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Jasmine Georges-Yilla
Executive Director

Testimony before the New York City Council Committee on Criminal Justice
Regarding the Mayor's Preliminary Budget for Fiscal Year 2025

March 8, 2024

By Jasmine Georges-Yilla, Executive Director
New York City Board of Correction

Good afternoon, Chair Nurse and members of the New York City Council Committee on Criminal Justice. I am Jasmine Georges-Yilla, Executive Director of the New York City Board of Correction (the Board or BOC).

I am joined today by BOC's Deputy Executive Director of Administration, Danielle Ortega, our Assistant Executive Director of Monitoring, Katrina Blackman, and our General Counsel, Melissa Cintrón Hernández. Thank you for the opportunity to testify.

Background

The Board has carried out critical independent oversight of the City's jails since 1957, despite being a relatively small agency with limited resources. The New York City Charter ("City Charter") outlines the Board's broad mandates to establish local regulations, investigate any matter within the jurisdiction of the Department of Correction (the "Department" or "DOC"), and evaluate the Department and Correctional Health Service's ("CHS") performance. The Board's Minimum Standards set the baseline for what must be provided to people in custody.

We thank the City Council for investing in the Board as a key partner in the strategy to transform the jail system and the broader criminal justice system. The one year of funding that the Council provided for four positions in Fiscal Year ("FY") 2024 was extremely helpful. Indeed, despite six employee separations in the past year, we were able to hire two additional correctional standards review specialists to monitor the jails and we created and filled a Director of Appeals position and

an Assistant Executive Director of Intergovernmental Affairs position. We also restructured our operations to optimize productivity and performance as we work to fulfill the priorities of the Board and comply with laws enacted by the City Council. Last year, despite difficult circumstances, we published two death reports, a report on the North Infirmity Command Fire, and a progress report on the City's Borough Based Jails ("BBJ") plan. So far in 2024, we have published one death report, an assessment on the Department's use of chemical agents, and a BBJ progress report. In 2024, and beyond, we are committed to providing more frequent and timely reporting centered on deaths, serious incidents, and Minimum Standard compliance. With more resources we can do much more.

Fiscal Year 2025 Executive Expense Budget

Despite the Board's huge mandate and ambitious goals, we are a very small agency with an expense budget of \$3.17 million, which supports a headcount of 29 positions in FY 2025. At present, the Board has 24 active staff and nine vacant positions, which we are working to fill. As part of the FY 2025 November and Preliminary financial plans, the Board sustained budget reductions totaling \$672 thousand (17.5%) in FY 2024 and \$313 thousand (9.0%) in FY 2025, a part of citywide Programs to Eliminate the Gap ("PEG"). The cuts included the agency's loss of two full-time positions in FY 2024 and the out years (a Research and Compliance Associate position and a Special Investigations Coordinator position). For an agency as small as the Board, this will present serious challenges to meeting our Charter and legislative mandates.

Indeed, these cuts reduced the Board's already-small research operations by 25%, a move from four to three research staff. And we currently only have one Research and Compliance Associate due to two separations. This loss impedes the agency's progress towards robust and timely data-reporting.

Current Priorities

Following the Council's historic vote to fund new jail construction and close Rikers Island, this is a moment for the expansion of independent jail oversight, not a retraction. As it stands, the Board's FY 2025 budget represents .3% of the budget of the Department. Adjusting our FY 2025 funding and headcount to our initial FY 2024 budget—35 positions and \$3.8 million—which amounts to just \$673 thousand, will allow us to meet our mandates more effectively. In FY 2025, the Board requires additional funding to increase its staff so we can consistently publish data-driven reports, meet requirements set by City Council, increase public engagement, and monitor conditions of confinement for the thousands of people in custody during DOC's 24-hour operation.

New Needs

Specifically, the Board is seeking funding for 20 new positions across the agency and the ability to fill 4 additional positions using existing vacancies.

Monitoring Staff

Monitoring staff are critical to BOC's mission. We currently 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. Yesterday, there were 6,246 lives in the Department's care. Funding to expand the Board's monitoring operations is crucial because lives and fundamental fairness are at stake.

Research staff

Furthermore, it is vital that BOC have sufficient headcount to thoroughly research and understand the numerous data points and material that we receive from both DOC and CHS. While we anticipate having a Director of Research and Monitoring Compliance join our sole Research and Compliance Associate later this month, there is still a need to increase the research staff and analytical capacity of our agency. Funding for five additional research staff will support our commitment to evaluating and analyzing operations and outcomes in the jails, increasing transparency, and timely data-sharing.

Legal staff

We also request more funding and headcount for our Legal team.

Special investigations

The Special Investigations unit is a two-person unit responsible for investigating various incidents within DOC's facilities. This includes deaths in custody, unresponsive persons in custody, fires, or any other incident that falls under the "unusual incident" category. An additional Special Investigations Coordinator would allow the Board to identify many more incidents in custody and is essential for the Board to fulfill its mandate to investigate incidents in custody and issue timely public reports. The Special Investigations unit would also 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.

Visit restriction appeals

Moreover, to support the agency's vital work related to visit appeals and its impact on both incarcerated persons and their loved ones, BOC requests one position and associated funding to hire an Appeals Coordinator to join our one-person Appeals unit.

Violence prevention

More funding and headcount will also bolster our Violence Prevention unit. More resources will allow the Violence Prevention unit to conduct routine assessments of matters of violence in the jails and issue more frequent comprehensive reports that make recommendations in areas of key correctional planning.

Additionally, the agency currently does not have any staff dedicated to monitoring the standards on the elimination of sexual abuse and sexual harassment under the Prison Rape Elimination Act ("PREA"). We are requesting funding to add one PREA Research Associate and one PREA Coordinator to the Violence Prevention team. These new positions would allow BOC to routinely assess DOC's compliance with the PREA reporting provisions, conduct annual audits of DOC's closing memos on investigations of sexual abuse and harassment allegations, analyze sexual abuse and harassment allegations, and closely monitor the housing decisions for transgender individuals in custody.

Deputy General Counsel and Legal Associate

The Board's General Counsel Office is also a one-person unit. Currently, our General Counsel handles all requests made under the Freedom of Information Law ("FOIL"), all policy and rulemaking matters, and serves as the agency's Chief Contracting Officer and Records Management Officer. The Board is in the process of drafting amendments to Chapter 6 of its rules to align its existing standards banning solitary confinement with the requirements of Local Law 42 for the year 2024. The Board would benefit greatly from the addition of a Deputy General Counsel and Legal Associate to assist with this rulemaking process and all other legal matters.

Administration and IT units

We also request more funding and headcount for our Administration and IT units. Specifically, we need a dedicated staff person to work on human resources and EEO matters, and a dedicated budget analyst.

Moreover, BOC only has one IT staff person—a Director of IT—who supports all agency operations across two BOC office locations in downtown Manhattan and on Rikers Island. One IT person is not sufficient for the long-term stability of the agency. The Board needs six new positions to support its IT operations and systems. BOC has previously requested funding for a new secure information technology and data management system that will keep pace with DOC's transition to new technology and the Board's mandates to investigate and evaluate jail conditions and monitor compliance with the Minimum Standards. We renew that request for future funding today. Investment in a new technology system is critical to BOC's long-term stability and necessary to continue the Board's data-driven oversight.

Borough-based jails plan

BOC also needs additional staff to focus on the review of the City's borough-based jails plan, as required by Local Law 192 for the year 2019. Currently, BOC does not have a dedicated staff person in this area, which has resulted in delayed reporting. We hope to hire a Program Associate to fill this void. In the meantime, the Board will continue to seek opportunities to be involved in discussions concerning the design and construction of the new borough-based facilities to ensure the Minimum Standards are met.

The Board is essential to the success of the reforms that the City Council and the Administration seek to realize. Without the appropriate funding, the Board will struggle to meet these shared goals and legislative mandates. It is essential that funding for our critical positions be restored, and additional funding be provided, so we can meet both our mandate and our promise.

Thank you again for the opportunity to testify today. I am happy to take any questions.

**Testimony before the
New York City Council
Committee on Criminal Justice
Chair Sandy Nurse**

**By
Lynelle Maginley-Liddie, Commissioner
NYC Department of Correction**

March 8, 2024

Good morning, Chair Nurse and members of the Committee on Criminal Justice. I am Lynelle Maginley-Liddie, Commissioner of the New York City Department of Correction (“Department” or “DOC”). My colleagues and I are here to discuss the Preliminary Budget for Fiscal Year 2025 and my vision for the future of this agency.

Introduction

Today, I am joining you as the Department’s newest Commissioner and I am proud to deliver my testimony alongside our First Deputy Commissioner, Francis Torres, Acting General Counsel, Nancy Savasta, Deputy Commissioner of Budget and Finance Mala Srinivasan, Assistant Chief Sherrie Rembert, and other members of my team. Although I am new to this role, I am not new to the Department. I have served DOC for over eight years. During this time, I’ve become familiar with our policies, our facilities, our legal matters, and our people. As Commissioner, my unwavering commitment to this agency has only deepened and I consider it a privilege to lead the men and women of the Department of Correction.

Corrections is a law enforcement job, but it also involves human services. That is how I have always seen my career and how I encourage our staff to think about their roles. As many of you know, I joined this agency in 2015 with the goal of giving back to a city that has given so much to me. I am proud to have been granted positions of progressive responsibility, including Deputy General Counsel, Acting Senior Deputy Commissioner and Chief Diversity Officer, and First Deputy Commissioner. But I am more proud of the opportunity to keep serving the DOC community and continuing to advocate for better treatment for everyone working and living in our jails.

I want to be clear with everyone here today that people who work at DOC are committed to criminal justice reform. They want to see better, safer jails for themselves, their colleagues, and the people in our care. However, gaining their buy-in on needed reforms requires that we treat them with the same empathy and respect we expect to be treated with. With our support behind them, they will in turn provide the same level of empathy and respect to those in our care. Every day, I am motivated by the dedication of our workforce and their willingness to engage in the difficult work of change. I see the stories that go untold of the positive work they do in the jails each and every day, and I am confident that their passion for their work will continue to be the vessel for enduring change.

Today, I will provide you with insight on how my team and I are working to cultivate that passion and how we are providing a greater voice and additional support to people in our care. I will also give you an overview of the Department's fiscal year 2025 Preliminary Budget.

State of the Jails

I am well aware that in order to effectuate change in our jails, we must first be honest about the state of our jails. Our facilities are old and outdated. These structures have inadequate lines of sight, and the crumbling infrastructure is too easily dismantled by people with ill intent. Complicating matters, our population, which fell to approximately 4,000 at the height of the pandemic, has risen to an average of approximately 6,135 per day. Of those individuals, over 500 have been detained for longer than two years and over 20 percent are being held on a violent felony charge. These challenges are further compounded by high levels of workforce attrition. Over the past four years, the Department has attrited nearly 3,500 uniformed staff. This decline in staff plays into our difficulty in managing a highly concentrated violent population and has contributed to a demoralization among our workforce. This, in turn, contributes to a greater sense of frustration among those in our care.

These challenges are not new, but to resolve them, we owe it to ourselves to take a different approach. Under my direction, we will face these challenges by treating the source, not the symptom. We are focused on assessing and meeting our population's basic needs and actively listening to them to resolve conflicts. We are taking the same approach with our staff by providing enhanced training and greater on-the-ground support.

A New Approach

As Commissioner, I firmly believe that to lead the jails, you need to tour the jails. To that end, I have instituted a mandatory touring schedule for all uniformed and non-uniformed leadership. On these tours, my team is expected to speak with staff and people in custody, address any issues they see in real time, and report back to me on their positive observations as

well as areas of concern. I hold myself to the same standard and continue to tour our facilities as well.

Regular touring is critical for our success. If we are to uphold our commitment to creating a safer, more humane environment, then we must personally know the conditions of our jails. As leaders, we must listen, and we must develop solutions to problems informed by those on the ground. Moreover, we know that among the best paths to violence reduction is ensuring that the people in our care have what they are entitled to and what they deserve. Regular touring by leadership ensures that extra pairs of hands and eyes are present to get people what they need.

I have also instituted focus groups with uniformed and non-uniformed staff as well as people in custody. The goal of these focus groups is to provide a space for everyone to voice their honest feedback. We've collected input on everything from safety and jail conditions to wellness opportunities and the need for more programming. So far, there have been over 20 focus groups scheduled across multiple facilities, with more sessions to be scheduled. The feedback offered in these sessions will be compiled, shared with all members of leadership, and used to inform decision making in the coming year. I am committed to returning to these focus groups to hear their thoughts on our efforts to mitigate the issues they raised.

Building a New Foundation

As much as I believe in the work we are doing to change the culture within our jails and enhance safety for everyone, I must emphasize that to truly change this department, we cannot do it alone. I applaud the work that our Division of Programs and Community Partnerships has done to provide one-on-one sessions and group-based facilitation programs in the wake of a \$17 million dollar budget cut to external programming. I am also thankful to the Fortune Society and

Osborne Association, who have continued to provide discharge planning services to the population without additional city funding. I am equally grateful to the existing providers under the Mayor's Office of Criminal Justice's contracts for their work. However, an abundance of meaningful programs and services is a critical key to reducing idleness, and in turn, violence. I know this based on my years at the Department and it has been echoed in the focus group sessions we have held. For that reason, I am thrilled to welcome external program providers back into our facilities and am extremely thankful that the Mayor has been able to restore \$14 million dollars in funding to support enhanced programming initiatives for people in custody. These funds will target new needs and will include robust transitional planning, substance misuse programming, supplemental educational programming, trauma informed programming, and transportation for those being reintegrated to our communities.

I also want to highlight that the Department recently received a grant for \$180,000 from the New York State Office of Mental Health's Suicide Prevention Center to expand wellness programs for staff. Our CARE Unit will spearhead the grant, and I anticipate that it will support our staff in managing the difficulties of this work. This initiative is personal for me because I know the trauma our staff experience on a daily basis. I also know that supporting our staff's mental health will help them show up stronger for the people in our care.

The Department's Fiscal Year 2025 Preliminary Budget

Now I will turn to the fiscal year 2025 Preliminary Budget. The Department's FY25 budget is \$1.05 billion, which is a \$165.7 million dollar decrease from the previous fiscal year. The vast majority of our budget – 84 percent – is allocated for Personal Services, and 16 percent for Other than Personal Services. This budget decrease was achieved through:

- 1) Savings due to operating below the authorized headcount. \$30.9 million was saved in FY24. We are projected to save \$30.4 million in FY25, \$49.4 million in FY26, and \$49.9 million in FY27 by continuing to remain below our budgeted headcount for both civilian and uniformed staff;
- 2) A reduction in overtime. The Department saved \$58.1 million in FY24 through uniformed and civilian overtime reduction efforts;
- 3) Several collective bargaining adjustments, which resulted in an additional \$7.5 million in FY24, \$11.6 million in FY25, \$16.2 million in FY26, \$20.8 million in FY27, and \$22.8 million in FY28.

Capital Funding

The FY25 Preliminary Capital Budget and Commitment Plan totals \$10.8 billion, which covers Fiscal Years 2024 through 2033. As of the FY25 Preliminary Budget, the majority of capital funding is tied to the borough-based jails program which totals \$8.7 billion over the ten-year plan and is allocated as follows:

- Brooklyn Facility - \$2.8 billion
- Manhattan Facility - \$2.0 billion
- Bronx Facility - \$1.9 billion
- Queens Facility - \$1.9 billion
- Queens Parking Garage - \$10.7 million.

Headcount

We continue to work diligently to attract and retain civilian and uniformed staff. The Department's authorized headcount remains effectively unchanged from the Adopted Budget

totaling 8,788; 7,060 uniformed positions and 1,728 civilian positions. Our actual in staffing levels continue to remain well below our authorized headcount and the Department intends to remain aggressive with advertising and marketing strategies to promote recruitment.

Conclusion

In closing, I have assumed the role of Commissioner with a deep commitment to the men and women of DOC, and to the people we serve. I recognize that a positive working relationship with our oversight bodies, including the Federal Monitor, the Board of Correction, and the City Council, as well as with our partners and stakeholders, is foundational to this work. In the three months I have been Commissioner, we have enacted the changes needed to clear a contempt motion and restored the Monitor's faith in the Department's willingness to be a collaborative partner. I promise you this is just the beginning. I look forward to a partnership with the Council that focuses on thoughtful, meaningful, expeditious reforms. Achieving a safe, secure and humane environment for those who work and live in DOC facilities is my ultimate priority. Moreover, I understand that this is a job of service and that accepting our present challenges with humility is what will lead us to create lasting solutions.

The Department's issues are complex. Nothing will be easy, but I will not entertain failure. If I didn't think this city could make the necessary reforms, if I didn't think we could create a safe and humane environment for both staff and everyone in our care, I would not have committed myself to this work. I look forward to working with the Council toward our shared priorities and reforms. Thank you for the opportunity to speak today. My team and I are available to answer your questions.



**STATEMENT OF JUANITA N. HOLMES,
COMMISSIONER OF THE NYC DEPARTMENT OF PROBATION**

BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON CRIMINAL JUSTICE

MARCH 8, 2024

Good morning Speaker Adams, Chair Nurse and members of the Council. I am Juanita N. Holmes, Commissioner of the New York City Department of Probation (DOP). I am joined here today by the executive cabinet of the Department of Probation: Deputy Commissioners Sharun Goodwin, Matthew Granoff, Bridget Hamblin, Robert Maldonado, and Andrea McGill, as well as our Chief Information Officer Razwan Mirza. I would like to thank you for the opportunity to discuss the important work being done by the Department of Probation and our preliminary 2025 fiscal year budget.

Probation is an alternative to incarceration emerging from the desire to reform rather than punish. The probation system offers a rehabilitative path to advance the goal of addressing the underlying causes of criminal behavior and equipping clients and their families with the skills and resources necessary for a law-abiding life. Our mission at DOP is operationalized through various programs and interventions aimed at addressing unemployment, substance abuse, and educational or vocational deficits as well as creating a stronger connection between clients and their communities. Probation is unique in that it is comprised of law enforcement officers who can manage risks while providing the essential support and supervision to assist people on their path toward change.

As one of the largest alternatives to incarceration in the nation, I am proud of DOP's critical role in safely supervising individuals on probation citywide. In FY2023, DOP provided intake, investigation and supervision services for over 30,000 cases, which is a 6% increase from (29,000) in FY2022. More specifically, our intake has increased 25% from 8,800 to 11,000 individuals from FY2022 to FY2023 respectively. Furthermore, DOP provided supervision intake to an additional 4,514 individuals, which is a nearly 15% increase from the 3,946 in FY2022. Leading the total number of individuals supervised in FY2023 to 15,101. It is safe to say that the number of individuals the Department of Probation is touching, is growing.

Alternatively, for Fiscal Year 2025, the Department of Probation has a Preliminary Budget of \$105.6 million dollars as compared to our Fiscal Year 2024 Adopted Budget of \$119.9 million dollars. This is 13% less – inclusive of the \$9.1 million PEG reduction. Of the Preliminary Budget \$71.9 million is for Personal Services and \$33.7 million is for Other-Than-Personal Services. \$84.7 million are City tax levy funds, \$14.6 million are state funds and \$6.3 million are intra-city funds.

Despite a rise in the cost of services and decrease in our budget, DOP is committed to ensuring that the best services are provided to justice involved individuals, in the most efficient and effective

ways. We are also committed to building stronger and safer communities while working to curb gun-violence and reduce recidivism.

Our hardworking Probation Officers are at the heart of DOP's mission to help people change their behavior, remain safely in their community and lead a better life for themselves, their families and our city. DOP's current headcount for the Probation Officer title is 423. This is down 271 Probation Officers from our peak Probation Officer headcount of 694 in 2019. To ensure that DOP remains staffed to operate safely and successfully, we have been approved to hire another class of Probation Officers off a current, active list and we are hoping to on board this class within the upcoming months. Additionally, an Administrative Probation Officer exam, which has not been administered in over a decade, is tentatively scheduled for May. We also promoted 26 officers to Supervising Probation Officer last year. Like the 75% of union contracts that have already been signed, we anticipate that the Probation Officers' contract will follow suit, giving our officers a pay increase.

While community safety can be achieved in a number of ways, public safety remains the paramount concern in the administration of probation. This includes the safety of all of our officers. As a result, active shooter training has been implemented at DOP, starting with the boroughs of the Bronx and Manhattan. This is also the reason why wearing uniforms has been reinforced – so our officers are clearly identifiable if met with such circumstances when out in the field or while working with clients. I would like to take the opportunity to clarify that this is not the first time Probation Officers have been required to carry their firearm on their person while performing their duties. However, a policy has been implemented to ensure that our officers are complying with the requirement that has been in place since 2003. DOP wants to remain on the offensive and not the defensive, when it comes to the safety and security of our officers, who continue to work with and support at-risk clients.

In order for our Probation Officers to provide the best support possible to clients, our officers need to grow their knowledge base, improve their job skills and become more effective in the workplace. This is why DOP is looking to build out in-service training for our officers, beginning with our Supervising Probation Officers (SPOs) who will soon be sharpening the hard and soft management skills that are essential to performing their duties, such as effective case management, communication, problem-solving and decision-making.

In addition to the great work done by the women and men of the Department of Probation, we have also established a new Programs & Evaluation Team (P&E). This team has been created to obtain data, beyond program attendance, to ensure the programs being offered to clients are effective and will also lead to successful outcomes. Since I last testified before Council, my team and I have met with our service providers to explain our program expectations and to assist in capturing the outcomes of their programs. We have begun collecting data from 51 contracts including 26 service providers, covering 13 different programs. We will be using the data obtained over the next year to assess key performance indicators relating to recidivism, employment opportunities and educational attainment and we will be happy to share our findings with Council.

Another way in which DOP is further developing performance and productivity is through technology. The case management program currently being used by DOP is over ten years old.

Post evaluation, it was found that it no longer meets the needs of the agency or the city. As a result, DOP has hired a new Chief Information Officer who is working with the Department to update all of DOP's technology systems. Not only will this safeguard the Department, but it will make sure that our officers are able to efficiently track their cases and afford DOP the ability to run accurate data sets relating to our cases with the push of a button— making DOP more efficient and effective.

DOP is also focused on building upon and expanding our collaborative efforts with our sister agencies, including with the New York City Public Schools (NYCPS) and the New York City Police Department (NYPD) to better deliver timely services and resources to at-risk individuals. DOP has collaborated with NYCPS to identify students within the school system who are currently on probation and are under-credited. A list of 461 students has been compiled and our agencies will work together to ensure that each of these students is in the right school setting to meet their needs. Probation Officers will conduct follow-ups with schools to ensure each of these students is attending classes and receiving the proper educational services. This initiative is in the beginning stages. There is more work to be done, though we look forward to witnessing its achievements. DOP has also partnered with NYPD to include justice involved youth in the “Girl Talk” and “Blue Chips” mentorship programs. These programs are designed for young women and men who are brought together in a judgment-free zone to talk through problems, learn skills and walk away with role models and a strong support system. These collaborations allow DOP to leverage existing opportunities and make them available to our clients.

One of my primary goals as Commissioner is to curb gun violence and reduce recidivism. Using a combination of prevention and intervention, our Probation Officers work to restore an individual's connection with their community and peers and help them change their behavior, creating a pathway out of the criminal justice system. In accordance with these goals, we are focusing our resources on the people and communities where they are needed the most. This philosophy is encompassed through the Neighborhood Opportunity Network (NeON), 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. Over 30% of our clients come from these seven neighborhoods alone. Since its inception, the NeON Model has had tremendous success in terms of impactful engagement and providing services to the local community. In partnership with the NYC Gun Violence Prevention Task Force and the NYC Human Resources Administration (HRA), DOP is launching NeON Expansion, an initiative to increase access to government benefits and provide more effective support. In addition, NeON Expansion will focus on creating employment opportunities.

Our juvenile alternative to placement programs, ECHOES and AIM actively monitor youth through regular home visits and wellness checks with parents/guardians. They diligently work one-on-one with youth to underscore the detrimental effects of gun violence on persons, families and communities. This is in addition to the many other programs that hold violence prevention groups and discussions for our city's youth.

Internally, DOP has also initiated a specialized gun branch within DOP Adult Operations to combat gun violence. This branch is made up of 58 probation officers and 10 supervising probation

officers who specifically supervise individuals sentenced to probation with a gun charge. This process will allow our officers to create strong engagement through dialogue and trust, and identify the needs of these particular individuals which in turn will reduce further gun violence and help shift their path toward a law-abiding future.

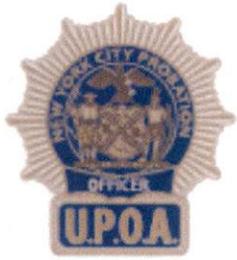
We are also relying heavily on the work of our Intelligence Division (Intel) to get guns off our streets and out of our communities. Over the past year, Intel conducted 10,918 field visits and 2,089 enforcement actions. This has been a 37% increase from the 7,955 field visits and 1,463 enforcement actions taken in CY2022. These enforcement actions include gang-related investigations, failure-to-report home visits and bench warrant enforcement actions and transporting prisoners to and from other jurisdictions. Our Intelligence Division does great work and we discovered over the last year that over 20,000 individuals have an active warrant for a violation of probation. In an effort to locate these individuals our Intelligence Division partnered with NYPD, and their ability to use the Domain Awareness System, to conduct warrant enforcement and to return these individuals to court. Moreover, enforcement actions often result in the recovery of numerous firearms, drugs, and other contraband. In CY2023, Intel recovered 24 firearms while conducting field visits, also an increase from CY2022 where they recovered 20 firearms.

Some of the most common reasons for recidivism include a lack of employment or economic opportunity. This is why DOP is offering a new program for individuals to attain their commercial driver's license (CDL) within our NeON locations. This program offers an opportunity for clients and the community to obtain a license in order to seek permanent employment. We are also looking into introducing entrepreneurial programs such as beautician and barber certifications in the near future. These programs will benefit all of our clients, especially our undocumented clients who are unable to participate in some of the current employment programs. In an effort to assist clients in finding employment, we have also partnered with the Department of Transportation (DOT) to hire justice involved individuals to work on DOT sites to assist in managing vehicular, bicycle or pedestrian traffic. While appreciative of the assistance third parties offer to engage our clients in employment, DOP is becoming more proactive in establishing economic opportunities for individuals before the completion of their probation sentence. In the same spirit, DOP will be requiring clients to participate in an "exit interview" a few months prior to leaving probation supervision to ensure each individual has established their basic fundamental needs, such as employment, housing, education, proof of identification, the ability to obtain food, access to formal banking and access to proper clothing and furniture needs.

Lastly, I would like to touch on one of the most vulnerable populations within our City – individuals who are homeless. Our Probation Officers are dedicated to working with individuals to overcome barriers and seek permanent housing. However, we recognize a gap in services and have engaged in constructive conversations with organizations and agencies such as DHS, Covenant House and DYCD to explore options available to individuals who are homeless or living in shelters. We look forward to sharing more information about additional programs and benefits for our unhoused population with Council once they are more established.

The work that this Department engages in is not only impactful, it is also life-saving. This is attributed to the unwavering commitment of our Probation Officers to meet the needs of our clients

and their families. Our work however, is far from done and there is more that each member of this agency can do to assist some of our fellow New Yorkers and improve the quality of the services provided. We look forward to working with Council on our path towards increasing the effectiveness and efficiency of probation and in turn improving public safety and reducing recidivism. Thank you for the opportunity to testify this morning and I will be happy to answer any questions that you may have.



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Testimony of
Dalvanie K. Powell
President
United Probation Officers Association
NYC Council Committee on Criminal Justice
March 8, 2024

Good morning, Chairperson Nurse, and members of the Committee.

My name is Dalvanie Powell, and 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 UPOA, the opportunity to testify on important issues impacting the future of Criminal Justice in the City of New York for your consideration when preparing your recommendations for next fiscal year's budget.

Probation Officers work every day to keep our city safe, while giving New Yorkers involved in the criminal justice system a second chance. UPOA members have bachelor's and master's degrees, and education and work experience in social work, which we use to help our clients begin to live productive and lawful lives.

We are charged by the city to oversee approximately 15,000 men, women and youth who have been convicted of crimes and sentenced to probation instead of jail, prison and placement. When we are successful, we save the city and state millions of dollars by diverting people from being sentenced and incarcerated. We are responsible for making sure they do not violate the terms of their probation and work them to turn their lives around.

Our members are Peace Officers. They serve on task forces with other agencies, such as the U.S. Marshals, Drug Enforcement Agency, and the NYPD. We carry firearms, make arrests and execute search and arrest warrants. Despite the important role we play in law enforcement, our members are classified as civilians, rather than law enforcement officers, which impacts our salary and benefits.

Currently, we have approximately 668 Probation Officers and Supervising Probation Officers serving at the Department of Probation. The vast majority of our members are women and people of color. This is a significant decrease from a decade ago.

Prior to the Bloomberg administration, there were approximately 1,550 Probation Officers working in New York City. Over the past several years, staffing levels at the Department of Probation have been reduced by more than 50 percent. I am also providing you with DOP's resignation rate from January 2018 to December 2022.

As staffing levels have plummeted; our workload has continued to increase. This is, in part, due to bail reform and Raise the Age, which have increased the number of the clients served by DOP. This cannot continue; to be able to perform our duties and responsibilities, we need more support – and your help.

In June 2023, I was invited by DCAS to testify in a public hearing to consider a proposal to temporarily classify three titles in the non-competitive class under the Hiring Emergency Limited Placement (HELP) Program. Unfortunately, we met that criterion. I am also providing you with that notice for your review.

The Department of Probation has issues with retention and recruitment. Our members are leaving for higher-paying positions in the criminal justice system. This includes other law enforcement agencies in New York City, as well as probation departments in neighboring counties.

Our compensation lags far behind other law enforcement agencies, even though we work with the same populations and face the same dangers. For example, based on our last contract (which expired in November 2020), the hiring rate for Probation Officers is \$45,934, which is far lower than the starting salaries at NYPD, DOC and other agencies.

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. Our members rarely, if ever reach the top salary for their titles, unlike other peace officers and civilians. In addition, dozens of our members are even earning below contractual wage rates, something we have asked the City to address immediately.

Compared to other probation departments, our salaries are the lowest in the metropolitan area including Nassau, Suffolk and Westchester Counties. We do the same work as the Probation Officers in nearby jurisdictions and deserve the same pay.

While we recently had a civil service examination for Probation Officers on August 25, 2023, for Supervising Probation Officers on May 19, 2021, there has not been a civil service examination for Administrative Probation Officers since 2017. However, our recent administration has petitioned DCAS for an Administrative Probation Officer examination and the filing now will be from April 3 to April 23 of this year.

We have begun to work with the mayoral administration to address some of these challenges and are hopeful that the newly appointed DOP Commissioner, Juanita Holmes, and her team will be receptive. But if history is our guide, we will need the Council's support to ensure that members of Probation feel respected because they are on the frontlines as an alternative to sentencing at a time when we are striving to lower the population of those who are incarcerated.

I would appreciate the opportunity to discuss this with you all further.

Thank you.
Dalvanie

I stand ready to answer any questions you may have now and look forward to meeting with you and your representatives at a future date.



Dawn M. Pinnock
Commissioner

Beatrice Thuo
Executive Deputy Commissioner

To: All Interested Parties

From: James Whitman
Director, Classification and Compensation

Date: June 21, 2023

Subject: Notice of a virtual public hearing to consider a proposal to temporarily classify three titles in the non-competitive class under the Hiring Emergency Limited Placement (HELP) Program

The Commissioner of the Department of Citywide Administrative Services scheduled a virtual public hearing to be held on June 28, 2023, at 10:00 AM via Microsoft Teams. The meeting details are below.

Topic: Public Hearing - NYS Civil Service Commission Proposal - HELP Program

Meeting link: <https://www.microsoft.com/microsoft-teams/join-a-meeting>

Meeting ID: 290 781 280 011

Passcode: MCEoTm

Phone Number: [1 646-893-7101](tel:16468937101)

Phone Conference ID: 394 806 280#

The Hiring Emergency Limited Placement (HELP) Program is a NYS Department of Civil Service program allowing municipal agencies to temporarily reclassify competitive class social services, health, and safety titles in the non-competitive class for a period of one year. We propose to submit Probation Officer (51810), Probation Officer Trainee (51801), and Police Communications Technician (71012) for the State Civil Service Commission's consideration, please see the attached draft classification resolution.

Copies of the proposal memorandum, the proposed classification resolution, and the proposed class specifications for the above titles will be available on the DCAS Website at: <https://www1.nyc.gov/site/dcas/about/public-hearings.page>

Those wishing to testify should contact Gavin Roney of my staff at (212) 386-0555, or groney@dcas.nyc.gov as soon as possible. Written statements may be submitted to jwhitman@dcas.nyc.gov via email and by mail to the Department of Citywide Administrative Services, Classification and Compensation, 1 Centre Street - Room 1448 South, New York, NY 10007 and must be postmarked no later than July 3, 2023.



If you need to request a reasonable accommodation to attend or have questions about accessibility, please contact DCAS Accessibility at 212-386-0256, or accessibility@dcas.nyc.gov.

DOP
Resignations as part of Attrition

2018
1 year
January 1, 2018 – December 31, 2018
P. 1 22/32
P. 2 30/46
P. 3 13/16
65.99 = 65.65%

2019 6 mos	January 1, 2019 – March 29, 2019	October 1, 2019 – December 13, 2019
	P. 1 9/20 P. 2 10/16 P. 3 <u>3/6</u> 22/42 = 52.38%	27/35 = 77.14% 6 mos 49/77 = 63.63

2020 6 mos	January 1, 2020 – March 31, 2020	April 1, 2020 – June 30, 2020
	8/18 = 44.44%	4/17 = 23.53% 6 mos 12/35 = 34.28%

2021
1 year
January 1, 2021 – December 31, 2021
P. 1 20/39
P. 2 29/42
P. 3 2/18
51/99 = 51.55%

2022
1 year
January 1, 2022 – December 31, 2022
P. 1 19/39
P. 2 21/44
P. 3 21/44
P. 4 27/44
P. 5 4/7
92/178 = 51.68%

DOP
Resignations as part of Attrition

2018 1 year	January 1, 2018 – December 31, 2018	
	P. 1	22/32
	P. 2	30/46
	P. 3	<u>13/16</u>
		65.99 = 65.65%
2019 6 mos	January 1, 2019 – March 29, 2019	October 1, 2019 – December 13, 2019
	P. 1	9/20
	P. 2	10/16
	P. 3	<u>3/6</u>
		22/42 = 52.38%
		27/35 = 77.14%
		6 mos 49/77 = 63.63
2020 6 mos	January 1, 2020 – March 31, 2020	April 1, 2020 – June 30, 2020
	8/18 = 44.44%	4/17 = 23.53%
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2021 1 year	January 1, 2021 – December 31, 2021	
	P. 1	20/39
	P. 2	29/42
	P. 3	<u>2/18</u>
		51/99 = 51.55%
2022 1 year	January 1, 2022 – December 31, 2022	
	P. 1	19/39
	P. 2	21/44
	P. 3	21/44
	P. 4	27/44
	P. 5	<u>4/7</u>
		92/178 = 51.68%



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 8, 2024**

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 Nurse and the members of the Committee on Criminal Justice for holding this 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. I am very concerned about the violence inside our city’s jails, both against incarcerated people and correction officers and staff. However, New York City is not on track to close Rikers Island by 2027. The city forecasted that the jail population will increase to 7,000 this year, but the four proposed borough-based replacement jails together cannot house more than 3,300 people.¹

Recidivism is a challenge for correction systems across the country, but with NYC’s high cost of living and competitive job market, it is especially difficult for those who have been justice-involved to stay out of jail. However, Mayor Adams last year eliminated programs that would help those who are incarcerated get jobs, find housing, receive mental health and substance use treatment, and reconnect with their families after their release to save \$17 million. Subsequently, despite a promise from DOC that programming would not be lessened in either quality or frequency after being moved in-house, during the first four months of FY24, the number of group-based programming offered dropped by 29 percent and one-on-one sessions dropped by over 30 percent when compared to the first four months of FY23.² While I am heartened to see that Mayor Adams just announced \$14 million in funding for DOC to increase programming initiatives for people in custody—including trauma-informed programming, transition planning, and transportation and supplemental education services—I still have concerns about DOC’s ability to deliver that programming. Still, it is a step in the right direction, and I look forward to working with the administration and the City Council to ensure that the city delivers high-quality programming to people in custody and complies with all city laws.

The city should also be investing in pre-trial non-incarceral services and alternatives to incarceration, so fewer people enter Rikers Island in the first place. Court backlogs and slow processing of cases also contributes to the rising population—detainees spent an average of 115

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<https://www.vitalcitynyc.org/articles/the-citys-new-rikers-math#:~:text=Building%20on%20the%20mayor's%20assertions.nothing%20else%20changes%20with%20the>

² https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2024/2024_pmmr.pdf

days in the jails last year, four times the national average.³ Across the city's jails, 86.6 percent of people are just waiting for their cases to conclude,⁴ and their sentences ultimately may require less jail time than what they served waiting for their cases to resolve. We must ensure that cases and trials are being processed in a timely manner.

In 2021, it cost \$1 million for every two people incarcerated 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. Rikers Island is the largest mental health services provider in NYC, and one of the largest in the country. This week, Mayor Adams announced that the city construct outposted therapeutic housing units at NYC Health + Hospitals/Woodhull and North Central Bronx, and that it has started constructing a 104-bed unit at NYC Health + Hospitals/Bellevue, so that incarcerated people in need of care do not have to travel back and forth for treatment. These units are for people with medical, mental health, and substance-use needs, and I applaud this investment in care for some of our most vulnerable New Yorkers.

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. At a time when the administration is decreasing transparency, it is more important than ever that the BOC has enough staff to do its job.

Thank you.

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<https://gothamist.com/news/detainees-spend-an-average-of-115-days-at-rikers-4-times-the-national-average>

⁴ <https://greaterjusticenyc.org/nycjail/>



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ANTONIO REYNOSO

Brooklyn Borough President

City Council Committee on Criminal Justice Hearing on the FY25 Preliminary Budget 3.8.24

Good afternoon Chair Nurse and members of the Criminal Justice Committee. Thank you for holding this hearing today. My name is Hannah May-Powers and I am here today on behalf of Brooklyn Borough President Antonio Reynoso to state unequivocally that Rikers Island must be closed by the legally mandated date of August 31, 2027.

According to the Vera Institute, the Department of Correction spends more than [\\$556,000](#) per year per person currently incarcerated on Rikers Island. This is nearly [350%](#) more per person than the Los Angeles and Cook County (Chicago) systems. Yet Rikers Island remains a humanitarian crisis. Even a single death of an incarcerated person is too many; however, 30 people have died on Rikers Island alone since January 2022.

Despite these egregious numbers, Mayor Adams wants to cut funding to some of the most impactful, research-driven programs that help to keep people out of jail. These budget cuts include:

- \$6.7 million for alternatives to incarceration;
- \$13 million for supervised release; and
- \$8 million for reentry services.

Overall, there is a proposed 3.3% decrease in DOC's budget from FY24 to FY25, less than many other critical City agencies are slated to receive. The most bloated areas of spending for DOC - 88.3% of agency expenses - are staff salaries, benefits, and overtime (overtime costs skyrocketed to \$254 million in 2023). There are approximately 901 current vacancies of uniformed DOC employees, yet even with these, the ratio of uniformed staff to incarcerated individuals is more than four times the national average. [Rightsizing](#) DOC by cutting these vacancies could free up \$162 million in FY 2025 alone, which could be re-allocated to programs and services that keep people out of jail and keep incarcerated people safe.

It is also necessary to hold uniformed DOC employees accountable for chronic absenteeism. They have unlimited sick leave, and many abuse this benefit. For example, as of December 2023, the number of uniformed DOC officers taking [sick leave](#) is nearly twice that of the pre-pandemic rate within the department. Approximately 8.49% of uniformed DOC employees are out on sick

Borough President Reynoso supports the call from advocates to fully fund these programs, and we will present more detailed recommendations at the Education and Youth Committee budget hearings.

Thank you for the opportunity to participate in this hearing today. We know that the City Council cares deeply about the well-being of the currently and formerly incarcerated and their loved ones, and the Borough President looks forward to working with you to ensure that we keep our commitments to all New Yorkers and address the many injustices happening daily on Rikers Island. It is time to reinvest our public dollars to supporting our neighbors instead of incarcerating them.



**Testimony of the Campaign to Close Rikers -
New York City Council hearing of the Criminal Justice Committee
03/07/2024**

Good afternoon, I'm Vidal Guzman, Executive Director of America On Trial Inc. ([AOTI](#)), where we're dedicated to empowering those impacted by incarceration and police brutality. Our focus areas include advocating for Incarcerated Workers' Rights, Minimum Wage for the Incarcerated, Improved Working Conditions, and Police Accountability.

We must also remind the City Council of NYC's commitment to closing the jails on Rikers Island by 2027. The investments we are recommending will play a crucial role in achieving this goal by providing New Yorkers and their communities with adequate housing, healthcare, and services before they interact with the criminal legal system. For instance, over 50% of people currently detained on Rikers Island have a mental health diagnosis, and hundreds of individuals languish on Rikers every day simply because they are homeless. We must prioritize investing in community-based alternatives to incarceration. This includes allocating resources to improve park cleanliness, especially in Black and Brown communities. Personally, I've experienced the frustration of dodging needles while jogging with my dog in the morning. Additionally, investing in afterschool programs and opening libraries on Sundays is essential for providing safe and enriching spaces for our communities.

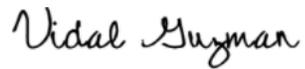
Specifically, we need to fulfill the City's promise to open 380 more units of Justice Involved Supportive Housing. This investment will provide crucial support for individuals reintegrating into society, ultimately reducing recidivism rates and facilitating successful reintegration. Every dollar allocated from our communities to support this cause feels like a step toward breaking the cycle of poverty.

Furthermore, the excessive spending on the Department of Corrections budget is unacceptable. In 2021, New York City spent nearly three times more per incarcerated person than the second most expensive jail system in the country, exceeding \$556,000 per incarcerated person per year. Despite this significant investment, reports consistently highlight the appalling conditions faced by individuals in DOC custody. It's time to redirect these resources towards more effective and humane approaches to criminal justice.

In conclusion, it's time for our city to prioritize community investment over incarceration. By closing Rikers Island and reallocating resources, we can create a more just and humane criminal justice system that truly supports the well-being of all New Yorkers.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Vidal Guzman".

Executive Director, America On Trial Inc.

[1] Criminal Group Database: Impact and Use Statement, p. 10 April 11, 2021. Available at https://www.nyc.gov/assets/nypd/downloads/pdf/public_information/post-final/criminal-group-database-nypd-Impact-and-use-policy_4.9.21_final.pdf

[2] While not an "audit," the limited "investigation" by the OIG found that many entries in the gang database lacked sufficient documentation, that internal protocols were not consistently followed, sealed records were used in violation of the law, FOILS were routinely denied, among many other failures. An Investigation into NYPD's Criminal Group Database, April 2023. <https://www.nyc.gov/assets/doi/reports/pdf/2023/16CGDRpt.Release04.18.2023.pdf>

[3] At the time of this writing, murder is 80% lower than it was 30 years ago, and the seven major crimes tracked individually in weekly Compstat Reports are down over 70%. See NYPD Compstat Report Vol. 30 Number 22, covering the week ending 10/22/23. https://www.nyc.gov/assets/nypd/downloads/pdf/crime_statistics/cs-en-us-city.pdf

[4] For an analysis of crime and gang statistics when Operation Crew Cut was announced, see K Babe Howell, *Gang Policing: The Post Stop-and-Frisk Justification for Profile-Based Policing*, 5 U. DENV. CRIM. L. REV. 1 (2015). For specific numbers of "gang

[5] N.Y.C. Mayor's Management Report p. 4 (2013) available at https://www.nyc.gov/html/ops/downloads/pdf/mmr2013/2013_mmr.pdf

[6] Judith Greene & Kevin Pranis, *Gang Wars: The Failure of Enforcement Strategies and the Need for Effective Public Safety Strategies*, A JUSTICE POLICY INSTITUTE REPORT (July 2007), available at https://justicepolicy.org/wp-content/uploads/justicepolicy/documents/07-07_exs_gangwars_gc-ps-ac-jj.pdf

Charles A. Lovett
BronxConnect
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Bronx, NY 10455
charles@bronxconnect.org
[REDACTED]

March 8th, 2023

City of New York
City Hall
New York, NY 10007

To Mayor Adams & City Council,

I am writing to urge your support for the funding of the Alternative to Incarceration (ATI) and Alternative to Detention (ATD) programs, along with other critical re-entry services, in our city's budget. As a former adult parole officer and juvenile probation officer, I have witnessed firsthand the transformative impact these programs have on the individuals they serve and the communities they aim to rehabilitate.

ATI and ATD programs offer vital resources and support to individuals navigating the challenges of re-entry into society after involvement with the criminal justice system. These programs provide alternatives to incarceration and detention, offering individuals access to essential services such as counseling, job training, substance abuse treatment, and educational opportunities. By addressing the root causes of criminal behavior and providing pathways to rehabilitation, ATI and ATD programs play a crucial role in reducing recidivism rates and promoting public safety.

Having worked closely with offenders throughout my career, I have seen the positive outcomes that result from investing in ATI and ATD programs. Participants are given the tools and support they need to address underlying issues, break the cycle of criminal behavior, and reintegrate successfully into their communities. Moreover, by diverting individuals from incarceration and detention, these programs help alleviate the strain on our criminal justice system and save taxpayer dollars in the long run.

I urge you to prioritize funding for ATI and ATD programs, as well as other re-entry services, in this upcoming budget cycle. Investing in these programs is not only a sound fiscal decision but also a moral imperative. By providing individuals with the opportunity for redemption and rehabilitation, we can build safer, stronger, and more equitable communities for all.

Thank you for your attention to this crucial, yet critical issue. I stand ready to support any efforts to secure funding for ATI/ATD programs and other re-entry services, and I look forward to seeing our city continue to lead in promoting justice and opportunity for all.

Respectfully Submitted,

Charles A. Lovett
Case Manager - ATI



Brooklyn Defender Services
177 Livingston St, 7th Fl
Brooklyn, NY 11201

Tel (718) 254-0700
Fax (347) 457-5194
info@bds.org

TESTIMONY OF:

Elizabeth Daniel Vasquez
Director, Science and Surveillance Project

BROOKLYN DEFENDER SERVICES

Presented before

The New York City Council Committee on Criminal Justice
Preliminary Budget Hearing

March 8, 2024

My name is Elizabeth Daniel Vasquez. I am the Director of the Science and Surveillance Project at Brooklyn Defender Services (BDS). We thank Chair Nurse, 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.

The City Must Invest in Communities

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. We urge the Council to invest in communities and ensure that New Yorkers can access the support and resources that help our city thrive.

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. The Department of Correction under the administration of Mayor Adams continues to struggle to provide fundamental services to the people in its custody.¹ We continue to hear from the people we represent daily who are struggling to access essential medical and mental health care. People continue to report failures on the part of the Department to provide access to required daily outdoor recreation, phones, laundry services, basic personal hygiene supplies, cleaning and sanitation services and supplies, sufficient warm clothing, mattresses, sheets and blankets, heat, hot water, functioning toilets, religious services, and family visits, among many other things. We consistently receive reports of unsanitary food preparation and service, as well as insects and vermin in living areas.

The past year saw abrupt cuts to programs² by providers whose longstanding, trusted, and effective work in the jails subsequently could not be replicated by the Department’s “in-sourcing.”³ In her comments to the Board of Correction earlier this month, the new Commissioner indicated that she

¹ See, e.g., Jessy Edwards, *Without laundry service, Rikers detainees wash clothes in toilets and showers, lawyers say*, Gothamist (Jan. 10, 2024), <https://gothamist.com/news/without-laundry-service-rikers-detainees-wash-clothes-in-toilets-and-showers-lawyers-say>; Reuven Blau, *No Mattresses, Bed Linens or Warm Clothes for Some Rikers Detainees, Board Reports*, The City (Jan. 10, 2024), <https://www.thecity.nyc/2024/01/10/no-mattresses-linens-clothes-rikers-boc/>.

² See, Matt Katz, *Mayor Adams cuts classes and re-entry services at Rikers to save \$17 million in NYC budget*, Gothamist (May 16, 2023), <https://gothamist.com/news/mayor-adams-cuts-classes-and-re-entry-services-at-rikers-to-save-17-million-in-nyc-budget>.

³ See Preliminary Mayor’s Management Report, January 2023, at 63-69. Available at https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2023/2023_pmmr.pdf. See also Jacob Kaye, *Mayor restores programming on Rikers months after cutting funding*, Queens Daily Eagle (March 6, 2024), <https://queenseagle.com/all/2024/3/6/mayor-restores-programming-on-rikers-months-after-cutting-funding>.

was eager to see outside program providers return to the jails under her leadership, although at the time of her testimony she had no funding for them, and admitted that she was asking them to do so on a volunteer basis.⁴ In its subsequent testimony to this Committee, the Department expressed an eagerness to see increased funding in the amount of \$14 million in the coming year, specifically for some of the very programming that it cut last year. But it testified that the procurement process would take between ten and fifteen months. The past year without reliable programming has harmed our clients, and they will continue to be harmed unless the Department significantly expedites its process for issuing any Requests for Proposals and working with the local providers with whom it is already deeply familiar and is already in talks to provide free services.

The safest and best way to help the Department achieve its primary mandate of safely and securely holding people in its custody is for the city to reduce the population of the jails by investing in alternatives to detention and incarceration, including significantly increasing the number of therapeutic beds available to people with serious medical and mental health needs who are languishing in a jail system that is manifestly ill-equipped to safely hold them.⁵ 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.

DOC Continues to Operate a Broad Community Surveillance Program That Targets All of 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. Since 2014, DOC has worked with Securus Technologies to transform its phone system into a vast and interconnected web of surveillance that collects and databases biometric and other personal data not only from those presently detained in our city jails, but also their families, communities, and advocates.⁶

DOC's surveillance web is constructed without any requirement of individual suspicion, no need for court oversight, and no need for a warrant. Merely being poor and unable to afford bail causes people and their families to have fewer rights, less privacy, and diminished dignity compared with

⁴ See Jacob Kaye, *Nonprofits given ax by DOC last year return to work on Rikers for free*, Queens Daily Eagle (Feb. 29, 2024), <https://queenseagle.com/all/2024/2/29/nonprofits-given-ax-by-doc-last-year-return-to-work-on-rikers-for-free>.

⁵ See Jessy Edwards, *Hundreds of beds for NYC detainees with serious physical, mental illnesses delayed by years*, Gothamist (Oct. 18, 2023), <https://gothamist.com/news/hundreds-of-beds-for-nyc-detainees-with-serious-physical-mental-illnesses-delayed-by-years>.

⁶ 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.



those who defend their criminal cases out of custody. Further, 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.

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. DOC is not using the surveillance system to make the jails safer. Instead, Securus is gathering personal data from New Yorkers and profiting.

As we testified before this Committee last year and the year before, 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.

- A. *Staying in business with Securus endangers New York City's criminal legal system, our city's fiscal oversight requirements, and New Yorkers safety.*

Despite the argument that this surveillance web is necessary for public safety, the truth is that DOC's surveillance system has resulted in activity that is illegal, unconstitutional, and bordering on fraudulent.

- *Illegal privileged call recordings.* First, this surveillance web has resulted in the illegal and unconstitutional recording of attorney-client phone calls. Thousands of phone calls made by people detained at Rikers to their lawyers have been recorded by DOC and Securus, despite those phone numbers being on a designated "do not record" list.⁷ DOC shared many of those recordings with state and federal law enforcement agencies and District Attorney's offices.⁸ New York is not the first jurisdiction to experience this fundamental invasion of legal privacy: Securus has been subject to hundreds of lawsuits regarding its lax control over the privacy and confidentiality of protected communications.⁹

⁷ 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-zni5qacdhjaozok7rdmwyg2wsm-story.html>.

⁸ 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>.

⁹ See, e.g., *United States v. Carter*, 429 F. Supp.3d 788, 798-800, 847 (D. Kan. 2019); Order, *Huff v. Core Civic, Inc.*, No. 17 Civ. 2320 (JAR), Dkt. No. 146 (D. Kan. Sept. 26, 2019); *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

- *Rejected contract.* Despite this serious breach of confidential information, the Department attempted not only to renew its Securus phone service and surveillance contract, but also to *expand* its use of Securus’s services. Without any public process or meaningful oversight, the Department selected Securus as the vendor to provide electronic tablets to people in custody. At the time, neither the New York City 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.”¹⁰ Last week, Comptroller Brad Lander rejected the renewal of this Securus tablet contract, citing its flagrant breach of City procurement rules.¹¹
- *Defeated attempt to expand the surveillance web.* Also in 2022, amidst public questions about the Department and Securus’s illegal conduct, the Department—at Securus’s suggestion—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,¹² which BDS strongly opposed.¹³ This attempt to further expand the Department and Securus’s access to our community’s personal data was defeated for now.

As these examples demonstrate, the Department and 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 communications.¹⁴ 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 have done so anyway.

Securus including claims made pursuant to the California Invasion of Privacy Law); Order, *id.* Dkt. No. 184 (Nov. 19, 2020); *Albert v. Global Tel*Link Corp.*, No. 20 Civ. 01936 (LKG), 2021 WL 4478696 (D. Md. Sept. 30, 2021).

¹⁰ 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/>.

¹¹ Forum Staff, [Why My Office Refused to Register DOC Internet Services Contract: Lander](#), NYFocus (March 6, 2024).

¹² 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>.

¹³ BDS Opp. Ltr to BOC, Jan. 5, 2023, https://bds.org/assets/files/2023_01_05-BDS-Ltr-re-DOC-Mail-and-Package-Variances-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>.

¹⁴ 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/>.



Entrusting this company and this Department with a community spying program of this size and scope risks uncorrectable violations of our community's legal and civil rights.

The only way to be sure the data will not be misused is to ensure it is not collected in the first place.

B. DOC must dismantle its community surveillance web.

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 contract and its final renewal option expire this year.

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 \$5.4 million per year for phone and surveillance services. By contrast, almost every other city agency appears to pay well less than \$500,000 per year for phone services.

As the Department will now be required to issue a new RFP for phone services, the Council should ensure the Department limits its RFP to phone services only, and abandon its misguided and illegal efforts to act as a domestic spying agency.

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.

Conclusion

We thank the Council for holding this hearing to highlight the issues in the jails and the need for investment in safety and justice for all New Yorkers. 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 evasquez@bds.org.



New York City Council Committee on Criminal Justice
Preliminary Budget Hearing
March 8, 2024

Good afternoon, Chair Nurse and members of the Committee on Criminal Justice. My name is Amanda Granger, the Senior Director of Communications at CASES, one of the leading providers of alternatives to incarceration (ATIs) in New York City.

CASES specializes in working with people with serious mental illnesses (SMI) and criminal legal system involvement. Every year, we provide hope and healing to almost 10,000 New Yorkers—most of them low-income Black and Brown people in overpoliced and underresourced communities. We operate several ATI programs and reentry services that are supported by the City Council’s funding for the ATI Coalition.

Nathaniel Assertive Community Treatment

We are perhaps most well known for the Nathaniel Assertive Community Treatment or Nathaniel ACT program—the city’s first alternative to incarceration ACT for people living with serious mental illness who have a felony arrest. Through Nathaniel ACT, participants are able to access the treatment and support they need—leading to healthier and safer communities for all.

Take Michael (not his real name), a recent Nathaniel ACT graduate in his 30s who came to us after being charged with a violent felony for an incident which occurred while he was psychiatrically decompensating and self-medicating with illicit substances. As a child, Michael was adopted from the foster system. In school, he was bullied for his sexuality, gender, and appearance. Despite frequent panic attacks, Michael managed to enroll in college, where he began drinking and using drugs experimentally and then as a coping mechanism, eventually becoming homeless and dropping out. Michael began experiencing symptoms of serious mental illness, including disorganized thinking and hallucinations.

When—after months of advocacy by CASES clinical-court liaison staff that included comprehensive planning for Michael’s release from jail—the Court agreed to give Michael the option to enroll in CASES Nathaniel ACT ATI, the team worked diligently to establish trust, listening to Michael’s concerns about medication side effects and adjusting his regimen until finding an effective protocol he could stick with.

During his three years in NACT, Michael reconnected with his family and learned how to maintain his well being and stay in recovery. He successfully completed a substance use treatment program, obtained permanent housing, and found full-time employment. Today, he

enjoys concerts and cultural events, designs his own clothing, and has friends who love him for who he is. Michael is committed to staying in treatment, and when he feels himself struggling, he now knows how to access appropriate support.

Michael's success story is not unique. In fact, two years after completing Nathaniel ACT, 93% of clients have no new convictions and 100% have no new violent felony convictions. With the support of Nathaniel ACT, participants achieve a 70% reduction in homelessness and a 49% decrease in psychiatric hospitalizations. And with a stay at an inpatient facility often costing twice that of Rikers Island—itsself more than \$500,000 per person per year—Nathaniel ACT has saved the city millions of dollars in unnecessary spending.

Nathaniel Community Success

More than half of the people being detained at Rikers have a mental illness, and Nathaniel ACT is part of CASES' continuum of ATI and reentry services designed to support people with mental illness to navigate, exit, and avoid future involvement in the criminal legal system. Our Nathaniel Community Success Program (NCS) is an ATI that supports people with mental health needs who are facing incarceration to remain in the community and engage in the comprehensive services they need and deserve.

Offering highly individualized therapeutic case management and peer support services, NCS helps clients to address behavioral health, employment, education, and housing needs. Working in Brooklyn and Manhattan, our team—comprised of specialists in mental health, substance use, and homelessness, along with Peer Specialists who bring personal experience of recovery and the criminal legal system—delivers trauma-informed, culturally sensitive support. NCS currently serves 125 people, half of whom are experiencing housing instability. The program exemplifies a holistic and effective approach to addressing the needs of individuals with mental health challenges within the legal system—the NCS approach could effectively support many of the people currently being held unnecessarily at Rikers.

ROAR

CASES ROAR (Reframing Opportunity, Alternatives and Resilience) program is an ATI serving youth and young adults ages 16-27. ROAR features a multidisciplinary team approach that offers comprehensive support for each young person, including a youth development coach, an employment specialist, a therapist, and a court advocate. Each participant has an individual ROAR Success Plan, guided by our comprehensive assessment and including goals identified by the young person and their family. After completion of their court mandate, voluntary services can last for up to 15 months.

As the below ROAR weekly schedule shows, participants have access to a wide range of services, offered in-person in the Bronx, Brooklyn, and Manhattan.

Monday	Tuesday	Wednesday	Thursday	Friday
<ul style="list-style-type: none"> • HSE classes • Tutoring • Weekend check-in • CBI/Wellness Group • Individual coaching sessions 	<ul style="list-style-type: none"> • HSE classes • JAG • Tutoring • Community project club • CBI/Wellness Group • Youth Council • Job coaching club • Individual coaching sessions • Orientation group 	<ul style="list-style-type: none"> • HSE classes • Tutoring • Community project club • Healthy Relationships Group • Arts programming • Workout Wednesday • Individual coaching sessions 	<ul style="list-style-type: none"> • HSE classes • JAG • Tutoring • Community project club • CBI/Wellness Group • Community Board • Job coaching club • Individual coaching sessions • Orientation group 	<ul style="list-style-type: none"> • Computer lab • Volunteering • Outings • Movie night • Job coaching club • Individual coaching sessions

In 2023 with the support of City Council ATI Initiative funding, ROAR served 138 young people as an alternative to jail or prison. Consistent with disparities in arrest and incarceration rates, more than 70% of ROAR participants are Black, nearly 30% Latino, and 90% male. More than 30% of 2023 ROAR intakes reside in the Bronx, 25% in Manhattan, and 23% in Brooklyn. At intake, 50% of ROAR participants report a mental health need, 76% an education need, 80% an employment need, and 14% a housing need. Historically, ROAR has supported more than 60% of young people to complete court-mandated requirements, with more than 85% of graduates having no new convictions within two years of exiting the program.

Nathaniel Clinic

The Nathaniel Clinic is the only outpatient behavioral health clinic in Manhattan and the Bronx specifically designed to support people with criminal legal system involvement. The clinic provides psychiatry, therapy, nursing, peer support, primary care and mobile crisis outreach services, providing easy access to quality treatment for community members including people referred by pretrial and ATI programs, public defenders, reentry organizations, and child welfare services.

In 2023, the clinic served 1,258 people. Characteristics of clinic clients include:

- 70% have criminal legal system involvement
- 18% were homeless at clinic admission
- 70% have a serious mental illness, including nearly one in four with a schizophrenia diagnosis
- 26% had a diagnosed substance use disorder (SUD)
- Of the youth ages 13-17 served at the clinic, 33% had serious emotional disturbance (SED)

The Nathaniel Clinic’s specialized services are making a dramatic difference for New Yorkers with behavioral health needs and criminal legal system involvement. In 2022, among clients with schizophrenia who accessed primary care services at the clinic, 85% had reductions at 12 months post-clinic enrollment in ER visits and hospital readmission. Among a recent 18-month sample,

90% of people with a serious mental illness (SMI) who were co-enrolled in CASES Manhattan Supervised Release and the Nathaniel Clinic successfully completed Supervised Release court requirements—compared to about 50% of Manhattan Supervised Release participants with SMI during that period.

The clinic is the heart of our work at CASES, providing clients across programs direct access to behavioral health care and peer support. Continued and increased funding from City Council for the Nathaniel Clinic is essential to ensure high quality care and reasonable wait times for our patients, as well as to reduce incarceration rates, ER visits, and stays in inpatient facilities.

Youth Prevention Programs

CASES believes in the power of alternatives to incarceration like Nathaniel ACT and Nathaniel Community Success, but we also believe that preventing people, especially young people, from becoming involved in the criminal legal system in the first place is essential for creating safe and healthy communities.

With support from the Council's ATI Initiative funding for the ATI-Reentry Coalition, CASES operates the Jobs For America's Graduates (JAG) New York program at locations in Harlem, Mott Haven, Coney Island, and Downtown Brooklyn. The program engages young people in individual career counseling, soft and hard job skills training, service/entrepreneurial projects in the community, and job placement services with the aim of connecting participants to a career-aspirational job and/or enrollment in a postsecondary education or vocational training program.

JAG NY features an initial six-month phase including a highly structured, module-based employment-readiness curriculum; youth-led community service/entrepreneurship projects; and paid internship placements. This active phase is followed by a 12-month program phase focused on job placement, retention, and advancement along with connections to postsecondary education or training.

Last year, CASES JAG team was awarded the 6 of 6 National Network Award by the JAG National office, which oversees thousands of affiliate JAG program sites nationwide. This award recognizes the highest achieving JAG programs, celebrating those like CASES JAG NY that are exceeding all five of JAG National's performance metrics aimed at graduation and employment. This year, JAG NY will serve 100 young people ages 17-24, almost all of whom will have recent involvement in the criminal legal system, and more than half of whom will involvement in at least two of the criminal legal, child welfare, and homeless services systems.

Impact of City Cuts to CASES Youth Programs

Despite this success of programs like JAG NY and ROAR in supporting vulnerable young people impacted by early criminal legal system involvement, the City cut funding to two critical

CASES youth programs this past fall: Next STEPS and IMPACT. Next STEPS was a mentoring program for youth living in NYCHA housing that was funded by the Department of Probation. It was closed abruptly due to Probation funding cuts in August 2023. The Department gave providers citywide including CASES less than one week of advance notice to end the mentoring services that were being provided to hundreds of youth residing in NYCHA across the five boroughs.

While Next STEPS provided after-school mentoring, IMPACT was a comprehensive alternative to placement program for young people in Family Court and the youth court parts in Criminal Supreme Court. The program featured three key services:

- 1) Intensive, mobile mentoring by credible messengers trained to deliver an evidence-based cognitive behavioral therapy curriculum developed by Mass General Hospital, the Harvard Medical School, and the nationally recognized youth violence prevention organization Roca
- 2) In-home family therapy delivered by clinicians trained in the Adolescent Portable Therapy model developed by the Vera Institute for Justice
- 3) Court liaison and advocacy services to coordinate program intake and fulfillment of court requirements through close work with Court stakeholders in courthouses in every borough

IMPACT's \$3.3 million annual budget would have supported the provision of these comprehensive services to 175 youth and families citywide every year. CASES has also been told that two-thirds of IMPACT's budget was reimbursable via State funding. Yet the program was cut by the Department of Probation last September. There is now no alternative program for these young people, many of whom will end up held in youth detention facilities that are becoming increasingly and dangerously overcrowded—at great expense to the City.

CASES is now extremely concerned about a third youth program, our flagship gun violence prevention program, ACES, also funded by the Mayor's Office of Criminal Justice. ACES is an intensive mentoring program serving young men in East Harlem and the South Bronx who haven't been effectively engaged by more traditional, less intensive programs and who are at high risk for being involved in gun violence. Two of the largest referral sources for the program are NYPD and current participants referring their friends and family members. ACES is a voluntary program--the fact that the average participant stays for more than two years speaks to the dedication, talent, and care of our incredible staff, mostly men from the same or similar communities as our participants come from. As would have been the case in IMPACT, ACES mentors are trained in the evidence-based, Roca violence prevention model. Programs like ACES are how we create true community safety. Unfortunately, the City contract funding ACES ends in June. Unlike youth violence prevention programs in other parts of the city, the ACES contract

was not shifted from MOCJ to DYCD. Without a new funding commitment from the City, CASES will soon have to work with the nearly one hundred young men in East Harlem and the South Bronx currently engaged in ACES—young men who have identified by referral sources such as NYPD as highly vulnerable to involvement in violence in the community—to try and connect them to other services. These services will be less intensive than ACES, will not utilize the proven Roca model, and will have to start from scratch in terms of building trust among the young men that ACES is so effectively engaging. The CASES team is struggling to understand the logic in stepping away from an investment that has been effective in supporting some of the City’s most vulnerable young people.

Conclusion

Support for Alternatives to Incarceration and violence prevention programs is critical. At this moment, the number of people on Rikers with serious mental illness has risen dramatically, racial and ethnic disparities in who is jailed are worsening, and young people are literally being stacked up in overcrowded, dangerous detention facilities.

On behalf of the ATI-Reentry Coalition, CASES is requesting that the City restore funding to programs offered by Fortune Society & Osborne Association on Rikers, that the Council fully fund the ATI-Reentry Coalition’s funding request through the ATI Initiative, and that the Council works to ensure no cuts are made to ATI programs while the population at Rikers increases. CASES also urges that the City renew its funding for the ACES program so that the young people we are working with in East Harlem and the South Bronx are not left behind like so many young people were as a result to sudden cuts to youth programs by the City in the fall.

Thank you.

Courtney Bryan, Executive Director

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 - Richmond County District Attorney (forthcoming)

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

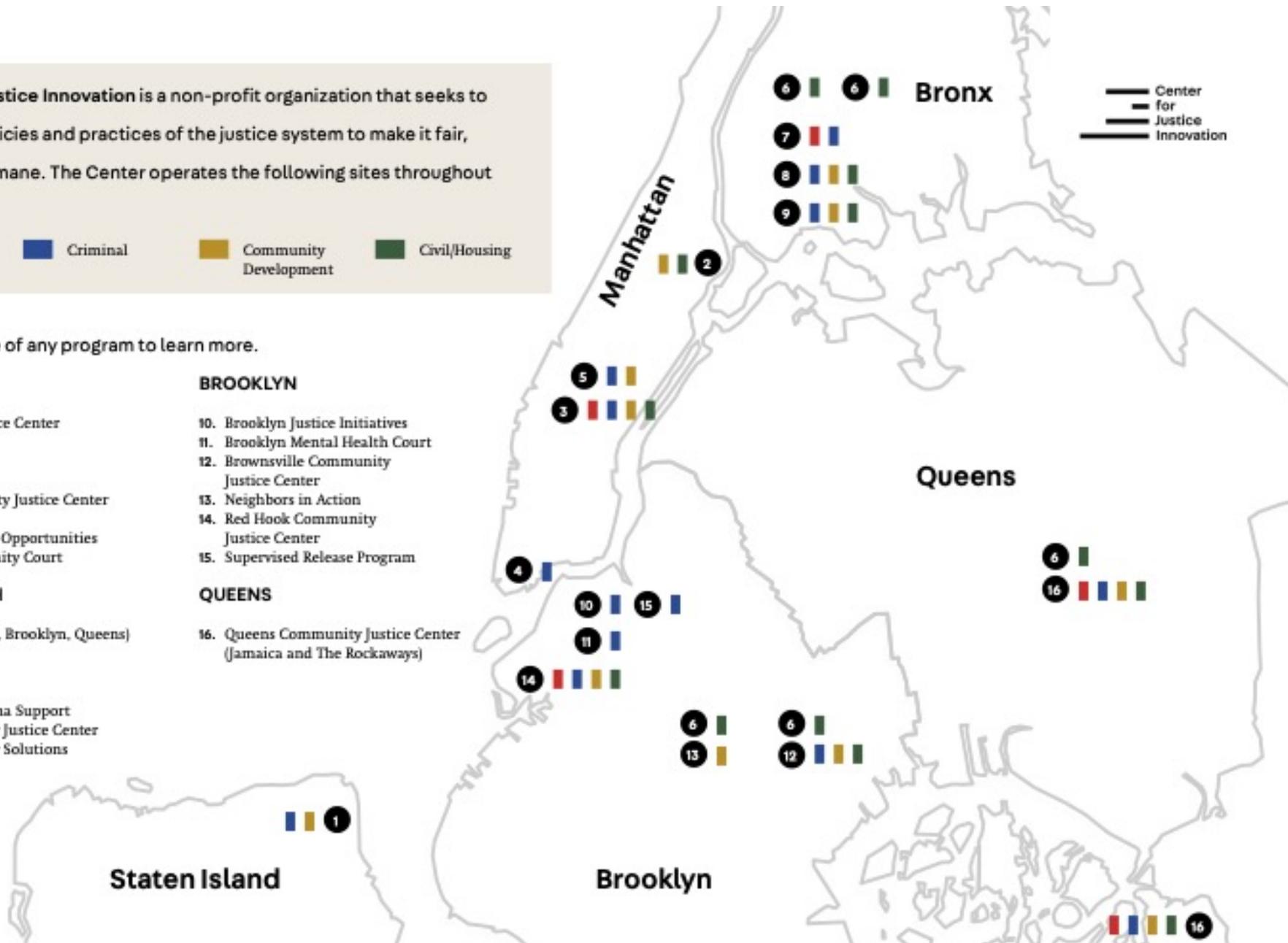
- 7. Bronx Child Trauma Support
- 8. Bronx Community Justice Center
- 9. Bronx Community Solutions

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

For More Information
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Courtney Bryan, Executive Director

**Center for Justice Innovation
New York City Council
Committee on Criminal Justice
March 8, 2024**

Good morning, Chair Nurse and esteemed members of the Criminal Justice Committee. My name is Amanda Berman and I am the Senior Director of Regional Programs at the Center for Justice Innovation (the Center). Thank you for the opportunity to testify today.

As the city faces budget constraints, we remain focused on the vision embraced by the Council of a fair, effective, and humane justice system, through such targets as safely reducing the jail population at Rikers Island by growing and maintaining effective and proportionate alternatives to it. 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 the needs of all New Yorkers.

Traditional legal responses to crime, such as incarceration, often fail to produce meaningful improvements to public safety while also presenting an enormous cost for the city to bear. Relying on incarceration as the default response often results in major unintended consequences for the people affected. Incarceration destabilizes individuals by increasing their risk of losing housing, employment, access to higher education, benefits and even crucial treatment for mental illness or substance abuse disorder. In addition, incarceration can sever close personal relationships, like those with one's children, parents, siblings and romantic partners, the connections we know can motivate lasting change. These relationships and systems of support can be difficult to replace once lost. The experience of incarceration can be deeply traumatizing, which means that too often individuals return to their communities without the resources and tools necessary to be successful, resulting in a costly, largely ineffective revolving door justice system.

Meanwhile, the cost of incarceration continues to grow, draining the city of its much needed resources while failing to produce meaningful and sustainable improvements to public safety. The full annual cost per person of incarceration has nearly quadrupled from 2011 to 2021,

coming in at \$556,539 per year per person held in jail.¹ This cannot be the path to a safer New York City.

The Center applauds the City’s efforts to close Rikers Island and transition away from reliance on traditional carceral settings. However, in order to continue progressing on this path, we must continue to invest in alternative responses. The Center’s programming is backed by rigorous research and evidenced-based practices. By collaborating with communities and system actors, we work to advance public safety and produce sustainable, measurable change while protecting the city from the increasing costs of incarceration.

Alternatives to Incarceration

Each year, thousands of people with substance use disorders, serious mental illness, and other treatable issues cycle through our city’s jails. According to recent data, over 1,200 people in New York City jails have a serious mental illness, up 45% since the start of 2022. Often, these folks are returning to their communities destabilized, leading to more harm and ultimately, re-incarceration.² With the goal of breaking that cycle, alternatives-to-incarceration (ATIs) link participants with mental health and substance use treatment, vocational and educational supports, individual and group counseling tailored to participants’ needs, as well as supervision and regular reporting to the court. ATI programs therefore reduce the court’s reliance on incarceration, lower the jail population, and allow people to remain in their communities while receiving the tools they need to avoid further justice involvement.

ATIs work to set defendants up for success upon completion of programming. Through significant staff training and quality assurance measures, we ensure our programs consistently adhere to evidence-based practices. As a result, our programs are successful in reducing re-offending and re-incarceration. In addition, our programs offer longer term services to participants on a voluntary basis following completion of their court-mandated program.

Utilizing these evidence-based practices results in shrinking some of the well-documented high costs associated with incarceration and detention. Ultimately, we can also reduce the potential harms of confinement, such as losing housing, critical benefits, or employment, protective factors that can be hard to regain once lost.

Our breadth of data-driven alternatives are evidence that it is possible to achieve lofty goals, such as closing Rikers Island, without compromising public safety. As Governor Hochul’s most recent crime report shows, significant progress has been made in decreasing crime in and

¹ “Comptroller Stringer: Cost of Incarceration per Person in New York City Skyrockets to All-Time High.” *Comptroller.Nyc.Gov*, 6 Dec. 2021, comptroller.nyc.gov/newsroom/comptroller-stringer-cost-of-incarceration-per-person-in-new-york-city-skyrockets-to-all-time-high-2/

² *A Safer, More Effective Option Than Rikers*, A More Just NYC: Independent Commission on NYC Criminal Justice and Incarceration Reform, Oct. 2023, <https://static1.squarespace.com/static/5b6de4731aef1de914f43628/t/6530056e07c0614a1a3d6655/1697645934489/1500+Secure+Treatment+Beds+to+Help+Close+Rikers+White+Paper.pdf>.

around New York City.³ The Center executes these effective programs across several distinct program sites and models. These programs have the capacity to make real, tangible advances in our efforts to improve public safety, ensure justice and accountability, and strengthen communities in the long run.

Manhattan Felony Alternative to Incarceration Court

Launched in 2019, the Manhattan Felony Alternative to Incarceration Court—an initiative of New York County Supreme Court—expands on the principles and successes of specialized drug and mental health courts to create alternatives to incarceration for all types of felony cases, including violent offenses. The court is among the first all-purpose felony alternative courts in the country. The Center’s Manhattan Justice Opportunities (MJO), partners with the Felony Alternative to Incarceration Court to realize its vision of reducing the harms caused by incarceration and supporting people to address the issues that often underlie their contact with the justice system.

MJO staff conduct independent assessments of the court’s prospective participants and develop individualized plans for services to address not just their mental health and substance use issues, but also their educational, housing, and employment needs. In certain cases, participants are offered an opportunity to repair the harm they caused through a restorative justice process engaging directly with the victim. These are all important determinants of a participant’s ability to live successfully and safely in community. However, these services are often unavailable to people in the carceral setting. Once participants formally enter the court, MJO social workers connect them to an extensive network of service providers across New York City. MJO provides ongoing case management until participants complete their mandate.

In 2023, participants were mandated to an average of 14 months with the program, and nearly 100 participants completed successfully. When our participants graduate, they are graduating with the support of a vast web of resources that continue to buoy them in a way incarceration does not, contributing to their ability to live safely and productively in their communities. Importantly, the vast majority also walk away without the burden and stigma of a criminal conviction on their record. In 2023, 70% of successful participants graduated with no criminal record, and 96% were able to avoid a felony conviction.⁴

Brooklyn Mental Health Court

Launched in 2002 as the first mental health court in New York City, Brooklyn Mental Health Court (BMHC), based within Brooklyn Supreme Court, works to craft effective responses to crime committed by those suffering from severe mental illness, including those facing felony

³ “Governor Hochul Details the First Comprehensive Overview of Crime Trends Across New York State for 2023.” *NY.Gov*, Governor Kathy Hochul, 9 Nov. 2023, www.governor.ny.gov/news/governor-hochul-details-first-comprehensive-overview-crime-trends-across-new-york-state-2023

⁴ Center for Justice Innovation. (2024). Justice Center Application database. [Data file].

charges. In addressing both program participant treatment needs and community public safety concerns, 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 alternative to incarceration. Cases are referred by judges, defense attorneys, and the Kings County District Attorney's office.

The participants in our mental health courts often face numerous challenges, so being able to administer critical treatment services while preserving stability in participants' community is of vital importance. To date, over 1,300 participants have received treatment, satisfied program requirements, and graduated, all outside of the carceral setting. Active participants boast a 73 percent compliance rate while in Brooklyn Mental Health Court. These participants see a 46 percent reduction in the likelihood of a rearrest and a 29 percent reduction in the likelihood of a re-conviction versus a comparison group.⁵ This data shows that these programs are not just effective at administering treatment but also at improving public safety, features traditional incarceration often lacks. As evidenced by the reduction in re-arrests and convictions, these programs function in a way that is true to their name, working to solve the problems that result in justice system involvement to benefit individuals and communities for years to come while saving the city from increased incarceration costs.

Community Courts

A community court is a type of problem-solving court that focuses on a specific geographic community. Sometimes called a Community Justice Center (CJC), this model can include a multi-jurisdictional courtroom. Working in collaboration with residents and other stakeholders, community courts seek to reduce systemic harms and improve public safety and well-being by providing services and opportunities to justice-involved individuals and the community at large.

The Center's community courts and Community Justice Centers handle thousands of cases per year, offering services and community-based alternatives to jail and fines. Staffed by teams of social workers, case managers, resource coordinators, peer navigators, and more, the Center's community courts and Justice Centers provide meaningful early diversion, pretrial supervised release, and pre-plea or post-disposition sentencing options. An arrest can be a window of opportunity to change the direction of an individual's life and avoid unnecessary incarceration. Programming at the Justice Centers has varied over the years, depending on community need, priorities, funding, and other factors. Core services have included counseling, case management, housing assistance, Peacemaking (community-based conflict mediation), victim services, GED classes, youth development programs, and more. A client who is arrested

⁵Rossmann, S.B., J. Buck Willison, K. Mallik Kane, K. Kim, S. Debus-Sherrill & P.M. Downey (2012, July). Criminal Justice Interventions for Offenders with Mental Illness: Evaluation of Mental Health Courts in Bronx and Brooklyn, New York. New York, NY: Urban Institute.
<https://www.urban.org/sites/default/files/publication/25576/412603-Criminal-Justice-Interventions-for-Offenders-With-Mental-Illness-Evaluation-of-Mental-Health-Courts-in-Bronx-and-Brooklyn-New-York.PDF>

and in crisis can meet with an on-site clinician, receive an assessment, and be offered needed services and reassurance, all within hours of arrest. Moreover, the clinician can recommend appropriate next steps to the court, enabling the court to craft individualized responses that prioritize services and support rather than jail and fines.

Red Hook Community Justice Center

The Red Hook Community Justice Center, one of the Center's longest-standing projects, demonstrates the impact of the community justice model. Founded in 2000 as the nation's first multi-jurisdictional community court, the Justice Center takes a holistic, problem-solving approach to working with the community. A single judge hears cases from these neighborhoods that ordinarily would go to three different courts: civil, family, and criminal. Whenever possible, cases are resolved through a restorative, problem-solving approach that seeks to repair harm and address the underlying issues that bring individuals into the justice system. The Justice Center also serves as a hub for an array of innovative onsite programs that strengthen the community and address emerging needs. These programs are available to litigants—as a means of resolving their cases and breaking the cycle of justice-system involvement—and to the community at large.

An independent evaluation conducted by the National Center for State Courts highlighted the success of Red Hook's approach, proving that it is indeed possible to reduce the use of incarceration while making our communities safer—and while improving public trust in justice. The study compared outcomes for Red Hook defendants to defendants with comparable charges who went through the downtown courthouse. It found that the Justice Center reduced the use of jail by 35 percent as compared to the downtown court. It also found that the Justice Center had reduced recidivism for adult defendants by 10 percent and for juveniles by 20 percent. Further analysis indicated that these differences were sustained well beyond the primary two-year follow-up period.⁶

These outcomes also reflected a notable cost savings associated with the Justice Center: When the other costs and benefits are factored into the calculation, the net benefit for the Justice Center was more than \$6.8 million, with savings exceeding the total costs associated with operating the Justice Center by a factor of nearly 2 to 1.⁷ The Center also generates cost savings as it relates to further victimization and reoffending. Defendants whose cases were handled in Red Hook demonstrated significantly lower recidivism for both property and violent offenses than their counterparts, whose cases were handled in the centralized Brooklyn criminal court. Estimates of the costs avoided related to victimization resulting from reoffending indicate that when victimization costs for property and violent offenses are combined, 3,210 offenders processed in the RHCJC will generate \$15,266,760 in avoided victimization costs relative to a

⁶ Lee, C.G., F. Cheesman, D. Rottman, R. Swaner, S. Lambson, M. Rempel & R. Curtis (2012, November). *A Comprehensive Evaluation of the Red Hook Community Justice Center*. Williamsburg VA: National Center for State Courts.

<https://www.innovatingjustice.org/publications/community-court-grows-brooklyn-comprehensive-evaluation-red-hook-community-justice>

⁷ Ibid.

similar number of offenders processed at the downtown court.⁸ As the data continues to show, the Center's programs are not just effective at stabilizing clients in the community, they also save vital city resources.

Brownsville Community Justice Center

The Brownsville Community Justice Center recognizes that safe and healthy neighborhoods have strong local institutions, dynamic connections among residents, and meaningful relationships with government. The Justice Center endeavors to create these preconditions for safety by strengthening Brownsville's social infrastructure, activating its public spaces, and expanding the opportunities available to young people. When crime does occur, the Justice Center works to ensure that the justice system responds in ways that are proportionate, constructive, and restorative. Key elements of the Brownsville Community Justice Center include:

Youth Development: The Justice Center offers a broad range of youth development initiatives for area young people. The goal is to link young people to positive, pro- social activities and provide them with pathways to education and employment as a crime prevention strategy.

Tech Lab: The tech lab is an on-site computer room developed in partnership with the New York City Police Department to address a pressing need for educational support and workforce development amongst young people in Brownsville. The lab offers drop-in and scheduled programming to help participants improve their reading and writing abilities, critical thinking, and other skills.

Insight Initiatives: Insight Initiatives is a diversion and alternative to incarceration program for youth and young adults ages 13-24. The program is specifically designed to engage youth who have been impacted by violence and/or gang involvement. Using a transformative, healing-centered model, Insight Initiative allows youth to take accountability for their actions, contribute to their communities and address root causes to prevent future justice involvement. Many youth have also experienced harm and trauma. Insight offers support so that youth have an opportunity for healing.

Alternatives to Detention

After an effective pilot program showed that releasing more people from pre-trial detention does not compromise public safety,⁹ the Center now runs Supervised Release, an

⁸ Ibid.

⁹Hahn, J. (2016, February). *An Experiment in Bail Reform: Examining the Impact of the Brooklyn Supervised Release Program*. New York, NY: Center for Justice Innovation.

Alternative to Detention (ATD), in Brooklyn and Staten Island, playing an instrumental role in the success of the program. The supervised release model employs social workers and case managers who check in regularly with supervised release participants to not only help plan for upcoming court dates and address needs and barriers to court attendance, but also to connect them to community-based resources and services that can provide lasting support beyond the duration of a court case.

An independent evaluation found that Supervised Release is as effective as cash bail at preventing failure to appear in court without recourse to the documented harms of incarceration.¹⁰ In 2020, a citywide measure showed that since 2016, 87 percent of participants never missed a single court date while enrolled in Supervised Release. Court attendance remains high following major bail reforms in January 2020 which made all cases eligible for the program, with approximately 90 percent of scheduled court dates attended.¹¹

The data shows that Supervised Release is a trusted pretrial option and bail alternative for the courts. In 2023, Brooklyn Justice Initiatives and Staten Island Justice Center worked with more than 9,000 participants to provide them with supervision and resources in order to ensure their return to court and help them address any other needs.¹²

Pre-Arrest Diversion

In recent years, a critical and growing part of the Center's work has been an effort to develop proportionate responses that shrink the footprint of the justice system and minimize its harms. This has led to the launch of several early diversion programs which seek to provide offramps to individuals even further upstream than traditional system responses have allowed for. Two such examples are below.

Bronx HOPE

Bronx Heroin Overdose Prevention and Education (HOPE), an initiative of Bronx Community Solutions, addresses substance use issues with a harm reduction model at the precinct level. By giving clients the option of accessing community services instead of appearing in court, Bronx HOPE gives Bronx residents the opportunity for rehabilitation and connection to community rather than jail or options that don't address the underlying issues.

The process begins when an individual is issued a Desk Appearance Ticket from the New York Police Department. The NYPD will forward this ticket to the Bronx District Attorney's

<https://www.innovatingjustice.org/publications/experiment-bail-reform-examining-impact-brooklyn-supervised-release-program>

¹⁰ Bloom, H., C. Redcross & M. Skemer (2020, September). *Pursuing Pretrial Justice Through an Alternative to Bail: Findings from an Evaluation of New York City's Supervised Release Program*. New York, NY: MDRC.

<https://www.mdrc.org/work/publications/pursuing-pretrial-justice-through-alternative-bail>

¹¹ Center for Justice Innovation, New York City Criminal Justice Agency & CASES. (2021, October). *Supervised Release: A Proven Alternative to Bail*. New York, NY.

<https://www.innovatingjustice.org/publications/supervised-release-five-years-later>

¹² Center for Justice Innovation. (2023). Justice Center Application and Reset referral database. [Data file].

Office, which will review the individual for eligibility. Individuals who receive a ticket for drug possession will have the option to participate in the HOPE program. If an individual is eligible, they will be met at the precinct after their arrest by a peer mentor, who explains the program, provides a Naloxone kit and overdose prevention education; and connects the individual to Bronx HOPE case managers. If an individual chooses to participate, they must meet with a Bronx HOPE case manager within seven days of their arrest. Case managers then conduct an assessment and work with the individual to develop an individualized plan of care; help identify services that address an individual's needs; and provide support in the completion of services.

Bronx HOPE demonstrates that eligible cases are more likely to engage in programming with peer presence at the precinct. In 2023, Bronx HOPE had a contact rate of 86 percent for dispatched cases. Of those cases that were dispatched, 92 percent completed their services, thereby preventing the need for those participants to appear in court and face criminal charges.¹³

Project Reset

Much like Bronx HOPE, Project Reset offers participants the option to avoid court and a criminal record by completing community-based programming. The Center operates Project Reset for adults ages 18 and older in all five boroughs with support from the Mayor's Office of Criminal Justice, New York City Council, District Attorneys' offices, and the New York City Police Department. Police alert individuals arrested for low-level offenses that they may be eligible for Project Reset. Prosecutors then review each case. Those with eligible charges are offered the opportunity to engage in programming rather than going to court. Individuals may consult with a defense attorney at any time.

Participants complete an intake interview with program staff and engage in two-to-four hours of programming. Participants who successfully complete this intervention never set foot in a courtroom and don't get a criminal record. Instead, the local district attorney's office declines to prosecute their case and the arrest record is sealed. Project Reset programming varies by borough and the participant's age. Participants are offered interventions such as group workshops, restorative justice circles, arts programming, or individual counseling sessions. Through these interventions, participants gain a better understanding of the criminal justice system, personal accountability, and knowledge of the resources available to them in the community. All participants are offered voluntary referrals to social services, such as counseling, job training, or substance use treatment.

Since 2015, Project Reset has helped more than 6,000 participants avoid court and the consequences of a criminal record. As of 2023, the program has a 96 percent attendance rate of those scheduled.¹⁴ 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

¹³ Center for Justice Innovation. (2024). Justice Center Application and Reset referral database. [Data file].

¹⁴Center for Justice Innovation. (2024). Justice Center Application and Reset referral database. [Data file].

of a new crime within one year.¹⁵ It 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.

In addition, the Center is expanding offerings to provide same-day at-arraignment diversion services for individuals who were referred to Project Reset Bronx or Bronx HOPE pre-arraignment diversion programming, but who were not contacted or did not complete programming prior to appearing in court. Any other individuals deemed eligible by court stakeholders also have the opportunity to participate in this at-arraignment diversion program. Upon successful completion of the session, participants' cases are dismissed the same day and they are not required to return to court. This has offered relief from the collateral consequences participants might otherwise experience if arraigned for a low-level crime, while simultaneously reducing court backlog by resolving cases swiftly at their first appearance

Conclusion

As we look towards a future without Rikers Island, these programs will be relied on even more. We ask that the City Council continue to invest in these programs meaningfully to provide communities with more options to adjudicate harm, maintain community safety, and produce better outcomes for the individual and community at large. We thank the Council for its continued partnership and are available to answer any questions.

¹⁵Cadoff, B. & K. Dalve (2019, January). *Project Reset: An Evaluation of a Pre-Arrest Diversion Program in New York City*. New York, NY: Center for Justice Innovation.
<https://www.innovatingjustice.org/publications/projectreset-evaluation>

Courtney Bryan, Executive Director

FY25 Center for Justice Innovation Proposals

- **#172167 - Center for Justice Innovation (formerly Center for Court Innovation) - \$750,000**

Innovative Criminal Justice Programs (Renewal/Expansion); Speakers Initiative

Description: 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, 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.

- **#170201 - Center for Justice Innovation (formerly Center for Justice Innovation):
Brooklyn Felony Alternatives to Incarceration, community-based interventions and rigorous judicial monitoring for those facing felony charges in Brooklyn Criminal and Supreme Court. - \$1,175,000**

Alternatives to Incarceration (ATIs) (Renewal/Redesign); Diversion Programs

Description: 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 in 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

- **#165625 - Staten Island Justice Center - Community Justice Center - \$987,087 (Renewal/Expansion)**

**Speaker's Initiative;
Innovative Criminal Justice Programs;
Alternatives to Incarceration (ATIs)**

Description: In response to growing need in the community, the Justice Center has worked in collaboration with the Richmond County District Attorney's Office to plan and begin operationalizing programming for a Staten Island Community Justice Center. This work puts the Justice Center on a path to replicate and launch community-based interventions and initiatives piloted and established at the Center for Justice Innovation's existing Community Justice Centers in other boroughs. Based on results of a comprehensive public safety assessment, several pilot initiatives for at-risk youth are being implemented in the spring of 2024, in addition to the reestablishment of Youth Impact. In FY25, the Justice Center will also have a dedicated community outreach van to allow for expanded recruitment. Staff will continue planning for the increased scaling of operations, working on program design, building data and technology infrastructure and strengthening partnerships. In response to the needs identified in the assessment, the Justice Center will continue planning for and launching additional initiatives in areas such as veterans support, housing assistance, and violence prevention.

- **#171694 - Center for Justice Innovation (formerly Center for Court Innovation): Driver Accountability Program - \$885,000**

**Diversion Programs (Renewal);
Alternatives to Incarceration (ATIs)**

Description: The Center for Justice Innovation's Driver Accountability Program works to improve street safety by changing driver behavior, while minimizing harms perpetuated by the criminal justice system's historically punitive responses. It does so by offering a proportionate and meaningful alternative to fines, fees, and short-term incarceration for vehicular offenses in criminal court; and by utilizing 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. This application seeks funding to sustain those operations, as well as to sustain operations of its more intensive version, Circles for Safe Streets, which brings together drivers and their victims for a process of accountability and healing in cases where traffic crashes have caused critical injury or death.

- **#171747 - Bronx Community Solutions: Project Reset Expansion, expanding diversion opportunities in the Bronx - \$710,000**

Diversion Programs (Renewal/Expansion)

Description: Building on Bronx Community Solutions’ (BCS) success running the Project Reset pre-arraignment diversion restorative model for six years, and the robust support and collaboration of Bronx court system stakeholders, the Center seeks to renew funding to expand access to rapid diversion services for adults in the Bronx. To address the large gap in services caused by the inability to contact many Bronx Reset and Bronx HOPE (Bronx Heroin Overdose and Prevention Education) pre-arraignment diversion participants before their initial court date, and to remedy the growing backlog of low-level arrests in the Bronx Criminal Court system, BCS launched same-day at-arraignment programming that would give eligible individuals the opportunity to participate in diversion programming at their first court appearance and receive an immediate dismissal the same day. This application seeks to renew the previously awarded \$710,000 to continue to provide at-arraignment diversion programming and expand access to diversion services in the Bronx.

- **#170174 - Midtown Community Justice Center: Youth Weapons Diversion, a program based on a restorative framework for Weapons Possession Charges in Family Court - \$300,000**

Diversion Programs (New)

Description: Midtown Community Justice Center (MCJC), formerly the Midtown Community Court, in collaboration with the New York City Law Department Family Court Division (LD-FCD), seeks a dedicated funding source to sustain and enhance its youth diversion pilot program for weapons possession charges: Youth Weapons Diversion (YWD). MCJC’s program, founded on restorative practices and culminating in a family support circle, was created to fill a gap in holistic alternative-to-prosecution diversion options for young people ages 14 to 17 arrested for gun and other weapons possession, providing an early off-ramp from the traditional Family Court process and building supportive connections for participants. Successful completion of the program results in a “decline to prosecute” with a sealed record, or for cases that have already been filed, the petition is withdrawn and the case sealed, thereby preventing a full criminal process, a criminal record, and many collateral consequences for young people at a pivotal age. 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.

- **Brooklyn Mental Health Court #168934 - \$150,000**

Court-Involved Youth Mental Health (Renewal/Expansion)

Description: The Court-Involved Youth Mental Health initiative of Brooklyn Mental Health Court provides specialized support to youth ages 18 to 24, who have unique social and cognitive needs and who represent a growing percentage of the cases we serve. Since 2017, more than 162 youth in this age range have been served by Brooklyn Mental Health Court. Thanks to City Council support, we hired a new dedicated Youth Engagement Social worker who leads youth programming and fosters close relationships with our participants. Renewed funding will enable us to continue and strengthen our youth-focused programs, provide meaningful activities and healthy meals and snacks to our participants, continue essential training for staff, and maintain our critical Youth Engagement Social Worker.

- **#169129 - Brownsville Community Justice Center: Brownsville Girls Collaborative - \$150,000**

Young Women's Leadership Development, Citywide (Renewal/Expansion)

Description: The Brownsville Girls Collaborative (BGC), a cornerstone of programming at the Brownsville Community Justice Center, is a leadership development program focused on the holistic empowerment of young women in the community. The program creates a safe space for young women from Brownsville, who are at high risk of violence or justice involvement, to engage with Justice Center staff, facilitators, and one another. Throughout the year, the Justice Center will work with BGC participants to address the root causes of trauma, violence, and risk behaviors to reduce justice system contact and develop participants into positive actors within the Brownsville community.

- **#168258 - Staten Island Justice Center: Youth Wellness Initiative - \$130,000**

Court-Involved Youth Mental Health Initiative (Renewal)

Description: This a renewal proposal for Staten Island Justice Center's Youth Wellness Initiative (YWI), a program providing wrap-around services to court-involved and justice-impacted youth in Staten Island, ages 12 to 18, to decrease the likelihood of long-term justice involvement and support those who may have unmet mental health

needs. We specifically seek to engage youth who have participated in some form of community harm (such as assault, robbery, or gang violence) or who have experienced community harm such as community violence or violence at home. YWI works to decrease community violence and the likelihood of long-term justice involvement through transformative education, youth-led community engagement, peer support and mentorship, and individual short-term counseling and advocacy. YWI also offers interactive and holistic family resources and support to parents or guardians who may need assistance in caring for their youth while navigating the justice system. Participants will be able to translate their therapeutic encounters into an opportunity to restore themselves back into their communities.

- **#171801 - Center for Justice Innovation: RISE Project - \$105,000**

Domestic Violence and Empowerment (DoVE) (Renewal/Expansion)

Description: This is an application for continued support of the RISE Project. RISE is a part of New York City's Crisis Management System, working in partnership with Cure Violence sites to provide community-based intimate partner violence (IPV) prevention services to individuals at risk of being impacted by gun violence in communities most impacted. RISE works to reduce IPV by engaging individuals who are causing abuse in voluntary programming to stop violence and change behavior, change community norms to reduce tolerance for IPV, train credible messengers to identify risk factors for IPV, build skills to talk about IPV, and connect community members in need of services to RISE. RISE incorporates components of the Cure Violence and restorative justice models in its work.

- **#168959 - Brooklyn Mental Health Court - \$100,000**

Speakers Initiative (Renewal/Expansion)

Description: Launched in 2002 as the first mental health court in New York City, Brooklyn Mental Health Court (BMHC) is a specialized court that seeks to craft meaningful responses to the problems posed by defendants with mental illness in the criminal justice system. Addressing both the treatment needs of defendants with mental illness and the public safety concerns of the community, BMHC links defendants with serious and persistent mental illnesses (such as schizophrenia and bipolar disorder), who would ordinarily be jail- or prison-bound, with long-term treatment as an alternative to incarceration. BMHC performs psychosocial assessments and psychiatric evaluations, comes up with treatment plans, monitors clients' adherence to treatment plans, and refers clients to community-based services.

- **#172054 - Bronx Community Solutions: Bronx Project HEAL (Helping to Empower through Advocacy and Leadership) - \$100,000**

Support for Victims of Human Trafficking (Renewal)

Description: This application is for Bronx Project HEAL (Helping to Empower through Advocacy and Leadership), an evolution of the Bronx Human Trafficking Intervention Court (HTIC) initiative. Based on the National Project HEAL curriculum, developed by the Center for Justice Innovation (formerly the Center for Court Innovation), Bronx Project HEAL is a leadership development and peer support initiative for justice-involved human trafficking survivors that is informed by, co-created with, and often co-led by, survivors themselves. It is a 3- to 6-month voluntary program that aims to enhance the capacity of survivors to become leaders and advocates in the Bronx community by offering community-based professional development experiences, leadership and advocacy opportunities, and mentorship and peer support. Funding will support the implementation of the survivor leader empowerment program aimed at providing professional development services, including leadership and advocacy training, to survivor leaders to enhance their professional skills and encourage their participation in anti-trafficking policy and advocacy efforts.

- **#167064 - Queens Community Justice Center: UPLIFT - \$100,000**

**Court-Involved Youth Mental Health (Renewal);
Mental Health Services for Vulnerable Populations (Renewal);
Speakers Initiative (Renewal);
Community Safety and Victims Services Initiative;**

Description: To address the high levels of exposure to community violence and trauma among young men of color in Queens, the Queens Community Justice Center piloted UPLIFT in FY22, a program that provides trauma and healing services to justice-involved young men of color, ages 16-25. By offering client-driven individual therapeutic sessions and supportive group workshops, case management and victim services assistance, and advocacy and mentoring, participants are supported to recognize, process, and heal their own trauma, resulting in better life outcomes. Given the program's initial success, the Justice Center was able to fully implement and sustain the program, thanks to the ongoing support of City Council.

- **#169968 - Neighbors In Action: Youth Media Lab - \$50,000**

Digital Inclusion and Literacy (Renewal/Expansion)

Description: This is a request for funding for Neighbors in Action (NIA) to expand its Youth Media Lab to include a youth-led social enterprise. The Youth Media Lab's social enterprise will aim to promote, encourage, and create social change by addressing socio-economic challenges. To do this, the Youth Media Lab provides financially sustainable pathways for youth through the digital arts. With the support of City Council, NIA's Youth Media Lab social enterprise will provide 70 youth, ages 15-24, with paid interest-based internships in digital media, technology, entrepreneurship, and youth organizing. An additional 1,000 youth will be engaged through media lab workshops, open hours, and community events. Youth will receive training in media, production, design, social justice, community organizing, and entrepreneurship while building marketable skills in growing creative sectors. Upon program completion, youth can continue engagement through the Media Lab and as peer leaders.

- **#170083 - Red Hook Community Justice Center: Community Healing and Wellness \$50,000**

Domestic Violence and Empowerment (DoVE) (Renewal/Expansion)

Description: This is an application for the Community Healing and Wellness Program at the Red Hook Community Justice Center, which is a community and court-based program that provides trauma-informed, healing-centered approaches to advocacy, counseling, and case management to both those who have experienced harm and those who have engaged in harm with a goal of contributing to a healthy, resilient, thriving community. The program aims to interrupt cycles of violence and increase community safety by connecting people with the resources they need and want, creating opportunities for healing with those who have been harmed, and creating opportunities for accountability with those who have engaged in harm.

- **#171724 - Red Hook Community Justice Center: Youth Impact - \$20,000**

Community Safety and Victims Services (Renewal/Expansion)

Description: The Red Hook Community Justice Center seeks funding from the City Council's Community Safety and Victim Services Initiative to support youth participating in our Youth Impact program. Youth Impact is a peer-led diversion program for young people ages 10-18 referred by local schools, community partners, the court, justice system agencies or local law enforcement. The goal of Youth Impact is to use positive peer influence and a restorative approach to develop young leaders, repair harm, avoid

future involvement in the justice system through early intervention, and educate young people about the justice system.



DARCEL D. CLARK

THE DISTRICT ATTORNEY
BRONX COUNTY

February 21, 2024

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 the Center for Justice Innovation (CJI or the Center, formerly Center for Court Innovation) FY25 City Council Applications. Funding will sustain existing programs and continue to expand:

- Pre-arraignment early diversion options,
- Mental health supports,
- Restorative justice interventions,
- Human trafficking survivor leadership initiatives,

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. The Center also offers same-day at-arraignment diversion services for individuals who were referred to Project Reset Bronx or Bronx HOPE pre-arraignment diversion programming, but who were not contacted or did not complete programming. Any other individuals deemed eligible by court stakeholders also have the opportunity to participate in this at-arraignment diversion program. Upon successful completion of the session, participants' cases are dismissed the same day and they are not required to return to court. This has offered relief from the collateral consequences participants might otherwise experience if arraigned for a low-level crime. 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 upstream interventions.

The Bronx County District Attorney's Office partners with the **Bronx Child Trauma Support** program to support the provision 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, 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 CJT'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,



Darcel D. Clark



ERIC GONZALEZ
DISTRICT ATTORNEY

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

February 28, 2024

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 FY25 City Council Applications to sustain critical investment in the following areas:

- alternatives to incarceration,
- mental health support,
- 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 continue 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 a proposal for continued support of its **Brooklyn Felony Diversion Programs**, which assist my office in expanding diversion opportunities for 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 funding this initiative to reduce unnecessary incarceration and strengthen diversion opportunities in Brooklyn. Also included in that application is a request for continued support of the Center's renowned **Brooklyn Mental Health Court**. For the past twenty plus 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.

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 of the **Driver Accountability Program**, which seeks to change the risky driving behavior of people charged with driving-related offenses in criminal court, while simultaneously reducing reliance on fines or short-term incarceration for those offenses. 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 in cases of serious crashes that have resulted in serious injuries or fatalities.

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 black ink that reads "Eric Gonzalez". The signature is written in a cursive, flowing style.

Eric Gonzalez
Brooklyn District Attorney

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



ALVIN L. BRAGG, JR.
DISTRICT ATTORNEY

February 29, 2024

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

Re: Application for FY 25 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) FY25 City Council Applications that will continue to support and 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

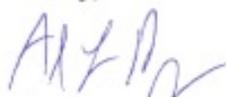
These programs will enable Manhattan to move towards our shared vision of reducing unnecessary and harmful involvement in the justice system wherever possible and building public safety through sustainable community-driven solutions. The Center's proposal to assist my office in expanding diversion opportunities for misdemeanor and felony alternatives to incarceration (ATIs) across Manhattan are crucial to the administration's goals of maintaining public safety and accountability. The **Manhattan Justice Opportunities Felony Alternative to Incarceration program** and the **Midtown Community Justice Center Misdemeanor Mental Health Court and Emerging Young Adult 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 reduce criminal dispositions and improve outcomes for the participants. For example, funding for the Misdemeanor Mental Health Court will enable the hiring of peers to support participants; a model that has proved successful in that by sharing their own lived experience and practical guidance, peers assist participants in navigating challenges which ultimately lead to better outcomes. I urge the Council to support these vital interventions and invest in public safety interventions.

Additionally, funding for the Felony Alternative to Incarceration Program can be used to assess and provide support programming to participants in a more expeditious manner. The more timely an individual receives the necessary support in the community, the more likely they are to succeed. This has the dual effect and benefit of setting them on a better trajectory and improving public safety.

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 causing harm 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 antigun 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,



Alvin Bragg
District Attorney



**Testimony before the New York City Council Committee on Criminal Justice
FY25 Preliminary Budget Hearing, March 8, 2024**

Chair Nurse 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 on behalf of young adults, 18- to 21-years old, incarcerated on Rikers Island.

New York City operates both the most over-staffed and excessively-funded jail system in the country. In 2021 alone, New York City spent 290% more per incarcerated person than the second most expensive jail system in the country.¹ This amounts to over \$556,000 per incarcerated person per year.² Despite the enormous sums poured into the City's jails, however, countless reports show that incarcerated persons are subjected to some of the most dangerous, degrading, and inhumane conditions in the country.³ You need look no further than the *Nunez* monitor's regular reports and the February 28, 2024 report filed in *Benjamin v. Molina* detailing vermin infestation and sanitary violations on Rikers. Serving time on Rikers can also be a death sentence: since Mayor Adams took office, 30 incarcerated people have lost their lives on Rikers Island.⁴

Rikers must close by 2027 in accordance with the law. Yet Mayor Adams's proposed budget will undoubtedly reduce the chances of this happening by cutting funding for alternatives to incarceration and re-entry services, and failing to adequately fund community resources such as supportive housing and community-based mental health treatment, all of which would reduce the ballooning population on the Island and hasten its closure.

But the administration is proposing \$6.7 million in cuts to alternatives to incarceration programs – a key resource included in the plan to close Rikers. The proposed budget also cuts \$13.1 million from the supervised release program, despite the Council's securing \$36.8 million in new funding for this program in the last year alone.

The cuts that the administration is proposing will uniquely impact young adults incarcerated on Rikers Island. Evidence shows that incarceration reduces youth's success in education and

¹ <https://www.vera.org/downloads/publications/a-look-inside-the-new-york-city-correction-budget.pdf>

² *Id.*

³ <https://www.cbsnews.com/newyork/news/new-rikers-island-report-reveals-graphic-details-about-unsanitary-conditions-fire-safety-and-ventilation-systems/>; <https://ny1.com/nyc/all-boroughs/politics/2024/01/11/detainees-request-clean-laundry--report-unsanitary-conditions-on-rikers#:~:text=%22They%20don%27t%20have%20soap,%2C%20to%20wash%20their%20clothes.%22>

⁴ <https://www.vera.org/news/second-death-on-rikers-island-in-2024-brings-new-york-city-jail-death-toll-to-30-under-mayor-adams#:~:text=He%20is%20the%20second%20person,basic%20safety%20in%20its%20jails>

employment, and also leads to lasting damage to their health and well-being.⁵ Evidence also shows that alternatives to incarceration lead to better outcomes for youth and adolescents, all while costing far less than incarceration.⁶ Reducing funding for alternatives to confinement and re-entry services makes no sense morally, ethically, or fiscally.

There is still time for Mayor Adams to change course. For example, the City can deliver on its promise to open 380 units of Justice Involved Supportive Housing, a model that has been widely successful in reducing jail, shelter, and hospital stays, and generates significant cost savings.⁷

We also urge the City to increase the number of Board of Correction staff in proportion to the number of Department staff. Increasing the Board's headcount to only 1% of the Department's would allow for 25 additional staff, adding only \$4 million to the overall expense budget and increasing the Board's ability to address the deplorable conditions that human beings suffer on Rikers, all while preparing to shut it down.

Negotiating changes to the proposed budget provides an opportunity for the Council to move the City in the right direction, while also rightsizing the expenditure of taxpayer dollars. Instead of allocating \$2.6 billion to the Department of Correction, we urge the Council to provide sufficient funding for alternatives to incarceration, supervised release and re-entry programs, supportive and affordable housing, and community mental health services. We urge the Council to fund the Board of Correction adequately so it can provide meaningful oversight of the abomination that is Rikers. The budget in its current state does not move toward any of these goals. We look to you and Speaker Adams to negotiate a fair, just, and reasonable budget that serves all New Yorkers, including young adults and adults on Rikers, and expedites closure of the Island.

Thank you for the opportunity to testify today.

Sincerely,



Daniele Gerard
Senior Staff Attorney
dgerard@childrensrights.org

⁵ <https://www.sentencingproject.org/reports/why-youth-incarceration-fails-an-updated-review-of-the-evidence/>

⁶ *Id.*

⁷ <https://www.csh.org/wp-content/uploads/2022/02/Reduce-Homelessness-for-People-Impacted-by-the-Criminal-Legal-System.pdf>

**Testimony of Caitlyn Passaretti, Policy and Advocacy Associate
Citizens' Committee for Children of New York**

**Submitted to the New York City Council FY'2025 Preliminary Budget Oversight Hearing
Criminal Justice
March 8th, 2024**

Since 1944, Citizens' Committee for Children of New York has served as an independent, multi-issue child advocacy organization dedicated to ensuring every New York child is healthy, housed, educated, and safe. CCC does not accept or receive public resources, provide direct services, or represent a sector or workforce; our priority is improving outcomes for children and families through civic engagement, research, and advocacy. We document the facts, engage, and mobilize New Yorkers, and advocate for solutions to ensure the wellbeing of New York's children, families, and communities.

We would like to thank Chair Nurse, and all the members of the City Council Committee on Criminal Justice, for holding today's important hearing on the FY25 Preliminary Budget, and how to improve the delivery of essential services and programs for NYC youth and young adults.

To promote community safety and wellbeing, we must invest in community services and resources. Unfortunately, the FY 24 November Plan and the FY25 Preliminary Budget include cuts to probation programs that have proven to be successful in supporting re-entry and connecting young people to mentorship and services. Failing to provide robust reentry services or supportive probation programs will harm our youth and is counterintuitive to building safe communities.

We join other city partners in asking for a full restoration of the \$17 million for nonprofit providers to offer programs in city jails, such as wraparound services to promote successful reentry, job training, financial literacy, cognitive behavioral therapy, drug relapse prevention and anger management.ⁱ The Department of Corrections promised to continue providing these services in-house but has failed to do so. The city has failed its responsibility to provide supportive programming in jails and prisons. Restoring this funding will make our communities safer by enabling incarcerated New Yorkers to access employment, housing, and stronger community relationships upon release.

Youth across the City have made clear that investing in youth services is the best pathway to achieving community wellbeing. In their 2023 Youth Agenda, youth leaders from the CCC Youth Leadership Course, CUNY's Intergenerational Change Initiative (ICI) and YVote named Economic Mobility for youth a top priority and urged the expansion of SYEP and the ability of all youth to access year-round employment.ⁱⁱ We need creative, non-carceral solutions to violence, and we urge the Mayor and the City Council to utilize the city budget to invest heavily in community programming, parks, housing, youth sports, employment, and behavioral health.

CCC recommends the following investments to create safe and supportive communities:

- **Treat** gun violence as a public health crisis by investing in transformative community programs, including expanding investment in Cure Violence, credible messenger programs, youth

engagement programs and other community-rooted programs that employ a public health approach to community safety

- **Restore** the \$1.6 million cut to the Arches program, a transformative mentorship program to support 16-24 year olds, from both the November plan and Preliminary budget
- **Restore** \$2.6 million cut from the Next Steps program from the November plan
- **Close** Rikers and ensure the City remains on track with the closure plan
- **Redirect** the funding from school policing into opportunities for young people in schools and communities
- **Restore** the \$22 million cut for New York Public Libraries
- **Invest** \$5.6 million to fund an additional 100 DYCD RHY beds; 60 beds for Runaway and Homeless Youth (16-20yo) and 40 beds for Homeless Young Adults (21-24yo)
- **Restore** the \$1.6 million to maintain funding for the 16 Peer Navigator positions in the DYCD-RHY System

We also demand an end to the Quality-of-Life Violations policing initiative that began around March 2022 from the Mayor's office and NYPD. To be clear, this is a new iteration of broken windows policing, a policy that we know does not work and further criminalizes Black and Brown New Yorkers. We are already seeing the impact of this policy with increasing arrests and detainment, specifically and disproportionately targeting Black New Yorkers. This policy should be immediately halted.

This is a pivotal moment to shift how we approach community safety, and we must commit to resourcing systemically neglected communities and building support networks.

Thank you for your time and consideration.

ⁱ Katz, M (2023). Mayor Adams cuts classes and re-entry services at Rikers to save \$17 million in NYC budget Accessed <https://gothamist.com/news/mayor-adams-cuts-classes-and-re-entry-services-at-rikers-to-save-17-million-in-nyc-budget>

ⁱⁱ The 2023 Youth Agenda. 2023. Retrieved from: https://www.canva.com/design/DAFWzjE8Aj8/XzKyq9e4FH7BpWKUWltg/view?utm_content=DAFWzjE8Aj8&utm_campaign=designshare&utm_medium=link2&utm_source=sharebutton

Dismantling Racism Team Congregation Beth Elohim

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Written Testimony of Congregation Beth Elohim's Dismantling Racism Team to New York City Council Committee on Criminal Justice re Budget Hearing on March 8, 2024

Congregation Beth Elohim's Dismantling Racism Team engages in advocacy, in alliance with more directly impacted groups, for reforms of the criminal legal system. Congregation Beth Elohim, with locations in Park Slope and Prospect Heights, is the largest Reform synagogue in Brooklyn, with about 1,200 households.

Mayor Adams' proposed budget perpetuates the Rikers crisis by largely maintaining the Department of Correction's budget¹ while cutting or failing to provide funds for programs proven to combat crime and stop people from going to Rikers in the first place: alternatives to incarceration (ATIs) and re-entry services, supportive housing, and community-based mental-health treatment. We need a budget that follows through on the legal and moral obligation to close Rikers by 2027. We urge you to work to:

- Restore \$27.8M to the Office of Criminal Justice (\$6.7M for ATIs, \$13.1M for supervised release, and \$8M for re-entry services);
- Allocate an additional \$21.3M to fulfill commitments in the Close Rikers plan and decrease the ineffective use of Rikers as a mental-health panacea — including:
 - Establish a line item in the DOHMH budget to deliver on the City's promise to open 380 more units of Justice Involved Supportive Housing (JISH), and allocate an additional \$6.4M to increase service funding rates for existing and new units because long-time JISH providers are struggling at current rate levels;
 - Allocate \$2.9M more to enable 5 of the 22 newly funded state Assertive Community Treatment (ACT) teams to operate as Forensic ACT (FACT) teams (\$575K per team);
 - Allocate \$6M more to fully implement Local Law 118-2023, supporting the establishment of four new crisis respite centers, and \$6M more to fully implement Local Law 119-2023, supporting the establishment of five new clubhouses;
- Restore the additional \$3M that was cut from the Department of Correction funding for programming at Rikers (\$14M has already been restored), and increase the programming funding so DOC provides at least five hours of programming per weekday as mandated by City law.

Thank you for hearing us.

¹ The Mayor is budgeting \$2.6 billion for FY 2025 jail operations, down just 3.3%.



Freedom
Agenda

Testimony to the City Council Committee on Criminal Justice

Submitted March 8, 2024

Thank you Chair Nurse and Council members, for the opportunity to testify today.

My name is Darren Mack, and I am Co-Director of Freedom Agenda. We are led by our members who are survivors of Rikers like myself, and impacted family members. We're one of the organizations leading the [Campaign to Close Rikers](#), and I'm glad to testify here today.

New York City has committed to closing Rikers Island because mass incarceration is a policy failure, and so is banishing people awaiting trial to a penal colony built on toxic land. We have moved past debating if Rikers should close or can close – Rikers is legally required to close by 2027, and our City budget must put all the necessary resources in place to give the support people need, close the pipelines that feed incarceration, and shift to a smaller borough jail system.

We know what works to create real public safety, and it's things like housing, healthcare, work opportunities, mentorship, and safe community spaces. The Mayor's budget would cut or continue underfunding all these resources, while continuing to funnel billions to the Department of Correction. The Mayor may want to keep investing in failed systems, but the City Council can stop him.

The average jail system in our country has one uniformed officer for four people in custody. If you applied that same ratio to the current NYC jail population of about 6,200 people, that would amount to 1,550 officers. Instead, DOC has 6,000 uniformed officers, and is budgeted for 7,060. Yet they still aren't providing basic services for people in custody, including recreation, laundry, and access to medical care. What are officers doing with their time? Based on many reports from the Federal monitor, they are too often responding to incidents with overwhelming force, and many are still abusing sick leave.

Mayor Adams' budget proposal shows a plan to maintain 7,060 uniform officers in the Department of Correction into FY2028, when Rikers is required to close. The borough-based jail system and secure hospital units, even with the Mayor's plans to increase the number of beds, would have a maximum capacity of about 4,000 people. There is clearly no need for 7,060 officers in that system, and the City can start rightsizing the DOC workforce this year by eliminating their 1,450 projected vacancies.

You will hear the administration say they are expecting the jail population to rise. I can see how they would expect that when all their policies are designed to create that outcome, including slashing \$28M from alternatives to incarceration and re-entry programs, and refusing to fund supportive housing or mental health treatment to scale, despite the Mayor's lip service to addressing the mental health crisis. But the Mayor doesn't govern this City alone. This City Council knows that Rikers must close and you know that the safest communities are the ones with the most resources, not the most incarceration. In the full written testimony that we submitted, you'll see a [full budget analysis from the Campaign to Close Rikers that calls on the City Council to make the following amendments to the FY25 budget to support the closure of Rikers](#):

- **Reduce DOC's uniform headcount to 5,110, by eliminating vacancies and holding staff accountable for chronic absenteeism**
- **Reduce overtime expenses by permanently closing unused jails**
- **Restore \$27.8M to the Office of Criminal Justice for alternatives to incarceration, supervised release and re-entry programs**
- **Allocate an additional \$21.3M to meet critical housing and mental health needs**
- **Increase Board of Correction headcount in proportion to DOC's headcount**

Thank you for your partnership.

Darren Mack

Co-Director, Freedom Agenda

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[attached – FY2025 Campaign to Close Rikers Budget Analysis]

CLOSE RIKERS

DECARCERATE * DEFEND * DIVEST & REDISTRIBUTE

FY2025 Budget Analysis & Priorities

Mayor Adams' proposed budget is a recipe for keeping Rikers open by maintaining DOC budget bloat while cutting funds for alternatives to incarceration (ATIs) and re-entry services, and failing to adequately fund supportive housing and community-based mental health treatment. The budget also proposes cuts to a wide range of social services and violence prevention initiatives.¹ In order to follow through on the legal and moral obligation to Close Rikers, City Council must secure a budget that will improve community safety and reduce our City's overreliance on incarceration.

DOC's budget is still bloated:

- The Mayor has proposed spending [\\$2.6 billion](#)² on jail operations in FY2025, down just 3.3% from FY2024 forecasted spending.
- Most of DOC's costs are driven by overstaffing. Their ratio of uniformed staff to incarcerated people is more than [4 times higher than the national average](#).
- DOC anticipates cost savings from [1,451 uniformed vacancies in FY2025](#), but plans to budget for [7,060 uniformed officers through FY2028](#)³. By that time, New York City is required to close Rikers Island and shift to a borough jails system with [approximately 4,000 beds](#). Uniform headcount reductions are consistent with a lower jail population and closing Rikers - in fact, these reductions should have started years ago when the jail population started to decline.
- DOC's [overtime costs have ballooned to \\$254M](#), 78% above FY2024. Consolidating operations, through closing empty jails like the Anna M. Kross Center, would help to control these costs.

The administration seems to be planning either to continue overusing incarceration, or to employ almost twice as many correction officers as people in custody. Either option makes no sense, morally or financially.

Alternatives to incarceration/detention, and re-entry supports face big cuts:

- The administration is proposing [\\$6.7M in cuts to alternatives to incarceration programs](#).⁴ Opportunities to divert people from Rikers should be fully utilized, in collaboration with the Jail Population Review Initiative that the Council established last year through Local Law 75-2023. Expanding alternatives to incarceration was also a key commitment in the [plan to close Rikers](#).
- The administration is proposing [\\$13.1M in cuts to the supervised release program](#) - for which the Council secured \$36.8M in new funding just last year. [The Mayor's Office of Criminal Justice](#)

¹ Including large cuts to DSS, DCYD, and DOHMH, outlined here: [GJNY Look inside the DOC FY25 Budget.pdf \(vera-advocacy-and-partnerships.s3.amazonaws.com\)](#)

² Including expenses, associated fringe benefits, pensions, and debt service. "A Look Inside the FY 2025 DOC Budget." Vera Institute of Justice. February 2024.

³ Financial Plan of the City of New York. Fiscal Years 2024 - 2028. Full time and full time equivalent staffing levels.

⁴ "The City of New York Preliminary Budget Fiscal Year 2025. Program to Eliminate the Gap (PEG)". January 2024. P. 30 - 31.

[testified in November 2023](#) that recent funding additions were needed to rightsize the program after their caseloads grew 440% since FY2019.

- The administration is proposing [\\$8M in cuts to re-entry services](#), while a key commitment in the [plan to Close Rikers](#) was to “Enhance Reentry and Discharge Planning Services Available to Everyone Leaving City Jails,” as [evidence recommends](#).
- The above programs are funded under the Office of Criminal Justice (formerly MOCJ).

Commitments in the Close Rikers plan are still inadequately funded:

- In the [Points of Agreement on Closing Rikers](#), the administration agreed to establish 380 more units of [Justice Involved Supportive Housing](#), a model that has been hugely successful in reducing jail, shelter, and hospital stays, and generating substantial cost savings. But funding rates proposed in the RFP issued were so low that [qualified providers have not applied](#), and operators of the existing 120 units are struggling to keep them open.
- [The Close Rikers Plan](#) also promised “A new community-based mental health safety net.” This administration has clearly fallen short of that goal - the number of people in Rikers diagnosed with a serious mental illness has [increased 41% since January 2022](#) without sufficient investments in community-based interventions and care.

Jail oversight cuts are proposed:

- DOC continues to [violate minimum standards](#) established by the Board of Correction, and strong oversight is crucial. BOC needs more staff to fulfill its mandate, but the Mayor proposes [reducing their staff from 35 to 29 positions, and cutting BOC's budget by \\$672,000 \(17.5%\)](#).

What should happen in this year's budget

i. Reduce DOC uniformed headcount to 5,110

- a. **Eliminate vacancies for uniformed staff.** The Department of Correction currently employs about [6,150 uniformed staff](#) (910 vacancies) and anticipates cost savings based on an average of [1,451 uniformed vacancies in Fiscal Year 2025](#), but they have not made a plan to rightsize this agency in alignment with closing Rikers.
- b. **Hold staff accountable for chronic absenteeism.** The Nunez Federal Monitor reported in October 2022 that DOC had [identified 1,029 officers as chronically absent](#),⁵ and in November 2023, DOC could not report if these staff had returned to work or been held accountable.⁶ If approximately 50% (500) of these officers are terminated and 50% return to work to avoid termination, we can reduce jail operations spending by \$55.8M.⁷

2. **Reduce overtime spending** by consolidating operations and permanently closing jails on Rikers, starting with the vacant Anna M. Kross Center.⁸

⁵ Martin, Steve J et al. “Second Status Report on DOC’s Action Plan by the Nunez Independent Monitor.” October 28, 2022. p53.

⁶ Martin, Steve J et al. “Status Report on DOC’s Action Plan by the Nunez Independent Monitor.” November 8, 2023. p. 99.

⁷ Based on \$111,660 per officer, as calculated by the Vera Institute, [GJNY Look inside the DOC FY25 Budget.pdf](#) ([vera-advocacy-and-partnerships.s3.amazonaws.com](#)).

⁸ In response to Council Member questions in the March 23, 2023 budget hearing.

3. **Restore \$27.8M to the Office of Criminal Justice for ATIs, supervised release and re-entry programs** including \$6.7M for alternatives to incarceration, \$13.1M for supervised release, and \$8M for re-entry services.
4. **Allocate an additional \$21.3M to meet housing and mental health needs,** and fulfill commitments in the Close Rikers plan, including:
 - a. Establish a separate line-item for JISH in the DOHMH budget, and [allocate an additional \\$6.4M](#) to increase service funding rates for new units and existing units. Existing, long time JISH providers are struggling at current rate levels.
 - b. \$2.9M more to enable 5 of the 22 newly funded state Assertive Community Treatment (ACT) teams to operate as Forensic ACT (FACT) teams (\$575K per team).
 - c. \$6M more to fully implement Local Law 118-2023, supporting the establishment of four new crisis respite centers.
 - d. \$6M more to fully implement Local Law 119-2023, supporting the establishment of five new clubhouses.
5. **Increase Board of Correction headcount** in proportion to DOC's headcount. This type of linked budget exists for other oversight agencies [like the CCRB](#). Increasing BOC headcount to 1% of DOC's would add 35 BOC staff positions, but would only add approximately \$4M to the overall expense budget.⁹

Frequently Asked Questions

Does the Department of Correction have a staff shortage?

No. In fact, they are overstaffed. The Department of Correction's 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 as many officers as people in custody. Reducing their headcount now is an important first step to [rightsizing](#) the department.

If they are not understaffed, why is there a shortage of officers to cover posts and provide basic services?

For three main reasons:

1. **A large number of officers don't come to work.** Uniformed DOC staff have unlimited sick leave, and an extraordinarily high number of officers call out sick on any given day. As of December 2023, [DOC sick leave rates](#) remained at nearly twice the pre-Covid rates within the department (8.49%), and more than double the rates of NYPD and FDNY - agencies that also offer unlimited sick leave.¹⁰ Another 3.4% of officers are out on [long term sick leave, which is often abused](#).
2. **There are too many officers assigned to non-jail posts.** There are [hundreds of officers each day](#) who work in non-jail posts either because they are prevented from working directly with incarcerated people due to an ongoing disciplinary case, they are being 'medically monitored,'

⁹ The FY2024 projected budget allocates \$3.8M to BOC, for 35 staff; 68 staff would constitute 1% of a 6,822 person uniformed DOC workforce (1,722 civilian - as projected by the administration and 5,100 uniformed - as we recommend).

¹⁰ "Preliminary Mayor's Management Report." January 2024.p 411.

or they have been assigned to a different job like working in the laundry room or as a secretary to a warden - tasks that are performed by civilians in other jail systems. These posts have been widely used in DOC as rewards to officers favored by supervisors, and officers who have these posts have [strongly resisted](#) being transferred to posts in the jails.

3. **Officers who are at work often don't do their jobs.** [Investigations](#) found that many officers who *are* at work are *not* at their assigned posts – including some found hanging out in locker rooms. [A Board of Correction report](#) on seven deaths in DOC custody in 2022 noted that in three instances (leading up to the deaths of Erick Tavira, Edgardo Meijias, and Gilberto Garcia) officers were present at work but failed to properly conduct their rounds, and in two instances (leading up to the deaths of Michael Nieves and Gilberto Garcia) failed to provide first aid. The *Nunez* federal monitor in their [November 8 report](#), stating “Definitive measures to ensure that staff are available in sufficient numbers and that they stay on post are obviously necessary. It is equally critical that staff *actually do their jobs* [emphasis in original]... Too often, staff are present and yet fail to enact or enforce even the most basic security protocols.”¹¹

Does DOC need to replace officers who are retiring?

Reducing the uniform headcount would not prevent DOC from replacing officers who quit, retire, or are terminated. It would require DOC to more effectively supervise and manage their very large staff.

How is the money being spent?

The FY2025 budget projects that [88.3% of DOC expenses](#) will be staff salaries, overtime and benefits.

How does NYC's jail spending compare to other cities?

In 2021, [New York City spent 350% more](#) per incarcerated person ([\\$556,539](#)¹² per year) 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. The *Nunez* federal monitor also reported in their [October 2023 report](#) “The Department’s staffing complement is highly unusual and is one of the richest staffing ratios among the systems with which the Monitoring Team has had experience.”

What will we do about those jobs? Aren't a lot of correction officers people of color, and women?

Many NYC correction officers *are* women and people of color. The choice to invest so much of New York City’s budget in incarceration has meant that DOC has become a path to the middle class, including for many people of color.¹³ New York City could and should make a different choice - to invest in and raise salaries, for example, for [EMS workers](#), [green jobs](#) that can help us meet our goals for a vibrant and climate resilient city, and [human services jobs](#) that address community needs. Black and Brown workers deserve jobs with good wages and benefits that aren't dependent on the incarceration of their neighbors and families. We must invest in a [just transition](#) to expand and better compensate jobs outside of law enforcement - for example, human services, a sector in which more than 80% of workers are women of color, and which is subject to constant budget cuts that have resulted in lost jobs and depressed wages.

¹¹ Martin, Steve et al. Status Report on DOC's Action Plan by the Nunez Independent Monitor. November 8, 2023. P 25.

¹² For FY2021. “NYC Department of Correction, FYs 2011-21 Operating Expenditures.” *New York City Comptroller's Office, Budget Bureau*. December 2021

¹³ New York City correction officers are paid \$92,000/year after 5.5 years on the job, and receive generous benefits. <https://www1.nyc.gov/site/jointheboldest/officer/salary-benefits.page>

3.8.2023

Written testimony regarding DOP budget and programming concerns.

LuAnne Blaauboer, Good Shepherd Services

Thank you, Chair Nurse, and Committee on Criminal Justice for the opportunity to testify. My name is LuAnne Blaauboer and I am the Vice President of Vocational Programs at Good Shepherd Services. I oversee several programs that are funded by DOP through the Works Plus Contract, and I'll highlight the fact that they resemble the recently shut down Next Steps programs in terms of size, and funding dollars.. So I am very concerned about the budget decisions and the overall future direction of this agency. I am here today to underscore the value of these small, community-specific programs that support vulnerable populations like justice-involved, or out-of-school- out-of-work youth.

Enormous programs, serving large numbers of people, with one-size-fit-all outcomes, may seem like the efficient solution to challenging issues like poverty and recidivism, but they're not. Because those who are most at risk - disconnected from school or work, lives disrupted by the legal system, living in communities that are suffering from the long-term consequences of systemic racism, may not have the resources, soft skills, or the baseline stability required to even engage in those kinds of programs.

If we want to move the needle on poverty, on community violence, on recidivism, then small, hyper-local, "high-touch" programs, delivered by organizations with deep expertise and deep roots in the communities we serve are the answer. Programs that allow us as providers to give intensive levels of support to those most at risk of falling through the cracks – are a crucial part of the solution. Our programs start with by connecting with young adults, because we know that for young adults – supportive, transformational RELATIONSHIPS trump every other intervention, including high tech CGI gadgets. In addition to standard work readiness content, we highlight outcomes like showing up - attendance, because attendance issues are the number one reason young people lose their jobs. We highlight social-emotional intelligence, because dysregulation on the job isn't conducive to job persistence. Our programs support young adults in building stability along with building the capacity to be able to take advantage of career-level training. These small programs are a vital link in that system of opportunities, because without them, those who need the resources the most, are in the most danger of being left behind by one-size-fits-all programming. And we will never be able to move that needle, if we refuse to invest in the people who are most at risk.

Please help us to protect high-touch, community based programming, with realistic outcomes that serve and support vulnerable young adults across New York City. Thank you for your time.

LuAnne Blaauboer

Vice President of Vocational Programs

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KATAL

CENTER FOR EQUITY, HEALTH, & JUSTICE

Testimony

Preliminary Budget Hearing - Criminal Justice

Yonah Zeitz, Director of Advocacy

yonah@katalcenter.org

for

Committee on Criminal Justice

Thursday, March 8, 2024 -- 10:00 AM

New York, NY

Thank you, Chair Sandy Nurse, for holding this New York City Council Budget and Oversight Hearing on the Preliminary Budget of the Department of Correction for Fiscal Year 2025. My name is Yonah Zeitz, I'm the director of advocacy 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. Many of our members know exactly how horrific Rikers really is.

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 across the city are deeply concerned about the humanitarian crisis playing out in our city's jail system and its enormous fiscal cost. According to the City Comptroller, the cost of incarceration at Rikers is \$556,539 a person per year, which is *\$1,525 a day*.ⁱ It is unconscionable that Mayor Adams is driving up the jail population, costing New York taxpayers hundreds of millions of dollars and getting us further away from shutting down Rikers.

Why are libraries, universal pre-K, summer youth employment, educational programs, health services, and other essential services being cut while the city continues to excessively fund incarceration at a deadly and tortuous jail complex?

The mayor is proposing a bloated \$2.6 billion dollar budget for the Department of Correction in FY 2025, while also cutting \$28 million in funding for alternatives to incarceration, supervised release, and reentry services.ⁱⁱ We know alternatives to incarceration work, they are much cheaper, and diversion options are available *right now* to reduce the jail population.

Evidence and research have also long shown that mental health programming is *dramatically* cheaper than incarceration, yet Rikers has become the city's largest mental health facility. More than 50 percent of people incarcerated there have been diagnosed with a mental health condition, yet they have little or no access to meaningful care while they are locked up.ⁱⁱⁱ

The "*jails-first*" approach preferred by Mayor Adams is costing taxpayers hundreds of millions of dollars while threatening the closure of Rikers Island. In 2017, under pressure from community groups, the city finally committed to closing Rikers Island. In 2019, the city council passed a legislative package to make closure a reality by 2027. The 2019 plan requires the population to be brought down to less than 4,000, yet the jail numbers are trending in the opposite direction.

Reports by the Independent Commission on NYC Criminal Justice and Incarceration Reform and the Institute for State and Local Governance have found that the closure of Rikers will save city taxpayers \$1.3 billion *annually* – even after accounting for costs of implementing the plan. Yet Mayor Adams has simply ignored the legal and process benchmarks of the 2019 plan. And worse, the mayor since day one has worked to undermine core tenets of the 2019 plan, particularly with regard to the jail population – instead of working to reduce the jail population, the mayor has focused on sending *more* Black, Brown, and low-income New Yorkers to jail.

For more than two decades, the population at Rikers was, generally, on a downward trend along with crime rates in our city—we showed that, reducing incarceration and reducing crime went hand in hand. But since his first day in office, Mayor Adams has worked to reverse that trend. There were about 5,000 people in city jails when Adams became mayor. Today, there are more than 6,200 people in city jails,^{iv} and they're not done: the previous DOC Commissioner told the Council that they are planning for the city's jail population to go beyond 7000.^v

It has been said that budgets are moral documents that they reflect priorities. The mayor's budget is morally bankrupt and shows he intends to keep Rikers open. Adding another 800 people to the city's jail population will, using the Comptroller's figures, cost nearly half a *billion* dollars. This coupled with championing the NYPD's near \$12 billion dollar bloated budget to expand resources to advance discriminatory policing practices will further drive up the jail population and set back the closure plan as it will result in more Black, brown, and low-income New Yorker's being arrested and sent to Rikers.

This is outrageous, irresponsible, and clearly untenable, especially as the conditions at New York City's massive jail complex are horrific and life-threatening for human beings – the

people incarcerated and those who work there.^{vi} Under Mayor Eric Adams, conditions at Rikers have gotten worse. Violence at Rikers is out of control. At least 30 people have died in the city jail system since Adams became mayor in 2022.^{vii} Under Mayor Eric Adams, the levels of violence and dysfunction at Rikers are so egregious that in April 2023, federal prosecutors from the Southern District of New York wrote, "Incarcerated people and corrections staff continue to face an imminent risk of harm on a daily basis."^{viii} It's clear the only solution is to close Rikers once and for all.

We urge members of the NYC Council to take drastic steps to get the city back on track to fulfilling its commitment to shutting down Rikers.

We urge this council to focus on three things: **first**, cut the budgets used for caging people – the DOC budget is bloated, wasteful, and must be cut. The city must also cut the number of people incarcerated at Rikers through increasing funding for alternatives to incarceration, supervised released, and re-entry services. **Second**, the closure of Rikers is not just a moral and legal imperative, but given the extraordinary savings that can be realized, it is also a *fiscal* imperative. The Council must pass a budget that advances efforts to shutter the notorious jail complex. **Third**, we must maintain investments in things that produces real public safety: housing, healthcare, education, jobs. The mayor has it exactly backwards – he wants to cut these core services while maintaining the budgets used for caging people. This council must reject that approach.

Finally, with regards to Rikers and the human beings detained there and working there, there is one more thing this council can do now – pass Resolution 183, which calls for a federal receiver. Katal and other community organizations have worked for years to shut down Rikers and hold Adams accountable while demanding action by the city, state, and federal government to save lives. After years of foot-dragging by the courts, last summer, Judge Swain finally opened the door to the possibility of appointing a federal receiver, acknowledging that "people incarcerated at Rikers are at a grave risk of immediate harm" and that "the current state of affairs is tragic and unacceptable."^{ix} Calls for a federal receiver have grown over this year -- today, nearly 70 community, advocacy, and faith-based organizations have joined the call for a federal receiver to take over at Rikers. And as of today, the Legal Aid Society, the U.S Attorney for the SDNY, and NY Attorney General Leticia James have all filed motions in federal court formally calling for the appointment of an independent federal receiver.

While the council continues its work on fighting for a budget that will allow all New Yorkers to thrive, we urge the council to take immediate action to relieve suffering at Rikers by passing Resolution 183. Passing Resolution 183 is a concrete step this council can take *right now* to address the crisis at Rikers. Until Rikers is shut down, there must be immediate action to improve conditions and save lives and invest in alternatives to incarceration and other non-carceral solutions that are proven to increase public safety. Thank you.

ⁱ New York City Comptroller. “Comptroller Stringer: Cost of Incarceration per Person in New York City Skyrockets to All-Time High.” December 6, 2021. comptroller.nyc.gov/newsroom/comptroller-stringer-cost-of-incarceration-per-person-in-new-york-city-skyrockets-to-all-time-high-2

ⁱⁱ Vera Institute for Justice “A Look Inside the FY 2025 DOC Budget: Mayor Adams Continues to Invest in Incarceration over Communities.” February 2024. https://vera-advocacy-and-partnerships.s3.amazonaws.com/GJNY_Look%20inside%20the%20DOC%20FY25%20Budget.pdf

ⁱⁱⁱ Jan Ransom and Jonah E. Bromwich. “ ‘I Just Want to Be Normal’: A Mentally Ill Man’s Death at Rikers.” *The New York Times*. September 27, 2021. [nytimes.com/2021/09/27/nyregion/rikers-island-esias-johnson.html](https://www.nytimes.com/2021/09/27/nyregion/rikers-island-esias-johnson.html), citing Anthony Shorris and Mindy Tarlow. *Preliminary Mayor’s Management Report*, February 2016. 62. https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2016/2016_pmmr.pdf

^{iv} For the 2024 data, see Vera Institute for Justice. “JailVizNYC.” March 4 2024. <https://greaterjusticenyc.vera.org/nycjail>.

^v Courtney Gross. “Rikers closure plan not on track, commissioner says”. Spectrum News 1. 2023. Retrieved from <https://ny1.com/nyc/all-boroughs/news/2022/12/14/rikers-closure-plan-not-on-track-commissioner-says>

^{vi} Erica Bryant. “[It’s] a Torture Chamber: Stories from Rikers Island.” Vera Institute of Justice. February 2022. vera.org/its-a-torture-chamber.

^{vii} Jan Ransom and Jonah E. Bromwich. “Tracking the Deaths in New York City’s Jail System.” *The New York Times*. February 4, 2023. www.nytimes.com/article/rikers-deaths-jail.html

^{viii} Steve J. Martin, Kelly Dedel, Anna E. Friedberg, Dennis O. Gonzalez, Patrick Hurley, Alycia M. Karlovich, Emmitt Sparkman, and Christina Bucci Vanderveer. *Status Report on DOC’s Action Plan by the Nunez Independent Monitor*. April 24, 2023. 27. <https://tillidgroup.com/wp-content/uploads/2023/04/2023-04-24-Status-Report-of-Action-Plan.pdf>

^{ix} Reuven Blau. “Judge Says ‘Transformative Change’ Needed, Laying Groundwork for a Possible Rikers Takeover”. *The City*. August 10, 2023. <https://www.thecity.nyc/2023/8/10/23827946/rikers-takeover-judge-receiver>



Testimony of Megan French-Marcelin, Senior Director of NYS Policy at Legal Action Center

New York City Council
Committee on Criminal Justice
March 8, 2024

Dear Chairwoman Nurse and Members of the Committee,

Thank you for the opportunity to address you today regarding the critical issue of funding for alternatives to incarceration and reentry programs in our city.

My name is Megan French-Marcelin. I am the Senior Director of New York State Policy at Legal Action Center and I am testifying on behalf of the NYS ATI/Reentry Coalition, a collaborative of eleven service providers with decades of experience. Coalition members offer a broad range of alternative to detention and incarceration programs as well as reentry services. Our non-carceral, community-based criminal justice programs include counseling and youth development, treatment-rich housing, and jobs skills training. Coalition members offer services specially tailored for specific populations such as women, young men, gender non-conforming and gender-expansive folks, and people with mental illness. Collectively, we serve upwards of 25,000 justice-involved individuals each year.

We are grateful to the City Council for its support and the allocation of \$14.587 million to the organizations that are represented by the ATI/Reentry Coalition in FY24. The Council's support will be more critical than ever in the year ahead as we prepare to continue to provide services amid the proposed funding cuts for our programs and despite an ever increasing need for our services. Accordingly, we are requesting an increase of \$1.1M for the members of our Coalition in FY25.

ATI programs improve public safety and build healthy, vital, and economically strong neighborhoods. These programs help move people away from criminal legal involvement by forging pathways to employment, secure housing, better health and family stability with a wide range of interventions and programs. Our services have been shown to reduce incarceration and detention, lower recidivism rates, and help New Yorkers achieve stable employment, housing, and health.

Studies have also consistently shown that these programs yield significant cost savings compared to incarceration while simultaneously reducing crime rates. The average cost of one of our programs is \$8,500 per participant; for what it costs to detain just one person at Rikers, we could serve at least 57 people through programs that don't simply keep people out of jail, but also build stronger communities. If



we maintain, as the Coalition does, that closing Rikers is essential to the public safety of this city, we must continue to scale the funding for our ATI programs.

The City Council is among our most important partners and we greatly appreciate your continued support as we strive to create a more equitable City for all.



Testimony of

Rachel Sznajderman
Corrections Specialist

New York County Defender Services

Budget and Oversight Hearing on The Preliminary Budget for Fiscal Year 2025

March 8, 2024

My name is Rachel Sznajderman and I am a Corrections Specialist at New York County Defender Services (NYCDS). NYCDS is an indigent defense office that every year represents tens of thousands New Yorkers in Manhattan’s Criminal, Family, and Supreme Courts. The NYCDS Corrections Specialist Team provides a direct channel of communication with and advocacy for our clients who are incarcerated.

I. Introduction

Since Mayor Adams was elected to office more than two years ago, thirty people have been murdered on Rikers Island, under his watch. And yet, his proposed budget only seeks to further harm and isolate New York’s most vulnerable. Primarily through his proposed cuts to jail programming on the Island, reentry services for those returning home from Rikers, and the Board of Correction, Mayor Adams is attempting to take away the few remaining, life-saving resources for incarcerated people in New York. It is not hyperbole to state that should his proposed cuts be approved, we will see an uptick in the already exorbitant number of jail deaths. We urge the Council to reject Mayor Adams’ proposal, and instead advocate for a budget that will comply with the Borough-Based Jails Plan. Rikers Island will be shuttered in 2027, but only if we are successfully able to reduce the jail population by investing in New York’s most vulnerable communities.

II. Programming and Reentry Services

In the Spring of 2023, Mayor Adams cut \$17 million of DOC’s budget that essentially eliminated programming on Rikers Island. We have seen firsthand that any form of meaningful interaction or activity has been stripped from our clients, leaving them with truly nothing to do as they await their day in court. This has had a detrimental impact on our clients’ physical and

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mental well-being, creating more time for them to ruminate on the uncertainty of their cases, be subjected to horrific violence, or succumb to addiction in order to get through the day. The current disastrous situation sets people up for failure when they do return home. Now, in 2025, Mayor Adams hopes to further eliminate the few benefits incarcerated people are entitled to when they return home. The proposed cuts to the Office of Criminal Justice reentry initiatives will only decrease public safety, and increase the jail population because of the inevitable recidivism they will exacerbate. This is harmful to the people it directly impacts, such as our clients, and also the public at large. The resources available to formerly incarcerated people are already extremely limited, but they are life-saving to thousands of New Yorkers.

Furthermore, these cuts will inevitably increase the jail population, making it more difficult for the City to comply with the plan to close Rikers by 2027. No one with any knowledge of the New York City criminal legal system landscape would disagree that Rikers Island is a nightmare that must be left in the past. Mayor Adams' refusal to meaningfully prepare for this change is not only illegal, but antithetical to the best interests of New Yorkers.

III. Proposed Cuts to Jail Oversight Agency

Mayor Adams also seeks to cut funding to the Board of Correction, the sole agency providing oversight to the Department of Correction. These cuts would be extremely dangerous. In order for the Board of Correction to function, it must necessarily understand what is happening on the ground on Rikers Island. This allows them to address the problems facing incarcerated people directly, and provide essential reporting of the current conditions to the public. Board staff are already overwhelmed with the volume of complaints they receive from incarcerated people and advocates. Fewer Board staff members means fewer eyes on the Department of Correction, holding them accountable to their violations of constitutionally guaranteed rights. In order for the Board to comply with their charter and ensure that the Department is meeting its minimum standards, its funding must be maintained.

IV. Recommendations

Rather than seek to dismantle the few resources and avenues for support for currently and formerly incarcerated New Yorkers, the Council should cut Department of Correction funding for uniformed staff vacancies. No other jail system in the nation is as heavily staffed as Rikers Island. Even if these vacancies are eliminated, Rikers' staffing practices would still be abnormal and more than sufficient. Additionally, further costs could be eliminated by fully closing the Anna M. Kross Center and the Vernon C. Bain Center, which, given that they no longer house incarcerated people, should not be staffed. Furthermore, by continuing to lower the jail population in order to be in compliance with the plan to close Rikers, the money saved would vastly outweigh what Mayor Adams has proposed. If you have questions about this testimony, please email correctionsspecialists@nycds.org.



The Testimony of The Corporation for Supportive Housing (CSH) for the New York City Council Criminal Justice Budget Hearing on March 8th, 2024

Thank you for this opportunity to provide testimony regarding the NYC budget for 2025. My name is Emma Cathell, Senior Program Manager at CSH. CSH is a national non-profit that works with communities all over the country to devise and implement supportive housing solutions as a response to homelessness. Supportive housing is an effective, long-term intervention that pairs permanently affordable units with voluntary, individualized, wrap-around services to offer our most vulnerable and behaviorally complex community members an opportunity to stabilize and thrive in safe, affordable housing. Supportive housing has been proven to increase public safety and create more inclusive, and resource-rich communities. It's also far more cost effective than crisis systems such as jail, shelter, and improper emergency department use.

In fact, my team authored a report that estimated - conservatively- more than 2500 people a year in Rikers have a serious mental illness and will be homeless upon discharge; and the City could save roughly \$1.4 billion dollars annually JUST by investing in supportive housing, and in bringing people home- not hemorrhaging money into programs that are not designed to offer permanent solutions.



This is why investing in supportive housing for individuals with carceral histories is so important. Supportive housing can help ensure that these New Yorkers can access housing and services that can help them rebuild and stabilize their lives versus getting caught in endless cycles of carceral and emergency systems.

Justice Involved Supportive Housing (or JISH) is currently the **only** designated supportive housing program in NYC for people leaving Rikers Island, with just 120 beds currently occupied. According to program documents, clients served by JISH are “high-need, with a long history of homelessness, incarceration, and serious mental illness and/or substance use disorders;” the program “offers necessary intensive case management and connection to clinical services for people leaving Rikers to stabilize their lives.”

One would think then, that JISH would be funded on par with other high-need supportive housing programs that include intensive case management, however that is not the case. The JISH rates are so low in fact that no provider has brought a single unit into operation since DOHMH released an RFP in 2019 to increase JISH units to 500, adding 380 units that have never come to fruition. The offered rates have not increased since the program’s expansion 5 years ago; no provider can afford back such a poorly funded program.

- **For this reason, we recommend that the City expands JISH by \$6.4 million annually to align supportive service rates with other populations that are considered high needs.**
- **We also advocate that a line-item be created in the DOHMH budget to allow for better tracking and transparency moving forward, given its importance for public safety.**

The housing crisis in NYC is at a critical point. The lack of access to safe, affordable housing for some of our most complex and marginalized community members has led to a public health and safety crisis. We know that an effective, impactful way to address the collateral consequences of mass chronic homelessness is through supportive housing: affordable rents paired with individualized services to help people with long histories of homelessness AND a behavioral health diagnosis.



The Testimony of The Corporation for Supportive Housing (CSH) for the New York City Council Criminal Justice Budget Hearing on March 8th, 2024

We respectfully ask that City Council urges Mayor Adams to invest in the housing and services needs of the most at-risk New Yorkers by:

1. Expand Justice Involved Supportive Housing services funding by \$6.4 million

- JISH currently only has 120 out of 500 possible beds in operation. In 2019, the City expanded the JISH program from 120 to 500 units (*an increase of 380*); however, no provider has since brought a unit into operation directly due to unacceptable service rates that have not been increased in five years.
- We recommend that NYC aligns JISH service rates at \$25,596 (per unit annually) with the service rates of the NYC 15/15 youth population, a similarly high-need population. This would adequately fund the 120 online units and incentivize providers to apply for the remaining allocated 380 units in the 2019 RFP.
- **The total recommended investment for 500 JISH (120 current and 380 future units) units is \$6.4 million**

- **Create a JISH line-item in the DOHMH budget** to allow for better tracking moving forward, given its importance for public safety.

2. Restore \$27.8M to the Office of Criminal Justice for ATIs, supervised release and re-entry programs including \$6.7M for alternatives to incarceration, \$13.1M for supervised release, and \$8M for re-entry services.

3. Allocate an additional \$21.3M to meet housing and mental health needs, and fulfill commitments in the Close Rikers plan, including:

- a. Establish a separate line-item for JISH in the DOHMH budget, and allocate an additional \$6.4M to increase service funding rates for new units and existing units. Existing, long time JISH providers are struggling at current rate levels.
- b. \$2.9M more to enable 5 of the 22 newly funded state Assertive Community Treatment (ACT) teams to operate as Forensic ACT (FACT) teams (\$575K per team).
- c. \$6M more to fully implement Local Law 118-2023, supporting the establishment of four new crisis respite centers.
- d. \$6M more to fully implement Local Law 119-2023, supporting the establishment of five new clubhouses.

4. Publicly commit to a comprehensive reallocation plan for NYC 15/15 that better serves the evolving needs of our community. Specifically, we propose the following:

- a. Publicly commit to reallocation -- with strong consideration given to (a) improving scattered site and (b) aligning all service and operating rates to 110% of FMR and congregate levels, respectively.
- b. Publicly commit to looking into the development of a dedicated Supportive Housing Preservation Program, which would include a newly developed term sheet paired with NYC 15/15 service and operating funding for units developed in or before 2008.
- c. Publicly commit to collaborating with the Network and affordable housing partners to develop an Affordable Housing Overlay Pilot in city funded affordable housing developments. This would provide a more stable environment for tenants and streamline management for providers.



**The Testimony of The Corporation for Supportive Housing (CSH) for the New York
City Council Criminal Justice Budget Hearing on March 8th, 2024**

We believe it is important to publicly acknowledge the challenges with NYC 15/15 in its current iteration and commit to working together to solve it; this not only shows nonprofits that the city recognizes the barriers to operating successful scattered site housing, but also that the city is actively working to address these issues and get New Yorkers in need of supportive housing the resources they need.

The case for investing in housing can be made both ethically and financially, and the conclusion is the same: safe, affordable housing with services and connections to community resources is how we will increase public safety, and help move people beyond often generational cycles of poverty and crisis.

Respectfully,

Emma Cathell, Senior Program Manager, Corporation for Supportive Housing (CSH)

Emma.cathell@csh.org

**TESTIMONY OF
THE FORTUNE SOCIETY**

**THE NEW YORK CITY COUNCIL
COMMITTEE ON CRIMINAL JUSTICE**

City Hall,
New York, NY

Friday, March 8, 2024

SUBJECT: Preliminary Budget Hearing – Criminal Justice

PURPOSE: To highlight the need for shift investment to Alternatives to Incarceration, reentry services, and supportive housing

Presented by

Ronald F. Day
Senior Vice President

The Fortune Society
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Good afternoon, Council Committee Chair Nurse, and Members of the Committee on Criminal Justice, and thank you for the opportunity to provide testimony today. My name is Ronald F. Day, and I am Senior Vice President of The Fortune Society. I bring a unique perspective to this discussion, having spent one year on Rikers Island in 1992. I have been with the Fortune Society for over nine years managing various units, including discharge planning, Employment Services, our Center for Research, Inquiry, and Social Justice, and the David Rothenberg Center for Public Policy. I also oversaw Fortune's programming in the city jails that was cancelled in June 2023. My personal and professional experiences inform my understanding of the critical importance of investing in Alternatives to Incarceration (ATIs), reentry services, and supportive housing to reshape lives and contribute to community safety.

The Fortune Society, with its 56-year legacy, is committed to supporting successful reentry from incarceration and providing alternatives to incarceration. Our mission aims to strengthen the fabric of communities by instilling a belief in the power of individuals to change. Through programs shaped by the experiences of our participants, we help rebuild lives. We also seek to change minds through education and advocacy to foster a fair, humane, and rehabilitative justice system. In Fiscal Year (FY) 2023, we served over 11,000 individuals across diverse programs, including nearly 2,700 people in our city jails.

The Executive budget is insufficient in critical areas that are essential for achieving true community safety through robust programming and supports. The proposed budget maintains the Department of Correction's (DOC) bloated budget while simultaneously cutting funds for ATIs and re-entry services. DOC spends over half a million dollars to detain a sole individual on an annual basis. That is over 6 times greater than Cook County and over five times greater than Los Angeles, the other largest jail systems in the country.¹ To fulfill the legal and moral obligation to close Rikers by August 2027 the City must redirect resources to reduce our City's overreliance on incarceration which is both unnecessary and counterproductive. It is unnecessary because we know that alternatives to incarceration work, and counterproductive because we also know that even brief periods of pretrial detention, which is what the vast majority of people in Rikers are

¹ Vera Institute of Justice (2021, May), *A Look Inside the New York City Correction Budget*. Retrieved from <https://www.vera.org/downloads/publications/a-look-inside-the-new-york-city-correction-budget.pdf>

subjected to, can render someone more likely to have continued contact with the criminal legal system.²

It is important that the DOC budget be considered in light of the inhumane conditions to which people in agency custody are subjected. Since 2022, thirty of our fellow New Yorkers have died in or shortly after release from DOC custody.³ The recent Board of Correction report on the use of chemical agents provides a disturbing litany of incidents including but not limited to the use of these agents on people with ligatures around their necks – including one instance of the use against an individual of a very strong chemical agent designed to disperse crowds. The report also describes the use of these agents on people who did not pose any sort of safety threat but instead were passively disobeying verbal orders, sometimes while explaining their reasons for doing so.⁴ For these reasons among others, we must invest in the kinds of proven support and services that help break the cycle of incarceration and pretrial detention in our city.

First, Fortune calls upon the Administration and the Council to fully restore the \$17 million of funding for the seven providers that were offering in-facility programming until it was abruptly cancelled in June 2023. While we were heartened to see the Administration's recent announcement about enhancing programming and services for people in DOC, the services described and the \$14 million in funding do not amount to a full restoration. It is also not clear whether all of this programming will be offered by community-based providers, as was done previously, or whether DOC will retain some amount of funding to provide some of these services in-house. Before contract cancellation last year, Fortune and our sister providers collectively engaged with nearly 1,700 people on a daily basis across 200 housing units in seven jail facilities in group sessions, hard skill training, and other supports and activities. DOC

² See, e.g., Loeffler, C. and D. Nagin (2022, January), "The Impact of Incarceration on Recidivism, *Annual Review of Criminology* 5:133-152. Retrieved from <https://www.annualreviews.org/doi/10.1146/annurev-criminol-030920-112506>. ("(t)he findings of studies of pretrial incarceration are consistent – most find a deleterious effect on post release reoffending.")

³ McCann, S., & Bryant, E. (2024, January 22). *Second Death on Rikers Island in 2024 Brings New York City Jail Death Toll to 30 Under Mayor Adams*. Retrieved from <https://www.vera.org/news/second-death-on-rikers-island-in-2024-brings-new-york-city-jail-death-toll-to-30-under-mayor-adams>.

⁴ NYC Board of Correction. (2024, February). *An Assessment of the Use of Chemical Agents in New York City Jails*. Retrieved from <https://www.nyc.gov/assets/boc/downloads/pdf/reports/boc-reports/an-assessment-of-the-use-of-chemical-agents-in-nyc-jails-final.pdf>.

claimed it could provide identical programming with in-house resources, but the most recent Mayor’s Management Report has revealed that this simply has not taken place. The number of group-based facilitation sessions decreased by 29 % in the first four months of Fiscal 2024 as compared to the first four months of Fiscal 2023, and the number of individual sessions decreased by 31%.⁵ Programming for people in our jails makes the facilities safer for everyone who works and is held there. It also makes our communities safer, as Fortune’s own experience has shown that people who connect with providers while in jail are more likely to engage with them upon their release. At the invitation of Commissioner Maginley-Liddie, Fortune recently began leveraging other funding sources to support seven staff provide limited services to a small number of people in EMTC. We agreed to do so because we are all too aware of the desperate need and vacuum left by our 2023 removal.

The City budget must also address the need for supportive housing because it provides a significant pathway out of the revolving door of pretrial detention and ultimate incarceration. A robust 10-year follow-up report on the precursor to the underfunded Justice Involved Supportive Housing (JISH) program, the supportive housing model called Frequent Users Engagement Program (FUSE), showed remarkable outcomes for FUSE participants. FUSE participants spent less time in jails and in shelters than similarly-situated participants, leading the researchers to state that “(d)espite intense histories of incarceration and shelter use, the most common pattern seen over the 10 years for FUSE participants was **no jail or shelter experience after an early period of shelter stays.**” (emph. in original)⁶ That was a tremendous cost savings for the City. The researchers found that if all 1,000 participants in the FUSE study had actually been a beneficiary of FUSE the City would have saved an estimated stunning amount of \$45,000,000.⁷ This is clearly a massive public safety benefit as well. Recognizing the critical role of JISH in supporting a high-needs population, it is imperative to address the program's funding challenges

⁵ The Mayor’s Preliminary Fiscal 2024 Management Report. (2024).

<https://www.nyc.gov/assets/operations/downloads/pdf/pmmr2024/doc.pdf>.

⁶ Aidala, A., McAllister, W., Yomogida, M., Alatas, H., & Torsiglieri, A. (2023, April). *FUSE 10-Year Follow-Up Report Initial Findings*. Retrieved from <https://www.csh.org/wp-content/uploads/2023/10/FUSE-10-Year-Report-Initial-Findings.pdf>.

⁷ Aidala, A., McAllister, W., Yomogida, M., Alatas, H., & Torsiglieri, A. (2023, April). *FUSE 10-Year Follow-Up Report Initial Findings*. Retrieved from <https://www.csh.org/wp-content/uploads/2023/10/FUSE-10-Year-Report-Initial-Findings.pdf>.

to sustain and enhance its reach. To make meaningful progress, we must allocate additional funds to fully implement this crucial aspect of the Close Rikers plan.⁸

Moreover, the Administration's proposed \$6.7M in cuts to ATI programs and proposed \$13.1M in cuts to the supervised release program⁹ are alarming. ATI and robust re-entry support are key components to effectively breaking the cycle of incarceration.¹⁰ We urge the City Council to work with the Administration to restore \$27.8M to MOCJ for ATIs, supervised release, and re-entry programs, recognizing their proven efficacy in breaking the cycle of incarceration. To fulfill the legal mandate to close Rikers by 2027, the City Council must secure a budget that prioritizes community safety and invests in effective ATIs, re-entry services, and supportive housing.

Thank you for your time and consideration. Recognizing the challenging financial decisions the City confronts, it is imperative to adopt a forward-thinking perspective for the enhancement of our shared safety and well-being. We must remain vigilant against exacerbating racial and socioeconomic inequities. Investing in proven strategies not only aligns with fiscal wisdom but is also a moral necessity that fosters economic justice, advances racial equity, and upholds our collective humanity.

⁸ Beyond Rikers. (2021, September), *Beyond Rikers Commitment Tracker*. Retrieved from <https://rikers.cityofnewyork.us/beyond-rikers/>.

The City of New York Preliminary Budget Fiscal Year 2025 Eric Adams, Mayor. (2024, January). *Program to Eliminate the Gap (PEG)*. Mayor's Office of Management and Budget. <https://www.nyc.gov/assets/omb/downloads/pdf/peg1-24.pdf>.

¹⁰ The City of New York Preliminary Budget Fiscal Year 2025 Eric Adams, Mayor. (2024, January). *Program to Eliminate the Gap (PEG)*. Mayor's Office of Management and Budget. <https://www.nyc.gov/assets/omb/downloads/pdf/peg1-24.pdf>



The Liberty Fund - FY2025 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.

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. .

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. In 2023 alone, there were over 50,000 individuals released on recognizance from NYC criminal courts and our unique case management approach continues to be a proactive solution in terms of addressing the criminal justice issues and racial inequities this population faces.

Proven Results

Overall the past 8 years, The Liberty Fund has:

- Helped 1,500+ clients access community-based services.
- Prevented 7,000+ days of detention.
- Facilitated annual cost savings of \$5.1 million on the City's incarceration spending.
- Achieved an 88% client court appearance rate.

More specifically the last 4 years, our cutting edge ROR Case Management Program has:

- Served over 325 people in need of critical pretrial services.
- Conducted over 12,000 court reminder and wellness calls.
- Sent over 6,500 client updates to assigned attorneys.
- Made 428 referrals to community-based organizations and providers.
- Maintained an 88% client court appearance rate.

Our success has been recognized nationwide as our model was a Merit Finalist in the Mutual of America 2019 Community Partnership annual competition.



Program Services Offered

The Liberty Fund will provide our ROR Case Management Program to approximately 250 unique individuals during the FY2025 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.



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www.nyfoundling.org

**Testimony of Mollie Beebe
Assistant Vice President, The New York Foundling**

To the New York City Council Committee on Criminal Justice on March 8, 2024

I'd like to thank Chairwoman Sandy Nurse and the committee members for their unwavering commitment to offering viable alternatives to incarceration, giving young people an opportunity for rehabilitation, with the support of their families, decreasing the likelihood of future criminal activity and improving educational and health outcomes. Thank you for taking the time to hear this testimony today.

The New York Foundling has been a pioneer of evidence-based services for young people involved or at-risk of involvement in the juvenile justice system. In 2012, The Foundling launched its pioneering Families Rising program in collaboration with Judge Michael A. Corriero, founder of the New York Center for Juvenile Justice (NYCJJ), as an alternative to incarceration (ATI). The program was designed to divert teens and young adults away from justice system involvement toward positive life choices, including education and career development. The program uses the evidence-based model of Functional Family Therapy (FFT), working with young people and their families to reduce family conflict, substance abuse, recidivism, and violent behavior in the long term.

- The Foundling's Families Rising program serves young adults ages 13-27, in all five boroughs, who are facing adult convictions and incarceration. In addition to its historically high rates of treatment completion, the program has demonstrated a significant impact on reducing recidivism and is estimated to save taxpayers millions of dollars each year in incarceration costs. In FY23 alone, it is estimated that Families Rising's saved over nine million in taxpayer funds.
- Since its inception, Families Rising has served 513 young people and their families. In the first two quarters of FY24, 86% of clients completed services successfully. In addition to its high rates of treatment completion, the program has demonstrated a significant impact on helping participants with viable alternatives that avoid incarceration and a criminal record, leading them to complete school or remain employed, and avoid re-arrest.
 - In FY23, 93% of clients who completed services successfully and whose court case has resolved, have avoided a jail or prison sentence.
 - Additionally, in 2023, 79% of clients who completed services successfully were enrolled in school, vocational training, or employed at the end of treatment and 24% of these clients went on to college after program completion.

The Families Rising program has demonstrated success in supporting young people, and their families. However, the program is currently facing budget cuts due to the City's Program to Eliminate the Gap. These cuts will directly impact families, increasing waitlist times, increasing amount of time in detention pre-plea, and increasing the amount of time families are separated. These cuts compound existing staffing recruitment and retention challenges. We have experienced significant staffing challenges given the intensity of the therapeutic intervention and low base salary. FFT therapists provide weekly therapy sessions to young people and their families, typically from one to three hours per week, and remain on call for emergencies. Sessions are scheduled to best accommodate the family's needs and are often held in the evening and in-person, in the family's home or community. Just imagine a therapist beginning a session at 7:30pm in the home of a family who is navigating the incredibly difficult circumstances of their court involvement. The intervention is intensive and provided until program goals are met, typically for 6 months.



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If we want these programs to continue to serve and stabilize young people at home and with their families, we must invest in the professionals who provide these critical services. Families Rising's exceptional clinical staff offer high-quality, evidence-based therapy to young people and their families as an alternative to incarceration. With these budget cuts more young people in jail will be put in harm's way and the jobs of our skilled staff, who could earn more money elsewhere, are also on the line. There is not enough funding available to address this timely and critical need for children and families. With increased funding, The Foundling and others like us can address the urgent needs of young people and their families and strengthen our community in the long term—increasing access to services that have been proven to prevent homelessness, joblessness, substance use, and crime well into adulthood.

Thank you, council members, for taking the time to hear this testimony today and for your continued efforts to fund Alternative to Incarceration programs city wide.



TRINITY CHURCH WALL STREET

3.8.24 - Trinity Church Testimony - Criminal Justice Committee - FY25 Preliminary Budget Hearing

Dear Chair Nurse and Members of the Committee on Criminal Justice:

My name is Natasha Lifton, Managing Director of External Affairs and Special Projects at Trinity Church Wall Street. Thank you for the opportunity to provide testimony for this Fiscal Year 2025 preliminary budget hearing. We urge the Mayor and City Council to prioritize investments in services for justice-involved New Yorkers to divert them from incarceration and support their re-entry into society.

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 focuses 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 negative impact that they have on those detained and working in them. These unacceptable results occur despite expenditures of more than \$550,000 a year to incarcerate one person, resulting in the most expensive jail system in the country.

This 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. We are therefore deeply concerned that the Mayor's preliminary budget proposes cuts to alternatives to incarceration, supervised release, and re-entry and does not make the investments necessary in housing and mental health care. It also does not take the necessary steps to right-size the Department of Correction (DOC)'s budget through measures such as reducing the number of corrections officers and overtime costs, holding staff accountable for chronic absenteeism, and closing empty jails such as the Anna M. Kross Center. In addition, we urge the following:

- 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.
club

TRINITY CHURCH WALL STREET

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.

- 2. Restore \$27.8M to the Office of Criminal Justice** for alternatives to incarceration (ATIs), supervised release and re-entry programs including \$6.7M for ATIs, \$13.1M for supervised release, and \$8M for re-entry services to enable the city to sufficiently reduce the jail population on Rikers Island. Opportunities to reduce recidivism and divert people from Rikers should be fully utilized, in collaboration with the Jail Population Review Initiative that the Council established last year through Local Law 75-2023.
- 3. Reinstate in-custody programing provided by trusted community providers.** Last year, the DOC abruptly informed six community-based organizations that collectively were serving around 1,700 people a day across Rikers facilities that their contracts were being terminated. As anticipated, the DOC is struggling to provide the same level of services as these culturally competent providers with decades of experience. Eliminating these programs inside the jails also broke the continuum of care these same organizations provide once people are released. This continuum is critical to individual successful reentry and our collective public safety.
- 4. Allocate additional funding to expand housing and services for those struggling with mental health challenges and/or criminal legal system involvement.**
In the Points of Agreement on Closing Rikers, the administration agreed to establish 380 more units of Justice Involved Supportive Housing (JISH), a model which has been shown to reduce jail, shelter, and hospital stays, and generating substantial cost savings. But JISH funding rates put forth by the city were so low that qualified providers have not applied, and operators of the existing 120 units are struggling to keep them open. We therefore call on the administration to establish a separate line-item for JISH in the budget and increase funding rates to support the immediate establishment of new units and to stabilize the existing ones.

The Close Rikers Plan also promised “A new community-based mental health safety net.” To help achieve this goal, an additional \$2.9M should be allocated to enable 5 of the 22 newly funded Assertive Community Treatment (ACT) teams to operate as Forensic Assertive Community Treatment (FACT) teams. ACT is an evidenced-based practice that offers treatment, rehabilitation, and community integration services to individuals diagnosed with serious mental illness using a person-centered, recovery-based approach to care. Additional funding would enable these teams to utilize FACT, an updated version of ACT which provides coordinated behavioral health and social support services to people with recent justice-involvement who have a history of serious dysfunction and high usage of mental health emergency services. FACT staff include experts in

TRINITY CHURCH WALL STREET

psychiatry, mental health, nursing, social work, substance use treatment, peer support, housing, employment, family, and criminal justice.

Lastly, \$6M should be added to ensure full implementation of Local Law 118-2023, which mandates the establishment of four new crisis respite centers to provide immediate shelter and services to those experiencing a mental health emergency, as well as \$6M more to fully implement Local Law 119-2023, supporting the establishment of five new clubhouses. The clubhouse model, pioneered by Fountain House in the 1940s, creates an intentional community where members and staff work together to carry out all daily operations. Members have access to crisis intervention services and are connected with resources to support their basic needs, including employment, education, housing, and food.

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

To: New York City Council Criminal Justice Committee
Date: March 5th. 2024
Subject: Mayor's Budget Proposal

Dear Council Member Nurse,

My name is Vivione Marshall and I respectfully submit written testimony as a member of Trinity Church Wall Street's congregational Prison Ministry opposing Mayor Adams proposed budget as it relates to criminal justice.

The budget the Adam's administration proposes will likely result in delaying the planned (2027) closure of Rikers Jails.

Adequate funding for Alternatives To Incarceration, re-entry services and effective in-jail programming has proven to significantly decrease recidivism rates in New York City. Reducing funding for ATI by \$6.7 million, supervised release by \$13 million and re-entry services by \$8 million will deny essential help and guidance in preventing future interaction with law enforcement.

Additionally, increased funding for supportive housing and community based mental health treatment is necessary. Studies and documentation demonstrate that funding community based preventive programs result in lower incarceration rates and decreased recidivism.

The \$2.6 billion Department of Correction budget is the largest in the United States, yet the Rikers facilities it oversees are notorious for being the most dangerous and inhumane detention facilities in the country. The majority of DOC's proposed budget is directed toward excessive staffing, overtime and the expenses associated with chronic uniformed employee absenteeism. Despite having four times the national average ratio of uniformed employees to incarcerated individuals, Rikers remains one of the most dangerous and most expensive jail complexes in our nation.

Instead of cutting funding for programs that reduce the jail population the Adams administration must prioritize increased funding for the New York City Board of Corrections. By proportionally increasing the Board of Corrections budget in relation to the Department of Correction budget, much needed staff positions can be added, ultimately leading to better oversight and a decrease in violence for both detainees and staff at Rikers. Adequate funding for the Office of Criminal Justice is also necessary for implementing ATI, re-entry and supervised release programs.

As many New York criminal justice organizations, faith based groups and in-depth research has proven, investing in community preventive initiatives such as housing, education and health care will measurably eliminate the need for excessive funding of incarceration.

Sincerely,
Vivione Marshall
Chair Trinity Church Wall Street Prison Ministry



Freedom
Agenda

Testimony to the City Council Committee on Criminal Justice

Submitted March 8, 2024 by Darren Mack

Thank you Chair Nurse and Council members, for the opportunity to testify today.

My name is Darren Mack, and I am Co-Director of Freedom Agenda. We are led by our members who are survivors of Rikers like myself, and impacted family members. We're one of the organizations leading the Campaign to Close Rikers, and I'm glad to testify here today.

New York City has committed to closing Rikers Island because mass incarceration is a policy failure, and so is banishing people awaiting trial to a penal colony built on toxic land. We have moved past debating if Rikers should close or can close – Rikers is legally required to close by 2027, and our City budget must put all the necessary resources in place to give the support people need, close the pipelines that feed incarceration, and shift to a smaller borough jail system.

We know what works to create real public safety, and it's things like housing, healthcare, work opportunities, mentorship, and safe community spaces. The Mayor's budget would cut or continue underfunding all these resources, while continuing to funnel billions to the Department of Correction. The Mayor may want to keep investing in failed systems, but the City Council can stop him.

The average jail system in our country has one uniformed officer for four people in custody. If you applied that same ratio to the current NYC jail population of about 6,200 people, that would amount to 1,550 officers. Instead, DOC has 6,000 uniformed officers, and is budgeted for 7,060. Yet they still aren't providing basic services for people in custody, including recreation, laundry, and access to medical care. What are officers doing with their time? Based on many reports from the Federal monitor, they are too often responding to incidents with overwhelming force, and many are still abusing sick leave.

Mayor Adams' budget proposal shows a plan to maintain 7,060 uniform officers in the Department of Correction into FY2028, when Rikers is required to close. The borough-based jail system and secure hospital units, even with the Mayor's plans to increase the number of beds, would have a maximum capacity of about 4,000 people. There is clearly no need for 7,060 officers in that system, and the City can start rightsizing the DOC workforce this year by eliminating their 1,450 projected vacancies.

You will hear the administration say they are expecting the jail population to rise. I can see how they would expect that when all their policies are designed to create that outcome, including

slashing \$28M from alternatives to incarceration and re-entry programs, and refusing to fund supportive housing or mental health treatment to scale, despite the Mayor's lip service to addressing the mental health crisis. But the Mayor doesn't govern this City alone. This City Council knows that Rikers must close and you know that the safest communities are the ones with the most resources, not the most incarceration. In the full written testimony that we submitted, you'll see a full budget analysis from the Campaign to Close Rikers that calls on the City Council to make the following amendments to the FY25 budget to support the closure of Rikers:

- **Reduce DOC's uniform headcount to 5,110, by eliminating vacancies and holding staff accountable for chronic absenteeism**
- **Reduce overtime expenses by permanently closing unused jails**
- **Restore \$27.8M to the Office of Criminal Justice for alternatives to incarceration, supervised release and re-entry programs**
- **Allocate an additional \$21.3M to meet critical housing and mental health needs**
- **Increase Board of Correction headcount in proportion to DOC's headcount**

Thank you for your partnership.

Darren Mack

Co-Director, Freedom Agenda.

Dmack@urbanjustice.org

[attached – FY2025 Campaign to Close Rikers Budget Analysis]

CLOSE RIKERS

DECARCERATE * DEFEND * DIVEST & REDISTRIBUTE

FY2025 Budget Analysis & Priorities

Mayor Adams' proposed budget is a recipe for keeping Rikers open by maintaining DOC budget bloat while cutting funds for alternatives to incarceration (ATIs) and re-entry services, and failing to adequately fund supportive housing and community-based mental health treatment. The budget also proposes cuts to a wide range of social services and violence prevention initiatives.¹ In order to follow through on the legal and moral obligation to Close Rikers, City Council must secure a budget that will improve community safety and reduce our City's overreliance on incarceration.

DOC's budget is still bloated:

- The Mayor has proposed spending \$2.6 billion² on jail operations in FY2025, down just 3.3% from FY2024 forecasted spending.
- Most of DOC's costs are driven by overstaffing. Their ratio of uniformed staff to incarcerated people is more than 4 times higher than the national average.
- DOC anticipates cost savings from 1,451 uniformed vacancies in FY2025, but plans to budget for 7,060 uniformed officers through FY2028³. By that time, New York City is required to close Rikers Island and shift to a borough jails system with approximately 4,000 beds. Uniform headcount reductions are consistent with a lower jail population and closing Rikers - in fact, these reductions should have started years ago when the jail population started to decline.
- DOC's overtime costs have ballooned to \$254M, 78% above FY2024. Consolidating operations, through closing empty jails like the Anna M. Kross Center, would help to control these costs.

The administration seems to be planning either to continue overusing incarceration, or to employ almost twice as many correction officers as people in custody. Either option makes no sense, morally or financially.

Alternatives to incarceration/detention, and re-entry supports face big cuts:

- The administration is proposing \$6.7M in cuts to alternatives to incarceration programs.⁴ Opportunities to divert people from Rikers should be fully utilized, in collaboration with the Jail Population Review Initiative that the Council established last year through Local Law 75-2023. Expanding alternatives to incarceration was also a key commitment in the plan to close Rikers.
- The administration is proposing \$13.1M in cuts to the supervised release program - for which the Council secured \$36.8M in new funding just last year. The Mayor's Office of Criminal Justice

¹ Including large cuts to DSS, DCYD, and DOHMH, outlined here: [GJNY Look inside the DOC FY25 Budget.pdf \(vera-advocacy-and-partnerships.s3.amazonaws.com\)](#)

² Including expenses, associated fringe benefits, pensions, and debt service. "A Look Inside the FY 2025 DOC Budget." Vera Institute of Justice. February 2024.

³ Financial Plan of the City of New York. Fiscal Years 2024 - 2028. Full time and full time equivalent staffing levels.

⁴ "The City of New York Preliminary Budget Fiscal Year 2025. Program to Eliminate the Gap (PEG)". January 2024. P. 30 - 31.

testified in November 2023 that recent funding additions were needed to rightsize the program after their caseloads grew 440% since FY2019.

- The administration is proposing \$8M in cuts to re-entry services, while a key commitment in the plan to Close Rikers was to “Enhance Reentry and Discharge Planning Services Available to Everyone Leaving City Jails,” as evidence recommends.
- The above programs are funded under the Office of Criminal Justice (formerly MOCJ).

Commitments in the Close Rikers plan are still inadequately funded:

- In the Points of Agreement on Closing Rikers, the administration agreed to establish 380 more units of Justice Involved Supportive Housing, a model that has been hugely successful in reducing jail, shelter, and hospital stays, and generating substantial cost savings. But funding rates proposed in the RFP issued were so low that qualified providers have not applied, and operators of the existing 120 units are struggling to keep them open.
- The Close Rikers Plan also promised “A new community-based mental health safety net.” This administration has clearly fallen short of that goal - the number of people in Rikers diagnosed with a serious mental illness has increased 41% since January 2022 without sufficient investments in community-based interventions and care.

Jail oversight cuts are proposed:

- DOC continues to violate minimum standards established by the Board of Correction, and strong oversight is crucial. BOC needs more staff to fulfill its mandate, but the Mayor proposes reducing their staff from 35 to 29 positions, and cutting BOC's budget by \$672,000 (17.5%).

What should happen in this year's budget

I. Reduce DOC uniformed headcount to 5,110

- a. **Eliminate vacancies for uniformed staff.** The Department of Correction currently employs about 6,150 uniformed staff (910 vacancies) and anticipates cost savings based on an average of 1,451 uniformed vacancies in Fiscal Year 2025, but they have not made a plan to rightsize this agency in alignment with closing Rikers.
- b. **Hold staff accountable for chronic absenteeism.** The Nunez Federal Monitor reported in October 2022 that DOC had identified 1,029 officers as chronically absent,⁵ and in November 2023, DOC could not report if these staff had returned to work or been held accountable.⁶ If approximately 50% (500) of these officers are terminated and 50% return to work to avoid termination, we can reduce jail operations spending by \$55.8M.⁷

2. **Reduce overtime spending** by consolidating operations and permanently closing jails on Rikers, starting with the vacant Anna M. Kross Center.⁸

⁵ Martin, Steve J et al. “Second Status Report on DOC's Action Plan by the Nunez Independent Monitor.” October 28, 2022. p53.

⁶ Martin, Steve J et al. “Status Report on DOC's Action Plan by the Nunez Independent Monitor.” November 8, 2023. p. 99.

⁷ Based on \$111,660 per officer, as calculated by the Vera Institute, [GJNY Look inside the DOC FY25 Budget.pdf](https://vera-advocacy-and-partnerships.s3.amazonaws.com/GJNY_Look_inside_the_DOC_FY25_Budget.pdf)

⁸ In response to Council Member questions in the March 23, 2023 budget hearing.

3. **Restore \$27.8M to the Office of Criminal Justice for ATIs, supervised release and re-entry programs** including \$6.7M for alternatives to incarceration, \$13.1M for supervised release, and \$8M for re-entry services.
4. **Allocate an additional \$21.3M to meet housing and mental health needs**, and fulfill commitments in the Close Rikers plan, including:
 - a. Establish a separate line-item for JISH in the DOHMH budget, and allocate an additional \$6.4M to increase service funding rates for new units and existing units. Existing, long time JISH providers are struggling at current rate levels.
 - b. \$2.9M more to enable 5 of the 22 newly funded state Assertive Community Treatment (ACT) teams to operate as Forensic ACT (FACT) teams (\$575K per team).
 - c. \$6M more to fully implement Local Law 118-2023, supporting the establishment of four new crisis respite centers.
 - d. \$6M more to fully implement Local Law 119-2023, supporting the establishment of five new clubhouses.
5. **Increase Board of Correction headcount** in proportion to DOC's headcount. This type of linked budget exists for other oversight agencies like the CCRB. Increasing BOC headcount to 1% of DOC's would add 35 BOC staff positions, but would only add approximately \$4M to the overall expense budget.⁹

Frequently Asked Questions

Does the Department of Correction have a staff shortage?

No. In fact, they are overstaffed. The Department of Correction's 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 as many officers as people in custody. Reducing their headcount now is an important first step to rightsizing the department.

If they are not understaffed, why is there a shortage of officers to cover posts and provide basic services?

For three main reasons:

1. **A large number of officers don't come to work.** Uniformed DOC staff have unlimited sick leave, and an extraordinarily high number of officers call out sick on any given day. As of December 2023, DOC sick leave rates remained at nearly twice the pre-Covid rates within the department (8.49%), and more than double the rates of NYPD and FDNY - agencies that also offer unlimited sick leave.¹⁰ Another 3.4% of officers are out on long term sick leave, which is often abused.
2. **There are too many officers assigned to non-jail posts.** There are hundreds of officers each day who work in non-jail posts either because they are prevented from working directly with incarcerated people due to an ongoing disciplinary case, they are being 'medically monitored,'

⁹ The FY2024 projected budget allocates \$3.8M to BOC, for 35 staff; 68 staff would constitute 1% of a 6,822 person uniformed DOC workforce (1,722 civilian - as projected by the administration and 5,100 uniformed - as we recommend).

¹⁰ "Preliminary Mayor's Management Report." January 2024, p 411.

or they have been assigned to a different job like working in the laundry room or as a secretary to a warden - tasks that are performed by civilians in other jail systems. These posts have been widely used in DOC as rewards to officers favored by supervisors, and officers who have these posts have strongly resisted being transferred to posts in the jails.

3. **Officers who are at work often don't do their jobs.** Investigations found that many officers who *are* at work are *not* at their assigned posts - including some found hanging out in locker rooms. A Board of Correction report on seven deaths in DOC custody in 2022 noted that in three instances (leading up to the deaths of Erick Tavira, Edgardo Meijias, and Gilberto Garcia) officers were present at work but failed to properly conduct their rounds, and in two instances (leading up to the deaths of Michael Nieves and Gilberto Garcia) failed to provide first aid. The *Nunez* federal monitor in their November 8 report, stating "Definitive measures to ensure that staff are available in sufficient numbers and that they stay on post are obviously necessary. It is equally critical that staff *actually do their jobs* [emphasis in original]... Too often, staff are present and yet fail to enact or enforce even the most basic security protocols."¹¹

Does DOC need to replace officers who are retiring?

Reducing the uniform headcount would not prevent DOC from replacing officers who quit, retire, or are terminated. It would require DOC to more effectively supervise and manage their very large staff.

How is the money being spent?

The FY2025 budget projects that 88.3% of DOC expenses will be staff salaries, overtime and benefits.

How does NYC's jail spending compare to other cities?

In 2021, New York City spent 350% more per incarcerated person (\$556,539¹² per year) 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. The *Nunez* federal monitor also reported in their October 2023 report "The Department's staffing complement is highly unusual and is one of the richest staffing ratios among the systems with which the Monitoring Team has had experience."

What will we do about those jobs? Aren't a lot of correction officers people of color, and women?

Many NYC correction officers *are* women and people of color. The choice to invest so much of New York City's budget in incarceration has meant that DOC has become a path to the middle class, including for many people of color.¹³ New York City could and should make a different choice - to invest in and raise salaries, for example, for EMS workers, green jobs that can help us meet our goals for a vibrant and climate resilient city, and human services jobs that address community needs. Black and Brown workers deserve jobs with good wages and benefits that aren't dependent on the incarceration of their neighbors and families. We must invest in a just transition to expand and better compensate jobs outside of law enforcement - for example, human services, a sector in which more than 80% of workers are women of color, and which is subject to constant budget cuts that have resulted in lost jobs and depressed wages.

¹¹ Martin, Steve et al. Status Report on DOC's Action Plan by the Nunez Independent Monitor. November 8, 2023. P 25.

¹² For FY2021. "NYC Department of Correction, FYs 2011-21 Operating Expenditures." *New York City Comptroller's Office, Budget Bureau*. December 2021

¹³ New York City correction officers are paid \$92,000/year after 5.5 years on the job, and receive generous benefits. <https://www1.nyc.gov/site/jointheboldest/officer/salary-benefits.page>



Mental Health Project

New York City Council
Committee on Criminal Justice

Preliminary Budget Hearing – Criminal Justice

Friday, March 8, 2024
Council Chambers, City Hall, New York, NY

Testimony of
Jennifer J. Parish

Director of Criminal Justice Advocacy
Urban Justice Center Mental Health Project
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The City’s legal obligation to close Rikers Island by 2027 should spur investment in preventive services and interventions designed to decrease the jail population. Instead, the proposed budget slashes funding for services that have demonstrated success in reducing incarceration, such as supervised release and alternative to incarceration programs. What is more, the Mayor’s budget includes no funding for developing a community-based mental health safety net as promised in the Close Rikers Plan. Such a safety net is desperately needed as more and more people with serious mental health treatment needs are funneled into New York City jails and now constitute more than 20% of the jail population. Despite evidence demonstrating the effectiveness of Forensic Assertive Community Treatment and Justice-Involved Supportive Housing, the Administration has chosen not to expand these resources.

The City Council must require the Mayor to comply with the plan to close Rikers and enact a budget that advances that effort. We urge the Council to fund the following services instead of incarceration:

- Forensic Assertive Community Treatment;
- Justice-Involved Supporting Housing;
- Alternatives to incarceration, supervised release, and reentry services;
- Crisis respite centers; and
- Clubhouses

We also urge the Council to increase funding for the Board of Correction.

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.

The Council should rely on evidence about what creates community safety and provides for individual growth and recovery. Incarceration does not create public safety.¹ In fact, it makes people more likely to have future involvement in the criminal legal system. Everything possible must be done to keep people out of this harm-inducing system.

To see how harmful jail can be, we need to look no further than Health + Hospitals Correctional Health Services' (CHS) presentation to the Board of Correction on February 28, 2024. The CHS presentation was focused on suicide in jail, but they discussed the psychological impact of jail itself and described how separation from the community and the disruption related to it, exposure to primary and secondary trauma, the stress of one's legal case, and loss of control in an unpredictable situation and environment lead to anxiety, mood changes, "maladaptive coping, worsening of existing mental health conditions, and the development of new ones."²

Yet, as of Tuesday, March 5, 2024, 6,258 people were languishing in NYC jails – 55.2% identified as needing mental health treatment.³ About 1,300 people have been diagnosed with a serious mental illness.⁴ That is a significant increase from July 2020 when 672 people with serious mental illness were in custody.⁵ The jail environment is particularly harmful to people with mental health concerns – they have longer lengths of stay, are more likely to be subjected to

¹ 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>.

² See Board of Correction meeting video at <https://www.youtube.com/watch?v=UXGx1Kj1K4> and CHS presentation, "Clinical Approaches to Reducing Suicide Risk in the NYC Jail System" at https://www.nyc.gov/assets/boc/downloads/pdf/Meetings/2024/february/boc_chs_suicide_prevention_20240228.pdf.

³ See NYC JailViz 2.0 Application: Tracking New York City Jail Population Trends, <https://greaterjusticenyc.vera.org/nycjail/>.

⁴ 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.

⁵ See NYC Comptroller's Department of Correction Dashboard at <https://comptroller.nyc.gov/services/for-the-public/department-of-correction-doc/dashboard/>.

violence at the hands of correction officers, and often receive inadequate mental healthcare. Jail conditions also exacerbate mental health symptoms and further traumatize those who most likely already have a significant trauma history.

The Board of Correction's report on the use of chemical agents in the NYC jails is just the most recent account of the horrors that people with mental health concerns experience while in Department of Correction (DOC or Department) custody. The Board reviewed a sample of incidents in which correction staff used oleoresin capsicum (OC) spray despite the absence of interpersonal violence.⁶ Forty-eight percent of the 50 incidents reviewed involved people in custody who had a recent history of being housed in specialized mental health units – meaning that they had been determined to require the highest level of mental health treatment offered in the jails on Rikers Island. Although DOC policy requires staff to consult with a mental health professional called to the scene before deploying chemical agents when force is anticipated, DOC did not attempt a mental health intervention in any of these incidents. The Board also found that in 16% of the incidents reviewed, OC spray was used on individuals engaged in self-harm with a ligature around their neck.

It is shameful that New York City continues to relegate some of its most vulnerable residents to jail and subject them to these harmful conditions. Instead, the City should be funding the community preventions and interventions that keep people with serious mental health treatment needs from being incarcerated. We cannot ignore the connection between community resources and incarceration. When we fail to fund community services which we know contribute to reduced incarceration, we are implicitly agreeing to continue funding jails.

In December 2023 MHP issued the report [Reimagining Paths to Healing & Justice: Perspectives on Community Diversion](#). In addition to documenting the firsthand experience of people affected by and working in the criminal legal and mental health systems, the report describes the interconnection of the courts, jails, hospitals, shelters, and housing system and how the deficiencies in each of these systems affect people with mental health concerns. If the City does not address these other systems, it will continue to use jails to consign people who are not adequately served by those other systems.

We urge the Council to take the following actions:

Reduce the Department of Correction Budget

The proposed DOC budget includes funding that should be reallocated to invest in essential community resources. The Department has far more uniformed staff than it needs. In fact, the

⁶ See *An Assessment of the Use of Chemical Agents in New York City Jails*, February 2024 at <https://www.nyc.gov/assets/boc/downloads/pdf/Reports/BOC-Reports/An-Assessment-of-the-Use-of-Chemical-Agents-in-NYC-Jails-Final.pdf>.

ratio of uniformed staff to incarcerated person is more than four times higher than the national average. According to the Vera Institute of Justice, the City can save \$162 million in FY 2025 by eliminating DOC uniformed vacancies.⁷ Not only would such a reduction provide additional funds for community-based services, but it would also help to rightsize the Department in alignment with closing Rikers.

Invest in Community-Based Services for People with Mental Health Concerns Involved in the Criminal Legal System

- **Forensic Assertive Community Treatment**

The Council should allocate \$2.9 million to enable five of the 22 newly funded state Assertive Community Treatment (ACT) teams to operate as Forensic ACT (FACT) teams. ACT provides a higher level of care for people diagnosed with “serious mental illness” who have not been well-served in traditional clinic settings. ACT has proven very effective in reducing symptom severity and psychiatric hospitalizations and increasing housing stability, but ACT team engagement has not been shown to reduce rates of incarceration for people who have a history of criminal legal system involvement. FACT was developed to address the particular needs of people with severe mental health concerns who are involved with the criminal legal system, and FACT teams include staff with criminal legal system expertise, including peer specialists, who engage with court, probation, and parole personnel. Studies examining the impact of FACT team engagement have shown reduced rates of recidivism.⁸

- **Initiatives to Reduce Incarceration**

The Council should restore \$27.8 million to the Office of Criminal Justice for alternatives to incarceration (\$6.7 million), supervised release (\$13.1 million), and re-entry programs (\$8 million). These services are vital to reducing the jail population. At a time when the City is moving toward closing Rikers, funding for such services should be increased, not decreased. Adding more ATIs tailored to the needs of people with serious mental health concerns is critical.

- **Justice-Involved Supportive Housing**

The Council should establish a separate line-item for Justice-Involved Supportive Housing (JISH) in the DOHMH budget and allocate an additional \$6.4 million to increase service funding rates for new units and existing units. Although the City committed to increasing this form of permanent housing with wraparound mental health, addiction, and other services, the additional

⁷ See [https://vera-advocacy-and-partnerships.s3.amazonaws.com/GJNY_Look inside the DOC FY25 Budget.pdf](https://vera-advocacy-and-partnerships.s3.amazonaws.com/GJNY_Look%20inside%20the%20DOC%20FY25%20Budget.pdf).

⁸ Goulet, Marie-Hélène, et al. “Effectiveness of Forensic Assertive Community Treatment on Forensic and Health Outcomes: A Systematic Review and Meta-Analysis.” *Criminal Justice and Behavior*, 7 Dec. 2021, <https://doi.org/10.1177/00938548211061489>.

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. Moreover, existing, long time JISH providers are struggling at current rate levels.

Fund Additional Community Resources for People with Mental Health Concerns

The Council should allocate \$6 million to support the establishment of four new crisis respite centers to implement Local Law 118-2023 and \$6 million for five new clubhouses to implement Local Law 119-2023. The expansion of these community-based mental health services can divert people with mental health concerns from the criminal legal system. Crisis respite centers provide a more nurturing, supportive environment than hospitals. But the limited number of respite centers and cumbersome referral process make them inaccessible for most people who are not otherwise connected to treatment. Clubhouses provide people with mental health concerns a place to build community, engage in productive activities, and receive support in their mental health recovery.

Increase Board of Correction Budget to Expand Oversight

The Council should increase funding for the Board of Correction. The Board is a much-needed form of oversight of the Department. The Board needs a staff that is at least 1% of the headcount of the agencies it monitors. In the last year, the Board has issued seven reports – three reports on deaths of people in DOC custody, a special investigation of the fire at NIC, a report on use of chemical agents (mentioned above), and two reports on the progress of the borough-based jails. This is an impressive number of reports given the Board’s small staff. But there is so much more that the Board should be monitoring including the sexual assault and sexual harassment standards, medical and mental healthcare, visit restrictions, and the grievance process. The Board must also engage in rulemaking to ensure that the Board’s minimum standards are consistent with Local Law 42-2024 which ends the use of solitary confinement. Once the law takes effect on July 28, 2024, the Board will need to monitor the Department’s implementation and compliance with the law.

New York City Council Criminal Justice Committee Hearing

Written Testimony of Sebastian Solomon
Associate Director for Policy, Greater Justice New York
Vera Institute of Justice

March 8, 2024

My name is Sebastian Solomon, and I am associate director for policy 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.

My name is Sebastian Solomon, and I am associate director for policy 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 more than \$14 billion on jails and police in New York City every year, yet many New Yorkers still do not feel safe.¹ Continuing to overstaff and overfund our jails will not make us safer. Yet once again, the mayor's preliminary budget for Fiscal Year (FY) 2025 shows continued overspending on incarceration instead of adequate investment in community-based safety solutions. It is past time to listen to the evidence and take a different approach.² 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.

The FY 2025 preliminary budget 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.³ DOC's budget is set to decrease by just 3.3 percent compared to estimated FY 2024 spending, remaining above \$2.6 billion.⁴

Meanwhile, despite growing concerns about New York City's inability to care for people experiencing mental illness, substance use disorder, and homelessness, funding for the departments serving these populations is set to shrink in FY 2025.⁵ The preliminary budget significantly decreases funding for the Department of Youth and Community Development (25.4 percent), the Department of Health and Mental Hygiene (20.4 percent), and the Department of Social Services (14.9 percent) compared to their estimated FY 2024 expenditures.⁶

According to the New York City Comptroller's office, in 2023, DOC employed approximately 400 more correction officers than people in detention.⁷ In contrast, in 2022, the typical American jail had a uniformed workforce roughly one-quarter the size of its jail population.⁸ The overstaffing on Rikers inevitably results in overspending: personnel costs represent 88 percent of the department's bloated \$2.6 billion budget.⁹

Although the decarceration and construction plans are behind schedule, New York City has a legal obligation to close Rikers Island by 2027.¹⁰ To do so, New York City must revamp DOC with staffing proportionate to the smaller capacity of the borough-based jail system and begin reducing budgeted officer positions now. Current government projections indicate that DOC intends for budget for 7,060 uniformed officers through the end of FY 2028, suggesting plans to

offset attrition with significant hiring despite the decreasing need for officers.¹¹ Eliminating these uniformed vacancies to bring budgeted headcount in line with actual headcount would save a total of \$162 million next fiscal year alone.¹²

In addition to eliminating vacancies, DOC must rein in overtime spending, which at \$157.9 million this year already exceeds the agency's FY 2024 adopted budget of \$125.6 million for the whole year. DOC's preliminary FY 2025 overtime budget is \$127.8 million, roughly half of the \$253.7 million it is on track to spend this year.¹³ Such an enormous decrease seems unlikely to materialize.

The mayor and city council must stop funding DOC's mismanagement. Allocating millions for overstaffing and additional overtime is a byproduct of DOC's dysfunction rather than operational need. That DOC purportedly requires both a uniformed workforce significantly larger than the average jail *and* significant overtime is unacceptable.

DOC must eliminate vacancies and rein in overtime, using those savings to reverse budget cuts for for community-based interventions backed by extensive research, including \$6.7 million for alternatives to incarceration, \$13 million for supervised release, \$8 million for reentry services, \$6.1 million for summer youth employment, and \$66 million for the Office of Neighborhood Safety. In addition, the city should allocate at least an additional \$6 million to fund five new clubhouses and an additional \$6 million to fund four new crisis respite centers by 2025, as mandated by 2023 legislation, and increase funding for Justice Involved Supportive Housing by \$6.4 million, which will add 380 beds and ensure adequate funding for the existing 120.¹⁴ Eliminating vacancies and holding DOC to its overtime budget would more than cover all of these investments.

Longer-term, DOC must rightsize its uniformed workforce to match the smaller footprint of the borough-based jails. Natural attrition is neither fast nor targeted enough to do so, and mass layoffs are not a viable option. The city must enable DOC staff to begin transitioning to agencies and sectors that provide the same economic opportunity and job security without the trauma of working on Rikers Island.¹⁵

New York City's jails are dangerous and deadly: 30 people have died in DOC custody since the start of 2022.¹⁶ Thousands more have faced abhorrent conditions.¹⁷ With the community-based, evidence-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.

¹ Fiscal Year (FY) 2024 January modified budget numbers from the Independent Budget Office (IBO), shared via email with Vera Institute of Justice (Vera) on January 16, 2024. Vera used data from IBO for the FY 2024 budget to have the most up-to-date numbers; for more information, contact Benjamin Heller at bheller@vera.org. FY 2025 preliminary budget numbers from New York City Mayor's Office of Management and Budget (OMB), *The City of New York Preliminary Budget Fiscal Year 2025: Expense Revenue Contract* (New York: OMB, 2024), 39E and 29-30E, <https://perma.cc/R4J2-UYN4>. The total FY 2024 and FY 2025 numbers presented in this testimony include fringe benefits, pension contributions, and debt service.

Research shows that just 23 hours in jail increases the likelihood that someone will be rearrested. See Core Correctional Solutions, *The Hidden Costs of Pretrial Detention Revisited* (Houston, TX: Arnold Ventures, 2022), <https://perma.cc/4UQV-4S4Q>.

³ New York City Council, Local Laws of The City Of New York for the Year 2021, No. 16, <http://perma.cc/37EU-AQ8H>. For recent comments by the mayor, see Elizabeth Kim and Jessy Edwards, “NYC Mayor Adams Pledges to Close Rikers Island but Wavers Again over 2027 Deadline,” *Gothamist*, December 17, 2023, <https://gothamist.com/news/nyc-mayor-adams-pledges-to-close-rikers-island-but-wavers-again-over-2027-deadline>.

⁴ FY 2024 January modified budget numbers from IBO, January 16, 2024. FY 2025 preliminary budget numbers from OMB, *The City of New York Preliminary Budget Fiscal Year 2025*, 39E.

⁵ See, for example, Emma G. Fitzsimmons and Jeffery C. Mays, “Is New York City Back? Not for Everyone,” *New York Times*, March 5, 2024, <https://www.nytimes.com/2024/03/05/nyregion/nyc-economy-comeback.html>; Amy Julia Harris and Jan Ransom, “Behind 94 Acts of Shocking Violence, Years of Glaring Mistakes,” *New York Times* November 22, 2023, <https://www.nytimes.com/2023/11/20/nyregion/nyc-mental-illness-breakdowns.html>; and Kiara Alfonseca, “Overdose Crisis Reaches Historic Levels in New York City,” ABC, September 25, 2023, <https://abcnews.go.com/Health/overdose-crisis-reaches-historic-levels-new-york-city/story?id=103470582>.

⁶ FY 2024 January modified budget numbers from IBO, January 16, 2024. FY 2025 preliminary budget numbers from OMB, Budget Fiscal Year 2025, 2024, 135E-136E (Health and Mental Hygiene), 68E (Youth and Community Development), 36E-37E (Social Services), 38E (Homeless Services).

⁷ New York City Comptroller Brad Lander, “DOC Uniformed Headcount and Jail Population,” in “Department of Correction (DOC),” dashboard, accessed 26 February, 2024, <https://comptroller.nyc.gov/services/for-the-public/department-of-correction-doc/dashboard/>.

⁸ Zhen Zeng, *Jail Inmates in 2022 – Statistical Tables* (Washington, D.C.: Bureau of Justice Statistics, 2022), 16, <https://bjs.ojp.gov/document/ji22st.pdf>.

⁹ FY 2024 January modified budget numbers from IBO, January 16, 2024. FY 2025 preliminary budget numbers from OMB, *The City of New York Preliminary Budget Fiscal Year 2025: Expense Revenue Contract*, 39E. To calculate percentage spent on staff, researchers added personal services, fringe benefits, and pension contributions, and then compared that sum to the total DOC budget. Uniform (6,177) and civilian (1,583) staffing figures from IBO and current as of January 22, 2024. For more information, see Vera, *A Look Inside the FY 2025 DOC Budget: Mayor Adams Continues to Invest in Incarceration over Communities* (New York: Vera, 2024), https://vera-advocacy-and-partnerships.s3.amazonaws.com/GJNY_Look%20inside%20the%20DOC%20FY25%20Budget.pdf.

¹⁰ New York City Council, Local Laws of The City Of New York for the Year 2021, No. 16.

¹¹ OMB, *The Financial Plan of the City of New York: Fiscal Years 2024-2028; Full-Time and Full-Time Equivalent Staffing Levels* (New York: OMB, 2024), 35, <https://www.nyc.gov/assets/omb/downloads/pdf/adopt23-stafflevels.pdf>.

¹² The department currently employs approximately 6,150 uniformed officers and forecasts 1,451 uniformed vacancies in FY 2025. Data on current headcount from IBO. For FY 2025 vacancies, see IBO, *Taking New York City Down a PEG: IBO Estimate of the Impact of The Mayor’s Program to Eliminate the Gap (PEG) on New Yorkers* (New York: IBO, 2023) 6, <https://perma.cc/VKQ7-9FKN>. To calculate this number, researchers calculated a full employment cost multiplier (2.3) by comparing personal services spending to the sum of personal services, fringe benefits, and pension contributions. Researchers then multiplied the starting salary for a correction officer (\$47,857) as listed on the DOC website by 2.3 for the full employment cost to DOC per new correction officer. Multiplying that number (\$111,660) by the total number of vacancies (1,451) equals just over \$162 million, which is \$73.8 million higher than the \$88.2 million savings indicated in OMB, *Program to Eliminate the Gap*, 2024, 25. For more information, see Vera, *A Look Inside the FY 2025 DOC Budget*.

¹³ Overtime figures from the Independent Budget Office (IBO), shared via email with Vera on February 26, 2024. For more information, contact Benjamin Heller at bheller@vera.org; FY 2024 expected overtime budget from New York City Independent Budget Office, *Giving Some Back, Leaving Others Out: IBO’s Analysis of the Administration’s Second Consecutive Program to Eliminate the Gap This Fiscal Year* (New York: Independent Budget Office, 2024), 7, <https://ibo.nyc.ny.us/iboreports/giving-some-back-leaving->

[others-out-ibos-analysis-of-the-administrations-second-consecutive-program-to-eliminate-the-gap-this-fiscal-year-february-2024.pdf](#).

¹⁴ For evidence of the effectiveness of supervised release, see Melanie Skemer, Cindy Redcross, and Howard Bloom, *Pursuing Pretrial Justice Through an Alternative to Bail: Findings from an Evaluation of New York City's Supervised Release Program* (New York: MDRC, 2020), <https://perma.cc/9WAR-TQ3Y>; for evidence of the effectiveness of reentry services see Emilee Green, "An Overview of Evidence-Based Practices and Programs in Prison Reentry," Illinois Criminal Justice Information Authority, December 19, 2022, <https://perma.cc/68C6-G9A3>; and for evidence of the effectiveness of summer youth employment see Judd B. Kessler, Sarah Tahamont, and 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), https://www.nber.org/system/files/working_papers/w28373/w28373.pdf. For the city's requirement to build new clubhouses and crisis respite centers, see New York City Council Int. 1021-2023, <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6179132&GUID=CE077354-6AB1-404E-A55C-6189B6299603&Options=&Search=>; and New York City Council Int. 1022-2023, <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6179131&GUID=1A0BCFE1-49E1-4083-8371-BD61D5AE1166&Options=ID|Text|&Search=>. For more on these budget recommendations, see Vera, *A Look Inside the FY 2025 DOC Budget*, 2024.

¹⁵ Benjamin Heller, *Why New York City Needs a Blueprint to Rightsize the Department of Correction* (New York: Vera Institute of Justice, 2022), <https://www.vera.org/publications/rightsize-nyc-department-of-correction>.

¹⁶ Sam McCann and Erica Bryant, "Second Death on Rikers Island in 2024 Brings New York City Jail Death Toll to 30 Under Mayor Adams," Vera, January 22, 2024, <https://www.vera.org/news/second-death-on-rikers-island-in-2024-brings-new-york-city-jail-death-toll-to-30-under-mayor-adams>.

¹⁷ Erica Bryant, *It's a Torture Chamber: Stories from Rikers Island* (New York: Vera, 2022), <https://www.vera.org/its-a-torture-chamber>.

Good morning, All. I am humbled to be in community with all of you today. My name is Akiana Smith, and I am the community and court navigator at the Women's Community Justice Association, an organization dedicated to improving the lives of women and gender expansive New Yorkers impacted by mass incarceration. I'm here today on behalf of the BeyondRosies campaign, and on behalf of communities in particular danger of being negatively impacted by the mayor's budget.

As of this week, at least one in five of the women and gender-expansive people currently incarcerated at the Rose M. Singer Center on Rikers Island is unhoused. *One in five*. And the charges that population faces are overwhelmingly for nonviolent survival crimes—crimes they would not have needed to even consider if they had access to resources to which every New Yorker, *every human being*, has a fundamental right. Over 77% are caregivers and over 80% have mental health concerns.

The mayor's budget prioritizes incarceration over essential services and alternatives, and if passed, it will create a New York where even more people are incarcerated because of the absence of those services and alternatives.

This is not what justice looks like. True justice is supportive housing. True justice is accessible mental health services that allow people to stay in their communities. True justice is food. It is healthcare. It is prioritizing alternatives to locking away our mothers and daughters for the crime of surviving in a hostile world.

Lastly we would like to thank the chair of the criminal justice committee Council Member Sandy Nurse, the fierce speaker and our majority women led city council for sparking the changes needed.

Thank you for your time.

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 urge the Council to hold the line on #CareNotCuts.

I am demanding that the Mayor fully fund the following programs in his budget proposal – and if he does not, I demand that my council member, Speaker Adrienne Adams and Finance Chair Justin Brannan use all of their charter-appointed powers to ensure that a budget will not pass unless it reflects these priorities.

Mayor Adams has proposed more than \$2.55 billion of budget cuts that could have devastating consequences on essential services such as libraries (\$36M), early educational 3-K programs (\$567M), CUNY (\$60M), education (\$1B), adult literacy (\$24M) and more. Meanwhile, NYPD and DOC budgets go up. NYPD is slated to spend 2x its overtime budget at \$740M. DOC budget is going up by \$35M, and spending \$138M a year on staff mismanagement.

As we all know, education, social services, and housing programs create real safety for our communities. City services and workforces that provide critical support to individuals and families who are struggling to make ends meet. Mayor Adams' cuts means slower housing vouchers and food stamps processing, more hungry and unhoused New Yorkers, fewer after-school and youth programs, and a general degradation of city services.

New Yorkers need #CareNotCuts at a minimum so they can continue to have access to the crucial city services they rely on. #CareNotCuts means:

- *No cuts to school budgets. Restore funding and staff lost due to Mayor Adams' prior budget cuts. Invest in student mental health, community schools, and restorative justice programs.

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By taking these steps, we can create a safer, more equitable city that works for ALL of its residents. I urge you, City Council, to consider the well-being of all residents: reject proposed cuts to care-based programs and cut NYPD and DOC bloat instead. Thank you.

Alia Ganaposki

queenalia@hotmail.com

New York, New York 11102

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 urge the Council to hold the line on #CareNotCuts.

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As we all know, education, social services, and housing programs create real safety for our communities. City services and workforces that provide critical support to individuals and families who are struggling to make ends meet. Mayor Adams' cuts means slower housing vouchers and food stamps processing, more hungry and unhoused New Yorkers, fewer after-school and youth programs, and a general degradation of city services.

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Andrea Castellano

firstcastellano@gmail.com

[REDACTED]
RIDGEWOOD, New York 11385

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April Billips

aprilbillips26@gmail.com

New York, New York 11221

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Arcadio Borrero

arcadioborrero298@gmail.com

New York, New York 11103

Testimony to the City Council Committee on Criminal Justice budget hearing
March 8, 2024
On behalf of Ms. B, delivered by Ashley Conrad, Freedom Agenda

Ms. B has chosen to omit her name because her experiences have made her fearful that law enforcement will retaliate against her, even when she's finished serving her time.

Good morning committee members. Thank you for allowing me to testify today. My name is Barbara Valcarcel and I'm a member of Freedom Agenda and survivor of Rikers Island and the NYS prison system - a deeply traumatic time in my life that I'll be recovering from for the rest of my life. When I think about the time I spent in jail and prison, my mind never goes to anything positive that was done for me. On the contrary, I think of being away from my newborn son, and my mom and dad who I lost while serving time in jail. I think of Correction officers who are accumulating vacation time and getting new cars and homes while I was getting sexually abused by the people entrusted to be professional and provide care. I was punished for that addiction so much more than the big players who run the drug game and kept substance use going on behind the walls at Rikers. Me and my people who come from severely underfunded communities remain easy targets for broken windows policing and fueling mass incarceration when for decades our needs have yet to be met.

Instead of the ridiculous amount that this city spent to keep me locked up in traumatic conditions away from my son, my family, and my community, that money could have been used to fund my healing and address the root causes of the difficulties I was experiencing. That money should have been used to invest in quality mental health care, Crisis Respite Centers, education and transitional and long-term housing. Except this City But year after year, this City continues to write blank checks for the Department of Correction instead of the services that have been proven to work. The mayor's budget shows to me that several New York City agencies are going to suffer with less funding, or cuts, such as the Education, the Health Department and Youth Services, even the Parks and Recreation Department, and the Sanitation Department, which are all very important to build and strengthen communities in NYC. But the Mayor is comfortable spending [\\$2.6 billion](#) on jail operations in FY2025 and doing everything in his power to interfere with closing Rikers. It seems this administration would rather focus on punitive measures that further harm and mass incarcerate and continue to throw money away funding an overstuffed jail complex that runs with impunity and has the worst results.

The mayor's budget promises more "punishment" of poor people who have no access to resources, who get arrested and sent to jail. The figures in this budget are also a punishment to taxpayers and an unmerited reward to a grossly mismanaged Department. New Yorkers are counting on our allies in the Council to divest from the Department of Correction and invest in local communities, especially in the ones in the poorest parts of our city. That is the plan to close Rikers that I fought for, and that we know we can work with this Council to make into a reality.

Criminal Justice Council Committee,

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Diane Aronson

dianabrooklyn15@yahoo.com

New York, New York 11218

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Donnalyn Washington
donnawashington@gmail.com


Brooklyn, New York 11226

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Ellie Safran
elstar123@gmail.com

New York, New York 11218

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I believe all New Yorkers deserve access to housing, livelihood, and resources to thrive. And I am OUTRAGED that Mayor Eric Adams continues to slash the budgets of and underinvest in programs my neighbors and I depend on, and then blame his choices on asylum seekers - claiming that people who have the least are taking up all the resources in such a rich city, enthusiastically participating in the racist scapegoating of immigrants for political gain at a time when fascism is growing stronger in the US and around the world.

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Emily Rinck

rinckemi@gmail.com

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Erin Lawson

elawson703@gmail.com

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Georgette Thomas

georgetterhomas76@gmail.com

New York, New York 10457

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Gisele Hearne

tcamille395@gmail.com



Ny, New York 10039

Testimony to the City Council Committee on Criminal Justice budget hearing
March 8, 2024
Delivered by Joanne Delapaz, Freedom Agenda

Good morning committee members. Thank you for allowing me to testify today. My name is Joanne Delapaz and I'm a member of Freedom Agenda. I live in Harlem, NY and I am a mother to 2 boys who are currently on Rikers Island and have been there for the last year and half fighting their cases. Both of my sons are there because a Judge set a bail amount that I couldn't afford. The back and forth from court dates alone is taking a toll on me financially - there is no way I can pay the ransom they demanded for my kids' freedom.

This City has spent close to \$2M so far keeping my children on an island where they are isolated from the rest of the city. That is more money than I ever saw invested in their well-being by our City government. And what kind of treatment do they get for the cost of half a million dollars per person per year? Since they've been there, they have been subjected to violent attacks like being stabbed 12 to 14 times. They see plenty of correctional officers roaming around, but not at their assigned posts. Most of DOC's costs are driven by overstaffing. Their ratio of uniformed staff to incarcerated people is more than [4 times higher than the national average](#). My sons' awful experiences and the rest of the people on Rikers Island who are sharing that same experience are prime examples of everything that's wrong with our city's budget priorities. We are the only jail system in the nation with more guards than people in custody and its money we're throwing away while we cut funding for the things our communities need.

Year after year, I hope that the city will fund the resources and services that make our communities healthy and safe – like [did she name any specific resources?]. Instead, this city continues to make my sons, daughters, brothers, nieces and family invisible. And when the mayor is looking to balance his budget, it's ONLY systems of care that he looks to cut. I really call on the City Council to pass a budget that will reflect community needs and ways to support and uplift our communities. Not more punitive measures that leave our loved ones worse off. We cannot keep this torture chamber open. Please work with us to pass a budget that ends the special treatment for DOC, and puts the resources in place to close the torture chamber sitting in the middle of our city.

Criminal Justice Council Committee,

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Kadisha Davis

Kdidteam@aol.com

New York, New York 11201

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As we all know, education, social services, and housing programs create real safety for our communities. City services and workforces that provide critical support to individuals and families who are struggling to make ends meet. Mayor Adams' cuts means slower housing vouchers and food stamps processing, more hungry and unhoused New Yorkers, fewer after-school and youth programs, and a general degradation of city services.

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*No cuts to 3K. Recommit to universal 3K. Fulfill salary parity for the early childhood workforce.

*No cuts to the provision of social services, such as housing services and health or mental health services. Invest in social safety net and housing solutions for low-income New Yorkers.

*Reduce the NYPD's bloated budget. Cut vacant school police positions. Remove police from mental health, drug use, and homelessness response. Invest in community safety solutions.

*Reduce DOC's bloated budget. Invest in supportive housing and alternatives to incarceration.

By taking these steps, we can create a safer, more equitable city that works for ALL of its residents. I urge you, City Council, to consider the well-being of all residents: reject proposed cuts to care-based programs and cut NYPD and DOC bloat instead. Thank you.

Kali Palmer

kalipalmer9991@gmail.com

Yonkers, New York 10701

Criminal Justice Council Committee,

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Lupe Hernandez

lupe.figuera@gmail.com

[REDACTED]
New York , New York 10013

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Martina Meijer
martina.meijer@gmail.com


Brooklyn, New York 11225

Testimony to the City Council Committee on Criminal Justice

March 8, 2024

Thank you Chair Nurse and Council members for the opportunity to testify before you today.

My name is Megan Carr, and I am a legal fellow at New York Lawyers for the Public Interest. We are a nonprofit civil rights law firm that has been advancing civil rights through community lawyering and partnerships with the private bar for over forty years. We advocate for health, disability, and environmental justice.

I'd like to talk about Rikers Island, which has been an environmental injustice from the start. The penal colony nestled in the middle of the East River was literally built upon mounds of trash, as landfill was transported from Manhattan to expand the island and make it suitable for development. It is well documented that this decomposing garbage released high levels of methane gas on the island. Poor air quality on Rikers Island is further exacerbated by the many industrial facilities and polluting sources in the South Bronx and Northern Queens – including multiple Peaker plants, waste transfer stations, and of course, LaGuardia Airport.

Rikers is required by law to close by 2027, but this administration seems unconcerned with taking the necessary actions to enforce the law and shut down Rikers. We see this through the DOC's actions, and in the proposed budget, which continues to prioritize mass incarceration over vital services that make us safer, such as housing, healthcare, and education. The requested \$2.6 billion budget for fiscal year 2025 is a continuation of this trend and we urge the City Council to intervene.

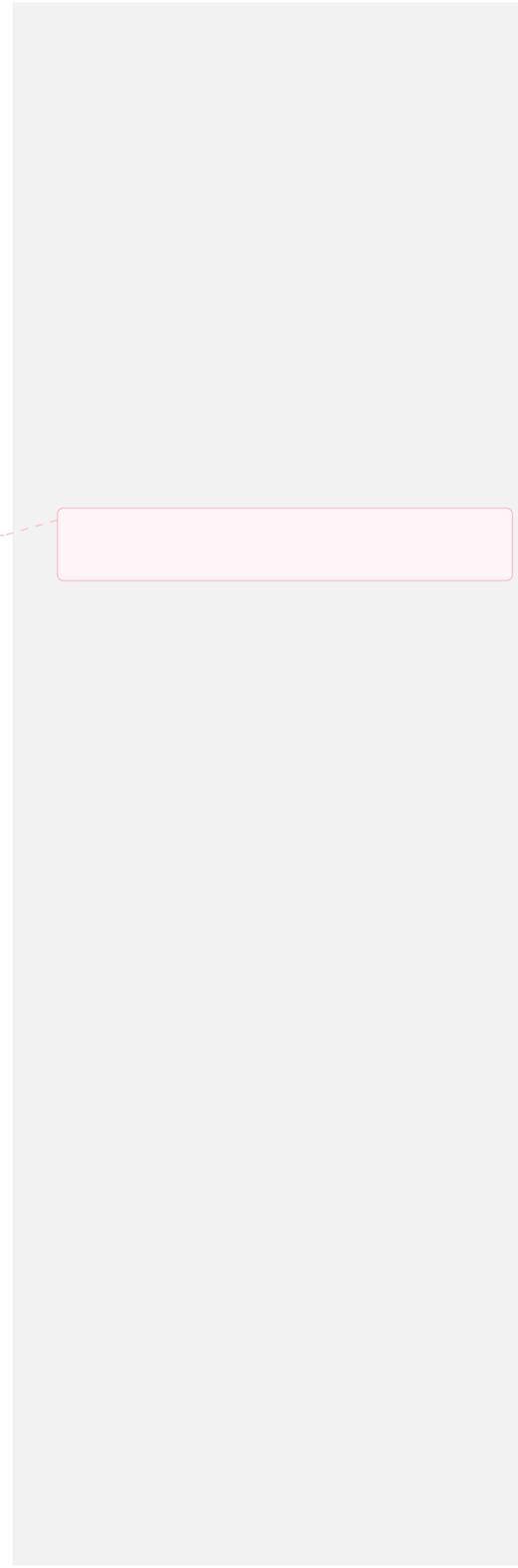
Far from actualizing the vision of a Renewable Rikers, DOC seems intent on keeping Rikers open and perpetuating the carceral and environmental injustice that lives there. For example, the gas-powered cogeneration plant that powers the island has been operating under an expired Title V air permit since 2018. DOC has applied to have that expired permit renewed and modified, seeking to lift the emission caps on nitrogen oxides and PM10. Nitrogen oxides alone are harmful to human health, and when emitted can react with other chemicals in the air to form particulate matter and ozone, compounding risks for those that have to breathe the polluted air. We are deeply concerned about the attempts to pollute more at Rikers Island, which can and should be transformed into a clean energy and thriving green jobs hub, as the latest feasibility studies show. We are also troubled that, according to the DOC's own documents, this request for an increase in emissions is just to reflect the current emissions from the plant, meaning that they are already exceeding the limits of their current permit. This shows us once again that the DOC believes they can act beyond the bounds of the law.

DOC has budgeted \$3,655,093 for maintenance of the Riker's cogenerating power plant this year. That's a lot of money, although just a small slice of DOC's staggering \$2.6 billion budget. The consultancy and other costs that DOC may be paying to pursue changes to the existing power plant air pollution permit are not shown in the agency's budget documents. As we heard today

from Deputy Commissioner Patrick Benn, the DOC is moving forward with their application for a modified permit. We believe that any costs associated with this application – including consulting costs, costs of proposed mitigation pollution mitigations systems, etc. - must be included in the DOC’s budget. We also believe that the public is entitled to an explanation as to how Rikers Island – perhaps the most famous and scrutinized correctional facility in the nation – has been operating without a valid air pollution permit for six years.

Yet there are even more costs posed by this power plant and its proposed modification. There are the costs to human health of more nitrogen oxides and particulate matter emissions. There are the costs to human life and dignity of detaining people on Rikers Island, a place that has become synonymous with cruelty and injustice. Beyond this enormous, unnecessary, and costly proposed budget, there are the unknown future costs that come with every decision that locks in continued operation of Rikers Island, and the human cruelty and environmental injustice that comes with it.

In conclusion, we ask that the DOC budget be significantly reduced, and we support the demands of our peers at the Freedom Agenda, who have concrete recommendations for how this budget can be reduced while prioritizing justice and safety. We ask the City Council to stay vigilant while monitoring the DOC’s spending and actions, both of which reflect a lack of commitment to closing Rikers Island and, a lack of commitment to reducing the many environmental harms faced by the population of the island and surrounding communities. We call for the robust and swift vision of a transformed Renewable Rikers to be realized.



[REDACTED]

From: Mike McQuillan <mmcqui2002@yahoo.com>
Sent: Friday, March 8, 2024 2:03 PM
To: Testimony
Subject: [EXTERNAL] For the Criminal Justice Committee's Preliminary Budget Hearing of March 8, 2024

[REDACTED]

[REDACTED]

[REDACTED] To Whom It May Concern:

Thank you for sharing with the Committee what I submit below. I wrote this published poem in tribute to those who have died, survived or are still inside the jails on Rikers Island. My verses reflect what I sense as their perspective.

I choose to testify in this manner because the Committee members are aware of more than ample facts about the constitutional violations and horrific conditions in that forsaken location.

May my testimony touch hearts, evoke feelings and convey the imperative of moral action on behalf of criminal justice as regards the Rikers situation.

Thank you for your courtesy and attention.

"Cry of the People," which The Write Launch, an online literary journal published in August 2023, is linked below.

Sincerely,

Michael McQuillan

<https://thewritelaunch.com/2023/08/cry-of-the-people/>

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff. I am submitting written testimony for public record. I support a #PeoplesBudget that is built on #CareNotCuts.

I am the father of a four-year-old who has benefited profoundly from universal 3K and PreK. It was a tremendous boon for our family, who previously alternated between struggling to pay for childcare -- as much as our rent-stabilized apartment -- or trying to juggle our baby between us with two parents working from home. Universal 3K and PreK allowed me to find a new job that had more in-person hours and higher pay. My daughter has thrived in her care settings, even though her 3K was beset by the city's repeated failure to pay them under Mayor Eric Adams's tenure.

I want all children and families to have access to this resource. It keeps working parents and families like mine here in NYC.

The recent budget cuts led by Mayor Adams have already affected my family. Although we are in PreK, we do so at a public school, where my daughter's school lunch has changed following recent decisions. Our main library is closed on Sundays, which baffles and confuses my daughter. The real composting options have closed. We are relatively privileged, middle-class people -- these are inconveniences and frustrations for us, rather than devastations, but we know that the cuts fall heavier on our neighbors who are less fortunate.

We know from non-mayor assessments that our city has a uniquely large BUDGET SURPLUS right now. Our city deserves an investment in childcare, public schools, public pools and parks, housing, food assistance, and more. These are investments in the best our city has to offer: existing and future generations.

I support the demands of the People's Plan for a budget built on Care Not Cuts. Please reject Mayor Adams's proposed austerity budget and fight for New Yorkers.

Shay O'Reilly
shay.g.oreilly@gmail.com
[REDACTED]
Brooklyn, New York 11225

TO: City Council, Committee on Criminal Justice

FROM: Tiffany Sloan, Project Manager at From Punishment to Public Health (P2PH) at John Jay College of Criminal Justice

DATE: March 8, 2024

RE: City Council Preliminary Budget Hearing

To Chair Member Nurse and the committee members,

Thank you, for the opportunity to testify for the first time today. My name is Tiffany Sloan, and I am the Project Manager at the From Punishment to Public Health initiative at John Jay College. P2PH works to transform the infrastructure of public health and public safety. We do this by convening stakeholders across siloed system of care and drawing on their expertise to build and scale equitable solutions grounded in the health and well-being of families and communities. Throughout my journey in this city, I've witnessed the advantages of public health-oriented initiatives and programs. Conversely, I've observed the detrimental impact of over-policing and mass incarceration, particularly within predominantly African American communities.

This city's economy is more dynamic than just about any place in the world. People journey from distant corners of the globe to immerse themselves in the city's diversity. I myself moved to this city to continue my education. Despite these advantages, many New Yorkers are still struggling to get back on their feet after the COVID shutdowns, and it's important that we continue to support the most vulnerable members of our community, so that they have a chance to enjoy the many wonders of New York City. A lot of New Yorkers are understandably concerned about the spikes in crime during the COVID years. But it's important to recognize that 2023 was not 2021. Violent crime is DOWN 14% and murders are DOWN 12%. We're not entirely out of the woods economically, but we've replaced almost all of the jobs we lost in April of 2020.

When this body voted to close Rikers Island by 2027, it acknowledged that the status quo of mass incarceration and surveillance has failed to protect marginalized communities from the root causes of violence. This year's budget is chance to renew that commitment to the families and communities most impacted by poverty, violence and housing insecurity. This budget debate is a clear message to our neighbors in need.

Do we invest in after school programs and Summer Youth Employment or more stop and frisk activities, which are already under a Federal Monitor?

Do we expand access to drug treatment and harm reduction services, or do we revert back to trying to punish our way out of addiction? A strategy we know results in stark racial inequities.

Do we invest in community mental health resources or more involuntary commitments to locked hospital wings and the rows of cages on Rikers Island?

Do we offer meaningful housing supports to our working families, or do we blame new arrivals for the city's decades-long affordable housing crisis?

Do we fund alternative to incarceration programs and pre-trial programs, or do we continue to increase the population in jails and prisons that are not properly taken care of?

At P2PH, we are lucky to be surrounded by organizations and advocates that work directly at the heart of these issues. Our Cross-Sector Advocacy group convenes stakeholders from mental health, housing, substance use and criminal justice reform to focus on areas where public health solutions can play a leading role in creating more equitable and dynamic communities.

Promoting less punitive programs gives individuals access to resources they may not be able to obtain if they had criminal justice involvement. Numerous less punitive programs have been implemented to reduce mass incarceration and reinvest resources into the community. One example is pre-arrest diversion programs, which aim to decrease youth involvement in the criminal justice system and offer an alternative to arrest. However, to effectively decrease involvement in the criminal justice system and subsequently lower mass incarceration rates in the city, individuals must have access to fundamental necessities such as housing, employment, and healthcare. These needs must be addressed as a priority, regardless of any prior involvement in the criminal justice system.

Thank you again for this opportunity to testify and submit a written testimony.

Criminal Justice Council Committee,

Dear Speaker, Council Finance Chair, Committee Chair & staff. I am submitting written testimony for public record. I support a #PeoplesBudget that is built on #CareNotCuts.

I believe all New Yorkers deserve access to housing, livelihood, and resources to thrive. And I am OUTRAGED that Mayor Eric Adams continues to slash the budgets of and underinvest in programs my neighbors and I depend on.

I demand that the Mayor fully fund the following programs in his budget proposal. If he does not, I demand that my council member and Speaker Adrienne Adams use all of their charter-appointed powers to ensure that any budget that passes reflects key People's Budget priorities.

This includes:

- Investing in capital infrastructure for public and affordable housing, schools, and CUNY colleges
- Investing in and protecting public education, CUNY, childcare, libraries, social safety nets, and housing from budget cuts and restoring previous cuts
- Divesting from wasteful spending at the NYPD and DOC, and directing funds to community safety, supportive housing, mental health, and alternatives to incarceration

Our full list of People's Budget demands are here: <https://peoplesplan.nyc/2024-peoples-budget-campaign/>

As we all know, education, social services, and housing programs create real safety for our communities. City services and workforces that provide critical support to individuals and families who are struggling to make ends meet. Mayor Adams' previous and proposed cuts means slower housing vouchers and food stamps processing, more hungry and unhoused New Yorkers, less parents with the childcare support they need to stay in the city, fewer after-school and youth programs, and a general degradation of city services.

Stand with me and my neighbors to defend our budget and services against Mayor Adams, and deliver a People's Budget that has #CareNotCuts. Thank you.

Trevor Nathan

trevornathanphoto@gmail.com

New York, New York 11231

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Ximena Frankel
ximena.hihnyc@gmail.com
11120 73rd Ave
Forest Hills, New York 11375

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Mayor Adams says he is concerned about crime but any qualified public official knows that when people receive what they need to thrive crime decreases. Spending money to overpolice (in a system he was brutalized in) people when they cannot afford food and housing is ineffective and immoral.

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Zakiyah Sayyed

zakiyah.sayyed@gmail.com

New York, New York 10459

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zakiyah shaakir-ansari

Zakiyah@ageny.org

Valley Stream, New York 11203

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Zara Nasir
zaran03@gmail.com

[REDACTED]
Jackson Heights, New York 11372

**THE COUNCIL
THE CITY OF NEW YORK**

10:02am

Appearance Card

[]

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

in favor in opposition

Date: 3/8/24

(PLEASE PRINT)

Name: King Downing, Esq.

Address: _____

I represent: American Friends, Soc. Unite (Quakers)

Address: 15 Rutherford Pl, 10003

**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: Barbara Hamilton

Address: _____

I represent: The Legal Aid Society

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: _____

(PLEASE PRINT)

Name: David Long

Address: _____

I represent: Liberty Fund

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: 3/8/24

(PLEASE PRINT)

Name: Sharon Gowdin

Address: Deputy Commissioner Adult Operations

I represent: Dept. of Probation

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: 3/8/24
3/8/24

(PLEASE PRINT)

Name: Matthew Granoff

Address: Deputy Commissioner Juvenile Operation

I represent: Dept. of Probation

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: 3/8/24

(PLEASE PRINT)

Name: Juanita N. Holmes

Address: Commissioner of NYC Dept. of Probation

I represent: Dept. of Probation

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: 3/8/24

(PLEASE PRINT)

Name: Razwan Mirza

Address: Chief Information Officer

I represent: Dept. of Probation

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: 3/8/24

(PLEASE PRINT)

Name: Bridget Hamblin

Address: Deputy Commissioner Legal matters

I represent: Dept. of Probation

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: 3/8/24

(PLEASE PRINT)

Name: Andrea McGill

Address: Deputy Commissioner of Administration

I represent: Dept. 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: _____

(PLEASE PRINT)

Name: Dahiana K Rocell - President UPOA

Address: _____

I represent: United Protection Officers 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: _____

(PLEASE PRINT)

Name: HANNAH MAY-POWERS

Address: _____

I represent: OFFICE OF BROOKLYN BOROUGHS PRES.

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: 3/8/24

(PLEASE PRINT)

Name: Yorah Zeitz

Address: _____

I represent: Katal Center for Equity, Health, Justice

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: Budget

(PLEASE PRINT)

Name: MESCANI VENEAR

Address: 151 W 30th St. NY, NY 10001

I represent: NYC PHA

Address: 151 W 30th St. 14th Fl 10001

**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: 3-8-24

(PLEASE PRINT)

Name: ROBERT MALDONADO

Address: Deputy Commissioner Strategic Initiatives

I represent: Department of Probation

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: 03/08/2024

(PLEASE PRINT)

Name: Akhiana Smith

Address: _____

I represent: Beyond Hosies under WCJA

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: 3-8-2024

(PLEASE PRINT)

Name: MEGAN FRENCH - MARCELIN

Address: _____

I represent: ALTERNATIVES TO INCARCERATION /

Address: REENTRY COALITION (ATI/REENTRY COALITION)

**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: 3/8/24

(PLEASE PRINT)

Name: Amanda Berman

Address: _____

I represent: Center for Justice Innovation

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: 3/8/2024

(PLEASE PRINT)

Name: Jay Edidin

Address: [REDACTED] Forest Hills, NY 11375

I represent: Women's Community Justice Association

Address: 401 State St. Brooklyn



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: 3/8/24

(PLEASE PRINT)

Name: Mollie Beebe

Address: 590 6th Ave, New York, NY

I represent: The New York Foundry

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: _____

(PLEASE PRINT)

Name: VICTOR HERFEIA

Address: 2244 JACKSON AVE, 11101

I represent: CLOSE RIVERS FREEDOM AGENDA

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: _____

(PLEASE PRINT)

Name: Darren Mack

Address: 40 Rector Street

I represent: Freedom Agenda

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: 3/8/2024

(PLEASE PRINT)

Name: Prime Freedmen

Address: [Redacted] Bronx, NY

I represent: Citizens of NY + the American

Address: Freedmen

**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: Joanne Delacruz (testimony)

Address: _____

I represent: Freedom Agenda

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: _____

(PLEASE PRINT)

Name: Christopher Jeffries

Address: [Redacted] Atlantic Ave

I represent: BRONX Connect

Address: 432 E 149 street

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: _____

(PLEASE PRINT)

Name: Ashtley Santiago (testimony)

Address: _____

I represent: Freedom Agenda

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: 3/8/24

(PLEASE PRINT)

Name: Jennifer J Parish

Address: 40 Rector St, NY, NY 10006

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

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

Date: 3/8/24

(PLEASE PRINT)

Name: Dr. Jereniah Johnson

Address: Acting Deputy Commissioner

I represent: Department 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: _____

(PLEASE PRINT)

Name: Lynette Martinez Libby

Address: 75-20 Astoria Blvd

I represent: LOC

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: _____

(PLEASE PRINT)

Name: Alexandria Maldonado

Address: 75-20 Astoria Boulevard

I represent: Department 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: 3/8/2024

(PLEASE PRINT)

Name: Francis Torres

Address: 75-20 Astoria Blvd E. Elmhurst NY

I represent: New York City Department of Correction

Address: Same as above

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: 3/8/24

(PLEASE PRINT)

Name: JAMES SAUNDERS, DEPUTY COMMISSIONER

Address: 75-20 ASTORIA BLVD., EAST ELMHURST

I represent: NYC DOCT; HEALTH AFFAIRS

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: 3/8/24

(PLEASE PRINT)

Name: Tiffany Swan

Address: _____

I represent: P2PH

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. N/A Res. No. N/A

in favor in opposition

Date: 3/8/2024

(PLEASE PRINT)

Name: Jasm Alleyne

Address: [REDACTED] Brooklyn NY 11226

I represent: Exalt

Address: 17 Battery Place Suite 305 NY, 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: _____

(PLEASE PRINT)

Name: Bartman GEE

Address: _____

I represent: Youth Represent

Address: 11 Park Place, 15th Fl NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Alex Stein

Address: [Redacted] Grand

I represent: Self

Address: 7th 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: _____

(PLEASE PRINT)

Name: Sebastian Solomon

Address: [Redacted] St NY, NY 10001

I represent: Vera Institute of Justice

Address: 33 35th St Brooklyn, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/8/24

(PLEASE PRINT)

Name: Danielle Dreyer

Address: 300 2 Lafayette Room 1221, NYC, NY

I represent: Board 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: _____

(PLEASE PRINT)

Name: KATRINA BLACKMAN

Address: 2 LAFAYETTE ST., #1221 NY 10007

I represent: BOARD OF CORRECTION (NYC)

Address: 2 LAFAYETTE ST., #1221 NY 10007

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/8/24

(PLEASE PRINT)

Name: Jasmine Georges-Yilla

Address: NYC Board of Correction

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

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

Date: 3/8/2024

(PLEASE PRINT)

Name: Melissa Cintrín Hernández

Address: 2 Lafayette St., Suite 1221 New York, NY 10007

I represent: Board of Correction

Address: 2 Lafayette St Suite 1221, New York NY 10007

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

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

Date: _____

(PLEASE PRINT)

Name: Matthew Pascalelli

Address: 7520 Astoria Blvd

I represent: DOC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

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

Date: 3-8-2024

(PLEASE PRINT)

Name: SHERRIE ANN RIMBERT

Address: 7520 ASTORIA BLVD

I represent: DOC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/8/24

(PLEASE PRINT)

Name: Nancy Savastano

Address: 75-20 Astoria Blvd

I represent: NYC Department 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: 3/8/24

(PLEASE PRINT)

Name: Patrick Benn

Address: 31 Blauvelt street Nanuet NY 10954

I represent: DOC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MAHA SRINIVASAN

Address: DOC

I represent: _____

Address: _____

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