

New York State Department of Corrections and Community Supervision

Fiscal Year 2021-22 Budget Hearing

February 10, 2021

Testimony of Anthony J. Annucci, Acting Commissioner

Good Afternoon. Chairwoman Krueger, Chairwoman Weinstein, and other distinguished Chairs and members of the Legislature, I am Anthony J. Annucci, Acting Commissioner for the Department of Corrections and Community Supervision. It is my honor to discuss some of the highlights of Governor Cuomo's Executive Budget plan.

Since the Governor took office, the incarcerated population, now under 33,200, has decreased by more than 22,000, marking the lowest total since 1984, and representing a 54% decline since its all-time high in 1999 of 72,773. More significantly, the total population reduction since January 1, 2020, exceeds 11,000. Even with these drastic reductions in incarceration, New York proudly remains one of the safest large states in the country.

With this significant reduction in population since 2011, the State has safely eliminated excess capacity through the closing of 18 correctional facilities, without laying off workers, while achieving \$292 million of savings for taxpayers. This year's closure process is underway with the transfer of staff to vacant positions at other facilities or offices, while the incarcerated population is transitioned into vacant beds elsewhere. Based on the continued decline of the incarcerated population, we anticipate additional facility closures in the upcoming two fiscal years.

Over the past year, COVID-19 has plagued our nation, and state. The Department was not spared from the effects of COVID-19. Accordingly, last March I convened a multi-disciplinary COVID-19 Task Force to guide our comprehensive response. During this

pandemic there have been many heroes along the way. Our essential workers, including corrections and community supervision staff, came to work every day and consistently carried out their professional duties in an exemplary manner, oftentimes going above and beyond their traditional responsibilities. I am very proud of the dedication and sacrifice staff have displayed throughout the duration of the COVID-19 public health emergency and thank them for their continued great work. Incarcerated individuals also helped to support and protect fellow New Yorkers with the production of nearly 11 million bottles of hand sanitizer of various sizes, over 89,000 protective gowns, and almost two million face masks. As the Governor has pointed out, our path forward is to continue testing and vaccinations. We have begun the process of vaccinating our staff and the incarcerated individuals in the system who are 65 and older, consistent with statewide guidance for that age group.

Under the direction of Governor Cuomo, the Department also leveraged existing laws that allowed for the early release of 3,555 non-violent, non-sex offenders, which included 791 low-level parole violators from local custody. The Department decommissioned over 3,000 top bunks, greatly reducing density within dorm settings, and followed CDC and DOH guidance to help reduce the spread of COVID-19. We also modified policies and procedures in community supervision that have drastically reduced the issuance of technical warrants.

Despite the pandemic, there were many accomplishments in 2020. Last year, the Governor successfully advanced legislation to remove all individuals under the age of 18 from DOCCS, and to send Adolescent Offenders to the Office of Children and Family Services. This transition was successfully completed.

In 2019, the Governor, along with the leaders of both houses, jointly agreed to further overhaul segregated confinement through administrative action. DOCCS issued and adopted regulations after a thorough review of the public comments. Leveraging the \$69M capital funding allocation, the necessary infrastructure upgrades to develop residential rehabilitation units are underway, with several becoming operational later this fiscal year. The regulations further restrict the number of infractions that can result in a disciplinary confinement sanction, among other things. When fully implemented, these reforms will restrict the use of segregation for vulnerable populations and cap the amount of time someone can spend in segregation. Through the ongoing reforms, I am confident we will successfully provide incarcerated individuals with the services and treatment they need, while continuing to keep staff, the population and visitors safe.

Lastly, the Board of Parole, in consultation with the Department, adopted regulations that improved the standard conditions of supervision, and modified the parole revocation process, advancing both alternatives to incarceration options, and shorter periods for re-incarceration, when necessary.

In conclusion, while we will continue to tackle the many challenges posed by COVID-19, we will simultaneously explore additional means to further leverage technology for the delivery of programs and the advancement of safety, both inside our facilities and within our communities. We cannot ignore the overall safety of our staff and the security of our facilities and offices; they remain a top priority for the Department. Our professional, well-trained and dedicated workforce, who perform their responsibilities in a highly commendable manner, often under dangerous and difficult circumstances, will continue to be our best resource as we meet our mission. The Governor's budget

positions the Department for success, while continuing to address the dramatic decline in the population, to the benefit of the entire agency, as well as the taxpayer. Thank you and I will be happy to answer any questions.

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