

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES

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August 23, 2017
Start: 11:19 a.m.
Recess: 11:45 a.m.

HELD AT: Committee Room - City Hall

B E F O R E: ELIZABETH S. CROWLEY
Chairperson

COUNCIL MEMBERS: Mathieu Eugene
Fernando Cabrera
Rory I. Lancman
Paul A. Vallone

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

2 [sound check, pause]

3 CHAIRPERSON CROWLEY: Good morning. My
4 name is Elizabeth Crowley, and I am the Chair of the
5 Fire and Criminal Justice Services Committee. Today,
6 this committee will be conducting a vote on three
7 bills related to the Department of Correction. I
8 fully support all of these bills, and I'm proud that
9 this Council will soon pass all three of these bills
10 into law. The overwhelming majority of inmates in
11 DOC custody are pre-trial detainees, and less than
12 ten percent of the detainees will be sentenced to
13 state prison. The rest will be released back into
14 our city street, and that is why it's so important
15 that we give these inmates, all of whom are legally
16 presumed innocent, the same opportunity and some
17 opportunity to better their lives. So, that is why—
18 so that when they are released, they have some—a
19 better chance to succeed. We also know that idle
20 time is correlated with violence. So, giving these
21 inmates something productive—productive to do can
22 also curb the troubling rise of violence on Rikers
23 Island. These same principles apply to the
24 approximately 13% of inmates who are sentenced.
25 They, too, deserve meaningful opportunities to reform

2 their lives. The three bills this committee will be
3 voting on today addresses issues for both pre-trial
4 detainees and sentenced inmates, and will establish
5 minimum standards and transparency for inmate
6 programming, discharged planning and education.

7 I will address these bills numerically
8 starting with Intro 1013-A sponsored by Council
9 Member Corey Johnson. The bill addresses discharge
10 planning, which is the process by which inmates are
11 guided towards appropriate programming and service
12 upon-services upon their release. This bill will
13 mandate that meaningful discharge planning be
14 provided to any inmate sentenced to more than 30 days
15 in DOC custody. This will ensure that those being
16 released to our city are given more than a Metro
17 Cards. They are given a genuine opportunity to
18 succeed.

19 Intro 1148-A is sponsored by Council
20 Member Dromm. This bill addresses those inmates who
21 are provided educational services by the Department
22 of Education, which includes 16 and 17-year-olds for
23 whom education is mandatory, and inmates 18 to 21
24 years old for whom the DOE provides optional
25 education programming. The bill requires a

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2 comprehensive report on programming for each school
3 year, ensuring transparency for this critical issue.

4 Intro 1348-A is sponsored by Council
5 member Cornegy. This bill ensures that DOC provides
6 all inmates in DOC custody for more than ten days
7 with a minimum of five hours per day of programming
8 including both pre-trial detainees and sentenced
9 inmates. The types of programming include any
10 structural services including vocational training,
11 counseling or programming, addressing drug
12 dependencies or mental health issues. By codifying a
13 baseline of five hours of programming for each
14 inmate, this bill will ensure that the recent gains
15 the DOC has made in providing inmate programming will
16 be permanent. I look forward to voting to pass these
17 bills through this committee today. I want to thank
18 the Council Members who sponsored the bills who are
19 here today to talk about their important bills, and I
20 would like to first recognize Council Member Dromm to
21 speak on 1148-A.

22 COUNCIL MEMBER DROMM: Well, thank you
23 Chair Crowley for working with me on another measure
24 aimed at reforming our city's jails. Intro 1148-A
25 represents a significant step toward helping to

2 address the educational crisis of young people in
3 jails. It has been estimated that 80% of those
4 entering Rikers Island do not have a high school
5 diploma or its equivalent. Education, of course, has
6 a tremendous impact on improving post-release
7 outcomes. Through investigative visits to Rikers
8 Island conducted by my colleagues and me, as well as
9 the testimony gathered at the committee hearing, we
10 were able to gain a better understanding of the
11 challenges of teaching and learning in this extreme
12 setting, and anecdotally, I want to just also say in
13 one of my first visits to Rikers, I remember entering
14 the solitary confinement cell of a 16-year-old who
15 the extent of his education was a Xeroxed sheet that
16 was placed under the door for him to complete, and
17 that was the extent of the education that that child,
18 16 years old was going to receive for the day. And
19 so, that's really one of the things that motivated me
20 to really begin to look at it and address this issue,
21 and to also highlight the issue, I want to share one
22 particularly disturbing practice we learned about at
23 the hearing, and that is the gassing of classrooms by
24 Correction officers when they deem it necessary to
25 restore order. This legislation focuses on

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2 transparency around several key data points:

3 Diplomas and high school equivalency, class size,

4 physical education, special education, vocational

5 programming, assault and the use of force as well as

6 tracking students' progress after their release. We

7 owe it to the young people who are in our jails to

8 provide the best possible education, and so I

9 encourage all my colleagues who sit on this committee

10 to vote in vote in favor of Intro 1148-A. Again,

11 thank you very much.

12 CHAIRPERSON CROWLEY: Thank you, Council

13 Member Dromm. Now, I'd like to recognize Council

14 Member Cornegy to speak on Intro 1348-A.

15 COUNCIL MEMBER CORNEGY: [off mic] [On

16 mic] I've had the pleasure of working on Rikers

17 Island as Assistant Director of Social Services and

18 also Assistant Director of Substance Abuse, and Intro

19 1348-A, which will mandate much needed programming to

20 persons detained or incarcerated on Rikers Island for

21 a period exceeding ten days. As you know, Rikers

22 Island houses roughly 10,000 persons on a daily basis

23 with about 77,000 passing through the facility in the

24 total each year. Of those, roughly 85% have not been

25 convicted of a crime. Unfortunately, as of today,

2 individuals merely awaiting trial at Rikers Island
3 often spend months or even years on Rikers Island
4 without access to structured services like vocational
5 training, counseling, cognitive behavioral therapy,
6 addressing drug dependencies, et cetera. Too often,
7 these long stays in the confines of Rikers lead to
8 tragedy. We should all know—we should all by now be
9 aware of the story of Kalief Browder, a young man who
10 while maintaining his innocence awaiting trial on
11 Rikers Island for three years. Much of Kalief
12 Browder's time on Rikers was spent in solitary
13 confinement and all of his time was spent without
14 access to services that may have saved his life. In
15 addition to possibly saving lives, programming for
16 persons detained at Rikers for long periods of time
17 mandated by Intro 1348-A provides opportunity for
18 them that have been shown to reduce the chances they
19 end up in jail again or just reduce recidivism.
20 Whether it be reducing an individual's dependency on
21 drugs or teaching them a skill that they can use to
22 find employment upon release, ensuring that
23 individuals on Rikers Island have access to the
24 services they need is paramount to improving the
25 outcomes of our criminal justice system. I thank the

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2 14 Council Members who have joined me as sponsors of
3 this bill, and urge the committed to vote in favor of
4 this legislation. Thank you.

5 CHAIRPERSON CROWLEY: I now ask the
6 Committee Clerk to take the roll call on the vote.

7 CLERK: William Martin, Committee Clerk
8 roll call vote Committee on Fire and Criminal Justice
9 Services. All items are coupled. Chair Crowley.

10 CHAIRPERSON CROWLEY: I vote aye on all
11 and congratulations Council Members Cornegy, Dromm
12 and Johnson.

13 CLERK: Cabrera.

14 COUNCIL MEMBER CABRERA: Aye on all.

15 CLERK: Lancman.

16 COUNCIL MEMBER LANCMAN: Aye.

17 CLERK: By a vote of 3 in the
18 affirmative, 0 in the negative and no abstentions,
19 all items have been adopted by the committee.

20 [pause]

21 CHAIRPERSON CROWLEY: We will keep the
22 vote open for the next half hour. Thank you.

23 [pause]

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2 CLERK: Continuation roll call the
3 Committee on Fire and Criminal Justice Services.
4 Council Member Eugene.

5 COUNCIL MEMBER EUGENE: I vote aye.

6 CLERK: The final vote in the committee
7 all items have been adopted by a final vote of 4 in
8 the affirmative, 0 in the negative and no
9 abstentions.

10 COUNCIL MEMBER EUGENE: And the meeting
11 is adjourned. [gavel]

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C E R T I F I C A T E

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



Date September 3, 2017