

THE COUNCIL OF THE CITY OF NEW YORK

Hon. Corey Johnson
Speaker of the Council

Hon. Mark Levine
Chair, Committee on Health



Report of the Finance Division on the
Fiscal 2022 Preliminary Plan and the
Fiscal 2021 Preliminary Mayor's Management Report for the
Office of Chief Medical Examiner

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Office of Chief Medical Examiner

Office Overview

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

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

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

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

Report Structure

This report analyzes the Office of Chief Medical Examiner's \$87 million Fiscal 2022 Preliminary Budget. This report will present the expense budget, relevant New York State budget actions and the Council priorities and reviews relevant sections of the Fiscal 2020 Preliminary Mayor's Management Report. Finally, Appendix A outlines the Budget Actions in the November and Preliminary Plans, followed by OCME's expense budget, financial summary, contract budget, and program area budgets.

Fiscal 2022 Preliminary Budget: Expense

The Office of Chief Medical Examiner's Fiscal 2022 Preliminary Budget totals \$87 million (including City and non-City funds), a decrease of \$3.4 million, or 4 percent, when compared to the Fiscal 2021 Adopted Budget. OCME funding represents less than one percent of the City's \$92.3 billion Fiscal 2022 Preliminary Budget. The following chart shows OCME's actual and planned spending and headcount as of the Fiscal 2021 Preliminary Budget.

Table 1: OCME Financial Summary

OCME Financial Summary						
<i>Dollars in Thousands</i>	FY19	FY20	FY21	Preliminary Plan		*Difference
	Actual	Actual	Adopted	FY21	FY22	FY21-FY22
Spending						
Personal Services	\$63,122	\$66,316	\$70,176	\$69,976	\$69,306	(\$870)
Other Than Personal Services	21,604	19,672	20,190	25,870	17,691	(2,499)
TOTAL	\$84,726	\$85,988	\$90,366	\$95,846	\$86,997	(\$3,369)
Funding						
City Funds			\$90,366	\$88,505	\$86,997	(\$3,369)
Federal - Other			0	3,705	0	0
Intra City			0	782	0	0
Other Categorical			0	676	0	0
State			0	2,179	0	0
TOTAL	\$84,726	\$85,988	\$90,366	\$95,846	\$86,997	(\$3,369)
Budgeted Headcount						
Full-Time Positions - Civilian	670	679	768	675	759	(9)
TOTAL	670	679	768	675	759	(9)

*The difference of Fiscal 2021 Adopted Budget compared to Fiscal 2022 Preliminary Budget.

Preliminary Plan Actions

The Department's Fiscal 2022 Preliminary Budget includes \$62.4 million in other adjustments introduced since the Fiscal 2021 Adopted Budget. This includes the following changes in The Fiscal 2021 November: \$62.2 million increase in other adjustments and \$331,056 in Savings in Fiscal 2021 and \$9,071 in decreases in other adjustments and \$441,408 in Fiscal 2022 November Plan. The Preliminary Plan also included \$1.04 million in savings and \$1.53 million in other adjustments for Fiscal 2021. See Appendix A: OCME Budget Actions in the November and the Preliminary Plans for more information.

Table 2: OCME Changes in Plans

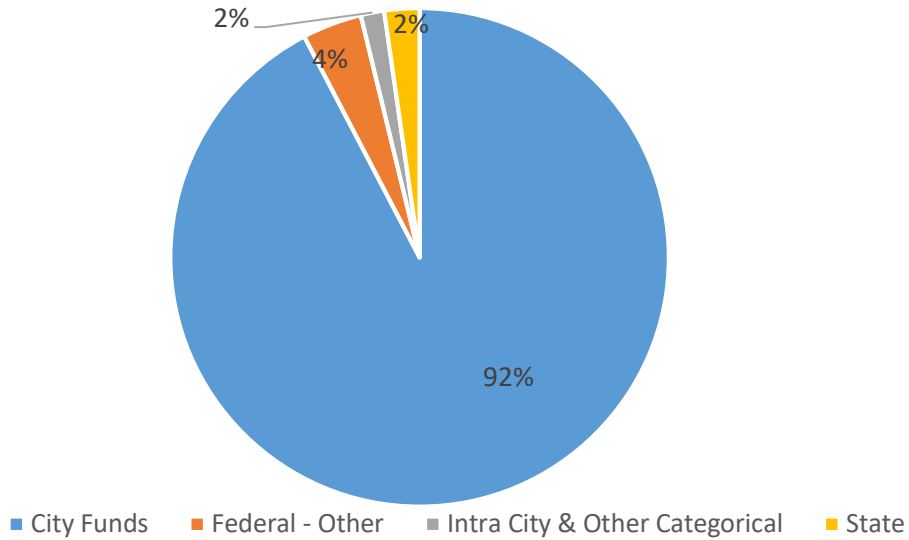
<i>Dollars in Thousands</i>	FY21			FY22		
	City	Non-City	Total	City	Non-City	Total
Other Adjustments						
20 Regional Catastrophic Preparedness Grant Program to OCME	\$0	\$662	\$662	\$0	\$0	\$0
6165 Load Funds	0	898	898	0	0	0
Citywide Wireless Services	(2)	0	(2)	(9)	0	(9)
Printing Reduction	(27)	0	(27)	0	0	0
Total Other Adjustments	(29)	1,560	1,531	(9)	0	(9)
Savings Program						
Hiring and Attrition Management	(\$1,044)	\$0	-\$1,044	\$0	\$0	\$0
Total Savings Program	(\$1,044)	\$0	-\$1,044	\$0	\$0	\$0
OCME Grand Total	(\$1,073)	\$1,560	\$487	(9)	\$0	(9)

Funding

The majority of the Office's funding is comprised of City tax-levy (CTL) funding. Both the Fiscal 2021 Adopted budget and the Fiscal 2022 Preliminary Budget have only CTL funding budgeted. However, the current Fiscal 2021 Budget shows an increase in federal and State funding. The November Plan included \$60 million in Federal funding and \$1.3 million in State funding for Fiscal 2021. The

Preliminary Plan included \$898,169 in State funding and \$661,930 in City Funding. The below chart shows the percentage of each funding source.

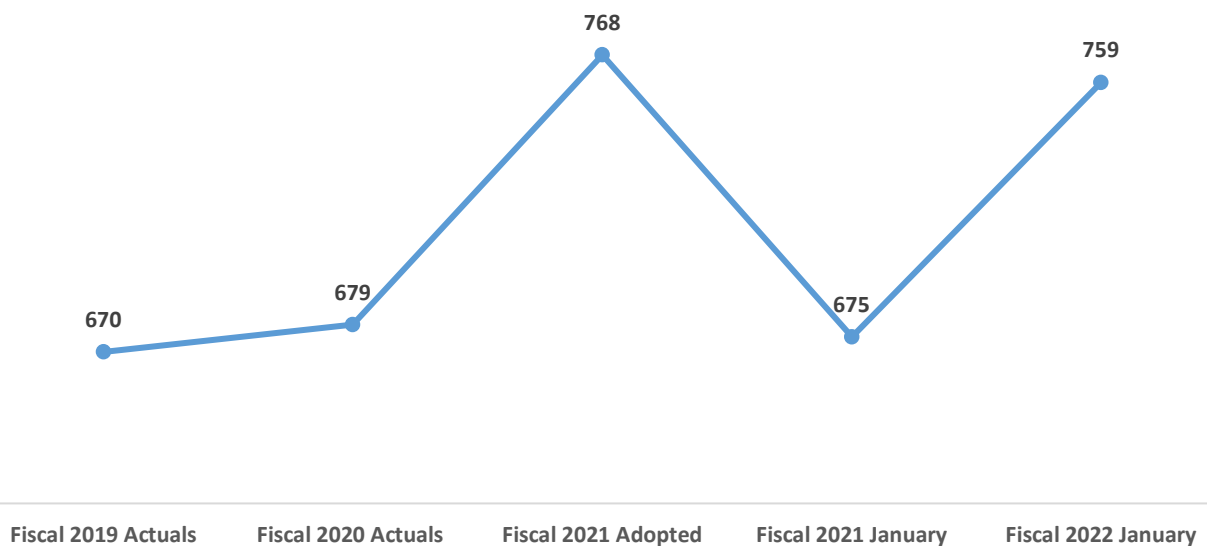
Figure 1: OCME Current FY21 Funding by Source



Headcount

The Office’s Fiscal 2022 Preliminary Budget supports 759 full-time positions across its 32 divisions. OCME’s Fiscal 2022-budgeted headcount is 9 or one percent less than the Fiscal 2021 headcount of 768. Due to hiring attrition and management the full-time positions of the current modified budget Fiscal 2021 budget are 12 percent less than the Fiscal 2021 Adopted budget. The below chart shows the necessary increase OCME experienced due to COVID-19 pandemic.

Figure 2: OCME Headcount

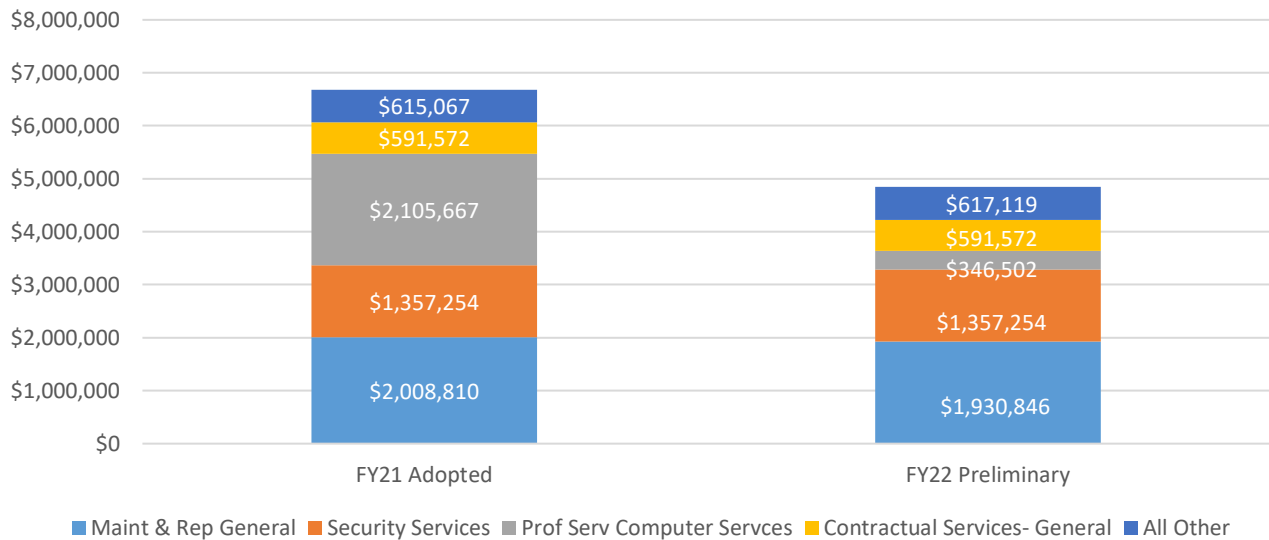


Contract Budget

The Department’s Fiscal 2022 Contract Budget totals \$4.8 million for 31 contracts accounting for 27.1 percent of the Department’s total OTPS budget. Contracts for maintenance and repairs- general and

security services comprise a substantial portion, 60 percent, of OCME’s total contract budget. At Fiscal 2021 Adopted Budget Professional Services Computer Services was \$1.76 million more than what is budgeted in the Preliminary Budget for Fiscal 2022. The Fiscal 2021 Adopted budget included grants for Asset Forfeiture, Urban Area Security Initiative (UASI) and Council of State and Territorial Epidemiologists (CSTE) that will not be rolled into Fiscal 2022. Also included in Fiscal 2021, was \$600,000 for the Laboratory Information Management System (LIMS) upgrades, while in Fiscal 2022 there is a smaller amount that is only for LIMS maintenance.

Figure 3: OCME Contracts



Fiscal 2021 Preliminary Mayor’s Management Report

The Preliminary Mayor’s Management Report (PMMR) for Fiscal 2021 evaluates the ability of the Office to (1) perform the processes necessary to certify deaths falling within the agency’s jurisdiction; (2) provide mortuary services to the City; (3) respond to disasters and emergencies when fatalities are involved; and (4) provide services to the city for forensic purposes. In this section, key indicators from each goal will be discussed.

Death and Autopsy

In order to perform the process necessary to certify deaths falling within the agency’s jurisdiction, the Office strives to (1) respond promptly to scenes of reportable fatalities and conduct related investigations; (2) perform autopsies and examinations necessary to issue timely death certificates; (3) provide diligent investigation for all cremation requests; and (4) certify death certificates in a timely manner.

During the first four months of Fiscal 2021 OCME decreased the median time for scene arrivals by Medicolegal Investigators by .2 hours, or 1.6 hours, but the median time to complete autopsy reports increased by 128 days. OCME reports this increase is a direct result of the laboratory backlog caused by the pandemic, which suspended the OCME laboratories except for some high priority cases. The pandemic also led to a 112 percent increase of deaths reported in between Fiscal 2019 and Fiscal 2020 from 30,964 to 65,712.

The total number of cremation requests received and investigated in the first four months increased by 3.6 percent, to 5,749, when compared to the same period last year. There was a 39 percent

decrease in cremation requests that were rejected to 36 cases. The median time to certify death certificates decreased to 15.8 hours in the first four months of Fiscal 2021, a decrease of .5 hours, which is well below the target of 72 hours.

Mortuary Services

The Office, tasked with providing mortuary services to the City, strives to recover and transport decedents to the City mortuary facilities in a timely manner. In the first four months of Fiscal 2021, the median time for OCME to reach “Ready to Release” status decreased to 7.78 hours. However, the Office reported an increase in the median time to clear and release to a third party for final disposition, by 16 percent, from 36 minutes to 42 minutes.

Identification

The Office responds to disasters and emergencies when fatalities are involved, providing rapid response and safe fatality management services to the City, as well as identifying victims of disasters and returning their remains to families in a timely manner. OCME’s Department of Forensic Biology continues its work on remains of victims of the September 11, 2001 terrorist attack. OCME reports that no new remains were recovered or identified in Fiscal 2020 or the first four months of Fiscal 2021.

The Forensic Biology Laboratory

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

In the first four months of Fiscal 2021, the median time to complete analysis of a DNA the Laboratory increased the number of days from 34 to 74 due to the suspension of laboratories because of the pandemic and reduced number of staff working on priority cases. There was also a decrease in the number of DNA matches with profiles in the database from 2,668 to 1,943.

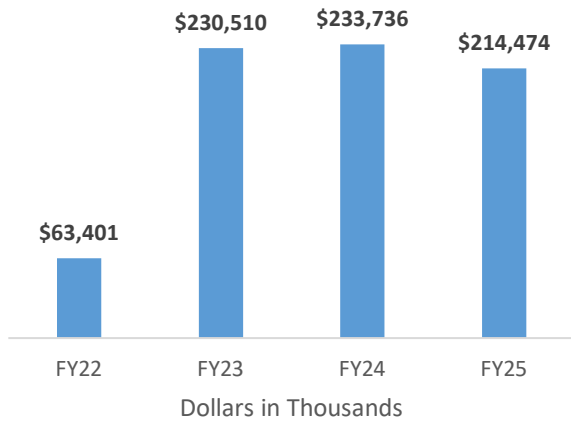
The Forensic Toxicology Laboratory

The OCME Forensic Toxicology Laboratory tests biological samples for illicit drugs and intoxicants and for therapeutic drugs. In the first four months of Fiscal 2021, the toxicology case completion times increased by 98 days because of the suspension of laboratories due to the pandemic. The median time to complete toxicology cases in the first four months was 82 days. Specifically, in the Fiscal 2021 four-month actual report, the Laboratory reported 82 days as the median time to complete toxicology DUI cases and 243 days as the median time to complete toxicology sexual assault cases. The Forensic Toxicology laboratory was temporarily suspended for over three months. OCME started Fiscal 2021 with 1,373 postmortem cases pending tests and 1,300 new postmortem cases collected during the lab closure and placed in storage. OCME has made great strides to reduce the backlog and has already tested over 3,000 cases.

Fiscal 2022 Preliminary Budget: Capital

Fiscal 2022-2025 Preliminary Capital Budget

Figure 4: DOHMH Capital Budget



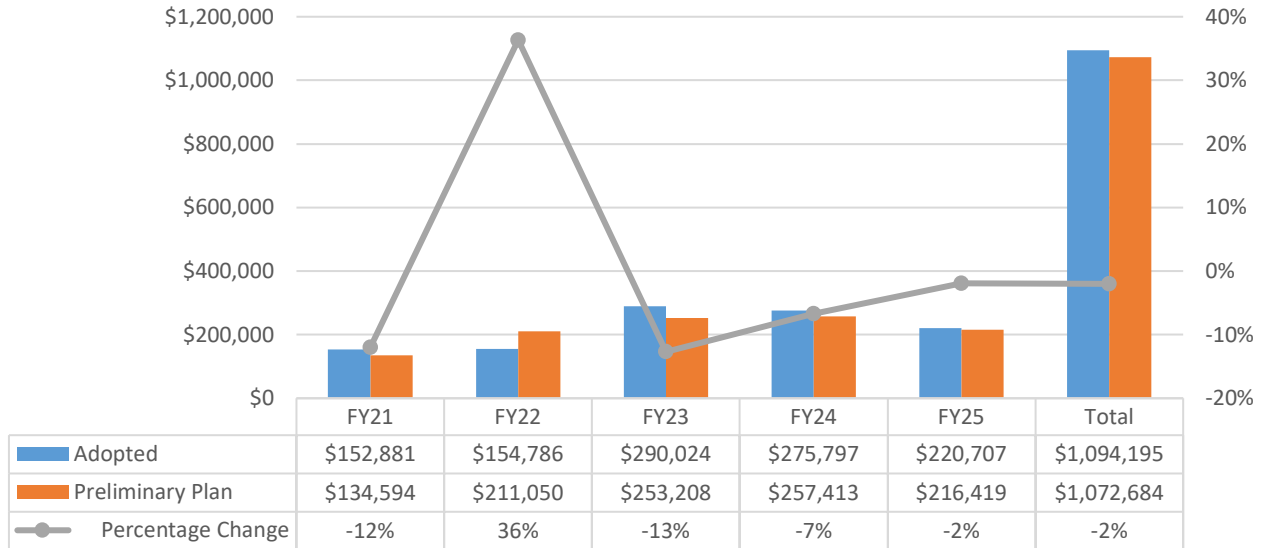
As shown in the chart to the left, the Department of Health and Mental Hygiene and Office of Chief Medical Examiner’s Fiscal 2022 Preliminary Capital Budget includes \$742 million in Fiscal 2022-2025. This represents approximately 1.4 percent of the City’s total \$53.6 billion Capital Budget for 2022-2025. The Fiscal 2022 Preliminary Capital Budget is an estimate of the additional appropriations needed in addition to the projected excess appropriations for Fiscal 2021 to fully fund the Department’s capital projects planned for next year. As of November 2020, the Department had \$352 million in available appropriations for Fiscal

2021. The Preliminary Budget proposes additional appropriations in Fiscal 2022 of \$231 million for DOHMH.

Preliminary Capital Commitment Plan for Fiscal 2021-2025

The Department’s Preliminary Commitment Plan includes \$1.1 billion in Fiscal 2021-2025. This represents approximately 1.28 percent of the City’s total \$84.1 billion Preliminary Commitment Plan.

Figure 5: DOHMH Commitment Plan

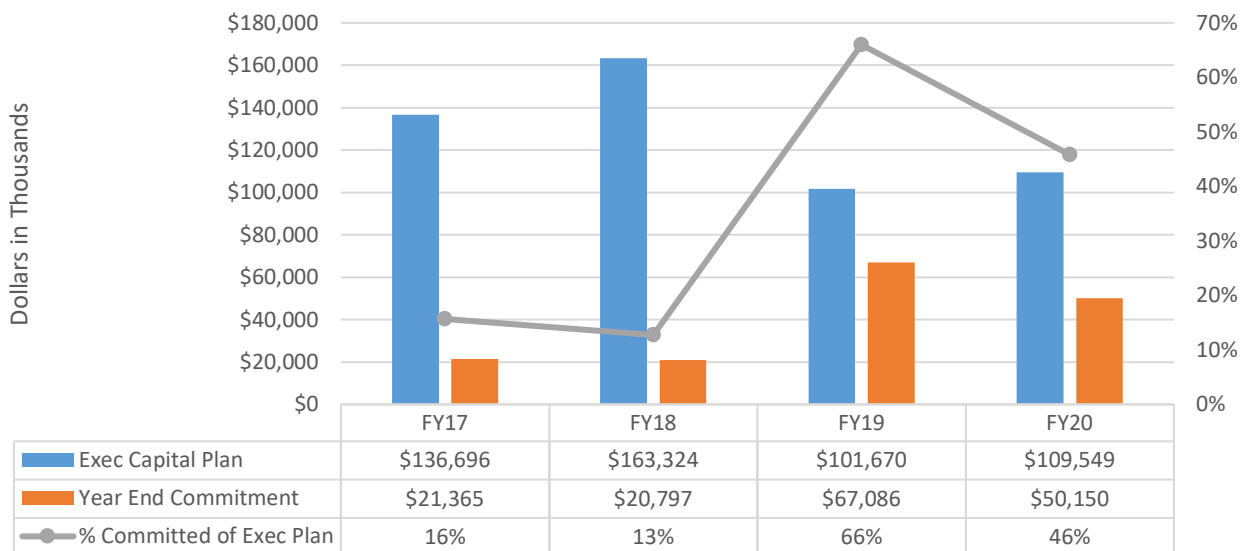


The Preliminary Capital Plan for the Department for Fiscal 2021-2025 has decreased by \$21 million to a total of \$1.1 billion, demonstrating a 2 percent reduction when compared to the Department’s Adopted Commitment Plan. The decrease can be attributed to the decision to postpone improvements to health facilities and medical examiner facilities citywide into future years.

DOHMH and OCME had actual commitments of \$50.2 million in Fiscal 2020, a commitment rate of 46 percent. The Department’s history of commitments is shown in the chart below. Given the State and City hold on construction projects that weren’t COVID-19 related, it is likely that DOHMH will end this year with some unmet commitment targets and uncommitted appropriations available to roll into Fiscal 2022 and the outyears. The actual commitments in Fiscal 2020 were all completed before the NYS Pause went into effect.

The chart below displays the Department’s capital commitment plan as of the Fiscal 2017-2020 Executive Budget and the actual commitments in the corresponding fiscal year. The chart also shows the capital commitment rate: the percentage of the capital plan committed per fiscal year.

Figure 6: DOHMH Capital Commitments



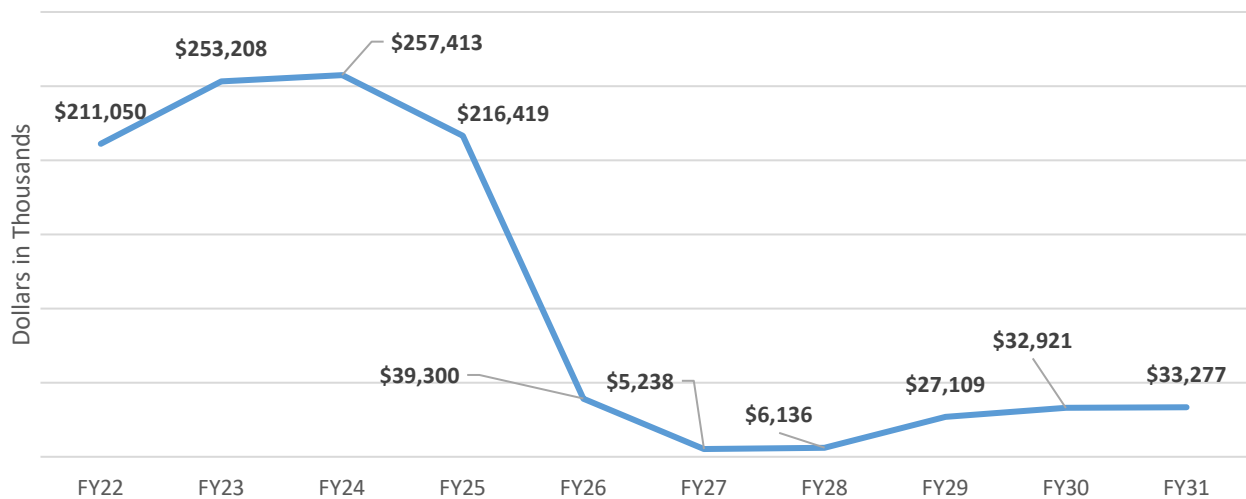
2021 OCME Preliminary Capital Commitment Plan Major Projects:

- **OCME- Agencywide Physical Security System Upgrades.** The Preliminary Capital Plan includes \$19.8 million for OCME’s physical security system upgrade. Currently the project is underway is anticipated to be finished June 2022.

Preliminary Ten-Year Capital Strategy Fiscal 2022-2031

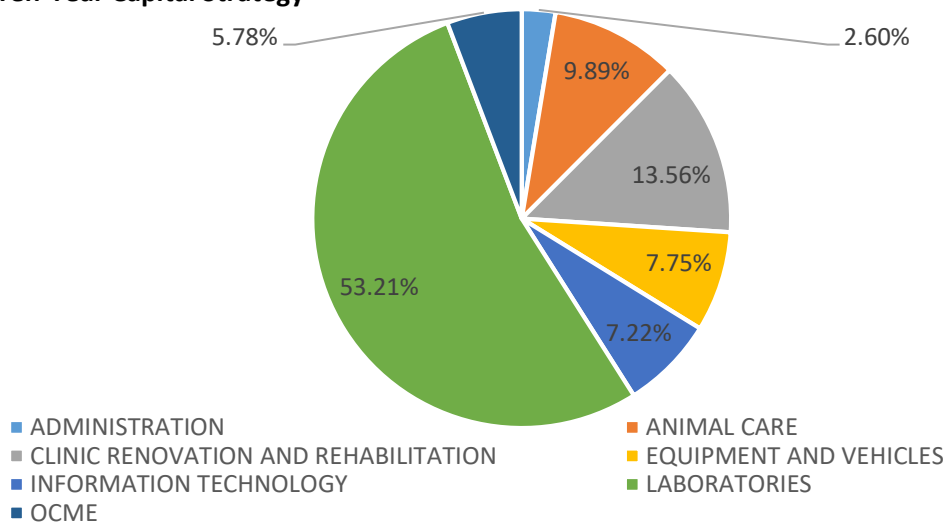
The City’s Ten-Year Strategy totals \$118.8 billion (all funds), which is \$1.9 billion larger than the \$116.9 billion Fiscal 2020-2029 Ten-Year Strategy. DOHMH’s Ten-Year Capital Strategy totals \$1.1 billion, or less than percent of the City’s total Strategy. The chart below shows how DOHMH has frontloaded spending in the first five years of the ten-year plan, when a more realistic plan would show a more consistent spending pattern throughout the ten years.

Figure 7: FY22-31 Preliminary Ten-Year Capital Strategy by Year



DOHMH and OCME’s Ten-Year Strategy is distributed among the categories shown in the chart below.

Figure 8: Ten-Year Capital Strategy



Office of Chief Medical Examiner. The Preliminary Ten-Year Capital Strategy includes \$62.5 million for OCME projects, which include IT upgrades and laboratory equipment.

Appendices

A: Budget Actions in the November and the Preliminary Plans

<i>Dollars in Thousands</i>	FY21			FY22		
	City	Non-City	Total	City	Non-City	Total
OCME Budget as of the Adopted FY21 Budget	\$90,366	\$0	\$90,366	\$86,547	\$0	\$86,547
OCME Other Adjustments						
20 RCPGP to OCME	\$0	\$662	\$662	\$0	\$0	\$0
20200776864	0	100	100	0	0	0
20200796192	0	2	2	0	0	0
6065 FY21 UP	0	40	40	0	0	0
6164 FY'21 UP	0	31	31	0	0	0
6164 UP \$1	0	0	0	0	0	0
6165 Load Funds	0	898	898	0	0	0
6167fy21up	0	54	54	0	0	0
6177fy21up	0	76	76	0	0	0
6809 FY21 UP	0	40	40	0	0	0
6811 FY'21 UP	0	364	364	0	0	0
6813 FY21 UP	0	159	159	0	0	0
6814fy21-up	0	643	643	0	0	0
6815fy21up	0	138	138	0	0	0
6820fy21up	0	811	811	0	0	0
6821fy21up	0	200	200	0	0	0
6859 FY21 UP	0	241	241	0	0	0
6861 FY21 UP	0	5	5	0	0	0
6862fy21up	0	54	54	0	0	0
6863 FY21 UP	0	158	158	0	0	0
6863 FY'21 UP	0	18	18	0	0	0
6865fy21up	0	3	3	0	0	0
6866 FY'21 UP	0	448	448	0	0	0
6870fy21up	0	302	302	0	0	0
AF FY'21 UP	0	1,101	1,101	0	0	0
Citywide Discretionary Training Freeze	(7)	0	(7)	0	0	0
Citywide Wireless Services	(2)	0	(2)	(9)	0	(9)
DOHMH COVID-19	0	56,627	56,627	0	0	0
FY21 DR UP	0	676	676	0	0	0
IT Contract Savings	(15)	0	(15)	0	0	0
Labor Savings	(141)	0	(141)	0	0	0
Printing Reduction	(27)	0	(27)	0	0	0
RCM Projects	\$0	\$120	\$120	\$0	\$0	\$0
Subtotal, OCME Other Adjustments	(\$192)	\$63,969	\$63,777	(\$9)	\$0	(\$9)
OCME Savings Program						
Hiring and Attrition Management	(1,044)	0	(1,044)	0	0	0
Hiring Freeze	(331)	0	(331)	(441)	0	(441)
Subtotal, OCME Savings Program	(\$1,375)	\$0	(\$1,375)	(\$441)	\$0	(\$441)
OCME Grand Total	(\$1,567)	\$63,969	\$62,401	(\$450)	\$0	(\$450)
OCME Budget as of the Preliminary FY22 Budget	\$88,505	\$7,341	\$95,846	\$86,997	\$0	\$86,997

B: Contract Budget

Category	FY21 Adopted	Number of Contracts	FY22 Preliminary	Number of Contracts
Contractual Services- General	\$591,572	1	\$591,572	1
Telecommunication Maint	1,432	1	1,432	1
Maint & Rep General	2,008,810	23	1,930,846	23
Data Processing Equipment	292,277	1	292,277	1
Security Services	1,357,254	1	1,357,254	1
Cleaning Services	239,075	1	239,075	1
Training PRGM City Employes	42,592	1	44,472	1
Prof Serv Computer Servces	2,105,667	1	346,502	1
Prof Serv Other	39,691	1	39,863	1
TOTAL	\$6,678,370	31	\$4,843,293	31

C: Program Areas

Office of Chief Medical Examiner

<i>Dollars in Thousands</i>	FY19	FY20	FY21	Preliminary Plan		*Difference
	Actual	Actual	Adopted	FY21	FY22	FY21-FY22
Spending						
Personal Services	\$63,122	\$66,316	\$70,176	\$69,976	\$69,306	\$670
Other Than Personal Services	21,604	19,672	20,190	25,870	17,691	8,179
TOTAL	\$84,726	\$85,988	\$90,366	\$95,846	\$86,997	\$8,849
Personal Services						
Additional Gross Pay	\$3,591	\$3,652	\$1,447	\$1,456	\$1,447	\$9
Amounts to be Scheduled	0	0	2,342	2,342	2,347	(6)
Fringe Benefits	405	749	355	1,269	355	914
Full-Time Salaried - Civilian	52,191	55,792	63,459	62,147	62,584	(437)
Overtime - Civilian	6,708	5,745	2,467	2,657	2,467	189
Unsalariad	227	378	105	105	105	0
SUBTOTAL	\$63,122	\$66,316	\$70,176	\$69,976	\$69,306	\$670
Other Than Personal Services						
Contractual Services	\$6,681	\$6,444	\$6,678	\$10,500	\$4,843	\$5,657
Fixed & Misc. Charges	15	69	8	27	8	19
Other Services & Charges	7,510	6,784	6,303	6,825	6,297	528
Property & Equipment	874	1,370	1,274	1,223	678	546
Supplies & Materials	6,524	5,005	5,926	7,295	5,865	1,430
SUBTOTAL	\$21,604	\$19,672	\$20,190	\$25,870	\$17,691	\$8,179
TOTAL	\$84,726	\$85,988	\$90,366	\$95,846	\$86,997	\$8,849
Funding						
City Funds			\$90,366	\$88,505	\$86,997	\$1,508
Federal - Other			0	3,705	0	3,705
Intra City			0	782	0	782
Other Categorical			0	676	0	676
State			0	2,179	0	2,179
TOTAL	\$84,726	\$85,988	\$90,366	\$95,846	\$86,997	\$8,849
Budgeted Headcount						
Full-Time Positions - Civilian	670	679	768	675	759	(84)
TOTAL	670	679	768	675	759	(84)

*The difference of Fiscal 2021 Adopted Budget compared to Fiscal 2022 Preliminary Budget.