



Fiscal 2009 Executive Budget Hearings

❖ Committee on Finance jointly with the Committee on Fire & Criminal Justice Services

May 2008

Scheduled To Testify:

- *Fire Department/Emergency Medical Service*
- *Department of Correction*
- *Criminal Justice Coordinator (Indigent Defense Services)*
- *Legal Aid*

***Hon. Christine C. Quinn
Speaker of the Council***

***Hon. David I. Weprin, Chair
Committee on Finance***

***Hon. Miguel Martinez, Chair
Committee on Fire & Criminal
Justice Services***

***Preston Niblack, Director
Finance Division***

New York City Council Finance Division

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Fire Department/Emergency Medical Service (057)**Agency Operations**

The Fire Department protects life and property from fire through an extinguishment network of 197 Engine Companies and 143 Ladder Companies. In addition, the Department promotes fire prevention via education, investigation and inspection. The Department's firefighters also respond to life-threatening medical emergencies on a limited basis, including responding to terrorist incidents and hazardous materials events. The Department's Bureau of Emergency Medical Services (EMS) is responsible for responding to all types of medical emergencies in the City and providing transport to area hospitals for individuals requiring medical assistance.

AGENCY FUNDING OVERVIEW

Agency Funding Sources	Fiscal 2008 Adopted Budget	Fiscal 2008 Current Mod. as of 4/25/2008	Fiscal 2009 Preliminary Budget	Fiscal 2009 Executive Budget
City	\$1,303,739,273	\$1,303,729,773	\$1,351,890,766	\$1,350,492,060
Other Categorical	\$134,941,846	\$135,159,144	\$145,683,456	\$145,912,208
Capital IFA	\$0	\$0	\$0	\$0
State	\$1,846,001	\$1,851,001	\$1,846,001	\$1,846,001
Community Development	\$0	\$0	\$0	\$0
Federal-Other	\$22,037,701	\$64,575,179	\$16,230,010	\$16,230,010
Intra-City	\$10,343,349	\$10,343,349	\$10,343,349	\$10,743,349
Total	\$1,472,908,170	\$1,515,658,446	\$1,525,993,582	\$1,525,223,628

The Fire Department's Executive Budget for Fiscal 2009 is approximately \$1.53 billion, a \$52 million increase compared to its Fiscal 2008 Adopted Budget of approximately \$1.47 billion. The Executive Budget for Fiscal 2009 in City funds is \$46.8 million higher than the Adopted Fiscal 2008 City tax levy appropriation. The Department also sees a \$10.97 million increase in Other Categorical funds compared to the 2008 Adopted budget. Because of the time discrepancies that exist between the City's Fiscal year and those of the State and Federal governments, the Department only reports baseline funding and grants it is likely to receive from these entities. In the Fiscal 2009 Executive Budget, approximately \$1.9 million is recognized from the State while \$16.2 million is recognized in Federal grants -- \$5.8 million less than in last year's Adopted budget.

The bulk of the Department's budget goes toward Personal Services spending for fire extinguishment. The January Plan allocates \$1.1 billion for this function, a 3.9% increase over the Adopted Budget for Fiscal 2008. This area also accounts for the Department's largest dollar value increases over the Adopted budget.

In the wake of 9/11, the Department suffered many severe budget cuts, including the closure of six engine companies and a drastic reduction of fire marshals. While these particular cuts have only been partially restored, the Department's budget has seen various increases over the past few years. Whereas in Fiscal 2003 its Adopted Budget was \$1.08 billion, its Executive Budget for Fiscal 2009 is some \$450 million greater. Contributors to this increase include collective

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bargaining agreements, overtime expenses, the takeover of some existing private ambulance tours and increased training for firefighters.

HEADCOUNT OVERVIEW

Headcount Uniform	Fiscal 2008 Adopted Budget	Fiscal 2008 Forecast 6/30/2008	Fiscal 2009 Preliminary Budget	Fiscal 2009 Executive Budget
City	11,264	11,264	11,264	11,226
Non-City	11	11	11	11
Total	11,275	11,275	11,275	11,237

Headcount Civilian	Fiscal 2008 Adopted Budget	Fiscal 2008 Forecast 6/30/2008	Fiscal 2009 Preliminary Budget	Fiscal 2009 Executive Budget
City	4,729	4,656	4,749	4,796
Non-City	20	20	20	20
Total	4,749	4,676	4,769	4,816

FDNY Overtime Plan - As per the Fiscal 2009 Executive Budget

Category	Fiscal 2008	Fiscal 2009	Fiscal 2010	Fiscal 2011	Fiscal 2012
Uniform	\$ 147,900,346	\$ 170,725,376	\$ 171,828,119	\$ 169,968,128	\$ 169,977,580
Civilian (non-EMS)	\$ 12,591,908	\$ 10,712,903	\$ 10,712,903	\$ 10,712,903	\$ 10,712,903
Civilian (EMS)	\$ 30,071,481	\$ 25,005,153	\$ 25,000,438	\$ 24,985,295	\$ 24,985,295
Total	\$ 190,563,735	\$ 206,443,432	\$ 207,541,460	\$ 205,666,326	\$ 205,675,778

UNITS OF APPROPRIATION

The operating budget of an agency is structured into several levels, each of which provides varying levels of detail on an agency's spending plans. The unit of appropriation ("U/A") is the most basic level of detail within an agency's operating budget. U/As are essentially the building blocks of the City's Expense Budget. It is at this level that the Council adopts the City's Expense Budget. The City Charter requires that U/As represent the amount appropriated for Personal Services (i.e., salaries, overtime, etc.) or Other Than Personal Services (i.e., supplies, contracts, etc.) for a particular program, purpose, activity or institution. What follows is the U/A structure and January 2008 Financial Plan appropriations for the Fire Department.

U/A	U/A Name	Fiscal 2008 Adopted Budget	Fiscal 2008 Current Mod. as of 4/25/2008	Fiscal 2009 Preliminary Budget	Fiscal 2009 Executive Budget
001	Executive Administrative	\$69,392,043	\$74,365,061	\$66,832,156	\$70,212,409
002	Fire Exting./Emergency Response	\$1,061,455,904	\$1,057,678,806	\$1,103,752,574	\$1,101,694,409
003	Fire Investigation	\$14,827,885	\$14,992,761	\$16,004,256	\$15,539,756
004	Fire Prevention	\$21,965,750	\$21,997,681	\$23,191,187	\$23,798,944
009	Emergency Medical Services	\$168,550,634	\$165,292,965	\$178,609,774	\$177,632,353
	Total PS	\$1,336,192,216	\$1,334,327,274	\$1,388,389,947	\$1,388,877,871
005	Executive Administrative-OTPS	\$79,414,264	\$121,161,121	\$78,810,665	\$77,444,531
006	Fire Exting./Emergency Response	\$35,988,163	\$37,787,571	\$38,459,099	\$38,296,788
007	Fire Investigation-OTPS	\$418,160	\$418,160	\$78,160	\$78,160
008	Fire Prevention-OTPS	\$394,740	\$399,740	\$445,032	\$440,797
010	Emergency Medical Services-OT	\$20,500,627	\$21,564,580	\$19,810,679	\$20,085,481
	Total OTPS	\$136,715,954	\$181,331,172	\$137,603,635	\$136,345,757
	Total Agency	\$1,472,908,170	\$1,515,658,446	\$1,525,993,582	\$1,525,223,628

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EXECUTIVE BUDGET ACTIONS (\$000)

Description	Fiscal 2008			Fiscal 2009		
	City	Non-City	Total	City	Non-City	Total
Agency Budget as per the Preliminary Plan	\$1,333,020	\$227,645	\$1,560,665	\$1,351,891	\$174,102	\$1,525,993
PEGs						
25% Reduction in Non-FT Support Staff	\$0	\$0	\$0	(\$1,196)	\$0	(\$1,196)
Buildings OTPS	\$0	\$0	\$0	(\$2,386)	\$0	(\$2,386)
Civilianization of Civilian Staffing Coordinating Office (DSCO) Unit	\$0	\$0	\$0	(\$743)	\$0	(\$743)
Civilianization of Mobile Medical Unit	\$0	\$0	\$0	(\$107)	\$0	(\$107)
Civilianization of Officer Assignment Desk (OAD) Unit	\$0	\$0	\$0	(\$198)	\$0	(\$198)
Fire Prevention Fee Revenue	\$0	\$0	\$0	\$342	\$0	\$342
John Jay Training	\$0	\$0	\$0	(\$250)	\$0	(\$250)
Management Initiatives Funding	\$0	\$0	\$0	(\$250)	\$0	(\$250)
Reduction in OTPS Funding	\$0	\$0	\$0	(\$500)	\$0	(\$500)
Total PEGs	\$0	\$0	\$0	(\$5,289)	\$0	(\$5,289)
Other Adjustments						
Auto Service Workers (ASW) Collective Bargaining	\$103	\$0	\$103	\$103	\$0	\$103
Civilianization of Mobile Medical Unit - Fringe	\$0	\$0	\$0	\$26	\$0	\$26
Communication Electricians Collective Bargaining	\$142	\$0	\$142	\$142	\$0	\$142
Electrical Inspectors Collective Bargaining	\$69	\$0	\$69	\$69	\$0	\$69
Fire Prevention Fee Revenue - Fringe	\$0	\$0	\$0	(\$71)	\$0	(\$71)
Firefighter Civilianization for DSCO - Fringe	\$0	\$0	\$0	\$192	\$0	\$192
Firefighter Civilianization for OAD Unit - Fringe	\$0	\$0	\$0	\$51	\$0	\$51
Fuel	(\$569)	\$0	(\$569)	\$37	\$0	\$37
Gasoline	\$1,176	\$0	\$1,176	\$275	\$0	\$275
Health Services and Institutional Titles Collective Bargaining	\$0	\$0	\$0	\$1	\$0	\$1
Heat, Light and Power	(\$351)	\$0	(\$351)	\$725	\$0	\$725
Lease Adjustment	\$0	\$0	\$0	\$1,375	\$0	\$1,375
MEBA Collective Bargaining	\$221	\$0	\$221	\$400	\$0	\$400
NYSNA (Staff Nurses) Collective Bargaining	\$11	\$0	\$11	\$81	\$0	\$81
Part Time Staffing - Fringe	\$0	\$0	\$0	\$62	\$0	\$62
OSA Staff Analysts Collective Bargaining	\$366	\$0	\$366	\$366	\$0	\$366
Rubber Tire Repairers CB	\$25	\$0	\$25	\$25	\$0	\$25
Sheet Metal Workers CB	\$29	\$0	\$29	\$29	\$0	\$29
Create Organ Donation Grant	\$0	\$118	\$118	\$0	\$229	\$229
ECTP Funding Reallocation	\$0	\$0	\$0	\$0	\$400	\$400
Bulletproof Vest Grant	\$0	\$56	\$56	\$0	\$0	\$0
U.S. Forest Services	\$0	\$101	\$101	\$0	\$0	\$0
UASI 3	\$0	\$9	\$9	\$0	\$0	\$0
Total Other Adjustments	\$1,224	\$284	\$1,507	\$3,890	\$629	\$4,519
PEG Restorations and Substitutions (PRS)						
AVL Revenue	\$24	(\$24)	\$0	\$0	\$0	\$0
Total PRS	\$24	(\$24)	\$0	\$0	\$0	\$0
Total Executive Plan Budget Changes	\$1,248	\$259	\$1,507	(\$1,398)	\$629	(\$769)
Agency Budget as per the Executive Plan	\$1,334,268	\$227,904	\$1,562,172	\$1,350,493	\$174,731	\$1,525,224

EXECUTIVE BUDGET ACTION ANALYSIS

Programs to Eliminate the Gap (PEGs)

Expense PEGs

- **25-Percent Reduction in Non-Full Time Support Staff.** Beginning in Fiscal 2009, the Department will reduce its current appropriation for non-uniformed, non-full time support staff by twenty-five percent. This action will yield the Department a savings of \$1.2 million in Fiscal 2009 and the outyears. These PEG amounts include fringe benefit savings normally reflected in the Miscellaneous budget and not in the Department's budget. An associated Other Adjustment item, detailed below, offsets the fringe benefit amounts that are included as part of the PEG figures to give the Department PEG credit.
- **Building OTPS.** The Department will reduce its appropriation for basic maintenance of firehouses and other physical plant locations by a baselined amount of \$2.4 million beginning in Fiscal 2009.
- **Civilianization of the Division of Staffing Coordinating Office (DSCO) Unit.** The Department will replace 30 uniformed positions with civilian within the division of the Department responsible for coordinating the staffing of tours by uniformed firefighters. The uniformed positions will be reassigned to firefighting duties. This action will yield a savings of \$743,291 in Fiscal 2009 growing to \$1.5 million in Fiscal 2010, decreasing slightly to \$1.4 million in the outyears. These PEG amounts include fringe benefit savings normally reflected in the Miscellaneous budget and not in the Department's budget. An associated Other Adjustment item, detailed below, offsets the fringe benefit amounts that are included as part of the PEG figures to give the Department PEG credit.
- **Civilianization of Mobile Medical Unit.** The Department will replace four uniformed positions within its Mobile Medical Unit, which is responsible for the transportation of sick and injured firefighters to their medical appointments, and replace them with civilians. The firefighters will be reassigned to firefighting duties. This action will yield the Department a savings of \$106,625 in Fiscal 2009, \$214,499 in Fiscal 2010, \$217,199 in Fiscal 2011 and \$220,249 in Fiscal 2012. These PEG amounts include fringe benefit savings normally reflected in the Miscellaneous budget and not in the Department's budget. An associated Other Adjustment item, detailed below, offsets the fringe benefit amounts that are included as part of the PEG figures to give the Department PEG credit.
- **Civilianization of Officer Assignment Desk (OAD) Unit.** The Department will replace eight uniformed positions with civilians within the division of the Department responsible for coordinating the staffing of tours by uniformed officers. The uniformed positions will be reassigned to firefighting duties. This action will yield a savings of \$198,211 in Fiscal 2009, \$398,922 in Fiscal 2010, \$377,763 in Fiscal 2011 and \$357,303 in Fiscal 2012. These PEG amounts include fringe benefit savings normally reflected in the Miscellaneous budget and not in the Department's budget. An associated Other Adjustment item, detailed below, offsets the fringe benefit amounts that are included as part of the PEG figures to give the Department PEG credit.

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- **Fire Prevention Fee Revenue.** The Department will hire five additional staff within the Fire Prevention Unit (four engineers and one support position) to generate additional revenue (see Revenue PEG analysis below). These positions will entail an expense impact of \$341,732 in Fiscal 2009, \$344,857 in Fiscal 2010, \$348,482 in Fiscal 2011 and \$352,482 in Fiscal 2012. These amounts include fringe benefit costs normally reflected in the Miscellaneous budget and not in the Department's budget. An associated Other Adjustment item, detailed below, offsets the fringe benefit cost amounts that are included in the value of this action.
- **John Jay Training.** The Department will eliminate its subsidy for Fire Science training classes that was previously provided to firefighters taking such courses at John Jay College. This action will generate savings of \$250,000 per year beginning in Fiscal 2009.
- **Management Initiatives Funding.** The Department will eliminate funding for prospective efficiency measures and projects initiated by the Commissioner and senior staff. This action will yield a savings of \$250,000 per year beginning in Fiscal 2009.
- **Reduction in OTPS Funding.** The Department will absorb a reduction of \$500,000 in Fiscal 2009 and Fiscal 2010 targeted to its recruitment budget. Since there will be no firefighter exam administered in those two years, the Department will temporarily reduce its recruitment efforts and take a savings against that portion of its budget.

Revenue PEGs

- **Fire Prevention Fee Revenue.** As stated above, the Department will hire additional staffers in its Fire Prevention Unit to generate additional revenue. This action will yield an additional \$830,000 per year in gross fee revenue beginning in Fiscal 2009.
- **Summons Enforcement Revenue.** Originally scheduled to end in Fiscal 2008, a reassessment of the Department's Summons Enforcement Program has led to its extension through Fiscal 2012. This program is designed to help force compliance with Environmental Control Board-related regulations by having the Department move from generally issuing violation orders to more regularly issuing summonses, with the fee schedule for the latter increasing substantially. The extended program is projected to generate an additional \$600,000 in violations per year beginning in Fiscal 2008.
- **Additional Revenue from Fire Prevention Liens.** The Department charges \$210 per hour to conduct fire prevention inspections. It initially bills the building owners directly but, if the inspection bill goes unpaid, a lien is placed on the building by the Department of Finance and the inspection bill is sent out with the owner's property tax bill. Currently, these liens generate annual baseline revenue totaling \$1.8 million. The Office of Management and Budget (OMB) projects that, beginning in Fiscal 2009, additional liens will generate added revenue of \$700,000 per year giving the Fire Prevention Liens program an adjusted baseline of \$2.5 million per year.

Other Adjustments

- **Auto Service Workers (ASW) Collective Bargaining.** Beginning in Fiscal 2008, annual funds totaling \$103,116 are being transferred from the Labor Reserve in the Miscellaneous Budget to the Department's PS budget to cover the costs associated with recent collective bargaining settlements.
- **Communication Electricians Collective Bargaining.** Beginning in Fiscal 2008, annual funds totaling \$141,850 are being transferred from the Labor Reserve in the Miscellaneous Budget to the Department's PS budget to cover the costs associated with recent collective bargaining settlements.
- **Electrical Inspectors Collective Bargaining.** Beginning in Fiscal 2008, annual funds totaling \$68,857 are being transferred from the Labor Reserve in the Miscellaneous Budget to the Department's PS budget to cover the costs associated with recent collective bargaining settlements.
- **Health Services and Institutional Titles Collective Bargaining.** Funds totaling \$496, growing to \$1,498 in Fiscal 2009 and the outyears, are being transferred from the Labor Reserve in the Miscellaneous Budget to the Department's PS budget to cover the costs associated with recent collective bargaining settlements.
- **Marine Engineers Beneficial Association (MEBA) Collective Bargaining.** Funds totaling \$221,488 in Fiscal 2008, \$399,831 in Fiscal 2009, \$571,039 in Fiscal 2010, \$807,224 in Fiscal 2011, and \$830,929 in Fiscal 2012 are being transferred from the Labor Reserve in the Miscellaneous Budget to the Department's PS budget to cover the costs associated with recent collective bargaining settlements.
- **New York State Nurses Association (Staff Nurses) Collective Bargaining.** Funds totaling \$11,406 in Fiscal 2008, growing to \$80,970 in Fiscal 2009 and the outyears, are being transferred from the Labor Reserve in the Miscellaneous Budget to the Department's PS budget to cover the costs associated with recent collective bargaining settlements.
- **Organization of Staff Analysts Collective Bargaining.** Beginning in Fiscal 2008, annual funds totaling \$366,446 are being transferred from the Labor Reserve in the Miscellaneous Budget to the Department's PS budget to cover the costs associated with recent collective bargaining settlements.
- **Rubber Tire Repairers Collective Bargaining.** Beginning in Fiscal 2008, annual funds totaling \$25,200 are being transferred from the Labor Reserve in the Miscellaneous Budget to the Department's PS budget to cover the costs associated with recent collective bargaining settlements.
- **Sheet Metal Workers Collective Bargaining.** Funds totaling \$29,278 in Fiscal 2008, growing to \$29,390 in Fiscal 2009 and the outyears, are being transferred from the Labor Reserve in the Miscellaneous Budget to the Department's PS budget to cover the costs associated with recent collective bargaining settlements.

- **Civilianization of Mobile Medical Unit – Fringe Benefit Adjustment.** In order to offset the fringe benefits portion of the PEG program associated with this item, the Department will be credited with funding adjustments normally reflected in the Miscellaneous budget. The offsets for the associated PEG will total \$26,156 in Fiscal 2009, \$53,562 in Fiscal 2010, \$56,262 in Fiscal 2011 and \$59,312 in Fiscal 2012.
- **Firefighter Civilianization for DSCO – Fringe Benefit Adjustment.** In order to offset the fringe benefits portion of the PEG program associated with this item, the Department will be credited with funding adjustments normally reflected in the Miscellaneous budget. The offsets for the associated PEG will total \$192,161 in Fiscal 2009, \$393,698 in Fiscal 2010, \$406,870 in Fiscal 2011 and \$422,667 in Fiscal 2012.
- **Firefighter Civilianization for OAD Unit – Fringe Benefit Adjustment.** In order to offset the fringe benefits portion of the PEG program associated with this item, the Department will be credited with funding adjustments normally reflected in the Miscellaneous budget. The offsets for the associated PEG will total \$51,243 in Fiscal 2009, \$104,986 in Fiscal 2010, \$108,499 in Fiscal 2011 and \$112,711 in Fiscal 2012.
- **25-Percent Reduction in Non-Full Time Support Staff – Fringe Benefit Adjustment.** In order to offset the fringe benefits portion of the PEG program associated with this item, the Department will be credited with funding adjustments normally reflected in the Miscellaneous budget. The offset for the associated PEG will total \$62,086 per year beginning in Fiscal 2009.
- **Fire Prevention Fee Revenue – Fringe Benefit Adjustment.** In order to offset the fringe benefits portion of the PEG program associated with this item, the Department will be charged with funding adjustments normally reflected in the Miscellaneous budget. The offsets for the associated PEG will total \$70,732 in Fiscal 2009, \$73,857 in Fiscal 2010, \$77,482 in Fiscal 2011 and \$81,482 in Fiscal 2012.
- **Fuel.** The Executive Plan removes \$568,817 from the Department's budget in Fiscal 2008 and adds \$36,890 in Fiscal 2009 and the outyears to properly reflect the costs associated with fuel.
- **Gasoline.** The Executive Plan adds \$1.2 million to the Department's budget in Fiscal 2008 and \$274,835 in Fiscal 2009 and the outyears to properly reflect the costs associated with gasoline.
- **Heat, Light and Power.** The Executive Plan removes \$350,945 from the Department's budget in Fiscal 2008 and adds \$725,393 in Fiscal 2009 and the outyears to properly reflect the costs associated with heat, light and power.
- **Lease Adjustment.** The Department will increase its lease appropriation by \$1.4 million in Fiscal 2009 and the out years to reflect an increase in the cost of its current lease agreements.

Department of Correction (072)**Agency Operations**

The Department of Correction (DOC) provides custody, control and care of misdemeanants and felons sentenced to one year of incarceration or less; detainees awaiting trial or sentence; newly sentenced felons awaiting transportation to State correctional facilities; alleged parole violators awaiting revocation hearings; and State prisoners with court appearances in New York City. Professional care and services, including health and mental health care, opportunities for religious observance, educational instruction, vocational training, discharge planning and substance abuse counseling are provided. In Fiscal 2007, the Department handled over 100,000 admissions, managed an average daily population of 13,987 and transported 326,735 individuals to court.

AGENCY FUNDING OVERVIEW

Agency Funding Sources	Fiscal 2008 Adopted Budget	Fiscal 2008 Current Mod. as of 4/25/2008	Fiscal 2009 Preliminary Budget	Fiscal 2009 Executive Budget
City	\$895,172,716	\$895,172,716	\$931,532,093	\$938,342,514
Other Categorical	\$0	\$97,240	\$0	\$3,650,000
Capital IFA	\$0	\$0	\$0	\$0
State	\$19,847,000	\$20,332,812	\$19,847,000	\$19,847,000
Community Development	\$0	\$0	\$0	\$0
Federal-Other	\$17,324,000	\$18,077,848	\$17,324,000	\$21,538,417
Intra-City	\$716,469	\$501,469	\$486,469	\$486,469
Total	\$933,060,185	\$934,182,085	\$969,189,562	\$983,864,400

HEADCOUNT OVERVIEW

Headcount Uniform	Fiscal 2008 Adopted Budget	Fiscal 2008 Forecast for 6/30/2008	Fiscal 2009 Preliminary Budget	Fiscal 2009 Executive Budget
City	8,869	8,864	8,653	8,716
Non-City	736	736	736	736
Total	9,605	9,600	9,389	9,452

Headcount Civilian	Fiscal 2008 Adopted Budget	Fiscal 2008 Forecast for 6/30/2008	Fiscal 2009 Preliminary Budget	Fiscal 2009 Executive Budget
City	1,466	1,451	1,422	1,422
Non-City	68	73	68	68
Total	1,534	1,524	1,490	1,490

PROGRAM FUNDING OVERVIEW (in 000s)

In addition to examining the agency's operations by funding source, this document will also provide analysis by program. The table below highlights the key programs in this agency and the amount of funding dedicated to those programs.

Program	2006 Actual Spending	2007 Actual Spending	2008 Adopted Budget	2008 Budget (May 1, 2008 Financial Plan)	2009 Preliminary Budget	2009 Executive Budget
Administration-Academy and Training	\$17,934	\$17,503	\$10,500	\$19,009	\$10,000	\$13,000
Administration-Management & Administration	\$41,011	\$43,445	\$46,633	\$39,566	\$46,398	\$47,558
Health and Programs	\$13,427	\$13,717	\$12,636	\$14,976	\$10,468	\$10,468
Jail Operations	\$719,381	\$759,202	\$590,303	\$829,652	\$579,863	\$847,661
Operations-Hospital Prison Ward	\$20,628	\$20,156	\$14,875	\$14,875	\$14,875	\$14,875
Operations-Infrastructure & Environmental Health	\$26,463	\$32,551	\$24,778	\$26,974	\$25,139	\$25,430
Operations-Rikers Security & Operations	\$61,217	\$63,186	\$233,336	\$25,680	\$282,447	\$24,873
Total	\$900,061	\$949,760	\$933,060	\$970,732	\$969,190	\$983,864

PROGRAM HEADCOUNT OVERVIEW

Program	2006 Actual Headcount	2007 Actual Headcount	2008 Adopted Budget	2008 Budget (May 1, 2008 Financial Plan)	2009 Preliminary Budget	2009 Executive Budget
Administration-Academy and Training	146	330	218	218	218	218
Administration-Management & Administration	352	374	357	357	353	353
Health and Programs	116	113	103	111	102	102
Jail Operations	8,822	8,685	8,821	9,572	8,869	9,405
Operations-Hospital Prison Ward	253	250	263	263	263	263
Operations-Infrastructure & Environmental Health	209	218	228	228	227	227
Operations-Rikers Security & Operations	641	613	1,149	375	847	374
Total	10,539	10,583	11,139	11,124	10,879	10,942

PROGRAM ANALYSIS

Whereas in the recent past DOC has underfunded its Jail Operations Budget at the time of Adoption and overfunded its Operations-Rikers Security & Operations Budget only to adjust the sum mid year, the Fiscal 2009 Executive Budget now actively reflects spending for both program areas.

AGENCY HIGHLIGHTS

The Department of Correction's Fiscal 2009 Executive Expense Budget of \$983.9 million is \$50.8 million more than its Fiscal 2008 Adopted Expense Budget of \$933.1 million. The \$50.8-million increase in total funds is due to an increase in City-tax levy funding, which now stands at \$938.3 million, and the receipt of federal and other categorical grants.

At the time of Adoption for Fiscal 2008, the agency's estimated budget for Fiscal 2009 was \$912.5 million. The estimated budget for Fiscal 2009 in City-tax levy was \$874.6 million. The Fiscal 2008 October Plan increased the City-tax levy portion of the agency's budget by \$58.4 million, bringing the agency's Fiscal 2009 budget to \$970.7 million and its City-tax levy budget to \$933 million. The increase in the agency's budget in the October Plan was attributable to a new need for overtime and adjustments for collective bargaining costs.

The 2008 January Plan decreased the agency's Fiscal 2009 budget by \$1.5 million, for a total of \$969.2 million. The \$1.5-million decrease in total funds was due to a like decrease in City-tax levy funding, which now stands at \$931.5 million. The City funds decrease was attributable to the Department's proposals for PEGs and other adjustments.

The January Plan actions when fully implemented in 2010 decreases the agency's uniform headcount by 222 correction officer positions while increasing the agency's civilian headcount by 64 positions. The decrease in the uniform headcount was attributable to the Department's PEG proposals and other adjustments, the most significant of which were the reduction of 75 civilian positions due to the hiring freeze and vacancy reduction program.

The Executive Plan now proposes to increase the agency's Fiscal 2009 City-tax levy budget by \$6.8 million. The Executive Plan increase in the agency's budget is due to proposals for new needs, other adjustments, PEGS and a PEG restoration (see below).

RECENT OVERTIME RECONCILIATIONS

Agency-wide Overtime Reconciliation as per the Fiscal 2008 Adopted Plan					
	Fiscal 2008	Fiscal 2009	Fiscal 2010	Fiscal 2011	Fiscal 2012
Uniform	\$54,563,519	\$54,305,399	\$53,910,709	\$53,910,709	\$53,910,709
Civilian	\$6,340,318	\$5,940,318	\$5,940,318	\$5,940,318	\$5,940,318
Total	\$60,903,837	\$60,245,717	\$59,851,027	\$59,851,027	\$59,851,027

Agency-wide Overtime Reconciliation as per the Fiscal 2008 October Plan					
	Fiscal 2008	Fiscal 2009	Fiscal 2010	Fiscal 2011	Fiscal 2012
Uniform	\$95,737,233	\$55,479,113	\$53,910,709	\$55,084,423	\$55,084,423
Civilian	\$5,940,318	\$5,940,318	\$5,940,318	\$5,940,318	\$5,940,318
Total	\$102,077,318	\$61,419,431	\$61,024,741	\$61,024,741	\$61,024,741

Agency-wide Overtime Reconciliation as per the Fiscal 2009 January Plan					
	Fiscal 2008	Fiscal 2009	Fiscal 2010	Fiscal 2011	Fiscal 2012
Uniform	\$93,028,373	\$55,479,113	\$55,084,423	\$55,084,423	\$55,084,423
Civilian	\$6,340,318	\$5,940,318	\$5,940,318	\$5,940,318	\$5,940,318
Total	\$99,368,691	\$61,419,431	\$61,024,741	\$61,024,741	\$61,024,741

Agency-wide Overtime Reconciliation as per the Fiscal 2009 Executive Plan					
	Fiscal 2008	Fiscal 2009	Fiscal 2010	Fiscal 2011	Fiscal 2012
Uniform	\$96,222,239	\$63,143,988	\$62,203,691	\$62,630,756	\$63,007,391
Civilian	\$6,534,932	\$6,141,107	\$6,141,107	\$6,141,107	\$6,141,107
Total	\$102,757,171	\$69,285,095	\$68,344,798	\$68,771,863	\$69,148,498

COUNCIL INITIATIVES NOT RESTORED

The Fiscal 2009 Executive Budget contains a \$1.688 million cut to the Department of Correction in Fiscal 2009. This cut represents Discharge Planning funding provided by the City Council in the Fiscal 2008 Adopted Budget but not baselined by the Mayor in the City's Financial Plan for Fiscal 2009 and the outyears. Among the targets for the Discharge Planning funding are youth between the ages of 16 and 18 years of age.

UNITS OF APPROPRIATION

The operating budget of an agency is structured into several levels, each of which provides varying levels of detail on an agency's spending plans. The City Charter requires that U/As represent the amount appropriated for Personal Services (PS) (i.e., salaries, overtime, etc.) or Other Than Personal Services (OTPS) (i.e., supplies, contracts, etc.) for a particular program, purpose, activity or institution.

U/A#	U/A Name	Fiscal 2008 Adopted Budget	Fiscal 2008 Current Mod. as of 4/25/2008	Fiscal 2009 Preliminary Budget	Fiscal 2009 Executive Budget
001	Administration	\$51,064,338	\$51,064,338	\$55,603,661	\$60,508,764
002	Operations	\$763,087,961	\$760,546,802	\$802,095,442	\$803,846,133
	Total PS	\$814,152,299	\$811,611,140	\$857,699,103	\$864,354,897
003	Operations	\$101,762,224	\$105,187,910	\$93,014,797	\$99,901,530
004	Administration	\$17,145,662	\$17,383,035	\$18,475,662	\$19,607,973
	Total OTPS	\$118,907,886	\$122,570,945	\$111,490,459	\$119,509,503
	Total Agency	\$933,060,185	\$934,182,085	\$969,189,562	\$983,864,400

Population of Inmates in the Correctional System

Fiscal Year	2004	2005	2006	2007	2008*
Admissions	107,571	102,772	103,830	108,767	90,220
Average Daily Population	13,751	13,576	13,497	13,987	13,921
Average Length of Stay	47 days	48 days	48 days	47 days	47.5 days
*= through April 2008					
Note: DOC does not project these statistics very far into the future. According to the agency, however, no significant changes are forecast over the course of the Financial Plan					

“Fallout” Rate for Inmates in the Correctional System

Length of Stay in Days	Percentage of all Admissions *
3	28%
7	48%
10	53%
15	59%
30	71%
60	81%
*= Fiscal 2008 Year to Date through April 2008	

Fiscal 2009 Executive Budget Report

EXECUTIVE BUDGET ACTIONS (\$000)

Description	Fiscal 2008			Fiscal 2009		
	City	Non-City	Total	City	Non-City	Total
Agency Budget as per the Preliminary Plan	\$939,319	\$38,661	\$977,980	\$931,532	\$37,657	\$969,189
PEGs						
Uniform FTNG Surplus	(\$9,500)	\$0	(\$9,500)	\$0	\$0	\$0
Leasing Beds to Suffolk County	(\$5,392)	\$5,392	\$0	(\$3,650)	\$3,650	\$0
SCAAP Revenue	(\$4,214)	\$4,214	\$0	(\$4,214)	\$4,214	\$0
Total PEGs	(\$19,106)	\$9,606	(\$9,500)	(\$7,864)	\$7,864	\$0
New Needs:						
Drug Interdiction	\$0	\$0	\$0	\$1,491	\$0	\$1,491
MHAUII	\$0	\$0	\$0	\$2,632	\$0	\$2,632
Total New Needs	\$0	\$0	\$0	\$4,123	\$0	\$4,123
Other Adjustments:						
Food Handlers Training and Certification	\$0	\$0	\$0	\$24	\$0	\$24
ASW Collective Bargaining	\$32	\$0	\$32	\$32	\$0	\$32
Sheet Metal Workers Collective Bargaining	\$85	\$0	\$85	\$86	\$0	\$86
Rubber Tire Repairer Collective Bargaining	\$3	\$0	\$3	\$3	\$0	\$3
Health Services Title Collective Bargaining	\$0	\$0	\$0	\$1	\$0	\$1
Hospital Technician Collective Bargaining	\$0	\$0	\$0	\$1	\$0	\$1
OSA Collective Bargaining	\$314	\$0	\$314	\$314	\$0	\$314
Steamfitters Collective Bargaining	\$171	\$0	\$171	\$171	\$0	\$171
Institutional Service Titles Collective Bargaining	\$1	\$0	\$1	\$3	\$0	\$3
Rikers Island Education Expansion Initiative	\$0	\$0	\$0	\$815	\$0	\$815
NYSNA Collective Bargaining	\$4	\$0	\$4	\$28	\$0	\$28
Model Education Funding Adjustment	(\$50)	\$0	(\$50)	\$50	\$0	\$50
Model Educatoion Program Extension	\$0	\$0	\$0	\$595	\$0	\$595
Institute for Inner Development Reentry Program	\$0	\$0	\$0	\$185	\$0	\$185
Lease Adjustment	\$0	\$0	\$0	\$108	\$0	\$108
Heat, Light and Power	\$1,041	\$0	\$1,041	\$3,790	\$0	\$3,790
Fuel	\$316	\$0	\$316	\$48	\$0	\$48
Gasoline	(\$13)	\$0	(\$13)	(\$14)	\$0	(\$14)
Misc/Fed/State	\$0	\$348	\$348	\$0	\$0	\$0
Total Other Adjustments	\$1,904	\$348	\$2,251	\$6,242	\$0	\$6,242
PEG Restorations and Substitutions (PRS):						
Commissary PEG Restoration	\$0	\$0	\$0	\$4,310	\$0	\$4,310
Total PRS	\$0	\$0	\$0	\$4,310	\$0	\$4,310
Total Executive Plan Budget Changes	(\$17,203)	\$9,954	(\$7,249)	\$6,810	\$7,864	\$14,675
Agency Budget as per the Executive Plan	\$922,116	\$48,615	\$970,731	\$938,342	\$45,521	\$983,864

EXECUTIVE BUDGET ACTION ANALYSIS

Programs to Eliminate the Gap (PEGs)

- **Uniform Full-Time Normal Gross Surplus.** As a result of a re-estimate of its Personal Services (PS) budget, the Department of Correction is recognizing a one-time uniform PS surplus of \$9.5 million in Fiscal 2008.
- **Leasing Beds to Suffolk County.** At the beginning of Fiscal 2005, the Department began leasing up to 100 excess beds to Suffolk County. In recognition of the anticipated revenues that would be derived from this lease, the January Plan reduced DOC's City-funded expense budget by \$1.6 million in Fiscal 2005 and \$800,000 in Fiscal 2006. The January Plan assumed that Suffolk County would resolve its capacity issues in Fiscal 2006 and cease letting beds from the City. Should this not have occurred, DOC would have recognized additional lease revenues. Through the middle of February 2005, the Department was housing a lower-than-planned census of Suffolk County inmates (as low as six). In January of 2006, overcrowding in Suffolk County Jails had subsided and therefore Suffolk County was no longer transferring inmates to the Department. The 2007 January Plan therefore restored \$800,000 in City tax levy funds that was previously projected as a PEG. This action had no net effect on the agency's budget. The Fiscal 2008 Executive Plan removed \$1.4 million in City tax levy funds in Fiscal 2007 and replaced it with non-City funds. This action had no net effect on the agency's budget; it represented only the replacement of City funds with funds provided by Suffolk County.

The current Executive Plan removes City tax levy in the amount of \$5.4 million in Fiscal 2008 and \$3.6 million in Fiscal 2009 and replaces it with non-City funds. This action will also have no net effect on the agency's budget; it represents only the replacement of City funds with funds provided by Suffolk County.

- **Federal Reimbursement: State Criminal Alien Assistance Program (SCAAP) Revenue.** The Department of Correction receives annual SCAPP reimbursement from the Federal government for its costs associated with the jailing of illegal immigrants. In Fiscal 2005 and Fiscal 2006, the Department of Correction received approximately \$21 million for the incarceration of illegal immigrants. The Executive Plan now includes additional state reimbursement in the amount of \$4.2 million annually beginning in Fiscal 2008. This action will have no net effect on the agency's budget; it represents only the replacement of City funds with funds from the State.
- **Alternative-to-Detention (ATD) Pilot Program for Non-Violent Offenders.** Beginning in Fiscal 2009, the New York City Criminal Justice Coordinator's Office (CJC) along with the New York City Criminal Justice Agency (CJA) will pilot a new Alternative to Detention Program. According to the Mayor's Executive Plan, "[the ATD program will target] non-violent arrestees with substance abuse or mental health issues, along with those nonviolent arrestees that are in school and employed." The CJC and CJA will identify the needs of the targeted individuals and issue a Request for Proposal for the delivery of services through community-based organizations. It is anticipated by the DOC that the ATD pilot program

will lower the average daily population of inmates by 300 for Fiscal 2010, allowing the Department to redeploy 54 correction officer positions. The Executive Plan therefore recognizes a savings of \$5.1 million in DOC's budget for Fiscal 2010.

The above PEG action includes a reduction in headcount. In order to give DOC PEG credit for the reduction in fringe benefit costs associated with the headcount reduction, the value of the PEG includes a reduction in fringe benefit costs even though the costs are paid out of the Miscellaneous budget. In order to offset this PEG credit and not reduce the Department's budget by more than the goal of the PEG, OMB has included Other Adjustments in the Executive Budget that put the value of the fringe benefit costs back into DOC's budget. This way the overall reduction in the Department's budget doesn't include the Fringe Benefit costs, but the value of the PEG does include the Fringe Benefits.

New Needs

- **Drug Interdiction Program.** In Fiscal 2005, the Department began funding the Drug Interdiction Pilot program to run within two of its facilities (Anna M. Kross Center and Eric M. Taylor Center). According to the Mayor's Message, "it was [funded] in an effort to reduce the proliferation of drugs within DOC facilities." To support this pilot program, DOC's budget was enhanced by \$1.2 million in Fiscal 2005, by \$1.1 million in Fiscal 2006 and Fiscal 2007, and by \$2 million in Fiscal 2008. The funding enabled the agency to hire correction officers (14 beginning in Fiscal 2005 and 7 additional in Fiscal 2008), train them in the handling of dogs and purchase "equipment necessary to identify and reduce the presence of drugs in Rikers Island facilities." After a four-year successful pilot program, the Fiscal 2009 Executive Plan adds baseline funding in the amount of \$1.5 million annually beginning in Fiscal 2009. The funding will continue to support the 21 existing uniform correction officers.
- **Mental Health Assessment Unit for Infracted Inmates (MHAUII).** When an inmate is accused of committing an infraction, a hearing is held to determine if the inmate is innocent or guilty. If it is determined that the inmate is indeed guilty of committing the infraction the inmate is then sentenced to serve time in the Central Punitive Segregation Unit (CPSU). The amount of time served in the CPSU is based on the type of infraction committed. While inmates are in CPSU, an evaluation of their mental state is performed by the Department of Mental Health and Hygiene (DOHMH). If at the time of the evaluation it is determined by the DOHMH that the inmate has mental health needs and would be at risk if isolated in the CPSU, the inmate is then sentenced to serve their time in the MHAUII. If it is later determined that the inmate does not have further mental health needs, the inmate will be transferred back to the CPSU to serve the sentence.

The 2007 January Plan included funding in the amount of \$705,534 in Fiscal 2007 and \$992,709 in Fiscal 2008 to support 15 additional correction officer positions for the 50-bed expansion of the Mental Health Assessment unit. The Mental Health Assessment Unit consisted of 32 beds and the expansion of the unit increased the capacity to 82 beds. The 15 correction officers posted in the Mental Health Assessment Unit were responsible for escorting inmates to various areas within the facility (e.g., doctor visits, law library and showers). In Fiscal 2007, the staffing for the Mental Health Assessment Unit was performed

by correction officers working on overtime and in Fiscal 2008 those functions were performed on straight time. The Fiscal 2009 Executive Plan now includes baselined funding in the amount of \$2.6 million annually beginning in Fiscal 2009 to support 21 uniform correction officers.

Other Adjustments

- **Rikers Island Education Expansion Initiative.** As recommended by the Mayor's Commission for Economic Opportunity (CEO), the 2007 January Plan included funding in Fiscal 2008 to increase the enrollment of 18-21 year olds in education programs by creating an incentive for them to participate. To provide a competitive incentive, inmates who participated in the education program received a \$5 stipend per week.

The 2007 January Plan included one-time funding in the amount of \$1million for the initiative. Of that amount, \$403,200 was added to DOC's PS budget to support the hiring of five correction officers, and the remaining \$600,000 was added to its OTPS budget to provide funding for the \$5 stipend.

Because this initiative was overfunded in Fiscal 2008, the January Plan removed \$202,000 from DOCs budget and transferred the funds to the Department of Juvenile Justice to cover the shortfall in its DJJ CEO initiative.

The Executive plan now adds funding in the amount of \$814,704 in Fiscal 2009 to continue the Rikers Island Education Initiative. Of that amount, \$604,704 is being added to DOC's PS budget to support the existing five correction officers, and the remaining \$170,000 will be used to support classroom costs. The Executive Plan also includes corresponding funding for this initiative in the amount of \$1.8 million in the Department of Education's budget for Fiscal 2009. Of this amount, \$1.7 million is being added to the PS budget and \$85,000 is being added to the OTPS budget.

- **Model Education Program Extension.** As recommended by the Center for Economic Opportunity, the 2007 January Plan added one-time funding in Fiscal 2008 to provide 16-21 year olds with the opportunity to receive assistance with their educational needs upon release from DOC custody.

It was anticipated that the initiative would help to provide pathways for the completion of a General Equivalency Diploma (GED) and college admission for 16-21 years. The program was to provide the, "opportunity for full-time study for the purposes of re-entering high school or qualifying for admission to college by obtaining a GED. [The] programs [were to] focus on increasing participants' literacy levels to a point where GED completion is possible and post-secondary education attainment is achievable." Post- release, individuals were to be linked with community-based organizations to receive a direct continuum of services for their educational needs. The Department anticipated that it would serve approximately 650 16-21 year olds in Fiscal 2008.

The January 2007 Plan added \$875,000 to the OTPS budget to fund one contract with the City University of New York and two contracts with community-based organizations.

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Because the contracts started later in the fiscal year than anticipated, the 2008 January Plan recognized a savings of \$205,000 in Fiscal 2008 and added \$205,000 in Fiscal 2009 to reflect the delay.

The Executive Plan now adds \$595,000 in Fiscal 2009 to DOC's OTPS budget to support the three existing contracts.

- **Model Education Program Funding Adjustment.** As described above, the January 2007 Plan added \$875,000 to the OTPS budget to fund one contract with the City University of New York and two contracts with community-based organizations. Because the contracts started later in the fiscal year than anticipated, the 2008 January recognized savings of \$205,000 in Fiscal 2008 and added \$205,000 in Fiscal 2009 to reflect the delay. To reflect full year funding for one of the contracts, the Executive Plan removes \$50,000 in Fiscal 2008 from the OTPS budget and adds it back in Fiscal 2009.
- **Institute for Inner Development Reentry Program.** As part of the Mayor's Commission for Economic Opportunity, the Executive plan adds one-time funding in Fiscal 2009 to support the expansion of the Institute for Inner Development Reentry Program. According to the Mayor's Executive Plan, "the Department's Institute for Inner Development Reentry Program [will focus] on attitudinal and behavioral change, self-esteem building, and the acquisition of basic life skills. [The] initiative adds an after-jail component that allows local community groups to provide services to individuals returning to their neighborhoods." The Executive Plans adds \$185,000 in Fiscal 2009 to support this CEO initiative.
- **Food Handlers Training and Certification.** As part of the Mayor's Commission for Economic Opportunity, the Executive plan adds one-time funding in Fiscal 2009 to support Food Handlers Training and Certification for inmates. According to the Mayor's statement in the Executive Plan, "the Department of Health and Mental Hygiene [will] provide training and testing for food handler certification, giving participants an employment advantage after release." According to the Office of Management and Budget, there will be thirty training sessions and each training session will include thirty inmates for a total of 900 served through this initiative. The Executive Plan includes OTPS funding in the amount of \$24,000 in Fiscal 2009 to support this initiative.
- **ATD Pilot Program Fringe Benefit Adjustment.** The sum of \$862,920 is being added to DOC's budget as a technical adjustment associated with fringe benefits. (see the associated action above under "PEGs")
- **ASW Collective Bargaining.** Funds totaling \$31,849 in Fiscal 2008 and the outyears will be transferred from the Labor Reserve in the Miscellaneous Budget to DOC to cover costs associated with recent collective bargaining.
- **Sheet Metal Workers Collective Bargaining.** Funds totaling \$85,173 in Fiscal 2008 and \$86,352 in Fiscal 2009 and the outyears will be transferred from the Labor Reserve in the Miscellaneous Budget to DOC to cover costs associated with recent collective bargaining.

- **Rubber Tire Repairer Collective Bargaining.** Funds totaling \$3,403 in Fiscal 2008 and the outyears will be transferred from the Labor Reserve in the Miscellaneous Budget to DOC to cover costs associated with recent collective bargaining.
- **Health Services Title Collective Bargaining.** Funds totaling \$486 in Fiscal 2008 and \$1,399 in Fiscal 2009 and the outyears will be transferred from the Labor Reserve in the Miscellaneous Budget to DOC to cover costs associated with recent collective bargaining.
- **Hospital Technician Collective Bargaining.** Funds totaling \$434 in Fiscal 2008 and \$1,294 in Fiscal 2009 and the outyears will be transferred from the Labor Reserve in the Miscellaneous Budget to DOC to cover costs associated with recent collective bargaining.
- **OSA Collective Bargaining.** Funds totaling \$313,894 in Fiscal 2008 and the outyears will be transferred from the Labor Reserve in the Miscellaneous Budget to DOC to cover costs associated with recent collective bargaining.
- **Steamfitters Collective Bargaining.** Funds totaling \$171,029 in Fiscal 2008 and the outyears will be transferred from the Labor Reserve in the Miscellaneous Budget to DOC to cover costs associated with recent collective bargaining.
- **Institutional Service Titles Collective Bargaining.** Funds totaling \$1,021 in Fiscal 2008 and \$3,061 in Fiscal 2009 and the outyears will be transferred from the Labor Reserve in the Miscellaneous Budget to DOC to cover costs associated with recent collective bargaining.
- **NYSNA Collective Bargaining.** Funds totaling \$3,970 in Fiscal 2008 and \$28,188 in Fiscal 2009 and the outyears will be transferred from the Labor Reserve in the Miscellaneous Budget to DOC to cover costs associated with recent collective bargaining.
- **Lease Adjustment.** The Executive Plan increases the Department's lease budget by \$108,311 in Fiscal 2009 and the outyears.
- **Heat, Light and Power.** The Executive Plan increases the Department's heat, light and power budget by \$1 million in Fiscal 2008 and \$3.8 million in Fiscal 2009 and the outyears.
- **Fuel.** The Executive Plan increases the Department's fuel budget by \$315,567 in Fiscal 2008 and \$48,420 in Fiscal 2009 and the outyears.
- **Gasoline.** The Executive Plan decreases the Department's gasoline budget by \$13,404 in Fiscal 2008 and \$13,655 in Fiscal 2009 and the outyears.

PEG Restorations – Expenses and Revenue

- **Commissary PEG Restoration.** Due to a delay in the contracting out of commissary services, the sum of \$4.3 million is being added back to DOC's FY09 Expense Budget, in part to keep the commissary stocked. An associated action shows a \$4.3 million increase in revenues from commissary sales.

Legal Aid/Indigent Defense Services

Mission Statement

The Legal Aid Society (LAS), under agreement with the City of New York, serves as the primary defender in the State Court System, at both the trial and appellate levels, for those who cannot afford private legal counsel. By State statute, New York City has the sole responsibility for funding counsel and supportive services for indigent defendants charged with crimes in the City.

Indigent criminal defendants are also represented by other entities. In the Criminal and Supreme Courts, indigent defense work is performed by five contractors (one in each borough), by a Court-appointed panel of Assigned Counsel (18-B) attorneys, and by the Neighborhood Defender Service, which is a full-service agency serving Northern Manhattan. In the Appellate Courts, cases are handled by two contractors, the Office of the Appellate Defender, and 18-B attorneys.

INDIGENT DEFENSE PROVIDER CONTRACTS

As per the Fiscal 2009 Executive Plan

PROVIDERS	Fiscal 2008	Fiscal 2009
Legal Aid Society	\$85,419,500	\$74,619,500
Assigned Counsel (18-B) Program	\$72,859,338	\$74,000,000
7 Alternative Providers	\$31,567,516	\$31,726,854
Neighborhood Defender Service (NDS)	\$3,250,000	\$0
Office of the Appellate Defender (OAD)	\$2,400,000	\$0
TOTAL	\$195,496,354	\$180,346,354

Issues and Concerns

- **The Legal Aid Society (LAS).** During the course of Fiscal Year 2004, Legal Aid disclosed to the Administration and the City Council, as well as the unions representing its employees, that the Society's finances were in catastrophic shape: a large deficit had been amassed and its annual operating costs were exceeding its revenues. Without the City's financial help, this crisis -- created by a myriad of factors including financial mismanagement, 9/11-related relocation costs and a contractual agreement with the City that compelled Legal Aid to handle far more cases than had been predicted -- would necessitate massive layoffs of attorney and non-attorney staff, Legal Aid contended. The Society and its board of directors took immediate unilateral action to contain costs, including reorganizing its management structure, instituting rigorous financial controls and retaining two pro-bono consulting firms to help devise restructuring plans. However, because of the projected Fiscal Year 2005 gap between revenues and expenses, layoff notices were sent out to 261 employees in May, imperiling both the jobs of Legal Aid staff members and the constitutional rights of indigent defendants that rely on the Society's legal services.

With layoffs looming and the Society's deficit at an unmanageable level, the City Council developed an action plan to stabilize Legal Aid, retain jobs, protect the City's bottom line, and ensure the provision of constitutionally mandated legal representation. Working with the Mayor's Office of Management and Budget, the Mayor's Office of the Criminal Justice Coordinator and Legal Aid, the City Council secured \$13 million in supplemental funding for the Society: \$11 million was appropriated for Legal Aid in the Fiscal Year 2004 Budget as part of the Third Quarter Budget Modification (MN-5). This sum served as an immediate cash infusion for the struggling Society, enabling it to significantly reduce its deficit.

An additional \$2-million City Council appropriation for Legal Aid was included in the City's Adopted Fiscal Year 2005 Budget. This appropriation enabled the City to reach a criminal defense contract settlement with Legal Aid in August that provided annual payments as follows: \$62 million for criminal defense, \$6.8 million for criminal appeals and \$2.8 million for the representation of indigent parolees in connection with parole revocation hearings. The contract called for Legal Aid to provide on a periodic basis detailed finance reports including: a spending plan and a listing of actual expenditures; a headcount report; a report on the status of its deficit; and a report outlining cost-cutting measures.

The supplemental appropriations secured by the City Council facilitated the rescindment of all 156 layoff notices for Legal Aid attorneys. As for unionized non-attorney staff, including clerical workers, social workers and paralegals, 100 of 460 positions were eliminated. A total of 75 non-unionized staff positions were also eliminated. The Society also reached labor agreements with both the Association of Legal Aid Attorneys (UAW 2325, AFL-CIO) and the union representing non-attorney staff (Local 1199, SEIU). These agreements -- which included buyouts, transfers, and bonus and salary deferrals -- were forged to stabilize Legal Aid financially and to protect staff to the extent possible. The best news for the City, however, was that there was no diminution in the scope of legal services being provided by Legal Aid.

Despite the City Council's financial assistance, and the labor and management initiatives described above, the Legal Aid Society was not yet out of the woods. A deficit still existed that would be difficult to eradicate. And the Society's ability to balance the books for its Criminal Defense Division was (and continues to be) severely compromised by the structure of its contract which calls for Legal Aid to handle not a fixed caseload, but rather a percentage (88%) of the cases in the arraignment parts that it staffs. As happened the year before (when the minimum was 86%), it was probable that Legal Aid would be contractually obligated to handle many additional cases each year above the 88-percent minimum *without* additional compensation. Posing an equally burdensome dilemma for Legal Aid is the contract component that would impose liquidated damages on the Society in instances in which the 88-percent threshold is not achieved.

With these financial challenges as a backdrop, Legal Aid announced a major restructuring on December 20, 2004. The hallmarks of the Society's restructuring, as reported in the *New York Times*, included "settling with its creditors, negotiating budget cuts with its employees and receiving an unusual \$9 million donation from dozens of private law firms to help settle its debts." These maneuvers, according to Legal Aid's Board Chair, Patricia M. Hynes, "put

Legal Aid on sound financial footing and, hopefully, will allow Legal Aid to go to the next step and expand client services.” (*New York Law Journal*) A similarly optimistic Steven Banks, Legal Aid’s Attorney-in-Chief, stated that “all the hours of effort to save the organization can now be redirected to serving clients.” (*New York Times*) [Note: This narrative about Legal Aid was first published by the City Council in its January 2005 edition of “Fiscal Notes.”]

Legal Aid, while still optimistic about its ability to remain the City’s primary provider of indigent defense services, sounded an alarm that its baseline budget was simply inadequate to handle the number of cases called for in its contract. The Fiscal 2006 Preliminary Budget included proposed funding for the Legal Aid Society of \$69.6 million. This figure was \$2 million lower than the Society’s Fiscal 2005 Adopted figure of \$71.6 million, and reflected the fact that the Fiscal 2006 Preliminary Budget did not include the restoration of a \$2-million enhancement provided by the City Council in Fiscal 2005. This restoration was ultimately included in the Mayor’s Executive Budget, but only for Fiscal 2006. Still, Legal Aid contended, additional financial resources were needed in its baseline budget to ensure appropriate staffing. As such, the organization sought, in its Fiscal 2006 Preliminary Budget testimony, an additional \$7.75 million in Fiscal 2006, and \$10.35 million more annually starting in Fiscal 2007.

Largely meeting Legal Aid’s request, in the Adopted Fiscal 2006 budget the City Council provided the Society with \$6.33 million of the \$7.75 million sum it sought. These City Council discretionary funds were not, however, baselined in the City’s Financial Plan by the Administration. In the Fiscal 2007 Adopted Budget, the City Council appropriated a supplement of \$9.3 million for Legal Aid based on a \$10.5 million request sought by the Society. Again, this funding was not baselined by the Administration.

In Fiscal 2008, Legal Aid sought an additional \$13.5 million appropriation to properly reflect its caseload-related expenses (\$10.5 million), cost of living increases (\$2.4 million), and costs associated with the relocation of its Bronx office (\$600,000). It was hoped that the first two of these sums would be baselined beginning in Fiscal 2008. In that way, Legal Aid could avoid the administrative and financial uncertainty of having the size of its budget determined each and every year via City Council discretionary funding. While these funds were not baselined, the City Council did appropriate for Fiscal 2008 \$10.8 million in programmatic funding to enable the Society to meet its caseload obligations.

The proposed Fiscal 2009 Preliminary Budget for Legal Aid was \$72.6 million, \$12.8 million less than it was funded in Fiscal 2008. This \$12.8-million difference represents the \$2 million in funding that has been appropriated annually since Fiscal 2005, and the absence of the Council’s \$10.8 million discretionary funding. The Executive Plan now increases the Society’s budget to \$74.6 million through the inclusion of the aforementioned \$2 million sum. Because of an increase in caseload (from 210,000 to 225,000), Legal Aid is requesting a \$3-million increase in its Council support, from \$10.8 million to \$13.8 million.

ALTERNATIVE INDIGENT DEFENSE PROVIDER CONTRACTS**As per the Fiscal 2009 Executive Plan**

CONTRACTOR	Fiscal 2008	Fiscal 2009
New York County Defender Services	\$6,260,139	\$6,254,955
Bronx Defenders	\$4,885,140	\$4,886,131
Brooklyn Defender Service	\$5,790,775	\$5,892,725
Queens Law Associates, P.C. (for-profit)	\$4,948,498	\$4,948,498
Battiste, Aronowsky & Suchow, Inc. (S.I.)	\$2,808,720	\$2,812,301
Center for Appellate Litigation (1 st Dept.)	\$3,208,145	\$3,243,135
Appellate Advocates (2 nd Dept.)	\$3,666,099	\$3,689,109
TOTAL	\$31,567,516	\$31,726,854

- **Alternative Indigent Defense Contractors.** On July 1, 1996, the City began awarding contracts to newly organized entities to furnish indigent defense representation of the kind Legal Aid provides. Ultimately, seven such groups were created and funded - five that provide criminal defense services and two that provide appellate advocacy. These groups, each of which handles a fixed number of cases (unlike Legal Aid), have been generally well funded since their inception. That being said, the groups have often indicated to the Administration that they require more funding to keep up with the increasingly high cost of doing business in the City (overhead, salaries to attract and retain high quality staff, etc.). Whereas the Fiscal 2006 Executive Budget included cost of living adjustment (COLA) increases for these offices, no other baseline additions were made at that time. The total value of their contracts was \$26.9 million in Fiscal 2006. Since that time, the City has increased the contract values for the alternative providers to a combined figure exceeding \$30 million. The Executive Plan includes \$31.6 million in funding for the seven alternative providers in Fiscal 2008, and \$31.7 million in Fiscal 2009.
- **Assigned Council Program (18-B Attorneys).** The Court appoints private 18-B attorneys to handle cases in which Legal Aid representation would create a conflict of interest (i.e., multiple defendants) or when the defendant is charged with a crime punishable by death or life imprisonment. As per the Fiscal 2007 Executive Plan, proposed funding for 18-B services was \$100.7 million in Fiscal 2006 and \$99.1 million in Fiscal 2007. As per the January 2007 Financial Plan, the Modified 18-B Budget for Fiscal 2007 was approximately \$92.6 million, while the Preliminary Budget for Fiscal 2008 was \$87.7 million. A portion of this sum, it should be noted, funds 18-B attorneys who represent adults in Family Court. It should further be noted that last year the City engaged in a Request for Proposal (RFP) process that led to the creation of borough-based institutional providers in Family Court. Whereas such contracts were originally let in three boroughs, this initiative will be implemented citywide.

The 18-B program had been plagued with systemic problems resulting in the quality of 18-B representation being called into question in recent years. One reason for the poor past performance of many 18-B attorneys was the historically low rate at which they were compensated. Compensation rates for 18-B attorneys, set at \$40/hour for in court services and \$25/hour for out of court services since 1986, were increased to \$60 for misdemeanor

cases and \$75 for felony cases, beginning January 1, 2004. While the State should be commended for raising the rates and thereby attracting more attorneys to the 18-B panel, the financial burden to subsidize this increase has rested primarily with localities, especially New York City. Whereas the Fiscal 2009 Executive Plan recognizes expected State reimbursement for 18-B of \$44.7 million in Fiscal 2008, only \$33 million is currently anticipated in Fiscal 2009.

In keeping with other recent downward estimates in required 18-B funding, the January Plan removed \$15.1 million in Fiscal 2008 and \$160,000 annually in Fiscal 2009 and the outyears. The Executive Plan now proposes lowering the 18-B budget by \$1.7 million in Fiscal 2008, approximately \$3.6 million in Fiscal 2009, and \$3 million in Fiscal 2010 and beyond. With these adjustments, the Executive Plan includes \$18 billion in funding of approximately \$72.9 million in Fiscal 2008, \$74 million in Fiscal 2009, and \$76.7 million in Fiscal 2010 and the outyears.

- **Neighborhood Defender Service (NDS).** NDS is a full service, community-based indigent defense organization. Since no appropriation is included in the Fiscal 2009 Preliminary Budget for NDS, a City Council restoration is needed to keep NDS in operation after June 30, 2008. To aid NDS, the Council restored \$2.5 million to its budget in Fiscal 2005 and enhanced it by another \$500,000 in Fiscal 2006 and Fiscal 2007, bringing its funding to \$3 million to run its operations. In Fiscal 2008 the Council's support increased to \$3.25 million. In addition to recommending that funding for the agency be included in the Fiscal 2009 Adopted Budget, the Council would like to see funding for NDS baselined in the City's Financial Plan.
- **Office of the Appellate Defender (OAD).** OAD is a twenty-year old not-for-profit firm devoted to providing representation to indigent defendants in the First Department, primarily in criminal appeals in the State Court and collateral proceedings in State and Federal Court. The City Council restored \$1.8 million to OAD's budget in Fiscal 2006 and enhanced it by \$450,000, bringing its funding to \$2.25 million to adequately run its operations. This same amount was appropriated by the Council in Fiscal 2007. In Fiscal 2008, the Council increased its support for OAD to \$2.4 million. At present, OAD would require Fiscal 2009 funding in the amount of \$2.4 million "to continue to perform its vital mission without reduction in services, to represent a greater number of clients, and to maintain its unique social work program." In addition to recommending that funding for the agency be included in the Fiscal 2009 Adopted Budget, the Council would like to see funding for OAD baselined in the City's Financial Plan.

Department of Correction

2009 Executive Budget

The Department of Correction (DOC) provides custody, control and care of misdemeanants and felons sentenced to one year of incarceration or less; detainees awaiting trial or sentence; newly sentenced felons awaiting transportation to State correctional facilities; alleged parole violators awaiting revocation hearings; and State prisoners with court appearances in New York City. Professional care and services, including health and mental health care, opportunities for religious observance, educational instruction, vocational training, discharge planning and substance abuse counseling are provided. In Fiscal 2007, the Department handled over 100,000 admissions, managed an average daily population of 13,987 and transported 326,735 individuals to court.

	2006 Actuals	2007 Actuals	2008 Budget (May 1, 2008 Financial Plan)	2009 Preliminary Budget	2009 Executive Budget
Spending by Program					
Administration-Academy and Training	\$17,933,675	\$17,503,325	\$19,008,550	\$9,999,731	\$12,999,731
Administration-Management & Administration	\$41,010,767	\$43,444,724	\$39,565,859	\$46,397,673	\$47,558,172
Health and Programs	\$13,427,332	\$13,716,834	\$14,975,603	\$10,467,902	\$10,467,902
Jail Operations	\$719,381,027	\$759,202,445	\$829,652,382	\$579,862,751	\$847,660,589
Operations-Hospital Prison Ward	\$20,628,241	\$20,156,271	\$14,875,402	\$14,875,402	\$14,875,402
Operations-Infrastructure & Environmental Health	\$26,462,505	\$32,551,218	\$26,974,474	\$25,139,112	\$25,429,865
Operations-Rikers Security & Operations	\$61,217,267	\$63,185,550	\$25,680,219	\$282,446,991	\$24,872,739
Total	\$900,060,814	\$949,760,367	\$970,732,489	\$969,189,562	\$983,864,400
Funding					
City Funds	NA	NA	\$922,116,703	\$931,532,093	\$938,342,514
Federal - Other	NA	NA	\$22,292,265	\$17,324,000	\$21,538,417
Intra City	NA	NA	\$501,469	\$486,469	\$486,469
Other Categorical	NA	NA	\$5,489,240	\$0	\$3,650,000
State	NA	NA	\$20,332,812	\$19,847,000	\$19,847,000
Total	NA	NA	\$970,732,489	\$969,189,562	\$983,864,400
Full-Time Positions	10,539	10,583	11,124	10,879	10,942
Full-Time Positions - Civilian	1,350	1,380	1,525	1,491	1,491
Full-Time Positions - Uniform	9,189	9,203	9,599	9,388	9,451
Contracts	NA	NA	60	61	61

Note: "NA" means that data is not available

Administration-Academy and Training

Operating funds for the Training Academy, including salaries for academy staff and Correction Officer Recruits.

	2006 Actuals	2007 Actuals	2008 Budget (May 1, 2008 Financial Plan)	2009 Preliminary Budget	2009 Executive Budget
Spending					
Personal Services	\$17,586,019	\$17,121,784	\$18,395,598	\$9,558,104	\$12,558,104
Other than Personal Services	\$347,656	\$381,541	\$612,952	\$441,627	\$441,627
Total	\$17,933,675	\$17,503,325	\$19,008,550	\$9,999,731	\$12,999,731
Funding					
City Funds	NA	NA	\$19,008,550	\$9,999,731	\$12,999,731
Total	NA	NA	\$19,008,550	\$9,999,731	\$12,999,731
Full-Time Positions	146	330	218	218	218
Full-Time Positions - Civilian	12	13	14	14	14
Full-Time Positions - Uniform	134	317	204	204	204
Contracts	NA	NA	3	3	3
Cleaning Services	NA	NA	1	1	1
Maintenance and Repairs - General	NA	NA	1	1	1
Training Program for City Employees	NA	NA	1	1	1

Note: "NA" means that data is not available

Administration-Management & Administration

Funding for central administrative services.

	2006 Actuals	2007 Actuals	2008 Budget (May 1, 2008 Financial Plan)	2009 Preliminary Budget	2009 Executive Budget
Spending					
Personal Services	\$23,450,963	\$24,885,445	\$23,060,453	\$22,058,527	\$22,086,715
Other than Personal Services	\$17,559,804	\$18,559,279	\$16,505,406	\$24,339,146	\$25,471,457
Total	\$41,010,767	\$43,444,724	\$39,565,859	\$46,397,673	\$47,558,172
Funding					
City Funds	NA	NA	\$39,492,029	\$46,397,673	\$47,558,172
State	NA	NA	\$73,830	\$0	\$0
Total	NA	NA	\$39,565,859	\$46,397,673	\$47,558,172
Full-Time Positions	352	374	357	353	353
Full-Time Positions - Civilian	291	306	290	286	286
Full-Time Positions - Uniform	61	68	67	67	67
Contracts	NA	NA	15	17	17
Contractual Services - General	NA	NA	7	7	7
Maintenance and Repairs - General	NA	NA	2	3	3
Office Equipment Maintenance	NA	NA	0	1	1
Professional Services - Other	NA	NA	2	2	2
Telecommunications Maintenance	NA	NA	2	2	2
Temporary Services	NA	NA	1	1	1
Training Program for City Employees	NA	NA	1	1	1

Note: "NA" means that data is not available

Health and Programs

The programs range from discharge planning services to various correctional industries including the bakery, tailor shop, laundry, and print shop. These programs are designed to keep inmates healthy as well as attempt to eliminate the root cause of recidivism of inmates.

	2006 Actuals	2007 Actuals	2008 Budget (May 1, 2008 Financial Plan)	2009 Preliminary Budget	2009 Executive Budget
Spending					
Personal Services	\$6,449,890	\$6,718,213	\$5,714,328	\$5,117,082	\$5,117,082
Other than Personal Services	\$6,977,442	\$6,998,621	\$9,261,275	\$5,350,820	\$5,350,820
Total	\$13,427,332	\$13,716,834	\$14,975,603	\$10,467,902	\$10,467,902
Funding					
City Funds	NA	NA	\$13,719,912	\$9,986,433	\$9,986,433
Federal - Other	NA	NA	\$250,000	\$0	\$0
Intra City	NA	NA	\$496,469	\$481,469	\$481,469
Other Categorical	NA	NA	\$97,240	\$0	\$0
State	NA	NA	\$411,982	\$0	\$0
Total	NA	NA	\$14,975,603	\$10,467,902	\$10,467,902
Full-Time Positions	116	113	111	102	102
Full-Time Positions - Civilian	92	94	87	79	79
Full-Time Positions - Uniform	24	19	24	23	23
Contracts	NA	NA	6	5	5
Contractual Services - General	NA	NA	4	4	4
Professional Services - Other	NA	NA	2	1	1

Performance Measures

	Type of Measure	2005 Annual Target	2005 Annual Actual	2006 Annual Target	2006 Annual Actual	2007 Annual Target	2007 Annual Actual	2008 Annual Target	2008 4-Month Actual
Average daily attendance in school programs	Output	750	803	750	795	750	767	750	759
Average daily number of inmates in vocational skills training programs	Output	NA	110	NA	128	NA	125	NA	61
Inmates transported to community-based service sites upon discharge through Rikers Island Discharge Enhancement program	Output	NA	4,238	NA	4,830	NA	4,829	NA	1,606

Note: "NA" means that data is not available

Jail Operations

Funding for the operation of the jails on Rikers Island and in the Boroughs, custody of inmates at the various Court Pens and transportation of inmates from DOC facilities to and from court.

	2006 Actuals	2007 Actuals	2008 Budget (May 1, 2008 Financial Plan)	2009 Preliminary Budget	2009 Executive Budget
Spending					
Personal Services	\$642,902,567	\$681,657,631	\$747,804,818	\$511,501,578	\$772,394,899
Other than Personal Services	\$76,478,461	\$77,544,815	\$81,847,564	\$68,361,173	\$75,265,690
Total	\$719,381,027	\$759,202,445	\$829,652,382	\$579,862,751	\$847,660,589
Funding					
City Funds	NA	NA	\$782,554,460	\$542,686,751	\$802,620,172
Federal - Other	NA	NA	\$21,853,922	\$17,324,000	\$21,538,417
Intra City	NA	NA	\$5,000	\$5,000	\$5,000
Other Categorical	NA	NA	\$5,392,000	\$0	\$3,650,000
State	NA	NA	\$19,847,000	\$19,847,000	\$19,847,000
Total	NA	NA	\$829,652,382	\$579,862,751	\$847,660,589
Full-Time Positions	8,822	8,685	9,572	8,869	9,405
Full-Time Positions - Civilian	718	718	922	853	902
Full-Time Positions - Uniform	8,104	7,967	8,650	8,016	8,503
Contracts	NA	NA	10	11	11
Contractual Services - General	NA	NA	2	2	2
Maintenance and Repairs - General	NA	NA	1	1	1
Maintenance and Repairs - Motor Vehicle Equipment	NA	NA	1	1	1
Office Equipment Maintenance	NA	NA	5	5	5
Professional Services - Other	NA	NA	0	1	1
Transportation Services	NA	NA	1	1	1

Performance Measures

	Type of Measure	2005 Annual Target	2005 Annual Actual	2006 Annual Target	2006 Annual Actual	2007 Annual Target	2007 Annual Actual	2008 Annual Target	2008 4-Month Actual
Average daily population	Demand	NA	13,576	NA	13,497	NA	13,987	NA	NA
Average length of stay systemwide (days)	Demand	NA	48.3	NA	47.6	NA	47.1	NA	NA
Inmate admissions	Demand	NA	102,772	NA	103,830	NA	108,767	NA	NA
Assaults on staff	Outcome	NA	428	NA	424	NA	442	NA	135
Escapes	Outcome	NA	0	NA	1	NA	0	NA	0
Fight/assault infractions	Outcome	NA	6,548	NA	6,833	NA	6,576	NA	2,174
Jail-based arrests of inmates	Outcome	NA	684	NA	654	NA	738	NA	256
On-trial inmates delivered to court on time (%)	Outcome	83.0%	99.5%	95.0%	99.8%	95.0%	99.8%	95.0%	99.8%
Stabbings and slashings	Outcome	NA	30	NA	37	NA	37	NA	6

Note: "NA" means that data is not available

DOC Performance-Based Budget**2009 Executive Budget**

Suicides	Outcome	NA	5	NA	3	NA	2	NA	0
Inmates delivered to court	Output	NA	309,608	NA	316,023	NA	326,735	NA	107,907
Searches	Output	NA	149,224	NA	153,982	NA	192,398	NA	69,057
Weapons recovered	Output	NA	1,977	NA	1,748	NA	2,472	NA	536
Incidents and allegations of Department Use of Force	Service Quality	NA	1,263	NA	1,522	NA	1,751	NA	639
Average cost per inmate per year (\$)	Unit Cost	NA	\$59,920	NA	\$66,085	NA	\$67,310	NA	NA

Note: "NA" means that data is not available

Operations-Hospital Prison Ward

The Department maintains secure facilities in two City Hospitals including Elmhurst Hospital Prison Ward, for female inmates requiring acute psychiatric care and Bellevue Hospital Prison Ward, for male inmates requiring psychiatric or medical care.

	2006 Actuals	2007 Actuals	2008 Budget (May 1, 2008 Financial Plan)	2009 Preliminary Budget	2009 Executive Budget
Spending					
Personal Services	\$20,628,241	\$20,156,271	\$14,875,402	\$14,875,402	\$14,875,402
Other than Personal Services	\$0	\$0	\$0	\$0	\$0
Total	\$20,628,241	\$20,156,271	\$14,875,402	\$14,875,402	\$14,875,402
Funding					
City Funds	NA	NA	\$14,875,402	\$14,875,402	\$14,875,402
Total	NA	NA	\$14,875,402	\$14,875,402	\$14,875,402
Full-Time Positions	253	250	263	263	263
Full-Time Positions - Uniform	253	250	263	263	263

Performance Measures

	Type of Measure	2005 Annual Target	2005 Annual Actual	2006 Annual Target	2006 Annual Actual	2007 Annual Target	2007 Annual Actual	2008 Annual Target	2008 4-Month Actual
Inmate health clinic visits	Demand	NA	113,788	NA	103,252	NA	99,057	NA	31,325
Inmate health clinic visits- average clinic waiting time (minutes)	Service Quality	NA	31	NA	28	NA	27	NA	29

Note: "NA" means that data is not available

Operations-Infrastructure & Environmental Health

DOC is charged with the complete responsibility of the infrastructure on Rikers Island, including building system improvements, facilities reconstruction, repair and daily maintenance.

	2006 Actuals	2007 Actuals	2008 Budget (May 1, 2008 Financial Plan)	2009 Preliminary Budget	2009 Executive Budget
Spending					
Personal Services	\$15,918,164	\$19,247,622	\$15,253,599	\$14,763,469	\$15,005,802
Other than Personal Services	\$10,544,342	\$13,303,596	\$11,720,875	\$10,375,643	\$10,424,063
Total	\$26,462,505	\$32,551,218	\$26,974,474	\$25,139,112	\$25,429,865
Funding					
City Funds	NA	NA	\$26,974,474	\$25,139,112	\$25,429,865
Total	NA	NA	\$26,974,474	\$25,139,112	\$25,429,865
Full-Time Positions	209	218	228	227	227
Full-Time Positions - Civilian	171	176	179	178	178
Full-Time Positions - Uniform	38	42	49	49	49
Contracts	NA	NA	25	24	24
Maintenance and Repairs - General	NA	NA	24	23	23
Professional Services - Other	NA	NA	1	1	1

Note: "NA" means that data is not available

Operations-Rikers Security & Operations

Provide operational security throughout all of the department's facilities including the Emergency Service Unit, the tactical team on call 24 hours a day for critical situations; the Tactical Search Operation, to assist in maintaining order and retrieving inmate contraband and the Rapid Response Team, for heightened security alerts on Rikers Island such as inmate escape attempt or potential riot situations.

	2006 Actuals	2007 Actuals	2008 Budget (May 1, 2008 Financial Plan)	2009 Preliminary Budget	2009 Executive Budget
Spending					
Personal Services	\$57,717,007	\$59,093,136	\$23,066,757	\$279,824,941	\$22,316,893
Other than Personal Services	\$3,500,260	\$4,092,414	\$2,613,462	\$2,622,050	\$2,555,846
Total	\$61,217,267	\$63,185,550	\$25,680,219	\$282,446,991	\$24,872,739
Funding					
City Funds	NA	NA	\$25,491,876	\$282,446,991	\$24,872,739
Federal - Other	NA	NA	\$188,343	\$0	\$0
Total	NA	NA	\$25,680,219	\$282,446,991	\$24,872,739
Full-Time Positions	641	613	375	847	374
Full-Time Positions - Civilian	66	73	33	81	32
Full-Time Positions - Uniform	575	540	342	766	342
Contracts	NA	NA	1	1	1
Maintenance and Repairs - General	NA	NA	1	1	1

Performance Measures

	Type of Measure	2005 Annual Target	2005 Annual Actual	2006 Annual Target	2006 Annual Actual	2007 Annual Target	2007 Annual Actual	2008 Annual Target	2008 4-Month Actual
Assaults on staff	Outcome	NA	428	NA	424	NA	442	NA	135
Escapes	Outcome	NA	0	NA	1	NA	0	NA	0
Fight/assault infractions	Outcome	NA	6,548	NA	6,833	NA	6,576	NA	2,174
Jail-based arrests of inmates	Outcome	NA	684	NA	654	NA	738	NA	256
Stabbings and slashings	Outcome	NA	30	NA	37	NA	37	NA	6
Suicides	Outcome	NA	5	NA	3	NA	2	NA	0
Searches	Output	NA	149,224	NA	153,982	NA	192,398	NA	69,057
Weapons recovered	Output	NA	1,977	NA	1,748	NA	2,472	NA	536
Incidents and allegations of Department Use of Force	Service Quality	NA	1,263	NA	1,522	NA	1,751	NA	639
Average cost per inmate per year (\$)	Unit Cost	NA	\$59,920	NA	\$66,085	NA	\$67,310	NA	NA

Note: "NA" means that data is not available