



FY 2022 Agency Watch List

Department of Correction

New York City Comptroller Scott M. Stringer

Bureau of Budget

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Why is This Agency on the Watch List?

The Department of Correction (DOC) has been on the Comptroller's Agency Watch List since 2018 and has been closely [monitored](#) by the Office of the Comptroller since 2014. The Agency Watch List spotlights city agencies that raise the most budgetary concerns due to rapidly increased spending and meager measurable results. The following report reviews trends to evaluate the effectiveness of agency spending in achieving the Administration's stated goals.

The DOC has been under a Consent Decree and federal mandates since November 2015, yet the prevalence of violence and the use of force within city jails has yet to recede. According to the most recent [Tenth Report](#) of the *Nunez* Independent Monitor, "The City and Department have established a record of non-compliance in the most fundamental goals of the Consent Judgment, most especially regarding the use of force and accountability for violations of these requirements." The Monitor further stated, "...as we move into the fifth year of monitoring, it is critical to acknowledge that if the DOC is unable to achieve demonstrable gains with the requirements of both the Consent Judgment and the Remedial Order that this overall approach to achieving sustainable and substantial compliance must be reexamined as the efforts by all may have been exhausted."

The lack of progress under the Consent Degree has occurred despite historic declines in the jail population. Declines had begun to accelerate at the end of 2019 as changes to state bail laws were implemented. Subsequently, during the early stages of the COVID-19 pandemic the jail population fell further, dropping below 4,000 in April 2020 as arrest rates plummeted and individuals were released to combat the spread of COVID-19.

While the overall DOC budget has begun to contract, the pace is far slower than declines in the jail population, leading to higher per-person costs. The City's Financial Plan assumes that DOC spending and headcount will continue to decline through the current fiscal year.

Now is the time to re-think our public safety paradigm. We must redirect resources to programming and treatment that can help prevent incarceration, reduce violence within the jails, and help people succeed in their communities after they leave.

Budget and Spending

- The DOC budget declined 7% from \$1.37 billion in FY 2017 to \$1.28 billion in FY 2020 and is forecast to decrease by an additional 11% to \$1.14 billion in FY 2021.

- Uniformed headcount has also fallen, dropping 15% from 10,862 in FY 2017 to 9,181 in FY 2020. The City forecasts that the number of correction officers will fall by an additional 23% during FY 2021, reaching 7,060 officers by the end of June 2021. However, as of the end of November 2020 (five months into the fiscal year), the total number of DOC uniformed officers had fallen by only 3% to 8,871.¹
- Overtime expenses have also steadily decreased, both in total and on a per-officer basis. Total overtime fell 44% from FY 2017 to FY 2020, as overtime per uniformed officer dropped by 37% from \$22,131 in FY 2017 to \$13,869 in FY 2020.

	FY 17	FY 18	FY 19	FY 20	Budgeted FY 21*	Budgeted FY 22*
Expenditures (\$mil)	\$1,368.6	\$1,400.2	\$1,358.9	\$1,276.1	\$1,136.8	\$1,156.8
Adj. Expenditures (excl. IFA, intracity sales, prior payables) (\$mil)	\$1,359.7	\$1,394.7	\$1,334.6	\$1,267.7	\$1,135.7	\$1,155.9
Overtime (Unif.) (\$mil)	\$240.4	\$198.1	\$152.1	\$127.3	\$84.1	\$80.7
Overtime (Total) (\$mil)	\$266.4	\$221.7	\$177.3	\$148.2	\$94.2	\$87.7
Personnel (Unif.)	10,862	10,653	9,931	9,181	7,060	7,060
Overtime/Unif.	\$22,131	\$18,595	\$15,312	\$13,869	\$11,917	\$11,424
Personnel (Civilian)	1,729	1,770	1,749	1,741	1,667	1,827

SOURCE: Office of the Comptroller; Financial Management System.

NOTES: Uniformed employees assigned to the Horizon Juvenile Detention Center and related costs in FY 2019 and beyond have been excluded. In FY 2020, DOC spent \$19.5 million on direct COVID-19 expenses. *Budgeted, as of January 2021 Financial Plan.

Census, Staffing, and Cost

- Annual admissions to city jails and the average daily population (ADP) have dropped substantially in recent years. During FY 2020, the population averaged 5,841, a decline of 26% from the prior year and 39% below FY 2017. Total admissions to jail were down 60%, dropping from 58,226 in FY 2017 to 23,317 in FY 2020.
- For the first four months of FY 2021 (July-October 2020), as the city began to ease COVID-19 restrictions, the daily population averaged 4,193, a further decline of 28% from FY 2020.
- Because the number of people in jail has fallen faster than the DOC budget and headcount, the ratio of correction officers to incarcerated individuals and the cost per incarcerated person has risen. As of FY 2020, DOC employed 1.6 correction officers and spent an average of \$217,043 for every incarcerated person.
- In FY 2020, the City spent an additional \$230,294 in non-DOC costs for each person in custody, including expenses for employee fringe benefits and pensions and health care services provided by other agencies, bringing the full annual cost of incarceration to \$447,337 per person.

¹ Net of estimated DOC staffing at the Horizon Juvenile Detention Center.

	FY 17	FY 18	FY 19	FY 20	Actual FY 21 To Date*
Admissions	58,226	49,455	39,420	23,317	5,324
Avg. Daily Population	9,500	8,896	7,938	5,841	4,193
C.O. to Avg. Daily Jail Population Ratio	1.1	1.2	1.3	1.6	1.7
Avg. DOC Spending per Incarcerated Person	\$143,130	\$156,775	\$168,123	\$217,043	N/A
Avg. Non-DOC Spending per Incarcerated Person	\$132,857	\$148,228	\$176,741	\$230,294	N/A
Avg. Total Spending per Incarcerated Person	\$275,986	\$305,003	\$344,864	\$447,337	N/A

SOURCE: Office of the Comptroller based on *Mayor's Management Report*. *7/1/20 through 10/31/20.

NOTE: The total cost of operating the City's jails includes additional expenses outside the DOC budget, including medical services provided by Health+Hospitals and the Department of Health and Mental Hygiene, as well as staff fringe benefits and pension contributions. For FY 2020, fringe benefits and pension costs are FY 2020 Adopted Budget estimates. Uniformed employees assigned to the Horizon Juvenile Detention Center and related costs in FY 2019 and beyond have been excluded.

Violent Incidents and Use of Force

- In 2015, the Administration initiated a 14-Point Plan to reduce violence at Rikers, including risk-based housing and staffing; the creation of specialized housing units; expansion of video camera coverage; recruit and staff training; and other actions.
- After showing some signs of stabilizing, indicators of violence in City jails rose in FY 2019 and again in FY 2020. From FY 2019 to FY 2020, the rate of fight and assault infractions rose by 27% and the rate of violent incidents among the jail population rose by 16%. Assaults on staff have also increased with the rate rising 26% in FY 2020.
- The rate of incidents and allegations of use of force has also grown sharply, nearly doubling from FY 2018 to FY 2020.

Rate per 1,000 ADP	FY 17	FY 18	FY 19	FY 20	FY 21*
Fight/assault infractions	1,332	1,354	1,513	1,916	1,847
Violent incidents among jail population	662	671	827	961	1,009
Assault on staff	101	110	150	190	223
Incidents/allegations of use of force	534	628	890	1,206	1,445

SOURCE: Office of the Comptroller based on *Mayor's Management Report*. *Projected based on data from 7/1/20 through 10/31/20.

Access to Health and Mental Health Services

- As admissions have fallen, the percentage of the jail population with a mental health diagnosis has gone up, reaching 46% in FY 2020 and 54% in the first four months of FY 2021.

- The share of the jail population with a serious mental health diagnosis also increased from 14.8% in FY 2020 to 17.0% in the beginning of FY 2021.
- Health clinic visits fell 36% in FY 2020, which DOC attributes to a smaller jail population and the creation of a health triage hotline.

	FY 17	FY 18	FY 19	FY 20	FY 21 To Date*
Jail population with mental health diagnosis (% ADP)	42%	43%	45%	46%	54%
Jail population with serious mental health diagnosis (% ADP)	10.3%	14.3%	16.8%	14.8%	17.0%
Health clinic visits	79,844	76,856	81,405	52,146	6,559

SOURCE: *Mayor's Management Report*. *7/1/20 through 10/31/20.