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**Testimony of Nashla Rivas Salas
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Before the New York City Council Committees on
Fire and Criminal Justice, Public Safety, Courts and Legal Services, and
Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services
Oversight Hearing on Behavioral Health and the Criminal Justice System:
Examining New York City's Action Plan**

May 12, 2015

Good afternoon chairpersons Crowley, Gibson, Lancman, Cohen, and committee members. My name is Nashla Rivas Salas, and I am a senior budget and policy analyst for the New York City Independent Budget Office. I am joined by Paul Lopatto, Supervising Analyst for Social and Community Services. Thank you for the opportunity to testify today on Behavioral Health and the Criminal Justice System.

My testimony will not directly address the City's Action Plan but rather highlights some of the findings from a [report](#) our office released yesterday that bears directly on the subject of this hearing. Our report looked at correctional mental health spending since 2009 and the city's progress towards meeting its obligations to provide mental health and discharge planning services in jails.

More than a decade ago the city reached a legal settlement with plaintiffs in a case that became known as Brad H. The city agreed to provide inmates who were confined in its jails for at least 24 hours and who received treatment for mental illness during their time there with a plan for accessing ongoing services upon release. Although the average daily population in city jails continues to decrease, the number and share of inmates with a mental health diagnosis is growing.

In response to the recent turmoil in the city's jail system, the de Blasio Administration has adopted a number of new initiatives for addressing mental health services and other needs in the jails, including the "action plan" recommendations announced in December. As the city moves forward with these new efforts, it is worth looking back at how well the Departments of Correction and Health and Mental Hygiene met the obligations of the Brad H. settlement. IBO has compared spending in fiscal year 2009 (the earliest year the health department could provide data) and 2012 (the latest year most data was available at the time IBO made its request). Some of the service provision data analyzed was through 2013.

Among our findings:

- From 2009 through 2012, health department spending on mental health services in the city's jails remained flat, at about \$35 million a year. Over that same period, the number of inmates with mental health diagnoses increased by nearly 10 percent, to more than 20,200 admissions in 2012 and comprised a larger share of the inmate population.

- Because health department spending on correctional mental health services had not kept pace with the increasing number of inmates with mental health diagnoses, per inmate spending on mental health services declined. The decline was particularly notable in spending on the administrative and support areas, purchase of psychotropic medications, and—to a lesser extent—discharge planning. With the de Blasio Administration’s new initiatives, though, per inmate spending is likely to rise.
- In terms of the absolute number of services provided to inmates eligible under the Brad H. settlement, the health department delivered more services in 2013 than in 2009, including an increase of over 56 percent in the number of discharge plans completed, to 8,492 in 2013.
- But some of the 10 different types of discharge services identified under Brad H. were reaching a smaller share of eligible inmates in 2013 than in 2009, including referrals made, appointments scheduled for post-release care, and Medicaid and public assistance applications submitted.
- It is not possible to assess the effectiveness of the discharge services because neither the correction department nor health department tracks inmates with mental health issues post-release.

The report also compares data on the demographics, length of stay, and reasons for arrest for the inmates covered by the Brad H. settlement with the general inmate population.

Thank you for the opportunity to testify today. I am glad to answer any questions you may have.