



NEW YORK CITY COUNCIL FINANCE DIVISION

New York City Council

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Term and Condition (T&C) - Requests for Certified Birth Certificates:

Fiscal 2015 Term and Condition is in relation to Department of Correction and the number of request for certified birth certificates by inmates.

As a condition to the expenditure of funds appropriated to the unit of appropriation numbers 001, 002, 003, and 004, the Department shall provide quarterly reports to the Council detailing: 1) the number of inmates who have requested a copy of their certified birth certificate within two weeks prior to release from custody; 2) the number of certified birth certificates that were provided pursuant to such request; and 3) the number of requests made to the Department of Health and Mental Hygiene in accordance with such request. The data provided shall be applicable to any person born in New York City and sentenced to ninety days or more in a New York City correctional facility who will serve, after sentencing, thirty days or more in a New York City correctional facility.

Rationale:

Local Law 64 of 2007 mandated that the DOC provide free certified birth certificates for certain people being released from New York city or state correctional facilities to help them transition back into society and not recidivate. The Department currently does not report on the number of certified birth certificates that are requested by inmates or the number of certified birth certificates that are provided to inmates. Receipt of the quarterly reports from the Department will enable the Council to ensure that the Department is in compliance with the local law and to gauge the number of inmates in need.

Overview:

The City Charter authorizes the Council to attach terms and conditions to any unit of appropriation in either the expense budget or the capital budget that impose certain requirements as a condition of spending. These requirements often consist of reporting on indicators related to the progress of spending the appropriated funds, or certain programmatic aspects of the spending. The Fiscal 2015 Budget for the Department of Correction includes a term and condition that requires a report related to the number of birth certificate applications submitted by inmates.

Frequency of Reporting:

The first report shall be submitted on or before October 15, 2014 and shall cover the period beginning July 1, 2014 and ending September 30, 2014. The second update shall be submitted on

or before January 15, 2015 and shall cover the period beginning October 1, 2014 and ending December 31, 2014. The third update shall be submitted on or before April 15, 2015 and shall cover the period beginning January 1, 2015 and ending March 31, 2015. The fourth update shall be submitted on or before July 15, 2015 and shall cover the period beginning April 1, 2015 and ending June 30, 2015.

The Department of Correction submitted the first quarterly report on the number of requests for certified birth certificates on December 23, 2014 after the deadline of October 15, 2014. The Department of Correction submitted the second quarterly on January 16, 2015, one day after the deadline of January 15, 2015. The Department of Correction submitted the third quarterly report on the deadline of April 15, 2015. The Department of Correction provided all the necessary information to address the terms and conditions.

Analysis of the T&C:

In the first quarter the Department of Correction received 26 requests from inmates for a copy of their certified birth certificate, 58 percent of inmates received a copy of their birth certificate. Four inmates were denied a copy of their birth certificate and seven applications were still pending at the end of the first quarter. The second quarter saw an increase in the total number of inmates who requested a copy of their certified birth certificate to 28. 71 percent of inmates received a copy of their birth certificate; additionally five inmates were denied a copy of their birth certificate in the second quarter. The third quarter saw an increase in the total number of inmates who requested a copy of their certified birth certificate to 37, an increase of nine requests from the second quarter. Three inmates were denied a certified copy of their birth certificates and six applications were pending at the end of the third quarter of Fiscal 2015.

The table below summarizes the number of Birth Certificate applications submitted by inmates born in NYC and sentenced to 90 days or more in DOC custody who served, after sentencing, at least 30 days in a DOC facility.

Department of Correction: Quarterly Birth Certificate Report					
Fiscal 2015 First, Second, and Third Quarters					
Service Indicators		1st Quarter JUL-SEP	2nd Quarter OCT-DEC	3rd Quarter JAN-MAR	Diff 3rdQ from 2ndQ
1	Number of inmates who have requested a copy of their certified birth certificate within two weeks prior to release from custody	26	28	37	9
2	Number of requests made to the Department of Health and Mental Hygiene in accordance with such request	26	25	29	4
3	Number of certified birth certificates that were provided pursuant to such request	15	20	20	0
4	Number of inmates who received a copy of their certified birth certificate prior to release. ¹	15	20	20	0
5	Number of applications that were pending at the end of the Quarter	7	0	6	6
6	Number of inmates who were denied a certified copy of their birth certificate	4	5	3	(2)
7	Reasons for such denial, as provided by DOHMH				0
	Mother's/father's maiden name doesn't match DOHMH records	1	2	0	(2)
	No record found	1	1	1	0
	Name on ID does not match name on Birth Certificate		0	1	1
	Applicant's name does not match records, and father's name is not included in the application	1	1	0	(1)
	Mother's/father's name is not included in the application	1	1	0	(1)

¹ This indicator represents the number of certificates forwarded to DOC staff and contracted partners to be provided to inmates.