

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES,
JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES

----- X

December 15, 2015
Start: 1:14 p.m.
Recess: 4:01 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E:

ELIZABETH S. CROWLEY
Chairperson
LAURIE A. CUMBO
Co-Chairperson

COUNCIL MEMBERS:

Mathieu Eugene
Fernando Cabrera
Rory I. Lancman
Paul A. Vallone
Darlene Mealy
Karen Koslowitz
Ben Kallos

A P P E A R A N C E S (CONTINUED)

Dina Simon
First Deputy Commissioner
New York City Department of Corrections

Winette Saunders
Deputy Commissioner
Youthful Offender Programming
New York City Department of Corrections

Sean Cussen
Deputy Director
Investigations Division
New York City Department of Corrections

Cynthia Brann
Deputy Commissioner
Quality Assurance
New York City Department of Corrections

Dr. Homer Venters
Chief Medical Officer
Correctional Health Services
New York City Health and Hospitals

Michele Clifford
Warden
Rose M. Singer Center
New York City Department of Corrections

Caroline Hsu
Staff Attorney
Prisoners' Rights Project
The Legal Aid Society

A P P E A R A N C E S (CONTINUED)

Kelsey De Avila
Social Worker
Jail Services Division
Brooklyn Defender Services

Jane Stanecky [sp?]
Volunteer
Hour Children

Julienne Verdi
Director of Governmental Relations
Planned Parenthood of New York City

Georgia Lerner
Women's Prison Association

Evie Litwok
Formerly incarcerated

Zena
Formerly incarcerated

Kelly Grace Price
Formerly incarcerated

Natalie Block-Levin
Jails Action Coalition

Alex Abell
Mental Health Project
Urban Justice Center and
Jails Action Coalition

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES,
JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES 4

2 CHAIRPERSON CROWLEY: Good afternoon. My
3 name's Elizabeth Crowley and I am the Chair of the
4 Fire and Criminal Justice Services Committee; this is
5 a joint oversight hearing with the Committee on
6 Women's Issues, chaired by Council Member Laurie
7 Cumbo. The top for today's hearing is a unique issue
8 facing women in our city jails.

9 I'd like to recognize the other Council
10 Members who are here today; we have Council Member
11 Rory Lancman, Council Member Darlene Mealy and
12 Council Member Vanessa Gibson, whose bill we will be
13 hearing today.

14 Women make up only about 7% of the
15 population in our city jails, but they are some of
16 the most vulnerable of our inmate population. Almost
17 twice as many female as male inmates fall into the
18 category of seriously and persistently mentally ill
19 and nearly 50% of female inmates are regular drug
20 users. Studies have shown that incarcerated women
21 disproportionately face poverty, poor nutrition and
22 limited access to preventative medical care. Many of
23 the issues of discussion today are important to both
24 male and female inmates, issues of violence, sexual
25 assault and the use of punitive segregation.

2 However, the issue of violence among female inmates
3 in particular has not been a prominent topic of
4 public discussion. How do rates of violence compare
5 between female and male inmates? How do rates of
6 force compare? The DOC has not reported any of this
7 information publicly and despite requests from the
8 Council, the DOC did not provide the Council with any
9 data on this topic prior to this hearing; I hope that
10 the Department will be prepared to discuss this issue
11 here today.

12 Also, an important part of today's
13 discussion is sexual victimization of women in jail.
14 While both men and women can suffer from sexual
15 victimization, female inmates face a greater danger
16 of being victimized. In 2013, 5.9% of female inmates
17 on Rikers Island reported being sexually assaulted by
18 staff, compared to a national average of just 1.8%.
19 In May, a federal lawsuit was filed alleging several
20 female inmates were raped and sexually abused over a
21 two-year period at the hands of Rikers correction
22 officer. In March we heard the shameful allegation
23 that a correction officer raped a female inmate while
24 another one watched. I do hope the accused were
25 immediately removed from working with inmates; these

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES,
JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES 6

2 are serious claims and I look forward to exploring
3 what the DOC has done to address these claims and
4 related issues.

5 Additionally, studies have shown female
6 inmates who care for their infants in custody have
7 lower rates of recidivism; that is why I applaud the
8 DOC's creation and usage of the nursery program.

9 However, I am disturbed by news reports of the
10 nursery program being sparsely used, with only 6
11 inmates being approved for the use of the facility in
12 FY 2014; for that reason, I support the passage of
13 Int. 0899, introduced by Council Member Vanessa
14 Gibson and this bill is being heard today. I hope
15 the DOC also supports this legislation.

16 The DOC's public reporting on the use of
17 punitive segregation, pursuant to a local law passed
18 by the City Council, reveals that women face a
19 reprieve from punitive segregation; unlike men, all
20 women are sent to a segregated facility, are either
21 in clinical alternatives to punitive segregation
22 units or the restrictive housing unit; both of these
23 units are designed for women with mental health
24 issues; I look forward to discussing this issue with
25

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES,
2 JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES

7

3 DOC today and I look forward to a productive
4 discussion of all the related topics.

5 And now I'd like to recognize my Co-
6 Chair, Council Member Cumbo for opening remarks.

7 CO-CHAIRPERSON CUMBO: Thank you, thank
8 you so much, Council Member Crowley; it is an honor
9 to be co-chairing this committee with you today on a
10 very important topic.

11 Good afternoon, I am Council Member
12 Laurie Cumbo, Chair of the Committee on Women's
13 Issues. I'd like to thank all of you for coming
14 today; I'd also like to thank my Co-Chair, Council
15 Member Crowley for her work and leadership on this
16 issue. Thank you as well to the staff of the
17 committees who have helped us in preparation for this
18 committee.

19 Prisons were originally created long ago
20 and with male populations in mind and while there are
21 a number of issues that confront all who pass through
22 the criminal justice system and a host of policies
23 that need improvement, there is clear necessity to
24 look at gender differences and needs while addressing
25 these concerns.

3 Incarcerated women face many distinct
4 issues from male inmates. According to the
5 Correctional Association of New York, an estimated
6 90% of women in New York prisons have experienced
7 sexual or physical violence in their lifetime; often
8 this trauma has led them to make choices that
9 precipitate their ending up in prison and according
10 to some reports, women face higher incidents of being
11 further victimized while incarcerated, including
12 being raped by other inmates and correctional
13 facility staff.

14 It is estimated that more than 12% of
15 incarcerated women are living with HIV and 22% have
16 Hepatitis C, rates nearly double those of
17 incarcerated men and much higher than the general
18 public. More than 40% have been diagnosed with a
19 serious mental illness and nearly 9 in 10 report
20 struggling with a substance abuse problem;
21 approximately half do not have a high school diploma.

22 Furthermore, several reports have
23 indicated that women in correctional facilities
24 commonly receive substandard reproductive health
25 care. Obviously, women have specific health care
needs and services that should be provided

3 accordingly. Treatment plans should include gender-
4 specific models that address substance abuse and the
5 root causes.

6 In addition, a large number of women in
7 prison are mothers and many were the primary
8 caregivers for their children or others prior to
9 incarceration; therefore, women's incarceration often
10 places immense burdens on their children, families
11 and communities.

12 Today we want to hear how the Department
13 of Corrections is addressing the unique requirements
14 of incarcerated women, including both physical and
15 mental health needs. We also want to know how the
16 Department has been handling reported acts of sexual
17 victimization at Rikers and how they plan to protect
18 incarcerated women from these acts. We need to make
19 sure that these incidents are not ignored and that
20 action is taken so that they do not happen again in
21 the future.

22 Thank you again and I will return the
23 floor back to Chair Crowley.

24 CHAIRPERSON CROWLEY: Thank you to Chair
25 Cumbo. I'd like to recognize Council Member Gibson
for a statement on her bill.

2 COUNCIL MEMBER GIBSON: Thank you very
3 much, Chair Crowley and Chair Cumbo. Good afternoon,
4 ladies and gentlemen, welcome to City Hall; it's a
5 pleasure to be with you; I am Council Member Vanessa
6 Gibson of the 16th District and I'm so proud to be
7 here at this very important hearing, joining with my
8 colleagues, Chairs Crowley and Cumbo.

9 It is really important to recognize the
10 many issues that are facing women who are detained at
11 Rikers Island. I first wanna recognize and thank all
12 of the hard-working corrections staff; the officers,
13 administrators and medical staff and a lot of the
14 civilians that work on Rikers Island each and every
15 day; we know the challenges that are faced and we
16 certainly wanna recognize and applaud them for the
17 work they do each and every day.

18 As we all know, as the percentage of
19 female detainees rises, it is very imperative that
20 the Department adjust to accommodate the very unique
21 needs of women who are in prison. It is truly a sad
22 reality that many New Yorkers give birth while
23 they're incarcerated. Separating infants and mothers
24 during the earliest bonding phase can truly have
25 long-lasting social, emotional and physical health

2 impacts on the children and the impact on the
3 emotional health of their mothers. The Department
4 has rightfully created a nursery program for women
5 that allows them to stay with their children up to 15
6 months; however, too many women are unfortunately
7 denied access to this very important program.

8 I wanna recognize that New York State is
9 only one of 11 states in the country that has an
10 existing nursery program for incarcerated mothers.
11 Nationally nursery programs have been proven to
12 reduce recidivism and long-term drug use among those
13 who are incarcerated. The nursery program provides
14 many women with social, human and psychological
15 services as well as educational and nutrition classes
16 that they may otherwise not have access to, while
17 providing them with recreational, educational and
18 health services for their newborn children. Despite
19 the many positive benefits of this important program,
20 nearly half of the applicants have been denied entry
21 to the Rikers nursery in recent years, mostly on the
22 basis of substance abuse and other infractions. It
23 is disappointing that the Department denies new
24 mothers access to an important program that would
25 only serve to address the many negative behaviors and

2 remove them from the cycle of recidivism. We must do
3 better, we should do better and we will do better.

4 Int. 0899, which I'm very proud to have
5 sponsored along with Chair Laurie Cumbo and Chair
6 Elizabeth Crowley, will bring transparency to the
7 Rikers Island nursery program; this bill will require
8 the Department to produce a quarterly report on the
9 number of children in the Rikers Island nursery, the
10 reasons any children were denied admission into the
11 nursery, the placement of children born while their
12 mothers were in DOC custody who were not admitted
13 into the nursery, the length of stay in the nursery,
14 programming and services available in the nursery, as
15 well as rates of violence that could occur in the
16 nursery. By requiring the Department to provide
17 reasons for admission or denial, it is my hope that
18 each detainee's circumstances will be more carefully
19 reviewed and analyzed and that we will finally see
20 the nursery operating at its greatest capacity.

21 Again, I am very proud to have worked
22 with fellow chairs on this bill; we know that this is
23 a very important conversation we must have today and
24 I really thank the Department, the administration and
25 my colleagues for being here and certainly wanna

2 thank the legislative staff, especially Brian Crow
3 for all of his work in putting this bill together.

4 Thank you very much Chairs Cumbo and Crowley for your
5 leadership and for all that you do to make a
6 difference. Thank you very much.

7 CHAIRPERSON CROWLEY: Thank you Council
8 Member Gibson, thank you for your advocacy on this
9 bill. I'd like to recognize we've been joined by
10 Council Member Paul Vallone and Council Member
11 Mathieu Eugene. We've also been joined by our Public
12 Advocate, who has been leading to formally make sure
13 that the PREA, Prison Rape Elimination Act, gets
14 followed by the Department of Corrections and I know
15 that our Public Advocate has an opening statement.

16 PUBLIC ADVOCATE JAMES: First let me
17 thank Chairs Crowley and Cumbo for convening today's
18 very important hearing, and as most of you already
19 know, I've been concerned with issues on Rikers
20 Island, including but not limited to issues related
21 to women in general and to sexual assaults in
22 particular in the city jails for quite some time and
23 I'm glad that we will have an opportunity to discuss
24 some of these issues here today.

2 As you know, the City Charter states that
3 the Department of Corrections has the responsibility
4 for the care and custody of the individuals held in
5 its facilities, but yet despite these legal
6 requirements, many of us are concerned that female
7 detainees and inmates are not receiving the proper
8 protection that is required by law. Data gathered by
9 the United States Department of Justice shows that
10 female inmates in New York City jails reported higher
11 levels of sexual victimization compared to jails
12 nationwide. Nationwide, 3.2% of jail inmates
13 reported sexual victimization, but here in New York
14 the rate was an alarming 8.5%; unpacking these
15 numbers helped drive the point home. According to
16 DOJ survey, approximately 48 women reported
17 experiencing at least one incident of staff sexual
18 assault in 2012; 19 of them said that they were
19 physically forced into sexual activity by staff and
20 therefore there is no doubt that these numbers are
21 concerning. There are also significant concerns
22 about how the complaints are reported and whether
23 these complaints are properly investigated.

24 For example, DOHMH reports the highest
25 number for all incidents of sexual abuse while DOC,

2 Department of Corrections and DOI report the lower
3 numbers; this seems rather odd, since all of DOH's
4 complaints are reported to DOC. So why DOC does not
5 report these complaints continues to remain a
6 mystery. And moreover, last year the Department of
7 Health reported 116 total sexual incidents but yet
8 DOC's COMPSTAT report identified only 2.

9 In addition, in April of this year I
10 petitioned the Board of Correction to enter into
11 rulemaking to combat sexual abuse by drafting local
12 laws similar to the Federal Prison Rape Elimination
13 Act. The DOC voted unanimously to engage in
14 rulemaking on June 9th of this year, but the Board of
15 Correction has not held hearings on the petition and
16 has not published a proposed rule yet and I am
17 interested to know the status of that petition.

18 My petition also calls for the expansion
19 of the nursery program and other programs for women
20 and so I applaud Council Member Gibson for her
21 legislation on this issue and I'm hopeful that
22 something can be done in this regard, either through
23 legislation or through rulemaking.

24 Lastly, or before last, let me just also
25 say that women with mental illness -- my question to

2 the Department is; does the Department do anything
3 affirmatively or clinically or programmatically for
4 these women and do they also train staff to address
5 the issues of those who are suffering from mental
6 illness?

7 And lastly, I too want to applaud the
8 hard-working men and women of the Department of
9 Corrections for all that they do, and my question to
10 the administration is whether or not they are
11 properly trained for some of the detainees that they
12 have to deal with and lastly, staff issues; it's my
13 understanding that staff levels continue to be of
14 concern; hearing from a number of officers who
15 indicate to me that they are working double overtime.

16 So once again, I thank Chair Crowley;
17 Council Member Gibson for their concern on these
18 issues and I look forward to this most informative
19 hearing. Thank you very much.

20 CHAIRPERSON CROWLEY: Thank you, Public
21 Advocate. We'd like to now recognize that we've been
22 joined by Council Member Fernando Cabrera and we
23 would like to now invite the administration up to
24 testify. And do we have anyone here from HHC to
25 testify? It's important the committee knows that

2 HHC, which has oversight on healthcare on Rikers
3 Island was invited and should have been here today,
4 especially when we're talking about infants in the
5 nursery and the fact that over half of the female
6 population has a significant mental health diagnosis.
7 But now we don't see anybody here today from HHC; we
8 have two representatives? [background comments]

9 Okay, good, so you are here. Okay, for the
10 representatives from DOC and HHC who are here, those
11 that are testifying, please identify yourself and
12 before you start with your testimony, if you could
13 raise your right hand, we're going to swear you in.

14 Do you affirm to tell the truth, the
15 whole truth and nothing but the truth in your
16 testimony before this committee and to respond
17 honestly to council member questions? Thank you.
18 Please begin.

19 [background comments]

20 DINA SIMON: Good afternoon Chairperson
21 Crowley and members of the Committee on Fire and
22 Criminal Justice Services. I am Dina Simon, Acting
23 First Deputy Commissioner of the New York City
24 Department of Corrections. Thank you for the
25 opportunity to testify today regarding the unique

3 issues facing women in city jails, this is an
4 important topic and we appreciate your attention to
5 it.

6 Since Commissioner Ponte came to our
7 department in 2014, he has emphasized that
8 populations must be managed according to their unique
9 needs; this philosophy can be seen in the changes to
10 managing the adolescent population, the young adult
11 population, the seriously mentally ill population,
12 and we are applying it to the female population as
13 well. In order to frame the unique needs facing
14 women in city jails we would like to provide some
15 background on this population.

16 Women make up about 10% of admissions
17 into DOC custody but only 7% of the average daily
18 population, which reflects their shorter length of
19 stay as compared to men. The average length of stay
20 for women is 39 days; the average length of stay for
21 men is 59 days. Half of all females admitted to our
22 custody are discharged in a week or less. About 60%
23 of admitted women are released in less than two weeks
24 and about 75% are released in less than one month.

25 Of the 6600 female inmate admissions in
FY 2015, fewer than 1100 were in custody for three

3 months or longer. Women spend less time in custody
4 because as a group they are admitted to custody for
5 less serious crimes than men. For example, 35% of
6 women are in our custody on a top charge of a violent
7 offense versus 44% of men; 23% of women are in our
8 custody on a top charge of a drug offense versus 17%
9 of men; 13% of women are in our custody on a top
10 charge of a property crime versus 6% of men.

11 As with the male population, most of the
12 women in custody are detainees whose cases have yet
13 to be resolved; this means their lengths of stay are
14 uncertain and they can either be bailed out or
15 released by the court at any time. All of the
16 females in DOC custody are housed in the Rose M.
17 Singer Center or RMSC on Rikers Island.

18 DOC recognizes that any gender-responsive
19 programming and strategies must respond to the
20 significant needs that women in our custody have and
21 the challenges they face. About 70% of the women in
22 our care are known to mental health; the most common
23 issues our women faced are depression, anxiety,
24 adjustment disorder and personality disorders.
25 Additionally, a significant number of women admitted
to our custody test positive for drugs. If mental

3 health and substance abuse issues are not resolved,
4 they are likely to seriously impact on a woman's
5 successful reentry to their community.

6 Another significant obstacle to reentry
7 is the lack of support received by many women in
8 custody; female inmates are visited less frequently
9 than male inmates; a few issues contribute to this
10 discrepancy. First, drug addiction and mental
11 illness can sever ties with family and friends; this
12 is true for men and women; men who suffer from drug
13 addiction or mental illness are also visited less
14 frequently, but these issues affect a higher
15 proportion of women. It is also possible that female
16 inmates get fewer visitors because the social stigma
17 of incarceration is greater for women. Whatever the
18 cause, this lack of support is something that must be
19 considered when we are providing programming and
20 preparing women for discharge back to their
21 community.

22 The Commissioner has placed an emphasis
23 on increasing programming for all inmates in custody.
24 We have increased programming for adolescents and are
25 doing so for young adults. We are also working to
provide five hours of daily programming for the adult

3 population. The Department currently offers a
4 variety of programs to address women's unique needs
5 in the areas of reentry, employment and substance
6 abuse needs. We are constantly looking to add to
7 this catalog in order to more holistically address
8 the varied and changing needs of our population.

9 A major component for women is currently
10 provided through our Individualized Correction
11 Achievement Network or ICAN. The program focuses on
12 individuals who are at moderate to high risk of
13 recidivism and partners with the Osborne Association
14 and Fortune Society to provide the tools and support
15 needed to ensure successful reentry to the community,
16 along with a variety of programs offering such as
17 relapse prevention, anger management, parenting
18 workshop, work-readiness and cognitive behavioral
19 therapy; the ICAN programming, using Seeking Safety
20 and evidence-based trauma-informed therapy, proven
21 effective for women with substance abuse and mental
22 illness. Upon release, ICAN participants receive
23 assistance with employment, housing and substance use
24 referrals. Earlier this year the program was funded
25 for expansion, enabling us to increase the number of
individuals we served from 2,270 to 6,400.

2 A range of other programs address women's
3 educational and vocational needs. All 16- and 17-
4 year-olds attend school at the East River Academy;
5 the Department of Education, Office of Continuing
6 Adult Education offers GED programming for adults.
7 DOC's Workforce Development Unit offers work-
8 readiness programming that enables participants to
9 create resumes, prepare cover letters and practice
10 interviewing. The Manhattan College allows women who
11 already have a high school diploma or GED the
12 opportunity to earn three credits towards a college
13 degree. The Horticultural Society of New York
14 operates the GreenHouse Project, which includes
15 classroom instruction followed by hands-on experience
16 that includes designing, installing and maintaining
17 the multi-use gardens. Upon release participants can
18 join an internship program, Single Shop [sic],
19 available through a partnership with the Center for
20 Urban and Community Services, assist city-sentenced
21 women who are 18 or older with public benefits,
22 eviction prevention and other civil-legal matters,
23 including rap sheet error correction.

24 Several other programs focus on substance
25 use. The impact of violence in creative arts,

2 substance use treatment programming is provided
3 through A Road Not Taken which uses cognitive
4 behavioral therapy to provide individual and group
5 counseling; Steps to End Community Violence offers
6 workshops that promotes healing and social change and
7 provides assistance with custody issues, including
8 counseling, home visits and force [sic] secure
9 services.

10 A number of other providers offer leisure
11 time activities, including creative writing groups,
12 drama classes offered by Stella Adler Studio, Zumba
13 classes and yoga classes. The ministerial services
14 staff and volunteer groups offer religious services
15 and prayer groups and respond to women requesting
16 assistance.

17 As I mentioned, the Department is working
18 to expand program offerings so that all adults in the
19 system receive five hours of programming per day. As
20 part of our efforts to meet this goal the Department
21 has identified women-specific programming as an area
22 for expansion. Program staff is looking for
23 providers who may be able to address the needs of
24 incarcerated women, since their pathways to
25 incarceration and needs while incarcerated are often

3 different than men. We have identified a number of
4 vendors who have experience with reentry services and
5 we are assessing their ability to provide the
6 programming requested.

7 Additionally, the agency is hiring more
8 counseling and reentry staff who will be trained on
9 the unique needs of incarcerated women. In many
10 cases, the best way for us to help women, both to not
11 be readmitted to our custody and to improve their
12 lives is to securely connect them with assistance --
13 services, educational and job training resources that
14 they need to be successful once discharged from our
15 custody.

16 To get a better sense of what those needs
17 are and what programs would be most helpful for the
18 women in our custody, this past summer staff surveyed
19 more than 100 women, representing a cross-section of
20 the population. The survey focused on what the women
21 like to be doing with their time in custody, as well
22 as their reentry concerns and discharge planning
23 needs.

24 In terms of idleness reduction, an
25 overwhelming majority of women were interested in
exercise classes, domestic violence awareness

2 classes, opportunities to be creative and ways to
3 deal with stress.

4 For discharge planning, popular areas of
5 interest included help finding affordable housing,
6 domestic violence advocacy, assistance in regaining
7 custody of their children, classes about
8 strengthening parenting skills and interpersonal
9 relationships and classes about managing feelings and
10 emotions.

11 Interest in several areas of vocational
12 training and educational services ranked high on the
13 list among most of the population, particularly
14 related to high school equivalency classes and
15 general classes to improve reading and writing.

16 These survey results are helping program
17 staff create new programs and expand on modified
18 current ones.

19 RMSC has a nursery where a mother can
20 live with her child until that child is a year old.
21 To be housed in the nursery a mother must apply and
22 be accepted. The assessment is based on criteria
23 including criminal history, behavior while in custody
24 and ACS history. Pregnant women may apply to keep
25 their babies after they are born and women who gave

3 birth prior to entering DOC custody may also apply to
4 have their infants brought in to live with them. The
5 nursery centers have been very low in recent years,
6 so we have examined our nursery admission standards
7 while actively encouraging expectant mothers to
8 apply. That being said, the safety of all the
9 children in the nursery must be the top priority, so
10 mothers who might pose a safety risk are not
11 admitted. Use has increased recently; there are four
12 mothers and four babies in the nursery today.

13 In the nursery, the mothers are with
14 their children all day; the mother can take the baby
15 to visits and some programs. If a mother needs to go
16 to court or attend a program where she cannot take
17 her infant, another inmate who is a trained caretaker
18 serves as the babysitter. A full-time nurse works
19 with the mothers and infants in the unit.

20 Regarding the proposed Int. 0899, the
21 Department can provide the Council with information
22 about the nursery, but we do not think it is
23 necessary to formalize the reporting of these few
24 data in a reporting bill.

25 The Department has been working to come
into compliance with PREA requirements; six areas of

2 the Commissioner's 14-point anti-violence reform
3 agenda are PREA-related; these are: redefining the
4 Investigation Division to ensure PREA training and
5 integrity; designing a recruitment hiring and staff
6 selection plan in accordance with PREA; expanding
7 targeted training to add PREA training and
8 specialized investigation and medical-mental health
9 staff training; improving leadership and culture to
10 address the code of silence and some monitor
11 retaliation [sic]; creating an integrated
12 classification and housing strategy that takes PREA
13 screening requirements and housing decision-making
14 into account; redefining first-line incident response
15 and ensuring all staff know and perform all PREA
16 required responses and reporting duties.

17 In addition to these overarching
18 initiatives, specific PREA compliance actions are on
19 the way. A PREA implementation workgroup consisting
20 of DOC and partner agency staff has been created to
21 initiate comprehensive efforts towards achieving PREA
22 compliance at all facilities. In July, the
23 Commissioner and the Chief of the Department issued
24 communication informing all DOC about the PREA
25 initiative, including the law and its application.

3 Staff were told to expect changes in policy,
4 procedure and training and were advised that PREA
5 would be rolling out agency-wide in the coming
6 months.

7 Also in July the Commissioner and the
8 Chief announced a new requirement that all
9 supervisory staff, captains and above, conduct and
10 document unannounced rounds at various times to all
11 parts of the facilities where inmates have access in
12 order to identify or deter staff sexual abuse and
13 sexual harassment. These announcements were a clear
14 statement of DOC's full commitment to achieving PREA
15 compliance.

16 In November, the Department held a PREA
17 leadership symposium for all uniform leadership in
18 the agency to introduce them to the standards and
19 requirements under the Federal Law. A new formal
20 PREA policy has been created now. The Department
21 expects to have complete camera coverage of inmate
22 areas in RMSC by the end of calendar year 2016.

23 DOC has also entered into an MOU with
24 Safe Horizons, which provides a rape crisis hotline
25 and in-person victim advocates for any victim needing
or requesting emotional support services.

2 Additionally, the Department has
3 established and staffed a hotline for private
4 reporting to non-uniform staff of all allegations of
5 sexual abuse, harassment and retaliation consistent
6 with PREA standards. Information about this hotline
7 is posted throughout the DOC facilities.

8 Importantly, earlier this year DOC
9 partnered with The Moss Group. The Moss Group is a
10 leading expert in the implementation of PREA; they
11 provide technical assistance, operational assessments
12 and staff training. The Moss Group has been
13 assessing our system and helping us create a plan to
14 come into compliance. Our partnership with The Moss
15 Group will continue for the next two years.

16 As I have discussed, the Department is
17 committed to providing effective gender-responsive
18 programs and strategies and we are in the process of
19 identifying ways to build on our current approach to
20 supporting women in our custody. The Department is
21 an active participant in the Young Women's Initiative
22 led by City Council and we are committed to working
23 with YWI partners to identify ways in which we can
24 better support young women in New York City,
25 including those in DOC custody.

2 Also, as part of our overall initiative
3 on PREA, the Department will be implementing gender-
4 responsive training sessions for uniform and non-
5 uniform staff in the facility. Finally, we are in
6 the early stages of a process to create a gender-
7 specific version of the Inmate Handbook, which will
8 be given to all women upon admission to custody.

9 Thank you again for the opportunity to
10 testify today; my colleagues and I will now be happy
11 to answer any questions that you may have.

12 CHAIRPERSON CROWLEY: Does that conclude
13 the testimony from the Department...? [crosstalk]

14 DINA SIMON: Yes.

15 CHAIRPERSON CROWLEY: Okay. Looking at
16 your averages, in terms of your average daily
17 population, I appreciate that you broke down the
18 percentage of women there; how long they stay and the
19 number who have committed violent versus nonviolent
20 crime. Do you have a number for your average
21 recidivism rates for inmates; like I think for your
22 overall population it's something like 7-8%, but... or
23 eight times, so do you have that for women?

24 DINA SIMON: It's 32% within a year of
25 release.

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES,
JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES 31

2 CHAIRPERSON CROWLEY: 32% are back in
3 within a year, but how about number of times that
4 they've been an inmate?

5 DINA SIMON: I don't have that
6 information at this time.

7 CHAIRPERSON CROWLEY: Okay. So your
8 percentages are telling you one out of three comes
9 back within a year?

10 DINA SIMON: Right.

11 CHAIRPERSON CROWLEY: Okay. But you
12 could look at your information, you could provide the
13 committee with that information, you could... you have
14 the capacity of answering that question, just at a
15 later date?

16 DINA SIMON: I will defer to my
17 colleague.

18 WINETTE SAUNDERS: We can talk to our
19 Population Research... [crosstalk]

20 CHAIRPERSON CROWLEY: Can you just
21 identify yourself... [crosstalk]

22 WINETTE SAUNDERS: Oh...

23 CHAIRPERSON CROWLEY: for the record?

24 WINETTE SAUNDERS: Yes. Good afternoon
25 everyone; my name is Winette Saunders and I'm the

2 Deputy Commissioner for Youthful Offender
3 Programming.

4 I was mentioning earlier that we will
5 check with our Population Research Department to
6 discuss that inquiry you had.

7 CHAIRPERSON CROWLEY: Okay. Now a number
8 of questions are gonna be on your response to sexual
9 assault allegations. In my testimony I asked you or
10 I mentioned that there was a lawsuit brought by The
11 Legal Aid Society, specifically two female inmates
12 that alleged that they were assaulted by a correction
13 officer; can you tell me the status of that
14 correction officer, whether that correction officer
15 is still working with the inmate population?

16 DINA SIMON: I will defer to our
17 investigator.

18 [background comments]

19 DINA SIMON: We don't have that
20 information at this time.

21 [background comments]

22 CHAIRPERSON CROWLEY: But prior to you
23 coming here to testify on issues that are unique to
24 women and your statistics are saying that 6% of the
25 inmate population say that they've been assaulted by

2 either another inmate or staff, sexually assaulted
3 that is, how would you not be prepared to answer a
4 question of such a serious nature? You know,
5 allegations by not one inmate but two female inmates
6 were alleged on one of your officers and you don't
7 know whether you have a process of taking those
8 officers out from working with inmates? So the
9 question is; the officers have been accused on sexual
10 assault allegations, such as the one where there were
11 more than one female inmate accusing the officer; is
12 that officer still working with inmates?

13 [background comments]

14 SEAN CUSSEN: Good morning. Good
15 afternoon. My name is Sean Cussen; I'm Deputy
16 Director of the Investigations Division, Department
17 of Corrections.

18 CHAIRPERSON CROWLEY: Yeah, we just need
19 to swear you in. Do you swear to tell the whole
20 truth, nothing but the whole truth in answering the
21 questions posed by the committee today?

22 SEAN CUSSEN: Yes I do. Okay,
23 specifically speaking about the lawsuit, I know
24 that's an ongoing case in trail now and they're in
25 the process of going through depositions. I don't

2 have specific information on that in general, but in
3 general what our policies are when an inmate makes an
4 allegation against a staff member, especially
5 something you described, where there's multiples, if
6 I'm aware of it, I will reach out to the warden of
7 that facility and I will assure that that inmate does
8 not have access to that particular staff member; that
9 staff member... multiple things may happen with that
10 staff member; that staff member may be taken out of
11 complete inmate contact or depending what the
12 allegation is, moved to another housing area
13 temporarily and if necessary, moved out of the
14 facility; those are our current policies.

15 CHAIRPERSON CROWLEY: Is it a written
16 policy or it's one that fluctuates, based on your
17 unit?

18 SEAN CUSSEN: I'm unaware that it's
19 written, so it would be on a case by case basis.

20 CHAIRPERSON CROWLEY: So then if that's
21 the policy, this particular officer is not working
22 with the female inmate population? So you're not
23 clear on your policy and you can't answer the
24 question?

25 [background comments]

2 SEAN CUSSEN: I'm not clear.

3 DINA SIMON: He's not working with the
4 female population.

5 CHAIRPERSON CROWLEY: So that's a fact?

6 DINA SIMON: Yes.

7 CHAIRPERSON CROWLEY: This particular
8 officer is not working with the female population?

9 DINA SIMON: That's correct.

10 CHAIRPERSON CROWLEY: But he's believed
11 to be victimizing inmates, but he's working with male
12 population?

13 [background comments]

14 CHAIRPERSON CROWLEY: The question is;
15 are they still working with the inmate population or
16 could they be moved to desk duty or another job that
17 officers do instead of working directly with inmates
18 for the fear that they may victimize again, be it
19 female or male? So the policy is not to remove them
20 from working with inmates while the... while the
21 investigation continues...? [crosstalk]

22 DINA SIMON: Oftentimes when there is an
23 allegation, an officer is removed from direct contact
24 with an inmate and assigned to other duties.

25

2 CHAIRPERSON CROWLEY: Which could be
3 other inmates?

4 DINA SIMON: Not necessarily.

5 CHAIRPERSON CROWLEY: But sometimes it
6 could be; it's either a yes or no question.

7 DINA SIMON: I can't say [sic]...

8 [crosstalk]

9 CHAIRPERSON CROWLEY: Is it policy?

10 DINA SIMON: I would have to get back...

11 [interpose]

12 CHAIRPERSON CROWLEY: You're not clear on
13 your policy. How about the officer that was accused
14 of rape; it was a story that a female inmate accused
15 an officer of raping her on a bus and another officer
16 watched while that... those two officers that were
17 accused... [crosstalk]

18 SEAN CUSSEN: That officer was removed
19 from the Transportation Division; no longer has
20 access to female inmates; is no longer picking or
21 moving any females out of Rose M. Singer Center.

22 CHAIRPERSON CROWLEY: But that officer
23 still has access to male inmates?

24 SEAN CUSSEN: Potentially, yes.

2 CHAIRPERSON CROWLEY: Now in your
3 testimony you say that you're trying to follow the
4 PREA act, but you don't completely?

5 DINA SIMON: I will defer to our Deputy
6 Commissioner to answer that question.

7 [background comments]

8 CYNTHIA BRANN: Good afternoon, my name
9 is Cynthia Brann; I'm the Deputy Commissioner of
10 Quality Assurance.

11 CHAIRPERSON CROWLEY: Do you affirm to
12 tell the truth, the whole truth and nothing but the
13 truth in your testimony before this committee and
14 respond honestly to council member questions?

15 CYNTHIA BRANN: Yes I do.

16 CHAIRPERSON CROWLEY: Now it was
17 confusing to understand in the testimony about how
18 the Department follows the Prison Rape Elimination
19 Act; it says that you have put some policies in
20 place, but you really are not clear with how much of
21 the act you do follow. I know that our Public
22 Advocate will be asking questions about this, as
23 she's been frustrated equally, but more so from the
24 Department's board, the Board of Correction. But
25 now, internally you receive money from the federal

2 government to follow this, you've accepted money to
3 follow this act, but right now you're not following
4 the act.

5 CYNTHIA BRANN: We have received federal
6 grant money to implement PREA standards within the
7 agency. So becoming PREA compliant is a process;
8 there is staff training, there are policies to be
9 rewritten, there are implementation issues such as
10 correct camera coverage, there are over a 100
11 standards in which you have to... [interpose]

12 CHAIRPERSON CROWLEY: And when was the
13 act passed?

14 CYNTHIA BRANN: The act was passed in
15 2003.

16 CHAIRPERSON CROWLEY: And when did you
17 start receiving grant funds from the federal
18 government to follow the act?

19 CYNTHIA BRANN: We received grant... The
20 original grant money we received was in 2012 to
21 implement PREA; we began earnestly this past year in
22 securing The Moss Group and we have a plan over the
23 next two years to be able to implement PREA across
24 the agency and have our facilities go through audits
25 to become PREA compliant.

2 CHAIRPERSON CROWLEY: Well I know the
3 Public Advocate has questions on this; I'm just gonna
4 say this committee is committed to the PREA act and
5 we'll work with the Department and we'll work with
6 the Board of Correction and if the Board of
7 Correction cannot put in the minimum standards, then
8 we're ready to legislate it to make the Department
9 follow the rules and it's our hope that we'll be able
10 to do that as soon as possible to prevent unnecessary
11 victimization from happening. I'm gonna recognize my
12 Co-Chair for questions, Council Member Cumbo.

13 CO-CHAIRPERSON CUMBO: Thank you Council
14 Member Crowley. I would say in the two years that
15 I've been here I've never been to a hearing where the
16 administration that's providing testimony are that
17 unprepared to discuss really critical issues that
18 this particular hearing was set up to do just that.
19 So although I will ask questions, I've never been in
20 a position where these questions are going to be
21 unanswered, there's not gonna be the testimony that's
22 gonna be needed in order for us to address this issue
23 and further on that, it really demonstrates that the
24 reason why we called this hearing was because we
25 wanted to hear about your policies and procedures and

2 this is really going to shine a light basically by
3 the lack of information of how seriously or lack
4 thereof that you really take this issue. This is an
5 issue that's frequently in the *New York Times*; this
6 is an issue that's being written about and for you
7 all not to have that level of information readily
8 available really shows how vulnerable the women are
9 at Rose Singer.

10 So I just wanted to start off with a
11 question and I will read from the *New York Times* an
12 article by Benjamin Weiser on May 19, 2015. He said
13 two women that had said that they repeatedly had been
14 raped by the same correction officer at Rikers Island
15 sued him and New York City on Tuesday, accusing the
16 City of indifference to a pervasive culture of rape
17 and sexual abuse of female inmates in the city jail.
18 Even after one of the plaintiffs reported sexual
19 misconduct by the officer, first to a mental health
20 clinician, then to a jail physician and then to City
21 investigators, the City, rather than promptly
22 investigate the allegations continued to employ the
23 guard, the lawsuit says. The suit filed in Federal
24 District Court in Manhattan claims that rapes and
25 sexual abuse are endemic in the Rose M. Singer

2 Center, the women's jail and seeks class action
3 status on behalf of such victims. The suit also
4 accuses seven other unnamed correction officers of
5 raping or sexually abusing female inmates or
6 subjecting them to unwanted sexual touching. It says
7 that at least one inmate was imprisoned by the guard;
8 that six of the guards still work in the women's jail
9 and the seventh is serving a prison sentence for a
10 drug crime.

11 So I'll start off with a question; do you
12 believe that rape or sexual misconduct, as this
13 article says, is endemic in the Rose M. Singer
14 Center? Do you feel that this is a critical and
15 serious issue and that you certainly have a serious
16 issue at hand at this particular facility?

17 CYNTHIA BRANN: And so who are you
18 addressing the question to, ma'am?

19 CO-CHAIRPERSON CUMBO: To the panel.

20 [background comments]

21 CO-CHAIRPERSON CUMBO: Surely someone has
22 an answer.

23 [background comments]

24 SEAN CUSSEN: While sexual assault... I'm
25 Sean Cussen. While sexual assault is certainly a

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES,
JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES 42

2 concern of the Department of Corrections, there's no
3 indication that there's systemic sexual assault in
4 Rose M. Singer Center; there are numerous allegations
5 of sexual assault that occur in Rose M. Singer
6 Center; they are thoroughly investigated; the number
7 that are ultimately substantiated are very limited at
8 this juncture. There is... [interpose]

9 CO-CHAIRPERSON CUMBO: Those are very
10 broad terms; do you have finite numbers in terms of
11 how many rape allegations are reported? We also
12 understand that many of these cases are unreported;
13 do you have the numbers in terms of how many rape
14 cases are reported, how many of them actually, as a
15 result of that do we discover that a corrections
16 officer has actually been terminated and fired from
17 his position versus just desk duty, because just desk
18 duty or transfer to another facility really shows
19 that we're just giving a wink wink, just go on over
20 to this other facility; it will be okay. Do we take
21 these as serious issues?

22 SEAN CUSSEN: Absolutely. Numbers I can
23 give you out of Rose M. Singer Center for sexual
24 assault allegations, stemming back to 2012, there
25 were a total of 21 allegations in 2012, 18 of those

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES, 43
2 JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES

3 were staff on inmate, 2 of those were inmate on
4 inmate and there was on additional that was made
5 prior to her coming into our custody; 2013 there were
6 23 total, there were 17 staff on inmate, 2 inmate on
7 inmate and an additional 4 who made allegations prior
8 to coming into our custody; 2014 there were 11 of
9 which 7 were staff on inmate, 2 were inmate on inmate
10 and an additional 2 made allegations prior to coming
11 into our custody; 2015 there's a drastic increase,
12 our current numbers are 52; there are 43 staff on
13 inmate allegations and 7 inmate on inmate
14 allegations; three of those are prior to coming into
15 our custody. And I'd like to clarify the 52
16 allegations, 21 of them are made by 2 inmates, all of
17 which have been unfounded and unsubstantiated.

18 CO-CHAIRPERSON CUMBO: Let me ask you a
19 question; with these numbers it would seem that the
20 correction officers are there to provide safety and
21 security for the inmates, even potentially from one
22 another, but it seems like their greatest fear would
23 be the correction officer versus the very inmates
24 that are there for committing crimes, supposedly.

25 [background comments]

2 CO-CHAIRPERSON CUMBO: Would you say out
3 of the numbers that you've spoken about, how many of
4 these have actually resulted in the termination of an
5 officer or an officer, even more appropriately,
6 serving prison time for these allegations or is it
7 just simply that you... if it reaches that level that
8 that person is fired?

9 SEAN CUSSEN: Well we do have
10 allegations, not necessarily [sic] out of Rose M.
11 Singer Center, where staff members have been
12 terminated for allegations of sexual assault; there
13 are incidents where department charges were brought
14 against them in the past, since 2010; 2 clinicians
15 were brought up on charges and an additional 7
16 correction officers were brought up on charges.

17 CO-CHAIRPERSON CUMBO: Brought up on
18 charges and then over this... because you started to
19 report numbers, I believe from 2010?

20 SEAN CUSSEN: Well that's the numbers
21 that break down on here; there were 2 doctors..
22 [interpose]

23 CO-CHAIRPERSON CUMBO: Do you have from
24 2010 to 2015 how many officers have been terminated;
25 have there... [crosstalk]

2 SEAN CUSSEN: No, I don't.

3 CO-CHAIRPERSON CUMBO: has there ever
4 been an officer terminated?

5 SEAN CUSSEN: Yes, there has been.

6 CO-CHAIRPERSON CUMBO: Do you know the
7 number?

8 SEAN CUSSEN: No, I do not.

9 CO-CHAIRPERSON CUMBO: 'Kay. Let me move
10 on because this is staggering, in terms of the
11 information that you're presenting. Does the DOC
12 conduct any sexual assault and violence intervention
13 programming and what training for guards has been
14 done on this issue? Are the guards, in their
15 training, do they have any understanding of the
16 ramifications of the actions that they are taking in
17 terms of sexual assault and violence and rape against
18 women; is there any sort of training that's involved
19 for correction officers around this very issue?

20 WINETTE SAUNDERS: Good afternoon. I can
21 say that the Department is engaged in the development
22 of gender-responsive training; however, we have had
23 trauma-informed care training that addresses trauma
24 to women as they come into the facilities. In
25 addition, we also provide basic crisis management

2 training that addresses women who might have suffered
3 from any trauma.

4 CO-CHAIRPERSON CUMBO: Let me ask you
5 this question and I'm sure my other colleagues are
6 gonna have many more questions on this. Wanted to
7 understand more of the mental health issues; as was
8 stated in your testimony and the information that we
9 were given, understanding the high rate that so many
10 women coming into the facility are experiencing
11 trauma; what are the mental health programs that are
12 available and as First Lady Chirlane McCray has
13 brought out a Mental Health Roadmap, do we
14 understand... how will those programs... has there been
15 consideration in terms of how it will impact this
16 particular facility and is there existing mental
17 health programming that many of the young women there
18 coming into the Rose Singer facility are coming in
19 with trauma and it seems that that trauma is
20 compounded by the lack of care of them while in that
21 space?

22 DR. HOMER VENTERS: So I can respond to
23 that. My name is Dr. Homer Venters; I'm the Chief
24 Medical Officer for Correctional Health Services,
25

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES,
JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES 47

2 which is a new division of New York City Health and
3 Hospitals; we oversee healthcare in the jail system.

4 Absolutely, we have a behavioral health
5 screen for every person who's newly admitted into the
6 jail system, so unlike most jails in this country
7 where you have a brief 20-minute encounter with a
8 nurse, we have a physician or a physician's assistant
9 who does a four-hour interaction, which includes a
10 behavioral health screen for everybody on the way
11 into the jails; part of this is asking about mood,
12 affect and behavioral health and substance abuse
13 issues. In Rose M. Singer Center, we have both what
14 we would call kind of an outpatient mental health
15 service that people that are identified with needs
16 that maybe need to see somebody for talk therapy or
17 for medications, but it can be once every week or two
18 or three. We also have what you would think of as
19 more inpatient units, so we have units for women with
20 behavioral health problems that are serious mental
21 illness; there's a New York State designation; these
22 are special housing areas where we have 24/7 staff;
23 we have aides, we have psychiatrists, psychologists;
24 we have programs going all day long in these units,
25 the CAPS [sic] unit is another unit with similar all-

2 day programming; we have the substance abuse unit
3 just for women who have primarily substance abuse
4 disorder concerns; we link the treatment in those
5 units to after care in substance abuse treatment in
6 the community and then we have several other types of
7 programs for women, but with all of these programs
8 you're absolutely right, all the women coming into
9 jail and prison really, all the women have
10 experiences of physical and sexual violence and the
11 needs are great and so the women who have the most
12 severe needs, the serious mental illness and the
13 really serious substance abuse disorders, we have
14 great programs, but we're certainly working to expand
15 that.

16 CO-CHAIRPERSON CUMBO: Just wanna ask, so
17 following that period that they're incarcerated, you
18 do connect them on the outside once they come back
19 into their homes with healthcare practitioners that
20 can continue the services as the turnaround in Rikers
21 is -- although I visited the center, those turnaround
22 times didn't coincide with what inmates had spoken to
23 me about, but at the same time, do those services
24 transcend once they return home?

2 DR. HOMER VENTERS: So a lot of our
3 traditional reentry and discharge planning for women
4 on the mental health service does take us a week or
5 two to set up with partners in the community, so for
6 women who are leaving quickly it can be a challenge;
7 however, one of the things we're thrilled about is
8 through the Behavioral Health Task Force, the Mayor's
9 Behavioral Health Task Force; we received funding to
10 start a discharge planning service for women with
11 behavioral health problems, and primarily substance
12 abuse problems, that can start really on the day so
13 that we can start to connect people to their health
14 home or to their health system; we talk to them
15 within a day of coming into the jails, if they report
16 a substance abuse problem, we have a team that talks
17 to them, whatever housing area they're in, to get a
18 quick discharge plan set in case they leave before we
19 can do the more rigorous robust discharge planning.
20 But it's always a challenge because we're trying to
21 reach out to partners in the community, do this on a
22 very quick basis. But the Behavioral Task Force
23 funding that's come in, and this is coordination with
24 the First Lady's Roadmap, is our first effort to try
25 and do discharge planning for people very quickly so

2 that we protect against this quick discharge from
3 jail.

4 CO-CHAIRPERSON CUMBO: Just two more
5 questions and then I'm going to close. According to
6 a report, "The Unspoken Rape Crisis at Rikers
7 Island," by Alex Brook Lynn, Cecily McMillan, a 26-
8 year-old white Occupy Wall Street activist, ended up
9 at Rikers Island after authorities arrested her for
10 elbowing a cop in the face during a chaotic scuffle
11 at an Occupy protest and she talked a lot about her
12 experiences there saying, remembering the rampant
13 sexual abuse at Rikers, she stated that, "The doctors
14 are far worse than the guards," and wanted to talk
15 about that; she states that, "Once you enter there,
16 your body is not your own." Wanting to know, have
17 there been any reports filed against medical mental
18 health practitioners of the women that are
19 incarcerated and if there have been any reports, what
20 have been the outcomes of those reports?

21 SEAN CUSSEN: Yes, of course.

22 Theoretically allegations against staff on inmate
23 would be referred to DOI; Corizon, even though
24 they're not technically our staff, they are, for our
25 purposes, are considered staff; those allegations

2 would be referred to DOI for investigation.

3 Potentially DOI may clear those investigations to us,
4 meaning the Department of Corrections and ID Unit to
5 do those investigations. I'm aware of at least two
6 incidents where doctors are no longer employed in the
7 past, in the years I gave you, that are no longer
8 here because those allegations were substantiated and
9 they're no longer employed by the Department.

10 Actually, prior to being HHC I believe it was Corizon
11 and they're no longer employed by Corizon.

12 CO-CHAIRPERSON CUMBO: So there have been
13 two doctors that have been terminated as a result of
14 improper... [interpose]

15 SEAN CUSSEN: Medical staff; not
16 necessarily doctor... one doctor and one PA.

17 CO-CHAIRPERSON CUMBO: Okay. And are
18 those particular professionals serving... was any
19 criminal time or were they sent... [interpose]

20 SEAN CUSSEN: Not that I'm aware of, no.

21 CO-CHAIRPERSON CUMBO: So it was just a
22 termination?

23 SEAN CUSSEN: Yes.

24 CO-CHAIRPERSON CUMBO: Okay. I'm going
25 to conclude so that my colleagues can also ask

2 questions, as well, of course the Public Advocate,
3 but just wanna say, your testimonies today really
4 highlight how vulnerable this population is and how
5 there's a retraumatizing of them from the care that
6 is provided and ultimately many of these women have
7 committed nonviolent crimes and they are simply there
8 because they can't afford to post bail. So this is
9 really an eye-opening hearing because of the
10 information and lack thereof that has been provided,
11 but I'm gonna turn it back over to Chair Crowley to
12 continue the line of questioning.

13 WINETTE SAUNDERS: If I may, I'd like to..
14 [crosstalk]

15 CO-CHAIRPERSON CUMBO: Yes, ma'am.

16 WINETTE SAUNDERS: just expand upon the
17 ICAN program. You mentioned reentry, so in
18 conjunction with HHC now, DOC has its own contract
19 with providers that provide reentry services and for
20 calendar year 2015 to date we have had 472 women
21 served and these services include services that begin
22 after intake as well as continue in the community
23 upon release and the services are tailored to their
24 unique needs. So it could be employment, it could be
25 substance abuse treatment, homelessness; whatever the

2 needs are, Osborne and Fortune who are the primary
3 providers for this contract provide those services.

4 CO-CHAIRPERSON CUMBO: Thank you.

5 CHAIRPERSON CROWLEY: I'd like to now
6 recognize Council Member Gibson who has questions.

7 COUNCIL MEMBER GIBSON: Thank you very
8 much once again, Chairs for holding this hearing and
9 thank you to the Department of Corrections for being
10 here and for your testimony. So I just wanted to ask
11 several questions in reference to the bill that's on
12 the agenda, Int. 0899 and specifically about the
13 Rikers Island nursery.

14 So what is the capacity for the nursery
15 right now in terms of babies and what does the
16 staffing look like in the nursery?

17 DINA SIMON: The capacity's for 15.

18 COUNCIL MEMBER GIBSON: And we currently
19 have four children in the program?

20 DINA SIMON: Yes.

21 COUNCIL MEMBER GIBSON: And what does the
22 staffing look like?

23 WINETTE SAUNDERS: The staffing is pretty
24 rich because it's also in conjunction with HHC, so we
25 have a clinical social worker, we have volunteers who

2 serve as lactation specialists, we have individuals
3 that come in and provide the women with yoga, support
4 group; we also have a nurse full-time that's there as
5 well.

6 COUNCIL MEMBER GIBSON: Okay. So in your
7 testimony you talked about over the years, from 2011
8 through 2012 and 2013 that there's been a fluctuation
9 in the number of babies in the nursery program, with
10 a lot of the programs you described and talked about,
11 what is the Department really doing to promote the
12 nursery for mothers, for their babies?

13 WINETTE SAUNDERS: So there are a couple
14 of things; I'd like to just put this in context, so
15 from January 2014 there has been 33 women who applied
16 to be in the nursery; only 4 of them have been
17 denied. In addition to that, at intake, when a woman
18 comes into our custody, we provide them with the
19 information on the services that are available. So
20 as of today we have 16 pregnant women in our custody.

21 COUNCIL MEMBER GIBSON: Okay. And the
22 small amount you talked about, you said 4 were denied
23 out of 33 applicants?

24 WINETTE SAUNDERS: Yes.
25

2 COUNCIL MEMBER GIBSON: Okay. So has
3 that consistently been the issue, a small population
4 of women that were denied into the program?

5 WINETTE SAUNDERS: Yes, ma'am.

6 COUNCIL MEMBER GIBSON: Okay. Has there
7 been a pattern on the number of reasons why they were
8 denied; I think you talked in the testimony about
9 drug use; has that been the consistent reason...?

10 [crosstalk]

11 WINETTE SAUNDERS: No. The reasons... So
12 there's a screening and the screening is done in
13 conjunction with our medical and mental health
14 providers as well as ACS. So if someone has mental
15 health issues and there are concerns about taking
16 care of the child while in custody, that would be a
17 reason for which it would be screened more
18 critically. In addition to that, if the person has
19 significant ACS neglect or abuse histories, they will
20 not be permitted to have their children in custody.

21 COUNCIL MEMBER GIBSON: Okay. So with
22 some of those challenges that are preventing the
23 mothers from being admitted into the nursery program,
24 what you described in terms of services; is there
25 anything that we are providing that would help

3 address those issues? So if you have a new mother
4 that has ACS cases, are we working to help overcome a
5 lot of that?

6 WINETTE SAUNDERS: Yes, so absolutely.

7 There are a couple of different things and a couple
8 of different strategies we have to address those
9 needs. So one, if you are a female in our custody
10 and your child is in foster care or has ACS
11 involvement, we have special visits provided by Hour
12 Children of incarcerated parents programming and so
13 even if your child is not able to stay with you, they
14 have special visits on Tuesdays instead of having
15 visits on a regular day, which they can do so as
16 well, they have a special visit where the visit area
17 is only provided to women who have children that are
18 connected to ACS as a result of their incarceration.
19 In addition to that, as Dr. Venters mentioned, we
20 also have the A Road Not Taken with the substance
21 abuse treatment programming. With our ICAN program
22 we also have parenting programs or parenting
23 workshops that are provided to women. And one other
24 thing that we have secured over the last 10 years has
25 been a partnership with the volunteer of legal
services where we have lawyers come in and provide

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES,
JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES 57

2 free legal services and advocacy services to women
3 who feel they might be at risk or have their parental
4 rights terminated. So there are a couple of
5 different strategies that we utilize to address those
6 needs.

7 COUNCIL MEMBER GIBSON: Okay. Do you
8 have any data this year on the number of women that
9 applied for the program that were admitted or those
10 that were denied; you gave me 2014 numbers?

11 WINETTE SAUNDERS: I gave you, no, 2014
12 to date.

13 COUNCIL MEMBER GIBSON: Oh to date.
14 Okay.

15 WINETTE SAUNDERS: Yes, to date.

16 COUNCIL MEMBER GIBSON: Okay. I'd like
17 to talk offline about that, because we're getting
18 some information that's a little bit... it's
19 conflicting with what you describe... [crosstalk]

20 WINETTE SAUNDERS: Yes.

21 COUNCIL MEMBER GIBSON: our numbers are
22 much higher and I think that goes to the reason why
23 Int. 0899 is proposed in the first place; based on
24 the information that we get in the Council from DOC,
25 we believe that we do need more information. So in

2 the testimony you talked about it not being necessary
3 to get this bill moved forward because you already
4 provide the information. So can you describe for us
5 what information does DOC provide to the Council on
6 the Rikers Island nursery program now?

7 WINETTE SAUNDERS: I don't believe that
8 we said that we provide; I believe that we said
9 because it's few data, because it's such small
10 numbers; not because we provide information, because
11 the information is so few we said that there's no
12 need to formalize the process.

13 COUNCIL MEMBER GIBSON: So is that a
14 staffing issue where it would be impossible to do or
15 is it because the small numbers and the people behind
16 the numbers are not significant enough to produce a
17 report?

18 WINETTE SAUNDERS: I wouldn't say that; I
19 just said that... [crosstalk]

20 COUNCIL MEMBER GIBSON: Okay.

21 WINETTE SAUNDERS: because of the fact
22 that it is so few data this is something that can be
23 given outside of a formalized process.

24 COUNCIL MEMBER GIBSON: Okay. So I
25 understand your concerns and I guess I have a little

2 bit of a history as Chair of Public Safety with the
3 administration not really supporting a lot of
4 legislative ideas and you know, one of the reasons
5 why we do propose bills is beyond the current
6 administration, so while we appreciate the
7 relationships we have with the administration, if we
8 make a phone call to DOC and ask for a report on
9 Rikers Island nursery numbers and you produce it,
10 that's great, but beyond this administration we may
11 not necessarily have that consistency and that
12 relationship and so that's the reason why we propose
13 the bills that we do because we wanna make sure that
14 we put things in law. The nursery program is very
15 important, I'm proud that New York State is one of
16 the few in the country that has it and we wanna make
17 sure it's used to its greatest capacity and so
18 deriving information, as little as the numbers may
19 be, I mean every number matters, there's a person or
20 a baby behind those numbers and so we wanna make sure
21 that we as a Council can support this program; we can
22 identify the challenges, the reasons why women are
23 being denied and what we're really doing to reduce
24 those numbers.

2 In an earlier conversation, was I correct
3 in hearing that the recidivism rate of women in
4 Rikers is 32%; was that an error? Women returning to
5 Rikers, 32%?

6 WINETTE SAUNDERS: Versus 44 for men.

7 COUNCIL MEMBER GIBSON: Okay. Just
8 wanted to ask a question on that. I work very
9 closely with Fortune and with Osborne; I know the
10 work they do, I represent the old Fulton jail in the
11 Bronx, of which we're building a new reentry and
12 economic development center, so I know the great work
13 they do, and with all the partnerships and
14 recreational, educational; I applaud the religious
15 services; I mean, how often are these women using
16 these services? If we have a recidivism rate that's
17 32%, while down from 44, that's great, but that
18 number is still far too high to be accepting that
19 we're going to stop there, so with all that we're
20 doing, why do we still have so many women not
21 utilizing these services?

22 WINETTE SAUNDERS: So I would say aside
23 from different socioeconomic reasons, I would believe
24 because there's such a short span of time that women
25

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES, 61
2 JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES

3 spend within the jail it's hard to really make a
4 significant impact.

5 COUNCIL MEMBER GIBSON: Okay. But in
6 some of the services you talked about there are some
7 post release services as well; right? How often do
8 you monitor or work with the women as they are
9 released to find out if they are utilizing the
10 services that are available?

11 WINETTE SAUNDERS: So as discussed, we
12 just recently received funding for expansion for our
13 ICAN reentry services and as discussed, 400... let's
14 see... I'm sorry; I wanna make sure I give you the
15 right number... 472 women have been enrolled and are
16 receiving services.

17 COUNCIL MEMBER GIBSON: Okay, that's year
18 to date, 472?

19 WINETTE SAUNDERS: No, that's January
20 2015 to date.

21 COUNCIL MEMBER GIBSON: Okay, to date.
22 Okay. With this bill, Int. 0899 that we're
23 proposing, understanding your position, do you
24 anticipate any costs that would be associated with
25 implementation; could that be another concern that
the administration has for not supporting the bill?

2 WINETTE SAUNDERS: We'd have to do an
3 assessment to determine.

4 COUNCIL MEMBER GIBSON: Okay. So as I
5 close, I just want to really emphasize again that,
6 you know, this is data that we really need;
7 understanding why we have a low population of women
8 at Rikers, every person that's on Rikers Island, you
9 know, matters and the level of services they get
10 while they're there, whether a short or long
11 duration, is really important; we're talking about
12 taxpayer dollars that we're using to make sure that
13 women not only get the services they receive, but
14 also when they're released as well; the trauma and
15 some of the other experiences that they deal with on
16 Rikers Island is going to ultimately determine how
17 they live their lives when they're released.

18 Chair Cumbo talked a little bit about the
19 trauma and I wanted to ask one final question on
20 healthcare, because healthcare for women is very
21 unique and I wanted to find out what we're doing to
22 provide distinct health services for women that would
23 relate to reproductive health, counseling, trauma;
24 what steps and what resources do we have for women
25 going through trauma, health related?

2 DR. HOMER VENTERS: Sure. So one of the
3 things we started about a year-and-a-half ago is we
4 recruited a reproductive health specialist to be a
5 doctor coming to Rose M. Singer so that... we've always
6 struggled wanting to provide a lot of services, but
7 then hearing from patients, women coming in, that the
8 first day that they arrive in jail is not the time
9 they wanna be talking about things; they don't wanna
10 be offered and getting a pap smear on the way into
11 jail; it's a chaotic, difficult time, and so we
12 struggled with how to best provide the services that
13 we think that our patients need and would benefit
14 from, and so what we hit on about a year-and-a-half
15 ago was; bringing in a reproductive health specialist
16 who's trained in reproductive health that can come to
17 the women's jail to offer women on the way in the
18 opportunity to have a dedicated reproductive health
19 encounter where they can talk about the full range of
20 reproductive health concerns, including family
21 planning, birth control issues; this is something
22 that our regular health staff have always been
23 trained to do, but they sometimes aren't the best
24 choice if they're the same people that the patients
25 are seeing for asthma, for diabetes; for other

2 things. So since we started the reproductive health
3 clinic about a year, year-and-a-half ago, we've had
4 great success and response from the patients, we're
5 able to provide not just good counseling, but
6 actually we're one of the only jails in the country
7 that's now providing long-acting contraception,
8 reproductive contraception, IUDs; we're providing
9 support, continuing hormonal, birth control,
10 providing the full range of reproductive health
11 services that women need and they really deserve.

12 COUNCIL MEMBER GIBSON: Okay. And that
13 includes prenatal care as well?

14 DR. HOMER VENTERS: Absolutely. So the
15 women who are pregnant are in a dorm that is, it's a
16 housing area for prenatal care and we have a
17 dedicated prenatal consultant, it's a social work
18 staffer, who's in there every day providing prenatal
19 education for women and it's not just to provide
20 normal prenatal education, it's also to tell women
21 about the benefits of the nursery, if they happen to
22 be in jail when they delivery their baby; it's really
23 an important venue for giving basic health education,
24 but also recruiting women to come into the nursery if
25 and when they deliver.

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES,
JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES 65

2 COUNCIL MEMBER GIBSON: Okay. Well thank
3 you so much and also, I'd love if you could share
4 with us as you continue to look at admission
5 standards for the nursery; it's very helpful to share
6 that with us at the Council because we wanna make
7 sure that we can support your efforts and also have a
8 real voice in the process of this decision-making
9 around the nursery program. And I really encourage
10 you to really look at Int. 0899 and work with us; if
11 there are costs and other factors that we should
12 consider, I'm happy to do that, working with my co-
13 sponsors, because we really wanna make sure that the
14 information we get is accurate; it can help us make
15 better informed decisions on behalf of the inmates
16 and the detainees at Rikers Island. So thank you so
17 much, thank you Chairs Crowley and Cumbo and thank
18 you to our Public Advocate for your leadership.
19 Thank you.

20 CHAIRPERSON CROWLEY: Thank you, Council
21 Member Gibson. We now would like to recognize the
22 Public Advocate for questions.

23 PUBLIC ADVOCATE JAMES: Thank you. First
24 let me ask the question; I understand that the Board
25

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES,
JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES 66

2 of Correction was invited to this hearing and they
3 are not in attendance.

4 CHAIRPERSON CROWLEY: Yeah, as far as I
5 know, they're invited to every hearing.

6 PUBLIC ADVOCATE JAMES: I'm sorry?

7 CHAIRPERSON CROWLEY: Every hearing where
8 we have DOC testifying... [crosstalk]

9 PUBLIC ADVOCATE JAMES: Yeah.

10 CHAIRPERSON CROWLEY: we invite the Board
11 of Correction.

12 PUBLIC ADVOCATE JAMES: So the Board, as
13 you know, is responsible for rulemaking and they are
14 responsible for the rulemaking associated with the
15 Federal Prison Rape Elimination Act, commonly
16 referred to as PREA and they voted unanimously on
17 June 9th, 2015 in fact to adopt rules with regard to
18 the implementation of the Federal Prison Rape
19 Elimination Act at Rikers Island, and as of today
20 there are no rules; in fact, my office provided them
21 draft rules and we have yet to hear anything from the
22 Board of Correction. Does anyone on the panel know
23 why the Board of Correction is not here and why they
24 cannot give an explanation as to why the Federal
25 Prison Rape Elimination Act does not have rules; why

2 there's no hearings; why they have not forwarded
3 those rules to my office; why they've not adopted the
4 draft rules that my office proposed; can anyone tell
5 me why they're not here?

6 WINETTE SAUNDERS: No, ma'am.

7 PUBLIC ADVOCATE JAMES: Okay. Okay. So
8 as you know, I looked at the Department of Health and
9 Mental Health, their total allegations of sexual
10 abuse and in the year 2012 the number of sexual
11 harassment allegations was 14, sexual assaults was
12 90, totaling 104; 2013, sexual harassment was 17,
13 sexual assaults 131, totaling 148; in 2014 sexual
14 harassment allegations 9, sexual assaults 107,
15 totaling 116.

16 Now going to the Department of
17 Corrections; 2012, sexual harassment 13, sexual
18 abuse/misconduct 84, totaling 97; 2013, sexual
19 harassment 14, sexual abuse 105, totaling 119; 2014,
20 no data provided, but yet if we go to CompStat report
21 for the Department of Corrections, in 2014 the only
22 sexual misdemeanor, sex crimes that were reported
23 were 2 and rapes 0, totaling 2. Why the discrepancy
24 in the numbers? The reason why I started out with
25 why the Board of Correction... I wanted an explanation

2 as to why they were not in attendance and why PREA
3 standards have not been implemented by the Board of
4 Correction, it's primarily because it's critically
5 important that the public and this City Council and
6 this Public Advocate be assured that the allegations
7 which should be prosecuted get prosecuted and that
8 there are PREA standards consistent across the board
9 from the Department of Health to the Department of
10 Corrections to CompStat and the absence of PREA being
11 implemented despite the fact that the Department of
12 Corrections has received federal funds and despite
13 the fact that there is an inconsistency in
14 allegations across the board in every city agency
15 continues to confound me and requires explanation
16 from someone.

17 SEAN CUSSEN: If I may, I'd like to
18 clarify what our numbers are. When... [crosstalk]

19 PUBLIC ADVOCATE JAMES: Okay.

20 SEAN CUSSEN: When we report PREA
21 numbers, those are what fall under the definitions of
22 the federal government that are mandated reporting.
23 I'd like to clarify that we have an additional -- in
24 2012, 31 non PREA numbers of allegations of sexual
25 assault, which would bring our total to 128; in 2013

2 we have an additional 38 non PREA reported
3 allegations, which would bring our number to 159; in
4 2014 we reported 123 PREA and an additional 29 non
5 PREA numbers, which will bring our total to 158. I'd
6 like to point out that our numbers are actually
7 higher than DOHMH numbers and there's multiple
8 reasons why our numbers would be higher; an inmate's
9 no longer in our custody, he's in state custody; he
10 would not be seen by DOHMH. DOHMH does not break
11 their numbers down by PREA, where the Department of
12 Corrections does.

13 PUBLIC ADVOCATE JAMES: And how many of
14 those allegations have been substantiated?

15 SEAN CUSSEN: 2014, I believe there's 1..
16 these are off the top of my head; I may be off by a
17 number, 'cause I don't have that with me; 2013, maybe
18 5 and the staff on inmate, I think it was 3 and then
19 2 additional inmate on inmate, and the other numbers
20 I don't have with me.

21 PUBLIC ADVOCATE JAMES: And so PREA
22 requires that HHC and the Department of Corrections
23 work together to assess what to do in response to
24 every sexual assault claim; is that being done?

2 SEAN CUSSEN: So as we move towards PREA
3 compliance, and our agency is in the process of
4 redefining our PREA standards, we are in the process
5 of setting up what's called SART, it's a Sexual
6 Assault Incident Response which is part of PREA, so
7 as we move towards PREA, we'll be moving towards
8 these avenues where we'll be discussing our findings
9 of our investigations to enable the agency to find
10 better ways to prevent allegations of sexual assault
11 from occurring.

12 PUBLIC ADVOCATE JAMES: And I think
13 people need to understand the reason why I'm harping
14 on PREA is because right now PREA is hard to enforce
15 at Rikers Island because the federal government only
16 looks to state prisons when deciding whether or not
17 New York should continue to get PREA funding and so
18 we're attempting to close this loophole and so it's
19 really frustrating at this point because we really
20 can't get to the numbers because PREA has not been
21 promulgated in the City of New York and I don't
22 understand why that is the case, since again, we've
23 worked with the Board of Correction and in fact have
24 provided them some draft rules and we have yet to
25 hear from them. So I would hope that if anyone is

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES,
JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES 71

2 reporting back to the Board of Correction, I would
3 like to get some sort of explanation as to why PREA
4 has not been promulgated in the City of New York; why
5 there is no hearing and what are the standards across
6 the board for all city agencies; perhaps you can
7 speak to that issue, ma'am?

8 CYNTHIA BRANN: What I can tell you is
9 that, when you talk about PREA being enforced, you
10 have to be PREA compliant to... [interpose]

11 PUBLIC ADVOCATE JAMES: Yes.

12 CYNTHIA BRANN: to be able to enforce the
13 rules...

14 PUBLIC ADVOCATE JAMES: Correct.

15 CYNTHIA BRANN: we are committed at DOC
16 to making all of our facilities PREA compliant and
17 are in the process of doing that. Some... [crosstalk]

18 PUBLIC ADVOCATE JAMES: But can I just
19 stop you? How can we be PREA compliant when we don't
20 have PREA rules?

21 CYNTHIA BRANN: We do have PREA rules;
22 there's a federal rule...

23 PUBLIC ADVOCATE JAMES: The federal, but
24 the Board of Correction is in fact seeking to
25 promulgate its own PREA rules; correct?

2 CYNTHIA BRANN: I can't speak for the
3 Board of Correction...

4 PUBLIC ADVOCATE JAMES: Okay.

5 CYNTHIA BRANN: I'm not sure that the
6 Board could come up with rules that are more
7 stringent than federal rules.

8 PUBLIC ADVOCATE JAMES: But you are aware
9 that they unanimously agreed to promulgate rules with
10 respect to PREA back in June; yes?

11 CYNTHIA BRANN: I'm not aware of that; I
12 was not here in June... [crosstalk]

13 PUBLIC ADVOCATE JAMES: Okay. Okay, I
14 was in attendance; I witnessed it, and so nothing has
15 happened as of today. And so I know that the federal
16 standards are, you know, very stringent and my
17 question is, my only question is, why do we not have
18 rules in the City of New York? If you are telling me
19 that you are going to seek to enforce federal
20 standards at Rikers Island and the only rules that
21 you will follow is the federal rules, then can
22 someone provide that to me in writing?

23 CYNTHIA BRANN: I'm not sure what you're
24 looking for; what I can tell you is; we are becoming
25 PREA compliant. When we are PREA compliant, which is

2 established through a federal auditor who comes in
3 and looks at our practices, our policies, our
4 training, our staffing plan, our camera placement,
5 and all of our adherence to the federal standards; we
6 then become PREA compliant and then we will manage
7 that PREA compliance not only through the oversight
8 at the Board of Correction, in all their monitoring
9 of our practices, but through our own internal method
10 of managing PREA compliance through our PREA
11 compliance managers.

12 PUBLIC ADVOCATE JAMES: Let me ask some
13 specifics. There's a state law on the books which
14 requires female correction officers in female housing
15 areas; how does Department of Corrections comply with
16 this law; is there a female officer in every housing
17 area at Rosie?

18 CYNTHIA BRANN: No.

19 PUBLIC ADVOCATE JAMES: No. Okay. And
20 how about transportation to court; is there only
21 female officers on the bus to court and transporting
22 inmates to court?

23 CYNTHIA BRANN: No.

24 PUBLIC ADVOCATE JAMES: Okay. Okay. How
25 'bout this; what about females being searched by

2 female officers; do male officers search female
3 officers? [sic]

4 SEAN CUSSEN: No.

5 PUBLIC ADVOCATE JAMES: Do female
6 officers, excuse me, only search female inmates?

7 CYNTHIA BRANN: Yes.

8 PUBLIC ADVOCATE JAMES: Only?

9 CYNTHIA BRANN: Yes.

10 PUBLIC ADVOCATE JAMES: Is there ever a
11 situation where a male officer searches a female
12 inmate? Search.

13 CYNTHIA BRANN: Pat search, frisk..

14 [background comments]

15 PUBLIC ADVOCATE JAMES: Any search.

16 [background comments] A male officer... [background
17 comments]

18 CHAIRPERSON CROWLEY: If you haven't
19 identified yourself for the record and you haven't
20 affirmed to tell the whole truth, you can't answer a
21 question; if you wish to, then please come up to
22 testify and..

23 PUBLIC ADVOCATE JAMES: Let me start my
24 question again. There's a state law on the books
25 which says females should be searched by female

2 officers and for anyone who wants to do the research,
3 it's 9 NYCRR, Section 7502 and states the following:
4 "Searching a female prisoner shall be accomplished by
5 the regularly appointed police matron or other
6 qualified female person." Is it your position... Are
7 you telling me now that you're distinguishing between
8 searches and that it's possible that some searches
9 are done by male officers of female inmates? Yes.

10 CHAIRPERSON CROWLEY: Do you swear to
11 tell the whole truth, nothing but the truth in
12 answering the questions?

13 MICHELE CLIFFORD: Yes.

14 CHAIRPERSON CROWLEY: And if you could
15 identify yourself for the record.

16 MICHELE CLIFFORD: My name is Michele
17 Clifford, Warden of... [crosstalk]

18 [background comments]

19 CHAIRPERSON CROWLEY: Please..

20 MICHELE CLIFFORD: Is it on? Okay. My
21 name is Michele Clifford, Warden of the Rose M.
22 Singer Center.

23 Male officers are trained to, in the
24 female center, to transfrisk using a handheld
25 transfrisker.

2 PUBLIC ADVOCATE JAMES: A wand?

3 MICHELE CLIFFORD: A wand. Other than
4 that, the female officers pat frisk and the female
5 officers strip search.

6 PUBLIC ADVOCATE JAMES: Okay. And it's
7 your position that when a male officer uses a wand,
8 that does not violate the state law that I just
9 cited?

10 MICHELE CLIFFORD: Not that I'm aware of.

11 PUBLIC ADVOCATE JAMES: Okay. And that's
12 the position of Department of Corrections?

13 MICHELE CLIFFORD: Yeah.

14 PUBLIC ADVOCATE JAMES: Okay.

15 CHAIRPERSON CROWLEY: While you're
16 answering the question, what about cross-gender or
17 female officers doing strip searches of male inmates?

18 MICHELE CLIFFORD: No. No, they don't...

19 [crosstalk]

20 CHAIRPERSON CROWLEY: So you just have
21 the same gender do the same type...

22 MICHELE CLIFFORD: Yes.

23 CHAIRPERSON CROWLEY: Okay.

24 PUBLIC ADVOCATE JAMES: And I believe
25 that this question was asked by one of my colleagues

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES, 77
2 JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES

3 in the City Council; how many staff were disciplined
4 for sexual allegations in the past year and how many
5 have been terminated? [background comments] My
6 office has requested information from DOCs about how
7 many officers have been disciplined in recent years
8 and unfortunately we haven't received any answers.
9 [background comments]

10 CYNTHIA BRANN: In 2015 there has been
11 one officer who has been... [background comment] been
12 disciplined, [background comments] but it has not
13 been finalized yet.

14 PUBLIC ADVOCATE JAMES: And how many
15 allegations of sexual assault and/or sexual abuse or
16 sexual harassment have been alleged as of today?

17 SEAN CUSSEN: Well my numbers may be of a
18 day or two ago, but as of this report there are
19 currently 273 year to date...

20 PUBLIC ADVOCATE JAMES: 273... [crosstalk]

21 SEAN CUSSEN: allegations of total sexual
22 assault and harassment.

23 PUBLIC ADVOCATE JAMES: total and only
24 one officer disciplined.
25

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES, 78
2 JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES

3 SEAN CUSSEN: Well 201 are staff on
4 inmate and 72 are inmate on inmate and currently; I
5 mean, the majority are still under investigation...

6 PUBLIC ADVOCATE JAMES: Yeah.

7 SEAN CUSSEN: but yes, true; only one has
8 been substantiated... [crosstalk]

9 PUBLIC ADVOCATE JAMES: Only one.

10 SEAN CUSSEN: at this point.

11 PUBLIC ADVOCATE JAMES: Okay.

12 CHAIRPERSON CROWLEY: And how many are
13 from the Rose M. Singer versus the general
14 population?

15 SEAN CUSSEN: Well the total numbers from
16 Rose M. Singer as of year are... well this says 48, but
17 I know my other numbers are 52, so the other numbers
18 were updated, so this report was generated two days
19 before the other report was generated. So from here
20 you have staff on inmate currently is 42 and inmate
21 on inmate is an additional 5, so the total would be
22 48 and then there's an additional 2 that are added
23 because they were reported prior to their coming into
24 our custody, so that's why there's a little bit of
25 discrepancy in the numbers.

2 PUBLIC ADVOCATE JAMES: I wanna move on
3 because I know other members of the public wanna
4 testify, but obviously that's troubling and I
5 question whe... [interpose]

6 MICHELE CLIFFORD: Can I just say one
7 thing to that before we... [interpose]

8 PUBLIC ADVOCATE JAMES: Sure.

9 MICHELE CLIFFORD: I just wanted to put
10 on the record that we had a few inmates during that
11 time period, a couple of inmates that were severely
12 mentally ill that were making these allegations; in
13 fact I had one inmate that made 18 alone and when we
14 seen what the pattern was, because it was clearly not
15 happening..

16 PUBLIC ADVOCATE JAMES: Yeah.

17 MICHELE CLIFFORD: I put a handheld video
18 camera every time she moved, so every time there was
19 an allegation, the handheld video camera went to
20 investigations so they could review it and determine
21 what was transpiring... [crosstalk]

22 PUBLIC ADVOCATE JAMES: Thank you.

23 MICHELE CLIFFORD: so that's why the
24 number jumped so high with these. Again, we need
25 help with the mentally challenged... [crosstalk]

2 PUBLIC ADVOCATE JAMES: Thank you. So I
3 guess what you're saying is that the reason why the
4 numbers are so high, the allegations, is because
5 they're coming from individuals who have mental
6 illness?

7 MICHELE CLIFFORD: Some of them, yes.

8 PUBLIC ADVOCATE JAMES: Okay. Let me
9 move on to mental illness. So I believe that there
10 was testimony that 70% of the detainees or inmates
11 suffer from mental illness; that was the testimony?
12 [background comments] That was on Page 2,
13 [background comments] and it says about 70% of the
14 women in our care are known [background comments] to
15 mental health; I guess known to have mental health
16 or? [background comments] Yes? Okay, 70%. And so
17 how many women with mental illness are in the
18 restricted housing unit, aka RHU, today?

19 MICHELE CLIFFORD: Today, seven.

20 PUBLIC ADVOCATE JAMES: Seven? And how
21 many are in any form of punitive or high security
22 housing area?

23 MICHELE CLIFFORD: One.
24
25

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES, 81
2 JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES

3 PUBLIC ADVOCATE JAMES: One. And how
4 many women with mental illness have the mandated 14
5 hours out of cell time today?

6 MICHELE CLIFFORD: Are you referring to
7 RHU?

8 PUBLIC ADVOCATE JAMES: Yes.

9 MICHELE CLIFFORD: Just seven.

10 PUBLIC ADVOCATE JAMES: Just the seven?
11 How 'bout in general?

12 MICHELE CLIFFORD: In punitive seg also...?
13 [crosstalk]

14 PUBLIC ADVOCATE JAMES: Yeah.

15 MICHELE CLIFFORD: They also come out.

16 PUBLIC ADVOCATE JAMES: And the programs
17 that were outlined earlier, I know, I think Council
18 Member Cumbo asked a question with regards to any
19 mental health programs that might be available to
20 these women. My understanding, according to a number
21 of friends and associates and complaints to the
22 Office of Public Advocate, is that a number of these
23 women who are suffering from severe mental illness
24 are not getting any help at all and some of them are
25 engaging in very disturbing behavior.

2 DR. HOMER VENTERS: So the number you
3 started off with, 70%, those are women that are in
4 the mental health service, so just to set the
5 context, these are women that are being seen by
6 mental health, many of them are receiving
7 medications; they're having encounters, whether it's
8 in a clinic or out in a housing area. We do have
9 women that have serious mental illness, as we do in
10 other settings; we have psychiatrists, we have
11 psychologists, we have group therapy; however, one
12 the reasons that we really have a great partnership
13 with the advocates, with Legal Aid is that when
14 complaints come in from family members, from anybody,
15 that somebody hasn't received the services they need,
16 we take that very seriously and we work very hard to
17 get the person seen immediately.. [crosstalk]

18 PUBLIC ADVOCATE JAMES: Can you talk a
19 little bit about your staffing; how many
20 psychiatrists or doctors do you have on staff?

21 DR. HOMER VENTERS: We... I do not..
22 [crosstalk]

23 PUBLIC ADVOCATE JAMES: Dealing with
24 individuals who are suffering from mental illness.

2 DR. HOMER VENTERS: I don't know the
3 matrix for the Rose M. Singer facility; we have a big
4 mental health service, so we have a unit chief who
5 oversees the mental health service, we have dedicated
6 psychiatrists, psychologists; we also have a large
7 number of mental health social workers who do group
8 therapy and individual therapy and we can certainly
9 get the full matrix back to you.

10 PUBLIC ADVOCATE JAMES: And how many of
11 these women have dual diagnoses, the MICA patients,
12 mentally ill and chemically addicted?

13 DR. HOMER VENTERS: Many; it's like..
14 [crosstalk]

15 PUBLIC ADVOCATE JAMES: Many?

16 DR. HOMER VENTERS: it's likely that most
17 of the women coming into Rose M. Singer have, broadly
18 speaking, behavioral health concerns; that's both
19 mental health concern and substance abuse; that's why
20 we have such a strong, large substance abuse service
21 in Rose M. Singer.

22 PUBLIC ADVOCATE JAMES: And what is the
23 training for officers at Rose M. Singer to deal with
24 these women who are suffering from mental illness,
25 both MICA patients or MICA inmates and/or those who

2 are suffering from depression, anxiety, adjustment
3 disorder and personality disorders?

4 [background comments]

5 WINETTE SAUNDERS: So in conjunction with
6 the Department of Health... well Department of Health
7 previously and now HHC, there's a provision of
8 training called Basic Crisis Management that focuses
9 on these special populations that you mentioned
10 earlier.

11 PUBLIC ADVOCATE JAMES: And my very last
12 question is; do you believe that the staffing at Rose
13 M. Singer is sufficient to address the needs of the
14 women in your care? Anyone.

15 DR. HOMER VENTERS: So for the mental
16 health service, we have brought in the last year more
17 resources into the buildings because we believe that
18 we've had an unmet need, not just on the mental
19 health side, but reproductive health, as I mentioned
20 before, prenatal counseling; just this past week
21 we've decided that we're gonna dedicate a staff
22 member to coordinate the nursery efforts on top of
23 what you've already heard described here, so we're
24 always evaluating whether or not we need to bring in
25 more resources and it's not just bringing in more;

2 it's sometimes bringing in different; just having
3 doctors isn't the same as having a reproductive
4 health doctor... [crosstalk]

5 PUBLIC ADVOCATE JAMES: Right.

6 DR. HOMER VENTERS: which is something
7 new.

8 PUBLIC ADVOCATE JAMES: And what about
9 staffing in general, number of officers; what's the
10 position with regards to the Department in regards to
11 hiring additional officers?

12 DINA SIMON: As we hire new officers we
13 are analyzing the staffing models in all our
14 facilities, including Rose M. Singer.

15 PUBLIC ADVOCATE JAMES: Is there a new
16 class coming up soon; I think there's a new class
17 that... [crosstalk]

18 DINA SIMON: Yes, there's a new class
19 starting in January who will go into the training
20 academy.

21 PUBLIC ADVOCATE JAMES: How many officers
22 in that class?

23 DINA SIMON: It will be 600.

24 PUBLIC ADVOCATE JAMES: 600?

25 DINA SIMON: 600 recruits...

2 PUBLIC ADVOCATE JAMES: Okay.

3 DINA SIMON: with plans to hire about
4 1800 next year... [crosstalk]

5 PUBLIC ADVOCATE JAMES: And how many of
6 them will be women?

7 DINA SIMON: We're not sure yet.

8 PUBLIC ADVOCATE JAMES: Okay. Thank you.
9 Thank you, Madame Chair.

10 CHAIRPERSON CROWLEY: Thank you, Public
11 Advocate. Just for clarification, can you tell us if
12 there are any specific training courses that
13 correction officers take to pick up signs of sexual
14 abuse to know what to do and when somebody is abused
15 or when somebody accuses either another inmate or a
16 staff of abuse?

17 CYNTHIA BRANN: In the gender-responsive
18 training that The Moss Group will be providing, staff
19 will be able to... [crosstalk]

20 CHAIRPERSON CROWLEY: Sorry, that you
21 will be providing or you currently provide?

22 CYNTHIA BRANN: All line staff will start
23 training in April.

24 CHAIRPERSON CROWLEY: So come April, in a
25 few months from now, you'll start training?

3 CYNTHIA BRANN: For line staff. Yes.

4 CHAIRPERSON CROWLEY: For all line staff.

5 CYNTHIA BRANN: We will start rolling out
6 that training in April, yes.

7 CHAIRPERSON CROWLEY: And training
8 specifically to pick up sexual abuse?

9 CYNTHIA BRANN: For gender-responsive
10 training and dealing with trauma in women and for
11 picking up signs that women may be experiencing.

12 CHAIRPERSON CROWLEY: But not for men?

13 CYNTHIA BRANN: Pardon me?

14 CHAIRPERSON CROWLEY: You're not gonna do
15 that training for correction officers that work with
16 men?

17 CYNTHIA BRANN: I thought you were asking
18 specifically... [crosstalk]

19 CHAIRPERSON CROWLEY: No, I'm just... I'm
20 asking specifically the sexual abuse signs training,
21 training for sexual abuse signs. Just based on
22 statistics that were given today there's a high
23 number of accusations in the male facility.

24 WINETTE SAUNDERS: So I can speak a
25 little bit to that. Back in May 2014 we began
trauma-informed care and trauma can be caused by a

2 number of different things, so that training has
3 begun and to date we've had about 329 officers
4 trained across facilities.

5 CHAIRPERSON CROWLEY: Okay, 329 out of
6 your 10,000 officers?

7 WINETTE SAUNDERS: Yes, ma'am.

8 CHAIRPERSON CROWLEY: So you have a long
9 ways to go.

10 WINETTE SAUNDERS: We do.

11 CHAIRPERSON CROWLEY: Yes you do. Now I
12 imagine that the numbers are going up for... a number
13 of variables go into this, but I do believe that in
14 the past it was likely under-reported; do you agree?
15 Do people know now that they... you know, that the
16 Department is working to identify when sexual abuse
17 happens and to right any injustices? Or it's simply
18 more prevail... I mean you can't... you know, when you
19 look at the numbers from 2012 to 2015 and your inmate
20 population has gone down significantly but the number
21 of allegations of sexual assault has nearly
22 multiplied; why is this?

23 CYNTHIA BRANN: Historically, as agencies
24 become PREA compliant and the culture of your
25 agencies change, inmates understand what sexual

2 safety is and they are more apt to report incidents.

3 We've also put in place avenues that... [crosstalk]

4 CHAIRPERSON CROWLEY: That's really what
5 I'm getting at. So now what are you doing to make
6 sure that inmates know what their rights are and to
7 identify sexual abuse when it happens?

8 CYNTHIA BRANN: We have put in place a
9 hotline, which is identified as a DOC hotline;
10 there's no branding of that hotline information in
11 the facilities; it is staffed by non-uniform staff,
12 so inmates are confident that someone outside the
13 agency or civilian staff will be answering those
14 calls; each incident is investigated promptly; there
15 is messaging all over the housing areas in all of the
16 facilities; upon intake inmates are given information
17 regarding PREA and their rights and we also have an
18 MOU with Safe Horizons where inmates can contact
19 them; it's confidential in nature and they're
20 provided support services and counseling services.

21 CHAIRPERSON CROWLEY: Question I have
22 about violent indicators; you must keep them per
23 facility, but we asked what the violence numbers were
24 for Rose M. Singer and we haven't received them; that

2 means the inmate on inmate, inmate on staff, staff on
3 inmate, use of force.

4 [background comments]

5 MICHELE CLIFFORD: Are you referring to
6 uses of force?

7 CHAIRPERSON CROWLEY: I'm referring to
8 uses of force, when there's injury, no injury; I'm
9 referring to inmate on inmate stabbings and
10 slashings... [interpose]

11 MICHELE CLIFFORD: Rose M. Singer has no
12 stabbings or slashings... [crosstalk]

13 CHAIRPERSON CROWLEY: Oh that's good.

14 MICHELE CLIFFORD: that's a wonderful
15 thing, yeah. Uses of force, while they did go up in
16 FY 2015, in the same period from 2014 they went from
17 64 to 104; 65 of that 104 were from four specific
18 inmates that had mental health issues.

19 CHAIRPERSON CROWLEY: And when an inmate
20 infracts, there's no punitive segregation in the
21 women's facility; is that correct?

22 MICHELE CLIFFORD: There is RHU and
23 punitive seg...

24 CHAIRPERSON CROWLEY: Right.

2 MICHELE CLIFFORD: there is punitive seg...
3 [crosstalk]

4 CHAIRPERSON CROWLEY: So there is general
5 punitive seg without mental health support?

6 MICHELE CLIFFORD: No, RHU is mental
7 health support... [crosstalk]

8 CHAIRPERSON CROWLEY: So then that's what
9 the punitive segregation is; it is not solitary
10 confinement in a small cell...? [crosstalk]

11 MICHELE CLIFFORD: No it's not, they come
12 out for group, they have therapy, they have group
13 sessions; they are not locked down 23, as the old,
14 you know, punitive seg would have been.

15 CHAIRPERSON CROWLEY: Okay. [background
16 comments] What percentage of the inmate population
17 would you say is affiliated with gangs?

18 MICHELE CLIFFORD: Rose M. Singer has a
19 very, very small population of the gangs. Right now
20 I think on my SRG roster there might be eight out of
21 the 639 today sentenced [sic].

22 CHAIRPERSON CROWLEY: I have two
23 questions about pregnant inmates...

24 MICHELE CLIFFORD: 'Kay.

25

2 CHAIRPERSON CROWLEY: are they shackled
3 at any time, pregnant inmates?

4 MICHELE CLIFFORD: Shackled to go to
5 court, yes, handcuffed.

6 CHAIRPERSON CROWLEY: What about when
7 they're about to deliver?

8 MICHELE CLIFFORD: No. No.

9 CHAIRPERSON CROWLEY: And can they be
10 shackled and be nine months pregnant?

11 MICHELE CLIFFORD: No, usually in the
12 third trimester they're even given special
13 transportation if they have to go to court or to the,
14 you know, hospital or anything; they're not
15 transported on a bus, they're transported in a van.

16 CHAIRPERSON CROWLEY: And prenatal care,
17 reports have stated that it's substandard in
18 comparison to the type of care that you would get
19 outside.

20 MICHELE CLIFFORD: I can't answer that.

21 DR. HOMER VENTERS: So we have a very
22 good prenatal care program; we're one of the only
23 jails in this country that has a dedicated OB-GYN in
24 the facility every single day of the week; we also
25 have, with a partnership with the Department of

2 Corrections, a housing area where the pregnant women
3 are cohorted in that setting; every day we have
4 social workers going in doing prenatal education.
5 Our experience is that many of the women are
6 receiving the first prenatal care they've received
7 through the duration of their entire pregnancy. We
8 also have a very strong nurse family partnership with
9 the Department of Health; we have a lot of
10 stakeholders, many of whom are here today who come an
11 support these prenatal efforts. So my experience is
12 the prenatal program is very strong and it's well-
13 received by the women.

14 CHAIRPERSON CROWLEY: I'm happy to hear
15 that. And you have a policy where pregnant women are
16 not allowed to find out the sex of their baby?

17 DR. HOMER VENTERS: No, not to my
18 knowledge. Our patients have the same rights as
19 patients everywhere.

20 CHAIRPERSON CROWLEY: That's not what I
21 was told when I visited the facility that houses the
22 pregnant inmates.

23 DR. HOMER VENTERS: So I would certainly
24 love to receive specific information about an
25 instance that you're aware of... [crosstalk]

2 CHAIRPERSON CROWLEY: Okay. I'd like to
3 recognize my Co-Chair, Council Member Cumbo.

4 CO-CHAIRPERSON CUMBO: Thank you Council
5 Member Crowley. Just one follow-up question; do you
6 have the numbers in terms of the ratio of male to
7 female health practitioners, as far as doctors or
8 medical aides; do we have an idea in terms of the
9 male and female ratio dynamic?

10 DR. HOMER VENTERS: I can certainly
11 supply that to you and part of our... I don't know that
12 off the top of my head for each facility; we also
13 have chaperones...

14 CO-CHAIRPERSON CUMBO: In Singer?

15 DR. HOMER VENTERS: in the women's... Yeah.

16 CO-CHAIRPERSON CUMBO: Uh-huh.

17 DR. HOMER VENTERS: That's right. But we
18 can certainly supply you with those breakdowns.

19 CO-CHAIRPERSON CUMBO: Would you say that
20 the majority of the healthcare practitioners --
21 doctors, medical aides, those individuals, nurses --
22 would you say that the majority are men?

23 DR. HOMER VENTERS: I would not; I would
24 say that like most hospitals, you might have some
25 differences by area of care, so the medical doctors

2 might be different in gender ratios than the nurses;
3 we have a large cadre of mental health practitioners,
4 with many women; I just don't know, but we certainly
5 can supply that to you.

6 CO-CHAIRPERSON CUMBO: We would certainly
7 like to get that information; part of that is because
8 we're noticing and it's been documented in your
9 testimonies today that so many women are experiencing
10 issues in terms of trauma, whether that's rape,
11 whether that's sexual molestation, sexual assault;
12 many are coming with many of these issues and to have
13 to be in a space where you're so compromised, you're
14 so vulnerable, I believe that we could address some
15 of the issues that many of those individuals that are
16 at Rikers are experiencing by having more female
17 healthcare practitioners that would provide that
18 level of comfort. I know for myself I prefer to have
19 a woman gynecologist; I've never had a male
20 gynecologist, 'cause that's just not my preference or
21 my comfortability, but I can only imagine having to
22 face that in a compromising, vulnerable position at a
23 prison facility I think adds an additional level of
24 trauma that could be avoided.

2 DR. HOMER VENTERS: That's absolutely
3 right; that's actually... similar reports from patients
4 themselves were really the motivating reason that we
5 recruited and hired a female reproductive health
6 specialist so that many of these very important but
7 very difficult discussions could happen after the
8 intake time, the chaotic intake time, could happen in
9 a, you know, safer, more secure setting and with a
10 female provider; I absolutely agree.

11 CO-CHAIRPERSON CUMBO: 'Kay. Thank you.

12 CHAIRPERSON CROWLEY: I have no further
13 questions of the administration; I would just like to
14 have better clarification of what the process is when
15 someone on the staff is accused of sexual assault as
16 well as when an inmate accuses another inmate;
17 specifically, how you go about investigating the
18 claim and every step until that claim is concluded as
19 either valid or invalid; what documentation is
20 involved and especially whether an accused officer...
21 especially when they're accused by more than one
22 inmate and still working with other inmates, which
23 makes no sense at all to me, but you obviously, from
24 the questions, couldn't answer those questions and so
25 this committee will be looking for that. And I thank

2 you for being here and testifying; we're gonna call
3 up some other witnesses.

4 We have Caroline Hsu, Hsu from The Legal
5 Aid Society and Kelsey De Avila from the Brooklyn
6 Defender Services. [background comments] We are
7 also, for the record, entering the testimony of Tanya
8 Krupat, Program Director of New York Initiative for
9 Children of Incarcerated Parents from The Osborne
10 Association.

11 [pause]

12 Please begin your testimony once you are
13 ready.

14 CAROLINE HSU: Good afternoon. My name
15 is Caroline Hsu; I am a Staff Attorney at the
16 Prisoners' Rights Project at The Legal Aid Society.

17 Before I start, I want to thank Chairs
18 Crowley and Cumbo for holding this hearing, to thank
19 the Public Advocate for submitting the petition to
20 the Board of Correction regarding sexual abuse of
21 women in custody and also to thank Council Member
22 Gibson for proposing the Int. 0899 regarding the
23 nursery program on Rikers Island.

24 Since 1867, The Legal Aid Society has
25 been committed to providing quality legal

2 representation to low-income New Yorkers. In 2015
3 alone we have defended over 20,000 indigent women in
4 our criminal practice; the Prisoners' Rights Project
5 at The Legal Aid Society has specifically advocated
6 on behalf of people in the New York City jails and
7 the New York State prisons for over 40 years; we
8 regularly advocate on behalf of women at the Rose M.
9 Singer Center, both with the medical unit and also
10 with DOC itself.

11 And I know it was pointed out already by
12 Chair Cumbo, but I do want to, you know, to keep in
13 mind through all this testimony that many of these
14 women we're speaking about, they're not even
15 convicted of any crime, they just couldn't afford
16 bail, frequently of just a few hundred dollars.

17 I'm gonna speak about the proposed
18 legislation requiring the Department to report on the
19 Rikers Island nursery program and the wellbeing of
20 pregnant women on the island. Additionally, I will
21 speak about a number of incarcerated women's issues
22 that we've spoken about today, but I think it would
23 be worthwhile to have a separate hearing about,
24 including sexual abuse, trauma-informed training and
25

2 also something we haven't spoken about too much
3 today, which is the transgender housing unit.

4 So regarding the nursery bill, Int. 0899,
5 we strongly support greater oversight of and
6 reporting about the nursery. Right now we know very
7 little; the Department of Corrections is not
8 transparent in the information it provides; there is
9 very little data available and without data it's very
10 difficult, as I think some of the council members
11 have expressed, to provide oversight and similarly
12 for advocates who provide indirect oversight of the
13 Department, very difficult for us to ascertain what
14 is happening on the ground there.

15 So Correction Law 611 was enacted in New
16 York over 80 years ago to protect babies of
17 incarcerated mothers and the nursery exists to
18 fulfill the jail's obligation to keep babies with
19 their incarcerated mothers if it is in the best
20 interest of the child. It was a landmark law then
21 and it is still now, you know, but really, the
22 nursery that exists today, it was wasn't created
23 until the early 1980s, when my office brought
24 litigation in both state and federal court, you know,
25 telling the Department, hey, you're not complying

2 with Section 611, please do something, and so they
3 created the nursery and for a while it was working
4 very well, but there have been periods where it works
5 well and periods where it doesn't. For instance we
6 heard about how low the census is right now; it's 4
7 women and 4 babies; you know, there are periods of
8 time, long periods of time when the nursery was
9 regularly you know, the census was in the low to mid
10 teens and with a high of 18 women I believe in 1991,
11 but around then. And so the question is; why is the
12 census so low right now? And I think the bill, in
13 the reporting requirements that it proposes will help
14 us find out; right now we can only speculate.

15 In addition to the bill, we also have
16 some specific recommendations for revisions that we
17 made in our written testimony, so I won't go over all
18 of them right now, but there is one thing that I do
19 wanna talk about with regard to the recommendations
20 for revision and that is that we should really be
21 requiring the Department to be more detailed in
22 reporting when it makes a denial and why it denied an
23 application, you know, instead of simply just saying,
24 oh it denied for a disciplinary infraction or denied
25 for ACS history, really the Department needs to give

2 more specific narrative. The central defect in
3 appropriate nursery admission denials is the failure
4 to properly raise a myriad of factors that go into a
5 best interest of the child analysis and historically
6 the custodial authorities have incorrectly treated
7 the best interest of the child analysis as a
8 checklist, where if there's one factor mitigating
9 against notating [sic] against admission that then
10 the mother's barred and the baby is barred from the
11 nursery... [crosstalk]

12 CO-CHAIRPERSON CUMBO: I'm so sorry, but
13 we just have to keep our testimonies to a minimum;
14 I'm sorry we didn't put a clock on in that way, but...
15 [crosstalk]

16 CAROLINE HSU: Sure.

17 CO-CHAIRPERSON CUMBO: moving forward we
18 will, but we will need to make sure that all of the
19 people that have submitted testimony are given an
20 opportunity to do so.

21 CAROLINE HSU: Of course [background
22 comment] and so then I will rely on the written
23 testimony for all the reasons why we support
24 Int. 0899 and the revisions that we recommended.

25

2 I do wanna take my remaining time to
3 speak about sexual abuse in custody and we support
4 the Public Advocate's petition to the Board of
5 Correction, but we also have proposed specific
6 recommendations for how to clarify and get some peace
7 [sic] to the proposed language in the petition and
8 that is also attached to our written testimony today.

9 Before I move forward, I think there was
10 testimony before that was... if I heard it correctly, I
11 do wanna correct it, and that is that there is no
12 reason why the Board of Correction cannot promulgate
13 rules that are more stringent than what PREA
14 requires; there's no reason for that; they absolutely
15 can. And... [interpose]

16 CO-CHAIRPERSON CUMBO: Thank you so much.
17 I'm so sorry; we just have a few more... [crosstalk]

18 CAROLINE HSU: No, not at all.

19 CO-CHAIRPERSON CUMBO: panels that have
20 to be heard, but I know Council Member Gibson will be
21 very pleased to hear of your support of her
22 legislation. Thank you so much.

23 KELSEY DE AVILA: Hello. Good afternoon.
24 My name is Kelsey De Avila and I'm a social worker in
25 the Jail Services Division at Brooklyn Defender

2 Services. Thank you for this opportunity to address
3 the Council. My testimony will address a range of
4 issues which impact our female clients who are
5 incarcerated at the Rose M. Singer Center, also known
6 as RMSC and Rosie on Rikers Island, including a
7 number of problems related to the nursery program.

8 We support the adoption of Int. 0899 and
9 encourage the Council to go even further in its
10 oversight of the women's jails. The Council has
11 responsibility to ensure the safety of all New
12 Yorkers; the abuse and particularly the sexual
13 violence taking place in the jails is an emergency
14 and is unacceptable. Platitudes like reform take
15 time; [sic] are an insult to people and families who
16 are suffering now. The vast majority of women at
17 Rosie simply should not be in jails; they are there
18 simply because they are too poor to pay bail. To
19 expose these women to a regime of sexual violence and
20 abuse simply because they are poor is so immorally
21 apparent and to shock the conscience [sic] and
22 Council should prioritize access to services,
23 alternatives to incarceration and to pretrial
24 attention in all but the most serious cases.

2 Presently our city jails fail to provide
3 services to address the multitude of issues that
4 specifically impact women. When compared to their
5 male counterparts, our female clients who are
6 incarcerated are more likely to suffer from mental
7 illness, recently more than 70%, and chronic medical
8 conditions; they are more likely to be unemployed and
9 underemployed; they are much more likely to have
10 histories of trauma and be survivors of sexual and
11 physical abuse; they are more often the primary
12 caretakers of children while in the community, and
13 horrifyingly they are much more likely to experience
14 sexual abuse while incarcerated. Rather than
15 receiving targeted services and programming to
16 address these serious and wide-ranging issues, our
17 clients at Rosie frequently experience triggers of
18 posttraumatic stress disorder and new trauma.

19 Notably, the bulk of top charges that bring women
20 into contact with the criminal justice system may be
21 related to histories of drug and alcohol addiction, a
22 clear indication that the war on drugs continues to
23 wreak havoc in the lives of clients, families and
24 communities we serve. The programming that is
25 available at Rosie is inconsistent and poorly

2 promoted; most of our clients report learning about
3 available programs through word of mouth. Programs
4 may also be inaccessible for many women because they
5 are only offered in certain units or require an
6 escort. Escorted movement throughout the jail may be
7 wise to ensure safety, however, chronic understaffing
8 means that escorts are often unavailable, limiting
9 access to programming, medical and mental health care
10 and delaying counsel visiting.

11 The visiting room at Rosie includes space
12 for women to play with their children, however, this
13 room is open at the discretion of the officers, which
14 means not every mother and child have the opportunity
15 to use it. To add, for the last several months water
16 has been leaking from the ceiling, gathering in a
17 putrid puddle, molding toys and books and rendering
18 the space unusable. Despite offers from Hour
19 Children to replace toys and beautify the space, the
20 Department has failed to fix the leak or repair the
21 room; instead, DOC has exerted significant resources
22 pursuing rule changes [bell] which will limit contact
23 between incarcerated women and their families.

24 Sorry; one last thing. Sexual abuse by
25 staff of women at Rosie has become endemic and must

2 be an urgent priority of the Council. According to
3 court documents filed by Public Advocate Letitia
4 James, your Department of Corrections has failed to
5 transmit reports of sexual assault to the NYPD for
6 investigations in 114 of 116 cases, including 61 that
7 were allegedly carried out by Rikers staff, which is
8 disturbing and shameful.

9 Our jails should be subject to oversight
10 which go above and beyond the Prison Rape Elimination
11 Act, camera coverage should be expanded and include
12 particularly dangerous places, like transport buses;
13 meaningful investigations must take place
14 immediately; staff must be held accountable promptly
15 and most importantly, we need to ensure the
16 protection of the survivors.

17 One of our clients is a 16-year-old
18 sharing a unit with a pregnant woman; the pregnant
19 woman was in pain and asked our client to get her
20 some water; the officer told our client that the
21 pregnant woman needs to do it herself. The officer
22 did not use the opportunity to get help or alert
23 medical staff; instead, an argument arose and our
24 client received an infraction for disrespecting staff
25 when she advocated for this woman's attention [sic].

2 Officers need to be properly trained to work with
3 pregnant women; we can't allow this kind of
4 mistreatment towards people to go unnoticed.

5 Pregnant women should be housed together to ensure
6 better access to programs, medical attention and
7 other resources.

8 We are encouraged by reports that denials
9 to the nursery have slowed; however, we are hopeful
10 that the provision of Int. 0899 requiring reporting
11 on reasons for denials will eventually yield greater
12 approval rates. One major criteria for denial is
13 previous ACS involvement. Based on our experience
14 representing parents in family court, we know that
15 the range of allegations constituting abuse and
16 neglect is extraordinarily broad and should not be
17 grounds for denial. For example, having had a dirty
18 house has no relationship to one's ability to parent
19 in the nursery setting. Timeliness of application
20 processing should also be scrutinized and should be
21 included in the bill. Applications for placement to
22 the nursery should not take months to process, as has
23 been the case in the past; such delays are contrary
24 to the vast purpose of the program; namely, to
25 maintain mother-child bond. The issue is not fully

2 run at facility capacity [sic]; the nursery can hold
3 up to 15 women and on my last visit held only 4.

4 We recently represented a client who had
5 a 6-month-old child and was breastfeeding at the time
6 of her arrest; she was incarcerated pretrial and was
7 not told by DOC how long she and her child would be
8 separated before being approved to co-reside at
9 Rosie. We've received information from DOC staff
10 [crosstalk]

11 CO-CHAIRPERSON CUMBO: We're gonna have
12 to have you bring your comments to a close...

13 [crosstalk]

14 KELSEY DE AVILA: Okay, one last thing,
15 sorry. We've received information from DOC staff
16 that the approval process can take up to four months
17 and there should be little to no gap of separation
18 from a mother and their child, so thank you.

19 CO-CHAIRPERSON CUMBO: Thank you; I
20 certainly appreciate your testimonies and I'm glad
21 that you've submitted them here today. I apologize,
22 in the interest of time; the information that you're
23 providing and the work that you're doing is very
24 valuable and very important and we appreciate you
25

2 shining a different sort of light on these very
3 serious issues. Thank you.

4 CHAIRPERSON CROWLEY: From Hour Children
5 next, Jane Stanecky; from Planned Parenthood of New
6 York City, Julienne Verdi, and Georgia Lerner from
7 the Women's Prison Association. [background
8 comments]

9 JANE STANECKY: Good afternoon and thank
10 you. My name is Jane Stanecky... [background comments]
11 for most of the last decade I have visited the Rose
12 M. Singer Center nursery each week as a volunteer
13 advocate representing Hour Children, an organization
14 that has worked with detained, incarcerated and
15 formerly incarcerated women and their children for 30
16 years.

17 At the outset I would like to applaud the
18 Council for expressing concern for the women at
19 Rikers. I understand that issues around violence in
20 the men's jails... [interpose]

21 CHAIRPERSON CROWLEY: Can you please..
22 sorry to interrupt, but it's hard to hear you; can
23 you bring the microphone closer...? [crosstalk]

24 JANE STANECKY: Sure. I am... Maybe you
25 missed the part where I was applauding the Council

2 for expressing concern for the women at Rikers. I
3 understand that issues around violence in the men's
4 jails have dominated the work of DOC, but those of us
5 who are active in the women's facility wonder why it
6 often seems there are no women at Rikers. As we
7 heard earlier actually, there are over 600, most of
8 them are mothers and the majority are not charged
9 with a violent crime and importantly, many should not
10 be there at all.

11 As to the main issues of today's hearing,
12 it is the case that three or four years ago DOC too
13 often denied admission to the nursery, often with no
14 explanation whatsoever; if pressed, a vague term,
15 such as "nature of the crime" might be used, but it
16 was essentially meaningless. After using the public
17 comment period at a Board of Correction meeting two
18 years ago to call attention to this situation, both
19 ACS and DOC were challenged to begin following their
20 own guidelines. For the last two years the situation
21 has been quite different; it is true that ACS review
22 can cause a woman to be denied the nursery; ACS
23 should answer for themselves. It is also the case
24 that mental health issues can be a basis for denial,
25 but these also need to be separated from the straight

2 DOC decisions. I think it is important to separate
3 out what are really issues with DOC and not other
4 agencies. DOC has plenty to answer for, but I want
5 to make sure that the focus is appropriate.

6 It's very important to note that the
7 current Singer administration under Warden Michele
8 Clifford is an immense improvement; she actually
9 cares about the women themselves, both in and out of
10 the nursery, and she even uses terms such as gender
11 differences, a phrase I've never heard a warden or
12 dep [sic] use ever, and if DOC would stop the
13 mindless rotation of wardens, perhaps she might be
14 permitted to stay long enough to truly implement
15 significant change.

16 There really are issues to be raised
17 about Singer; first and foremost is the simple fact
18 that DOC does not seem to understand that women are
19 not just small men, they are different [bell] and
20 they deserve to be treated as such. The male
21 militaristic model that informs the policies and
22 treatment of women is simply wrong; it totally denies
23 gender differences and an abundance of very good
24 social science research.

2 If the Council wishes to improve the
3 lives of the women at Singer, I suggest attending to
4 matters of their physical and mental health and
5 nutrition. Medical and counseling services are
6 inadequate and sometimes incompetent, despite what
7 you heard today. The recognition that most of the
8 women are mothers is often completely lost; attention
9 to reentry is ineffective, at best and often
10 nonexistent.

11 Over the last year there have been people
12 trying to make a difference; certainly Assistant
13 Commissioner Venters, and you heard many of his
14 comments today, they have instituted new programs;
15 many of those, by the way, are too new to really have
16 had a major impact and I think it has to be
17 recognized that much more intensive effort has to be
18 made in the directions that he was mentioning.

19 Councilman Van Bramer and Dromm, where we
20 have women in housing units, have been supportive and
21 Board of Correction members Hamill and Cohen have
22 spoken up in helpful ways, but these voices and
23 efforts are too few; they need support.

24 Lastly, if the Council wants to help make
25 a difference for women, I urge you to support

2 alternatives to incarceration; there are good ones
3 out there, including bail funds so that fewer women
4 would be needlessly taken from their children. I
5 further urge to stop putting women in solitary
6 confinement and to end the practice of shackling
7 women when transporting them to the hospital; most of
8 all, I would urge the following; remove the women
9 from Rikers Island where the policies in place are
10 unsuitable, even when they are sensitively enforced.
11 The women should be in smaller groups, they should
12 have a stable, well-trained staff who genuinely want
13 to work with them and programs that promote a
14 successful return to their families and the
15 community. Thank you.

16 CO-CHAIRPERSON CUMBO: Thank you very
17 much for your testimony and I appreciate that women
18 are not small men. Thank you very much.

19 JANE STANECKY: You're welcome.

20 JULIENNE VERDI: Good afternoon. I'm
21 Julienne Verdi, Director of Government Relations at
22 Planned Parenthood of New York City and I'm pleased
23 to be here today to speak out in support of proposed
24 Int. No. 0899 and PPNYC welcomes the opportunity to
25 discuss ways we can work together to improve

3 healthcare services for women in the criminal justice
4 system.

5 As a sexual and reproductive healthcare
6 provider, we see nearly 50,000 patients annually in
7 our health centers located in all five boroughs of
8 New York City and as a trusted safety net provider in
9 New York City, we understand firsthand the structural
10 and equities that affect a person's access to
11 quality, compassionate care. We support the
12 introduction; the nursery program offers a critical
13 point of bonding and care for new mothers and their
14 children and this legislation would enable city
15 agencies and advocates to be better informed of the
16 services provided in the nursery as well as
17 eligibility into the program and any use of force on
18 inmates.

19 We also encourage the City Council to
20 address the wide range of health issues and
21 experiences affecting incarcerated women. As others
22 have expressed, female inmates are predominantly
23 mothers and have high rates of histories of trauma,
24 substance abuse and mental illness. Given the high
25 rates of trauma, it is critical that health care for
women in New York City jails be trauma-informed.

2 Comprehensive care for female inmates includes
3 routine gynecological exams, sexual assault support,
4 pregnancy support and abortion. We recommend that
5 routine checkups include breast exams, cervical
6 cancer screenings, HIV and STI testing as requested
7 and timely follow-up care as needed. Female inmates
8 at Rikers Island have also reported cases of
9 physician assault and so we encourage the Department
10 of Corrections to ensure stringent accountability
11 measures are in place. We further recommend the
12 Department of Corrections report on a provision of
13 contraception services for female inmates in New York
14 City jails.

15 When it comes to sexually transmitted
16 infections, women in New York City jails are twice as
17 likely as men to be diagnosed with HIV and female
18 inmates experience higher rates of Hepatitis C.
19 Jails serve as a critical access point to care, able
20 to provide screening, counseling and follow-up care
21 at no cost for individuals at high risk of
22 transmission.

23 Comprehensive care also includes access
24 to feminine hygiene products. Correctional
25 facilities should ensure all female inmates are

2 provided with an adequate amount of feminine hygiene
3 products upon request without a medical permit.

4 Lastly, PPNYC recommends the Department
5 of Corrections report on the use of restraints on
6 pregnant inmates and new mothers. Shackling during
7 pregnancy and postpartum is dangerous and degrading
8 and puts a person's health and safety at risk.

9 The use of restraints on pregnant
10 individuals heightens the risk of blood clots, limits
11 the mobility needed for safe pregnancy and delivery
12 and increases the risk of falling, which can
13 potentially cause miscarriage.

14 The State Legislature passed legislation
15 prohibiting the use of restraints during pregnancy
16 and eight weeks postpartum and it is currently
17 awaiting Governor Cuomo's signature. PPNYC [bell]
18 calls on the governor to sign the bill and further
19 urges the New York City Council to enact measures to
20 assess compliance and public reporting tools for when
21 restraints are used.

22 Thank you for the opportunity to testify
23 and I'd be happy to take any questions.

24 GEORGIA LERNER: Good afternoon, I'm
25 Georgia Lerner from the Women's Prison Association;

2 thank you for the opportunity to speak before you
3 this afternoon about issues facing women at Rikers.

4 I have submitted my testimony; I'm actually not going
5 to read it because I want to respond a little bit to
6 what I heard earlier, and I may be a little off the
7 cuff, so this way I'll stay within my time limit.

8 I guess something that keeps striking me
9 is that the jail... we do really have to hold the jail
10 accountable, but we need to step back and recognize
11 that Rikers did not invite anybody and that people
12 got sent to Rikers by the courts and the police,
13 right, it's another system that sent people there and
14 I think that we are asking a lot of the... we're trying
15 to add a lot at Rikers to make it more responsive,
16 less damaging, less dangerous for women and men who
17 are there and in a lot of cases that we do have an
18 opportunity to do something at the front end where we
19 could have women and a lot of men bypass the jail
20 altogether and avoid some of the discussions that
21 we're having to have today about complaints and
22 sexual assault and other issues that are going on.

23 So from the Women's Prison Association,
24 the point that I was going to make and it felt
25 relevant and we talked about recidivism rates and the

2 33% recidivism rate for women returning to the jail
3 within a year of when they're released and 44% for
4 men, the reason we still have a pretty high
5 recidivism rate for women leaving the jail is because
6 we're not using a gender-specific assessment. The
7 reasons that men and women arrive at the criminal
8 justice system are different, there are some shared
9 reasons, but for women there are also things that are
10 unique to women -- a history of trauma, parental
11 stress, active psychosis, a sexual abuse history and
12 mental illness. Women also share characteristics of
13 men who commit crimes -- antisocial associates, a
14 criminal history, poor use of leisure time, family
15 dysfunction and economic and educational factors.
16 But the issues that affect women uniquely are not
17 assessed for on the tools that are being used to
18 screen men and women for programming and for
19 placement, and if we just used a gender-specific
20 assessment tool we would be much smarter about where
21 we were directing people; what kinds of programming
22 they were getting, and we could do a much better job
23 of placing women when they return to the community.
24 You know I often find myself in conversations where
25 people are complaining about the inadequacy of

2 medical or educational or mental health services at
3 the jail and we could have a long conversation about
4 that, but I prefer that we focus on the moment that
5 we have when women are first detained, to put energy
6 into understanding the risks that have contributed to
7 their alleged criminal behavior and using that data
8 to guide our responses to their crimes. If there's a
9 safe way to keep a woman in the community, we can
10 connect her with the services that will actually
11 address the underlying risks and in the process help
12 her become more successful at functioning [bell] in
13 the community, and we can do that without sending her
14 to the jail, which is an environment that activates a
15 trauma response for many women and disrupts routines
16 of medication, child care, work, housing and any
17 positive relationship momentum that she had going.

18 Thank you.

19 CO-CHAIRPERSON CUMBO: Thank you so much
20 for your testimonies; I appreciate you submitting
21 them. We're going to call the next panel, but I
22 certainly appreciate you offering those very
23 important suggestions in terms of additional hearings
24 and other ways that we can explore this topic. Thank
25 you.

2 [background comment]

3 CHAIRPERSON CROWLEY: From the Jails
4 Action Coalition, Natalie Block-Levin; Alex Abell;
5 Ms. Zena Randecelli [sp?]; Evie Litwok, and Kelly
6 Grace Price.

7 [background comments]

8 EVIE LITWOK: My name is Evie Litwok; I
9 am formerly incarcerated; I spent time at two federal
10 women's facilities.

11 CHAIRPERSON CROWLEY: Can you bring the
12 microphone closer?

13 EVIE LITWOK: Absolutely. This meeting
14 is very upsetting to me; there is an empty room; I'm
15 formerly incarcerated; we are talking about me and
16 yet I'm the first formerly incarcerated person to
17 testify in over three hours. I'm going to suggest to
18 you that first of all, I would hope more people would
19 be here and then instead of us being the public
20 comment, that you ask a panel of formerly
21 incarcerated people from Rikers to tell you what's
22 really going on, because what I heard is not accurate
23 and instead, what I heard was either useless
24 information; they would have you to believe that out
25 of 10,000 officers the problem is really one mentally

2 ill woman who complained 38 times. As I'm sitting
3 here with these several other people who are formerly
4 incarcerated, we're all out of our minds, going
5 crazy, ready to say stop this; you have three people
6 who can't answer anything yet receive a budget that's
7 beyond belief and then you have a mental health
8 professional who's telling you the services are
9 fantastic; it is nothing like that. Now I'm gonna
10 give you my experience for a minute at a prison and
11 I'm gonna say to you that unless and until you have
12 formerly incarcerated people working directly with
13 those officers and not an agency who is also from the
14 correctional background; nothing's going to happen.

15 In April of 2014 I personally witnessed
16 an officer walk in after lights out at 11:00; I'm
17 using this as an example so you can appreciate the
18 problem we face. April 2014, lights out 11:00; five
19 after 11 an officer came in to fetch the woman he
20 wanted to have sex with. He was in such a hurry to
21 do it that he forgot to lock the door between where
22 the inmate sleeping quarters were and his office
23 where he intended to have sex with her. So she was
24 on the desk and he was having sex with her and 11
25 other inmates came and watched the whole thing; woke

2 an unit of 130 women up and we all watched. The
3 every next thing that happened is; she came back to
4 the unit and the officer that came on at 12; instead
5 of calling the captain or calling the people in
6 charge of FHU [sic], called the cleaning crew from
7 the women who slept in the unit; had them scrub down
8 the desk and scrub down the floor. There is no way
9 on this planet that these officers are [sic] going to
10 back each other. Now I said something outside to the
11 press and I will say it to you; the number of women
12 that I met in prison who were there [bell] simply
13 because... I'm gonna ask your permission to let me
14 continue, because I think this is important to hear
15 this analogy.

16 CO-CHAIRPERSON CUMBO: We'll provide some
17 additional time, but... [crosstalk]

18 EVIE LITWOK: Okay.

19 CO-CHAIRPERSON CUMBO: if you mind,
20 don't... [crosstalk]

21 EVIE LITWOK: I'll make it quick.

22 CO-CHAIRPERSON CUMBO: Thank you.

23 EVIE LITWOK: There are women in prison
24 for 10 years who did nothing but be accessories in
25 the fact that they sat in the car with a boyfriend or

2 they knew... I personally know cases where judges said,
3 you're going to jail for 10 years because you did not
4 report your boyfriend's crime; that you were sitting
5 in the car, you knew better. I beg you to use the
6 same reasons that 95% of these women are in prison as
7 accessories, which works very well for prosecutors,
8 need to be used with correctional officers; until... we
9 just heard testimony that there was an officer on a
10 bus who was involved in sex and another one watching;
11 we didn't hear what happened to the officer who was
12 watching... [crosstalk]

13 CO-CHAIRPERSON CUMBO: That's right.

14 EVIE LITWOK: who offered that
15 permission. Officers, every... there are no secrets in
16 prison, everybody knows everything, from the warden
17 down; make no mistake, Inmate.com goes right through
18 the warden's office; what you have to do is create a
19 bill that holds any officer accountable who is aware
20 of and knows and it is a criminal act if they watch
21 and don't report, 'cause if you do that, if you make
22 them the same snitches that they make us; then you
23 will get something back; otherwise, you do not break
24 apart a system that can't be broken apart. And I
25 urge you to, instead of \$128 million to go to

2 cameras, you give me \$100,000 and I in one month,
3 with 10 formerly incarcerated people, will tell you
4 how to train officers, because officers walk over to
5 you; this is what you won't get from the millions
6 that you're spending on The Moss Group; the officers
7 walk over to you and say, you will have sex with me
8 or you won't see your kids this weekend; you will
9 have sex with me or you won't get a telephone call;
10 you will have sex with me and you... that is not
11 training that you're gonna see. We know what they do
12 to get the sex; they're not... The Moss Group is gonna
13 come in and say these... you show me what they're going
14 to identify and I'll show you for a quarter of the
15 money; formerly incarcerated people can inform you,
16 can do the training and can get the information out
17 of the women 100,000 times better than any officer or
18 anybody else. I... [crosstalk]

19 CO-CHAIRPERSON CUMBO: Let me ask you a
20 question. I know we're getting a bit unorthodox
21 here, but let me ask you a question; did you find
22 that... because you said you served time in a federal
23 prison; did you find... or did you spend time in Rikers
24 as well; do you find discrepancies in terms of a
25 better facility because of better training or better

2 circumstance or the issues are not as endemic as they
3 are on the federal level as they are on the city
4 level?

5 EVIE LITWOK: There's no difference
6 between Rikers Island, state prison and federal
7 prison and the reason that I know this is because the
8 formerly incarcerated women are connected to each
9 other and talk to each other all over this country
10 through social media, and it is so easy for us to
11 give you that information, except nobody wants to pay
12 us for it. I wanna make just one... [background
13 comments]

14 CO-CHAIRPERSON CUMBO: We just wanna be
15 clear on clarity because we're trying to peel back
16 the layers and get the real; right? [background
17 comment] So was your time spent at all in Rikers or
18 was it all in the federal...? [crosstalk]

19 EVIE LITWOK: No, no; I spent no time at
20 Rikers.

21 CO-CHAIRPERSON CUMBO: In the state and
22 in the federal prison... [crosstalk]

23 EVIE LITWOK: I only spent time in two
24 federal prisons, but my time here is spent with women
25 who spent time in Rikers.

2 [background comments]

3 CO-CHAIRPERSON CUMBO: Understood.

4 CHAIRPERSON CROWLEY: In your testimony
5 you refer to an incident that happened last year, in
6 2014; are you referring to an incident that happened
7 on Rikers Island?

8 EVIE LITWOK: No, no, no; that was...

9 CHAIRPERSON CROWLEY: Oh okay.

10 EVIE LITWOK: it's something I observed...

11 CHAIRPERSON CROWLEY: We have oversight
12 of the city jails... We have oversight on city jails;
13 not of the state or of the federal.

14 EVIE LITWOK: No, I know that, but what
15 I'm trying to tell you is what goes on in the fed
16 goes on in Rikers; these are not... the attitude
17 towards women doesn't cha... [crosstalk]

18 CHAIRPERSON CROWLEY: And based on the
19 PREA numbers that we've seen, the rate of sexual
20 abuse is more frequent at Rikers than it is on a
21 federal level and federal correction officers have to
22 have a bachelor's degree before they're even
23 considered, whereas New York City correction officers
24 are not required to have education beyond high
25 school, so... [interpose]

2 EVIE LITWOK: With all due... With all due
3 respect... [crosstalk]

4 CHAIRPERSON CROWLEY: Right.

5 EVIE LITWOK: out of the 21 male officers
6 where I was, 20 were sleeping with at least 4-6 women
7 and getting blow jobs every other hour... [crosstalk]

8 CHAIRPERSON CROWLEY: Okay. Understood.
9 Understood. But is it... [crosstalk]

10 EVIE LITWOK: and it's underreported.

11 CHAIRPERSON CROWLEY: Okay.

12 EVIE LITWOK: It's... You... You have...
13 [crosstalk]

14 CHAIRPERSON CROWLEY: I'm not disagreeing
15 with you; I'm just saying that... [crosstalk]

16 EVIE LITWOK: Oh no; I'm saying...

17 CHAIRPERSON CROWLEY: we have oversight
18 today of what happens on Rikers Island, which is part
19 of the city jails, so you're referring to an
20 incident... you know, we could quickly investigate it
21 if it happened on Rikers, but if it happened on a
22 federal facility, we don't have that oversight power.

23 EVIE LITWOK: What I'm saying to you is
24 that most of the women are exposed to some form of
25 sexual violence, period; it's not 10... [crosstalk]

2 CHAIRPERSON CROWLEY: Understood.

3 EVIE LITWOK: it's just not that low a
4 number.

5 CHAIRPERSON CROWLEY: Okay. Understood.

6 EVIE LITWOK: Thank you.

7 ZENA: Thank you, City Council and
8 Chairwoman. My name is Zena; I'm a trans woman that
9 was incarcerated on the island through January of
10 this year. I am a sexual abuse and rape survivor
11 from the island and Legal Aid Society mentioned trans
12 women and the housing unit that's on the island; I'm
13 here to tell you that what the Board of Correction
14 was talking about when dealing with the PREA Act and
15 what they're implementing... I was personally
16 responsible for submitting a 52-page comment to the
17 United States Attorney General to get that PREA Act
18 put in place. It states when it came out that they
19 had a year to comply or they would be sanctioned;
20 that's county jails and state prisons. If that's the
21 case, then they didn't implement it in that one-year
22 policy and as a trans woman and a woman, I had no
23 business being put through what I was put through on
24 that island by officers instigating it, being
25 involved in it and an inmate that they brought to be

2 involved in it. Were they suspended? Six out of
3 seven were suspended temporarily. Criminal charges?
4 Still working with the Bronx DA to try to push that
5 issue. The captain that knew about it on that
6 holiday New Year's Eve, not a thing happened to him.
7 They sit here and cite numbers and can't answer
8 questions and I'm sittin' there upset and wanna say
9 stop this because it's appalling that they sit here
10 and testify first and get up out of here and a lot of
11 their coworkers and deputy director, director of
12 investigations, aren't here to hear this and aren't
13 here to sit here through this testimony to know what
14 I'm feeling, and the fact that they can sit here and
15 come up with all the excuses in the world and come up
16 with, I defer and this, that and the third, but
17 they're not answering the questions that you're
18 asking or that we wanna know and they're not
19 complying with the PREA Act period and they should've
20 a year after it came out.

21 I know another woman sittin' here that
22 went through the same thing; there's no way us women
23 should be goin' through this on Rikers, let alone if
24 we're threatened not to be involved in it; we're
25

2 threatened to be beat up; we are beat up; I was beat
3 up before the incident because I refused to consent.

4 Rikers Island is not safe for any woman,
5 trans or otherwise or any inmate as long as this type
6 of atrocity is being allowed to continue. [bell] It
7 needs to be addressed and there needs to be a proper
8 oversight commission and a proper advocacy board to
9 help teach them. I'm an advocate for the trans
10 community, have been for 42 years; I've been on the
11 news speaking out about what's going on on Rikers
12 Island; I will continue to do so. If you would like
13 to sit down, I will sit down with any councilman here
14 or councilwoman and I will explain to you and give
15 you some issues [sic] that need to be implemented on
16 the island. Thank you.

17 CO-CHAIRPERSON CUMBO: Thank you. I have
18 a follow-up question to your testimony. When you
19 were on Rikers, where were you housed at that
20 particular time; were you in Singer or you were in a
21 male detention facility or were you in quarters
22 specifically for a trans woman?

23 ZENA: At that time they didn't really
24 open up that house until after January 8th, so they
25 put us in a... [interpose]

2 CO-CHAIRPERSON CUMBO: January 8th of
3 what year?

4 ZENA: Of 2015, ma'am.

5 CO-CHAIRPERSON CUMBO: So January 8th of
6 2015, that's when the trans house was opened?

7 ZENA: That's when the house was
8 originally staffed and opened; they do it on a
9 "hospital ward," like three of us and they staffed it
10 with everybody under the sun and had male inmates
11 comin' in there feedin' us and doing cleanup,
12 basically which was against what we're proposing for
13 trans housing and the bottom line bein' was, they
14 should've had that house opened the year before, so
15 they put our lives in danger.

16 CO-CHAIRPERSON CUMBO: Again, just
17 because I wanna learn and this is a powerful
18 education for me, prior to you being put in the
19 hospital or medical facility where you were just
20 isolated with three other individuals; where were you
21 placed prior to that?

22 ZENA: They threw me in GMDC, a mental
23 health unit, what they claimed to be a new unit and
24 was supposed to be in a cell by myself, a room, but
25 there was a camera in there; the whole incident was

2 caught on camera; the Bronx Assistant ADA does have
3 that footage and the only reason why an investigation
4 got done was because I'm connected to an advocacy
5 group on the street and then they made my life a
6 living hell for even speaking up.

7 CO-CHAIRPERSON CUMBO: Thank you very
8 much. Thank you for your honesty... [crosstalk]

9 ZENA: You're welcome.

10 CO-CHAIRPERSON CUMBO: and your
11 transparency.

12 CHAIRPERSON CROWLEY: And just for the
13 record, this committee has put in legislative
14 requests to mandate that the Department of
15 Corrections follows PREA and so whether or not the
16 Board of Correction makes it part of its standards
17 and rules, this Council will be exploring how to
18 legislate this.

19 ZENA: Okay, one quick question. Where
20 was the Board of Correction today? I heard the
21 comment from the advocate that they were supposed to
22 be here, but yet again, they had a year after it came
23 out to comply; what's the City Council gonna do to
24 hold them accountable for not complying?

2 CHAIRPERSON CROWLEY: This is not the end
3 of these hearings; every hearing that we have that
4 relates to the Department of Corrections, they are
5 invited; they have a meeting tomorrow morning, so I
6 believe that's part of the reason they're not here;
7 not to make excuses for them... tomorrow afternoon that
8 meet...

9 ZENA: Tomorrow afternoon and I will
10 definitely be again... I was at the last one for the
11 proposed rule changes and I spoke to them and I will
12 be speaking again tomorrow.

13 CO-CHAIRPERSON CUMBO: I just wanna add
14 one thing; although it's not at all what should be
15 appropriate, as was said in the testimony as well;
16 this hearing is live-streamed; people at home are
17 able to see this; the press are also listening and
18 tuning into the hearing; your testimonies have been
19 here, they're documented, so I certainly don't want
20 you to feel that today is a waste of time or that
21 your voice is not being heard; I recognize that
22 critically a lot more people in positions of
23 authority and power and oversight, board members
24 should certainly be here, but I also want you to
25 understand, as Council Member Crowley said, that this

2 is not the last of this type of hearing and that
3 we're going to be putting more attention to this.

4 ZENA: Let Dino from Jails Action
5 Coalition when those are; I will show up; I will be
6 more than glad to give my input and I'm not new to
7 the media, I've been in the media a lot lately and I
8 wish the Public Advocate was here and Councilwoman
9 Gibson; I have no problems coming down here and
10 sitting down with you all and educating you on some
11 guidelines that I feel are important that should be
12 considered... [crosstalk]

13 CO-CHAIRPERSON CUMBO: Definitely.

14 ZENA: and put in place.

15 CO-CHAIRPERSON CUMBO: We appreciate
16 that. Thank you so much for your testimony. We'll
17 hear from the next panelist.

18 KELLY GRACE PRICE: Hi, good afternoon.
19 My name is Kelly Grace Price; I was sent to Rikers
20 back in 2011 because I made a very poor relationship
21 choice; I ended up dating a snitch for the district
22 attorney and for the police; he was a key figure in
23 helping Operation Crew Cut, that the Council may know
24 well, bring down many of the "most violent gangs"
25 Uptown and Harlem.

2 This individual abused me, trafficked me;
3 it was economic abuse, it was physical abuse; I was
4 in a desperate situation, and when I went to the 28th
5 Precinct for help, they literally said to me, "Miss
6 Price, the only thing the 28 will do for you is move
7 you to Nevada," implying that I was filthy prostitute
8 and only deserving of absolutely no safety or
9 protection from the 28th Precinct; this is
10 specifically because of who my batterer was. I'm not
11 alone; there are many other instances of women in
12 this town that have been abused and trafficked, with
13 the complete complacency of the NYPD and the district
14 attorney's office; I believe many people in this room
15 may recall the instance of a young Hasidic girl in
16 Brooklyn two years ago who was being trafficked by
17 some brothers that were providing information that
18 helped the police in Brooklyn bring down a gun
19 trafficking ring; this happens often. I personally
20 right now am working on an internship; it's co-
21 sponsored by Sanctuary for Families and by the Urban
22 Justice Center's Mental Health Project and it is our
23 goal to try and remove all of it from Rikers Island,
24 or mine; maybe other people don't know that this is
25 the goal of the project, that this is the goal. And

2 I just wanna remind you that all kinds of women are
3 thrown on Rikers Island because of the criminal
4 justice system; secondary abuse is pervasive, it's
5 insidious; it ruins people's lives. You know, I
6 don't even wanna go into the misery of my life, we
7 all have had horror stories; this concept of reentry
8 post Rikers is maxima [sic]; I know a woman who was
9 in Rikers in solitary confinement for three years;
10 when she came out she had nowhere to go; Jails Action
11 Coalition found her a studio apartment; that didn't
12 work out, she was sleeping on my floor for a while.
13 The notion that the women on Rikers are, you know,
14 deserving of being raped and beaten and thrown away
15 for not is ridiculous in this day and age. I've
16 provided some written testimony about who I am, who
17 my family is; I'm a 4th generation New Yorker; my
18 grandparents were married at the little church around
19 the corner on East 29th Street; my grandmother was a
20 Ziegfeld Follies girl; that was her night job. I'm
21 saying [bell] there are 75... as an estimate, 75% of
22 survivors at RMSC that are survivors of DV or of
23 trafficking; let's get these women off the island.
24 You're welcome.

2 CO-CHAIRPERSON CUMBO: Thank you so very
3 much for your testimony; I was hoping that you would
4 testify today. Thank you.

5 KELLY GRACE PRICE: Thank you Miss Cumbo
6 for having me here and I really appreciate it.

7 CO-CHAIRPERSON CUMBO: Thank you. Our
8 next panelist.

9 NATALIE BLOCK-LEVIN: Hi, I'm Natalie
10 Block-Levin; I'm from the Jails Action Coalition. I
11 thank you for listening today and for calling
12 attention to these issues. I just had a few very
13 brief responses to the DOC commentary today.

14 I just wanna reiterate that first of all,
15 given the lack of the ability for the DOC officials
16 to answer your questions today, I think it would've
17 been very beneficial for them to stay and hear the
18 people's commentary and I find the lack of concern to
19 do so to be disturbing.

20 Second, I have comment on... the DOC stated
21 that they have a four-hour behavior health screening
22 that women inmates go through upon entry and I
23 believe that was in response to the City Council's
24 inquiry into how trauma is being considered and
25 responded to; however, I'm not sure of how the four-

2 hour behavior health screenings are used to inform
3 the way correction officers interact with these women
4 on a daily basis.

5 And lastly, I just wanted to say that the
6 information provided today in regards to the
7 Department's compliance with PREA was extremely
8 confusing and contradictory; it was misleading. They
9 said that there was a serious commitment to complying
10 to PREA, yet there is no written policies, no clear
11 policies; they couldn't answer you clearly about what
12 those policies were and then there was mention of
13 their needing to be a federal auditor coming in. And
14 I believe PREA was implemented or instated in 2003;
15 we're in 2015; that is just wildly inadequate to me.
16 Thank you.

17 CO-CHAIRPERSON CUMBO: Thank you very
18 much for your testimony as well.

19 ALEX ABELL: Hi. My name is Alex Abell;
20 I'm with the Urban Justice Center's Mental Health
21 Project and the Jails Action Coalition. I'm gonna go
22 off book for the most part. A lot of these things
23 have kinda been said and also I don't know... I'm an
24 advocate and I don't feel like my words are quite as
25 valuable maybe as some of the other people on my

1 COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES,
JOINTLY WITH COMMITTEE ON WOMEN'S ISSUES 139

2 panel who have actually had lived experience of being
3 incarcerated there, and so I wanna second what some
4 people have said about the DOC; I mean, they're not
5 here right now, they were here earlier and I
6 understand you can't control when they leave a
7 hearing, so I'm thinking that... I mean, people in
8 power don't listen to the people who are not in power
9 unless they have to, so if it's possible in the
10 future to like set up where there's like maybe like
11 one for one or something.. [crosstalk]

12 CHAIRPERSON CROWLEY: To answer your
13 question...

14 ALEX ABELL: Yes.

15 CHAIRPERSON CROWLEY: it's practice in
16 the Council that the administration goes on first..
17 [crosstalk]

18 ALEX ABELL: Yeah.

19 CHAIRPERSON CROWLEY: and actually, this
20 committee has in the past had the Jails Action
21 Coalition go on before the Department.. [crosstalk]

22 ALEX ABELL: Uh-huh.

23 CHAIRPERSON CROWLEY: and I don't think
24 that you'd see that in many other committees.
25 Unfortunately, I don't think anybody's still in the

2 room here from DOC, but... [background comment] Who is?
3 [background comment] Oh, so we do; we have somebody
4 at least from DOC that remains. And what happens...
5 when you testify today doesn't end at today, so could
6 you...

7 ALEX ABELL: Yeah. Okay, I understand;
8 thank you for answering that; I appreciate it.

9 Alright, so I'll just get... I mean,
10 mostly... like I said, I'll go off... so what I do at the
11 Jails Action... or I'm sorry, with the Urban Justice
12 Center; I go out to Rikers about twice a week and I
13 speak to people who are receiving mental health
14 services, specifically about their discharge planning
15 and I kind of monitor that more or less, and I go to
16 Rosie's; I go to RMSC about once a month, more
17 frequently than the other facilities, and I speak to
18 about 20 different people when I'm there. So over
19 the past year I've spoken to about, you know, 220
20 women, mostly about mental health treatment inside
21 the jails and outside. So my comments today are
22 reflecting that, that anecdotal evidence that I've
23 accrued through those conversations.

24 So I have this written testimony; it's
25 all there if you wanna read it; mostly I wanna say... I

2 was just struck by a few different things during the
3 DOC's testimony. First of all, when Winette Saunders
4 mentioned that 329 officers have been trained in
5 trauma-informed care, and I could tell, you know,
6 Council Member Cumbo, you were talking about trauma
7 and retraumatization and I was struck with a story
8 that I heard about three weeks ago when I was last
9 out at Rose M. Singer, a woman who's in the main
10 mental health observation unit there was talking
11 about, you know, she didn't wanna talk about her
12 discharge plans; she might be going upstate; that
13 wasn't really what was on her mind. What was on her
14 mind was most that there are these two officers in
15 her mental health... that every time they come on their
16 shift, basically and their time begins, the unit
17 kinda becomes a little more chaotic; they are messing
18 with people, they push buttons, you know, basically
19 they're not... they're in a unit where they really
20 shouldn't be working or they should receive better
21 training for that unit [bell] and I don't wanna put
22 the onus on the officers themselves, because like she
23 said, like Ms. Saunders said, only 329 of them have
24 been, you know, trained in this and I think they all
25 should be trained; it should be a robust... because I

2 think that that number, 329 out of 10,000; however
3 many officers, I think that's directly related to
4 this 32% of recidivism rate that people are referring
5 to, because trauma begets retrauma and that makes
6 people relapse and makes people, you know, have
7 psychotic breaks; makes people react defensively to
8 their trauma and potentially behave aggressively or
9 violently or you know, put themselves in situations
10 that would end up, you know, with them back in
11 Rikers, and so I think those two things are directly
12 related.

13 And the other thing I wanted to say is
14 that that's basically borne out by what I hear from
15 the women that I speak to at Rose M. Singer, that
16 they want more, they want more services and so that's
17 related to what Dr. Venters was saying earlier, you
18 know when he was direct... I forgot who asked the
19 question, but when he was asked, do you have enough
20 right now to perform the services you're performing
21 and he... I mean he didn't answer directly; he said we
22 bring in what we need and whatnot, and my experience
23 is, is that there is not enough services at all; I
24 speak to 20 women, like I said, each visit; about
25 half of them report that they're not receiving

2 counseling on a regular basis and when they do, it's
3 for a few minutes at a time and I think that's a... I
4 mean first of all, it's sad because those are, you
5 know, fellow human beings and they're in pain and
6 they deserve treatment, but it's also just not
7 intelligent for us, for the people out here who are
8 making policy to not provide them with these
9 services, 'cause they're directly related, like I
10 said, for them coming back inside, and so they want
11 that counseling. And the other thing they want is;
12 the programs that... I forgot who... I think it was Ms.
13 Saunders as well, was talking about STEPS to End
14 Family Violence and some of the specialized units;
15 those are really good programs and the feedback that
16 I hear from women who are involved in them is very
17 positive, but mostly I hear women who want to be in
18 those programs but can't get in it because they're
19 not robust enough, they're not... they're narrow
20 programs, they're like pilot projects more or less,
21 and so the people who want those services can't get
22 them, and so what good is it if they're there and
23 they're only meeting the needs of a small percentage
24 of the population. So I don't know what the workings
25 of city government exactly is and you know, how much

2 control you guys have over the budget in this way,
3 but we're paying for these things in the end through,
4 you know, foster care, emergency care and
5 reincarceration; this amounts to preventative care I
6 think to provide these services while people are
7 inside so they don't come back.

8 CO-CHAIRPERSON CUMBO: I just want to
9 first start by thanking everyone who has remained
10 throughout the duration of this hearing; I thank you
11 for giving of your time; to many of you for giving
12 your testimony; it is so empowering to hear from the
13 advocates, but I also wanna let you know that what
14 really often inspires me are the very individuals who
15 have lived through the experiences and really want
16 you to know that your honesty and transparency about
17 very sensitive and personal information that you are
18 bringing forward with the hopes that this will change
19 the dynamic so other people don't have to repeat the
20 trauma and the experiences that you have had. I also
21 wanted to add that the dynamics of how you feel that
22 the hearings should be conducted, we've heard that
23 today, so in future hearings we'll certainly take
24 that into consideration; I'm glad that there is
25 representation from the administration here and we're

2 hoping that you will bring this information back. I
3 wanna echo the sentiments, as I said while the
4 administration was here, that it is appalling that
5 these questions were not able to be answered for a
6 hearing that was specifically focused on the
7 questions that we were asking; that's unacceptable
8 and there will be follow-up behind that, because it
9 really shows a lack of so many different things and
10 words that I can't even conjure up in terms of the
11 vulnerability that so many women face, the trauma
12 that they face, the retraumatization that they face
13 and these are critical issues, so I thank you all for
14 your testimony; I applaud many of you that were able
15 to support Council Member Gibson's bill and I really
16 want to give special recognition to Council Member
17 Crowley, who conceived of this hearing and was very
18 adamant that this happened immediately and quickly
19 because of the information in the reports that we
20 were hearing. So I thank you so much for co-chairing
21 this with me and it's dynamic to have dynamic women
22 in the City Council working on these critical issues,
23 so thank you.

24 CHAIRPERSON CROWLEY: I do wanna thank my
25 Co-Chair, Council Member Laurie Cumbo for her

2 leadership; wanna thank all of you who testified and
3 were with us here today; I wanna thank the counsels
4 to both committees for the work that they did in
5 preparing for our hearing and we are not stopping
6 here; we are gonna continue until we bring more
7 justice and more services, bring down the recidivism
8 rates and make sure that people are not getting
9 abused or violated in the Department of Corrections'
10 custody.

11 This concludes the hearing of the
12 December 15th, 2015.

13 [gavel]

14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date January 1, 2016