

**Testimony before the
New York City Council
Committees on Criminal Justice and Finance**

Chair Carlina Rivera

Chair Justin Brannan

By

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Good Morning, Chair Brannan and Rivera and members of the Committee on Finance and the Committee on Criminal Justice. I am Louis Molina, Commissioner of the Department of Correction. I am joined today by the Department's General Counsel, Paul Shechtman; Deputy Commissioner of Financial, Facilities, and Fleet Administration, Patricia Lyons; and the Deputy Commissioner of the Division of Programs and Community Partnerships, Francis Torres. We are here to discuss the Department's Executive Budget for Fiscal Year 2024 and what lies ahead for the agency in the coming fiscal year.

I have spoken with you often in the past six months about the strides that have been made under the Adams Administration to improve the quality of our jail facilities. Absenteeism has been dramatically reduced; slashings and stabbings are down roughly 20 percent fiscal year to date, and 40 percent calendar year to date; new hires with broad correctional experience have given us new perspectives and are helping to initiate cultural change; the disciplinary backlog in

our Trials Division has been tackled and reduced; court production is now at 95 percent; our intake facilities are clean and orderly, and 99.5 percent of new admissions are now housed in less than 24 hours. All of this is the result of the hard work of dedicated people. All of it is praiseworthy, although, as you know, praising the Department is not fashionable.

The Department's Fiscal Year 2024 Executive Budget

Now I will turn to the Department's Fiscal Year 2024 Executive Budget, which is \$1.17 billion. This is a reduction of \$196.3 million from our current fiscal budget of \$1.36 billion. The vast majority of this – 84 percent – is allocated for Personal Services, and 16 percent for Other than Personal Services.

The following bear special note:

- A reduction of \$30.4 million in FY24 and \$30 million in FY25 due to our actual uniformed headcount continuing to remain below our budgeted headcount;
- A reduction \$17 million annually beginning in FY24 resulting from a discontinuation of multi-year program provider contracts;
- An increase of \$112 million in FY23 to offset projected overtime spending;
- An increase of \$2.4 million annually in FY23 to fund phone calls for persons in custody;
- An increase of \$5 million in FY23, \$4.7 million in FY24, \$6 million in FY25 and \$7.6 million in FY26 to reflect the DC37 collective bargaining agreement; and
- A uniformed overtime cost avoidance of \$30 million commencing in FY26.

Programs Insourcing

In the coming fiscal year, the Department will undertake a major shift in the way that programs and services are delivered to individuals in our jails. To comply with the Mayor's mandated four percent budget reduction, the Department reviewed all aspects of its budget to reach the required savings of \$47 million. Those savings could not be sustained from our Personal Services budget alone. In our Other than Personal Services budget, the most significant funding resides in Programs, Facility Maintenance, Nutritional Services, Commissary, and Wages for Incarcerated Individuals. After careful review, we determined that the required reductions could be taken only from Programs – that the other categories could not be cut. Our plan is for Programs to re-assign staff, increase the delivery of services in congregate areas, leverage technology, and expand partnerships with government entities and volunteer groups, to cover programming needs.

Capital Funding

With regards to capital funding, the Fiscal Year 2024 Executive Capital Budget and Commitment Plan totals \$11.6 billion, which covers Fiscal Years 2024 through 2033. Included in this capital plan is an increase of \$1.45 billion in capital appropriations for the borough-based jail facility in Brooklyn. Appropriations had to be increased to meet the proposal from the apparent winner for the design build project. As of the FY 2024 Executive Budget, the borough-based jails program totals \$9.2 billion over the ten-year plan and is allocated as follows:

- Brooklyn Facility - \$3.3 billion
- Manhattan Facility - \$2.0 billion
- Queens Facility - \$1.9 billion

- Bronx Facility - \$1.9 billion
- Queens Parking Garage - \$17.3 million

Further included in the Department's capital plan is \$46.6 million for the restoration of funds for critical infrastructure projects on Rikers Island. The deterioration of Rikers infrastructure can no longer be ignored. Regardless of when Rikers closes, its core infrastructure – steam tunnels, main electrical feeders, and [the] powerhouse – must be in a state of good working order. Rikers now houses more than 6,000 incarcerated individuals, and thousands of staff work there everyday. We fail them, with perhaps disastrous consequences, if our facilities are in disrepair.

Headcount

We continue to work diligently to attract and retain civilian and uniformed staff. The Department's authorized headcount remains unchanged from the Preliminary Budget totaling 8,790; 7,060 uniformed positions and 1,730 civilian positions. Our actual staffing levels continue to remain well below our authorized headcount. We are exploring creative advertising and marketing strategies to promote employment with the Department. This, in conjunction with the elimination of the college requirement for the Correction Officer exam, should aid with increasing the Department's staffing levels.

Conclusion

This Administration is committed to reform and to jail facilities that are safe and human. Over the past 16 months, you have seen what our staff can do when they are properly

led, trained, and mentored. The Executive Budget gives us the resources to continue the progress that has been made and to deliver on promises that are long overdue.

I thank you for the opportunity to testify today.