

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CRIMINAL JUSTICE

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Friday, March 7, 2025

Start: 10:15 a.m.

Recess: 4:43 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: *Interim-Chair, Hon. Majority  
Leader Amanda Farías  
Interim-Chair Hon. Althea Stevens  
Interim-Chair Hon. Deputy Speaker  
Ayala*

COUNCIL MEMBERS:

Shaun Abreu

Diana I. Ayala

Tiffany L. Cabán

Shahana K. Hanif

Christopher Marte

Mercedes Narcisse

Lincoln Restler

Althea V. Stevens

Other Council Members Attending: Paladino, and  
Brewer

COMMITTEE ON CRIMINAL JUSTICE

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A P P E A R A N C E S

Juanita N. Holmes,  
Commissioner of the New York City Department of  
Probation (DOP)

Tonya Cauley-Scott  
Deputy Commissioner of Adult Operations the New  
York City Department of Probation (DOP)

Antonio Pullano,  
Associate Commissioner New York City Department  
of Probation (DOP)

Albert Culler,  
Deputy Commissioner New York City Department of  
Probation (DOP)

Patrica Williams,  
Commissioner New York City Department of  
Probation (DOP)

Razwan Mirza,  
Chief Information Officer New York City  
Department of Probation (DOP)

Deldreana Peterkin,  
Senior Program Director New York City Department  
of Probation (DOP)

Lynelle Maginley-Liddie,  
Commissioner, New York City Department of  
Correction (DOC)

Francis Torres,  
First Deputy Commissioner, New York City  
Department of Correction (DOC)

Fritz Fragé,  
Senior Deputy Commissioner, New York Department  
of Correction (DOC)

COMMITTEE ON CRIMINAL JUSTICE  
A P P E A R A N C E S (CONTINUED)

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Sherrieann Rembert,  
Bureau Chief/Chief of Staff, New York City  
Department of Correction (DOC)

James Conroy,  
Deputy Commissioner of Legal Matters/General  
Counsel, New York Department of Correction (DOC)

James Boyd,  
Deputy Commissioner of Strategic Operations,  
New York Department of Correction (DOC)

Faizan Zubair,  
Assistant Commissioner of Finance, New York  
Department of Correction (DOC)

Mala Srinivasan,  
Deputy Commissioner of Finance, New York  
Department of Correction (DOC)

Nell McCarty,  
Deputy Commissioner of Programs and Community  
Partnerships, New York Department of Correction  
(DOC)

Kevin Doherty,  
Deputy Commissioner Facilities Maintenance and  
Repair Division/Fleet Administration, New York  
Department of Correction (DOC)

COMMITTEE ON CRIMINAL JUSTICE

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A P P E A R A N C E S (CONTINUED)

Alexandria Maldonado,  
Assistant Commissioner New York Department of  
Correction (DOC)

James N. Saunders,  
Deputy Commissioner of Health Affairs New York  
Department of Correction (DOC)

Nell McCarty,  
Deputy Commissioner of Programs and Community  
Partnerships New York Department of Correction  
(DOC)

Kevin Doherty,  
Deputy Commissioner Facilities Maintenance and  
Repair Division/Fleet Administration (DOC)

Jasmine Georges-Yilla,  
Executive Director, New York City Board of  
Correction (BOC)

Danielle Ortega,  
Deputy Executive Director of Administration, New  
York City Board of Correction (BOC)

Melissa Cintron Hernandez,  
Deputy Executive Director and General Counsel,  
New York City Board of Correction (BOC)

Katrina Blackman,  
Assistant Executive Director of Monitoring,  
New York City Board of Correction (BOC)

Dalvanie K. Powell,  
President, United Probation Officers Association  
(UPOA)

Benny Boscio, Junior,  
President of the Correction Officers' Benevolent  
Association (COBA)

COMMITTEE ON CRIMINAL JUSTICE  
A P P E A R A N C E S (CONTINUED)

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Dr. Megan French-Marcelin,  
Senior Director of Policy at the Legal Action  
Center

Nadia Chait,  
Senior Director of Policy & Advocacy at CASES

Meg Egan,  
CEO of the Women's Prison Association

Ronald F. Day,  
Senior Vice President of The Fortune Society

Amanda Berman,  
Senior Director of Court Reform at the Center  
for Justice Innovation (the Center)

Christina Graham,  
Mitigation Specialist with Osborne Association's  
Court Advocacy Services (CAS)

Helen "Skip" Skipper,  
Executive Director of NYC Justice Peer Initiative  
and Vice Chair of NYC Board of Corrections

Tammy Reed,  
Representative of Freedom Agenda

Darren Mack,  
Co-Director of Freedom Agenda

Glen Williams,  
Self- Lived Experience-Advocate

Norma Ginez,  
Self- Lived Experience-Advocate

COMMITTEE ON CRIMINAL JUSTICE  
A P P E A R A N C E S (CONTINUED)

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Damon Gilbert,  
Equal Justice Works Fellow in the Environmental  
Justice Program at New York Lawyers for the  
Public Interest (NYLPI)

Meiling Ng,  
Representing- Seniors who live at Chung Pak at 96  
Baxter Street in Chinatown

Judy Lei,  
Community Engagement Manager at Immigrant Social  
Services

Vic Lee,  
Executive Director of Welcome to Chinatown

Kaushal Challa,  
Chief Executive Officer at the Charles B. Wang  
Community Health Center

Tammy Meltzer,  
Chairperson of Manhattan Community Board 1

King Downing,  
Director of Healing Justice Program at American  
Friends Service Committee

Gordon Lee,  
Activist, on NYC Jail System and Mental Health

Jennifer J. Parish,  
Director of Criminal Justice Advocacy  
Urban Justice Center Mental Health Project

Christopher Leon Johnson,  
Member of the Public

Sharon Brown,  
Member of the Public

COMMITTEE ON CRIMINAL JUSTICE

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A P P E A R A N C E S (CONTINUED)

Hannah May-Powers,  
Appearing on behalf of Brooklyn Borough  
President, Antonio Reynoso

Kelly Grace Price,  
Founder of Close Rosie's

Daniele Gerard,  
Senior Staff Attorney at Children's Rights

Roy Waterman,  
Program Coordinator at Good Shepherd Services

SERGEANT AT ARMS: Settle down, guys, we are about to begin. Good morning, good morning, welcome to the New York City Hearing on the Committee on Criminal Justice.

At this time, please silence all electronics and do not approach the dais- I repeat, please do not approach the dais. If you need any assistance, please contact a sergeant, and we will assist you.

Thank you for your cooperation. Chair, you may begin.

MAJORITY LEADER FARÍAS: (GAVEL SOUND) (GAVELING IN)

Good morning, and welcome to the for Fiscal 2026 Preliminary Budget hearing for the Committee On Criminal Justice.

Thank you to the Criminal Justice Committee members for being here.

I'd like to welcome Commissioner Lynelle Maginley-Liddie; Commissioner Juanita Holmes; Jasmine Georges-Yilla, and additional leadership who have joined us here today.

My Chair's objective for today's hearing is to discuss how the Mayor's budget proposals for these three agencies provide the resources for the ultimate



goal of closing Rikers and transitioning to the borough based jail system, while focusing on holistic criminal justice reform policies and ensuring people have adequate diversion programming to reduce recidivism and keep people in their communities.

In the Fiscal 2026 Preliminary Plan these three agencies have a combined total budget of \$1.3 billion which supports 9,914 budgeted positions. The plan includes several changes including funding for newly budgeted positions, infrastructure repairs, and increased funding for food and uniforms for people in custody among others.

I intend to ask about all of these changes today in addition to some additional areas of concern:

First, in an effort to reduce the daily risk of harm, injury, or death at Rikers, we should be focused on programs that divert people from the island, expanding alternatives to incarceration as a primary step in reducing the population of detainees, and furthering our commitment to close Rikers.

With contracts, funding estimates, and anticipated timelines in place, I look forward to discussing the status of the Borough-Based Jails Plan. In particular, I'd like to hear about the

transfer of land parcels on the island to DCAS making way for a renewable Rikers.

More concerning is the possibility of ICE Office operating on the island, and I look forward to getting answers from DOC regarding this plan.

I also want to dig into DOC staff operations and deployment. Numerous reports from oversight bodies have reported the constant disregard for protocols when deploying staff, particularly when de escalating and touring the facilities. While visiting Rikers, Chair Nurse spoke with many detainees who were not getting to their medical and court appointments on time.

Challenges with DOC and attrition rates are nothing new. In the Preliminary Plan the budgeted headcount remains significantly higher than the actual headcount with 1,498 vacancies as of January.

The rate of new uniform hires, staff hires has not outpaced the number of separations since the installation of the January 2018 officer class. Despite such a high vacancy rate, Rikers continues to have the highest ratio of officers to detainees in the country.

I'm interested to hear DOC's plans to reduce headcount as the population of incarcerated persons lowers and the transition to borough-based jails begins.

The Board of Corrections must have the resources to provide oversight charter mandated oversight of the jails and maintain minimum standards. This plan reduces BOC's budget by nearly 4%, and it is now more important than ever for the board to have the resources to be able to recruit and retain staff.

Lastly, I want to spend some time working through the Department of Probations' organizational restructuring and discussing the optimization of programming, as well as how the Department is supporting their staff through these changes.

I also want to thank our committee staff for their hard work, Counsel Jeremy Whitman; Legislative Policy Analyst, Natalie Meltzer; and the Financial Analyst, Casey Lajszky, apologies. Thank you to Chair Nurses' Chief of Staff, Samori Touré and Legislative Director, Ryan Hickey.

I would also like to recognize my colleagues who are joining us here today: Council Member Marte, and if no one has noticed, I am Majority Leader Amanda

Fariás, and I am Interim Chair for Chair Nurse on this committee, and Council Member Cabán has joined us via Zoom.

I will now turn it over to committee counsel...

Oh, we will now call on representatives of the Department of Probation to testify. We will be hearing testimony from Juanita Holmes, Commissioner of Department of Probation; Tonya Cauley-Scott, Deputy Commissioner of Department of Probation; Albert Culler, Deputy Commissioner of Department of Probation; Patrica Willians, Commissioner of Department of Probation; Razwan Mirza, Chief Information Officer of Department of Probation; and Deldreana Peterkin, Senior Program Director of Department of Probation.

(PAUSE)

MAJORITY LEADER FARÍAS: Can you state your name into the mic and your title?

COMMISSIONER HOLMES: Yes, Hi, Commissioner Holmes. There has been one change made to the dais, uh, Deputy Commissioner, Tonya Cauley-Scott won't be here to testify. In her place will be Associate Commissioner Antonio Pullano.

MAJORITY LEADER FARÍAS: Thank you.

COMMISSIONER HOLMES: You're welcome.

COMMITTEE COUNSEL: All right, Department of Probation panelists, please raise your right hand. Do you affirm to tell the truth, the whole truth, and nothing but the truth, before this committee, and to respond honestly to council member questions?

[PANEL AFFIRMS]

COMMITTEE COUNSEL: Thank you, you may begin.

COMMISSIONER HOLMES: Good morning, everyone. Good morning, Chair, and members of the Council.

I am Juanita N. Holmes, Commissioner of the New York City Department of Probation. I'm joined here today by Executive Cabinet, Deputy Commissioner Albert Culler, Patricia Williams, General Counsel Bridget Hamblin, Chief Information Officer Razwan Mirza, and Senior Program Director Deldreana Peterkin, as well as the Associate Commission I just mentioned, Antonio Pullano.

Thank you for the opportunity to discuss the critical work of the Department of Probation and our Preliminary Fiscal Year 2026 Budget.

The New York City Department of Probation serves as New York City's principal resource for community based rehabilitation and accountability. As one of

the nation's largest alternatives to incarceration, we play a vital role in public safety.

Guided by our five pillars, recidivism, employment, education, housing, and mental health, we are committed to breaking cycles of criminal justice involvement by connecting individuals with necessary services tailored to their core needs.

These preventive methods begin with personalized intervention. There is no one size fits all. A true methodology identifies the specific individuals needs of each client with a focus on sustainable outcomes. It is DOP's belief that this process will empower those under our supervision to live a productive law abiding life.

In Fiscal Year 2024, the Department of Probation provided supervision investigation and intake for over 32,000 cases, 7% increase from 30,000 in Fiscal Year 2023; specifically, we supervised 15,778 individuals, a 4.5% increase from 15,101 in Fiscal Year 2023; conducted 8,879 investigations, a 2% decrease from 9,078 in Fiscal Year 2023; provided 5,469 intake services, a 21% increase from 4,514 in Fiscal Year 2023; and adjusted 1,859 juvenile cases, a 12% decrease from 2,120 in Fiscal Year 2023. These

numbers are more than just statistics, they represent lives touched, futures reshaped, and a safer New York City.

For Fiscal Year 2026, the Department of Probation has a preliminary budget of one... I'm sorry of a \$114.5 million, compared to Fiscal Year 2025 Adopted Budget of \$113.9 million. Of this amount, \$82.2 million is for Personal Services, \$32.3 million is for Other-Than Personal Services, \$93.6 million is in City tax-levy funds, \$14.6 million is in State funds, and \$ 6.3 million is in intra-city funds.

The Department of Probation remains committed to using all revenues effectively, ensuring that every dollar furthers our mission in transforming lives while promoting public safety.

Central to the Department of Probation achievements are our most valuable assets, our employees— uniform and non uniform, from executives to our maintenance workers who all play a key role in our client success.

Upon my appointment to the New York City Department of Probation two years ago, I was tasked with overseeing the Agency's efforts to ensure efficient and effective management of probationary

services as well as to enhance transparency and facilitate data driven decision making.

This responsibility, compounded with attrition and the absence of meaningful technology, emphasized the need for a comprehensive dashboard that will consolidate key performance metrics and provide real time data analysts.

This dashboard will offer insight into probation trends, resource allocation, recidivism rates, and will assist with informed policy recommendations. By harnessing advanced technology, the agency aims to enhance transparency, accountability, and the overall effectiveness of the probation system.

Increasing the budget for probation services is essential to improving public safety and promoting successful rehabilitation and reintegration of individuals under supervision. With additional funds, we can hire additional staff who will directly address the current overwhelming caseload facilitating a more personalized effective supervision, enhance clients support, reduce recidivism, and promote better outcomes.

Technology will also assist with tailored program allocation, guiding the programs needed, and more



importantly identifying the best locations to serve our clients.

In addition to the aforementioned, the Department of Probation is also tasked with ensuring that our clients are living a productive life. With the understanding that unemployment pays a significant impact on this particular aspect, the New York City Department of Probation has partnered directly with several vocational training providers in the areas of commercial driver's license, emergency medical technician, electrical assistance, and more to come.

This direct collaboration affords the Department of Probation the ability to identify the client's fundamentals needed to maximize successful outcomes.

Also, the Department of Probation has been met with an increased workload such as the Conditional Release Commission supervision, future electronic monitoring unit, risk assessment unit, along with a need for in service training. In the face of these challenges, the Department of Probation remains committed to supporting public safety.

Lastly, the probation officers in title series carries out the bulk of this life changing work. However, as a result of attrition, our budgeted

headcount currently reflects a deficit of 31% or a 189 probation officers. This deficit creates a huge increase in client caseload management in both adult and juvenile supervision. Nonetheless, the Department of Probation is committed to aggressively recruiting and hiring. As a result of new training needs, the training academy curriculum has advanced from three months to five months projecting a time frame of three years to reach our current budgeted headcount of 612 probation officers. This is inclusive of unforeseen attritions.

Thank you for the opportunity to testify this morning. My team and I are available for any questions you may have.

MAJORITY LEADER FARÍAS: Thank you so much.

I'm going to start preliminarily with questions around changes in the Plan.

There were \$87,500 transferred from DOP to MOCJ in this plan along with one position. Can you explain the responsibilities of this position and why it was transferred?

COMMISSIONER HOLMES: What position are you referring to? My finance person is not familiar with that.

MAJORITY LEADER FARÍAS: It was a New Need that was listed at \$87,500?

COMMISSIONER HOLMES: Oh was that when was that listed? Is that recent?

MAJORITY LEADER FARÍAS: January plan.

COMMISSIONER HOLMES: Oh, that was part of the January plan. So that might have been a position, we have a Probation position assigned to a task force with MOCJ, so that may be related to the Probation person's position that was requested.

MAJORITY LEADER FARÍAS: Okay, it's listed as a New Need. Was there a vacancy or was that just a new...

COMMISSIONER HOLMES: I believe it was a vacancy in MOCJ.

MAJORITY LEADER FARÍAS: Okay.

Four million was included as a transfer of funds from ACS's Raise-the-Age of Responsibility to the Supervision and Treatment Services for Juveniles Program (STSJP). Can you explain the reason for this funding transfer?

COMMISSIONER HOLMES: So I'm not familiar with that. Can you explain that? Can you ask her to repeat it?

DEPUTY COMMISSIONER CULLER: Sorry, can you repeat the question?

MAJORITY LEADER FARÍAS: Sure, \$4 million was included as a transfer of funds from ACS's Raise-the-Age of Responsibility to the Supervision and Treatment Services for Juveniles Program.

COMMISSIONER HOLMES: You can speak to... I'm gonna have the DC of Juveniles speak to that.

MAJORITY LEADER FARÍAS: Sure.

UNKNOWN: Good morning, thank you for the question. Those are SJTSP funds from the State, so ACS is the agency that holds the money, but it's also appropriated to programs here at Probation.

MAJORITY LEADER FARÍAS: Okay and the plan also included a decrease of \$2.47 million that would be transferred from DOP to ACS, but in the same budget line included 30 additional headcount positions.

Can you explain how these positions are being funded and what their titles are going to be?

UNKNOWN: I have to defer to our Finance team. I'm not familiar with that.

DEPUTY COMMISSIONER CULLER: I'm gonna have to get back to you on that. I need to do additional research on those positions.

MAJORITY LEADER FARÍAS: Okay, and, then, just lastly on these... on this item, when we spoke to OMB, they implied that the funds were being transferred to DOP to ACS, then returned. Do you have any insight into the transfer or why it was occurring?

DEPUTY COMMISSIONER CULLER: Again, the same situation... (CROSS-TALK)

COMMISSIONER HOLMES: These sounds like maybe possibly it is related to our State plan. This probably has something to do with the State plan.

MAJORITY LEADER FARÍAS: Okay...

COMMISSIONER HOLMES: And part of the State plan is naturally there is funding that we get from the State, uh, there is also pass-through with ACS. I don't have all of the particular details, but I know there have been times where we have had funding that was not used, and ACS requested, at one particular time, if we were going to use it or not, and that funding is being used. And I can actually defer to my Chief Information Officer who is using that funding for programs for our young people, such as Google, AI, and things of that nature. So if you want to

1 speak to that, what that extra funding is going to be  
2 used?

3 CHIEF INFORMATION OFFICER MIRZA: Yeah, so we  
4 have... thank you for the question. So we have \$1.5  
5 million that was allocated for the modernization of  
6 rather than in addition to other programs we have. So  
7 we thought that STEM and AI should be added to all  
8 these things. And that's where the program is to  
9 bring our youth to a latest and greatest technology  
10 also. So that's where we're spending that \$1.5  
11 million.  
12

13 MAJORITY LEADER FARIÁS: Okay, we'll follow up  
14 with these questions just so we can make sure and  
15 clarify that that's the transference of funds that  
16 we're looking at from the State down or the response  
17 needed, but appreciate the follow up.

18 Commissioner Holmes, in your October 10, 2024  
19 Amsterdam news op-ed, you described your work as,  
20 "Revitalizing an agency that has launched innovative  
21 practices over the years but has also been burdened  
22 by decades old outmoded policies, flawed data and  
23 inefficiencies." You also said that your, "...agenda,  
24 includes organizational restructuring, optimizing  
25 programs and enhancing operational efficiencies. And

that it is not just about setting new goals, it's about improving how the organization functions at every level beyond surface level improvements."

We are interested to learn more about what specific steps you and the Department have taken to achieve these objectives. What policies were found to be outmoded and how was that to be determined?

COMMISSIONER HOLMES: So that is not my op-ed. That's an op-ed that was written by Mercury, a vendor, never approved by me, never edited by me, and released without my permission. My general counsel is aware of that. The Law Department is aware of that.

But I will speak to improvements with DOP. So since my two-year tenure, since I've been here, I went in naturally to make assessments. My goal is obviously to streamline, make things more efficient so we can better manage our cases, but more importantly so the probation officers working have access to the information they need at the press of a button.

We were the systems that were in place were antiquated—no real data really retrievable. As a result of such, I can honestly say as we sit here

1 today we created a dashboard that was demoed for our  
2 councilwoman.

3  
4 And I think it's a success. It encompassed all of  
5 the information that's included in a case management  
6 system that we are requesting funding to grow out of,  
7 because that system is suitable for smaller counties  
8 in New York City, but not for New York City Probation  
9 Department. Very compartmentalized, just really  
10 doesn't serve the efficiency needs that we so  
11 rightfully require.

12 So I'd like to just talk about some of the things  
13 that's been done. So since I've been here, personnel  
14 has been reassessed. Training has grown from, like I  
15 said, 12 weeks to five months now in the Academy. So  
16 anyone entering the Training Academy for Probation  
17 now comes out well rounded, and is suitable to  
18 perform any position in the Department of Probation.

19 Prior to me being assigned to Probation, it was a  
20 12-week training program, and people would graduate  
21 and not everyone became a probation officer per se,  
22 meaning we have investigations, we have intakes, we  
23 have these different units that our personnel would  
24 go into and never being well rounded.



As it stands now, they get the full training, they come out, they also have field training with it touching every aspect of the Agency. Therefore, when we're dealing with attrition, we have the personnel to perform all of the functions under the umbrella of the Department of Probation.

But more importantly, let's talk about technology. I came into an agency where I inquired what the recidivism rate was and it was very challenging. Even though the way it was represented on the MMR Report, it was reflected to reflect a small percentage, almost monthly. If you look at the overall number and how we've modified our reporting on the MMR Report, you will see a distinct difference in recidivism. Recidivism is the sole purpose of why probation exists, to keep people out of the criminal justice system and that's what we aim to do. But we can only do that by knowing our data.

And so I'm very happy to say that we're focused on five pillars, recidivism, employment, education, homelessness, and mental health. We have met with several agencies— DOE. We've met with DHS to address these matters. These numbers, every Monday, we are

focused on the trend. We have systems put in place where we're able to follow and see how we're doing.

We do what's called Probation Stat, very similar to COMPSTAT, creates accountability and creates compliance. We recently, when I walked in the door, put in a Risk Unit. There was no Risk Unit to ensure what we expect is being inspected. So that has been put in place. I must say we need more people, but at least we have a small entity that's keeping track of what is it that we're doing, how do we get better.

Let's speak to policy. I walked in policy was from the late seventies, early eighties. I can honestly say 80% of the policy, which is very labor intensive, has been modified or, you know, amended to reflect what it is that we're doing today.

I just believe that we are evolving. The men and women are hardworking men and women, trying to really just give them the respect that they deserve. It's an agency that stayed under the radar for a long time, and I truly feel didn't get the recognition for the hard work that they rightfully performed.

MAJORITY LEADER FARÍAS: Can you talk about some of the policy changes that you've instituted that are changed?

COMMISSIONER HOLMES: So it's really not policy changes other than now we're in uniform so the uniform description may be different. It's really reinforcing what we're doing. Some of the policy that we created is related to inventory. No true inventory process in place, uh, even if it comes down to simple things such as laptops, tables, chairs.

My... I can really pivot to Mirza, my Chief Information Officer. Do you want to talk about the program that you're putting in place with the barcodes, bringing us into the 21st century?

CHIEF INFORMATION OFFICER MIRZA: Absolutely, Commissioner, thank you.

Let me just give the overall picture. Your question was more towards that, what we're doing actually...

MAJORITY LEADER FARÍAS: Can you bring the mic closer?

CHIEF INFORMATION OFFICER MIRZA: Oh, sorry.

MAJORITY LEADER FARÍAS: Thank you.

CHIEF INFORMATION OFFICER MIRZA: Can you hear me?

So let me just take a step back and give the overall picture, then you'll see where we are

improving actually, and that was one of your questions.

The idea is that we are improving the transparency of the Agency— internal transparency. And there were silos actually when we walked in. Now we're eliminating all those silos. That shows us actually when we're combining all these things together, we're seeing better results. We're seeing what is happening in all those, and we can combine all those areas and see the output.

And for example, some of the outputs that we would like to mention are, for example, automatic reporting system that we are adding now— automatic notification system we are adding now.

So all these things were not there and manually this work was being done. Technology did it before, technology is going to do it again. We know that. And that's how we can... the only way we can improve this or one of the ways we can improve this.

We did add several eLearning platforms— Commissioner already mentioned that. In the past, actually the learning process was just we have 12 weeks of the classes. It's a very tailored classroom now, where the need is, and we're identifying where

the problems were, and we're identifying those and we're creating a different syllabus now. The delivery of the syllabus is completely different now. It's all electronics, computer based, eLearning system as needed, when needed, where needed. All those things actually we are adding.

So these are the small changes in multiple pillars we have internally to give the overall improvement for the agency.

Some of the, for example, Client Engagement Platform, the automation reminding and notification, even the Commissioner talking about the policies—we're developing intelligent document processing internally. That is actually impressively improving the Agency's outcome also. There are many more. I can continue to go on and on. The structural changes that we made internally is actually pivotal, and the results are astronomical. I mean there are... If you allow me to talk about the results that we have, like for example, the completion of Juvenile Probation, actually—last year we were at 77%. This year we went up to 90%. That's a 13% increase we have. All these things that we're adding are contributing to the end result that we have.

Another one, actually I have the whole list, but I'm going to point out a couple of them, actually: The adult rate of probationers successfully completed moved from 75% to 78%. That's the 3% increase. So the criminal possession of weapons also, we recovered from 349 to 562, that's a 61% increase.

When we see the data combined together, we can make the decision, which is actually a data driven decision, actually. And that is driving us actually toward the policies we're going to make. If I have the resources on point A, can I shift the resources because I don't need the resources there? We have improved the visibility. That was the concept there.

I hope I answered the question. I know it's a longer answer, but...

COMMISSIONER HOLMES: I... I...

MAJORITY LEADER FARÍAS: Don't worry, there's a transcription, we'll be able to get that...

(LAUGHTER)

COMMISSIONER HOLMES: Also, when I think about policy, I think about violations, technical violations for our young people. And you know if you read the policy that was in place, it basically said if they don't show up once, if they don't show up

twice, if they don't show up three times, then we're filing a violation.

Well if they didn't show up once, what precluded us from getting up and going to their house to visit them? So that's a policy that is being, I don't know if it's a policy or procedure they had in place, that's been modified. So now if a person is told to come in for a visit to a probation facility and they don't show up, well, we get up and we go visit them at their home. And that precludes that. It keeps it from being, "Oh, well they didn't show up, they didn't show up." Well, when were we going to get up and go visit them at home, right, so that we're not violating them?

If you look at technical violations, when I took a look at them, lot of them were related to failure to appear. So taking a deep dive into this information, statistically and analytically, and see... and just saying, "Well, what is the process?" And then when you read the process, it literally just didn't make sense, right? We get up, we go out, we visit young people, and that's what keeps the violation from happening.

So there are a lot of things that... there's so many to speak about, but it's really taking a deep dive at— How do we get better? How do we better serve our clients, and what's fair to them? It's essential.

And that's why I speak about the employment, the vocational training. If we're referring... our programs and program providers were really attempting to be good partners. Yes, it is tasking, we are asking some additional information from them, but it's information that we're asking that should have been asked to begin with. I hope that makes sense.

MAJORITY LEADER FARÍAS: Mm-hmm, yes.

COMMISSIONER HOLMES: We weren't in compliance with requesting it. Therefore, they weren't in compliance with giving it, because we weren't simply following what MOCS had in place to follow...

MAJORITY LEADER FARÍAS: Thank you.

COMMISSIONER HOLMES: with providers.

MAJORITY LEADER FARÍAS: I appreciate that. I'm sure Chair Nurse and the committee staff would love to see the list of examples and comparative qualitative data that you are looking to make conscious decisions on procedural policy.



I would like to recognize Council Member Restler and Council Member Paladino have joined us, as well as Council Member Hanif on Zoom.

What, if any, resources have been freed up, and how are they being reallocated? And, then, in terms of restructuring the Agency, how was it determined that the organization needed restructuring, and what was the planning process for said restructuring?

COMMISSIONER HOLMES: Well I think the restructuring started with the training, right? But the training that we have in place in the academy is not going to do everything because the majority of our staffing are in-service staffing.

So currently, as it stands now, we're developing in-service training. So we're going to create a catalog of scenario based training for our staffing to make sure that they're brought up to speed. And we are to do it in the most efficient effective way—where they can sit at their desk and actually, partake ,you know, partake in this particular training. It's important.

But the notification system, I think that we put in place, is essential as well, because of the fact that this notification system ensures that the policy

changes or procedural changes, all of our members are aware of it. So it's not where the executives are speaking about it. And, myself, I expect my DCs to go and, you know, collaborate with their staffing and make sure that they're passing on this message.

We actually have a notification system. Whatever changes happen, they're made aware of it, and there's acknowledgment on it, right? So it's where you have to acknowledge it so we know you received it.

MAJORITY LEADER FARÍAS: Sure.

COMMISSIONER HOLMES: But training is essential, uh, I think to the Agency. Everyone's doing, you know, what they know to do, right? It's what you're trained to do as a probation officer.

And I think it's very significant, the changes that we've put in place, but it's going to be more significant once the members that are already in place are receiving that training.

We've even gotten feedback from some of the senior probation officers about the new class that went out and how they felt they were like a well-oiled ship, just ready to hit the ground and running, which is very positive feedback.

But where we want to focus at is caseload, right? So there's been some changes made with what probation called those branches when they looked at respective caseloads. One branch would be community development, another branch would be for sex offenders, another branch would be for, uh, what's the other one that you had, the branches that were combined? What is it?

CHIEF INFORMATION OFFICER MIRZA Intensive...

COMMISSIONER HOLMES: Intensive Engagement.

So we combined two of the programs, two of the branches that were very similar— but more importantly we parsed out and made a gun branch. Why is this important, especially with some of our young people and population? So we can give them a more intense engagement, right?

MAJORITY LEADER FARÍAS: So, can I... Can I ask about that restructuring and combining or separation...

COMMISSIONER HOLMES: Right...

MAJORITY LEADER FARÍAS: of what you're doing?

COMMISSIONER HOLMES: So... So what...

MAJORITY LEADER FARÍAS: Is there an organizational structure somewhere that the City

Council can refer to or be found and how you either merged departments or divisions, or...

COMMISSIONER HOLMES: Yes, well, they were simply branches, how they referred to when I came...

MAJORITY LEADER FARÍAS: Sure.

COMMISSIONER HOLMES: in the door.

So they would have a particular, just a number of probation officers were over the Gun Branch, another number of probation officers were over the Sex Offenders Branch, things of that nature.

But the way that it's being structured, and I guess I'm taking up all the mic time, let me give it to my Associate Commissioner of Adult Operations.

ASSOCIATE COMMISSIONER PULLANO: I can speak to that.

So we're actually still making some changes. We don't have a final chart, but...

MAJORITY LEADER FARÍAS: Mm-hmm.

ASSOCIATE COMMISSIONER PULLANO: what has happened in the past, through many programs over the decades, is that we had different categorization systems.

So for example, there was a branch— and we take a step back— branches are logical divisions, they're

not physical. It's not like a bank branch. It's not a location.

MAJORITY LEADER FARÍAS: Sure.

ASSOCIATE COMMISSIONER PULLANO: It's just a logical grouping. So there was a group by age for a certain age group. Then there was a group by location in the high risk areas. There's a group by crime, by risk level.

So then what happens if you have a particular age, particular crime, and you live in a particular place, which one do we put you in? So that's what we're simplifying.

And generally the plan is, and where we've already moved forward with it, is grouping people by their risk, by who has the highest risk. So Gun Branch, anyone with a firearms offense tends to have similar risk; although, there still is a risk assessment within them— they have similar needs, so that's one logical group.

The other is Intensive Engagement, which tends to be sex offenders and domestic violence groups. It's a loose grouping. Not everyone perfectly fits there, but they also have similar needs.

And then the two branches that we combined were Client Development and Community Progression, which were by risk level medium and low. So we put the medium low risk groups together.

The goal of these groupings is to have fewer separate branches, less fragmentation, and so that the resources that the officers are using can be consolidated— and that we're not thinking, "Okay, well this is a program just for young people, or this is a resource that's only for people in this group." So by having fewer branches and fewer of those little fragments, we can share our resources a little bit better.

MAJORITY LEADER FARÍAS: So outside of that goal that has been set for the Agency are there any other new goals that have been set?

(NO RESPONSE)

MAJORITY LEADER FARÍAS: Yes? No?

ASSOCIATE COMMISSIONER PULLANO: Just general goals or...

MAJORITY LEADER FARÍAS: Yes...

ASSOCIATE COMMISSIONER PULLANO: (INAUDIBLE)  
related to...

MAJORITY LEADER FARÍAS: I mean, I'm hearing you're saying that there was a perceived goal here...

ASSOCIATE COMMISSIONER PULLANO: Mm-hmm...

MAJORITY LEADER FARÍAS: to try to make sure there's as many groupings of classes of people to put resources in and what officers need to know what they needed to do, but are there any other goals that are new for the agency itself?

COMMISSIONER HOLMES: The goal for me is to reduce recidivism, reduce homelessness, employment. If you look at— we're managing in adult operations probably almost 10,000 clients— 50% of them are employed. With that being said, I believe 39%-40% came to us employed. So when they were sentenced, they had employment. But since then, we have, I believe it's 18% of that 50%, that are employed through programs. So that's about a 1,000 people that have gotten jobs through programs.

We are really focused on, I know I am, and my team shares my vision, seeking employment for them. And, naturally, first of all, we want to make sure they have all the mental health support they need— substance abuse, where we're allowed to do drug testing— the Department of Probation. As a matter of

fact, it was a procedure when I walked in that was already in place that reflected that they should be drug tested. And then there was— I'm going to turn it back over to him, because he's a little bit more (INAUDIBLE)... (CROSS-TALK)

MAJORITY LEADER FARÍAS: Sure, I guess, just also, just because, in interest of time and all the questions that I have to ask, I want to be as, I guess, more clear as possible.

What I think we're looking for is, with the restructuring, with the new buckets, with the goals being set, with the new data aggregation, and i.e., tech tools and AI tools and all...

COMMISSIONER HOLMES: Mm-hmm?

MAJORITY LEADER FARÍAS: What's your system that you're setting up? How are we tracking these goals? What goals are being set? What are the systems in place, or are we just incorporating new technologies and new systems and new policies without putting them on paper somewhere in a dashboard somewhere— where they exist in perpetuity— and can be transferred over?

I think that's generally what we're trying...

COMMISSIONER HOLMES: Right...



MAJORITY LEADER FARÍAS: to get to is, like, it's great that we have goals— Are they written down? Are they going to be tracked? Who's managing them? How are they being met? And if they're not, how are we reassessing?

COMMISSIONER HOLMES: Absolutely. And I'll pivot to you, Razwan. They are definitely being monitored. So, you have Adult Operations... (CROSS-TALK)

MAJORITY LEADER FARÍAS: (INAUDIBLE) a system?

COMMISSIONER HOLMES: Yes, they are.

MAJORITY LEADER FARÍAS: Okay...

COMMISSIONER HOLMES: So, you have Adult Operations and you have Juvenile Operations. Juvenile is still being built out. Naturally, the IT team is working with them very intricately. A lot of people here with historical knowledge of what was in place and where we're looking to go.

Adult Operations is pretty much in place, but our goal is, naturally, when we're able to see it, we're able to address it. So if we're speaking about clients, we're able to look at our clients' juvenile population in the Bronx. We can layer now a screen and see where they all reside and then overlay that with, where are the programs?

MAJORITY LEADER FARÍAS: Mm-hmm.

COMMISSIONER HOLMES: We want to make sure that the programs are in those respective areas— that they're not logistically challenged with getting there, because if they are, they're not going to go.

So those are a lot of things that these system dashboards are going to help us with. Do we have the right, you know, locations as far as the programs? Do we have the right programs?

We also have data of attendance with the programs. So there was a discrepancy where probation population was under the this opinion that if a judge didn't order a program for a client to attend a program, they weren't mandated to attend.

MAJORITY LEADER FARÍAS: Sure.

COMMISSIONER HOLMES: That... (CROSS-TALK)

MAJORITY LEADER FARÍAS: How is something like this being tracked? Is that...

COMMISSIONER HOLMES: So, it's all being tracked pretty much in this IT filter that have... (CROSS-TALK)

MAJORITY LEADER FARÍAS: How? We need to know how. like what's the program? What's the system?

CHIEF INFORMATION OFFICER MIRZA: Thank you for the question.

We understand that goals are actually... what we wanted to do there is that people should not be on Criminal Justice System. Keep them out of the Criminal Justice System— as many as we can...

MAJORITY LEADER FARÍAS: Yes.

CHIEF INFORMATION OFFICER MIRZA: That's the ultimate goal we have. We drew five pillars, uh, employment...

MAJORITY LEADER FARÍAS: Yes.

CHIEF INFORMATION OFFICER MIRZA: The data is driving us today and telling us a clearer picture saying where the problem is. This is the visibility and transparency that we were talking about. We did not have this type of visibility before.

MAJORITY LEADER FARÍAS: Mm-hmm?

CHIEF INFORMATION OFFICER MIRZA: So now where the pain is, that's where we're putting the band aid. We're not just putting the band aid everywhere on the body. So the data is defining us actually where do I need to put that band aid? Where do I need to fix the problem?

1                   And some of these pillars are defined based on  
2  
3       some reasons because the data is telling us that  
4       these are the problematic issues, and that eventually  
5       became our KPIs actually. So now the dashboard is  
6       pointing that Queens is trending positive - Queens is  
7       trending negative. So it means that if I have to  
8       shift my resources from adult to juvenile, I'll take  
9       my resources and put it where the pain is now.

10           MAJORITY LEADER FARÍAS: Mm-hmm.

11           CHIEF INFORMATION OFFICER MIRZA: For example, as  
12       Commissioner mentioned there, if we are... we know  
13       that the program is the only way we can reduce the  
14       recidivism, multiple programs, mental health,  
15       education, joining the workforce, all these things.  
16       What we did now, we're overlapping all these, using  
17       technology, again, saying that where the people are  
18       living, are we providing all these resources where  
19       they live, or do they have to take the ferry and  
20       cross over the bridge? So we're eliminating all these  
21       parts because we have a much better visibility now.

22           Now, in order to make all these things happen,  
23       every pillar and every minute parameter has a KPI  
24       assigned to it. And every one of our ACs and DCs are  
25       supporting in that, are you meeting your KPIs or not?

Are you following the matrices or not? Therefore, some of the structures are designed in a way that, "I need a weekly report on this one." So, now you see that, as I mentioned, some of the progress we have from 2023-2024 is actually tremendous now because the visibility has been improved.

MAJORITY LEADER FARÍAS: Okay.

CHIEF INFORMATION OFFICER MIRZA: I just want to talk one more thing about the education.

We're not providing just a regular course to people. We've identified now, based on all this visibility, where the problems were, where... even our own officers were making mistakes in the caseload management. Now the training is tailored to the need, exactly the same way it's tailored to the clients also.

Last thing I wanted to mention about that is— I know if there's any followup question, probably I'll cover that as well.

Referring a client to a program is no longer a success criteria. Joining this and registering is no longer a success criteria. We added several parameters to this and saying that— Were you

attentive in the class? Were you cooperative? Or were you on the phone?

So all these thin matrices have been added actually to the dashboard and reflecting the result back to the head of the program director saying that, are these happening or not? And if it is happening, what is the success ratio on this one?— 75% if you're successful, then you pass, we're good.

I just mentioned before also that, based on all these matrices we are adding, we improved 13% from last year to this year for Juvenile. And we're still improving. We did not stop. We continue to move forward in that direction.

MAJORITY LEADER FARIÁS: Okay, thank you for the responses.

Despite objections from unions and the courts, the Administration disbanded the Court Liaison Units and Family Probation across all five boroughs causing disruption in family courts. What is DOP's plan to address this issue?

COMMISSIONER HOLMES: Right. So there are no disruptions. What happened was the general counsel was informed on January 2nd to inform— this has been something that's been trending— we have a serious

attrition problem. We have CLO's in criminal court, naturally Adult Operations, they will remain in place. They handle numerous things. We had to take a look at actually what they were actually doing.

So with that being said, we saw that they were providing INRs. INRs get provided to the courts anyway. Family Court sits within fam... I'm sorry, Juvenile Probation sits within Family Court. There is nothing that they're ever going to want or need that is not across the hall or on the floor beneath that they would be provided with.

With that being said, that total population was then transferred into Adult Operations. Like I said, Adult Operations has the largest population. Juvenile operations right now as it stands, they have probably 1,014, but 30% of that are Family Court matters, such as adults that didn't pay child support or have DV history. So those individuals don't tend to reoffend. They require less supervision, but they still are part of the case law.

MAJORITY LEADER FARÍAS: So has anyone been in place of the court liaisons for the family probation... for family probation?

COMMISSIONER HOLMES: No, no, that position has been disbanded.

MAJORITY LEADER FARÍAS: Right...

COMMISSIONER HOLMES: There's no substitutes for that.

MAJORITY LEADER FARÍAS: Okay. And you haven't, I mean, I'm hearing... I heard you say there's no disruption in the family courts, but if we're hearing from stakeholders, families...

COMMISSIONER HOLMES: This has been communicated with Judge Passidomo, Judge Holly (sic), I believe, Jolly? Who's... I mean you want to speak to Bridget about...

BRIDGET HAMBLIN: So a lot of the work that the CLOs were doing in court was also being done electronically and that's what we found. So instead of having a human being there, we rely on electronic systems that were in place. INRs, all the reports that are required are all sent to an electronic database that the courts have access to. In addition, DOP was also sending those reports, emailing them to individual judge clerks.

What we found was, the courts weren't relying on electronic databases that they that were in place



1 prior to this administration. They were relying on  
2 the human element to give it to them. Because of  
3 our... as the commissioner stated, because of the  
4 need to shift resources, we have asked the Court to  
5 rely on the electronic systems that were in place  
6 prior to us getting here. So all the information that  
7 they require has been in place, has been there, they  
8 just have to now access it.

9  
10 And, in addition, if they do have questions,  
11 immediate questions, as the commissioner mentioned,  
12 all of our Family Court Juvenile Operations are in  
13 the actual Family Court buildings. They have our  
14 contact information. We are available upon need.

15 So the disruptions are coming from, you know,  
16 just adjusting to having the... not having the human  
17 element there and having to rely on electronic  
18 system. That is what the court is experiencing. And  
19 it's growing pains for them, and I'm sure they'll  
20 weather through it.

21 COMMISSIONER HOLMES: But in addition to that, the  
22 probation officers now are in court. Probation  
23 officers were not going to court. So in other words,  
24 a CLO would get a script about a probation officer's  
25 particular client, and they would stand in court on

1                   behalf of the probation officer. No one's going to  
2                   tell that story better than the probation officer  
3                   that's managing that young person and supervising  
4                   him. And the judges have conveyed to me, and conveyed  
5                   to us, that they really appreciate them being in the  
6                   courtroom, because that helps mitigate adjournments.  
7                   Because now their particular client is not saying,  
8                   "Well, she wouldn't know that, you know, my probation  
9                   officer knows." So there are some positives that have  
10                  come out of this. We didn't just leave them with a  
11                  complete blank. The respective probation officer,  
12                  who's over that respective client when they do appear  
13                  in court, is in court now.

15               CHIEF INFORMATION OFFICER MIRZA: I just wanted  
16               one more... So the exact same thing that we were  
17               getting, and that the CLO was bringing that data back  
18               to us, we're getting electronically seven times a  
19               day. Humans can't move that fast. Seven times a day,  
20               we're receiving every day, including Saturday,  
21               Sunday.

22               MAJORITY LEADER FARÍAS: Well, we'd love to see  
23               the data set of how things are improved now.

24               CHIEF INFORMATION OFFICER MIRZA: Absolutely, yes,  
25               would love to show you.

MAJORITY LEADER FARÍAS: Under your predecessors, DOP expanded its programmatic array and made evidence based practices and robust programming a core part of DOP's mission.

How does the Preliminary Plan continue to place programming at the center of DOP's role in the City's criminal justice system?

COMMISSIONER HOLMES: Programs are essential to DOP and essential to our clients naturally. I think what's more essential is getting it right, right? So I don't think having numerous programs means that it's working.

So, like I said earlier, when I spoke about requiring more information from them— which is part of the contract— and that information is being assessed.

So we... this information allows us to have real-time knowledge of how many slots are there. So if a probation officer is going to make a referral to a particular program, that program is not fully occupied, right? Or if it isn't, they know, "Okay I have two more slots here, I can refer my client. If not, I pivot to the next program."

1 Programs are very essential, and we have really  
2 pulled back on a lot of our programs, including—  
3 let's speak to the AIM Program (Advocate Intervene  
4 Mentor), because there was this misconception that  
5 there was an AIM-light. That was some language used  
6 in the previous administration. No formal contract,  
7 maybe it was a handshake, I don't know what it meant.  
8 But I think that was in place because probation  
9 officers didn't realize— we can make referrals to  
10 AIM. It was always perceived, because it was  
11 considered an alternative placement, that only judges  
12 can place kids in AIM. From the day I walked in,  
13 that's what I was told.

14 When you peel back the contract from 2019 and you  
15 look at it, it's not only judges. We can also refer  
16 them to AIM. So I think that's why they felt they  
17 needed a AIM-light, because they weren't aware that—  
18 if we feel the AIM program would benefit our client,  
19 the probation officer has the autonomy and authority  
20 to refer that young person to AIM. It's not an  
21 alternative placement so the numbers are captured  
22 differently. The numbers are captured AIM Alternative  
23 to Placement and then AIM Non-Alternative to  
24

1 Placement— but just that what they're providing would  
2 better help our, you know, our young clients.

3 So that misconception has been ironed out. AIM  
4 has not stopped. AIM is full throttle. AIM is  
5 expected to expire end of fiscal year. However, we  
6 extended it by a year, so it will end next fiscal  
7 year and then be open to ,you know, bidding, subject  
8 to bidding as well.

9 MAJORITY LEADER FARÍAS: So since programming  
10 continues to play a central role in DOP's mission,  
11 why were programs targeted for savings and reductions  
12 in the Fiscal 2025 Prelim Plan?

13 COMMISSIONER HOLMES: Why were programs? I...

14 MAJORITY LEADER FARÍAS: Targeted for savings and  
15 reduction cuts?

16 COMMISSIONER HOLMES: No programs were targeted  
17 for savings and reductions.

18 MAJORITY LEADER FARÍAS: In the FY25 Preliminary  
19 Budget (INAUDIBLE)... (CROSS-TALK)

20 COMMISSIONER HOLMES: I don't have any program...  
21 (CROSS-TALK)

22 MAJORITY LEADER FARÍAS: Preliminary Plan last  
23 year?

24 DEPUTY COMMISSIONER CULLER: No.  
25

COMMISSIONER HOLMES: No, programs.

MAJORITY LEADER FARÍAS: Okay, we'll get that data point to you in followup.

COMMISSIONER HOLMES: Right, yeah.

MAJORITY LEADER FARÍAS: There has been an increase in rearrests and violations of probation in both adult and family court. What has the Department done to reduce recidivism?

COMMISSIONER HOLMES: Right, so that's what we're speaking about. When I walked in the door, you know, I couldn't even get a recidivism rate, right, a true recidivism rate.

And that's what this system that we put in place has done. We have also now created a template. So even our probation officers at the macro level, right, in respective boroughs, they can see it.

So I always say if you're focused on everything, you're focused on nothing. We have a large population that we are supervising. So as a result of such, we wanted to kind of narrow it down to— who do we really need to provide that intense engagement to?

So let's use the Bronx Juvenile for instance, right? We took a look at their numbers, at that time Bronx Juvenile had 250 clients in their population,

83 reoffended for the year. We took it down another notch and said, how many re offended more than once? Not that we wanted to take our eye off everyone else, but how many reoffended? That number dropped to 23. Twenty-three people were responsible for the majority of the arrests.

I can pivot to my Juvenile DC, and you can speak about what that number looks like today. But it gives us that focus where, okay, here's the population we want to make sure are in the programs. Here's the population we want to focus, and visit, and speak with mom and make sure they're going to school—because they're driving the crime public...they have a real impact on public safety.

But that's a large number, and to shrink it down to that number really makes the caseload more manageable now, right? Instead of the probation officer feeling overwhelmed, because I may have 30 cases that I'm focused on...

MAJORITY LEADER FARIÁS: Mm-hmm.

COMMISSIONER HOLMES: But it may be five people you really need to provide that intense engagement to. You want to speak to your number...

DEPUTY COMMISSIONER WILLIAMS: Thank you for the question.

So currently we have 647 juveniles that are under our supervision. And, at this point, we have approximately, ironically, 23 clients who have been rearrested more than once— which is a small percentage of our total population. In particularly— in the Bronx we have eight clients who account for that; four in Brooklyn; two in Manhattan; six in Queens; and three in Staten Island.

So by doing this it really has... we are able to really have a laser focus on these individuals who are continuously getting arrested.

COMMISSIONER HOLMES: Can you speak to the number of arrests those 23 people are responsible for?

DEPUTY COMMISSIONER WILLIAMS: Yes. So those individuals are responsible for 55 citywide.

COMMISSIONER HOLMES: And the number was larger than that. But I think with the probation stat, I think with the— not that I think, I know— I know with the stat— because it forces us to be, you know, to call in different boroughs similar to other city agencies. When you're asking the question, you focus and you're looking at the cases— and we're really



drilling down on them and making sure that the young person is getting what they need. Where did we drop the ball at? What could we have done more of? Could we have been in the household more? Should we have been in the household more? We've narrowed it down with their visits. We had young people leaving school early to make their visit with probation.

MAJORITY LEADER FARÍAS: Mm-hmm?

COMMISSIONER HOLMES: Doesn't work like that anymore. Probation gets out and Probation is going to the home. And that's where we're visiting those young people at. We need to see what's going on at home, right? It may be circumstances, I don't know, maybe a parent's not the best parent, but doing the best that they can, right? But we don't get to make those observations of living conditions and the circumstances of the household which may be contributing to why this young person is acting out.

So there are some changes that have been made and I think for the better.

MAJORITY LEADER FARÍAS: Can you talk about some of the new programs that the current administration has implemented to foster client engagement?

COMMISSIONER HOLMES: We have... like I spoke about earlier, we have the commercial driver's license. I think very positive. The last cohort, we had about 38 individuals that received their permits.

We're adding funding now, because that was... that's only part... that's only part of the particular training, but there's also a component where we actually teach them the driving component where they're fully certified with their CDL license.

MAJORITY LEADER FARIAS: So just to double back, thank you for that response, just to double back on the FY25 Preliminary Plan cuts, the programs that I was referring to are Arches Program, uh, eliminating Behavioral Health units, Impact Program cancellation, uh, as the FY25 Preliminary Plan cuts from the previous question. Does that sound familiar?

COMMISSIONER HOLMES: So eliminating the Behavioral Health program, uh, so before I walked in the door, the Behavioral Health people weren't doing Behavioral Health work. So I inquired of my former general counsel, what is going on? Why do we hire them to do this work and they're not doing the work?

So he stated to me that there was a law, I believe a DOE law, that said... I don't know how it

1 related to Probation, but somehow it did, that if you  
2 have a person, more than one person in this  
3 particular capacity, then they cannot be accredited  
4 for the work that they're doing. So, I said, okay, so  
5 why are they here? If they're not going to do the  
6 work, we need to hire someone to do the work. So, at  
7 that particular time, it was elevated to outside of  
8 my agency— a little higher up— and the decision was  
9 made that the supervisor of that particular, uh,  
10 those particular individuals is the one that brought  
11 to our attention. And I guess they simply refused to  
12 do the work. So we eliminated those positions. We now  
13 are in the process, and have been, interviewing—  
14 what's the proper licensing they're supposed to have?

16 DEPUTY COMMISSIONER WILLIAMS: We are looking for  
17 LSWs, Licensed Master of Social Work, to assume those  
18 roles. So we are actively looking at candidates to,  
19 again to...

20 COMMISSIONER HOLMES: Right, to fill that... to  
21 that fill position. Because that position is very  
22 much needed.

23 MAJORITY LEADER FARÍAS: So, you... We cut them  
24 from the budget. Are they remaining vacant, or did  
25 you cut those roles entirely?

COMMISSIONER HOLMES: No, those roles were consumed by a PEG.

MAJORITY LEADER FARÍAS: Okay.

Okay, got it, I'm going to... oh, sorry, one last question under this bracket, and then I'm going to pause to let my colleagues ask some questions.

The Department has been requiring weekly and monthly reporting from DOP funded program providers. What is the reasoning behind requiring this constant level of reporting? How are you folks utilizing said data from the reports? And have you seen any significant changes or improvements since reviewing them?

COMMISSIONER HOLMES: Okay, so that recently just started that requirement. It's always been. So we have a system called DOP Connect, very antiquated, doesn't support the information we need, doesn't support the information that's established in the contract by MOCS. So that information, we substituted with, I believe, two forms, where we're getting the information from them, but that's soon going to be consumed, you know, through IT, so it makes it a little bit less labor intensive. We have

communicated— thanked them for their patience— it is information much needed.

I said, I think earlier, that that information helps us see the respective slots that we have left with these particular programs, so we're not referring people and they don't actually have the room or the capacity to serve them. But I'll also pivot to DC of Juveniles. She actually designed these respective these respective reports.

DEPUTY COMMISSIONER WILLIAMS: Good morning again, how are you?

So we have a weekly report. So that's due usually every Monday, that gives us a snapshot of the amount of slots that are available for each particular provider, it also lets our probation officers, as Commissioner Holmes said, know what slots are available. It also informs leadership, like, what's available, what's not available, so that we can share that information with our staff.

MAJORITY LEADER FARIÁS: So are you saying you're looking at this data top of the morning of the... top of the day of the week and assessing, could we add three more people, six more people, zero...

DEPUTY COMMISSIONER WILLIAMS: Correct.

MAJORITY LEADER FARÍAS: people?

DEPUTY COMMISSIONER WILLIAMS: Yes.

MAJORITY LEADER FARÍAS: Okay, so it's utilized  
(INAUDIBLE)...

DEPUTY COMMISSIONER WILLIAMS: So it's  
utilized...

MAJORITY LEADER FARÍAS: (INAUDIBLE) referral?

DEPUTY COMMISSIONER WILLIAMS: Yeah, referrals,  
which are important so that we have programs to  
actually refer them to.

The monthly report captures an abundance of  
information, uh, such as partial goals met, goals  
met, what type of program, what kind of vocational  
skills they've acquired or not acquired, mental  
health also, substance abuse, SOGI (sexual  
orientation and gender identity) which identifies our  
youth who identify as LGBTQ, it gives us community  
districts, it gives us zip codes, it gives us a  
information that we really need to know— what's  
working, what's not working, how are youth doing,  
what areas need more attention, what programs maybe  
need to develop out of this. You know, data informs  
practice.

MAJORITY LEADER FARÍAS: Mm-hmm.

DEPUTY COMMISSIONER WILLIAMS: And as Commissioner Holmes says, we have been out of compliance with that by— based on MOCS regulations of not having KPIs— constantly being given to us reports, and that's also part of every contract, Human Service contract that we have.

MAJORITY LEADER FARÍAS: So are you folks adapting to adding more slots if you see an overabundance in usage... (CROSS-TALK)

DEPUTY COMMISSIONER WILLIAMS: Absolutely.

MAJORITY LEADER FARÍAS: or creating new programs?

DEPUTY COMMISSIONER WILLIAMS: Yes. So this information will give us— especially now that a lot of our programs are expiring— will give us that insight into what else we need to put in. Do we need more mental health? Do we need you know more of this, of that? But we're not gonna know that information unless we have a unified form that gives us that information.

MAJORITY LEADER FARÍAS: Appreciate the response.

I'm gonna yield my time and pass it over to Council Member Stevens followed by Council Member Restler.

COUNCIL MEMBER STEVENS: Well, hello, good morning.

PANEL: Good morning.

COUNCIL MEMBER STEVENS: I think it's still morning, right? (UNINTELLIGIBLE) I know we've been talking a lot more and offline, but so I just have a couple of questions that I just wanna follow up. And I know I came in, and you were talking about programming and how it's definitely a priority, but I definitely have a couple of additional questions regarding the program. And I know we even mentioned AIM-lite, which I don't think we were saying was a contract, it was a part of a bigger contract, too. And I know there was ,like, some confusions, but we've met several times about it.

But I do wanna talk about some of the issues that I've been talking to providers about just around the barriers, and these are some things that I think we should think about. I know some of the RFPs are gonna be coming out soon and figuring this out. And why we're thinking about this is ,you know, the pathways for young people to have access to the programs

So my first question is just around, as you're thinking about going to develop some of these new



1 programs, one of the biggest issues is that young  
2 people, if they're in Family Court, they have access  
3 to some programs, if they're in Supreme Court it's  
4 other programs.

5  
6 So as you are moving forward, are we thinking  
7 about creating programs that would take that barrier  
8 away? Because what we're hearing is that is probably  
9 one of the biggest barriers that young people who are  
10 going to Family Court have access to certain  
11 programs, and then they'll, if they go to Supreme  
12 they lose that program. And so just thinking about,  
13 as we're developing programs, what is your thinking  
14 around that, and is that a problem that you think  
15 that you could be thinking about when we're creating  
16 these programs?

17 COMMISSIONER HOLMES: Right. So I don't think...  
18 so I think it's more age driven when you look at that  
19 than it is court. So court... (CROSS-TALK)

20 COUNCIL MEMBER STEVENS: So, I'm hearing both—  
21 because I have a question about age. But I am  
22 hearing both. It's not just age. So, they... I am  
23 hearing that we need to be looking at more programs  
24 for the younger youth, because there's not enough.  
25 But also when you are in Adult Court or if you are in

1 Family Court, there are programs that you can act...  
2 that you can't access. So with Raise the Age this is  
3 an issue that we have never addressed. So is this  
4 something that you're thinking about or looking at to  
5 do when you are creating... Because I know you said  
6 you guys are looking to create some new programs...

7 COMMISSIONER HOLMES: Yes.

8 COUNCIL MEMBER STEVENS: as well.

9 COMMISSIONER HOLMES: So naturally, listen,  
10 especially our young people always at, you know, at  
11 our biggest interest.

12 And yes, so when we are looking at the programs,  
13 I noticed when I came in such as Arches programs and  
14 NeON programs (Neighborhood Opportunity Network),  
15 they go from one age to another age, but yet I was  
16 always told, "Oh, but anyone can attend." But if it's  
17 not welcoming for that young person, right, because  
18 there's a larger age group, then we need something  
19 more for that younger person.

20 And we have been researching other programs.  
21 Judges, I've mentioned during some of the meetings I  
22 have with them... (CROSS-TALK)

23 COUNCIL MEMBER STEVENS: Do you have some... the  
24 names... (CROSS-TALK)  
25

COMMISSIONER HOLMES: That...

COUNCIL MEMBER STEVENS: of the names of the some  
of the programs that you guys... (CROSS-TALK)

COMMISSIONER HOLMES: Well...

COUNCIL MEMBER STEVENS: researching?

COMMISSIONER HOLMES: I know you have the Google  
STEM that we're looking at for young people. Also,  
we're looking for other alternatives to placement,  
because the same two have been in place for the past  
twelve years. I believe ECHOES (Each Child Has an  
Opportunity to Excel and Succeed) is only in two  
boroughs, right? Which is not good, because if a  
child resides in the Bronx, he has to go to ECHOES in  
Manhattan? But that doesn't make sense, right? Then  
children, that time of day, this is twice a week  
after school should be home doing homework.

So not only are we looking at the type of  
programs, the age groups and removing some of these  
barriers, especially logistically, but we're also  
taking a look at— does it work better for them to go  
to a longer day on a Saturday, instead of after  
school, when you could be doing after school  
projects, or you may have to help with your brother  
and sister at home, you know, until mom gets home.

Why? It's because you're less likely to show up if you have those particular barriers in place. And we're seeing some of that and the data is showing that.

So the answer to your question, Councilwoman Stevens, is. yes. We are definitely taking that into consideration because I don't see a lot of programs for our young people.

COUNCIL MEMBER STEVENS: So, I mean, obviously we need to solve to make sure, one, we should be having programs that prevent them, but don't get me started, that's another fight. I'll have that fight when I have my hearing in a couple weeks with Keith and DYCD.

COMMISSIONER HOLMES: Mm-hmm.

COUNCIL MEMBER STEVENS: Because we should be preventing. But I am hearing that we do have a lack of programs, but we also need to solve for this issue around Raise the Age in the different courts. When they're in different courts, they do not have access to certain programs. And if they're in a program and then they get transferred to another court, they can no longer be in that program. And this is something that I'm hearing a lot from providers. And I

definitely think that this is something we have to solve for. Because with Raise the Age, this has not been addressed. And, right now, they're saying that's a bigger issue than the younger age— because, programs, and if you're good... and everyone knows I've been in program for years, so I can stop saying it at this point— but if you have a good program, and you're a program director, age sometimes does not matter, because you're going to set it up to hit all the age brackets and the folks that you do— because you have distinct lesson plans.

So to me that is an issue that we can solve for next, but the issue that I'm hearing is with the different courts....

COMMISSIONER HOLMES: (TIMER CHIMES) I would like to do that... (CROSS-TALK)

COUNCIL MEMBER STEVENS: So definitely would love to keep talking about that... (CROSS-TALK)

COMMISSIONER HOLMES: I... I... (CROSS-TALK)

COUNCIL MEMBER STEVENS: Sorry, I just have a couple more questions... (CROSS-TALK)

COMMISSIONER HOLMES: I will look into that. I do have our Director of Programs here with us.

Is that something that you want to speak to that you've been hearing from the providers? She's more intimate with them and meeting with them on a regular basis.

DIRECTOR PETERKIN: Yes, good morning, afternoon...

COUNCIL MEMBER STEVENS: Good morning.

DIRECTOR PETERKIN: Deldreana Peterkin, And so, you're right, but we have seen, though, that some programs, they do accept juvenile...

COUNCIL MEMBER STEVENS: Mm-hmm?

DIRECTOR PETERKIN: and actually, I'm talking about, they may be an adult program, but they get more referrals from Juvenile Operations.

COUNCIL MEMBER STEVENS: Mm-hmm.

DIRECTOR PETERKIN: So, since we've seen that, we've been thinking about that too, how we can make it available for both courts to share that same pie.

And so, yeah, we have 19 programs. And in that 19 programs, we have 78 providers, 26 of them are unique, 78 is because a lot of them have ,you know, multiple contracts with us, but we do meet with them regularly.

So me and my team meet with them on a monthly basis, and then with the evaluators, they go out and they have these administrative meetings with them. So anytime they have these administrative meetings with them, they come back, we talk about it, we talk to the provider together to see how we can streamline any issue that they have.

We haven't heard that, what you just said, but now that you told me, I'm gonna bring it up to them.

(INAUDIBLE)... (CROSS-TALK)

COUNCIL MEMBER STEVENS: Yeah, I don't why you haven't heard because this is... (CROSS-TALK)

DIRECTOR PETERKIN: Yeah...

COUNCIL MEMBER STEVENS: this is one of the things that I have been hearing consistently...

DIRECTOR PETERKIN: Right....

COUNCIL MEMBER STEVENS: from the providers. And I meet with them regularly, so I don't know why...

DIRECTOR PETERKIN: Great...

COUNCIL MEMBER STEVENS: you're not hearing it...

DIRECTOR PETERKIN: Yeah...

COUNCIL MEMBER STEVENS: So maybe we...

DIRECTOR PETERKIN: Don't worry...

COUNCIL MEMBER STEVENS: the next time we meet...

DIRECTOR PETERKIN: Im'a bring it up.

(LAUGHTER)

COUNCIL MEMBER STEVENS: (LAUGHS) I'm sure.

Listen, you can turn around, I see a whole bunch of heads nodding when I was talking, so...

DIRECTOR PETERKIN: Yeah, right...

COUNCIL MEMBER STEVENS: I'm not sure why you guys are not hearing it. But...

DIRECTOR PETERKIN: Yeah, so, I'll bring up next we meet with them... (CROSS-TALK)

COUNCIL MEMBER SCHULMAN: But this is what I'm hearing. And I know -Amanda is giving me side eye- So I have another question. And I will ask again when I take over as chair.

But electronic monitoring, we're hearing that we only have about like 90 youth citywide right now but there's at least a hundred more slots that could be used.

Do we have a reason on why this isn't being a mechanism? Because, as we know, the numbers in the juvenile detention are consistently increasing, and for me, it's always thinking about how we get these young people home.

COMMISSIONER HOLMES: I agree.



1                   So, you know, I actually am asking for funding  
2                   for an Electronic Monitoring Unit. Right? I believe  
3                   in it. Not only to assist the young people that are  
4                   being remanded, but we have some young people that—  
5                   maybe they're not reoffending, but mom is calling  
6                   saying, "They're not staying home." "They're leaving  
7                   ten o'clock at night, they're coming back four in the  
8                   morning."

9                   We can't logistically monitor them. And naturally  
10                  we don't have enough people to do it. But if we  
11                  create a unit where it's 24/7, very similar to what  
12                  was in place during COVID, we already have the  
13                  procedure, we already have... if the monitors go  
14                  down, we go out and simply replace it and then send  
15                  it for repair.

16                 You are absolutely right. It is doable. It can be  
17                 done and it's something that needs to be done.

18                 We currently have... (CROSS-TALK)

19                 COUNCIL MEMBER STEVENS: So what do you need to  
20                 get it done, and how do we work to get it done?

21                 COMMISSIONER HOLMES: Money and just people. I  
22                 really am going to be asking (INAUDIBLE)... (CROSS-  
23                 TALK)  
24

COUNCIL MEMBER STEVENS: So is this a New Need we're asking for?

COMMISSIONER HOLMES: So, yes, it's a need. Right? Because, Probation... (CROSS-TALK)

COUNCIL MEMBER STEVENS: But are we asking MOB for the new need?

COMMISSIONER HOLMES: Uhm, yes, it is a New Need.

COUNCIL MEMBER STEVENS: Okay, I just want to make sure so when I go to speak to him... (CROSS-TALK)

COMMISSIONER HOLMES: Yes, yes, yes... (CROSS-TALK)

COUNCIL MEMBER STEVENS: that I can make sure that I'll be like, what is up with this? (CROSS-TALK)

COMMISSIONER HOLMES: It... It has been requested as a New Need. It is definitely something I think would assist in helping moms and parents out ,you know, as far as curfews. Because, let's face it, we work to a certain time, the minute we leave, then they may leave. Right? And just are not listening, but...

COUNCIL MEMBER STEVENS: Do you... but do you know why it's down? Because what I'm hearing is, it's about only 90 young people citywide, and they're and they were told that there's at least another 100

slots. So do you know if it's not— the judges are not recommending? You guys are saying you don't have the capacity? Do you know what the discrepancy is?

COMMISSIONER HOLMES: So I have no idea. I know we have 19 individuals on probation that are on electronic monitoring. And what that requires, that requires us to collaborate with the Sheriffs Department, right?

COUNCIL MEMBER STEVENS: Mm-hmm.

COMMISSIONER HOLMES: Because the Sheriffs Department does the actual monitoring.

COUNCIL MEMBER STEVENS: Mm-hmm.

COMMISSIONER HOLMES: They have the screens. They have the equipment. So we should be conferring with the Sheriffs Department on a weekly basis, putting in our case, "Spoke with them, what are you seeing?" Sheriffs Department would have to be familiar with their curfew times— when we could simply have it under one umbrella.

COUNCIL MEMBER STEVENS: Okay.

COMMISSIONER HOLMES: Have it under one umbrella, DOP, and we monitor it ourselves.

COUNCIL MEMBER STEVENS: And you said this was done during COVID, correct?

COMMISSIONER HOLMES: It sure was.

COUNCIL MEMBER STEVENS: Do you know what the price point (UNINTELLIGIBLE)?

COMMISSIONER HOLMES: What the what was?

COUNCIL MEMBER STEVENS: The price point.

COMMISSIONER HOLMES: Oh, what was the...

CHIEF INFORMATION OFFICER MIRZA: So I don't know what the price at that time was, but we know what it's going to be now, actually. We have that...

(CROSS-TALK)

COUNCIL MEMBER STEVENS: Well, do you have that?

CHIEF INFORMATION OFFICER MIRZA: Yeah, I have that. It's going to be about \$8 to \$9 million, actually.

COUNCIL MEMBER STEVENS: So \$8 to \$9 million?

CHIEF INFORMATION OFFICER MIRZA: That is what we are estimating. And that includes actually the bodies we need and the separate division we need.

I just wanted to mention one more thing. The quality of service that our officer is going to provide will tremendously increase with these electronic monitoring, actually.

COUNCIL MEMBER STEVENS: Okay.

CHIEF INFORMATION OFFICER MIRZA: So it's proven, scientifically proven data, that actually backs up to this investment.

COUNCIL MEMBER STEVENS: Great, so we are on the same page. So we will talk more.

COMMISSIONER HOLMES: Okay, and ACS monitors their remand...

COUNCIL MEMBER STEVENS: Mm-hmm?

COMMISSIONER HOLMES: We communicate all the time. So I don't have any idea about ,you know, what population they have or what resourceful to them or what the number of... 90, I think you said, they ,you know, maybe monitoring (INAUDIBLE)... (CROSS-TALK)

COUNCIL MEMBER STEVENS: So this wasn't from the ACS, this is from...

COMMISSIONER HOLMES: Oh...

COUNCIL MEMBER STEVENS: when I met with the advocates around...

COMMISSIONER HOLMES: Oh, okay...

COUNCIL MEMBER STEVENS: the folks who are on probation.

COMMISSIONER HOLMES: Okay.

COUNCIL MEMBER STEVENS: Okay? All right, thank you.

MAJORITY LEADER FARÍAS: Thank you so much, Chair Stevens, uh, Council Member Stevens.

I am going to now pass it over to Council Member Restler.

COUNCIL MEMBER RESTLER: Thank you so much, Madam Chair. Commissioner, and team, thank you for joining us today.

As I've expressed previously at these hearings, I am profoundly concerned about the crisis at the Department of Probation under your leadership.

COMMISSIONER HOLMES: Mm-hmm.

COUNCIL MEMBER RESTLER: Since you've joined the Agency, the Department of Probation is in dire straits. This had been one of the leading reform agencies in city government over decades. We've had phenomenal recent commissioners at DOP and terrific leadership teams led by Ana Bermudez, Vinny Schiraldi, Michael Jacobson, Marty Horn, strong impressive leaders.

Since you've come into office, six of the 32 most senior staff remain. That is a level of brain drain that has huge negative impacts on the Agency— 249 unfilled positions out of 1,100 budgeted posts, 22% vacancy rate— that's one of the highest in the city.

COMMISSIONER HOLMES: Mm-hmm.

COUNCIL MEMBER RESTLER: It's a Serious mismanagement. Extremely high turnover, 394 staffers have left the agency during your tenure, 288 people have resigned. *Resigned*. Just left because they couldn't take it anymore at DOP. We've seen extreme attrition. The actual headcount has dropped by a 145 people, 14%, since you took office.

The lack of officers in the agency is deeply startling and disturbing. Currently, there are 658 officers, admin probation officers, probation officers, supervising probation officers. Back in 2020, just four or five years ago, there were 949.

COMMISSIONER HOLMES: Mm-hmm.

COUNCIL MEMBER RESTLER: That is a 30+% reduction in just five years. That is devastating.

Despite the fact that during the Adams' administration, we've seen more people under supervision at DOP, more cases under investigation at DOP. Despite that increased workload, we've seen a 30% reduction in the uniform headcount.

And of the 213 people that have been hired during the period that you're commissioner, only 46 were probation officers. You've overwhelmingly hired

civilians. And today in the Daily News, there are questions about the Department of Investigation investigating your actions and issues of nepotism.

So I'm going to start directly with that question.

In reference to Dr. Salib, Dr. Pullano, Angelina Puerto, Angel and Michael Puerto— I just want to ask explicitly directly on the record, are these people who you had a prior relationship with, any of them, prior to the time of them joining the Department of Probation? Is there any familial connection between you, your son, or anyone else in your family and any of these individuals? Is there any issue of nepotism or prior relationship with any of these five people as reported in the Daily News?

COMMISSIONER HOLMES: There is no nepotism. There is no nepotism. Dr. Salib is a vendor that was hired under my former Chief of Staff, Shamik Walton who actually signed him up, did the link. He was put in place for one time support for Father's Day, 60 vouchers, for our men that normally don't go to the doctor.

COUNCIL MEMBER RESTLER: Okay...

COMMISSIONER HOLMES: In 2023... (CROSS-TALK)



COUNCIL MEMBER RESTLER: Just a simple yes or no  
(INAUDIBLE)... (CROSS-TALK)

COMMISSIONER HOLMES: we did a Father's Day  
event, and he was hired to do that because he has  
numerous urgent cares throughout the city in the  
neighborhoods where we need them. We never used all  
of the vouchers, so they are currently being used for  
our boxing team in the Bronx.

So every time a young person signs up for that  
program, they actually use the voucher to go to the  
doctor in the Bronx, get a checkup, and get a  
permission slip from mom.

COUNCIL MEMBER RESTLER: I just have a simple yes  
or no question.

Of the five people that I mentioned, that were  
referenced to the Daily News today, that the  
Department of Investigation is apparently  
investigating (INAUDIBLE)... (CROSS-TALK)

COMMISSIONER HOLMES: Department Investigations,  
first of all, is not investigating. The only thing  
the Department Investigations looked into was the  
doctor from Shamik Walton. That doctor, when I was  
Borough Commander in Queens, attending Council  
hearings, did Council events, did events in the

community, that's how I know Dr. Salib... (CROSS-TALK)

COUNCIL MEMBER RESTLER: Okay, but...

COMMISSIONER HOLMES: He is not my personal doctor. He was a doctor that fit and was suitable, but he had to be vetted by my Chief of Staff, Shamik Walton... (CROSS-TALK)

COUNCIL MEMBER STEVENS: Thank you for clarifying that on the record...

COMMISSIONER HOLMES: who informed him that he was qualified and approved by the City to be hired as one time vendor for 60 vouchers, \$20,000 paid, never revisited again.

COUNCIL MEMBER RESTLER: For the other four individuals who were mentioned in the (INAUDIBLE)... (CROSS-TALK)

COMMISSIONER HOLMES: I do not, and did not, and did not— and one is sitting at this table, know the doctor. This is the this is the former doctor here... (CROSS-TALK)

COUNCIL MEMBER RESTLER: And you had no prior relationship...

COMMISSIONER HOLMES: Who is doing a fine job... (CROSS-TALK)

2 BRIDGET HAMBLIN: Commission has already stated  
3 that... (CROSS-TALK)

4 COMMISSIONER HOLMES: I already (INAUDIBLE)...  
5 (CROSS-TALK)

6 BRIDGET HAMBLIN: hiring is not being done by  
7 nepotism. You asked whether hiring is being done by  
8 nepotism. Hiring is not being done by nepotism...  
9 (CROSS-TALK)

10 COUNCIL MEMBER RESTLER: I asked if there was a  
11 prior relationship with (INAUDIBLE) people... (CROSS-  
12 TALK)

13 COMMISSIONER HOLMES: And I just... I just  
14 informed you... (CROSS-TALK)

15 BRIDGET HAMBLIN: She... She...

16 COUNCIL MEMBER RESTLER: I'm looking for answers  
17 to questions...

18 BRIDGET HAMBLIN: She has answered... (CROSS-TALK)

19 MAJORITY LEADER FARÍAS: Excuse me, as Chair of  
20 the hearing, I am going to...

21 COUNCIL MEMBER RESTLER: Sure...

22 MAJORITY LEADER FARÍAS: recenter us here.

23 Council Member Restler has asked for a yes or  
24 not. Please give a yes or no... (CROSS-TALK)

25 COUNCIL MEMBER RESTLER: Thank you.

MAJORITY LEADER FARÍAS: on each of the individuals, and then we can move on in the interest of time and of maintaining decorum in this hearing.

(TIMER CHIMES)

COUNCIL MEMBER RESTLER: Thank you.

No prior relationship, no familiar relationship with any of the other four individuals who I mentioned. Yes or no? I can go by one by one; would you prefer? I'll do that.

COMMISSIONER HOLMES: Dr. Salib.

COUNCIL MEMBER RESTLER: Who you explained.

COMMISSIONER HOLMES: I just explained.

COUNCIL MEMBER RESTLER: The gentleman to your right, Dr. Pullano... (CROSS-TALK)

COMMISSIONER HOLMES: Dr. Pullano, no.

COUNCIL MEMBER RESTLER: Angelina Puerto?

COMMISSIONER HOLMES: Angelina Puerto, I know from school.

COUNCIL MEMBER RESTLER: No familial relationship with...

COMMISSIONER HOLMES: No familial relationship with Michael or the other individual...

COUNCIL MEMBER RESTLER: With Angel? There's no...

(CROSS-TALK)

COMMISSIONER HOLMES: No...

COUNCIL MEMBER RESTLER: familial...

COMMISSIONER HOLMES: familial... Nope.

COUNCIL MEMBER RESTLER: With any of the three people? There's no familial relationship... (CROSS-TALK)

COMMISSIONER HOLMES: No, I just stated that.

COUNCIL MEMBER RESTLER: Okay, I just wanted to make sure we got it record... (CROSS-TALK)

COMMISSIONER HOLMES: And I didn't hire them.

MAJORITY LEADER FARÍAS: Okay, thank you, let's move on... (CROSS-TALK)

COUNCIL MEMBER RESTLER: We will let DOI take it from here...

MAJORITY LEADER FARÍAS: to the next question.

COUNCIL MEMBER RESTLER: So juvenile justice or juvenile delinquency, excuse me, we've seen a remarkable decline in the number of juvenile delinquency cases that are being referred for diversion.

At the beginning of the Adams' administration, 41% of cases were referred for diversion, now it's just 19%.

COMMISSIONER HOLMES: Mm-hmm.

COUNCIL MEMBER RESTLER: So that means many more of our young people are being prosecuted, which of course is a direct result of your decision as becoming commissioner for cutting over \$5 million in diversion programs; \$700,000 to the Impact Program; \$2.6 million to the Next Steps Program; \$1.6 million to the ARCHES Program— evidence based, effective programs.

What programs are you advocating for in this budget to help reduce the number of youth who are under DOP supervision and who are avoiding prosecution?

COMMISSIONER HOLMES: If you're referring to diversion cases, children, they're at... I believe it was 12% less. Do you have the numbers for the diversion?

Diversion is based on eligibility, not the availability of programs. There are plenty diversion programs that we use, whether it's DYC, whether it is— the courts have diversion programs. That is not why the number... there's a reduction in the number of youth being referred to diversion programs.

There are youth that are committing violent felonies is the reason why they're not being referred

to the diversion program. And that's why it's important to have not just programs once they're on probation or in trouble, but being proactive and have programs available to them so it doesn't happen, which is another thing that DOP participates in.

We have a huge number of young people who attend our programs, who are not on probation, that utilize our NeON centers, that are not on probation. We are very proactive when it comes to that.

So it is not related to any reduction in any program why these young people are not being diverted. You can speak with to the numbers please. Thank you.

DEPUTY COMMISSIONER WILLIAMS: Thank you for the question regarding adjustments.

So in Fiscal Year 2023, there was, uh, as compared to Fiscal Year 2024, there was a 12.3% decrease in adjustment. And as the commission said, we are, uh, regarding the decrease in adjustment, the Department of Probation is guided by the Family Court Act 308.1 and the Uniform Rules of Family Court 205.22 which outlines how cases are deemed suitable for diversion.

COUNCIL MEMBER RESTLER: Yes. And according to the data that we looked at from the MMR, we saw that the number of cases that, uh, juvenile delinquency cases that were eligible for adjustment has doubled as a percentage. So one out of five cases to two out of five cases since the beginning of the Adams' administration. That's a major problem.

We're seeing 13% increase in the number of cases that are sent to the Law Department for prosecution from 24% to 38%... 14%, excuse me.

So those are major shifts that are leading to more of our young people ending up in incarceration, our criminal justice system. And if we had more diversion opportunities, and had the programs that are evidence based and successful, that Commissioner Holmes cut from the budget for no good reason, we would have less young people facing this unfortunate reality.

Two more items I'd like to touch on briefly if the chair will be so generous.

DEPUTY COMMISSIONER WILLIAMS: I'm sorry, may answer, uhm... Make a response to your question...

COUNCIL MEMBER RESTLER: Sure.



DEPUTY COMMISSIONER WILLIAMS: or your statement, rather?

I just want to underscore, it's important to note that eligibility and suitability are distinct considerations. While some cases may not be eligible for adjustment, referral to the presentment agency, which you referred, to does not equate to incarceration.

COUNCIL MEMBER RESTLER: Understood.

DEPUTY COMMISSIONER WILLIAMS: Rather youth may be placed in juvenile detention while their case proceeds. And again, we are... we have to abide...

COUNCIL MEMBER RESTLER: It doesn't equate to incarceration, but it is... (CROSS-TALK)

DEPUTY COMMISSIONER WILLIAMS: by...

COUNCIL MEMBER RESTLER: a potential outcome.

DEPUTY COMMISSIONER WILLIAMS: the... (CROSS-TALK)

COUNCIL MEMBER RESTLER: Or the likely outcome...

DEPUTY COMMISSIONER WILLIAMS: I'm sorry?

COUNCIL MEMBER RESTLER: It doesn't equate to incarceration, but it's a potential and likely outcome for the individuals who are facing that reality.

And... (CROSS-TALK)

DEPUTY COMMISSIONER WILLIAMS: Again we have...

COUNCIL MEMBER RESTLER: at a time when our Juvenile Justice Centers are overwhelmed with people, kids have been sleeping in the hallway, we have serious problems, we want to make sure that we're sending the people there who absolutely need to go there.

So I just have... I'm over on time. I got two more items I got to get through...

DEPUTY COMMISSIONER WILLIAMS: Okay.

COUNCIL MEMBER RESTLER: quickly.

The Intensive Community Monitoring Program, is it currently operational?

COMMISSIONER HOLMES: Of course!

COUNCIL MEMBER RESTLER: Okay. We've received... I mean I just wanted you to sense this-- this is a pile of letters that we get...

COMMISSIONER HOLMES: Mm-hmm?

COUNCIL MEMBER RESTLER: from anonymous people.

COMMISSIONER HOLMES: Mm-hmm?

COUNCIL MEMBER RESTLER: I get at least a letter a week from somebody who's worked at DOP, or is working at DOP, who is deeply concerned about your management of the agency.

COMMISSIONER HOLMES: Mm-hmm?

COUNCIL MEMBER RESTLER: We are concerned. We've heard information from nonprofit providers, who contract with DOP, that indicate that the Intensive Community Monitoring Program has been disbanded.

Happy to hear that that's not true, but we would love more information on how (INAUDIBLE)... (CROSS-TALK)

COMMISSIONER HOLMES: The number has increased tremendously.

COUNCIL MEMBER RESTLER: Okay.

COMMISSIONER HOLMES: With ICM. Tremendously. Reason being, because they used to have a smaller unit that monitored only 20 individuals, in each respective borough, with the exception of Staten Island with 10.

The way I did it, is now that any and every probation officer who manages case by risk level, not by classification, can now manage a ICM case—therefore, allowing for us to take on more ICM cases.

As it stands today currently, we have an *increase* in that exist in that formerly existing number of 90. I think we had over 120 now...(CROSS-TALK)

COUNCIL MEMBER RESTLER: (INAUDIBLE)

COMMISSIONER HOLMES: The judge is aware of it, they like it. So we... if... (CROSS-TALK)

COUNCIL MEMBER RESTLER: If the City Council would help data that would be great... (CROSS-TALK)

COMMISSIONER HOLMES: Yes, it afforded us to take on more ICMs with the process that I put in place.

COUNCIL MEMBER RESTLER: We would love to get some information in writing on that.

COMMISSIONER HOLMES: Okay... (CROSS-TALK)

COUNCIL MEMBER RESTLER: And the last item I would like to raise is something that's come up at each of your hearings, which is your decision to have all of the probation officers carry guns...

COMMISSIONER HOLMES: Mm-hmm.

COUNCIL MEMBER RESTLER: which I think is alarming. I certainly respect and understand that if a probation officer is going into a home for a search, there may be a need for a firearm for their safety. But why, why do we want to have— why do we want to send the message of every young person who's doing intake at probation, encountering a person with a gun? Why do we want to have every person doing an investigation carry a gun? Why do we want to turn the Department of Probation into the NYPD?

COMMISSIONER HOLMES: Well, didn't want to turn it into NYPD but they are peace officers, and part of their Notice of Examination is that they carry firearms. Peace officers carry firearms. It's part of their job to qualify for a firearm.

I didn't decide this. In 2022, the former great Commissioner Horn did. He's the one that put in place and implemented that they'd carry firearms.

So, what I did was follow through. We had some probation officers going out to do field visits with others and they didn't have firearms. What... that's very, very dangerous... (CROSS-TALK)

COUNCIL MEMBER RESTLER: I... you heard me say I agree...

COMMISSIONER HOLMES: In addition to that, we had several incidences where, let's take Queens, that ended up in a paper. A probationer got into a fight with another probationer, sliced him up with a knife. That same day, a probationer came in through the metal detector, and was later discovered by the police responding, that he had a meat cleaver taped to his chest.

With that being said, at 400 Liberty in Brooklyn, the 75 East New York, we had an incident, one of our

Yes, it is sometimes where it is dangerous. We don't want to be met with an active shooter, right? Because whatever it is that may happen— but the bottom line is, we have probationers that are carrying weapons— even in Family Court. Do you know how often we get calls from Family Court, that they're hiding weapons on the grounds, on the grounds, they're watching the cameras, and they're identified as our probationers? *They're our probationers.*

COUNCIL MEMBER RESTLER: Yeah, under your leadership, there's 30% fewer of them, and we do need to... And... And... (CROSS-TALK)

COMMISSIONER HOLMES: I've only been here two years. You said over five years. That is not under my leadership... (CROSS-TALK)

COUNCIL MEMBER RESTLER: Over five years, that's right, in... (CROSS-TALK)

COMMISSIONER HOLMES: (INAUDIBLE)... (CROSS-TALK)

COUNCIL MEMBER RESTLER: And it's not issue, but it has... And your plan to restore headcount is not keeping up with attrition. So it's going to continue to go down under your leadership for the months and the years to come.

But the key point I want to make is, it is... it sends a very specific message that whenever young a person comes in for intake at the Department of Probation- when they're encountering somebody with a gun, that is not the history of the Agency. It is one that you changed.

I appreciate and understand that when somebody is going into somebody's home, there may be a need for a firearm for the safety of the officer. But to have every officer in every role in this agency carrying a gun is the NYPD-ification (sic).

COMMISSIONER HOLMES: It is Commissioner Horn, former Commissioner Horn of the Department... (CROSS-TALK)

COUNCIL MEMBER RESTLER: You changed this policy...

2 COMMISSIONER HOLMES: of Probation... (CROSS-TALK)

3 COUNCIL MEMBER RESTLER: when you came in to  
4 officer...

5 COMMISSIONER HOLMES: policy.

6 COUNCIL MEMBER RESTLER: You changed the policy  
7 when you came into office...

8 COMMISSIONER HOLMES: Part of the Notice of  
9 Examination... No, just... (CROSS-TALK)

10 COUNCIL MEMBER RESTLER: Yes...

11 COMMISSIONER HOLMES: part of the policy wasn't  
12 being followed.

13 COUNCIL MEMBER RESTLER: So, how 'bout this...

14 COMMISSIONER HOLMES: So I...

15 COUNCIL MEMBER RESTLER: (INAUDIBLE) Council will  
16 follow up in writing... (CROSS-TALK)

17 COMMISSIONER HOLMES: enforced the policy...  
18 (CROSS-TALK)

19 COUNCIL MEMBER RESTLER: We would like for you to  
20 share with us how many DOP officers carried guns the  
21 day you came into office and how many DOP officers  
22 carry guns today?

23 COMMISSIONER HOLMES: Well, they all carry guns  
24 today. It should be, unless they have some sort of...  
25 (CROSS-TALK)



COUNCIL MEMBER RESTLER: And how many carried off... guns the day you started?

COMMISSIONER HOLMES: I really have no idea...(CROSS-TALK)

COUNCIL MEMBER RESTLER: Well have...

COMMISSIONER HOLMES: My job was to make sure that they were safe... (CROSS-TALK)

COUNCIL MEMBER RESTLER: Can anyone on the dais answer...

COMMISSIONER HOLMES: And that...

COUNCIL MEMBER RESTLER: that question?

COMMISSIONER HOLMES: And that we were safe, and that they were safe. I have no idea... (CROSS-TALK)

COUNCIL MEMBER RESTLER: So we'll follow-up in writing on that question. We hope you'll provide it, because there has been a significant change in policy since you took office, and I don't think it's the right policy. Thank you.

MAJORITY LEADER FARIAS: Okay, thank you so much. The council member's time has expired, and I am going to move on with my questioning on staffing and overtime.

I'd also like to acknowledge we've been joined by Council Member Abreu on Zoom and Council Member Brewer here in the Chambers.

So despite such high vacancy rates, three training classes, each consisting of 50 recruits, were cancelled in 2023, and the most recent probation officers exam was postponed.

Can you folks explain why the probation officer trainee exam was canceled?

COMMISSIONER HOLMES: Right, so it was postponed due to Notice of Examination, uhm, anticipated Notice of Examination changes. But with that being said, we still have a pool of over 200 people. We have another class of 50 going in the end of month. We just graduated 40, a great wonderful graduation, because probation never had graduations before. They have them now. Their families participate. Very motivational.

But with that being said, like I said, the class, the actual training time grew from 12 weeks to five months. And very much needed. At least they're coming out well trained, ready to hit the ground running. And what we're attempting to do is now double the

academy training staff; therefore, doubling the class.

MAJORITY LEADER FARÍAS: Do you folks have a new date set for the exam?

COMMISSIONER HOLMES: I'm sorry? Yes we do, we have for June 2026, it's a forecast for our next exam.

MAJORITY LEADER FARÍAS: Great.

And the starting salary for probation officers is now \$61,386. Has this helped attract more candidates?

COMMISSIONER HOLMES: Oh yes, we've been attracting candidates even before the contract was settled. We've had, like I said, we have about a population of 200 individuals. I know we had an existing list where there are 213 individuals on there which is part of the pool of people that we have. We were actively recruiting, but we were tabling it. So it wasn't so much a commercial or public announcement. It was going out, being part of different events, tabling it, probation officers in uniform, attracting the crowd and that's how we were able to get several resumes.

MAJORITY LEADER FARÍAS: And during the commissioner's testimony at a City Hall hearing, you

Why has DOP not increased the number of officers in family court given that 15, 16, 17 and 18-year-olds are driving an increase of arrests?

Deputy Commissioner WILLIAMS: Twenty-five.

We actually have a span of control, if you're looking at supervising probation officers, that is very, very small when you look at it, maybe like a one to three.

The average span of control usually runs four to six in probation, but it can be as much as one to eight, but we try and keep it low so that way it's really intimate followup on the respective cases.

But they are definitely supported with staffing and Supervising Probation Officers.

MAJORITY LEADER FARÍAS: Great, thank you. I'd like to turn over to some questions on caseload.

We understand that caseloads have doubled or tripled over the past two years with the Bronx, Brooklyn and Queens handling the highest numbers of adult services.

What's the current caseload count in each borough for Family and Adult probation services?

COMMISSIONER HOLMES: Okay, so we'll let Adult answer for Adult, and then Family, I think it's still on average to be about 25.

MAJORITY LEADER FARÍAS: Okay.

ASSOCIATE COMMISSIONER PULLANO: So the case loads have not doubled or tripled. Although the cases have gone up, part of that internal structuring that we referred to previously, we've moved officers from non supervision positions to supervision positions. So our overall citywide average is 48 cases. Which is actually lower than it was previously.

That said, we can go per borough. We have a range between 42 and 49. I think one outlier may be pushing up to like 52. So depending on which branch or which

borough we're talking about. But that's typically our range and, again, the average is 48.

MAJORITY LEADER FARÍAS: Average 48 per borough?

ASSOCIATE COMMISSIONER PULLANO: Yeah, that's the case load per officer...

MAJORITY LEADER FARÍAS: Okay, and do we have the...

ASSOCIATE COMMISSIONER PULLANO: or how many cases per officer.

MAJORITY LEADER FARÍAS: a breakdown per borough?

ASSOCIATE COMMISSIONER PULLANO: I do, yes.

MAJORITY LEADER FARÍAS: Okay.

(PAUSE)

ASSOCIATE COMMISSIONER PULLANO: I apologize... just a moment... Alright, so each borough, so our average caseload, we have for Brooklyn 49.8; Bronx 46.7; Queens 53.9, I apologize I misspoke, it's 53 not 52; Manhattan's 41.1 one; and Staten Island is 41.3.

MAJORITY LEADER FARÍAS: Okay great and Family?

DEPUTY COMMISSIONER WILLIAMS: We have on average 25 cases per probation officer in Staten Island because they have a lull, their cases are about 12 to 15 on average.

MAJORITY LEADER FARÍAS: Okay, so every other, for the four of the boroughs a range around 25...

DEPUTY COMMISSIONER WILLIAMS: Yeah, correct.

MAJORITY LEADER FARÍAS: and Staten Island is 12 to 15.

DEPUTY COMMISSIONER WILLIAMS: Yes.

MAJORITY LEADER FARÍAS: Thank you for that.

DEPUTY COMMISSIONER WILLIAMS: Mm-hmm.

MAJORITY LEADER FARÍAS: DOP now requires probation officers and supervisory probation officers to appear in court for their own cases, as mentioned prior, including violations of probation.

How is this logically feasible when one officer may have cases in multiple courts and locations? And are officers provided any benefits like vehicles for travel or reimbursements for expenses?

COMMISSIONER HOLMES: Right. So we hear that, but I'm not experiencing much of that. Right?

MAJORITY LEADER FARÍAS: Okay.

COMMISSIONER HOLMES: So we hear, you know, the "what ifs?", right? The "what ifs?" are addressed. If they have multiple cases, the courts will cancel.

What we've done to address this also is that, you know, it's often mentioned that I come from the

1 police department, yes. And I think in technology it  
2 was a well oiled ship because the actual court  
3 notifications goes to the respective member's  
4 command. As a result of such, we are now meeting and  
5 have met with SoundThinking who is putting that in  
6 place for us.

7  
8 So what happens is you're able to see, or the  
9 respective DA requesting the appearance of the  
10 particular individuals, see that they have another  
11 court date on that particular date, and then that  
12 would... they would change that respective court  
13 date.

14 As far as vehicles, I'm always pushing vehicles,  
15 vehicles, vehicles. I don't think they have enough  
16 vehicles, right? And then where I formally came from,  
17 you tripping over vehicles. But we've requested  
18 vehicles, the vehicles that they're allowed to buy,  
19 buying from a particular vendor, it's a hybrid, it  
20 goes out, it comes in. But with that being said, what  
21 I did was I put in to get MetroCards for every  
22 probation officer. Right? So when they're doing their  
23 job throughout the city, they have a MetroCard.  
24 Police off officers had it. I had it. You know,



you're able to take the train if you didn't have a vehicle.

I'll speak with my DC of Administration; I think you were overseeing that?

DEPUTY COMMISSIONER CULLER: Correct.

COMMISSIONER HOLMES: Where we at with that now?

DEPUTY COMMISSIONER CULLER: We've been in communication. It's with the general counsel of the MTA right now. It was in communication with her as recently as yesterday to procure, we're going to say travel passes, because the MetroCards may be transitioning to Omni, but those conversations happening right now, something we're actively pursuing.

COMMISSIONER HOLMES: And that will be every year. So it expires and then we reup it, get the old one back, give them a new one still they have that.

MAJORITY LEADER FARÍAS: Okay, and, sorry, actually, just a clarification— So, if we're given a travel pass, right now it's MetroCard, so you're putting x amount of rides on it or is it...

COMMISSIONER HOLMES: It will be unlimited. So, the ones that we have now are the same ones we use for clients, right?

MAJORITY LEADER FARÍAS: Okay.

COMMISSIONER HOLMES: You're giving... So one or two, but this will be for probation officers to use. It will expire at the end of the year- unlimited.

MAJORITY LEADER FARÍAS: Okay.

COMMISSIONER HOLMES: Throughout the city. And that way they are free to go and, uh...

MAJORITY LEADER FARÍAS: And how are we monitoring that they're using that solely for the purpose of...

COMMISSIONER HOLMES: Oh, it will be...

MAJORITY LEADER FARÍAS: (INAUDIBLE)

COMMISSIONER HOLMES: because, naturally, there will be security measures in place to ensure it's only being used in the city and during work hours. And, again, technology.

MAJORITY LEADER FARÍAS: Sure.

COMMISSIONER HOLMES: Mm-hmm.

MAJORITY LEADER FARÍAS: And any reimbursements for other expenses that may be incurred?

COMMISSIONER HOLMES: I'm sorry?

MAJORITY LEADER FARÍAS: Any other reimbursements for expenses that may be incurred that are approved?

COMMISSIONER HOLMES: I haven't heard of anything...

MAJORITY LEADER FARÍAS: Okay.

COMMISSIONER HOLMES: but it should be. It's something we can visit, you know, if that is an issue. Listen, I am always saying that, you know, I'm one person, I am the commissioner, but these executives that support me here, they know their responsibilities. And any time that there's a question, I mean, they have great representation, they have a union president, you know, that's here that represents them and always concerned about their concerns— As far as DC 37, Anthony Wells, Carl Cook, anyone can come and say simply, "Here's what we're having, here's what we're seeing, what can we do for our members?".

MAJORITY LEADER FARÍAS: Sure.

COMMISSIONER HOLMES: I'm all about making life easy but efficient, right? But I always say we still have a job to do.

MAJORITY LEADER FARÍAS: Is DOP aware that requiring probation officers to advocate for the incarceration of a client in court may put their safety at risk when they must later visit the client's home or supervise them? (INAUDIBLE)...

(CROSS-TALK)

COMMISSIONER HOLMES: No. I'm sorry.

MAJORITY LEADER FARÍAS: Sure?

COMMISSIONER HOLMES: You have more, go ahead.

MAJORITY LEADER FARÍAS: Previously court liaison officers acted as a buffer between POs and clients. How does this department expect to plan to mitigate these risks? And you can answer on whether or not you think...

COMMISSIONER HOLMES: Okay. So, no, I don't believe that's a risk. Like I said, I've... I don't... I just don't believe that's a risk. I believe that's a positive. I want to tell you why.

There are a lot of probationers, clients, that would leave court, especially in the Bronx, especially in Brooklyn, the DAs have spoken to this and met with gang violence, met with being in a fight. When that probation officer is sitting there with them through court and they leave it's like, come on, get out, go ahead home or whatever, don't get in any trouble. So I look at that as more security buffer and it's your person. That... it's your person— like, this is your client. I'm concerned about it, and I'm concerned about the right message being given to the judge. I'm concerned about me as a



resources to do those investigations. We have not replaced those individuals. On top of that, as those cases begin to come, you know, as we begin to... as we begin to de-incarcerate, right, and every bed counts, and they're coming under the care and custody of probation, we need more people to manage them. Because right now, they're going into our existing caseload. So I'm not going to say we have enough people. I'm going to say with an increase in headcount, which I'm looking for to restore some numbers back to some numbers that were given up, you know, budgeted headcounts, I guess, as a result of PEGs, or whatever they were given, this was before my time— But I liked the way the numbers look to 2019. I think it's going to help support in service training. It's going to help de-incarceration. It's going to help electronic monitoring unit and in-service training, enhance case supervision.

So, I'm not going to say that we have what we need. I'm going to say I'm going to be asking for what we need.

MAJORITY LEADER FARÍAS: And my last question, how much funding in the Preliminary Plan has been

allocated for the Local Conditional Release  
Commission?

COMMISSIONER HOLMES: Oh, what was that funding?  
We have that number. Bridget, you should have it, but  
Alberta may, I mean Andrew may have it. One, one, and  
five.

BRIDGET HAMBLIN: It's approximately \$415,000 for  
our budget headcount that we got in 2019. I'm gonna  
say consistent.

MAJORITY LEADER FARÍAS: Great, thank you for that  
response.

Seeing no other questions, and I don't have any  
other additional questions. I want to thank you folks  
for coming today and testifying and answering all of  
our concerns and questions for this Preliminary  
Budget Hearing. I can now dismiss this panel.

We will pause for a second to swap out some...  
for the Chair to continue on the hearing, but thank  
you, folks.

COMMISSIONER HOLMES: Thank you so much, thank  
you.

PANEL: Thank you

(PAUSE)

CHAIRPERSON STEVENS: Good morning, we will call the representatives from the Department of Corrections to testify. We will be hearing testimony from?

COMMITTEE COUNSEL: Lynelle Maginley-Liddie, Francis Torres, Fritz Fragé, Sherrieann Rembert, James Conroy, James Boyd, Faizan Zubair, and Mala Srinivasan.

Can you all raise your right hands?

Do you affirm to tell the truth, the whole truth, and nothing but the truth, before this committee, and to respond honestly to council member questions?

[PANEL AFFIRMS]

COMMITTEE COUNSEL: All right, noting for the record that all Administration witnesses responded in the affirmative. You may begin.

COMMISSIONER MAGINLEY-LIDDIE: Good afternoon, Chair Nurse and members of the Committee On Criminal Justice. I am Lynelle Maginley-Liddie, Commissioner of the New York City Department of Correction. My colleagues and I are here to discuss the Preliminary Budget for Fiscal Year 2026.

Today I will provide you with insight on how my team and I are working to address some of our most



pressing challenges to ensure our jails remain safe and humane. I will also provide you with an overview of the Department's Fiscal Year 2026 preliminary Budget.

As we move into this next fiscal year, we must confront some hard truths. Despite any hopes to the contrary, the jail population continues to rise. Between January 1, 2022 and today, the Department has experienced a remarkable 32% increase in the population. In the last year alone, the population has increased over 10%. Today, the census is approximately 6,900, which is the highest it has been since 2019. T

his number is not in line with what was envisioned for the borough based jails nor our current jails on Rikers Island. The physical plant of our jail system as it exists today is not equipped to house an ever increasing population, especially given our current staffing levels.

The Department has been proactive in monitoring population and staffing levels as well as facility conditions and capacity demands. It is our goal at all times to uphold safe, secure, and humane conditions for people in custody and our staff.

With this in mind, the Department developed and executed a plan to increase bed space in certain housing areas throughout the jails to ensure available beds for those coming into our care. This work remains ongoing as we anticipate further increases to the population in the coming weeks.

In tandem with increased capacity, we are exploring every avenue to decrease the population in the short and long term. Recently the Department revised policies and procedures to tackle a longstanding issue and streamline the process by which attorneys can meet with their clients on Rikers and review electronic discovery documents. This will support speedier case processing and reduce lengths of stay.

We also continue to meet with stakeholders throughout the criminal justice system to impress upon them the urgency of the situation and to develop collaborative strategies to bring down rates of new admission and safely reduce the population.

As the Council is aware, the Department has been experiencing a continuing staffing crisis. Today, the Department employs approximately 6,000 uniformed members of service. That is a 20% decrease from

January 2022. Nearly 250 members of service are currently eligible to retire and 450 more will become eligible to retire by the end of the year. By the end of 2026, approximately 750 more will be eligible to retire.

Recruitment and retention of law enforcement staff has been a challenge nationally, and the reality is that the Department's recruitment classes are not keeping up with the levels of attrition.

For us, it is extremely important to focus on building up our uniform staff and providing them with the opportunities for support, wellness, and growth.

In the last year, uniformed and nonuniformed staff participated in professional growth opportunities to enhance soft skills and leadership development to ensure we have a deep bench of leaders to sustain the Agency well into the future.

We have also been focused on bolstering our dedicated correction assistance response for employee staff who regularly provide a holistic range of support and resources for all members of service.

This calendar year, we are partnering with a vendor to provide training and professional development for our care staff on topics such as

resiliency, mindfulness strategies, mental health awareness, and suicide prevention, and more.

But training is just one tool we are wielding in our effort to enhance staff wellness and retention. We are also opening wellness centers and other spaces for staff to relax and practice mindfulness throughout the commands. We opened the first wellness center for staff at the Otis Bantum Correctional Center, as well as a staff wellness center in our Brooklyn Court facility, and plan to open more centers in the months to come.

Later this month, we will swear in over a hundred new correction officers. These recruits have undergone comprehensive training to ensure they are prepared to serve with professionalism and integrity as stewards of public safety. We are excited to welcome the next generation of public servants to the Boldest family, and we are intent on raising them up to be the leaders within our jails and our city.

The staff in our facilities work long hours in difficult and stressful conditions. Our actions as leaders must demonstrate to them our appreciation and genuine care. Providing these resources shows our

staff that for all they do to protect the well-being of others, their well-being matters to us.

When we invest in our staff and give them what they need, they will show up as their best selves and help nurture a culture of service that creates better jails and better outcomes for those in our care.

The challenges ahead of us are not insurmountable, and we have the momentum of many great accomplishments in 2024 to carry us forward. Despite a growing population and decreasing staff, the Department made significant strides in safety, security, and providing vital support to both our staff and those in our care.

These holistic efforts have had a measurable impact on our jails in 2024. Compared to 2023, slashings and stabbings decreased by 23% percent and assaults on staff fell by 23%.

We have been focusing on modernizing services and infrastructure across all areas of operation. Last year, the Department implemented several new technology systems to support increased transparency and accountability, as well as improve our ability to run the jails safely and efficiently.

Some of these initiatives include an electronic case management system to coordinate tracking and reporting of incidents across the jails. The rollout of new body worn cameras, requiring all uniform staff, regardless of rank or assignment, to equip a body worn camera as part of their uniform. Rapid scan drug testing machines designed to significantly improve the detection of drugs via inbound mail, and a new programs tracking system, which tracks the progress that people in custody make as they attend sessions and triggers an automatic reclassification when programming milestones are reached. We received several new grants last year to support many of these efforts, including funding to expand substance misuse services.

The Division of Programs and community partnerships has also launched several meaningful initiatives to support people in our care and their loved ones. In 2024, in partnership with the Children's Museum of Manhattan, we launched CMOM Hubs at the Rose M. Singer Center (RMSC) and the George R. Vierno Centers (GRVC). These interactive play spaces promote bonding with between parents and children

during visits having a positive and lasting impact on their relationships.

In addition, we welcome the Council's support in promoting the free visitor shuttle bus we offer to all New Yorkers who wish to visit a loved one in our facilities. We know visits have an immediate impact on people's rehabilitation and behavior while in custody, and whatever we can do to maintain that support is beneficial.

We know firsthand that programs are a cornerstone to creating a safer environment for both staff and people in custody and have been working hard to meaningfully expand services, considering the needs that people in custody have expressed through our focus groups.

In January, DOC released a multimillion dollar challenge based procurement to solicit proposals to provide expanded programmatic services for people in custody. The four challenges focus on finding solutions for supplemental education services, trauma informed care, substance misuse, and transition planning and transportation. We are excited to welcome a new wave of providers into the jails to provide these critical services.

In addition, last year was a year of growth for the department's leadership team. Mr. Fritz Fragé, who sits with me here today, has been appointed Senior Deputy Commissioner, overseeing the administration and management of all departmental facilities, security, and field commands. He brings a wealth of law enforcement and innovation experience previously serving as The Director of Public Safety for the city of Newark, New Jersey.

We have also appointed several deputy commissioners including Nell McCarty, our new Deputy Commissioner of Programs and Community Partnerships, and Kevin Doherty, our new Deputy Commissioner Facilities Maintenance and Repair Division/Fleet Administration who also join us today. We're excited to welcome these outstanding leaders to the team and look forward to their contributions in advancing our mission.

Now I will briefly turn to the Fiscal Year 2026 Preliminary Budget.

As of the Fiscal Year 2026 Preliminary Budget, the Department's budget is \$1.2 billion. The vast majority of this, 84%, is allocated for Personal Services, and 16% for Other Than Personal Services.



The Fiscal Year 2026 Preliminary Budget increased by \$55 million compared to Fiscal Year 2025 Budget of \$1.16 billion.

Some of the increases to the Preliminary Budget include:

- 1) Funding for uniform for persons in custody, with \$1.8 million baselined starting in Fiscal Year 2025. Individuals currently in custody continue to be issued uniforms and undergarments throughout their stay, and some may need replacing due to normal wear and tear. We are also considering the increase in population as well as the increase in new admissions.
- 2) Food for persons in custody, with \$4.3 million baselined starting in Fiscal Year 2026. The additional funding supports increasing food need for the Department resulting from an increase in population as well as an increase in food prices.
- 3) Cell door replacement, with \$2.4 million baselined starting in Fiscal Year 2025; recruitment and advertising with \$4.2 million allocated in Fiscal Year 2025 and \$5 million baselined in Fiscal Year 2026.

The Fiscal Year 2025 Preliminary Capital Budget and Commitment Plan totals \$14.6 billion, which covers Fiscal Years 2025 through 2035.

As of the Fiscal Year 2026 Preliminary Budget, the majority of capital funding is tied to the Borough-Based Jails Program, which totals \$13.9 billion over the ten-year plan and is allocated as follows: Brooklyn facility, \$2.3 billion; Manhattan facility, \$4.1 billion; Bronx facility, \$3.1 billion; and the Queens facility, \$4 billion.

We continue to work diligently to attract and retain both civilian and uniform staff. The total authorized head count is 8,806; 760 uniformed positions; and 1,746 civilian positions.

Our actual uniform staffing levels remain well below our authorized headcount and the Department plans to use the new needs approved for recruitment advertisement in the preliminary budget to be aggressive with advertising and marketing strategies to promote recruitment.

As we look to the year ahead, we also reflect on a history of individual and collective achievements and innovation. This year marks the Department's 130th Anniversary. For 130, the bold men and women of

1 this agency have served this city with bravery and  
2 resilience. They have dedicated their careers to  
3 changing lives by caring for the people in our  
4 custody and keeping them safe. Their commitment to  
5 this city extends beyond the jails. DOC members of  
6 service support critical public safety efforts  
7 throughout all five boroughs and beyond and were  
8 among the first responders who supported the rescue  
9 and recovery efforts following the 9/11 attacks.

11 DOC members of service were also deployed to  
12 support relief in New Orleans after the devastation  
13 of hurricane Katrina and gave back to the communities  
14 during the COVID-19 pandemic, donating thousands of  
15 pounds of food to nonprofits serving the most  
16 vulnerable New Yorkers. This is not an exhaustive  
17 list.

18 Members of the Boldest family have given so much  
19 to their communities and to this city, and they  
20 deserve to be celebrated. I have said it before and I  
21 will say it again, heroes work at the New York City  
22 Department of Correction. I am grateful for the  
23 heroism they display every single day, seen and  
24 unseen, whether it be during their tours or when  
25

called to support in times of great need, and I celebrate the difficult work they do.

As public servants, my team and I will continue to bring the same unwavering energy and commitment to our work, building on the progress we've made to ensure it's sustainable, and that this agency is safer and fairer for decades to come.

Thank you for the opportunity to testify today. My colleagues and I are available to answer your questions.

CHAIRPERSON STEVENS: Well, good afternoon, everyone. I am not Council Member - Chair Nurse, but I will be playing her today on this episode of Preliminary Budget Hearings.

I am going to jump right into it because there are a number of questions. Also, let's just also send some well wishes to the Chair, who is not feeling well today, which is why she's not here.

But let's get into the questions.

On October 19, 2019, when the City Council voted on the borough-based jails ULURP, the population on Rikers was around 7,000 with the goal of reducing the population to 3,300 people by 2026.

Commissioner, your predecessor testified according to internal forecasting produced by the Department of Correction, the jail population would continue to rise and this number could climb to over 7,000 and that is by 2027. The date Rikers is legally mandated to close, we will have a population higher than that can be housed in the borough-based jails.

After being commissioner for the Department for over a year, would you say you agree with the former commissioner when it comes to the City's ability to reduce jail population?

COMMISSIONER MAGINLEY-LIDDIE: I mean as of today, I mean yesterday's census, we had approximately 6,879 individuals in custody.

CHAIRPERSON STEVENS: Six... say... say that again, 6,000?

COMMISSIONER MAGINLEY-LIDDIE: 6,879 individuals in custody. And one of the challenges for us, and I mean what's happening Upstate right now, with the strikes Upstate, we're also holding people who are scheduled to go Upstate.

CHAIRPERSON STEVENS: Mm-hmm.

COMMISSIONER MAGINLEY-LIDDIE: So we have, as of today, we have 327 people who are state ready.

As you are aware, the only ability and tool that I have as commissioner, which ,you know, to balance public safety ,you know, and look at the individual in our care and their conduct during the time they're in our custody is 6-A [Early Release Program] And is something that I've been doing aggressively- looking at the individuals who are eligible- and as of today, from the time I've been appointed commissioner, I've released 78 individuals. And we continue to work with our partners, which includes the OCA and MOCJ, to work on efforts to depopulate, you know, for depopulation of the individuals in custody.

COUNCIL MEMBER STEVENS: So you see this as a struggle obviously?

COMMISSIONER MAGINLEY-LIDDIE: Absolutely.

One of the things, I mean, and I'll just- we're looking at, holistically, how can we make this work, right? We understand, as a lawyer, I understand we have case delays, case processing, that's an issue. So we looked at how we can eliminate the barriers for that.

That's why, in the testimony, I addressed that if an attorney needed to come in and go through discovery with their client, they should be able to

do so with their laptop. We're also exploring an application where individuals can review their discovery on the tablet and if they don't have a tablet that they can go to the law library and review that information on a laptop there. But the issue is case processing. We don't determine who comes into custody, but we're trying to do everything that we can possibly do to assist in this effort.

CHAIRPERSON STEVENS: Okay. At the Preliminary Budget Hearing last year, the Department testified that in 2022, 75 people have been released under 6-A and with five of them during the tenure. So you said you have 78 now, so obviously you've increased.

Can you describe your approach to the 6-A program as commissioner, and how do you intend to use the tools in the next fiscal year?

COMMISSIONER MAGINLEY-LIDDIE: So I mean, again, you're... we're balancing public safety. We're looking at the nature of the offense, what brought the individual into our care, but we're also we're also taking a look at their conduct while in custody. And with the backdrop of this is all— we have to ensure that public safety is always looked at.

So that is the lens that when we're reviewing the individuals who are eligible, and this is done on a daily basis.

CHAIRPERSON STEVENS: So you do that daily? So just thinking about that, how many do you think that you have ,like, looked, like, how many cases have you looked through?

COMMISSIONER MAGINLEY-LIDDIE: We've almost looked... we looked at everybody.

CHAIRPERSON STEVENS: So you looked at all 6,879?

COMMISSIONER MAGINLEY-LIDDIE: I mean, yes, well the sentenced population.

CHAIRPERSON STEVENS: Yeah, okay.

COMMISSIONER MAGINLEY-LIDDIE: Yeah, not the entire detainee population, because, again, I don't have the authority to do that.

CHAIRPERSON STEVENS: Mm-hmm. So the ones that are eligible you're looking at them daily?

COMMISSIONER MAGINLEY-LIDDIE: Correct. And there's a team that's assigned to look at them as well. This is a multi cross divisional effort because we're looking at our Custody Management Division, also leaning on what Programs is saying, if the individuals are engaging in programming efforts.



We're also looking at whether that person has a severe infraction history. Again, but balancing public safety to ensure that, if we do release that individual, that that person will stay in touch with the program provider that we're connecting them with, and that they won't actually recidivate and come back into custody.

CHAIRPERSON STEVENS: Yeah, and, I mean, obviously you're going to balance public safety. So ,you know, you don't have to reiterate that, cause I think that that's the goal for all of it. But I think it's also just making sure we're looking through the programs and using all the tools that we have to ensure. Because I'm sure you ,you know, the 78 you released, I'm sure they were people that you deemed qualified.

Chief Administrative Judge Zayas released a report in October listing new protocols and aims at reducing felony case delays as necessary to lower the pretrial detainees at population at Rikers.

Commissioner, would you say you agree with the judge's report?

COMMISSIONER MAGINLEY-LIDDIE: Absolutely. We've been working in in collaboration with them and their team, yes.

CHAIRPERSON STEVENS: Yes. The reforms were launched in Brooklyn this past fall. Have you seen any changes in the population and case processes following the start of this pilot?

COMMISSIONER MAGINLEY-LIDDIE: I've not been able to see anything at this point in time but when I do I'd let you know.

CHAIRPERSON STEVENS: Thank you.

According to the Jail Population Forecast Terms And Condition Report that the Department recently completed, there were two major factors driving the increase in the jail population. Those are individuals with Brad H. and other mental health diagnoses and delayed case time resulting in long stays. The report also stated that the population warrants strategic response to reduce inefficiencies while increasing public safety.

Can you share what strategies might... what those strategies might be?

COMMISSIONER MAGINLEY-LIDDIE: Sorry, can you repeat the question?

CHAIRPERSON STEVENS: Okay, I'll read a little slower, sorry. I do tend to speak fast.

According to the Jail Population Forecast Team and Terms and Condition Report that the Department recently completed, there are two major factors driving the increase in jail populations. Those are individuals with Brad H. and other mental health diagnoses and delayed case times resulting in long stays. The report also states that the population warrants strategic response to reduce inefficiencies while increasing public safety.

Can you share what those strategies might be?

COMMISSIONER MAGINLEY-LIDDIE: So I'm gonna have to defer to our partners at MOCJ, because they've been actually doing the work, and leading the work on this, so they will be the best suited to respond to that question.

CHAIRPERSON STEVENS: So we should follow up with MOCJ? Okay we will do so.

Multiple sources, including the Board of Corrections and Federal Monitor Reports, have drawn correlations between high levels of violence and lack of supervision, management that holds staff accountable to be at their post, conduct tours at assessment times, and general performance... and

generally perform their required duties. How many facilities does one warden currently oversee?

COMMISSIONER MAGINLEY-LIDDIE: So we have one warden per facility.

CHAIRPERSON STEVENS: One warden per facility. So they only...

COMMISSIONER MAGINLEY-LIDDIE: And...

CHAIRPERSON STEVENS: Mm-Hmm?

COMMISSIONER MAGINLEY-LIDDIE: And then we have an acting-warden who oversees the hospital and transportation and the courts.

CHAIRPERSON STEVENS: According to the DOC Staffing Report, the Department is budgeted for 16 warden positions, but you've only filled seven.

How do the vacancies affect the operations within the facility?

COMMISSIONER MAGINLEY-LIDDIE: So I don't believe it is seven. I believe we have a total... I'm sorry?

UNKNOWN: Six.

COMMISSIONER MAGINLEY-LIDDIE: Six? Okay, so we have six wardens and one acting-warden, and we're working on increasing those positions and making them available for individuals to apply.

As of yesterday I also announced, for deputy wardens, we've just... we're going to start a cohort of a class for 13 deputy wardens that starts on Monday.

CHAIRPERSON STEVENS: Okay, well ,like, what are you doing to kind of like get these positions filled? Because that's more than half of the staff that you're allotted for it.

COMMISSIONER MAGINLEY-LIDDIE: Well we're working vigorously to ensure that we are providing opportunities. We're providing training and ensuring that the individuals at the ranks below are actually stepping up to the ranks above and getting that opportunity.

CHAIRPERSON STEVENS: Do you have an inkling of why folks wouldn't be stepping up to be a warden? Do you... (CROSS-TALK)

COMMISSIONER MAGINLEY-LIDDIE: Well, it's...  
(CROSS-TALK)

CHAIRPERSON STEVENS: Is there not trainings that they don't feel... (CROSS-TALK)

COMMISSIONER MAGINLEY-LIDDIE: So the Depart...

CHAIRPERSON STEVENS: (INAUDIBLE)... (CROSS-TALK)

COMMISSIONER MAGINLEY-LIDDIE: Listen, the Department prior, what was done is that they hired wardens from outside, right? There was a provision in the Charter that we had allowed for people to come from outside. Majority of those people are no longer with the Department, so we are investing in the talent and the people that are there, cultivating them, providing them with the training and the opportunities, so that they know that they can step up to the next level.

So, again, I just mentioned that we have a class of 13 deputy wardens. You know, it is something that we're working on... (CROSS-TALK)

CHAIRPERSON STEVENS: And is deputy wardens a new line or (INAUDIBLE)... (CROSS-TALK)

COMMISSIONER MAGINLEY-LIDDIE: No, it's not a new line. But they support the warden in the facility.

CHAIRPERSON STEVENS: Mm-hmm?

COMMISSIONER MAGINLEY-LIDDIE: But what I'm saying is that we're working as a leadership team to cultivate the next generation so that, a 130 years from now, there are other people working in the Department and the Department's fully staffed and that the bench continues to be a deep one.

CHAIRPERSON STEVENS: Yeah, I mean, definitely cultivating staff is always to me makes the most sense. I don't (UNINTELLIGIBLE)...

COMMISSIONER MAGINLEY-LIDDIE: Yeah, but there's been real... there's been no real investment in the people at the Department of Correction. So that's what we're taking on and making sure that we're doing that. I mean, even we had trainings for public speaking training, just things sort of to expose people that they know that they have the opportunity that they can... (CROSS-TALK)

CHAIRPERSON STEVENS: And that wasn't the culture before?

COMMISSIONER MAGINLEY-LIDDIE: Not necessarily. I mean I, think we are just... I think... I think the real focus is to ensure that people have opportunities to do so and that they know that they can take advantage of those opportunities.

CHAIRPERSON STEVENS: Hmmm... There seems to be major vacancies in every supervising rank, including the rank captain— showing a 148 vacancies in captains positions as of November. How many officers report to each captain?

COMMISSIONER MAGINLEY-LIDDIE: Do you have that?

CHIEF REMBERT: Good afternoon, Sherrieann Rembert, Chief of Staff. Can you repeat your question, please?

CHAIRPERSON STEVENS: There seems to be major vacancies in every supervisory rank including ranks of captain. A 148 vacancies on captain position as of November. How many officers report to each captain?

CHIEF REMBERT: Well, the answer is very fluid because there's different facilities. So on the average, I would... in a housing, and on average, it would be between, uh, per house, would be between 15 and 20 officers report to the captain. It's depending on what the housing areas are and in facilities.

CHAIRPERSON STEVENS: I mean these numbers are pretty high ,you know, you're ,you know, you're definitely...you have wardens and now you know 148 captains (INAUDIBLE)...

COMMISSIONER MAGINLEY-LIDDIE: Can I just say something?

CHAIRPERSON STEVENS: Mm-hmm?

COMMISSIONER MAGINLEY-LIDDIE: We promoted 50 captains last year.

CHAIRPERSON STEVENS: Okay. So you're like more like at a 100?



COMMISSIONER MAGINLEY-LIDDIE: No, no... Well at that time, yes...

CHAIRPERSON STEVENS: Mm-hmm?

COMMISSIONER MAGINLEY-LIDDIE: I'm just... I'm... again, the numbers that you're looking at, there's attrition, people have retired, right?

CHAIRPERSON STEVENS: Absolutely, but...

COMMISSIONER MAGINLEY-LIDDIE: But...

CHAIRPERSON STEVENS: we have to make sure we are... we are preparing for those things, because those things are always going to happen. And if you have this many vacancies, that is going to be a deficiency and stretch for more people who are there, and, then, they're gonna want to leave. So it becomes a cycle.

COMMISSIONER MAGINLEY-LIDDIE: No, I agree with you. So last year we promoted 50 captains, and prior to that, the year before, we also did a promotion of captains. But before 2022, there had been no promotion of... promotions of captains in five years.

CHAIRPERSON STEVENS: Last year, you told the Council that you were planning strategic hiring campaigns to recruit new officers and promote captains. What's the result of that campaign?

(PAUSE)

COMMISSIONER MAGINLEY-LIDDIE: So we actually, we were able to onboard approximately 167 correction officers last year.

CHAIRPERSON STEVENS: A 167?

COMMISSIONER MAGINLEY-LIDDIE: Yes, but I can tell you what we've just done, uh, a print and ad media campaign for our correction officers, uhm, Exam 5300. We had approximately 2,646 people registered to take the exam. This last exam we actually, you know...

(CROSS-TALK)

CHAIRPERSON STEVENS: You had to register to take the exam? I'm sorry.

COMMISSIONER MAGINLEY-LIDDIE: So for... (CROSS-TALK)

CHAIRPERSON STEVENS: I got (INAUDIBLE)...

COMMISSIONER MAGINLEY-LIDDIE: So Exam 5300, we had approximately 2,646 people registered to take the exam. So what we did was we looked at sort of the areas where people were interested in terms of what backgrounds they were coming from, and we ensured that our recruitment strategy was a lot more targeted for this last run that we had.

So this last run that we had, it was from January 8, 2025 to February 28, 2025. We had approximately 3,572 registrations, which is a 35% increase.

CHAIRPERSON STEVENS: Mm-hmm?

COMMISSIONER MAGINLEY-LIDDIE: And so we are working on ensuring that we're recruiting and bringing people in. But the reality, too, is it's not just recruitment, it's also retention.

CHAIRPERSON STEVENS: Mm-hmm?

COMMISSIONER MAGINLEY-LIDDIE: You know, people come in working in- the jails, it's a very challenging job. (CROSS-TALK)

CHAIRPERSON STEVENS: Oh! Listen, we all...

COMMISSIONER MAGINLEY-LIDDIE: And, so...

CHAIRPERSON STEVENS: We take our hats off to them because they show up every day to...

COMMISSIONER MAGINLEY-LIDDIE: Correct...

CHAIRPERSON STEVENS: to go into a very...

COMMISSIONER MAGINLEY-LIDDIE: Correct (INAUDIBLE) position... (CROSS-TALK)

COMMISSIONER MAGINLEY-LIDDIE: Correct. And, so that's also something that we're looking at... looking at as a team to ensure, yeah, we're recruiting, but we're also supporting people when

they come to work, because they show up regardless of what they're going through. They show up holidays. Any ,you know, they're missing their kids birthdays, they're missing family arrangements, but they're showing up to take care of the people in our care. So...

CHAIRPERSON STEVENS: Yeah...

COMMISSIONER MAGINLEY-LIDDIE: And we also have a Captain's Exam that's going to... the current registration period is on, and that will be held in May.

CHAIRPERSON STEVENS: I mean ,you know, it's just interesting, they're... across the City, I feel like, especially as city agencies, we're having these conversation with folks, and folks are saying they're struggling, trying to get staff. And then I know, me, specifically, I have people calling my office all the time asking for jobs and information and so, I just.... (CROSS-TALK)

COMMISSIONER MAGINLEY-LIDDIE: Send them my way.

CHAIRPERSON STEVENS: No, I just want to implore the agencies again, and I know I'm not the chair, so I'm imploring you, if you have vacancies, you should be using the council members, sending them to us

,like, making sure that we know the information, that we could be kicking it out.

Like that is... it is 51 of us, and we should be a resource that you're using. Because, I know, myself, specifically, I consistently get people calling my office about, "Where could I find a job?" "How could I do it?"

If you guys are having hiring halls, you should be partnering with us. Because these numbers are alarming. So, for me, it's always like, well if people are looking for the jobs, and we have these vacancies, how are we marrying the two?

So, I'm speaking for everyone, and I don't care—you should be using all 51 of the members to say, "We have these vacancies. Can you get this out to your community those partners?" I feel like sometimes agencies don't realize that

So, again, send it to us.

COMMISSIONER MAGINLEY-LIDDIE: We definitely will.

CHAIRPERSON STEVENS: Every one of us.

COMMISSIONER MAGINLEY-LIDDIE: Mm-hmm.

CHAIRPERSON STEVENS: All 51.

COMMISSIONER MAGINLEY-LIDDIE: Mm-hmm.

CHAIRPERSON STEVENS: That means you have 51 recruiters on the team.

In 2024, how many staff identified as chronic... chronically absent?

CHIEF REMBERT: The staff that's chronically absent was, as of yesterday's date, which is Thursday, is 260.

CHAIRPERSON STEVENS: So 260?

And how many of those staff have been processed and have been processed as chronically absent?

CHIEF REMBERT: One moment, please.

(PAUSE)

CHIEF REMBERT: For the year of, excuse me, for the year of 2024, it was... it's ongoing, it's 227.

CHAIRPERSON STEVENS: Two-hundred-twenty-seven?

CHIEF REMBERT: Uhm, Medical separation was 149.

CHAIRPERSON STEVENS: Can you explain the criteria and process for a staff member to be identified as chronically absent?

CHIEF REMBERT: Yes, ma'am. Chronic absence would, uh, be, uh, it's explained at displayed 40 or more sick days or 15 or more occasions.

CHAIRPERSON STEVENS: Uhm, following...

CHIEF REMBERT: I'm sorry, I'm sorry that was medical incompetence. Chronic absence is 12 or more...

CHAIRPERSON STEVENS: Twelve or more...

CHIEF REMBERT: sick days. My apologies.

CHAIRPERSON STEVENS: Following that identification, can you explain the criteria and process for a staff member to be processed as chronically absent? Is that different?

CHIEF REMBERT: No, it's not...

CHAIRPERSON STEVENS: Okay.

CHIEF REMBERT: different.

CHAIRPERSON STEVENS: What's the next steps once a staff member has been processed as chronically absent?

CHIEF REMBERT: Once a member of service has returned back to duty, they are given a designation as chronic. That member of service will receive a designation and he or she must... can appeal that designation. Once they appeal the designation, then it would go to the format of... the warden will sign off. The final recommendation would be our Health Management Division, and our final determination would be the Office of Administration.

If the Office of Administration deems that the member should remain in chronic status, that member will remain in chronic status for a period of six months.

If the Office of Administration deems that the member should not be chronic, that member would be released and would not be on that chronic status report.

CHAIRPERSON STEVENS: I have one more question, and I'll turn it over to Council Member Restler.

How many staff currently on payroll have been identified as chronically absent? And what is the current and monthly annual rate for attrition in the Department for both uniform and civilian staff?

CHIEF REMBERT: While my colleague is (INAUDIBLE), chronic as of today is 539, and DC Srinivasan will take it from here.

DEPUTY COMMISSIONER SRINIVASAN: Good morning, my name is Mala Srinivasan, I'm the Deputy Commissioner of Finance.

So in terms of attrition for uniform in FY24, it's 13.9%, and in Fiscal Year 2025, it's 12.41%.

CHAIRPERSON STEVENS: Council Member Restler?



COUNCIL MEMBER RESTLER: Thank you so much, Chair Stevens. Thank you for your leadership on these issues and for so ably filling in for Chair Nurse.

Commissioner, I want to just firstly state, as I think I've said at other hearings, I appreciate that when you come here, you do your best to answer questions. I don't always agree with the policies of the Department of Correction, but I can't say that about every commissioner in this administration, and so I appreciate that you make an effort to engage with us in a forthright manner.

That being said, I am deeply concerned about the dramatic increase of number of people who are incarcerated in New York City during the Adams' Administration. You know, there aren't many things that you can say unite the Giuliani, Bloomberg and de Blasio Administrations, but in each and every one of them we saw public safety improve and the population at the Department of Correction decline.

Unfortunately in this administration we've seen a 27% increase in the number of people who are incarcerated; 1,500 more people are sleeping in the hellhole that is Rikers Island tonight than the day that Eric Adams came into office. And crime has gone

up in New York City. So both things have moved in the wrong direction in this administration.

But that I just have to say, and now I want to shift to my questions.

ICE. So the Mayor made a pronouncement on television that ICE is going to be showing up on Rikers Island. Has there been any communication between your office and ICE about the return of ICE to Rikers Island?

COMMISSIONER MAGINLEY-LIDDIE: No.

COUNCIL MEMBER RESTLER: Has... is it accurate that the Mayor's counsel is drafting an Executive Order to allow for the return of ICE to Rikers Island?

COMMISSIONER MAGINLEY-LIDDIE: I've not seen an Executive Order.

COUNCIL MEMBER RESTLER: Have you been consulted about the drafting of an Executive Order?

COMMISSIONER MAGINLEY-LIDDIE: We've had conversations, but I've not seen a copy... (CROSS-TALK)

COUNCIL MEMBER RESTLER: Can you confirm with us on the record who you've had conversations with?

COMMISSIONER MAGINLEY-LIDDIE: I will not be saying who I... those are privileged... (CROSS-TALK)

COUNCIL MEMBER RESTLER: The office of the... which office? The Office...

COMMISSIONER MAGINLEY-LIDDIE: They are privilege...

COUNCIL MEMBER RESTLER: of Counsel to the Mayor?

COMMISSIONER MAGINLEY-LIDDIE: Privileged conversations.

COUNCIL MEMBER RESTLER: Is it accurate that the Law Department is not involved in the drafting of this Executive Order?

COMMISSIONER MAGINLEY-LIDDIE: Again it's privileged conversations.

COUNCIL MEMBER RESTLER: So you've been involved...

UNKNOWN: (INAUDIBLE)...

COUNCIL MEMBER RESTLER: Anything you want to add?

UNKNOWN: No, we're conferring...

COUNCIL MEMBER RESTLER: So...

COMMISSIONER MAGINLEY-LIDDIE: So, ultimately any Executive Order will be issued by the Law Department.

COUNCIL MEMBER RESTLER: Any Executive Order will be issued by The Law Department?

COMMISSIONER MAGINLEY-LIDDIE: I mean the Law Department would have to confer on the Executive Orders that issued.

COUNCIL MEMBER RESTLER: So you're... can you confirm that you've been in conversation with the Law Department about the drafting of this Executive Order?

COMMISSIONER MAGINLEY-LIDDIE: I have not been in conversation with the Law Department.

COUNCIL MEMBER RESTLER: Has your staff been in conversation with the Law Department?

COMMISSIONER MAGINLEY-LIDDIE: We have not been in conversation with the Law Department on the drafting of the Executive Order.

COUNCIL MEMBER RESTLER: So you've only been in conversation with the counsel to the Mayor?

COMMISSIONER MAGINLEY-LIDDIE: I did not say that.

COUNCIL MEMBER RESTLER: I'm... I'm... I'm asking it. That's my question. Have you been in conversation with the counsel to the Mayor about the-- the Office of The Counsel to the Mayor, the Chief Counsel's Office, about the drafting of this Executive Order?

You said you've been in conversations with staff. You said you haven't been in conversation with

the Law Department. Yesterday, Commissioner Castro and Molly Schaeffer testified under oath that they've had no conversations whatsoever about the drafting of this Executive Order.

So we're looking to understand who is drafting this Executive Order. Because any Executive Order...

COMMISSIONER MAGINLEY-LIDDIE: It is not the Department of Correction.

COUNCIL MEMBER RESTLER: Understood. But it has to... you have to understand that an Executive Order that allows for a federal agency to show up in your jail complex requires coordination with you. Right?

You need to know what the terms are and what the agreement is and what space you're given up and all of the costs associated. Right?

We're trying to understand what conversations have happened with the Department of Correction to understand where this is in the process and who is driving the train.

DEPUTY COMMISSIONER CONROY: Uh, Council Member, James Conroy, the General Counsel, Department of Correction.

COUNCIL MEMBER RESTLER: Nice to meet you.

DEPUTY COMMISSIONER CONROY: We'll say this- The commissioner replied in terms of ,like, there have been conversations, not recently, those conversations have been with just members of City Hall. And we'll leave it at that.

You know, again, I don't know how granularly we can get into the details of whom we're talking to, but nothing is in place. We've not seen anything past or drafts of any level of finality.

COUNCIL MEMBER RESTLER: At the... so you have you seen any draft?

DEPUTY COMMISSIONER CONROY: No, I... we have not yet. Just, again, conversations only.

COUNCIL MEMBER RESTLER: So there's been no draft that's been shared with the Department of Correction? There's only been policy conversations about what is to be included in the draft to allow for the return of ICE to Rikers Island?

DEPUTY COMMISSIONER CONROY: I would say "would be included", but that's correct, yes.

COUNCIL MEMBER RESTLER: And with City Hall staff, not with the Law Department?

Has there been a conversation about whether the Mayor faces a conflict of interest in his ability to legally sign this Executive Order?

DEPUTY COMMISSIONER CONROY: Neither myself or the commissioner have had that conversation, no.

COUNCIL MEMBER RESTLER: And I imagine you're not gonna share any opinion on that on the record today?

DEPUTY COMMISSIONER CONROY: Opinions? No. But no, we've not had conversations.

COUNCIL MEMBER RESTLER: Okay.

Has there been any internal cost analysis by the Department of Correction to bring ICE back onto Rikers Island?

COMMISSIONER MAGINLEY-LIDDIE: No.

COUNCIL MEMBER RESTLER: So there's no understanding today (TIMER CHIMES) in the Preliminary Budget hearing of how much this may cost and what the operational implications are of the return of ICE to Rikers Island?

DEPUTY COMMISSIONER CONROY: Definitely not cost. I mean, myself, I contemplate operational, you know, considerations. But...

COUNCIL MEMBER RESTLER: Can you share with us share with us any insight into the operational implications of the return of ICE?

DEPUTY COMMISSIONER CONROY: We really can't until and if there is an Executive Order that's in place.

COUNCIL MEMBER RESTLER: Do you believe that an Executive Order allowing for the return of ICE to Rikers Island can be drafted that is not in explicit conflict with our Sanctuary City Laws?

DEPUTY COMMISSIONER CONROY: Well, the... I will say that much then, yes. In in the context of, Local Law, there is a provision within the law that does permit the Mayor to issue an Executive Order that would establish an office on Rikers Island that is for the sole purpose of criminal investigations- not relating to civil or criminal removal proceedings or immigration enforcement...

COUNCIL MEMBER RESTLER: Relating to people accused of one of the 177 crimes?

DEPUTY COMMISSIONER CONROY: No, no, no, those are distinct.

The criminal aspect of what this office would be allowed to do would be things of pure criminal nature, meaning intelligence sharing, regarding



narcotics, trafficking, potential organized crime activity, things of that nature. That's what the statute contemplates. So that's just the context that you asked me, "What would the Executive Order entail?" That what it would entail and that's what the statute allows.

COUNCIL MEMBER RESTLER: And I just want to, uhm, the Charter explicitly says to the commissioner, as the commissioner, you have charge and management of all institutions of the City in your purview.

Do you... does that mean that you expect to have input and... on the content of the Executive Order as it relates to the operations of Rikers Island... on of ICE on Rikers Island?

COMMISSIONER MAGINLEY-LIDDIE: I mean...

DEPUTY COMMISSIONER CONROY: I... that's a difficult question to answer because this would probably entail multiple levels of input, but we're not there yet.

COUNCIL MEMBER RESTLER: Do... let me ask this question, considering, I think, you have a role and a say in whether this moves forward based on your Charter mandated responsibility. Do you support the return of ICE to Rikers Island?

COMMISSIONER MAGINLEY-LIDDIE: So nothing will take place on Rikers Island unless it fully comports with the law.

COUNCIL MEMBER RESTLER: Fair.

Do you support the return of ICE to Rikers island? (CROSS-TALK)

COMMISSIONER MAGINLEY-LIDDIE: Again, nothing will take place unless it fully comports with the law.

COUNCIL MEMBER RESTLER: Okay.

Do you know when Deputy Mayor Parker is leaving? Do you know when his last day is?

COMMISSIONER MAGINLEY-LIDDIE: No.

COUNCIL MEMBER RESTLER: Do you know if he may be signing the Executive Order relating to Rikers Island and the return of ICE?

COMMISSIONER MAGINLEY-LIDDIE: No.

COUNCIL MEMBER RESTLER: Okay.

COMMISSIONER MAGINLEY-LIDDIE: I'm not...

COUNCIL MEMBER RESTLER: Just asking questions, helpful to get on the record. I appreciate the responses.

I'll shift gears to one of the topics that I care deeply about, outposted therapeutic units.

In 2023, so just last year, a year ago, one-third, over a third of all detainees on Rikers who requested a trip to the doctor, so 37% of detainees who requested a trip to the doctor, were never taken to their scheduled appointment.

DOC staff failed over 35,200 times, *35,200 times* to get a detainee to their medical appointment that was scheduled with the Correctional Health Services.

And as we all know, over 55%, I think 55.6% of detainees have a mental health diagnosis, a Brad H. designation on Rikers Island, the largest psychiatric facility in the state.

The lack of care that has been provided to DOC detainees has resulted in deaths and serious injuries. Given the inability of the Department of Correction to coordinate care on Rikers Island, could you please explain why the 104 newly created therapeutic beds at Bellevue see it... with the Certificate of Occupancy provided, have not yet been filled with DOC detainees?

(NO RESPONSE)

COUNCIL MEMBER RESTLER: Oh there's some musical chairs depending on where the question was going, but

Alex is on the hook. Thank you, Thank you Ms.

Maldonado. Does she have sign in...

ASSISTANT COMMISSIONER MALDONADO: Uh, good afternoon, every...

COMMITTEE COUNSEL: She needs to be sworn in. They have to swear you in.

Will you please raise your right hand?

Do you affirm to tell the truth, the whole truth, and nothing but the truth, before this committee, and to respond honestly to council member questions?

ASSISTANT COMMISSIONER MALDONADO: Yes, I do, thank you.

My name is Alex Maldonado, and I am an assistant commissioner with the Department of Correction, and I oversee the Borough-Based Jails program, which includes the outposted units in Bellevue, Woodhull and North Central Bronx Hospitals.

I believe your question, sir, was why are the 104 beds in Bellevue remaining empty? The Department has not received turnover of that facility. The facility has a temporary occupancy, Certificate of Occupancy, which means that there is still ongoing construction efforts going to complete final punch list items.

COUNCIL MEMBER RESTLER: I have to say, Assistant Commissioner, that is in direct conflict with the testimony of Correctional Health Services yesterday before the Hospital Committee. I went to that hearing; I asked these questions. They said, for the record explicitly, for a month, the facility is absolutely ready for DOC detainees to be inhabited in this moment in time. So we have 104 vacant beds that you were refusing to fill, despite the critical need for acute care and services for people who are facing the most serious health needs. You're failing to get them to their medical appointments on Rikers Island. They can be moved to Bellevue— today. Why are you choosing not to do so?

ASSISTANT COMMISSIONER MALDONADO: The facility is not ready for PICs to... or people in custody to occupy....

COUNCIL MEMBER RESTLER: Oh, my gosh...

ASSISTANT COMMISSIONER MALDONADO: There are construction efforts that are ongoing. The emergency generator has not been installed. There are security programming that needs door controls, things like that that are essential for keeping our individuals in custody and our staff members safe. And that...

COUNCIL MEMBER RESTLER: And When does DOC plan to activate this facility?

ASSISTANT COMMISSIONER MALDONADO: When the facility is turned over to us, we will be able to... (CROSS-TALK)

COUNCIL MEMBER RESTLER: Do you have a timeline?

ASSISTANT COMMISSIONER MALDONADO: We have not been provided a timeline... (CROSS-TALK)

COUNCIL MEMBER RESTLER: This was supposed to be completed in 2022, then it was 2023, then it was 2024, now it's 2025. The facility is ready. The Correctional Health Services leadership testified, under oath, yesterday, that the facility is ready for occupation today, that it's been ready for a month, and that DOC has refused, and that there is no response from your agency about what's going on.

Now you're saying there's still additional issues that need to be resolved, and you're giving no timeline for when people are going to be moved.

ASSISTANT COMMISSIONER MALDONADO: Sir, I would ask CHS (Correctional Health Services) what that timeline is, but I invite you to the facility to see whether or not it is habitable by (INAUDIBLE)...

(CROSS-TALK)

COUNCIL MEMBER RESTLER: Let's go. What are you doing after this?

ASSISTANT COMMISSIONER MALDONADO: (LAUGHS)

COMMISSIONER MAGINLEY-LIDDIE: And also, for the record, the State Commission Correction has not commissioned it as a facility. That process has not been completed either.

COUNCIL MEMBER RESTLER: Okay. Next up is, relatedly, NCB and Woodhull. My understanding is that there's been a lack of cooperation from the Department of Correction to finalize the design for these two facilities. When will design be completed for NCB and Woodhull?

ASSISTANT COMMISSIONER MALDONADO: That is absolutely incorrect. We have a dedicated team working with CHS and Health + Hospitals, as well as their design and architectural teams, to finalize the designs for both Woodhull and North Central Bronx. These facilities were initially designed as healthcare facilities. We have had to make significant changes to the design to improve the safety and security of the of the facility and improve what we see as insufficiencies in the original design.

COUNCIL MEMBER RESTLER: Despite these projects being fully funded from the start of the Adams' Administration, there had been no progress whatsoever to move these facilities forward for the first two-and-a-half-years of the Administration. Thanks to leadership of Deputy Mayor Williams-Isom and others, that changed last year.

An announcement was made that these facilities would open in 2027. But as a result of DOC's lack of cooperation to finalize the design for these facilities, we are rapidly moving toward missing that deadline....

ASSISTANT COMMISSIONER MALDONADO: I think that's (CROSS-TALK)...

COUNCIL MEMBER RESTLER: Do you expect that these facilities will still open in 2027?

ASSISTANT COMMISSIONER MALDONADO: I think that's an unfair characterization. My team is working diligently with CHS and H+H...

COUNCIL MEMBER RESTLER: Okay.

ASSISTANT COMMISSIONER MALDONADO: to finalize these designs.

COUNCIL MEMBER RESTLER: Then give us a timeline. When will design be completed?



ASSISTANT COMMISSIONER MALDONADO: CHS manages the timeline for these facilities.

COUNCIL MEMBER RESTLER: So CHS testified yesterday that they're eager to move much more quickly. So they're ready to go. They are saying that they are facing delays because they cannot finalize the security design for these facilities. When do you expect to have a completed design for this facility? When will... when will we be done?

ASSISTANT COMMISSIONER MALDONADO: We are reviewing internally right now and we anticipate submitting those designs to the State Commission for their review. Those documents need to be approved by the State Commission of Correction before construction efforts can commence.

COUNCIL MEMBER RESTLER: I want to be very clear that the Department of Correction has been uncooperative in moving these outposted therapeutic units forward— 350 people, who are in the most dire healthcare... who are facing the most dire healthcare needs on Rikers Island should not be there. They should be in hospital settings getting access to the care that they need. DOC's lack of cooperation has delayed the opening of each and every one of these

facilities and it is going to lead to more death as a result.

ASSISTANT COMMISSIONER MALDONADO: Sir, we...

(CROSS-TALK)

COUNCIL MEMBER RESTLER: So, I am...

ASSISTANT COMMISSIONER MALDONADO: support these models, but... (CROSS-TALK)

COUNCIL MEMBER RESTLER: So I am disappointed by the lack of cooperation and coordination by you and your team and the agency as a whole, and it has to change.

So you're providing no substantive information about when we're going to have actual progress to get these sites open. And my understanding, from everybody I talk to, is the DOC remains the impediment and the obstacle to every single piece moving forward... (CROSS-TALK)

ASSISTANT COMMISSIONER MALDONADO: Again...

COUNCIL MEMBER RESTLER: And I'm deeply frustrated by it.

ASSISTANT COMMISSIONER MALDONADO: Okay...

COUNCIL MEMBER RESTLER: These are fully funded facilities that are... I helped for when I worked in the previous administration to make sure that people

who are incarcerated get the care that they need and deserve. And DOC's lack of cooperation has stopped that from moving forward. It is absolutely unacceptable.

ASSISTANT COMMISSIONER MALDONADO: Again, I disagree with your characterization. We have been fully compliant and cooperative as of late and under the leadership of Commissioner Maginley-Liddie. And my team is working tirelessly on both the outpost units and the... (CROSS-TALK)

COUNCIL MEMBER RESTLER: I... I just...

ASSISTANT COMMISSIONER MALDONADO: borough-based jails. And I will say that we 100% support this model and we are working as much as we can... (CROSS-TALK)

COUNCIL MEMBER RESTLER: I... I...

ASSISTANT COMMISSIONER MALDONADO: to operationalize... (CROSS-TALK)

COUNCIL MEMBER RESTLER: I appreciate you saying that, but the.. the results show a different story. We have faced delay after delay after delay after delay, and there are no clear outcomes, that you're willing to testify to today, about when this is getting on track and how this is moving forward, and I'm deeply disappointed about it.

I'm going to just, if I may, two more questions and then I'll shut up.

COUNCIL MEMBER STEVENS: More?

COUNCIL MEMBER RESTLER: Chair Stevens, you kick me if you need me to stop.

I just wanted to ask about budgeted, about head count. So DOC is budgeted for I believe over 7,000 uniformed officers. As of January 1st, I think 5,900 of those positions were filled. Data compiled by the Vera Institute [of Justice] shows that the national average ratio of incarcerated people to officers is about four to one. Yet at the Department of Corrections, right now we have, I believe, 85% of officer to detainee ratio. So much higher than the national average. Almost three-and-a-half times higher than the national average.

Do you believe that there are viable strategies to reduce the necessary headcount at DOC that could achieve savings for the city of New York and safely manage your facilities?

COMMISSIONER MAGINLEY-LIDDIE: Not at this time. I mean you rightly pointed out the population, the individuals in custody having mental health challenges, right? And so while we're looking at, you

know, these models, and they're saying four to one, what they're not accounting for is for individuals who need a higher level of care. And with a higher level of care that requires additional staff to be on the floor providing that care.

COUNCIL MEMBER RESTLER: Okay.

Last question for me. The BOC variance that you're seeking next week, a variance from the BOC for minimum space standards. You're citing, I believe, the rising census that you mentioned in your opening testimony, the individuals pending state transfer that are stuck as a result of the wildcat strikes going on. Could you share with us how many individuals... and so you've indicated, I believe, it was 78 individuals have been released via 6-A under your tenure. There are 6,700— was it?— is that the current census, 6,700 people in DOC custody today?

So roughly 600-700 people are eligible for 6-A, is that right? It's about 10% of your population?

COMMISSIONER MAGINLEY-LIDDIE: I believe the number is four... what is our sentence population? You have that, Chief?

CHIEF REMBERT: (UN-MIC'D) Yes ma'am, it is 498.

COMMISSIONER MAGINLEY-LIDDIE: So there are 498...

(CROSS-TALK)

COUNCIL MEMBER RESTLER: Four-hundred-ninety-eight?

COMMISSIONER MAGINLEY-LIDDIE: individuals-sentenced individuals. So a very small percentage of the population. And as I explained to Council Member Stevens, that work is ongoing on a daily basis looking at who's eligible. And if they're eligible and they meet the criteria, we release them.

COUNCIL MEMBER RESTLER: Okay.

COMMISSIONER MAGINLEY-LIDDIE: I mean there have been instances where we've approached people to release them and they don't want to be released.

COUNCIL MEMBER RESTLER: I hope that...

COMMISSIONER MAGINLEY-LIDDIE: I... That is... I... (CROSS-TALK)

COUNCIL MEMBER RESTLER: I...

COMMISSIONER MAGINLEY-LIDDIE: I mean, that is... (CROSS-TALK)

COUNCIL MEMBER RESTLER: Look...

COMMISSIONER MAGINLEY-LIDDIE: the situation. (INAUDIBLE)... (CROSS-TALK)

COUNCIL MEMBER RESTLER: I appreciate you taking...

COMMISSIONER MAGINLEY-LIDDIE: can attest to that.

COUNCIL MEMBER RESTLER: I appreciate you taking seriously your 6-A powers. They've not been consistently used by previous commissioners. I do hope that you'll continue to look at every opportunity...

COMMISSIONER MAGINLEY-LIDDIE: We...

COUNCIL MEMBER RESTLER: to safely reduce the population...

COMMISSIONER MAGINLEY-LIDDIE: We are. And we're working with our partners at MOCJ to address the individuals who we can— if it's electronic monitoring, alternatives to incarceration. That is an ongoing effort...

COUNCIL MEMBER RESTLER: Good.

COMMISSIONER MAGINLEY-LIDDIE: because of where we are.

COUNCIL MEMBER RESTLER: I appreciate that. I think if there are ways that the Council can advocate for more resources for EM, for alternatives to ATIs, ATDs, we want to do that and would be happy to... I certainly want to do that, and I would be happy to

advocate for those resources, if you think it could help lead to a reduction in the population on Rikers Island. Thank you very much.

COMMISSIONER MAGINLEY-LIDDIE: Thank you.

CHAIRPERSON STEVENS: Thank you. Council Member Brewer?

COUNCIL MEMBER BREWER: Thank you very much.

I think last week Budget Director Jiha said fixed posts contribute to your overtime. He was talking about DOC. Last May, I believe you said, Commissioner, that we're looking at it now, the reduction in awarded posts. So 10 months later, where is that plan?

COMMISSIONER MAGINLEY-LIDDIE: So we have... we have reduced some posts, but we also recognize that, if individuals assigned to posts, especially posts with facing persons in custody, there's continuity and consistency, and that they show up, they know every single day where they're assigned, that that helps with running a safe and secure jail system.

COUNCIL MEMBER BREWER: All right, so you're going to continue that program?

COMMISSIONER MAGINLEY-LIDDIE: Yeah, you know, the way... how this process works is if you show up... If



COUNCIL MEMBER BREWER: Okay. Second, we've had some, as you know, discussions in Oversight And Investigations about the bussing going from Rikers to court. Can you update us on whether that is working, in the sense of how many people are getting to court on a percentage basis? Is it improving? Is it not improving? What's the status?

COUNCIL MEMBER BREWER: Okay. And that's something that you feel Legal Aid and others would agree with that percentage?

COMMISSIONER MAGINLEY-LIDDIE: I do.

COUNCIL MEMBER BREWER: Okay. Body cameras, are they still offline? I know you mentioned it in your testimony.

COMMISSIONER MAGINLEY-LIDDIE: As you're aware, what happened last May...

COUNCIL MEMBER BREWER: Yeah...

COMMISSIONER MAGINLEY-LIDDIE: we had a malfunction. And as a result... and we quickly pulled them offline, that particular manufacturer. We also worked with the manufacturer to investigate all those cameras.

We've now since deployed a new camera, and what's different with the deployment of this body worn camera is that it's now for all uniform staff, and we continue to roll it out. I believe we have rolled out about 1,500 as of today, and the rolling out process is continuing. But it's important for everyone, for the body worn cameras to be worn by all of our staff, right? Because it's a means of... it's a protection for them and for the people in custody that any documented interactions, any interaction is documented on camera.

COUNCIL MEMBER BREWER: Oh, so the old cameras are gone and 1,500 have the new camera?

COMMISSIONER MAGINLEY-LIDDIE: Yes, approximately 1,500.

COUNCIL MEMBER BREWER: And where will... when would everybody else have the new camera?

COMMISSIONER MAGINLEY-LIDDIE: It's a phased process. We anticipate that it should be done in the coming months. I'm gonna turn it over to DC Boyd, because he manages this initiative as the DC of strategic initiatives.

DEPUTY COMMISSIONER BOYD: (INAUDIBLE) Council Member, James Boyd, Deputy Commissioner for Strategic Operations. So that work is ongoing. We're looking at the first phase to be completed with all the facilities by the summer, and then we'll continue on with the rollout to more ancillary areas that have uniform staff. So the work will be ongoing. We anticipate throughout the year, uh, by the end of the year that everybody should have their camera...

(CROSS-TALK)

COUNCIL MEMBER BREWER: Oh, the end of the calendar year?

DEPUTY COMMISSIONER BOYD: That's our goal.

COUNCIL MEMBER BREWER: Okay.

In terms of visitation, I know you mentioned CMOM, I'm a big supporter. They're in my district. I know they're doing a great program.

But generally, obviously, other than at Rose M. Singer, you have visitation. I assume not having CMOM. So my question is, is there any funding allocated? Obviously, visitations can be supportive. They have positive influence, blah blah blah. What budget, if any, is allocated to visitation? Are you making any changes to improve it?

FIRST DEPUTY COMMISSIONER TORRES: Francis Torres, First Deputy Commissioner, good afternoon...

COUNCIL MEMBER BREWER: Afternoon...

FIRST DEPUTY COMMISSIONER TORRES: City Council Member Brewer. As you know too well, the only two CMOMS that the commissioner has referenced have to do with these specific enhancement of visitation areas on Rikers Island.

We know too well how important that connection between parents are... (CROSS-TALK)

COUNCIL MEMBER BREWER: Oh, CMOM is excellent. I'm talking about otherwise.

FIRST DEPUTY COMMISSIONER TORRES: Absolutely.

So two things that I would like to highlight.

Number one, the displays, that interactive display, we will continue to enhance other visit areas within our facilities. But at the same time, CMOM offers an additional service, which is ongoing on a monthly basis, and that is an internal coordination between specific jails and the program teams to ensure that there are visitations at the CMOM Museum. So it is always going.

In addition to that, keep in mind that as a division of programs and community partnerships, (TIMER CHIMES) we do have and have hired visitor coordinators to engage, not only the family members, but to ensure that there are structured activities between the parents and their children.

COUNCIL MEMBER BREWER: Okay. I won't belittle— what I'm saying is, in addition to the families, because I do believe having been Upstate a lot to the facilities and knowing... that that's better. I'm talking about nonparent visitation. But...

FIRST DEPUTY COMMISSIONER TORRES: Beautiful.

COUNCIL MEMBER BREWER: Okay.

FIRST DEPUTY COMMISSIONER TORRES: Then I'm going to defer to actually Deputy Commissioner Boyd who oversees that.

DEPUTY COMMISSIONER BOYD: Yes. So good point. Good question, Council Member.

So we're really excited that we're doing a wholesale assessment of the visit process. And from our... (CROSS-TALK)

COUNCIL MEMBER BREWER: It's not good now, so I appreciate that you're improving it.

DEPUTY COMMISSIONER BOYD: Right, so from our preliminary indication, the visits are taking too long for a one hour visit. So we want to figure out how we can streamline that process. We know how critically important the visit process is for our detainees on an emotional and behavioral support.

One of the things we want to do is look at a scheduling system, which I think there's a bill that we do support in spirit to try to figure out how we can implement a visitor scheduling system.

We're also trying to amplify, and we'll ask all the council members to support that, is that we have a free visit shuttle bus to and from Rikers Island to

Harlem and Brooklyn, and we want to encourage people to take advantage of that.

But we're still continuing our analysis of the visit process, but we do recognize that it is taking too long in terms of folks connecting to their loved ones on multiple reasons. So it's not just specific to staff delays. It's also sometimes having challenges with the actual visitor and the PIC as well.

So we have to unpack each one of those to figure out how we can streamline the process.

COUNCIL MEMBER BREWER: Okay. Quickly on food.

I've been to Rikers many times. I do find the food, even though I know you're making some improvements, to be very challenging.

So my question is, you know, tell us how much you are spending, what changes you're making. I know that there is an overhaul going on. My hope would be to have much more fresh fruits and vegetables working with GrowNYC. I don't understand. Upstate is doing it. Commissioner Ball at Ag and Markets is working with Correction, and they are doing a lot more farm to table at their facilities. We're not doing that here. And I would like to see more of it.

So what exactly dollar wise and in terms of improvements are you making? Like I said, Upstate, much more farm to table.

DEPUTY COMMISSIONER SRINIVASAN: Good afternoon, Council Member Brewer, this is Mala Srinivasan.

The budget for food in the current fiscal year is \$18.8 million. And we are adding more plant based menu options in collaboration with Mayor's Office of (INAUDIBLE)...

COUNCIL MEMBER BREWER: I'm not great on plant based. I want farm... unless it's fresh. Go ahead. You know, I don't like plant based. I want fresh fruits and vegetables. Go ahead.

DEPUTY COMMISSIONER SRINIVASAN: I would defer to my colleague, DC Saunders, to just elaborate more on that.

COUNCIL MEMBER BREWER: Don't give me no plant food. Go ahead.

(LAUGHTER)

COMMITTEE COUNSEL: Before you begin, do you... will you raise your right hand?

Do you affirm to tell the truth, the whole truth, and nothing but the truth before this committee and to respond honestly to council member questions?



DEPUTY COMMISSIONER SAUNDERS: Yes, I do.

COMMITTEE COUNSEL: Thank you.

DEPUTY COMMISSIONER SAUNDERS: All right.

Thank you for the question, Council Member  
Brewer, I remember last year...

COUNCIL MEMBER BREWER: Same question.

DEPUTY COMMISSIONER SAUNDERS: You were very, very  
emphatic about disliking the plant based food.

COUNCIL MEMBER BREWER: Yes, and I continue to  
be...

DEPUTY COMMISSIONER SAUNDERS: But, let me share  
this year, so...

COUNCIL MEMBER BREWER: I want local produce and  
local meat for people in custody. Go ahead.

DEPUTY COMMISSIONER SAUNDERS: All right.

So let let's be clear that nearly all of the  
Department's daily food that is shared and produced,  
locally, it is created in two production kitchens,  
one in RNDC and one in AMKC. So the staff there  
heroically produced nearly, I would say, 21,000 meals  
on a daily basis to persons in custody as well as to  
staff.

Now with respect to providing more fresh fruits  
and vegetables, as you know, last year I testified

that the Mayor's Office of Food Policy applied for and received a grant from the Carbon Neutral Cities Alliance, Game Changer Fund. The goal was to increase access to healthy, culturally appropriate, and affordable and low carbon foods for the New York City Department of Corrections. While positioning the City's food workers with an ability to improve their skills and advance their careers via a plant based culinary training and certification program.

So I'm happy to report that as of today, we have trained, I would say, nearly 100 of DOC cooks, as well as some ACS cooks, in preparation for plant based culinary meals.

So today, in concert with DCAS, the Department of Citywide Administrative Services, Hot Bread Kitchen and DOC, as well as the Mayor's Office of Food Policy, we're collaborating on requisitioning, if you will, food and contracting out those foods.

DCAS, as you know, is in control of purchasing and procuring foods...

COUNCIL MEMBER BREWER: I'm aware, very aware. That poor commissioner hears about it every single day from me.

DEPUTY COMMISSIONER SAUNDERS: Right. So as you know, right, they're responsible for...

COUNCIL MEMBER BREWER: Okay. (INAUDIBLE)...

DEPUTY COMMISSIONER SAUNDERS: executing those contracts on behalf of several city agencies...

COUNCIL MEMBER BREWER: Okay.

DEPUTY COMMISSIONER SAUNDERS: So we look forward to working with them on incorporating...

COUNCIL MEMBER BREWER: Okay.

DEPUTY COMMISSIONER SAUNDERS: These new menus into our...

COUNCIL MEMBER BREWER: That's... I'm aware of the Hot Bread Kitchen. That's fabulous.

But I wanna know if you know— Governor Hochul signed legislation to establish a program to purchase *fresh produce* from farms in New York State for incarcerated individuals in *her* facilities. This is a direction for the Commission of Corrections and Community Supervision Upstate. Has this legislation impacted DOC here in any way? Are you familiar with this legislation?

And then I'd like to know, maybe not today, but what are the dollar figures, if any, the DOC uses, and this would come from DCAS, I understand this, to

purchase produce and meat for people in custody,  
specifically for you.

Now, DCAS purchases, I know, for HRA, DFTA, and  
you. Those are the three places. Harder to do for  
DFTA perhaps, people are scattered, senior centers.  
Maybe harder to do for DSS, people are scattered.  
Not scattered at Rikers! You're in one place. Why can  
you not purchase produce for people in custody from  
Upstate? Are you doing anything now? Could you please  
give me any numbers?

DEPUTY COMMISSIONER SAUNDERS: So, you know,  
again, we rely on DCAS to procure our foods, right?  
All of our menu items. So clearly I think we would  
support local farms...

COUNCIL MEMBER BREWER: So you don't know the  
answer to that question?

DEPUTY COMMISSIONER SAUNDERS: But I don't know  
the answer specifically to that...

COUNCIL MEMBER BREWER: Okay, all right. But...

FIRST DEPUTY COMMISSIONER TORRES: But I will tell  
you the following, if I may, Council Member Brewer...

COUNCIL MEMBER BREWER: Yeah, I ask every year  
this question.

FIRST DEPUTY COMMISSIONER TORRES: So what I will tell you is that Deputy Commissioner Saunders is presently looking for an assistant commissioner that will oversee our Nutritional Services Unit. And I say that, because it is my interest for our menu to be revisited, and DC Saunders knows that, like you, I do believe in the farm to table concept.

You and I also know how expensive it is and how as a city government, we need to stay within budget. What our internal goal is to make sure that when that assistant commissioner is onboarded, that that happens to be part of the focus.

COUNCIL MEMBER BREWER: Okay. Okay. I mean, I don't know what else to say. I do think... let's keep talking about it.

Finally, the Securus iPads contract. Can you update that? I know that there's been some discussion about what is or is not available on the iPads.

Can you give me any update on that? That's my last question. Thank you very much, Madam Chair.

DEPUTY COMMISSIONER CONROY: Yeah, I'm sorry, Council Member, is the question specifically towards what's available on the iPads?

COUNCIL MEMBER BREWER: Yeah, and also the budget for it. You know, there's been a lot of controversy about it, as you know.

DEPUTY COMMISSIONER CONROY: I'll turn it over, for the content, I'll turn it over to my colleague, DC McCarty.

COMMITTEE COUNSEL: (INAUDIBLE) need to be sworn in. Do you affirm to tell the truth, the whole truth, and nothing but the truth, before this committee, and to respond honestly to council member questions?

DEPUTY COMMISSIONER MCCARTY: I do.

COMMITTEE COUNSEL: Thank you.

DEPUTY COMMISSIONER MCCARTY: Thank you.

So my name is Nell McCarty; I'm the Deputy Commissioner for the Division of Programs and Community Partnerships. And so we are, uh, with our current Securus— well, first I should start by saying there is an active RFP out for the tablets. Uh...

COUNCIL MEMBER BREWER: So when is the Securus contract up, or?

DEPUTY COMMISSIONER MCCARTY: Uh, December, uh, 2025... (CROSS-TALK)

COUNCIL MEMBER BREWER: December of this year?

DEPUTY COMMISSIONER MCCARTY: Yep.

COUNCIL MEMBER BREWER: Thank you. Okay, go ahead.

DEPUTY COMMISSIONER MCCARTY: So with that, on the current Securus contract, or on the current Securus tablet, we have over 25 free applications available for people to be able to utilize. This includes LexisNexis, which is available for persons in custody to conduct law library research from their tablets. It includes phone capabilities for someone to conduct a phone call, the FM radio station and over 500 podcasts, 50,000 different e-books in both English and Spanish. There's different applications, one of them such as the Tyro application which provides access to videos and documents about improving family relationships, motivational content, reentry, life skills, time management. There's a documentary on it called Chasing Dragon focusing on the dangers of opioid addiction and the opioid epidemic. Hope Media includes podcasts and content on reentry, self discovery and mental health wellness. We recently added Edovo, which has over 25,000 different courses that people can take that they can earn certificates. This again— cycling from soft skills or life skills to more of like work related certificates.

We also uploaded Essential Education which allows for people to engage in different educational modules that can also be tracked by the Department of Education and the Department of Correction.

And so again, there are a variety of different free applications. On these tablets, there are premium content as well, which would include movies and additional games for purchase. Although, I do want to highlight, again, that there are access to different interactive videos for free as well as games for free as well.

COUNCIL MEMBER BREWER: Okay. So two questions: one is, obviously, the controversial one is, who can listen in on phone calls or other information on them, number one— and that's been controversial. DAs think it's a good thing, obviously, Legal Aid does not. I'm aware of that. And then finally, does every single person, the 6,000 whatever the number was, have access to this iPad?

DEPUTY COMMISSIONER MCCARTY: I can start by speaking to how many people have access to tablets. So at this time, 86% of our population have access to a tablet or have had a tablet, I should say, rather,



assigned to them. And so with that, there are individuals that do not... (CROSS-TALK)

COUNCIL MEMBER BREWER: And the 20% whatever don't because?

DEPUTY COMMISSIONER MCCARTY: Yes. So people who are in new admission housing, and people who have not in custody for longer than 30 days, do not have access to a tablet until they've, again, transitioned out into the more stabilized housing unit that they may stay in or until they've surpassed 30 days.

An additional part of that is, depending on somebody's unique situation, if they have, let's say, broken a tablet and possibly broken more than one tablet, there would be considerations on an individualized basis if we continue to provide them a tablet... (CROSS-TALK)

COUNCIL MEMBER BREWER: Understandably, okay. All right, good...

DEPUTY COMMISSIONER CONROY: And then, Council Member, just to go back to your first question regarding the amount. So the current term of the contract is for \$5.7 million. As indicated earlier, it does expire at the end of the year. And I would note that there is actually an RFP, a request for

proposal, out for phone services and tablets combined. That's public now, and we'll be assessing the candidates as that comes along.

With respect to your second question regarding phone monitoring or otherwise— All telephone calls are recorded unless the number and the caller is placed on the "Privileged. Do Not Record List", which, you know, has been, again, has been documented in the past with the DOI, you know, reports and otherwise.

So the people that could monitor that... monitor that in our facilities is very limited. You know, it's only our Correctional Intelligence Bureau. Anyone that requires this from an outside source, such as a DA or otherwise, requires a subpoena. So they would not get any recordings without the presence of a subpoena.

COUNCIL MEMBER BREWER: Okay.

COMMISSIONER MAGINLEY-LIDDIE: And there's a clear message when an individual receives a call, makes a call, that the call is being recorded...

COUNCIL MEMBER BREWER: Being recorded...

COMMISSIONER MAGINLEY-LIDDIE: and if they are privileged, if they're part of privileged

communications, that they should hang up and make sure that their information is registered with the Department of Corrections.

COUNCIL MEMBER BREWER: All right, thank you.

CHAIRPERSON STEVENS: Thank you, Council Member Brewer.

I would like to turn it over to Council Member Paladino, followed by Council Member Marte.

COUNCIL MEMBER PALADINO: Good afternoon, and thank you for joining us this afternoon. I'll just say this in quickly because, I don't wanna get, uh, just wish our veterans were fed farm to table food. I think the guy who set the woman on fire on the subway is at Rikers right now. He's got... we're gonna worry about farm to table food and making sure they get fed prod... this is ridiculous.

But now let me get on to what I wanna get on to. What's that?

UNKNOWN: (INAUDIBLE)

COUNCIL MEMBER PALADINO: I am being nice. Farm to table for our veterans would be really, really nice.

UNKNOWN: (INAUDIBLE)

COUNCIL MEMBER BREWER: But we're not talking about that...

COUNCIL MEMBER STEVENS: (GAVEL)

COUNCIL MEMBER PALADINO: Let me... let me stay on... let me stay on...

COUNCIL MEMBER STEVENS: Okay, okay, we're gonna level set. Please no talking in the Chambers...

COUNCIL MEMBER PALADINO: Really, that's...

COUNCIL MEMBER STEVENS: And...

COUNCIL MEMBER PALADINO: absurd. So...

COUNCIL MEMBER STEVENS: Let's also have decorum. And we can all advocate farm to table for everyone. That should be the goal. So, let's just level set.

COUNCIL MEMBER PALADINO: That's good, Althea.

Okay, ready? From February 21, 2024 to February 21, 2025'5 hundred and 556 assaults on staff; 122 spittings; 225 slashings; 19 sexual assaults; 166 slashings; 109 stabbings; 371 serious injury to inmate; 88 criminal act; 598 contraband.

We know that the population of Rikers is presently 6,994 inmates. Our correction officers are seriously in depletion and outnumbered. We have approximately 5,200 officers. We had 9,000 officers in 2019, and now we are down to a little over 5,000 officers. A 40% decline in staff, while the inmate population has risen from approximately 3,000 to

7,000 in the same time. Officers are now outnumbered by inmates by 2,000 bodies. I have the following questions:

With over 550 physical assaults on staff and 19 sexual assaults, how are we investigating the staff's safety? That's my first question.

I'll give you two at a time.

With a 40% decline in staff, how do we plan on recruiting more officers? What recruiting incentives, Althea did mention one, will be considered? Recruiting signing bonus to incentive future classes.

Those are my first two questions. I have approximately six.

I allow... I'm going to ask the Chair now, because the gavel did not come down on anybody for a time limit of sorts. I'd like to be able to ask my six questions. Those are my first

COUNCIL MEMBER STEVENS: Ask your questions. I don't (INAUDIBLE)...

COUNCIL MEMBER PALADINO: Okay. So, let's start with over 550 physical assaults on staff and 19 sexual assaults. How are we investigating the staff's safety?

1                    SENIOR DEPUTY COMMISSIONER FRAGÉ: Good afternoon,  
2  
3                    ma'am, Fritz Fragé, Senior Deputy Commissioner.

4                    COUNCIL MEMBER PALADINO: Nice to meet you.

5                    SENIOR DEPUTY COMMISSIONER FRAGÉ: In reference to  
6                    all the invest... or the serious injuries and  
7                    investigations of staff, when incidents happen in  
8                    reference to assaults on staff, they are  
9                    investigated. The PICs are then taken into custody,  
10                   interviewed, and then they are infracted. And when  
11                   SIU comes in to investigate the scene, they end up  
12                   getting charged with assault or some type of  
13                   aggravated assault.

14                   The safety and priority of all of our employees  
15                   is the most important thing to us. These are reasons  
16                   that we're taking these standards to put in a  
17                   position where they could be safe.

18                   As they happen, we do put them in areas... we try  
19                   and get these members that commit the assaults sent  
20                   to RESH which is restrictive housing.

21                   COUNCIL MEMBER PALADINO: Say that again, I'm  
22                   sorry?

23                   SENIOR DEPUTY COMMISSIONER FRAGÉ: They get sent  
24                   to RESH, which is restrictive housing away from  
25                   the... (CROSS-TALK)

COUNCIL MEMBER PALADINO: Restrictive housing.

SENIOR DEPUTY COMMISSIONER FRAGÉ: Yes.

COUNCIL MEMBER PALADINO: Where they stay for how long?

SENIOR DEPUTY COMMISSIONER FRAGÉ: You know, it all depends on the time... (CROSS-TALK)

COUNCIL MEMBER PALADINO: Thirty days?

SENIOR DEPUTY COMMISSIONER FRAGÉ: Yes, originally, yes, it starts off there... (CROSS-TALK)

COUNCIL MEMBER PALADINO: Yes.

SENIOR DEPUTY COMMISSIONER FRAGÉ: But then after that, they will get sent to another location once they've paid their dues... (CROSS-TALK)

COUNCIL MEMBER PALADINO: And restrictive...

SENIOR DEPUTY COMMISSIONER FRAGÉ: and possibly going to trial... (CROSS-TALK)

COUNCIL MEMBER PALADINO: Just let me introduce (sic) you... interrupt you one second, because we... I know I'm gonna get cut off. So before I get cut off, I wanna make it clear.

Restrictive housing...

COUNCIL MEMBER STEVENS: So, then don't say anything to get cut off.

(LAUGHTER)

COUNCIL MEMBER PALADINO: Oh, thank... Well, I'm not... Anyway, (LAUGHS) here it goes.

Restrictive housing for assault on a correction officer, let's go... let's delve into that a little bit. They're already in there for a major crime, because we only have the worst of the worst on Rikers right now. So they're already there. They've assaulted a correction officer. Now, they go into restrictive housing. Let's define what they get to...

UNKNOWN: (INAUDIBLE)

COUNCIL MEMBER PALADINO: what time— and how is their time spent in restrictive housing? Let's define that because they're only allowed to stay in their cell for how many hours? Their actual with their bed, their cot.

COMMISSIONER MAGINLEY-LIDDIE: So under the restrictive housing, under RESH, the individuals in custody, they're placed in there pursuant to an act of violence or (TIMER CHIMES) an assault on staff. And they are in that unit, they're allowed seven hours of lockout time. So the remaining time is spent in their cell.

COUNCIL MEMBER PALADINO: So they are allowed out for seven hours?



COMMISSIONER MAGINLEY-LIDDIE: Correct... (CROSS-TALK)

COUNCIL MEMBER PALADINO: And the rest of 24 hour day...

COMMISSIONER MAGINLEY-LIDDIE: Correct.

COUNCIL MEMBER PALADINO: they are in their cell?

COMMISSIONER MAGINLEY-LIDDIE: That's correct...

COUNCIL MEMBER PALADINO: Okay, that's... Okay.

Let's... let's move to the second question, because I know- with the decline in staff, how do we plan on recruiting more officers?

COMMISSIONER MAGINLEY-LIDDIE: So we have done we... we have done robust, uh, in terms of our effort to recruit officers. We have evaluated how we can onboard staff members.

One of the things I can tell you, just being at the Department going into my 10th year, the main individuals who are responsible for recruitment are people who work at the Department. Right? Because that is a core group of people who would encourage their family members to come onto the job.

One of the challenges with DOC, New York City DOC, is just mirroring, throughout the country, how hard it is to recruit correction officers. And so...

COUNCIL MEMBER PALADINO: Oh, okay, let me just interrupt you there. Why do you think it's so difficult to recruit off... a good job? Being a correction officer is a good job. It's a proud job. Being a police officer is a good job. And yet we cannot find anybody to do these jobs.

COMMISSIONER MAGINLEY-LIDDIE: Because...

COUNCIL MEMBER PALADINO: (UNINTELLIGIBLE) What is the incentives, other than their lives being put at risk in the confines of Rikers? We have our cops on the street that are tied up. So I'm just looking for new and inventive ways to create some glamour around being a correction officer. It's a dangerous, dangerous job. I think my colleague here, and our chairwoman, had the perfect exam... about hitting up this the younger kids in high school, getting out of first two years of college, is a good way to go about it. We need to make it so this is a place where they wanna work.

COMMISSIONER MAGINLEY-LIDDIE: I agree with you. And one of the things that we've done is just encouraging even high school tours. We just recently had a tour of students from a high school in Long Island. But it is actually socializing, being a

correction officer from the beginning, from in school. Like, a lot of things are done for NYPD or firefighters, but correction officers, it's not the same.

COUNCIL MEMBER PALADINO: (UNINTELLIGIBLE)

COMMISSIONER MAGINLEY-LIDDIE: So we are trying to create sort of pilot programs where people know and they're exposed to corrections at a younger age and it provides a pathway to becoming a correction officer. Because that's really how we're going to be successful. A lot of people, there's no... they don't know what happens behind the gates. They don't know what happens in a facility and how challenging it can be. But I think we, as a team here, what we've decided to do is to make sure we're being intentional and letting people know how it is to become a correction officer. And also just being more vigilant, being more present in the communities like our Recruitment Team. Having them present at all job fairs, having them present at colleges, letting people know the opportunities. Because a lot of people just don't know.

COUNCIL MEMBER PALADINO: They don't. And I agree with... Let me... let me go to my next question.

With the offices doing approximately a 140 of overtime a month and working triple shifts, how do we balance their quality of life in order to avoid continued physical and mental anguish?

COMMISSIONER MAGINLEY-LIDDIE: So that is something...

COUNCIL MEMBER PALADINO: Programming officers?

COMMISSIONER MAGINLEY-LIDDIE: That is something that we are reviewing as a team. What does the staffing model look like in terms of relief? Recently I proposed doing 12-hour tours in some of the facilities, and we listened to the staff and their feedback and their concerns, and as a result, we're evaluating what is the best path forward.

But it is important for our staff to have time that they can recuperate from this... from this work because it's challenging work.

COUNCIL MEMBER PALADINO: Well, I...

COMMISSIONER MAGINLEY-LIDDIE: So we...

COUNCIL MEMBER PALADINO: Sitting in this position now going on my fourth year, I came into this job and it was about my, my correction officers, my... any sort of law enforcement. And I have to tell you, we're having the same questions here over and over

again. It's four years later. I'm asking the same questions. So thus far, we have not seen any solutions whatsoever. We put you before a panel, you sit before us, we ask you questions, and yet there's no real improvement. So this is a problem, and it's an ongoing problem. Yet, I don't understand why, in four years time, we have not yet come up with viable solutions. I don't understand it. Where is the gap? What's going on?

My next question, what pension and benefit incentives can we budget for in order to help recruitment and retention? Okay. That's another one.

What about increasing the value of an annual pension credit for any officer who stays beyond full vesting? That guy should get a gold medal if he stays behind, uh, after... beyond that. But give me some answers here.

COMMISSIONER MAGINLEY-LIDDIE: I mean, that... that is something that we can explore with OLR, any changes in terms of the pension plan and investment for staff. This is an ongoing exercise because it is important that we recruit and retain correction officers. It is a difficult job. And it is... I understand your frustration. I am equally frustrated.

COUNCIL MEMBER PALADINO: I know you are.

COMMISSIONER MAGINLEY-LIDDIE: I am equally  
frustrated...

COUNCIL MEMBER PALADINO: Yes.

COMMISSIONER MAGINLEY-LIDDIE: And it is... If you  
see, uh, nationwide, what is happening to  
correction... (CROSS-TALK)

COUNCIL MEMBER PALADINO: I know...

COMMISSIONER MAGINLEY-LIDDIE: nationwide, it is  
not unique to here.

COUNCIL MEMBER PALADINO: Yeah.

COMMISSIONER MAGINLEY-LIDDIE: And it is because  
no one has invested in correct officers.

COUNCIL MEMBER PALADINO: Correct.

COMMISSIONER MAGINLEY-LIDDIE: And no one has  
really cultivated them... (CROSS-TALK)

COUNCIL MEMBER PALADINO: I'm happy to hear you  
say that...

COMMISSIONER MAGINLEY-LIDDIE: and really embraced  
the work that they do.

COUNCIL MEMBER PALADINO: I mean, look what's  
going on throughout the state now. Come on, there's  
something really wrong here. And you only have 6,000  
inmates. Can you imagine back...

COMMISSIONER MAGINLEY-LIDDIE: Almost 7,000...

COUNCIL MEMBER PALADINO: whatever... 6,700. Can you imagine... Or 6,900... Can you imagine being back here in Giuliani's day when there was 22,000 on your island and yet Bernie Kerik kept it under total control? He brought down crime. I mean, come on. We got 6,000 people here— 6,000.

COMMISSIONER MAGINLEY-LIDDIE: The laws were different then... (CROSS-TALK)

COUNCIL MEMBER PALADINO: We gotta do better.

All right, next question. With the deteriorating infrastructure and cell doors that do not lock, how can we invest in proper equipment and safety tools for the staff?

COMMISSIONER MAGINLEY-LIDDIE: I'm actually gonna have Deputy Commissioner Doherty respond to what he and his team have been doing throughout the facilities. I believe he would need to be sworn in.

COMMITTEE COUNSEL: Raise your right hand, please. Do you affirm to tell the truth, the whole truth, and nothing but the truth, before this committee, and to respond honestly to council member questions?

DEPUTY COMMISSIONER DOHERTY: (NO MIC) (INAUDIBLE)

COMMITTEE COUNSEL: You may begin.

DEPUTY COMMISSIONER DOHERTY: Can you repeat the question?

COUNCIL MEMBER PALADINO: Sure. With the deteriorating infrastructure and cell doors that do not lock, how can we invest in a proper... in proper equipment and safety tools for the staff?

DEPUTY COMMISSIONER DOHERTY: Council Member, thank you for your question. We've, uh, we've already started this process. We have invested and continued to invest in purchasing enhanced door systems and implementing them in spaces like RESH or spaces like RNDC. We've installed them in GRVC. We've installed them in OVCC. And it's an ongoing continuing effort to replace the antiquated cell doors with an upgraded system.

COUNCIL MEMBER PALADINO: Capital projects currently not allowed on Rikers Island because it's slated to close in less than five years. Except Rikers won't be able to close for over five years, so either extend the date Rikers is slated to close by law or create an exception in the budget. This is a real... this is really for me, this is personal.

So what are you... what are we gonna do about this closing of Rikers Island in five years



supposedly? Can't be allowed to happen because neighborhood jails won't work. But let... let me... somebody answer that question for me, please.

Capital projects currently not allowed on Rikers Island because it is slated to close in less than five years. Except Rikers Island won't be able to close for over five years. So we either extend the date Rikers is slated to close by or close by law or create an exception in the budget.

DEPUTY COMMISSIONER CONROY: So, Council Member, that's really a question for the Council.

COUNCIL MEMBER PALADINO: Yeah, it's true.

DEPUTY COMMISSIONER CONROY: I mean, we, you know, we are aware of the law and our budgetary constraints for these types of very serious issues. So, you know, that's not something within our control, actually. So, you know, we...

COUNCIL MEMBER PALADINO: Relying on this Council is (INAUDIBLE)...

DEPUTY COMMISSIONER CONROY: We understand. I'm sorry, yes, you're right, thank you.

COUNCIL MEMBER PALADINO: Mm-hmm. Thank you.

Okay, that's it for me. I'm done. Thank you, Althea, appreciate it.

CHAIRPERSON STEVENS: Thank you so much, Council Member Paladino.

Council Member Marte?

COUNCIL MEMBER MARTE: Thank you, Chair Stevens, and thank you for being here.

Similar question, but asked differently. Are there any contingency plans? You know, Rikers Island has to close by a set date. The Manhattan facility in Chinatown hasn't even started. The contract, I think, is going to be signed soon, but hasn't been officially signed yet. What are there... Are there any contingency plans in place, knowing that there's going to be at least a five year delay to this? What's the plan B? What's the plan C to make sure that we can close Rikers Island?

DEPUTY COMMISSIONER CONROY: Thank you, Council Member.

You know, as I indicated to Council Member Paladino, you know, this is kind of out of our purview as far as the decision making process goes and otherwise. What we are focusing on and concentrating on a daily basis is managing the facilities we have now. We encourage any input and ,you know, assistance with the plans or otherwise.

But as far as our day to day management of Rikers Island, we don't have contingency plans for what you're postulating.

COUNCIL MEMBER MARTE: Have there been conversations with DOC, MOCJ, and the administration on looking at other facilities? We have an empty decommissioned MCC facility on Park Row. Have you thought of— especially for cost saving measures and to shorten the timeline to look at these other facilities, whether it's interim or permanent basis?

DEPUTY COMMISSIONER CONROY: One of the issues... No, the answer to that question specifically is, no.

But one thing I'd like to keep in mind as we have these discussions about alternatives is our continued, you know, again, the census versus what our workforce is. We have a struggle. We have to make sure that the posts are manned. And every time we would contemplate opening up facility, it's not just for the immediate posts that are in the, you know, what would be the cell areas. You know, you have Administration, you have Transports, you have Programs. So every time you contemplate that, the metric for staffing kind of goes exponentially along with that. You know, it's contemplated in the plans

for BBJs, but, you know, these contingencies of what we're managing now, maybe not so much.

COUNCIL MEMBER MARTE: And it's great that you brought up cost, because when the Borough-Based Jails Plan was approved, the Chinatown facility was under \$2 billion. Right now, it's north of \$4 billion. Is there a ceiling? Are we going to continue to let it go up, especially when OMB director yesterday said that the price of steel is going to increase the construction of every City project.

When do we start thinking about contingency plans or how to deal with the situation at hand?

DEPUTY COMMISSIONER CONROY: Yeah, I think, you know, respectfully, Council Member, that's not a question for the Department of Correction. That really is a, you know, more citywide budgetary, you know, what the costs and you know, the Department of Construction, you know, all those different agencies that are involved in this project. You know, we don't buy this steel for the project. You know, we're managing the jail.

COUNCIL MEMBER MARTE: One thing that the agency can do is apply for a waiver from the Comptroller's Office under Directive 10 to waive the five-year

lifespan provision for capital projects. Have you done so already?

DEPUTY COMMISSIONER SRINIVASAN: So thank you for your question, Council Member.

I do want to say that we do have infrastructure projects that's capital funded in Rikers Island, but we do that with co-certification with DCAS.

COUNCIL MEMBER MARTE: I guess the question was, have you asked for a waiver for the infrastructure capital project?

DEPUTY COMMISSIONER SRINIVASAN: No, we have not, because I don't think so. That's something that's allowable in Directive 10. We need to have certain... we need to be there on the premises for a longer time. And this is not something we have looked into.

COUNCIL MEMBER MARTE: I this something you have done as an agency in the past? And is this something that you're open to doing in the future?

DEPUTY COMMISSIONER BOYD: We can certainly look into it.

COMMISSIONER MAGINLEY-LIDDIE: Yeah, we will look into it.

DEPUTY COMMISSIONER BOYD: We'll look into it.

COUNCIL MEMBER MARTE: I know it's DDC that's mostly managing construction and the community engagement portion of it. I just want to let DDC know, and state it for the record, is that they've been underperforming. They have dropped the ball in notifying the community and notifying elected officials about contracts, designs that have been shared with the press before they're even given out to community boards. And so ,you know, we look to DOC and other agencies that are part of this project to make sure that your counterparts are working with the community and working with stakeholders to know what's happening. This is going to be the most complex facility out of the four slated for the Borough-Based Jail Program, and there's a lot of (TIMER CHIMES) major stakeholders. There's even seniors that live right next to the facility that have an average age of 90 years old in (INAUDIBLE), and the information is not being communicated to them about what's happening, when it's happening, and what they can expect in a day to day basis. Thank you.

CHAIRPERSON STEVENS: Thank you, Council Member Marte. And we are back to regularly scheduled programming. But I am going to request that the

answers are succinct. Because we still have a number of questions to get through. And I want to get through all of them, because I do not want Chair Nurse yelling at me later.

So last year DDC Adopted Budget included \$132.7 million for overtime. At the Fiscal Year the Department's overtime spending was approximately \$281.7 million. In the Preliminary Budget, the Department has budgeted \$160.8 million for overtime in Fiscal Year 2025.

Year after year, the Department spends nearly double of what it budgets for overtime. Is there an explanation of why year after year the DOC under budgets for its overtime by nearly half?

DEPUTY COMMISSIONER SRINIVASAN: Thank you for your question.

The baseline budget for overtime has always been \$137 million. And based on the overtime spent, OMB, Office of Management Budget adds funding towards the end of the year to close the gap.

CHAIRPERSON STEVENS: But if that's just the baseline funding, have you asked for an increase in anticipation of knowing that it's going to go over?

Because when you create a budget, you're thinking about all of those things. So if we know that it's increased, why are we not budgeting for that and not... and waiting to the end of the year?

DEPUTY COMMISSIONER SRINIVASAN: So that is the continuing conversations that we have with Office of Management Budget to increase the overtime budgets.

CHAIRPERSON STEVENS: So you are in conversations with them? All right.

DEPUTY COMMISSIONER SRINIVASAN: Yes, thank you.

CHAIRPERSON STEVENS: Thank you.

Has the Department recently analyzed how many ununiformed positions could be safely performed by civilians? What did it find? And is there a shift reflected in Preliminary Budget?

(PAUSE)

DEPUTY COMMISSIONER SRINIVASAN: Thank you for question.

We are internally discussing the number of posts that can be civilianized. That is a continuing conversation and we should be having some numbers pretty soon.

COUNCIL MEMBER STEVENS: Okay, because I think, and I've said this even with NYPD, if there's jobs



that we can get civilians to do, we should definitely be looking to that. Because it does save money, and it also puts the correction officers in the places that they really need to be in dire (INAUDIBLE)

So I definitely would want to hear back from you all about what that process could look like to help balance some of this out.

COMMISSIONER MAGINLEY-LIDDIE: I just want to point out really quickly, yeah, you made a comparison to NYPD. Working in a jail on Rikers Island behind closed doors... (CROSS-TALK)

COUNCIL MEMBER STEVENS: I know it's not the same.

COMMISSIONER MAGINLEY-LIDDIE: It is and that's where we've had our challenges. There are people, civilians, who start out behind the gates, but then it's very uncomfortable, you know, hours, whatever it may be, and we don't necessarily retain those individuals. So, it's a little more... (CROSS-TALK)

CHAIRPERSON STEVENS: Absolutely, I'm not saying it's the same. But I am saying that they also need to work on having more civilians doing some of the jobs. I'm saying the jobs are the same... (CROSS-TALK)

COMMISSIONER MAGINLEY-LIDDIE: No, I... I agree with you...

CHAIRPERSON STEVENS: So...

COMMISSIONER MAGINLEY-LIDDIE: I definitely agree with you. And part of the process that we've engaged in, too, is just having directors— and above— touring on the island...

CHAIRPERSON STEVENS: Mm-hmm?

COMMISSIONER MAGINLEY-LIDDIE: and understanding what happens in the daily operations, because for a long time we had civilians who didn't necessarily know what was happening in the jails.

So that is something that we've done as a leadership team to ensure that there is constant coverage and people are touring, and aware of what our staff are going through, and the people in our care are going through as well.

CHAIRPERSON STEVENS: No, absolutely, and staffing... and as you can see, I mean, even Council Member Paladino, staffing is clearly an issue, and we want to make sure everyone is safe. So where we can figure out where things need to be shifted, it is a conversation. So this is just about ,like, if there are things that civilians can do— and there are individuals ,like, let's not pretend that there are not individuals, who are not correction officers, who

would happily sign up to go there. Because whether they have experience, or loved ones, or parents who've been there, they will also be just as committed. So that is what I'm saying... (CROSS-TALK)

COMMISSIONER MAGINLEY-LIDDIE: No, I agree with you. I agree with you.

CHAIRPERSON STEVENS: of like thinking about how we expand what that looks.

COMMISSIONER MAGINLEY-LIDDIE: I agree with you.

We identified some positions in our Health Management Division that were actually the jobs were being done by officers. They're now being done by civilian investigators, so that is an ongoing process, but we are doing the work.

CHAIRPERSON STEVENS: Yeah, no. I've (INAUDIBLE) some work. We're in this together. Okay?

How has the rule for electronic scheduling affected how the Department assigned overtime? Have you seen a decrease in necessary overtime since implementing electronic scheduling?

CHIEF REMBERT: Good afternoon, yes, we will... we do see a decrease. However, the electronic scheduling system doesn't point out everything that needs to see at a forecast. Everything's at a forecast. And with

the unavailable categories that we have in our agency, in our department, sometimes the electronic scheduling system will not catch that unless the facilities input it in timely fashion so that our Office of Administration will be able to forecast and reallocate our staff to the facilities.

CHAIRPERSON STEVENS: Thank you. I'm happy to hear that we're using technology in some places in the City.

Does the Department require additional resources to adequately staff each housing unit? What is the current ratio for CO to PIC per housing unit?

CHIEF REMBERT: That's a fluid question. I going to try...

CHAIRPERSON STEVENS: Try your best.

CHIEF REMBERT: I'm gonna try to take it as best as I can.

So currently right now, we are in a staffing crisis, and we're working through a staffing crisis.

So basically, to... in order for us to meet the baseline, we would probably need additional 1,104 offices on or about... (CROSS-TALK)

CHAIRPERSON STEVENS: So, like...

CHIEF REMBERT: on or about, maybe more...

(CROSS-TALK)

CHAIRPERSON STEVENS: So, like, (INAUDIBLE)  
thousand?

CHIEF REMBERT: Plus 1,000... 1,100 officers.

CHAIRPERSON STEVENS: Eleven-hundred officers.

CHIEF REMBERT: To make the baseline, to ensure  
that attrition matches the cadence of us recruiting,  
it's not on par. For example, (UNINTELLIGIBLE)

CHAIRPERSON STEVENS: You're good.

CHIEF REMBERT: For attrition... for attrition in  
CY 24, 600— over 674 members of service that retired  
or decided to leave the job or decided to go with  
NYPD or another agency.

For calendar year February 25, 2025, uh, 274  
members of service can retire. The end of this year,  
we are looking at another 439. Calendar year of 2026,  
we're gonna be at 734. So the cadence of us hiring,  
onboarding, retention is not within the required  
numbers that we need in order to backfill and replace  
our officers.

CHAIRPERSON STEVENS: Okay, definitely... I have  
some ideas. So, I'm gonna talk offline around...  
because I know you said you were doing some tours

with high school students, and I think that there's some things we can do. You guys know I'm the Chair of Children's Youth Services, so I definitely have some ideas around some recruitment and things that (INAUDIBLE) should be doing...

COMMISSIONER MAGINLEY-LIDDIE: Yeah, additionally, we have the SEADS Program...

CHAIRPERSON STEVENS: Mm-hmm.

COMMISSIONER MAGINLEY-LIDDIE: the Cadets program, we're working on any pipeline programs so we can...

CHAIRPERSON STEVENS: Yeah...

COMMISSIONER MAGINLEY-LIDDIE: you know, so ,you know, expose people to what it is to work in a jail. And I think we need to start in the schools from the very beginning, just like those days when you bring in a police officer, you bring in a correction officer to expose people to the profession.

CHAIRPERSON STEVENS: We're gonna move on to cell doors. I know this was kind of already brought up but we have some additional questions I would like to ask.

Fiscal Year 2026 Preliminary Plan included a baseline increase of \$2.5 million for cell door replacement. According to DOC, the plan is to use

those funds to replace 200 per fiscal year with the new state of the art doors starting at GRVC this year, RESH next year and so on. Is that correct?

COMMISSIONER MAGINLEY-LIDDIE: Yes, that is correct. That's correct.

CHAIRPERSON STEVENS: How are those doors different from the previous installed doors?

DEPUTY COMMISSIONER DOHERTY: Thank you for your question, Council Member...

CHAIRPERSON STEVENS: Oh, you're over there...

DEPUTY COMMISSIONER DOHERTY: So the, the new door systems is reinforced steel door. The locking systems themselves are a Willo Wedge locking system, which is an electronic locking system that is controlled within the control station within each housing cell.

Additionally, because it's on the outside, it allows a very minuscule level of manipulation available to manipulate that door. The lock is quite large. The doors are aggressively reinforced. We have noticed that since installing these, we are having far less complaints of door manipulation, of door damage, and so on and so forth. So...

CHAIRPERSON STEVENS: This is not the first time Department has received funding for cell doors. In

Fiscal Year 2023 Preliminary Budget, \$12 million was transferred within Department for cell door emergencies, and the Fiscal Year 2023 Adopted Plan \$15 million was added and \$10 million in Fiscal Year 2024 for cell door upgrades. According to DDC's budget in FY 2023, it included \$10 million for a cell door project.

Can you provide updates for these door projects and clarify why we're still funding doors in Fiscal Year 2026?

DEPUTY COMMISSIONER DOHERTY: Sure. So in previous areas, I don't know the specific allocation per project, but it was with AMKC as well as RNDC. As a department, we have roughly over... I have the numbers give me one second.

FIRST DEPUTY COMMISSIONER TORRES: If I may, Council Member Stevens...

CHAIRPERSON STEVENS: Mm-hmm?

FIRST DEPUTY COMMISSIONER TORRES: When we look at the budget for cell doors, there have always been different type of cell doors that we've had to replace.

When we speak about the current doors that Deputy Commissioner Doherty is referencing, I'll give you a



very specific example. In 2019, we went and purchased the model that he's speaking about. Due to COVID, we couldn't complete the installation the way we decided and had mapped out. It is an installation that we did at RNDC and that we completed in 2023.

When we go into learning from having purchased and invested in this new type of door and knowing the success and how safe our persons in custody, as well as staff remain, because the motors, there's no motor to be manipulated.

We have indeed gone and used those same doors to actually be used to replace existing doors in very specific buildings at enhanced supervision housing within Rose M. Singer, presently at OBCC, one specific housing area, as well as GRVC-15-A.

So when we take a look at where we are with this continued purchasing of doors, is because we are now looking at the larger department and where we have additional needs.

Presently, our Facility Maintenance Team, which is led by DC Doherty, is working to install a 22 additional of those doors. They are working at GRVC. They're also working at enhanced supervision as well as NIC.

But if I may go back to the statement that was made by Council Member Marte— when we look at the infrastructure, and when we look at where our facilities are, and when we look at the estimated movement out of Rikers Island and whether we can and cannot move, the main question is how do we continue to keep our staff members and those assigned to our care safe in order to continue to reduce violence? And these doors have proven that they actually are able to sustain any of those challenges that we faced in the past. Thank you, ma'am.

CHAIRPERSON STEVENS: That was a lot.

(LAUGHTER)

FIRST DEPUTY COMMISSIONER TORRES: I'm so sorry.

CHAIRPERSON STEVENS: (LAUGHS) Because I have ,like, so many questions in between, and so ,like, because, like, remember, I'm not the chair. So some of this stuff is going over my head and it goes over my head because of a lot of words.

And so my question is, were you said you got doors in 2019, but the project wasn't finished for COVID. And so the money that's being allocated year after year is to complete that project?

FIRST DEPUTY COMMISSIONER TORRES: (INAUDIBLE)

CHAIRPERSON STEVENS: Or are these new doors?

FIRST DEPUTY COMMISSIONER TORRES: So we've completed these projects.

CHAIRPERSON STEVENS: Mm-hmm?

FIRST DEPUTY COMMISSIONER TORRES: The new funding...

CHAIRPERSON STEVENS: Mm-hmm?

FIRST DEPUTY COMMISSIONER TORRES: is to continue to target all of these other areas that we have not been able...

CHAIRPERSON STEVENS: So, these are areas that have not gotten the new doors? And, so, these, year over year, you're expanding the project to complete...

FIRST DEPUTY COMMISSIONER TORRES: That's correct.

CHAIRPERSON STEVENS: for the new doors? You know you could have said that in less words, right?

(LAUGHTER)

FIRST DEPUTY COMMISSIONER TORRES: Well, Council Member Stevens, come on now...

CHAIRPERSON STEVENS: (LAUGHS) You lost me, I'm like...

FIRST DEPUTY COMMISSIONER TORRES: No, no, no, let me bring you back.

CHAIRPERSON STEVENS: (LAUGHS) No, I got it...

FIRST DEPUTY COMMISSIONER TORRES: We're back?

CHAIRPERSON STEVENS: No, I got it.

FIRST DEPUTY COMMISSIONER TORRES: All right.

CHAIRPERSON STEVENS: I got it. You are finishing the project. You did not complete all the doors.

I don't, you could have just said that, "We didn't complete the doors and so we needed the funding to complete the rest of the doors."

FIRST DEPUTY COMMISSIONER TORRES: There is always that debate on how much information we should share.

CHAIRPERSON STEVENS: (LAUGHS) Well, keep it simple with me. So...

FIRST DEPUTY COMMISSIONER TORRES: All right, now (LAUGHS)

CHAIRPERSON STEVENS: Yeah, all right, so we're going to move on to programming.

DOC is still sourcing programming through the Division of Programming. How many staff currently work with the Division of Programming?

DEPUTY COMMISSIONER MCCARTY: Hello...

CHAIRPERSON STEVENS: Hi.

DEPUTY COMMISSIONER MCCARTY thank you so much for the question.

I just want to make sure I give you the accurate number. All right. So the Division Of Programs consists of approximately 353 staff members; 203 of them are non uniform staff.

And then I would like to highlight that some of the other staff, there's about well, the additional ,like, 100+ staff that are uniformed members of service, work within all of our facilities providing access to services like law library, access to services like chaplaincy services, making sure that people are escorted, just to give the context of why we would have uniformed members as well.

CHAIRPERSON STEVENS: Is the division at its full capacity?

DEPUTY COMMISSIONER MCCARTY: We are currently hiring. So although we have this number of staff, we also have about 34 vacancies, most of which are posted, a few of which will come through civil service pools.

CHAIRPERSON STEVENS: According to the PMMR, one of the sessions provided to individuals in custody have decreased by 1,322 Fiscal Year 2024 and from Fiscal Year 2023. Is this reduction in 101 sessions due to the insource of programming?

DEPUTY COMMISSIONER MCCARTY: So while insourcing presented both some successes, in that ,you know, we have been able to take on the responsibilities of group based programming, it did present some challenges and that being the reduction in the one on one. That also being said, specifically, last fiscal year, we did have attrition as a huge component. Actually, most of our attrition was contributed to people getting promotions, some of them promotions in different agencies. And so as part of that, we did have a reduction in staff, which then resulted ultimately in the reduction of one on ones.

CHAIRPERSON STEVENS: The PMMR indicated that the Department of Administration administered... the Department administered 1,877 less groups of facilitation sessions in 2024 than the previous year.

Could you explain decrease in the group programming sessions?

DEPUTY COMMISSIONER MCCARTY: Yes.

So that number was about 4% of a decrease. And part of that was because for the first quarter of Fiscal Year 2024, is when we experienced the largest attrition. And you notice that in the PMMR, that was

established for Fiscal Year 2024, where it was quite drastic, the decrease in group programming.

So we spent the remainder of fiscal year 2024, uh, increasing our staffing to increase the level of group programs, which resulted in that 4% reduction in group programs.

What I would like to highlight, though, is that what we have seen in the PMMR— so the first quarter of Fiscal Year 2025, is a 44% increase of group programming compared to last year's same time.

And so what that says to me, is that we are starting to stabilize our services, trying to get back to that less fluctuation, seeing less of a difference between our group programs, that have been in sourced by our department's Counseling Services Unit.

CHAIRPERSON STEVENS: Fiscal Year 2024, a number of participants in post-secondary education increased from 39 to 450, 1,053% increase. What is the cause for this uptick in participants?

DEPUTY COMMISSIONER MCCARTY: Yes. So in Fiscal Year 2024, we had three post-secondary providers that were able to enhance. That was an increase from prior fiscal years post-secondary opportunities.

I would also like to highlight that we actually have seen a decrease this year, because we lost one of those providers, so we have gone back down, and that is evident in the PMMR.

CHAIRPERSON STEVENS: Under the canceled contract providers served a collective 1,700 people per day across the 200 housing units. Will the services offered in those RFPs reach... wait hold on, I'm sorry.

I want to take a moment to focus on four RFPs that DOC issued earlier this year. Those four RFPs together amount to \$4 million, and the contracts that providers held that have... were abruptly cut in FY24 totaling \$17 million.

Under the canceled contracts, providers served a collective 1,700 people per day across 200 housing units. Will those services offered and those RFPs reach the same number of people?

DEPUTY COMMISSIONER MCCARTY: So we did open up a new RFP on January 6TH, which was an investment of \$14 million across those four RFPs.

What we can say is that those RFPs are not a replacement of the prior contract, so the cash amount is not going to be equal because they are actually



1 uniquely different. They're covering different  
2 topics. And this was gathered through focus groups  
3 and surveys with people in custody to identify what  
4 services they were seeking additional support with.  
5

6 With that being said, the number of people  
7 serviced, it's a little early for us to anticipate  
8 what the expected outcomes will be compared to the  
9 last contract that we had, the targeted jail based  
10 services contract. But we do hope to see an increase  
11 in a variety of different opportunities from post-  
12 secondary to high school equivalency programming, to  
13 substance misuse programming, trauma-informed care,  
14 and programming that is associated with trauma-  
15 informed practices, as well as with reentry planning  
16 and transitional services.

17 CHAIRPERSON STEVENS: We're going to talk about  
18 borough-based jails now. Can you please provide me an  
19 update on each facility? Has the design been  
20 completed for each facility?

21 ASSISTANT COMMISSIONER MALDONADO: (INAUDIBLE)

22 CHAIRPERSON STEVENS: Turn the mic on, please.

23 ASSISTANT COMMISSIONER MALDONADO: Sorry.

24 CHAIRPERSON STEVENS: No worries.  
25

ASSISTANT COMMISSIONER MALDONADO: Good afternoon.

We are at 90% of construction documents for the Brooklyn facility. So that is the most near completion. We're working with the Design Build teams for Queens and the Bronx to develop those designs, but we have not reached design documents yet. There are three phases, SD, DD, CD. So we're kind of in the first...

CHAIRPERSON STEVENS: A lot of alphabet...

ASSISTANT COMMISSIONER MALDONADO: (LAUGHS) Yeah exactly... the first trimester, if you will, of those facilities and Manhattan as you know the contract has not been registered yet.

CHAIRPERSON STEVENS: Has the OC completed the staffing analyst for the jails based on those designs? And how many officers will be required to properly staff each facility?

ASSISTANT COMMISSIONER MALDONADO: So we have been... it's a constant review of these designs to ensure and maximize staffing efficiencies. As we know, we are facing significant staffing issues and it's something that we do not want to repeat in our future facilities.

That being said, for the Brooklyn facility, we anticipate nearly upwards of 800 staff members that would be required to be assigned to that facility, but the designs are too early to say for the Queens and Bronx facilities.

CHAIRPERSON STEVENS: This past November, the Mayor referenced turning one of the borough-based jails facilities into a mental health facility. Has there been any further discussions with regards to this idea?

ASSISTANT COMMISSIONER MALDONADO: I'm not aware of any conversation.

CHAIRPERSON STEVENS: Okay, well, you're not aware.

So we're gonna move on to contraband. Commissioner, you have said that Department does not tolerate misconduct by its employees. In the last year, multiple Rikers Island staff have pled guilty to bringing contraband into the facility.

What changes or policies has the Department implemented to prevent staff from bringing contraband into the facility?

COMMISSIONER MAGINLEY-LIDDIE: So the question about what we're doing overall, I mean this is

overall safety for everyone working and living in our facilities.

So when staff enter the entrances throughout our jails, they go through the magnometer, and there is also a body scanner that they go through. If...It's randomized and they're identified to go through that.

In addition, we have our Special Investigations Unit. They're constantly surveilling throughout the facilities to ensure that contraband does not come in. And there are many entry points for contraband coming in which includes mail, visits. There are all of those things that we're taking sort of a holistic look at to ensure that contraband is not entering our facilities.

CHAIRPERSON STEVENS: After several detainees died from opioid overdoses in 2022, former Commissioner Molina announced the officers would inspect vehicles and mail entering the island. Are those policies still in place?

COMMISSIONER MAGINLEY-LIDDIE: We are inspecting mail. We're inspecting all entry points throughout the island. We have canine. We have our SIU team. Everyone's deployed. We are working to identify any

contraband coming into the facilities from any multiple ways that they it can come in.

CHAIRPERSON STEVENS: The Department of Investigations released a report this past November stating that the Department of Correction relies on field tests that frequently yield false positive results from fentanyl rather than looking at their own staff.

Are you familiar with the report and the recommendations made by the DOI regarding contraband smuggling?

COMMISSIONER MAGINLEY-LIDDIE: Yes, I am familiar with it. I'll turn it over to my general counsel to speak further on this.

CHAIRPERSON STEVENS: Okay.

DEPUTY COMMISSIONER CONROY: Yes, thank you.

So I'm familiar with the report and we're familiar with some of the inadequacies relating to the field tests. So now we've moved to— I believe every facility and our mail trailer also has now scanning machines that are used by the TSA as well as the Transportation Safety Administration as well as by us, which have a much, much higher accuracy rate regarding the testing for narcotics and any types of

1 drugs. So that is our new procedure with respect to  
2 that.

3  
4 The mandate that I've sent around to our SIU and  
5 CIB units is that's to be used. Those machines are to  
6 be used for testing. If there's any field testing  
7 being used, it's only the preliminary marker to then  
8 have it further tested by the by the scanning  
9 machines.

10 CHAIRPERSON STEVENS: There were two main  
11 recommendations including placing correction  
12 officers' lockers outside of security gates and to  
13 place cranes units in the staff entrance gates to  
14 scan correction officers and other staff for  
15 contraband, are those recommendations that DOC would  
16 consider?

17 DEPUTY COMMISSIONER CONROY: With respect to the  
18 first one, it was something that we had partially  
19 considered. But because of this, again, the move to  
20 borough-based jails, we didn't have the funding to be  
21 able to make those infrastructure changes.

22 We have I think one facility where the lockers  
23 are outside of the scanning gates. I think our  
24 borough-based jail designs have that implemented into  
25 them. So when that move is made, that will be the way

it works is that the lockers will be outside and scanning machines.

And then as the commissioner indicated, that our staff is scanned. We have the L3 non-ionizing scanning machines and then the other magnetometers so that all staff do proceed through those before they enter the facilities.

CHAIRPERSON STEVENS: Okay, we're gonna move on to mental health.

When the first... when we first brought up the subject a few months ago, the Department was surprised to hear that there were claims of unauthorized lock-ins, commonly referred to as "dead lock-ins". According to the mental health units on Rikers, you expressed that you will be conducting an investigation and would discipline any staff involved in these prohibited practices.

What were the results of your investigations?

COMMISSIONER MAGINLEY-LIDDIE: So the investigation is currently being conducted by the Department of Investigation. And we've not received any results from that investigation as of yet, but when we do we will let you know.

CHAIRPERSON STEVENS: Thank you.

Grievances— The Board of Correction recently released a grievance report where they laid out specific recommendations to streamline the grievances process— including implementing digital solutions, increasing the frequency of grievances coordinated in officers tours, and productively... producing... providing daily updates to the PICs on their grievance status amongst others.

Have you read this report? Which of those recommendations have you taken into consideration by the Department?

CHIEF REMBERT: Good afternoon again.

CHAIRPERSON STEVENS: Oh, there you go.

CHIEF REMBERT: Yes, it's me. Good afternoon again. Yes, so we have read the report and some initiative improvements came out of that report.

So in January 2024, Office of Constituent and Grievance Services launched a public facing system where the community at large may attain status in outcome of a complaint. And the complaint matter outcomes are available dating back to July 2023.

Thus far, we have 2,633 that came in to the public... for the public figuring facing system.



1                   In reference to your tablets in February, OCGS,  
2                   developed an application in enabling PIC to submit  
3                   grievance via tablets, enhancing access to grievance  
4                   processes. As December 31, 2024, OCGS had received  
5                   434 complaints, via the PC tablet, averaging, on  
6                   about 54 complaints per month. And we would continue  
7                   to streamline and review the recommendation and  
8                   explore all... the majority of the recommendations  
9                   that we can... that we can implement in our agency.  
10

11                  CHAIRPERSON STEVENS: How many calls are made on  
12                  average each month to 311 about DOC? Who addresses  
13                  those? What is the process for resolving those? And  
14                  how are they tracked to identify patterns and larger  
15                  systematic issues?

16                  CHIEF REMBERT: On average, OCGS receives 39,000  
17                  complaints per year, performs 30,000 investigation-  
18                  and to answer your direct question, 10,000 calls per  
19                  year.

20                  The average time to address a complaint is about  
21                  14 days from where from work... is filed from where  
22                  the... about 14 days when OCGS receives a complaint.

23                  CHAIRPERSON STEVENS: How are they tracked and  
24                  identified to look at any patterns? Like, how do you  
25

use that information to guide any new policies or things that you're developing?

CHIEF REMBERT: So the tracking system is used so that we filter out to the facilities to see any comments or any complaints that are needed to assist us to identify information— such as if information concerning laundry, if there's medical, there's food, there's sanitation, any grievance complaints, we use that tracking system to filter it to the facility so that we give a better gauge on what needs to happen within our facility for our persons in custody.

CHAIRPERSON STEVENS: Are body cameras back... used by all DOC uniform staff?

COMMISSIONER MAGINLEY-LIDDIE: No, like I said earlier, we have rolled out approximately 1,500 body worn cameras and we're going to be continuing to roll them out. We anticipate that they should be rolled out by the end of the year.

But also just for everyone's clarification we have approximately 13,000 cameras throughout the Department.

CHAIRPERSON STEVENS: Following the death of Robert L. Brooks in the facility, Department of Corrections and Community Supervision determined the

rampant violence of their department policy governing the use of body cameras. Has DOC done any similar inspections or investigations to ensure camera use policies are followed?

COMMISSIONER MAGINLEY-LIDDIE: So when... we actually underwent this process with rolling out new body worn cameras, you know, we assessed that we didn't really have a current policy. So a lot of things that we've done as a result of rolling this out, we've been thoughtful, and all these policies are new and in consideration with the team throughout... and the Federal Monitor.

CHAIRPERSON STEVENS: Are body worn cameras required to be on at all times where officers are on duty or only during specific incidents?

COMMISSIONER MAGINLEY-LIDDIE: It's required to be on at all times.

CHAIRPERSON STEVENS: Since 2018, the Department has closed several jail facilities, most recently the Anna M. Kross Center (AMKC) and the Vernon C. Bain Correctional Center, VCBC. When the when DOC closes jail facilities on Rikers, is there any kind of analyzation that is conducted to determine the savings to the City?

DEPUTY COMMISSIONER CONROY: Council Member Stevens, I'm sorry, just to roll back on that previous question. I apologize. Just for clarity's sake. So the body worn camera that are rolled out, they're on and able to be activated anytime while someone's on duty, but they're only actually activated and recorded for specific designated incidents. I just wanted to make that clear...

(CROSS-TALK)

CHAIRPERSON STEVENS: No, thank you, though, that's a good clarification, because...

DEPUTY COMMISSIONER CONROY: Yeah.

CHAIRPERSON STEVENS: (UNINTELLIGIBLE)

DEPUTY COMMISSIONER CONROY: Right, it's not recording the entire time...

CHAIRPERSON STEVENS: the entire time...

DEPUTY COMMISSIONER CONROY: Yeah, thank you.

CHAIRPERSON STEVENS: Okay, thank you.

Do you need me to repeat the question again?

DEPUTY COMMISSIONER CONROY: Yes, I'm sorry.

CHAIRPERSON STEVENS: Okay. No, no, no, we appreciate you clarifying for the record.

Since 2018, the Department has closed several jail facilities, most recently AMKC and VCBC. When

DOC closes jail facilities on Rikers, is there any kind of analyzation that is conducted to determine the savings for the City?

(PAUSE)

DEPUTY COMMISSIONER SRINIVASAN: So, thank you for the question.

So in previous closures of the facilities, we were... the headcount related to these facilities were taken down. And, in relating to AMKC, we kind of look at the post and see and repurpose those headcounts to other facilities as needed.

CHAIRPERSON STEVENS: How does this affect the jail population when facilities are closed? Where do the people who reside in those facilities go once they're closed?

COMMISSIONER MAGINLEY-LIDDIE: They go into other existing facilities.

CHAIRPERSON STEVENS: They go to other existing facilities, okay.

At this time I don't have any more questions; however, I will turn it over to Council Member Brewer, as she has a few questions for the second round.

COUNCIL MEMBER BREWER: Just quickly, as we all know, we're trying to get the population down for whenever the new jails are opened.

My question is, for those... when I see and go to Rikers, and I appreciate the hospitality of the commissioner when we're there, there's just a lot of people who are mentally ill. So my question is, again, this is not your direct responsibility, this is an administrative effort. But what are we doing to have other, perhaps, locked facilities? They're not the ones that are at Bellevue— That's a different kind of person. That's somebody who's coming from Correctional Health to Bellevue— But what are we doing as an administration, if anything, to think of, if necessary, locked facilities in psychiatric, facilities? Or what kind of psychiatric support do you have now for those who are at your facility who could then get the help that they need?

Because it's my impression, when I am there, and you know better than I, that that's not happening. I know that's Correctional Health, that's not you, but it doesn't seem to be happening.

And then finally, when and if those beds are available at Bellevue, what kind of staffing is gonna be necessary, and do you have that staff?

Those are my two questions.

DEPUTY COMMISSIONER SAUNDERS: Thank you for the question. Deputy Commissioner James Saunders, Health Affairs Compliance and Quality.

So I'm gonna address part of that question, and that is what are the mental health services currently being provided by our colleagues at Correctional Health Service?

So, we have mental observation units...

COUNCIL MEMBER BREWER: I saw it...

DEPUTY COMMISSIONER SAUNDERS: Mm-hmm.

And we also have another unit, units called PACE and CAPS, and so those respective units provide direct hands-on treatment by correctional health service providers. They help address behavioral issues and provide them the clinical support that certain individuals need.

COUNCIL MEMBER BREWER: How many staff people, what's or if you can get back to us if you have to, what's the cost? How often do people get seen, et cetera?

DEPUTY COMMISSIONER SAUNDERS: So I can tell you that CHS has staff that are on those units. They provide medication on those particular units. CHS will have to address the cost and the staffing issue.

COUNCIL MEMBER BREWER: Because you don't know how many people per detainee? You don't know the cost? That would not be your bailiwick to know?

DEPUTY COMMISSIONER SAUNDERS: Correct.

COUNCIL MEMBER BREWER: Okay.

DEPUTY COMMISSIONER SAUNDERS: We don't provide the care and treatment.

COUNCIL MEMBER BREWER: Okay, all right.

And do you... and you wouldn't know what the Administration is doing as a whole to try to find diversion, not putting people back on the street, but finding some other alternative, Creedmoor, Ward's Island, I don't know, something else so that they're not ending up at Rikers?

Does anybody have that or is that something that's not your purview?

COMMISSIONER MAGINLEY-LIDDIE: We don't... we don't have any information on that, but I agree that we can all work towards that. Because that is a need



considering what the majority of our... what our population looks like.

COUNCIL MEMBER BREWER: Thank you for admitting that.

And how about the staff that might be needed—when and if these beds are available at Bellevue? This is correctional, slightly different. Do you know how many people? And do you have the people to do that?

DEPUTY COMMISSIONER BOYD: Yeah. It's approximately, we anticipate from our preliminary analysis that we're gonna need 282 staffer, uh, uniform staff members to open Bellevue OTHU.

That's something that's an ongoing conversation as what's been alluded to throughout the hearing, is that we have staffing challenges, and it's a very staff-rich model for a very low population.

Again, we want to open these facilities as well, but we have to do it in a very strategic and smart way where it's not a deficiency on providing, uh, continuing operations on Rikers Island.

So we're going to continue to have these conversations with the Administration, as well as CHS, to figure out what's a reasonable timeline, one

for completion of construction and then actually open it because it is a two part process...

COUNCIL MEMBER BREWER: Okay. And I heard you need the state sign off also...

DEPUTY COMMISSIONER BOYD: That is correct.

COUNCIL MEMBER BREWER: plus the staffing plus everything else. All right, thank you.

CHAIRPERSON STEVENS: Well, I don't have any more questions at this time. I hope you enjoyed my chairmanship today.

(LAUGHTER)

COMMISSIONER MAGINLEY-LIDDIE: You did a good job.

CHAIRPERSON STEVENS: Well, thank you, I appreciate it, I tried. I hope I did Sandy proud- I mean, Chair Nurse proud. But, with that, I will dismiss this panel, thank you. And the next chair will be taking over.

(PAUSE)

DEPUTY SPEAKER AYALA: Okay, (GAVEL SOUND)

We will call representatives of the Board of Correction to testify. We will hearing testimony from Jasmine Georges-Yilla; Melissa Cintron Hernandez; Danielle Ortega; and Katrina Blackman.

COMMITTEE COUNSEL: Please raise your right hands.

Do you affirm to tell the truth, the whole truth, and nothing but the truth, before this committee, and to respond honestly to council member questions?

[PANEL AFFIRMS]

COMMITTEE COUNSEL: Noting for the record that all panelists responded in the affirmative. You may begin.

EXECUTIVE DIRECTOR GEORGES-YILLA: Good afternoon Chair Ayala and members of the New York City Council Committee on Criminal Justice.

I am Jasmine Georges-Yilla, Executive Director of the Board of Correction. I'm joined today by BOC's Deputy Executive Director of Administration Danielle Ortega; our Deputy Executive Director and General Counsel Melissa Cintron Hernandez, and BOC's Assistant Executive Director of Monitoring Katrina Blackman. Thank you for the opportunity to testify today.

Since 1957, the Board has exercised independent oversight of New York City's jails despite operating as a relatively small agency with limited resources. The New York City Charter mandates the Board to establish local regulations, investigate matters

within the jurisdiction of the Department of Correction, and evaluate the performance of DOC and Correctional Health Services. The Board's minimum standards set baseline conditions that must be maintained for individuals in custody.

Despite our financial constraints, we have remained steadfast in producing meaningful oversight reports. In the past year alone, we published reports on the use of chemical agents in city jails, three death reviews, two borough-based jails progress reports, a monitoring quarterly report, an evaluation of the sick call process, an assessment of heat mitigation efforts, and a triennial review of the DOC. With additional resources, our impact could be significantly greater.

The Board's Fiscal Year 2026 Budget is \$3.6 million which is less than the \$3.8 million budget we were allocated in Fiscal Year 2025. Ninety-four percent of the Board's Fiscal Year 2026 Budget supports 30 authorized positions, three fewer positions than the 33 positions supported by our Fiscal Year 2025 Budget.

The Board currently has 26 active staff and seven vacant positions. By the end of the fiscal year, we

anticipate filling six of those vacancies amounting to 32 active employees.

City Council support has been instrumental in achieving this staffing level. Indeed, the Committee on Criminal Justice's \$400,000 in Fiscal Year 2025 allowed us to hire three critical positions, a Special Investigations Coordinator, a Correctional Standards Review Specialist, and a Research And Compliance Associate. We appreciate the Council's recognition of the Board's role in transforming the jail system and the broader criminal justice landscape, and we look forward to your continued support.

To maintain our existing staffing levels, the Board seeks continued funding for the three previously mentioned positions funded in Fiscal Year 2025 only. These frontline roles directly support the board's oversight work. Losing these positions would significantly reduce our capacity to monitor jail conditions, respond to incidents, and conduct critical research, especially as the population continues to grow.

To effectively fulfill its oversight responsibilities, the Board requires an additional

\$2.3 million and 20 positions in Fiscal Year 2026, combining Preliminary and Executive Funding requests. For the twenty Fiscal Year 2026 Executive Budget, the Board has identified \$1.3 million and eleven positions as essential. Additionally, the Board has \$1 million in unmet funding needs from the Fiscal Year 2026 Preliminary Plan for Strategic Initiatives and Staff Development. These resources will enhance the Board's ability to conduct data driven reporting, meet City Council mandates, increase public engagement, and improve oversight of jail conditions.

The Board seeks funding for new needs across the Agency.

Monitoring staff are critical to BOC's mission. We have only 12 monitoring staff who conduct oversight in the jails, court pens, and hospital jail wards. With approximately 6,800 people in custody, our monitoring capacity remains severely inadequate. While we expect to onboard two new monitors this year, further expansion is critical.

Specifically, we seek funding for three new Investigations and Compliance Monitors who will combine qualitative and quantitative methodologies to systematically assess compliance with the Board's

minimum standards. Additionally, four Correctional Standards Review Specialists are needed to improve the monitoring staff-to-incarcerated person ratio from one staff member per 565 individuals in custody to one staff member per 375 individuals in custody. Securing this additional funding is essential as both lives and fundamental fairness are at stake.

Additionally, the Board must have sufficient research capacity to analyze the extensive data it receives from DOC and CHS. By the end of Fiscal Year 2025, the Board will have a team of four research staff which will help to strengthen the Agency's analytical capabilities. However, we need an additional six research staff members to further enhance our ability to evaluate DOC operations and ensure timely data reporting. Of the six new positions needed, there is a critical need for three Senior Research & Compliance Associates who will focus on analyzing compliance with specific chapters of the Board's minimum standards.

The other three additional requested research staff will ensure dedicated attention To Prison Rape Elimination Act (PREA) compliance, assessing DOC's adherence to PREA standards, reviewing sexual abuse

allegations, and tracking housing decisions for transgender individuals.

The Board also seeks additional legal staff to strengthen its appeals and special investigations units.

To support our work on visit restriction appeals, which significantly impact incarcerated individuals and their families, we request funding for an appeals coordinator to expand our one-person Appeals Unit. This is a critical need due to the high volume of appeals received and reviewed solely by BOC's Appeals Director. Indeed, between 2021 and 2024, our one-person Appeals Unit received and reviewed approximately 350 visit restriction appeals. This year so far, the Appeals Unit has handled approximately 42 visit restriction appeals.

BOC's Special Investigations Unit is a three-person unit responsible for investigating various incidents within DOC's facilities. This includes deaths in custody, unresponsive persons in custody, fires, or any other incident that falls under the "unusual incident" category. The Special Investigations Unit would benefit greatly from a part time doctor or nurse practitioner with the expertise



to analyze medical records, give independent advice, and help lead the joint reviews with the CHS staff.

Further, our IT team urgently needs a senior certified IT administrator to maintain operational stability of the Board systems. Without adequate database support, the Agency faces significant operational challenges. A new Human Resources Generalist position is also needed to improve staff support.

Moreover, additional funding is needed to establish a training and development program, which is essential for the professional development and growth of all employees.

As our staff located on Rikers Island continues to expand, funding for adequate furniture, seating, and workstations is critical. In 2023, due to construction on Rikers Island, the Department relocated BOC staff to three trailers, only two of which are safely habitable for staffing operations. The move left the furniture allocated to BOC staff in poor condition, thus funding for clean and functional workstations, chairs, and conference room furnishings is essential.

The Board's work is essential to ensuring transparency, accountability, and humane conditions in NYC jails. However, our ability to fulfill our mandate is severely constrained by our limited budget. Receiving just 0.3% of the Department's funding is inadequate given our responsibilities and the growing need for independent oversight. An established funding structure will enable the Board to meet its mandate and effectively monitor conditions of confinement for the thousands of people in the Department's custody.

Thank you again for the opportunity to testify. I welcome any questions.

DEPUTY SPEAKER AYALA: Thank you. Thank you so much for that testimony.

The Board has consistently testified that it has been understaffed, but the Preliminary Plan only included funding, additional funding, for one person, an EEO officer. How many positions would you need to be filled in order to be considered sufficiently staffed?

EXECUTIVE DIRECTOR GEORGES-YILLA: Are you asking if we didn't have any limitations...

DEPUTY SPEAKER AYALA: Yes.

EXECUTIVE DIRECTOR GEORGES-YILLA: or were asked to just prioritize?

I think 60 staff members to start with, we really require a lot more monitors to be in the jails. Like I said, we only have 12 monitoring staff. We also require staff for the Research Unit, for the Appeals Unit.

Just across the Agency, we're very limited. We have one to three-person units across our agency compared with the Department's billion dollar budget. It's really inadequate in terms of the money that's given to the mandate for transparency and accountability that we have.

DEPUTY SPEAKER AYALA: You mentioned that you have seven vacancies as of today. How long have those vacancies been open?

EXECUTIVE DIRECTOR GEORGES-YILLA: I'm going to pass it to our Deputy Executive Director of Administration.

DEPUTY EXECUTIVE DIRECTOR ORTEGA: Thank you.

So the Board's vacancies, the seven vacancies are a mix. The Board had some attrition last year, roughly six separations, but we were able to rebound and so we only had one this year. We started FY25

1 with three additional positions. Part of the funding  
2 that we received, which we allocated to the Special  
3 Investigations Coordinator, the Research & Compliance  
4 Associate, as well as the Standards Specialist. And  
5 so part of those vacancies were new as part of the  
6 July 1, and then another one of those vacancies is  
7 the EEO Officer. So at least four of those vacancies  
8 are new to FY25.  
9

10 DEPUTY SPEAKER AYALA: I ask because I ,you know,  
11 when we bring this up to OMB, they'll... I want to  
12 make sure that they don't come back and say, "Well  
13 they've had vacancies that haven't been filled for  
14 however long."

15 Okay and how much funding do you estimate you  
16 would need to hire these new positions? I think you  
17 mentioned a couple of numbers in the report.

18 DEPUTY EXECUTIVE DIRECTOR ORTEGA: We did mention  
19 a couple of numbers.

20 So overall from the FY21 Preliminary Plan in  
21 January, we have a \$1 million of unmet needs, which  
22 supports a number of issues... a number of  
23 initiatives including nine positions.  
24  
25

For the Executive Plan itself, we asked for sorry, I'm just having numbers... \$1.3 million and 11 positions as essential.

So for us, as a incremental stepping stone, \$2.3 million in 20 positions in FY26 would get us on the way. And ultimately the 60 positions overall that our Executive Director mentioned would help us really reach our goals.

DEPUTY SPEAKER AYALA: Perfect.

In the last year. the Board has received restorations and enhancements to fund at least three additional positions in Fiscal Year 2025, what is the status of those positions?

DEPUTY EXECUTIVE DIRECTOR ORTEGA: Sure.

So those positions are part of the three positions I mentioned that we started with in July. One of those positions are filled, that's a Special Investigations Coordinator. And then, you know, happily we were talking about hiring an additional six by the end of the year. Two of those positions, the Standards Specialist and a Research & Compliance Associate will be onboarded in the next two months. And so those positions are just about almost filled.

DEPUTY SPEAKER AYALA: Okay, perfect.

The Preliminary Plan also shows that the Board is currently budgeted for 33 full time positions in Fiscal Year 2025, yet the actual headcount in December was 25.

Is there any other reason other than funding that ,you know, that the Board has had a difficult time recruiting staff to fill these positions?

DEPUTY EXECUTIVE DIRECTOR ORTEGA: So the Board has paid more attention— has made additional efforts to filling these positions. We have heard the Council talk about our vacancies in OMB as well. And so the really major push we have, those six additional staff that we anticipate coming on, are part of the efforts for the Board to fill our vacancies and get us to where we need to be.

The Board has made efforts including posting postings on Idealist, Indeed, and looking for other measures to widen our outreach in terms of recruitment.

DEPUTY SPEAKER AYALA: That was my next question. Thank you so much for that.

(LAUGHTER)

How have resources and staffing levels impacted your to fulfill your oversight role including

conducting and publishing reports on deaths in custody, PREA compliance, and other?

EXECUTIVE DIRECTOR GEORGES-YILLA: I think the lack of resources to be able to hire more staff has severely impacted us. We're not able to put out as much reporting and conduct as much audits as we would like because our, for instance, our death investigations, our Special Investigations team, who investigates deaths, is only a three-person team and that's recent. It used to be a two-person team. So conducting audits and assessments of all of the Board's minimum standards will take a dramatic increase in our staff to be able to do that sort of work— which the Board's minimum standards envision doing, and I believe the Council envisions that being our mandate.

So I think we would need a significant increase in our staff and resources to be able to do that.

DEPUTY SPEAKER AYALA: Has it historically been just two?

EXECUTIVE DIRECTOR GEORGES-YILLA: The Special Investigations Unit?

DEPUTY SPEAKER AYALA: Yes.

EXECUTIVE DIRECTOR GEORGES-YILLA: Do you want to speak to that? I'll turn it over to our General Counsel and Deputy Executive Director.

DEPUTY EXECUTIVE DIRECTOR CINTRON HERNANDEZ: The unit started a few years ago, I believe in 2021 with a director. A year after that, we added a Special Investigations Coordinator, and just this year we onboarded an additional Special Investigations Coordinator.

DEPUTY SPEAKER AYALA: Okay.

I mean because the number of deaths reported in custody have increased substantially. I'm not sure how you're able to conduct your business without the appropriate level of staffing.

Okay, I'm going to move on to oversight.

At your October meeting, the Board heavily discussed involuntary lock ins also known as deadlocking. What is the Board doing to monitor the use of involuntary lock-ins? Is the monitoring occurring at all jails on an ongoing basis?

EXECUTIVE DIRECTOR GEORGES-YILLA: Yes, so the Special Investigations Team that I just mentioned has taken the lead on our assessment of involuntary lock-ins. They actually just completed the tool and



methodology that we're going to use for a broad assessment. I can let our general counsel and Deputy Executive Director speak more to it, but we are looking at it. It is a serious problem, and it's something that we continuously monitor— and we'll be issuing a report on. But more research sources and more staff lend to issues like that would allow us to report out more immediately.

DEPUTY SPEAKER AYALA: Okay.

EXECUTIVE DIRECTOR GEORGES-YILLA: Did you want to add anything?

DEPUTY EXECUTIVE DIRECTOR CINTRON HERNANDEZ: So we expect the involuntary lock-in audit to begin in the coming weeks. It will focus on areas of mental observation and it will focus on areas where young adults are.

And like Executive Director Georges-Yilla mentioned, if we have more staff, we will be able to conduct an even more comprehensive and larger audit. But we will start with those areas, and as Executive Director Georges-Yilla mentioned, we will be issuing a public report with our findings.

DEPUTY SPEAKER AYALA: Is that the first? I'm assuming this is not the first audit after the

reports of the involuntary lock-ins was reported last year?

EXECUTIVE DIRECTOR GEORGES-YILLA: It would be the first public report issued publicly because we want to do a comprehensive assessment. We want to be able to communicate all of the findings with the Department and have them have an opportunity to speak to them and address them and to communicate what the resolution is and put that in the report as well- and come to a meeting of the minds of how this practice is going to stop.

DEPUTY SPEAKER AYALA: Okay, so when do you expect the report will be published?

DEPUTY EXECUTIVE DIRECTOR CINTRON HERNANDEZ: In the coming months. The audit will begin in the coming weeks. We expect it to take a couple of weeks. Then our Research Units and Our Special Investigations units will analyze the data, come up with the findings, and issue the report.

DEPUTY SPEAKER AYALA: Before the end June?

DEPUTY EXECUTIVE DIRECTOR CINTRON HERNANDEZ: Yes.

DEPUTY SPEAKER AYALA: Okay.

DEPUTY EXECUTIVE DIRECTOR CINTRON HERNANDEZ: We can safely say that.

DEPUTY SPEAKER AYALA: Okay.

Following the circumstances around the death of Robert Brooks at Mercy Correctional Facility and the multiple lawsuits following that alleged wrongdoing by the facility's CERT team, has there been any discussion around conducting a new review of DOC's emergency response strategy?

EXECUTIVE DIRECTOR GEORGES-YILLA: On the state level? The deaths that are?

DEPUTY SPEAKER AYALA: On... At DOC, I mean using that as an example, has that influenced your position on whether or not you should be conducting a review of the DOC's emergency response strategy?

EXECUTIVE DIRECTOR GEORGES-YILLA: Well, whenever a death occurs on the Island, our Special Investigation team goes out, they request information from CHS, from DOC, from the medical examiners, and evaluate all of the materials that we have to be able to produce an assessment of what procedurally went wrong and what procedurally can be done better.

And so that's what our reports address and it's based on what's written in the Charter of what we're able to evaluate. And so if those are conversations that can be had with the Council to figure out how we

can expand what we're able to look into, then that's something that we're happy and would want to do.

DEPUTY SPEAKER AYALA: So the Board is not able to proactively have a conversation about preventative measures in light of things that have happened on the state level or other facilities?

DEPUTY EXECUTIVE DIRECTOR CINTRON HERNANDEZ: So our Special Investigations team does not only look into deaths in custody, they also investigate unresponsive persons in custody. As part of that work, they do have proactive conversations with each facility's wardens— We share our findings. We share our memos, and we have a conversation about areas where DOC can improve.

So, those conversations have been happening since before the death of Mr. Brooks, and they will continue happening. And I will say that Mr. Brooks' death is illustrative of how important it is that the DOC have access to surveillance footage. And that is essential to all of our investigations of deaths in custody, and in the last two deaths, that's definitely something that has aided our investigations.

DEPUTY SPEAKER AYALA: Just out of curiosity, how long does the surveillance footage, uh, how long do they... are they required to file it for, to keep a copy of it?

DEPUTY EXECUTIVE DIRECTOR CINTRON HERNANDEZ: I don't have that off the top of my...

ASSISTANT EXECUTIVE DIRECTOR BLACKMAN: Good afternoon, Katrina Blackman, Assistant Executive Director of Monitoring.

So the footage that DOC preserves lasts an average of 90 days.

DEPUTY SPEAKER AYALA: Would you agree that that's a short amount of time? Is that too short amount? I mean it's a lot of footage, so I could imagine that it becomes a little burdensome. But in cases where an incident has been reported, that footage should be preserved a little bit longer.

Is that... does that happen in those cases, in case where we're talking about specific footage on an of an incident?

DEPUTY EXECUTIVE DIRECTOR CINTRON HERNANDEZ: Yes, I believe does.

DEPUTY SPEAKER AYALA: It is extended?

DEPUTY EXECUTIVE DIRECTOR CINTRON HERNANDEZ: I believe it does, yes.

DEPUTY SPEAKER AYALA: Okay.

DEPUTY EXECUTIVE DIRECTOR CINTRON HERNANDEZ: And the Department, the way when a specific incident happens, specifically a death, they provide the video to us by uploading it to a specific folder so that's where it lives.

DEPUTY SPEAKER AYALA: Okay. All right, thank you.

I'm going to move on to ICE on Rikers.

Has the BOC taken a position or published any sort of statement regarding the Mayor's plan to open an ICE facility on Rikers Island?

EXECUTIVE DIRECTOR GEORGES-YILLA: No the Board hasn't issued a public statement. But I would make the statement that the Board would want to remind people of the Board's minimum standard of nondiscriminatory treatment. And I and I would hope that that is at the top of people's mind when they're considering this. The standard is people in custody shall not be subject to discriminatory treatment based upon race, religion, nationality, sex, sexual orientation, gender, disability, age, or political belief. And it's imperative that any proposed policy

change, including the potential addition of ICE on the Island, be implemented with transparency, adherence to due process, and full consideration of its implications for all individuals in custody.

As the independent oversight entity, the Board will continue to monitor developments, assess potential impacts on correctional operations and conditions, and engage with stakeholders to ensure compliance with the Board's minimum standards. Our role is to uphold the principles of accountability, fairness, and due process in all matters affecting the City's jail population.

DEPUTY SPEAKER AYALA: Are you in communicate... is the BOC in conversations with the Administration about what that would... what ICE on Rikers would look like?

EXECUTIVE DIRECTOR GEORGES-YILLA: No.

DEPUTY SPEAKER AYALA: No? They haven't disclosed any information?

EXECUTIVE DIRECTOR GEORGES-YILLA: No.

DEPUTY SPEAKER AYALA: All right. Has there been any collaboration or communication at all on this before the announcement was made?

EXECUTIVE DIRECTOR GEORGES-YILLA: No.

DEPUTY SPEAKER AYALA: Okay.

All right. Are there any resources or additional funding requests that you have that were not included in this plan that you would like to speak on today?

DEPUTY EXECUTIVE DIRECTOR ORTEGA: So the \$2.3 million that was outlined is our needs as of the moment. Right? It encompassed what was unmet in FY25 and for FY25 Preliminary and what we recently submitted to OMB as part of the Executive Plan.

The larger conversation, I think, the ongoing conversation for the Board is the expansion— some sort of baseline foundational funding for the Board so that we can sustain and meet our goals. But, for us, right now, that's in hand submitted is the \$2.3 million.

DEPUTY SPEAKER AYALA: Okay.

I'm going to move on to the borough-based jails.

Will there be will the Board of Corrections Office be located... where would it be located once the facility closes?

ASSISTANT EXECUTIVE DIRECTOR BLACKMAN: Good afternoon again, Katrina Blackman.

So we've been in communication with the Department regarding our office space or accessible



space to our staff as it shifts over to four correctional facilities off Island.

So in those communications, though there will not be a designated office space for the Board of Correction, they have agreed in principle right now to allow us to have access to office space where we may need to review DOC footage, have access to DOC computers and database systems, etcetera, etcetera.

But I just want to be mindful of the fact that while we are at the borough-based jails, and as we shift over there, that our continued presence there will be for oversight. So that means that we will be actively touring while in those commands.

So it's not necessarily going to be an office space for us per se...

DEPUTY SPEAKER AYALA: Yeah.

ASSISTANT EXECUTIVE DIRECTOR BLACKMAN: because we have to be throughout the housing areas and ancillary areas of those facilities.

DEPUTY SPEAKER AYALA: Okay. Would you say, if assuming, in a perfect world, and I'm just using this as an analogy- if assuming that we were ready to open the new borough-based jails, you know, next week, would the Board... would the BOC determine that they

are inadequately staffed to fulfill the mandate of oversight in all four facilities?

ASSISTANT EXECUTIVE DIRECTOR BLACKMAN: Yes. Yes.

DEPUTY SPEAKER AYALA: What type of involvement has the Board had in the borough-based jail process?

ASSISTANT EXECUTIVE DIRECTOR BLACKMAN: So over the past two years, actually even before that, we've held, in collaboration with the Department and CHS recently, quarterly meetings.

So every quarter we have a meeting with the Department, CHS, again, recently, and we talk about the updates of said borough-based jails.

So they can give us everything and anything providing to us— expansion housing area locations, recreation areas. They talk to us about, uh, or they share with us updates about the hospitals and also visit areas, anywhere that people in custody, families, can congregate in those settings.

DEPUTY SPEAKER AYALA: Are you able to give recommendations?

ASSISTANT EXECUTIVE DIRECTOR BLACKMAN: We do give recommendations and we do have, like I said, quarterly follow ups with them. Our next quarterly meeting is scheduled for the end of this month.

DEPUTY SPEAKER AYALA: Okay.

ASSISTANT EXECUTIVE DIRECTOR BLACKMAN: So we do provide them, uh, we do provide them recommendations. And we also have our board members engaged in those conversations with them, so they can hear from an oversight lens what some of those recommendations could be.

DEPUTY SPEAKER AYALA: Understood.

All right, we don't have any other members present to ask any questions and that's all the questions that I have for you. Thank you, guys, for coming and testifying, and we look forward to continuing to work together to get you a better budget.

PANEL: Thank you.

DEPUTY SPEAKER AYALA: Thank you.

(PAUSE)

DEPUTY SPEAKER AYALA: Okay. I now open the hearing for public testimony.

I remind members of the public that this is a formal government proceeding and that decorum shall be observed at all times. As such, members of the public shall remain silent at all times.

The witness table is reserved for people who wish to testify. No video recording or photography is allowed from the witness table.

Further, members of the public may not present audio or video recordings as testimony, but may submit transcripts of such recordings to the Sergeant at Arms for inclusion in the hearing record.

If you wish to speak at today's hearing, please fill out an appearance card with the Sergeant at Arms and wait to be recognized. When recognized, you will have two minutes to speak on today's hearing topic: *Department of Probation; Department of Correction; and Board of Correction Fiscal Year 2026 Budget.*

If you have a written statement or additional testimony that you wish to submit for the record, please provide a copy of that testimony to the Sergeant at Arms.

You may also email written testimony to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov) within 72 hours after the close of this hearing. Audio and video recordings will not be accepted.

(PAUSE)

DEPUTY SPEAKER AYALA: All right. Dalvanie Powell and Benny Boscio.

(PAUSE)

DEPUTY SPEAKER AYALA: You may begin.

DALVANIE POWELL: Greetings Chair and distinguished city council members, thank you for this opportunity to testify. I am Dalvanie Powell, President of the United Probation Office Association, UPOA, representing nearly 700 probation... supervising probation officers, probation officers, probation officer trainees, and probation officer's assistants. Our members are predominantly women and people of color holding bachelor's and master's degrees.

The New York City Department of Probation serves as an alternative to incarceration, providing critical services to the courts, including investigation reports and supervision of probation, as probation officers are a vital part of the criminal justice system working to keep the community safe while giving people involved in the criminal justice system a second chance. Yet despite our extensive responsibilities and educational qualifications, New York City Department of Probation... New York City Probation Officers are the lowest paid members in the enforcement.

According to a recent report from the New York City Controller's Office, DOP has the highest attrition rate in the city at 128.6%. From 2023 to December 2024, 369 employees left the Department of which our members were a 103 resignations, 32 retirements, and 25 terminations. During the same period, only 210 people were hired, but only 57 probation officers were of that 57 that was hired.

Meanwhile in 2023, the academy... three academies were cancelled and probation officer training exams were cancelled and the class was postponed.

Additionally, Family Court has been cut by more than 40%. Staffing crisis is negatively impacting both our members and public safety. Instead of prioritizing the hiring of probation officers, this administration has reversed years of evidence-based policies that supported lower caseloads and risk-based supervision. Now all levels of supervision, both family and adult, are being consolidated leading to dangerously high caseloads.

Furthermore, under this administration, we are peace officers authorized to carry firearms and make arrests, yet we are not police officers. However, this administration continues to push us toward a



judges. This has resulted in delays in processing court orders, hindering case progression, and affecting youth moving through the system.

The commissioner plans to replace those CLOs with attorneys, who will be paid more, despite the fact that the UPOA members have handled this work exclusively for over 50 years.

Probation officers are being penalized for failing to manage excessive caseloads caused by a staffing crisis. Despite our prior commitments, the commissioner refused to meet with the UPOA to discuss more flexibility.

In short— because you have the this testimony— the New York City Department of Probation is in worse shape than ever due to the mismanagement and lack of respect for our profession. Probation officers are not just alternatives to incarceration; we play a vital role in rehabilitation, public safety, supporting our communities. Our ability to build trust with probation clients and the courts is being undermined by chronic understaffing and poor decision making.

The continued fight to address this issue not only harms our members but only jeopardizes public



safety. We urge this council to take immediate action to address the staffing crisis, restore proper funding, and recognize the essential role of probation officers in the criminal justice system.

I thank you, and I'm available for questions.

DEPUTY SPEAKER AYALA: I'll ask after, go ahead, Benny.

BENNY BOSCIO, JUNIOR: Good afternoon, Chairwoman Ayala and the members of your committee. My name is Benny Boscio Jr. I am the President of the Correction Officers' Benevolent Association, the second-largest law enforcement Union in the City of New York. Our members, as you know, provide care, custody, and control of approximately 7,000 inmates daily.

Our members are essential first responders who risk their lives every day to keep our city safe. For many New Yorkers, we are out of sight, out of mind and often unfairly scapegoated for all the problems in our jails, the fact remains that New York City Correction Officers protect and save lives every day.

We intercede while violent gang members are assaulting, slashing and stabbing one another to protect the non-violent inmates they are attacking. We recover weapons and drugs in our facilities on a

I want to provide a quick example of just one of the violent population my members must deal with daily.

This is the climate my members work in every day. In the span of one year, from February 21, 2024 (TIMER CHIMES) to February 21, 2025, there have been

approximately 560 inmate assaults on correction officers.

In addition to these attacks, there have been 122 spitting incidents, 225 splashing incidents, approximately 20 sexual assaults, nearly 170 slashings, and over 100 stabbings. During that same period, our officers recovered 600 items related to contraband, meaning weapons or drugs.

Our officers continue to perform essential services and maintain safety and security in our jails, all while dealing with a significant increase in our inmate population that is also increasingly more violent.

Our headcount, at approximately 5,000 officers, is the lowest it's been in decades. This is why we continue to have one of the highest vacancy rates out of any city agency.

The City constantly asks us to do more with less. Over time, that takes a toll on even the Boldest of my members. Safe staffing levels matter.

Despite the City's effort to recruit more officers, including the \$3 million included in the Mayor's Preliminary Budget Proposal, those efforts are falling far short of their targeted goals. The

Department is not even close to keeping with attrition. DOC must simultaneously focus on retaining the officers it has, which is our best chance to achieve safe staffing levels soonest. To achieve these goals the City must make significant investments to support our officers and improve our working conditions instead of disciplining us for everything we do.

Imagine getting punched in the face in an unprovoked attack by a person in custody and you getting suspended for defending yourself. This is what's happening to us.

The specific use of the money allocated to the problem must be scrutinized more closely. For example, it's outrageous that the city has allocated billions of dollars in the Capital Budget to fund new borough jails that are nowhere close to

being completed, while ignoring our dilapidated current jails and the men and women who work there every day.

Therefore, I am calling for an exception to be created in this budget to allow for capital expenditures to be made on Rikers Island. It is inhumane to leave my members to work below acceptable

standards of habitability simply because the City has an unrealistic idea of when Rikers can be closed.

One major capital expenditure needs to be replacing countless dilapidated trailers on Rikers Island that so many of my members are forced to work from on a daily basis.

For Recruitment - Add more financial incentives including signing bonuses to enhance recruitment efforts, target advertising messaging towards military veterans and engage with other untapped groups rather than marketing to the same pool repeatedly.

For Retention - Enhanced usage of specialty pay, hazard pay, OT bonus incentives, and increasing the value of pension credits after full vesting.

Immediately updating and replacing all inoperable cell doors to keep officers and inmates safe from violent offenders.

Allocate significant funding for upgraded, sanitary, and modern showers and locker rooms for our officers, which many are currently inoperable and in deplorable conditions.

We also need the Council's support when it comes to providing Home Rule messages that will help pass

legislation in Albany to enhance the pensions of our workforce to incentivize retainment and establish a viable career path— almost done.

The City's budget is a reflection of the priorities set forth by you and your colleagues on the Council. For far too long your priorities have been focused solely on serving the interests of the inmates in our custody, even the most violent ones. If this committee is genuine about enhancing the safety of everyone in our jails, then this committee must prioritize the safety and security of my members as well.

With that said, I am happy to answer any of your questions.

DEPUTY SPEAKER AYALA: I think that there's a universe where we can have both— where both inmates and staff can be in a space where they feel safe.

But I do agree, I've been to the facility, and I have seen the infrastructure has ,you know, continued to become worse. And I mean it is a safety issue and get it. I wouldn't want to work there, if it was me, if I'm being honest.

You mentioned that the capital expenditures would be towards trailers that the officers are using.

Now what are they using trailers for?

BENNY BOSCIO, JUNIOR: The trailers that they're in and mods that are outdated.

DEPUTY SPEAKER AYALA: No, but..

BENNY BOSCIO, JUNIOR: They're falling apart.

DEPUTY SPEAKER AYALA: What is the use of... What is the trailers? Is that for ,like, the intake when you...

BENNY BOSCIO, JUNIOR: There's different areas that have various...

DEPUTY SPEAKER AYALA: Okay.

BENNY BOSCIO, JUNIOR: You know, the perimeters of Rikers Island where Rikers Island Security works...

DEPUTY SPEAKER AYALA: Yes.

BENNY BOSCIO, JUNIOR: in these booths. Some of them don't have heat or AC in the winter... I mean in the summer. And there is ,like, holes in the floor on a lot of these trailers.

DEPUTY SPEAKER AYALA: Okay, I have seen that. And in terms of the attrition, know you guys have been going through it as well. And again ,you know, I think that there's a universe where we can have you know both things be true.

And how many officers would you say would need to be hired in order for the prison to be adequately supervised?

BENNY BOSCIO, JUNIOR: We believe about 4,000.

DEPUTY SPEAKER AYALA: About 4,000? What is the ratio from officer to inmate now?

BENNY BOSCIO JUNIOR: Right now it's 7,000, approximately 7,000 in custody, and we have about 5,000 officers around. And remember all officers don't work on every tour, right? You split that between three tours daily.

DEPUTY SPEAKER AYALA: Three tours?

BENNY BOSCIO, JUNIOR: Three tours daily, yes. Three eight-and-a-half hour tours.

DEPUTY SPEAKER AYALA: Okay.

BENNY BOSCIO JUNIOR: So I know they talk about the ratio, but understand that those 5,000 aren't at work at the same time.

DEPUTY SPEAKER AYALA: Yeah. No, but I also want to know, like, if an officer is in a specific unit, how many officers are assigned per unit, and how many inmates are they required to supervise at one time?



BENNY BOSCIO, JUNIOR: It varies. It could be one officer on the floor per 60 inmates. That's in one of our dorm areas.

DEPUTY SPEAKER AYALA: Okay. Is that the same in the units where we have maybe more violent individuals or people that...

BENNY BOSCIO, JUNIOR: No, those are dorms. There will be maybe 30 inmates in another house area or...

DEPUTY SPEAKER AYALA: One to 30?

BENNY BOSCIO, JUNIOR: Or 50... (CROSS-TALK)

DEPUTY SPEAKER AYALA: Okay. With one officer?

BENNY BOSCIO, JUNIOR: One to 50, yeah...

DEPUTY SPEAKER AYALA: All right, I...

BENNY BOSCIO, JUNIOR: Some of the more enhanced supervision housing may... you may have two, three officers on the floor, but the way staffing levels are now, no.

DEPUTY SPEAKER AYALA: What is the average salary starting?

BENNY BOSCIO, JUNIOR: Oh, I think we're about \$59 close to \$60,000. Start... that just started I think March 1st of this year.

DEPUTY SPEAKER AYALA: Okay. And you mentioned that the City continues to, I guess, try to attract

the officers from like the same pool? You mentioned you may be offering some incentives? Is there any other recommendation that you would...

BENNY BOSCIO, JUNIOR: I mean, I think we need to go to military bases to try and get veterans to come on the job. You know, I think starting younger, maybe in junior high school and just kind of like talk to the students and let them know that there's a career path there.

You know, we're in dire needs right now. And the problem is that they made the job so bad for us, right, because— us and the people in custody are suffering behind Rikers. And as you know 85% of my members are Black and brown.

DEPUTY SPEAKER AYALA: Mm-hmm.

BENNY BOSCIO, JUNIOR: And it begs the question as to why we're being treated that way. You know what I mean?

And I think that we stopped promoting the job to our friends and family because things got so bad for us. We're working 150 hours a month of overtime.

I have single parents on this job, and they're spending so much time at work that the streets are

raising our children. And that becomes another vicious cycle in itself.

DEPUTY SPEAKER AYALA: That's a problem.

BENNY BOSCIO, JUNIOR: And 65% of my members come from the city Of New York, the same neighborhoods that the incarcerated individuals do.

DEPUTY SPEAKER AYALA: Yeah. No, that's problematic.

And again, we'll, you know, I appreciate your testimony here today, and ,you know, I know what it's like to be on both sides. I've had family members that have worked in corrections, and I have had ,you know, family members and friends that have been at ,you know, in Rikers as inmates, and it's not good either which way.

We need to ensure that there's proper staffing ratios so that everyone feels safe, and that the conditions there— while we're there— because even if ,you know, you were in agreement with the borough-based jails, they're not going to happen for a number of years.

And we've already been having this discussion for quite some time. So there should be temporary accommodations that are made to ensure that there's

1                   ,you know, proper heating and just the basic  
2                   essentials for individuals that are spending most of  
3                   their day doing know two tours, uh, and not having to  
4                   spend time at the facility.  
5

6                So I really do appreciate that. And I hope that  
7                you feel that. We will work hard. We're trying to  
8                balance and ensure that there's equity while there's  
9                also fairness in the system.

10           BENNY BOSCIO, JUNIOR: Yeah, we appreciate that.  
11           And we know the borough-based jails are just years  
12           away. We just don't want to be forgotten about now...

13           DEPUTY SPEAKER AYALA: Absolutely.

14           BENNY BOSCIO, JUNIOR: We believe that investments  
15           need to made...

16           DEPUTY SPEAKER AYALA: Absolutely. I agree.

17           BENNY BOSCIO, JUNIOR: on us now. Yeah, that...

18           DEPUTY SPEAKER AYALA: I agree.

19           BENNY BOSCIO, JUNIOR: That's our concern. And, I  
20           mean, the borough-based jails top out at 3,400  
21           capacity. And, right now, we have 7,000 in custody.  
22           So nobody's been able to answer the question— what  
23           happens with the remainder of people in custody when  
24           you go to that system?  
25

DEPUTY SPEAKER AYALA: Yeah. Well, I think we stopped incarcerating individuals that are severely mentally ill and put them in, you know, appropriate spaces.

(APPLAUSE)

DEPUTY SPEAKER AYALA: But thank you. Thank you for that. Benny. Okay. Yes?

DALVANIE POWELL: Can I add?

As you know Probation is the alternative to Corrections. And one thing I wanted to bring to your attention— because I'm listening to Benny talk, right?— And I meant, I failed to mention that with these changes, my members are now working different tours.

We used to be Monday through Friday, right?

DEPUTY SPEAKER AYALA: Mm-hmm?

DALVANIE POWELL: And, we used to make those judgments whether we wanted to go on the weekends or at night or whatever. So, now we got my members are working, they're working late night shifts, twice a week, and they work on the weekends.

So, also just like Corrections, it's very difficult for us to balance our family/work life.

1                    Probation has changed significantly. So, people  
2                    think that because somebody's on probation that their  
3                    behavior changes, because they're no longer with  
4                    Corrections or they're no longer with the police  
5                    department. And that's far... nothing is farther from  
6                    the truth.  
7

8                    We're having the same issues. Like the  
9                    commissioner mentioned, we had a slicing, we had a  
10                    probationer get sliced by another probationer in  
11                    Queens. That's showing that the trajectory of  
12                    Probation has changed significantly. Our jobs are  
13                    getting more and more dangerous. And we're constantly  
14                    having ,you know, the NeONs, you heard about the  
15                    NeONs?

16                    DEPUTY SPEAKER AYALA: Mm-hmm?

17                    DALVANIE POWELL: We're having constant  
18                    altercations at the NeONs, gang violence, where our  
19                    members have to interject and stop, you know, break  
20                    up these fights on the regular.

21                    See, these are these things that you don't hear  
22                    about at Probation. So, we have a need just like  
23                    anybody else in Corrections, anybody else in police  
24                    department.  
25

If you're hiring— let's do the math, if you're hiring more police officers, which they just did, and you're hiring more correction officers, you're going to need more probation officers. If you're talking about putting jails in....

DEPUTY SPEAKER AYALA: Into the boroughs...

DALVANIE POWELL: And, Benny just said, where's the rest of them going? They're coming to us. They're coming to us.

Also, earlier, they mentioned about these caseloads being at 25 for 25 caseloads and 45 caseloads. That's further from the truth.

I have my members doing the research for me, and I could tell you right now, we have blocks of areas, and primarily the heaviest caseload are in Brooklyn, Bronx, and Queens and we have members with 100 cases.

And, if you think about it, if you're losing people...

DEPUTY SPEAKER AYALA: Yeah.

DALVANIE POWELL: How could you say the caseloads are the same? It's highly impossible. So, just, like, we all...

DEPUTY SPEAKER AYALA: There's one officer per 100 individuals?

DALVANIE POWELL: We have one officer, yeah, we have them one per 100, one per 70— and it depends, like he was saying, it depends on your assignment, where you're at, how your case loads are going to look.

And when they took away... and then when she took away vital positions, vital titles, like the Court Liaison Officers, those officers played a vital role in the courts.

Like I said, we worked for the courts, but for over 50 we had these officers in the courts because they know the job, they talk the talk. She's a supervisor for the Court Liaison Officers. And, for her to remove them from the Family Court is devastating.

If you get a chance, talk to the judges, and how this has really stagnated and paralyzed the system.

DEPUTY SPEAKER AYALA: Mm-hmm.

DALVANIE POWELL: and every role of... Every role that we play in the criminal justice system is very vital. We're in the paper again— twice in one day. That's unheard of.

DEPUTY SPEAKER AYALA: Mm-hmm.



DALVANIE POWELL: The mismanagement of this agency is detrimental to my members, is detrimental... and most importantly the community at large.

And one more thing before I close, when we keep shifting probation offices like this, it affects our clients.

DEPUTY SPEAKER AYALA: Yeah.

DALVANIE POWELL: It affects our clients. And they get frustrated. And every time you turn around, there's a new probation officer— understand we have to establish relationships with these people, long term relationships with them.

So, at the end, the whole community at large, their community corrections with the gates, we're community corrections without the bars.

So, you look out the window, that's my jail, and we need the help.

DEPUTY SPEAKER AYALA: Do you have... how many vacancies do you have?

DALVANIE POWELL: Right now, we have 582 two probation officers, and I'm not really sure, it's probably over 300 vacancies.

If you ask me how many more probation officers we're going to need...

DEPUTY SPEAKER AYALA: Yes.

DALVANIE POWELL: listening to Commissioner Holmes today, with all these additional initiatives— that I did not know all about— we probably need to go back to 1,500-2,000 like we used to be. Because if we're going to carry the caseload of....

DEPUTY SPEAKER AYALA: What is that? What is the starting, uh, salary?

DALVANIE POWELL: Recently we just negotiated the contract, and our new starting salary went from \$42,000 to \$61,000. But I don't see the advertisement. I don't see the new advertisement of the new job salary. I keep asking them, "When are you going to put the new job announcement out so that we can start attracting more people?"

And another thing I'd like to add, five months of training is fine, once I see what the curriculum is, I really don't know what it is, but every five months, twice a year it's not going to work.

Other administrators understood the necessity of overlapping the staffing because we have a high attrition rate. So we've been saying through Labor Management meetings— we've been given advice on how to do this. Prior administrations knew to double up

on staff on the classes, because it can be done, and it has been done.

DEPUTY SPEAKER AYALA: Mm-hmm.

DALVANIE POWELL: We had one group doing fundamentals while another one was doing peace officer training in another place. It has been done.

So are constantly... I'm not a president of a union that makes complaints. I give recommendations because I can, because I have done the work. I'm a supervisor of Civil Service Title, so I know what I'm talking about. I've worked in Family Court and Adult Services, so I'm very well rounded, and I'm confident in what I'm saying. So, we're constantly giving recommendations that's fallen by the wayside.

DEPUTY SPEAKER AYALA: Yeah.

I was going ask about the firearms.

DALVANIE POWELL: Yes.

DEPUTY SPEAKER AYALA: You mentioned that the training is...

DALVANIE POWELL: So what's happening is, okay, firearms are at the discretion of the commissioner, alright? But we do have a policy where officers that are hired at a certain point, doesn't necessarily

have to carry, but the state mandates require that we qualify every year.

There's units in in Probation, supervision field units, yes, they should be... they should be armed because they're going into the homes, right? They're doing consent to searches, they're pulling out weapons, they're pulling out drugs and fentanyl, so we're exposed to a lot of stuff.

Then there's units that... there's Non-Field Investigations, there's Intake Unit. Do they have to carry a firearm? No, they really don't. Because they're the front end, right?

DEPUTY SPEAKER AYALA: Mm-hmm.

DALVANIE POWELL: But, like I said, it's at the discretion of the commissioner, but they don't have to. They really don't have to carry, but that's her decision.

DEPUTY SPEAKER AYALA: But the new requirement is that they do?

DALVANIE POWELL: Now she wants them all armed because of what happened in Queens— and then the constant altercations between the gangs coming up in those NeONs and stuff now.

But, they don't have to be armed. They don't really don't.

DEPUTY SPEAKER AYALA: Okay, I don't...

DALVANIE POWELL: And, the other thing is for those who are being armed now, we have people that's in those units that haven't touched a gun in over 20 years. So, I'm saying to them, if you just got... if you just have to arm them, have them trained properly. Get them reacquainted with carrying a firearm. Because I went without a firearm for 20 years, and then about two years ago, they sent me back to the range, and I'm supposed to go pick up a gun whenever.

But I went through a three day training, I got refamiliarized with the gun. Now they're putting my members in this in the requalification for one day and expect them to be familiar with the guns.

And, then, they're being penalized because they're not used to it, they have their anxieties, and they're being penalized.

I just had one that was suspended, and like Benny was saying, I got members being suspended and brought up on charges for a situation that this administration created. And, it's just very sad.

And, the one thing I want to add, too, we're predominantly females of color. And I'm going say it out loud, and nobody get offended, but if we were predominantly men and white, would just be happening to us?

And I've written to the Mayor, I've written to... I've met with deputy mayors, and nothing has been done yet, and I'm very concerned.

DEPUTY SPEAKER AYALA: Okay, all right, thank you so much for your testimony.

DALVANIE POWELL: Thank you.

(PAUSE)

DEPUTY SPEAKER AYALA: All right, the next panel is Megan French-Marcelin, Nadia Chait, Ronald F. Day, Meg Egan, Amanda Berman, and Zoom, Christina Graham.

(PAUSE)

DEPUTY SPEAKER AYALA: You may begin.

DR. MEGAN FRENCH-MARCELIN: Thank you so much.

My name is Megan French-Marcelin, and I am appearing on behalf of the New York City Alternatives to Incarceration and Reentry Coalition.

In New York City, our dependence on mass incarceration is at once a manifestation and a driver of systemic inequities that have devastated

neighborhoods across all five boroughs. And yet, this city is fortunate enough to have an ecosystem of service providers who are doing the backbreaking work of resourcing communities most devastated by mass criminalization.

This ecosystem of providers, who work in front end ATI's and back end reentry services, has been a model nationwide for how you get to a more equitable, human centered justice system. And we do this work with pennies on the dollar that the City allocates to the vastly over resourced Department of Correction.

Decades of research demonstrate that ATI programs are more effective than incarceration at improving public safety outcomes, decreasing the chance of future convictions, improving employment rates, and generating significant savings for taxpayers. And yet, I sit before you today, representing the aforementioned ecosystem, who are now staring down \$12 million of cuts.

We know that the expansion of ATI's and reentry services alone will not decarcerate Rikers. However, these programs are some of the most meaningful mechanisms we have to envision and scale a more human centered approach to public safety.

The current administration, as well as the City Council, (TIMER CHIMES) should be leading the charge to invest in them.

And in closing, I will say that we are requesting a restoration of the cuts and an increase from City Council of \$2.4 million in discretionary funding. Thank you.

NADIA CHAIT: Good afternoon, I'm Nadia Chait, the Senior Director of Policy & Advocacy at CASES, and we are proud to be a member of the ATI Reentry Coalition, and second the request that Megan just made.

We operate a range of alternative to incarceration programs that served over 1,800 people last year, keeping those individuals from the harms of incarceration while improving safety in our communities and ensuring that folks have the services that they need.

We heard from DOC and DOP today about all of the challenges that they face in serving folks with mental health challenges— And they're not good at it, but providers like us are, and if we were resourced adequately, we could serve those individuals.



I want to highlight one of our clients, a man named Alfred. Alfred's in our Nathaniel Alternative to Incarceration program, which is an intensive mental health treatment approach. Alfred, before he came into our program, spent two-and-a-half years in the state psychiatric facility at Kirby being restored to competency.

This is a person who has struggled with his mental health for a very long time without receiving the services that he needed. And he entered our program on a violent felony charge.

In his time in our program, we've been able to increase his housing stability. Alfred is now regularly taking his medication. He successfully completed his court case and has remained engaged in our services on a voluntary basis. He is now looking at enrolling in high school equivalency classes to finish his degree and joining a mental health clubhouse to support his day to day.

This is the kind of transformation that we can achieve when programs like ours are resourced instead of a correctional system that is unable to, not only unable to provide mental healthcare, but unable to

maintain the basic safety of the people that it serves.

And so we urge the Council to restore the \$3.8 million for ATI's, the \$8 million for reentry, and to add in the discretionary dollars, \$2.4 million, for ATI programs. Thank you. (TIMER CHIMES)

MEG EGAN: Good afternoon, my name is Meg Egan, and it is my great honor and privilege to lead the Women's Prison Association. I want to thank you for the opportunity to testify today.

Throughout its 185 history, WPA has been a force for change, challenging systemic inequities that criminalize and marginalize women, particularly Black and brown women at disproportionate rates. For these women, incarceration is not merely a consequence of a single event, but a result of compounding systemic failures, poverty, housing instability, trauma, and lack of meaningful opportunity.

The harms and failures of Rikers Island are real, and the cost of families, communities, and the city is immeasurable. Mothers are separated from children. Communities lose contributors. The cycle of inequity perpetuates and deepens.

But what if there was a different way? A way that prioritized prevention, provided support, and treated justice as an opportunity for restoration rather than punishment.

WPA envisions that path forward.

By meeting women where they are, WPA fosters trust, connection, and agency, empowering each individual to reclaim her future.

Rooted in New York City, WPA serves as a lifeline for women navigating the criminal legal system, working alongside them to dismantle the structural barriers that have kept them in the margins for too long.

There are just over 400 women held on Rikers Island right now. We believe that together with our partners, we can develop the service and support to make the community the public safety-minded default rather than Rikers Island.

And to realize that vision, the City must not just restore the funding currently cut, again, \$3.8 million, from ATI programs and \$8 million from reentry, but expand these essential and effective programs.

Our work will center on the following priorities to develop this infrastructure. (TIMER CHIMES)

I will very quickly close.

We are focused on restoring the ATI Reentry Coalition funding, funding to support creating a practical pathway to make incarceration obsolete in New York City, expanding clinical services for women in the community, and expanding robust discharge planning services. Thank you.

RONALD DAY: Good afternoon, Council Members. Thank you for the opportunity to testify today. My name is Ronald Day; I'm a Senior Vice President at The Fortune Society.

I've been with Fortune for over 10 years, managing various units, including discharge planning, employment services, education, our Research And Policy Centers as well. I also oversaw Fortune's programming in the city jails that was terminated in June 2023.

My professional experiences, as well as my personal experience serving one year on Rikers Island, and 15 years in state prison, inform my understanding of the critical importance of investing in alternatives to incarceration, reentry services,

and supportive housing— because these help reshape lives and contribute to community safety.

The Fortune Society has been around for 56 years. It is committed to supporting successful reentry and providing alternatives to incarceration. Our mission aims to strengthen the fabric of communities by instilling a belief in the power of individuals to change.

Through programs shaped by the experience of our participants, we help rebuild lives. We also seek to change minds through education and advocacy to foster a fair, humane, and rehabilitative justice system.

In Fiscal Year 2024, we served over 13,000 individuals. To fulfill the legal mandate to close Rikers, City Council must secure a budget that prioritizes community safety and invest in effective ATI reentry services and supportive housing.

Right now, the Administration is calling for a cut of \$3.8 million in ATI and \$8 million in reentry. Fortune is asking City Council to work with the Administration to ensure that the programs, ATI, reentry, and supportive housing are not actually in decreased (TIMER CHIMES) but increased. Thank you for the opportunity to testify.

AMANDA BERMAN: Good afternoon, Deputy Speaker Ayala, and Committee staff.

My name is Amanda Berman, I am the Senior Director with our Court Reform Programs at the Center for Justice Innovation.

At our organization, we develop and implement creative approaches to public safety across our city and across the entire spectrum of justice system involvement, from community based prevention efforts to pre-arraignment diversion, pretrial supervision, and alternatives to incarceration. But not only do we provide these services, we also evaluate them to identify what works and to share best practices across the field. So after nearly three decades of doing this work in court and community, we know what works. And it is also what all of my esteemed colleagues up here have already shared, who are in this work beside us— achieving true safety requires sustained investment in community driven solutions that are focused on prevention and fair intervention.

For the upcoming fiscal year, we're seeking support in response to a growing need in the following areas.

First, our ATI programs continue to connect individuals to the vital resources that they need to reduce recidivism and support reintegration and also save taxpayer dollars. These programs also play a critical role in our collective goal of closing down Rikers Island.

I want to point for a moment specifically to our Brooklyn Mental Health Court. That program provides rigorous treatment and monitoring to individuals who are living with serious mental illness who are facing felony charges and, but for our program, would often be jail or prison bound. It is precisely the population that we've been talking about for so long who are being failed by our jail system but can be safely monitored and serviced in the community if the right resources are in place.

In our program we are currently managing a caseload that has doubled (TIMER CHIMES) if I may, I don't have much more, thank you— It has doubled in the last four years without the accompanying funds. Funds are urgently needed in order to hire more staff to bring down caseloads, better serve our participants, and also to reduce the backlog of

people who are sitting on Rikers Island waiting to be evaluated and accepted into our program.

Second, our programs that are addressing gender-based violence as we know are especially vulnerable during these times, our programs have seen a rise in female identifying participants in the justice system. And to meet those needs, we're hoping to develop a new initiative within our Queens and Staten Island sites called EmpowerHER, which will be designed to provide targeted support for that population.

Lastly, we seek funding to sustain our diversion programs that work to provide accountability while also reducing the justice system's footprint. And these include citywide initiatives like Project Reset, Driver Accountability, and our Bronx DWI initiatives, all of which are a critical part of bringing restorative solutions into the court system and reducing financial barriers.

Thank you so much for your time and your indulgence, and I'd be happy to answer any questions.

DEPUTY SPEAKER AYALA: Thank you. Uh, Christina Graham, will be joining us virtually. Christina?

SERGEANT AT ARMS: You may begin.



CHRISTINA GRAHAM: Thank you. Thank you, members of the Criminal Justice Committee, members of the Committee on Criminal Justice for the opportunity to provide testimony today. My name is Christina Graham and I am a Mitigation Specialist with Osborne Association, specifically Court Advocacy Services (CAS), providing defense-based advocacy for indigent clients that have cases in New York City's five boroughs, Westchester, Rensselaer, Columbia, Albany, and Greene Counties.

As part of the CAS team for the last six years, I get to know individuals beyond their charges and develop an individualized plan to address the root causes of their involvement with the criminal justice system. This approach promotes public safety while saving public dollars spent on pretrial detention and prison sentences.

Last fiscal year, CAS prevented 1,411 years of incarceration at a cost savings to the City and State of a hundred \$162 million.

To understand our impact, I want to tell you about Ms. Miller's case that was referred to us by a defense attorney. She had three active cases in three different boroughs, they were all for the same

charges, petty and grand larceny. She was facing a potential sentence of two years for each case to run consecutively, amounting to a potential six years of incarceration. Ms. Miller was in her late fifties without stable housing, battling long term drug addiction coupled with unresolved trauma, a lack of natural support in the community, and constant involvement in the criminal legal system. By that point in time, she accrued over 45 arrests for the same charges she presented with. Through an extensive interview process, I learned the intimate details of Ms. Miller's life, which detailed extensive trauma from childhood all the way through adulthood. These interviews were the first time she had a chance to tell her life story. Viewing her story through a public health and social work lens, including our legal understanding, CAS concluded that Ms. Miller's constant arrests were not a disregard for the law, but a desperate plea for community support. It was evident that she had complex mental health and drug addiction issues that were triggered by her past trauma. I wrote a comprehensive and in-depth report that was accepted by the court (TIMER CHIMES), and we

secured Ms. Miller a two-year sentence to cover all three cases... (CROSS-TALK)

SERGEANT AT ARMS: Thank you, your time has expired.

CHRISTINA GRAHAM: I'm sorry?

DEPUTY SPEAKER AYALA: Can you wrap up?

CHRISTINA GRAHAM: Yes.

DEPUTY SPEAKER AYALA: Okay.

CHRISTINA GRAHAM: One... two more sentences.

Last year, she returned to the community, and CAS connected her to services. Currently, she's engaging in an internship, a part time position, receives weekly addiction and therapy services, and we're moving out the shelter in her own apartment in the next 30 days. And this is just one of many cases.

So we urge City Council to expand, support, and fund, not cut, investments in ATI's and reentry services. Thank you so much for your time.

DEPUTY SPEAKER AYALA: Thank you.

Thank you guys for coming to testify. I don't have any questions, because I think you guys are all fantastic and doing a really great job.

I am very familiar with all of the services that you're providing in our communities, and I want say,

thank you. Because I know it isn't easy, and, obviously, you know that, uh, the City Council has been championing a lot of the ATI programming. So we will continue to do that. Thank you.

Our next panel, is Helen Skipper, Darren Mack, Jamil Wright, Glen Williams, Tammy Reed, and Edwin Santana.

(PAUSE)

DEPUTY SPEAKER AYALA: You may begin. Do we have everybody? Hold on. Helen? You're Helen?

HELEN "SKIP" SKIPPER: Yes.

DEPUTY SPEAKER AYALA: I just wanted to make sure everybody's here.

HELEN "SKIP" SKIPPER: Sorry.

DEPUTY SPEAKER AYALA: Okay, Darren, I see Darren, Hello, thank you, thank you for allowing us to speak. Jamil?

HELEN "SKIP" SKIPPER: Helen Skipper.

DEPUTY SPEAKER AYALA: And, no, I am just going over the, uh...

HELEN "SKIP" SKIPPER: Okay.

DEPUTY SPEAKER AYALA: the names. Glen Williams?

GLEN WILLIAMS: Yes.

DEPUTY SPEAKER AYALA: Okay, wait... So, who is Jamil Wright?

UNKNOWN: (INAUDIBLE)

DEPUTY SPEAKER AYALA: Oh, okay, uhm, Glen Williams? That's you? Tammy Reed and Edwin Santana?

UNKNOWN: (INAUDIBLE)

DEPUTY SPEAKER AYALA: Ah, okay, no worries, thank you. You may begin. Whichever... You want to begin first? Go ahead.

HELEN "SKIP" SKIPPER: Hello, thank you. Thank you for allowing us to speak.

My name is Helen "Skip" Skipper; I sit here today not only as the Executive Director at the New York City Justice Peer Initiative, but also as a member and Vice Chair of the New York City Board of Corrections. As a member of the Board, a position you nominated and appointed me to, I'm here to speak, uh, shed truth to light and urge you to divest funding from the Department of Corrections and its homebase of Rikers Island. Additional funding is a complete waste of resources that are desperately needed for housing, treatment, education, and other investments. It is time to use our precious resources to fund the things that work.

Funds diverted from this cash cow that is perpetually hungry could be used to decriminalize behavioral health. Where is it okay for Rikers Island to be the largest behavioral health facility in the country? A facility that does not afford the necessary treatment and support needed. Diverted funds can be spent on housing such as GIST and other supportive housing modalities.

We need more intensive mobile and forensic asserted community treatment teams to counteract the behavioral health crisis our city is currently in. The Close Rikers Island Plan also promised a new community based mental health safety net. The Administration has clearly fallen short of that goal. The number of people in Rikers diagnosed with serious mental illnesses has increased more than 60% since January 2022.

These teams incorporate those of us with lived experiences who have successfully navigated these traumatic systems and stand at the ready to support and mentor individuals so that they too can be the best they can be without interception from the criminal justice system. We need to restore funding

to the Office of Criminal Justice for ATI reentry program.

We somehow seem to forget it that if we keep incarcerating folks, these very same folks are going to come home eventually, and to what I ask? We need to go further, higher, and deeper and increase discretionary funding for alternatives to ATI's.

Recidivism is very real in this great city, and I can definitely speak about this...(TIMER CHIMES)

I'm almost finished.

From my personal lived experience views, I cycled on a hamster wheel of recidivism for 25 years suffering from mental illness and addiction.

I am not going to read the rest of this, but I want to let everybody know that I have invited you to my Justice Peer Conference, where you can see firsthand the organizations that should be receiving funding, the good work we're doing, the work that we're doing that is literally outpacing and outlasting what DOC is doing. Please, I urge you all to look to fund the smaller organizations that are crawling around, boots on the ground, hands in the mud, we are crawling around. This is where the funding needs to go to.

Thank you very much for the additional time.

TAMMY REED: Hi, good afternoon, thank you so much for allowing me to testify.

My name is Tammy Reed, and I'm testifying on behalf of Freedom Agenda and a member of the campaign to Close Rikers.

I want to start off by saying that as a taxpaying citizen, I am astounded by the fact that we are paying a little over \$500,000 per year to house one individual on Rikers Island. I'm a senior citizen; I live off of less than \$25,000 a year with minimal outside assistance and have never missed a meal. I have adequate housing, utilities paid, so forth. We can do better than this.

It is my understanding that the mayor has proposed that \$2.87 billion to spent on jail operations in Fiscal Year 2026. And if I'm understanding the budget correctly, this figure is leading up to the time that Rikers should be closed, by law, August of 2027. I'm proposing today that this figure be adjusted to be in line with Rikers closing. I'm requesting that instead of passing this over bloated budget, that the City Council adjust the budget to reallocate funds to areas where we truly do



need funding such as mental health, housing, and community services.

It just baffles me as to why we keep continuously dumping money into a facility like Rikers Island that is a disgrace and stain on our city instead of addressing the real issues that are plaguing our cities, mental health, housing, and so forth. It doesn't take a rocket scientist to see that we're in trouble and that to continuously fund an essentially a nonfunctioning organization, such as Rikers, is not the answer.

And to give you a clear understanding what I mean by nonfunctioning, my son was incarcerated at Rikers. He's a severe hemophiliac. Documentation was submitted to court by Long Island Jewish Hemophilia Center stating what his disease is and how to treat it, which is an infusion every other day or every two to three days— Did Rikers follow the procedure? No. (TIMER CHIMES) Unfortunately, during this two-year period while my son was there, I was diagnosed with breast cancer. After surgery and as I was preparing for chemo, I was warned to be vigilant about my environment, and, unfortunately, because Rikers is

filthy and unsanitary, I had to cut off visits to my son.

Just one more sentence— I would like to see an additional \$39.8 million to be addressed to the housing and health needs. More funding for the justice involved supportive housing, intensive mobile treatment teams, forensic assertive community treatment teams, and monies for a new crisis respite centers in compliance with Local Law one 118-2023.

Thank you very much.

DARREN MACK: Thank you, Deputy Speaker Ayala and council members for the opportunity to testify today.

My name is Darren Mack, and I'm a Co-Director of Freedom Agenda, and we're one of the organizations leading the campaign to close Rikers.

Our members have both experienced Rikers and been impacted by crime, and they know what works to create real public safety. It's things like housing, health care, work opportunities, mentorship, and safe community spaces.

While Mayor Adams has said he wants to close the pipeline that feeds Rikers, his proposed budget would do the opposite. We're calling on the City Council to ensure that the adopted budget paves the way for New

York City to deliver on the legal and moral obligation to close Rikers.

Instead of allocating \$150 million to hire 1,100 more correctional officers, the City should invest in helping New Yorkers thrive including allocating additional \$39.8 million to meet critical mental health and housing needs, restoring \$11.8 million in planned cuts to the Office of Criminal Justice for alternatives to incarceration and reentry programs, restoring proposed cuts to the Board of Correction for jail oversight and increasing their headcount, allocating \$3 million for DEP to begin a master plan for the implementation of the renewable Rikers vision.

We know our city can afford these investments because the Mayor plans to spend nearly \$150 million to hire 1,100 more correction officers this year, increasing DOC uniform headcount from approximately 5,900 to 7,060.

For the past three years, vacancies have been growing, millions of more money has been growing the DOC budget, and they would not be filled. These vacancies will not be filled.

The Administration has tried to justify the out of control spending at DOC by saying that they expect the jail population to rise, but it's rising because of their warped budget and policy priorities.

DOC recently added beds to an already crowded dorms at Rikers out of concern they would exceed capacity. Both advocates and uniform staff spoke out against this. What if the City treated preventive (TIMER CHIMES) investments with the same urgency?

This Administration is choosing to budget for more harm and incarceration instead of making the investments that could prevent it. This City Council has reaffirmed its commitment to closing Rikers, and that commitment must be back up by this year's budget.

We will submit, along with this testimony, a full budget analysis that outlines the amendments needed in Fiscal Year 2026 Budget to pave the way to closing Rikers and passing a People's Budget. Thank you for your participation.

GLEN WILLIAMS: My name is Glen Williams...

DEPUTY SPEAKER AYALA: Can you make sure that your mic is on— the light is red?

GLEN WILLIAMS: Testing, testing. All right.

My name is Glen Williams; I'm 25 years old, thank you for having me here today.

I'm a victim of the system but also benefited from programs. I grew up in the Bronx with a single mother and eight siblings. I always taught... I was always taught to be polite and treat others with dignity, but like many other young men in this city, I found myself caught in the system facing consequences for mistakes I made in my youth.

When I was 20 years old, I was sentenced to three years of probation after serving 45 days for a misdemeanor. The harsh reality of the court system and probation easily pushed me further into a life of frustration and failure. Between being denied by employers, being homeless, and living in the fear of being arrested again, I felt defeated. The extended probation kept me in a state of constant stress, fear that I could easily be brought back behind bars. I grappled with the difficulty of not getting a job because of my record. For three years, I was rejected from every employer I applied to. The frustration of being denied over and over again, chipped away at my self worth making me feel discouraged and messed with my character. I continued to have encounters with

1 police where they would use excessive force. I  
2 experienced firsthand and witnessed how the police  
3 are overly aggressive with Black men... with Black  
4 and brown men in my community, that looked like me,  
5 and how they treat us badly growing up in our  
6 neighborhoods by physically and sexually harassing  
7 us, and then claiming that's a part of their job.

9 What helped me move forward was my involvement in  
10 numerous programs and resources that changed my  
11 perspective. These reentry programs such as Youth  
12 Rap, Health People, BronxConnect, Youth Represent,  
13 RiseBoro, and Drive Change were all life changing for  
14 me.

15 There also needs to be more resources for  
16 housing. When I was living in a shelter, I often had  
17 interactions with police, simply because I was  
18 homeless, or because I would have to carry my  
19 belongings with me everywhere. This pulled me back  
20 into the system and interrupted the progress I was  
21 making in building my life.

22 Young people like me should not have to get  
23 arrested (TIMER CHIMES) and be on probation to get  
24 access to programs. Instead, money should be  
25 redirected to programs that provide actual support,

good guidance, and give everyone a chance for a future. Endless punishment for young people needs to end.

DEPUTY SPEAKER AYALA: And look at you.

(APPLAUSE)

GLEN WILLIAMS: Thank you. Thank you.

(APPLAUSE)

GLEN WILLIAMS: Thank you.

DEPUTY SPEAKER AYALA: You are what happens right when we invest in the proper programming and services...

GLEN WILLIAMS: Yes, definitely.

DEPUTY SPEAKER AYALA: that help support our youth. Thank you so much for being a voice for so many in our communities who are probably terrified to come and do what you just did. It's very brave to tell your story, and I really, I am super proud of you...

GLEN WILLIAMS: Thank you.

DEPUTY SPEAKER AYALA: for being here today.

GLEN WILLIAMS: It's my pleasure.

DEPUTY SPEAKER AYALA: Thank you, guys so much for coming.

Our Next panel is Norma Ginez, Damon Gilbert, Meiling Ng, Judy Lei, Vic Lee, Kaushal Challa, and Tammy Meltzer.

(PAUSE)

DEPUTY SPEAKER AYALA: I am going to call out your names, just because I want to make sure of everybody that I called. Norma? Okay, Damon? Meiling Ng? Judy? Vic? Kaushal? Tammy? Tammy Meltzer? Tammy Meltzer? No? Okay.

You may begin. Just make sure that the light is on.

NORMA GINEZ: My Name is Norma Ginez; I'm a single mother. I have three children, two of them of which are on the spectrum. And my children's father is a formally incarcerated individual, and he told me about the horrific stories that he shared with me 15 ago about how his time in Rikers was.

And just hearing the young man's story right now, got me a little bit emotional, because of the fact that, you know, living in the Bronx, I used to live in Long Island, I never had experienced or known of anybody that experienced Rikers or just injustice that are generally done in the five boroughs of, you know, of New York City.



1                   So I just wanted to express that, you know, I  
2                   wanted to say that to defund Rikers right now, we  
3                   need more funding for organizations like, for  
4                   example, what my baby's father was involved in, which  
5                   was Osborne Association. And he took advantage of  
6                   that program. He was part of like, he was able to get  
7                   his construction license and all this OSHA testing,  
8                   and it helped him. You know, they provided him with  
9                   home... housing, and I feel that there's more success  
10                  stories out there through this particular  
11                  organizations and more organizations like that. And I  
12                  would really appreciate it if we can try to have more  
13                  funding for that. Again, thank you so much for your  
14                  time.

16               DAMON GILBERT: Good afternoon, thank you very  
17               much for letting me testify. My name is Damon  
18               Gilbert; I'm an Equal Justice Fellow at New York  
19               Lawyers for the Public Interests. We are a civil  
20               rights nonprofit organization, which been advancing  
21               environmental health, and disability justice through  
22               community lawyering and partnering.

23               DEPUTY SPEAKER AYALA: Daman, can you put the mic  
24               a little bit closer to you?

25               DAMON GILBERT: Oh, yeah, of course...

DEPUTY SPEAKER AYALA: Because you're a little bit softer spoken, yes.

DAMON GILBERT: How's that?

DEPUTY SPEAKER AYALA: There you go.

DAMON GILBERT: Sorry about that.

Okay, I'll just start here. So NYLPI is a civil rights nonprofit organization. We advocate for environmental health and disability justice through community lawyering, and we've been partnering with the private bar for over 50 years.

I'm also here to talk about Rikers. It's been an environmental justice for as long as it existed. The penal colony is notorious for its poor air quality. It's literally built on a landfill as well as being situated by multiple major polluters. It's incredibly unhealthy to both the population, those who work there, and the surrounding Bronx community. On top of that it's infamous for being the most dangerous jail to be inside of in the nation most likely.

Despite that, and despite the fact that it's being required to close by 2027, this Administration seems unconcerned with taking the necessary actions to enforce the law to shut down Rikers. And we see that through the DOC's actions and the proposed

budget of \$2.87 million for jail operations for 2026, that the prioritization of mass incarceration, over other vital services for New Yorkers, is still in place.

Far from actualizing the vision to close Rikers, the DOC seems intent to keep perpetuating these environmental injustices as well as the human rights crisis that is currently ongoing there.

In the past year alone, New Yorkers Chima Williams, Manuel Luna, Roy Savage, Charisma Jones, Anthony Jordan, and Ramel Powell have all lost their lives due to the horrific conditions there.

Despite serious threat to human life and dignity, Rikers costs over half a million dollars (TIMER CHIMES) per person to hold there each year, making it the most expensive and least effective tool that we have to protect our community's safety.

In conclusion, we just want to support our peers at the Freedom Agenda, who are fighting to close Rikers, who have come up with concrete, serious recommendations to fix the budget and reduce the amount of funds allocated towards the DOC and totally reallocate them towards desperately needed services like housing, mental health treatment, education, and

other investments that are critical to the safety of all New York residents. Thank you very much.

MEILING NG: Thank you, and good afternoon, everyone. My name is Meiling Ng, and I speak on behalf of the seniors who live at Chung Pak at 96 Baxter Street, New York, NY 10013, who are here with me today. They live right next door to the jail site and I want to share some of their feelings, thank you.

The past two years have not been easy. There is always noise and the building is always shaking. The construction company starts super early at 7:00 a.m. waking them up, sometimes even as early as 5:00 a.m., and they cannot go back to sleep. The noise lasts for a very long time until nighttime. Why are we building a jail in this beautiful Chinatown community? They do not like it. They do not want the jail. They want more affordable housing. Thank you so much.

JUDY LEI: (UN-MIC'D) (INAUDIBLE)... Okay, now it works, thank you.

Good afternoon, Councilwoman, and thank you for letting me testify today.

My name is Judy Lei and I work with Immigrant Social Services as their Community Engagement

So I've been working at ISS for almost a year, and one of my first assignments was to translate for the New York Times reporter who came after the demolition that caused the cracked wall inside the seniors' building. And this was almost exactly a year ago. When we interviewed the seniors about how they felt about what happened, they shared that they feel overlooked and they feel neglected. They constantly expressed their fear, anxiety, and concern for their aging health due to the ongoing noise and vibration caused by the demolition work. And now that it's all done, they're afraid of what's to come when we continue to build a mega jail next to their home. They don't deserve a mega jail in their backyard. They deserve a safe community where they can live out the rest of their lives. They deserve peace.

We urge the Committee to refocus their efforts, discard the idea of building a mega jail, and build housing for those in need instead. Thank you.

VIC LEE: Hi, Councilwoman, thank you for opportunity to testify.

My name is Vic Lee, and I'm the Executive Director of Welcome to Chinatown. Judy who has spoken about some of the unbearable construction that the seniors have been facing. Those just represent a small fraction of the complaints that our organization has fielded from both residents, small businesses, those that are visiting the community.

What I really want to focus on during my testimony is the cost overruns of the borough-based jail program.

We are a nonprofit that has worked with city contracts. And from my personal experience, we have strict reporting deadlines as well as there is zero tolerance for cost overruns with our contracts the City.

And I want to ask why this project has been allowed to balloon 79% from \$8.7 billion to \$15.6 billion with little accountability from DOC and DYCD, uh, I'm sorry, DDC.

So this budget overall ignores the economic realities that will push costs even higher— on top of there's currently a five-year delay with no contingency plan for Rikers 2027... as their 2027 closure looms.

Overall, there's been a lack of transparency and little response as to why we continue to pour billions into incarceration instead of the critical social services, education, and economic development.

We really believe that there's still opportunities to course correct, especially looking at the size and scope of the Manhattan borough-based jail program given that that contract has not yet been signed.

The Manhattan Jail is going to be one of the most expensive buildings in Lower Manhattan at a staggering \$4 billion, just on the structure of the jail, not on the services, rehabilitation, and education that actually make for safer communities. This is not... this just isn't an investment in economic growth, nor the opportunity to create pathways for the underserved communities. So I ask that the Committee imagine (TIMER CHIMES)— I'm almost done— imagine if those funds were directed towards

affordable housing, mental health services, and job training, all of the solutions that the previous, uh, those previous that were giving testimony, those are great examples of programs. And last, I really urge that the Council have the courage to rethink the existing plan by reassessing the size and scope of the Manhattan borough-based jail program while still meeting City Council's criminal justice reform goals. Thank you.

KAUSHAL CHALLA: Hi, good afternoon; My name is Kaushal. I'm the CEO at the Charles B. Wang Community Health Center. We provide medical care to 65,000 New Yorkers every year. Our mission is to care for all— regardless of income, insurance, language barrier, any other barrier. Most of our patients are low income, non English speaking, and many are uninsured.

My comments are about execution. Our oldest site is what, 125 Walker Street which touches the jail site— same building as many of the senior citizens that I mentioned earlier— 10,000 patients get their healthcare here every year, especially pediatrics and dental.

In 2023, the building conditions got significantly worse. There were leaks. There was



The purpose really of my testimony is to highlight the negative health impact that the project has already (TIMER CHIMES) caused and the potential

for further damage if the services must relocate again in the future. Thank you for the opportunity.

DEPUTY SPEAKER AYALA: Thank you for that, I'm sorry to hear about all of the construction, inconveniences, and I am happy that at least you are reaching out to your local elected officials for help in remediating some of those concerns, you know, wherever possible. But I agree that ,you know, you should not be impacted negatively by the construction.

We should be taking whatever ,you know, measures we need to ensure that your lives are not disturbed. Thank you so much for coming and testifying today.

Okay, our next panel is Tammy Meltzer, Jennifer Parish, Alicia Thomas, King Downing, Gordon Lee, Sharon Brown, and Christopher Leon Johnson.

(PAUSE)

DEPUTY SPEAKER AYALA: All right, just making sure that everybody is here. Tammy? Okay. Jennifer? Alicia Thomas? Alicia Thomas? Okay, King? Gordon? Sharon, and Christopher, okay.

All right, I think that Tammy was going to start, right?

TAMMY MELTZER: As you wish.

DEPUTY SPEAKER AYALA: Yes, thank you.

TAMMY MELTZER: Okay.

Thank you very much; My name is Tammy Meltzer, and I'm chair of Manhattan Community Board One. Therefore, I'm chair of the area where this new jail is proposed to be built.

We have egregious numbers of resolutions and concerns that have been brought to City Hall with nary an answer for the most part. There were Working Groups set up with no information given, no input to the contract, no conversations as promised by City Hall.

The original budget was \$8.3 billion. We are currently at this day looking at \$16 billion. That alone should be egregious and a concern for where the ceiling could be on this. But I want to bring back some really salient points.

As far as we understand, none of the findings of the Lippman 2.0 Commission have been reflected in this contract. A group that was meant to oversee this entire process, we have no understanding of the connection between the contract and the Commission, and to our understanding there is actually a disconnect between the two. Part of that comes with

the fact that we were promised, back in 2019, that there would be robust programming that would lower the jail population. Therefore, the building that is being squished, a hippopotamus-sized jail being squished into a mouse footprint in Chinatown, would be as contextual as it could possibly be, and they would lower the height and density in bulk to try and fit into said mousetrap.

However, the hippopotamuses continued to grow and grow and grow, and so is the budget for this. And yet none of the findings of the Lippman Commission— none of the programming that were for justice reform— that we all supported and begged City Hall for— have done anything to reduce the population.

So we have zero faith that this will not be a repeat of Rikers, and that once this building is built, there is no faith. The budgets have blossomed and bloomed, the populations have bloomed, and there has been nary an oversight.

The connections that were given with the community have not been had. There has not been a Working Group meeting in over two years. And I've been chair the whole time, and so I can tell you there's not been a meeting. Right?

The lack of public comment review input and City Hall proceeding on (TIMER CHIMES) with no ceiling for programs, people, or the City's public dollars is egregious.

Before this contract is signed, please let's have a great public discussion and understanding. Thank you.

DEPUTY SPEAKER AYALA: You're welcome.

Go ahead?

KING DOWNING: Good afternoon, thank you for having us. My name is King Downing; I'm the Director of the American Friend Service Committee's Healing Justice Program for New York and New Jersey. We're an advocacy group.

I'm a lawyer, but I'm really here as a member of the Close Rikers Campaign. And I want to... a lot of people gave data and statistics, but I just want to tell a story.

Years ago, so far back that Wendell Foster was a city council person, I ran a GED program in El Barrio. At that time, half the students that I was working with... half the students were not graduating from high school on time, and so the overflow was coming to us. My Youth and I testified right here,

1 all those many years back, for money for schools and  
2 money for Summer Youth Employment Programs. And just  
3 like now, we're still seeing the same kind of  
4 problems. We're trying to lock our way out of the  
5 problem just like those many, many years ago, and  
6 we're trying to lock our way out of poverty. And  
7 instead of creating opportunities, the money is going  
8 back into prisons while everything else is being cut.

9 So where are we now? Lack of school funding. Once  
10 again, still low graduation rates, no summer youth  
11 employment jobs. And at that time, my students  
12 couldn't get the summer jobs, and guess where I found  
13 them? They found jobs in my neighborhood. *They were*  
14 *lookouts for drug dealers*, and a lot of that is still  
15 going on now.

16 So where are we now, and how are we going to make  
17 these changes? So we want to see that the youth that  
18 I was dealing with don't find their own kids in the  
19 same boat that they were in when they all came here  
20 to testify back then.

21 So where does it all end? We're still looking at  
22 mass incarceration. We're still looking at the  
23 policing solution and cutting away the ones that are  
24 actually making another difference.  
25

So we want to see money move from Corrections (TIMER CHIMES) to communities and restore the cuts and add some more. The more we keep doing the same thing, the more we're going to get what we get.

Thank you.

GORDON LEE: Good night, people, my name is Mr. Gordon Lee, a former Nixon protester. But you can also call me God. I'm with all groups, including Close Rikers and Neighbors Together, because I want to fight for causes that nobody can live without, and I want to fight everything that everyone fears, including my own self. And I was one of the newborns under the Nixon presidency, June 23, 1973.

Now, I also don't agree with the extra money to build more jails, like the new jail proposed in Manhattan and the plan to rezone all of Chinatown to build a 50-story jail or prison.

Now I'm not going ask that there be, you know, I know that jails are needed to hold people who are a threat to the community. But, also, you know, they we should also try to save money for other things that will, prevent crime and drugs, including affordable food security, affordable education, childcare, mental health services, affordable health care,

affordable housing, and, you know, all of that, any basic essentials.

And also, I have been hearing that Rikers Island is the largest psych ward (TIMER CHIMES) in the country, and it's not really a jail in a way. You know, the purpose of it, an evil purpose. Today, I'm hearing people want mentally ill people to be criminalized instead of treated. And, they want... and I got the impression that mentally ill people who are accused of crimes get worse treatment than people who are truly criminals and who are normal, who are... have more ability to know right from wrong and more ability to control their behavior. And to me, that looks like a gross injustice.

I happen to have a mental health history, autism, elective mutism, speech problems. I sometimes read a little bit slow. And I'm some degree of mood disorders.

And I also have a medical condition, someone wouldn't survive incarceration, because, they're saying there's no healthcare in the jails, they don't allow healthcare, inmates are not allowed to see their healthcare providers, so I was, told. And, so I



wouldn't survive incarceration. I have sleep apnea. I rely on a breathing machine at nights.

DEPUTY SPEAKER AYALA: Gordon, can you wrap up, honey, I'm sorry, we have other people waiting.

GORDON LEE: Okay, time's up?

DEPUTY SPEAKER AYALA: Yeah, it was up a little while ago, I'll let you go over.

GORDON LEE: Okay, thanks.

DEPUTY SPEAKER AYALA: Thank you so much.

JENNIFER PARISH: Good afternoon.

My name's Jennifer Parish and I'm the Director of Criminal Justice Advocacy at the Urban Justice Center Mental Health Project. Thank you for the opportunity to testify.

And I'm here today to urge the Council to oppose excessive spending on the Department of Correction. Year after year the City pours billions of dollars into this agency, which cannot fulfill its fundamental obligation of keeping people in its custody safe and healthy. In fact, its decades long track record of failing to meet constitutional standards, even with years of outside oversight, has led to the possible appointment of a receiver to take control of the jails.

I want to highlight for you a recent example that makes clear why funding for the department should be reduced.

Despite the Mayor's repeated claim that solitary confinement does not exist in the jails, in October a former correctional health services social worker, Justyna Rzewinski, revealed that not only does solitary confinement in the jails exist, but that it's being used in the most egregious ways. Notably in the specialized mental health units where people with the most serious mental health needs are housed. She documented, and CHS leadership confirmed, a practice referred to as deadlocking in which correction officers lock people with mental health concerns— these are people with schizophrenia, bipolar disorder, and schizoaffective disorder— in their cells 24 hours a day for weeks or even months on end. Correction officers engaged in this practice despite CHS staff advocating for these individuals to be released, despite it resulting in these individuals not receiving medication, and despite them becoming more symptomatic as they mentally decompensated in the torturous environment of solitary confinement.

And this was not one egregious incident, but a practice that's been going on for years despite regulations against it. In fact, the Board of Corrections outlawed placing people with serious mental illness in solitary (TIMER CHIMES) back in 2015.

Sorry if I could just have a moment.

But that's what New York's tax dollars are funding— cruel and inhumane treatment of people with mental health needs. That must end. We can use that funding for actual treatment of people with serious mental health needs, in the community, to provide them with housing, mental health supports and other services that promote recovery. And we have that funding.

Simply by eliminating Department's uniform vacancies, we could save more than \$149 million that would allow for funding for justice-involved supportive housing, intensive mobile treatment, forensic assertive community treatment teams, crisis respite centers, ATI and reentry programs.

It would also allow us to fully fund the Board of Corrections. You heard them say that they can't even complete their investigation of this deadlocking

practice until June, because they simply don't have the funds despite it being revealed at the October meeting.

So please use the money that's currently in the DOC budget for these other important priorities.

CHRISTOPHER LEON JOHNSON: Uh, Chair Ayala, thanks for hosting this, and thanks for Sandy for hosting this, too. I know she's not here, but I hope she's doing well.

But I'm here to advocate for the restoration of funding for \$3 million back into Safe Horizon. I'm calling for restoration and more to keep on getting funding from the City Council.

That was wrong of how the Speaker, the Mayor defunded Safe Horizon. They do a lot of great work for the city, especially in the in the court system and the jail system.

Now I'm calling on the City Council to allocate \$3.7 million into various sexual any... \$3.7 million... This is from the to the Speaker, Adrienne E. Adams, \$3.7 million into any sexual assault, domestic violence assault organization that Sandy Nurse has wanted allocate that money to. Because she was sexually assaulted in Rikers, like, this like

last year. I mean, that's sad. I know a lot of people don't like her, but no woman should be sexually assaulted.

While at the same time, we just heard Benny Boscio crying for the past hour about what his officers been going through, but he have not said not one thing about a Sandy Nurse being sexually assaulted in jail. He would say, oh, she just got slapped in the butt, but it didn't matter. Like, she still got sexually assaulted. She should have never been sexually assaulted. Yeah, corrections officers been sexually assaulted in jail too, but she been assaulted too.

Just like he wanna complain that how they matter all the time, they do matter. But at the same time, Sandy Nurse matters, too.

So Benny Boscio should make a statement saying that he condemned about his inmates, because I could... I have a big feeling that he sent that off to try to show to the City Council like, "Oh, this is what we... this is what the Council... This is what the corrections officers go through. You guys don't know, so we're gonna... I'm a fucking get... (TIMER CHIMES)... I'm a get one of these guys to sexually

1 assault one of your council members to show of what  
2 we go through."

3 So until Betty Biosco, the council... the  
4 corrections union condemns Sandy Nurse, uh, condemns  
5 the situation that Sandy Nurse have been through... I  
6 have a feel... big feeling he set that up with his  
7 members in the in the Union because that Union is  
8 corrupt, really corrupt.

9 You know, a lot of to keep it real, nobody's  
10 gonna really give a shit about what these  
11 (INAUDIBLE)... (CROSS-TALK)

12 DEPUTY SPEAKER AYALA: Chris, Chris, language,  
13 language... (CROSS-TALK)

14 CHRISTOPHER LEON JOHNSON: (INAUDIBLE) these COs  
15 go through... watching my language... these COs go  
16 through. They won't care what these COs go through. I  
17 care what they go through, to keep it real, you know,  
18 you guys go through a lot of things, other people go  
19 through a lot of things. You gotta be you gotta  
20 call... you gotta be fair with them. You gotta be  
21 real fair. Until, like I said, you condemn that Mr.  
22 Garcia for sexual assault of Sandy Nurse and say,  
23 "Look, we stand with Sandy Nurse. She didn't have to  
24 go through that." No one's gonna care. Remember, she  
25

the chair of the she the chair of correct...

Corrections Committee. She the chair of this

committee. I know you're here today. I know she's not

here, but she the chair. She had the right to say

what money goes to what. So...

DEPUTY SPEAKER AYALA: I appreciate...

CHRISTOPHER LEON JOHNSON: That's all I gotta say.

DEPUTY SPEAKER AYALA: Thank you.

CHRISTOPHER LEON JOHNSON: (INAUDIBLE) my

language, but...

DEPUTY SPEAKER AYALA: I appreciate it, thank you,

Christopher.

Sharon, go ahead.

SHARON BROWN: Hello, My name is Sharon Brown.

Before I get started, remember Israel released the

hostages. Let Yahweh's people go.

Okay, uhm, we need bible based programs to help people out. Some things that come out of the church, the synagogue, they usually have programs and things to help people to restart their lives, to get their lives back on track.

There's not enough success rate in the programs that they're using, so I think they should try something that works. Even psychiatrists,

1  
2 psychologists, and the like note that there is a  
3 benefit with biblical or people going to church and  
4 doing things from the church, their lives are  
5 different. And many people you talk to, whether it be  
6 drug abuse or addiction, whatever it is, they say  
7 dealing in the church, they found themselves on a  
8 different path, they got better. If you call people  
9 like that who went into church programs and things  
10 like that, you'll find a higher success rate than the  
11 success rates that you find here.

12       So Rikers Island must be closed ASAP now. There's  
13 even someone on the dais whose brother was stabbed or  
14 something like that. I don't remember exactly who it  
15 was.

16       What's happening at Rikers is deplorable and it  
17 it's dangerous, and the legal aid should be defunded  
18 or at least their funding should be withheld or  
19 something, because they're standing by passively as  
20 things like this are happening to their clients. They  
21 can't see health care and things like that, and the  
22 legal aid are not filing motions and things. They  
23 have the leeway to file motions, habeas corpus, to  
24 try to get them out immediately, a habeas corpus gets  
25 them out. There's so many different things that the



legal aid can do, and yet they sit and complain and they don't do anything.

(TIMER CHIMES) If you shake up their funding or something, you threaten to take away their funding, maybe they'll fight for them, but close Rikers now, defund Rikers.

DEPUTY SPEAKER AYALA: Thank you so much, Sharon.

SHARON BROWN: You're welcome.

DEPUTY SPEAKER AYALA: Thank you all for your testimony.

We are going to move to Zoom. If there is anyone who we inadvertently missed, who wishes to testify in person, please see a sergeant and fill out a witness slip.

(PAUSE)

DEPUTY SPEAKER AYALA: Okay. All right, seeing no one, then we will move on to Zoom testimony. We will be hearing from Zachary Katznelson, Hannah May-Powers, Corinne Santiago-Conrad, Kelly Grace Price, Daniele Gerard, Roy Waterman, and Dr. Vanda Seward.

Zachary?

SERGEANT AT ARMS: You may begin.

(NO RESPONSE)

DEPUTY SPEAKER AYALA: Zachary, are you there?

Okay, he's not on the Zoom.

All right, we are moving on to Hannah May-Powers.

SERGEANT AT ARMS: You may begin.

HANNAH MAY-POWERS: Hi, good afternoon, my name is name Hannah May-Powers and I am here on behalf of Brooklyn Borough President Antonio Reynoso to call attention to the ways in which the Mayor's budget fundamentally undermines safety and the mandate to close Rikers Island.

The DOC is in desperate need of rightsizing. The City could save \$149.6 million without a single layoff just by eliminating uniform vacancies. As of February 27th, the ratio of uniformed correctional officers to detained persons on Rikers Island was 0.8 correctional officers to one detained person. This is vastly higher than the national average of one correctional officer per 3.6 incarcerated people.

There's an issue with both culture and practice at the DOC, which continues to ignore the abuse of its unlimited sick time system. Overall, the DOC is set to receive a 9.2% budget increase over last fiscal year. This increase comes as agencies that seek to address the root causes of incarceration are facing cuts. As of March 2nd, there were 6,866 New

Yorkers detained on Rikers. This is drastically higher than the 4,160 person population needed to transition the population to the borough-based jails.

Mayor Adams is again attempting to cut some of the most critical programs keeping New Yorkers out of jail. Unless the funding is restored, ATI programs are slated to lose \$14.4 million.

Stable housing is also one of the most impactful ways to address incarceration, and we know that homeless and housing insecure individuals are drastically overrepresented in the criminal legal system.

Though the JISH Program expanded in 2019, the expansion has largely remained stagnant due to a lack of provider funding. The FY26 Budget must include expanded funding for JISH.

Another agency facing budget cuts is the Board Of Correction, a critical body that helps keep people safe. This proposed budget cut would lead to a 5% decrease in funds for this body. The City can and must do better for thousands of people impacted by incarceration every day. We know that social determinants of health, such as safe and dignified housing, stable employment, food insecurity...

SERGEANT AT ARMS: Your time has expired, thank you.

HANNAH MAY-POWERS: (INAUDIBLE) education... Thank you.

DEPUTY SPEAKER AYALA: Corinne Santiago-Conrad?

SERGEANT AT ARMS: You may begin.

DEPUTY SPEAKER AYALA: All right, Corinne doesn't seem to be on.

Kelly Grace Price?

SERGEANT AT ARMS: You may begin.

KELLY GRACE PRICE: Hi, it's Kelly Grace Price from Close Rosie's. It's the end of the day and I'll be quick. Please excuse my very low broadband. I'm going to keep it on just audio only.

The first thing I'd like to address is, this notion that everybody on Rikers is the worst of the worst. I want to be very clear, as of today, there are 427 women, girls, trans, or intersex people held on the Rose M. Singer Center. Looking down the list of top charges that they're held for, 25% of these women, girls or trans, intersex or, gender-nonconforming people are being held on misdemeanors. If you look across, the hall and you look at what the men are being held on, less than 3% of the total

charges that they're held on top charge are misdemeanors.

So still we have this gross inequity. Every year I come to this hearing and I testify about the same thing. Women are being over criminalized in this town. No one seems to be doing anything about it, regardless of all the gender-informed ATI programs floating around out there. We're still hauling people in there for stupid things like petty larceny. One woman is in there, for trespassing. There are nine people in there on fugitive warrants. Okay. We get that. But, why are people in there on subway jumping? Yes. There is a 70-year-old woman currently sitting at the Rose M. Singer Center accused of turnstile jumping, and she was charged with the Forged Instrument.

I'm gonna quickly move to the things that I always talk about, in this hearing, if you don't mind.

We definitely need parity with the Board of Correction and, the Department of Correction. We ask for that every year. Please emphasize the Board of Corrections' needs. We have not had a PREA audit.

We just had a hearing where, (TIMER CHIMES)  
Council Member Sandy Nurse...

SERGEANT AT ARMS: Your time has expired, thank  
you.

KELLY GRACE PRICE: asked about why sexual assault  
wasn't being addressed, because we don't have anyone  
in the Board of Correction to audit PREA

I'll turn in my written comments. Thank you so  
much. I'm sorry for going over.

DEPUTY SPEAKER AYALA: No worries, Kelly. Thank  
you so much.

We're moving on to Daniele Gerard.

SERGEANT AT ARMS: You may begin.

DANIELE GERARD: Thank you very much, Deputy  
Speaker Ayala and committee members. My name is  
Daniele Gerard, I'm a senior staff attorney,  
Children's Rights. We are a national organization  
that advocates on behalf of youth in state systems  
here in the City on behalf of young adults on Rikers.

We cannot incarcerate our way to public health  
and safety. We must invest in our communities, not  
continue to throw money at the humanitarian disaster  
that is Rikers Island.

We urge this committee and the Council to cut the Department of Correction proposed \$2.87 billion budget and redistribute funding to programs that actually work to improve public safety. If the city eliminated the more than 1,100 current vacant positions for uniformed correction officers, we could save almost \$150 million next year alone to reinvest in the programs and services recommended in the written testimony I filed with you yesterday.

This savings will also help the City close Rikers by the August 2027 deadline in accordance with the law. And although the Department testified that they need more staff, they already have approximately as many staff as incarcerated persons. Absenteeism and lack of appropriate training are what keep posts unfilled, medical appointments missed, and violence escalating.

We call on the Council to ensure our communities have adequate supportive and affordable housing and mental health services before New Yorkers interact with the criminal legal system.

This is especially critical for our children and youth. Evidence shows that incarceration reduces youth success in education and employment, leads to

lasting damage to their health and well-being, and that alternatives to incarceration lead to better outcomes for them all while costing far less than incarceration.

Underfunding alternatives to confinement, and proven services makes no sense morally, ethically, or fiscally, especially in the face of the federal government's rampage against the most vulnerable among us.

We look to the City Council to do right by all New Yorkers. (TIMER CHIMES) Thank you for the opportunity to testify today.

DEPUTY SPEAKER AYALA: Thank you so much.

We will now be moving on to Roy Waterman.

SERGEANT AT ARMS: You may begin.

ROY WATERMAN: Thank you. Good afternoon, Speaker.... I'm sorry, a little technical... Deputy Speaker Ayala, members of the Committee on Criminal Justice.

My name is Roy Waterman; I am the Program Coordinator the Arches Program in the Youth Justice Initiatives Division at Good Shepherd Services.

Good Shepherd Services is a provider of community-based Youth Justice Programs, a Family



Enrichment Center known as the C.R.I.B. and the East New York Community Partnership Program in Brooklyn, Cure Violence in the Bronx, so we are throughout New York City.

Just want to thank you for advocating for the reinstatement of the Next STEPS program which was abruptly brought to an end by the Department of Probation, over a year and a half ago, with short notice. Youth need educational and/or vocational opportunities, but they also need positive adult relationships and mentoring that program like Next Steps provided. Many youths will never make it to the educational/vocational opportunity without the assistance of credible messengers.

At a time when young people are in crisis and under attack, we should not be removing services for youth programming. We need the city to invest in young people and the communities that support them. I want to thank the Department of Probation for reinstating the AIM Lite program now known as the Non ATP and acknowledging the value of connecting every high risk youth ages 13 to 18.

Regarding pending Request for Proposals (RFPs) for the AIM and Works Plus Program, while we have

heard from DOP that these contracts will be extended for one year and that RFPs will be released next year, providers want to ensure that funding for these RFPs are included in the Fiscal Year 2026 Fiscal Budget.

As part of the Youth Justice Coalition, a group of over 20 DOP contract providers, Good Shepherd signed on to a letter that was sent to Commissioner Holmes expressing concern regarding the Department of Probation's request for information and documentation for several weeks. We are committed to providing the Department with information that demonstrates the value and impact... (TIMER CHIMES) of this vital programming in the community. However...

SERGEANT AT ARMS: Your time is expired, thank you.

ROY WATERMAN: Thanks... Consideration provides the nature required to ensure.

We look forward to continue to work with the Council and DOP's data needs. Thank you for again for this testimony today.

DEPUTY SPEAKER AYALA: Thank you so much, I love Good Shepherd.

ROY WATERMAN: Thank you.

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2 DEPUTY SPEAKER AYALA: Dr. Vanda Seward?

3 SERGEANT AT ARMS: You may begin.

4 (NO RESPONSE)

5 DEPUTY SPEAKER AYALA: Okay, it seems like she is

6 no longer on Zoom.

7 So, with that, we have no one left to testify.

8 Thank you all so much.

9 And, with that, this hearing is concluded.

10

11 (GAVEL SOUND) (GAVELING OUT)

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date March 31, 2025