



Legislation Text

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Int. No. 385

By Council Members Cabán, Powers, Hanif, Joseph, Nurse, Krishnan, Avilés, Ossé, Dinowitz, Won, Williams, Brooks-Powers, Restler, Ung, Brewer, Schulman, Richardson Jordan, Riley, Hudson and Sanchez

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to report programming and fiscal information

Be it enacted by the Council as follows:

Section 1. Section 9-129 of the administrative code of the city of New York, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

§ 9-129 Reporting. a. Annual report. The commissioner of correction shall submit a report to the mayor and the council by October [first] 1 of each year regarding implementation of sections 9-127 and 9-128 of this title and other discharge planning efforts[, and, beginning October first, two thousand eight and annually thereafter, regarding recidivism among incarcerated individuals receiving discharge planning services from the department of correction or any social services organization under contract with the department of correction] made in the prior fiscal year.

b. Required information. In addition to the information required in subdivision a of this section, such report shall include, but need not be limited to:

1. The number of incarcerated individuals and the average number of days spent in the custody of the department of correction among such incarcerated individuals;

2. The number of incarcerated individuals eligible for a discharge plan pursuant to section 9-127.1, and the number of such incarcerated individuals who are offered a discharge plan;

3. Information pertaining to post-release job placement and retention, including, to the extent

practicable: the number of formerly incarcerated individuals with post-release job placements within 30 days of release from the custody of the department; the number of formerly incarcerated individuals with post-release job placements within 90 days of release from the custody of the department; and the number of formerly incarcerated individuals with post-release job placements within 180 days of release from the custody of the department; and

4. A description of any services referred to formerly incarcerated individuals upon release.

§ 2. Subdivision b of section 9-143 of the administrative code of the city of New York is amended by adding a new paragraph 3 to read as follows:

3. During the reporting period, the number of incarcerated individuals with a mental health diagnosis, the number of incarcerated individuals who received mental health services, and the percentage of incarcerated individuals with a mental health diagnosis who received mental health services.

§ 3. Section 9-144 of the administrative code of the city of New York, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

§ 9-144 Correction programming evaluation and report. [The department shall evaluate incarcerated individual programming each calendar year.] a. Definitions. For purposes of this section, “incarcerated individual programming” includes but is not limited to any structured services offered directly to incarcerated individuals for the purposes of vocational training, counseling, cognitive behavioral therapy, addressing drug dependencies, or any similar purpose.

b. Annual evaluation. The department shall evaluate incarcerated individual programming each calendar year.

c. Annual report. No later than April 1 of each year, beginning in 2017, the department shall submit a [summary of each] report containing a summary of the evaluation required in subdivision b of this section to the mayor and the council, and post such [summary] report to the department’s website.

[This summary] d. Program information. The report required in subdivision c of this section shall

include [factors determined by the department, including], but need not be limited to, the following information [related to the following for each such program: (i) the] for each program offered in the most recent calendar year and, where information is available, the prior five years:

1. The name of the program and the facilities where it is offered;

2. The name of the provider;

3. The amount of funding received; [(ii) estimated number of incarcerated individuals served; (iii) a brief]

4. A description of the program including the enrollment or referral process, the estimated number of hours of programming offered and utilized, the frequency with which it is offered, any interruption in programming and the cause, program length, goals, target populations, effectiveness, and outcome measurements, including a description of any award, certificate, degree or other qualification earned upon successful completion of the program, where applicable; [and (iv) successful completion and compliance rates, if applicable. Such summary]

5. The number of participating incarcerated individuals in the aggregate and disaggregated by race, gender and age;

6. The number of program instructors, and the ratio of program instructors to participating incarcerated individuals;

7. The number of participating incarcerated individuals who successfully complete the program, in the aggregate and disaggregated by race, sex and age, and the ratio of participating incarcerated individuals who successfully complete the program to participating incarcerated individuals, in the aggregate and disaggregated by race, sex and age;

8. The number of participating incarcerated individuals who do not successfully complete the program and the reason, when known; and

9. For applicable programs, the number of incarcerated individuals earning a GED, disaggregated by

race, sex and age.

e. Information required for each facility. The information required in subdivision d of this section shall be reported in the aggregate for each program and disaggregated by facility if the program is offered at more than one facility.

f. Accessibility and formatting. The report required in subdivision c of this section shall be permanently accessible from the department's website and shall be provided in a format that permits automated processing, where appropriate. [Each yearly summary] Required rates shall be expressed in fractions and percentages.

g. Annual comparison required. The report required in subdivision c of this section shall include a comparison of the current year with the prior five years, where such information is available.

§ 4. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-163 to read as follows:

§ 9-163 Report on budget and spending. The commissioner shall report the following information to the mayor and the speaker of the council by September 1 of each year:

- a. The amount of overtime spending per uniformed personnel for the prior fiscal year; and
- b. The average number of fixed posts requiring coverage for each month of the prior fiscal year.

§ 5. This local law takes effect immediately.

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