



#CLOSErikers POSITION and MESSAGE TO CITY COUNCIL re: borough based plan

We urge the City Council to support this land use proposal that will enable the closure of Rikers, with the modifications we outline below.

The #CLOSErikers campaign is led by people who have personally experienced the horrors of Rikers Island, and their voices are paramount in this process. They know that closing Rikers is urgent, and cannot be delayed. We support building borough based facilities to enable the fastest possible closure, and we ask the City Council to ensure that passing this plan comes along with a commitment to invest in resources that support our communities and shrink the jail population even further.

Rikers is the last penal colony in the United States, and you have the power to ensure its closure, or to help ensure its continuation. We cannot stop or restart this process when we have the potential to close Rikers by 2024. We cannot risk seeing the torture that happens at Rikers continued indefinitely. We cannot leave anyone behind on Rikers Island.

1) THE CITY CAN REDUCE THE CAPACITY FOR WHICH IT IS BUILDING THESE FACILITIES

- a) The current City jail population is 7,200, and the City has committed to reducing it to 4,000 or below
- b) The #CLOSErikers campaign knows that the City can further reduce our system wide jail population to less than 3,000.
- c) The City has already considered the effects of many charges becoming ineligible for bail and for detention (effective January 1, 2020), and future parole supervision reform (proposed in New York State legislature) to project a jail population below 4,000
- d) By considering the effects of further changes in NYS bail laws - including the requirements that judges consider supervised released for all cases when available, and when bail is set, that judges must consider ability to pay, and offer three forms of bail, of which unsecured or partially-secured bond must be one - the City can plan for 800 less people in the jail system
- e) To further reduce the jail population, the City Council can push for these commitments
 - i) A targeted \$100 million [investment in resources for people with serious mental health needs](#), who currently account for 16% of the jail population. With this investment, we believe the City can plan for at least 250 less people in the NYC jail system on a given day, (after bail reform goes into affect).
 - ii) A targeted \$37 million investment in alternatives to incarceration and alternatives to detention. With this investment, the City can plan for 550 less people in the NYC jail system on a given day. Funding should be focused on cases

that are harder to divert or where capacity of existing programs is especially limited, including more serious charges, defendants with a higher level of need, and/or people who do not fall into special populations that current ATI funding targets. Programs should also be trauma-informed, and proven to provide those involved not just with an alternative sentence, but with skills and resources to lead more stable lives. The following distribution of funding could support these goals, though flexibility for providers to design their programs in the ways they know best should be prioritized as well:

- (1) 10% of funds for lighter touch programs appropriate for people with a lower level of need or less serious charges - \$4000/participant, 700 participants
 - (2) 20% of funds for slightly more intensive programs, appropriate for people with a higher level of need charges - \$10,000/participant, 550 participants
 - (3) 30% of funds for intensive programs appropriate for serious or statutorily violent charges - \$18,500/participant, 440 participants
 - (4) 40% of funds for intensive programs for people with mental health and supportive housing needs - \$25,000/participant, 400 participants
 - (5) Additional capacity-building investment at 25% to help small but effective providers better access funding
- f) By decriminalizing sex work, the City can plan for 50 less people in the jail system
 - g) The separate facility for women should be completely separate, and the City should explore options to repurpose buildings, in areas well-served by public transit, that could house the 100 or so women who might remain in a secure facility after the above reforms are enacted. This could reduce the capacity in the four proposed facilities by 100 overall, and the size of each facility
 - h) Because there is some overlap among the effects of these reforms, we estimate their combined effects would reduce the City jail population by about 4,300 people, bringing the average daily jail population to less than 3,000.

2) THE CITY MUST COMMIT THAT THESE FACILITIES WILL NOT ONLY BE DESIGNED DIFFERENTLY BUT OPERATED DIFFERENTLY

- a) As long as any person is held in secure detention in New York City, the City must create facilities with the least restrictive conditions. People can not be locked in cells or cages, and definitely not in solitary.
- b) The people managing and running the facilities would have to be capable of and willing to provide a healing environment. The Department of Corrections cannot and will not do that. It's an entire agency built on a model of punishment. In the past several years, even under a Federal monitor and with a shrinking jail population, violence in City jails is increasing. The Department of Corrections (DOC) has proven themselves to be unable and unwilling to end the culture of violence that consumes Rikers Island.
- c) For facilities to serve the purpose of healing or rehabilitation, the people held there would need to mostly interact with staff who are trained for that purpose. Staff who serve a security function - like DOC - must not be in housing areas. If they have any role, it would be only at entrances and exits. As the Officer's Union president said himself "We're not mental-health workers, we're not social workers... We're the police of the jails." "The police' cannot run the new facilities. Community-based secure facilities under different management structures already exist in other cities and states.
- d) Along with this, we need a complete shift in language to be more humanizing. The City should remove the words 'inmate' and 'offender' from all City documents, guides, training, and practice. People must be called people, and treated as people.
- e) These facilities must be designed to drive themselves out of existence. We have every reason to think the number of people incarcerated in this city will continue to drop - that

has been the trend over the past twenty-plus years, and a trend which could be accelerated even faster by the kinds of investments we're calling for in our #buildCOMMUNITIES campaign. As that happens, there should be a commitment to switch detention areas over to other community uses. Visit: jlusa.org/buildCOMMUNITIES

3) THE CITY MUST COMMIT TO INVESTMENTS IN COMMUNITIES

- a) These facilities provide a way to reduce harm by shrinking the system and improving conditions. But we know the change we truly seek is an investment in our communities.
- b) New York City has robbed poor communities of color of vast resources over many decades by relying on incarceration as the solution to drug use, mental health needs and poverty.
- c) This plan has the potential to save more than \$500 million dollars per year, which must be invested all of the things that have been proven to create *true* public safety — including expansive affordable and supportive housing and programs that address educational, employment and mental health needs outside of the carceral system. Even before the savings from this plan are realized, the City could begin justice reinvestment by divesting from policing and incarceration, and investing in the kinds of community resources outlining in our #buildCOMMUNITIES platform.

4) THE CITY MUST BEGIN DEMOLISHING EMPTY BUILDINGS ON RIKERS

- a) The 2018 “Worst Offenders” report from the State Commission on Corrections indicated that there are at least 5,400 empty jail beds on Rikers Island.
- b) The City can transfer the remaining population to a few facilities and begin demolishing those that are empty, with a focus on the best possible care and conditions for the people being transferred.

For further info, please contact Brandon Holmes, Campaign Coordinator, brandon@jlusa.org