THE COUNCIL OF THE CITY OF NEW YORK Finance Division



Hearing on the Fiscal 2010 Executive Budget

for the

Department of Juvenile Justice

Monday, May 18, 2009

Hon. Christine C. Quinn Speaker

Hon. David I. Weprin Chair, Committee on Finance

Hon. Sara M. Gonzalez Chair, Committee on Juvenile Justice Preston Niblack
Director

Jeffrey Rodus First Deputy Director

Andy Grossman
Deputy Director

Eisha WilliamsSupervising Legislative Financial
Analyst

Department of Juvenile Justice (130)

Agency Overview

The Department of Juvenile Justice (DJJ) provides detention, aftercare and preventive services to juveniles, ages 7 through 15, in New York City. Youth detained in the Department's facilities include alleged juvenile delinquents, juvenile offenders whose cases are pending, and those whose cases have been adjudicated and are awaiting transfer to State Office of Children and Family Services (OCFS) facilities. The Department operates three secure detention and 16 non-secure detention facilities located throughout the City that admit more than 5,000 youth each year.

Expense Budget Highlights

The Department of Juvenile Justice's Fiscal 2010 Executive Expense Budget of \$130.9 million is approximately \$2.5 million less than its Fiscal 2009 Adopted Expense Budget of \$133.3 million. The \$2.5 million-decrease in total funds derives from a decrease of \$3.1 million in City tax-levy funding, which now stands at \$93.5 million offset by an increase of \$649,000 in State grants.

November Plan Changes

At the time of Adoption for Fiscal 2009, the agency's estimated budget for Fiscal 2010 was \$133.8 million. The estimated budget for Fiscal 2010 in City tax-levy funds was \$96.6 million. The November 2008 Plan decreased the City tax-levy portion of the Department's budget by \$1.7 million, bringing the agency's Fiscal 2010 budget to \$132.1 million and its City tax-levy budget to \$94.9 million. The decrease in the agency's budget in the November Plan was attributable to a PEG proposal to reduce City payments to the New York State Office of Children and Family Services (OCFS).

January Plan Changes

The January 2009 Plan increased the agency's Fiscal 2010 budget by approximately \$1 million, for a total of \$133.1 million. The increase derived from a decrease of \$272,000 in City tax-levy funding, bringing it to \$94.7 million, and an increase of \$1 million in State grants. The January Plan actions included City tax-levy budget reductions in the amount of \$2.4 million and others adjustments for collective bargaining in the amount of \$2 million. Combined, the January Plan proposals reduced the agency's City-funded portion of the budget by \$272,000. The January Plan also included a reduction of \$408,000 in State grants and other adjustments for collective bargaining in the amount of \$1.7 million. Combined, the January Plan proposals increased the agency's State grants portion of the budget by \$1.3 million.

Executive Plan Changes

The Executive Plan now proposes to decrease the agency's Fiscal 2010 budget by \$2.3 million, for a total of \$130.9 million. The \$2.3 million decrease in total funds derives from a decrease of \$1.2 million in City tax-levy funding, bringing it to \$93.5 million, and a decrease of \$1.1 million in State grants. The decrease in the agency's budget in the Executive Plan is attributable to a Program to Eliminate the Gap (PEG) proposal to eliminate 49 vacant positions (25 City and 24 State) offset by collective bargaining and other adjustments.

	2008 Actual	2009 Adopted	2010 Preliminary	2010 Executive
	Expenses	Budget	Budget	Budget
Spending				
Personal Services	\$42,615,689	\$41,870,413	\$44,717,962	\$42,793,361
Other than Personal Services	\$88,367,991	\$91,451,513	\$88,445,999	\$88,059,921
Total	\$130,983,680	\$133,321,926	\$133,163,961	\$130,853,282
Funding				
City	NA	\$96,591,862	\$94,662,723	\$93,475,373
State	NA	\$36,041,728	\$37,812,902	\$36,689,573
Federal - Other	NA	\$688,336	\$688,336	\$688,336
Total	NA	\$133,321,926	\$133,163,961	\$130,853,282
Headcount				
Full-time Positions	755	987	961	912

Page 2 Juvenile Justice (130)

Capital Budget

The Department of Juvenile Justice's Fiscal 2010 Executive Capital Commitment Plan includes \$12.9 million in City funding for Fiscal 2009-2013.

The \$12.9 million for Fiscal 2009-2013 represents less than one percent of the Citywide Capital Commitment Plan total of \$47.11 billion. The agency's Executive Commitment Plan of \$12.9 million for Fiscal 2009-2013 is \$3 million, or 19 percent less than the January Capital Commitment Plan of \$15.9 million.

At the time of Adoption, the Capital Commitment Plan for Fiscal 2009 was \$7.75 million. The November 2008 Capital Commitment Plan decreased the amount by \$2.5 million, bringing the total to \$5.3 million. This represented a seven percent decrease for Fiscal 2009. Since the January Plan, the Capital Commitment Plan for Fiscal 2009 has decreased again. The Fiscal 2010 Executive Capital Commitment decreased the amount by \$3.1 million, bringing the total to \$2.2 million, which represents a 59-percent decrease.

Over the past five years, DJJ has only committed an average of 22.5 percent of its annual Capital Plan. Therefore, it is assumed that a large portion of the agency's Fiscal 2009 Capital Plan will be rolled into Fiscal 2010, thus greatly increasing the size of the Fiscal 2010-2014 Capital Plan.

In January, the Mayor announced his intention to reduce the City's Capital Plan by 30 percent. The objective of the Capital cut is to reduce the amount of the City's general obligation (GO) debt service as a percentage of total revenues. The 30-percent reduction in the Ten-Year Capital Plan for Fiscal 2010-2019 would reduce the long-term average annual growth in debt service costs to 3.4 percent, equal to the level of forecast growth in City revenues. The 2010 Executive Capital Budget includes \$47.0 billion in planned commitments for Fiscals 2010-2019. This total includes \$12.84 billion in commitments for Capital projects for the Department of Environmental Protection (DEP) which are funded primarily by non-GO debt. The GO-funded portion of the Fiscal 2010-2019 Executive Capital Plan is \$34.17 billion; this is \$6.93 billion, or 16.86 percent, less than the \$41.1 billion Preliminary Fiscal 2010-2019 Capital Plan.

Department of Juvenile Justice Capital Commitment Plan, 2009-2013

Millions	of a	lollars
----------	------	---------

	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	TOTAL
January Plan						
City	\$5.3	\$5.0	\$3.0	\$0.9	\$1.7	\$15.9
Non-City						
Total	\$5.3	\$5.0	\$3.0	\$0.9	\$1.7	\$15.9
Executive Plan						
City	\$2.2	\$7.7	\$1.6	\$0.6	\$0.9	\$12.9
Non-City						
Total	\$2.2	\$7.7	\$1.6	\$0.6	\$0.9	\$12.9
Difference						
City	(\$3.1)	\$2.6	(\$1.4)	(\$0.4)	(\$0.8)	(\$3.0)
Non-City	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Total	(\$3.1)	\$2.6	(\$1.4)	(\$0.4)	(\$0.8)	(\$3.0)
Percent Change	-59%	52%	-46%	-41%	-48%	-19%

Program Budget Overview

The Department of Juvenile Justice's Program Budget consists of the following seven programs.

	2008 Actual	2009 Adopted	2010 Preliminary	2010 Executive
Program	Expenses	Budget	Budget	Budget
Administration	\$63,971,714	\$65,742,108	\$65,256,805	\$65,402,196
Health Services				
Providers	\$2,284,086	\$6,575,922	\$6,432,942	\$6,432,942
In-Detention				
Program Services	\$934,069	\$176,345	\$2,977	\$2,977
Non-Secure				
Detention	\$19,511,182	\$18,415,625	\$18,743,640	\$18,749,887
Re-Entry Support				
Services	\$1,395,784	\$2,227,716	\$6,821	\$6,821
Resident Movement				
Services	\$9,597,817	\$4,715,639	\$4,912,258	\$4,805,938
Secure Detention	\$33,289,028	\$35,468,571	\$37,808,518	\$35,452,521
Total	\$130,983,680	\$133,321,926	\$133,163,961	\$130,853,282

Headcount				
Administration	87	34	34	34
In-Detention				
Program Services	3	6	1	1
Non-Secure				
Detention	67	106	106	106
Re-Entry Support				
Services	3	8	2	2
Resident Movement				
Services	57	59	59	59
Secure Detention	538	774	759	710
Total	755	987	961	912

Detention Services

"The Department of Juvenile Justice operates three secure detention facilities: Bridges, Crossroads and Horizon. In addition, DJJ has 16 non-secure detention facilities, of which two are directly operated by DJJ and 15 are operated through contracts with private social service organizations."

Detention Data (Secure and Non-Secure)					
Fiscal Year 2006 2007 2008 2008 (Jul-Apr) 2009 (Jul-Apr)					
Admissions	5,974	5,885	5,490	4,485	4,744
Average Daily Population	448.7	440.5	426.5	420.8	426
Average Length of Stay (days)	27	27	28	28	27

Source: February 2009 Preliminary Mayors Management Report and the Department of Juvenile Justice (May 2009)

Secure Detention

Secure detention facilities are structured such that they not only have locks and hardware on the doors, but are also designed to restrict the movement of the juveniles. According to DJJ's website, the programmatic objective of secure detention is to "give youth the chance to make positive changes in

Page 4 Juvenile Justice (130)

their lives. Detention is viewed as a time to provide education, medical, mental health, case management and other much-needed services."

Secure Detention Data					
Fiscal Year 2008 2008 (Jul-Apr) 2009 (Jul-Apr)					
Average Daily Population	289.7	289.9	278.7		
Average Length of Stay (days)	21	22	20		

Source: Department of Juvenile Justice (May 2009)

Non-Secure Detention

Non-secure detention facilities are structured as less restrictive settings than secure facilities. "Non-secure detention offers juveniles a supportive, family-like environment and close supervision during their time in detention."

Non-Secure Detention Data					
Fiscal Year 2008 2008 (Jul-Apr) 2009 (Jul-Apr)					
Average Daily Population 136.8 130.9 147.3					
Average Length of Stay (days)	33	33	32		

Source: Department of Juvenile Justice (May 2009)

Relevant Preliminary Mayor's Management Report Indicators

According to the PMMR, "the average length of stay in detention [during the first four-months of Fiscal 2009] increased by three days when compared to the same period in Fiscal 2008. This is partially attributable to citywide juvenile justice reform efforts, including the judiciary making greater use of the City-developed Risk Assessment Instrument and the Weekend Arraignment initiative. These efforts are changing the characteristics of youth in detention by supporting moderate-risk youth with supervision in the community, thus increasing the proportion of high risk youth with more complex cases likely to stay in detention longer. The Department is continuing its communication with the judiciary and promoting its Collaborative Family Initiative, which has proven to decrease the stays of youth with mental health needs who previously stayed in detention twice as long as other youth."

Administration

Expenses associated with the staffing of the Central Office. This includes the Commissioner, Executive Staff, and other administrative support staff. This also includes payments to the Office of Children and Family Services for City youth placed in State Custody.

	2008 Actual Expenses	2009 Adopted Budget	2010 Preliminary Budget	2010 Executive Budget
Spending	-			
Personal Services	\$5,701,937	\$3,026,097	\$3,177,143	\$3,275,792
Other than Personal Services	\$58,269,777	\$62,716,011	\$62,079,662	\$62,126,404
Total	\$63,971,714	\$65,742,108	\$65,256,805	\$65,402,196
Funding				
City	NA	\$63,133,354	\$62,629,630	\$62,703,350
State	NA	\$2,608,754	\$2,627,175	\$2,698,846
Total	NA	\$65,742,108	\$65,256,805	\$65,402,196
Headcount				
Full-time Positions	87	34	34	34

January Plan Reductions

• State OCFS Payments Re-estimate. The City makes payments to the Office of Children and Family Services for City juveniles who are placed in State facilities. Because the number of juveniles that the Department transfers to OCFS continued to decline, the January Plan recognized savings in the amount of \$1.4 million in Fiscal 2010, and \$1.3 million in Fiscal 2011 and the outyears. Please see the chart below for the annual number of youth of released to OCFS.

Annual Numbe	er of Youth Rel	eased to OCFS
Fiscal 2006	Fiscal 2007	Fiscal 2008
1,888	1,557	1,436

Source: Department of Juvenile Justice

• Elimination of Temporary Services Contract. The January Plan included annual savings in the amount of \$115,000 (split evenly between City and State funds) due to the reduction of the Department's temporary services contract. The temporary services contract provided for temporary workers in the Department's human resources, fiscal, and purchasing divisions. Of this amount, \$57,500 was removed from the Administration program area, and \$57,500 was removed from the Resident Movement Services program area.

Executive Plan Changes

Other Adjustments

• HHS Connect Cost Allocation. Last year, Mayor Bloomberg announced the creation of HHS-Connect, a system to allow for the sharing of client information among city health and human service agencies. "HHS-Connect will link more than a dozen City agencies so that caseworkers are able to share client information without compromising confidentiality. Clients will only need to provide their personal and other pertinent information one time to be included in a virtual integrated case file which they will be able to access and update online. HHS-Connect will reduce the paperwork burden for caseworkers, improve customer service, and allow unique accessibility to the City's various programs and services for New Yorkers who need them most."

Funding for HHS-Connect was originally placed in the budget of the Department of Information Technology and Telecommunications (DoITT). As the initiative will be supported by funding from the HHS agencies, the Executive Plan now removes the funding from DoITT and apportions it to eight participating agencies. To fund HHS-Connect system maintenance costs relating to the Department of Juvenile Justice, the following sums are being provided: \$6,661 (\$3,397 City and \$3,264 State) in Fiscal 2009, \$34,082 (\$17,828 City and \$17,130 State) in Fiscal 2010, and \$26,101 (split evenly between City and State) in Fiscal 2011 and the outyears.

• **Lease Adjustment**. The Executive Plan increases the Department's lease budget by \$12,660 in Fiscal 2010 and the outyears. Funding is split between the City and State in the following amounts in each of the years: \$6,457 City and \$6,203 State.

Page 6 Juvenile Justice (130)

Resident Movement Services

Expenses associated with the transportation of youth between the courts and the various detention facilities operated by the agency.

	2008 Actual Expenses	2009 Adopted Budget	2010 Preliminary Budget	2010 Executive Budget
Spending	•			
Personal Services	\$3,479,703	\$2,178,359	\$2,432,478	\$2,432,478
Other than Personal Services	\$6,118,114	\$2,537,280	\$2,479,780	\$2,373,460
Total	\$9,597,817	\$4,715,639	\$4,912,258	\$4,805,938
Funding				
City	NA	\$2,360,400	\$2,429,960	\$2,363,998
State	NA	\$2,355,239	\$2,482,298	\$2,441,940
Total	NA	\$4,715,639	\$4,912,258	\$4,805,938
Headcount				
Full-time Positions	57	59	59	59

Executive Plan Changes

PEGs

• Fleet-Related Expense Reduction. Embracing an alternative savings proposal made by the City Council, OMB included in the November Plan lump sum reductions in City funds associated with a citywide fleet reduction. These lump sum reductions included \$20 million in Fiscal 2010 associated with the purchase of fewer vehicles, and \$2 million annually beginning in Fiscal 2011 associated with lowered vehicle maintenance costs. The Executive Plan now zeroes out these lump sum figures and apportions the savings throughout the City's many agencies. For the Department of Juvenile Justice, the Executive Plan shows a fleet reduction savings of \$25,602 in Fiscal 2010 and a vehicle maintenance savings of \$3,162 in Fiscal 2011 and the outyears. This action would reduce the agency's fleet by two vehicles.

Other Adjustments

- **Heat, Light and Power.** The Executive Plan decreases the Department's heat, light and power budget by \$101,327 (split evenly between City and State funds) in Fiscal 2009 and \$21,963 (split evenly between City and State funds) annually beginning in Fiscal 2010.
- Gasoline. The Executive Plan decreases the Department's gasoline budget by \$48,780 (split evenly between City and State funds) in Fiscal 2009 and \$58,755 (split evenly between City and State funds) annually beginning in Fiscal 2010.

Secure Detention

Expenses associated with the staffing and operation of three Secure Detention facilities.

	2008 Actual Expenses	2009 Adopted Budget	2010 Preliminary Budget	2010 Executive Budget
Spending	•	-		
Personal Services	\$29,391,000	\$31,745,050	\$34,021,501	\$31,992,004
Other than Personal Services	\$3,898,028	\$3,723,521	\$3,787,017	\$3,460,517
Total	\$33,289,028	\$35,468,571	\$37,808,518	\$35,452,521
Funding				
City	NA	\$16,014,566	\$16,990,533	\$15,792,239
State	NA	\$18,765,669	\$20,129,649	\$18,971,946
Federal - Other	NA	\$688,336	\$688,336	\$688,336
Total	NA	\$35,468,571	\$37,808,518	\$35,452,521
Headcount				
Full-time Positions	538	774	759	710

Executive Plan Changes

Other Adjustments

- Civilian Vacancy Reduction. The Department currently has approximately 49 (25 City and 24 State) vacant positions (the vacancies are for various positions throughout DJJ). The Executive Plan is recognizing approximately \$2.7 million (\$1.4 million in City and \$1.3 million in State funds) in savings in Fiscal 2010 from the elimination of these positions. For Fiscal 2011 and the outyears, the amount increases to \$2.8 million, split evenly between City and State funds
- **Fuel.** The Executive Plan decreases the Department's fuel budget by \$416,896 (split evenly between City and State funds) in Fiscal 2009 and \$326,500 (split evenly between City and State funds) annually beginning in Fiscal 2010.

Agency-wide Adjustments

- Fringe Benefit Offset Reduction. In order to give the agency PEG credit, the PEG actions described above include fringe benefit savings that should be properly accounted for not in DJJ's budget, but in the City's Miscellaneous Budget. To reflect the neutral impact on the DJJ's budget that would result from theses fringe benefit savings, an offsetting sum totaling \$682,490 (\$348,070 in City funds and \$334,420 in State funds) in Fiscal 2010, \$721,690 (\$368,062 in City funds and \$353,628 in State) in Fiscal 2011, \$760,890 (\$388,054 City funds and \$372,836 State funds) in Fiscal 2012, and \$800,090 (\$408,046 in City funds and \$392,044 in State funds) in Fiscal 2013 and the outyears is being added back to the DJJ's budget as a technical adjustment.
- **Agency-Wide Collective Bargaining** As per the Executive Plan, City funds totaling \$ 44,030 in Fiscal 2009, \$75,544 in Fiscal 2010, and \$80,482 in Fiscal 2011 and the outyears will be transferred from the Labor Reserve in the Miscellaneous Budget to DJJ to cover costs associated with recent collective bargaining agreements.

Page 8 Juvenile Justice (130)

Collective Bargaining (Executive Plan Changes)	Fiscal 2009	Fiscal 2010	Fiscal 2011	Fiscal 2012	Fiscal 2013
Collective Bargaining	\$21,880	\$48,433	\$52,381	\$52,381	\$52,381
Collective Bargaining - Staff Attorneys	\$2,391	\$3,533	\$3,533	\$3,533	\$3,533
Collective Bargaining - Principle Administrative					
Associates	\$16,041	\$18,529	\$18,529	\$18,529	\$18,529
Collective Bargaining - Local 300	\$364	\$1,695	\$2,685	\$2,685	\$2,685
Collective Bargaining - Plumbers	\$3,354	\$3,354	\$3,354	\$3,354	\$3,354
Total	\$44,030	\$75,544	\$80,482	\$80,482	\$80,482

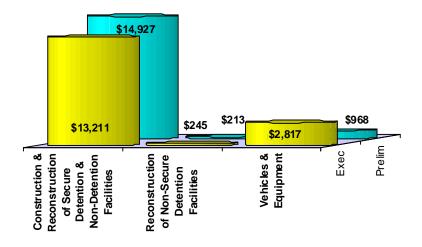
Executive Capital Commitment Plan, 2009-2013

In the Executive Capital Plan, DJJ's planned commitments for Fiscal 2009-2013 (\$12.9 million) decrease by 19 percent (\$3 million) when compared to the Department's January Plan Capital Commitment Plan (\$15.9 million).

Executive Ten-Year Capital Strategy, 2010-2019

The Department's Executive Ten-Year Capital Strategy for Fiscal 2010-2019 includes a total of \$16.3 million in funding for Construction and Reconstruction of Secure Detention and Non-Detention Facilities; Equipment; Vehicles; and the Reconstruction of Non-Secure Detention Facilities. This is an increase of one percent compared to the \$16.1 million in the Preliminary Ten Year Strategy.

 Construction and Reconstruction of Secure Detention and Non-Detention Facilities – The Executive TenJuvenile Justice Ten-Year Capital Plan Preliminary FY10 vs. Executive FY10



Year Capital Strategy includes \$13.3 million for renovations and improvements to the Bridges, Horizon, and Crossroads Secure Detention facilities, in addition to the Department's Non-Detention Facilities.

- **Equipment** The Executive Ten-Year Capital Strategy includes \$2.1 million for the purchase of security and information technology equipment.
- **Vehicles** The Executive Ten-Year Capital Strategy includes \$700,000 for the replacement of secure passenger vehicles. This amount represents a 30-percent reduction compared to the Preliminary Ten-Year Capital Strategy of \$1 million.
- **Reconstruction of Non-Secure Detention Facilities** The Executive Ten-Year Capital Strategy includes \$200,000 for renovations and improvements to agency-operated non-secure detention facilities. This amount remains unchanged from the Preliminary Ten-Year Capital Strategy Plan.

Page 10 Juvenile Justice (130)

Supplemental Tables

Executive Budget Actions

The following table summarizes changes to the Fiscal 2009 and 2010 budgets since the Preliminary Budget. The Non-City actions include State, Federal, Other Categorical, Intra-City and Capital Inter-Fund Agreement (IFA) funding changes.

	Fiscal 2009			Fiscal 2010		
Description	City	Non-City	Total	City	Non-City	Total
Agency Budget as per the January Plan	\$96,560	\$39,035	\$135,595	\$94,662	\$38,501	\$133,163
Executive Plan Programs to Eliminate the Gap (PEGs)						
Elimination of Vacant Positions	\$0		\$0	(\$1,403)	(\$1,348)	(\$2,750)
Fleet-Related Expense Reduction	\$0		\$0	(\$26)		(\$26)
Total PEGs	\$0	\$0	\$0	(\$1,428)	(\$1,348)	(\$2,776)
Executive Plan Other Adjustments						
Collective Bargaining - Staff Attorneys	\$2	\$2	\$5	\$4	\$3	\$7
Collective Bargaining - Principle						
Administrative Associates	\$7	\$6	\$13	\$16	\$15	\$31
Collective Bargaining - Local 300	\$0	\$0	\$1	\$2	\$2	\$3
Collective Bargaining - Plumbers	\$3	\$3	\$7	\$3	\$3	\$7
Collective Bargaining	\$22	\$21	\$43	\$48	\$47	\$95
HHS Connect Cost Allocation	\$3	\$3	\$7	\$17	\$17	\$34
Fringe Offset for Elimination of Vacancies			\$0	\$348	\$334	\$682
Heat, Light and Power	(\$51)	(\$51)	(\$101)	(\$11)	(\$11)	(\$22)
Fuel	(\$208)	(\$208)	(\$417)	(\$163)	(\$163)	(\$327)
Gasoline	(\$24)	(\$24)	(\$49)	(\$29)	(\$29)	(\$59)
Lease Adjustment	\$0		\$0	\$6	\$6	\$13
Total Other Adjustments	(\$245)	(\$247)	(\$492)	\$241	\$224	\$465
Total Executive Plan Budget Changes	(\$245)	(\$247)	(\$492)	(\$1,187)	(\$1,123)	(\$2,311)
Agency Budget as per the Executive Plan	\$96,315	\$38,788	\$135,103	\$93,475	\$37,378	\$130,852

Summary of Changes Since June 2009 Plan City Funds only, \$\$ 000's

	2009	2010	2011	2012	2013
June 2009 Plan	\$96,592	\$96,610	\$98,360	\$102,230	\$102,230
New Needs	\$0	\$0	\$0	\$0	\$0
Collective Bargaining	\$1,004	\$1,586	\$1,612	\$1,612	\$1,612
Other Adjustments	(\$280)	\$749	\$359	\$388	\$417
New Needs	(\$1,000)	(\$5,470)	(\$5,468)	(\$5,488)	(\$5,508)
Exec 2010 Plan	\$96,316	\$93,475	\$94,863	\$98,742	\$98,751

Units of Appropriation

U/A#	U/A Name	2009 Adopted Budget	2010 Preliminary Budget	2010 Executive Budget	Percent Change from 2009 Adoption
001	Personal Services	\$41,870,413	\$44,717,962	\$42,793,361	2.20%
002	Other Than Personal Services	\$91,451,513	\$88,445,999	\$88,059,921	-3.71%
	Total Agency	\$133,321,926	\$133,163,961	\$130,853,282	-1.85%

Page 12 Juvenile Justice (130)