



Statement to the New York City Council

Committee on Criminal Justice

By Juanita Holmes, Commissioner

March 23, 2022 – 10am

Introduction

Good morning, Speaker Adams, and members of the Criminal Justice Committee. I am Juanita Holmes, Commissioner of the New York City Department of Probation (DOP). I am joined today by the DOP cabinet: Deputy Commissioners Michael Forte, Sharun Goodwin, Gineen Gray, 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 2024 Budget.

As you know, Probation has a unique role among the other public safety agencies. Statutorily, **probation is an alternative to incarceration (ATI)**, where a judge has determined that the person can remain in the community under our supervision. In practice, **it is a lifechanging opportunity to account for your actions, change behavior, and successfully transform your life.**

Too often, public safety is narrowly defined as the absence of crime. However, true safety is much more than that – it is about having a strong connection to fellow human beings in your community. Often for people coming onto probation, that connection has been eroded. Using a combination of **prevention and intervention**, NYC Probation officers work to restore that connection and help people change their behavior and reconnect with their community, all of which creates a pathway out of the criminal justice system - what we call their “New Now.”

The work we do with justice involved people to get to their New Now is what makes DOP unique. Social workers and community-based organizations don’t have the law



enforcement powers sometimes needed for behavior change; and it is not the job of a police officer to provide the social supports of a CBO. Our Probation Officers (POs) leverage *both* **risk management**, that's the level of supervision or monitoring intensity, and **risk reduction**, the supportive elements that actually help people change. And that is the pivotal role of this Department: utilizing a **one size fits one approach of structure and support to help people change their behavior and remain safely in their community - leading to better life outcomes for them, their families, and our city.**

Fiscal Year 2024 Preliminary Budget

As the City's largest ATI, I am proud of this Department's critical role in safely supervising people on probation throughout the five boroughs. Last year Probation provided intake, investigation, and supervision services for nearly 24,000 cases, and directly supervised more than 15,000 people. That is almost three times the average New York City daily jail census, at a fraction of the cost of incarceration. And our workload is growing. Intakes and investigations have increased nearly 40 percent, while new supervision cases went up 13 percent.

Over the past year, our Intelligence Division (Intel) conducted 7,948 field visits and 1,463 enforcement actions, which included gang-related investigations, failure-to-report home visits, DWI and bench warrant enforcement actions, responding to NYPD domestic incident reports, and transporting prisoners to and from other jurisdictions. These actions resulted in the recovery of numerous firearms, drugs, and other contraband.

To ensure we remain staffed to operate safely and successfully, we have scheduled another Probation Officer exam in June. We are engaged in a major multi-media and multi-lingual recruitment campaign to help find our next generation of **change agents**, as **Probation Officers are crucial to the success of everything we do.**

For Fiscal Year 2024, the Department of Probation has a Preliminary Budget of \$116.1 million, as compared to our Fiscal Year 2023 Adopted Budget of \$125.7 million. When compared to our current budget of \$128.1 million, the FY24 Preliminary Budget of \$116.1 million is \$11.9 million, or 10.2 percent less. Of the \$116.1 million allocated to our Preliminary Budget: 67 percent, or \$77.6 million,



Department of Probation

is for Personal Services (PS) and 33 percent, or \$38.5 million, is for Other-Than-Personal Services (OTPS). \$93.9 million are City tax levy funds, \$14.9 million are state funds, \$6.3 million are intra-City funds, and \$1 million are federal grant funds. State funding, which at one time reimbursed almost half of local probation costs, now provides only 12.8 percent of our operating budget.

Our budget priorities focus on building transformative relationships that meet the unique needs of people on probation through **Credible Messengers**, using **Age-Appropriate Interventions**, and providing critical resources and opportunities in the larger communities they call home through our **Neighborhood Opportunity Network (NeON)**.

Trusted Relationships & Credible Messengers

In our work, it is not only the services and resources that we provide, but *how* they are offered and by *whom*, that makes the difference. Credible messengers are people whose life experiences, including their own justice involvement, help them to engage justice-involved young people and their families in ways that others alone, cannot.

Our Arches Transformative Mentoring program for 16-24-year-olds, which works with credible messenger mentors, was independently evaluated by the Urban Institute. Urban found that one year after beginning probation, Arches participants' felony reconviction rates were an unprecedented *69 percent lower*, and two years after **remain 57 percent lower**, compared to those not in the program.

In Arches, credible messenger mentors run group sessions using cognitive behavioral interventions and are available 24/7 for one-on-one support. Working as a team with the PO, mentors help young people make better and safer choices, pursue their goals, repair relationships with family and community, and connect to education and employment opportunities; all of which helps to increase the safety for both the participants and their communities.

This model was so successful that it was replicated as Next STEPS (Striving for Engagement and Peaceful Solutions) in New York City Housing Authority (NYCHA) developments, where participants are glad to have this because, in their words: "it's close to home," and it "keeps us off the streets."



**Department of
Probation**

These young NYCHA residents are part of our newest Next STEPS site serving Gowanus Houses and Wyckoff Gardens in Brooklyn. Shout out to Council Member Restler, and your team, for your continued advocacy and partnership on this new program site. And it's not just Brooklyn: we are currently assisting the Boston Housing Authority as they work to develop a Next STEPS of their own.

Ongoing requests from other jurisdictions seeking to replicate these models is what inspired us to create the **Credible Messenger Justice Center (CMJC)**, in partnership with Community Connections for Youth (CCFY) and the City University of New York (CUNY). Earlier this month, we hosted program teams from Hartford, CT; Philadelphia, PA; and Dover, DE as part of our Building Credible Messenger Programs: NYC Immersion Experience. These jurisdictions now join more than 20 others nationally who are operationalizing the critical role of community-based credible messenger programs in reducing violence, changing lives, and advancing community justice.

We recognize that providing training and operational assistance to the Crisis Management System's (CMS) credible messengers and non-profit service providers is a critical priority for the Council. CMJC is actively engaged in providing this support; as well as committed to ensuring that the credible messengers have the personal and professional supports they need, both to thrive in their current roles as well as grow beyond. In addition to expanded training, thanks to funding from the Mayor's Office for Economic Opportunity, we are also working with the new Mayor's Office of Non-Profit Organization Services to provide support to the CBOs on the ground doing this critical work.

Through other CBO partnerships, we have also served over 3,500 juveniles on probation and their families with credible messengers as parent coaches in our Family Court Parent Support Program. Parent coaches, whose own children have been justice involved, provide invaluable support to families in navigating the juvenile justice system. This has resulted in fewer out-of-home placements, as parent coaches and families work together to find community-based options to support their children.

The Arches and Next STEPS interventions, CMJC, and parent coaches are part of "what works" in criminal justice. The research 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 safely keep people out of prison and jail.



Department of Probation

Age-Appropriate Interventions & Partnerships

Our experience has shown that the needs of young people are quite unique and require specialized training and interventions. That inspired the launch of Anyone Can Excel (ACE); a one-size-fits-one approach to address the specific challenges facing our 16-24 olds. Prior to ACE, “emerging adults” made up about one third of our caseload, but disproportionately represented almost *half* of our re-arrests.

Partnering with Roca, a national leader in recognizing that **addressing trauma disrupts violence**, we are training our front-line officers in the use of a cognitive behavioral therapy (CBT) curriculum developed by Massachusetts General Hospital. It is designed to build trust with the highest risk 16–24-year-olds who have experienced trauma and are the primary drivers (or victims) of violence. Our goal is to teach them life-saving emotional skills, so they can overcome their hurt and anger and begin to see a different kind of future. We are also building upon and expanding cross system City agency partnerships, including with the Department of Education (DOE) and the New York Police Department (NYPD), to better deliver timely services and resources to young people at risk for harm.

Our partnership with DOE’s ‘Project Pivot’ ensures that young people on probation can more easily access the specialized services made available at the 138 ‘Project Pivot’ schools, which have higher rates of suspensions, incidents involving weapons, and chronic absenteeism. These added supports help guide our young people toward academic and social-emotional success by eliminating barriers they face at school, many of which are safety related.

Another important, and expanding, partnership – our Youth Community Engagement Initiative (YCEI) - is with NYPD Youth Coordination Officers (YCO). Already underway in the South Bronx, this is an effort to engage young people on probation with high-risk behavior and better respond to their needs. Based on this success, and the YCO expansion announced last month, we are now working to expand this to targeted precincts in all five boroughs where youth violence is most prevalent. This partnership will further build cross-agency support, collaboration, and expertise to address challenges facing the young people, and facilitate critical connections to appropriate programs and services.



**Department of
Probation**

Community Engagement & The Neighborhood Opportunity Network (NeON)

To have the biggest impact on advancing community justice, you must focus resources on the people and communities where they are needed the most. That ethos is what inspired the Neighborhood Opportunity Network (NeONSM), a unique and trusted place-based approach that provides a range of services to high concentrations of people on probation and other community members in seven New York City neighborhoods historically impacted by the justice system: the South Bronx, Harlem, Jamaica, Bed-Stuy, Brownsville, East New York, and Northern Staten Island. These neighborhoods coincide with the findings of the “Seven Neighborhoods Study,” which revealed that almost all the New York State prison population came from just seven neighborhoods in our city.

Our NeONs strive to have the opposite impact - serving as engines of equity - working *with* residents and service providers to develop solutions from the ground up and invest valuable resources. And we are seeing the positive impact of this community-driven model in the results – as residents of NeON neighborhoods successfully complete probation at the *same rate* as residents of neighborhoods without these structural challenges. Though there is still a lot more work to do, I am proud of this Department’s contribution towards ensuring that justice system outcomes are not solely defined by a person’s zip code.

NeON Works, our employment readiness initiative, helped over 1,000 young people participate in specialized workforce programming last year resulting in 200 participants connected to jobs, internships, vocational training, and educational pathways. Specialty training areas included digital literacy, podcasting, music creation, short film production, and even sneaker design. As work experience opportunities have a major life-saving impact for young people, our focus and commitment to the employment readiness of our youth not only saves lives - but allows them to thrive.

Our **NeON Photography** program prepares participants to work as professional photographers. Graduates have been hired for events across the city, such as the We Love NYC launch earlier this week, and some even return to the program to teach. For example, one participant not only successfully completed probation, but secured multiple paid photography jobs and taught two classes. As a way to give back to his community, he singlehandedly fought for NeON Photography classes to



**Department of
Probation**

be offered at his former middle school. Due to his unwavering determination, the first cohort of “NeON Photography” students from John H. Finley Campus School in Harlem completed his class earlier this month.

The **Made in NY Animation Project**, our partnership with the Mayor’s Office of Media & Entertainment (MOME), has now helped over 9,000 young people learn digital animation skills on-site at our NeONs - helping to grow the talent pipeline for NYC’s tech and video game sectors. Last year this Committee asked us to spread some of the NeON magic to other neighborhoods. To that end, with funding from the Mayor’s Office of Equity, we are launching Made in NY Pop Ups around the city. The Pop Ups are a 6-week digital animation intensive workshop in which young people reimagine the NYC subway. A big thank you to both Chair Rivera and Councilmember Narcisse for your offices’ help in coordinating the pop ups in your districts.

Part of what makes the NeON model so powerful is its ability to grow and evolve to meet the communities’ needs. With the rising cost of food, the closing of many neighborhood food pantries, and the elimination of pandemic-era SNAP benefits this month, food insecurity is a major issue. Thankfully, our **NeON Nutrition Kitchens**, which resulted from probation officers personally feeding people in need, have been a lifeline in these neighborhoods, feeding almost *half a million* people last year. In fact, our amazing Bronx Pantry Coordinator was originally on probation, and now his livelihood encompasses feeding his community. We also partnered with the Mayor’s Office of Immigrant Affairs (MOIA) to help spread the word about this barrier free resource to **undocumented New Yorkers**. Through the Bronx DA’s office, we were connected to a family of seven from Guatemala, who sadly experienced significant trauma during their journey here. We were able to provide them with food, supplies, and clothing (including a little coat for their baby) through our **NeON Clothing Closets**.

All these supports ensure that time with probation, mandated or not, is a holistic experience that connects people to new opportunities that can change their lives. That could not be more apparent than with **NeON ArtsSM**, our public-private partnership with Carnegie Hall, that has provided more than 16,000 people in NeON neighborhoods the opportunity to explore dance, music, theater, visual arts,



**Department of
Probation**

poetry, digital media, and more. We want to again thank Chair Rivera, the Speaker, and the Council for your forward-thinking vision and strong support of NeON Arts through the Innovative Criminal Justice Programs initiative, for it is truly changing and saving the lives of the people we serve.

Conclusion

In the face of these challenging and unprecedented times, we are steadfast in our commitment to what we know works - because we see the impact both in transforming individual lives, as well as stronger and safer New York City communities. Whether it's recovering illegal guns, feeding and clothing our newest New Yorkers, or truly operating *with* the community on justice priorities, these results are not only significant, but life-saving and transformational. Our method of evidence-based community supervision results in four out of five people successfully completing probation - irrespective of zip code - and at a cost of two cents on the dollar relative to incarceration.

The work of this Department and its dedicated staff is not only cost-effective and impactful, but truly unique: we provide community-based prevention *and* intervention for people who would otherwise be incarcerated, keeping them in their communities where they can build their New Now. 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.

**Testimony before the
New York City Council
Committee on Criminal Justice
Chair Carlina Rivera**

**By
Louis A. Molina, Commissioner
NYC Department of Correction**

March 23, 2023

Good morning, Speaker Adams and members of the Committee on Criminal Justice. I am Louis Molina, Commissioner of the Department of Correction (“Department”). I am joined today by the Department’s General Counsel, Paul Shechtman, Deputy Commissioner of Financial, Facilities, and Fleet Administration, Patricia Lyons, and Deputy Commissioner of the Division of Programs and Community Partnerships, Francis Torres. We are here to discuss the Department’s Preliminary Budget for Fiscal Year 2024 and the progress the Department has made in rebuilding our city’s jail system in just over one year.

When I accepted the position of Commissioner, I knew that there were real challenges ahead. Decades of mismanagement and years of infrastructure neglect had taken their toll. In January of 2022, slashings and stabbings were at record highs, up nearly 300% from the previous year and on pace to continue that appalling trajectory. Assaults on staff, uses of force, and serious injuries were also increasing. Facility infrastructure was failing due to disinvestment in the jails; cell doors could easily be manipulated, and broken Plexiglas could be made into weapons, contributing to the high level of serious violence. Basic security practices, such as locking doors

and conducting regular tours, were not being followed. In January 2022, on average 26% of staff were out sick each day, resulting in unsafe conditions for staff and those in custody, and in triple shifts for those who did come to work. In-person visitation had been completely shut down; contracted providers were not entering our jails; and people in custody were not receiving basic services. Our jails were on the brink of collapse.

Today, I would like to take the opportunity to share with you how strong leadership, expertise, and an unwavering commitment to reform have brought our city's jail system back from the brink in just over 15 months. We still have many challenges ahead of us due to decades of mismanagement. But our jails have seen a meaningful reduction in violence, significant improvements in access to programs and services, and an overall stabilization in operations.

Staffing

When I became Commissioner on January 1, 2022, we had on average more than 2,600 uniform staff out sick every day – nearly one third of our uniform workforce. We had also attrited roughly 2,000 correction officers since the start of the pandemic. Reversing that trend was a priority. We worked to support our staff so that we could return officers to the facilities and reduce the number of triple shifts. But to succeed, support had to go hand-in-hand with accountability. In managing any organization, there must be a timely and meaningful process to address those individuals who do not meet professional standards and expectations. On January 1, 2022, I inherited more than 3,700 disciplinary cases that had gone unaddressed going all the way back to 2017. There was no accountability for misconduct.

I have made it clear to our workforce that I expect professional excellence and will not tolerate abuse of policies or neglect of duty. In the past 15 months, I reviewed and issued final

determinations in more than 2,900 disciplinary cases. More than 800 members of service were suspended for misconduct, which is a greater number than the prior two years combined; and more than 250 members of services were terminated, which is more than by any Commissioner in recent years. The Department has reorganized its Health Management Division, revised its sick leave policies, and prioritized the timely processing of sick leave disciplinary cases. Since January 1, 2022, the Department has closed out more than 450 disciplinary cases related to sick leave abuse, issuing discipline ranging from loss of vacation days to termination. Today, after 15 months of supporting and investing in our staff, and with clear expectations and meaningful discipline, the staff absentee rate has dropped nearly 70 percent. That means on any average day, that less than 700 uniform members of service are out sick. Going from an average of 2,600 to less than 700 is an extraordinary accomplishment.

But problems remain. We have lost nearly 3,000 uniform staff since the beginning of the pandemic, despite a steadily increasing population that is more challenging to manage. High attrition is not unique to New York City: correction and other law enforcement agencies across the country are facing challenges maintaining uniformed staff. We are intensely focused on supporting the dedicated members of service who continue to serve the Department. We are prioritizing staff training, leveraging technology to ensure that critical posts are staffed, and recruiting actively to replace those whom we have lost. In fiscal year 2023, 108 officers graduated from the Academy and joined the ranks as correction officers. A class of 88 officers is at the Academy and expected to graduate in May 2023, and more classes are scheduled throughout the remainder of the year. The ranks of New York's Boldest must grow if we are to have safe and humane facilities.

Leadership

Since January 2022, we have onboarded nearly 30 new leaders with significant correctional and business experience. These individuals come from across the country and have infused the Department with external expertise. To take only a few examples, our new Deputy Commissioner of Classification, Custody Management and Facility Operations has 35 years of correctional experience; our new Deputy Commissioner of Administration has 29 years of correctional experience; and our new Deputy Commissioner of Training has 30 years of public safety experience, as well as 20 years in academia. I am grateful to the strong team of leaders that has risen to the challenge of the past 15 months.

This week, for the first time in five years, the Department promoted a new class of Captains. This new class of 26 Captains shows our commitment to investing in professional growth. Next month, we plan to hire external candidates for warden positions to lead some of our facilities. They include individuals who have led facilities elsewhere and who will bring fresh perspective to a daunting job. I say “to lead *some* of our facilities” because I would be remiss if I did not recognize that our existing facility wardens include individuals who have the talent and commitment to support reform and rebuild this agency. They deserve to continue in place.

Improved Jail Operations & Violence Reduction

We have made long overdue improvements in how we manage and operate our facilities. For one, we have greatly improved intake processing. When I became Commissioner, conditions in our intake units were poor, and lengths of stay in intake were often excessive. The Department has now implemented new protocols for tracking and processing new admissions. The intake

areas are now clean and orderly, and virtually all new admissions are being housed within 24 hours as required.

We have also resumed tactical search operations to remove dangerous weapons and narcotics contraband from the jails. In 2022, the Department conducted nearly 90 tactical search operations, resulting in the recovery of more than 1,600 weapons and 200 narcotics contraband. Searches of all kinds led to the recovery of more than 5,500 weapons and 1,400 narcotics contraband in calendar year 2022.

Significantly, fiscal year to date, slashings and stabbings have decreased nearly 17 percent Department-wide. Incidents of use of force saw a 14 percent decrease in 2022 despite the rise in the jail system's average daily population and the concentration of violence-prone individuals as a result of bail reform. The Department has never before experienced a situation where population has increased, and use of force rates have decreased.

This decrease in the use of force in the face of a more challenging population is the product of using a holistic approach to fixing our jails. In the first quarter of 2022, the Robert N. Davoren Center (RNDC) was the most violent facility on Rikers Island. It houses our youngest individuals. To address the heightened levels of violence, we developed a multi-pronged violence reduction strategy: we increased programs and services; we ended the misguided practice of housing by gang affiliation; we went back to the basics of security practices; we partnered with faith-based leaders, credible messengers, and violence interrupters to provide guidance and address the root causes of justice involvement; and we replaced cell doors so they could not be easily manipulated and Plexiglas windows so that they could not be fashioned into weapons. Fiscal year to date, RNDC has seen a 60 percent reduction in slashings and stabbings. Recently,

we have replicated these components across the jail system. I am confident that what has worked in RNDC will work elsewhere.

We have also been focused on increasing accountability for those who commit violent acts while detained. The simple truth is that if there are no consequences for violent acts, violence will persist. We recently finalized a new restrictive housing policy – one designed in consultation with a nationally renowned expert and approved by the Federal Monitor. The goal of the program is rehabilitation to change behavior so that violence is not a favored course of action. Importantly, our new policy is not solitary confinement. It allows individuals to be out-of-cell seven hours a day, one hour of which is for outdoor recreation. As I have told this body, solitary confinement is cruel and unusual punishment and has no place in a civilized society.

As you know, last year 19 individuals who were in our custody died. My condolences go out to their families and loved ones. Six of those deaths were from fentanyl, which is now one of the leading causes of death in this country for adults ages 18-45. We are trying to close off every avenue by which fentanyl and other illegal narcotics can enter our facilities. Randomized body scanning of all individuals entering RNDC began earlier this month. Once we have evaluated the initiative and accounted for any needed infrastructure or operational adjustments, it will be expanded to other facilities. We have expanded our canine unit and partnered with other law enforcement agencies to train four canines to detect fentanyl, and more canines are being imprinted. Twice to date, in partnership with NYPD and the Sheriff's Office, we have conducted search operations requiring vehicles entering Rikers Island to stop and submit to inspection. We also need to change our mail and package policy, which remains a work in progress. If we leave

any avenue open, fentanyl will make its way in, and those in our custodial care will inevitably suffer.

Lastly, in fiscal year 2023, the Department implemented a new tablet program that provides far superior services for people in custody than that of the previous vendor. The new tablets offer a range of e-books, educational and programmatic material, entertainment, and access to Lexis Nexis. For the first time, tablets can be used to make free phone calls so that individuals do not have to wait for wall phones to become available to connect with their loved ones. Every individual will have a tablet which they can keep with them at all times. Tablets will not be removed for disciplinary reasons. I am confident that the new tablets will reduce idleness and enhance programming and, in turn, reduce violence. Not surprisingly, the tablets have been well received by those in our custodial care.

The Department's Fiscal Year 2024 Preliminary Budget

Now, I would briefly like to highlight the Department's Fiscal Year 2024 Preliminary Expense Budget, which is \$1.20 billion. The vast majority of this – 84 percent – is allocated for Personal Services, and 16 percent for Other than Personal Services. The Fiscal Year 2024 Preliminary budget is \$54.2 million less than this year's budget of \$1.25 billion. This decrease is largely due to funding provided explicitly in Fiscal Year 2023 for the emergency work performed on Rikers Island by the Department of Design and Construction and the Fiscal Year 2024 civilian vacancy reduction.

Included in the Preliminary Budget are decreases of \$2.4 million in Fiscal Year 2023 and \$19.2 million in Fiscal Year 2024. The following are some highlights of the major initiatives that were included in the Preliminary Budget:

- Civilian Vacancy Reduction – a decrease of 244 civilian positions and \$9.7 million in Fiscal Year 2023 followed by \$19.4 million beginning in Fiscal Year 2024.
- Heat, Light, and Power Adjustment – an increase of \$7.3 million in Fiscal Year 2023 to account for the increase in the cost of utilities for the Department.
- Motor Fuel Adjustment – a decrease of \$244 thousand in Fiscal Year 2023 to align with current usage and cost trends.
- Steamfitters Collective Bargaining – a baseline increase of \$212 thousand starting in Fiscal Year 2023 to fund the most recent agreement.

Capital Funding

With regards to capital funding, the Fiscal Year 2024 Preliminary Capital Budget and Commitment Plan totals \$9.6 billion, which covers Fiscal Years 2023 through 2032. No additional capital funding was provided. The Department continues to assess and adjust the Capital plan to support the Borough Based Jails Program and demonstrate our commitment to the initiative.

Headcount

As we look forward, the Department is working diligently to attract and retain both civilian and uniformed staff. The following is a summary of the changes to the Department's civilian and uniformed authorized staffing levels included in the Preliminary Budget:

- The civilian authorized full-time headcount is 1,731 in Fiscal Year 2023 and 1,730 in Fiscal Year 2024. This represents a decrease of 236 positions when compared to the end of Fiscal Year 2022 budget.
- The uniformed authorized headcount is 7,060 in Fiscal Year 2023 and Fiscal Year 2024. This represents a decrease of 400 positions when compared to Fiscal Year 2022, which

included a one-time allocation of uniformed headcount to address short-term and immediate staffing needs.

Conclusion

Last year I told this body that I strongly believe in criminal justice reform and that I am committed to rebuilding our city's jail system so that it is safe and humane for everyone living and working there. My commitment has not wavered. It has grown stronger, bolstered by the support of Mayor Adams, the leaders within the agency, and the men and women who boldly do what is the most demanding job in city government – the job of a correction officer. We have met these challenges head-on, and we will continue to do so in the coming year. You have my promise. The progress we have delivered in just 15 months shows what can be achieved with strong leadership and experts at the helm.

Thank you for the opportunity to speak this morning. My colleagues and I are available to take your questions.



**BOARD OF CORRECTION
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**Testimony of the New York City Board of Correction
Before the New York City Council Committee on Criminal Justice
Regarding the Mayor's Preliminary Budget for Fiscal Year 2024**

March 23, 2023

By Jasmine Georges-Yilla, BOC Interim Executive Director

Good afternoon, Speaker Adams and members of the New York City Council Committee on Criminal Justice. I am Jasmine Georges-Yilla, Interim Executive Director of the New York City Board of Correction ("BOC"). I have had the honor of being in this role for the past two weeks and look forward to partnering with you to fulfill BOC's mission. I am joined today by Danielle Ortega, BOC's Director of Human Resources and Budget. Thank you for the opportunity to testify.

I will begin my testimony by providing a brief background on BOC's mission and work, followed by a discussion on BOC's budget for fiscal year 2024 and the agency's top priorities and new needs.

Background

BOC is a nine-member independent oversight board charged with ensuring that the Department of Correction (hereinafter referred to as “DOC” or the “Department”) and Correctional Health Services (“CHS”) meet BOC’s Minimum Standards, which cover the care, custody, correction, treatment, supervision and discipline of all people held or confined under the jurisdiction of the Department. Our role is to regulate, monitor and inspect the City’s jails so that they become safer, fairer, smaller and more humane. BOC’s Minimum Standards set the baseline for what must be provided to people in custody in the City’s jails. This baseline must be met if the City is to have a humane correctional system.

BOC has carried out critical independent oversight for the City of New York since 1957, despite being a relatively small agency with limited resources. BOC’s regulations cover the original Minimum Standards from 1978, as well as newer regulations in 1985 concerning access to mental health care and healthcare, and much newer regulations in 2017 concerning prevention of sexual violence to people in custody, reporting on serious injuries, and minimizing the use of punitive segregation and other restrictive housing models.

The New York City Charter (“Charter”) mandates BOC’s five oversight functions, which include the power and duty to: (1) establish and ensure compliance with BOC’s Minimum Standards; (2) investigate—at any time—any matter within the jurisdiction of the Department; (3) review grievances from people in custody and staff; (4) evaluate the Department’s performance; and (5) make recommendations on areas of key correctional planning.

BOC is in a unique position to serve as an invaluable source of insight into the problems existing within the City's jails. BOC's ability to visit and speak with people in custody in their housing areas, cells, dayrooms, clinics, dorms, visit areas, intake cells, recreation areas—wherever they are held—is critical. It is how we enforce our Minimum Standards. BOC's existence serves as indication to those detained in our City's jails that we all recognize the fallibility of any large bureaucratic structure and are—as a society—willing to attempt to minimize those flaws. To that end, BOC remains committed—despite the Department's revocation of BOC's access to view video footage at any time—to operating with transparency in our regulation, monitoring, and reporting of systemic jail issues.

BOC Fiscal Year 2024 Executive Expense Budget

Despite BOC's huge mandate and ambitious goals, we are a very small agency with 28 active staff as of today and an inadequate budget of just over three million dollars in Fiscal Year 2023. BOC has three vacant positions that we are working to fill, but more staffing is needed. Historically, BOC has never had adequate staffing: we have never had enough staff to provide 24/7 coverage throughout each facility under the jurisdiction of the Department.

BOC's Fiscal Year 2024 Executive Expense Budget is \$3.27 million; \$3.1 million in personal services and \$167 thousand in other than personal services. Our personal services budget accounts for 95% of our total budget and supports a budgeted headcount of 31 positions in Fiscal Year 2024. Our other than personal services budget—5% of our total budget—supports all of BOC's needs including supplies and materials, telecommunications, training, and BOC's heat, light, and power costs.

As part of the Fiscal Year 2024 financial plan cycle, BOC has submitted a new needs package to the Office of Management and Budget (“OMB”) which will enable us to better achieve our Charter mandate. We are working with OMB to secure funding for additional monitoring staff, medical records review support, and resources to increase the capacity of our visits and restrictions appeal team.

New Needs

Monitoring Staff

The title Correctional Standards Review Specialist (also known as “monitoring staff”) is critical to BOC’s mission, and we request more funding and headcount for monitoring staff. Our monitoring staff are the key to enforcement of our regulations because BOC staff on Rikers Island tour the DOC facilities daily, speaking directly to people about conditions of custody. Monitoring staff observe problems and often troubleshoot on the spot, helping the people who live and work in the jails. They work together with DOC staff and CHS staff to obtain compliance with BOC’s regulations. When necessary, they escalate compliance issues to jail leadership, but are very skilled at negotiating prompt solutions at the staff level.

The monitoring staff save lives. Simply put, when they are there, they can and do save lives.

Two of BOC’s major priorities for Fiscal Year 2024 are (1) to expand BOC’s monitoring coverage to support a 24/7 BOC oversight operation, and (2) to regularly, systematically, and uniformly measure the Department’s compliance with BOC’s Minimum Standards. To achieve these goals, we will need to add 27 new positions

to BOC's monitoring team, a plan that requires \$2 million dollars of funding in Fiscal Year 2024 and nearly \$3 million in the baseline.

Right now, we have only 12 monitoring staff who work in the jails, court pens, and hospital jail wards, speaking to people in custody and resolving complaints about conditions of confinement. As you know, there are thousands of people in custody. Today there are 5,897. It is not reasonable to expect each of our staff to monitor conditions for 491 detainees per monitor. It is our goal to expand our monitoring operations, because we know lives and fundamental fairness are at stake.

The jails are large, and some are quite spread out and it is difficult to cover more than a few housing areas on a given workday. For instance, the Anna M. Kross Center ("AMKC") houses 1,957 people today. It is an old structure, built in 1978, with many long hallways separating housing from clinic and other space, and the footprint covers 40 acres. AMKC houses many people with serious mental health and medical needs. Production is not easy at AMKC, and neither is monitoring. This is a structural problem.

As you can imagine, many of the people in custody want to talk to our staff as they make rounds, so our staff learn how to triage their time moving through the facilities, trying to reach those who most need it. But our staff are mission-driven and diligent,

and when they can be there, they help people get to medical services and other essential services and they save lives.

We need more of them. The people who live and work in our jails need more of them. The size of the custody population and the special needs of the population are critical benchmarks we should always bear in mind when looking at the BOC budget.

Medical staff

We also request more funding and headcount for medical staff. Nineteen people died in Department of Correction custody in 2022, and one has died so far this year. BOC has a Special Investigation team that reviews deaths and near-death incidents, and also convenes CHS together with DOC for joint death reviews. Our staff review death records, health records, speak with witnesses and review documents and recordings concerning care in custody. They are a small unit—two people—doing an excellent and important job, but they do not have *any* medical expertise on staff. The Special Investigations team would benefit greatly from a part-time doctor or nurse practitioner with the expertise to analyze medical records, give independent advice, and help lead the joint reviews with the CHS staff.

Visits and restriction appeals staff

In addition, we request more funding and headcount for visit and restriction appeals staff. Currently BOC has only one staff person—an Appeals Coordinator—responsible for handling all visit restriction complaints and appeals brought to BOC. We need more. Under BOC's Minimum Standards, whenever the Department decides to revoke or limit a person in custody's or visitor's visiting privileges, any affected person may appeal directly to BOC, after which BOC has a short window of time to issue a recommendation. We must improve access to the BOC appeals

process for people in custody and for their families, and also improve public education about visiting rights and the appeals process. BOC requests one position and associated funding in order to hire an Appeals Analyst.

With this new Appeals Analyst position, BOC will be able to investigate other types of restrictions on rights and privileges grounded in the BOC's Minimum Standards, such as access to recreation, religion, publications, and correspondence. Under the guidance of the Appeals Coordinator, the Analyst will handle religion, correspondence, recreation, and other restriction complaints and appeals brought to BOC. The Appeals Coordinator is the only staff member working in this area. Approval of this request will allow BOC to better meet the need, objectively balancing individual rights with institutional security considerations.

Borough-based jails plan

BOC also needs additional staff and resources to focus on the review of the City's borough-based jails plan. In 2019, the City of New York formally committed to closing Rikers Island and building a smaller, safer, fairer, more humane jail system in the boroughs. The City Council approved a plan to build four new jail facilities in Manhattan, Brooklyn, Queens, and the Bronx. The new system is planned to be fully operational in 2027. In 2019, the City Council also passed legislation—Local Law 192 for the year 2019—requiring BOC to publish a report every six months on “the impact on [people in custody] of closing jails on Rikers Island and constructing new facilities to replace such jails.” The report must include information on the “impact of the construction of new city jails” on DOC and CHS's ability to comply with Minimum Standards, and the “impact of any significant changes to the design

or construction of any new jails” on people in custody and compliance with BOC’s Minimum Standards.

Currently, BOC does not have a dedicated staff person whose primary or major focus is on the review of the City’s borough-based jails plan. We hope to hire additional staff to fill this void. BOC published an initial report on the progress of the borough-based jails plain in December 2021. That report can be found on our website.

BOC fully supports the City’s plan to close Rikers Island and build new, state of the art facilities in the boroughs. The current state of the jails illustrates the need for new jails and the organizational culture change necessary to meet the goals of a smaller, safer, fairer, more humane jail system. BOC is encouraged by progress to reduce the jail population from nearly 11,000 in 2017 to fewer than 6,000 in 2023 and encourages all stakeholders to recommit to further reducing the jail population. It is imperative that BOC be involved in the design of the new facilities and for the City to account for BOC’s Minimum Standards across the full plan. Moreover, BOC recognizes the opportunity that the plan to close Rikers Island presents to review and update our own regulations to more effectively support the goals of the new jails and best practice. BOC will continue to work with DOC to make this plan a reality.

Thank you again for the opportunity to testify today. I look forward to partnering with the City Council to ensure that BOC’s Minimum Standards are met. I am happy to take any questions.



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

Jumaane D. Williams

**STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON CRIMINAL JUSTICE
MARCH 23, 2023**

Good morning,

My name is Jumaane D. Williams and I am the Public Advocate for the City of New York. I would like to thank Chair Rivera and the members of the Committee on Criminal Justice for holding this important hearing.

First and foremost, any Department of Correction budget must include funding for a comprehensive plan to close the jail on Rikers Island by 2027. Rikers does not make anyone—the people incarcerated there, the people who work there, and residents of New York City—safer. While DOC argues they are understaffed, a large portion of their headcount is at home on unlimited sick leave—some of whom are blatantly defrauding the city, evidenced by the three officers criminally charged this month.

According to the Preliminary Mayor's Management Report's Paid Absence Rates indicator for the first four months of Fiscal 2022, DOC had the highest total absence rate of all city agencies at 26.6 percent while all other agencies ranged between 2 and 10 percent. The Nunez Federal Monitor reported last year that 1,029 officers have been identified as chronically absent.¹² DOC's budget is driven not by programming, rehabilitation, and services for incarcerated people, but by a correction staff that far outnumbers the jail population. The bulk of DOC's budget is personal services, a large portion of which is overtime costs; as so many correction officers are out on sick leave, the staff who do come to work have to work double and triple shifts to cover the gaps, driving up overtime costs. The city and DOC must eliminate sick leave abuse to bring more staff back to work, increase security in the jails and decrease overtime spending. Natural attrition is neither fast nor targeted enough to create a workforce equipped to staff the borough-based jails. Eliminating vacant positions and chronically absent staff will save hundreds of millions of dollars that can be reinvested in what actually keeps jails safe: healthcare, programming, treatment, education, restorative justice, and alternatives to incarceration.

In 2021, it cost more than half a million dollars to incarcerate a person at Rikers Island—one of the most expensive jail systems in the country—yet the conditions in the jails remain abysmal. Being incarcerated takes a significant toll on a person's physical and mental health, and many people on Rikers Island have complex health needs that require specialized care. There is a significant shortage of health staff, often with only one healthcare professional making rounds in multiple units. This harms not only the health of the people incarcerated; the stress of trying to provide quality care to so many people with little support and inadequate pay is directly leading

¹ https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2022/paid_absence_rates.pdf

² <http://tillidgroup.com/wp-content/uploads/2022/10/2022-10-28-Second-Status-Report-of-Action-Plan.pdf>

to staff burnout and turnover, as well as recruitment issues.

Rikers Island is the largest mental health services provider in NYC, and one of the largest in the country. Last year, 19 people died on Rikers Island, at least six of whom died by suicide. More than half of the population at Rikers has a mental health diagnosis, with 16 percent having a serious mental illness.³ Despite this need, there is a severe shortage of mental health and therapeutic staff. For the entirety of the jail population at Rikers Island, there is only one full-time and three part-time, per-diem psychiatrists.

The Program to Accelerate Clinical Effectiveness (PACE), which unlike lower-level mental health units, have clinical staff, therapists, and social workers embedded on-site, has proven to reduce self-harm, increase medication adherence, and decrease incidents of violence.⁴ The de Blasio Administration planned to expand PACE capacity, but there has been no word from the Adams Administration if that plan will come to fruition. Meanwhile, many who would benefit from a PACE placement languish in general population or overcrowded mental observation units.

The Department of Correction has historically used “decontamination showers,” which is a shower inside of a very small, locked cage for purposes of isolation and punishment, sometimes leaving people inside the cages for hours. Elijah Muhammad, the tenth person to die at Rikers in 2022, was locked in a so-called decontamination shower for six and a half hours just weeks before he died by suicide. DOC has claimed both that these showers are necessary for decontamination following the use of chemical sprays and that the cages serve as a “secure and safe place” to send people after a violent incident.^{5,6,7} If a shower is being used only for the purposes of decontamination, there is no reason why it needs to be in a locked cage. Mr. Muhammad, in fact, had not been sprayed with any chemical before being placed in the shower. I join the Board of Correction in calling for the immediate dismantling of these shower cages.

Lastly, the city should increase the headcount for the Board of Correction, a nine-person, non-judicial oversight board that carries out independent oversight and enacts regulations to support safer, fairer, smaller, and more humane NYC jails. The presence of the BOC in NYC jails is more important than ever, as DOC recently revoked their right to access remote video.

As lawyer and activist Bryan Stevenson once wrote, “The true measure of our character is how we treat the poor, the disfavored, the accused, the incarcerated, and the condemned. We are all implicated when we allow other people to be mistreated.” I look forward to working with the Adams Administration and the City Council in creating a more safe and just city.

Thank you.

³ https://www.nyc.gov/assets/operations/downloads/pdf/mmr2022/2022_mmr.pdf

⁴ <https://www.nyc.gov/site/doc/media/caps.page>

⁵ <https://www.nysfocus.com/2023/03/22/rikers-island-decontamination-deescalation-unit-shower-cages/>

⁶

<https://www.nbcnewyork.com/investigations/rikers-island-dismantled-one-shower-cage-why-is-the-jail-is-keeping-8-others-intact/3918451/>

⁷

<https://www.nbcnewyork.com/investigations/i-team-locking-prisoners-in-narrow-shower-stalls-called-inhumane-at-rikers-island/3777087/>



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ANTONIO REYNOSO

Brooklyn Borough President

**City Council Committee on Criminal Justice
Hearing on the FY24 Preliminary Budget 3.23.23**

Good afternoon Chair Rivera and members of the City Council and thank you for holding this hearing today.

I am here today to state unequivocally that this Council and administration must work together to close the Rikers Island jail by the legally mandated date of August 31, 2027. Despite DOC spending more than \$550,000 per incarcerated person per year, the conditions on Rikers are a humanitarian crisis. One death of an incarcerated person is too many; and 19 in one year last year, with yet another just last month, is a crisis that we must address with great urgency. Yet instead of moving us toward decarceration, the proposed FY24 DOC budget funds \$2.744 billion worth of the same broken system.

The most egregious spending is on staff salaries, benefits, and overtime. While I believe that these officers deserve fair wages, the over-staffing due to abuse of sick leave and reassignment of officers to non-jail duties needs to end. DOC's staffing ratio continues to hover near one officer for every incarcerated person, far exceeding the national average, yet the department also blows past its projected overtime spending every year. In a fiscal climate where we are debating cuts to essential City services like libraries, we absolutely must get this inflated spending under control. Eliminating vacant positions at DOC (as the Mayor is calling on other agencies to do) alone could provide the City with \$119 million (\$221 million if we take into account anticipated attrition) to reallocate to programs that support a future with a much smaller incarcerated population, without a jail on Rikers Island.

Some of these programs include:

- **Supportive housing and behavioral health programs:** About 50% of incarcerated people on Rikers Island at any given time have a mental health diagnosis, and thousands are homeless. We absolutely cannot keep using our jails in place of community-based treatment programs and affordable housing opportunities. The Mayor's office estimates that hundreds of thousands of New Yorkers who could benefit from behavioral health treatment programs are not connected to care, and notes that there are racial and geographical disparities in access. The budget should reallocate funding from DOC staffing to community-based behavioral health programs targeted to the neighborhoods with least access to care. I also support advocates' call for reallocation of \$57.8 million of DOC's budget to fund creation of new supportive housing, providing

those in need with permanent homes and supplemental treatment and support services that improve outcomes and reduce recidivism.

- **Investments in youth:** Among its many recommendations, the Commission on Community Reinvestment and the Closure of Rikers advocated for investments in youth programs, including after-school, sports and STEM initiatives, adolescent skills centers, and summer jobs, as well as Cure Violence organizations that host youth prevention programs, teen relationship abuse prevention programs (RAPP), and Hospital-Based Violence Intervention Programs (HVIPs).
- **Alternatives to incarceration and faster trial:** Recent analysis by MOCJ has shown that many more people than are currently receiving it could benefit from supervised release. Expanding this and other ATI programs will help us safely reduce the jail population so that we can close Rikers by 2027. Another crucial step is to sufficiently fund programs and staff needed to reduce the time between arrest and trial, such as the Center for Justice Innovation's pilot program that significantly reduced felony case delays in Brooklyn.

Thank you for the opportunity to participate in this hearing today. I very much appreciate the Council's leadership in the efforts to close Rikers, and I look forward to working with Speaker Adams, Chair Rivera, and the rest of the Council to ensure that we keep our commitments made to New Yorkers to end the injustices and neglect at Rikers and to reinvest our public dollars into supporting our communities, not incarcerating them.



TESTIMONY OF:

Lucas Marquez
Director, Civil Rights and Law Reform Project

BROOKLYN DEFENDER SERVICES

Presented before

The New York City Council Committee on Criminal Justice

Preliminary Budget Hearing

March 23, 2023

My name is Lucas Marquez. I am the Director of the Civil Rights and Law Reform Project at Brooklyn Defender Services (BDS). We thank Chair Rivera, Speaker Adams, and the Committee on Criminal Justice for the opportunity to testify on the city's criminal justice budget.

BDS is a public defense office whose mission is to provide outstanding representation and advocacy free of cost to people facing loss of freedom, family separation, and other serious legal harms by the government. For more than 25 years, BDS has worked, in and out of court, to protect and uphold the rights of individuals and to change laws and systems that perpetuate injustice and inequality. Thousands of the people we represent are detained or incarcerated in the New York City jail system each year while fighting their cases in court or serving a sentence of a year or less upon conviction of a misdemeanor. Our staff consists of specialized attorneys, social workers, investigators, paralegals, and administrative staff who are experts in their individual fields.

In addition to zealous legal defense, BDS provides a wide range of services to address the causes and consequences of legal system involvement. We have built a practice around supporting people who are detained pretrial to mitigate the burdens and trauma created by confinement and to protect our clients from collateral consequences. Through our jail-based programming, we are able to advocate for our clients to access services they are entitled to such as medical care and educational access. Additionally, our established presence in New York City jails allows us to monitor and document the conditions New Yorkers encounter when incarcerated and advocate for the basic human rights, health, and safety of our clients and other incarcerated people. Furthermore, many of the people that we serve live in heavily policed and highly surveilled communities.

Background

How a society allocates its budget is a statement of its values. As the Council convenes to consider the funding needs of the Department of Correction (DOC), thousands of people are enduring horrific conditions merely a few miles away. The early months of the COVID-19 pandemic response saw an unprecedented and successful effort to decarcerate through the concerted efforts

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of the last Administration, the District Attorneys' offices, the Courts, Correctional Health Services (CHS), DOC, and the City Council, along with the institutional defender organizations and advocacy groups,¹ After achieving an historic low in average daily jail population during the last Administration,² this Administration's policies have resulted in a significant increase in the population at DOC facilities—a fact the DOC concedes.³

The DOC has created conditions that resulted in 20 deaths over the past 12 months through a combination of aged, failing facilities and deeply ingrained mismanagement.⁴ Last year was the jails' deadliest in history. DOC is unable and unwilling to provide consistent access to medical and mental health care for the people in its custody,⁵ or timely process people through intake to the jails.⁶ These conditions are of the Department's own making.

In the face of these deadly conditions and increases in population, the Department seeks to skirt its statutory oversight controls, whether by the Board of Correction (BOC), the City Council, or the Comptroller's office. In just the past few months, the DOC has demonstrated a blatant disregard for meaningful oversight by:

- Unilaterally withholding crucial video access from the Board while erroneously blaming BOC members and staff for not visiting the jails and relying on dubious legal reasoning;⁷

¹ Victoria Law, *Rikers Just Had Its Deadliest Year. Two Authors Explain Why It's Still Open*, The Nation (Jan. 20, 2023), <https://www.thenation.com/article/society/qa-rikers-rayman-blau/> (“The jail population dipped to a historic low of fewer than 4,000 people during the early days of the Covid-19 pandemic. Since then, the numbers have been rising, causing Mayor Eric Adams to backtrack from de Blasio's pledge.”).

² “City Jail Population Drops Below 4,000 for First time Since 1946,” New York City Office of the Mayor, Apr. 21, 2020, at <https://www.nyc.gov/office-of-the-mayor/news/278-20/city-jail-population-drops-below-4-000-first-time-since-1946>.

³ Matt Katz, *Close Rikers? Correction officials say they may have too many New Yorkers to incarcerate*, Gothamist (Dec. 13, 2022), <https://gothamist.com/news/close-rikers-correction-officials-say-they-may-have-too-many-new-yorkers-to-incarcerate>.

⁴ Jan Ransom and Jonah E. Bromwich, *Tracking the Deaths in New York City's Jail System*, The New York Times (Feb. 4, 2023), <https://www.nytimes.com/article/rikers-deaths-jail.html>.

⁵ *Agnew et al. v. DOC*, Index No. 813431/2021E, Decision and Order (Sup Ct, Bronx County) (May 17, 2022); *Agnew et al. v. DOC*, Index No. 813431/2021E, Decision and Order (Sup Ct, Bronx County) (Aug. 10, 2022).

⁶ *Nunez et al. v. DOC*, Index No. 11-CV-05845-LTS-JCF, Memorandum Opinion and Order on Motion for Contempt (SDNY) (Mar. 13, 2023) (“Plaintiffs have proffered clear and convincing evidence that the Department has failed to comply with the Intake Tracking Clause with respect to new admissions.”); *see also* Chris Gelardi, *Rikers Intake is a Mess, But We Can't Expect Too Much Progress, Federal Judge Rules*, New York Focus, (Mar. 21, 2023), <https://www.nysfocus.com/2023/03/21/rikers-island-intake-contempt-federal-takeover/>.

⁷ *See* Nick Pinto, *NYC Jails Commissioner Revoked Watchdog's Camera Access for Making His Department Look Bad*, Hell Gate (Feb. 23, 2023), <https://hellgatenyc.com/jails-commissioner-revoked-camera-access-for-making-his-department-look-bad/>; Graham Rayman, *Outgoing NYC Board of Correction director calls out DOC commissioner Molina for 'destructive' remarks*, New York Daily News (Feb. 16, 2023), <https://www.nydailynews.com/new-york/nyc-crime/ny-rikers-board-of-correction-amanda-masters-resignation-letter-20230216-ifdy72vynncn7akxyk6neklf2m-story.html> (quoting outgoing Executive Director Amanda Masters: “[T]he Commissioner of the Department of Correction has made several disparaging remarks about our agency over the course of several weeks, which were inaccurate, and this was destructive. ... His messaging has reached the DOC staff and been repeated and that has impaired some of the respect our staff get out in the jails from their DOC staff colleagues.”).

- Failing to attend public, previously scheduled Board of Correction meetings;⁸
- Reinstating the use of restraint desks, without the input of the BOC and in violation of the Board’s Minimum Standards, a practice the Commissioner had previously testified the DOC would not use;⁹
- Expanding its contract for a massive surveillance program with a notoriously bad actor, Securus Technologies, without public disclosures including to the city’s comptroller;¹⁰
- Resisting any coordination with the TGNCNBI Task Force even at the behest of City Council members, while transgender women are continually being mis-housed and suffering harassment and assaults in NYC jails;¹¹
- Continuing to use deadly so-called “de-escalation units”¹² and other exceptions to standard housing that constitute solitary confinement in the jails, despite the Commissioner’s repeated testimony before the Council to the contrary.

The Department’s apparent disregard of the Board’s authority, along with its cavalier attitude toward Council oversight, militate for increased scrutiny, critically including over its contracting practices.

The Department testified before this Committee about their need for additional funding, but they ignored the fact that New York City jails have long had the largest budget of any jail system in the country¹³ and the highest cost per person in custody per year of anywhere in the country.¹⁴ The Department has shown it is unable to safely and humanely house people in its custody. Increasing

⁸ See Graham Rayman, *Correction Department officials skip NYC oversight meeting*, New York Daily News, (Oct. 18, 2022), <https://www.nydailynews.com/new-york/nyc-crime/ny-rikers-correction-department-officials-no-show-20221018-gyprnwktffhejd7qcsptudib4q-story.html>.

⁹ Graham Rayman, *Rikers Island detainees shackled to desks during classroom sessions; NYC jail oversight board not consulted on rule change*, New York Daily News (Mar. 18, 2023), <https://www.nydailynews.com/new-york/nyc-crime/ny-rikers-restraint-desks-controversy-louis-molina-bobby-cohen-20230320-xnzarkvi55hubeinwrze2ysete-story.html> (“Dozens of Rikers Island inmates are shackled and handcuffed to specially-built desks when they participate in classes or other group activities – despite a promise last year by the city Correction Commissioner to stop the practice.”).

¹⁰ Matt Katz, *Coming soon to NYC jails: Electronic surveillance, fees to text loved ones*, Gothamist (Feb. 13, 2023), <https://gothamist.com/news/coming-soon-to-nyc-jails-electronic-surveillance-fees-to-text-loved-ones>; Graham Rayman, *NYC comptroller questions no-bid jail contract as Correction commissioner touts positive Rikers steps*, New York Daily News (Jan. 10, 2023), <https://www.nydailynews.com/new-york/nyc-crime/ny-mail-package-ban-rikers-island-jails-20230111-xbxbquta4je3niro4jb2urqpcq-story.html>.

¹¹ George Joseph, *Under Eric Adams, a Rikers Island Unit That Protected Trans Women Has Collapsed*, The City (Jan. 24, 2023), <https://www.thecity.nyc/2023/1/24/23567498/rikers-lgbtq-trans-eric-adams-corrections>; George Joseph, *City Council Grills Jails Commissioner on Treatment of Trans Detainees at Rikers*, The City (Jan. 25, 2023), <https://www.thecity.nyc/2023/1/25/23570904/city-council-louis-molina-rikers-corrections-trans>.

¹² Chris Gelardi, *Why Does Rikers Island Still Lock People in Shower Stalls?*, New York Focus, (Mar. 22, 2023), <https://www.nysfocus.com/2023/03/22/rikers-island-decontamination-deescalation-unit-shower-cages/> (Recounting a “near-hanging” that took place at EMTC’s “‘de-escalation unit,’ a new type of Rikers module where officers send incarcerated people who’ve just been involved in a violent incident, including a ‘use of force’ by staff.”).

¹³ “A Look Inside the New York City Correction Budget,” Vera Institute of Justice, May 2021 (New York City “spends far more than any other city to incarcerate its citizens, despite tremendous strides to safely shrinking its jail population. The city’s proposed fiscal year 2022 budget details a \$2.6 billion corrections allocation, more than \$1 billion above the nation’s second most expensive jail system.”).

¹⁴ *Id.* (“NYC spends more than any other big city in the country to incarcerate far fewer people”).

DOC's budget will not create safety in the city jails. We urge the Council to work with Mayor Adams to take meaningful steps to decarcerate our jails and commit to funding programs and services that support and uplift our communities—not simply government systems that surveil, punish, and harm them.

The DOC Seeks to Expand Its Contract with Securus Technologies to Increase the Surveillance Web Across New York City

Despite the Department claiming they lack human and financial resources, DOC continues to spend millions of dollars on pervasive corporate surveillance products that do not enhance facility safety. In the past year, the Department has sought to expand its contract with Securus Technologies to include more surveillance and investigative tools without a public contractual process, shielded even from the city's comptroller.

Securus Technologies has built a vast and interconnected web of surveillance that is blanketing not only those presently detained in our city jails, but also their families, communities, and advocates.¹⁵ Unlike other records that are sealed or expunged when an individual is released, this surveillance web is verging on permanent with extremely long data retention periods and absolutely no data oversight. Securus's surveillance web is constructed without any requirement of individual suspicion, no need for court oversight, and no need for a warrant. By contrast, if a person could afford bail and was not held in our city jails, law enforcement could only eavesdrop on that person's communications with a specifically issued warrant. The mere reality of being poor and unable to afford bail means a New Yorker—and their families—have fewer rights, less privacy, and diminished dignity. This web of surveillance is impacting our Black and brown communities at a staggering rate, and when combined with the blanket of surveillance deployed by the NYPD, ACS, and other law enforcement entities, this web decimates any notion of freedom, justice, and fairness in New York City. The time for the City Council to act to dismantle this web is now. The budget oversight provided by the Council is a critical first place to intervene.

As we testified before this committee last year,¹⁶ thousands of phone calls made by people detained at Rikers to their lawyers were recorded by Securus, despite those numbers being on a designated “do not record” list.¹⁷ Many of those recordings ended up in the hands of state and federal law

¹⁵ This surveillance reality has not always existed in New York City. In fact, universal jail call recording only began here in 2008, when crime rates were both low and declining. And Securus itself was only brought to New York City in 2014. For decades before that, law enforcement was only able to record jail calls in the way they are able to record anyone's phone calls: with a specifically-issued eavesdrop warrant.

¹⁶ Brooklyn Defender Services Testimony before New York City Council Committee on Criminal Justice regarding the Preliminary Budget, Mar. 23, 2022, <https://bds.org/latest/bds-testimony-before-new-york-city-council-committee-on-criminal-justice-regarding-the-preliminary-budget>.

¹⁷ Testimony of New York City Comptroller Brad Lander to the Board of Correction, Mar. 14, 2023, <https://comptroller.nyc.gov/newsroom/testimony-of-new-york-city-comptroller-brad-lander-to-the-board-of-correction-2/>; Noah Goldberg & John Annese, *NYC Correction contractor recorded thousands more lawyer-client jail phone calls than first reported; could jeopardize court cases*, New York Daily News, December 30 2021, <https://www.nydailynews.com/new-york/nyc-crime/ny-audit-shows-doc-listened-in-on-even-more-lawyer-inmate-calls-20211230-zni5qacdjhjaozok7rdmwyg2wsm-story.html>.

enforcement agencies and District Attorney’s offices.¹⁸ And this was not the first jurisdiction to have confidential calls recorded.

Despite Securus’ serious breaches of confidential information, the Department has not only renewed Securus’ contracts to provide phone services, as discussed below, but *expanded* its use of Securus’ services and access to private communications. In November 2022, the DOC sought a permanent variance from the Board of Correction’s Minimum Standards to allow the scanning and electronic delivery via tablet of all non-legal mail,¹⁹ which BDS strongly opposed.²⁰ Simultaneously, without any public process or meaningful oversight, the Department selected Securus as the vendor to provide electronic tablets to people in custody and to implement the Department’s mail scanning proposal. Neither the Comptroller nor the BOC knew what the cost of those services would be because “there was no competitive bidding process [and] no Request for Proposals or scope of services.”²¹

Through Securus’s tablet contract, the Department is providing Securus even greater access to private communications between people in its custody and their families and community members via costly e-messages and the mail scanning policies discussed further below. The Department will also obtain related investigatory tools from Securus leaving no doubt about the surveillance purpose of these policies. Specifically, as part of the tablet deal, Securus will do the following: ²²

- Give correction officers the ability to view scanned letters and stop them from being delivered to people in custody;
- Charge the city for a service, called Securus Word Alert, that uses speech-to-text technology to transcribe audio from phone calls made on Securus tablets and allow “investigators to search text transcripts for specified words and phrases” that may represent security threats;
- Offer a service in which analysts for a Securus subsidiary identify “suspicious or suggestive key words or phrases” in correspondence that may “suggest threats to security” or criminal activity within the jails;
- Charge people in custody for text messaging via the tablets;

¹⁸ Chelsea Rose Marcus, *NYC’s 5 DA offices wound up with recordings of confidential jailhouse calls between inmates and lawyers*, New York Daily News, March 21, 2021, <https://www.nydailynews.com/new-york/ny-jails-recordings-attorney-client-privilege-calls-20210321-tzbyxwnle5dc5jgvi5cona6wry-story.html>.

¹⁹ See “Continuing Variance Request to Board of Correction Minimum Standards Section 1-11(e)(1)(i) Regarding Correspondence,” dated Nov. 14, 2022, at <https://www.nyc.gov/site/boc/meetings/january-10-2023.page>.

²⁰ BDS Opp. Ltr to BOC, Jan. 5, 2023, https://bds.org/assets/files/2023_01_05-BDS-Ltr-re-DOC-Mail-and-Package-Variations-2.pdf; LatinoJustice PRLDEF, BDS, Bronx Defenders, the Neighborhood Defender Service of Harlem, and New York County Defenders, Demand Ltr to BOC, March 10, 2023, <https://bds.org/assets/files/2023-03-10-Joint-Letter-Prior-to-03-14-meeting-FINAL-1.pdf>.

²¹ Testimony of New York City Comptroller Brad Lander to the Board of Correction, Mar. 14, 2023, <https://comptroller.nyc.gov/newsroom/testimony-of-new-york-city-comptroller-brad-lander-to-the-board-of-correction-2/>.

²² Matt Katz, *Coming soon to NYC jails: Electronic surveillance, fees to text loved ones*, Gothamist (Feb. 13, 2023), <https://gothamist.com/news/coming-soon-to-nyc-jails-electronic-surveillance-fees-to-text-loved-ones>.

- Offer an application that allows law enforcement officers from Rikers Island to share personal communications of people in custody with officers from correctional facilities outside the city in order to identify potential threats.

The Department has not explained what information Securus will collect and store and for how long, or what security procedures the Department is requiring to protect information and prevent data breaches pursuant to the tablet services. This is particularly troublesome as Securus has a track record of faulty privacy safeguards and improperly distributing confidential communications, including in New York City.

We know that Securus regularly allows data breaches involving sensitive and protected information nationwide. As thousands of phone calls made by people detained at Rikers to their lawyers were recorded by Securus,²³ there is no reason to believe that Securus' software for safeguarding tablet and mail data is any more secure than its phone systems. This fact alone should disqualify Securus from *any* contract with DOC, much less an expanded role for their services to tablets and mail scanning.

Moreover, Securus has been subject to hundreds of lawsuits regarding its lax control over the privacy and confidentiality of protected communications. For example, in 2019, a special master appointed by a federal judge in Kansas determined that Securus had enabled prosecutors, in violation of the Sixth Amendment, to obtain recordings of attorney-client phone calls.²⁴ In a class action case raising similar allegations, Securus reached a settlement providing monetary damages to people incarcerated at a Kansas jail whose attorney-client calls the company illegally recorded.²⁵ In another settlement related to claims of recording attorney-client phone calls, Securus pledged to implement what would seem like basic safeguards that should have been in place at the outset.²⁶ Securus' questionable practices do not stop with data privacy. In an ongoing case, Securus is alleged to have engaged in a conspiracy to inflate prices for the calls it offers and to have misrepresented the costs of calls to government officials and to consumers.²⁷

As this sampling of lawsuits shows, Securus cannot securely digitize and manage large amounts of sensitive personal information. Securus' encroachments on privacy and protected communication are not glitches in an otherwise watertight system. Rather, they are a natural outcome of allowing private companies to collect and store sensitive information and

²³ Noah Goldberg & John Annese, *NYC Correction contractor recorded thousands more lawyer-client jail phone calls than first reported; could jeopardize court cases*, New York Daily News, Dec. 30 2021, <https://www.nydailynews.com/new-york/nyc-crime/ny-audit-shows-doc-listened-in-on-even-more-lawyer-inmate-calls-20211230-zni5qacdhjaozok7rdmwyg2wsm-story.html>; Chelsea Rose Marcus, *NYC's 5 DA offices wound up with recordings of confidential jailhouse calls between inmates and lawyers*, New York Daily News, March 21, 2021, <https://www.nydailynews.com/new-york/ny-jails-recordings-attorney-client-privilege-calls-20210321-tzbyxwnle5dc5jgvi5cona6wry-story.html>.

²⁴ *United States v. Carter*, 429 F. Supp.3d 788, 798-800, 847 (D. Kan. 2019).

²⁵ Order, *Huff v. Core Civic, Inc.*, No. 17 Civ. 2320 (JAR), Dkt. No. 146 (D. Kan. Sept. 26, 2019).

²⁶ *Romero v. Securus Tech., Inc.*, No. 16 Civ. 1283 (JM) (MDD), 2020 6799401(S.D. Cal. Nov. 19, 2020) (denying motion to dismiss for numerous claims against Securus including claims made pursuant to the California Invasion of Privacy Law); Order, *id.* Dkt. No. 184 (Nov. 19, 2020).

²⁷ *Albert v. Global Tel*Link Corp.*, No. 20 Civ. 01936 (LKG), 2021 WL 4478696 (D. Md. Sept. 30, 2021).

communications.²⁸ Because of Securus' lax control over the privacy and confidentiality of protected communications, it is unclear who has access to the intimate communications of people in custody. Whether this access is "authorized" for a specific purpose is irrelevant. After all, Securus was not "authorized" to record attorney-client phone calls, but they did so anyway. Entrusting it with even more data and communications from people in New York City jails poses a serious risk that the data will be breached and privacy violated. The only way to be sure the data will not be misused is to ensure it is not collected in the first place.

The DOC Must End its Contract with Securus Technologies

The DOC first entered its contract with Securus Technologies "for the installation, configuration and maintenance of an inmate telephone system" on October 1, 2014. The original contract was set to run for a five-year term. At the conclusion of that term, DOC had five one-year sole options to renew the Agreement. The original contract expired on April 30, 2019. DOC extended that Agreement through March 31, 2020, and then exercised its renewal option to extend the Agreement again on April 1, 2020. This renewal expired on March 31, 2021.

In the meantime, in early 2021 prior to the expiration of the second renewal option, the Department conducted internal audits that revealed its illegal call recording of privileged calls. However, despite Securus' constitutional violations and technical failures, DOC quietly and with no oversight exercised its renewal option year on April 1, 2021, registering that renewal on October 27, 2021. According to the Comptroller's CheckbookNYC website, this renewal option was only extended through December 31, 2021, while a subsequent renewal ran from January 1, 2022, through December 31, 2022. The current renewal option, apparently received on March 14, 2023, is labeled on the Comptroller's website as "pending." However, the Department confirmed they have contracted with Securus to provide not only phone services, but also to manage the tablet program, resulting in increased expenditures on the Securus contract.²⁹

Ending the contract with Securus Technologies will not only preserve New Yorkers' rights and liberties, it will also save the city money. Presently, it appears that the Department pays Securus approximately \$250,000 per month for phone and surveillance services. The overall contract agreement indicates that the Department is paying Securus Technologies \$3 million for a year of phone service. By contrast, almost every other city agency appears to pay well less than \$500,000 per year for such services.

Even if the Department's renewal term has already been non-publicly exercised, the city can still end its relationship with Securus now. Not only does DOC currently hold the sole renewal option on its agreement with Securus, the city and Department's original Agreement with Securus included a provision granting the city "the right to terminate this Agreement, in whole or in part, [with or] without cause"

²⁸ Lauren Gill, *Federal Prisons' Switch to Scanning Mail Is a Surveillance Nightmare*, THE INTERCEPT, September 26, 2021, <https://theintercept.com/2021/09/26/surveillance-privacy-prisons-mail-scan/>.

²⁹ In the DOC's testimony at the March 23, 2023, Preliminary Budget hearing, it stated that this fourth extension of the contract for phone services includes, for the first time, the management of the tablet program, which it stated accounts for the increased expenditure of \$5.4 million, up from the prior contract extension amount of \$3 million.

In addition to terminating the Securus agreement, the Council should urge the Department to issue a new RFP for phone services. This RFP should be limited to legal phone service only and should not include surveillance products similar to Securus's. Moreover, while Commissioner Molina testified that the tablet offerings from Securus represented a savings to the Department, the lack of transparency around the terms of the contract and the well-documented fact that the prior tablet service was free to people in the jails³⁰ suggests that the Department may be balancing its own expenses on the backs of those people in its custody and their families and community members, who will now incur the additional costs associated with Securus products.

Ending the agreement with Securus is the only way for New York to get its communities' data back. Until the date of agreement termination, Securus Technologies retains New Yorkers' data within their systems. DOC's original agreement with Securus contained the following provision:

7.3.2 Within thirty (30) days of expiration or early termination of the Agreement, the Contractor shall, at no cost to the DOC, perform the following actions:

- (i) transmit the DOC Data to the DOC or its designee in a format that is easily usable by the DOC or its designee and does not contain any proprietary software or other materials of the Contractor or third parties;
- (ii) destroy the DOC Data and any copies, extracts, descriptions, and summaries thereof contained in the Contractor's records or systems; and
- (iii) provide the DOC with a written certification of such destruction

When that data is returned to New York, the city and the Department should implement specific sequestration, notification, and destruction policies.

The Expansion of Securus's Surveillance Products Threaten the Privacy and Rights of New Yorkers

The concerns raised by Securus's business practices with respect to illegally recorded and shared phone recordings and other weak safeguards are compounded this year by the Department's efforts to expand its reliance on Securus for providing tablets and scanning and delivering all mail addressed to people in Department custody.

DOC claims that recording people's phone calls advances jail security and enables DOC to respond to risks of violence in the jails. This narrative is not borne out by the facts. In a two-year period, from January 1, 2020 through January 1, 2022, DOC records indicate that at least 17,977,510

³⁰ Matt Katz, *NYC jails detainees get their tablets back, but costs are undisclosed*, Gothamist, (Dec. 14, 2022), <https://gothamist.com/news/nyc-jail-detainees-get-their-tablets-back-but-costs-to-use-premium-services-an-open-question> ("The Department of Correction's contract with tablet provider APDS ended June 30 and was not extended for reasons that officials did not explain. That program was completely free for detainees; it included movies and had the capacity to provide video calls. It had been in place since 2015, and during the pandemic it was expanded to reach almost all of the approximately 5,000 detainees."); Matt Katz, *Incarcerated New Yorkers lose access to free electronic tablets, a critical lifeline*, Gothamist, (Nov. 9, 2022) <https://gothamist.com/news/incarcerated-new-yorkers-lose-access-to-free-electronic-tablets-a-critical-lifeline> ("APDS offered a virtual law library, substance abuse therapy, audio books, e-books, games, job skill training, adult basic education, and movies, all free to incarcerated people.").

completed phone calls were recorded.³¹ Within that same time period, DOC employees listened to calls 305,381 times—which may include listening multiple times to the same recorded phone call. This indicates that, *at most*, 1.7% of phone call recordings were utilized in any way by DOC officials in a recent 2-year period.³² DOC was not able to quantify how many of those recorded calls were helpful to facility security or led to the interception of contraband or prevention of violation. DOC is not using the phone surveillance system to make the jails safer. Instead, Securus is using the phone surveillance system to gather and profit from data on our clients and their loved ones. Similarly, the Department’s stated justification for their mail scanning proposal is to keep contraband, specifically drugs, out of DOC facilities. However, similar mail policies have not been effective at reducing drug use and overdoses within detention facilities, demonstrating that letters and packages from loved ones are not a significant source of the drugs entering jails. In fact, it is uniformed and civilian staff that are the main source of drugs entering New York City jails, as discussed in more detail below.³³

Although the Board has thus far not provided the Department the necessary variance from the Minimum Standards to implement the mail scanning procedures, it is important to reiterate that entrusting a private company to scan, deliver, and store mail raises significant concerns regarding surveillance, data breaches, and infringements on the rights of people in custody and those who communicate with them. Mail scanning is not simply a mundane exercise to digitize mail, but rather represents yet another surveillance platform designed to capture and retain as much information as possible to the ultimate benefit of private companies, here Securus, and law enforcement. Once a piece of physical mail is scanned, the data—including the content of the correspondence, faces in photographs, and the names and address of the sender and recipient—are stored in a platform managed by Securus, that can be accessed, retrieved, searched, and distributed. This is true, not only for mail scanning, but also for any electronic messages sent via the tablets, creating a risk of surveillance and data breaches for *both* people in custody themselves *and* anyone with whom they correspond, whether family members, friends, commercial contacts, or even civil and political groups.

Electronic messaging and mail scanning opens the door to keyword search and social network analysis. In fact, the investigatory tools that Securus is contracted to provide the Department—as listed above—will precisely include these capabilities. These tools can be used to identify patterns in communications, thereby increasing both the breadth and depth of surveillance, and exacerbating guilt by association at a scale like that of the so-called “criminal group database,” another project based on mass collection of data for dubious and seldom-specified investigatory purposes.³⁴ More people will be tracked and people in custody will be surveilled even more closely than they are now.

³¹ Data received from BDS FOIL of DOC.

³² *Id.*

³³ See BDS Opp. Ltr to BOC, Jan. 5, 2023, at 2-5, https://bds.org/assets/files/2023_01_05-BDS-Ltr-re-DOC-Mail-and-Package-Variations-2.pdf.

³⁴ James Blum, *The NYPD’s Gang Database: A New Age of Stop and Frisk*, Surveillance Technology Oversight Project, July 23, 2019, <https://www.stopspying.org/latest-news/2019/7/23/the-nypds-gang-database-a-new-age-of-stop-and-frisk>.

Lastly, surveillance on private communications will also negatively impact open communication between people in custody and the outside world and raises First Amendment concerns. Prior cases have established that people in custody “have a First Amendment right to the free flow of both incoming and outgoing mail” and that their mail cannot be tampered with absent proper justification.³⁵ Private companies, which are susceptible to data breaches, should not be trusted to collect, process, and retain sensitive communications from both people in custody and their loved ones. The Department’s surveillance system threatens to chill the exercise of the right to send and receive correspondence. As the Second Circuit has noted:

“It cannot be gainsaid that the reading of mail by jail officials chills the expression of first amendment rights by correspondents inside and outside the institution. It takes little more than common sense to realize that a tender note, so important to the morale of the incarcerated individual, might never be penned if the writer knew that it would be first scrutinized by a guard.”³⁶

It is critical that the Council remain vigilant on behalf of New Yorkers who will be chilled from corresponding with each other or prevented from communicating freely, depriving them of a vital and often irreplaceable connection. The city must also consider the costs of continuing to use Securus to provide services through which it has repeatedly demonstrated such a high disregard for privacy rights and the attendant liability costs that come with such disregard.

The time for New York City to get out of business with predatory surveillance phone and technology companies like Securus is now. Our communities’ data should be returned from Securus. This two million plus per year project of surveillance should be dismantled. Neither our Constitutional rights to silence and to counsel, nor our dignity, privacy, and intimacy should be for sale in our city. New Yorkers deserve more.

DOC’s Testimony on Medical Access Was Misleading

During Commissioner Molina’s testimony, he repeatedly claimed that DOC had fixed its access to medical care problems and that only one percent of medical appointments were missed because DOC did not provide escorts. This claim obscures the reality that people in custody continue to miss hundreds of medical appointments each month due to DOC’s mismanagement.

After Brooklyn Defender Services, along with the Legal Aid Society and Milbank LLP, sued DOC for failing to provide access to medical care, instead of focusing on fixing the problem, DOC created new medical non-production categories so they could shift medical non-production numbers out of the no-escort category. These newly created categories are non-productions to medical appointments that are also attributable to DOC’s administrative failures.³⁷ Significantly,

³⁵ *Moore v. Gardner*, 199 F. Supp.2d 17, 32 (W.D.N.Y. 2002)(internal citations omitted); *see also Hudson v. Greiner*, No. 99 Civ. 12339 (LAP), 2000 WL 1838324, at *5 (S.D.N.Y Dec. 13, 2000); *Heimerle v. Att’y Gen.*, 753 F.2d 10, 12 (2d Cir. 1985).

³⁶ *Wolfish v. Levi*, 573 F.2d 118, 130 (2d Cir. 1978), *rev’d on other grounds, sub nom.*, *Bell v. Wolfish*, 411 U.S. 520 (1979).

³⁷ For example, DOC would like the City Council to ignore the “Maximum Safe Capacity” non-productions, which are instances in which DOC says it did not produce people to their scheduled clinic appointments because it did not

overall non-productions to medical appointments have increased dramatically in the last year, demonstrating that access to medical care in New York City jails has not improved.³⁸ Commissioner Molina's one percent figure only accounts for no escort non-productions and does not encompass new categories of non-production attributable to DOC incompetence or data shifting.

Furthermore, DOC's non-production figures cannot be trusted. Their data is skewed to suggest that DOC is responsible for fewer non-productions than is the case. For example, CHS data demonstrates that DOC is undercounting total non-productions to medical appointments by several thousand non-productions each month.³⁹

We continue to hear from the people we represent daily who are struggling to access essential medical care. If DOC continues to focus on manipulating their statistics rather than providing access to care, New Yorkers will remain at risk of dying in our city's jails.

provide sufficient space and security for them to wait safely to be seen by clinical staff. These waiting spaces as well as the staff DOC claims must accompany people while they wait, are squarely under DOC's control. Furthermore, data shows that hundreds of appointments per month are also denied due to DOC's failure to develop plans for keeping its scheduled appointments while addressing inevitable emergencies that arise. These instances of non-production are classified under the "Priority Medical Emergency" category and also constitute distinct evidence of DOC's noncompliance—DOC is required to deliver medical care, and may not deny or delay that care because it plan for or allocate its resources properly when faced with medical emergencies. *See Agnew v. DOC*, Index No. 813431/2021E NYSCEF Doc No. 197 at 6-7.

³⁸ Compare DOC Medical Non-Production Report for Jan. 2022 (reporting 6,792 total non-productions) available at https://www.nyc.gov/assets/doc/downloads/pdf/Medical_Non_Production_Report%20_January%202022.pdf with DOC Medical Non-Production Report for Dec. 2022 (reporting 9,968 total non-productions) available at https://www.nyc.gov/assets/doc/downloads/pdf/Medical_December_2022.pdf. https://usc-word-edit.officeapps.live.com/we/worDEDitorframe.aspx?ui=en-US&rs=en-US&wopisrc=https://bkds.sharepoint.com/sites/BDSCivilRights/_vti_bin/wopi.ashx/files/f7bff5278bdc4a089546503fc5525fa8&wdenableroaming=1&mssc=1&hid=B460A2A0-B019-D000-EB87-AFF415BCC718&wdorigin=Teams-HL.Sharing.DirectLink&jsapi=1&jsapiver=v1&newsession=1&corrid=0bdb4a6b-6c42-4141-aec0-d90463a3cb2a&usid=0bdb4a6b-6c42-4141-aec0-d90463a3cb2a&sftc=1&cac=1&mtf=1&sfp=1&instantedit=1&wopicomplete=1&wdredirectionreason=Unified_SingleFlush&rct=Normal&ctp=LeastProtected#_ftn1

³⁹ For example, in June 2022, when DOC reported 8,997 total non-productions across all categories, CHS reported a staggering 16,083 non-productions. Compare CHS Access to Health Services Report, April-June 2022, p.30 available at https://www1.nyc.gov/assets/boc/downloads/pdf/Reports/Correctional-Health-Authority-Reports/CHS-Access-Report_CY2022_Q2_25Jul22.pdf with DOC Medical Non-Production Report for June 2022 available at [https://www.nyc.gov/assets/doc/downloads/pdf/Medical_June%202022_\(2\).pdf](https://www.nyc.gov/assets/doc/downloads/pdf/Medical_June%202022_(2).pdf). https://usc-word-edit.officeapps.live.com/we/worDEDitorframe.aspx?ui=en-US&rs=en-US&wopisrc=https://bkds.sharepoint.com/sites/BDSCivilRights/_vti_bin/wopi.ashx/files/f7bff5278bdc4a089546503fc5525fa8&wdenableroaming=1&mssc=1&hid=B460A2A0-B019-D000-EB87-AFF415BCC718&wdorigin=Teams-HL.Sharing.DirectLink&jsapi=1&jsapiver=v1&newsession=1&corrid=0bdb4a6b-6c42-4141-aec0-d90463a3cb2a&usid=0bdb4a6b-6c42-4141-aec0-d90463a3cb2a&sftc=1&cac=1&mtf=1&sfp=1&instantedit=1&wopicomplete=1&wdredirectionreason=Unified_SingleFlush&rct=Normal&ctp=LeastProtected#_ftn1

The City Must Invest in Fairness and True Public Safety

Public safety remains the focal point of the discourse surrounding the city’s budget. As public defenders, we know that true investment in public safety must address the systemic issues giving rise to drug use, mental health crises, and community violence. We cannot arrest, prosecute, or incarcerate our way to solving these problems. Punitive responses can only exacerbate the very issues they intend to solve. Many of the people we serve may have avoided the court system and incarceration had they had access to support services sooner. Instead, many of our clients become eligible for support services only because of their interaction with the NYPD, Administration for Children’s Services (ACS), or Immigration and Customs Enforcement (ICE). With the support of the City Council, we are able to provide our clients with robust support and assistance in navigating benefits applications and affordable housing processes, and accessing quality mental health care, substance use treatment, educational support, respite centers, or immigration assistance.

As the City Council reviews and responds to Mayor Adam’s budget proposal, we urge the Council to invest in communities and ensure that New Yorkers receive the support and resources that promote public safety and help our city thrive. This month, New York City marks the third-year anniversary of the COVID-19 pandemic. The communities impacted most by the criminal and family court legal systems have also been those hit hardest by the pandemic. Funding for indigent defense and legal services has been critical as low-income communities face novel economic and social challenges as a result of the pandemic. New Yorkers continue to require access to legal support to address widespread evictions, job loss, and enormous educational challenges.

The city’s dangerous reliance on incarceration as a strategy to promote public safety has deepened systemic inequities in our community and has enabled a culture of abuse and harm in the city’s jails. Mismanagement of DOC staff has been well documented. DOC has a higher staff to persons-in-custody ratio than any jail in the country. Yet, the Department still fails to transport people to court, legal visits, family visits or emergency healthcare appointments. Despite this exorbitant ratio, the Department described a need for additional uniformed staff and overtime pay to resolve the staffing crises in the jails.

This Council has been responsible for legislating and funding groundbreaking programs to meet the needs of communities that are highly surveilled but overlooked by other service providers—including the New York Immigrant Family Unity Project (NYIFUP) ensuring universal representation to immigrant New Yorkers facing deportation and the Right to Family Advocacy Project providing advocacy to families being investigated by the Administration for Children’s Services. How a society allocates its budget is a statement of its values. We urge the City Council to work with Mayor Adams to begin to move funding away from surveillance and criminalization and toward community investment and community response.

1. Invest in Public Defense

As public defenders, we provide a different type of safety for the public. We provide protection from the overreach of law enforcement and from harsh and unfair laws that destroy lives, often because of one mistake or one moment in a person’s life. We represent people who have been arrested, who have been suspended from school, who are facing deportation, or who are navigating other complex legal processes. We also help people access safety nets by providing assistance

accessing housing, benefits, and other support services. We work every day to keep people out of jail, monitor jail conditions, and hold DOC accountable for their failures to meet basic needs and minimum standards for people in custody.

The statewide fiscal crisis that public defense organizations are facing is a direct result of New York's failure to recognize the needs of low-income New Yorkers and properly fund the legal right to counsel. If left unaddressed, the underfunding of New York public defense organizations will further marginalize and disconnect hundreds of thousands of New Yorkers from the legal and social services they need to survive.⁴⁰ We are grateful to the Speaker and the Council for your advocacy for defenders to receive the funding we need in the State budget. True public safety comes from investments that keep people in their homes, in their jobs, and with their families. The final New York State and City budgets must reflect the needs of low-income New Yorkers and properly fund public defense.

2. Ensure Oversight and Accountability

The BOC is tasked with providing essential oversight of the city jails, and to do so it must be fully funded. The Board has a responsibility to all people in city jails, their families, loved ones, and the community to ensure transparency and accountability is sought. For the DOC to be held responsible, we must start with transparency and fully funding the Board. The Board is essential at ensuring the public is made aware of the Department's violations of the BOC Minimum Standards; deaths in custody followed by an investigation; data and statistics related to sexual abuse, investigations, grievances, and the use of restrictive housing to name a few. People in custody and the public depend on the Board, and without them we fear the city jails will become more isolating, only exacerbating the already known horrors within DOC's correctional facilities

3. Invest in Communities

The safest communities are the communities with the most resources. We urge the Council to invest in proven programs that keep our neighbors safe, healthy, and in the community. This must include access to safe and affordable housing, community based mental health care, and psychiatric hospital beds. Many programs that work to create safety face funding cuts, while the DOC and NYPD continue to siphon resources from other city agencies.

One such program, the MOCJ Emergency Reentry Housing Program—which has been a lifeline to people leaving the city jails—is scheduled to close at the end of the fiscal year. In April 2020, the City of New York partnered with direct service providers to establish the emergency reentry housing program to provide immediate, low barrier to people transitioning out of incarceration. With co-located wrap-around services including medical care, case management, and housing and vocational support, people returning to the community had a safe, stable place to stay and receive care. The current emergency hotel program is scheduled to close on June 30, 2023, with the 530 current residents being moved into transitional housing. This plan, however, fails to serve the goal of using transitional housing to decarcerate Rikers Island. As of February 2, 2023, there are over 375 people on a waitlist for a bed in the emergency hotel program—many of whom are incarcerated

⁴⁰ Samar Khurshid, As Prosecutors Get Budget Boost, Public Defenders Seek More Funding Too, Gotham Gazette, February 17, 2023, Available at <https://www.gothamgazette.com/state/11825-public-defenders-prosecutors-budget-funding-courts>.

only because they do not have stable housing. The Council has a moral imperative to continue to fund this critical program as a step in a continuum of reentry housing.

Conclusion

We thank the Council for holding this hearing to highlight the issues in the jails and the need for investment in real safety and justice. We urge the Council to use every mechanism in your power to reduce and eliminate the suffering in New York City jails. We thank the City Council for the opportunity to testify today.

If you have any questions or concerns, do not hesitate to contact me at slmarquez@bds.org.



New York City Council Committee on Criminal Justice
Preliminary Budget Hearing

Good afternoon. My name is Nadia Chait, and I'm the Senior Director of Policy & Advocacy at CASES. Thank you to Speaker Adams, Chair Rivera and members of the City Council for the opportunity to provide testimony on how the City's budget can meet the needs of New Yorkers.

CASES is a nationally recognized leader in the development of innovative programs to address the intersection of unmet mental health needs and criminal legal system involvement. We served over 9,000 New Yorkers last year, of whom nearly 90% identified as Black and/or Latino, consistent with disparities in policing and sentencing. Our programs prevent the harm and trauma of incarceration through pretrial services and alternatives to incarceration (ATI); support achievement of education, employment, health and housing goals; promote mental wellbeing through a range of clinical and case management programs; and improve public safety through community-based solutions.

We specialize in serving individuals with serious mental illness and involvement in the criminal legal system. We know that when people receive the care and support they need, they will live healthy lives in their community, participating as parents, employees, friends and leaders. All too often, however, the City fails these individuals, leaving them to cycle between jails, emergency departments and the streets. Our programs work, but funding from the City is often insufficient to meet the needs of our communities. We cannot provide services without funding.

Decrease the Department of Corrections (DOC) Budget & Increase Funding for Supervised Release

Supervised release is an essential service that provides supervision and support to New Yorkers awaiting trial. While the Mayor's budget proposal maintains bloated funding for the Department of Corrections, supervised release providers, whose programming keeps people safely in the community, have faced significant cuts. We operate the Manhattan Supervised Release Program (MSRP), which served 4,550 New Yorkers last year, with offices in Harlem, Brooklyn, Queens and the Bronx. We are on track this year to meet or exceed that total, with 3,646 New Yorkers served this fiscal year to date. The vast majority of supervised release clients (86% in FY21¹) make their court appearances successfully, without having a warrant issued for failure to appear. Participants are also unlikely to be re-arrested: 85% of our Pretrial clients are not re-arrested for a felony (and 93% are not re-arrested for a violent felony) in their first year in the program.

Funding for our program was cut by nearly \$3 million in FY23, from \$20 million to \$17,146,739. This cut forced us to lay off staff, reduce our spending on client transportation and client supplies including food and cellphones, and gutted our funding for staff transportation. This has impacted our ability to do community field work and to serve our clients with complex needs. It is critical that funding for supervised release not only be restored, but that we see an increase to effectively serve the current needs of participants. 39% of our clients are in Tier 2, a group that requires more intensive supervision. Good practice and contractual caps limit these caseloads to 15 individuals, but our case managers have case loads of almost double this size (26

on average) because of the limited funding available. Without adequate funding, it is much more difficult for case managers to:

- Provide the frequent and intensive supervision with individuals that the model requires
- Meet individuals at community locations closer to their home or work
- Connect participants to enhanced support, including mental health care, supportive housing and peer support

Higher caseloads also increase burnout in the field, which leads to high staff turnover and the need to continually spend scarce resources on recruiting, hiring and training new staff.

New York City should not cut supervised release while maintaining inflated spending for an inhumane jail that cannot keep incarcerated people safe. To successfully Close Rikers, the City must robustly invest in the proven community solutions that reduce arrests and incarceration. Supervised release works. People avoid incarceration and are able to remain the community, where they can stay housed, maintain employment and remain connected to family. The Council should cut funds to DOC to fund supervised release, along the other critical programs that are highlighted below.

Increase City Council Funding for Alternatives to Incarceration by \$1.1 Million

Alternatives to Incarceration (ATI) programs provide critical supports to help people get the services they need while remaining safely in the community. As part of the ATI Reentry Coalition, we request a \$1.1 million increase in the Citywide Alternatives to Incarceration Initiative. CASES requests \$1,198,775 in FY24 funding from this initiative. This funding is critical to a range of services that we offer, providing the flexibility necessary to meet the complex needs of our clients. City Council funds support:

- ATI Services for people living with serious mental illnesses facing felony charges in Brooklyn and Manhattan including psychiatric, nursing, social work, and peer services delivered by mobile treatment teams working in clients' preferred community settings. *Recent program graduates achieved a 56% reduction in homelessness, a 49% reduction in psychiatric hospitalizations, and nearly 90% avoided any new conviction in the two years following program completion.*
- Outpatient mental health services to over 1,500 community members last year, integrated with primary care, family, peer, and crisis intervention services. Initiative funding specifically supports clinic outreach and coordination with CLS stakeholders to ensure rapid engagement of CLS-impacted people in need of treatment—about 70% of Nathaniel Clinic clients last year had previous CLS involvement.
- Education & Employment Services for to over 300 young people vulnerable to CLS involvement, with a focus on young adults lacking a diploma or equivalency, long out of school, and unemployed. Initiative funding supported young people CASES helped to secure a paid internship, attain employment, or earn a GED or industry-recognized work-readiness credential

We see a critical need to expand ATI programming in the South Bronx and are requesting additional Council funds to support this new programming. CASES plans to open a mental health clinic in Mott Haven, which will serve people with criminal-legal system involvement and provide a base for our ATI clients in the Bronx. This is essential to meet the significant needs we see among our Bronx clients following the traumatic impact of the pandemic.

The Council should also explore ways to that ATI programs can be expanded to reduce the population on Rikers and lead to the successful closure of Rikers. It is critical that any increase in City agency funding for ATIs be used to reduce incarceration, rather than widen the net of the criminal-legal system and service mandates. Given how many people incarcerated on Rikers have serious mental illness, the Council should look to fund dedicated ATIs, such as those operated by CASES, that actually help people with mental illness, rather than incarcerating them at a jail that cannot maintain their safety or provide even basic mental health care.

Establish Community Care Vans to Close Treatment Gaps (\$11 Million)

CASES provides pretrial services to all eligible defendants age 16 and older facing trial in New York County (Manhattan), regardless of where they live. Our supervised release program works with people to ensure they return to court and to connect them to helpful services. The data indicates that CASES Pretrial Services are very successful. The majority of CASES Pretrial clients (86% in FY21¹) make their court appearances successfully, without having a warrant issued for failure to appear. Individuals in Pretrial Services are also unlikely to be re-arrested: 85% of our Pretrial clients are not re-arrested for a felony (and 93% are not re-arrested for a violent felony) in their first year in the program.

However, CASES has limited space at the court to introduce ourselves to clients and to start their intake process. We are often forced to have sensitive conversations on benches in public hallways, which simply is not effective for many clients. We also know that for clients who are street homeless, it can be remarkably challenging to maintain contact with us, as these clients often do not have phones or money for MetroCards. There is currently a significant gap in our behavioral health system where people with immediate mental health treatment needs leave court with little more than a piece of paper directing them to services on a future date.

To fill this gap, the City should fund Community Care Vans, which would be located directly outside of the Criminal Court buildings in each borough. The vans would provide rapid-engagement services and would be available seven days/week, with extended evening hours. The vans would create a rapid, seamless transition from court to community. Services would include:

- immediate clinical, psychiatric and substance use intervention;
- comprehensive assessment and responsive intervention to address client needs; and
- escorts to emergency services, including crisis respite, detox, emergency housing and shelter intake.

The van would be equipped with a bathroom, shower, medical supplies and private interview spaces. Provider staff based at the van would be able to distribute care packages, including food, hygiene items and clothing. *We estimate each van would have a capital cost of \$377,000 and annual operating costs of \$2,750,000.*

Establish a \$12.8M Justice Involved Supportive Housing (JISH) line-item appropriation within DOHMH's budget to increase funding for Justice Involved Supportive Housing (JISH) that will also allow for transparency of JISH funding for CloseRikers efforts.

- DOHMH should directly fund JISH
- JISH is essential to successfully reducing the Rikers population and closing Rikers.
- JISH currently only has 120 out of 500 possible apartments in operation. This is directly due to unacceptable rental and service rates.

- We recommend that DOHMH set service rates at \$25,596 for each JISH unit (matching the service allocation for NYC 15/15 youth adult population, the city's primary supportive housing program) and rental rates be set at current Fair Market Rate and with a 2% yearly escalator, to keep up with current market rates.
- The total recommended investment for 500 JISH units (120 current and 380 future units) is \$12.8 Million.

Address Workforce Crisis Through 6.5% COLA (\$200 Million)

Chronic underfunding of nonprofit contractors who provide essential city services, combined with the significant impact of the pandemic on our sector and our staff, has led to a workforce crisis. One out of every six positions at CASES is currently vacant. That's 100 open positions, 100 jobs that we struggle to fill. This creates higher caseloads for the staff we do have, and impedes our ability to expand services and decrease waitlist. We also experience a high turnover rate, which is common among our sector – our turnover rate for this fiscal year is 35%. This increases our costs, as we are forced to spend money on recruitment and training that should be going into programs and services.

The workforce crisis is a direct result of City and State government's failure to appropriately fund mental health services. Contracts set low salaries. The City then fails to pay these contracts on time, forcing us to take out loans and pay interest, reducing the funding available for staff salaries. This is an equity issue. 77% of our staff are people of color, and 70% are women. The City's constant underfunding of this valuable and essential work directly contributes to economic inequity.

As a first step in solving this underfunding, the Council should include a **6.5% COLA this year and ensure it is included in the budget as a "cost-of-living adjustment" and not some other named initiative**. We appreciate the Council's support in increasing funds to nonprofit providers last year. Unfortunately, the investment last year was much delayed and fell short of what our sector needs. We estimate a human services COLA would cost \$200 million, an important investment in critical services and equity.

Eliminate the Waitlist for Intensive Mobile Treatment (\$1.5 Million per Team)

CASES currently operates seven Intensive Mobile Treatment (IMT) teams, which each have peer specialists, behavioral health specialists, psychiatry and nursing. These teams provide wraparound support to individuals who have serious mental illness, are homeless or were recently homeless, and have criminal-legal system involvement. These are people who have been repeatedly failed by the systems that are supposed to help them and left on their own with little support. IMT allows us to meet these individuals where they are.

IMT is a voluntary service. People are not mandated into the program and have no obligation to engage. But mandates are not necessary, because we find people want to engage in care. IMT is one of the only mental health programs that funds outreach to clients. Through this, we are able to educate clients about the services available to them and build trusting relationships.

Access to IMT is limited, however, by the number of teams. Currently, there is a significant waitlist for IMT services. This year's budget should fund sufficient additional IMT teams to fully eliminate the waitlist. Each team costs \$1.5 million per year and serves 27 people. This is a very cost-effective intervention, far less per person than the \$550,000 the City spends to incarcerate

someone on Rikers for a year. Unlike incarceration, IMT promotes recovery, increases access to housing, and provides treatment.

Maintain Robust Funding for Mental Health Initiatives (\$150,000)

The Council has been a strong supporter of innovative mental health services through the Mental Health Initiatives. This funding fills critical gaps and allows CASES to provide robust services in our community. This includes:

- **\$150,000 through Court-Involved Youth Mental Health Initiative for Adolescent Portable Therapy (APT).** This program provides early intervention and family therapy to court-involved youth through a team of mobile, clinical staff that meet the youth and family in the community. Since the start of the COVID-19 pandemic, CASES has seen increasing demand for APT clinical screening and family therapy services funded by the Court-Involved Youth Mental Health Initiative. This increasing demand has been, unfortunately, driven primarily by increasing arrests of teens for domestic violence charges while in their homes related to family conflict. Recognizing the pandemic as an initial driver of this youth court involvement and an opportunity for early intervention, the APT team has worked with Family Court stakeholders to expand access to APT at the Family Court Adjustment Phase, leveraging the program's existing relationships with Probation stakeholders who oversee the Adjustment process in Family Court. This process is a critical point for early intervention, with youth who successfully complete the phase able to avoid receiving any formal charges and thus avoid establishing a criminal record.

Thank you for the opportunity to testify today.

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The **Center for Justice Innovation** is a non-profit organization that seeks to transform the policies and practices of the justice system to make it fair, effective, and humane. The Center operates the following sites throughout New York City.

■ Family
 ■ Criminal
 ■ Community Development
 ■ Civil/Housing

Click on the name of any program to learn more.

STATEN ISLAND

1. Staten Island Justice Center

MANHATTAN

2. Harlem Community Justice Center
3. Headquarters
4. Manhattan Justice Opportunities
5. Midtown Community Court

MULTI-BOROUGH

6. Legal Hand (Bronx, Brooklyn, Queens)

BRONX

7. Bronx Child Trauma Support
8. Bronx Community Justice Center
9. Bronx Community Solutions

BROOKLYN

10. Brooklyn Justice Initiatives
11. Brooklyn Mental Health Court
12. Brownsville Community Justice Center
13. Neighbors in Action
14. Red Hook Community Justice Center
15. Supervised Release Program

QUEENS

16. Queens Community Justice Center (Jamaica and The Rockaways)



Citywide

■ Access to Justice
 ■ Neighborhood Safety Initiatives
 ■ RISE Project

■ Alternatives to Incarceration
 ■ Parent Support Program
 ■ Strong Starts Court Initiative

■ Driver Accountability Program
 ■ Project Reset
 ■ Youth Action Institute

■ Gender and Family Justice
 ■ Restorative Justice Practices
 ■ Youth Impact

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Courtney Bryan, Executive Director

**Center for Justice Innovation
New York City Council
Committee on Criminal Justice – Preliminary Budget Hearing
March 23, 2023**

Since its inception, the Center for Justice Innovation (formerly the Center for Court Innovation), referred to as ‘the Center’ throughout these remarks, has supported the vision embraced by Council of a fair, effective, and humane justice system and public safety built through sustainable, community-driven solutions that cultivate vibrant neighborhoods. The Center’s longstanding partnership with Council over the past 25 years has helped bring this vision to life through evidence-based and racially-just programming that spans the justice continuum.

Our firsthand experience operating direct service programs and conducting original research uniquely positions us to offer insights that Council can look to as it considers the development of initiatives that respond to needs of all New Yorkers. In addition to our annual renewal awards, the Center asks for Council support in achieving the following goals in FY24:

- Return to prior funding levels for Supervised Release Program, considering recent cuts to funding for existing contracts.
- A \$250,000 increase to the Innovative Core Funding partnership between the Council and the Center, to represent the first increase of this award in over a decade.
- \$1.5 million to enhance misdemeanor alternatives to incarceration options across all parts of the justice system as referrals increase, and \$211,000 in new funding to support a first-of-its-kind youth weapons diversion program. These programs are critical components of the multi-dimensional plan to safely close the Rikers Island Jail Complex on time.

In each instance, our aim is to provide a meaningful and proportionate response, treat all people under our care with dignity and respect, prioritize public safety, and produce much-needed cost savings for the City. And, as an anti-racist organization, we work to ensure the needs of marginalized New Yorkers are addressed.

Restoring Supervised Release to FY22 Levels to Respond to Increasing Referral Volume

Community-based pretrial supervision is a critical component in the implementation of bail reform and safely shrinking the jail population to close the Rikers Island Jail Complex by the intended date. **We are seeking a return to FY22 funding levels, as the FY23 contract was reduced by 10% while caseloads for the most intensive category of cases are already double the contracted caseload.** The Center operates the **Supervised Release Program** in Brooklyn and Staten Island, and citywide nearly 17,000 participants were served by all providers in 2022. The programs continue to grow, reflecting judges’ confidence that clients in Supervised Release show up for court

dates at a very high rate. Additionally, with this growth, the number of participants with higher needs has increased; in our two boroughs, 1,600 individuals had potential mental health needs in 2022 compared to 430 in 2019.¹ This reflects just under a third of all participants assessed in 2022 flagging for mental health needs.

After program eligibility expansion and initial budget increases, the Mayor's Office of Criminal Justice *reduced* the budget for Brooklyn and Staten Island from 2022 to 2023 by approximately 10%. This reduction in budget occurred amidst an over 60% increase in volume of participants. With the reduction in budget and increase in the number of participants with substantial needs, the program cannot function as intended. Lower caseloads are crucial for staff to provide quality time with each participant to ensure case management is responsive to their individual needs. With twice the caseload, it is difficult for case managers to have more frequent and intensive supervision with individuals, including at community locations closer to the participants' work/home. Rising caseloads prevent staff from working with participants who voluntarily seek or might benefit from enhanced support, including supportive housing and peer support, services that can have positive life-changing impacts. In addition, case managers experience stress and burnout, leading to a low staff retention rate and resources spent on continually recruiting, hiring, and training new staff that could be spent on programming. The Center seeks Council support and guidance on this urgent issue.

Innovative Core Funding

This year, we ask Council to continue and expand support for the Center's **Innovative Core Funding to \$750,000 from \$500,000, an amount not raised in over a decade**. Each year, the Center uses this funding to flexibly respond to the immediate needs of New Yorkers by piloting novel and effective community-based pilots to test for scalable solutions. Enhanced support would allow the Center to float programming despite delayed contract payouts from city agencies, which delays hiring and implementation across our programs. The Innovative Core Funding allows us to ensure programming doesn't get interrupted. In FY23, this contract transitioned from the Mayor's Office of Criminal Justice (MOCJ) to the Department of Youth & Community Development (DYCD), and we call on Council to ensure there is a long-term plan in place to sustain this funding. Council's Innovative Core Funding supports public safety and criminal justice responses in all five boroughs.

The Center makes deep investments in engaging individuals as far upstream as possible by meeting young people where they are, promoting housing stability, preventing gun violence, and working at the intersection of the justice and behavioral health systems. Center programs currently serve thousands of young people citywide each year, offering meaningful off-ramps and justice system alternatives through counseling, academic support, and workforce development. The Center's Youth Impact program, for example, provides peer-led diversion that invests in youth leadership and restorative alternatives to detention. In Harlem and Red Hook, the Center works with tenants in community to increase housing stability and reduce evictions by helping tenants navigate housing court. Similarly, our Legal Hand program serves Crown Heights, Jamaica, and Tremont residents facing housing, immigration, and employment issues by training local residents to empower their neighbors with legal information. In both Brooklyn and the Bronx, the Center works to prevent gun violence by actively engaging those at risk of being involved in violence, building community

¹Center for Justice Innovation. (2023). [Supervised Release Program data file]. Retrieved from the Justice Center Application case management system.

movements against violence, and providing supports and opportunities to community members in need. The citywide Reimagining Intimacy through Social Engagement (RISE) Project addresses the intersection of intimate partner violence and gun violence.

The Center has a particular expertise in providing trauma-informed social services, which continue to be crucial given the increasing number of justice system-involved individuals facing mental health and/or substance use challenges. Through our Staten Island Justice Center, for example, the Center provides clinical support and restorative programming for court-involved youth who have mental health needs. Our Midtown Community Court's Misdemeanor Mental Health Court works with some of Manhattan's most vulnerable individuals—those with extensive histories of mental illness and/or substance use disorders—to resolve cases while reducing the use of incarceration and continued cycling through systems. The Center's Bronx Child Trauma Support provides therapeutic and court accompaniment services to children who have been victim or witnesses to violent crime.

Reducing Incarceration: Alternatives to Incarceration & Diversion Programming

The Center is seeing an increase in referrals for both misdemeanor and felony ATI cases in New York City. To keep up with growing misdemeanor caseloads, and in order to take on cases with deeper-levels of engagement required, **the Center is seeking \$1.5 million in new Council funding for misdemeanor cases.** Additionally, the Center is piloting a felony alternative-to-incarceration program for young people charged with weapon possession and related charges. **The Center seeks \$211,000 in new Council funding to expand the pilot's eligibility criteria and serve a greater number of referrals from family court cases.**

The Center has measurable experience implementing data-driven programs that meaningfully reduce incarceration without decreasing public safety, which aligns with Council's goal of closing the Rikers Island Jail Complex on time. Alternatives to incarceration (ATI) and diversion programs can prevent unnecessary incarceration and disruption to individual lives, while providing linkages to additional services to decrease criminogenic factors that would otherwise grow in confinement. In 2022, the Center served 6,742 new participants in ATI programming (Felony, Misdemeanor, and Brooklyn Mental Health Court) across New York City.² These models are studied to be safe, effective, and cost efficient; and avoid unnecessary incarceration, reducing the long-term adverse impacts it has on individuals, families, and communities.

Enhancing Felony ATI in Brooklyn

Felony ATI programs are an essential component of the timely and important conversations around the dangers and systemic challenges that plague the Rikers Island Jail Complex. The Center's **Brooklyn Justice Initiatives** and **Brooklyn Mental Health Court** work in conjunction to offer an array of alternative felony sentencing options for individuals arrested on violent and non-violent charges in Brooklyn. These programs are pioneering innovative responses to serious crimes that engage people in individualized services, so they can remain in their communities while making positives changes in their lives and avoiding the harmful effects of incarceration.

With Council funding, Brooklyn Justice Initiatives successfully launched their felony ATI program in January 2020, which offers community-based interventions and rigorous judicial

²Center for Justice Innovation. (2023). [ATI data file]. Retrieved from the Justice Center Application case management system.

monitoring of felony cases that are otherwise ineligible for drug, mental health, and domestic violence courts. Brooklyn Justice Initiatives staff provide comprehensive clinical assessments, and robust offerings of services through community partners and in-house programs. Brooklyn Mental Health Court is based in the Brooklyn Supreme Court and launched in 2002 as the first mental health court in New York City. Brooklyn Mental Health Court crafts meaningful responses to participants, including those with felony charges, who have mental illness. Addressing both treatment needs and the public safety concerns of the community, the court links defendants with serious and persistent mental illness who would ordinarily be jail- or prison-bound, to long-term community-based treatment as an ATI. The majority of Brooklyn Mental Health Court participants who do need intensive and long-term support are connected to a psychiatrist and community-based mental health supports in a way that meets their specific needs and situation. Since it opened in 2002, the court has seen nearly 1,300 participants satisfy program requirements and graduate successfully. Active participants exhibit a 74 percent compliance rate and are 46 percent less likely to be re-arrested while in Brooklyn Mental Health Court than those in a comparison group. In addition, court participants see a 29 percent reduction in the likelihood of a re-conviction versus a comparison group.³

The Center seeks renewal funding to sustain and grow operations of felony ATI programming in Brooklyn. Continued Council support would allow the Center to serve the growing number of individuals coming through the legal system living with serious mental illness.

The Next Frontier of Felony ATI: The Midtown Youth Weapons Diversion Program

The Center has a history of unique knowledge and expertise in working to reduce gun violence and increase public safety, including serving as the original site for Cure Violence in New York City. The Center's research team has evaluated programs that address violence, and recently conducted a unique study examining why young New Yorkers carry guns.⁴ This work has provided the Center with lessons learned for effectively reaching target populations. The Center's Midtown Community Court seeks new Council funding to expand and enhance the **Midtown Youth Weapons Diversion Program**. In collaboration with the New York City Law Department, the Legal Aid Society, and the New York City Department of Probation, this Center pilot program is one of very few holistic diversion options for young people ages 14-18 arrested for weapon possession.

In our inaugural year, nearly every eligible participant referred to Midtown's Youth Weapons Diversion Program has chosen to enroll in the program, and 90% of participants have completed the full program.⁵ Successful completion of this diversion program leads to a non-filing of the case, which diverts the young person away from Family Court proceedings, or a dismissal if the case was already filed, thereby avoiding the full criminal process and its collateral consequences. In addition to providing a critical diversion opportunity that addresses the root causes of gun violence, this program will provide educational support and job skills development, offer connections to health and wellness and other holistic services, and build youth connections to the community.

Growing Need for Misdemeanor Alternatives to Incarceration

³<https://www.innovatingjustice.org/publications/criminal-justice-interventions-offenders-mental-illness-evaluation-mental-health>

⁴<https://www.innovatingjustice.org/publications/gun-violence-NYC>

⁵Center for Justice Innovation. (2023). [Midtown Community Court data file]. Retrieved from the Justice Center Application case management system.

The Center is seeing need for new Council funding to support increasing misdemeanor ATI referrals in Queens and Manhattan. Misdemeanor ATI programs provide meaningful alternative sentences that both reduce the use of incarceration, fines, and convictions and enhance public safety. Council funding would support growing caseloads and allow Center programs, **Queens Community Justice Center** and **Manhattan Justice Opportunities**, to take on misdemeanor ATI clients with higher-needs and extensive case histories. Funding would also support the **Midtown Community Court Emerging Adult Diversion Program**, a driving factor in the re-opening of the community court. Collectively, these three projects offer innovative community-based diversion options in criminal court, with the goal of reducing incarceration and criminal convictions and enhancing public safety in their respective boroughs. These alternative programming options hold people accountable for their actions, while connecting them to services and resources that build stability in their lives and decrease their likelihood of reoffending.

In Queens, the misdemeanor ATI program has experienced a significant increase in referrals, due to a number of factors: first, the program's services are entirely free to all participants, in contrast with many other providers in Queens who charge a fee; second, the programming is accessible to non-English speakers due to its multi-lingual and culturally competent staffing; and lastly, the program boasts an impressive success rate—in 2022, the program had a 99% compliance rate.⁶ As a result of this success, judges and other court stakeholders have requested that Queens Community Justice Center expand their presence in additional court parts in order to identify, screen, and accept even more referrals. Council funding would allow the Center to have a greater presence in multiple court parts and conduct same-day intakes and assessments, which will allow immediate participant connection to emergency services.

In Manhattan, Manhattan Justice Opportunities serves as a centralized, court-based social service hub that provides judges, prosecutors, and defense attorneys in New York County Criminal Court and Supreme Court with a single point of access to a wide array of community-based services as alternative sentencing options in criminal cases. Manhattan Justice Opportunities has a wide reach and impact, serving over 1,363 new individuals in 2022.⁷ We anticipate that we will serve a similar number of participants in 2023. While the majority of Manhattan Justice Opportunities' work is funded by MOCJ, Manhattan Justice Opportunities supervisory and administrative capacities are underwritten by a grant from the Manhattan District Attorney's Office that ends in the summer of 2023. With City Council support, Manhattan Justice Opportunities will be able to sustain and expand misdemeanor ATI services. Finally, the Midtown Community Court Emerging Adult Diversion Program offers group and individual programming to help break the cycle of intimate partner violence, domestic violence, and dating abuse experienced by court-involved young adults. Council funding will allow Midtown to offer client-centered, trauma-informed, and evidenced-based services to help individuals heal from the impact of IPV and to prevent future abusive behavior.=

Behavioral Health Integrations in Misdemeanor Cases

One of the Center's newest efforts launched in January 2022, at the request of our partners at the New York State Unified Court System; the Midtown Community Court and Red Hook Community Justice Center launched two new **Misdemeanor Mental Health Courts** (MMHC),

⁶Center for Justice Innovation. (2023). [Queens Community Justice Center data file]. Retrieved from the Justice Center Application case management system.

⁷Center for Justice Innovation. (2023). [Manhattan Justice Opportunities data file]. Retrieved from the Justice Center Application case management system.

serving Manhattan and Brooklyn, respectively. These currently unfunded problem-solving courts offer community-based interventions and judicial monitoring for misdemeanor cases that are eligible for diversion. The Center seeks new Council funding to meaningfully address rising misdemeanor caseloads in these Mental Health Court parts.

Modeled on the successes of the Brooklyn Mental Health Court, the Center's MMHCs take on the most complex misdemeanors where participants have high needs, extensive histories with the system, and are facing multiple open cases that bring them into the MMHC. Thus, the level of engagement is different than a typical misdemeanor ATI case. Throughout the past year of assessing, counseling, and graduating clients in MMHC, we have noticed several overarching themes that impact the individuals who arrive in this court part: major interruptions to daily functioning at time of arrest, Serious Mental Illness (SMI), co-occurring mental illness and substance use, and unstable housing and lack of access to resources. The court part is staffed by a team of multidisciplinary professionals who specialize in behavioral health and are responsible for conducting independent assessments, preparing recommendations for court, providing referrals to community-based providers, and offering ongoing case management. The ultimate goal is to offer meaningful individualized programming for persons living with mental health as a case resolution, whether through a pre-plea or post-plea model.

Enhancing Street Safety: The Driver Accountability Program

The Center's **Driver Accountability Program** seeks to reduce dangerous driving behaviors and improve street safety by utilizing principles of restorative justice to engage drivers in meaningful reflection around their driving behaviors and encourage self-empowerment to change those behaviors. The program also works to reduce systemic harms that are caused by traditional punitive responses by offering an alternative to fines, fees, and short-term incarceration for vehicular offenses in criminal court. Thanks to ongoing support from Council, the program now operates in all five boroughs, serving over 1,000 drivers last year alone.⁸ In an evaluation published last year, the Center found that the program was successful in engaging drivers in meaningful self-reflection and changing their driving beliefs and behaviors.⁹

In addition to sustaining current operations, increased Council funding would support the expansion of a recently piloted second component of the program—**Circles for Safe Streets**—which responds to vehicular crashes involving serious injury or death. Circles for Safe Streets is the first program of its kind, and offers a longer, more intensive intervention that brings together drivers and victims and/or surviving family members of their crashes through restorative circles to work toward healing, accountability, and reparation. In the majority of cases, Circles for Safe Streets serves as an alternative to incarceration. In a limited number of cases, where the case requires some period of incarceration due to aggravating circumstances (such as the involvement of alcohol or excessive rates of speed in the crash), participation in Circles for Safe Streets may serve as sentence mitigation, resulting in a reduced period of incarceration. Typically, sentences for cases with this charge profile that do not take part in Circles for Safe Streets, result in significant fines or imprisonment.

The Future of Restorative Justice in the Bronx

⁸Center for Justice Innovation. (2023). [Driver Accountability Program data file]. Retrieved from the Justice Center Application case management system.

⁹<https://www.innovatingjustice.org/publications/driver-accountability-program-evaluation>

The Center's Project Reset, a pre-arraignment diversion program, offers participants the option to avoid court and a criminal record by completing community-based programming. Since 2015, Project Reset has helped more than 6,000 participants avoid court and the consequences of a criminal record. As of 2021, the program has a 98 percent completion rate. An evaluation of 16- and 17-year-old Project Reset participants in Manhattan found they were significantly less likely than defendants in a comparison group to be convicted of a new crime within one year.¹⁰ Project Reset also documented improved case processing times and case outcomes, as well as positive perceptions of the program. More than 95 percent of participants said they had made the right decision by entering the program and that they would recommend Project Reset to someone in a similar situation.¹¹ The success of the program has brought it citywide over the years, with the Center operating Project Reset for adults ages 18 and older in Manhattan, Queens, Staten Island, Brooklyn, and the Bronx.

The Mayor's Office of Criminal Justice (MOCJ) will be taking over the administration of funding for Project Reset programming across the five boroughs. The Center program which currently operates the Council-funded **Project Reset Bronx**, Bronx Community Solutions, is still awaiting a decision regarding their application to be a Bronx provider. In the meantime, building on the positive impact of the restorative circles uniquely offered by Project Reset Bronx and the robust history of restorative justice initiatives at the Center, we seek to transition Council funding to support the expansion of much-needed restorative justice services for adults in the Bronx. The Center will pivot Council funding to support the expansion of Bronx Community Solution's restorative justice programming, generally. This includes support for a pilot which provides restorative justice services to cases involving interpersonal harm or conflict at a variety of touch points in the Bronx court system, from an ATI program to a post-sentencing healing process for both misdemeanor and felony-level cases.

Investing in the Often-Under-Resourced Borough of Staten Island

The Center's **Staten Island Justice Center** has provided an array of programs to Staten Island since 2009. Each year, the Justice Center serves nearly 1,600 youth and adults borough wide.¹² Staten Island Justice Center's services are threefold. First, we offer individuals strengths-based services focused on addressing the causes for their justice system involvement, whether pretrial or court mandated. Second, we provide preventative services for youth focused on empowerment, peer-to-peer mentorship, and healing from trauma. Third, we collaborate with stakeholders in the courts and community to discuss and problem solve issues concerning the Staten Island community. The Center seeks new Council investments in our court-adjacent Justice Center model, already operating through the Staten Island Justice Center. Our ultimate goal being over the coming year being, expansion over the coming years to include the neighborhood-based interventions and initiatives piloted and established at the Center's Community Justice Centers in the South Bronx; The Rockaways, Queens; Brownsville, and Red Hook, Brooklyn

A Community Justice Center in Staten Island would invest in local residents beyond those who are involved in the justice system, transform public spaces, and increase opportunities for people. Based on our data, outside of Stapleton, a majority of our court-mandated participants from

¹⁰<https://www.innovatingjustice.org/publications/projectreset-evaluation>

¹¹Ibid at citation 10

¹²Center for Justice Innovation. (2023). [Staten Island Justice Center data file]. Retrieved from the Justice Center Application case management system.

ATI and pretrial detention diversion programming are from Port Richmond or West Brighton. However, there are fewer resources and nonprofit organizations housed in these neighborhoods, as compared to Stapleton or St. George. With sufficient funding, the Center can initiate a resident feedback process to build out a menu of services to meaningfully encourage broader participation in a Community Justice Center. Potential offerings include: community-led anti-gun violence programming, youth mental health and wellness services that address trauma and promote healing, and/or a Housing Resource Center to help tenants navigate housing court proceedings, prevent eviction, and resolving critical repairs.

Conclusion

By partnering with the Center, Council can go beyond transforming the justice system to cultivating vibrant and prosperous communities that center public safety and security for all who live here. We thank Council for its continued partnership and are available to answer any questions you may have.



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FY24 City Council Proposals

Innovative Criminal Justice Programs

- **Center for Justice Innovation Innovative Core Funding (formerly Center for Court Innovation) #151226 - \$750,000 (Renewal/Expansion)** This is an application to support the continuation of the Center for Justice Innovation's innovative criminal justice responses, community-based public safety initiatives, and access to justice programs across all five boroughs in New York City. City Council's support allows us to serve tens of thousands of New Yorkers with mental health services, family development, youth empowerment, workforce development, and housing, legal, immigration and employment resource services. Our goal continues to be improving safety, reducing incarceration, expanding access to community resources, and enhancing public trust in government to make New York City stronger, fairer, and safer for all.

Alternatives to Incarceration

- **Center for Justice Innovation (formerly Center for Court Innovation): Brooklyn Felony Alternatives to Incarceration #151072 - \$1,280,000 (Renewal/Redesign)** The Center for Justice Innovation (Center) seeks funding to support its Brooklyn Felony Alternatives to Incarceration (FATI) programs for individuals arrested on violent and non-violent felony charges in Kings County. These FATI program operate across two Center projects: Brooklyn Justice Initiatives and Brooklyn Mental Health Court, which offer holistic and individualized community-based interventions and rigorous judicial monitoring of participants on felony cases, thereby reducing the use of jail and prison sentences and leading to reduced criminal dispositions.
 - Also applied to the Diversion Programs initiative.
- **Staten Island Justice Center: Planning for a Community Justice Center & Youth Impact Expansion #153467 - \$367,758 (Renewal/Expansion)** The Staten Island Justice Center's holistic approach seeks to prevent negative consequences associated with contact with the criminal legal system for justice-involved clients while addressing their needs to prevent future system involvement. The Staten Island Justice Center plans to expand by creating a new Staten Island Community Justice Center (SICJC) that will provide enhanced programming to invest in local residents, transform public spaces, and increase opportunities for young people. In order to achieve this goal, existing staff will dedicate

time to develop new programming and activities, including data collection and evaluation plans, in coordination with an assessment project set to launch in the spring of 2023. The SICJC will likely provide housing assistance, individual counseling, psychoeducational group programming, mentorship programming, and placemaking and violence intervention. One program that the SICJC wants to enhance is the Youth Impact program, which is a youth leadership development program that uses a restorative justice model to keep young people out of the criminal legal system. The program develops hard skills, teaches the impact and infrastructure of the justice system, and trains participants in community planning and organizing. The proposal aims to enhance Youth Impact ahead of the SICJC's rollout to serve more youth across Staten Island.

- Also applied to Speaker's Initiative and Innovative Criminal Justice Programs.
- **Center for Justice Innovation (formerly Center for Court Innovation): Queens and Manhattan Misdemeanor Alternatives-to-Incarceration Programs #151126 - \$450,000 (New)** This is an application to support funds that will expand the Center for Justice Innovation's Misdemeanor Alternatives-to-Incarceration programming in Queens and Manhattan, across three operating programs: Queens Community Justice Center, Manhattan Justice Opportunities, and the Midtown Community Court. The goal of these programs is to offer a single point of access to a wide array of community-based services as alternative sentencing options in criminal cases, thereby reducing incarceration, and improving public safety by addressing the underlying issues that lead to justice system involvement. Collectively, these funds will support staffing and program delivery at these three sites to meet the growing needs of the communities, participants, and court stakeholders.
 - Also applied to the Innovative Criminal Justice Programs initiative.
- **Center for Justice Innovation (formerly Center for Court Innovation): Brooklyn & Manhattan Misdemeanor Mental Health Courts #151177 - \$593,949 (New)** The Center for Justice Innovation partners with the New York State Unified Court System to operate the Brooklyn and Manhattan Misdemeanor Mental Health Courts, offering community-based interventions and judicial monitoring for individuals with mental health diagnoses who are charged with misdemeanor offenses. The courts are staffed by a team of multidisciplinary professionals who specialize in behavioral health who are responsible for conducting independent assessments, preparing recommendations for court, providing referrals to community-based providers, and offering ongoing case management. The goal of these courts is to provide support and engagement through meaningful individualized programming for persons living with mental health as a case resolution, whether through a pre-plea or post-plea model.
 - Also applied to Diversion Programs and Innovative Criminal Justice Programs initiatives.

Diversion Programs

- **Center for Justice Innovation (formerly Center for Court Innovation): Driver Accountability Program #148265 - \$1,044,227 (Renewal/Expansion)** The Center for

Court Innovation's Driver Accountability Program offers a meaningful alternative to the traditional legal responses of fines, fees, and short-term incarceration for vehicular offenses in criminal court. The program builds on Vision Zero's emphasis on enforcement and public education and uses principles of restorative justice to address the dangerous behaviors that are the primary cause of pedestrian fatalities. With support from City Council, the program currently operates at six sites in all five boroughs. A recent evaluation has highlighted the program's positive impact on participants' driving beliefs and behaviors. This application seeks funding to sustain those operations, as well as expand the program to fully implement its more intensive version, Circles for Safe Streets, which is a restorative justice program that brings together drivers and their victims for a process of accountability and healing in cases where traffic crashes have caused serious injury or death.

- **Bronx Community Solutions: Bronx Restorative Justice Programming (Project Reset Bronx, Bronx Restorative Justice Pilot, and Circles for Safe Streets) #151043 - \$710,000 (Renewal/Redesign)** For the past five years, City Council has funded Bronx Project Reset, a pre-court restorative diversion program for adults arrested for low-level charges who receive a desk appearance ticket. Beginning in FY24, the Mayor's Office of Criminal Justice (MOCJ) will take over the funding of Project Reset programs citywide, for which Bronx Community Solutions has submitted an application and is awaiting their determination. Building on the positive impact of the restorative circles uniquely offered by Project Reset Bronx and the robust history of restorative justice initiatives at the Center for Justice Innovation, this application seeks to transition the \$710,000 traditionally used to fund Project Reset to fund the expansion of much-needed restorative justice services for adults in the Bronx. Restorative justice is an approach used to address crime or conflict that focuses on repairing harm and mending relationships by bringing together the person who caused harm, the person impacted by the harm, and their broader community in a facilitated dialogue to determine a resolution. The requested funding can be used to provide restorative justice services to cases involving interpersonal harm or conflict at a variety of touch points in the Bronx court system: from an alternative-to-incarceration program to a post-sentencing healing process for both misdemeanor and felony-level cases. As part of a menu of restorative justice offerings, funding will also support the expansion of the Circles for Safe Streets program to the Bronx, a restorative process for traffic violence cases resulting in serious injury or fatality. Beyond receiving case referrals from the court system, Bronx Community Solutions' Bronx Restorative Justice Pilot Program can receive referrals directly from members of the Bronx community for conflicts or acts of harm that occurred outside of the court process.
- **Midtown Community Court: Youth Weapons Possession Diversion Program #153321 - \$257,384 (New)** Midtown Community Court, in collaboration with the New York City Law Department, the Legal Aid Society, and the New York City Department of Probation, will expand and enhance a previously unfunded youth diversion pilot program for gun and other weapon possession charges. Currently, Midtown's pilot diversion program is one of very few holistic alternatives to prosecution for young people ages

14-18 arrested for weapon possession. Successful completion of the program results in the Law Department declining to prosecute or dismissing the case, thereby avoiding a full criminal process, a criminal record, and many collateral consequences. In addition to providing a critical diversion opportunity that addresses the root causes of gun violence, this program will provide educational support and job skills development, offer connections to health and wellness and other holistic services, and build youth connections to the community.

- Also applied to the Innovative Criminal Justice Programs initiative.



DARCEL D. CLARK

THE DISTRICT ATTORNEY
BRONX COUNTY

January 27, 2023

Speaker Adrienne Adams
New York City Council
City Hall
New York, NY 10007

Dear Speaker Adams and Members of City Council:

On behalf of the Bronx District Attorney's Office, I am writing to support key Center for Justice Innovation (CJI or the Center, formerly Center for Court Innovation) FY24 City Council Applications. Funding will expand:

- Mental health supports;
- Restorative justice programming;
- Pre-arraignment early diversion options;
- Human trafficking survivor leadership initiatives at the intersection of intimate Partner violence and gun violence;
- Innovative pilot programs that address pressing needs in Bronx communities.

These programs will enable the Bronx to move towards our shared vision of reducing unnecessary and harmful involvement in the legal system and enhance public safety through sustainable community-driven solutions.

For the past several years, the City Council has supported the Bronx with **\$710,000 to invest in early system diversion**, which includes Project Reset, the Center's citywide pre-arraignment diversion model that re-directs New Yorkers with misdemeanor arrests from the court system. Project Reset Bronx has borough-wide restorative justice circles to aid in diversion. This has offered relief from the collateral consequences participants might otherwise experience if arraigned for a low-level crime. Some examples include legal discrimination in housing, immigration, employment matters, or a bench warrant for failing to appear in court. We support CJI continuing to partner with the Council to implement the next generation of early system diversions for the Bronx to continue to lead the City in scaled restorative justice-based interventions.

The Bronx County District Attorney's Office partners with the **Bronx Child Trauma Support** program to support the provisions of clinical assessment and treatment of child victims and witnesses to crimes in the Bronx. The continued support of the Council will baseline these direct services conducted through evidenced-based and trauma-informed intervention models designed

to prevent or reduce post-traumatic stress symptoms, suicidality, re-traumatization, and future victimization.

Thanks to meaningful changes in the treatment of trafficking victims in the justice system, the Center's Bronx Human Trafficking Intervention Court (HTIC) referrals continue to decline. As a result, we support CJI's piloting of **Project Healing and Empowerment through Advocacy and Leadership** (Project HEAL), designed to be a survivor leadership and peer support initiative for human trafficking survivors. Additionally, we support the Center's RISE Project which is used in Family Court and provides community-based intimate partner violence prevention services in communities most impacted by gun violence.

To address the issue of street safety, we support the continuation and expansion of the **Driver Accountability Program**. The essence of this program is to provide a constructive and restorative response to dangerous driving and improve the risky driving behavior of people charged with driving-related offenses in criminal court.

Finally, we support continuation of the **Center's Innovative Core Funding** which addresses the immediate needs of all boroughs by piloting novel and effective approaches to anti-gun violence, victim services, and mental health integrations to diversions.

The Center has a long and documented history of conducting research and operating direct service programs in the Bronx. Their mission to promote equality, dignity, and respect in communities aligns with the Bronx District Attorney's vision and mission to pursue justice with integrity. Together we can reimagine a fairer and more holistic approach to justice by reducing incarceration and convictions as well as by building substantial and meaningful community-based support. I encourage the City Council to consider funding the Center's programs which will ultimately enhance fairness, accountability, and safety for all people in the Bronx.

Sincerely,

A handwritten signature in dark ink, appearing to read "Darcel D. Clark", with a stylized, flowing script.

Darcel D. Clark

DISTRICT ATTORNEY
COUNTY OF NEW YORK
ONE HOGAN PLACE
New York, N. Y. 10013
(212) 335-9000



ALVIN L. BRAGG, JR.
DISTRICT ATTORNEY

January 25, 2023

Speaker Adrienne Adams
New York City Council
City Hall
New York, NY 10007

Re: Application for FY 24 City Council Funding

Dear Speaker Adams and Members of City Council,

I write in support of key Center for Justice Innovation (formerly, Center for Court Innovation) FY24 City Council Applications that will expand:

- alternatives to incarceration for more cases,
- mental health support,
- restorative justice options,
- early diversion,
- programming at the intersection of intimate partner violence and gun violence,
- and innovative pilot programs that address pressing needs in communities.

These programs will enable Manhattan to move towards our shared vision of reducing unnecessary and harmful involvement in the justice system wherever possible and building public safety through sustainable community-driven solutions.

The Center proposals to assist my office in expanding diversion opportunities for misdemeanor and felony alternatives to incarceration (ATIs) across Manhattan are crucial to the administration's goals of maintaining public safety and accountability. For instance, **the Manhattan Justice Opportunities Consortium Program**, the Center coordinates agencies to co-locate services and act as a resource hub for justice-involved people in Manhattan. By combining the resources of multiple agencies, the consortium provides holistic, wrap-around services to address a diverse array of participant needs. Additional support would allow for the expansion of **Manhattan Justice Opportunities' Restorative Justice program**, which brings together persons impacted by harm with individuals who are responsible for causing the harm. The process promotes active accountability and empowers participants to identify pathways for moving forward.

The **Manhattan Justice Opportunities Felony Alternative to Incarceration program** and the **Midtown Community Court Misdemeanor Mental Health Court**, offer specialized supervision and support for individuals facing felony and misdemeanor charges. By providing interventions and judicial monitoring, we aim to decrease the use of jail and prison sentences and help individuals address the underlying issues driving their behaviors through treatment and social services. These programs have the potential to lead and reduced criminal dispositions and improved outcomes for the participants. Unfortunately, the Midtown Community Court Misdemeanor Mental Health Court has been operating without funding since January 2022. I urge the Council to support these vital interventions and invest in public safety interventions.

The **Midtown Community Court Youth Diversion for Weapons Possession Initiative** is a groundbreaking program that offers diversion options for young people charged with weapons possession and related crimes. This initiative, which is operated in partnership with my office and the Manhattan Family Court, is the first of its kind to provide a holistic approach to addressing the needs of young people arrested for weapons possession. It employs a team of case managers and a credible messenger who use their own experiences to connect with and support young people, while also providing them with meaningful services to help them change their behavior. I strongly urge the Council to support this valuable initiative and invest in the futures of our young people.

I also urge Council to support **Midtown Community Court's Emerging Adult Program**, created for justice-impacted individuals arrested for offenses in the borough of Manhattan who have been perpetrators of harm, victimized by crime, and/or experienced violence in their homes and communities with counseling, advocacy, and case management. This application will bring training and programming on intimate partner violence, dating abuse and domestic violence. Justice-impacted youth are at greater risk for experiencing violence in relationships. The intersection of these challenges and Midtown's increase in emerging adult cases poses a unique opportunity for prevention, education and intervention. With funds from City Council, Midtown Community Court will build out a service continuum for those charged with domestic or intimate partner violence, especially emerging adults, and train staff to effectively implement the interventions.

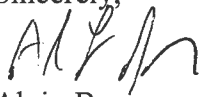
I urge the Council to continue supporting the Center's **RISE Project** which provides community-based intimate partner violence prevention services in communities most impacted by gun violence. RISE works to reduce intimate partner violence by engaging individuals who are causing abuse in voluntary programming to stop violence and change behavior; changing community norms to reduce tolerance for violence, and training credible messengers to identify risk factors for intimate partner violence.

To address the issue of street safety, I support the continuation and expansion of the **Driver Accountability Program** to provide a constructive and restorative response to dangerous driving and work to change the risky driving behavior of people charged with driving-related offenses in criminal court. The Driver Accountability Program is also addressing more serious cases through a second tier of programming, Circles for Safe Streets, which brings together drivers and their victims through a restorative justice process. Finally, the Council should continue and expand support for the Center's **Innovative Core Funding**. The Center uses this funding to respond to

the immediate needs of Manhattan residents by piloting novel and effective approaches to anti-gun violence, victim services, mental health integrations to diversion, and other pilots to test for scalable solutions.

The Center's long and documented history of conducting original research and operating direct service programs in Manhattan to promote equality, dignity, and respect in communities align with the Manhattan District Attorney's office vision. Together we reimagine a fairer and more holistic approach to justice, aiming to reduce incarceration and conviction wherever possible and build substantial and meaningful community-based supports. I encourage investment in each of the Center's programs to enhance fairness, accountability, and safety for the people of Manhattan.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alvin Bragg', written in a cursive style.

Alvin Bragg
District Attorney



ERIC GONZALEZ
DISTRICT ATTORNEY

**DISTRICT ATTORNEY
KINGS COUNTY**
350 JAY STREET
BROOKLYN, NY 11201-2908
(718) 250-2202
WWW.BROOKLYNDA.ORG

February 28, 2023

Hon. Adrienne Adams
Speaker, New York City Council
City Hall
New York, NY 10007

Dear Speaker Adams and Members of City Council,

On behalf of the office of the Kings County District Attorney, I write in support of key Center for Justice Innovation (formerly, Center for Court Innovation) FY24 City Council Applications that will expand:

- alternatives to incarceration for more cases,
- mental health support,
- early diversion,
- programming at the intersection of intimate partner violence and gun violence,
- and innovative pilot programs that address pressing needs in communities.

These programs will enable Brooklyn to move towards our shared vision of reducing unnecessary and harmful involvement in the justice system wherever possible and building public safety through sustainable community-driven solutions.

The Center has submitted multiple proposals to assist my office in expanding diversion opportunities for misdemeanor and felony alternatives to incarceration (ATIs) across Brooklyn, while maintaining public safety and accountability. The **Brooklyn Felony Alternatives to Incarceration Court**, launched in January 2020 with Council support, offers clinical assessments, individualized community-based interventions, and judicial monitoring on felony cases. I urge the Council to continue, and expand, funding to this initiative to reduce unnecessary incarceration and strengthen diversion opportunities in Brooklyn.

The Center's application for support of its Felony Alternatives to Incarceration also includes a request for continued support of its renowned **Brooklyn Mental Health Court**. For the past twenty years, Brooklyn Mental Health Court has served as a pioneering model that offers community-based mental health treatment, paired with rigorous judicial monitoring and case management for defendants diagnosed with serious mental illness and facing felony charges. If

not for the intervention of this specialized court, these defendants would be facing long-term incarceration in our jails and prisons. Support for this program is an essential component of our effort to address the mental health crisis in our City.

In addition, I urge the Council to begin supporting Brooklyn's **Misdemeanor Mental Health Court**, which draws upon the success of the Brooklyn Mental Health Court model and brings a similar approach to misdemeanor-level cases. The Misdemeanor Mental Health Court launched in January 2022 but has been operating thus far without dedicated funding. It is critical that we invest in these kinds of programs that engage individuals who are in crisis and offer immediate and meaningful connections to treatment, wrap-around services, and court monitoring.

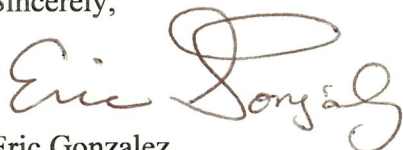
I urge the Council to continue supporting the Center's **RISE Project** which provides community-based intimate partner violence prevention services in communities most impacted by gun violence. RISE works to reduce intimate partner violence by engaging individuals who are causing abuse in voluntary programming to stop violence and change behavior; changing community norms to reduce tolerance for violence, and training credible messengers to identify risk factors for intimate partner violence.

To address the issue of street safety, I support the continuation and expansion of the **Driver Accountability Program** to provide a constructive and restorative response to dangerous driving and work to change the risky driving behavior of people charged with driving-related offenses in criminal court. The Driver Accountability Program is also addressing more serious cases through a second tier of programming, Circles for Safe Streets, which brings together drivers and their victims through a restorative justice process.

Finally, the Council should continue and expand support for the Center's **Innovative Core Funding**. The Center uses this funding to respond to the immediate needs of Brooklyn residents by piloting novel and effective approaches to anti-gun violence, victim services, mental health integrations to diversion, and other pilots to test for scalable solutions.

The Center's long and documented history of conducting original research and operating direct service programs in Brooklyn to promote equality, dignity, and respect in communities align with my office's vision. Together we reimagine a fairer and more holistic approach to justice, aiming to reduce incarceration and conviction wherever possible and build substantial and meaningful community-based supports. I encourage investment in each of the Center's programs to enhance fairness, accountability, and safety for the people of Brooklyn.

Sincerely,

A handwritten signature in brown ink, reading "Eric Gonzalez". The signature is fluid and cursive, with the first name "Eric" and last name "Gonzalez" clearly legible.

Eric Gonzalez
Kings County District Attorney



OFFICE OF THE DISTRICT ATTORNEY
RICHMOND COUNTY
MICHAEL E. MCMAHON
DISTRICT ATTORNEY

March 15, 2023

The Honorable Adrienne Adams
Speaker
New York City Council
City Hall
New York, NY 10007

RE: Support for Center for Justice Innovation Fiscal Year 2024 Initiatives

Dear Speaker Adams and Members of the New York City Council:

As Staten Island's chief law enforcement officer, I write this letter to offer my support for the Center for Justice Innovation's critical Fiscal Year 2024 (FY24) fiscal applications.

Whether it is alternatives to incarceration opportunities, mental health support services, restorative re-entry options for individuals and their families, pre-court eviction prevention options, or innovative pilot programs that address pressing needs in vulnerable communities across the City, the Center for Justice Innovation (CJI) provides critical services and programming that helps Staten Islanders reduce unnecessary and harmful involvement with the justice system, while also strengthening public safety through sustainable person-centered and community-driven solutions.

With a long and documented history of conducting original research and operating direct service programs in Staten Island to promote equality, dignity, and respect in all communities, my Office has proudly partnered with CJI in the development of a **Staten Island Community Justice Center** purposed to reduce crime and incarceration, and strengthen community trust in our justice system, while also creating safer, more equitable neighborhoods through community-driven public safety initiatives, youth opportunity, and economic mobility efforts.

While maintaining existing operations, in FY24, CJI staff seeks funding to dedicate time to the development of new initiatives and activities including data collection and evaluation plans related to the pursuit of a Community Justice Center. I strongly encourage investment in each of the programs and areas

mentioned below to ensure that they can continue their successful work while they expand the solid programmatic foundation and framework necessary for the development of a fully realized Staten Island Community Justice Center.

Among these initiatives, I urge the Council to support **Youth Impact Staten Island**. The Youth Impact program (formerly Youth Court) is a multi-pronged youth leadership development program focused on peer-led mentorship and violence intervention and prevention practices, with a goal of keeping young people in school and out of the criminal legal system, while inspiring community safety and healing from a youth-centered perspective. The program primarily uses a restorative justice model through structured in-school violence intervention partnerships and organized civic engagement. Participants develop hard skills including in oral and written communication, facilitation, conflict resolution and research processes; learn the impact and infrastructure of the justice system; and are trained in community planning and organizing.

For individuals demonstrating persistent and untreated mental illness, access to culturally competent mental health treatment is vital. To address gaps in mental health-related support for court-involved youth in Staten Island, I also urge the Council to continue and expand support for the Staten Island Justice Center's **Youth Wellness Initiative**. This initiative provides vital mental health services that address trauma and promote healing for young people on Staten Island currently involved, or at risk of involvement, in the justice system. Additionally, the initiative is holistic in nature, offering support to parents and caretakers of youth enrolled in the initiative, recognizing these multifaceted challenges.

To address the issue of street safety, I support the continuation and expansion of CJI's **Driver Accountability Program**, which provides a constructive and restorative response to dangerous driving and works to change risky driving behavior of those charged with driving-related offenses in Criminal Court.

The Council should also continue and expand support for CJI's **Innovative Core Funding**, which is used to pilot novel and effective approaches to prevent gun violence, provide and streamline victim services, enhance and promote mental health integrations to diversion, and other pilots for scalable solutions.

Thank you for your kind consideration of this letter as you make important financial determinations on behalf of the City of New York. If you have any further questions, please reach out to my Chief of Staff, Ashleigh Owens, at 718-556-4065 or ashleigh.owens@rcda.nyc.gov.

Sincerely,



Michael E. McMahon
District Attorney

MEM/aem



March 25, 2023

Hon. Adrienne Adams, Speaker
New York City Council
New York City Council Committee on Criminal Justice, Acting Chair
250 Broadway
New York, NY 10007
VIA EMAIL

Re: Testimony before the New York City Council Committee on Criminal Justice Concerning the Mayor's Proposed Preliminary Budget:

Dear Speaker Adams and Committee Members:

Since 1995, Children's Rights has been a national advocate for youth in state systems. We are also a member of the New York City Jails Action Coalition. Our experience with adolescents and young adults in foster care and juvenile justice systems often brings us into contact with young adult and youth corrections policy, as our clients are disproportionately represented in young adult and juvenile correction facilities. We advocate for young adults, 18- to 21-years old, incarcerated on Rikers Island. Young adults are uniquely vulnerable to and adversely affected by incarceration, especially when it comes to isolation and segregation. In order to protect them and others on the Island, the entire complex must be closed, and funding shifted to community reinvestment.

We support Speaker Adams's vision for New York City's budget and your emphasis on closing Rikers on schedule in 2027 in accordance with the law. As the Committee on Criminal Justice considers the Administration's proposed preliminary budget and the Council's priorities, we urge you to focus on funding programs and services to keep young adults off Rikers in the first place, including ending the foster-care-to-prison pipeline, and supporting young people once they're no longer incarcerated. The Mayor's proposed budget cuts will do the opposite. They will be detrimental to funding the preventive services our communities so desperately need, including affordable housing, community mental health resources, support for families, and funding for our schools and libraries.¹

Rikers is an irreparable penal colony where more than 50% of people have a mental health diagnosis, 85% are held pre-trial, over 90% are of color, and hundreds are young adults.² New York City taxpayers pay well over *half a million dollars* per incarcerated person per year. That's approximately *three times as much* as Los Angeles or Cook County.³

Yet, conditions are abysmal. Incarcerated persons continue to perish on Rikers—among the 20 who have died since last year, one was 24 and one was 25 years old. Those who remain on Rikers have been going without showers or food and are left in their cells for hours on end

¹ <https://comptroller.nyc.gov/newsroom/looking-under-the-hood-of-new-york-citys-november-2022-financial-plan-program-to-eliminate-the-gap/>

² <https://greaterjusticenyc.vera.org/nycjail/>

³ <https://www.vera.org/news/more-correction-officers-wont-make-the-crisis-on-rikers-disappear>

without recreation, programming, or medical and mental health services. We have learned that the Department of Correction has reinstituted restraint desks, the practice of shackling young adults to desks for hours on end. Meanwhile, officers are still not showing up for work.⁴

Several states have enacted legislation focused on decarcerating youth and redirecting funding from facilities in favor of community resources and programs. California, for example, is in the process of diverting youth from prisons and closing its juvenile division in 2023, replacing it with community-based rehabilitation. There is much Mayor Adams can learn from these models of community support about how to meet youths' basic needs and meaningfully address the root causes of crime. Instead of fear-mongering, Mayor Adams should allocate resources to actually serve his constituents and build their communities.

We call on you to prevent Mayor Adams and Commissioner Molina from their stated goal of keeping Rikers open, especially now that the Mayor has publicly encouraged slow-walking construction of the Brooklyn jail. The Empire State Building was built in under 14 months. Nothing should stand in the way of completing construction of the borough-based jails by August 2027.

The investments we are recommending will help the City close Rikers by supporting young adults and older New Yorkers *before* they interact with the criminal legal system. Please close Rikers in accordance with the law this body overwhelmingly passed in October 2019, and fund crucial community needs and alternatives to incarceration, particularly for youth.

Respectfully,

A handwritten signature in black ink, appearing to read 'Daniele Gerard', with a stylized flourish at the end.

Daniele Gerard
Senior Staff Attorney
dgerard@childrensrights.org

⁴ The October 2022 Nunez Monitor's Report identified over 1,000 officers as chronically absent.
https://www.nyc.gov/assets/doc/downloads/pdf/2022-10-28_Second_Status_Report_Action_Plan.pdf at 53.



Kelly Grace Price ● Creator, Close Rosie's ● 534 w 187th st #7 New York, NY 10033

● E-Mail: gorgeous212@gmail.com Web: <http://www.CloseRosies.org>

March 27, 2023

via Email: NYC Council Criminal Justice Committee:

To: NYC Speaker Adrienne E Adams; Councilmember Tiffany Caban

cc: Council Committee Members; NYC Council staff

**Ref: NYC Criminal Justice Committee Department of Correction Budget and Oversight
hearings March 23, 2023**

Dear Speaker Adams, Council Member Caban and members of the Committee:

Speaker Adams; it is always an honor to speak before you. I laud the council for this hearing today and I am in awe at the level of decorum and grace the Speaker has ensured at every moment of these proceedings regardless of the difficult questions being discussed. Please come to more criminal justice committee hearings Speaker Adams: your presence is a blessing. There is a notable difference in the level of questioning and information being extracted during the proceedings that is undoubtedly tied to your stewardship of this committee. Not once did we hear the DOC respond to the Council with "we'll get back to you" when asked a question. A benchmark worth noting and celebrating!!!!

Close Rosies welcomes the chance to offer written testimony about our specific asks although we support other advocates and council members in a general call to freeze DOC CO hiring and to parse out spending “grifts” in the DOC budget. First, I remind the council that Close Rosie’s works without payment and; we have never come to a single budget hearing with the goal of attaining assets and funding to buoy or support our advocacy. Please remember this: our advocacy is not bought and paid for. Often we are distracted by trying to fix the ill-conceived advocacy proffered by schill organizations. In 2021 Mayor de Blasio started shipping women, girls and the gender expansive community housed on Rosie’s up to Bedford. In 2018 other groups advocated for a single women’s jail to be built in the boonies in Queens when men will be housed in their home-borough according to the borough based jail plan. These advocacy-asks were lifted by Mayor de Blasio during the time he was planning a presidential run. What was a political boon in CJR policy for de Blasio was/is not great for the mothers, daughters, aunties, grannies, sisters and cousins caged on Rikers. We have not swayed in our advocacy against the singular jail in Queens or against moving people to a maximum state prison as a shortcut to Closing Rosies. Because of our track record of our unpaid advocacy we hope the Speaker and the Council will consider and act on our policy requests in relation to approving the DOC budget for FY24.

- I. Board of Correction Budget Parity with Department of Correction’s and; while exploring a Charter revision to meet these means also considering changing the DOC Commissioner to be an elected position;**
- II. Budget lines for Cameras, access to viewing databases and amortizing these costs across multiple City agencies: the video belongs to the City of NY: not the agency. NYPD and DOC have consistently flouted oversight by creating obstacles to video access.**
- III. Parsing out spending in the DOC Budget for services at Rosie’s**
- IV. Revenue lines in the DOC Budget**
- V. Lawsuit Settlements vs the DOC: truth v reality**
- VI. Borough DA Revenue Streams from Property Seized/Confiscated/Turned-over**

I-----I

I. Board of Correction Budget Parity with Department of Correction's and; while exploring a Charter revision to meet these means also considering changing the DOC Commissioner to be an elected position;

A. **BOC Headcount Budget:** I am thankful that newly-appointed Interim Director of the Board Of Correction Jasmine Georges-Yilla appeared and shared testimony on Thursday March 23, 2023. I support her budget requests and urge the council to expand on them. We still haven't enough BOC employees to do the work of rule audits and technology oversight etc that we started years ago but were abandoned due to staff attrition. Often the long-term obligations of the agency are shelved in lieu of a need to respond to an urgent crisis. Reports are left un-analyzed, audits are shelved, oversight is left blown to the wind like leaves in the fall as a result. I ask the Council to consider adding funding to the BOC to add an additional unit or squad to board staff that would solely respond to emergencies and special projects. Additionally: the board staff is overburdened: for years the Policy Director was also the Comms Director and the Tech Director at the BOC and I see this is still the case! We have seen several technology issues with BOC hearings over the past year. I think we need to separate Policy from Ops in the BOC budget. I'm not pointing fingers but the optics are pretty terrible. Among several other technical "glitches" during meetings:

During the [September, 2020 BOC hearing](#) comptroller's Brad Lander's shared-screen powerpoint presentation is displayed throughout the pendency of the hearing from the point he speaks until about 01:48:00. It's not useful for the public to not be able to see who is speaking. I don't know what the BOC pays for its video service for monthly meeting video production but this is just not professional. There were several very controversial things said and interruptions at this hearing in particular and because of the shared screen the public has nary any idea who is speaking; who is interrupting whom or; if a member of the DOC is speaking vs the BOC. The problems continued during the [February 2023](#) hearing when audio curiously could not be heard by remote-access meeting attendees and the hearing had to be canceled: a first in the over 70 year history of the BOC.

B. **Exploring re-writing the DOC and BOC Charter.** The DOC Commissioner's statements made on the record during the March 23, 2023 City Council Criminal Justice Committee Budget hearing that he had nary any evidence that the BOC had leaked video illegally to members of the press need to be highlighted. Stubbornly, he maintained his stance that he will be continuing to curb the BOC's Charter-mandated access to remote video access of DOC video. While the statement may seem ludicrous it must be grounded in some kind of reality. What kind of data does he have

that he will not share that would cause him to take such rash measures? The only answer could possibly be (aside from the commissioner having some kind of breakdown of rationale himself) is that he has been spying on the BOC and on journalists. There can be no other explanation. I'm not sure I know what is worse: his spying on people or his irrational belief that journalists don't know how to write specific FOIL requests. I think his [further attempt](#) to gaslight us on the FOIL case law is evidence that something is not right with this commissioner.

Over the past ten years the advocacy community has been forced to lodge sometimes meaningless advocacy at tyrannical DOC commissioners who believe they have been given ultimate authority that trumps the charter and decades old rules, practices and laws that have been hard-fought. One possible solution is that we make the DOC Commissioner an elected position. We have the opportunity to vote out the borough DAs--why not the commissioner? Please take the time to consider changing the DOC Charter to require the Commissioner to be an elected position as the council also explores changes in the BOC Charter for budget parity to the DOC.

II Budget lines for Cameras, access to viewing databases and amortizing these costs across multiple City agencies: the video belongs to the City of NY: not the agency. NYPD and DOC have consistently flouted oversight by creating obstacles to video access.

Close Rosie's urges the Council to provide in the BOC budget funds for the BOC to have its own direct access to DOC video and evidence databases. I [heard CCRB Chair Arva Rice advocate for direct access to NYPD media and evidence during the Public Safety Budget Committee Hearing on March 20, 2023 \[minute 03:30:00\]](#) and was saddened to not hear the BOC advocate for the same. Video in possession of the DOC does not only belong to the DOC: it belongs to the people of the City of New York. Take the keys away from the BOC and provide funding for the BOC to be able to "own" and access the video without DOC intercession.

On Monday March 20, 2020 during the same Public Safety Committee budget hearing I heard my friend Tina Luongo of the Legal Aide Society say something that I have been saying for years and was delighted to hear. **We need to consider building our own video storage, sharing, and retrieval system for the NYPD and DOC and other City Agencies which use cameras and video surveillance as part of their workflow to give oversight agencies DIRECT ACCESS to evidence, documents, video and audio.** The licenses needed per head to access the databases currently used

are exorbitant and burdensome on public defenders and other advocacy groups. Further, the contracts issued with these third party providers allow the DOC and NYPD to play games with granting video access. We heard the CCRB echo the same thing the BOC did during the budget hearings: even when the time-consuming requests are made for video they are not responded to and sometimes the response times take up the entire investigative time frames allotted statutorily for investigations. We need to cure this issue by building a city wide video archive and distribution system not managed by the agencies seeking to curb oversight. Before my own malicious prosecution by Cy Vance I worked for this guy Bill Gates building media archiving and distribution systems for the professional photo industry and I have some expertise in this area that I am happy to offer. The budget lines for various video equipment/access/maintenance/training costs according to Checkbook NYC are in the hundreds of millions of dollars already and this is unsustainable.

III Parsing out spending in the DOC Budget for services at Rosie's

Since 2014 I have come to DOC budget hearings every year and asked that the DOC budget break down what resources are devoted to women, girls and gender expansive people housed on Rosies and in our borough lockups. We never get this data. It's shameful. The DOC needs to acknowledge us in its budget. Please can you try to extract a modicum of data before the final budget is made that reflects programming, staffing, security et al budget lines for Rosies? Here is the latest data we have been able to obtain by FOIL as **the current budget does not present transparency re spending on women/girls/trans/intersex/gender non-conforming persons vs. men/boys**. Each year I have asked for gender parity and transparency in the DOC's annual budget and each year promises are made and broken. Women/Girls currently represent approximately 4% of the Rikers population: is the 1.196 billion DOC budget reflective of spending on the needs of women/girls/trans/intersex and gender non-conforming/non-binary people accordingly?

A. Are we really getting our money's worth for women & girls on Rosie's? It has cost the city of New York City and us, the taxpayers, **\$331,332,950**¹ dollars to jail women and girls over the past five years. **THREE HUNDRED AND THIRTY ONE MILLION DOLLARS**² to detain and incarcerate accused and sentenced women, girls, mothers, daughters, sisters, aunts, nieces and grandmothers.

¹ Based on an average cost to cage someone on Rikers of \$325 USD/day: "The average cost of holding an inmate in the city jails has ballooned to more than \$118,000 a year, officials said Thursday. The Independent Budget Office said it costs a whopping \$325 a day to house a single detainee, according to a letter it sent to the City Council."

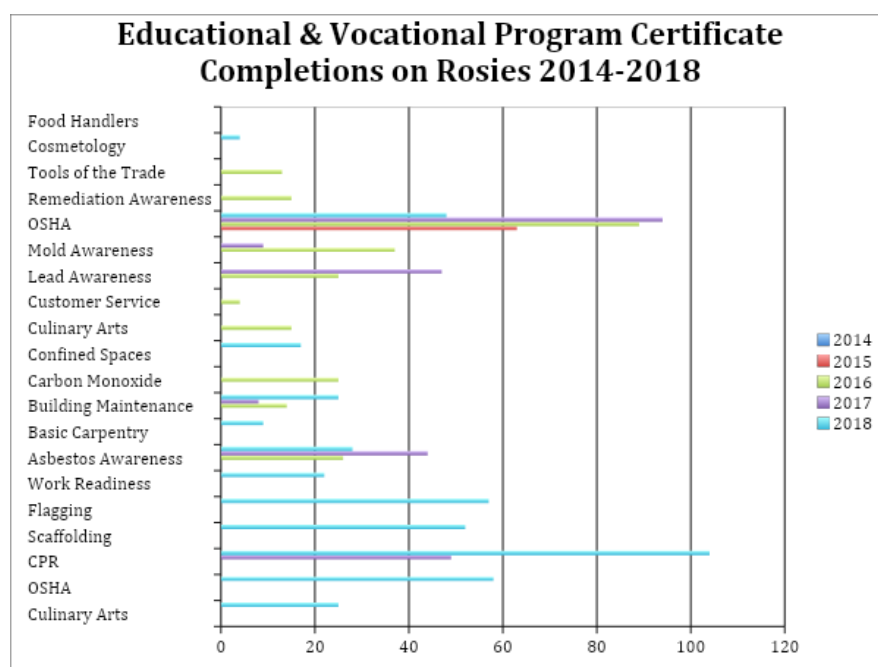
<http://www.nydailynews.com/new-york/nyc-jails-spend-average-118g-year-hold-inmate-article-1.3176311>

² Ibid

B. I suggest we require DOC budgeting line items be broken down by gender and that the Council add a line into Local Law 122 of 2021 that requires the DOC to aggregate reporting on programming by Jail facility and/or gender. It does seem like women and girls are being short-changed per capita dollars spent.

C. Even at Rosie's: where people aren't faced with movement from jail-to-jail that is prohibitive of program completion in the other Rikers jails the rate of graduations/certificate completions is abysmally low.

1. According to the DOC's own data from June 30, 2014 to July 1, 2019 (PRE-COVID) there were only 449 Certificate completions by the women, girls, trans, intersex and gender non-conforming detained/incarcerated on Rosie's³:



2. It is unclear if there were ANY certifications completed in Food handling: data is provided about the number of SESSIONS and PARTICIPANTS but not ref COMPLETIONS.

3. Programming appears to be very male-centric.

4. Physical fitness and Arts Programming is not included in the list of programs and certificates—why is this?

³ NYC DEPARTMENT OF CORRECTION FOIL Response, December 6, 2019 Laura S. Mello, Information Officer. Unless otherwise noted all data is pulled from this same FOIL response. :

5. Access-to-Justice, Religious, DV, anti-trafficking education and trauma-healing related programming are not offered? There are programs and curriculums offered by the Crime Victims Treatment Center Directed by Christopher Bromson, co-Chair of the Downstate Coalition vs. Sexual Violence and their curriculum could be a model.
6. There doesn't appear to be any sort of programming for mothers of newborns or toddlers or prenatal/Doula programming offered by the DOC—why?
7. There doesn't appear to be coping, mental health, physical health-related or support-group/PEER programming offered—why?

| Cosmetology- Fearless Beauty <i>(Adult population only)</i> | CY'14 | CY'15 | CY'16 | CY'17 | CY'18 |
|---|--------------|--------------|--------------|--------------|--------------|
| Number of Sessions | | | | | 24 |
| Number of Completions | | | | | 4 |
| | | | | | |
| Food Handlers Certifications | CY'14 | CY'15 | CY'16 | CY'17 | CY'18 |
| Number of Sessions | 3 | 13 | 10 | 33 | 7 |
| Number of Participants <i>(not unique individuals)</i> | 69 | 381 | 216 | 302 | 149 |
| Average Per Session | 23 | 29 | 22 | 9 | 21 |
| Average per Month | 54 | 59 | 33 | 46 | 43 |

| SMART Adult Reentry Program <i># of completions</i> | CY'14 | CY'15 | CY'16 | CY'17 | CY'18 |
|---|--------------|--------------|--------------|--------------|--------------|
| Culinary Arts | | | | | 25 |
| OSHA | | | | | 58 |
| CPR | | | | 49 | 104 |
| Scaffolding | | | | | 52 |
| Flagging | | | | | 57 |
| Work readiness | | | | | 22 |
| Combined Total | | | | 49 | 318 |
| | | | | | |
| ICAN Adult Reentry Program <i># of completions</i> | CY'14 | CY'15 | CY'16 | CY'17 | CY'18 |
| Asbestos Awareness | | | 26 | 44 | 28 |
| Basic Carpentry | | | | | 9 |
| Building Maintenance | | | 14 | 8 | 25 |
| Carbon Monoxide | | | 25 | | |
| Confined Spaces | | | | | 17 |
| Culinary Arts | | | 15 | | |
| Customer Service | | | 4 | | |
| Lead Awareness | | | 25 | 47 | |
| Mold Awareness | | | 37 | 9 | |
| OSHA | | 63 | 89 | 94 | 48 |
| Remediation Awareness | | | 15 | | |
| Tools of the Trade | | | 13 | | |
| Combined Total | | 63 | 263 | 202 | 127 |

8. Educational Services are under-utilized: according to the DOC's own 12/2018 data the following were the only vocational program completions on Rosies from 2014-2018:

| NYC DOC RMSC Vocational Programs 2014-2018 | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|
| DOE Educational Services <i>Average Daily Attendance</i> | FY'14 | FY'15 | FY'16 | FY'17 | FY'18 |
| Literacy/GED (16-21 only) | 20 | 19 | 18 | 13 | 11 |
| Literacy/GED (22+) | 52 | 14 | 17 | 12 | 13 |
| Total DOE | 72 | 33 | 35 | 26 | 24 |
| Adult Educational Services <i>Average Daily Attendance</i> | FY'14 | FY'15 | FY'16 | FY'17 | FY'18 |
| Educator's Volunteers (ED'SV) | 9 | 37 | 26 | 5 | 9 |
| Post Secondary Educational Services | 4 | 10 | | 6 | 3 |

IV. Revenue Lines in the DOC Budget: NYC Correction revenues still need to be explained and addressed.

A. **Breaking-down the DOC Revenue Streams:** The last time I can find DOC misc revenue streams were publicly broken- down was in '18 fiscal year NYC Council budget report:

Miscellaneous Revenue

The Department of Correction collects revenue from jail commissary operations, vending machines and surcharges on inmate telephone calls. Commissary funds are generated by the sale of commissary goods. The revenue is recognized in the Miscellaneous Budget (Agency 098) and is not included in the "funding" section of DOC's Financial Plan Summary on page 3.

The chart below provides actual revenue for Fiscal 2016 and 2017, and projected revenue for Fiscal 2018 and 2019. DOC plans to collect approximately \$20.5 million in miscellaneous revenue in Fiscal 2018 and \$21.4 million in Fiscal 2019. Of the approximately \$7.7 million in "other" miscellaneous revenue projected for Fiscal 2019, \$5 million, or 65 percent, is expected to be collected from inmate telephone fees. The Department collected \$22.6 million in Fiscal 2017, a 0.8 percent increase when compared to Fiscal 2016.

| DOC Miscellaneous Revenue Budget Overview <i>Dollars in Thousands</i> | | | | | | |
|--|-----------------|-----------------|-----------------|------------------|-----------------|----------------------------|
| Revenue Sources | 2016 Actual | 2017 Actual | 2018 Adopted | Preliminary Plan | | *Difference 2018 - 2019 |
| Vending Machine | \$361 | \$437 | \$660 | \$660 | \$660 | \$0 |
| Commissary Funds | 13,591 | 14,275 | 13,000 | 13,000 | 13,000 | 0 |
| Other | 8,493 | 7,901 | 6,874 | 6,874 | 7,725 | 851 |
| TOTAL | \$22,446 | \$22,612 | \$20,534 | \$20,534 | \$21,385 | \$851 |

**The difference of Fiscal 2018 Adopted Budget compared to Fiscal 2019 Preliminary Budget.*

Facilities Overview

In 2017 several of us undertook an effort to remove a 20 million dollar profit line from the DOC

budget for telephone services. We persevered and managed to get the Council to pass legislation preventing the DOC from charging people for phone calls with their loved ones while in Rikers. We asked for accounting of all DOC revenue streams and the NYC Comptroller embarked on an audit.

The audit revealed that the DOC commissary system had had a few questionable workflows and practices. Instead of heeding the Comptroller's recommendations DoC outsourced the commissary function. The result is a flat 13 million in revenue reported by DOC annually from this outsourced contract. We don't know how much the vendor is actually profiting off of the commissary now. I will FOIL but maybe this committee can get a more accurate breakdown of all current DOC revenue lines included in this year's budget?

<https://comptroller.nyc.gov/reports/audit-report-on-the-department-of-corrections-control-s-over-commissary-operations/> A similar audit was undertaken in 2004:

<https://comptroller.nyc.gov/reports/audit-report-on-the-internal-controls-over-commissary-operations-by-the-department-of-correction/>

Both audits reveal a startling pattern of graft in the DOC commissary operations budget that instead of being accounted for has been swept under the rug into an outsourced contract as families of loved ones caged on Rikers continue to pay outrageous fees to commissary accounts so those inside can be overcharged for necessities like soap which can mean life or death on Rikers during the pandemic.

B. DOC Grants: Additionally what are the "grants" in the revenue lines? Are these actually vendor payments disguised as grants? If they are grants from NGOs this seems like a very small amount. What are the DOC's current development efforts? Can we get a breakdown of current and past DOC grants please? Also is it possible to get a list of grants DOC has applied for and been denied?

V. Lawsuit Settlements vs the DOC If Molina is serious about making sure his department is held accountable for wrongdoing overlooked are the lawsuit settlements coming out of the courts. Often the courts are the only way to learn information about what is really going on behind the cloistered walls of the DOC. The data the Law Department has posted for lawsuit settlements versus the DOC and /or individuals employed by the DOC under local law 137 of 2017 is very misleading. the Law Department has only reported \$137,341,045.48 of \$209,331,997.00 paid out by NYC taxpayers to settle civil lawsuits against the Department of Correction between 2013 and Jan of 2023;

leaving-off \$109,297,626.8 or 52% of the litigation dispositions off of the reporting required [by Local Law 137 of 2017](#).

A. Regarding Deaths on Rikers in DOC custody: the numbers are much much higher than have been publicly reported. Ever hear of Juan Flores or Daniel Torres? Of course not. Both of them died in Rikers in 2016-2017 but their deaths were never announced in any press releases, investigated by the BOC or SCOC. We only know about them because of court filings of their families trying to get answers about the deaths of their loved ones in custody. Mr. Flores died after a botched heart surgery while in custody. He was returned to Rikers after the surgery and complained about chest pain but was written off as just having indigestion. He died a week later. The reason? The surgeon had accidentally nicked his aorta during heart surgery but no one noticed. The family received 35k in a settlement in 2022 that the family was forced to take because of an administrative deficiency in their notice of claim filed with the comptroller. I believe Council Member Caban has introduced a measure to require the DOC to report on all deaths in DOC custody, after compassionate release, on work release or in transit between DOC/Court/medical facilities. I urge the council to give this legislative bud attention and to water it quickly in committee with a look back window that is not muddled like that of local law 137 of 2017.

In 2017 the NYC Council passed [local laws 166 and 137 mandating the NYC Law Department post information regarding NYPD and DOC litigation filings and settlements on its website](#). The bills went into effect on January 1, 2018 with: a five year look back window for new litigation filed; reporting on all settlements made and; requires bi-[annual updates to the reports](#). However, the City Law department has not been posting case dispositions and settlements that occur outside of a five year window from the litigation's commencement. Nor have settlements been shared stemming from court actions filed prior to January 1, 2013 even if they were settled just last year. A strictly textual reading of Local law 166 of 2017 only includes a five year look back for section 1) of the law (new litigation filed) and not for section 3) (settlements made for all cases filed). The City Law department's interpretation of the law has produced inaccurate reporting since the law first went into effect in 2018. Section 3) of Local laws 166 and 137 of 2017 is/are not a subset(s) of section 1): it/they is/are its/their own independent datapoint(s) that mandate(s) all settlements be reported as they occur. Instead what has been produced is information on settlements for cases commenced within the past five years of the report's date.

VII. Borough DA Revenue Streams from Property Seized/Confiscated/Turned-over

It's time we talk about this and hold a hearing for Council Member Caban's Intro 0657 requiring reporting on basic property seized/retained as well as money seized/retained by DAs and money obtained from selling/auctioning seized and forfeited property in criminal proceedings. Where does this revenue go? How much of it is there? What is happening to the property that has sat in property rooms, un-retained for decades? DATA forensically scraped from seized devices is flowing into law enforcement databases, unchecked and without oversight. I would appreciate this legislation being taken up in the coming session with a priority.

Thank you for considering my testimony and our asks carefully.

Kelly Grace Price

Ft. George, Manhattan

March 27, 2023



Testimony by
Coalition for Homeless Youth

on

Preliminary Budget Hearing: Criminal Justice

Submitted to

The New York City Council's Committee on Criminal Justice

By

Lauren Galloway Advocacy Coordinator for Coalition for Homeless Youth

2023 Written Testimony Submitted: March 23, 2023

The FY24 preliminary budget represents a \$35.5 million increase (or 1.3%) from the FY23 budget. In 2021, New York City spent 350% more per incarcerated person than Los Angeles or Cook County, Illinois, and yet, people in DOC custody are subjected to some of the worst jail conditions in the nation.

What should happen in this year's budget: Commonsense measures to reduce DOC budget bloat and pursue accountability could reduce their uniform headcount to 5,760 and free up \$359.2M for crucial community investments`

1. **Eliminate vacancies for uniformed staff.** The Department of Correction had 428 vacancies for uniformed staff in December 2022. Reducing uniformed positions to 6,632 to eliminate these vacancies could save at least \$119.1M. Taking into account average attrition rates, DOC's vacancies for uniform staff will likely increase to 800 by the end of the fiscal year. Reducing uniformed positions to 6,260 to eliminate these vacancies could save \$221M.
2. **Hold staff accountable for chronic absenteeism.** The Nunez Federal Monitor reported in October that DOC had identified 1,029 officers as chronically absent. Staff who do not come to work should not be able to keep their jobs. If approximately 50% (500) of these officers are terminated and 50% return to work to avoid termination, spending on jail operations could be reduced by \$138.1M.
3. **Reduce overtime spending** by consolidating operations and permanently closing jails on Rikers, starting with the Otis Bantum Correctional Center, which was emptied in June 2022.
4. **Increase Board of Correction headcount** in proportion to DOC headcount. This type of linked budget exists for other oversight agencies like the CCRB. Increasing BOC headcount to 1% of DOC's would add 25 BOC staff positions, but would only add approximately \$3M to the overall expense budget. The importance of BOC staff presence in the jails is even more vital now that DOC has revoked their remote video access.
5. **Redirect funds** to meet community needs, including an additional investment of \$57.8M in expense funding for supportive housing, and expanded funding for alternatives to incarceration, healthcare, substance use disorder treatment, and social and employment programs for young people that will reduce the flow of people into the jail system.

Good afternoon Speaker Adrienne Adams and Council Members,

My name is Victor Herrera. I am a leader and a member with Freedom Agenda, the Campaign to Close Rikers, and the Treatment not Jail coalition and several advocacy organizations but most importantly I am a directly impacted constituent with Trauma based health issues. I am here today to advocate for more community-based services and resources for mental health. I've been advocating for the impacted community since my own experience with structural oppressive institutions, namely incarceration and shelters that exacerbate mental illness concerns targeted communities.

In so many instances, it seems like law enforcement is the only thing our so-called progressive City has to offer. I've been repeatedly profiled by policing practices, aggressively prosecuted by the Queens DA for crimes that to date profess innocence, been a community member in the field of Criminal Justice Advocacy since my discharge 9/11/2001, a significant day the world experienced an attack on our life and Liberty.

The Mayor's proposed budget is backwards. Slashing funds for housing, healthcare, education and youth services while adding \$35M for the bloated and mismanaged Department of Correction is not only inhumane, its counterproductive. Sending people to Rikers does not make us safer. It only exposes them to more trauma and violence, interrupts treatment, and upends their lives.

Our city has programs that work and create more safety than sending people to Rikers ever could, we just need to fund them to scale. I have been able to participate for 7 plus years in Intensive Mobile Treatment provided by the Center for Urban Community Services IMT. The cost to provide this community-based treatment is almost nothing compared to half a million dollars per year to keep someone at Rikers. But there's a waitlist for IMT, so its not available to everyone who needs it.

My brother is someone in need of treatment, but it seems like our city keeps responding to his needs with law enforcement instead. A few years ago, he was entrapped by NYPD in a buy and bust operation, and spent 10 months on Rikers Island on unaffordable bail. The DA refused to let his case move to treatment court because of a conviction from 25 years ago. When they finally dismissed that case, he returned home without stable housing or adequate treatment. He spent the past few years struggling, and now he's back there again. I worry for him every

day, and when he gets out, I know I'll worry again because the time at Rikers will only leave him worse off.

NYC is set to spend over \$2.7B dollars total this year to run Rikers Island. I wish we could take every dollar to put toward community-based treatment, but we can at least start with cutting \$350M by eliminating vacancies and following through on accountability for chronic absences. With that, we can make sure that quality treatment and stable housing are much more available to our people than a cell on Rikers.



Testimony

Preliminary Budget Hearing - Criminal Justice

Melanie Dominguez, Lead Organizer
melanie@katalcenter.org

for

Committee on Criminal Justice

Thursday, March 23, 2023 10:00 AM
New York, NY

Thank you, Speaker Adrienne Adams and Chair Carlina Rivera, for holding this New York City Council Budget and Oversight Hearing on the Preliminary Budget of the Department of Corrections for Fiscal Year 2024. My name is Melanie Dominguez, I'm the lead organizer at the Katal Center for Equity, Health, and Justice, based in Brooklyn. Our members are from across the City, and include people who have been incarcerated, family members of currently and formerly incarcerated people, and more.

We are grateful for this Council's focus on supporting and sustaining a City where all New Yorkers can thrive. We submit this testimony to bring your attention to the crisis at Rikers and the need to immediately shutter the notorious jail complex. New Yorkers, including our members, are deeply concerned about the humanitarian crisis playing out in our city's jail system.

As you know, the Rikers Island Jail Complex has a long-documented history of violence and abuse. Under Mayor Adams, it's only getting worse. Since Mayor Adams took office, 20 people have died in New York City. Today Rikers is the deadliest it has been in 25 years.ⁱ Violence at Rikers is at an all-time high.ⁱⁱ It's not hard to see why - under Adams, the dysfunction and mismanagement of the jails and Department of Correction has intensified.

Under Adams, even the most basic aspects of operations at Rikers have further unraveled into disarray. For instance, the Department of Correction (DOC) is failing to get incarcerated people to their medical appointments, with some months exceeding 10,000 missed appointments.ⁱⁱⁱ The DOC is also failing to get people to court – over 25% of incarcerated people are not brought to court in time.^{iv}

One might think that the ongoing crisis at Rikers would compel Mayor Adams to expedite the closure of the facility. But Mayor Adams has made clear he has no intention to close Rikers.

First, to close Rikers, the population must come down to 3,300. For more than decade, the population at Rikers has been steadily going down. But over the last 15 months, the jail population has been going *up*. Since his first day in office, Mayor Adams has made it a priority to send even more low-income, Black, and brown New Yorkers to be jailed at Rikers, subjecting them to dangerous and life-threatening conditions. The jail population is now at 5,917, which constitutes an increase of over 500 people since Adams took office 15 months ago.^v

But Mayor Adams isn't satisfied, he wants even more New Yorkers to rot in Rikers. Last December, DOC Commissioner Louis Molina told this very committee that the DOC is planning for the city's jail population to go up to 7000 this year. That means jailing another 1,100 people – pretrial. Remember, the vast majority of everyone in city jails are detained pre-trial – they have not been convicted of a crime. The mayor has called these people “offenders.” They are legally innocent New Yorkers, most of whom are unable to afford bail.

As the crisis at Rikers worsens, and as the mayor seeks to send even more people to be jailed there, he's simultaneously working to dismantle mechanisms of accountability and transparency by restricting the oversight authority of the Board of Correction.^{vi} The DOC Commissioner doesn't even bother attending all of the Board hearings.

It has been said that budgets are moral documents, that they reflect priorities. Adding another 1,100 people to the city's jail population will, using the Comptroller's figures, cost approximately *half a billion dollars*. The mayor is championing a proposed \$11.2 billion-dollar budget for the NYPD to expand discriminatory policing practices. The mayor is simultaneously proposing deep cuts to essential programs across the city – including mental health services, legal services, summer youth employment, homelessness services, housing, libraries, universal 3K, and much more – all this while protecting the bloated budgets of the NYPD and Department of Correction.

The mayor's budget is morally bankrupt. Why in the world would this Council approve the mayor's proposed budget that cuts, for instance, \$33 million from libraries, while giving a green light to this Administration to spend more than half a BILLION to jail 1,100 more New Yorkers pretrial at a deadly jail we all know must close?

Without a drastic change of course, there will be more suffering and more needless deaths on Rikers. At this pinnacle moment, the City Council must flat out reject this regressive and harmful budget proposal. This budget must be revised to focus on cutting the correctional population, shutting down Rikers, and making investments in real public safety: housing, health care, education, good jobs.

In 2019, the City Council passed a package of bills that put into law a timeline to close Rikers and invest in public safety approaches that keep our communities safe without relying on incarceration. The mayor's budget proposal again makes it clear he has no intention of closing Rikers. That's why having you here today, Speaker Adams, is so important, and why the City urgently needs this Council to step up and hold the line. Do not allow the Mayor to cut essential services such as libraries and mental health services, which are needed now more than ever as marginalized communities are still struggling to recover from the COVID-19 pandemic. Do not allow the Mayor to let the NYPD and DOC run wild with seemingly boundless budgets without any checks or balances or gains to public safety.

The City Council must hold the mayor accountable and make it clear there will be no budget without a concrete and clear plan on how he intends to fulfill the City's commitment to close Rikers no later than 2027. Thank you.

ⁱ Jan Ransom and Jonah Bromwich. "Tracking the deaths in New York City's jail system in 2022". New York Times. 2022. Retrieved from <https://www.nytimes.com/article/rikers-deaths-jail.html>.

ⁱⁱ Vital City Editorial Team. "State of the Jails: New York City." Vital City. 2023. Retrieved from <https://www.vitalcitynyc.org/articles/state-of-the-jails-november-2022>

iii Jake Offenhartz. "More Rikers detainees missing medical appointments, despite reform efforts." Gothamist. 2022. Retrieved from <https://gothamist.com/news/more-rikers-detainees-missing-medical-appointments-despite-reform-efforts>

iv Matt Katz. "1 in 4 people jailed in NYC are not being brought to court on time." Gothamist. 2023. Retrieved from <https://gothamist.com/news/1-in-4-people-jailed-in-nyc-are-not-being-brought-to-court-on-time>

v For the 2023 data, see Vera Institute for Justice. "JailVizNYC." March 21, 2023. <https://greaterjusticenyc.vera.org/nycjail>.

vi Courtney Gross. "After NY1 investigation, Department of Correction limits access to security video" Spectrum News 1. 2023. Retrieved from <https://www.ny1.com/nyc/all-boroughs/public-safety/2023/01/19/after-ny1-investigation--department-of-correction-limits-access-to-security-video>

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SVP of Policy Advocacy

Ellen Weber
SVP for Health Initiatives

Gabrielle de la Guéronnière
VP of Health & Justice Policy

Roberta Meyers Douglas
VP of State Strategy & Reentry

Adela Prignal
Chief Financial Officer

Sharon X. Hayes
Director of Operations

Committee on Criminal Justice
Preliminary Budget Hearing
March 23, 2023

Greetings to the Committee on Criminal Justice. I am Matthew Thompson, Senior Policy Associate for the Legal Action Center (LAC). I appreciate the opportunity to address you today.

Since our founding in 1973, LAC has utilized a multipronged approach to achieving our mission, which includes: direct legal services, impact litigation, policy advocacy, education and training, and coalition-building. LAC seeks to end punitive responses to health conditions like substance use disorder, mental illness, and HIV or AIDS, and to create equitable access to affordable, quality treatment. In 1983, LAC founded the Alternatives to Incarceration (ATI) and Reentry Coalition to this end, which it continues to spearhead, today.

New York's history as an innovator of mass incarceration is one that we need all meet with shame. Enacted in 1973, under then-Governor Nelson Rockefeller, the harsh sentences mandated by the Rockefeller Drug Laws for the possession or sale of relatively small amounts of drugs became a catalyst for the imprisonment of Black and brown people, male youth in particular. The unprecedented shift from public health approaches to substance use disorders to carceral responses was in large part the result of coded, anti-Black "tough on crime" rhetoric, employed successfully by President Richard Nixon and presidents thereafter from Reagan to Clinton.

Though New York has taken steps toward reform, including through the 2009 partial repeal of the Rockefeller Drug Laws, we are still locking up too many people who are Black more often than not. New York City's jail admissions declined from nearly 61,000 in 2016 to about 15.7 thousand in 2021 (74%), while racial disparities increased, according to New York City Department of Correction data; Black people's share of jail admissions rose 4 points, from 53% to 57%, while white people's share declined by 2%, and Hispanic people by 3%. In 2021, the jail incarceration rate for Black people was 11.6 times greater than for white people. Moreover, Rikers Island has become the largest psychiatric provider in New York City, with over half (51%) of those detained reporting a mental illness, 16% reporting serious mental illness, and another 19% reporting severe mental illness. Of the 34% of individuals that return to Rikers within a year of release, nearly half (46%) have a mental illness.

The need for upstream investments in preventative and alternative strategies, and downstream investments in reentry services could not be more obvious. A 2022 analysis by the Corporation for Supportive Housing revealed that nearly 2,600 people

incarcerated at Rikers each year are clinically eligible for supportive housing—an evidence-based program proven to assist individuals in gaining the stability necessary for successful reentry. Such policies are critical to getting New Yorkers the help they need to thrive in the community. It will also serve to assist the City’s decarceration efforts, if Rikers Island is to close by 2027 as legally mandated.

New York City must significantly invest in ATI and reentry services that are community-based, people-centered, and holistic in manner. These ATIs should seek to repair the intentional, historical marginalization of Black, brown, and poor persons from high quality social services and care; and most importantly, create safe and prosperous communities. These services should fundamentally be non-carceral. Many providers exist in New York City to model from. The Fortune Society’s Castle and Castle Gardens provides emergency, transitional, and permanent supportive housing to formerly incarcerated persons, while the agency boasts over an 80% program completion rate. 78% of participants at Exodus secure living wage jobs; 99% of SHERO clients have not been rearrested since 2017. Moreover, the cost savings of these programs are drastic when compared to the \$500,000 per person per year it costs to house someone on Rikers. In contrast, ATIs without housing cost just \$8,000-\$10,000 per person per year, while those with housing cost \$60,000-\$70,000 per person per year. If programs like these were implemented at scale, jails would become obsolete.

New York must work to address the oppressive systemic conditions that perpetuate cycles of poverty. Research demonstrates that poverty and its attendant aspects – underemployment, houselessness, etc. - leads to increases in poor mental health rates, substance use disorder rates, and crime rates. Proactive investments must be made in preventative policies and programs, not just reactionary solutions to social ills generated by disinvestment. We must reimagine how we approach conflict resolution, using tools like restorative and transformative justice. And we must grant all New Yorkers access to safe and affordable housing, fully funded schools and education, quality health and mental health care, affordable childcare and eldercare, workforce development, counseling, the list continues.

As former president Lyndon B. Johnson argued during his 1964 presidential campaign: “There is something mighty wrong when a candidate...bemoans violence in the streets but votes against the War on Poverty, votes against the Civil Rights Act, and votes against major education bills that come before him as a legislator.”

We must prioritize people and choose public health over punishment. Thank you for your time.

**Testimony Before the NYC City Council
Committee on Criminal Justice**

Preliminary Budget Hearing

March 23, 2023

Tanya Krupat, VP, Policy & Advocacy
Wendell Walters, Manager, Policy & Advocacy

Osborne Center for Justice Across Generations
Osborne Association



My name is Wendell Walters and I am the Manager for Policy and Advocacy at the Osborne Association's Center for Justice Across Generations. Thank you for the opportunity to submit testimony to the Criminal Justice Committee. Osborne is one of the largest and oldest criminal justice organizations in the state. We serve 10,000 people each year across the full spectrum of the criminal legal system, from arrest to reentry. We have offices in Brooklyn, Harlem, Newburgh, and Buffalo, with our headquarters located in the Bronx. We have programming in more than 30 correctional facilities, including New York State prisons and NYC's Rikers Island.

My testimony today focuses on three components of public safety: While this hearing is about the Criminal Justice budget, it is important that we stay grounded in the guiding principle that the solutions for current challenges lie *outside* the criminal legal system, and that justice and public safety are what you get *as a result* of healthy and well-resourced communities. I will briefly touch upon:

- 1) The need to close Rikers and not waver from this goal and the timeline the Council enshrined in law;
- 2) Improving conditions for those who are incarcerated (as we work to decarcerate), including ensuring people are connected to their loved ones, including children, and other community supports; and,
- 3) Investing in community-based programs, including reentry services.

Closing Rikers

Osborne is an active participant in the movement to close Rikers. We served on the Justice Implementation Task Force (Osborne's former CEO co-chaired the population reduction subcommittee) and forcefully spoke out in support of closing Rikers during the City Council's Uniform Land Use Review Process (ULURP). It should no longer be up for discussion whether this crumbling, notorious, and deadly jail should continue to remain open. Its closure was decided upon and the City should not waver from this, nor from its historic passage of a zoning resolution rendering it unlawful for Rikers Island to function as a jail after August 2027, and its authorization of the development of four new jails to be built under the Borough-Based Jail Plan. This plan will modernize our City's jails, bringing them closer to courthouses and families, and improving the quality of life for all those who live, work, and visit them. The challenges

currently being raised to justify deviating from this plan (including rising crime and arrests, and staffing shortages) are real and must be addressed but the North Star of closing Rikers must remain; only the path to get there needs to be adjusted and pursued.

It is disheartening to hear public statements and actions from the City that appear to waver on this commitment and legal requirement. Recent comments from the Department of Correction (DOC) projecting a jail population of 7,000 were alarming. Rather than being accompanied by a commitment and plan to prevent this from happening, this number was used as a reason Rikers could not close. More recently, it was made public that proposed contracts for the construction of the new jails contain completion dates that run until 2029 (two years past the deadline for Rikers to no longer function as a jail). This is unacceptable and we agree with Speaker Adams, who during her State of the City address, expressed her strong determination to close Rikers in August 2027, in compliance with the law.

The rise in the population on Rikers is certainly a concern since the Borough-Based Plan as developed is scheduled to house 3,300 individuals, far less than the current population, which hovers around 5,800. Greater efforts need to be made to decarcerate. The collective action and decision-making that led to a census of 3,800 people on Rikers during the height of the pandemic should be reinvigorated, including invoking Article 6-A to authorize DOC to allow sentenced individuals to serve the remainder of their time at home. We call on our District Attorneys in each borough to once again instruct their offices to use the full extent of their powers to utilize the diversion and ATI programs available to them. We thank the City Council for funding the ATI & Reentry Coalition member organizations (including Osborne) and hope you will expand this investment given the urgent need to reduce the number of people held on Rikers.

Improving Conditions: Visiting, Mail & Packages

As we work to divert and decarcerate, the conditions inside the jails on Rikers Island continue to deteriorate for both those who live and those who work there. Violence is routine, and tragically, too many people are not surviving Rikers *as they await their day in court* (19 people died while detained on Rikers in 2022). Every tool possible to ease tensions, boost morale, and provide hope should be utilized, including visiting. Visiting is often overlooked as a critical aspect of

correctional operations and a violence prevention and reduction strategy. Following the complete, unprecedented suspension of all in-person visits due to Covid-19 for 24 months, and given the current life-threatening state of Rikers—harmful to those in custody and to all who work there—it is critical to fully bring back and improve visiting. Currently, visiting is not fully restored to its pre-Covid schedule and there are still no weekend visiting days, making it hard to impossible for school-age children and working families to visit at all. Weekend in-person visits should be restored immediately and Int. 356 (sponsored by Chair Rivera) should add a minimum requirement that weekend and afterschool or evening visiting hours be made available. We have further recommended additions to the bill and would welcome the opportunity to share them.

We also strongly recommend that visiting be added to the DOC section of the Mayor's Management Report (MMR). This report is submitted twice a year to the Mayor describing operations and performance of city agencies, and there is now also a Dynamic MMR and a [dashboard](#) recently added to DOC's website. Visiting and connections to family and community supports are completely absent from the Department's own "services and goals" that drive the indicators reported in the MMR, and completely absent from the dashboard as well. DOC maintains statistics on the number of in-person visits and televisits. Thankfully, back in 2015, City Council passed Intro 706A, requiring DOC to submit quarterly reports; the most recent of these that we could find from [July-September 2022](#) collapses visiting and televisiting, making it impossible to know how many visits are actually happening. Visiting is a human right and an effective tool for achieving the stated goals of corrections: "care, custody and control." It promotes well-being for the incarcerated individual, as well as for their children and families, it can motivate program participation and improve collective morale, and it supports a successful reentry. It is unconscionable that DOC has not restored weekend in-person visits, and at this point in time, staffing shortages are not an acceptable explanation.

One further note about televisiting: We strongly recommend that the online televisiting scheduling system also be digitized. Once people register online, DOC schedules the televisits manually and there have been pervasive and persistent scheduling challenges which leads to televisits not happening, and families being very frustrated and anxious, children being disappointed and worried about their parents, and further isolates those who are detained.

Detained individuals not only rely on in-person visits with their families while incarcerated, but they also rely on the ability to receive mail and packages from them as well. A longstanding policy to receive mail and packages from loved ones is currently under consideration for restriction. The new policy would require that all mail be photocopied by a private third party vendor and transferred to tablets to which each detainee has access. No more will the incarcerated have the ability to touch and see original correspondence; correspondence which is treasured as a personal connection to loved ones that eases the pain, isolation, and trauma of imprisonment. Instead, they will only see an electronic copy which they only have access to when they can access tablets. The restriction on packages has the same isolating effect. Restricting packages to those from approved vendors not only eliminates the personal touch, but also has significant cost implications, and in many cases, may prohibit families from sending clean clothes and other essential items. This in turn, only exacerbates stress and tension among those incarcerated. These family touchpoints - visiting, mail, and packages- are vital to the support individuals need while incarcerated and that is needed upon reentry. We call on DOC to withdraw its application for a variance that will authorize these changes.

We know that DOC has proposed these new restrictions with the goal of preventing drugs from entering facilities, particularly fentanyl. We share the grave concern about drugs and weapons being brought inside. This has long been a problem, and visitors are often identified as a major source of contraband, even without data that supports this. During the height of the pandemic when visiting was suspended, drug use remained pervasive and overdoses occurred. While mail has perhaps played a part in the influx of illicit drugs, equal attention should also be applied to other entryways, including DOC staff (several reports have identified staff as the major sources of contraband, including drugs).¹ The recommendations from the Department of Investigation from 2014 and 2018 should be implemented, including “placing drug-detecting dogs at the staff entrance gates to screen correction officers entering facilities for drugs, especially during tour changes; eliminating unnecessary pockets on the correction officers’ uniforms, including those

¹ New York Daily News. December 2022. [Rikers Island Correction Officers Contribute to Flow of Drugs and Other Contraband in NYC Jails.](#)

on cargo pants; and locating DOC staff members' personal lockers outside the front-gate entrances.”²

Investing in Programs

Meaningful programming on Rikers remains a critical tool that can reduce violence and idle time, promote transformation, and assist with successful reentry. Programming inside must be a priority with proper space provided and steady Officers assigned in order for effective services to be delivered. Osborne has extensive experience in providing a range of programming on Rikers. Osborne provides people in custody with workshops, training programs, and individual guidance aimed at preparing them to lead stable, secure lives after they return home. Funding for these programs needs to remain stable to do effective work.

Ultimately, we need to send fewer people to jail in NYC by investing in communities, as well as the network of ATI providers here. Osborne is a member of the ATI & Reentry Coalition and our allocation of the collective requested continued funding would support our **Court Advocacy Services (CAS)** and our **Parole Violation Mitigation Program**. In 2022, these programs prevented 940 years of incarceration, saving millions of dollars. Our **Bronx Osborne Gun Accountability and Prevention Program (BOGAP)**, developed in collaboration with the Bronx DA, provides an accountability-based alternative for 16- to 30-year-olds who would otherwise face the 3.5-year mandatory minimum prison sentence for carrying a loaded gun in the absence of any other crime. We are requesting a renewal of \$60,000 to continue this program and build on its successes to date.

We also need to reduce the number of people who are on Rikers by shortening stays there and expediting court processes. This is especially true for vulnerable populations (of which there are many), including trans people, younger people, medically fragile people, people with disabilities or cognitive challenges, and people with severe mental health issues.³ Among vulnerable populations in DOC custody are about 800 older people. To attend to their needs, Osborne is

² See https://www.nyc.gov/assets/doi/press-releases/2018/feb/09Contraband_Report_020818.pdf, and a copy of the 2014 Report can be found at the following link: <http://www1.nyc.gov/site/doi/newsroom/public-reports.page>

³ Given the trauma and Adverse Childhood Experiences (ACEs) that almost everyone has experienced before arriving on Rikers, many others would fall into this “vulnerable” category.

seeking funding for our **Elder Reentry Initiative**, to increase support to older adults by providing pre-release cognitive behavioral therapy and transitional planning on Rikers, and post-release reentry support in the community. Osborne developed the first reentry case management model tailored to older people and we now have close to a decade of experience in elder reentry. Jails and prisons are not healthy environments for anyone, but certainly not for older and more vulnerable people. Their care is not only better handled in the community, but it is also significantly less expensive. The previous City Comptroller calculated that the City spends \$556,539 each year for each incarcerated individual in City jails⁴; care for older people can be two to three times higher than what it is for younger people.

As you consider all of the requests for investments coming before you, it is worth remembering how much we are currently spending to incarcerate people and how little “return” we are getting on these investments. The status quo is not working, and it is harming thousands of New Yorkers, including the close to 9,000 uniformed officers who suffer tremendously as well by working in inhumane conditions where people are increasingly cut off from their loved ones and their communities. While DOC claims to be understaffed, the ratio of Corrections Officers to those in custody is by far the largest in the nation, and DOC is among the largest funded agencies in the City. DOC currently has at least \$119 million worth of publicly available vacancies⁵. Reinvested and combined with rigorous, coordinated decarceration efforts, these resources could begin to generate the outcomes in diversion, decarceration, community investments, and public safety that we sorely need.

We thank the Speaker and the Council for their commitment to closing Rikers and investing in community-based solutions based on our shared humanity, and healing and accountability, not punishment.

Contact:

Tanya Krupat, VP Policy & Advocacy, tkrupat@osborneny.org
Osborne Center for Justice Across Generations

⁴ New York City Comptroller Brad Lander. December 2021. Comptroller Stringer: *Cost of Incarceration Per Person in New York City Skyrockets to All-Time High*.

⁵ New York City Comptroller Brad Lander. March 2023. [Dashboard Update: NYC Comptroller Releases New Monthly Data on Department of Corrections](#).

Osborne Association
New York City Council Discretionary Funding Requests
FY24

| Program | Description | FY24 Request | FY23 Funding |
|--|---|---------------------|---------------------|
| Alternatives to Incarceration | Court advocacy services, video visiting and family-strengthening activities, expansion of job training and placement, and reducing the Rikers Island population. | \$1,952,074 | \$1,852,074 |
| | Parole Violation Mitigation Program⁶ that reduces the number of people being held on Rikers Island (200+ per day) for technical parole violation (TPV) warrants, people on parole with new open criminal cases, and reduces the detention time for people on parole. | \$380,117 | |
| Bronx Osborne Gun Accountability and Prevention Program (BOGAP) | Strengthen an effective diversion program developed with the Bronx DA for 16 to 30-year-olds that provides an accountability-based alternative to the 3.5-year mandatory minimum prison sentence for carrying a loaded gun in the absence of any other crime. | \$60,000 | \$60,000 |
| Elder Reentry Initiative | Increasing support to older adults on Rikers Island and after their release to the community by providing pre-release cognitive behavioral therapy, transitional planning, and post-release reentry support. | \$85,000 | \$85,000 |
| FamilyWorks Harlem | Relaunch FamilyWorks Harlem programming for youth, families, and adults impacted by the criminal legal system, including afterschool programming and restorative justice services for youth, and financial literacy, employment, parenting, and healthy relationships resources for adults. | \$5,000 | \$0 |

⁶ This program is currently supported with \$380,117 that is included in our total FY23 ATI award of \$1,852,074.

| | | | |
|--|--|-----------|-----------|
| Fulton Community Reentry Center | Establish programs at Fulton for the general public: video visiting programs, an internet cafe with free broadband internet access, and community meeting space for other activities. | \$10,000 | \$10,000 |
| Health and Wellness – Ending the Epidemic | Community-based HIV/HCV prevention services and support for people living with HIV to become and stay virally suppressed, focusing on formerly incarcerated people returning to the Bronx and specialized services for LGBTQIA+ people in that borough. | \$60,219 | \$60,219 |
| Housing Justice Project | Support policy development, community outreach, technical assistance, and public engagement designed to generate widely-supported solutions to the problem of homelessness after incarceration and form partnerships to implement these solutions. | \$250,000 | \$0 |
| Improving Behavioral Health and Wellbeing for Youth | Assessing and addressing mental health and trauma in youth impacted by the criminal legal system through treatment options that alleviate stress, improve functioning, and reduce trauma symptoms. | \$200,000 | \$158,000 |
| Safeguarding Children of Arrested Parents Implementation | Implementation of Local Law 1349-A, enacted to reduce trauma to children when NYPD arrests the parent of a child by providing necessary training and administrative support to the NYPD and building a network of CBOs that can provide post-arrest support to children. | \$265,000 | \$265,000 |
| See Us, Support Us (SUSU): Improving the Well-Being of Children of Incarcerated Parents | Establish a NYC-based See Us, Support Us (SUSU) Youth Team to increase support for and engagement of young people with incarcerated parents by informing and planning NYC-based education and outreach activities and increasing opportunities for young people to network, shape policy, heal, and support one another. | \$60,219 | \$0 |

New York City Council

Committee on Criminal Justice

Oversight: Preliminary Budget Hearing

Written Testimony of the Rapid Reentry Housing Coalition

I. What is rapid reentry housing and why is it essential?

When considering whether to release a person charged with a bail-eligible crime into the community or to participate in treatment programs, judges and prosecutors across the city almost always consider a person's housing status.¹ Judges are much more likely to release a person when stable housing can be identified—but justice-involved New Yorkers are often ineligible for existing housing options due to their criminal history, complex medical or mental health needs, or immigration status. Rapid reentry housing is an essential part of a *continuum of housing* that leads to transitional and then permanent, affordable housing outside of our jail system.

Residential programs, long-term supportive housing, and even transitional housing options often have multi-step admission processes, long wait times, and complicated eligibility criteria. For people that face certain criminal charges, lack citizenship status, or have complicated medical and mental health needs, almost all existing housing options are *not* immediate. As a result, the population of Rikers Island and our city jails continues to grow while people wait for stable housing options. Jail populations have risen to pre-pandemic levels. They are overcrowded and deadly. From roughly 2020-2022 we learned firsthand what we need to address these gaps and reduce the jail population: a safe place to land that can receive them *quickly* and *directly* from jail or prison, thereby facilitating their release.

II. What we learned from the COVID crisis

What was referred to at the time as the Emergency Reentry Hotels program was started in New York City in the early phases of the COVID-19 pandemic under contract with the Mayor's Office for Criminal Justice. Through this program, people released from incarceration at Rikers and upstate prisons were placed in one of six hotels in the city. The program was operated by Exodus Transitional Community until December of 2022, and is now operated by Housing Works. Through this program, individuals were housed in private hotel rooms that provided them with essential privacy, safety, and stability. Exodus and Housing Works staffed the hotels 24/7 to

¹ 30% of Neighborhood Defender Services of Harlem clients and 59.5% of Legal Aid Society clients' release [into MOCJ hotels from 2020-2022] was contingent on this emergency housing

provide people with targeted case management, a dedicated security team, on-site medical and mental health services, as well as other support to help people transition and integrate back into the community. The program also offers job training/placement, benefits enrollment, obtaining of IDs, daily meals, clothing, and other essentials to the residents.

III. The rapid reentry program model was successful

The overwhelming prevalence of homelessness, poverty, and unemployment among formerly incarcerated people is the strongest predictor for people being repeatedly cycled through the criminal legal system.² The case management support provided by program staff interrupts these cycles for justice-impacted New Yorkers while providing the most stabilizing resource possible: safe housing.

2,490 people were served by the hotel program between 2020-2022

400 people were connected to permanent housing

717 were connected to substance use or mental health treatment

347 reunited with family

499 people continue to be supported in the hotels, working actively towards permanent housing

For many people in custody during the period 2020-2022 when this program could accept new residents, the availability of a hotel bed, coupled with the specialized reentry services offered on site, **was the sole reason that a judge or prosecutor agreed to release an individual from DOC custody.** Similarly, the availability of a room in the SARA compliant Holiday Inn location resulted in many releases of people being held past their release date in upstate prison.

As just one snapshot, **within a one month period between May - June 2021, three Bronx Defenders' clients were able to resolve their cases because they had immediate access to the hotels as a resource.** All three of these people presented with mental health concerns, and, as a result, the Assistant District Attorneys assigned to their cases insisted on identifying housing prior to consenting to a plea offer that would allow for such release. In all three cases, the lack of barriers to accessing the hotels meant that these people were able to be released.

As of October 2022, **59.5%** of Legal Aid Society clients who entered the hotels had their release conditioned on availability of housing. Of those clients, **100%** of the clients with SARA restrictions' releases were conditioned on availability of housing. **47%** of these clients were able to enter the hotels **directly from custody.** With this initiative, we learned that removing rigid eligibility requirements and providing immediate access to housing and specialized reentry services actively **supports decarceration efforts.**

² Retrieved from https://www.prisonpolicy.org/research/recidivism_and_reentry/

IV. What is the current status of this program?

As of February 2023, there were **499** people in the hotels and the waitlist was at **389** people. This 389 does *not* adequately reflect all of the people incarcerated currently who may be released if a bed were actually available, or who would benefit from the program as **new admissions have been frozen for at least a year.**

In the fall of 2022, the total hotel capacity was reduced from 6 hotels to 4, meaning most residents moved from single to double occupancy rooms. Many organizations utilizing this program stopped making referrals in the last year, not wanting to give false hope to their clients in custody or mislead judges about an option that wasn't truly available.

In 2019, MOCJ committed to bringing roughly 1000 transitional housing beds online by 2023. There continue to be delays with bringing these beds online, but **MOCJ intends to transition the 4 remaining hotel sites into those transitional housing beds in FY2024**, allowing the current 499 residents to continue staying there if they have not yet accessed permanent housing.

These 1000 transitional housing beds do NOT restore the emergency hotel program in its rapid reentry capacity because:

- The transitional housing model generally includes eligibility criteria that translates to barriers and wait time, eliminating the rapid turnaround aspect of this program
- Transitional housing is rarely able to functionally receive people directly from jail. We need BOTH an immediate, short-term, landing pad option AND these longer-term transitional units

Making this program a permanent step in the continuum of city housing will allow us to decarcerate the deadly city jails and create truly safe communities by meeting the immediate reentry needs of our community members. We remain committed to working together to achieve this goal as we move away from a reliance on jailing to a realization that we can be a city that meets the needs of our most vulnerable by providing safe housing and essential services for all.

V. The fiscal impact of recommitting to this program as a baseline in the city budget

The estimated cost of 1 transitional housing bed per year is 50-55K. The services associated with rapid reentry housing increase that cost to roughly 70K/bed/year, which is still a tiny fraction of the 556K it costs to incarcerate someone on Rikers. **Therefore, we are asking City Council to recommend an additional allotment of \$50 million to fund roughly 700 additional units dedicated to rapid reentry housing.**

There are approximately **2,589** people on Rikers in a given year who are experiencing homelessness and struggle with ongoing behavioral health needs³. MOCJ estimates that for roughly **1000** of those people, homelessness is a significant barrier to their release⁴. **The City would save millions *and* reduce the jail population by investing in housing that would meaningfully achieve release for this population of people in custody.**

Respectfully submitted,

The Rapid Reentry Housing Coalition, including members:

The Bronx Defenders
The Legal Aid Society
Neighborhood Defender Service of Harlem
Corporation for Supportive Housing
Freedom Agenda
Bard Prison Initiative
Exodus Transitional Community

And other community-based organizations not listed.

³ Retrieved from Reduce-Homelessness-for-People-Impacted-by-the-Criminal-Legal-System.pdf (csh.org)

⁴ Mayor's Office of Criminal Justice, Pretrial and Jail Data Analysis, March 2023

My name is Conor Foley and I'm the Minister at the First Presbyterian Church of Brooklyn. Thank you for this opportunity to testify.

I lead a community that worships a prisoner. Jesus was jailed, of course, and abused by cops, correctional officers, centurions—whatever you want to call them—then tortured and killed. And most folks think that only happened one time. But Jesus says in Matthew 25 that he is every incarcerated person. So every time someone experiences the violence of our criminal-legal system, we are re-crucifying Christ. We do this over and over, refusing to take Christ down from the cross, refusing to dearrest him and let him return to his community, but instead letting him suffer, even unto death.

There are two important differences though, between Christ and those he identifies with in our cages. The first difference is, the people in our jails and prisons are not our messiahs. They did not sign up to take on the guilt of our sin, of our failure to prevent harm, of our irresponsible stewardship of resources that could go to mental healthcare, housing, infrastructure, and education. Those are not their sins. And we cannot force them to suffer in cages because we refused to care for the least of these and instead invested in old forms of city-sanctioned terror and violence. They are not our sacrificial lambs.

The second difference. Easter approaches, and we remember that state violence does not have the final word, that Jesus resurrects — but the ones we have killed with our jails have not. Is there a resurrection for them? For their families? Can we promise them resurrection, or have we simply killed their loved ones, finally, and forever? We can't pretend that resurrection will save us from the sin of this violence. They are not returning to forgive us. Their blood cries out from the ground and demands justice. And the only justice we can offer is never killing again, is dismantling the systems that crucify, is closing Riker's and refusing to pay for what is killing us.

Thank you.

**TESTIMONY OF
THE FORTUNE SOCIETY

THE NEW YORK CITY COUNCIL
COMMITTEE ON CRIMINAL JUSTICE**

City Hall,
New York, NY

Friday, February 17, 2023

SUBJECT: Rikers Island and the delayed timeline of its closure

PURPOSE: To ensure there is adherence to the plan to close Rikers on schedule under the Points of Agreement and investments are made to address much needed services for people impacted by being on and released from Rikers Island.

Presented by

Andre Ward
Associate Vice President,
David Rothenberg Center for Public Policy

The Fortune Society
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<http://www.fortunesociety.com>

Good afternoon, Madame Speaker and Members of the Committee:

My name is Andre Ward and I am the Associate Vice President of The David Rothenberg Center for Public Policy at the Fortune Society. The Fortune Society is a 55-year-old organization that supports successful reentry from incarceration and promotes alternatives to incarceration, thus strengthening the fabric of our communities. We do this by believing in the power of people to change; building lives through service programs shaped by the experiences of our participants; and changing minds through education and advocacy to promote the creation of a fair, humane, and truly rehabilitative correctional system.

I am a formerly incarcerated Black man who spent three and a half years on Rikers Island, from 1988 to 1992, as both an adolescent and adult. During this period, I experienced and witnessed countless episodes of abuse and neglect, including frequent medical and mental health neglect, and the inadequacy of programming which properly prepares those detained for community reentry. It appears that very little has changed in the 31 years since I was held on Rikers, and in fact, conditions may have worsened. 36 people have died after being held in the custody of the Department of Correction in the past two years, including a record-breaking 19 people last year alone.¹ Instead of relying on this broken system, we should be moving towards closing Rikers Island by 2027, and investing in the resources that will keep all of us safe: supports for those reentering our communities, such as behavioral health services, substance use treatment, medical care, employment support and more.

The people held on Rikers are suffering needlessly and in ways that render everyone there – staff and people in custody alike – unsafe. Over half of the people in DOC custody have a mental health diagnosis.² The share of people with a serious mental illness is now at a record high of 20%.³ 20% to 50% of the people on Rikers are in desperate need of consistent mental health treatment of some kind – yet from February to October of 2022, people in custody missed over 12,000 medical appointments, in part because staff were not present to escort them.⁴ This is simply unacceptable, and must not be rewarded by increasing the budget for an agency that is failing to provide basic services to the people in its custody and control. The people on Rikers Island are also dying because staff are not present. The most recent person to die, Marvin Pines, was found in the shower area of Rikers Island’s North Infirmary command after suffering a seizure while no staff came to his aid – because no staff was present.⁵ Unlike in other large jail systems, hundreds

¹ Bryant, E. (2022, December 12). *19 people have died from New York City Jails in 2022*. Vera Institute of Justice. Retrieved from <https://www.vera.org/news/nyc-jail-deaths-2022>

² <https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2023/doc.pdf>.

³ <https://comptroller.nyc.gov/services/for-the-public/departments-of-correction-doc/dashboard/>

⁴ Blau, R. (2022, December 19), *Lawsuit asserts if Rikers can’t provide medical care, it should cap population*. The Amsterdam News. Retrieved from <https://amsterdamnews.com/news/2022/12/19/lawsuit-asserts-if-rikers-cant-provide-medical-care-it-should-cap-population/>

⁵ Rayman, G., Tracy, T., & McShane, L. (2023, February 6). *Rikers Island detainee dies - first fatality at troubled jail complex this year*. New York Daily News. Retrieved from <https://www.nydailynews.com/new-york/nyc-crime/ny-rikers-island-inmate-dies-infirmary-department-of-correction-20230204-tnimgm4zqnftjggitlhwmlqbq-story.html>

of uniformed DOC staff work in administrative or other positions that should instead be filled by civilians,⁶ leaving critical posts in housing units unfilled, which leads to tragedy like the death of Mr. Pines and many others before him.

The FY 2024 DOC budget represents an over \$35 million dollar increase, and projects that 88.5% of DOC expenses will be attributed to staff salaries and benefits.⁷ This is both disproportionate and shocking. DOC does not lack financial resources. The problems in our jails will not be solved by increasing funding for the same line items that are not only failing to produce results, but actually resulting in harm and death. In 2022, New York City spent 350% more for each incarcerated person than the two other largest jail systems in the country, Los Angeles or Cook County, Illinois⁸ while individuals in DOC custody are being subjected to horrific conditions.⁹ This is a stain on the conscience of our city.

As our CEO JoAnne Page aptly described, Rikers is “a pulsing tumor on our beloved city.”¹⁰ Action must be taken to address the Administration’s delayed construction timeline set forth in the proposed contract issued for the building of the new Brooklyn facility.¹¹ It is imperative that the City adheres to the plan to close Rikers on schedule under the Points of Agreement,¹² because lives are at stake. Another reason, besides understaffed posts, that there were thousands of

⁶ Ransom, J. (2021, December 31), *Behind the Violence at Rikers, Decades of Mismanagement and Dysfunction*, The New York Times. Retrieved from <https://www.nytimes.com/2021/12/31/nyregion/rikers-island-correction-officers.html#:~:text=the%20main%20story-,Behind%20the%20Violence%20at%20Rikers%2C%20Decades%20of%20Mismanagement%20and%20Dysfunction,America's%20most%20expensive%20jail%20complexes.>

⁷ Mayor’s Office of Management and Budget, *Preliminary Budget Fiscal Year 2024, Expense Revenue Contract*. Retrieved from <https://www.nyc.gov/site/omb/publications/finplan01-23.page>.

⁸ McCann, S. (2022, May 4). *More Corrections Officers Won’t Make the Crisis on Rikers Disappear*. Vera Institute of Justice. Retrieved from <https://www.vera.org/news/more-correction-officers-wont-make-the-crisis-on-rikers-disappear>.

⁹ Katz, M. (2022, September 28). *Never-before-seen images show Rikers inmates locked in caged showers, left in soiled pants, more poor conditions*. Gothamist. Retrieved from <https://gothamist.com/news/rikers-images-shower-cages-poor-conditions>.

¹⁰ Page, J. A. (2022, January 17). *Adams’ obligation to Rikers Island*. nydailynews.com. Retrieved from <https://www.nydailynews.com/opinion/ny-oped-adams-obligation-to-rikers-island-20220115-la7frefuvveqng54tp24hizsyu-story.html?outputType=amp>

¹¹ Kaye, J. (2023, March 15). *\$3 billion and 2 years tardy: Proposed jail contract blows past Rikers closure deadline*. Queens Daily Eagle. Retrieved from <https://queenseagle.com/all/2023/3/15/3-billion-and-2-years-tardy-proposed-jail-contract-blows-past-rikers-closure-deadline>

¹² Akinnibi, F. (2022, October 18). *NYC plan to close Rikers by 2027 is behind schedule*. Bloomberg.com. Retrieved from <https://www.bloomberg.com/news/articles/2022-10-18/nyc-plan-to-close-rikers-by-2027-is-behind-schedule>

missed medical appointments is due to lack of space in the medical clinics.¹³ This is one of the many issues that the planned borough-based jails have been designed to address.¹⁴

We also call upon the council and the Administration to protect and enhance our Board of Correction. We specifically request an increase in BOC headcount in proportion to DOC headcount. It is more critical than ever that the BOC has the staff necessary to perform their City charter-mandated oversight of DOC. DOC recently revoked their remote video access.¹⁵ BOC must have the staffing and resources necessary to conduct regular and unscheduled visits to observe jail conditions and speak with people in custody, as well as DOC staff. Having eyes and ears on the ground has proven crucial to BOC's ability to report on the circumstances surrounding the deaths of people in custody which are not accurately reported by DOC, including identifying when unstaffed posts and dereliction of duty have contributed to those fatalities.¹⁶

One of the many ways in which cost savings from the DOC budget could be utilized is to enhance funding for supportive housing for people leaving jail and prison, to prevent them from returning. Increased funding is necessary to pay fair market rent and provide robust services, including for the many people with mental health needs. The current funding for Justice Involved Supportive Housing is so far below what is sufficient that no current JISH service provider, including the Fortune Society, bid on the last Request for Proposals released by the City. We have been in the business of providing such housing for over 20 years and that was a painful choice to make given the need – but that level of funding simply does not address the need.

The City is bound by the Points of Agreement to close Rikers Island by 2027. Given the record number of deaths, the persistent mismanagement and dysfunction, and the waste of our taxpayer funds on a broken system, we urge you to require the Administration to adhere to that timeline, while investing in crucial jail oversight, alternatives to incarceration programs, reentry services, and supportive housing. This is not only a pathway to humane treatment, but also one with a proven track record of improving public safety.¹⁷ Lives are at stake. Thank you for your leadership and for the opportunity to testify today.

¹³ Blau, R. (2022, December 19), *Lawsuit asserts if Rikers can't provide medical care, it should cap population*. The Amsterdam News. Retrieved from <https://amsterdamnews.com/news/2022/12/19/lawsuit-asserts-if-rikers-cant-provide-medical-care-it-should-cap-population/>

¹⁴ <https://rikers.cityofnewyork.us/nyc-borough-based-jails/>.

¹⁵ Board of Correction (2023, January 18). *Statement on Loss of Access to Jail Video*. Retrieved from <https://www.nyc.gov/assets/boc/downloads/pdf/News/Statement-on-Video-Access-1.18.23.pdf>.

¹⁶ See, e.g., Board of Correction (2022, November 16). *Second Report and Recommendations on 2022 Deaths in New York City Department of Correction Custody*. Retrieved from <https://www.nyc.gov/assets/boc/downloads/pdf/Reports/BOC-Reports/FINAL-Second-Report-and-Recommendations-on-2022-Deaths-in-DOC-Custody-and-CHS-response.pdf>.

¹⁷ *Commission on Community Reinvestment and the Closure of Rikers Island Report*. www1.nyc.gov. (2021). Retrieved from <https://www1.nyc.gov/assets/hra/downloads/pdf/hra-docs/Commission-Community-Reinvestment-Report.pdf>

New York City Council, Criminal Justice Committee's Preliminary Budget Hearing
Testimony of Carmen Perez-Jordan, President and CEO of The Gathering for Justice
March 23, 2023

Thank you for the opportunity to testify today. My name is Carmen Perez-Jordan. I am the President and CEO of The Gathering for Justice. I am here today to testify on the Department of Correction's (DOC) already over-inflated budget, and the newly proposed 35.5 million dollar increase included in the FY2024 preliminary budget.

The NYC DOC is one of the highest DOC budgets in the country.¹ In 2021, New York City Comptroller reported that the cost of incarceration per person in NYC rose to an all-time high despite a 15 percent decline in average daily population.² The FY2024 DOC budget represents an annual cost of \$556,539, per person in DOC custody, which equates to \$1,525 per day.³ And yet, people in NYC DOC custody are subjected to some of the worst jail conditions in the nation. Rikers Island remains one of the most notoriously violent and corrupt jail complexes in the United States. City Council's comprehensive 2019 plan to Close Rikers was a direct result of the continued deterioration and violence that characterizes the jail complex.

However, even following the commitment to Close Rikers, in 2020, a 342 page report was issued by federal monitor, Steve J. Martin⁴, warning of the "pervasive level of disorder and chaos" and "unreasonably high" levels of violence in the jail complex.⁵ The following year in August of 2021, he released an updated letter indicating that violence had significantly increased due to deteriorating conditions.⁶ A month later, Chief Medical Officer, Ross MacDonald, released a letter calling for urgent assistance for what he called the "emergency situation" unfolding on Rikers Island.⁷ In the letter, he references the 2020 federal monitor report, attributing 2021's events to a "collapse in basic jail operations."⁸ While this controversy was enough to lead to the signing of the Less is More Act into state law, and an Executive order to release 191 individuals

¹ "A Look Inside the New York City Correction Budget." *Vera Institute of Justice*, May 2021.

<https://www.vera.org/publications/a-look-inside-the-new-york-city-correction-budget>.

² "Comptroller Stringer: Cost of Incarceration per Person in New York City Skyrockets to All-Time High." *New York City Comptroller Brad Lander Press Release & Statements*. December 2021.

<https://comptroller.nyc.gov/newsroom/comptroller-stringer-cost-of-incarceration-per-person-in-new-york-city-skyrockets-to-all-time-high-2/>

³ For FY2021. "NYC Department of Correction, FYs 2011-21 Operating Expenditures." New York City Comptroller's Office, Budget Bureau. December 2021

⁴ The federal monitor hired to monitor the progress in DOC facilities following the [Nunez](#) settlement.

⁵ Martin, Steve J et al. "Eleventh Report of the *Nunez* Independent Monitor." May 11, 2021.

https://www.nyc.gov/assets/doc/downloads/pdf/11th_Monitor_Report.pdf

⁶ "Rikers Crisis NYC Sues Corrections Officers' Union Claiming 'Campaign of Mass Absenteeism' Fueled Chaos." *Forbes*. September 2021.

<https://www.forbes.com/sites/tommybeer/2021/09/20/rikers-crisis-nyc-sues-corrections-officers-union-claiming-campaign-of-mass-absenteeism-fueled-chaos/?sh=58f7c9d41321>

⁷ Ross MacDonald, MD, New York City Council Letter. September 2021.

<https://www.nyl.com/content/dam/News/static/nyc/pdfs/RM-city-council-letter-9-10-21.pdf>

⁸ Ibid.

from DOC custody, still, there were sixteen deaths in 2021⁹, nineteen deaths in 2022¹⁰, and already one reported death in 2023.¹¹

There is little disagreement that Rikers Island has deteriorated beyond repair and that the jail complex must be closed. However, as we enter the fifth budgetary cycle since the Plan to Close Rikers was passed, in order to prepare for the very imminent and necessary closure of Rikers, we need to stop funneling taxpayer dollars into this obscenely damaged department. Instead, we must make a dedicated effort to invest resources into the community to help reduce the flow of people into the jail system, thus facilitating the successful closure of Rikers. This can only be accomplished through meaningful investment in the community, which requires significant divestment from an already overinflated DOC budget.

In order to be strategic in right-sizing DOC's bloated budget, the redistribution in funding must be towards services most necessary and effective in creating safe and thriving communities. This requires resourcing New Yorkers and communities with adequate housing, healthcare, social and employment programs for youth, and substance use disorder treatment *before* they interact with the criminal legal system.

More than 50 percent of people currently detained on Rikers Island have mental health diagnosis¹², and hundreds detained are on Rikers simply because they are homeless.¹³ To remedy this, we must redirect funds to meet community needs, including an additional investment of \$57.8 million in expense funding for supportive housing, and expanded funding for alternatives to incarceration, healthcare, and substance use disorder treatment. While youth under the age of 18 are no longer incarcerated at Rikers thanks to Raise the Age, the total number of young adults, aged 18 to 21, in DOC custody is 530¹⁴, which represents almost 10 percent of the total DOC population.¹⁵ 10 percent is a significant portion of the detainment population and could, and should, be reduced if not eliminated completely. To work towards this, we must fund youth programming and services, many of which are proposed by the Commission on Community Reinvestment in their most recent report.¹⁶ Notably, the report includes detailed violence intervention recommendations that would intervene at the earliest point when a young person comes in contact with the legal system.¹⁷

⁹“Report and Recommendations on 2021 Suicides and Drug-Related Deaths in New York City Department of Correction Custody.” *Board of Correction City of New York*. September 2021.

<https://www.nyc.gov/assets/boc/downloads/pdf/Reports/BOC-Reports/2021-suicides-and-drug-related-deaths-report-and-chs-response.pdf>.

¹⁰ “19 People Have Died from New York City Jails in 2022.” *Vera Institute of Justice*. December 2022.

<https://www.vera.org/news/nyc-jail-deaths-2022>.

¹¹“Tracking the Deaths in New York City’s Jail System.” *The New York Times*. February 2023.

<https://www.nytimes.com/article/rikers-deaths-jail.html>

¹² “Locking up People with Mental Health Conditions Doesn’t Make Anyone Safer.” *Vera Institute of Justice*, August 2022.

<https://www.vera.org/news/locking-up-people-with-mental-health-conditions-doesnt-make-anyone-safer>

¹³ “He Was Homeless So the Judge Kept Him at Rikers.” *New York Focus*, January 2022.

<https://www.nysfocus.com/2022/01/03/he-was-homeless-so-the-judge-kept-him-at-rikers/>

¹⁴ Department of Correction Reports. <https://www.nyc.gov/site/boc/reports/departments-of-correction-reports.page>

¹⁵ “Young Adult Housing Monthly Progress Report.” Department of Correction, February 2023.

<https://www.nyc.gov/assets/boc/downloads/pdf/Reports/DOC-Reports/February-2023-YA-Monthly-Progress-Report.pdf>

¹⁶ Commission of Community Reinvestment and the Closure of Rikers Island Report. 2021.

<https://www.nyc.gov/assets/hra/downloads/pdf/hra-docs/Commission-Community-Reinvestment-Report.pdf>

¹⁷ Ibid.

So, the next question undoubtedly becomes, where do we get the money to fund these programs? Simple, commonsense measures to reduce DOC's budget and pursue accountability could reduce the uniform headcount to 5,760, which frees up 359.2 million dollars for the crucial community investments mentioned above. There is an overabundance of officers employed by DOC. NYC DOC's ratio of uniformed staff to incarcerated people is more than 4x higher than the national average, and NYC's is the only jail system among the nation's 50 largest cities that has more officers than people in custody.¹⁸ With a uniform headcount of 5,760 for 5,885 people in custody as of February 15, 2023,¹⁹ DOC would still have the highest ratio of uniformed staff to incarcerated people in the nation.

The FY2024 budget projects that 88.5 percent of DOC expenses will be staff salaries and benefits.²⁰ This needs to be cut. It is no longer justifiable to spend millions of city dollars to employ such a high number of officers, when the October 2022 *Nunez* Federal Monitor report identified 1,029 officers as chronically absent²¹, and conditions in the jails continue to deteriorate. We must correct this spending by removing staff from the payroll who are not doing their jobs and start consolidating operations on Rikers to facilitate the imminent closing of the jails.²²

There is less than four years left until NYC is required to close the jails on Rikers island. We no longer have any time to waste. We urge the City Council to heed our warnings and accept our recommendations to reduce the DOC's bloated budget and open up funding for crucial community investments. It is time to divest funds used for punitive measures and re-distribute them to communities that need it the most.

Thank you for your time.

¹⁸ "A Look Inside the New York City Correction Budget." *Vera Institute of Justice*, May 2021. <https://www.vera.org/publications/a-look-inside-the-new-york-city-correction-budget>.

¹⁹ "People in Jail in New York City: Daily Snapshot." *Vera Institute of Justice*. Accessed February 16, 2023. <https://greaterjusticenyc.vera.org/nycjail/>.

²⁰ Mayor's Office of Management and Budget, "Preliminary Budget Fiscal Year 2024, Expense Revenue Contract." <https://www.nyc.gov/office-of-the-mayor/news/028-23/mayor-adams-releases-preliminary-budget-fiscal-year-2024#/0>.

²¹ Martin, Steve J et al. "Second Status Report on DOC's Action Plan by the Nunez Independent Monitor." October 28, 2022. p53. <https://www.nyc.gov/assets/doc/downloads/pdf/Status-Report-06-30-22-As-Filed.pdf>.

²² "Why New York City Needs a Blueprint to Rightsize the Department of Correction." *Vera Institute of Justice*. May 2022. <https://www.vera.org/downloads/publications/rightsize-nyc-department-of-correction.pdf>



The Liberty Fund - FY2024 Overview

Background

Since 2016, The Liberty Fund has successfully provided person-centered services and access to resources for the pretrial jail population using a court-based approach. As part of the Liberty Fund's model, our team addresses critical needs, helping clients meet their court requirements while connecting them to best-fit services, especially in housing and workforce development.

The Liberty Fund's mission is to reduce the pretrial jail population in order to prevent the poorest New Yorkers from having their lives upended and their freedom sacrificed. Our goal is to provide support in order to avoid future interactions with the criminal justice system. We achieve our mission by providing pretrial services, including bail and robust case management, to any qualifying bail or ROR (Released On Recognizance) client throughout the pendency of their court case.

As NYC's first and ONLY New York State licensed city-wide charitable bail fund, The Liberty Fund is an independent 501(c)(3) organization originally established in 2016 in partnership with NYC Council and the late George McDonald, founder of The Doe Fund, NYC's leading agency in reducing recidivism and homelessness through social enterprise coupled with transitional housing and supportive services including workforce development. The FJC Foundation provided the funds to create a revolving bail fund for posting bail.

In January of 2020, as a proactive response to monumental bail reform efforts and in anticipation of great need, The Liberty Fund executed a strategic pivot from bail to implement the ROR Case Management Program. This innovative program provides voluntary person-centered case management to this vulnerable population. From January 2020 to June 2021, there were 82,221 individuals released on recognizance from NYC criminal courts. In response to COVID, we made a successful conversion to hybrid operations, and today, our justice work continues to be a proactive solution in terms of addressing criminal justice issues and racial inequities during the COVID crisis and beyond.

Over the past 8 years, The Liberty Fund has:

- Helped 1,400+ clients access community-based services.
- Prevented 6,500+ days of detention.
- Facilitated annual cost savings of \$4.5 million on the City's incarceration spending.
- Achieved an 88% client court appearance rate.
- Paid \$912,500 for individuals who could not afford their misdemeanor bail.
- Our model was a Merit Finalist in the Mutual of America 2019 Community Partnership annual competition.

Since its beginning in January 2020, our ROR Case Management Program has:

- Served over 250 people in need of critical pretrial services.
- Conducted over 11,000 court reminder and wellness calls.
- Sent over 5,500 client updates to assigned attorneys.
- Made 386 referrals to community-based organizations and providers.
- Maintained an 88% client court appearance rate.



Program Services Offered

The Liberty Fund will provide our ROR Case Management Program to approximately 250 unique individuals during the FY2023 contract term (approximately 20 new cases per month). We will achieve this target through our formal referral partnerships with key defense agencies.

Our ROR Case Management Program ensures justice reform momentum by connecting clients to best-fit services in order to prevent further recidivism using a voluntary, person-centered approach that builds rapport, trust and personal agency in a population that has suffered long-term systemic oppression.

Open to all individuals not in correctional custody, our target population is individuals charged with lower level/nonviolent crimes who have had several prior interactions with the criminal justice system. We tend to work with an older, male population, many of whom are homeless. Our target population suffers from long-term systemic inequities leading to various barriers including: homelessness; unemployment; mental/physical health needs; alcoholism/substance addiction; racial biases; system mistrust.

Our model has four innovative features for impact:

- **Pretrial** - Interventions are initiated at the most critical touchpoint for success.
- **Voluntary** - Non-mandated services ensure no additional restrictions placed on clients to prevent further “net widening” as they stabilize their lives.
- **Person-Centered** - Services determined by the client to better meet individual needs, promote personal agency and connect to best-fit services.
- **Court-Based** - Low-touch interventions leveraged during court appointments for effective time usage.

Each client will participate in the following services:

- **Access to Social Service Team** - Services led by our Social Services Director (LCSW) and 2 certified Case Managers who also double as licensed New York State bail bond agents.
- **Case Management** - Intake, needs assessments, service plans, and wellness calls.
- **Community-Based Referrals** - Referrals to best-fit services with an emphasis on housing, job training and wellness programming.
- **Critical Court Needs** - Client court-reminders and emergency needs, such as MetroCards, food vouchers, hygiene kits.

Core outcomes we will aim to achieve and track with our clients include:

- Achieve 90% court appearance rate, as measured by webcrims and client/attorney communications.
- 100% of cases receive needs assessments, case management, and court reminders.
- 100% client satisfaction, as measured by client exit interviews.

Using a hybrid approach, services will be provided throughout the 5 boroughs: Brooklyn, Manhattan, Bronx, Queens or Staten Island. The Liberty Fund also has a physical presence in Manhattan near the courthouses.

THE LIBERTY FUND

Mission

The Liberty Fund reduces the pretrial jail population, prevents the poorest New Yorkers from having their lives upended and their freedom sacrificed, and provides support in order to avoid future interactions with the criminal justice system. We achieve our mission by providing pretrial services, including bail and robust case management, to any qualifying bail and Released on Recognizance (ROR) client throughout the pendency of their court case.

Target Population:

Vulnerable, low-income individuals:

- Released on Recognizance (ROR).
- Misdemeanor charge and bail set at \$2000 or less.
- Voluntarily agree to participate.
- Past demographics include 87% men; 53% Black; 35% Latinx; 38% Ages 20-29; 42% Ages 30-39.

Program Design and Services

INNOVATIVE MODEL

Our model has four innovative features for impact:

- **Pretrial** - Interventions are initiated at the most critical touchpoint for success.
- **Voluntary** - Non-mandated services ensure no additional restrictions placed on clients to prevent further "net widening" as they stabilize their lives.
- **Person-Centered** - Services determined by client to better meet individual needs, promote personal agency and connect to best-fit services.
- **Court-Based** - Low-touch interventions leveraged during court appointments for effective time usage.

DIRECT SERVICES PROVIDED

Each client participates in the following services:

- **Case Management** - Intake, needs assessments, service action plans, and wellness calls.
- **Critical Court Needs** - Client court-reminders and emergency needs, such as MetroCards, food vouchers, hygiene kits.
- **Workforce Development and Homelessness Interventions** - Referrals to best-fit housing/job training programs.
- **Access to Social Service Team** - Services led by our Social Services Director (LCSW) and 2 certified Case Managers who double as licensed New York State bail bond agents.

Questions? Don't hesitate to contact us.

David Long, Esq.
Executive Director
dlong@libertyfund.nyc
(646) 373 0327

Check out more at www.libertyfund.nyc

Community Benefits



Social Service Impacts - Since 2017, we have helped 1,400+ clients access community-based services, prevented 6,500+ days of detention, facilitated annual cost savings of \$4.5million, and achieved an 88% client court appearance rate.



Filling a Critical Service Gap - Few NYC programs like The Liberty Fund focus on the misdemeanor population, especially older and homeless individuals, resulting in higher recidivism rates if not addressed.



Racial and Social Justice - Misdemeanor bail fundamentally penalizes poverty and rewards financial privilege, while black/brown people continue to be disproportionately arrested for misdemeanor crimes in NYC, including non-violent, non-criminal parole violations. The Liberty Fund is NYC's ONLY remaining charitable bail fund to serve these individuals.

Partnerships



Defense Agencies - including NYCDS, Legal Aid, Bronx Defender Services, Brooklyn Defender Services, Queens Defenders, and 18B attorneys. We communicate with attorneys as a best practice to help relay the most current information to all parties. Our resource manual includes a citywide network of social service organizations specifically adjusted to navigate a post-pandemic landscape.



Established Agreements - The Liberty Fund has entered into memoranda of agreements with the following criminal and social justice agencies to provide our case management services for their clients as either additional support or as a step down from their programming: Manhattan Justice Opportunities; Bronx Community Solutions; The Fortune Society Parole Restoration Program; The Osborne Association; Exalt Youth; Exodus Transitional Community; Unite Us; Center for Community Alternatives; NYC Criminal Justice Administration.

Financial Need



The Liberty Fund's operations amount to \$523,948 for staff and program costs in FY2024. Financial support now will underwrite our essential services for NYC's most vulnerable, while ensuring both continued reform and public safety.

The Liberty Fund is citywide. Our clients have lived in these zip codes:

BRONX: 10451; 10452; 10453; 10454; 10455; 10456; 10457; 10458; 10459; 10460; 10462; 10463; 10465; 10466; 10467; 10468; 10469; 10472; 10473; 10474; 10475

BROOKLYN: 11202; 11203; 11205; 11206; 11207; 11208; 11209; 11210; 11211; 11212; 11213; 11215; 11216; 11217; 11218; 11221; 11222; 11223; 11224; 11225; 11226; 11229; 11230; 11231; 11233; 11237

MANHATTAN: 10001; 10002; 10009; 10010; 10011; 10012; 10014; 10016; 10017; 10019; 10023; 10024; 10025; 10026; 10027; 10028; 10029; 10030; 10031; 10032; 10033; 10034; 10035; 10036; 10037; 10039; 10040

QUEENS: 11377; 11354; 11361; 11367; 11368; 11373; 11385; 11411; 11412; 11413; 11418; 11422; 11429

STATEN ISLAND: 10301; 10302; 10303; 10304; 10308; 10309; 10310

TRINITY CHURCH WALL STREET

03.23.23 - Trinity Church Testimony - Criminal Justice Committee - FY24 Preliminary Budget Hearing

March 23, 2023 | **Subject:** FY24 Preliminary Budget Testimony

Dear Speaker Adams and Members of the Committee on Criminal Justice:

My name is Susan Shah, Managing Director of Racial Justice at Trinity Church Wall Street. Thank you for the opportunity to provide testimony for this Fiscal Year 2023 budget hearing. We urge the Mayor and City Council to prioritize investments in services and support for justice-involved New Yorkers to support their re-entry into society, reduce incarceration and homelessness, and make our city safer.

Trinity Church Wall Street is an Episcopal Church in Lower Manhattan with a congregation of more than 1,600 parishioners, who come from all five boroughs and form an ethnically, racially, and economically diverse congregation. In addition to our ministry, we carry out the mission of faith and social justice through direct services, grantmaking, and advocacy.

Trinity has a long history of advancing social justice in alignment with our belief that every person is created in the image of God and has dignity and value. Trinity has a particular focus on strengthening the well-being of young people, families and our community, particularly as our city strives for an equitable recovery, recognizing that those hardest hit by the COVID-19 pandemic and its economic fallout are Black and brown New Yorkers.

In this context and as faith leaders and fellow New Yorkers, we continue to be deeply troubled by the appalling conditions throughout New York City's jails and the impact that they have on the well-being of those detained and those who work in them. For generations, the City's jails have been plagued with abuse, inhumane conditions, and violence, failing to make New York City safer.

This humanitarian crisis requires our elected leaders to transform New York City's justice system into one that recognizes the humanity and dignity of all individuals and improves public safety. To achieve these goals, we urge the Mayor and the Council to invest in the following initiatives in Fiscal Year 2023 and beyond:

- 1. Protect full funding for and stick to the mandated timeframe of the plan to close Rikers Island by 2027 and build smaller and more humane borough-based jails.** We urge the Mayor and the City Council to enact and financially support the recommendations made by the [Commission on Community Reinvestment](#) and the Closure of Rikers Island, established by Local Law 19334, and ensure that funding for the Commission is baselined into the City budget until Rikers is fully closed. We also call on the Mayor to prioritize policy and practice reforms that will safely reduce the jail population, including but not limited to the investments noted below, and facilitate prompt construction of the four borough-based jails.

TRINITY CHURCH

WALL STREET

2. **Increase capacity of Alternative to Incarceration programs.** Increase funding—and, in turn, capacity—for alternatives to incarceration (ATI) to enable the city to sufficiently reduce the jail population on Rikers Island. Currently, 24 ATI programs serve 7,300 New Yorkers at a cost of \$45.8 million, including discretionary funding from the Council. For many people, ATIs deliver safety more effectively than jail and at a fraction of the cost. Half of the nearly 6,000 people on Rikers Island have a mental health diagnosis; at a minimum, the city should divert them into ATIs.
3. **Appoint and empower a high-level City Hall staff person to oversee reentry services and fulfill the requirements of Local Law 103 of 2016.** Despite the mandate of LL 103 which requires the City to establish a municipal division of transitional services and the Mayor to appoint a coordinator, there is no single City agency or individual responsible nor held accountable for the outcomes of individuals once they are released from incarceration. A senior position reporting directly to the Mayor, First Deputy Mayor or a Deputy Mayor should be created or housed within the Mayor's Office of Criminal Justice (MOCJ). This staff person should be able to develop, recommend, and implement policy changes across relevant City agencies including MOCJ and the Departments of Correction, Probation, Health and Mental Hygiene, Social Services, and Housing Preservation and Development. They also would work in close collaboration with reentry and diversion/ATI service providers, advocates, those with lived experience with the criminal justice system, and researchers to create and oversee a unified and comprehensive reentry system that addresses housing, health and mental health care, and employment needs.
4. **Devote more funding to expand services for those struggling with mental health challenges to avoid criminal legal system involvement.** Outpatient mental health treatment, respite care, alternatives to incarceration, and additional secure hospital-based wards are needed to address the interconnected issues of mental health and incarceration. The City has proposed creating three new secure hospital-based wards with a total capacity of 394 beds by 2023. These would serve people with mental illness facing violent felony charges or those who the courts and physicians have determined cannot live safely in the community. However, data suggests that as many as 1,000 beds, spread across multiple hospitals, are necessary to meet the need. These hospital beds should be operated by Health + Hospitals, not the Department of Correction.
5. **Increase and improve the City's supportive housing stock for New Yorkers unable to live in traditional housing by allocating:**
 - a. [\\$57.8 million in expense funding for supportive housing](#) for people who cycle in and out of the City's jail system (\$12.8 million for Justice-Involved Supportive Housing and \$45 million to support rental subsidy increases and higher service rates for supportive housing)
 - b. **\$152 million** for the development, preservation, and rehabilitation of congregate supportive housing units

TRINITY CHURCH WALL STREET

- c. **\$46 million** in additional funding to increase the capacity of MOCJ-contracted emergency hotels, which serve people released from City jails and ensure seamless transitions into permanent or supportive housing options
6. **Expand access to the Supervised Release Program by allocating an additional \$62 million.** This pretrial supervision program provides justice-involved individuals with the opportunity to access services while awaiting their trial instead of being detained in City jails, thereby providing an effective tool to reduce the City's total jail population. This increase in funding (in addition to the current \$67 million budget) would support a "high intensity" track for individuals with higher needs and charges than what the program was originally designed to support.

Thank you for providing Trinity with the opportunity to submit testimony.



Mental Health Project

New York City Council
Committee on Criminal Justice

Preliminary Budget Hearing – Criminal Justice

Thursday, March 23, 2023
Council Chambers, City Hall, New York, NY

Testimony of
Jennifer J. Parish
Director of Criminal Justice Advocacy
Urban Justice Center Mental Health Project
(646) 602-5644 • jparish@urbanjustice.org

It is unconscionable for New York City to spend \$2.7 billion on incarceration while not funding programs and services that would reduce the jail population and provide long-term stability for individuals and communities. NYC jails are not designed to provide quality healthcare, but more than 3000 people are relegated to receive their mental health treatment there – a third of them are diagnosed with Serious Mental Illness (SMI).¹ The city could expand [diversion](#) to address this population's needs, but instead in the name of "safety," the city continues to pour money into the failed system of mass incarceration and a department that cannot keep people in its custody safe. The Council must stand up against this unjust budget and demand that the city reinvest in a true public safety response that provides for the needs of New Yorkers.

We urge the Council to fund the following services instead of incarceration:

- Forensic Assertive Community Treatment teams;
- Justice-Involved Supporting Housing (JISH);
- Outposted therapeutic housing units; and
- A non-police response to people in mental health crisis.

¹ In the city jails, Serious Mental Illness (SMI) is a diagnosis-based categorization consisting of the following disorders: schizophrenia spectrum and other psychotic disorders, bipolar and related disorders, depressive disorders, and post-traumatic stress disorder. Diagnoses resulting from a substance use or medical condition are excluded. Individuals who do not meet the preceding diagnostic criteria but experience severe functional impairment or clinical distress are also designated as having a SMI.

In addition, we ask that you pass Intro 549-2022, which would end solitary confinement in NYC jails, and Resolution 156-2022, calling on the New York State legislature to pass and the Governor to sign the Treatment Not Jail Act ([S.1976A/A.1263](#)).

The city has the funding needed to invest in these resources. The Department of Correction (DOC), which subjects people in its custody to some of the worst jail conditions in the country, has a ratio of uniformed staff to incarcerated people that is more than four times higher than the national average. At least \$350 million can be cut from the DOC's budget by reducing the uniform headcount.

Introduction

For almost 25 years, the Urban Justice Center Mental Health Project has advocated for people with mental health concerns involved in the criminal legal system. We are deeply familiar with the difficulties people with mental health concerns who are involved in the criminal legal system have in accessing essential mental health services. We represent the *Brad H. Class*, all incarcerated individuals who receive mental health treatment while in NYC jails. Currently the *Brad H. Class* comprises about half of the city jail population.

Over the last two decades, the NYC jail population has decreased dramatically. However, the percentage of people receiving mental health treatment has not decreased at the same rate. For instance, in 2010 when the average daily jail population was slightly more than 13,000, people identified as needing mental health treatment constituted 29% of the jail population; currently the jail population is around 5,900, less than half of the population in 2010, yet about 50% are assessed as needing mental health treatment. Moreover, since 2020, the number of people diagnosed with a SMI has increased. This group now constitutes 20% of the NYC jail population.

The harms of incarceration are particularly pronounced for this population as the provision of mental health treatment behind bars is inconsistent at best and almost nonexistent at times. Although constitutionally required, mental health treatment in jail and prison is generally limited to medication and brief clinical encounters. Moreover, the jail environment is chaotic and often dangerous, and people with mental health challenges are frequently victimized in these settings and subjected to solitary confinement. Suicide is the leading cause of death in jails. These conditions exacerbate mental health symptoms and further traumatize those who most likely already have a significant trauma history. In addition, many people with mental health challenges are released from incarceration without benefits, treatment, and housing, often even more destabilized than when they entered jail. Even though discharge planning services are mandated by the *Brad H.* settlement agreement, people with mental health concerns continue to be released to the community without appropriate services in place. Since the onset of the pandemic, we have seen a dramatic decline in the quality of discharge planning provided to those entitled to it.

This harm is even more pronounced for Black, Indigenous and people of color (BIPOC), particularly Black people. Black people are disproportionately impacted by the criminal legal system. Racial disparities also cause Black people to have poorer social determinants of health, including housing, health, income, education, etc. Despite representing only 22% of New York City residents, Black people comprise more than half (58.8%) of the people in NYC jails. As with the mental health population, the reduction in the NYC jail population has not resulted in the same level of reduction in the number of Black people incarcerated. In fact, the proportion of Black people incarcerated has increased.

Moreover, incarceration does not create public safety.² In fact, it makes people more likely to have future involvement in the criminal legal system. Providing housing, treatment, and social supports is the best way to promote public safety.

People with mental health treatment needs are the responsibility of both the state and city whether they are in jail or community. However, many people who are eligible for a higher level of mental health care and supportive housing are not able to access those services while incarcerated and are often not connected with them upon release. Some people could be released from jail to an alternative to incarceration if these services were accessible to them and if the process for connecting with these resources were more integrated with the criminal legal system process.

Forensic Assertive Community Treatment Teams

Governor Hochul's proposed budget includes funding for 42 new Assertive Community Treatment (ACT) teams. Mayor Adam's mental health plan also commits to expanding capacity of ACT and Intensive Mobile Treatment (IMT) over the next year to serve more than 800 people. These additional resources are certainly needed. The waiting list for ACT and IMT is reportedly more than 1000 people.³

In NYC jails, Health + Hospitals Correctional Health Services (CHS) is responsible for providing health care, including discharge planning services, to incarcerated people. CHS staff assist some incarcerated people with SMI who need a higher level of care in applying for these services through the Single Point of Access (SPOA) program coordinated by NYC Department of Health and Mental Hygiene (DOHMH). Although DOHMH approves applications of incarcerated individuals who are eligible for ACT, FACT, or IMT services, DOHMH will not assign them to one of these teams unless they have a known release date because of the waiting list for these services. Without

² See *A New Paradigm for Sentencing in the United States*, Vera Institute of Justice, February 2023, available at <https://www.vera.org/downloads/publications/Vera-Sentencing-Report-2023.pdf>.

³ See "New Yorkers face long wait for mental health programs," *Crain's New York Business*, November 30, 2002, available at <https://www.crainsnewyork.com/health-care/more-1000-new-yorkers-await-spot-serious-mental-illness-programs>.

being connected to this level of intensive support before release, many people do not receive these services in the community.

Most people in jail are awaiting trial, and their release depends upon the resolution of the charges against them. Direct access to these higher levels of care, plus coordination between correctional health and the court system, could result in many more people being released from incarceration to the level of mental health services they need.

To ensure that ACT teams are responsive to the needs of people involved in the criminal legal system, New York City provides additional funding for some teams to provide a higher level of care for people involved in the criminal legal system called Forensic ACT (FACT).⁴ These teams include additional staff (substance use specialist, peer specialist, housing specialist, and criminal justice specialist) who can provide the type of support that this population needs. New York City requires additional FACT teams to meet the needs of those involved in the criminal legal system. The Council should allocate funding to increased FACT capacity.

In addition, some FACT teams should be funded as alternative to incarceration (ATI) programs for people with serious mental health treatment needs charged with a felony and at risk of being sentenced to serve a state prison sentence. New York City funds such teams, known as Nathaniel ACT teams, for this purpose.⁵ These ACT teams have the additional staffing needed for FACT as well as an additional criminal justice specialist and two intake clinicians. As an ATI program, this additional staffing is needed to assess people while they are incarcerated and provide updates to the court during the term of the treatment mandate. The city needs to fund more of these teams. CASES, the nonprofit organization that developed this model, estimates that at least two additional ATI ACT teams are needed for New York City.

Justice-Involved Supportive Housing

Currently only 1% of supportive housing applications completed for people incarcerated in NYC jails result in placements in supportive housing, compared to 9% of applications completed in the community. Moreover, being incarcerated causes people who have been homeless prior to incarceration to lose their priority status for many types of supportive housing. Supportive housing not only contributes to stability for a person released from incarceration, but some people could have their criminal charges resolved through an alternative to incarceration if the court system had ready access to supportive housing.

⁴ For more information about FACT, see *Forensic Assertive Community Treatment (FACT): A Service Delivery Model for Individuals With Serious Mental Illness Involved With the Criminal Justice System*, SAMSHA, June 2019, available at <https://store.samhsa.gov/sites/default/files/d7/priv/pep19-fact-br.pdf>.

⁵ For more information about Nathaniel ACT, see <https://www.cases.org/nathaniel-act/>.

Justice-Involved Supportive Housing (JISH) provides permanent housing with wraparound mental health, addiction, and other services to people with the highest rate of jail and shelter use. Although the city committed to increasing this housing, the additional 380 units have not been created because the city has not provided the level of funding that housing providers need to deliver these essential services. We support Corporation for Supportive Housing's recommendation that the city reissue the RFP and increase funding for services to \$25,596 per unit, for a total investment of \$12.8 million for 500 JISH units. These changes must apply to both new and existing JISH units. In addition, there should be a process through which CHS and the court system can refer people who are homeless and have had frequent contact with the criminal legal system for this housing even if they are not identified through the high utilizer match.

Outposted Therapeutic Housing Units

CHS recognized the need for people with health conditions who require a higher level of care to be placed in housing units outside of Rikers Island. The city committed to open outpost therapeutic housing units in Bellevue, Woodhull, and North Central Bronx Hospitals. These units are expected to include approximately 390 beds.

Unfortunately, the opening of the Bellevue unit, which was originally planned to be completed in December 2022, has been delayed. The Council should urge that completion of these therapeutic housing units be expedited and that the model be expanded. Three hundred ninety beds are simply not enough. More than a 1000 people in need of significant mental health treatment now languish in DOC custody, subjected to some of the worst jail conditions in the country.

In the jails there are mental health units that purportedly provide a higher level of care. However, the mental observation units do not have mental health staff stationed on the unit, and even the quality of care on the PACE units has declined in the last few years as DOC's dysfunction has resulted in unstaffed posts and prevented people from receiving the treatment they require. In fact, two of the 19 deaths that occurred in NYC jails last year took place on mental health units.

It is imperative that incarcerated people assessed as needing to be in a specialized mental health unit are moved off Rikers Island and into outpost therapeutic housing units. Although people in these units will still be in DOC custody, they will be safer and more likely to have their treatment needs met in these units than at Rikers.

The Council should fund an expansion of outpost therapeutic housing units to move people with mental health challenges and other health conditions out of city jails and into specialized units in city hospitals. This can be done in advance of the closure of Rikers Island.

Non-Police Mental Health Crisis Response

New York City needs a true non-police response to people who are experiencing mental health crisis. We support CCIT-NYC (Correct Crisis Intervention Today-NYC) in calling for peers trained in de-escalation to be first responders to these crisis calls. Diverting mental health calls from law enforcement to peers and EMTs, who are best equipped to address the needs of people in crisis, reduces the potential for violence, especially against BIPOC communities who are at greater risk for police violence. The 988 crisis line, which was implemented nationwide in July 2022, should be part of this mental health response so that families and other community members calling to obtain assistance for a person in mental health crisis can be assured that the response will come from mental health care experts trained in de-escalation instead of the police.

Intro 549-2022

Solitary confinement is detrimental to the health and well-being of those subjected to it, and it has no place in NYC jails. Survivors of solitary attest to the pain inflicted by solitary and the scars that last long after the isolation ended, and abundant research reinforces the severe psychological harm and other health effects that solitary causes both while a person is incarcerated and upon release. For instance, people exposed to solitary confinement are almost seven times more likely to attempt to hurt or kill themselves than other incarcerated people.⁶ They also have higher rates of hypertension than other incarcerated people. A 2019 study revealed that one-third of the people in supermax units were more likely to experience heart attacks and strokes.⁷ People subjected to solitary confinement are more likely to die in the first year after release from incarceration, especially from suicide or homicide; more likely to die of an opioid overdose in the first two weeks after release; and more likely to be reincarcerated.⁸

Given the well-established harm solitary confinement causes, the Council should prohibit its use entirely. A supermajority of Council Members support Intro 549, and it should be passed without any further delay.

Treatment Not Jail Act

The Treatment Not Jail Act amends the Criminal Procedure Law that created drug courts in every county in New York to allow for individuals who have mental health challenges to apply for judicial diversion. Currently most are excluded because either they do not have a co-occurring

⁶ Kaba F, Lewis A, Glowa-Kollisch S, et al. Solitary confinement and risk of self-harm among jail inmates. *Am J Public Health*. 2014;104(3):442–447. doi:10.2105/AJPH.2013.301742

⁷ Williams, B.A., Li, A., Ahalt, C. *et al.* The Cardiovascular Health Burdens of Solitary Confinement. *J GEN INTERN MED* 34, 1977–1980 (2019). <https://doi.org/10.1007/s11606-019-05103-6>

⁸ Brinkley-Rubinstein L, Sivaraman J, Rosen DL, et al. Association of Restrictive Housing During Incarceration With Mortality After Release. *JAMA Netw Open*. 2019;2(10):e1912516. doi:10.1001/-jamanetworkopen.2019.12516

substance use disorder, or if they do, their substance use disorder is not their primary diagnosis, or even if it is, they are not charged with a specific crime that is among those set forth in the statute.

In New York City currently, a select few individuals have their cases resolved through one of the city's ad hoc mental health courts, but they often wait in jail for months or even a year or more before being released into the community to participate in treatment. The Treatment Not Jail Act would dramatically reduce incarceration for those with underlying mental health concerns because eligibility for diversion would specifically include mental illness, developmental disorders, and neurocognitive disabilities. In addition, eligibility would be determined by the judge, not the prosecutor's sole discretion. Finally, admission would not require an individual to plead guilty to participate in diversion. This pre-plea model is utilized in New York's opioid courts where urgent access to treatment is similarly paramount.

Individuals who are approved for diversion would be spared the psychological and physical harm and disconnection from essential benefits and services that incarceration can cause. Discharge planning is necessary to ameliorate the effects of incarceration and to give people concrete steps to take on their own once they have been released. However, it would be far better for people with mental health treatment needs not to be incarcerated in the first place.

The Council should express its support for the Treatment Not Jail Act by passing Resolution 156-2022, calling on the New York State legislature to pass and the Governor to sign this legislation.

Conclusion

New York can improve public health and public safety by providing housing, treatment, and other services for people with mental health challenges involved in the criminal legal system. Some of these individuals have the greatest need for these services but have the least access to it. We must include this population as the state and city work to improve mental health care across New York.



UNITED PROBATION OFFICERS ASSOCIATION

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Testimony of
Dalvanie K. Powell
President
United Probation Officers Association
NYC Council Committee On Criminal Justice
March 23, 2023

Good morning, Chair Carolina Rivera, and members of the Committee.

I am the President of the United Probation Officers Association. I want to thank the Committee for affording me, on behalf of the members of the United Probation Officers Association, ("UPOA"), the opportunity to address the important issue of the future of Criminal Justice in the City of New York and the importance of resourcing the vital work of Probation as you prepare your recommendations for next fiscal year's budget.

Currently there are approximately 759 probation officers and supervising probation officers. Most of these members are women and people of color. Prior to the Bloomberg administration there were approximately 1,550 probation officers. Over the last few years, the Department of Probation staffing has been reduced almost in half while the workload has been increased, in part, because of bail reform and the Raise the Age program that increased the number of our clients and placed on our shoulders the challenges facing law enforcement in the 21st century. To perform our increased duties and responsibilities we need help and adequate resources to match these responsibilities.

Instead, these women and people of color on the frontlines of the movement to improve criminal justice are underpaid and undervalued. Because of this the Department of Probation has issues with retention and recruitment. Our members are leaving to get hired into higher paying positions in criminal justice. While we

recently had a civil service examination for Probation Officers in July 2022 and Supervising Probation Officers in May 2021, there has not been a civil service examination for Administrative Probation Officers since 2007. In addition, the Senior Probation Officer title has not been used in years and attempts have been to do away with said title. This does not speak well for advancement in a career path. Our salaries are the lowest in the metropolitan area for Probation Officers, which includes Nassau, Suffolk Counties and Westchester County. We do the same work as the Probation Officers in these nearby jurisdictions at higher volumes and are paid pennies to every dollar they earn.

We have been asked to do more with less staff. To do more we need to find ways to be more efficient and productive and we need more training and better equipment.

In addition, we are charged by the City to oversee approximately 15,000 men, women and youth who have been convicted of a crimes and sentenced to probation instead of jail, prison and placement. Thereby saving the city and state millions of dollars for each. We are responsible for making sure they do not violate the terms of their probation and work them to turn their lives around and with that is a cost savings to city and state.

Our members have bachelor's and master's degrees and education experience in social work to help our clients begin to live productive and lawful lives.

Our members are Peace Officers. My members are part of task forces with other agencies such as the U.S. Marshals, Drug Enforcement Agency, the NYPD and other law enforcement agencies. We carry firearms, make arrests and execute search and arrest warrants. We need to be designated as police officers, especially since we do the same work as the police and face the same dangers. Yet our compensation lags far behind other law enforcement agencies even though we work with the same populations.

Although there is a salary range for our title the majority of our members are suppressed at the lower end of the range with almost no opportunity to earn more

nor does our members never reach the top salary for our title like other peace officers.

In addition dozens of our members are even earning below contractual wage rates, something we have asked the City to address immediately, but which the City has ignored.

We have had to bring affirmative litigation to address these issues. We should not have to bring litigation to get the City to end its practice of pay disparity and job segregation in the municipal workforce. Everyone will admit this is a problem and that it needs to end, I hope that this body will insist that Probation is given the funding to address this and that that funding is expressly earmarked to equalize pay for women and people of color in the Department to ensure it reaches that intended goal.

We have begun to discuss with the Adams' administration some of these areas. Now we hope with our newly appointed Commissioner Juanita Holms we begin to see changes in the above-mentioned.

Because of the shortness of time allocated for the Department of Probation, I request that we meet with representatives of this committee to present a more in-depth picture and plans on how to enhance and adjust the work of the probation officers and our supervisors and the costs and funding for the needed changes.

Thank you.

I stand ready to answer any questions you may have now. Otherwise, I look forward to meeting with your representatives.



THE CITY OF NEW YORK
DEPARTMENT OF CITYWIDE
ADMINISTRATIVE SERVICES
APPLICATIONS CENTER
18 WASHINGTON STREET
NEW YORK, NY 10004

MICHAEL R. BLOOMBERG
Mayor

MARTHA K. HIRST
Commissioner

NOTICE OF EXAMINATION

REQUIRED FORMS

APPLICATION FORM

PROMOTION TO ADMINISTRATIVE PROBATION OFFICER

Exam. No. 7517

Second Amended Notice (November 28, 2007)

WHEN TO APPLY: From: September 5, 2007 **APPLICATION FEE:** \$50.00
To: September 25, 2007 Payable by money order to D.C.A.S. (EXAMS) or
payable online by credit card, bank card, or debit
card.

THE TEST DATE: The multiple-choice test is expected to be held on Saturday, February 9, 2008.

The Notice of Examination is amended to:

1. change the date of the multiple-choice test from December 1, 2007 to February 9, 2008; and
2. update the list of references in The Test section.

WHAT THE JOB INVOLVES: This is a management class of positions with several assignment levels. Administrative Probation Officers, under general direction, with wide latitude for independent initiative and judgment, plan, direct, and supervise the operations of an organizational segment of the Department of Probation engaged in complex professional administrative work, such as management audit, special projects, intergovernmental relations, formulation and implementation of policies relating to the identification and development of resources to be used by probationers or of programs relating to service referral informational activities; or administration and supervision of a branch office providing probation services to the Courts of the City of New York (Family, Criminal and Supreme); or perform assignments equivalent to those described; and perform related work.

Special Working Conditions: Administrative Probation Officers may be required to work rotating shifts including nights, Saturdays, Sundays, and holidays. Administrative Probation Officers are peace officers and are expected to direct staff in the field.

(This is a brief description of what you might do in this position and does not include all the duties of this position.)

THE SALARY: Salaries for promotions to managerial assignments will be consistent with the Managerial Pay Plan. The current minimum salary for managerial employees with at least two years of City service is \$49,346 per annum.

HOW TO APPLY: If you believe you are eligible to take this examination, there are two ways to apply for this examination:

1. **Online at the DCAS WEBSITE:** If you wish to apply online, go to the Online Application System (OASys) at www.nyc.gov/examsforjobs and follow the onscreen application instructions for electronically submitting your application and completing any required forms. The following methods of payment are acceptable: major credit card, bank card associated with a bank account, or prepaid debit card which you may purchase online or at various retail outlets.
2. **By mail:** Refer to the "Required Form" section below for the form that you must fill out. Return the completed form and the application fee to DCAS Applications Section, 1 Centre Street, 14th floor, New York, NY 10007.

DCAS will not accept applications in person from candidates.

ELIGIBILITY TO TAKE EXAMINATION: This examination is open to each employee of the NYC Department of Probation who **on the date of the multiple-choice test:**

- (1) holds a permanent (not provisional) competitive appointment or appears on a Preferred List (see Note, below) for the title of Supervising Probation Officer; and
- (2) is not otherwise ineligible.

READ CAREFULLY AND SAVE FOR FUTURE REFERENCE

(Note: A "Preferred List" is a civil service list which is only for certain former permanent incumbents of the eligible title who have rehiring rights.)

If you do not know if you are eligible, check with **your agency's personnel office**. You may be given the test before we verify your eligibility. You are responsible for determining whether or not you meet the eligibility requirements for this examination prior to submitting the application. If you are marked "Not Eligible," your application fee will not be refunded and you will not receive a score.

ELIGIBILITY TO BE PROMOTED: In order to be eligible for promotion, you must have completed your probationary period in the eligible title as indicated in the above "Eligibility To Take Examination" section, and you must be permanently employed in the eligible title or your name must appear on a Preferred List for the eligible title at the time of promotion. Additionally, you must have served permanently in the eligible title for at least one year, unless your probationary period in that eligible title has been waived pursuant to Rule 5.2.4 of the Personnel Rules and Regulations of the City of New York.

REQUIRED FORM:

Application for Examination: Make sure that you follow all instructions included with your application form, including payment of fee. Save a copy of the instructions for future reference.

THE TEST: You will be given a multiple-choice test. A score of at least 70% is required to pass this test. Your score on this test will determine 85% of your final score. Your seniority will determine the remaining 15%. You must pass the multiple-choice test to have your seniority credited. Your seniority score will be 70 plus 1/2 point for each three months of completed, permanent, continuous service with an agency under the jurisdiction of the Commissioner, Department of Citywide Administrative Services in competitive class titles. Your service will be credited through the date of the test, up to a maximum of 15 years. Time served prior to a break in service of more than one year will not be credited.

The multiple-choice test may include questions on: Executive Policies and Procedures and Directives (EPAP); departmental manuals, i.e., SOU Manual, Field Manual, Firearms Manual, Managing a Safe Branch, Juvenile Investigations Manual, Juvenile Intake Manual, and Adult PSI Manual; Penal Law; Criminal Procedure Law; Vehicle Traffic Law; Administrative Code; Adult Services Restitution Manual and Guidelines; Family Court Act; (Donino) Sentencing Charts; Time and Leave Manual; Code of Conduct; Article 23 of the Correction Law; Division of Probation and Correctional Alternatives Rules and Regulations; Violation of Probation Procedures; Sex Offenders Registration Act and related departmental memos and Procedures, Departmental Referral Services and procedures such as RDU, NYS Court Forensic Clinic Referral, Kendra's Law; DNA Procedures; E-Justice, etc.; HIV procedures (Policy of NYS Department of Probation); Incident Report Procedures; Kiosk User's Manual and Alert Protocols; standards of proper employee ethical conduct, including the provisions of Mayor's Executive Order No. 16 of 1978 as amended; EEO Policy; Disciplinary Procedures; STARS Indicators; the DOP Mission Statement; ARTS; Family Book 1; Tasks and Standards for APOs and positions supervised by them; and other related areas.

The test may also include questions which require the use of any of the following abilities:

Written Communication: Clear expression of ideas in writing and use of good grammatical form.

Planning and Organizing: Establishing a course of action for self and/or others to accomplish a specific goal; planning proper assignment of personnel and appropriate allocation of resources.

Delegation: Utilizing subordinates effectively; allocating decision making and other responsibilities to the appropriate subordinates.

Management Control: Establishing procedures to monitor and/or regulate processes, tasks, or activities of subordinates and job activities and responsibilities; taking action to monitor the results of delegated assignments or projects.

Development of Subordinates: Developing the skills and competencies of subordinates through training and development activities related to current and future jobs.

Organizational Sensitivity: Action that indicates an awareness of the impact and the implications of decisions on other components of the organization.

Sensitivity: Actions that indicate a consideration for the feelings and needs of others.

Analysis: Identifying problems, securing relevant information, relating data from different sources, and identifying possible causes of problems.

Judgment: Developing alternative courses of action and making decisions based on logical assumptions that reflect factual information.

Decisiveness: Readiness to make decisions, render judgments, take action, or commit oneself.

Initiative: Active attempts to influence events to achieve goals; self-starting rather than passive acceptance. Taking action to achieve goals beyond those called for; originating action.

Tolerance for Stress: Stability of performance under pressure and/or opposition.

Independence: Taking action in which the dominant influence is on one's own convictions rather than the influence of others' opinions.

Tenacity: Staying with a position or plan of action until the desired objective is achieved or is no longer reasonably attainable.

Work Standards: Setting high goals or standards of performance for self, subordinates, others, and organization. Dissatisfied with average performance.

Impact: Presenting oneself to others as a poised, confident, competent and respected individual; behaving in a manner appropriate to one's professional status.

Persuasiveness/Sales Ability: Effectively developing rapport, establishing a need, presenting a proposal, eliciting and answering objections, and gaining agreement.

Behavioral Flexibility: Modifying one's approach to most effectively meet the needs of the situation.

Technical Translation: Demonstrating knowledge of the meaning of technical/professional terminology used on the job.

You may be required to answer certain questions on the basis of documents or other information supplied to you on the date of the multiple-choice test.

ADMISSION CARD: You should receive an Admission Card in the mail about 10 days before the date of the test. If you do not receive an Admission Card at least 4 days before the test date, you must go to the Examining Service Section, 1 Centre Street, 14th floor, Manhattan, to obtain a duplicate card.

THE TEST RESULTS: If you pass the multiple-choice test and are marked eligible, your name will be placed in final score order on an eligible list and you will be given a list number. You will be notified by mail of your test results. If you meet all requirements and conditions, you will be considered for promotion when your name is reached on the eligible list.

SPECIAL ARRANGEMENTS:

Late Filing: Consult your agency's personnel office to determine the procedure for filing a late application if you meet one or more of the following conditions:

- (1) you are absent from work for at least one-half of the application period and cannot apply for reasons such as vacation, sick leave or military duty; or
- (2) you become eligible after the above application period but on or before the date of the multiple-choice test.

Special Test Accommodations: If you plan to request special testing accommodations due to disability or an alternate test date due to your religious belief, follow the instructions included with the "Application for Examination."

Make-up Test: You may apply for a make-up test if you cannot take the test on the regular test date for any of the following reasons:

- (1) compulsory attendance before a public body;
- (2) on-the-job injury or illness caused by municipal employment;
- (3) absence for one week following the death of a spouse, domestic partner, parent, sibling, child or child of a domestic partner;
- (4) absence due to ordered military duty; or
- (5) a clear error for which the Department of Citywide Administrative Services or the examining agency is responsible.

To request a make-up test, contact the Examining Service Section, 1 Centre Street, 14th floor, New York, NY 10007, in person or by certified mail as soon as possible and provide documentation of the special circumstances.

The General Examination Regulations of the Department of Citywide Administrative Services apply to this examination and are part of this Notice of Examination. They are posted and copies are available in the Applications Center of the Division of Citywide Personnel Services, 18 Washington Street, NY, NY.

The City of New York is an Equal Opportunity Employer.

Title Code No. 10029; The Managerial Service.

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| <p>For information about other exams, and your exam or list status, call 212-669-1357. Internet: nyc.gov/dcas</p> |
|---|



BILL DE BLASIO
Mayor

LISETTE CAMILO
Commissioner

DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
BUREAU OF EXAMINATIONS

NOTICE OF EXAMINATION

**QUALIFIED INCUMBENT EXAMINATION - only for employees provisionally employed
in the title ADMINISTRATIVE PROBATION OFFICER**

**ADMINISTRATIVE PROBATION OFFICER
Exam No. 2223
(For Agencies Under the Jurisdiction of the Commissioner of DCAS Only)**

WHEN TO APPLY: From: August 11, 2021

To: August 24, 2021

APPLICATION FEE: \$68.00

If you choose to pay the application fee with a credit/debit/gift card, you will be charged a service fee of 2.00% of the payment amount. This service fee is nonrefundable.

**YOU ARE RESPONSIBLE FOR READING THIS ENTIRE NOTICE
BEFORE YOU SUBMIT YOUR APPLICATION.**

This is a Qualified Incumbent Exam. See the *HOW TO QUALIFY* section to see if you meet the Minimum Qualification and New York City Employment Requirements.

THE SALARY: Salaries will be commensurate with the level of responsibility of the managerial assignment and will be consistent with the Managerial Pay Plan.

HOW TO QUALIFY: This is a computer-based Qualified Incumbent Examination. Your qualifications and New York City employment will be evaluated online and you will receive immediate tentative results. You are responsible for determining whether or not you meet the Minimum Qualification and New York City Employment Requirements for this examination prior to submitting your application. If you are found "Not Qualified," your application fee will not be refunded and you will not receive a score.

All education and/or experience used to meet the Minimum Qualification Requirements and New York City Employment Requirements must have been obtained **by the last day of the Application Period (August 24, 2021).**

READ CAREFULLY AND SAVE FOR FUTURE REFERENCE

Minimum Qualification and New York City Employment Requirements: You must be currently employed by New York City as a provisional ADMINISTRATIVE PROBATION OFFICER and have served as a provisional ADMINISTRATIVE PROBATION OFFICER for at least two (2) years and you must meet the following Minimum Qualification Requirements:

1. Graduation from an accredited college or university with a baccalaureate degree with a minimum of 30 semester credits in the social or behavioral sciences, plus five (5) years of full-time paid experience in counseling or casework in a recognized agency adhering to acceptable standards in probation, parole, social services, psychiatric or medical social work or related field, at least two (2) years of which must have been in a responsible supervisory, administrative or consultative capacity; **or**
2. A satisfactory equivalent combination of education and experience. A graduate degree from an accredited institution in social work, law, sociology, psychology, criminology, education, public administration or a related field may be substituted for general experience on a year for year basis up to a maximum of two years. However, all candidates must have the required specialized baccalaureate degree and the two years of responsible supervisory, administrative or consultative experience as described in "1" above.

The college or university must be accredited by regional, national, professional, or specialized agencies recognized as accrediting bodies by the U.S. Secretary of Education and by the Council for Higher Education Accreditation (CHEA).

If you were educated outside the United States and you are using your foreign education to meet the Minimum Qualification Requirements, then you must have your foreign education evaluated at your own expense to determine its equivalence to education obtained in the United States. The services that are approved to make this evaluation are listed on the Foreign Education Evaluation Guide located on the DCAS website at <https://www1.nyc.gov/assets/dcas/downloads/pdf/employment/foreigneducation.pdf>. When you contact the evaluation service, ask for a "**course-by-course**" **evaluation** which includes a "document-by-document" evaluation of your foreign education. You must have one of these services submit its evaluation of your foreign education directly to the Department of Citywide Administrative Services prior to being considered for selection from the eligible list for permanent appointment.

You must select the applicable Qualification and New York City Employment options on your Qualified Incumbent Examination. You have until midnight Eastern time on the last day of the Application Period (August 24, 2021) to complete and Final Submit your Qualified Incumbent Examination in the Online Application System (OASys). Once your Qualified Incumbent Examination is final submitted, it will be rated based on the information you provided and saved. All education and/or experience used to meet the Minimum Qualification Requirements must have been obtained by the last day of the Application Period (August 24, 2021).

If you do not Final Submit your Qualified Incumbent Examination in OASys by midnight Eastern time on the last day of the Application Period (August 24, 2021), your examination will be considered incomplete, you will not receive a score, and your application fee will not be refunded.

Residency: City residency requirements may vary by title and assignment level. Check with your **agency's personnel office** to determine if city residency is required.

English Requirement: You must be able to understand and be understood in English.

Proof of Identity: Under the Immigration Reform and Control Act of 1986, you must be able to prove your identity and your right to obtain employment in the United States prior to employment with the City of New York.

REQUIRED INFORMATION:

1. **Application for Examination:** Follow the online instructions, including those relating to the payment of fee and, if applicable, those found in the Special Circumstances Guide.
2. **Education and Experience Exam:** Follow the instructions displayed onscreen to answer the questions. You will have until midnight Eastern time on the last day of the Application Period (August 24, 2021) to clearly specify in detail all of your relevant education and experience and Final Submit your Education and Experience Exam in the Online Application System (OASys). If you do not Final Submit your Education and Experience Exam in OASys by midnight Eastern time on the last day of the Application Period (August 24, 2021), your examination will be considered incomplete, you will not receive a score, and your application fee will not be refunded.

HOW TO APPLY: If you believe you meet the Qualification and New York City employment requirements in the "How to Qualify" section, submit an application in the Online Application System (OASys) at www.nyc.gov/examsforjobs. Follow the onscreen application instructions for electronically submitting your application and payment, and completing any required information. A unique and valid email address is required to file online. Several internet service providers, including but not limited to Google, Yahoo!, AOL, Outlook.com, and Mail.com offer free email addresses. **All new OASys accounts require verification before a candidate can submit an application to ensure the accuracy of candidate information. Verification is instantaneous for most accounts, but some accounts may require up to two (2) business days to be reviewed by a staff member and resolved. Email notification will be sent to those creating accounts that require additional documentation before they can be resolved. Please keep this information and the application period deadline in mind when creating your account.**

The following methods of payment are acceptable: major credit card, bank card associated with a bank account, or a prepaid debit card with a credit card logo which you may purchase online or at various retail outlets.

If you are receiving or participating in certain forms of public assistance/benefits/programs, or are a veteran, you may qualify to have the application fee waived. For more information on eligibility for a fee waiver and documentation requirements, visit the Fee Waiver FAQ on the Online Application System at <https://a856-exams.nyc.gov/OASysWeb/Home/Faq>. **Effective January 2020, the Online Application System is no longer supported on Windows 7 or earlier versions of Windows operating systems.**

You may come to the DCAS Computer-based Testing & Applications Centers to apply for this examination online. However, you must schedule a customer service appointment prior to your visit. Due to the COVID-19 pandemic, DCAS no longer permits walk-ins at DCAS sites.

Manhattan

2 Lafayette Street
17th Floor
New York, NY 10007

Brooklyn

210 Joralemon Street
4th Floor
Brooklyn, NY 11201

Queens

118-35 Queens Boulevard
5th Floor
Forest Hills, NY 11375

Staten Island

135 Canal Street
3rd Floor
Staten Island, NY 10304

Bronx

1932 Arthur Avenue
2nd Floor
Bronx, NY 10457

To schedule a customer service appointment through OASys for an exam-related or eligible list-related inquiry, find **Exam #1889**, click **Apply**, and follow the instructions provided to reserve your appointment location, date, and time.

You must complete the entire examination by midnight, Eastern Time, of the last day of the application period. If you have questions about applying for this examination, you may contact DCAS at OASys@dcas.nyc.gov.

Special Circumstances Guide: This guide is located on the DCAS website at https://www1.nyc.gov/assets/dcas/downloads/pdf/employment/pdf_c_special_circumstances_guide.pdf and available at the DCAS Computer-based Testing & Applications Centers. This guide gives important information about notifying DCAS of a change in your mailing address. Follow all instructions on the Special Circumstances Guide that pertain to you when you complete your "Application for Examination."

THE TEST: This is a computer-based **Qualified Incumbent Examination**. Your score will be determined by a Qualified Incumbent Examination consisting of an evaluation of your qualifications and New York City employment status. You will receive a score of 100 points for meeting the Qualification and New York City employment requirements listed above.

You must select the applicable Qualification and New York City Employment options on your Qualified Incumbent Examination. You have until midnight Eastern time on the last day of the Application Period (August 24, 2021) to complete and Final Submit your Qualified Incumbent Examination. Once your Qualified Incumbent Examination is final submitted, it will be rated based on the information you provided and saved.

If you do not Final Submit your Qualified Incumbent Examination in OASys by midnight Eastern time on the last day of the Application Period on August 24, 2021, your examination will be considered incomplete, you will not receive a score, and your application fee will not be refunded.

Legacy and Veterans' Preference credits are not permitted for Qualified Incumbent Examinations.

All education and/or experience used to meet the Minimum Qualification Requirements and New York City Employment Requirements must have been obtained by the last day of the Application Period (August 24, 2021).

CHANGE OF MAILING ADDRESS, EMAIL ADDRESS, AND/OR TELEPHONE NUMBER: It is critical that you promptly notify DCAS of any change to your mailing address, email address and/or phone number. If we do not have your correct mailing address, email address and/or phone number, you will not receive information about your exam(s), consideration for appointment and/or important information that may require a response by a specified deadline. If you need to update your Mailing Address, Email Address and/or Telephone Number, read below:

- City Employees – update this information in NYCAPS Employee Self-Service (ESS) at www.nyc.gov/ess.
- All Others – update this information on your Profile page in the Online Application System (OASys) by logging into your OASys account and navigating to your Dashboard, then your Profile tab at www.nyc.gov/examsforjobs.
- Submit a written request by email at OASys@dcas.nyc.gov, by fax (646) 500-7199, or by regular mail: DCAS, 1 Centre Street, 14th Floor, New York, NY 10007. Your written request must include your full name, social security number, exam title(s), exam number(s), previous mailing and/or email address, and your new mailing and/or email address.

CHANGE OF NAME AND/OR SOCIAL SECURITY NUMBER:

Use the Data Correction Form and follow all instructions for changing your name and/or social security number with DCAS. The following link will provide you with the DCAS Data Correction Form: <https://www1.nyc.gov/assets/dcas/downloads/pdf/employment/dp148a.pdf>.

THE TEST RESULTS: Immediately after you have final submitted the examination online, you will be informed of the results. If you are found Qualified, you will receive a tentative score of 100.000. At the time of establishment of the eligible list for this examination, your score will become final, your name will be placed in the final score order on the eligible list, and you will be given a list number. You will be notified by mail of your final test results. If you meet all requirements and conditions, you will be considered for permanent appointment when your name

is reached on the eligible list. To learn more about the civil service system go to: <https://www1.nyc.gov/site/dcas/employment/civil-service-system.page>.

If you believe that your test part was rated incorrectly, you may submit an appeal of your score to DCAS, Committee on Manifest Errors, through the Online Application System (OASys). Your appeal must give specific reasons why your score should be higher. Your appeal may result in a higher or lower rating.

To access the appeal portal of OASys, please log into your OASys account at www.nyc.gov/examsforjobs and use the following steps:

1. Navigate to the Dashboard for the Appeals tab.
2. Click the NEW APPEAL button to create and submit your appeal.
3. Select the exam from the Exam drop-down list, and
4. Select the exam part from the Exam Part drop-down list.
5. Select the reason for your appeal from the Appeal Reason drop-down list (if applicable).
6. Enter the details of your appeal by providing specific reasons why your score should be higher.

ADDITIONAL INFORMATION:

Application Receipt: You will be emailed a receipt immediately after you have applied for the examination. If you do not receive this receipt, check "Junk", "Trash", or "Spam" folders for the primary email linked to your Online Application System (OASys) account. If you are unable to locate the email, you can view a summary of the notification email to you on your OASys Dashboard, then Notifications. If you are still unable to find the email, please email DCAS via the Contact feature available in OASys with a description of the issue and include the exam number and your profile number located on your Profile page. While on your Profile page, check that the email addresses you provided are correct and/or updated.

PENALTY FOR MISREPRESENTATION: Any intentional misrepresentation on the application or examination may result in disqualification, even after appointment, and may result in criminal prosecution.

The General Examination Regulations of the Department of Citywide Administrative Services (DCAS) apply to this examination and are part of this Notice of Examination. They are posted at nyc.gov/dcas and copies are available at the DCAS Computer-based Testing & Applications Centers.

The City of New York is an Equal Opportunity Employer.

Title Code No. 10029; The Managerial Service.

For information about other exams, and your exam or list status, call 212-669-1357.
Internet: nyc.gov/dcas

Testimony of Urban Resource Institute before the Committee on Criminal Justice – Preliminary Budget Hearing

March 20, 2023

Good morning, Speaker Adams, Chair Rivera, and Members of the Committee on Criminal Justice. My name is Wilfredo López, and I am the Director of Government Affairs for the Urban Resource Institute (URI). URI has been in operation for over 40 years and is now the largest provider of domestic violence shelter services in the country. URI currently provides temporary housing and services to more than 2,200 people impacted by domestic violence and families experiencing homelessness. URI is committed to developing and delivering innovative client-centered and trauma-informed services to individuals affected by domestic and gender-based violence and intimate partner violence.

I am here today to discuss the city's preliminary budget for the upcoming fiscal year and the impact it will have on New Yorkers who rely on the crucial programs and services URI provides. Specifically, I am here to discuss the importance of fully funding the Mayor's Office to End Domestic and Gender-based Violence (ENDGBV) microgrants program and crucial legal services programs like URI's Crime Victims Support Program (CVSP) and Legal Education Advocacy Program (LEAP).

ENDGBV Microgrants Program

The ENDGBV microgrants program was established by Local Law 112 of 2022 (formerly Int. 153-A of 2022), which established a housing stability program that provides survivors of domestic and gender-based violence with low-barrier grants and supportive services to help them maintain housing. This program will provide critical financial assistance to survivors of domestic and gender-based violence. The microgrants can be used to cover a range of expenses, such as moving costs, furniture, transportation, and childcare, to name a few. For many survivors, these funds could mean the difference between staying in an abusive situation or being able to leave and start a new life in safety and healing.

The need for the ENDGBV microgrants program has only increased in the wake of the COVID-19 pandemic. Domestic violence rates have soared during the pandemic, with many survivors experiencing financial insecurity and struggling to find safe housing. According to a report by the New York State Office for the Prevention of Domestic Violence, domestic violence homicides increased by 33% in New York State from 2019 to 2020, with many of these deaths occurring during the pandemic.¹

The microgrants program is a crucial tool in the fight against domestic and gender-based violence. By providing survivors with financial assistance, we can empower them to break the cycle of abuse and begin to rebuild their lives. Additionally, providing this assistance can help to

¹ "New York State Domestic Violence Dashboard" (2021), Office for the Prevention of Domestic Violence, <https://www.opdv.ny.gov/statistics/dashboard.html>

reduce the burden on other crime victim services programs, such as emergency shelters and legal services.

While domestic violence survivors are indeed victims of crimes, it is important to note that they are also, and perhaps primarily, resilient, strong, and capable. The microgrant program is designed take control of their lives, recognizing that they have a range of needs that go beyond the immediate aftermath of the violence they experienced. Many survivors need access to safe housing, counseling, healthcare, legal assistance, and financial resources. It is crucial that programs and policies are designed to support survivors holistically, recognizing that their needs are complex and multidimensional.

The impact of the microgrants program is clear. In 2020, ENDGBV conducted a pilot of this program, which was administered by Sanctuary for Families, and distributed over \$1.3 million in microgrants to over 1,600 survivors of domestic and gender-based violence.² These funds helped survivors to secure housing, access medical care, and cover other essential expenses. Without the microgrants program, many of these survivors may have been unable to leave abusive situations or may have ended up homeless.

The future of the ENDGBV microgrants program is uncertain. The mayor's budget proposal only allocates \$1.2 million to the microgrant program. This amount is inadequate to meet the needs of survivors in the city.

In the pilot program, the city provided an average grant of \$1,243.37 to 377 survivors who qualified.³ If we assume that the same amount is granted to each survivor under the mayor's proposal, we can use this information to estimate how many survivors would be able to receive grants.

Assuming a 15% administrative set aside and using the formula (Total Budget – Admin Set Aside / Average Grant Amount), we can calculate that the mayor's proposal would only provide microgrants to 820 survivors:

- Total Budget = \$1.2 million
- Admin 15% Set Aside: \$180,000
- Maximum Grant Amount = \$1,243
- Number of Survivors = Total Budget – Admin Set Aside / Avg. Grant Amount = \$1.2 million / \$1,243 = 820

However, this assumption is based on the average grant amount being \$1243, which was determined by capping the maximum grant amount at \$1500. ENDGBV made this decision after

² "ENDGBV 2020 Report" (2020), Mayor's Office to End Domestic and Gender-Based Violence, <https://www1.nyc.gov/assets/ocdv/downloads/pdf/ENDGBV%202020%20Report.pdf>

³ "Evaluation Summary Report: Emergency Financial Relief Microgrants Program, for Survivors of Domestic and Gender-Based Violence" (2021), Mayor's Office to End Domestic and Gender-Based Violence, <https://www.nyc.gov/assets/ocdv/downloads/pdf/Emergency-Financial-Relief-Microgrants-Program-Evaluation-Summary-Report.pdf>

the pilot program started, as they received an extraordinary number of applications during the first two months of the program. ENDGBV wanted to make sure that they could use the program's budget of \$500,000 to help as many survivors as possible.⁴ During the pilot program, ENDGBV received 693 applications and was able to provide funding to 377 applicants.⁵ It is clear that there is a great need for these grants, and the city must allocate sufficient funding to ensure that the program can help the maximum number of qualified survivors.

In 2021, ENDGBV reported that their Family Justice Centers (FJC) served 13,272 individual clients who needed help and services.⁶ Assuming that only about 20% of these clients require microgrants, the city would need to fund the program with \$6 million per year. If we use this amount and assume that each survivor can receive a maximum grant of \$2,000⁷ and the same 15% administrative set aside, we can calculate that the program would be able to provide grants to roughly 20% of the survivors visiting FJCs or 2,550 survivors with this budget.

- Total Budget = \$6 million
- Admin 15% Set Aside: \$900,000
- Max Grant Amount = \$2,000
- Number of Survivors = $\frac{\text{Total Budget} - \text{Admin Set Aside}}{\text{Max Grant Amount}} = \frac{\$6 \text{ million} - \$900,000}{\$2,000} = 2,550$

Therefore, if the city were to allocate \$6 million to the micro grant program instead of the proposed \$1.2 million, an additional 1,730 survivors would be able to receive grants (2,550 - 820 = 1,730).

The ENDGBV microgrants program is a crucial tool in the fight against domestic and gender-based violence. Survivors of domestic and gender-based violence need comprehensive support that goes beyond emergency shelter and legal services, and the microgrants program is designed to help survivors rebuild their lives by providing critical financial assistance. The impact of the pilot program is clear, and the need for this program has only increased during the COVID-19 pandemic. The mayor's proposed budget only allocates \$1.2 million to this program, which is insufficient to meet the needs of survivors. We respectfully urge the New York City Council to fund this program at \$6 million, based on the demonstrated need and the estimated number of

⁴ *Id.*

⁵ *Id.*

⁶ ENDGBV, 2021 Annual Report on Domestic Violence Initiatives, Indicators and Factors (Jan. 2022), *available at* <https://www1.nyc.gov/assets/ocdv/downloads/pdf/2021-Local-Law-38-Report.pdf>.

⁷ This amount is based on internal data from similar programming piloted by Sanctuary for Families. The amount reflects real world needs of survivors living in New York City. Further, SFFNY offers an alternative calculation, which does not contradict our calculation. SFFNY offers to multiply the average grant amount (\$2,000) x [# of households who utilized housing services at the FJCs in 2022 (1,543) + # of households in DV shelter in 2021–latest data available (4,109)] x an estimated ~45% utilization rate = about \$5.1 million. Which allows for the 15% administrative set aside, resulting in a need for \$6 million.

clients served by the Family Justice Centers. By fully funding this program, we can help empower survivors break the cycle of abuse and take control of their lives.

CVSP and LEAP

In addition to temporary housing, URI provides our clients with case management and legal advocacy services through the Crime Victims Support Program (CVSP) and Legal Education Advocacy Program (LEAP).

CVSP offers crisis intervention, case management, and supportive services, including short-term counseling and support, case management, information and referral, and safety planning. These services are designed to help survivors move toward safety and healing, and to access the support they need to rebuild their lives.

URI's LEAP program provides legal assistance to survivors, helping them navigate the legal system and obtain orders of protection, child custody and support. Additionally, LEAP helps survivors access other legal services, such as immigration assistance and housing advocacy.

The need for increased funding for programs that support survivors of domestic and gender-based violence is critical.⁸ According to a report by the National Network to End Domestic Violence, in one day alone,⁹ domestic violence programs served over 72,000 survivors, but almost 12,000 requests for services went unmet due to lack of resources.¹⁰ Furthermore, a survey conducted by the Urban Institute found that domestic violence organizations across the country reported an average increase of 20% in demand for services during the COVID-19 pandemic.¹¹

Programs like CVSP and LEAP are funded, in part, through the City Council's Domestic Violence and Empowerment Initiative (DoVE). As the New York City Council negotiates this budget, it is vital that money is set aside to help provide survivors with adequate legal resources and support services. Domestic violence survivors often face significant legal barriers when trying to leave abusive situations, such as obtaining restraining orders, filing for divorce, or seeking custody of their children. Without access to legal representation and support, survivors may find it difficult or impossible to navigate the legal system and protect themselves and their families.

In conclusion, research shows that domestic violence survivors require financial assistance to regain safety and return to a sense of normalcy. Many survivors also experience economic abuse, which can compound the trauma they face. In fact, 98% of domestic violence survivors experience some form of economic abuse on top of the physical and emotional trauma from their abusive relationships.¹² Further, domestic violence is one of the main drivers of homelessness in

⁸ End Violence Against Women International. (n.d.). Domestic violence and homelessness. https://www.evawintl.org/images/pdf/Homelessness_2015.pdf

⁹ National Domestic Violence Hotline. (2021). Statistics. <https://www.thehotline.org/resources/statistics/>

¹⁰ National Network to End Domestic Violence. (2021). Domestic violence counts 2020: A 24-hour census of domestic violence shelters and services. https://nnedv.org/wp-content/uploads/2021/06/DVC2020_National_Report.pdf

¹¹ Urban Institute. (2021). Domestic violence during the pandemic: Evidence from the COVID-19 crisis. https://www.urban.org/sites/default/files/publication/103926/domestic-violence-during-the-pandemic_2.pdf

¹² NNEDV, "Economic Abuse Fact Sheet," <https://nnedv.org/content/economic-abuse-fact-sheet/>

New York City.¹³ Given the urgent need for financial assistance, it is imperative that the Mayor's Office to End Domestic and Gender-based Violence (ENDGBV) microgrants program is fully funded at \$6 million dollars in the city's budget for this upcoming fiscal year.

Furthermore, funding programs like CVSP and LEAP through the City Council's Domestic Violence and Empowerment Initiative (DoVE) is crucial in providing survivors with the legal resources they need to navigate the justice system and access justice.¹⁴ It is essential to allocate adequate funding towards these programs to ensure that survivors are not left to navigate the legal system alone. By providing survivors with the necessary financial and legal resources, we can help them regain independence and a sense of safety in their lives.

Thank you for your consideration.

¹³ Coalition for the Homeless, "State of the Homeless 2022," <https://www.coalitionforthehomeless.org/state-of-the-homeless-2022/>

¹⁴ NYC City Council, "Fiscal Year 2023 Preliminary Budget Response," <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2022/03/City-Council-Fiscal-Year-2023-Preliminary-Budget-Response.pdf>

New York City Council Criminal Justice Committee Budget Hearing

Written Testimony of Jullian Harris-Calvin
Director, Greater Justice New York
Vera Institute of Justice

March 23, 2023

My name is Jullian Harris-Calvin, and I am director of the Greater Justice New York program at the Vera Institute of Justice, which works to end mass incarceration, protect immigrants' rights, ensure dignity for people behind bars, and build safe, thriving communities. Thank you for the opportunity to submit testimony.

We spend nearly \$14 billion on jails and police in New York City every year, and many New Yorkers still do not feel safe. Investing even more in these agencies will not help. It is past time to listen to the evidence and take a different approach to safety. We urge the City Council to pass a budget that invests in community-based support to prevent crime before it happens instead of just reacting to it afterwards. Beyond the clear moral imperative to support our communities, extensive research shows the effectiveness of well-funded, comprehensive community-based services at delivering safety.¹ **Led by the evidence, we call on the city to rein in excessive jail spending to fund and scale up the services that work: housing, supervised release, alternatives to incarceration, summer youth employment, and peer-led mental health crisis response.**

We need to rein in Department of Correction spending.

Mayor Eric Adams's preliminary \$102.7 billion budget for Fiscal Year (FY) 2024 maintains astronomical funding for the Department of Correction (DOC), despite the city's commitment to decarcerate, close, and replace Rikers Island with a smaller borough-based jail system by 2027.² The preliminary budget holds funding steady for DOC compared to the FY 2023 adopted budget.³ Driven by severe overstaffing, personnel costs represent 88.5 percent of the department's \$2.7 billion budget, up from 87.4 percent this fiscal year.⁴

In 2022, DOC employed approximately 1,500 more corrections officers than people in detention.⁵ In contrast, in 2021, the typical American jail had a uniformed workforce roughly one-third the size of its jail population. Although absenteeism has declined slightly in recent months, DOC's uniformed absence rates remain more than triple their pre-pandemic levels at 17.4 percent.⁶ This is an outlier compared to other uniformed workforces in New York City, notably almost four times higher than the Police Department (4.7 percent).⁷

Although the decarceration and construction plans are behind schedule, New York City has a legal obligation to close Rikers Island by 2027.⁸ City leaders must plan for a revamped DOC with staffing proportionate to the smaller jail size. Current projections from the Office of Management and Budget keep DOC uniformed headcounts steady at 7,060 people through the end of FY 2027, suggesting plans to offset natural attrition with significant hiring.⁹

Even without backfilling roles, however, natural attrition is neither fast nor targeted enough to create a workforce equipped to staff the borough-based jails. Neither are mass layoffs a viable option. The city must enable DOC staff to transition to agencies and sectors that provide the same economic opportunity

and job security without the trauma of working on Rikers Island. This aligns with Council Speaker Adrienne Adams’s “State of the City,” which recognizes that New Yorkers—particularly those without postsecondary education—need more paths to the middle class.¹⁰

The mayor and City Council must send a clear message to DOC that mismanagement and dysfunction do not justify a bloated budget. The agency must rein in spending by cracking down on chronic absenteeism, eliminating vacancies, and reducing overtime costs, which last year reached almost \$100 million in the first five months of the fiscal year alone.¹¹ The city should reinvest subsequent savings and allocate additional funds into community-based services that move away from a harmful—and costly—jail-first approach to community safety.

We need to fund community-based services.

Despite growing concerns about New York City’s inability to care for the vulnerable—in particular, people experiencing mental illness, substance use disorder, and homelessness—funding for the departments that serve these populations is set to shrink in Fiscal Year (FY) 2024. Mayor Adams’s preliminary budget for FY 2024 significantly decreases funding for the Department of Health and Mental Hygiene (26.7 percent), the Department of Youth and Community Development (21.3 percent), the Department of Housing Preservation and Development (10.2 percent), the Department of Social Services (5.3 percent), and the Department of Homeless Services (4.1 percent) compared to their estimated FY 2023 expenditures.¹²

Although much of the funding decrease is due to shrinking federal dollars, New York City nevertheless has a responsibility to maintain or increase funding for these vital agencies that keep New Yorkers safe. This kind of public health failure inevitably becomes a public safety failure. Too often, when agencies lack funding to proactively provide community-based support, law enforcement and corrections end up dealing with the consequences. As a result of such disinvestment, Rikers Island is the largest provider of mental health services in New York City.¹³

Instead of continuing to rely on jails, we need holistic safety strategies that invest in communities. We call on the city to invest an additional \$12.8 million for Justice-Involved Supportive Housing (JISH), which serves people with a history of criminal legal involvement along with mental illness and/or substance use disorder. JISH has been shown to reduce incarceration and promote stability, and at approximately one-tenth the cost of jail.¹⁴ Research shows that it reduces jail admissions by up to 38 percent, shelter admissions by 90 percent, and days in psychiatric facilities by 55 percent.¹⁵ The city should also provide \$45 million to support rental subsidy increases and higher service rates for supportive housing units in the 15/15 program, as well as \$152 million for the development, preservation, and rehabilitation of 15/15 congregate supportive housing units. The FY 2024 budget should also include \$46 million in additional funding for the Mayor’s Office of Criminal Justice emergency hotels, which act as transitional housing for people released from Rikers Island.

Further, the city must further invest in its successful Supervised Release program, adding an additional \$28 million (to the \$72 million already budgeted) to support higher-need program participants. This will enable the city to enhance the type and frequency of services available, including access to supportive housing and voluntary clinical treatment. Funding wider use of Supervised Release, moreover, will help minimize the harmful effects of pretrial detention on New York’s Black, brown, and poor communities while allowing New York City to continue safely decarcerating, which is critical to the city’s legal and moral imperative to close Rikers Island by 2027.

In parallel, to safely and sufficiently decarcerate Rikers Island, New York City must increase funding—and, in turn, capacity—for alternatives to incarceration (ATI) . Current ATI programming serves 7,300 New Yorkers at a cost of \$45.8 million, including discretionary funding from the City Council.¹⁶ Alternatives to incarceration include access to clinical therapy, housing assistance, medication management, mentoring, and job readiness training to help justice-involved New Yorkers remain part of their communities.¹⁷ Especially when targeted to people with serious mental illness, those without access to stable housing, and young people, all of whom are at elevated risk of violence and incarceration, ATIs deliver safety more effectively than jail and at a fraction of the cost.¹⁸ Half the nearly 6,000 people on Rikers Island have a mental health diagnosis; at a minimum, the city should divert them into ATIs.¹⁹ Importantly, ATI programs should not widen the net of the criminal legal system by drawing in New Yorkers who otherwise would have no system contact.

The budget should also maintain the current \$207.4 million budget for summer youth employment—and ideally expand it to be year-round—instead of cutting its budget by 6 percent as proposed.²⁰ Robust evidence demonstrates that summer youth employment decreases arrests among youth without resorting to incarceration and punishment, helping young people and their communities flourish.²¹

Finally, New York City should invest in a peer-led mental health response service that diverts mental health crisis calls away from the police, thus keeping people in need of treatment out of jails. Law enforcement officers are not well-equipped to make mental health assessments, nor are they well-situated to connect people to treatment.²² Police presence can escalate a person's crisis and, in turn, the likelihood of a violent outcome; police are 16 times more likely to kill people suffering from untreated mental illness.²³ Peer specialists who can draw on their lived experience can more successfully lead multi-disciplinary teams to connect New Yorkers in crisis to voluntary mental health and substance use treatment programs, which are hugely powerful public safety tools.²⁴ The Adams administration should fund a geographically comprehensive, round-the-clock mental health crisis team that connects people experiencing acute mental illness with peer-led teams. Such a service will take several years to develop and expand, but it will become an essential piece of New York City's safety apparatus.

All the above programs either proactively deflect people from involvement in the criminal legal system or divert them from incarceration after arrest. We cannot rely on jails for safety: research shows that even 24 hours in detention significantly increases the likelihood of rearrest, in effect decreasing safety.²⁵ Incarceration is also incredibly expensive, costing New York City taxpayers more than \$550,000 per person annually.²⁶ We can fund community-based programs by reining in excessive DOC spending—and our city will be safer for it.

New York City's jails are dangerous and often deadly; 36 people have died in DOC custody over the last two years.²⁷ Thousands more have missed critical medical appointments and faced abhorrent conditions.²⁸ With the community-based, data-backed investments outlined here, we can spare New Yorkers this awful fate and keep our communities safe and thriving.

Thank you for the opportunity to provide testimony. Please do not hesitate to contact me if the Vera Institute of Justice may provide further support.

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- ¹ Thea Sebastian, Hanna Love, Sam Washington, et al., *A New Community Safety Blueprint: How the Federal Government Can Address Violence and Harm Through a Public Health Approach* (Washington, D.C.: Brookings Institute, 2022), perma.cc/EE6Z-3W94.
- ² New York City Office of the Mayor, “Mayor Adams Releases Preliminary Budget for Fiscal Year 2024,” Press release, January 12, 2023, perma.cc/C27Q-SJX3; and Matt Katz, “Rikers Island is Supposed to Close in 2027, So Why is Mayor Adams Talking About ‘Plan B?’” *Gothamist*, January 16, 2023, perma.cc/V6ZG-ZP3K.
- ³ New York City Office of Management and Budget (OMB), *The City of New York Preliminary Budget Fiscal Year 2024: Expense Revenue Contract* (New York: OMB, 2023), 39E, perma.cc/ESR5-VXLN.
- ⁴ *Ibid.*, 39E. Vera’s calculations include overall budget, fringe benefits, pensions, and debt service. To calculate these percentages, researchers divided personnel costs, fringe benefits, and pensions by the total budget.
- ⁵ New York City Comptroller, “Department of Correction (DOC),” Dashboard, updated February 24, 2023, comptroller.nyc.gov/services/for-the-public/departments-of-correction-doc/dashboard.
- ⁶ The uniformed absence rate was 17.4 percent in the first four months of FY 2023 compared to 5.7 percent in FY 2019. Furthermore, DOC’s uniformed absence rate in the first four months of FY 2023 was approximately double that of the Fire Department (8.9 percent) and the Department of Sanitation (8.4 percent). For DOC absenteeism, see New York City Mayor’s Office of Operations, *Mayor’s Management Report: Preliminary Fiscal 2023* (New York: New York City Office of the Mayor, 2023), 349-50, perma.cc/F94D-W6BR; and New York City Mayor’s Office of Operations, *Mayor’s Management Report Fiscal 2019* (New York: New York City Office of the Mayor, 2019), 353-54, perma.cc/EQ9N-HKFC.
- ⁷ Rates calculated based on the first four months of FY 2023. See NYC Mayor’s Office of Operations, *Mayor’s Management Report: Preliminary Fiscal 2023*.
- ⁸ Fola Akinnibi, “NYC’s Plan to Close Rikers Behind Schedule in Dispute Over Design Changes,” *Bloomberg*, October 18, 2022, perma.cc/BKS6-MJFK.
- ⁹ OMB, *The Financial Plan of the City of New York: Fiscal Years 2023-2027; Full-Time and Full-Time Equivalent Staffing Levels* (New York: OMB, 2023), 35, perma.cc/S2T9-QYJ6.
- ¹⁰ Benjamin Heller, *Why New York City Needs a Blueprint to Rightsize the Department of Correction* (New York: Vera Institute of Justice, 2022), perma.cc/73RM-3RNB; and Adrienne E. Adams, *2023 State of the City: People Over Everything* (New York: City Council, 2023), 4-6, perma.cc/R22A-GSQS.
- ¹¹ Thomas P. DiNapoli and Rahul Jain, *Issues Facing New York City’s Agencies: New York City Department of Correction* (Albany: Office of the New York State Comptroller, 2022), perma.cc/HA5J-KLT7.
- ¹² New York City OMB, *The City of New York Preliminary Budget Fiscal Year 2024: Expense Revenue Contract* (New York: OMB, 2023), 133E, 66E, 130E, 36E, and 38E, perma.cc/ESR5-VXLN. Vera’s calculations include overall budget, fringe benefits, pensions, and debt service.
- ¹³ Annie McDonough, “Mental Health Care on Rikers: New York’s Largest Psychiatric Provider,” *City and State*, September 30, 2022, perma.cc/8LYK-J6AW.
- ¹⁴ Angela A. Aidala, William McAllister, Maiko Yomogida, et al., *Frequent Users Service Enhancement ‘FUSE’ Initiative: New York City FUSE II Evaluation Report* (New York: Columbia University Mailman School of Public Health, 2014), perma.cc/QVY3-5EQA; Coalition for Supportive Housing, *Advancing Supportive Housing Solutions to Reduce Homelessness for People Impacted by the Criminal Legal System* (New York: Coalition for Supportive Housing, 2022), perma.cc/SP24-MUN2.
- ¹⁵ New York City Mayor’s Office of Criminal Justice (MOCJ), “Mayor’s Office of Criminal Justice, Department of Health Announce Successful Rollout of ‘Justice-Involved Supportive Housing’ Program Stabilizing Individuals Who Frequently Cycle Through Jail and Shelter,” perma.cc/PCY5-VLBE.
- ¹⁶ MOCJ Finance Division, *Report on the Finance Division on the Fiscal 2022 Preliminary Plan and the Fiscal 2021 Preliminary Mayor’s Management Report for the Mayor’s Office of Criminal Justice* (New York: New York City Council, 2021) perma.cc/B5R5-DW3H.
- ¹⁷ MOCJ, *Alternatives to Incarceration: Court-Mandated, Supportive, Community-Based Services* (New York: MOCJ, 2022), 7, perma.cc/999B-GH7Q.
- ¹⁸ Greg Berman and Robert V. Wolf, “Alternatives to Incarceration: The New York Story,” *NYSBA Government, Law and Policy Journal* 16, no. 2 (2014), 36-40, perma.cc/ZY85-YVZV; and Justice Policy Institute, *Alternative to*

Incarceration Programs: Cut Crime, Cut Costs and Help People and Communities (New York: Justice Policy Institute, 2004), perma.cc/L945-SZXP.

¹⁹ New York City Office of the Mayor, “Department of Correction,” in *Preliminary Mayor’s Management Report Fiscal Year 2023* (New York: Office of the Mayor, 2022), 67, perma.cc/2HK6-MV9E; and Vera Institute of Justice, “People in Jail in New York City: Daily Snapshot,” accessed March 7, 2023, greaterjusticenyc.vera.org/nycjail.

²⁰ Ethan Geringer-Sameth, “Despite Growing Need, City Struggles to Fill and Expand Programs Dedicated to Combating Youth Unemployment,” *Gotham Gazette*, February 28, 2023, perma.cc/5AL9-XVRZ.

²¹ Judd B. Kessler, Sarah Tahamont, Alexander Gelber, et al., *The Effects of Youth Employment on Crime: Evidence from New York City Lotteries* (Cambridge, MA: National Bureau of Economic Research, 2021), perma.cc/CQ7F-BKEB.

²² Amos Irwin and Betsy Pearl, *The Community Responder Model: How Cities Can Send the Right Responder to Every 911 Call* (Washington, D.C.: Center for American Progress, 2020), perma.cc/U7EW-LMQS. New York City currently has the B-HEARD program, but according to its website, the program is staffed by medical professionals, not by peers—and significant research shows that peer-led outreach is the best way to get people into treatment.

²³ Doris A Fuller, H. Richard Lamb, Michael Biasotti, et al., *Overlooked in the Undercounted: The Role of Mental Illness in Fatal Law Enforcement Encounters* (Arlington, VA: Treatment Advocacy Center, 2015), perma.cc/B37Z-NE5E.

²⁴ Hefei Wen, Jason M. Hockenberry, and Janet R. Cummings, *The Effect of Substance Use Disorder Treatment Use on Crime: Evidence from Public Insurance Expansions and Health Insurance Parity Mandates* (Washington, D.C.: National Bureau of Economic Research, 2014), perma.cc/6369-6ZXD; and Substance Abuse and Mental Health Services Administration (SAMHSA), *Peer Support Services in Crisis Care* (Washington, D.C.: SAMHSA, 2022), perma.cc/PE6L-Y93F.

²⁵ Arnold Ventures, *The Hidden Costs of Pretrial Detention Revisited* (Houston, TX: Arnold Ventures, 2022), 4, perma.cc/4UQV-4S4Q.

²⁶ New York City Comptroller’s Office, Budget Bureau, *NYC Department of Correction FYs 2011-21 Operating Expenditures, Jail Population, Cost Per Incarcerated Person, Staffing Ratios, Performance Measure Outcomes, and Overtime* (New York: Comptroller’s Office, 2021), 3, perma.cc/Q8VF-RPXJ.

²⁷ Jan Ransom and Jonah E. Bromwich, “Tracking the Deaths in New York City’s Jail System,” *New York Times*, February 4, 2023, nytimes.com/article/rikers-deaths-jail.html; Erica Bryant, “19 People Have Died from New York City Jails in 2022,” December 12, 2022, Vera Institute of Justice, perma.cc/P5ED-UM72; and Michael Wilson and Chelsia Rose Marcus, “16 Men Died in New York City Jails Last Year. Who Were They?” *New York Times*, January 28, 2022, nytimes.com/2022/01/28/nyregion/rikers-island-prisoner-deaths.html.

²⁸ Jonah E. Bromwich, “Medical Care at Rikers is Delayed for Thousands, Records Show,” *New York Times*, February 1, 2022, nytimes.com/2022/02/01/nyregion/rikers-island-medical-care.html; and Julia Lurie, “New Photos Reveal Squalid, Dangerous Conditions at Rikers Island,” *Mother Jones*, October 8, 2022, perma.cc/JK2R-8WH6.

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Testimony of Youth Justice Network
Before the Committee on Criminal Justice
March 23, 2023

Re: Preliminary Budget Hearing - Invest in Youth on Rikers

On behalf of Youth Justice Network, I thank the Committee on Criminal Justice for the opportunity to address you. My name is Messiah Ramkissoon, and I am the Associate Executive Director at Youth Justice Network.

Founded in 1990, Youth Justice Network was created by a group of educators, social service staff, and community-based advocates at the alternative high school on Rikers Island—known then as Island Academy. Through individualized advocacy and neighborhood-based mentorship, we develop meaningful relationships and provide comprehensive services to young people whose lives intersect with NYC's jails.

While every young person we work with is unique, all have experienced early and constant exposure to community violence, over-policing, racial bias and discrimination, and involvement in the justice and child welfare systems. The proposed \$35.5 million increase to the Department of Corrections' budget will not make them or their communities safer. Instead, it will punish them for being entrenched in conditions of violence they did not create.

Supportive services are key to the growth and success of all young people—whether they have been jailed or not. When public safety initiatives fail to prioritize their need for holistic community interventions, they take matters into their own hands. This creates a tension between a young person's desire to do well and do right, the realities of personal circumstances, and the pull of the streets.

To achieve public safety, we owe it to our youth to divest from jails and invest in solutions that will offer them opportunities to grow, thrive, and become leaders in their local communities. Today, we can take part in swift and collective action that will redistribute resources and keep the closure of Rikers Island on track.

1. **Eliminate vacancies for uniformed DOC staff.**
2. **Hold DOC staff accountable for chronic absenteeism.**
3. **Reduce overtime spending** by consolidating operations and permanently closing jails on Rikers.

Then, we must redirect those funds to meet community needs, expanding resources for alternatives to incarceration, reentry services, and social and employment programs for young people that will reduce the flow of people into the jail system. These steps will move us forward in creating a tangible and supportive infrastructure, so young people can make a life and future for themselves after they are released.

Thank you for the opportunity to address this Committee.



**New York City Council
Committee on Criminal Justice
Preliminary Budget Hearing
Written Comments of Youth Represent
March 23, 2023**

Youth Represent is dedicated to improving the lives and futures of young people affected by the criminal legal system. When the justice system creates barriers to success for youth, **we use the law to help youth leave the stigma of a criminal record behind.** We provide criminal and civil reentry legal services to over 1,200 young people annually, ages 26 and under, including 16- and 17-year-olds charged as "adolescent offenders" under Raise the Age and youth aged 18 and older who were left out of RTA legislation, who were previously or are currently incarcerated at Rikers Island. We are deliberate in serving Black, Latiné, and youth of color who otherwise would not have access to legal services during and after their criminal legal system involvement. We employ a multidisciplinary approach to meet the complex legal needs of recently released young people by providing wrap-around services that are rooted in youth development principles. Through our Community Lawyering Model, we partner with workforce development, job training, and other social service agencies in under-resourced neighborhoods where our clients live and work. By representing clients in venues like housing courts, school suspension hearings, and Family Courts, our lawyers remove barriers to employment, homes, education, and family. We also engage in policy advocacy and youth leadership development through our City Dreamers Advocacy Camp.

Thank you to Speaker Adrienne Adams, Committee members, and staff for the opportunity to provide testimony on the 2023 budget.

**An Approach to Safety Rooted in Racial & Economic Justice,
Public Health, & Youth Development**

As elected leaders and members of the Committee on Criminal Justice, you know that our City is at a crossroads. The fifteen years prior to the Covid-19 pandemic were among the safest in our city's history, with record low levels of gun violence and other violent crime. However, in June of 2020 that trend reversed. According to a report by Vital City¹ collecting multiple NYC governmental data sources, major crime is up 32% from 2019. While shooting incidents and murders in 2022 are on a downward trend (down 17% and 10% respectively compared to 2021), the total incidents of these crimes is still notably higher than 2019.

Opponents of long overdue reforms to our criminal legal system, including New York's Raise the Age law and bail reforms, have tried to blame this sustained increase on those reforms. But the data—and common sense—tell a different story. Our focus in this testimony is on youth justice. **For the first eighteen months after Raise the Age went into effect in New York, shootings in**

¹ <https://www.vitalcitynyc.org/articles/vital-signs-march-2023>

New York City remained the lowest they have been in decades, simultaneously arrests and incarceration of 16- and 17-year-olds declined.² Only after months of Covid-19 infections, deaths, and lockdowns, did gun violence increase in New York City, as it did in many cities around the country where criminal justice reforms had not been enacted. We are now seeing a trend downwards of crime rates in 2022 as communities are once again able to engage in social and work life outside of lockdown,

For young people, the effects of Covid-19 extend beyond the initial lockdowns, hospitalizations, and community loss of life. Since the onset of the pandemic, young adults (aged 18-24) are experiencing anxiety and depression at higher rates than any other age group.³ One in four young adults was found to have seriously considered suicide – an increase from one in 10 young adults pre-pandemic. Emerging evidence shows that the pandemic has negatively affected academic growth, widening pre-existing disparities for students at every level, including post-secondary students.⁴ A study published in *Pediatrics* found that nearly 1 in every 500 children in the U.S. has lost a caregiver, and children of color have been disproportionately affected, with the highest loss of primary caregivers in California, Texas and New York.⁵ In the midst of all of this, many of the services that young people rely on for support have been disrupted.

The combined health, mental health, academic, economic, and emotional tolls of the pandemic have created deep uncertainty for many young New Yorkers, leading some to question whether they can rely on the very institutions responsible for their health, safety, and development. Young people are looking to elected leaders to lead us out of the pandemic and into a just recovery. They are looking for lasting, community-based solutions to gun violence—not policies that blame, criminalize, and incarcerate young people.

Youth Represent was one of the lead organizations in the campaign to Raise the Age of adult criminal prosecution in New York, helping to secure passage of legislation in 2017 that finally ended New York’s shameful designation as one of the last two states in the country to automatically try *and incarcerate* all 16- and 17-year-olds as adults. Because of the extreme violence experienced by teenagers at Rikers Island, a key provision of Raise the Age mandated the transfer of all 16- and 17- year-olds off of Rikers in October 2018, a year before the rest of the law was fully in effect for 17-year-olds.

Raise the Age was a critical step forward, but it did not extend any protections to youth and emerging adults past the age of 18. Each year, tens of thousands of young people 18-25 are

² See the New York State Raise the Age Implementation Task Force Final Report, p. 9 (<https://www.criminaljustice.ny.gov/crimnet/ojsa/FINAL%20Report-Raise%20the%20Age%20Task%20Force%2012-22-20.pdf>) and NYPD Historic New York City Crime Data (<https://www1.nyc.gov/site/nypd/stats/crime-statistics/historical.page>).

³ Kaiser Family Foundation Issue Brief (Feb. 2021). The Implications of COVID-19 for Mental Health and Substance Use. <https://www.kff.org/report-section/the-implications-of-covid-19-for-mental-health-and-substance-use-issue-brief/>

⁴ “Education in a Pandemic: The Disparate Impacts of COVID-19 on America’s Students.” US Department of Education, Office of Civil Rights, June 2021.

⁵ National Institutes of Health News Release (October 7, 2021): *More than 140,000 U.S. children lost a primary or secondary caregiver due to the COVID-19 pandemic.* <https://www.nih.gov/news-events/news-releases/more-140000-us-children-lost-primary-or-secondary-caregiver-due-covid-19-pandemic>

arrested and prosecuted in adult court and exposed to lifelong criminal records. **As of this week, there were nearly 1,300 young people age 18-25 incarcerated in New York City jails, nearly all of them Black and Latinx. Of those, over 500 are age 21 and under.** The annualized cost to incarcerate one person in DOC custody is over \$556,539⁶ -- many times the cost of even the most expensive college.

There are so many better ways to spend this money. The city must divest from systems that surveil, police, arrest, and incarcerate young people. Instead, we must make sustained investments in the things that are the foundation of genuine safety and that would create good, living wage employment opportunities that actually help and support communities:

- Comprehensive, affordable, and culturally competent healthcare, including mental healthcare, accessible to people in their own communities
- High quality education including enrichment, arts, and a wide variety of afterschool programs
- Stable and affordable housing
- Parks and green spaces

We must **expand programs** that take a public health approach to gun violence, including violence intervention programs. While New York State has led the nation by investing in these programs, the resources they receive remain a tiny fraction of those received by traditional law enforcement. Violence intervention programs must be funded to expand catchment areas, hire more staff, and create robust intake systems to serve more participants city and statewide.

We must also invest in health, mental health, and well-being for youth and families and in education and economic mobility. These investments are detailed in the [Raise the Age campaign's 2022 Youth Justice Platform for NY](#).⁷ Within this ecosystem of services and supports, legal services play a key role – helping young people overcome barriers to employment and education and maintain stable housing and family connections.

Youth Represent: Critical Services for Youth

With support from the New York City Council through the Innovative Criminal Justice Programs Initiative, Youth Represent provides reentry legal services for young people in their own communities.

Our clients come from across New York City:

- **25%** are from the Bronx
- **22%** are from Brooklyn
- **22%** are from Manhattan
- **13%** are from Queens
- **8%** are from Staten Island, Westchester, and New Jersey

⁶ For FY2021, from NYC Comptroller, December 2021. FY2022 and FY2023 data is not yet available

⁷ <https://raisetheagency.org/22-youth-justice-ny-platform/>

Nearly all the young people we serve are youth of color:

- **45%** are Black
- **34%** are Latiné
- **6%** are of Asian & Pacific Islander descent
- **4%** are White
- **11%** are Other or Unknown

Almost all of our young people are below the poverty line:

- **97%** are below the NYC.gov near-poverty line
- **3%** are above the NYC.gov near-poverty line

The average age of our clients is 23 years old. In the midst of the Covid-19 pandemic, with your support, we were able to deliver **80 legal workshops to 1,205 participants** and provided full legal services to **471 young people** last year.

The young people we serve have been some of the **hardest hit by the pandemic**. Some are navigating pregnancy and parenting young children. Many have faced pressure to continue working in unsafe conditions. Others face employment and other forms of discrimination based on system-involvement. Throughout the pandemic, the needs for our services have increasingly grown and Youth Represent has continued to provide critical, client-centered support to young people facing legal issues.

- Protecting Employment Opportunities

- More than 80% of employers run criminal background checks, but we've found that nearly half of the young people we work with don't know what will show up on their record. We obtain RAP sheets, review them with our clients, and counsel young people on how to speak to employers about their criminal history accurately and effectively. We also correct mistakes on RAP sheets and ensure that records that should be sealed are. Finally, we make sure that young jobseekers understand their rights when applying for jobs and represent them if they face unlawful discrimination or have their privacy wrongfully violated by companies conducting criminal background reports.
 - *Vanessa's Story: "Vanessa" had her vocational license suspended because she was facing a misdemeanor charge. By researching the collateral consequences of the prosecution's proposed plea and obtaining support letters for Vanessa, we were able to negotiate a better plea with a non-criminal disposition and obtain an immediate seal. Vanessa was able to obtain a certification of disposition from the court and get her job reinstated immediately.*

- Supporting Young Jobseekers

- Being able to find and keep a job often requires addressing other legal issues. We fight for needed repairs in apartments and defend families at risk of eviction from public housing that can stem from arrests or convictions. We represent young

people in criminal and summons matters, using both legal and youth development principles to get the best possible outcomes for our clients. We also represent young parents with custody, visitation and child support issues and assist LGBTQ youth with name and gender marker changes.

- *Cee's Story: "Cee" is a non-binary young person who lives with their mother and two young siblings in a NYCHA apartment in the Bronx. Cee reached out because their home had become uninhabitable: the stove had not worked in more than a year, there was a mouse infestation, their kitchen pipes leaked, and paint was chipping off the walls. The family was forced to go to a friend's apartment just to bathe. We filed a petition demanding that NYCHA make needed repairs right away, providing extensive documentation of their failure to remedy the issues. The judge admonished NYCHA for their inexcusable delays and ordered them to remedy the conditions immediately.*
- Covid Response
 - With the onset of the pandemic, Youth Represent used technology to continue to provide robust services while working remotely. We launched a **chatbot** to allow young people to start the intake process seamlessly just by visiting our website; started a citywide **legal hotline** in collaboration with Community Service Society; and have relied on word of mouth and social media to spread the word about our services to young people who are disconnected from traditional service providers. We also shifted resources to respond to immediate client needs and launched an emergency fund that has covered expenses ranging from groceries to cleaning supplies to cab rides so a pregnant client could travel safely to prenatal appointments.
- Providing Mental Health Counseling and Mitigation Services
 - Since the Covid-19 pandemic, the need for our services has increasingly grown as many of our clients were experiencing compounding barriers to their physical, mental, and emotional wellbeing. To better serve our clients, our legal services team hired its first social worker to comprehensively address the issues connected to system involvement for our young clients that go beyond representation in the courtroom. They provide direct counseling for our clients and advocate on behalf of youth who are struggling to navigate complex systems such as the public benefits system, name changes, child welfare agencies, or drug programs. Where necessary, they research and develop relationships with social service organizations across the city so that we can connect young people who need longer-term care with high-quality providers. In addition to their client work, the social worker provides regular training to Youth Represent staff on identifying mental health issues, motivational interviewing, and working with clients who have mental health problems.

Youth Represent: City Council Criminal Justice Programs Initiative Support

City Council funding, through the Innovative Criminal Justice Programs Initiative, has allowed us to provide critical legal services for youth. This year we have requested an additional \$25,000 –

for a total request of \$100,000 – which would allow us to increase our support for young people under the funding by 25% and respond to the already overwhelming demand we are seeing for our legal services in neighborhoods with the highest rates of gun violence.

We hope that you will renew and expand funding for Youth Represent and that you will do so in the context of a just budget – investing in the full range of services and supports that young people and families rely on.

Conclusion

The Covid-19 crisis has amplified the injustices that Youth Represent fights daily. It has also heightened and clarified the need to divest from incarceration and invest in critical services and access to safe and healthy conditions for living and working for all youth and families.

We **thank the Council** for your support and for championing young people across the city impacted by the legal system.

From: Aaron Kogel Smucker <info@sg.actionnetwork.org>
Sent: Wednesday, March 22, 2023 9:37 AM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

I am submitting written testimony for public record. I support a #PeoplesBudget, and I believe safety means #CareNotCuts and cuts to DOC bloat.

I'm writing to you about the FY24 preliminary budget and how harmful cuts to social and housing services are to New Yorkers. As we all know, the preliminary budget represents a \$35.5 million increase for the Department of Corrections (DOC), which only exacerbates the already bloated budget of the DOC.

Instead of increasing funding for a department that subjects people in DOC custody to some of the worst jail conditions in the nation, we should be investing in social and housing services that will truly make New Yorkers safer.

Commonsense measures to reduce DOC budget bloat and pursue accountability could reduce their uniform headcount to 5,760 and free up \$359.2M for crucial community investments.

By eliminating vacancies for uniformed staff, we could save at least \$78.2M. If we hold staff accountable for chronic absenteeism and terminate officers who do not come to work, spending on jail operations could be reduced by \$138.1M.

Additionally, we can reduce overtime spending by consolidating operations and permanently closing jails on Rikers, starting with the Otis Bantum Correctional Center, which was emptied in June 2022.

It is important to redirect funds to meet community needs, including an additional investment of \$57.8M in expense funding for supportive housing and expanded funding for alternatives to incarceration, healthcare, substance use disorder treatment, and social and employment programs for young people that will reduce the flow of people into the jail system.

The Department of Corrections ratio of uniformed staff to incarcerated people is more than 4 times higher than the national average, and NYC's is the only jail system among the nation's 50 largest cities that has more officers than people in custody. Reducing their headcount now is an important first step to rightsizing the department.

In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Aaron Kogel Smucker
apiritualcounselingaks@gmail.com
union turnpike
Kew gardens, New York 11415

From: Abigail Gannon <info@sg.actionnetwork.org>
Sent: Tuesday, March 21, 2023 9:27 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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Abigail Gannon

abby.gannon@gmail.com

E 82nd St,

New York, New York 10028

From: Andrew Sokolof Diaz <info@sg.actionnetwork.org>
Sent: Wednesday, March 22, 2023 3:53 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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Andrew Sokolof Diaz

Andrewsokolof@gmail.com

34 avenue

Jackson Heights, New York 11372

From: Bright Limm <info@sg.actionnetwork.org>
Sent: Monday, March 20, 2023 12:45 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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Bright Limm

blimm@alumni.princeton.edu

Liberty Avenue

Jamaica, New York 11435

From: Derek Weaving <info@sg.actionnetwork.org>
Sent: Monday, March 20, 2023 12:22 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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Derek Weaving

weaving.derek@gmail.com

Boerum St.

Brooklyn, New York 11206

From: Elise Goldin <info@sg.actionnetwork.org>
Sent: Monday, March 20, 2023 12:26 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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Elise Goldin

elise.goldin@gmail.com

Westbury Ct

Brooklyn, New York 11225

Elvia Pyburn-Wilk
Lincoln Place
Brooklyn, NY 11238

March 23, 2023

Dear Committee Chair and Members:

I am a New Yorker living in Brooklyn and a proud US citizen. I'm writing you about the FY24 preliminary budget which includes horrifying cuts to social and housing services, with a \$35.5 million increase for the DOC. The DOC budget is insanely bloated. It's a wild proposition. We won't stand for it.

The DOC institutes some of the worst jail conditions in the entire country. And social services will now be cut? Invest this budget into community services that **evidence proves prevent people from ending up in jail in the first place.**

Rikers needs to be closed completely, but it's obvious common sense to close the Otis Bantum Correctional Center immediately—it's been empty since June 2022!

The DOC ratio of staff to incarcerated human beings is 4 times the national average.

I am terrified, sorrowed, and angered.

I support #CareNotCuts and a #PeoplesBudget, like most of my neighbors and most of New York City does.

Sincerely, 

Elvia Pyburn-Wilk

From: Erin McAuliff <info@sg.actionnetwork.org>
Sent: Tuesday, March 21, 2023 11:13 AM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Erin McAuliff

erin.mcauliff@gmail.com

Leonard Street

Brooklyn, New York 11211

From: Fiona Duncan <info@sg.actionnetwork.org>
Sent: Wednesday, March 22, 2023 10:47 AM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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Fiona Duncan

fad.duncan@gmail.com

E 83rd St

New York, New York 10028

From: Gabriel Herrera <info@sg.actionnetwork.org>
Sent: Wednesday, March 22, 2023 7:37 AM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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Gabriel Herrera

gabriel.e.herrera@gmail.com

Halsey St

Brooklyn, New York 11233

From: Helen Levi <info@sg.actionnetwork.org>
Sent: Tuesday, March 21, 2023 12:28 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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Helen Levi

helen.levi@gmail.com

Grandview ave

Ridgewood , New York 11385

From: Ian Prychodniez <info@sg.actionnetwork.org>
Sent: Wednesday, March 22, 2023 9:41 AM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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Ian Prychodniez

ian.pry@gmail.com

Maple St/

Brooklyn, New York 11225

From: J.Stephen Brantley <info@sg.actionnetwork.org>
Sent: Monday, March 20, 2023 12:35 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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J.Stephen Brantley
jstephenbrantley@gmail.com
Riverside Drive
New York, New York 10025

From: Jeanette Bisschops <info@sg.actionnetwork.org>
Sent: Tuesday, March 21, 2023 1:04 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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Jeanette Bisschops

j.e.bisschops@gmail.com

w 78th st

New York, New York 10024

From: Joan McDougall <info@sg.actionnetwork.org>
Sent: Monday, March 20, 2023 1:07 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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Instead of increasing funding for a department that subjects people in DOC custody to some of the worst jail conditions in the nation, we should be investing in social and housing services that will truly make New Yorkers safer.

Commonsense measures to reduce DOC budget bloat and pursue accountability could reduce their uniform headcount to 5,760 and free up \$359.2M for crucial community investments.

By eliminating vacancies for uniformed staff, we could save at least \$78.2M. If we hold staff accountable for chronic absenteeism and terminate officers who do not come to work, spending on jail operations could be reduced by \$138.1M.

Additionally, we can reduce overtime spending by consolidating operations and permanently closing jails on Rikers, starting with the Otis Bantum Correctional Center, which was emptied in June 2022.

It is important to redirect funds to meet community needs, including an additional investment of \$57.8M in expense funding for supportive housing and expanded funding for alternatives to incarceration, healthcare, substance use disorder treatment, and social and employment programs for young people that will reduce the flow of people into the jail system.

The Department of Corrections ratio of uniformed staff to incarcerated people is more than 4 times higher than the national average, and NYC's is the only jail system among the nation's 50 largest cities that has more officers than people in custody. Reducing their headcount now is an important first step to rightsizing the department.

In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Joan McDougall

jlmcdou@verizon.net

E. 77th Street -

New York, New York 10075

From: Jodie Leidecker <info@sg.actionnetwork.org>
Sent: Monday, March 20, 2023 7:08 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

I am submitting written testimony for public record. I support a #PeoplesBudget, and I believe safety means #CareNotCuts and cuts to DOC bloat.

I'm writing to you about the FY24 preliminary budget and how harmful cuts to social and housing services are to New Yorkers. As we all know, the preliminary budget represents a \$35.5 million increase for the Department of Corrections (DOC), which only exacerbates the already bloated budget of the DOC.

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Jodie Leidecker

jodieleidecker@gmail.com

LOTT AVE

Brooklyn, New York 11212

From: Joseph Pfister <info@sg.actionnetwork.org>
Sent: Monday, March 20, 2023 1:04 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

I am submitting written testimony for public record. I support a #PeoplesBudget, and I believe safety means #CareNotCuts and cuts to DOC bloat.

I'm writing to you about the FY24 preliminary budget and how harmful cuts to social and housing services are to New Yorkers. As we all know, the preliminary budget represents a \$35.5 million increase for the Department of Corrections (DOC), which only exacerbates the already bloated budget of the DOC.

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat.

Joseph Pfister

a1w2q6yef@mozmail.com

Vanderbilt Street

Brooklyn, New York 11218-7202

From: Juri Onuki <info@sg.actionnetwork.org>
Sent: Tuesday, March 21, 2023 12:31 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

I am submitting written testimony for public record. I support a #PeoplesBudget, and I believe safety means #CareNotCuts and cuts to DOC bloat.

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Juri Onuki

juri.onuki@gmail.com

Woodbine Street

Ridgewood , New York 11385

From: Kaeleigh Farrish <info@sg.actionnetwork.org>
Sent: Monday, March 20, 2023 12:16 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

I am submitting written testimony for public record. I support a #PeoplesBudget, and I believe safety means #CareNotCuts and cuts to DOC bloat.

I'm writing to you about the FY24 preliminary budget and how harmful cuts to social and housing services are to New Yorkers. As we all know, the preliminary budget represents a \$35.5 million increase for the Department of Corrections (DOC), which only exacerbates the already bloated budget of the DOC.

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Kaeleigh Farrish

kaeleigh.farrish@gmail.com

Chrystie St,

New York, New York 10002

From: Kyle Ingram <info@sg.actionnetwork.org>
Sent: Tuesday, March 21, 2023 11:01 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

I am submitting written testimony for public record. I support a #PeoplesBudget, and I believe safety means #CareNotCuts and cuts to DOC bloat.

I'm writing to you about the FY24 preliminary budget and how harmful cuts to social and housing services are to New Yorkers. As we all know, the preliminary budget represents a \$35.5 million increase for the Department of Corrections (DOC), which only exacerbates the already bloated budget of the DOC.

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Kyle Ingram

ingramk1@gmail.com

Eastern Pkwy

Brooklyn, New York 11213

From: Lupe Hernandez <info@sg.actionnetwork.org>
Sent: Tuesday, March 21, 2023 10:00 AM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

I am submitting written testimony for public record. I support a #PeoplesBudget, and I believe safety means #CareNotCuts and cuts to DOC bloat.

I'm writing to you about the FY24 preliminary budget and how harmful cuts to social and housing services are to New Yorkers. As we all know, the preliminary budget represents a \$35.5 million increase for the Department of Corrections (DOC), which only exacerbates the already bloated budget of the DOC.

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Lupe Hernandez

lupe.figuera@gmail.com

N. Moore st.

New York , New York 10013

From: Mahtab Khan <info@sg.actionnetwork.org>
Sent: Wednesday, March 22, 2023 1:30 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

I am submitting written testimony for public record. I support a #PeoplesBudget, and I believe safety means #CareNotCuts and cuts to DOC bloat.

I'm writing to you about the FY24 preliminary budget and how harmful cuts to social and housing services are to New Yorkers. As we all know, the preliminary budget represents a \$35.5 million increase for the Department of Corrections (DOC), which only exacerbates the already bloated budget of the DOC.

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Mahtab Khan

msk97x@gmail.com

Midland Parkway

Jamaica, New York 11432

From: Martha Tenney <info@sg.actionnetwork.org>
Sent: Tuesday, March 21, 2023 9:11 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

I am submitting written testimony for public record. I support a #PeoplesBudget, and I believe safety means #CareNotCuts and cuts to DOC bloat. I believe in keeping our public libraries open and funding social services instead of huge NYPD overtime and DOC budgets.

I'm writing to you about the FY24 preliminary budget and how harmful cuts to social and housing services are to New Yorkers. As we all know, the preliminary budget represents a \$35.5 million increase for the Department of Corrections (DOC), which only exacerbates the already bloated budget of the DOC.

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Martha Tenney
martha.s.tenney@gmail.com
east 51st st
New York, New York 10022

From: Maura Smale <info@sg.actionnetwork.org>
Sent: Tuesday, March 21, 2023 8:46 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

I am submitting written testimony for public record. I support a #PeoplesBudget, and I believe safety means #CareNotCuts and cuts to DOC bloat.

I'm writing to you about the FY24 preliminary budget and how harmful cuts to social and housing services are to New Yorkers. As we all know, the preliminary budget represents a \$35.5 million increase for the Department of Corrections (DOC), which only exacerbates the already bloated budget of the DOC.

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Maura Smale

mas@mauraweb.com

Saint Johns

Brooklyn, New York 11238

From: Meena Hasan <info@sg.actionnetwork.org>
Sent: Tuesday, March 21, 2023 7:51 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Meena Hasan

hasan.meena@gmail.com

East 90th Street

New York, New York 10128

From: Mike Perles <info@sg.actionnetwork.org>
Sent: Tuesday, March 21, 2023 11:32 AM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Mike Perles

michaeljperles@gmail.com

East 6th Street,

New York, New York 10009

From: Nicole Johnson <info@sg.actionnetwork.org>
Sent: Monday, March 20, 2023 12:14 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

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I'm writing to you about the FY24 preliminary budget and how harmful cuts to social and housing services are to New Yorkers. As we all know, the preliminary budget represents a \$35.5 million increase for the Department of Corrections (DOC), which only exacerbates the already bloated budget of the DOC.

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Nicole Johnson

njdooom@gmail.com

Norman Ave

Brooklyn, New York 11222

From: Nicolette Dixon <info@sg.actionnetwork.org>
Sent: Monday, March 20, 2023 2:57 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

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The Department of Corrections ratio of uniformed staff to incarcerated people is more than 4 times higher than the national average, and NYC's is the only jail system among the nation's 50 largest cities that has more officers than people in custody. Reducing their headcount now is an important first step to rightsizing the department.

I'm proud to be a New Yorker. We are kind, intelligent, ambitious people who stand by each other through thick and thin. This city leads the country and the world in the arts, scholarly pursuits, business, and innovation. We KNOW that change comes from helping people meet all their needs—for safety, food, housing, belonging, self-esteem, and health. Change does not come from inhumane treatment and ineffective systems. Research and evidence, along with common sense and pathos, tells us this. I implore you to stand by New Yorkers by doing the only smart thing and investing in us as people who deserve care and dignity.

In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Nicolette Dixon

nicolette.dani@gmail.com

E 21st St

Brooklyn, New York 11226

From: Olympia Kazi <info@sg.actionnetwork.org>
Sent: Tuesday, March 21, 2023 1:13 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

I am submitting written testimony for public record. I support a #PeoplesBudget, and I believe safety means #CareNotCuts and cuts to DOC bloat.

I'm writing to you about the FY24 preliminary budget and how harmful cuts to social and housing services are to New Yorkers. As we all know, the preliminary budget represents a \$35.5 million increase for the Department of Corrections (DOC), which only exacerbates the already bloated budget of the DOC.

Instead of increasing funding for a department that subjects people in DOC custody to some of the worst jail conditions in the nation, we should be investing in social and housing services that will truly make New Yorkers safer.

Commonsense measures to reduce DOC budget bloat and pursue accountability could reduce their uniform headcount to 5,760 and free up \$359.2M for crucial community investments.

By eliminating vacancies for uniformed staff, we could save at least \$78.2M. If we hold staff accountable for chronic absenteeism and terminate officers who do not come to work, spending on jail operations could be reduced by \$138.1M.

Additionally, we can reduce overtime spending by consolidating operations and permanently closing jails on Rikers, starting with the Otis Bantum Correctional Center, which was emptied in June 2022.

It is important to redirect funds to meet community needs, including an additional investment of \$57.8M in expense funding for supportive housing and expanded funding for alternatives to incarceration, healthcare, substance use disorder treatment, and social and employment programs for young people that will reduce the flow of people into the jail system.

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Olympia Kazi

olympiakazi@gmail.com

West 156th Street

New York, New York 10032

Dear Chair Rivera and Council Members,

Thank you for the opportunity to submit testimony. My name is Reed Floarea and I am a resident of Brooklyn Heights.

I spent years dreaming about living in NYC before finally moving here and, while I love this city, I also see the ways that we fall short. Now, instead of dreaming about living here, I dream about living in the NYC where everyone's needs are met; where we can all access deeply affordable housing; where accessing healthcare does not send someone into debt that they cannot climb out of; where our schools and libraries are deeply funded regardless of what neighborhood they are in; where we can enjoy clean air, waterways, and flourishing city parks; and where we come together in moments of joy, not just anguish, and celebrate all of the things that make this city our home. That city is not possible if the Department of Corrections' preliminary FY24 budget is approved.

New York City runs the most richly funded and staffed jail system in the country, yet delivers the worst results. In 2021 alone, [NYC spent almost 3 times \(290%\)](#) more per incarcerated person than the second most expensive jail system in the country. This adds up to \$556,000 per incarcerated person per year, yet people in DOC custody are subjected to some of the [worst jail conditions in the nation](#). In addition, the New York City Council has made a commitment to close the jails on Rikers Island by 2027. Despite all of this, the Department of Corrections' preliminary budget for FY2024 is being increased by \$52 million from their last approved budget.

The resources spent on the jail system would be better used in the community, meeting people's needs. It is urgent that we correct this misallocation of funds. The recommendations that I am making will help the city close Rikers by resourcing New Yorkers and our communities with adequate housing, healthcare, and other critical services **before** they interact with the criminal legal system. For example, [more than 50% of people currently detained on Rikers Island have a mental health diagnosis](#), and [hundreds of people languish on Rikers every day simply because they are homeless](#). This is not what a community that cares deeply for each other looks like.

The FY24 DOC preliminary budget projects that 88.5% of DOC expenses will be staff salaries and benefits. Right now, the DOC's ratio of uniformed staff to incarcerated people is more than **four times higher than the national average**, and NYC's is the only jail system among the nation's largest 50 cities that has **more officers than people in custody**. It is critical to reduce the costs associated with staffing and the following are commonsense measures to reduce the DOC's uniformed headcount to 5,760 and free up \$359.2 million. I recommend eliminating vacancies for uniformed staff, holding staff accountable for chronic absenteeism, and reducing overtime spending.

In December 2022, DOC had [283 vacancies for uniformed staff](#). Considering the average attrition rates, DOC's vacancies for uniformed staff will likely increase to 800 by the end of FY23. Reducing uniformed positions to 6,260 to **eliminate** these vacancies could save \$221 million. Additionally, the Nunez Federal Monitor reported in October that DOC [identified 1,029 officers as chronically absent](#). If about 50% (500) of these officers are terminated, and the other 50% return to work to avoid termination, spending on jail operations could be reduced by \$138.1

million. Finally, it is critical to consolidate operations and permanently close the jails on Rikers Island, starting with the Otis Bantum Correctional Facility, [which was emptied in June 2022](#). This would significantly reduce overtime spending.

In addition, I recommend that the Board of Corrections headcount be increased in proportion to the Department of Corrections headcount. This kind of linked budget already exists for other oversight agencies, such as the [Civilian Complaint Review Board](#). Increasing the BOC's headcount to just 1% of DOC's would add 25 BOC staff positions, but would only add about \$3 million to the overall expense budget. The importance of BOC staff presence in jails is even more vital now that [DOC has revoked their remote video access](#).

It is crucial to redirect this \$359.2 million to invest in our communities. First, I recommend allocating \$57.8 million in expense funding for supportive housing for people who are currently cycling in and out of the City's jail system, [as requested by the Corporation for Supportive Housing](#). This would increase the funding of the existing 120 justice involved supportive housing units to \$3.1 million from \$1.2 million. It would also add 380 units with \$9.7 million, an increase from the current \$3.8 million in the budget. It would also increase the 15/15 housing funding to \$45 million to raise rates for the remaining 6,000 15/15 housing units yet to be developed.

Finally, it is critical to fund mental health treatment, treatment for people with substance use disorders, alternatives to incarceration, restorative justice, and the community programs and other commitments made in the [Points of Agreement](#) on closing Rikers. We **must fully fund** the [recommendations](#) of the Commission on Reinvestment and the Closure of Rikers.

Right now, NYC community members are jailed rather than receiving treatment for mental health or substance use disorders. They are jailed for being homeless. They are jailed for not being able to afford bond. Overwhelming, they are jailed for being people of color. We can change that and can become [a city that cares deeply for each other](#), and I am asking you to help make that change by reallocating funds from DOC's budget.

From: Ruben Abrahams Brosbe <info@sg.actionnetwork.org>
Sent: Wednesday, March 22, 2023 2:14 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Ruben Abrahams Brosbe

rubenbrosbe@yahoo.com

Herkimer Street,

BROOKLYN, New York 11216

Hearing for Criminal Justice Reforms for People with Disabilities in NYC

Good Afternoon everyone, my name is Saaif Alam and I am an activist for people with disabilities. Last year, I held a rally for people with disabilities which is the City Wide Disability Pride March and one of the issues that was covered is criminal justice reform for people with disabilities. People with disabilities face higher rates of incarceration and police brutality.

People with disabilities are 3 times more likely to be incarcerated(American progress Authors, 2022). According to Health Affairs, 66% of people with disabilities are likely to be incarcerated(Bixby, Bravery and Boen, , 2022). People with disabilities are likely to face isolation, infectious disease and violent exposure, Also people with disabilities are more likely to be arrested by police and face longer sentences than their peers who do not have a disability. According to City Limits, one to three percent of people with disabilities are incarcerated at our state jails which the media has not adequately reported about this issue to the public(Hattem, 2016). As a result, people with disabilities struggle to reintegrate with the society where they face stigma finding a job.

People with mental health disabilities are more likely to face police brutality than their counterparts in NYC. According to the Bureau of Justice statistics half of the victims were assassinated by hands of the police(Murashack, ,Bronson & Alpher 2016). However there is not enough data collection in New York City regarding the number of victims who faced police brutality. This shows that there is a need for the NYPD and scholars to gather more data about the number of people with disabilities who face police brutality in the city,

I am asking the Committee on Criminal Justice to reexamine the data and collaborate with other agencies to find more information about rates of incarceration and police brutality that affect people with disabilities,. Please ask Mayor Eric Adams to continue collaborating with the NYPD and Mayors Office for Mental Health and Criminal Justice so we can invest in legislation to reduce incarceration and police brutality against people with disabilities. Lastly, I am asking the Committee on Criminal Justice to invest in providing emotional sensitivity training so our NYPD officers can better interact with people with disabilities and not use deadly force when stopping and interacting out of reasonable suspicion.

References

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Saaif Alam
March 23rd 2022

Hattem, B. (2016, November 15). *NYC jails fail to identify prisoners with cognitive problems*. City Limits. Retrieved March 22, 2023, from <https://citylimits.org/2016/10/27/nyc-jails-fail-to-identify-prisoners-with-cognitive-problems/>

Director, M. C. A., Coleman, M., Director, A., Gordon

Director, P., Gordon, P., Director, Director, J. P. S., Parshall, J., Director, S., Manager, N. F. S., Fowler, N., Manager, S., Ross, J., Gellasch, T., McConville, D., & Villagomez, A. (2022). *Disabled behind bars*. Center for American Progress. Retrieved March 22, 2023, from <https://www.americanprogress.org/article/disabled-behind-bars/#:~:text=Cognitive%20disabilities%E2%80%94such%20as%20Down,disability%20than%20the%20general%20population.>

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<https://citylimits.org/2016/10/27/nyc-jails-fail-to-identify-prisoners-with-cognitive-problems/>

<https://www.healthaffairs.org/doi/10.1377/hlthaff.2022.00495#:~:text=Overall%2C%20an%20estimated%2066%20percent%20of%20incarcerated%20people%20were%20disabled.\>

<https://bjs.ojp.gov/library/publications/disabilities-reported-prisoners-survey-prison-inmates-2016>

From: Sarah Fajardo <info@sg.actionnetwork.org>
Sent: Monday, March 20, 2023 3:14 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

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I'm writing to you about the FY24 preliminary budget and how harmful cuts to social and housing services are to New Yorkers. As we all know, the preliminary budget represents a \$35.5 million increase for the Department of Corrections (DOC), which only exacerbates the already bloated budget of the DOC.

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Sarah Fajardo

sarah.fajardo@gmail.com

50th Ave

Long Island City, New York 11101

From: Sarah Rosenblatt <info@sg.actionnetwork.org>
Sent: Wednesday, March 22, 2023 4:08 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Sarah Rosenblatt

rosenblatt.sarah@gmail.com

80th St

Jackson Heights, New York 11372

From: Sigrid Paulus <info@sg.actionnetwork.org>
Sent: Tuesday, March 21, 2023 11:43 AM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Sigrid Paulus

sigridlauren@gmail.com

E 11th St

New York, New York 10009

From: Sylvia Morse <info@sg.actionnetwork.org>
Sent: Tuesday, March 21, 2023 10:56 AM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff:

I am submitting written testimony for public record. I'm writing to you about the FY24 preliminary budget to demand that city council prevent harmful cuts to essential social and housing services for to New Yorkers. It is unacceptable to maintain or increase DOC and NYPD's bloated budgets while cutting services that protect people's health, survival, and financial stability.

Cuts to libraries, housing agency staff and programs, and human services in particular are unacceptable during this time of economic and public health crises.

As we all know, the preliminary budget represents a \$35.5 million increase for the Department of Corrections (DOC), which only exacerbates the already bloated budget of the DOC.

Instead of increasing funding for a department that subjects people in DOC custody to some of the worst jail conditions in the nation, we should be investing in social and housing services that will truly make New Yorkers safer.

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

Sylvia Morse

sylviamorse@gmail.com

39th Street

brooklyn, New York 11232

From: wellinclaire@gmail.com <info@sg.actionnetwork.org>
Sent: Thursday, March 23, 2023 12:44 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: Whiteman, Jeremy; Testimony
[EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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In conclusion, I urge you to support a real public safety budget that includes restorations to social and housing services and cuts to DOC bloat. Thank you for your time and attention.

wellinclair@gmail.com

46th St

Astoria, New York 11103

From: Zara Nasir <info@sg.actionnetwork.org>
Sent: Monday, March 20, 2023 12:44 PM
To: Rivera, Carlina; Speaker Adams; Brannan, Justin;
Subject: [EXTERNAL] Submit Written Testimony: Safety Means #CareNotCuts & Cuts to Dept. of Corrections Bloat!

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Zara Nasir

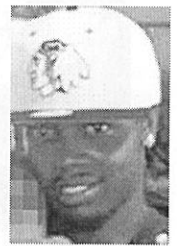
zaran03@gmail.com

East 21st Street,
Brooklyn, New York 11226

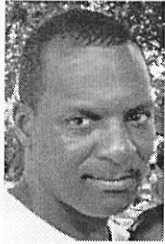
AT LEAST 371 PEOPLE HAVE BEEN KILLED BY NYPD SINCE AMADOU DIALLO (1999), 83 SINCE AKAI GURLEY (2014)



Feb. 4, 1999
Amadou Diallo, 23
Bronx



Nov. 20, 2014
Akai Gurley, 28
Brooklyn



Dec. 9, 2014
Calvin Peters, 49
Brooklyn



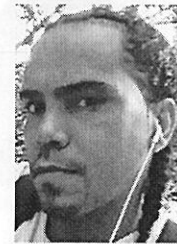
Apr. 2, 2015
Hakeem Kuta, 17
Bronx



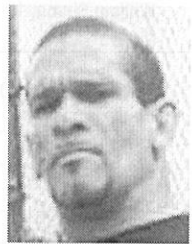
Apr. 22, 2015
Jonathan Efraim, 30
Queen



Apr. 25, 2015
David Felix, 24
Manhattan



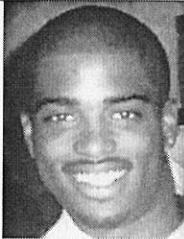
May 14, 2015
Denis Reyes, 40
Bronx



Jun. 8, 2015
Mario Ocasio, 51
Bronx



Jun. 18, 2015
Oleg Tcherniak, 58
Brooklyn



Jul. 1, 2015
Anthony Paul II, 29
Bronx



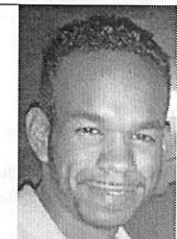
Aug. 14, 2015
Garland Tyree, 38
Staten Island



Aug. 29, 2015
Felix Kumi, 61
Bronx



Oct. 22, 2015
Suzanne Bardzell, 48
Midland Park, NJ



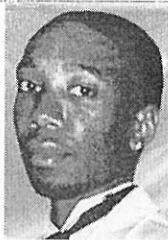
Dec. 8, 2015
Miquel Espinal, 36
Yonkers



Mar. 16, 2016
Richard Gonzalez, 55
Bronx



Mar. 31, 2016
Jonathan Jennings, 19
Bronx



Apr. 17, 2016
George Tillman, 32
Queens



Apr. 27, 2016
Geovanni Martin, 21
Bronx



May 18, 2016
Gary Conrad, 46
Manhattan



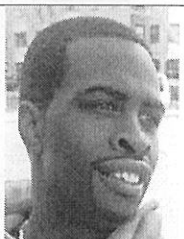
May 23, 2016
Lauren Stephan, 18
Old Westbury, LI

May 23, 2016
Yousef Shaker, 20
Old Westbury, LI

Jun. 13, 2016
Andrew McClean, 24
Queens

Jul. 11, 2016
Orville Edwards, 39
Brooklyn

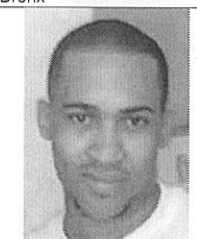
Jul. 17, 2016
Jermaine Johnson, 42
Brooklyn



Jun. 19, 2016
Rashawn Lloyd, 25
Bronx



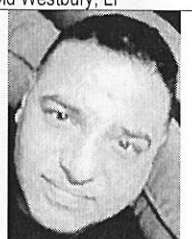
Jul. 4, 2016
Delrawn "Fu" Small, 37
Brooklyn



Sep. 18, 2016
Kadeem Trotter, 24
Queens



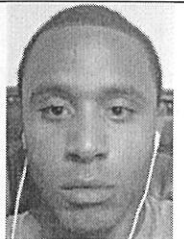
Oct. 18, 2016
Deborah Danner, 66
Bronx



Nov. 2, 2016
Ariel Galarza, 49
Bronx



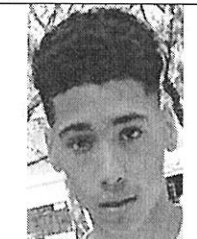
Nov. 4, 2016
Manuel Rosales, 35
Bronx



Nov. 19, 2016
Erickson Gomez Brito, 21
Brooklyn



Jan. 3, 2017
James Owens, 63
Brooklyn



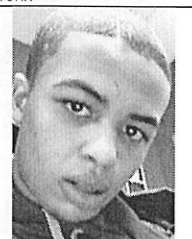
Jan. 4, 2017
Joshua Martino, 18
Brooklyn

Jan. 14, 2017
Jahlire Nicholson, 28
Queens

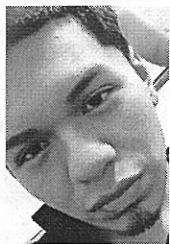
Jul. 5, 2017
Alexander Bonds, 34
Bronx

Jul. 11, 2017 (shot in 1989)
Brian Evans, 46
Brooklyn

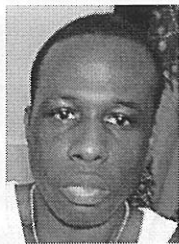
Sep. 6, 2017
Miguel Richards, 31
Bronx



Feb. 16, 2017
Kadeem Torres, 17
Brooklyn



Feb. 19, 2017
Serge Reyes, 18
Brooklyn



Jul. 31, 2017
Dwayne Juene, 32
Brooklyn



Nov. 13, 2017
Cornell Lockhart, 67
Bronx



Dec. 5, 2017
Mario Sanabria, 69
Bronx



Jan. 28, 2018
Dwayne Pritchett, 48
Bronx



Jan. 29, 2018
Sterling Michael Hansford Jr., 52 - Bronx

Mar. 5, 2018
William Simon, 19
Brooklyn

Dec. 10, 2018
Faustino Dioso, 50
Staten Island

Apr. 18, 2019
Luis Leizado, 42
Manhattan

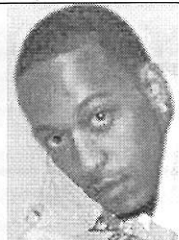
Aug. 30, 2019
Stephen Gillard, 27
Queens

Sep. 2, 2019
Brandon Clayton, 29
Brooklyn

Jan. 10, 2020
Earl Facey, 37
Manhattan

Dec. 13, 2020
Luis Manuel Vasquez Gomez, 52 - Manhattan

Dec. 29, 2020
Samuel Lazaro, 18
Brooklyn



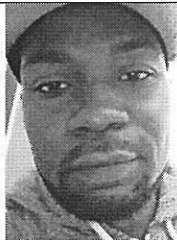
Apr. 4, 2018
Saheed Vassell, 34
Brooklyn



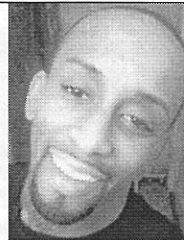
May 27, 2018
Edwin Garcia, 41
Manhattan



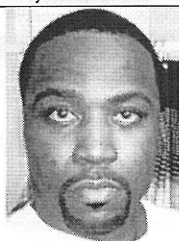
Sep. 17, 2018
Susan Muller, 54
Queens



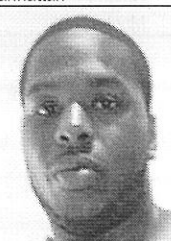
Feb. 8, 2019
Joshua R. Williams, 32
Manhattan



Apr. 14, 2019
Kawaski Trawick, 32
Bronx



Sep. 17, 2019
Gregory Edwards, 39
Staten Island



Sep. 29, 2019
Antonio Lavance Williams, 27 - Bronx, NY



Oct. 16, 2019
Nasheem Prioleau, 30
Brooklyn



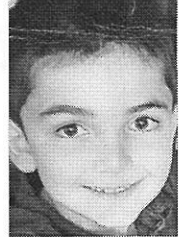
Oct. 17, 2019
Allan Feliz, 31
Bronx



Oct. 23, 2019
Victor Hernandez, 29
Manhattan



Oct. 25, 2019
Kwesi Ashun, 33
Brooklyn



Jan. 17, 2020
Thomas Valva, 8
Suffolk County



May 12, 2020
Christopher Curro, 25
South Farmingdale



Jun. 2, 2020
Tyquarn Graves, 34
Brooklyn



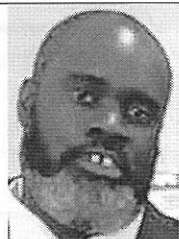
Oct. 5, 2020
Sofia Gomez Aguilon, 20
Bronx



Oct. 8, 2020
Tyran Dent, 24
Queens



Nov. 24, 2020
Rondell Goppy, 41
Queens



Jan. 21, 2021
David McFarlane, 51
Bronx

Jul. 8, 2021
Unidentified Man
Brooklyn

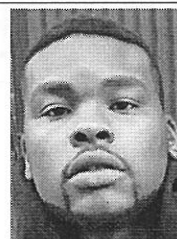
Jul. 24, 2021
Daniel Milton, 22
Staten Island

Oct. 13, 2021
Jamie Liang, 24
Brooklyn

Nov. 11, 2021
Brian Astarita, 65
Brooklyn



Aug. 29, 2021
Michael Rosado, 24
Bronx



Oct. 6, 2021
Antonio C. Armstrong, 23
Manhattan

Dec. 16, 2021
Ramierik Lopez, 20
Queens

Jan. 24, 2022
Lashawn J. McNeil, 47
Manhattan

Apr. 7, 2022
Ronald Anthony Smith, 53 - Brooklyn

May 13, 2022
Billy Lee, 51
Bronx



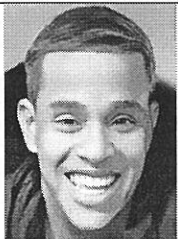
Dec. 20, 2021
Eudes Pierre, 26
Brooklyn



May 10, 2022
Rameek Smith, 25
Bronx

July 9, 2022
Raul Hardy, 60
Queens

July 9, 2022
Malik Williams, 19
Brooklyn



Oct. 16, 2022
Joel Capellan, 29
Manhattan

The Stolen Lives Project
documents those killed by U.S.
law enforcement agents from
1990 to the present.

stolenlivesprojectonline@gmail.com
stolenlives.org

Tune in to the national virtual Stolen Lives Induction Ceremony on December 3, 2022 at www.youtube.com/OCTOBER22NYC

**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: Judith Jones

Address: W 107 St

I represent: Advocate for people with

Address: Mental Illness and Prisoner

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 356 Res. No. _____

☒ in favor ☐ in opposition

Date: 3/23/23

(PLEASE PRINT)

Name: Tanya Krupat

Address: 175 Remer St.

I represent: Osborne Association

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: 3/23/23

(PLEASE PRINT)

Name: Jasmine Georges-Villa

Address: Board of Correction

I represent: 2 Lafayette Street

Address: NY, NY 10007

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: 3/23/2023

Name: Danielle C. Ortega (PLEASE PRINT)

Address: _____

I represent: Board of Correction

Address: 2 Lafayette Plon 1221, NY 113 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: 3/23/23

Name: Chaplain Dr. Victoria A. Phillips-DuV (PLEASE PRINT)

Address: 99 Wall St Ste 813 NY, NY 10005

I represent: Sails Action Coalition, Visiting U Ministers

Address: 40 Rector St 9th NY NY mental health program

**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: 3/23/23

Name: Francis Torres Deputy Commissioner (PLEASE PRINT)

Address: of the Division of Programs and Community

I represent: Partnerships

Address: Dept. of correction

**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: 3/23/23

(PLEASE PRINT)

Name: Patricia Lyons, Deputy Commissioner

Address: of financial facilities and Fleet Admin

I represent: Dept. of Correction

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: 3/23/23

(PLEASE PRINT)

Name: Louis Molina, Commissioner

Address: _____

I represent: Dept. of Correction

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: 3/23/23

(PLEASE PRINT)

Name: Paul shechtman, General Counsel

Address: _____

I represent: Dept. of correction

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: 3/23/23

Name: Aaliyah Guillory-Nickens (PLEASE PRINT)

Address: 11 Park Pl New York, NY 10007 Suite 115

I represent: Youth Represent

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 3/23/2023

Name: Julian Calvin-Harris (PLEASE PRINT)

Address: _____

I represent: Vera Institute for Justice

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 3/23/2023

Name: Carmen Perez-Jordan (PLEASE PRINT)

Address: _____

I represent: The Gathering for Justice

Address: New York, NY

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: 3/23/03

(PLEASE PRINT)

Name: Jennifer Parish

Address: 40 Rector St., 9th Fl., NY, NY 10006

I represent: Urban Justice Center Mental Health

Address: Project

**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: 3/23/23

(PLEASE PRINT)

Name: Grace Ortiz

Address: Freeland Ave Rutherford NJ 07070

I represent: Freedom Agenda + Campaign to Close Rikers

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: 3/23/23

(PLEASE PRINT)

Name: Amanda Berman

Address: 520 8th Ave. NY NY

I represent: Center for Justice 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: 03/23/2023

(PLEASE PRINT)

Name: Eileen Maher

Address: St John's Pl Bklyn

I represent: VOCAL NY

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: 03/23/2023

(PLEASE PRINT)

Name: Alex Griffith

Address: Cherise Ct, Jackson NJ 08527

I represent: Exalt Youth

Address: 17 Battery Pl, New York NY 1000

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: 3/23/23

(PLEASE PRINT)

Name: Conor Foley

Address: Henry St. Brooklyn, NY 11201

I represent: First Presbyterian Church of Brooklyn

Address: 124 Henry St Brooklyn, NY 11201

**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: 3/23/23

(PLEASE PRINT)

Name: Darren Mack

Address: 40 Rector St. NY, NY 10006

I represent: Freedom Agenda

Address: 40 Rector St.

**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: 3/23/23

(PLEASE PRINT)

Name: Matthew Thompson

Address: _____

I represent: Legal Action Center

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: TO DAY 3/23/23

(PLEASE PRINT)

Name: Abraham Carrasco "B"

Address: DA streets

I represent: The People

Address: Earth

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: 3/23/23

(PLEASE PRINT)

Name: Nadia Chait

Address: 21 West 125th

I represent: CASES

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: 3/23/23

(PLEASE PRINT)

Name: Wayne McKenzie

Address: 33 Beaver Street - 21st Floor

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: 3/23/23

(PLEASE PRINT)

Name: Gineen Gray

Address: 33 Beaver Street - 23rd floor

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: 3/23/23

(PLEASE PRINT)

Name: Sharon Goodwin

Address: 33 Beaver Street - 23rd Floor

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: 3/23/23

(PLEASE PRINT)

Name: Michael Forte

Address: 33 Beaver Street - 18th Floor

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: 3/23/23

(PLEASE PRINT)

Name: Commissioner Juanita N. Holmes

Address: 33 Beaver Street - 23rd Floor

I represent: NYC Department of Probation

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: 3/23/23

(PLEASE PRINT)

Name: Andre Ward

Address: 29-76 Northern Blvd

I represent: The Fortune Society

Address: 29-76 Northern Blvd.

**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: 3/23/23

(PLEASE PRINT)

Name: Christopher Leon Johnson

Address: Buffalo Avenue

I represent: Self

Address: Buffalo Ave

**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: 3/23/23

(PLEASE PRINT)

Name: Henry Robinson

Address: 7 FLATLANDS 9 Street

I represent: Hotel Center

Address: 197 Prince 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: 3/23/23

(PLEASE PRINT)

Name: Dalvinia K. Powell, President

Address: 2510 Westchester Ave

I represent: United Federation of Teachers Association

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: 3/23/23

(PLEASE PRINT)

Name: ZACHARY KATZENELSON

Address: 121 6TH AVE NY, NY 10013

I represent: LIPPMAN Commission

Address: SEE ABOVE

**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: 3/23/23

(PLEASE PRINT)

Name: Melanie Dominguez

Address: 147 Prince St Brooklyn, NY

I represent: Katal Center for Equity, Health, and Justice

Address: _____