



**NEW YORK CITY COUNCIL
FINANCE DIVISION**

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Cirilhen Francisco
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Hon. Carlina Rivera
Chair, Committee on Criminal Justice

**Report to the Committee on Finance and the
Committee on Criminal Justice on the Fiscal
2023 Executive Plan and the Fiscal 2023
Executive Capital Commitment Plan**

Board of Correction

May 23, 2022

(Report Prepared by Jack Storey)



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Board of Correction Fiscal 2023 Executive Budget Snapshot



Budget Response **Council Priorities**

- \$12.3 million to adequately support the Board of Correction's charter-mandated oversight role.

New Needs **Significant New Needs**

- \$474,000 for Personal Services

Other Adjustments **Savings in the Executive Budget**

- \$502,000 reduction of Personal Service expenses in Fiscal 2022.

Major Agency Issues **Agency Issues Identified**

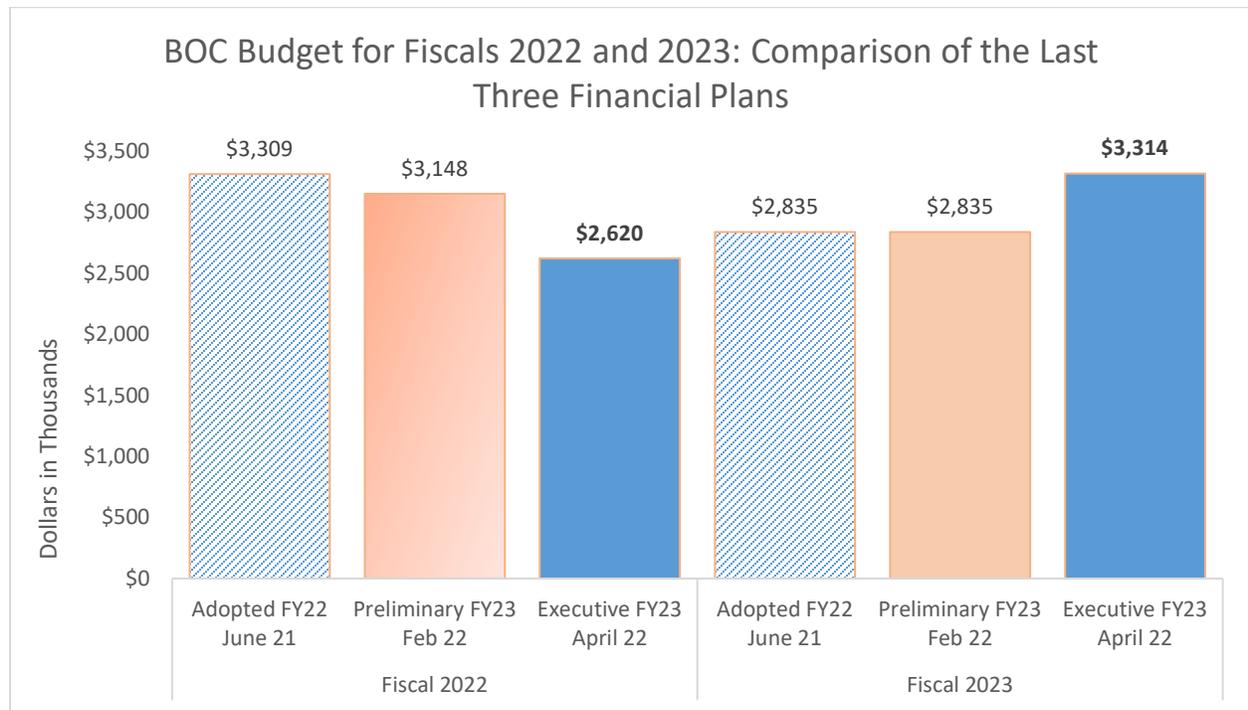
- Providing adequate funding and resources for the Board to appropriately provide its mandated role.

BOC Budget Overview

On April 26, 2022, the Administration released the Executive Financial Plan for Fiscal 2022-2026 (Executive Plan) with a proposed budget for Fiscal 2023 of \$99.7 billion. This report offers a review of the Board of Correction (the Board or BOC) Fiscal 2023 Executive Budget, including proposed budget actions taken in the Executive Plan.

The Board’s projected Fiscal 2023 budget of \$3.3 million represents less than one percent of the City’s proposed Fiscal 2023 budget in the Executive Plan. BOC’s proposed Fiscal 2022 budget is \$2.6 million, or 21 percent, less than the agency’s Fiscal 2022 Adopted Budget (\$3.3 million) and \$528,000 or 17 percent less than the budget presented in the Fiscal 2023 Preliminary Financial Plan (Preliminary Plan) presented in February (\$3.1 million).

BOC’s Fiscal 2023 budget increases by \$479,000 (16.8 percent), from the Preliminary Plan (\$2.8 million). The increase is the result of an increase in the Board’s personal services (PS) budget.



Personal Services and Headcount

BOC’s Executive Plan includes funding for a total of 32 full-time position in the current fiscal year, which remains unchanged in Fiscal 2023. The current plan maintains the Board’s Fiscal 2022 budgeted headcount as of the Fiscal 2022 Adopted Budget.

In the Executive Plan, funding for BOC’s personal services (all agency staffing related expenses) comprise \$2.4 million or 92 percent of the agency’s total Fiscal 2022 budget. This number increases to \$3.1 million or 95 percent in Fiscal 2023.

BOC Spending and Headcount

Table 1: BOC Spending and Budgeted Headcount Summary						
<i>Dollars in Thousands</i>	2020	2021	2022	Executive Plan		*Difference
	Actual	Actual	Adopted	2022	2023	2022 - 2023
Spending						
Personal Services	\$2,342	\$2,179	\$3,173	\$2,435	\$3,144	(\$29)
Other Than Personal Services	215	104	136	185	170	\$33
TOTAL	\$2,557	\$2,283	\$3,309	\$2,620	\$3,314	\$4
Budgeted Headcount						
Full-Time Positions - Civilian	27	23	32	32	32	0
TOTAL	27	23	32	32	32	0

**The difference of Fiscal 2022 Adopted Budget compared to Fiscal 2023 Executive Budget.*

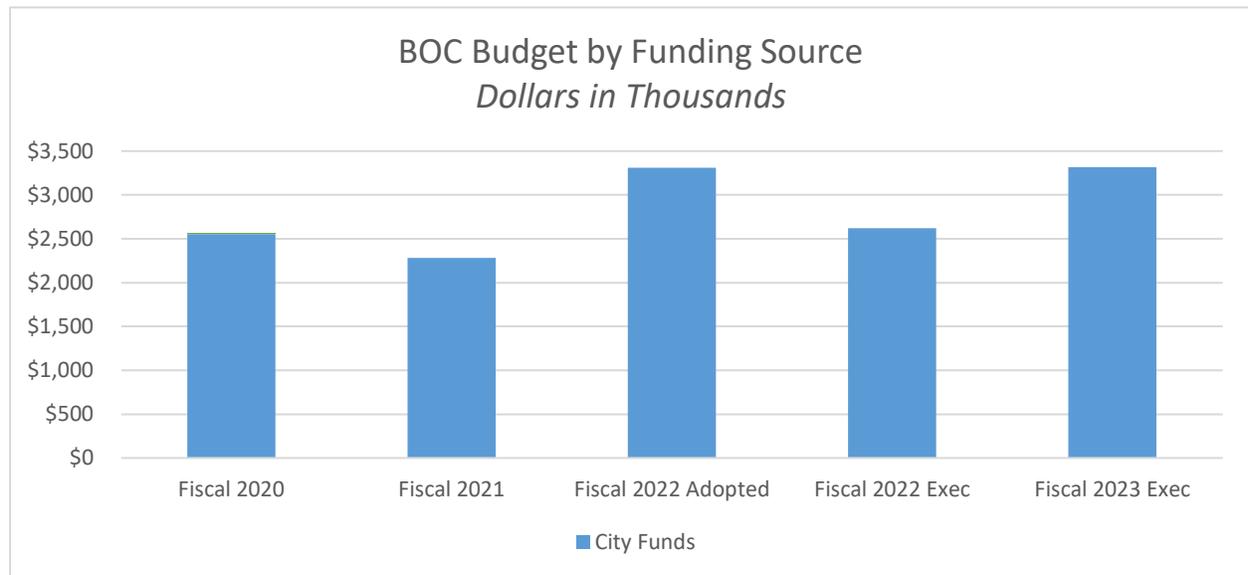
Funding Sources

BOC’s budget is financed entirely by City funds.

City Funding

The \$690,000 decrease in BOC’s Fiscal 2022 budget between the Adopted Budget and the 2023 Executive Plan is the result of modifications to city funds.

See Appendix A for a complete list of all changes reflected in BOC’s Fiscal 2022 and 2023 budgets since adoption.



<i>Dollars in Thousands</i>	2020	2021	2022	Executive Plan		*Difference
	Actual	Actual	Adopted	2022	2023	2022 - 2023
Funding						
City Funds	\$2,557	\$2,283	\$3,309	\$2,620	\$3,314	\$4
TOTAL	\$2,557	\$2,283	\$3,309	\$2,620	\$3,314	\$4

**The difference of Fiscal 2022 Adopted Budget compared to Fiscal 2023 Executive Budget.*

Program Area Budgets

N/A

Changes Since the Preliminary Budget by Spending Type

At each financial plan, an agency will submit changes to its budget from the prior plan. These changes are comprised of new needs that have not previously been included in their budget, other adjustments to existing spending (these adjustments can involve adding additional funding or removing funding), savings programs which provide additional resources either through reduced spending or increased revenue, and savings restorations which include the restoration of expenditures that had been reduced in prior financial plans.

The summary of all changes made to BOC's financial plan since adoption can be found in Appendix A.

New Needs

BOC's Executive Budget includes \$474,000 for one new need. This is a PS adjustment that restores funding for the Board's headcount that was added in the Fiscal 2022 Adopted Budget for Fiscal 2022 only.

Other Adjustments

BOC's Executive Budget includes an increase of \$4,000 in one other adjustment related to increased costs for heat, light, and power

Savings Program

BOC's Executive Budget includes one savings initiative, a re-estimate of PS costs from positions that were not filled in the current fiscal year. The change reduces the Fiscal 2022 budget by \$532,000

Savings Restorations

N/A

Fiscal 2023 Preliminary Budget Response

In the Fiscal 2023 Preliminary Budget Response (Budget Response)¹, the Council identified areas of concern relating to supporting fairness in the justice system. Below the Council's proposal is discussed and an analysis of how they were addressed in the Executive Plan.

- **Provide Adequate Resources to the Board of Correction:** The Council supports the BOC's mandate to provide critical oversight of the City's jails. The Council called upon the Administration to provide the Board with the additional resources necessary to conduct its charter-mandated mission and support its staff. In its Response the Council recommended establishing BOC's budget as one percent of the Department of Correction's budget, following the model of the Civilian Complaint Review Board and the

¹ The full response can be found at: <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2020/04/Fiscal-2021-Budget-Response-Letter-to-Mayor-de-Blasio.pdf>.

Police Department. Providing an additional \$12.3 million would allow the Board to increase salaries for investigative field staff to levels commensurate with their experience. The funding would also enable the Board to increase its headcount, supporting critical functions, such as for a Medical Examiner's Office that would investigate deaths in the City's jails.

Despite the increased funding added for the Board's PS costs, the Executive Plan did not significantly increase the resources for BOC nor did it establish a funding mechanism that linked the Board's funding level to that of the Department of Correction's.

Response Priorities	Amount Requested	Amount Included in the Exec Budget
Provide Adequate Resources to the Board of Correction	\$12.3 million	\$474,000

Federal and State Budget Risk

BOC's budget has no federal or State budget risks.

Capital Budget

N/A

Appendix A: Budget Actions Since Fiscal 2022 Adoption

<i>Dollars in Thousands</i>	FY22			FY23		
	City	Non-City	Total	City	Non-City	Total
BOC Budget as of the Fiscal 2022 Adopted Budget	\$3,309	\$0	\$3,309	\$2,835	\$0	\$2,835
New Needs						
Vaccine Incentive	\$1	\$0	\$1	\$0	\$0	\$0
Subtotal, New Needs	\$0	0	\$0	\$0	\$0	\$0
Other Adjustments						
PS Savings	(\$65)	\$0	(\$65)	\$0	\$0	\$0
Subtotal, Other Adjustments	(\$65)	\$0	(\$65)	\$0	\$0	\$0
TOTAL, All Changes	(\$65)	\$0	(\$65)	\$0	\$0	\$0
BOC Budget as of the Fiscal 2022 November	\$3,244	\$0	\$3,244	\$2,835	\$0	\$2,835
FY23 Preliminary Plan						
Other Adjustments						
Admin PS Transfer	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal, Other Adjustments	\$0	0	\$0	\$0	\$0	\$0
Savings Program						
Vacancy Reduction	(97)	\$0	\$0	\$0	\$0	\$0
Savings Program, Subtotal	(97)	0	(97)	0	0	0
TOTAL, All Changes	(\$97)	\$0	(\$97)	\$0	\$0	\$0
BOC Budget as of the Fiscal 2023 Preliminary Plan	\$3,147	\$0	\$3,147	\$2,835	\$0	\$2,835
FY23 Executive Plan						
New Needs						
PS Adjustment	\$0	\$0	\$0	\$474	\$0	\$474
Subtotal, New Needs	\$0	\$0	\$0	\$0	\$0	\$0
Heat, Light and Power	\$4	\$0	\$4	\$4	\$0	\$4
Other Adjustments, Subtotal	\$0	\$0	\$0	\$4		\$4
PEG						
PS Re-estimate	(\$532)	\$0	(\$532)	\$0	\$0	\$0
Subtotal, PEG	(\$532)	\$0	(\$532)	\$0	\$0	\$0
TOTAL, All Changes	(\$532)	\$0	(\$532)	\$478	\$0	\$478
BOC Budget as of the Fiscal 2023 Executive Plan	\$2,615	\$0	\$2,615	\$3,313	\$0	\$3,313