



**Department of
Probation**

Ana Bermúdez
Commissioner

33 Beaver Street
23rd Floor
New York, NY 10004

212-510-3710 tel

Statement to the New York City Council

Committee on Criminal Justice

By Ana Bermúdez

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INTRODUCTION

Good morning Chair Powers and members of the Criminal Justice Committee. I am Ana Bermúdez, Commissioner of the New York City Department of Probation (DOP). I am joined today by my cabinet: Deputy Commissioners Sharun Goodwin, Gineen Gray, and Michael Forte, and General Counsel Wayne McKenzie. Thank you for the opportunity to testify about the important work of the Department of Probation and its Preliminary Fiscal Year 2019 Budget.

I want to take a moment to frame Probation's unique position in the criminal and juvenile justice systems, which is in the middle of the continuum of agencies that promote community safety. Probation is sometimes confused with parole. While together they make up community corrections, parole is the process whereby an incarcerated individual is released from prison under the jurisdiction of the State. Probation is the process whereby the Court has determined that an individual can avoid prison or jail, and remain in the community under our supervision. Here in New York City, one of our goals is to put the "community" back in "community corrections." This is no small task, as on any given day we have in our care roughly 21,000 people, more than double the City's daily jail population.

Our job is to safely supervise people in their communities while helping them change their behavior, *preventing* incarceration. To do that, Probation uniquely, and necessarily, has *multiple* roles. I think we can all agree that police officers are *not* social workers [and probably should not be]; and that community-based organizations provide supports and services, but do not have enforcement powers.



**Department of
Probation**

To be comprehensive about achieving positive criminal justice outcomes, we need to leverage *both* risk management, i.e. the monitoring intensity, and risk reduction - what gets people to change. That combination creates the individual accountability and behavior change needed for someone to get out and stay out of the justice system. And that is the critical role of this Department: *keeping youth and adults out of prison or jail, juveniles out of placement, and more people in their communities* through that balance of structure (i.e. risk management) and support (risk reduction through opportunity).

We do all of this in, and with, the communities people on probation call home, through the work of our incredible staff and our government and community partners. This holistic approach helps to ensure that people on probation *are* capable of the behavior change necessary to address the factors that initially brought them to us, as they work towards creating what we refer to as their "New Now."

Fiscal Year 2019 Preliminary Budget

New York City entered 2018 as the safest and least incarcerative big city in the nation. As the City's largest alternative to incarceration, last year Probation provided intake, investigation, and supervision services for 55,444 cases, and directly supervised 27,000 adults and 2,258 juveniles. Our Intelligence unit (Intel) completed a total of 2,352 field enforcement actions; which include the recovery of illegal guns and drugs, gang-related investigations, DUI field visit checks, failure-to-report home visits, bench warrant enforcement actions, as well as assessed thousands of NYPD domestic incident reports and transported prisoners to and from jurisdictions such as nearby Connecticut all the way to Seattle. Just on Tuesday, in conjunction with NYPD's anti-crime team, Intel conducted a field enforcement action resulting in the recovery of \$100,000 worth of heroin, \$230,000 in cash, and other drug paraphernalia.

For Fiscal Year 2019, the Department of Probation has a Preliminary Budget of \$101.4 million as compared to our Fiscal Year 2018 Adopted Budget of \$103.4 million. When compared to our current budget of \$108.9 million, the FY19 Preliminary Budget of \$101.4 million is \$7 million, or 7.4 percent, less -- which is primarily attributable to intra-City funding that is historically added to our budget post-adoption.

Of the \$101.4 million allocated to our Preliminary Budget: 73 percent, or \$74 million, is allocated to Personal Services (PS,) and 27 percent, or \$27.3 million, is allocated to Other-Than-Personal Services



**Department of
Probation**

(OTPS). \$80.2 million are City tax levy funds, \$14.9 million are state funds, \$6.3 million are intra-City funds, and \$36,000 are federal grant funds. State funding, which previously reimbursed almost half of local probation costs, now provides only 14.6 percent of our operating costs.

Our budget priorities reflect critical investments in meeting the unique needs of people on probation, especially our young people, their families, and the larger communities they call home. This morning, I want to highlight three important areas that help us do that: Credible Messengers, “Raise the Age”, and our Neighborhood Opportunity Networks (NeONSM), also known as “NeONsSM.”

Credible Messengers: Trusted Relationships that Transform Communities

In our work, it is not only the services and resources that we offer, but *how* they are offered and by *whom*, that makes the difference. Credible messengers are people whose life experiences, including their own criminal or juvenile justice involvement, help them to engage justice-involved or disconnected young people and their families in ways that other system stakeholders, alone, cannot. As formerly system-involved individuals are often the most willing and best able to address some of the toughest challenges facing their own communities, we utilize Credible Messengers in key areas of our work—effectively leveraging these trusted relationships to transform communities.

Our Arches Transformative Mentoring program for 16-24-year olds on probation, which relies on credible messenger mentors, is now a proven success. As you know, the recently released independent evaluation of Arches, conducted by the independent Urban Institute, found that one year after beginning probation, Arches participants’ felony reconviction rates are *69 percent lower*, and two years after, **remain 57 percent lower**, compared to those not in the program. Any expert will tell you—those findings are unprecedented.

The positive impact was *especially high* among 16 and 17-year-old Arches participants. With Raise the Age beginning this fall, a similar credible messenger mentoring opportunity for our new Family Court population will be crucial to ensuring that the legislation accomplishes its, and our, goal: preventing young people from further justice system involvement. For Isabella, Arches did just that:



**Department of
Probation**

"...when you come here, you feel free to speak. They take time to talk and listen and build the relationship. I realized I was changing when they asked questions and I knew positive things to do instead of arguing or fighting. Arches saved my life. If not for them, I would be in jail."

In Arches, credible messenger mentors run group sessions using a cognitive behavioral intervention and are available 24/7 for one-on-one support. Working with the Probation Officers, mentors help young people make better and safer decisions, pursue their goals, repair relationships with family and community, and connect to educational, work readiness, and employment opportunities. The Arches program changes the futures of youth at high risk for continued justice system involvement, from merely surviving to thriving, while also increasing safety for the participants and their communities.

To address the needs of our younger probation clients and their families, we also use credible messengers as Parent Coaches in our Family Court Parent Support Program. Parent coaches, whose own children have been justice involved, provide individual support to parents, guardians, and families, who are so often confused, frustrated, and overwhelmed, in navigating the juvenile justice system. So far, we have served over a thousand families, and as a result seen increased parental understanding of the system - and more importantly a reduction in placement outcomes - as parent coaches and families work together to find community-based options to support their children.

I want to thank you again, Chair Powers, and the members of this Committee, for partnering with us on the Arches announcement last month. Since the model is scalable and adaptable, it has already been replicated in targeted New York City Housing Authority (NYCHA) developments, in the form of Next STEPS (Striving for Engagement and Peaceful Solutions), as well as in Washington, D.C. We've also had an influx of requests from other jurisdictions, such as Los Angeles, San Diego, Seattle, and Detroit, to name a few, asking that we teach them how to replicate the credible messenger model. This inspired us to expand existing partnerships with the Bronx-based non-profit Community Connections for Youth (CCFY), and the Silberman School of Social Work at Hunter College, CUNY to create the **Credible Messenger Justice Center (CMJC)**.

The CMJC has many functions: as a trainer and technical assistance provider; a clearinghouse and convener; and as a "model site" learning laboratory for interested jurisdictions nationwide. CMJC is



**Department of
Probation**

also committed to ensuring that credible messengers have the personal and professional supports they need to thrive in their current positions and grow beyond. To that end, in partnership with CUNY's Murphy Institute for Worker Education, we will begin offering a 16-credit certificate program in Community Leadership for credible messengers that wish to pursue higher educational opportunities.

The Arches intervention, parent coaches, and credible messengers are "what works" in criminal justice. The evaluation shows that not only do community-based approaches to engaging justice-involved young people work; but that connecting young people at high-risk of justice system involvement to credible messenger mentors strengthens communities and helps to keep people out of prison and jail.

"Raise the Age" & Age-Appropriate Interventions

Informed by our experience with this age group in Arches, two years ago we launched Anyone Can Excel (ACE); a supervision model tailored specifically for young people aged 16-24 years old. Prior to ACE, "emerging adults" made up approximately one third of our caseloads, but disproportionately represented almost *half* of our re-arrests. And yet, the Department was supervising these young people in the same manner as adults aged 25 and over, though their needs are completely different. Since implementing the model, we have 2,629 clients in ACE, and preliminary data show that those being supervised in ACE are on track for better outcomes than those who started probation before the model began.

A key component of ACE that we have recently expanded agency wide is an individualized case planning process, known as the Individual Action Plan (IAP). The IAP serves as the accountability and behavior change guide to successfully complete each person's probation sentence. Our Department presented on the IAP earlier this year at the American Probation and Parole Association (APPA) Winter Training Institute, and the interest and positive feedback we received from other jurisdictions was overwhelming. That is because the IAP connects each person's specific criminogenic needs to targeted interventions in a real time and trackable way, the positive effects of which will last throughout future probation practice.

Furthering our efforts toward more age appropriate justice interventions, last year the State Legislature "raised the age of criminal responsibility." Beginning on October 1st, most 16-year olds who would



**Department of
Probation**

have previously been adjudicated in Adult/Criminal court will now fall under Family Court jurisdiction. "Raise the Age" will be phased in over two years, with 17-year olds included beginning in October 2019. This is a very welcome change, one that I lobbied for with other City officials and advocates, such as Council Member Lancman, who has a lot of experience on this issue. And that is because research shows that "emerging adults" do not *yet* have the same decision-making capacity and impulse control as full-fledged adults, and our justice system must account for that in its sentencing and treatment.

Though Raise the Age will require us to expand our current operations, we welcome the opportunity to prevent even more youth from having additional - and more serious - involvement in the justice system. Raise the Age will allow us to build on the robust juvenile services continuum we have already developed, as well as expand some of our excellent resources, including transformative mentoring and parent coaches.

The Neighborhood Opportunity Network (NeON)

Another ground-breaking and effective way that we put the "Community" back into "Community Corrections" was through opening neighborhood probation offices called "NeONsSM" (Neighborhood Opportunity Network) in the seven communities where there are a significant number of people on probation: The South Bronx, Harlem, Jamaica, Bed-Stuy, Brownsville, East New York, and Northern Staten Island. This allows us to engage our NeON population within walking distance of where they live. And because NeONs are partnered with other nonprofits and community-based organizations in those neighborhoods, they help connect the social capital of that community to people on probation.

We created the NeON model because research supports the connection between expanded community programming and reduced incarceration. Looking across data from 264 cities over a 20-year period, it is estimated that for every 10 additional organizations focusing on reducing crime and improving community life, there is a 9% reduction in the murder rate, a 6% reduction in the violent-crime rate, and a 4% reduction in the property-crime rate.

That is why our NeONs are full service: people on probation can meet with their probation officer, and along with other members of the community, can access services such as enrolling in IDNYC and



**Department of
Probation**

health insurance, or further their education through High School Equivalency classes or OSHA certification. All this is in addition to our signature initiatives: **NeON Nutrition Kitchens**, **NeON Clothing Closets**, **NeON Sports**, and **NeON Arts**SM.

Open to people on probation and other community residents, our **Nutrition Kitchens** fed roughly **80,000** people last year, and served approximately **200,000 people** citywide since first opening. **NeON Clothing Closets** ensure that people have access to proper attire for job interviews, graduations, and other life milestones. We are in our third year of **NeON Sports** and are partnering with the Parks Department and other local organizations to expand access to the benefits that sports leagues provide such as discipline, team building, and other interpersonal skills.

Finally, **NeON Arts**, our public-private partnership with Carnegie Hall, has invested over **\$1.4 million** of arts and cultural programming in underserved neighborhoods. NeON Arts has partnered with 38 community arts organizations, awarded 93 grants to 44 unique recipients, and held community events reaching over 7,000 people citywide. Council Member Ampry-Samuel, you got to experience NeON Arts at the Brownsville NeON last fall when you attended our Free Verse Open Mic. Be glad you did, as some of the Free Verse poets just performed at Carnegie Hall's Main Stage this past Sunday!

Though not traditionally considered core probation work, we have seen firsthand the positive effects that NeON Arts has had on our clients and their communities. Data confirms this: the Social Impact of the Arts study by the University of Pennsylvania shows that increasing access to arts and culture in underserved NYC communities had many positive outcomes, particularly an **18% decrease in the serious crime rate**. To join us in expanding this effort, we ask for your support of **Carnegie Hall's NeON Arts Speaker Funding request**, so that this program can have even more impact on New York City neighborhoods.

NeON Arts is such an effective model for achieving "Cultural and Social Well Being" in New York City, that it has now received national recognition in our field. This past January, our Department received the American Probation and Parole Association **2017 Excellence in Community Crime Prevention Award** for the cutting-edge use of arts in community corrections.



**Department of
Probation**

CONCLUSION

As you have heard, Probation is singular in its role of providing community-based accountability *and* support for those who would otherwise be incarcerated, keeping them in their communities where they can thrive. A great example of this is Lyndon, a former client and Arches participant, who like many people on probation, had a path to success that was anything but straightforward. But it was through participating in Arches and NeON Arts that Lyndon began to thrive and connect with some of DOP's other programs, and even landed a job with one of our partners, The Animation Project (TAP). Lyndon excelled to the point that when we launched the **Made in NY Animation Project**, a partnership with TAP and the Mayor's Office of Media & Entertainment (MOME), he became the program's full-time recruiter. From designing and implementing new outreach strategies, to recruiting youth from different NeON neighborhoods across the five boroughs, Lyndon has been so successful at TAP that he was promoted to supervisor. As Lyndon puts it, "Thanks to the DOP and TAP; I have a dream job that I love." That's what I call a "**New Now**."

And that's the essence of our work – creating a New Now for people on probation in a one-size-fits-one approach so that we are successful in our mission of strengthening communities and changing lives. Thank you for the opportunity to testify about the critical work performed by the committed staff of this Department. We are pleased to answer any questions that you may have.



Statement before the
New York City Council
Committee on Criminal Justice and Subcommittee on Capital Budget

Keith Powers, Chairperson

Vanessa L. Gibson, Chairperson

By Cynthia Brann, Commissioner
NYC Department of Correction

March 15, 2018

Good Morning, Chair Powers, Chair Gibson, members of the Committee on Criminal Justice, and members of the Subcommittee on Capital Budget, and welcome to the new Members. My name is Cynthia Brann. I am the Commissioner of the New York City Department of Correction (DOC). I – and my colleagues – am happy to speak with you all about the Department's FY19 preliminary expense and capital commitment plan and the FY18 PMMR. I look forward to working with the new Speaker and the Criminal Justice committee over the next few years. In that context, I would like to take this opportunity to explain to all of you my vision for the Department, my goals, some of our challenges, and ultimately, about some of DOC's recent work as it relates to our budget and recent PMMR.

As you all know, DOC is a vast, complex organization, more in the public eye now, than ever before – which is quite the change from just five years ago before this Administration took over. We have more than 10,000 members of staff and process more than 60,000 admissions and discharges every year. We currently operate twelve separate jail facilities, on and off Rikers, as well as two hospital prison wards and court facilities in each borough. In addition, we operate support service divisions including our transportation division and facility maintenance division. Our staff are responsible for the care, custody, and control of approximately 9,000 individuals every day. This number is down significantly from the start of the de Blasio administration, reaching under 9,000 for the first time in over thirty years, but those in our custody have unique needs and challenges, which we strive to meet. Even before the reduction in population, we took a conscious effort to move away from a one-size-fits-all model, and specifically look at how we could provide more tailored management – a combination of both security and care – to smaller sub-populations that all have different needs. We are responding to the lowering population by better serving those unique populations. We have vastly increased programming, services, training, and tools, all while changing our custody management models.

We strive, regardless of where we are, to be the best Correctional Department in the country. My vision – my goal – is:

- to move the Department expeditiously out from under the Nunez consent judgement (which I will speak to later), because this will prove we have not just made, but sustained, the changes we know are necessary;
- to more meaningfully support and better integrate the Department into the City's broader Criminal Justice System;
- to develop a lasting leadership development pipeline for our uniform and non-uniform staff;
- to provide the tools, programming, and training to ensure meaningful and safe engagement between staff and those they care for; and, most importantly,
- to ensure our jails are safe – that our staff go home safe every day and those in our care have every opportunity to leave better than they arrived – because no meaningful reform and change can happen, if people involved do not feel safe.

Smaller, Safer, Fairer

With that said, the Department fully supports the city's plan to replace the facilities on Rikers Island with a modern, updated borough-based jail system. Research shows that people are more successful when they are closer to their support systems during incarceration, so we think it is important to rely on borough facilities that facilitate maintaining connections to family, friends, and other important community members. Borough facilities also make it easier for attorneys to visit their clients, strengthening access to the justice system. More importantly, borough facilities will mean new, modern facilities, constructed to meet the needs of best correctional practices that are far more focused on integrating safety and access to services and programming. These are not principles that are reflected in the facilities we have now.

Moving the population off of Rikers requires two things: further reducing the population and building new facilities. The city has already reduced the incarcerated population to the lowest it has been in over thirty years. New York City has one of the lowest rates of incarceration in the country. Reducing it further requires the continued commitment from city agencies as well as the District Attorneys and the Office of Court Administration. State legislation, including bail reform legislation, is critical to achieving this goal.

For the Department, closing Rikers is an opportunity to build new, modern jails, which we desperately need. DOC's facilities are old and outdated. Several have fallen into disrepair, and all of them have antiquated designs that do not align with modern correctional best practices. As I noted, new jails are designed to improve safety but also fundamentally integrate services and programs to give staff and people in our custody the best opportunities to succeed.

New facilities have better sight lines and incorporate modern technology, both of which make areas safer and more efficient. They are designed to not just offer, but facilitate and encourage programming and access to services. Anyone who has worked or lived in a jail can tell you that

ensuring access to services is not just humane, it is important for preventing conflicts. In our facilities, most programs and services are offered in make shift central areas, so individuals must be brought from their houses to the program space, which might be at the other side of the building. This can be challenging. Individuals who are usually kept apart might see each other in common spaces, so hallways and program areas may provide opportunities for altercations. If there is an incident in a common space, it can interrupt everyone else's access to that program area for a few hours or the rest of the day. In modern facilities, programs and services are provided in or immediately adjacent to housing units. This reduces movement, reduces possibilities of altercations, and ensures more consistent access to services.

Furthermore, new facilities incorporate design features that work to reduce tension, which makes people healthier and reduces violence. Improved light, sound, and space create a better environment for both staff and incarcerated individuals. For example, in some jurisdictions, housing areas have walls or ceilings that absorb acoustics. This reduces the noise level in areas, which reduces stress levels, which can reduce fights.

We have been renovating our facilities to try to accomplish some of these goals, but we are very limited by our structures – some of which you have seen. Ultimately, the full scope of what constitutes best correctional practices and design are impossible in our current facilities. We are literally unable to make the changes necessary without tearing down facilities and starting anew. New, modern facilities would enable us to create a much safer, better environment for everyone.

Focus on Reforms

Of course, looking ahead cannot distract us from focusing on the needs of the present. We cannot wait for new facilities to implement necessary changes. My responsibility is to ensure that everyone in our facilities – staff, inmates, and visitors – are safe. To that end, over the last few years we have been reforming how we approach corrections. At the beginning of this administration, DOC conducted a thorough institutional health survey. We combined this insight from our staff with national best practices to formulate the 14 Point Anti-Violence Reform Agenda, which focuses on reducing violence and supporting culture change at DOC through a multi-pronged, long-term effort. In fact, our agenda informed details of the Nunez consent judgment that were ultimately agreed to and went into effect in late 2015.

Our reform agenda has focused on a few major areas. Perhaps most importantly, we have focused on our staff. Training for recruits has been extended to twenty-three weeks from roughly seventeen. Recruit and in-service training now includes a substantial focus on de-escalation techniques, negotiation and mental health first aid, crisis intervention, improved defensive tactics, and specialized training appropriate for working with specific populations, such as gender-responsive training and dialectical behavioral therapy for our youth. Our goal is to ensure that our staff have the tools they need to do their jobs, engage meaningfully, and go home safely.

Another critical piece has been moving away from a one-size-fits-all management model, as I said in the beginning, toward models tailored to address the diverse needs of the population. We began by redesigning our adolescent management strategy to mirror juvenile justice best practices. Building on this, we created a young adult population cohort to provide age-appropriate

programming and management. With Health + Hospitals (H+H), we have created clinically focused housing areas to provide a high level of mental health care. We continue to identify groups for whom we can tailor management, to create a safer environment for everyone.

For all of our populations, we have begun emphasizing programming and reentry services. In fact, we now provide re-entry services to every individual who enters our system. Previously, re-entry was only focused on those designated as having mental health issues. We now offer five hours of programming every day, up from less than forty-five minutes at the beginning of the administration. Programming is critical to support DOC's overarching goal of increasing safety for staff, inmates, and our communities. In the short-term, programming reduces idleness, which is an effective mechanism to reduce violence. In the long-term, meaningful programming better prepares individuals to return to our communities. If people can receive hard and soft skills training while in custody, they are more likely to be successful after returning home.

Programming is also incorporated into our new models for managing behavior. We have reduced our reliance on punitive segregation and have instituted a continuum of alternative sanctioning options. Programming complements this by incentivizing positive behavior. More importantly, our focus now is not on simply controlling behavior but on changing behavior, with targeted programming to address underlying issues.

This is a key point – we are actively moving away from a punishment-only model and focused on building a safe, but productive, engagement model that balances incentives and consequences. Before, we utilized very limited options, either keeping people in general population or placing them in varying days of punitive segregation, including some individuals who were in for hundreds of days. We do not believe that approach has been effective. We now have a broader spectrum of response to infractions, increasingly saving our most restrictive sanctions for the small population of our most violent individuals.

Between the end of 2014 and 2016, the Department ended the use of punitive segregation for our 16-21 year olds. We are the first in the nation to do so for 18-21 year olds. We have also limited the use of punitive segregation to only respond to our most violent infractions. We have made changes to limit punitive segregation stays to no more than thirty consecutive days and no more than sixty days in a six-month period, with limited exceptions. We have reduced the number of people in punitive segregation from over 675 in a day to roughly 100, which is a decrease of more than 80%.

There are sanctions available for those who infract. Adults who are the most violent can still be placed in punitive segregation. Both adults and young adults (aged 18-21) can be placed in Enhanced Supervision Housing (ESH). ESH is a level-based management tool that is designed for those who are persistently violent or gang leaders. Individuals are placed in progressively less restrictive lock-out times – starting with seven hours out and progressing to ten and fourteen hours out – if they consistently participate in programming, engage with multi-disciplinary teams to address their violent behavior, and follow house rules and do not further infract. Let me be clear, though: we NEED more. We need a broader set of intervention strategies that respond to negative behavior designed to operate in conjunction with each other to increase accountability, ensure

safety, and reduce recidivism by preventing future criminal behavior. A system of graduated responses provides a way to address both positive and negative behavior. While we have plethora of individual and group incentives available to grant as a reward for sustained compliance of good behavior, currently, our ability to impose meaningful consequences for infractions is limited.

Security Indicators

We recognize that violence remains a concern, and we will not hide from our obligations to continue to address these issues. While we are not done, our initiatives have yielded important results. Between FY14 and FY17, incidents resulting in serious injuries have decreased significantly. Uses of Force (UOF) resulting in serious injury are down 47%. Assaults on Staff (AOS) resulting in serious injury are down 59%. Serious injury to inmates from fights/assaults are down 12%.

Those patterns hold for Young Adults, a particularly problematic population. Among 18-21 year olds, UOF resulting in serious injury are down 53%, AOS resulting in serious injury are down 61%, and serious injury to inmates from fights/assaults are down 36%. These positive trends have continued even as we have eliminated punitive segregation for this extremely challenging population.

We started focusing reforms on adolescents early in 2014, and there results among this population have been exceptional. UOF resulting a serious injury are down 50% and UOF resulting in in ANY injury are down 17%. AOS resulting in serious injury are down 100%. There were no AOS resulting in serious injury among the adolescent population in FY17. All incidents among adolescents decreased from FY16 to FY17.

One area where progress has been more limited is slashings/stabbings, although our work to reduce these incidents did result in some improvement in the first half of FY18. We have been addressing this issue through searches, recovering 3,976 weapons in FY17, an increase of 69% since FY14. Of course, as the Council is aware, our ability to search for certain weapons is limited by state law that prohibits the use of certain body scanners. We continue to work with the state to pass legislation that would allow these scanners to be used.

We see some encouraging signs for FY18. As indicated in the PMMR, the rate of violent inmate-on-inmates incidents is down 6%, with the rate of serious injury from such assaults down 21%. In the PMMR period, slashings/stabbings were down 41%, a remarkable decrease.

The PMMR also highlights where we must continue to improve. The data shows increases for Uses of Force (UOF) and Assaults on Staff (AOS) resulting in serious injury. Serious UOF are still less than 4% of the total UOF, despite the increase. We take these increases seriously. In the past few years, we have worked with the Nunez monitor to revamp our UOF policy and have provided all uniformed members of staff with the five day training on UOF policy, de-escalation techniques, and defensive tactics. We are now beginning our second phase of training for all staff. There is more work to do, and we are not where we want to be. Fully resolving the complex issues surrounding UOF is a challenge.

But targeted efforts are already producing results. In those areas where we have targeted specialized reforms to serve particular groups, we see dramatically lower rates of incidents. In units designed for treatment for inmates with serious mental illness, incident rates decrease dramatically

for inmates brought into the unit. On average, individuals show a decrease in the rate of UOF in CAPS and PACE¹ of 41% and 70% respectively, and a decrease in the rate of AOS of 48% and 67% respectively. In our Secure Unit and ESH, designed for highly violent and problematic inmates, on average, inmates who are moved into the units show decreases in rates of UOF of 49% and 15%, respectively, and decreases in the rate of AOS of 100% in Secure Unit. ESH, which houses many of the inmates responsible for slashings, sees the average rate of slashings for inmates who enter decrease by 62%. Our restarted units in general population, where we have concentrated reforms, also continue to be effective. Inmates who move into these units show decreased rates of UOF (down 50%), AOS (down 40%), and slashings (down 59%).

All of these data points provide evidence that targeted intervention works. Because not all inmates and not all incidents are the same, the responses and approaches must be likewise specific and target to address root causes and specific inmate needs.

FINANCIAL PLAN UPDATE

Critically, our work to improve our system and incorporate correctional best practices receives ongoing support from City Hall. This support means that we finally have both the financial resources to implement reforms and the ability to partner with other agencies in meaningful ways.

FY19 Preliminary Budget and Its Impact on DOC (January Plan)

The Department's Fiscal Year 2019 Expense Budget is \$1.40 billion. The vast majority of this, 88%, is allocated for Personal Services, and 12% for Other than Personal Services. The Fiscal Year 2019 budget is \$45.2 million less than this year's budget of \$1.45 billion. This decrease is mainly due to the closure of the George Motchan Detention Center (GMDC) on Rikers Island, which takes full effect in Fiscal Year 2019.

Included in the Preliminary Budget is an increase of \$4.2 million in Fiscal Year 2018, and decreases of \$31.7 million in Fiscal Year 2019, and \$34.4 million in Fiscal Year 2020 and the out years.

The following are some highlights of the major programs that were included in the budget:

- **The closure of the GMDC** - \$10.2 million savings in FY2018 and a \$55.2 million savings in FY2019 and the out years. This includes the elimination of 698 uniformed positions through attrition. No staff are being laid off due to this facility closure.
- **Initiatives to Support the "Smaller, Safer, Fairer: A Roadmap to Closing Rikers Island" report:**
 - \$846 thousand and 17 positions in FY2018, increasing to \$1.7 million in FY2019 and the out years for Strategy 16a: Create expedited transportation to Rikers Island through dedicated buses that transport visitors from more convenient locations;

¹ CAPS is the Clinical Alternative to Punitive Segregation and PACE is the Program for Accelerated Clinical Effectiveness. Both units are run by DOC and H+H to provide high levels of care to those who have serious mental health needs.

- \$1 million in FY2018 for Strategy 16b: Renovate the Central Visits facility to allow for better initial screening and reduce the need for additional searches that slow the visit process; and
- \$1.2 million and 13 positions in FY2018, increasing to \$1.1 million in FY2019 and the out years for Strategy 18: Expand supportive services for correctional officers (CARE).
- **Additional Active Supervision Posts** – \$8.2 million in FY2018, increasing to \$14 million and 186 positions in FY2019 for additional Correction Officer posts necessary to maintain active supervision in all required housing areas.
- **Nunez Compliance Unit** – \$761 thousand in FY2018, increasing to \$1.5 million and 12 positions in FY2019 to establish a unit dedicated to monitoring and implementing reforms required by the Nunez Consent Decree.
- **RMSC Visit Initiative** – \$1.6 million and 8 positions in FY2019 and the out years to improve visits for incarcerated women, especially those with children, in order to maintain family ties during incarceration.

Capital Funding

With regard to capital funding, the Fiscal Year 2019 Preliminary Capital Budget and Commitment Plan totals \$2.1 billion, which covers Fiscal Years 2018 through 2022. In this Plan, the Department was granted an additional \$3 million in City funds to support the Mayor's "Smaller, Safer, Fairer: A Roadmap to Closing Rikers Island" report:

- \$2 million for an Inmate Assessment Tracking System for Strategy 15c: Implement a new technology tool that will ensure continuity of stabilizing support, in order to assess the needs of inmates as they enter the Correctional system; and
- \$1 million for buses as announced in the Mayor's "Smaller, Safer, Fairer: A Roadmap to Closing Rikers Island" report for Strategy 16a: Create expedited transportation to Rikers Island through dedicated buses that transport visitors from more convenient locations.

Headcount

During the past four years, the Department has been able to achieve unprecedented levels of Correction Officer recruitment and hiring. Including the record setting Correction Officer class of 1,144 that graduated in November 2017, and the class of 856 recruits that is currently undergoing training at the Academy, the Department has hired over 5,700 new Correction Officers since May 2014. These new Correction Officers have enabled us to enact the reforms necessary to provide a safer and better environment for our inmates and staff.

The following is a summary of the changes to Department's civilian and uniformed authorized staffing levels included in the January Plan:

- The civilian authorized full-time headcount is 2,195 in FY2018 and 2,202 in FY2019 and the out-years. The authorized headcount increase from FY2018 to FY2019 is due to newly funded initiatives that will not begin until FY2019.
- The uniformed authorized headcount is 10,427 in FY2018, 9,967 in FY2019, and 9,983 in FY2020 and the out years. The authorized uniformed headcount decreases from FY2018 to FY2019 due to the closure of GMDC, which takes full effect in FY2019. The average uniformed headcount is estimated to be 10,712 in FY2018, which represents an increase of 824 compared to an average of 9,888 in FY 2017.
- The FY2018 July 1st 2017 to December 31st, 2017 Civilianization Report provided to the City Council identified 53 uniformed staff working in civilian functions. The Department is committed to bringing that number down by backfilling previously funded vacated civilianized positions. Additionally, the Department will continue working to identify additional positions that could be civilianized and address funding requirements with OMB at the appropriate time.

Thank you again for the opportunity to testify today and for your continued support. Without the Mayor and Council's vision for Criminal Justice Reform, we would not be able to talk about the many reforms we have undertaken. I look forward to working with you all in the years to come. My colleagues and I are happy to answer any questions that you may have.



NEW YORK CITY
BOARD OF CORRECTION

Statement before the New York City Council

Committee on Criminal Justice
Keith Powers, Chair
Sub-Committee on Capital Budget
Vanessa L. Gibson, Chair

March 15, 2018
By Martha W. King, Executive Director
New York City Board of Correction

Good afternoon Chair Powers and Members of the Committee on Criminal Justice and Chair Gibson and Members of the Sub-Committee on Capital Budget. My name is Martha King, and I am the Executive Director of the New York City Board of Correction, the independent oversight agency for the City's correctional facilities. Today, I am joined by one of our Board members who was appointed by the City Council, Dr. Robert Cohen.

The Board of Correction is using new resources to strengthen its effectiveness as one of the City's key levers in creating safer, fairer, smaller, and more humane jails. New funding and staff, a renewed commitment from Board members, a focus on data and research, and collaboration with the Department has re-established the Board as a partner in the critical work to build a justice system that reflects this City's values. Over the last year, the Board has successfully monitored and ensured compliance on key strategies to prevent sexual abuse in the jails, established an interagency team and auditing process to drive improvements to the inmate grievance system, and issued multiple assessments leading to policy improvements.

The Board plays a vital role in creating the transparency and accountability needed in this time of change and as we move toward closing Rikers Island. From our experience monitoring the jails for decades, we know that regardless of the future location of NYC jails, they will still need independent and effective oversight.

Background

Since it became independent in 1977, the Board has played a leading role in major reforms to the City's jails. These include, in 1985, making NYC the first jurisdiction to voluntarily require appropriate mental health staffing in its jails, and, in 2015, making NYC the first major prison or jail system to prohibit punitive segregation for adolescents and young adults.

The City Charter outlines the Board's five central functions:

- To establish and ensure compliance with minimum standards for the care, custody, correction, treatment, supervision, and discipline of all persons held under the jurisdiction of the Department of Correction;
- To investigate any matter within the jurisdiction of the Department;
- To establish procedures for hearing inmate and staff grievances;
- To evaluate the performance of the Department of Correction; and
- To make recommendations on areas of key correctional planning.

Recent Growth

The Board had 16 staff and a budget of \$1.6 million when I arrived in June 2015. With the increased support of the City Council and Administration, a FY19 budget of approximately \$3 million will allow our staff to grow to 36. We have 29 staff today and will reach our head count in FY19. Our recent funding will support a lead investigator of all deaths in custody. This staff member will also manage the work of the City's Prison Death Review Board, which is required by the Board's Standards. Since the 1970's, the Board's death reviews have identified contributing factors and systemic deficiencies to improve policy and prevent future harm.

The growth of the Board has allowed us to update and expand the Board's regulations; carry out strengthened and structured monitoring; and create more transparency through research and public reporting. Today I would like to update you on a few areas of recent progress.

1. Updated, tailored and expanded regulations

The Board's first new chapter of the Minimum Standards in 25 years is designed to prevent and respond to sexual abuse and harassment of people incarcerated in the City's jails. These new Standards became effective in 2017 and include new requirements for training, investigations, cameras, rape crisis counseling services, and public reporting and incorporate many elements of the federal Prison Rape Elimination Act standards.

The Board convenes quarterly interagency meetings with DOC and Health and Hospitals to review compliance, and I issue public updates every six months at the Board's public meetings. The Board has been particularly focused on improving compliance with the requirement that people coming into the jails are properly screened for risk of sexual victimization or abusiveness. This screening is needed so the Department can provide housing, programming and other services in a manner that minimizes risk. Because of the Board's work on this issue, the Department created an electronic method for screening and tracking sexual violence risk across the entire DOC population and a system for tracking the placement of transgender people who are particularly at risk in custody. The Board also intervened when the Department proposed closing the Transgender Housing Unit. Board staff recently published an assessment of the unit and issued recommendations for improvements.

Looking ahead, the Board is in the process of developing new Minimum Standards in two areas: restrictive housing and the Board's variance process.

2. Strengthened and structured monitoring

We continue to grow our monitoring staff whose work is based in the jails. They conduct site visits, resolve and refer complaints from staff and people in custody, monitor compliance with the Minimum Standards, and help to smooth the delivery of basic services. Through this work, staff play an important role in calming tensions in the facilities and helping DOC identify issues which may escalate if left unresolved. Increased funding has allowed more frequent monitoring of the hospital prison wards and courts, extended observations of specialized units, and a focus on improving the inmate grievance system.

The Board helped establish the inmate grievance program in the late 1970s. The grievance system was created to provide people in custody with an administrative process to resolve issues regarding their confinement. Today, we monitor that system through annual program audits, individual case reviews, and we provide an independent recommendation on all cases that reach the highest level of appeal. Additionally, we created an interagency team with DOC and H+H to identify policies and practices that must be improved.

If the Department of Correction limits a person in custody's access to any of eight key programs or services – including visits, law library, and religious services – then that person can appeal the restriction directly to the Board. We have expanded and improved our restriction appeal handling process, responding to approximately 270 appeals in 2017. We issue monthly reports monitoring these appeals and in-depth reports on patterns and practices in these areas. For instance, last week, we published findings regarding 1,100 visit restrictions and our recommendations for a safer and more accessible visiting process. The Board's role as an independent and neutral arbiter in this area is one of few national models for jurisdictions that are trying to improve their jail grievance systems.

Another focus of our monitoring continues to be access to health and mental health care. We work with Health and Hospitals to publish an extensive monthly report that shows, jail-by-jail, whether people have access to every type of health and mental health service. In response, Health and Hospitals and DOC have developed an action plan to improve access. Nationally, these reports are the most comprehensive real-time reporting on health and mental health care in a jail system.

3. More transparency, research, and public reporting

Evaluating operations and outcomes in the jails, sharing data, and increasing transparency are crucial to maintaining compliance with Board Standards. With increased funding, we have expanded this work. For instance, in the past year we issued comprehensive reports on Enhanced Supervision Housing (ESH), the Transgender Housing Unit, the increased use of jail lockdowns, and the first empirical analysis of splashings of staff in the country. Many of the Board's recommendations were adopted in ESH such as narrowing the criteria for admission; providing more individualized programming and timely reviews of progress; including the person in custody in their review; and revising the appeal process.

Additionally, we have worked with DOC to develop multiple public reports to track compliance and performance. In 2017, this amounted to 52 reports from DOC on segregation reform, restrictive housing, young adult programming and for the first time DOC's own audits of their

compliance with the Minimum Standards. These new sources of information inform Board policymaking and are uniquely transparent for a U.S. correctional system.

More cities and states as part of their justice reforms are creating correctional oversight bodies similar to the one New York City has had for over sixty years. Just last week the Washington State Legislature created a new, independent corrections ombuds office. We are thankful that this Administration and City Council have shown increased commitment to a strong, active, and effective Board of Correction. The Board is now better positioned to play an important role in reform, and we look forward to collaborating with the City Council and its many members who are engaged on these issues.

Thank you again to Chair Powers, Chair Gibson, and the Committees for the opportunity to testify today. We are happy to take any questions that you might have.



**COBA PRESIDENT ELIAS HUSAMUDEEN
CITY COUNCIL TESTIMONY BEFORE THE
CRIMINAL JUSTICE COMMITTEE**

**Keith Powers
Chairman**

March 15, 2018

Good Afternoon Chairman Powers and members of the Criminal Justice Committee.

My name is Elias Husamudeen and I am the president of the Correction Officers' Benevolent Association, which is the second-largest law enforcement union in the City of New York. Our members, New York's Boldest, are responsible for the care, custody, and control of the inmate population in the nation's second-largest municipal jail system.

I thank you for the opportunity to address this committee today concerning the Department of Correction's preliminary budget requests. With regards to the upcoming budget negotiations, we have identified a number of areas where the city needs to invest its resources to enhance our ability to perform our jobs. These requests, if granted, will not only improve job performance, but will

also help to support efforts to maintain the safety of Correction Officers and inmates.

First and foremost, Correction Officers desperately need a new Correction Academy. Even the Federal Monitor cited in his reports that the current academy is not sufficient to provide optimal levels of training. We need a state of the art academy consistent with the training academies that the city provides to other agencies, such as the NYPD.

This is an issue that the Council has already begun to pursue, yet it mysteriously disappeared from last year's budget negotiations. I am going to quote from the Council's own response to the 2018 fiscal year preliminary budget report issued last year. QUOTE "The Council calls the Administration to increase DOC's Capital Budget to support the construction of a new training facility off of Rikers. DOC's current training academy is limited in space and in poor physical condition. These deficiencies inhibit the DOC's ability to

reliably and consistently train its staff. The current facility is in use 24 hours a day; there are few bathrooms; there are 12 windowless classrooms; and space is crowded. The building conditions inhibit students' ability to practice and learn techniques. To accommodate recruit and staff training, DOC has moved some training classes to John Jay College, but that space is limited and only temporary. A new training academy will allow DOC to adequately train its staff in a safe and consistent manner." END QUOTE

We were told by the Mayor's office last year that \$100 million had been allocated in the Mayor's budget for a new correction academy. We were even told that an actual site for the new academy had been selected.

So, on behalf of the thousands of Correction Officers who will be joining the Department of Correction over the next couple of years, I am asking you to hold the Mayor's Office accountable. Help us make the vision for a new academy a reality.

Correction Officers also need personalized Gas Masks assigned and fitted for each officer. We need smart phones and tablets just like the Police Department allocates to police officers. They would help streamline all DOC paperwork and enable us to make important statistics readily available to the Council.

Firearms Range Improvements. The DOC is currently operating with one range "Adam Range." There are approximately 10,000 Members of Service who are required to have firearm training. Ten lines need to be budgeted for a support team in order to continuously train current members and recruits. The DOC needs to operate with two ranges to meet the current needs of the agency.

DOC Facility Repairs and Upgrades. The current DOC facilities are old and falling apart. There is a great need for reconstruction and repairs to be made on existing buildings.

Emergency Service Unit improvements. The 911 system of the DOC is ESU. Our ESU needs a strict training budget to fund drills on a daily basis. Our ESU needs a new facility to accommodate an increase in occupancy needs. Our ESU needs funding to enable the harbor unit to safe guard the perimeter of Rikers Island for security reasons.

New Riot Gear. We also need new equipment for our response/probe teams and new riot gear in the staging areas. We should have light-weight, state of the art vests, helmets and batons. The equipment we currently have is too heavy and antiquated.

In closing, I thank you for the opportunity to submit these budgetary requests, which are essential to our members' ability to perform their duties and responsibilities.

I would be happy to meet with you and your fellow committee members to discuss these requests in greater detail.

With that said, I am happy to answer any questions you may have at this time.

Good Call is a nonprofit that runs a completely free 24/7 arrest hotline allowing anyone to connect with a public defender right away if they or a loved one are arrested.

THE PROBLEM

300,000+



arrests occur in NYC every year, most of which are in low income communities and for low level misdemeanors

47,000

people sent to jail awaiting their trial, before being convicted

The lack of adequate support during an arrest can lead to wrongful jail and devastating consequences

Lost child custody

School expulsion

Compromised immigration status

Lost jobs

Undeserved criminal record

Mental and physical trauma

OUR SOLUTION

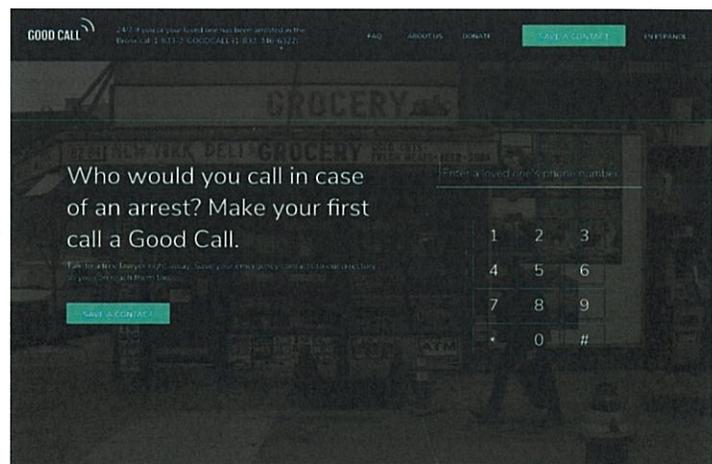
Good Call Free 24/7 Hotline

Anyone can call 1-833-3-GOODCALL if they or a loved one are arrested, and our software will automatically connect them with a free lawyer at one of our partnering legal organizations

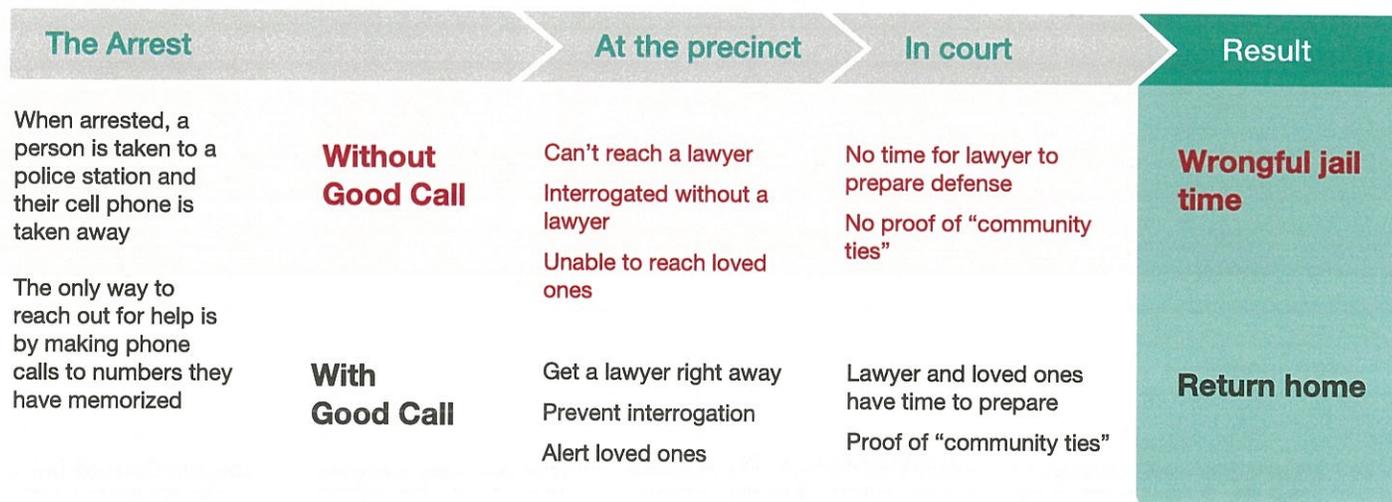
Emergency Contact Directory

Anyone can add themselves and their loved ones to our emergency contact directory on www.goodcall.nyc

This ensures that loved ones can be alerted and supported in case of an arrest



GOOD CALL MAKES THE DIFFERENCE



OUR PROGRESS

Good Call Bronx Launch

We launched in the Bronx in October 2016, with hotline staffing and legal support provided by our legal partners



Results

- 450+ people helped
- > 90% caller satisfaction
- < 1min average hold time
- 350+ emergency contacts saved
- Impactful success stories

Our goal is to make Good Call **available in all five boroughs, decrease pretrial jail, and support policy** which enables legal support throughout the arrest process.

JOIN THE MOVEMENT

Reach out to us today

We are looking for community organizations, public defenders, funders, and advocates who are interested in bringing Good Call to their communities.

CONTACT US

Email hello@goodcall.nyc

Follow [@goodcallnyc](https://twitter.com/goodcallnyc)

Visit www.goodcall.nyc

New York Shakespeare Festival dba The Public Theater
City Council Testimony
Criminal Justice Committee
3/15/2018

I'm Tiffany Bryant, Government Affairs Coordinator at The Public Theater. Thank you to Councilmember Powers for holding today's hearing regarding the intersection of cultural non-profits and the New York City criminal justice system.

Conceived nearly 60 years ago as one of the nation's first nonprofit theaters, The Public engages one of the largest and most diverse audiences in New York City in a variety of venues including the Delacorte Theater and its landmark downtown home, which houses five theaters and Joe's Pub. Through all of its programs The Public serves approximately 350,000 a year.

The Public Theater is proud to serve formerly and currently incarcerated populations through two programs: the Mobile Unit and Public Works.

The Mobile Unit tours Shakespearean productions for underserved audiences throughout New York City's five boroughs twice per year. In all we visit 18-20 venues per tour including: five New York City Parks venues; seven correctional facilities; two facilities that provide services for the homeless; and three community based organizations with whom we partner through our Public Works program. We are proud to have partnered with the New York City and New York State Department of Corrections and the New York City Department of Parks and Recreation in selecting our performances sites and partner organizations.

Over the last seven years, the Mobile Unit has become an indispensable part of our mission. The results of our tours have been astounding: the fierce, celebratory hunger with which inmates and citizens of every walk of life responded to the work filled us with the conviction that we were doing something important.

Through our Public Works program we engage deeply with eight community-based organizations to provide year-round classes, workshops, and community building activity and create annual large-scale, participatory Public Works productions featuring over 200 New Yorkers each year, presented on our largest stage – the Delacorte Theater in Central Park – as the joyous culmination of our oldest, biggest program, Free Shakespeare in the Park. The Fortune Society has served as a Public Works community partner since the program launched in 2013.

New York Shakespeare Festival dba The Public Theater
City Council Testimony
Criminal Justice Committee
3/15/2018

Fortune Society is a social service and advocacy organization whose mission is to support successful reentry from prison and promote alternatives to incarceration, Fortune Society's partnership with Public Works has centered around engaging, inspiring and uplifting its members. In the first year of our partnership, teaching artists led twice weekly acting classes for Fortune Society members and staff with the goal of fostering talent and creating opportunities for creative expression, learning, and exploration.

In March of 2014, Fortune Society launched its own acting company entitled The Fortune Tellers using the skills, support and confidence gleaned from their participation in Public Works. Each spring, The Fortune Tellers collaborate to create an original 45-minute piece, which is presented at Fortune Society's now-annual Arts and Theater Festival.

At the Public Theater, we are committed to the goals and values of the NYC Cultural Plan through programs like Public Works and Mobile Unit. Baselineing \$10 million received by CIGs in FY18, and providing an additional \$20 million in funding this year to be shared between CIGs and program groups, will allow us to expand these programs.

The Public is honored to have the opportunity to partner with the City in engaging with all New York communities and I thank all of you for your time.

Written Comments of Kate Rubin, Youth Represent
New York City Council
Committee on Criminal Justice
Preliminary Budget Hearing: Criminal Justice
March 15, 2018

Youth Represent is a holistic youth defense and advocacy organization. Our mission is to ensure that young people affected by the criminal justice system are afforded every opportunity to reclaim lives of dignity, self-fulfillment, and engagement in their communities. We provide criminal and civil reentry legal representation to young people age 24 and under who are involved in the criminal justice system or who are experiencing legal problems because of past involvement in the criminal justice system. We also engage in policy advocacy and train the next generation of leaders through our Youth Speakers Institute. Our interdisciplinary approach allows us to understand the full extent of our clients' legal and practical challenges so we can effectively represent them as they make the journey from courtroom to community. Thank you to Chair Powers and to the Committee on Criminal Justice for the opportunity to provide testimony.

Our comments today focus on three issues crucial to New York City's Youth Justice System:

- 1) Legal Services for Justice Involved Youth.** Court-involved youth face particular legal barriers and have very specific needs. Youth Represent addresses those needs by combining first rate legal services with a youth development approach. Youth Represent has been fortunate to partner with the City via the Friends of Island Academy Youth Reentry Network to provide comprehensive legal services to young people incarcerated at Rikers Island and upon release. As the City and the Council take steps to implement Raise the Age legislation, we wish to highlight the **critical unmet need for legal services for youth under 25 in the criminal justice system.** This applies to young people whose cases will be heard in family court once Raise the Age is in effect, and the thousands who will continue to be prosecuted as adults.
- 2) Monitoring of Raise the Age Outcomes for Youth.** Raise the Age legislation enacted in 2017 will radically change court processing and incarceration for 16 and 17 year olds in New York City, whether they are categorized as Juvenile Delinquents and tried in Family Court or as Adolescent Offenders and ultimately tried in adult court. The City must monitor, analyze, and report on the intake and outcomes for all 16 and 17 year olds who enter the justice system.
- 3) Specialized Secure Detention (SSD).** We have serious concerns about the City's plan to remove 16 and 17 year olds from Rikers Island as required by Raise the Age legislation, only to have them supervised by DOC staff in "Specialized Secure Detention." Particularly in the context of the historic move to close Rikers Island, we implore the Council to work with the City to develop alternatives that will ensure the safety of teenagers and of our juvenile detention facilities.

1) Legal Services for Justice Involved Youth

Any involvement with the criminal justice system—from a summons to a sentence of incarceration—threatens a young person’s stability and opportunity.

Justice involvement disrupts education by triggering school suspension, missed days of school to attend court dates, or simply reduced achievement due to the stress of a criminal case. The heavy presence of police officers in public schools and racially disproportionate rates of suspensions have led to students being pushed out of school and into the criminal justice system.

Justice involvement can also impact housing in both the short and long term. When the New York City Housing Authority (NYCHA) brings termination of tenancy proceedings based on the arrest of a tenant, a common practice is to allow the family to stay in their apartment on condition of “permanently excluding” the person who was arrested. This is true even in the frequent cases when that person is only a teenager and has no other place to go.

Later, justice involvement undermines employment and earning opportunities. According to a report by Center for American Progress, “having any arrest during one’s life decreases employment opportunities more than any other employment-related stigma, such as long-term unemployment, receipt of public assistance, or having a GED instead of a high school diploma.”

Criminal records can prevent young parents from being present in their own children’s lives, because they make it so difficult to get a job and thus keep up on child support payments. As the Marshall Project reported last year, “Research shows that the two most important factors in a former prisoner’s successful reentry into the community are employment and positive relationships with family. Both of these are hindered by the aggressive pursuit of child support arrears: garnishing 65% of a father’s paycheck, so he is tempted to earn cash off the books; suspending his driver’s license so he can’t get to work; [and] sending him bills that are so far beyond his capacity to pay that he keeps his distance from his family.”

Together, these laws and practices erect barriers to successful reentry for even the most hardworking individuals leaving the criminal justice system, especially for youth who inherently have less work experience than older New Yorkers and who have had little time to build strong education or credit backgrounds, let alone professional networks.

Youth Represent has developed a proven model for helping young people overcome these barriers and positioning them for lasting success. We partner with over 20 community-based organizations citywide to meet youth where they are—in their neighborhoods, where they are receiving education, programs, and services. We serve as “in-house counsel” for youth-serving organizations, providing “Know Your Rights” workshops and comprehensive legal services to their participants. Every week, our lawyers travel to job training programs, schools, settlements houses, health centers, and jails. And we incorporate youth development principles like motivational interviewing, strengths-focus, and meaningful participation into the legal services we provide to ensure that we get real results for youth.

Youth Represent in Action

“Maria” had heard the police were looking for her. Through our participation in the Youth Reentry Network, she was immediately connected to a Youth Represent attorney who coordinated her surrender at a local precinct and, more importantly, stood by her side and invoked her rights. Maria had been traumatized by incarceration in the past, and, terrified, ended up self-harming her first night at Rikers. Youth Represent gathered information and assisted on the preparation of a second bail application, which helped get her bail reduced to a level her family could afford. Maria was able to spend Thanksgiving at home. She texted her Youth Represent attorney on the holiday: “I am thankful for you because without you, I wouldn’t be home with my family this holiday where I belong.”

“Jonathan” lived in a New York City Housing Authority (NYCHA) complex with his ailing grandmother and served as her primary caretaker. That was why it was a particularly dire situation when NYCHA served them with an eviction notice after Jonathan was arrested on a drug charge—charges that were ultimately dropped. NYCHA gave his grandmother a choice: be evicted, or permanently exclude her grandson and primary caretaker from their home. Permanent exclusion would mean Jonathan would not even be allowed to visit. She relied on him for her care too heavily for this to be realistic, and she couldn’t fathom kicking her grandson out of the house. A Youth Represent attorney represented them at the eviction hearing and was able to beat the eviction charge. Jonathan remains in his home where he continues to care for his grandmother.

“Danielle” is a gender non-conforming high school student who was visiting her friends at a different school when a School Safety Agent recognized that she was not enrolled there. In approaching her, rather than talking to Danielle he immediately tackled her and held her down. Her own school was informed of the incident, and suspended her for a year for trespassing on another school’s property. A Youth Represent attorney represented her at the suspension hearing and secured video footage of the School Safety Agent tackling Danielle. Based on the video and our advocacy, Danielle’s suspension was reduced from a full year to just 37 days. We also persuaded the hearing officer to recommend that her school provide guidance intervention to avoid any future suspensions.

As the Committee considers the FY 2019 budget we respectfully urge you to consider the need for innovative programs that tailor high quality legal services to the specific needs of justice involved youth and the incredible results that can be achieved when attorneys trained in youth development partner with community based organizations to provide immediate, youth-centered, and holistic legal representation.

2) Monitoring of Outcomes for Youth as Raise the Age Goes into Effect

Over the last ten years, several states have raised the age of criminal responsibility, including Connecticut (2007), Illinois (2010), Mississippi (2010), Massachusetts (2013), New Hampshire (2014), Louisiana (2016), South Carolina (2016).¹ Thus far there have been direct correlations

¹ The Justice Policy Institute. *Raising the Age: Shifting to a Safer and More Effective Juvenile Justice System*. The Justice Policy Institute, 2017, pp. 4, *Raising the Age: Shifting to a Safer and More Effective Juvenile Justice System*.

between raising the age of criminal responsibility and a decrease in both arrests and incarceration of 16 and 17 year olds.² That said, policy changes often create unintended consequences, and given the complexity of New York’s Raise the Age legislation, actual outcomes for youth are extremely difficult to predict.

New York’s Raise the Age legislation requires the creation of a “Raise the Age implementation taskforce” tasked with monitoring the effectiveness of Raise the Age on the state level.³ In 2016 more 16 and 17 year olds were arrested in New York City alone (14,500), than in the rest the state combined (10,125).⁴ Therefore, we strongly recommend that the City implement a similar monitoring body, comprised of researchers, advocates, service providers, **and directly impacted youth and families**, to analyze and monitor the impacts of Raise the Age with an analysis keen on New York City.

As advocates for our communities, we want to work with the City to ensure that New York follows the national trend of decreased confinement and decreased arrest rates for youth after raising the age of adult prosecution. To this end, we need New York City to prioritize monitoring and reporting on demographics and outcomes of 16 and 17 year olds who come in contact with the justice system. This will allow for the identification of any changes needed to better serve the young people in their custody, or to better manage or allocate funding to particular sectors of the justice system. Most importantly, creating a monitoring and reporting system will inform both the City and the public if there is any increase in detention as an unintentional consequence of Raise the Age.

The data monitored, analyzed and published, should include:

1. Compiled data from the New York City Police Department and the Office of Court Administration.
 - a. Demographics of 16 and 17 year olds arrested: age, race, ethnicity, gender, housing status, county and location of arrest, and county of residents
 - b. Offense/criminal charges at arrest and at arraignment
 - c. For felony offenses, rates of transfer to family court, broken down by demographics
 - d. Disposition of case and sentence requirements
2. Compiled data from Department of Probation.
 - a. Detailed data on DOP risk assessment evaluation, disaggregated by age, race, ethnicity, gender, housing status, county of residents, and classification (e.g. Juvenile Delinquent, or Adolescent Offender)

² The Justice Policy Institute. *Raising the Age: Shifting to a Safer and More Effective Juvenile Justice System*. The Justice Policy Institute, 2017, pp. 1–14, *Raising the Age: Shifting to a Safer and More Effective Juvenile Justice System*.

³ United States, New York State Senate, et al. “S2009-C.” *S2009-C*, New York State, 2017, pp. 210–253.

⁴ United States, Criminal Justice Statistics, and NYS DCJS.

“www.criminaljustice.ny.gov.” *www.criminaljustice.ny.gov*, New York State Division of Criminal Justice Services, 17 Feb. 2017. www.criminaljustice.ny.gov/crimnet/ojsa/youth-arrests/allcounties.pdf.

- b. Rates of successful adjustment
 - c. Number of youth who violate Probation
 - d. Number of youth who complete Probation
3. Complied data from the Administration for Children Services.
- a. Duration of pretrial incarceration
 - b. Duration of sentenced incarceration
 - c. Use of force by staff
 - d. Programming provided, including but not limited to: mental health, re-entry, legal, and aftercare services
 - e. All above data disaggregated by age, gender, classification (e.g. Juvenile Delinquent, or Adolescent Offender), and Probation risk assessment classification

Our proposed monitoring body would not only review and analyze relevant data but would solicit input from youth and families directly impacted by Raise the Age, for instance through surveys and focus groups. It would assess overall and demographic trends in arrests, charging, transfers to family court, pre-trial detention, utilization of diversion and alternatives to incarceration, dismissals, incarceration, conditions of confinement, and access to programming. This data and monitoring are absolutely critical to successful implementation of Raise the Age, and to identifying gaps or areas where the law needs to be amended.

The state of Illinois provides an illustrative case study. Illinois took a gradual approach towards altering their juvenile justice system.⁵ After passing initial legislation, it took “further steps to refine its juvenile justice approach by passing laws to reduce the use of confinement and narrow other legal pathways allowing transfer of youth to the adult system.”⁶ Illinois was able to alter their juvenile justice approach after passage of their first Raise the Age legislation due to the monitoring requirement included in the legislation.⁷ We strongly urge New York City to create a robust monitoring body that can assess real outcomes of Raise the Age legislation for youth and make recommendations for necessary changes in both the administrative and legislative arenas.

3) Specialized Secure Detention

Among the most important achievements of Raise the Age legislation is the promise of finally ending adult incarceration of 16 and 17 year olds in New York. Removing these teenagers from Rikers Island, only to have them supervised by DOC Correction Officers in juvenile detention, undermines the spirit and the intent of Raise the Age. It risks not only transferring the violent culture of Rikers Island to Specialized Secure Detention, but allowing that culture to permeate juvenile detention facilities and effect younger children.

⁵ The Justice Policy Institute. *Raising the Age: Shifting to a Safer and More Effective Juvenile Justice System*. The Justice Policy Institute, 2017, pp. 1–14, *Raising the Age: Shifting to a Safer and More Effective Juvenile Justice System*.

⁶ The Justice Policy Institute. *Raising the Age: Shifting to a Safer and More Effective Juvenile Justice System*. The Justice Policy Institute, 2017, pp. 1–14, *Raising the Age: Shifting to a Safer and More Effective Juvenile Justice System*.

⁷ United States, Illinois State Senate, and Illinois General Assembly. “Public Act 095-1031.” *Public Act 095-1031*, Illinois General Assembly, 2009.

The violent culture of Rikers Island is longstanding and well-documented. In 1969 the Bronx District Attorney launched an investigation to “look into the suicides, beatings, sexual abuse and drug trafficking taking place on Rikers Island”.⁸ Over four decades later, the same issues persist. Most notably, the worst abuses are often at the hands of Correction Officers and even supervisors. In 2014 the United States Department of Justice released an investigation report on Rikers Island, concluding:

*[T]he New York City Department of Correction systematically has failed to protect adolescent inmates from harm... This harm is the result of the repeated use of excessive and unnecessary force by correction officers against adolescent inmates [16, 17, and 18 year-old detainees], as well as high levels of inmate-on-inmate violence.*⁹

The Department of Justice investigation report, along with the *Nunez v. City of New York* Consent Judgment, commenced sweeping reforms governing how Correction Officers interact with 16 and 17 year olds. These reforms included: periodic independent investigations of Correction Officers’ use of force, prohibition on the use of solitary confinement for 16 and 17 old detainees, and the requirement to utilize “Enhanced Supervision Housing” instead of solitary confinement, along with more mental health resources.¹⁰ In spite of these and other reforms, the culture of violence at Rikers Island continues. The Fourth Report of the Nunez Independent Monitor, which covers January - June of 2017, found:

*While the Department has made significant gains in safely managing the Young Inmate population, described in more detail below, serious and problematic issues involving Staff use of force continue in an unabated fashion. The Department has a deeply entrenched culture of managing troublesome and/or potentially dangerous inmates with an iron fist. This ingrained propensity of Staff to immediately default to force to manage any level of inmate threat or resistance continues to produce high monthly incident numbers, especially in the absence of timely accountability for such misconduct. The cultural dynamic that permeates so many encounters between Staff and inmates in DOC is quite simply a consequence of Staff actions and behaviors that too often engender, nurture, and encourage confrontation.*¹¹

⁸ Rikers Island Timeline: jail’s origins and controversies. (2017, March 18). *New York Daily News*. Retrieved November 30, 2017, from <http://www.nydailynews.com/news/crime/rikers-island-timeline-jail-origins-contraversies-article-1.3001976>

⁹ Bharara, P., Samuels, J., Powell, J. K., & Daughtry, E. E. (2014). *CRIPA Investigation of the New York City Department of Correction Jails on Rikers Island*(pp. 1-79, Rep.). New York City, NY: U.S. Department of Justice. doi:<https://www.justice.gov/sites/default/files/usao-sdny/legacy/2015/03/25/SDNY%20Rikers%20Report.pdf>

¹⁰ United States District Court Southern District of New York . *Nunez v. City of New York – Consent Judgement*. 1 July 2015, [sites.ed.gov/underservedyouth/files/2017/01/Rikers-Consent-Judgment.pdf](https://www.uscourts.gov/underservedyouth/files/2017/01/Rikers-Consent-Judgment.pdf).

¹¹ The Nunez Monitoring Team. *Fourth Report of the Nunez Independent Monitor*. The Nunez Monitoring Team, 2017, *Fourth Report of the Nunez Independent Monitor*, assets.documentcloud.org/documents/4173501/Fourth-Monitor-Report-as-Filed-Nunez.pdf.

Jails are notoriously violent places. But the levels of violence at Rikers Island are put into stark perspective when Rikers is compared to other county jails in New York State. The New York State Commission on Corrections recently released a report finding that from January 2016 - November 2017, Rikers Island personnel assaulted over 500 detainees, while correctional personnel in all other county jails combined reportedly assaulted 3 individuals.¹² Based on this statistic alone we should ensure that DOC staff are not in the same building with children between the ages of 10 and 17, let alone supervising any of them.

To their credit, the City and the Department of Correction have implemented admirable and progressive reforms at Rikers Island, particularly related to the youngest detainees. These reforms have included significant investments in programming and training. Youth Represent currently partners with the City, as part of the Youth Reentry Network, to provide legal services to youth at Rikers. But these reforms have been limited in their power to curb conflict, escalation, and physical abuse by staff of young people. Based on the experience at Rikers over the past five years it is clear that even with the best of intentions, utilizing DOC Correction Officers in juvenile detention will import the culture of DOC into ACS facilities, and that culture will be impossible roll back.

Raise the Age legislation requires creation of “specialized secure detention” for 16 and 17 year olds who are being tried as adults, operated by ACS “in conjunction with” the DOC. The Raise the Age legislation does not mandate the presence of New York City Department of Corrections staff, nor does any legislative history or directive suggest that this is a requirement. The provision to remove youth from Rikers Island in the state legislation specifically states:

Prohibition on the custody of youth in Rikers Island facilities. Notwithstanding any other provision of law, no youth under the age of eighteen shall be placed or held in Rikers Island correctional facility or any facility located on Rikers Island located in the City of New York ... in no event after October First, Two Thousand Eighteen and such youth shall be taken to and lodged in places certified by the Office of Children and Family Services in conjunction with the Commission of Correction and operated by the New York City Administration for Children's Services in conjunction with the New York City Department of Corrections as a Specialized Juvenile Detention facility for that purpose.¹³

At the most fundamental level, the mission of the Department of Correction is to maintain custody and control of adults. The mission of the Administration for Children's Services is to “protect and promote safety and well-being of New York City's children and families.” Teenagers belong in a youth justice system developed to meet their needs, staffed by people trained in that system. The City has the power to ensure that this is the case, and to end adult incarceration of 16 and 17 year olds. We urge the Council to provide funding and support necessary to realize this goal whether through an expedited

¹² New York State Commission of Corrections . “Report: The Most Problematic Local Correctional Facilities of New York State .” *Report: The Most Problematic Local Correctional Facilities of New York State* , New York State Commission of Corrections , Feb. 2018. www.scoc.ny.gov/pdfdocs/Problematic-Jails-Report-2-2018.pdf.

¹³ United States, New York State Senate, et al. “S2009-C.” *S2009-C*, New York State, 2017, pp. 210–253.

hiring process to increase ACS staffing, a short-term contract with a non-profit to provide interim staffing during the ACS hiring process, or another creative solution.

Conclusion

New York City has made great strides in recent years addressing some of the worst harms of our youth justice system by reducing youth arrests and incarceration and expanding alternatives to incarceration and other programs for youth. The City now stands at a critical inflection point, undertaking both the implementation of historic Raise the Age legislation and the monumental task of permanently closing Rikers Island. The Council will play an essential role in ensuring that both of these things are done right. This includes truly ending the adult incarceration of 16 and 17 year olds by ensuring that all youth in juvenile detention, including specialized secure detention, are supervised by staff selected and trained to serve youth. It also includes monitoring implementation of Raise the Age and meaningfully investing in reentry legal services for youth.



520 Eighth Avenue, New York, New York 10018

p. 646 386 3100

f. 212 397 0985

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Greg Berman, Director

**Center for Court Innovation Testimony
New York City Council
Committee on Criminal Justice
Preliminary Budget Hearing
March 15, 2018**

Good Morning Chairman Powers and members of the Committee on Criminal Justice. My name is **Natalie Reyes** and I am the **Deputy Director of the Midtown Community Court**, a project of the Center for Court Innovation.

I am here to urge the City Council to support the Center for Court Innovation as it seeks to strengthen and expand its alternative-to-incarceration, youth diversion, and access to justice programs through \$1,000,000 in support from the City Council in fiscal year 2019. This includes a \$500,000 continuation of funding for ongoing alternative-to-incarceration operations and a \$500,000 enhancement to spur the growth of youth justice and access to justice programs.

Support from the Council is crucial to the continuation of our alternative-to-incarceration work throughout the five boroughs, which includes the Red Hook Community Justice Center, Midtown Community Court, and Bronx Community Solutions. Our programs, which serve tens of thousands of New Yorkers each year, play an important role in the overall goal of reducing incarceration and working towards the closure of Rikers Island. Through alternative sentencing, our programs provide off-ramps from the criminal justice system and from jail sentences at Rikers. We have also recently expanded the use of supervised release, helping countless individuals who are unable to afford bail to avoid jail time. Our programs also work with people to avoid recidivism after incarceration as well.

This year, Raise the Age reforms, which are starting on October 1st, can also play a crucial role in reducing incarceration. The Center's diversion programs in Manhattan, Brooklyn, Queens, and Staten Island currently serve thousands of young people each year through counseling, academic support, and workforce development. One example of the success of our work in this area is the story of G, who was mandated to four sessions with the Midtown Community Court's adolescent diversion program. G's justice involvement was linked to a history of negative peer influence, but through his sessions with us, he focused on developing responsible decision-making skills. While participating in our program, he also honed his vocational goals and took steps to become a hospital X-ray Technician. Looking forward, the Center's diversion programs, like the one at the Midtown Community Court, can serve countless others like G as Raise the Age is implemented. With Council support, the Center could expand its current diversion work to serve an estimated 30% percent more youth in boroughs such as Queens and Staten Island. The Midtown Community Court had also requested member item support from your office that will directly advance the programmatic needs of our UpNext fatherhood and employment readiness program. Individuals that are involved in this program are often formerly justice involved, which has a direct link to our goal of reducing incarceration and keeping individuals from re-entering the justice system. The member item funds would support UpNext graduates who are accepted into a competitive, six-week Fellowship that includes a paid internship at the Midtown Community Court or partner organization.

The City Council's support has been invaluable to the success of the Center for Court Innovation. The Center looks forward to continuing to work with the Council to reduce incarceration and to enhance youth justice. We respectfully urge you to continue to support our work and I thank you for the opportunity to speak. I would be happy to answer any questions you may have.



Fiscal Year 2019 Citywide Speaker Funding Request

Discretionary Application Reference No. 57488

The Center for Court Innovation seeks to strengthen and expand our alternative-to-incarceration, youth-diversion, and access-to-justice programs through \$1,000,000 in support from the City Council in fiscal year 2019. This includes a \$500,000 continuation of funding for ongoing operations and a \$500,000 enhancement, which will help us advance the City Council's goals of improving fairness and working toward the closure of Rikers Island.

Council support will allow for the continuation and expansion of our work in the following areas:

Continuing Support

We work with tens of thousands of New Yorkers each year. The vast majority of the people we serve are LGBTQ, youth, immigrants, low-income, or people of color. Our programs—which include the Red Hook Community Justice Center, Crown Heights Community Mediation Center, Midtown Community Court, Bronx Community Solutions, Queens Youth Justice Center, and Staten Island Justice Center—have been documented by independent evaluators to improve safety, reduce incarceration, and enhance public trust in government.

Youth Justice

Our diversion programs in Manhattan, Brooklyn, Queens and Staten Island currently serve thousands of young people each year through counseling, academic support, and workforce development. Looking forward, with expanded funding, these programs can be a vehicle for the successful implementation of Raise the Age reforms, serving young people who will no longer go through criminal court. Our goal is to offer meaningful off-ramps, allowing participants to avoid detention wherever possible. We have developed a particular expertise in working with young women and LGBTQ survivors of exploitation and trafficking, offering trauma-informed mental health services. Expanded funding would allow the Center to serve hundreds more from these vulnerable, at-risk populations.

Access to Justice

The Center for Court Innovation is making a deep investment in improving access to justice. Our Harlem Community Justice Center works to resolve disputes between tenants and landlords, providing mediation, benefits assistance, and social services to local residents. With the Council's support, we can extend the reach of the Justice Center by close to thirty percent. Additionally, our Legal Hand program serves Crown Heights, Jamaica, and Brownsville residents facing housing, immigration and employment issues. Legal Hand trains local residents to empower their neighbors with legal information. Council support would allow us to expand this program to three new communities by hiring additional supervising attorneys, which will serve hundreds of additional low-income New Yorkers.

The Center for Court Innovation looks forward to continuing its partnership with the City Council in the next fiscal year. Please support our crucial work.

For more information, please contact Dipal Shah—shahd@courtinnovation.org or 646.386.3820.

FY 2019 Enhancement Request

Youth Justice and Access to Justice

Issue Area		Target Population	Program Description	Location	Served Annually	FY19 support would allow us to serve up to
Youth Justice	Alternatives to Detention	Young people to be charged with delinquency in Family Court.	After the initial implementation of “Raise the Age” on October 1, 2018, the Queens and Staten Island Youth Justice Centers will offer young people charged with delinquency community-based alternatives to detention. These programs provide comprehensive stabilization and support services including case management, family support, educational advocacy, and vocational training and placement.	Brooklyn Manhattan Queens Staten Island	878	30% more young people.
	Trauma-Informed Mental Health Services	Young women and LGBTQ survivors of exploitation and trafficking.	In response to a spike in the number of sexually exploited youth, the Queens Youth Justice Center will offer young women and LGBTQ survivors of trafficking and exploitation specialized, trauma-informed advocacy to serve this population’s unique challenges and needs.	Queens	30	50% more young people.
Access to Justice	Housing Justice	Litigants in Housing Court.	To promote increased access to housing justice for Harlem residents, the Harlem Community Justice Center will serve an additional number of residents in the Harlem Housing Court through the provision of dispute resolution, benefits assistance, and social service provision.	Manhattan	598	30% more people.
	Civil Legal Support	New York City community members with potential civil legal disputes.	To address the gap in civil legal service provision for low-income New Yorkers, the Legal Hand program will expand to additional New York City communities and provide information to residents with civil legal issues.	Bronx Brooklyn Manhattan Queens	10,015	50% more people.



**Testimony
City Council Committee on Criminal Justice
Preliminary Budget Hearing
March 15, 2018**

Submitted By Alternatives to Incarceration/Reentry Coalition

Comprised of 11 groups:

- BronxConnect (Urban Youth Alliance International, Inc.)
- Center for Alternative Sentencing and Employment Services (CASES)
- Center for Community Alternatives (CCA)
- Center for Employment Opportunities (CEO)
- College and Community Fellowship (CCF)
- EAC Network (NYC TASC and Mental Health Programs)
- Fortune Society
- Greenburger Center for Social and Criminal Justice
- Legal Action Center (LAC)
- Osborne Association
- Women's Prison Association (WPA)

Thank you for the opportunity to submit testimony on behalf of the ATI/Reentry Coalition, comprised of 11 New York City-based nonprofit service organizations. The mission of the ATI/Reentry Coalition is to reduce crime, strengthen families, and bring hope and opportunity to New York City communities with complex needs and issues by providing a full spectrum of services for individuals involved in the criminal justice system. Member organizations have decades worth of collective experience providing a full spectrum of services at each stage of the criminal justice continuum, including programs to prevent arrest, to divert individuals from unnecessary incarceration, and to support effective and lasting reentry from jail or prison. Every day, Coalition members provide these critical services across neighborhoods in every borough, reaching the City's most underserved communities.

Thanks to the Council's annual support, members of the Coalition have been working together for more than two decades to provide direct services for youth and adult populations in need and to advocate for criminal justice reforms.

The Coalition has developed a deep collective understanding of the City's criminal justice system and has long demonstrated its effectiveness and capacity as a trusted provider of effective, fiscally-sound community-based services. These include education, employment, family, housing, legal, mental health, substance use treatment, women's, and youth services.

Over the past two decades, the ATI/Reentry Coalition has helped New York City to build the nation's strongest network of effective programs providing alternatives to incarceration. **However, across our City—and often concentrated in our most underserved communities—many eligible people who need these ATI and reentry services still lack access.** Certain populations are particularly underserved by ATI services including women, young people, LGBTQ individuals, and people with mental illness. The funding for the ATI/Reentry Coalition can help bring the full range of our proven ATI programming to scale in order to reduce the still much-too-large number of people who are being needlessly (and expensively) incarcerated.

Council funding requested for FY19 will allow the Coalition to be more responsive to the City's evolving criminal justice landscape and to meet the increasing demand for a diverse range of ATI/Reentry services for existing and emerging populations across all Council Districts.

For example, Coalition member College and Community Fellowship fill a gap in reentry programs for **criminal justice-involved women**. While most reentry services focus on short-term solutions like transitional housing, substance abuse treatment, and temporary employment, CCF takes a long-term view of our students' success. By providing highly individualized support for our students, we help foster self-sufficiency and economic mobility: over the last 18 years, our students have earned **over 320 college degrees** (including a PhD and a JD) with cohort graduation rates as high as 93% and a cumulative recidivism rate of less than 1%. Furthermore, we know that the educational achievements

of our students help increase the educational achievements and aspirations of their children.

Furthermore, the Coalition assists with legal services. Coalition member Legal Action Center aims to use requested FY19 City Council funding to support new projects to help **people with criminal records to seal old convictions, understand their voting rights, and access housing** while also increasing technical assistance for policies/programs to speed closure of Rikers Island. The Center for Alternative Sentencing and Employment Services (CASES) seeks an additional \$100,000 allocated in FY2019 to provide **specialist mobile mental health services for at least 100 criminal justice-involved youth and adults who have mental illness**. And the Osborne Association is seeking an additional \$100,000 to expand its **job training and placement services** to include adults and young people who are excluded from existing programs due to federal and state eligibility criteria.

Important social justice reforms like Raise the Age must be complemented with investments in alternatives to incarceration and educational and professional opportunities for our most vulnerable youth. This is an area where the ATI/Reentry Coalition can play a critical role. One Coalition member, BronxConnect, has used City Council ATI Initiative funding in the past to launch an alternative to incarceration program at Rikers Island for youth facing 6 to 12 months for misdemeanor charges.

With Council funding, member organizations will be able to deploy greater resources to these and other services—more diversion programs, jail based pre-release/transitional services, employment and job training, and housing support. And importantly, build upon the strong efforts of the Mayor and the Council to build a more equitable criminal justice system and to close Rikers.

The City Council funding is flexible and allows the member organizations to deploy resources outside of existing service contracts with City and State agencies that are very targeted to particular demographics or geographic locations. Second, Council funding for the Coalition allows member organizations to expand the reach and availability of key ATI/reentry services that are not currently supported by City agency contracts.

The ATI/Reentry Coalition programs cost approximately \$18,250 per participant annually. This is far less than the \$96,000 annual cost for every adult incarcerated. The savings generated by Coalition programs are even more significant for youth services, with the annual per youth cost of juvenile detention being approximately \$200,000. At the same time, Coalition programs are proven to increase public safety compared to jail or prison-- the two-year recidivism rate of Coalition program graduates is less than 20%, far lower than the 42% recidivism rate of those released from incarceration.

At this especially critical time in the history of the New York City criminal justice system, the ATI/Reentry Coalition is seeking a \$1.1 million increase to ATI Initiative funding for a total of \$7.507m. This \$1.1m increase over the last fiscal year would be

divided equally among the 11 coalition members (with an additional \$100,000 to each group).

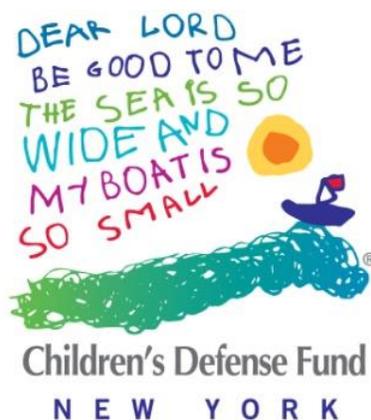
This funding will help build on the Coalition's track record of offering effective services that reduce crime and break the cycle of incarceration while saving tax dollars and strengthening communities. This increase is essential in achieving many of the criminal justice objectives supported by the City Council.

Thank you.

Testimony of the Children's Defense Fund – New York Before the New York City Council Committee on Criminal Justice

Preliminary Budget Hearing

March 15, 2018



Beth Powers
Director, Youth Justice
epowers@childrensdefense.org
(212) 697 - 0882

The Children's Defense Fund's (CDF) Leave No Child Behind® mission is to ensure every child a healthy start, a head start, a fair start, a safe start and a moral start in life, and successful passage to adulthood with the help of caring families and communities. CDF provides a strong, effective and independent voice for all the children of America who cannot vote, lobby or speak for themselves. We pay particular attention to the needs of poor children, children of color and those with disabilities. CDF – New York's unique approach to improving conditions for children combines research, public education, policy development, community organizing and advocacy activities, making us an innovative leader for New York's children, particularly in the areas of health, education, early childhood and juvenile justice.

Thank you Chair Powers and members of the City Council Committee on Criminal Justice for this opportunity to testify on the Preliminary Budget.

Raise the Age

CDF-NY co-leads the Raise the Age – New York Campaign, a public education campaign which helped to bring awareness to the need to raise the age in New York State resulting in the successful passage of legislation in April of 2017. We continue to advocate to ensure the law is successfully implemented including through appropriate planning and allocation of funding to ensure all jurisdictions around the state are able to competently implement changes. Raising the age of criminal responsibility in New York was a long overdue change necessary to increase New York's ability to treat young people who come in contact with the justice system in an age appropriate way. Implementation of raise the age will significantly alter New York's juvenile justice system, and thus now is a critical time to examine the system in place and anticipated shifts in the upcoming years.

Implementation of raise the age is an opportunity to examine how New York responds to justice impacted young people and ensure that front end community based solutions are prioritized and deep end confinement based settings are used as a last resort. Raise the age will impact all stages of justice system involvement including but not limited to community based alternatives, probation, courts, detention, placement and aftercare. All of these aspects will require appropriate funding to increase services as well as to train staff.

The raise the age legislation will take effect over the next two years with the age raising from 16 to 17 in October of 2018 and from 17 to 18 in October of 2019. Notably, the legislation includes an accelerated timeline for the removal of youth from Rikers Island. All 16 and 17 year olds must be removed from Rikers by October of 2018 despite the age having only been raised from 16 to 17 at that point in time. Once raise the age is in effect, all 16 and 17 year olds charged with misdemeanors will be processed under juvenile delinquency proceedings in Family Court. These young people will follow the same process as youth 15 and under charged with juvenile delinquency follow currently. Youth charged with non-violent felonies will have their cases originate in newly developed Youth Parts of the adult criminal court, however these cases will have a presumption of removal to Family Court unless the District Attorney proves extraordinary circumstances justifying why the case should remain in the adult court. Thus, many 16 and 17 year olds charged with non-violent felonies are also anticipated to have cases in Family Court. Finally, youth charged with serious felonies will have their cases heard in the new Youth Part and will remain in the

Youth Part for the entirety of their case unless certain criteria¹ are met and the District Attorney does not show extraordinary circumstances. The young people who remain in the Youth Part will be referred to as Adolescent Offenders (AOs). AOs who are detained pre-trial or sentenced to less than one year will be housed in new specialized secure detention (SSD) facility jointly operated by the Administration for Children Services (ACS) and the Department of Correction (DOC).

We appreciate the thoughtful planning and coordination of the many impacted City agencies in preparing for the implementation of raise the age. We however are concerned with certain aspects of implementation and urge reconsideration of aspects outlined below in order to ensure the full benefits of the law are realized.

Specialized Secure Detention for Older Adolescents

Raise the age legislation requires the creation of new specialized secure detention (SSD) for older adolescents to serve as facilities where youth charged as AOs will be detained. The legislation dictates that these new facilities are to be jointly operated by ACS and DOC. It is critical for the success of raise the age to be seen that these facilities are designed and operated as youth facilities under a youth justice model and not as 16 and 17 year olds are currently detained by DOC, in facilities segregated for youth under an adult correctional model with adult correctional officers.

We are alarmed at the City's current plan to staff these facilities with DOC staff. The Mayor's Office of Criminal Justice presented a plan at the December 6, 2017 City Council Juvenile Justice Committee Hearing the City's plan for how ACS and DOC will jointly operate facilities. We understand that the City plans this as a temporary measure for the first 24 months of operation. We are however concerned that staffing these youth facilities with DOC Officers will import an adult correctional culture that will not be easily, if at all, removed after 24 months. We appreciate that ACS will offer case management and programming responsibility for youth, however this measure cannot negate use of DOC staff to provide security for youth.

We acknowledge that DOC has made strides to address the treatment of youth in their care. Notably, the elimination of punitive segregation for youth age 16-21, a detrimental practice that caused irreparable harm to youth for many years. DOC has also made strides to increase positive programming for adolescents. The city should make efforts to ensure that all programming offered to adolescents now is available in the new settings to avoid any unintentional loss of access to programming. They should additionally ensure that the close attention to young people developed over the past several years is continued for the young adult population once adolescents are removed from Rikers.

Despite this progress, DOC is not in the best position to respond to youth and should not be tasked with overseeing 16 and 17 year olds in the new youth facilities. In addition to DOC representing an adult

¹ Transfer from Youth Part to Family Court for violent felonies is depended on the absence of three criteria: 1. display of a firearm, shotgun, rifle, or deadly weapon; 2. Certain criminal sexual conduct; 3. Significant physical injury. See New York State's Raise the Age Overview and Implementation Presentation: <https://www.ny.gov/sites/ny.gov/files/atoms/files/RTAWebsitePresentation.pdf>

focused approach to corrections, they also have a history of mistreatment of youth which is well documented. The most recent Independent Court Appointed Monitor Report for Nunez vs. City of New York from October 2017 reports serious concerns with DOC treatment of youth. They note “serious and problematic issues involving Staff use of force continue in an unabated fashion².” The monitor report additionally notes that “[t]he cultural dynamic that permeates so many encounters between Staff and inmates in DOC is quite simply a consequence of Staff actions and behaviors that too often engender, nurture, and encourage confrontation”. Such encounters involved leadership noting a “disturbing” number of captains who were involved “frequently” and “repeatedly” in concerning use of force incidents.

All policies and practices in the new facility must mirror those currently used for youth and not adult correctional practices. An example of a tool utilized by DOC that is inappropriate for youth and should not be replicated in any new facility, is the use of chemical agents (pepper spray, or gas). In November 2016 the New York City Council Committee on Juvenile Justice, Committee on Fire and Criminal Justice and Committee on Education heard testimony from ACS, DOC and the Department of Education (DOE)³ in which it was publicly discussed that “gas” is a tool utilized by corrections officers at Rikers against adolescents. It was stated that the “gas” is used in classrooms and that teachers are allowed the use of gas masks – though students are not provided any protection. It was noted in testimony by a Special Education Teacher on Rikers that some areas do not have proper ventilation and students become ill and have vomited from exposure to the “gas”.

It is critical that the City make every effort possible to ensure the culture of violence that proliferates at Rikers is not allowed to be adopted in the new youth facilities. The newly developed facilities must utilize behavior management tools that are the least restrictive possible and which reflect best practices for youth to protect young people from harm. Raise the age is an opportunity to genuinely change the culture that has perpetuated in DOC and transform the experiences of detained youth. It is critical that policy and practice are clearly constructed to reflect best practices in youth justice. It is not appropriate for adult correctional staff to oversee youth in the new youth facility and in doing so the City cannot expect different results than currently achieved. Staff selected to work in the new facilities should be deemed appropriate to work with youth from those with expertise in serving youth under a youth justice model and any staff with histories of working in adult corrections should be vetted and trained to understand the drastically different practices, policies, and culture that is expected in the new youth facility.

We appreciate the need for urgency in planning for the implementation of raise the age and we understand the enormous challenge of hiring and training sufficient staff to handle expanded capacity in youth facilities. However we urge the Council to ensure that the statutory benefits intended by removing youth

² The Nunez Monitoring Team (October 10, 2017). Fourth Report of the Nunez Independent Monitor, Fourth Monitoring Period January 1, 2017 through June 30, 2017. Retrieved from:

<https://apps.npr.org/documents/document.html?id=4173501-Fourth-Monitor-Report-as-Filed-Nunez>

³ New York City Council, Oversight - Educational Services for New York City's Detained, Placed, and Incarcerated Youth, Adolescents, and Young Adults, November 30, 2016. Retrieved from:

<http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2864769&GUID=CDFD5A0E-E41D-4DFD-809E-3990064BE692&Options=&Search>

from Rikers is not lost by allowing DOC staff and other adult correctional practices into the new youth detention facilities.

LGBTQ Youth in SSD

Of particular concern in facilities jointly operated by ACS and DOC are the conditions for LGBTQ youth. ACS has in place model policies and best practice guidance for the treatment of LGBTQ youth in its care. Of particular consideration when constructing gender segregated facilities are practices surrounding transgender and non-binary youth. ACS makes its expectations of treatment of youth clear in its publication “Safe and Respected: Policy, Best Practices, & Guidance for Serving Transgender, Gender Expansive, & Non-Binary Children and Youth Involved in the Child Welfare, Detention, and Juvenile Justice Systems”. This guide outlines ACS policy⁴ with additional guidance⁵ and best practices for practitioners working with youth.

Emphasis is placed by ACS in its policies regarding LGBTQ youth on respecting youth and ensuring that when placed out of home they are in affirming placements. Of particular note are housing practices for placement of transgender youth. Below are a few examples of model practices of ACS that must be utilized in any facilities for youth, including the new specialized secure facility jointly operated by ACS and DOC:

- “It is ACS policy that all transgender and non-binary children and youth shall be in homes and congregate facilities that are affirming of their gender identities and gender expressions. This applies to all Children’s Services and contracted provider agency staff involved in any way with custodial or community-based services provided by Children’s Services or in contract with Children’s Services.”
- “Generally, it is most appropriate to house transgender and non-binary children and youth in Children’s Services custodial care based on their gender identity. Transgender and non-binary children and youth must not automatically be housed according to their sex assigned at birth.”
- “Decisions on bedrooms for transgender and non-binary children and youth in foster boarding homes must be based on the youth’s individual needs, and must prioritize the youth’s emotional and physical safety.”
- “It is critical to include transgender and non-binary children and youth in the decision-making process.”

The above highlighted ACS policy and guidance are in stark contrast to the experiences of transgender youth at Rikers Island. While DOC has made some strides to improve protections for transgender people in their custody, they fall short, particularly when addressing the needs of youth. DOC lacks clear policy and

⁴ The City of New York Administration for Children Services. (November 21, 2012). “Promoting a Safe and Respectful Environment for LGBTQ Youth and their Families Involved in the Child Welfare, Detention and Juvenile Justice System”. Retrieved from: https://www1.nyc.gov/assets/acs/pdf/lgbtq/LGBTQ_Policy.pdf

⁵ Perry, J.R. & Green, E.R. (2017) “Safe and Respected: Policy, Best Practices, & Guidance for Serving Transgender, Gender Expansive, & Non-Binary Children and Youth Involved in the Child Welfare, Detention, and Juvenile Justice Systems” Retrieved from: <https://www1.nyc.gov/assets/acs/pdf/lgbtq/SAFEAndRespectedUpdate061417.pdf>

practice of placing individuals based on their gender identity, which places transgender people at elevated risk of abuse. While DOC has created a transgender housing unit that is available to some adult women this option is not available to transgender youth due to the sight and sound separation of youth from adults, and in fact fails to fully meet the needs of transgender adults. The difference in placement practices between ACS and DOC is extreme. For example, a transgender girl placed in Close to Home by ACS may be placed in a placement facility for girls if that is deemed most appropriate (following the above guidance), however it is highly likely that the same girl if detained by DOC would be housed in a male unit and not at Rose M. Singer, the women's jail. Recent testimony before the Board of Correction by the Sylvia Rivera Law Project, an organization dedicated to advocacy on behalf of transgender, gender non-conforming, and intersex people, noted that in their experience they are "unaware of any time in which the DOC knowingly housed a transgender woman at the Rose M. Singer Center"⁶. Such practices are demeaning and dangerous and go against best practices for youth.

Impact of Raise the Age on Justice Continuum

The majority of 16 and 17 year olds arrested in New York City are charged with misdemeanors⁷. In 2017 there were 11,678 arrests of 16 and 17 year olds in New York City. Of those, 66% or 7,723, were for misdemeanors. An additional 17% or 1,985 arrests were for non-violent felonies. Thus the majority of arrest of 16 and 17 year olds will be processed in the Family Court with all misdemeanors automatically in Family Court as well as all non-violent felonies for which Prosecutors do not show extraordinary circumstances. This will increase the number of youth in the juvenile justice system and shift the age demographic of youth currently served.

Youth charged with juvenile delinquency will benefit from the possibly of adjustment by the Department of Probation which offers an off ramp, potentially diverting youth from court all together. To handle this increase in youth, resources will be critical for the Department of Probation, the community providers they contract with for adjustment services, and all Family Court stakeholders – including for training on the new requirements under raise the age.

This shift in integrating 16 year olds into the juvenile justice system this year and 17 year olds in 2019 will impact all steps along the justice continuum. This includes preparing to serve an older population in ACS's alternative to placement program JJI as well as other respite and related front end services. Detention and Close to Home placement facilities need to be prepared to address needs of older youth as well. Of consideration should be family dynamics – both with the families of youth and for parenting youth, educational needs, vocational needs, as well as health and mental health needs. Aftercare services will need to be additionally tailored. Of consideration should be the housing needs of older youth, consideration for youth lacking secure family resources, and options or for youth not wishing to return to family.

⁶ Kinkead, M. (October 6, 2017). Sylvia Rivera Law Project comments to the NYC Board of Correction. *Retrieved from:* <http://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2017/Oct-10-2017/SRLP%20submission%2010.6.2017.pdf>

⁷ See <http://www.criminaljustice.ny.gov/crimnet/ojsa/youth-arrests/nyc.pdf>

New York City's juvenile justice system has undergone significant change over the past several years. The City has developed a continuum of services that allow for intervention at multiple points along the justice continuum, prioritizing alternatives to confinement. We are relieved at passage of raise the age legislation to allow more youth access to the juvenile justice continuum as opposed to adult criminal justice system. CDF-NY recognizes that youth are best served in their communities and with the least restrictive type of intervention possible. Ideally, such services should be available within communities prior to youth ever entering the justice system.

Conclusion

New York City currently faces significant potential financial cuts as proposed in the Governor's Proposed Executive Budget. The cuts to New York City include a proposed cap on reimbursement for preventative and protective services offered to children and families by the ACS. While the largest segment impacted by this cap is child welfare services, this funding stream also includes prevention for juvenile justice system involvement such as the alternative to placement program, JJI. Additionally the State is proposing to cut 100% of State reimbursement for Close to Home at a time when the program is anticipated to grow considerably due to the implementation of raise the age. Finally, it is unlikely that New York City will receive any State funding to implement raise the age. We encourage the city to continue to prioritize alternatives to placement and detention in this challenging fiscal environment.

CDF-NY is enthused that New York has finally raised the age of criminal responsibility and the progress this change represents for the entire juvenile justice system. We encourage the Council to continue oversight to ensure the law is implemented as intended to ensure the full benefits of the legislative change are attained. If you have any questions or you would like further information, please contact Beth Powers, Director of Youth Justice, 212-697-0882, epowers@childrensdefense.org.

Testimony for Committee on Criminal Justice

Date: 3/15/18
Name: Towaki Komatsu

In the 2 years, 1 month, and 12 days since I first testified to this Council in opposition to the gross 32% pay raise its members approved for themselves and my other “servants,” as the majority of the Council fled from this room before I could testify in violation of my due process right to a full and fair hearing as if they were chasing after the type of “Ziti” that the Mayor and Joseph Percoco have loved, those who benefited from those raises didn’t earn them. If this weren’t true, it’s unlikely I would be here yet again today while in the company of those unworthy of it.



Back then, I didn’t know that the head of the Mayor’s NYPD security detail was defending a federal civil rights lawsuit due to a September 2012 incident so-called “journalists” have censored from the public as accomplices, the Mayor is a fraud, HRA Commissioner Steven Banks is one too, the New York City Department of Investigations and CCRB are largely

subservient to the Mayor, and the NYPD's real mission has been to a) protect the Mayor from being fired by voters & b) serve its interests by violating military veterans civil rights, raping girls, taking bribes, and murdering people like Deborah Danner and Eric Garner. Back then, I asked for legal assistance regarding wage-theft by one of HRA's business partners named NTT Data taxpayers pay for that also does business with New York State Attorney General Eric Schneiderman's office. I also asked for such help for harassment by a slumlord. I never received either and I'm no longer naïve.

Since then, my problems have worsened significantly, as one of HRA's partners committed fraud and forgery against me that it condoned and enabled me to be assaulted in a shelter financed by taxpayers. That assault was foreseeable and gave me a concussion that robbed me of a chance to be properly considered for a job that would have paid me \$450 daily. My assailant Ronald Sullivan was then set free in February of 2017 by Bronx Criminal Court Judge Cori Weston who the Mayor picked after she wrongfully suppressed pertinent security logs as evidence and the Bronx DA didn't use a key witness during trial. Mr. Sullivan described to that witness immediately after assaulting me how he did so, as he fled from the building where I reside and in which he assaulted me. That assault, the fact that HRA could have and chose not to prevent it following an earlier assault attempt by Mr. Sullivan, and the fact that it seems that Mr. Sullivan now works for the New York City Department of Education keeps my rage intact and barely concealed.

Following that assault on 7/2/16, my 7/30/16 concussion diagnosis, a bait-and-switch apartment lease agreement fraud and forgery that HRA's business partner Urban Pathways perpetrated

against me, and communications I had with HRA and the Bronx District Attorney's office on 3/16/16 and 3/17/16 about that bait-and-switch in which they refused to intervene, members of the Mayor's NYPD security detail, his Community Affairs Unit, and court officers assigned to the Bronx Supreme Court flagrantly violated applicable federal criminal statutes, New York State criminal laws, New York State's Open Meetings Law, my First Amendment and Fourteenth Amendment rights at numerous public meetings that the Mayor held on and after 4/27/17. During that period, members of the NYPD repeatedly assaulted me, as the Mayor, NYPD Commissioner, and Manhattan D.A. violated the oaths they took and New York State's Penal Code by refusing to intervene.

On 4/19/18, I have to be back at the Bronx Criminal Court to contend with a frivolous criminal prosecution of me for having exercised my legal self-defense rights against NYPD members who illegally stopped, seized, assaulted, harassed, and arrested me before illegally losing my wallet while I was in NYPD custody.

In closing, prior to coming here today, I fell victim to the following abuse:

1. My right to adequate criminal defense not being provided in my Bronx criminal case.
2. New York State Penal Code § 175.25 that concerns tampering with public records and is a felony. The Mayor, HRA, this Council, the NYPD, the Mayor's Community Affairs Unit, and court officers assigned to the Bronx Supreme Court are responsible for this.
3. New York State Penal Code § 170.10 that concerns forgery and is a felony. HRA's business partner Urban Pathways is responsible for this.

4. New York State Penal Code §120.25 that concerns reckless endangerment and is a felony. Mr. Sullivan, HRA and its partners Urban Pathways and Services for the Underserved are responsible for this.
5. New York State Penal Code §240.26 that concerns harassment in the second degree. The Mayor, HRA, this Council, the NYPD, the Mayor's Community Affairs Unit, court officers assigned to the Bronx Supreme Court, Urban Pathways, Services for the Underserved, the Bronx D.A.'s office, and Mr. Sullivan are responsible for this.
6. New York State Penal Code §195.00 that concerns official misconduct. The Mayor, HRA, this Council, the NYPD, the Mayor's Community Affairs Unit, and court officers assigned to the Bronx Supreme Court are responsible for this.

Due to this Council's complacency and complicity with the Mayor's administration for the abuses I described above, it appears that relief isn't available in this forum. As a result, while in the Courts, I intend to immediately seek to have a judge do the following:

1. Repeal this Council's unconstitutional disorderly conduct law.
2. Void public hearings that the Mayor held on 1/8/18, 11/27/17, and 9/8/17.
3. Void public hearings that this Council held that violated my First and Fourteenth Amendment rights.
4. Void how the Mayor, this Council, and others benefited from how the NYPD, Mayor's Community Affairs Unit, and court officers violated my First Amendment rights to attend public town hall meetings and public resource fair meetings that the Mayor held last year and used as campaign events.
5. Identify the politicians and journalists who were involved in this process.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/15/18

(PLEASE PRINT)

Name: Jennifer Parish

Address: _____

I represent: Urban Justice Center

Address: 40 Rector St., 9th fl.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/15/18

(PLEASE PRINT)

Name: Kelly Grace Price

Address: _____

I represent: Tails Action Coalition

Address: 534 W 137th St #7N

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/15/18

(PLEASE PRINT)

Name: ROBERT COHEN

Address: 1 Centre St

I represent: BOC

Address: 1 Centre St

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/15/18

(PLEASE PRINT)

Name: MARTHA KING
Address: 149 Skillman Ave, 1B, Brooklyn, NY 11211
I represent: NYC Board of Correction
Address: 1 Centre Street NY NY 10007

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kate RUBIN
Address: 727 E. 10th Street, Brooklyn 11230
I represent: YOUTH REPRESENT
Address: 11 PARK PLACE SUITE 1512 NY NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Natalie Reyes
Address: _____
I represent: Center for Court Innovation
Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 3/15/18

(PLEASE PRINT)

Name: Patricia Lyons

Address: Associate Commissioner

I represent: NYC DOC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 3/15/18

(PLEASE PRINT)

Name: Jeff Thamkittikasem

Address: Chief of Staff

I represent: NYC DOC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 3/15/18

(PLEASE PRINT)

Name: Hazel Jennings

Address: Chief of Department

I represent: NYC DOC

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/15/18

(PLEASE PRINT)

Name: Angel Villalona

Address: First Deputy Commissioner

I represent: NYC DOC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/15/18

(PLEASE PRINT)

Name: Cynthia Brann

Address: Commissioner NYC DOC

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/15/18

(PLEASE PRINT)

Name: Jelani Anglin

Address: _____

I represent: Good Call

Address: 150 Court St

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: COBA PRESIDENT ELIAS HUSAMUDEEN (PLEASE PRINT)

Address: _____

I represent: COBA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/15/18

Name: Towaki Komatsu (PLEASE PRINT)

Address: _____

I represent: Self

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/15/18

Name: Tiffany Bryant (PLEASE PRINT)

Address: _____

I represent: The Public Theater

Address: 425 Lafayette St, NY, NY 10003

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/15/18

(PLEASE PRINT)

Name: WAYNE MCKENZIE, GEN. COUNSEL

Address: _____

I represent: NYC Dept of Probation

Address: 33 Beaver St NY NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/15/18

(PLEASE PRINT)

Name: ANA M. BERMUDEZ

Address: 33 BLAVER STREET, NY, NY 10004

I represent: NYC DEPT OF PROBATION

Address: 33 BEAVER ST, NY NY 10004

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/15/18

(PLEASE PRINT)

Name: Gineen Gray

Address: 33 Beaver St NY NY 10004

I represent: NYC Dept of Probation

Address: 33 Beaver St

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 3-15-18

(PLEASE PRINT)

Name: MICHAEL FONTE

Address: 33 BEAVER STREET

I represent: NYC DOP

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 3-15-18

(PLEASE PRINT)

Name: SHARUN GOODWIN

Address: 10 EAST 43rd STREET, BKLYN NY 11203

I represent: NYC DEPT. OF PROBATION

Address: 33 BEAVER STREET, NY, NY 10004

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 3/15/18

(PLEASE PRINT)

Name: Malik Reeves

Address: 215 Alexander Ave Bx, NY 10454

I represent: Goodcall

Address: Bronx, NYC

Please complete this card and return to the Sergeant-at-Arms