminary findings from them so far from their study? And then whats the expected timeline when they release it?

COMMISSIONER BRANN: The expected timeline for a lease would be the end of this calendar year. Workshops and studies are ongoing. I believe community engagement is anticipated to begin soon and last month the task order was released for the environmental impact study to begin as part of the Ulurp process.

COUNCIL MEMBER POWERS: So, the EIS will start?

COMMISSIONER BRANN: Will start it.

COUNCIL MEMBER POWERS: Any other findings to date in terms of preliminary?

COMMISSIONER BRANN: That's all that we can report at this time.

COUNCIL MEMBER POWERS: That's all you can report, okay. And for the new jail facilities there's obviously populations that, like female populations right now has its own facility. Is the expectation that there will be a female unit in every

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 single woman unit – women’s unit in every single new
3 jail facility or will it be – I’m obviously trying to
4 bring people closer to home. What is the
5 expectations about the specialized units or in this
6 case an entire jail facility that is dedicated to
7 certain populations?

8 COMMISSIONER BRANN: So, keeping with our concern
9 to keep folks in their communities we would have
10 female units in every single one of the new jails.

11 COUNCIL MEMBER POWERS: Everyone, okay. Thank
12 you and then the barge uhm, has been the topic of
13 discussion recently around what to do with the barge
14 and the Bronx. Is there any – what does the future
15 hold for the barge?

16 COMMISSIONER BRANN: There have been no decisions
17 made about the barge as of yet.

18 COUNCIL MEMBER POWERS: So right now, it stays.
19 The plan is to keep it.

20 COMMISSIONER BRANN: There hasn’t been any
21 decision because the study hasn’t been done yet.

22 COUNCIL MEMBER POWERS: Okay, so study will lead
23 to a decision about – will inform a decision about
24 what to do with the barge?

25

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COMMISSIONER BRANN: It should inform a decision
4 yes.

5 COUNCIL MEMBER POWERS: Okay, and that's in
6 November?

7 COMMISSIONER BRANN: By the end of the calendar
8 year.

9 COUNCIL MEMBER POWERS: BY the end of the
10 calendar year, okay. And then as part of the state
11 budget designed bill was included for a number of
12 projects. Something the City Council had advocated
13 for and the Mayor supported. We have the belief that
14 it would have results of cost savings and some time
15 line improvements in terms of the jail facilities.
16 Have you made a decision or determination to how much
17 time and money it would safe in terms of construction
18 for the new facilities?

19 COMMISSIONER BRANN: Not yet at this time. We're
20 going to be working closely with DDC throughout that
21 process and again, the outcome of the CPSD study will
22 help inform us as to where we can go with cost
23 savings related to designed build.

24 COUNCIL MEMBER POWERS: Okay, so I know that the
25 limit commission I think had put the current timeline
at 6.5 years with design build included. Does that

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 sound in the ballpark or is that no information, no
4 guess on what the improved timeline might be?

5 COMMISSIONER BRANN: I wouldn't want to guess at
6 that at this time.

7 COUNCIL MEMBER POWERS: Alright, I won't make you
8 guess.

9 COMMISSIONER BRANN: Thank you.

10 COUNCIL MEMBER POWERS: Just a few more
11 questions. So, we have new spending in here which is
12 for investigations division, ESU Emergency Services,
13 Compliance and Safety Center, and then the cell door
14 replacement I think are four of the big items. The
15 investigations division is 71 new investigators which
16 I think is a result of the federal monitors report.
17 Do you expect other additional spending either out of
18 the most recent report or other - like what will be
19 the new - I mean you can't predict the new needs
20 because - is that the only new need that came out of
21 the fifth report?

22 COMMISSIONER BRANN: Yes, other than their
23 continued interest in the city building a new
24 training academy but there has been funding for that
25 and we're moving forward but the investigators, the
head count for the investigations division presently

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 stands at about 170 and at the time of the Nunez
3 settlement in 2015, the investigations division was
4 only about 100 investigators. So, we significantly
5 increased the head count, so we believe with this
6 next tranche of head count increase in Fiscal 2019
7 Executive Budget that we will be able to reduce the
8 case loads sufficiently and see efficiencies due to
9 the merging of the supervision of the investigations
10 and the trials divisions under one deputy
11 commissioner.

12 COUNCIL MEMBER POWERS: I know the topic of the
13 training academy. I will ask the following question
14 which is, is there any updates and is the \$100
15 Million – I think I asked this last time, I'm not
16 sure if we got it cleared. Is the \$100 Million the
17 expected total amount to complete an academy?

18 COMMISSIONER BRANN: That's the amount that's
19 been allocated yes, based on the space and largely
20 the space needs requirements that the department
21 would have for an academy for –

22 COUNCIL MEMBER POWERS: That is the estimate of
23 the cost of it and there are obviously other
24 contingencies in there but –

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COMMISSIONER BRANN: I think its hard to say
4 without a defined site and location if that will be
5 sufficient.

6 COUNCIL MEMBER POWERS: Right and timeline update
7 on with the process?

8 COMMISSIONER BRANN: The city is actively
9 identifying and considering potential properties that
10 would meet as initial criteria of some of the
11 location you know near public transportation, the
12 size requirements and then from there we'll move
13 forward with you know, further review and the
14 procurement process.

15 COUNCIL MEMBER POWERS: And whats the - how many
16 staff are at the academy today?

17 COMMISSIONER STAFF MEMBER: The class size is I
18 believe 156 were at last count 820 or so.

19 COUNCIL MEMBER POWERS: 820 staff?

20 COMMISSIONER STAFF MEMBER: Oh, you're talking
21 staff. Roughly 100.

22 COUNCIL MEMBER POWERS: 100. Will you need
23 another - will you need with the new academy an
24 increase in your staff budget as well?

25 COMMISSIONER BRANN: It's possible that we will
need new staff assigned there as we expand the

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 academy into including a leadership development track
4 into our curriculum.

5 COUNCIL MEMBER POWERS: Okay, got it. A few more
6 questions and then I'll hand it off back to the
7 Chair. We had a hearing last month on safety and
8 security. We also had a bill from the speaker that
9 related to telephone fees and this has been the topic
10 that's come up in the past as well. Can you just
11 update us on I think its about \$5 Million that's
12 projected in terms of telephone fees for phone calls?
13 Can you and just for some of the here as well who
14 weren't at that hearing. Can you give us an update
15 on A. is \$5 Million a right number for projected
16 telephone fees?

17 COMMISSIONER BRANN: Yes.

18 COUNCIL MEMBER POWERS: Okay, and how does one
19 make that projection? Can you explain to us the fees
20 the telephone calls and so, how much are they being
21 charged? I think there's some free phone calls and
22 they get charged at a certain point, can you explain
23 that process to us?

24 COMMISSIONER BRANN: So, the determination of the
25 \$5 Million was negotiated with - it's a negotiated
contract with a vendor which was registered in 2014.

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

So, I can't necessarily speak to how that number was determined. Sorry, I need a minute to find the information to find the information on the phones.

COMMISSIONER STAFF MEMBER: While she looks for the information related to the contract. I can answer some questions about the operations and the phone calls.

COUNCIL MEMBER POWERS: Sure.

COMMISSIONER STAFF MEMBER: So, all detainees receive free calls during the new admission process and then further indigent detainees receive free calls three a week as a detainee, two a week as a sentenced inmate. Inmates and detainees can make additional calls in a variety of ways, either collect calls where the call is paid for by the receiving party. They can make calls with funds available in their commissary accounts. Certain numbers such as 311, the Department of Investigation, the PREA hotline calls are free. Attorney calls are not free, but those calls are often not paid for either, they're paid for by the receiving party and the attorney. So, that's generally kind of the scope of phone calls. Those in our custody make approximately 26,000 phone calls every day.

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COUNCIL MEMBER POWERS: 26,000 every day?

4 COMMISSIONER STAFF MEMBER: Yes, almost 10
5 Million a year.

6 COUNCIL MEMBER POWERS: And whats the cost per
7 calls to the caller?

8 COMMISSIONER STAFF MEMBER: So, its \$0.50 for the
9 first minute and then \$0.05 for each additional
10 minute.

11 COUNCIL MEMBER POWERS: Whats the cost if like
12 I'm making a phone call from home, whats the average
13 cost?

14 COMMISSIONER STAFF MEMBER: Oh, I have no idea.

15 COUNCIL MEMBER POWERS: \$0.50 sounds high doesn't
16 it?

17 COMMISSIONER STAFF MEMBER: Uhm, as an initial
18 first minute, I think considering other correction
19 agencies and departments nationally, I think it's on
20 the higher side for the first minute but our per cent
21 \$0.05 per minute cost is lower and so the average
22 cost of a phone call is moderate compared to national
23 averages.

24 COUNCIL MEMBER POWERS: So, in terms of revenue
25 made - so you have a contract with - you have a \$5

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 Million contract with an outside third party. Who is
3 the third party? Who is the contract with?

4 COMMISSIONER STAFF MEMBER: Securus Technologies.

5 COUNCIL MEMBER POWERS: Okay, and that's a \$5
6 million annual contract the department pays - is it
7 \$5 Million?

8 COMMISSIONER STAFF MEMBER: It's a \$5 Million
9 Revenue contract with Securus Technologies.

10 COUNCIL MEMBER POWERS: So, they are basically
11 making the money that off the calls that are made, is
12 that right?

13 COMMISSIONER STAFF MEMBER: Well there's \$5
14 Million in revenues in the city's budget. So,
15 there's \$5 Million allocated in the cities revenue
16 plan as miscellaneous revenue, that goes back to the
17 general fund. We do have to pay the vendor for their
18 services as well.

19 COUNCIL MEMBER POWERS: And how much do we pay
20 the vendor?

21 COMMISSIONER STAFF MEMBER: Roughly, I think it's
22 about \$3 Million per Fiscal Year. I'd have to double
23 check that number.

24 COUNCIL MEMBER POWERS: So, we're paying \$3
25 Million, we're making \$5 Million and whats happening

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 to that other \$2 Million? Its going into the general
4 fund or -

5 COMMISSIONER STAFF MEMBER: Well, there's other
6 fees. I don't want to misspeak so I can get further
7 details on that.

8 COUNCIL MEMBER POWERS: When does that contract
9 end?

10 COMMISSIONER STAFF MEMBER: That contract will be
11 expiring in March of 2020. Although, we're going to
12 proceed conversations with the vendor as a result of
13 the legislation that's out to see how we can amend.

14 COUNCIL MEMBER POWERS: I mean I think you know
15 where I'm coming from which is that I think there is
16 a lot of concern amongst colleagues about the charges
17 and I think speakers bill speaks to that concern
18 certainly from the speaker and some others, so we
19 would like to continue to have a conversation about
20 that. I understand that you are in a contract you
21 know, but it feels like it's a conversation that
22 should require some urgency related to it and while I
23 know, the sort of constraints on an existing contract
24 certainly there is some way to revisit that and
25 certainly as you get to the end of it in March 2020,
which seems like a far time away, we would like to

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 talk more about that. I want to move to other fees
3 and services. Commissary has also received some
4 attention. How much revenue are we receiving from
5 commissary on an annual?

6 COMMISSIONER STAFF MEMBER: Approximately \$13
7 Million.

8 COUNCIL MEMBER POWERS: This year?

9 COMMISSIONER STAFF MEMBER: Yes.

10 COUNCIL MEMBER POWERS: And that's revenue.

11 COMMISSIONER STAFF MEMBER: Same - its
12 miscellaneous revenue into the city's general fund,
13 yes.

14 COUNCIL MEMBER POWERS: And that's also a
15 contract with an outside -

16 COMMISSIONER STAFF MEMBER: So, there is multiple
17 contracts that although, the department holds, there
18 precured by [inaudible 1:05:55] as many goods
19 contracts are. So, there's multiple contracts maybe
20 ten roughly ten or more for various goods that we
21 have available for sale in the commissary.

22 COUNCIL MEMBER POWERS: I should have asked, does
23 the agency have an opinion on the bill from the
24 speaker related to the telephone fees? A position on
25 it?

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COMMISSIONER STAFF MEMBER: Well, with respect to
4 the commissary bill as I understand it.

5 COUNCIL MEMBER POWERS: The first question was,
6 and I will ask that too, but the first question is
7 the telephone bill that -

8 COMMISSIONER STAFF MEMBER: Oh, well with the
9 phone bill when we were here last, our position
10 remains the same. The city and the Department of
11 Correction are interested in making the phone calls
12 as low cost as possible.

13 COUNCIL MEMBER POWERS: Oh, but the low cost but
14 also, I think the other consideration would be to
15 have not just reducing the amount but to you know,
16 eliminate any revenue generating.

17 COMMISSIONER STAFF MEMBER: Oh, so yeah so both
18 the cost to the detainee as low cost as possible and
19 then on the contract side as associated commissioner
20 lines, stated the department is actively engaged with
21 the city and now with our vendor Securus Technologies
22 to determine how we can either modify the existing
23 contract or have a new procurement with different
24 terms going forward, absolutely.

25 COUNCIL MEMBER POWERS: Okay, when do you think -
is there an expected timeline of when you have a -

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

somewhat of a final answer on the status of the
contract?

COMMISSIONER STAFF MEMBER: So, you know we're
having conversations now with the vendor and
negotiation is a process, but we're going to move it
as quickly as we can, given the importance of the
bill and an answer that you know, we need to provide.

COUNCIL MEMBER POWERS: I know a number of city
contracts have automatic renewals. Is 2020 them
exercising you know one-year renewal, two-year
renewal, top it and does the contract have renewals
after that?

COMMISSIONER STAFF MEMBER: The contract does
have renewal options, but we have the right to
exercise them, the city.

COUNCIL MEMBER POWERS: And then the commissary,
I'll ask the same question which is, you know Council
Members Richards and Adams put out a bill just
Wednesday and I think a response to a concern about
commissary funds being left over. Any opinion on
that bill?

COMMISSIONER STAFF MEMBER: Yeah, as we
understand it, the important - the intension of the
bill is to ensure that those who are in our custody

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 had funds in their commissary account receive those
3 funds upon their release from our custody and we're
4 in a complete accord with that. The department has
5 processes in place where presently increasing the
6 matters in which we communicate that information to
7 the detainees in our custody posting - we're going to
8 be posting signs identifying the same. When persons
9 are released from our custody, the balance of their
10 account up to \$100 is provided in cash. Anything
11 over \$100 is remitted by check. The individual just
12 provides the department with the address to which
13 they want that check distributed - mailed to and the
14 check is mailed. In addition, anyone can return to
15 any of our department facilities and court locations
16 and request at the window the return of their funds.

17 COUNCIL MEMBER POWERS: Is there a time period by
18 which you have to go and retrieve those funds before
19 they are swept back into the general fund or DFC
20 budget?

21 COMMISSIONER STAFF MEMBER: The requirement is
22 120 days presently and then although, as long as the
23 funds still remain within DOC, again the detainee can
24 return and provide there booking case number and
25 their information and receive their funds.

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COUNCIL MEMBER POWERS: Do you have any
4 understanding why the common reasons why somebody
5 doesn't retrieve the funds? Just \$3.5 Million is
6 there - is the amount? Is it the mechanism? -

7 COMMISSIONER STAFF MEMBER: To quantify the \$3.5
8 Million represents about 180,000 persons, so the
9 relative dollar amount obviously could vary but I
10 don't know that we've done any survey to determine
11 why those who have left their funds haven't collected
12 them but certainly we're aware that our obligation
13 and our interest is to make persons in our custody,
14 the detainees absolutely aware of the process and the
15 procedure, so that as many people who are in our
16 custody reclaim their funds.

17 COUNCIL MEMBER POWERS: Ahh, okay and one
18 executive plan is a decrease of \$82,000 for a
19 citywide phone plan reform. Can you elaborate on
20 what that represents?

21 COMMISSIONER STAFF MEMBER: That was one of
22 several citywide savings initiatives implemented by
23 OMB, so as I understand it DoITT who manages the
24 phone plans citywide is going to be reevaluating
25 those agreements, but I can't comment further than
that.

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COUNCIL MEMBER POWERS: So, the DoITT initiative
4 around citywide agency around phone -

5 COMMISSIONER STAFF MEMBER: Phone plans.

6 COUNCIL MEMBER POWERS: Okay. I'm going to leave
7 it there. I have some follow up questions, but I'll
8 hand it back over to Chair Dromm.

9 COUNCIL MEMBER DROMM: Lets go to Council Member
10 Holden and we've been joined by Council Member Steven
11 Matteo.

12 COUNCIL MEMBER HOLDEN: Good morning
13 commissioners. Thanks for visiting my district
14 office last week with your wonderful staff. I
15 learned a lot. Thank you again. Just a couple
16 questions on the Perkins Eastman study. That should
17 be completed by the end of the year you said. It's
18 close to a \$8 Million project.

19 COMMISSIONER STAFF MEMBER: That is correct.

20 COUNCIL MEMBER HOLDEN: Okay, can you talk about
21 what their doing in that? Are they doing
22 environmental impact study? Are they doing any
23 drawings? Are they doing plans? I mean could you
24 talk to that?

25 COMMISSIONER STAFF MEMBER: Yes. So, the CPSD
study will cover the sights for MDC, QDC, in Brooklyn

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 what can be done. It will look at conceptual design.
4 It will look at environmental impact. There will be
5 community engagement to name a few of the – and also
6 internally –

7 COUNCIL MEMBER HOLDEN: Right, so they do an EIS,
8 not an EAS. There not doing an assessment study.
9 There doing an impact study.

10 COMMISSIONER STAFF MEMBER: Yes.

11 COUNCIL MEMBER HOLDEN: Okay, good that's more
12 detail. So, what was the mandate? Where they given
13 a number of detainees to house? Was it 5,000? Was
14 it just say, what we have today, 9,000 are they
15 looking at that or are they – you just gave them put
16 four of borough-based jails?

17 COMMISSIONER STAFF MEMBER: So, I believe that
18 the number that we're looking at is 5,000 but with
19 enough swing space to accommodate a shifting
20 population.

21 COUNCIL MEMBER HOLDEN: Can you speak to that a
22 bit? You say enough swing space, but is that 7,000,
23 8,000?

24 COMMISSIONER STAFF MEMBER: I'm sorry, I'm being
25 corrected. The number we're looking at is the
26 population of 6,000 beds with swing space capability.

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COUNCIL MEMBER HOLDEN: Alright, so what if there
4 are more though? What if we don't get down to that
5 6, what happens? Do they stay on Rikers? Or we
6 build more jails? Is there anything in that study to
7 say what if we need more than four?

8 COMMISSIONER STAFF MEMBER: I'm not sure they are
9 going to include that information, but we have had
10 conversations with them about design and the ability
11 to separate different populations and accommodate
12 swings in population over time.

13 COUNCIL MEMBER HOLDEN: And they are also
14 mandated to actually replicate the programs at Rikers
15 in all the borough-based jails so, that's going to
16 take up more space. Obviously, athletic facilities
17 and health facilities, laundry, you know, kitchens
18 and their mandated to do that. So, there not doing
19 an architectural rendering, right? There just doing
20 feasibility study.

21 COMMISSIONER STAFF MEMBER: That's correct.

22 COUNCIL MEMBER HOLDEN: Okay, alright and you're
23 expected to get that at November or December?

24 COMMISSIONER STAFF MEMBER: By the end of the
25 calendar year.

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COUNCIL MEMBER HOLDEN: By the end of the
4 calendar year, okay. Just one other thing on the
5 follow up on the training facility. Who can we get
6 to kind of put that on the fast track? Who's
7 responsible to try - is it DDC? Who is responsible
8 for moving that along? Is it your agency? Because
9 we seem to be kind of stuck.

10 COMMISSIONER STAFF MEMBER: Its coordination
11 between DOC and DDC, yes.

12 COUNCIL MEMBER HOLDEN: I'm sorry.

13 COMMISSIONER STAFF MEMBER: Coordination between
14 DOC and DDC.

15 COUNCIL MEMBER HOLDEN: DOC and DDC, okay. Thank
16 you.

17 COUNCIL MEMBER DROMM: Thank you. Just to follow
18 up on some of the phone call questions as well. So,
19 for indigent folks who are trying to make a phone
20 call, how long is their phone call, six minutes?

21 COMMISSIONER STAFF MEMBER: Correct, six minutes.

22 COUNCIL MEMBER DROMM: Three times a week?

23 COMMISSIONER STAFF MEMBER: Correct.

24 COUNCIL MEMBER DROMM: How long is the phone call
25 for those who can pay?

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COMMISSIONER STAFF MEMBER: The maximum length of
4 a phone call is 15 minutes.

5 COUNCIL MEMBER DROMM: 15 minutes, so that's
6 double and they can call everyday or whenever they
7 want?

8 COMMISSIONER STAFF MEMBER: Correct.

9 COUNCIL MEMBER DROMM: They could call multiple
10 times a day?

11 COMMISSIONER STAFF MEMBER: Uhm, the phone usage
12 - the maximum phone usage is I believe its 21 minutes
13 of access phone usage every three hours.

14 COUNCIL MEMBER DROMM: Every three hours?

15 COMMISSIONER STAFF MEMBER: Yeap.

16 COUNCIL MEMBER DROMM: Okay and to pay for those
17 phone calls, you have to pay with a credit card or
18 put money down? How does that work?

19 COMMISSIONER STAFF MEMBER: For the detainee, it
20 would be funds if they have funds in their commissary
21 account. It would be the funds in their commissary
22 account. Uhm, for the other side, which would be the
23 collect calls from the loved ones, it can be prepaid
24 via on line telephone or you can go to a facility.

25 COUNCIL MEMBER DROMM: So, for the prepaid, if
you pay, whats the minimum payment for a prepaid?

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COMMISSIONER STAFF MEMBER: \$20.00.

4 COUNCIL MEMBER DROMM: So, is there a refund
5 available if the detainee leaves and is the person
6 who prepaid eligible to get money back?

7 COMMISSIONER STAFF MEMBER: I actually don't have
8 that answer available. I'd have to look into it.

9 COUNCIL MEMBER DROMM: Do you have an idea of
10 what's the average payment on those prepaid calls?

11 COMMISSIONER STAFF MEMBER: No, I do not.

12 COUNCIL MEMBER DROMM: Because it could probably
13 be significant. I'd like to know that also. Okay,
14 there's a lot of questions that we're going to have
15 to follow up with you on and I just have a couple
16 more here. Crisis intervention training, in 2015 DOC
17 and health and hospitals - since 2015 have been
18 implementing a crisis intervention team program.
19 Crisis intervention team training is given to both
20 officers and mental health staff. It entails 40
21 hours of intensive training. How much does it cost
22 the department to do the 40-hour training and is this
23 sufficient for adequate crisis intervention training?

24 COMMISSIONER STAFF MEMBER: I don't have that
25 information. There is a - when staff is into
training, there is a backfill involved for those

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 persons that are no longer on their post for the span
4 of training, so there maybe an overtime cost, but for
5 the actual cost of the training itself, I don't have
6 that.

7 COUNCIL MEMBER DROMM: Okay, so we're going to
8 ask you for that as well and follow up. How does the
9 department measure whether the crisis intervention
10 training is effective or not?

11 COMMISSIONER STAFF MEMBER: Uhm, that's a very
12 good question. We assess how the officers are
13 responding in the housing units. When we have lower
14 incident rates, when we have less use of force, when
15 we have less violence indicators in those housing
16 areas. We believe that there has been a transfer of
17 learning.

18 COUNCIL MEMBER DROMM: So, is there a formal
19 evaluation process of that program?

20 COMMISSIONER STAFF MEMBER: No.

21 COUNCIL MEMBER DROMM: Maybe we should do that as
22 well and see how effective we are. Is the goal to
23 eventually have all DOC staff trained in the crisis
24 intervention team?

25 COMMISSIONER STAFF MEMBER: Yes.

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COUNCIL MEMBER DROMM: Okay. What about implicit
4 bias training? Are you doing implicit bias training?

5 COMMISSIONER STAFF MEMBER: We have done implicit
6 bias training at the executive and management level.
7 We have not gone down to the captains in the officers
8 yet.

9 COUNCIL MEMBER DROMM: Is there a plan to do
10 that?

11 COMMISSIONER STAFF MEMBER: We will be
12 incorporating that into the leadership development
13 track.

14 COUNCIL MEMBER DROMM: How did you at one time I
15 know you had trained officers at the Museum of
16 Tolerance. Actually, I saw the program its pretty
17 good, but I don't think that museum exists any
18 longer. Are you doing anything around racial
19 sensitivity implicit bias now with the officers?

20 COMMISSIONER STAFF MEMBER: That may not have
21 been us. It may have been NYPD but -

22 COUNCIL MEMBER DROMM: Or [inaudible 1:18:51].

23 COMMISSIONER STAFF MEMBER: It was Coba[SP?].

24 COUNCIL MEMBER DROMM: It was Coba that was doing
25 that.

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 COMMISSIONER STAFF MEMBER: But I can tell you
4 that everyone receives training from our EEO office,
5 both in the academy and those who are already in
6 service.

7 COUNCIL MEMBER DROMM: And how long is that
8 training?

9 COMMISSIONER STAFF MEMBER: I believe that's an
10 all-day training, eight hours.

11 COUNCIL MEMBER DROMM: So, one day, okay.
12 Alright, let me go to mental health first aid. In
13 your response to the follow up letter that was sent
14 to you after preliminary, it says that the department
15 began providing the mental health first aid training
16 to uniform staff in September 2014 and a total of
17 over 5,000 DOC uniform staff members have been
18 trained through March 2018. The MHFA is an eight-
19 hour course, it gives the people the skills to help
20 someone who is developing a mental health problem or
21 experiencing mental health crisis. Is that eight-
22 hour course enough to deal with that or is more
23 training necessary?

24 COMMISSIONER STAFF MEMBER: I think with respect
25 to that course, that one day course is sufficient.
The department has several other courses that address

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 crisis intervention, conflict resolution, de-
4 escalation, in particular we have a three-day
5 training program that more than 3,000 of our recent
6 recruit graduates have through and we began rolling
7 out in March with all of our in-service staff. So,
8 yes to the content of the mental health first aid,
9 the eight-hour training and the content it covers,
10 but we have similar overlapping and extending content
11 in other trainings as well.

12 COUNCIL MEMBER DROMM: Okay. Alright, I think
13 that's it for now. Chair Powers has some follow ups.

14 COUNCIL MEMBER POWERS: Just questions that I
15 realize I didn't get to. When you refund the
16 commissary for the over \$100 – well let me ask the
17 question, what percentage of folks are normally below
18 the \$100 that receive the cash and the amount that's
19 above the \$100 that received a check?

20 COMMISSIONER STAFF MEMBER: We'd have to get that
21 information. I don't have that information. I don't
22 want to guess.

23 COUNCIL MEMBER POWERS: And the – what happens if
24 somebody receives a check and doesn't have a checking
25 account?

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

COMMISSIONER STAFF MEMBER: I'm sorry, say that
again.

COUNCIL MEMBER POWERS: What happens to the folks
that don't have a checking account or adolescents who
are - I don't know who may not have a checking
account?

COMMISSIONER STAFF MEMBER: Check cashing
establishments where you can cash a check without
having an account.

COUNCIL MEMBER POWERS: Whats the normal fee on a
check cashing.

COMMISSIONER STAFF MEMBER: I'm not aware.

COUNCIL MEMBER POWERS: Well, it's a lot of money
and I think not great actors. I mean I think there's
a - I'm asking the questions because it struck me
that we are giving some folks back a check and maybe
they don't have a checking account and they have to
rely on something like a check cashing service that
has high fees or can have high fees and can take a
large amount of that money back from them. I want to
go back to the fees again. So, I just wanted to
clarify, the city has \$5 Million in expected revenue
from the phone calls. Is paying \$3 Million annually
for the service. There's a \$2 Million profit off the

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

contract, is that shared between the operator and the department or does that go directly to the department, that \$2 Million?

COMMISSIONER STAFF MEMBER: The only thing we intake is the \$5 Million.

COUNCIL MEMBER POWERS: You take the \$5 Million and you pay out the \$3 Million?

COMMISSIONER STAFF MEMBER: Yes.

COUNCIL MEMBER POWERS: The \$5 Million is the fees that got collected. The Million is what you pay out. So, you make a \$2 Million. We're making a \$2 Million on a spread on the phone calls in you know, today. This year we're expected to make a \$2 Million on profit essentially off of the phone calls.

COMMISSIONER STAFF MEMBER: Again, we're not making the profit. We only intake the \$5 Million, so I'd want to research this further, so I can give a more informed answer as to what that difference is and why it exists.

COUNCIL MEMBER POWERS: I might be wrong, but what am I wrong about? We're paying \$3 Million, making \$5 Million?

COMMISSIONER STAFF MEMBER: Again, I recognize your identifying this \$2 Million, but I don't want to

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

misspeak and guess as to what that might be, so I want to be able to research and give an informed answer that's accurate.

COUNCIL MEMBER POWERS: Okay, and then last question and vending machines. Whats the expected revenue this year for vending?

COMMISSIONER STAFF MEMBER: I don't have that available.

COUNCIL MEMBER POWERS: Okay and so could you get us that? Is it okay with you? And we have a contract with somebody for vending? Do we know how much that contract is annually?

COMMISSIONER STAFF MEMBER: We'll get that information to you.

COUNCIL MEMBER POWERS: That would be great, I appreciate it and I assume all these contracts are like registered with the city controller or everything, anyway right?

COMMISSIONER STAFF MEMBER: Yes.

COUNCIL MEMBER POWERS: Are those actually available for us to have copies of the contracts as well?

COMMISSIONER STAFF MEMBER: Uhm, sure. We can - information is always available. The other

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

1
2 controller's checkbook but we could also obtain that
3 information for you if you want to see the details of
4 the contract.

5 COUNCIL MEMBER POWERS: Okay, and then the I'm
6 sure you saw today on the City Controllers report
7 that raise some concerns. It was admitted before we
8 all walked in the door but any initial feedback on
9 the Controllers Report this morning?

10 COMMISSIONER STAFF MEMBER: I have not seen that
11 report yet.

12 COUNCIL MEMBER POWERS: I'm sure its on your desk
13 when you get back.

14 COMMISSIONER STAFF MEMBER: I'm sure it will be.

15 COUNCIL MEMBER POWERS: I think it raises
16 concerns about the drop-in population but the
17 continued increases in spending particularly around
18 personal and overtime and head count. I won't ask
19 you to respond to it because you haven't had a chance
20 to look at it, but something will be asked in the
21 future.

22 COMMISSIONER STAFF MEMBER: Thank you.

23 COUNCIL MEMBER DROMM: And at some point in the
24 future also, I would like to talk with you about the
25 increase, seems to me, in the requests for variances

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
2 CRIMINAL JUSTICE

3 on segregated housing and have a discussion with you
4 around that but that's not what today is about so,
5 what we're going to do right now I think is that
6 we're going to close out and thank you for coming in
7 and we look forward to continuing to work with you on
8 these issues.

9 COMMISSIONER STAFF MEMBER: Thank you.

10 COUNCIL MEMBER POWERS: Thank you. Thanks for
11 being here. Thank you everybody for attending.

12 COUNCIL MEMBER DROMM: Okay, this concludes our
13 hearing for today. This finance committee will
14 resume Executive Budget hearing for Fiscal 2019 on
15 Monday May 14, 2018 at 10:00 a.m. in this room. On
16 Monday, the Finance Committee will hear from the New
17 York Police Department, the District Attorneys and
18 the Special Narcotics Prosecutor. The Mayor's Office
19 of Criminal Justice, Department of Housing and
20 Preservation and Development and the Department of
21 Buildings. Thank you and this hearing is now
22 adjourned. [Gavel].
23
24
25

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

- 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

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON
CRIMINAL JUSTICE

- 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

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 April 1, 2018