



**Mayor's Office of Criminal Justice (MOCJ)
Testimony to the New York City Council
MOCJ Director Deanna Logan
Committee on Criminal Justice
Oversight: Improving Court Operations to Reduce the Jail Population**

June 25, 2026

Our job at the Mayor's Office of Criminal Justice (MOCJ) is to collaborate across city agencies to address some of the toughest criminal justice challenges in our great city.

We're proud today to detail how, in tandem with our partners and Mayor Zohran Mamdani –**we're making progress on reducing the jail population on Rikers Island.**

Reducing the jail population is a necessary step to close Rikers, one of the key priorities of the mayor, First Deputy Mayor Dean Fuleihan, Criminal Justice Coordinator Justine Olderman, and Close Rikers Czar Dana Kaplan.

Achieving a reduced population will require a multi-pronged strategy. One of the key components of this strategy is working with our partners in the court system to ensure the timely resolution of criminal cases.

Maintaining a sustained population reduction will depend on an evolution of our pre-trial system so that it reliably and effectively protects the presumption of innocence, while applying a person-centered approach to our public safety challenges.

This evolution will produce a system that can resolve cases in a timely manner while simultaneously making greater use of evidence-based alternatives to detention where appropriate.

Under Mayor Mamdani's leadership, and in collaboration with our many partners, MOCJ is working continuously to help the criminal legal system become smaller, smarter, and fairer – while creating significant improvements in safety for all New Yorkers.

These evolving processes are helping to reduce incarceration and improve outcomes for people in the criminal legal system.

We are committed to using every tool in our toolkit to achieve these goals, including continued improvements to court operations and case processing.

Key Challenges

Ensuring timely resolution of cases and reducing the pretrial detention population was not a priority of the last administration. This administration is changing course. With two dedicated positions, the administration has demonstrated its deep commitment to the effort.



As committed as we are to improving case processing, MOCJ recognizes that **efficiency must not compromise fairness and the fundamental rights of individuals in the criminal legal system.**

We also know from experience that to achieve true public safety, **our approach must prioritize long term stability over unnecessarily punitive responses.**

To help us achieve these goals, MOCJ's work is grounded in evidence-based strategies.

MOCJ invested in a more advanced data infrastructure that will improve our ability to identify the challenges within the court system's operations that are impacting the jail population. This data is a critical resource in helping us identify long-term solutions.

MOCJ also prioritizes open lines of communication with criminal legal system stakeholders. We meet with the defense bar and with the district attorneys on a regular basis, as well as the courts and stakeholders in each borough.

When we learn of the obstacles that prevent the criminal legal system from working effectively, we study the problem and then work together to address the issue collaboratively. As we help each of the stakeholders resolve the problems they are experiencing, cases move through the system more quickly.

With our new Criminal Justice Coordinator starting mid-July, we will have additional support for this critical communication and collaboration.

The challenges faced by the criminal legal system are not ones that are solved overnight, nor solved unilaterally. A deep understanding of the system is required to make improvements, taking into account the potential collateral consequences of any changes.

By working strategically with our partners, we are positioned to implement lasting, meaningful change to achieve Mayor Mamdani's vision of safely reducing the jail population and closing Rikers.

Case Processing and Calendar Management

Case duration varies by borough, charge, custody status, case complexity and other individualized factors. Generally speaking, however, efficient case processing depends on reducing the amount of time between court dates and ensuring that each court date helps move the case towards resolution.

While there is more work to be done, case processing times have decreased over the past two years, and certain key subgroups have stabilized, including people held long-term and those facing murder charges.

To accelerate this downward trend, **MOCJ is currently leveraging its improved data infrastructure** to provide the insights that will allow us to make targeted recommendations to legal system stakeholders.

With targeted recommendations and commitment from stakeholders, we are positioned to work across the continuum to achieve case resolution times that are closer to national standards.



Court-Based Programming and Resources: ICM

Under this administration's renewed focus on collaborative problem-solving, designed to shift the system toward sustainable change, we are also investing in additional court-based resources, including an expansion of the Intensive Case Management (ICM) strategy within the Supervised Release program.

ICM began in Manhattan and Queens and over the course of its operation, there were periods of 29% reduction in violent felony arrests as compared to similarly situated individuals not receiving the intensive services. Sustainable jail population reduction requires real court-based options that allow people to navigate their cases in community. ICM remains an expanding initiative that will continue to grow to Brooklyn in FY27.

Court-Based Programming and Resources: Project Reset

Project Reset contributes to achieving timely case resolution by reducing the number of cases in the system, freeing up court resources for the cases with detained people.

The program serves adults issued Desk Appearance Tickets for eligible non-violent misdemeanors. Following an arrest, but prior to the first court date, the prosecutor's office refers eligible cases to a service provider that offers people the opportunity to engage in voluntary one-day programming.

Participants do not plead guilty to participate. Cases are declined prosecution for those people who successfully complete their Project Reset programming.

There is no penalty for failure to complete Project Reset; instead, the case follows the traditional prosecution process. **Ninety-eight percent of participants satisfy their obligations.**

For individuals who did not complete Reset programming prior to their DAT court appearance, Manhattan and the Bronx offer a second chance to complete programming on the day of their court appearance through Rapid Reset. Participants can complete one session of programming and resolve their case without ever leaving the courthouse.

Court-Based Programming and Resources: Assessments and Program Matching

Approximately 85% of people held on Rikers Island are detained pre-trial. However, approximately 70% of those people return to the community and do not serve a state prison sentence. Therefore, assessing people more quickly for alternatives to incarceration or alternatives to detention provides an avenue to truncate the time spent in custody.

As part of this effort and the Council's advocacy, MOCJ has operationalized three new initiatives for pretrial release and ATI program matching.

In 2023 and 2025, City Council passed several bills aimed at speeding up the assessment process.



First, Local Law 75 established the jail population review program, requiring an eligibility review of everyone in jail for at least seven days for early case resolution or pretrial release.

Second, Local Law 139 established a requirement to provide a holistic needs assessment for anyone under consideration for a court-based alternative to incarceration program within six weeks of the request. Both of these local laws are now in operation through our partner the Center for Justice Innovation (CJI).

Additionally, MOCJ along with our provider partner CASES, OCA, and DANY, are currently testing a single-point assessor model to more quickly and accurately match those with open cases to appropriate ATI programs. This model is aimed at reducing unnecessary adjournments and additional assessments while increasing connectivity across various programs with court parties.

We are currently reviewing the programs to determine how these interventions can best support jail population reduction.

In addition to the systemic changes that will lead to an overall shift in the way that cases are managed in the criminal legal system, MOCJ is also working with stakeholders across the criminal legal system to improve the below factors that impact case processing and court operations, including:

- **Defense Access to Clients**

- Timely resolution of cases requires defense counsel to build trust, share information, and discuss trial and plea options. MOCJ is working with stakeholders and collaborating across agencies to remove barriers and improve access to Counsel for people detained on Rikers.

- **Discovery**

- 911 calls often represent the first reports of crimes and are important pieces of evidence that must be turned over during discovery, which is critical for counsel to properly assess cases and advise their clients. MOCJ is currently working with stakeholders to implement the following solutions to expedite 911 requests:
 - Coordination between NYPD and the various district attorney's offices to cancel requests that are no longer needed, due to the resolution of cases;
 - Securing additional personnel assignments to the Tapes and Records Unit at NYPD.

- **Court Production**

- Conflicting court dates lead to missed appearances which create delays in case processing. MOCJ is working with our partners at OCA to recognize and proactively resolve upcoming conflicting court dates.

These challenges are just a few of the ways that MOCJ is working to support timely case resolution on a daily basis.



We, along with our stakeholders in the criminal legal system, agree that court operation is a vital component of reducing the jail population. We are grateful for the Mamdani administration's renewed focus on collaborative problem solving to shift the system toward sustainable change.

The Mayor's Office of Criminal Justice is proud of our collaborations across city agencies and in tandem with city partners. We are even more optimistic about this work now that Mayor Mamdani and First Deputy Mayor Fuleihan finalized our public safety team with the hiring of Dana Kaplan, the Close Rikers Czar and Justine Olderman, the Criminal Justice Coordinator.

We look forward to realizing these changes together – **because a smaller, smarter, and fairer criminal justice system** will pave the way to **closing Rikers** and to **fostering the kind of safety we all want for ourselves, our families, and our communities.**

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New York County District Attorney's Office
Testimony before the New York City Council Committee on Criminal Justice
Improving Court Operations to Reduce the Jail Population
June 25, 2026

My name is Amber Strickland, and I am the Deputy Chief of the Trial Division for Criminal Court at the Manhattan District Attorney's Office. I want to thank the Committee on Criminal Justice for the opportunity to provide testimony regarding efforts to improve court operations and reduce the jail population in New York City.

The Manhattan District Attorney's Office ("DANY" or "the Office") fights for justice and strives to maintain community safety fairly and equitably. When risk of flight from prosecution requires that a judge set cash bail or remand a defendant as the reasonable means to ensure they return to court, defendants may spend significant amounts of time in the New York City Department of Correction custody on Rikers Island. We at DANY understand that there are collateral consequences to that decision that impact victims and their families, witnesses, defendants, defendants' families, corrections officers, assistant district attorneys, defense attorneys, judges, court staff, police officers, and the entire community at large. Incarcerating a defendant in the New York City jail system while they await a trial is a decision that DANY does not take lightly. I want to highlight the daily work DANY does to address public safety and the goal of reducing the jail population on Rikers Island.

Case Processing in Manhattan

Our Office uses data to monitor case processing metrics and allocate resources across the Office to promote the fair and efficient administration of justice. At DANY, case processing starts with our Early Case Assessment Bureau ("ECAB"), which is responsible for quickly assembling and reviewing the evidence needed to screen and appropriately charge cases brought to our office by NYPD. From 2021 to 2025, there was an 84% increase in misdemeanor arrests and a 51% increase in felony arrests made by NYPD in Manhattan. Over this period, DANY made significant investments in ECAB, staffing the Bureau with more experienced prosecutors who can assess the legal sufficiency of cases and recommend diversion and dispositions when appropriate, ensuring defendants do not spend more time than necessary with a case pending.

For defendants detained because of a custodial arrest, we have significant measures in place to meet the requirement that defendants appear before a judge within 24 hours for arraignment. This requires significant coordination with NYPD and OCA. In 2021, 49% of defendants screened by our office with a custodial arrest were arraigned within 24 hours and the median time to arraignment was 24 hours and 29 minutes. Improved cross-system collaboration alongside better internal tracking and more ECAB staff have resulted in the reduction of arrest to arraignment time by 2 hours and 15 minutes since 2021, despite the significant increase in arrests. Year-to-date through May 2026, 63% of defendants with a custodial arrest were arraigned within 24 hours, with a median time to arraignment of 22 hours and 14 minutes.

Another major data point we track is "time to disposition," the number of days between a defendant's criminal court arraignment or no-arrest indictment and their first disposition. Since 2021, the time to disposition in Manhattan has generally trended down for felony cases and has not changed significantly for misdemeanor cases. For felonies, the median time to disposition decreased by 68 days from 2021 to 2025, resulting in median time to disposition in Manhattan of 186 days. For misdemeanors, the

median time to disposition was 97 days in 2021 and 94 days in 2025. Note, those numbers relate to all defendants regardless of their release status and have not been adjusted for 730 examination/rehabilitation time or time when a defendant may have been in bench warrant status, two key factors which can delay the resolution of cases.

For incarcerated defendants, the median time to disposition for defendants charged with misdemeanors *decreased* from 80 days in 2021 to 71 days in 2025, while the time to disposition for felony offenders *increased* from 136 days in 2021 to 176 days in 2025.

DANY uses data to keep a close eye on how our decisions and case processing times contribute to the population at Rikers. Since 2021, the total population in DOC custody has increased by 20% while the population held on a DANY case has increased by only 7%. In 2021, 30% of the average daily population at Rikers was held on a DANY case vs 27% of the average daily population year-to-date in 2026.¹ Compared to the other boroughs, DANY's relatively high contribution to the jail population is explained by a number of factors including a population of defendants with a higher prior warrant rate. DANY also indicts a higher percentage of felony complaints, as compared to our counterparts in the other boroughs.

We are aware of testimony from another witness at the June 25, 2026, hearing to the effect that nearly two-thirds of defendants being held on Rikers Island for DANY prosecutions are being held on non-violent felonies or misdemeanors. That is incorrect. According to DANY data linked to DOC's own data, as of June 21, 2026, 64% of defendants incarcerated on Rikers Island held on a DANY case are held on a violent felony offense (per PL 70.02) or class A (non-drug) felony.

When examining the data related to defendants who are incarcerated on felony charges, it is important to note that portions of those periods of incarceration are the result of procedural and administrative delays that are out of DANY's control. For example, there is always a significant period of time between the filing of an indictment and the defendant's Supreme Court arraignment. The median time from indictment to Supreme Court arraignment in Manhattan is 25 days for defendants who are not in custody and 17 days for defendants who are incarcerated. Reducing that number will not only significantly reduce the time to disposition for incarcerated defendants facing felony charges in the early stages of the case, but it will also provide additional time for assistant district attorneys to focus on certifying discovery compliance earlier in the case. As a result, we would likely see a reduction in the frequency of excludable speedy trial time spent on motion practice related to discovery compliance in the later stages of the case, and therefore a reduction in time to disposition. Extended periods of incarceration attributable to case processing delays are a mutual concern for both DANY and OCA leadership, and we are collaborating with them to explore options to reduce such delays.

Additionally, there was a significant change to criminal practice that was implemented in Manhattan in 2025 that likely contributed to a more recent slight increase in time to disposition. The OCA in Manhattan implemented a discovery initiative through which Supreme Court justices began issuing discovery scheduling orders at Supreme Court arraignment. This initiative established the timelines for discovery compliance by ADAs and defense attorneys and mandated discovery conferences between the court and the parties. The new initiative led to growing pains in the Office's felony

¹ It is important to note that third party analysis of DANY's incarcerated population is slightly inflated because Office of Court Administration data includes defendants charged citywide by the Special Narcotics Prosecutor under the umbrella of incarcerated Manhattan defendants.

practice associated with the adoption of the new procedure, but we believe it will ultimately lead to a decrease in the time to disposition in the mid-to-long-term future.

2023 Review of DANY Defendants in Custody Over One Year

In 2023, the Office conducted a systematic analysis of the factors that contribute to longer case processing times for all defendants who were incarcerated for over one year. That research identified more than two dozen factors that contributed to delays for incarcerated defendants and quantified which factors were present across all cases. Notably, the most common factors correlated with longer periods of pre-trial detention were changes in defense attorneys; changes in lead ADAs; defense attorneys answering “not ready” for trial at least once; defendants having multiple pending cases, and defendants undergoing mental capacity evaluations pursuant to Criminal Procedure Law Section 730. Many defendants had multiple delay factors impacting case resolution time.

Upon completion of the 2023 study, the findings were presented to executive leadership at the DA’s Office and the OCA. Subsequently, DANY developed a new internal case management review tool, which the Office launched in late 2025 and we continue to refine based on internal use and feedback. The Office’s new tool is integrated into our case management system and prompts mandatory case reviews for any felony case pending over 8 months. The reviews require ADAs to report any factors contributing to case processing time, allowing supervisors and executive leadership at DANY to more effectively prioritize and deploy internal resources to appropriately resolve cases before any significant delay in a prosecution. It also gives our office the information needed to coordinate with OCA, defense organizations, the Mayor’s Office for Criminal Justice (“MOCJ”), and other relevant stakeholders to efficiently address systemic factors contributing to case processing times.

Other DANY Efforts to Reduce Time to Disposition – Data Tools

Given the increase in median time to disposition for incarcerated defendants in Manhattan, DANY has implemented a number of strategies to reduce unnecessary case processing delays, pre-trial detention, and the use of short jail sentences for individuals whose risk to public safety can be safely managed in the community. These strategies include a daily internal reporting tool to review all arraigned cases, with a particular focus on incarcerated defendants; regular reporting to executive leadership on incarcerated defendants with a pending case, based on charge category and type of charge; an internal dashboard for bureau chiefs, division leadership, and executive leadership, to track cases involving incarcerated defendants; and visual reminders based on DOC data feeds connected to the Office’s case management system that alerts ADAs when their cases involve incarcerated defendants.

DANY’s Efforts to Reduce Time to Disposition – Early Case Assessment Bureau and Case Management Services

Thanks to the work of our attorneys and support staff in the Early Case Assessment Bureau and Case Management Services (“CMS”), DANY has established a workflow that interacts with every case between arrest and Criminal Court arraignment to quickly divert eligible cases and reduce the amount of time defendants spend in the court system. Additionally, the Office’s CMS team works closely with OCA to efficiently process cases from arrest through arraignment in an effort to arraign all defendants within 24 hours of their arrest. The CMS team’s diligent data entry efforts provide accurate data for

our Data Analytics, Research, and Strategic Investment team to analyze to further streamline prosecution across the borough.

DANY's Efforts to Reduce Time to Disposition – Interagency Discovery Assistance

Since the establishment of the Office's Discovery Liaison Unit ("DLU"), the Office's ability to quickly obtain missing discovery from the New York City Police Department ("NYPD") has significantly improved. DLU is staffed by a group of police officers and a sergeant who are embedded within DANY for the purpose of direct access to NYPD's discovery materials. The continued funding and support of DLU is essential to the efficient operations of DANY, the defense bar, and OCA, and DLU plays a vital role in maintaining the equitable administration of justice throughout the borough.

While programs like DLU have drastically improved time to disposition in Manhattan, there are other barriers that need to be addressed. For example, we confront significant backlogs in obtaining 911 calls and officers' disciplinary records.

There are also significant delays in time to disposition and time to the filing of a certificate of compliance ("COC") with discovery obligations based on varying methods for subpoena compliance by City agencies. While City agencies are certainly entitled to such strict compliance guideline as requiring personal service of subpoenas on their legal teams, a streamlined process for submitting and receiving requests for materials from them would play a significant role in reducing the time to disposition and time to COC across the borough and likely across the City.

DANY's Efforts to Reduce Time to Disposition – Pathways to Public Safety Division

The work of DANY's Pathways to Public Safety Division has played a significant role in reducing the incarcerated population on Rikers Island associated with Manhattan prosecutions. Since District Attorney Bragg established the Pathways to Public Safety Division in 2022, the Office created a new deputy bureau chief position in every trial bureau and the Special Victims Division. These deputy chiefs are responsible for proactively identifying appropriate candidates for diversion into community-based programming and participation in one of Manhattan's four felony problem-solving courts: the Felony Alternatives to Incarceration Part, Judicial Diversion, Manhattan Mental Health Court, and Veterans Treatment Court. Over the last four years, these deputies have played a significant role in facilitating DANY's internal screening process and timely referral to Manhattan's problem-solving courts. Notably, since the establishment of the Pathways to Public Safety Division, the time from arrest to referral for clinical assessments in Manhattan's felony problem solving courts has decreased by 171 days for defendants who are at liberty and 52 days for defendants who are incarcerated. During that time, DANY has more than doubled both annual referrals and pleas taken in felony problem solving courts.

Prior to the establishment of Pathways to Public Safety deputy bureau chief positions, eligibility and consideration for problem solving courts was not discussed until later in the life cycle of a criminal prosecution. Today, however, these deputy bureau chiefs proactively review felony arrests within 48 hours of Criminal Court Arraignment. Upon screening newly arraigned cases, they then inform defense attorneys and judges of a defendant's on-paper eligibility for Judicial Diversion at Supreme Court Arraignment. Defense attorneys can then request immediate transfer to Judicial Diversion where the presiding judge determines whether to order a clinical assessment. Prior to Pathways deputies reviewing every felony case, paper eligibility for Judicial Diversion was often overlooked by

legal parties and the Court until much later in the life cycle of a case. Similarly, our Pathways to Public Safety deputies also flag defendants who may be appropriate for Felony ATI, Manhattan Mental Health Court, or Veterans Treatment Court immediately after criminal court arraignment. Pathways deputies initiate immediate outreach to defense attorneys to assess whether there is interest in a problem-solving court disposition and request information that will expedite DANY's public safety analysis. Our office can screen defendants for eligibility for those problem-solving courts expeditiously if defense attorneys provide the requested information promptly. As a result of DANY's significant increase in referrals, Manhattan problem solving courts and the clinical teams that support those courts have developed a concerning backlog. However, because DANY has created an internal structure that promotes early review of every felony case for a diversionary disposition, Manhattan has still been able to reduce the time from arrest to problem solving court disposition over the last four years since District Attorney Bragg assumed office in 2022.

The increase in the diversion of cases to problem solving courts under District Attorney Bragg's administration has considerably reduced jail and prison sentences in Manhattan, and DANY has taken measures to further reduce both time to disposition trends and the total, citywide jail population attributable to a DANY prosecution. For example, the Office has significantly increased staffing and funding in the Pathways to Public Safety Division since 2022. Additionally, once DANY's funding of the Felony ATI Part expired in July of 2024, we worked in tandem with the OCA to transition the contract so that the critical work going on in this innovative court part, which overwhelmingly serves defendants charged with felonies who are not eligible for diversion through other existing court parts, could continue. Similarly, we worked with OCA to ensure that the mental health track, a specialized track in our Judicial Diversion Part designed to treat individuals diagnosed with a serious mental illness which DANY had funded since 2018, was successfully transferred to OCA in March 2025. Furthermore, since 2024, DANY has collaborated with the Fortune Society to invest considerable resources and funding into the newly established Court-Based Navigator Program. Through this program, navigators with lived experience staff Criminal Court Arraignments during the day and night shifts to connect individuals released on their own recognizance to voluntary services that address their underlying needs, including providing access to food, clothing, emergency housing, substance abuse treatment, mental health services, and physical health services.

While additional funding and increased staffing for DANY's Pathways to Public Safety Division would drastically reduce time to disposition trends and backlogs in screening for admission to Manhattan problem solving courts, delays in clinical assessments and program placement also play a significant role in extending the life cycle of a case and therefore the amount of time defendants spend incarcerated on Rikers Island. For example, the time from referral for assessment to submission of treatment plans within Manhattan's felony problem-solving courts has increased because funding for clinicians who assess and case manage participants in these parts has not kept pace with DANY's ever-increasing volume of referrals. It takes 21 days longer to receive treatment plans for referred defendants who are at liberty (~78 days total) versus four days longer for defendants who are incarcerated (~36 days total).² Relatedly, the case managers and social workers operating in these parts handle exceptionally high caseloads that make it difficult for them to appropriately manage defendants who are most in need of intervention. Even more concerning, when a problem-solving court clinician recommends that a defendant enroll in a residential treatment program specializing in serving clients who have serious substance use and mental health needs, the waitlists for such treatment are often 35-40 people long. This results in months of additional incarceration while DANY, defense attorneys,

² 2022 vs 2024 referrals for clinical assessment.

and the Court await further developments. The community-based treatment landscape is, quite simply, not prepared to serve the individuals living with complex needs that our problem-solving courts attempt to divert.

There are also significant delays in resolving cases through Manhattan's problem-solving courts due to the high demand for and low supply of supportive housing. Even when a clinical assessment recommends a treatment court participant engage in outpatient treatment, the recommendation may include a referral to supportive housing for our highest needs participants before their release from incarceration. Due to the high demand for supportive housing, the accompanying waitlists further extend periods of incarceration while DANY, defense attorneys, and the Court again await further developments. Additional investments in community-based programming, especially dual diagnosis residential programs, different types of housing (supportive, transitional, etc.), and housing facilities with different degrees of onsite support (assistance with medication management and daily living skills, etc.) are essential to reducing the incarcerated population on Rikers Island.

OCA Data Sharing to Improve Case Processing

Each New York City District Attorney's Office currently receives a routine data feed of case information from OCA for cases pending in their borough and we are working to more fully integrate OCA data into our internal tracking systems. In an effort to improve data sharing across the city, the New York City District Attorney's Offices have collaborated with MOCJ to collectively request that OCA provide access to an expanded data feed that would allow the offices to more efficiently coordinate and share information about defendants who have multiple cases pending across the five boroughs. Thirteen percent of Manhattan defendants who were in custody for over one year also had cases pending in other boroughs. Providing access to an expanded data feed from the OCA would allow for more direct insight into which cases and defendants require the most cross-borough coordination.

Conclusion

Reducing the population of incarcerated defendants in New York City is a challenge, but DANY is taking substantial, proactive steps to do so while maintaining our responsibility to ensure the safety of Manhattanites and the millions of people who travel into the city every day for work and tourism. Thank you for the opportunity to provide testimony to this Committee and for your attention to these important matters that impact our community every day.



THE DISTRICT ATTORNEY
BRONX COUNTY

DARCEL D. CLARK

*NYC Council's Committee on Criminal Justice:
Improving Court Operations to Reduce the Jail Population
Hearing on June 25, 2026*

Good morning, Council Members.

Thank you to the members of the committee, our justice system partners, and members of the public for the opportunity to participate in this hearing on improving court operations to reduce the jail population. This is an issue that implicates important considerations of public safety, due process, efficiency and resources. Effective court operations are essential to ensuring that cases move through the system in a timely manner, that victims receive justice without unnecessary delay, and that individuals accused of crimes are afforded their legal rights while awaiting resolution of their cases.

The Bronx County District Attorney's Office remains committed to transparency, accountability and the use of evidence-based best practices that promote community safety, enhance system effectiveness, and preserve public confidence in the administration of justice.

As of June 22, 2026, there were 6,623 individuals in jail in New York City. Of those incarcerated, 1,297 defendants are in custody pending a criminal case in the Bronx. The top charges of those defendants are as follows: (1) Attempted Murder 2; (2) Murder 2; (3) Robbery 1; (4) Criminal Possession of a Weapon 2; (5) Burglary 2; (6) Assault 3; (7) Robbery 2; (8) Assault 2; (9) Assault 1; (10) Murder 1. Additionally, there are some individuals in jail who are awaiting transfer to prison upon conviction.

In 2025, cases that were ultimately dismissed took an average of 97 days from arraignment to disposition, while cases resulting in conviction averaged 215 days from arraignment to disposition. The average length of stay for a person on Rikers Island was 6.5 months in 2025, approximately 30 days less than 2024.

While the Bronx represents 17% of the population of New York City, it experiences a disproportionate rate of crime as compared to the other boroughs, with 33% of the city's murders, 28% of rapes, 31% of robberies, 30% of felony assaults, and 37% of shooting incidents. Despite bearing a disproportionate share of the City's serious violent crime, the Bronx accounts for only 19.5%

of the jail population. This reflects robust case-screening practices, early disposition of cases, and a sustained commitment to efficient case processing.

District Attorneys' Offices in New York operate under some of the most demanding statutory deadlines in the criminal justice system. Prosecutors must comply with both the discovery obligations and speedy trial requirements, each of which imposes specific timelines that must be met before a case can proceed. Under New York's discovery statutes, prosecutors must exercise due diligence in identifying, obtaining, and disclosing required materials, and they may be called upon to demonstrate those efforts before a judge when compliance is challenged. As a result, prosecutorial compliance, timeliness and efficiency is subject to continuous judicial oversight and accountability under the law.

When New York's discovery reforms took effect in 2020, prosecutors were required to disclose significantly more material on an accelerated timeline. The reforms also expanded prosecutors' obligations to include materials not routinely in their possession, creating a constructive possession standard that further underscored the need for a more efficient and reliable discovery process. Although the legislation did not provide funding for implementation, we ultimately secured resources to purchase NiCE, an evidence management and discovery-sharing platform.

Following an extensive contracting, configuration and implementation process, we trained staff to incorporate NiCE into their daily discovery practices. In addition to improving our ability to organize and manage large volumes of evidence and discovery materials, NiCE includes integrated video viewing and redaction tools that preserve the integrity of original, unredacted evidence. The platform also provides tracking, auditing, and reporting capabilities that help prosecutors monitor disclosures, document compliance efforts, and manage discovery obligations more effectively.

NiCE is now deployed officewide as the primary platform for managing the substantial volume of evidence and documentation generated in every case.

Throughout this process, we have worked closely with the New York City Police Department, which does not currently utilize NiCE to transmit evidence to our office, as well as with the public defender organizations, which are at varying stages of adopting or choosing not to integrate the platform into their own discovery workflows. Regardless of whether a defender organization contracts with NiCE, the platform's discovery-sharing functionality provides an effective mechanism for the receipt and review of discovery materials by defense counsel.

There are additional factors affecting case processing timelines, aside from discovery and pre-trial evidentiary matters, that fall outside the control of the District Attorney's Office. These include court-driven scheduling determinations, such as the prioritization of certain case types and the length of adjournments set by the court, which can significantly impact case progression. Case timelines are influenced by defense practices, including adjournment requests, litigation strategies related to speedy trial calculations and Certificate of Compliance issues. At times, there is a lack of incentive for defense counsel to engage in early case resolution discussions or programming opportunities.

Further, operational constraints within the broader justice system can contribute to delays. These include staffing shortages within the Office of Court Administration, such as court officers and court reporters, as well as challenges associated with inmate production resulting from Department of Correction staffing levels, transportation logistics, or circumstances where defendants are not produced from housing units for court proceedings.

These systemic factors collectively underscore an important point: court case flow and pending jail population is the product of multiple interdependent agencies, stakeholders and resource constraints. No single stakeholder controls these outcomes.

The Office of the Bronx District Attorney is guided by an unwavering commitment to pursuing justice with integrity. Inherent in this mission, is a recognized obligation to always do the right thing, at the right time, for the right reasons; understanding that every person – including the incarcerated – is entitled to dignity, respect and fairness. Accordingly, we will continue to cultivate a model of prosecution that balances liberty and accountability while remaining steadfast in our goal of achieving “A Safer Bronx Through Fair Justice.”



Testimony of Queens County District Attorney Melinda Katz

Before the Committee on Criminal Justice

Oversight Hearing on Improving Court Operations to Reduce the Jail Population

June 25, 2026

I would like to thank Speaker Julie Menin, Chairperson Selvena Brooks-Powers, and the Members of the Committee on Criminal Justice for holding this hearing on the important issue of improving court operations to reduce the jail population.

The Queens County District Attorney's Office shares the goal of reducing unnecessary pretrial detention while ensuring public safety, protecting crime victims, and promoting fairness within the criminal justice system. Since taking office, I have implemented numerous initiatives designed to reduce incarceration where appropriate, expand alternatives to detention, and provide meaningful opportunities for rehabilitation.

In 2025, the Queens County District Attorney's Office processed a record number of arrests and arraignments, reviewed more than two million discovery files, assisted 4,976 crime victims, and resolved 44,468 criminal cases. The Office continued to utilize diversion and rehabilitation-focused programming, including Project Reset, which made referrals in 556 new cases and achieved 333 successful completions in 2025.

The Office also remains committed to reducing unnecessary pretrial detention. Every request for bail is carefully reviewed, and every effort is made to identify appropriate opportunities for release while maintaining community safety. As of December 31, 2025, approximately 975 individuals were detained on Queens County cases, including approximately 585 individuals held on bail and 390 individuals held on remand. Most of these individuals were charged with serious violent felony offenses, including homicide, robbery, burglary, assault, and offenses involving firearms and other dangerous weapons that resulted in life-threatening or permanent injury.

While significant progress has been made, several challenges continue to impede the prompt resolution of cases and the reduction of unnecessary detention.

Treatment Court Assessment Delays

One of the most significant barriers to reducing unnecessary incarceration is the length of time required to evaluate defendants for treatment court and alternative-to-incarceration programs.

Many defendants who may ultimately be appropriate candidates for treatment remain incarcerated while awaiting clinical evaluations, assessments, record collection, and placement determinations. These delays can prolong detention even when all stakeholders agree that treatment, rather than incarceration, may ultimately be the most appropriate outcome.

Additional funding for Treatment Alternatives for Safer Communities (TASC) and similar providers would significantly improve this process. Increased staffing levels, including additional case managers, clinicians, psychologists, and evaluators, would expedite assessments and permit defendants to be evaluated more quickly.

The challenge extends beyond evaluations. In many cases, appropriate treatment options simply do not exist in sufficient numbers to meet demand. Certain defendants may require specialized mental health services, substance abuse treatment, trauma-informed care, or dual-diagnosis programming. When suitable programs are unavailable, defendants may be rejected or forced to wait for extended periods before placement can occur.

Expanding treatment capacity would improve both access and outcomes. More treatment options would increase the likelihood that appropriate candidates are accepted into programs, improve the likelihood of successful rehabilitation, and reduce delays that unnecessarily prolong detention.

Need for Secure Mental Health Treatment Facilities

Another significant challenge involves defendants suffering from serious mental illness who may otherwise qualify for treatment-based alternatives, but whose behavioral issues make placement difficult.

In some cases, treatment providers initially express a willingness to accept an individual but later decline admission because the individual threatens staff members, engages in aggressive behavior, or otherwise creates significant safety concerns. When this occurs, otherwise viable treatment opportunities may be lost, resulting in prolonged detention and fewer opportunities for rehabilitation.

The creation and expansion of secure mental health treatment facilities would address this gap. Such facilities could provide intensive treatment in a safe and structured environment while ensuring the safety of treatment providers and participants.

Without secure treatment options, some individuals remain incarcerated not because treatment is inappropriate, but because appropriate treatment placements are unavailable.

Discovery Reform and Efficient Case Processing

The Queens County District Attorney's Office has devoted substantial resources toward compliance with New York's discovery laws and continues to review and disclose an enormous volume of materials in criminal cases.

Recent legislative amendments to Article 245 and subsequent appellate decisions have provided important guidance concerning the standard governing discovery compliance and certificates of compliance. These developments have promoted greater consistency and predictability by focusing courts on whether prosecutors exercised due diligence, acted in good faith, and made reasonable efforts to comply with their obligations under the totality of the circumstances.

The emerging body of appellate law appropriately recognizes the realities of modern criminal litigation, where discovery often consists of thousands of pages of records and extensive digital evidence. By emphasizing diligence, reasonableness, and the absence of prejudice rather than imposing a strict perfection standard, these decisions promote fair and efficient case processing while preserving meaningful remedies where actual prejudice exists.

Technology and Discovery Infrastructure

The volume of digital evidence generated in modern criminal prosecutions continues to grow at an unprecedented rate. Body-worn camera footage, surveillance video, cellular telephone data, social media evidence, digital records, and forensic materials have significantly increased discovery obligations.

The Queens County District Attorney's Office reviewed more than two million discovery files in 2025 alone.

Technology has played a critical role in managing these obligations, but continued investment remains essential. Additional resources for evidence management systems, automated redaction tools, digital storage solutions, and technological support personnel would further improve efficiency and facilitate timely disclosure.

As criminal investigations become increasingly digital, continued investment in technology is critical to ensuring that discovery obligations can be satisfied both efficiently and effectively.

Trial Capacity

Despite increased discovery obligations and expanding case complexity, the Queens County District Attorney's Office remains committed to maintaining the capacity necessary to bring cases to trial when appropriate.

The Office continues to invest heavily in attorney training, litigation support, and trial readiness. While many cases are appropriately resolved through diversion, rehabilitation, plea negotiations, or other dispositions, the Office remains prepared to litigate serious matters where resolution cannot be reached.

The ability to efficiently process cases, comply with discovery obligations, and maintain trial readiness simultaneously is essential to ensuring both public safety and the fair administration of justice.

Conclusion

The Queens County District Attorney's Office remains committed to reducing unnecessary incarceration while protecting public safety and ensuring justice for victims, defendants, and the community.

Continued investment in treatment court infrastructure, additional evaluation resources, expanded treatment capacity, secure mental health facilities, and modern technology will further improve case processing and reduce unnecessary detention. These investments represent practical solutions that can produce meaningful results while maintaining fairness and accountability throughout the criminal justice system.

Thank you for the opportunity to submit this statement for the Committee's consideration. The Queens County District Attorney's Office looks forward to continuing to work collaboratively with the City Council and all stakeholders on these important issues.

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**JUMAANE D.
WILLIAMS**

**STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON CRIMINAL JUSTICE
JUNE 25, 2026**

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 Brooks-Powers and the members of the Committee on Criminal Justice for holding this important hearing.

We are just over a year out from the date that the jails on Rikers Island must close. This is a legal mandate that is not optional. Despite the urgent humanitarian crisis on Rikers Island, however, the Adams administration sat on its hands for most of its tenure, allowing the dysfunction in the jails to spiral and the death toll to rise. The population in the jail currently averages around 6,600.¹ This far exceeds the required population of a maximum of just over 4,000 people to transition to the proposed borough-based jails once they are constructed.

In order to lower the city's incarcerated population, we should be investing in pre-trial non-incarceral services and alternatives to incarceration, so fewer people enter Rikers Island in the first place. Court backlogs, slow processing of cases, and the recent disruption to transfers to upstate prison as a result of the wildcat strike earlier this year also contributes to the rising population—detainees spent an average of 100 days in 2025,² three times the national average.³ This fact is unacceptable. Across the city's jails, around 85 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.

The jail population has been growing steadily since its low point in 2020, when many people were released due to the COVID-19 pandemic. At the same time, the length of time it took the courts to process cases started increasing. These delays were initially spurred by social-distancing requirements and other pandemic-related restrictions, but the long processing times have persisted. The number of people charged with felonies leaving DOC custody (including dismissals, transfers to state prisons, and those who completed serving city sentences) has been decreasing, with over 4,000 fewer people discharged in 2023 than in 2019.⁵ The wildcat strike in upstate prisons only made this worse, delaying the transfer of hundreds of people in

¹ <https://nyc-jail-population-tracker.datacollaborativeforjustice.org/>

² <https://comptroller.nyc.gov/services/for-the-public/departments-of-correction-doc/dashboard/>

³ <https://bjs.ojp.gov/web-report/jail-inmates-2023-statistical-tables>

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

⁵ <https://comptroller.nyc.gov/reports/ensuring-timely-trials/>

custody.

This also coincided with reforms to New York’s discovery laws, which aimed to ensure that prosecutors turn over relevant material to the defense in a timely manner. Prior to these reforms, New York’s discovery law was considered one of the worst in the country, allowing prosecutors to selectively disclose critical information just before trial, if at all, without consequence.⁶ The new law, passed after the tragic death of Kalief Browder, who awaited trial on Rikers Island for three years before his charges were dismissed. Implementation, however, was uneven, and since it went into effect, district attorneys seemed more concerned with dismantling the law than complying with it. Despite prosecutors’ claims, these reforms did not lead to a massive uptick in dismissed cases across the state,⁷ but Governor Hochul rolled back some parts of the law in last year’s state budget.

New York City is incarcerating too many people, and the NYPD’s recent push to pursue low-level “quality of life” crimes like taking up more than one seat on the subway will only funnel more people into our courts and jails. Ensuring that courts are addressing cases in a timely manner is only one part of the effort to close Rikers Island. There are many people who can be appropriately served in the community, whether in mental health or substance use treatment or alternative to incarceration programs. At the same time, resolving cases more quickly must not be used as an excuse to violate New Yorkers’ due process rights.

An analysis by former Comptroller Brad Lander’s office found that reducing the average time to process a felony case by just 39 days would significantly reduce the number of people in custody on a daily basis, with the potential to bring the city within reach of its target for closing Rikers Island.⁸ We are either committed to complying with the law to close the jails or we are not; we cannot continue to do nothing and shrug our shoulders when the population continues to rise. That is not justice—not for victims, not for incarcerated people, not for their loved ones.

Thank you.

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<https://www.cityandstateny.com/opinion/2025/03/opinion-discovery-rollbacks-indulge-prosecutors-expense-new-yorkers/404080/>

⁷ https://datacollaborativeforjustice.org/wp-content/uploads/2025/04/Discovery_Report-2.pdf

⁸

<https://comptroller.nyc.gov/reports/ensuring-timely-trials/#case-processing-aligned-with-model-national-standards-would-reduce-jail-capacity-need-by-over-1700-beds>



HEARING ON CRIMINAL CASE PROCESSING
CITY COUNCIL COMMITTEE ON CRIMINAL JUSTICE

REMARKS OF CHIEF ADMINISTRATIVE JUDGE JOSEPH A. ZAYAS

Good morning, Chair Brooks-Powers. Thank you and the other members of this committee for organizing today's hearing on a truly important subject, the processing of criminal cases in New York City. The efficient management of criminal cases is something that I have long cared deeply about, having served for many years as a trial judge and an Administrative Judge. Now, as the Chief Administrator overseeing the operations of all of New York State's trial courts, one of my highest priorities is the implementation of policies and procedures that help minimize the delays that too often impede the swift resolution of criminal cases.

Let me start by explaining why this issue is important. For our criminal justice system to be effective and credible, serious criminal cases cannot routinely languish in the courts. Allowing criminal cases to proceed at a pace that lacks an appropriate sense of urgency results in a loss of confidence in the court system's ability to do its job. When, for example, there is a murder in one of our communities and someone is arrested, it should not take two or three years — or even longer, as it sometimes does — for the case to be resolved. Witnesses, affected neighborhoods, and the families of victims deserve better. So too do the individuals who are charged.

Efficiency is not just essential for cases that are resolved in the traditional ways, either with a plea bargain or a trial. It is also critically important to the efficacy of our problem-solving courts, which provide diversion opportunities for individuals with substance use disorders and mental health issues, victims of human trafficking, adolescents and emerging adults, veterans, and others. It should go without saying that the faster we engage these individuals with the services and treatment they need, the more likely these interventions are to be effective.

This morning, I'm excited to highlight all the things the court system is doing to address case delays. But, just as importantly, I'm going to suggest several ways in which other justice system stakeholders must step up if we're going to achieve the goal that I know is so important to the Council: reducing the jail population to around 4,000, so that it can be accommodated by the

borough-based jails.

The bottom line is this: improving case processing efficiency in high-volume courts like New York City's is not easy. It truly requires an all-hands-on-deck approach. The simplest reason is that, while we like to believe that judges have the authority to make criminal cases proceed at whatever pace they choose, in actuality, there are many factors that affect case processing that are beyond the court's control.

To list just a few:

- Cases get delayed when it takes the prosecution months to provide all of the discovery that the defense is entitled to under New York's robust discovery law — which sometimes results from a lack of effective coordination between prosecutors and the NYPD.
- Cases get delayed because defense attorneys have a constitutional obligation to carefully review the discovery they receive — the hundreds, or even thousands, of pages of police reports and medical records, along with the hours of body camera footage recorded by the officers who responded to the scene.
- Cases get delayed when a defendant who has been found unfit to proceed must wait months before they can begin receiving competency restoration services at an OMH hospital.
- And, perhaps most frustrating of all, cases are delayed when private defense attorneys have dozens of paying clients from across the city — far more than a solo practitioner can responsibly manage — but choose not to hire associates to help handle their caseload.

These are not excuses. But they're facts. And, if we're going to improve case processing in a long-term, sustainable way, we need to be realistic about the myriad challenges.

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So, what is the court system doing about case processing? For starters, we are urging judges and court attorneys to take a more proactive approach to case management — and giving them the tools and resources to do so effectively. Throughout New York City's Supreme Courts (where indicted felony cases are handled), judges are now issuing scheduling orders that set clear timelines for getting through the case's preliminary stages. These orders establish deadlines for the

production of discovery by the prosecution, as well as for the defense to raise issues with the People's discovery compliance. And they mandate court attorney-led conferences with the parties which provide a forum for discovery disputes to be resolved efficiently, hopefully without the need for time-consuming motion practice. Importantly, these conferences also encourage early discussions about case resolution. In Brooklyn, where we first began issuing these orders at the end of 2024, an Executive Assistant District Attorney attends every conference and makes a plea offer, which helped contribute, in 2025, to a nearly 100% increase in the number of dispositions in the two court parts that were part of the pilot.

Perhaps this scheduling order initiative doesn't sound groundbreaking. But it is. When I was a public defender, and also when I was judge, it was basically unheard of for judges in New York City's criminal courts to issue scheduling orders. But for reasons that almost go without saying, it's best practice for judges at the beginning of every case to set clear scheduling expectations, so that the parties understand that the case is going to proceed on the court's timeline, not theirs.

We've also set up infrastructure in each borough to ensure that homicides, felony sex crimes, multi-defendant gang prosecutions, and other complex matters, which tend to be difficult to resolve, move towards disposition. There are many reasons these types of cases get delayed. The discovery can be voluminous; plea bargaining is more fraught; and scheduling is complicated because, even in New York City, we have too few lawyers on both sides handling the most serious criminal cases. This is why we've hired experienced court attorneys in each of our Supreme Courts to aggressively conference these cases, identify barriers to progress, and develop firm plans for moving beyond them.

In addition, over the past two years, we have significantly ramped up the number of nonjudicial personnel serving in our problem-solving courts. Statewide, we have added nearly 100 project directors, case managers, and resource coordinators, amounting to a 30% increase in programmatic staff, which has allowed us to reduce caseloads in some of our busiest courts, particularly in New York City, and open new ones. In fact, last year, problem-solving courts in the City's Supreme Court's served over 3,100 New Yorkers, nearly 1,000 more than we served in 2022. And credit for that must be shared with our District Attorneys, who have demonstrated a laudable commitment to alternative forms of accountability in criminal cases.

We are, indeed, focused on improving case processing efficiency from every conceivable angle. We've established dedicated positions in each borough to coordinate with the New York

City Department of Correction (“DOC”) on issues related to the production of defendants that can stall cases. And we’re now meeting regularly with representatives from City Hall on a range of issues of mutual concern, with case processing at the very top of the list. (We’d be happy to meet more regularly with members of this Committee as well.) We were also successful at getting the State Legislature to pass one of our program bills — which we hope the Governor will sign — that would give judges the authority, when the parties consent, to dispense with recidivist sentencing provisions and plea-bargaining restrictions that can make the resolution of certain cases very difficult. Finally, we are, at last, rolling out electronic filing in the City’s Supreme Criminal Terms, starting last fall in Brooklyn, expanding earlier this spring to Staten Island, and with Manhattan currently in the implementation phase.

I am pleased to report that the early results of these efforts are quite promising. Every borough in New York City had more dispositions last year than it did in 2024. Brooklyn, where we first piloted this work in late 2024, saw a substantial 15% increase. And citywide, dispositions increased by 10%. That positive trend is continuing. So far this year, dispositions in our Supreme Courts are up another 11%. And we are resolving cases significantly faster than new filings are coming in; our year-to-date “clearance rate” — which reflects the percentage of cases that have been disposed, compared to how many were filed — is 125%. Another positive data point: at the end of 2021, as we began to emerge from the pandemic, we had 781 cases that were over two years old with incarcerated defendants. Earlier this year, that number dipped below 500 for the first time since 2020.

We can do better, though. But, as I said, we need the help of other justice-system stakeholders to continue to move the needle. Let me start with discovery. New York’s discovery statute says that, in cases in which the defendant is incarcerated, discovery must be provided within 20 days of arraignment. In New York City, this deadline largely remains an aspiration. I am not unsympathetic to the fact that our discovery laws are extremely onerous, and I know that the City’s District Attorneys take their discovery obligations seriously. But I hope that, this morning, we can have a serious conversation about when compliance with the discovery deadlines that were a key component of the 2020 criminal justice reforms will become the norm. Because the fact of the matter is this: cases rarely resolve before discovery is complete. If discovery were routinely produced in 20 or 35 days, rather than 60 or 90 — or even longer — cases would be resolved much faster. Put more simply, if one of the central selling points of discovery reform — that earlier,

broader disclosure of case information would facilitate earlier case resolutions — is going to be realized, we need to actually have earlier disclosure.

This brings me to my next point. In New York, 98% of criminal convictions are the result of guilty pleas, not trials. The observation that “plea bargaining is not just some adjunct to the criminal justice system; *it is the criminal justice system*,” is unquestionably true. Whatever the downsides of this state of affairs, the fact is that a vanishingly small percentage of criminal cases are tried. Nevertheless, in many cases in New York City, including many relatively straightforward cases, prosecutors do not make plea offers in a timely manner. While there may be strategic reasons for the defense to tolerate, or even encourage delay, that is almost never true for prosecutors. From the perspective of prosecutors, criminal cases typically do not get better with age. But judges do not control plea bargaining; prosecutors do. So, another issue that I hope will be discussed today is whether our District Attorneys will commit to engaging in plea bargaining earlier in most cases.

The defense bar, too, is essential to improving case processing efficiency. Private attorneys assigned as counsel to represent criminal defendants pursuant to County Law Article 18-b — “18-b attorneys” — consistently litigate around 50% of the cases that go to trial in New York City. But, [as a recent report from the New York City Bar Association highlighted](#), the New York City Assigned Counsel Plan (“ACP”) administration is understaffed and under-resourced and is thus unable to provide panel attorneys with the support that they need. In fact, according to the Bar Association’s report, “since 2018, [the Mayor’s Office of Criminal Justice] has failed to access over \$50 million that [Indigent Legal Services] has allocated to the NYC ACP under two separate contracts.” I hope the new Mayoral administration will work quickly to address these issues.

I also want to encourage the public defender organizations to give fair consideration to case-processing initiatives when we propose them. Obviously, we need their cooperation, as well, to make progress in this area.

Finally, the City can help too by, among other things, adequately funding the programs and services to which our problem-solving courts refer defendants. We are committed to continuing to expand these courts, but that expansion will only be impactful if there is a corresponding increase in service provider capacity.

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Despite the challenges I've just laid out, I am optimistic that we can continue to make significant improvements to case processing efficiency in New York City. As I hope I've shown, the court system is deeply committed to this work. We now have a Mayoral administration that shares this commitment, and a City Council that desperately wants to see the jails on Rikers Island close. We are also fortunate, at this moment, to have five forward-thinking District Attorneys, and a sophisticated, passionate defense bar. For all of these reasons, I believe the time is ripe for a renewed commitment by all stakeholders to efficient case processing that does not sacrifice fairness to either prosecutors or defendants. Working together, we can do this.

I'm happy to answer any questions that the Chair and the other committee members have about this topic.



ASIAN AMERICAN
LEGAL DEFENSE &
EDUCATION FUND

Testimony of Jane Shim
Director, Anti-Asian Violence
Asian American Legal Defense and Education Fund

Before the New York City Council Committee on Criminal Justice
June 25, 2026

My name is Jane Shim, and I am the Director of Anti-Asian Violence at the Asian American Legal Defense and Education Fund (AALDEF). I submit this testimony on AALDEF's behalf and thank the committee for the opportunity to testify.

AALDEF is a national legal organization that protects and promotes the civil rights of Asian Americans through litigation, advocacy, education, and organizing. Throughout our fifty years in operation, AALDEF has worked with individuals facing racial violence and harassment, from representation of Muslim New Yorkers after 9/11 to advocacy for people of Asian descent targeted during the pandemic. We have also hosted community initiatives that increase access to healthcare for all New Yorkers, regardless of what language you speak, your immigration status, or how much money you make.

During the pandemic, President Trump relentlessly blamed China for the pandemic and racialized the virus through his rhetoric. This grew into blaming not just China the country, but Chinese people and Asian people in general for the pandemic. Predictably, many Asian Americans were targeted, seriously injured, and even killed during this period. Some of the assailants had untreated mental illness at the time of the attacks.

As our communities grasped for solutions, criminal cases often only made the trauma and harm worse. That is why our Anti-Asian Violence program advocates to address the root causes of violence and harm instead of pushing for more police or harsher sentences, which harm many Asian Americans who have negative interactions with law enforcement or have historically been surveilled, targeted, and hurt by police.

AALDEF supports the Treatment Court Expansion Act (S4548/A4869) (TCEA) because it is a root cause solution. This bill makes mental health treatment more accessible and streamlines the process for people to apply for diversion programs. It proposes not only to divert these individuals out of jail and into community-based treatment and wraparound services, but provides a clear, streamlined, fast-tracked route to do so. Critically, this would reduce the time an individual spends waiting for the prosecutor, their attorney, and the judge to review their health records, and would end the practice of prosecutorial gatekeeping that squanders months of critical time while an individual languishes in jail. This prolonged and unnecessary jail time only exacerbates the individual's mental illness, fueling a dangerous cycle. By increasing access to care, TCEA addresses underlying conditions that can lead to criminal legal system



ASIAN AMERICAN
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involvement, shortening present jail stays and preventing future ones. This helps increase safety and well-being for everyone in our communities.

Nearly all survivors we support share a common goal: in coming forward, they hope that they can help someone else like them from being harmed in the future. The Treatment Court Expansion Act does exactly that. It is an opportunity for the state to prevent future harm before it happens. We urge the city council to support this critical piece of legislation.



**TESTIMONY ON BEHALF OF THE NEW YORK CITY ALTERNATIVES TO
INCARCERATION AND REENTRY COALITION
New York City Council Committee on Criminal Justice
Oversight Hearing: Improving Court Operations to Reduce the Jail Population**

June 25, 2026

Thank you to Chair Brooks-Powers and members of the Committee on Criminal Justice, for holding this oversight hearing on improving court operations to reduce the jail population.

My name is Megan French-Marcelin, and I submit this testimony on behalf of the New York City Alternatives to Incarceration and Reentry Coalition, a network of 12 community-based provider organizations that collectively serve more than 69,000 New Yorkers each year. For more than four decades, community-based alternatives to incarceration (ATI) and reentry programs in New York have demonstrated that stabilizing behavioral health, connecting people to care, and providing sustained supports reduces incarceration and re-arrest. That experience is directly relevant to today's hearing because New York City cannot reduce the jail population or close Rikers without changing who is sent there in the first place.

New York City has a legal mandate to close Rikers Island. That mandate will not be met by moving people through a violent and failing jail system more efficiently. It will be met by reducing the number of people sent there in the first place, and court operations are central to that work. As of today, there were 6,631¹ people in New York City jails. About 85 percent of the jail population is held pretrial, meaning most people in city jails have not been convicted of a crime.² Many are detained not because jail is necessary, but because the court process does not identify and act on community-based options early enough.

That is why ATI and diversion cannot be treated as late-stage exceptions. Every person should be screened for the broadest legally available ATI or diversion option at arraignment, and courts should continue reassessing eligibility as new information about mental health, substance use, housing instability, treatment needs, or community supports becomes available.

This is especially urgent for people with serious mental illness and substance use disorders. Rikers has for decades warehoused New Yorkers with serious mental illness and substance use disorder without the capacity to provide adequate or sustained treatment. Rikers is not care. It is a dangerous, destabilizing jail

¹ Vera Institute of Justice, "Jail," *New York Data Hub*, snapshot of New York City jail population, June 17, 2026, accessed [access date], <https://www.vera.org/nv-data-hub/jail>.

² Michael Rempel, Krystal Rodriguez, Kellyann Bock, Yonah Zeitz, gabriel sayegh, and Melanie Dominguez, *Rikers Island and Mental Health: Pathways Toward Community-Based Diversion and Jail Population Reduction* (New York: Data Collaborative for Justice at John Jay College and Katal Center for Equity, Health, & Justice, November 2025), 2.

complex where people routinely decompensate, miss treatment, and are exposed to conditions that amount to torture and abuse.

Recent data show that the share of people in New York City jails receiving mental health services climbed from 44 percent to 60 percent between 2020 and 2025, while the share diagnosed with serious mental illness rose from 17 percent to 22 percent. The same data show that, as of October 31, 2025, people needing mental health services had been held for 281 days, compared to 212 days for people not needing those services.³ Those longer stays are exactly the kind of harm that slow screening, drawn-out assessments, and late diversion decisions can deepen. This is not only a mental health crisis. It is a court operations crisis.

Court and diversion delays are key drivers of the jail population. When people sit at Rikers while parties gather duplicative records, wait for separate reviews, or seek prosecutorial approval before a judge can fully consider diversion, the City is using jail as a waiting room. That does not make communities safer. It deepens harm, worsens illness, increases instability, and keeps jail beds full.

The Council should press the Office of Court Administration (OCA), District Attorneys, and court stakeholders to make ATI and diversion screening early, routine, and meaningful across New York City. OCA should issue guidance making clear that ATI and diversion should be considered as broadly as the law allows, whether or not a case is before a specialized diversion judge. Judges should be encouraged to look at the whole person—their needs, available community-based supports, and the actual question of public safety. Charge category or prosecutorial gatekeeping should not end the inquiry before clinical need and community safety can be assessed.

That requires a better process. Courts should establish clear procedures for individualized assessments before or immediately after arraignment, including mental health and substance use screening, housing and treatment-needs assessments, and immediate communication of appropriate community-based release options to the court.

Courts should not require multiple actors to repeatedly collect and review the same medical records before diversion can be considered. Where clinical need is documented or actively presenting, court stakeholders should rely on one shared clinical assessment and move the case toward an appropriate treatment option quickly. For people who are admitted to Rikers, courts should receive updated clinical and treatment information promptly so that jail intake does not become the end of the diversion conversation.

Screening only matters if judges have real community-based options available. The City must ensure that ATI and reentry providers have the resources to accept referrals quickly, serve people with complex needs, and provide the sustained supports that jail never has.

Rikers has not made New York City safer. Resourced communities do. We call on the Council to press the Office of Court Administration, District Attorneys, and court stakeholders to adopt early, routine screening for ATI and diversion eligibility, broaden judicial consideration of diversion, streamline clinical

³ Rempel et al., *Rikers Island and Mental Health*, ii.

and eligibility review, reduce prosecutorial gatekeeping, and invest in community-based programs that allow people to remain safely in the community.

ATI and diversion are not add-ons to the work of closing Rikers. They are one tool the City must use to stop filling Rikers in the first place. Community-based alternatives should be presumed from the start, not considered only after jail has already caused harm.

THE BRONX DEFENDERS

New York City Council
Committee on Criminal Justice

June 25, 2026

Written Testimony of The Bronx Defenders
By Wesley Caines

Chair Brooks-Powers, and Committee Members, thank you for the opportunity to testify. My name is Wesley Caines, I am the Deputy Executive Director at the Bronx Defenders, and a formerly incarcerated member of the Bronx community. The Bronx Defenders is a public defender non-profit that is radically transforming how low-income people in the Bronx are represented in the legal system. Each year, our holistic teams defend more than 20,000 low-income Bronx residents in criminal, civil, child welfare, and immigration cases.

Introduction

We appear before the council to testify on how the city can effectively reduce the jail population. While discussions about court operations are important, we cannot meaningfully address the jail population without first acknowledging what drives people into the system in the first place. The population at Rikers is driven by arrests, overpolicing, and decades of underinvestment in the communities most impacted by the criminal legal system. If the City is serious about reducing the jail population and closing Rikers, it must invest in communities and reduce unnecessary contact with the legal system before people ever reach a courtroom or jail cell.

The Harm of Broken Windows Policing and Low-Level Enforcement

First, the city must end the continued – and in fact, renewed -- reliance on broken windows policing that we know does not make communities safer. Far too many New Yorkers continue to be arrested and funneled into the criminal legal system for conduct that poses little threat to public safety. Custodial arrests for offenses such as fare evasion or occupying multiple subway seats do not make communities safer. After falling ~16% on average year over year from 2014 until a record low in 2020, low level policing has been growing steadily ever since. Low level arrests in 2025 were up ~16.2% from 2024, ~55% from where they were in 2019, and ~193% from where they were in 2021, totaling the most arrests in a year since 2017. Recent reports show that the number of people arrested for lying down or taking up more than one seat on the subway went up 3,000% in 2025 compared to 2024¹. 2025 arrests for possession of controlled substance were up ~136% from 2022 totals. Petit larceny arrests in 2025 were up ~35% from 2022 totals and 2025 had the most petit larceny arrests since 2014 and the second most since

¹ Max, S. (April 27, 2026). *Court cases for sleeping, spreading out on the subway surge under NYPD crackdown*. Gothamist.

THE BRONX DEFENDERS

2006. These numbers make clear that New York City is moving backward, increasingly relying on police to respond to poverty, homelessness, treatment and behavioral health needs. Every one of these arrests represents a person whose life was further destabilized by criminal legal system involvement, often for conduct that poses little threat to public safety but carries lasting consequences for employment, housing, family stability, and health.

We know that firsthand from our experiences in arraignment courtrooms across the city. For instance, arraignments for cases where the most serious charge is low level drug possession have steadily increased every year since 2021 (when this data first became available) and are up over **200% city wide from 2021 to 2025 -- 339% in the Bronx** (the borough with the highest increase). A majority of these low-level drug cases are ultimately dismissed, highlighting that these are cases that never should have been prosecuted in the first place – prosecutions that disrupt lives, congest courtrooms, and divert resources from communities. What is more, the negative impact of increased law enforcement focus on low-level drug offenses is felt most harshly in Black and brown communities. **Almost 80% of people arraigned for low level drug possession are Black and/or Hispanic.**

The City must reject calls to increase the NYPD's headcount and instead invest in housing, education, youth opportunities, mental health services, and violence prevention programs. The Bronx is directly affected by the proposed addition of 200 officers to Bronx communities and the recent split of Bronx borough commands. We know that public safety is built through investment in communities, not increased policing.

The city must also end its reliance on police as the default response to behavioral health crises. Too often, New Yorkers experiencing mental health crises, substance use challenges or co-occurring disorders have been met with punishment instead of care, pushing them deeper into systems that are not equipped to address their needs. The Office of Community Safety should continue overhauling and strengthening non-police crisis response models that connect people to care instead of criminalization.

The Urgent Need to Fund Community Based Services Before System Involvement

Reducing the jail population requires upstream investment in community-based services. Many of our clients struggle to access mental health treatment, substance use services, supportive housing, and other critical resources. We need increased investment in Intensive Mobile Treatment teams, Assertive Community Treatment teams, and residential treatment for clients on methadone and with dual diagnoses. Most importantly, these programs need to be accessible to people *before* someone enters the criminal legal system. Too often, support becomes available

THE BRONX DEFENDERS

only after an arrest. We must invest in the kind of support and programs that make it less likely people will end up in the system at all.

Not every person with an identifiable need requires court intervention. Just as we should not expect the NYPD or DOC to function as default mental healthcare providers, we should not expect the courts to serve as the primary provider of services. We need robust community-based systems that allow people to access support voluntarily and without criminal legal system involvement.

Conclusion

Ultimately, the most effective way to reduce the jail population is to reduce the number of people entering the system at all. That requires ending unnecessary low-level policing, investing in communities, expanding access to community-based services, and ensuring that support is available long before a person reaches a courtroom or a jail cell. Thank you.

TESTIMONY OF:

Yung-Mi Lee

Director, Law and Appeals

BROOKLYN DEFENDER SERVICES

Presented before

The New York City Council

Committee on Criminal Justice

Oversight Hearing on Improving Court Operations to Reduce the Jail Population

June 25, 2026

My name is Yung-Mi Lee and I am the Director of Law and Appeals in the Criminal Defense Practice at Brooklyn Defender Services (BDS). 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. We want to thank the Committee on Criminal Justice and Chair Brooks-Powers for the opportunity to testify today about the strategies needed to improve court operations to meaningfully reduce the city's jail population.

For 30 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. After 29 years of serving Brooklyn, we expanded our criminal defense services to Queens. We represent over 40,000 people each year who are accused of a crime, facing the removal of their children, or facing deportation. Our staff consists of attorneys, social workers, investigators, paralegals and administrative staff who are experts in their individual fields. BDS also provides a wide range of additional services for our clients, including civil legal advocacy, assistance with the educational needs of our clients or their children, housing and benefits advocacy, as well as immigration advice and representation.

Decreasing the population at Rikers Island should be a paramount priority for New York City. Deplorable, violent and neglectful conditions have persisted at crisis levels on Rikers Island for decades and the lives of thousands of New Yorkers have been invariably damaged and remain at risk. The current population at Rikers is over 6,600 people. Tragically, four people have died in Department of Correction custody in 2026. The use of force, lack of consistent and adequate medical care, extended lock-ins, lack of programming, and arbitrary practices pervade the daily life of people in custody.

Thousands of the people we serve each year are detained or incarcerated in New York City's jail system either while fighting their cases in court or upon conviction of a misdemeanor (or less serious felony) and a sentence of a year or less. As public defenders representing people held in the custody of the Department of Correction, we see every day the profound human cost of incarceration. Through our work in the jails, our staff addresses urgent needs related to basic civil rights and conditions of confinement for our clients who are incarcerated. We work to secure access to essential medical and mental health care, and address safety and education needs through individual administrative advocacy, participate in Board of Correction (BOC) hearings and numerous working groups. We monitor and document the conditions inside New York City's jails and advocate for the rights, safety and protection of those inside these facilities.

We are hopeful that New York City is on the threshold of change. With Commissioner Stanley Richards at the helm of the Department of Correction and the appointment of Nicholas Deml as the remediation manager for Rikers, NYC has a unique opportunity for impactful change¹ within our jail system and to bring an end to excessive use of force, the culture of neglect and degradation, extended lock-ins and solitary confinement, and lack of basic necessities such as mattresses, food, clothing, and health care. The City Council can partner with the Mayor and agency commissions to help improve court functioning and decrease the jail population. We respectfully offer the following recommendations:

I. Courts Must Treat Pretrial Liberty as the Rule, Not the Exception

BDS urges the Council to treat pretrial detention as a policy choice—not an inevitability. The city cannot close Rikers, reduce harm, or honor the presumption of innocence while court actors continue to rely on bail and jail as routine case-management tools. The Council should use its oversight authority to demand transparent data, identify the practices that are driving detention, and require concrete corrective action from courts, prosecutors, and city agencies.

¹ Raven Blau, 14 People Released From Rikers By New Jail Boss Using Little-Known Power, *The City* (June 25, 2026), <https://www.thecityreporter.nyc/2026/06/25/rikers-early-release-stanley-richards-jail/>.

Despite repeated statewide legislative efforts to ensure that courts give real meaning to the presumption of innocence, New Yorkers continue to be detained pretrial because bail is set in amounts they cannot afford. In practice, money bail too often functions not as a means to ensure return to court, but as a detention order imposed before trial, before conviction, and frequently before the defense has had any meaningful opportunity to investigate the case or present the person's full circumstances to the court.

Judges Must Make Individualized, On-The-Record Findings Before Setting Bail

Judges should be required to explain why release on recognizance, non-monetary conditions, supervised release, court reminders, transportation support, treatment, housing assistance, or other community-based measures are insufficient before imposing bail that predictably results in incarceration. A recent Court of Appeals decision underscored the widespread failure of many courts to make such individualized decisions.² In that decision, the Court reminded bail-setting courts that bail decisions require individualized determinations of flight risk and must be explained on the record. New York's bail statutes require courts to consider a broad set of factors, including the person's activities and history, criminal conviction record, record of court appearances, and other individualized facts. Yet in far too many cases, courts reduce the analysis to the seriousness of the charges and the existence of prior convictions, effectively treating accusation as proof and poverty as risk.

Courts rarely give meaningful consideration to the other statutory factors, even though the consequences of pretrial detention are severe. Thousands of people are currently detained at Rikers Island while awaiting trial, and a substantial portion of that population has identified mental health needs requiring discharge planning.³ Many people detained pretrial come from low-income and under-resourced communities, and their incarceration further destabilizes their lives and the lives of their families. Even where a person is charged with a qualifying offense, courts must not assume that detention is justified. Many qualifying offenses do not involve allegations of serious physical harm (a bail factor), and the law still requires an individualized determination that the least restrictive alternative has been considered and found insufficient.

Second, judges must meaningfully consider the ability to pay. Courts should not set bail at amounts that the person and their family cannot afford. The New York State Legislature intended for courts to use the kind and degree of control necessary to ensure a person's return to court and required courts to set more than one form of bail so that people have a meaningful opportunity to

² *People ex rel. Kon v. Lynelle Maginley-Liddie*, 45 NY3d 100 (2025).

³ Kellyann Bock & Michael Rempel, Flagging for Mental Health Needs in New York City Jails: Prevalence and Timing, *Data Collaborative for Justice* (April, 2025), https://datacollaborativeforjustice.org/wp-content/uploads/2025/04/MH_Brief-1.pdf

secure release. That requirement is undermined when courts set alternative forms of bail but make the non-commercial option—partially secured or unsecured—functionally unavailable. Unsecured bonds and partially secured bonds must be treated as real, accessible alternatives—not theoretical options that exist only on paper.

Judges often set partially secured bonds at amounts far higher than commercial insurance bonds, creating the appearance that the courts favor commercial bail bond companies over more affordable statutory alternatives. Even worse, some courts make posting a partially secured bond unnecessarily difficult for sureties, family and friends who come forward to help, by scrutinizing these loved ones in ways that have no meaningful relationship to ensuring a person’s return to court. BDS attorneys have seen sureties chastised for trying to help secure a loved one’s release. Some courts have rejected sureties based on income, even where the surety’s income shows an ability to pay the entire partially secured bond amount. A very recent Second Department decision highlights this ongoing arbitrary practice of disapproving sureties even when paychecks and stable work histories are shown.⁴ These practices punish hardworking families.

Courts should also remove unnecessary barriers to posting bail. In appropriate cases, cash bail should be payable by credit card at the courthouse. Families often do not know that posting bail at Rikers Island can include a significantly higher fee than the standard credit card processing fee available at a courthouse. That difference can push families toward commercial bail bondsmen, who impose additional costs and obligations on already struggling households. Rather than setting credit card bail at a much higher amount than cash bail, courts should allow credit card payment on fair and transparent terms so that the method of payment does not become another barrier to release.

Third, courts should conduct regular bail reviews for every person detained pretrial on bail they cannot afford, particularly where detention has become prolonged, discovery delays have occurred, treatment or housing options have become available, or the person’s circumstances have changed. Bail should not be imposed at arraignment and then allowed to harden into months or years of incarceration without meaningful judicial review. If the stated purpose of bail is to ensure return to court, courts must continuously ask whether detention remains necessary and whether less restrictive conditions would suffice.

Finally, court administrators and supervising judges should use data to identify patterns in bail setting, remand, case delay, and prolonged detention. The City Council should require regular⁵ public reporting that disaggregates bail decisions by borough, judge, charge category, race, gender, age, mental health designation, amount set, form of bail, time to posting, and length of

⁴ *People ex rel. Boksenbaum v. Stanley Richards*, 2026 N.Y. Slip Op. 03256 (2nd Dept. 2026).

⁵ See CPL § 510.20.

pretrial detention. Without transparent data, policymakers cannot determine whether the law is being followed, whether similarly situated people are being treated consistently, or whether court practices are driving the population at Rikers Island.

Prosecutors Must Stop Requesting Jail as the Default

Prosecutors also play a central role in reducing unnecessary pretrial detention. Every bail request, every discovery delay, every refusal to consent to a person's release from pretrial detention, every plea offer that requires jail time, and every opposition to treatment, housing, or community-based support contributes to the size of the city's jail population. Prosecutors cannot publicly support closing Rikers while continuing to request incarceration as the default response in individual cases.

First, prosecutors should presumptively recommend release in the vast majority of cases. Poverty, housing instability, mental health needs, substance use, unemployment, or prior system contact should not be treated as proxies for risk or as reasons to seek incarceration. These are precisely the circumstances in which community-based supports are most necessary. The appropriate response is connection to services, not pretrial jail.

Second, prosecutors should stop requesting bail amounts they know many New Yorkers cannot pay. If the lawful purpose of bail is to ensure return to court, then any bail request must be tied to the person's actual financial circumstances and to a record-based explanation of why less restrictive conditions are insufficient. Prosecutors should not use unaffordable bail as leverage to induce guilty pleas, pressure people to waive rights, or extract case outcomes that would not be accepted if the person were fighting the case from the community.

Third, prosecutors should commit to measurable internal policies that reduce unnecessary detention: presumptive consent to release absent a particularized showing, limits on bail requests, prompt discovery compliance, consent to bail review where cases are delayed, and support for treatment, housing, and supervised release in lieu of incarceration. The City Council should demand transparency from prosecutors about how often they request bail, the amounts requested, the reasons given, the demographics of the people affected, and the case outcomes that follow.

II. Discovery Laws Must be Properly Implemented and Complied With

In criminal cases, discovery is the process by which prosecutors share information with the defense. Much of this information comes from law enforcement: police reports, witness statements, video surveillance, body-worn camera footage, identification procedures, crime scene photos, 911 call recordings and transcripts, witness statements, and more. Even a note on a slip of paper is a part of discovery that could lead to exoneration.

Timely access to evidence is critical for defense attorneys to conduct the investigations, research, and analysis necessary for their clients to receive a complete defense. For many decades in New York, prosecutors and police were not required to provide discovery to people facing criminal allegations or their attorneys until the eve of trial. Instead, people were coerced to plead guilty while blindfolded to the evidence, fueling mass incarceration and wrongful convictions.

In 2019, New York enacted comprehensive discovery reforms to ensure that New Yorkers accused of crimes have timely access to the most important information in their case, bringing New York’s discovery law in line with those of the rest of the country. Yet, every year since its implementation, prosecutors have sought to erode this essential mechanism that restored the promise of due process and fair dealing in our criminal legal system. Indeed, by standing firm in protecting our discovery law and refusing to accept rollbacks, New York’s trial and appellate courts have been able to further interpret and clarify the statute, making clear that the legislative intent of discovery reform never demanded a “perfect prosecutor” but rather one who is duly diligent in their work.⁶ In its wake, trial courts and appellate court decisions in the last few years have shown again and again that cases are not being dismissed on “technicalities” or by defense attorneys exploiting “loopholes.” We must not forget that the intent of our landmark discovery reform was to stop blind pleas at arraignments by creating an enforcement mechanism for the timely and open sharing of evidence collected by the government. The law is not “overly burdensome” or “onerous,” and we ask that the Council works to ensure that the law can be implemented as intended.

It is clear that many discovery implementation issues are the result of both the NYPD’s policing practices and their resistance to turning over evidence to prosecutors. In the last decade, New York, like the rest of the country, has experienced a massive shift in the way that we store and access information, including discovery. Digital storage costs have declined significantly, and digital processing speeds have increased exponentially. Capitalizing on these technical achievements, the NYPD spent millions of dollars on document and case management systems, as well as data collection and storage products (often called surveillance technologies). Partnering with companies like Microsoft and IBM, the NYPD built multiple systems to store, organize, analyze and share collected data, including police reports, body-worn camera videos, and other digitally collected evidence.⁷ Despite using multiple systems internally, modern computer science and data architecture make the sharing of information amongst those systems

⁶ *People v. Bay*, 2023 NY Slip Op 06407 Court of Appeals (2023); *People v. Coley*, 244 A.D.3d 122 (2nd Dept. 2025).

⁷ Some of NYPD’s major internal systems include the NYPD Enterprise Case Management System, Omniform, Z FINEST, and the Domain Awareness System. The NYPD also contracts with outside companies for data collection and storage. For example, NYPD purchases its body-worn cameras and body-worn camera video storage from a company called Axon. Axon provides storage, sharing capabilities, and analysis via its cloud-based platform: evidence.com.

and database instances simple and able to be automated. The NYPD uses those data innovations daily to coordinate, collate, and analyze its numerous data sources. As the NYPD noted almost a decade ago, “[t]he amount of information available through [its] Crime Data Warehouse is astonishingly large and incomparable to other law enforcement and public safety agencies.”⁸

For external sharing, each of the NYPD’s data systems are designed to make the collection and sharing of information—particularly the kind of information required by New York’s discovery statute—quick, straightforward, and simple. However, even though it has never been easier to disclose information electronically in a timely manner, turnover of discovery continues to be inexcusably delayed. These delays can be directly attributed to a fundamental lack of transparency about NYPD’s systems and NYPD’s failure to turn over their records to prosecutors, causing pre-trial delays and backlogs in the court system. It is imperative that the NYPD give prosecutors direct access to their digital evidence systems to facilitate faster compliance with discovery obligations. The NYPD has not done this and is not being transparent about it.

Discovery is a critical tool for defenders to properly investigate a case. Access to discovery is necessary for someone to make an informed decision about their case, ensuring people have the information to decide about whether to go to trial or make an informed plea decision. And it is indisputable that access to discovery minimizes the likelihood of wrongful convictions. We call on the City Council to further investigate the NYPD’s lack of transparency and delays in providing access to records, documents, data, and video content.

III. Prioritize Public Health Response to Mental Health Crises

We urge the Council to prioritize a transformative shift in funding from incarceration, surveillance, and punitive measures to comprehensive mental health care, as this investment will not only address the urgent needs of the populations most in need of services, but will ultimately create a safer, healthier, and more just city for all New Yorkers. Without meaningful investment in mental health services and emergency response systems, we risk perpetuating a harmful cycle that criminalizes people living with serious mental illness rather than providing them the support they deserve, which in turn would make all New Yorkers safer.

Expand Access to Low-Cost Mental Health and Substance Use Treatment

Many of the people we represent have tried for years to access mental health and substance use treatment, but struggle to find providers who accept their insurance, speak their language, or

⁸ NYPD Information Technology Bureau, Developing the NYPD’s Information Technology, <https://www.nyc.gov/html/nypd/html/home/POA/pdf/Technology.pdf>.

have the skills needed to treat complex conditions. They are often discharged from hospitals without proper follow-up care and lack appropriate resources in their communities. People seeking care remain on waitlists for months or years for Assertive Community Treatment (ACT) teams, supportive housing, psychiatric visits or other care they require. Individuals are routinely discharged from psychiatric hospitalization with nothing more than a referral to first-come-first-serve walk-in mental health care and a list of congregate shelters or are outright denied services for requiring a “higher level of care” or having a co-occurring substance use disorder. Left without viable treatment options, they are funneled into the criminal legal system—policed, arrested, and incarcerated when they should be receiving health care.

For people with co-occurring mental health and substance use treatment needs, there is only one long-term, inpatient treatment facility in New York City that accepts Medicaid. This means many people we represent spend months waiting for an opening—often while incarcerated on Rikers Island—or, if they have “failed” programming in the past, do not qualify for treatment. To address the real treatment needs of New Yorkers and address the jail population, it is critical that the city incentivize other dual-diagnosis providers to provide care to accept Medicaid or offer expanded low- or no-cost treatment options.

End Policing as the Default Response to New Yorkers in a Mental Health Crisis

For years, BDS has advocated for the removal of the NYPD from the majority of mental health responses, including emergencies, and for the expansion of mobile crisis teams staffed by trained professionals. While the city has made some attempts to reform its approach to serious mental illness (SMI) through piecemeal legislation and pilot programs, these efforts remain insufficient. Despite the growing recognition of the problem, the NYPD and the criminal legal system continue to be relied upon as the default responders in mental health crises. This reliance not only fails to address the root causes of these emergencies but also puts lives at risk.

The city should continue to invest and build upon the “Crisis to Care” platform⁹ championed by the Progressive Caucus and the city’s new Office of Community Safety must begin to completely overhaul B-HEARD. BDS supports the implementation and expansion of B-HEARD, and we encourage the Council to work with the mayor’s office to ensure this program is fully staffed and funded to meet community needs:

- Clinicians, EMTs, and peers should be available in all boroughs and all neighborhoods to respond to calls in a mental health emergency.
- B-HEARD responders must be fairly compensated to attract and retain high-quality staff, ensuring that New Yorkers in every borough have access to the care they need.

⁹ <https://nycprogressives.com/crisis-to-care/>

- EMS dispatchers must also be trained to appropriately prioritize this response, defaulting to B-HEARD for mental health emergencies. Mental health emergencies account for nearly 10% of all 911 calls in New York, and yet B-HEARD, though improving in response, has only responded to about a quarter of those calls.¹⁰
- B-HEARD must expand its operating hours to become a 24-hour emergency response service.

Pass a New York City Council Resolution in Support of NYS Treatment Court Expansion Act

New York City should commit to creating more off ramps from the criminal legal system. The City Council should call on the state legislature to pass and the Governor to sign the Treatment Court Expansion Act (S.4547-Ramos)/A.4869-Forrest).

In 2009, as part of the Rockefeller Drug Law Reforms, New York State passed the Judicial Diversion Program legislation. Under Criminal Procedure Law Article 216 (CPL §216), this legislation created a pathway for a small subset of people with substance use disorders to avoid prison and potentially have their charges reduced or dismissed after engaging in a course of treatment. This treatment is monitored by specialized court parts in every county in New York. Judicial diversion has successfully enabled thousands of individuals to minimize or avoid a criminal record while receiving the benefit of potentially lifesaving substance use treatment.

Judicial diversion has also realized the saving of tax dollars, from both reductions in reoffending and the decreased costs per capita of treatment versus incarceration. Unfortunately, CPL §216 diversion is limited to people with substance use disorders charged with a short list of crimes related to substance use. The current law leaves behind people who do not live with substance use disorders, but experience other mental illnesses, developmental disabilities, or cognitive impairments that can be effectively addressed through treatment.

People living with mental health issues deserve treatment, not jail. Mental health intervention through courts can decrease the jail population and provide people with access to treatment they would not otherwise receive if incarcerated. This has been shown to increase mental health program enrollment and completion of these programs reduces homelessness, psychiatric hospitalizations, and rates of recidivism¹¹. New York can become a leader in diverting people

¹⁰ Lewis, Caroline. NYC program for non-police 911 response still handles a fraction of eligible mental health calls, Gothamist (Jan. 31, 2024), NYC program for non-police 911 response still handles a fraction of eligible mental health calls - Gothamist.

¹¹ Nazisha Dholakia and Daniela Gilbert, What Happens When We Send Mental Health Providers Instead of Police, *Vera Institute of Justice: Think Justice Blog*, 2021, Available online at <https://www.vera.org/blog/what-happenswhen-we-send-mental-health-providers-instead-of-police>.

with mental health issues out of the criminal legal system and into treatment by passing the Treatment Court Expansion Act.

IV. Address Delayed Transfers to Office of Mental Health Facilities

Pursuant to the Criminal Procedure Law governing mental fitness to proceed with trial under Article 730, when a person is incarcerated at the time a court issues an order of examination of fitness, the examination must be done at the facility where the person is being held.¹² This means people awaiting a mental fitness exam who are incarcerated at Rikers Island, for example, must wait there until they have an exam completed by correctional health services.¹³ As per the city's own data, people requiring 730 examinations remain in jail three times longer than those without serious mental illness.¹⁴ Moreover, if the person is found "unfit" or "incapacitated," they will remain incarcerated until there is a bed available for them at an appropriate institution operated by the NYS Office of Mental Health (OMH). Currently, approximately 200 people are incarcerated awaiting transfer to an OMH facility. The average wait time is more than five months.

The lack of resources for mental health treatment in this area, including lack of trained and licensed personnel and available bed space at appropriate facilities, such as Kirby Forensic Psychiatric Center and Mid-Hudson Forensic Psychiatric Center, is causing people to languish in city jails without appropriate treatment.¹⁵ Another solution exists and is authorized under Article 730. Defense attorneys continue to seek alternatives such as outpatient restorations. OMH utilizes local city hospitals such as Kingsboro, Metropolitan and South Beach. However, without appropriate funding, outpatient restoration services will remain limited and prosecutors will continue to refuse to consent to outpatient restorations.

As discussed above, city jails, and Rikers Island in particular, are ill-equipped to treat those with mental illness. The longer a person remains incarcerated at a city jail without proper treatment, the harder their condition may be to treat, and the more resources it may require to help them stabilize and return to baseline functioning, and rejoin their homes and communities. We urge the City Council to require transparency and accountability. For anyone incarcerated at Rikers, OMH should be required to report on a quarterly basis its decisions on specific designations (Kirby, Mid-Hudson or Manhattan Psychiatric), the wait times for each facility and individual,

¹² CPL 730.20 (3)

¹³ According to MOCJ, as of May 31, 2021, about 140 people who were classified as held in jail for a miscellaneous "other reason" are, 53 in fact, jailed pending a mental competency examination per CPL § 730.2.

¹⁴ <https://www.nychealthandhospitals.org/pressrelease/health-system-streamlines-psychiatric-evaluations/>

¹⁵ New York State Nurses Association, A Crisis in Inpatient Psychiatric Services in New York State Hospitals, 2020, Available online at <https://www.nysna.org/sites/default/files/attach/ajax/2020/08/Psych%20Whitepaper%20NYSNA.pdf0>.

and the length of stay at each facility. Finally, because outpatient restorations are authorized, OMH should be required to report on the number of out-patient restorations at each local hospital as well as the length of treatment to treat and restore each individual.

V. End the Criminalization of Poverty and Broken Windows Policing

The NYPD is increasingly policing poverty and untreated mental illness or behavioral health needs. This undermines both safety and public health. Waitlists and backlogs to access social services that address the needs of people with mental health and substance use concerns, as well as the houselessness and food insecurity that are the underlying causes of many arrests, should be eliminated. As public defenders, we see people in crisis who are far too often met with legal system involvement, when they should have been met with care. We must free up resources for cases and clients whose needs actually require court intervention. We call on the City Council to use its oversight power to question NYPD Commissioner Tisch as to her ramping up of quality of life policing efforts and require her to justify these low-level arrests, which over the last year have steadily increased the number of court cases and the number of people incarcerated at Riker's Island.

We call on the City Council to continue to question NYPD on their overuse of in-custody arrest rather than issuing appearance tickets for low-level offenses as required by law¹⁶. At least nine New Yorkers died in NYPD custody in 2025, three of them inside local courthouses waiting to be arraigned on low-level charges.¹⁷ This year, at least three people have died in NYPD custody while awaiting to see a judge and another person gave birth while detained in arraignments.

NYPD routinely violates Criminal Procedure Law (CPL) §150.20, which requires them (with limited exceptions) to issue appearance tickets in lieu of arresting individuals charged with violations, infractions, misdemeanors, and certain class E felonies. Custodial arrests for low-level charges are on the rise, are illegal and unwarranted, and contribute to people with medical conditions and mental health issues entering precincts and jails in which NYPD is not equipped to provide needed medical attention.

Additionally, prosecutors' disparate handling of violation and misdemeanor complaints, combined with overly harsh emphasis on pre-arraignment detention rather than issuing appearance tickets as mandated by law (CPL 150.20), should be examined by the City Council. Many of these policies exacerbate NYPD's improper use of in-custody arrests and illegal stop and frisk practices, which can ultimately contribute to the deadly nature of pre-arraignment

¹⁶ [Letter re: 10 point plan to address NYPD in-custody deaths](#)

¹⁷ Yoav Gonen and Reuven Blau, Deaths in NYPD Custody Doubled in Recent Years (Sept. 17, 2025), <https://www.thecity.nyc/2025/09/17/deaths-nypd-custody-doubled-2023-2024/>

incarceration. The practice of denying appearance tickets on petit larceny cases because of a potential order of protection for allegations of theft alone should be examined and reformed. Prosecutors, in conjunction with the courts, should organize amnesty days so people can clear old bench warrants without fear, and prosecutors should dismiss outstanding summons part (SAP) warrants.

Conclusion

The city cannot close Rikers, reduce harm, or honor the presumption of innocence while court actors continue to rely on bail and jail as routine case-management tools. The Council should use its oversight authority to demand transparent data, identify the practices that are driving detention, and require concrete corrective action from courts, prosecutors, and city agencies. At the same time, the city must invest in the supports that actually help people return to court and remain stable in the community: housing, transportation, treatment, peer support, mental health care, voluntary services, and defense access. We thank the Committee on Criminal Justice and Chair Brooks-Powers for the opportunity to address this important issue of how we can decrease the numbers of people being held inside our city's jails. If you have any questions, please do not hesitate to contact me at ylee@bds.org.



Hello, Chair Brooks-Powers members of the City Council. I'm Nadia Chait, the Senior Director of Policy & Advocacy at CASES. At CASES, we serve over 12,000 New Yorkers annually, guided by our core belief that public safety comes from investing in people's potential, not their punishment. Mental illness, poverty, and homelessness are conditions, not crimes, and our communities are safer when we treat these issues with care, holistic treatment and sustained engagement.

Our programs keep people in their communities and provide the services people need to end their involvement with the criminal legal system and transform their lives. We are pleased by our strong partnership with the Courts, and the trust judges have in our programs.

Ensure Supervised Release Fidelity

Supervised release provides a significant opportunity to reduce the population on Rikers, by providing a way for people to stay in the community while they have pending charges. CASES operates the supervised release program in Manhattan, which served over 7,600 individuals last year. 96% of participants have no violent felony rearrest while in the program, and over 1,400 individuals engage in additional, non-mandated services. Supervised release has 5 different levels of supervision, determined by a validated risk assessment tool developed by the New York City Criminal Justice Agency. This tool considers a number of important factors when determining if someone is appropriate for supervised release, and at what level. These factors include previous bench warrants and how long ago these were, previous convictions, pending cases, housing stability and phone access. When judges adhere to the release assessment, supervised release is more successful: clients in need of more intensive services receive them, while individuals who just need some reminders get the light touch that helps them. Judges regularly deviate from the release assessment, however. This overprogramming can strain program resources and puts individuals at a higher risk of not meeting a program mandate. *MOCJ and OCA must continue to partner to hold ongoing trainings for all judges sitting in arraignments on the release assessment, and why fidelity is important.*

Expedite Access into Diversion Parts

The court system has expanded the number of alternative to incarceration court parts in recent years, providing dedicated parts where individuals can more readily access the treatment and services they need instead of incarceration. Unfortunately, it can still take many months for individuals to be accepted into a diversion court and released. The courts should evaluate whether there are ways to expedite access to diversion, with a particular focus on speeding up access for currently incarcerated individuals. Streamlining access to medical records and allowing for a shared assessment among



judges, district attorneys and defenders would eliminate some existing delays that occur when there are three different reviews.

Expand Access to Diversion at Arraignment

Many of our clients are street homeless and experiencing mental health challenges at arraignment. Judges are often hesitant to release these individuals. However, if there was low-barrier housing that could be rapidly accessed at arraignment, combined with supervised release, judges would be more willing to release these individuals. MOCJ should fund hotel-style transitional housing with direct access for street homeless individuals at arraignment, similar to the COVID reentry hotel model. In addition, the City should work with the State to use Intensive and Supportive Crisis Stabilization Centers for individuals with significant mental health needs at arraignment. Admission criteria for these programs is not always clear, but when available to our clients, the robust services provide for quick stabilization that allows clients to remain in the community successfully.

The Courts can be a helpful partner in reducing the jail population. However, a significant driver of the population on Rikers Island currently are policing practices that increase New Yorkers risk of system involvement and incarceration. The NYPD's expansive quality of life policing has widened the front door of the criminal legal system, resulting in many more New Yorkers experiencing arrest, prosecution and incarceration. Hiring 580 additional officers will simply worsen this problem. For the City to truly drive down the population on Rikers Island, it must invest instead in mental health care, supportive housing and other programs that meet people's needs, instead of continuing the failed practice of broken windows policing.

Please reach out to me with any questions at nchait@cases.org.



**Testimony before the New York City Council Committee on Criminal Justice
Oversight - Improving Court Operations to Reduce the Jail Population
June 25, 2026**

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 legal 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 jails remain in a deadly crisis. We simply cannot afford to incarcerate our way to public health and safety. We must invest in our communities, not continue to throw money at the humanitarian disaster that is Rikers Island. We urge this Committee and the Council to take urgent action to release incarcerated persons, stop sending people to Rikers, and protect the human rights of all New Yorkers.

As you well know, 60% of those on the Island have mental health conditions, 85% are there pre-trial, and 90% are of color. Yet many of them remain jailed for months and years, subject to inhumane conditions, staff brutality, solitary confinement, and denial of adequate medical care. They need treatment and affordable housing, not to be locked up.

More than 1,500 of these New Yorkers have been incarcerated for over a year in deplorable conditions.

Decarcerate Now!

To reverse the disastrous policies that have led to a surge in the jail population, we are calling on you and the Mayor to institute a multi-pronged, multi-entity effort to significantly reduce the jail population. Building on successful efforts during the height of the COVID-19 pandemic to do just that, judges, public defenders, prosecutors, executive agencies, the Department of Correction, the Board of Correction, the Remediation Manager, and community leaders should work together to safely release people from Rikers, reduce the number of people entering the jails, and shorten the length of time people are spending in the jails.

We urge you to focus in particular on releasing people aged 25 and younger, and those incarcerated persons with mental health conditions.

Now is the time to enact legislation to expand work release, education release, and other forms of release, including for people who are held pre-trial and people held for a sentence of a year or less. Such legislation should ensure that all people, including those held pre-trial, are not subject to inordinate lengths of incarceration.

- The Mayor and the Department of Correction should also release people under Article 6A of the Corrections Law.

- The Mayor and the Department of Probation should release eligible individuals through [local conditional release](#) under Article 12 of the Corrections Law.
- The Mayor should champion and expand investment in alternatives to incarceration (ATIs) and community-based organizations (CBOs).
 - While the City has previously funded ATI programs with strong outcomes, these investments have not yet been scaled to meet the need.

Expanding these proven approaches would promote public safety, reduce recidivism and reincarceration, and advance a more just and effective legal system.

Improve Access to and Availability of Mental Health Services to Sustain Decarceration

To ensure successful diversion, and prevent people from going to Rikers in the first place, New York City's mental health infrastructure should be strengthened to provide the necessary supports for people, especially for children and young adults, who are navigating behavioral health challenges. Home- and community-based mental health services play a critical role and should receive sustained, adequate funding to meet the complex needs of the communities they serve.

The Mayor should also support the Treatment Court Expansion Act (S4547/A4869), which would establish a legal framework for comprehensive, equitable access to treatment courts throughout New York State. While ad hoc mental health courts currently exist, they operate without a consistent governing statute, leading to uneven practices and admission standards across the City.

Thank you for the opportunity to submit testimony.

Sincerely,



Daniele Gerard
Lead Counsel
dgerard@childrensrights.org



Jails Action Coalition and HALT Solitary Campaign
Testimony before the City Council Criminal Justice Committee
Re: Oversight - Improving Court Operations to Reduce the Jail Population
June 25, 2026

Thank you to Chair Brooks-Powers and members of the Criminal Justice Committee for holding this critical hearing.

The New York City Jails Action Coalition (JAC) is a coalition of activists that includes formerly incarcerated and currently incarcerated people, family members and other community members who are working to promote human rights, dignity and safety for people in New York City jails. Since its formation in 2011, JAC has been at the forefront of the struggle to reduce the number of people incarcerated in the city jails, end solitary confinement, ensure access to medical and mental health care, and promote basic minimum standards and human rights for people incarcerated.

The HALT Solitary Campaign is a New York statewide coalition led by people who have survived solitary, family members who have or who have lost loved ones to solitary, and other leaders in the human rights, advocacy, health, and faith communities. Comprised of more than 400 organizational supporters, the HALT Solitary Campaign aims to end the torture of solitary for all people and create more humane and effective alternatives. The Campaign also aims to build on these changes – and their pursuit – to dismantle the racial injustices and punishment paradigm that underpin the entire incarceration system.

Introduction

New York City jails remain in a deadly humanitarian crisis that requires urgent action to release people, stop sending people to deadly jails, and protect the human rights of all New Yorkers. People – the vast majority of whom are Black and Brown New Yorkers – are remaining locked in these jails for months and years, subject to inhumane conditions running from wanton staff brutality to torturous solitary confinement to denial of adequate medical care.

According to the Board of Correction's daily data [dashboard](#) on June 22, 2026, there were 6,623 people incarcerated in New York City jails. Eighty-five percent of those individuals are being

held pre-trial, legally innocent while awaiting their day in court. Over 1,500 of those individuals have been incarcerated in the city jails for over a year. Sixty-one percent of the individuals detained have a mental health diagnosis.

The current situation makes a farce of basic constitutional protections to the presumption of innocence and the right to a speedy trial, places thousands of New Yorkers in abusive and deadly conditions on a daily basis, warehouses people with mental health needs rather than providing treatment, and worsens the safety of everyone. Urgent action is needed at all levels of government to implement the Jails Action Coalition's and HALT Solitary Campaign's [Blueprint for Addressing the Deadly Humanitarian Crises of NYC Jails](#), including the steps outlined below.

The Need for Significant Decarceration

The City Council and Mayor must coordinate and lead a multi-pronged, multi-entity effort to significantly reduce the number of people incarcerated in New York City jails. Given the deadly humanitarian crises of the New York City jails, the Mayor must undertake an effort—building off of the type of effort undertaken during the height of the [COVID-19](#) pandemic—to work with judges, public defenders, prosecutors, executive agencies, the Department of Correction, Board of Correction, Remediation Manager, service providers, and community leaders to coordinate a plan of action to safely release people from the jails, reduce the number of people entering the jails, and shorten the length of time people are spending in the jails.

There must be fewer arrests, fewer prosecutions, more dismissals of cases, fairer offers, discovery requests compliance, and consent to alternatives to incarceration, particularly after significant time has passed.

Officials should act with urgency to remove from custody: cis- and transgender women, young people aged 25 and younger, people with mental health needs, people with physical, sensorial, cognitive, and other disabilities, and anyone who has spent extended lengths of time in custody.

The City Council and Mayor must also enact legislation to expand work release, education release, and other forms of release of people in DOC custody, including for people who are held pre-trial and people held for a sentence of a year or less. Such legislation should provide release mechanisms for groups of people particularly vulnerable to the harms of incarceration, and ensure that all people, including those held pre-trial, are not subject to extended lengths of incarceration.

The Mayor and DOC must also directly expand the use of their existing powers to release people under Article 6A of the Correction Law. Additionally, the Mayor and the Department of Probation should release eligible individuals through [local conditional release](#) under Article 12 of the Correction Law.

The Need for Expanded Diversion

The Mayor should champion and expand investment in alternatives to incarceration (ATIs) and community based organizations (CBOs). While the City has previously funded ATI programs with strong outcomes, these investments have not yet met the scale of need. Expanding these proven approaches would promote public health, reduce return to incarceration, and advance a more just and effective legal system.

To ensure successful diversion, individuals must have access to a strong continuum of care. New York City's mental health infrastructure must be strengthened to provide the necessary supports for people navigating behavioral health challenges—especially those with justice system involvement. CBOs play a critical role in this ecosystem and must receive sustained, adequate funding to meet the complex needs of the communities they serve.

In addition, the Mayor should support the creation of unified treatment courts citywide for individuals with mitigating circumstances—particularly those related to mental health and substance use disorders. While ad hoc mental health courts currently exist throughout the boroughs, they operate without a consistent governing statute, leading to uneven practices and admission standards across the City.

One way to address this gap includes supporting the Treatment Court Expansion Act (S4547/A4869), a state bill that would establish a legal framework for comprehensive, equitable access to treatment courts throughout New York State.

The Need to End All Abuses and Inhumane Conditions

While not the focus of today's hearing, urgent action must be done to end all abuses and inhumane conditions in the city jails. Local Law 42 must be immediately implemented to end all forms of solitary confinement and utilize alternatives proven to reduce violence and improve the health and safety of incarcerated people and staff alike. The City must also protect the health of people in the City's custody. As emphasized above, decarceration should be the top priority and the main solution to the lack of jail medical and mental health care, and people with disabilities especially should not be incarcerated. The City needs to stop incarcerating people with mental health needs, people with physical, sensorial, cognitive, and other disabilities, and expand medical and mental health support in the community with significant investments and proven interventions. At the same time, anyone who is in the City's custody must be provided with quality health care.

Conclusion

The City Council and the Mayor, along with judges, prosecutors, the DOC, the BOC, remediation manager, and other lawmakers and officials, must treat the deadly crisis of the city jails as the five alarm fire that it is. Every official must take every step possible to dramatically reduce the number of people incarcerated and shorten the length of incarceration. Thank you for your consideration.

KATAL

CENTER FOR EQUITY, HEALTH, & JUSTICE

Testimony

Oversight Hearing – Improving Court Operations to Reduce the
Jail Population

Yonah Zeitz, Advocacy Director
yonah@katalcenter.org

for

Committee on Criminal Justice

Thursday, June 25, 2026 -- 10:00 AM
New York, NY

Thank you, Chair Selvena N. Brooks-Powers, for holding this Committee on Criminal Justice Oversight Hearing on Improving Court Operations to Reduce the Jail Population. My name is Yonah Zeitz, and I'm the advocacy director 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 is and are deeply troubled that the closure plan is off track. Reducing the city's jail population is a critical component to advancing the closure of Rikers. This year's FY2027 Executive Budget takes some steps in the right direction, but ultimately falls short of making significant investments to reduce the jail population at Rikers. As a result, it leaves the Rikers closure plan in limbo and fails to reduce the jail population. Reducing the jail population will require decisive, large-scale action by the Mamdani administration, the New York City Council, and the courts.

We submit this testimony to bring your attention to the crisis at Rikers and the need to reduce the city's jail population and shutter the notorious and deadly jail complex. Since the City Council passed the law to close Rikers Island in the fall of 2019, nearly 80 people have died in city jails. Violence at Rikers is out of control, and conditions at Rikers have long been horrific.ⁱ Today, Rikers is also the largest mental health facility in New York City and among the largest in the country. Roughly 60% of New Yorkers held at Rikers have needed mental health services, 22% are diagnosed with a serious mental illness, and 25% suffer from an opioid disorder.ⁱⁱ

As the humanitarian crisis at Rikers continues, New Yorkers' tax dollars are being used to perpetuate this violence. According to the City Comptroller's Office, the cost of incarceration at Rikers is more than \$500,000 per person per year, or \$1,390 per *day*.ⁱⁱⁱ Incarcerating people in these inhumane conditions does not create safer communities, nor does it address survivors' needs. Investing in alternatives to incarceration has been proven to significantly reduce recidivism compared to jail and prison, and it also allows survivors to see the people who harm them held accountable and forge a pathway forward to create safer communities.^{iv}

As the crisis at Rikers worsens, the jail population rises, and the closure plan remains off track, the FY2027 executive budget allocates \$2.96 billion to DOC, representing a 3.8% increase over last year's adopted budget.^v Additionally, during the campaign, Mamdani pledged to keep the NYPD officer headcount flat, yet the budget processes expanded the already enormous police force by adding 580 new officers. This increased funding for the DOC and the expansion of the NYPD means the mayor is not meeting his commitments to sustainable funding for services that New Yorkers rely on: for instance, the mayor said he'd commit 0.5% of the city budget to libraries and 1% to parks, both of which fall short in this budget.^{vi} Once again, New Yorkers are confronted with a budget

that increases funding for the DOC and prioritizes incarceration over the essential services the community relies on. This proposal continues the status quo of increasing the budgets used to arrest and cage people while inadequately funding the programs and services proven to reduce the jail population and allow New Yorkers to thrive.

The solutions to reduce the city's jail population and advance the closure of Rikers have been thoroughly documented in a host of detailed reports published by reputable sources over the last many years. These reports provide clear and actionable steps that the Mayor, City Council, and the courts can take to reduce the jail population at Rikers. The problem is a lack of political will by the mayor and the city council to actually implement these solutions. Let me offer a few examples.

In 2021, the Center for Court Innovation and A More Just NYC [released a report](#) titled "Closing Rikers Island: A Roadmap for Reducing the Jail in New York City." This report offers comprehensive solutions to reduce the city's jail population by reforming pretrial decisions to promote release, addressing case-processing delays, expanding non-carceral sentencing options, and investing in reentry services.^{vii} Most of these recommendations have yet to be effectively implemented and funded at scale.

In March 2024, the Data Collaboration for Justice at John Jay published a piece in Vital City titled "[A Jail Population of 3,700 or Lower is Achievable.](#)" In the piece, they directly address the outsized role judges and the courts must play in safely and significantly shrinking the city's jail population. The recommendations include the following:

- Adopt Proven Strategies to Shrink Case Processing Delays
- Require Pretrial Release After 180 Days
- Stop Setting Bail on First Arrests
- Embrace the Release Assessment
- Use Mandatory Programming for High-Need Cases
- End Unaffordable Bail
- Implement Automatic Early Bail Reviews
- Invest in Critical Tools
- Establish Targeted Supportive Housing and Mental Health Options
- Notify the Court of Chronic Medical or Mental Health Conditions
- Curb the Incarceration of Women, Gender-Expansive People, & People 55 & Over
- Reboot the Early Release Program

In November 2025, we issued a report with the Data Collaborative for Justice at John Jay titled, "[Rikers Island and Mental Health: Pathways Toward Community-Based Diversion and Jail Population Reduction.](#)" To reduce the number of people incarcerated at Rikers with a mental health diagnosis and advance the closure plan, this report lays

out a 15-point plan focused on advancing community-based diversion from Rikers through^{viii}:

- City-Led Continuum of Expanded Diversion Options
- Alternatives for People at All Stages of Mental Competency Proceedings
- Greater Access to Mental Health Courts by Enacting the Treatment Court Expansion Act ([S4547](#) / [A4869](#)).
- Effective Linkages from Courts and Jails to Community-Based Treatment
- Hospital-Based Secure Therapeutic Beds in Lieu of Rikers

These recommendations offer clear, proven solutions to safely reduce the jail population and ensure people receive the effective care and support they deserve. If this mayoral administration and city council were truly committed to closing Rikers, these recommendations would be part of this year's budget.

The mayor and city council can no longer continue approving the DOC budget without more details on the borough-based jails' cost overruns and timelines. The city clearly has no intent to meet the legal closure deadline of 2027, but it has also not reconfigured the plan to provide a definitive date for when Rikers *will* be closed. This reality, coupled with the jail population currently at over 6,700 due to the city's limited efforts, raises major concerns about the city's commitment to closing Rikers.

We urge this committee, and the full council, to hold up the city budgeting process until the administration puts forward a measurable, funded plan to shut down Rikers. The City Council must use its legislative and budgetary power to reduce the jail population, advance the closure of Rikers, and hold the mayor accountable to the closure law. Lives are at stake.

ⁱ Reuven Blau. "Assaults, Chaos and Deception: New Rikers Report Details Widespread Dysfunction." *The City*. January 14, 2026 <https://www.thecity.nyc/2026/01/14/rikers-monitor-report-assaults-violence/>

ⁱⁱ John Jay College, Data Collaborative for Justice and the Katal Center for Equity, Health, and Justice. *Rikers Island and Mental Health: Pathways Toward Community-Based Diversion and Jail Population Reduction*. November 2025 <https://katalcenter.org/wp-content/uploads/2025/11/Rikers-Island-and-Mental-Health-Pathways-Toward-Community-Based-Diversion-and-Jail-Population-Reduction-11.19.25.pdf>

ⁱⁱⁱ New York City Comptroller. "Ensuring Timely Trials." July 16, 2024.

<https://comptroller.nyc.gov/reports/ensuring-timely-trials/>

^{iv} Common Justice. "How and Why Many Survivors Benefit From Restorative Justice Alternatives to Incarceration." January 21, 226. <https://commonjustice.org/resource/how-and-why-many-survivors-benefit-from-restorative-justice-alternatives-to-incarceration>

^v Zohran Kwame Mamdani, Mayor, "Expense Revenue Contract for The City of New York Executive Budget Fiscal Year 2027." <https://www.nyc.gov/assets/omb/downloads/pdf/exec26/erc5-26.pdf>

^{vi} Chris Sommerfeldt and Joe Anuta, "With latest lifelines from Hochul, Mamdani balances NYC budget." POLITICO. May 12, 2026. <https://www.politico.com/news/2026/05/12/hochul-mamdani-nyc-budget-00916257>

vii A More Just NYC and the Center for Court Innovation. *"Closing Rikers Island: A Roadmap for Reducing Jail in New York City"*. July 2021.

https://www.innovatingjustice.org/wp-content/uploads/2021/07/Roadmap_for_Reducing_Jail_NYC_07192021_0.pdf

viii John Jay College, Data Collaborative for Justice and the Katal Center for Equity, Health, and Justice. *Rikers Island and Mental Health: Pathways Toward Community-Based Diversion and Jail Population Reduction*.

November 2025 <https://katalcenter.org/wp-content/uploads/2025/11/Rikers-Island-and-Mental-Health-Pathways-Toward-Community-Based-Diversion-and-Jail-Population-Reduction-11.19.25.pdf>



**Testimony of Elizabeth Fischer
Managing Attorney, Criminal Defense Practice
Neighborhood Defender Service of Harlem**

**Before the
Committee on Criminal Justice:
Improving Court Operations to Reduce the Jail Population**

June 25, 2026

I am Elizabeth Fischer, Managing Attorney for the Criminal Defense Practice at the Neighborhood Defender Service of Harlem (NDS). NDS is a community-based public defender office that provides high-quality legal services to residents of Northern Manhattan. Each year, our staff represent nearly 8,000 clients in New York County’s criminal, housing, and family court systems, and in federal immigration courts.

Thank you for convening this oversight hearing on how we can improve case processing and decarcerate Rikers Island. The proposals we heard from Judge Zayas at the hearing may reduce the time some people spend incarcerated at Rikers Island — and that matters. But New York City’s District Attorneys have more power than any other actor to reduce caseloads, jail stays, and court delays. Without their participation, or even their appearance at the hearing, the improvements this Council seeks will remain out of reach.

Every day in Manhattan, prosecutors request bail on New Yorkers who stand no risk of fleeing prosecution. Every day, they offer plea bargains that bear no relation to the actual merits of the case. And every day, they wield immense power over access to alternatives-to-incarceration, preventing or delaying those most in need from accessing treatment instead of incarceration. As long as those practices persist, no amount of procedural efficiency will ever allow us to close the ongoing human rights violation that is Rikers Island.

The only real solution to moving cases faster is having fewer cases to move. That means fewer arrests, fewer arraignments, and fewer people cycling through a system that should never have touched them. Only then can our office direct our limited resources toward the cases where legal system involvement is genuinely warranted, and move those cases swiftly.

Below we offer immediately achievable solutions that, if implemented, would speed case processing and allow all system stakeholders to focus their resources on clients with more serious cases. None of these steps requires legislation, funding, or personnel changes. They are prosecutorial decisions that our city’s District Attorneys could make today. We urge this Council to pressure them to do so, now.

Prosecutors Must Bring Fewer Misdemeanor Cases

The fundamental problem in our criminal legal system is volume. Despite a steady decrease in major crimes,¹ arrests are up from pre-pandemic levels—and more people entering the system at any point inevitably strains every part of it, including the jail population.

¹ New York Police Department, *NYPD Announces Fewest Murders, Shooting Incidents, and Shooting Victims in Recorded History for the First Five Months of the Year*, June 3, 2026, <https://www.nyc.gov/site/nypd/news/PR009/nypd-fewest-murders-shooting-incidents-shooting-victims-recorded-history-the>.

But prosecutions are also up, and that matters just as much.² Arraignments in our office have risen steadily since 2023. By 2025, our attorneys were handling 15% more cases than two years prior. While arraignment numbers this year are returning to 2023 levels, we are facing unprecedented levels of attrition in our offices due to underfunding and high caseloads. We are a small office with just over 30 trial attorneys. We feel a 15% increase in cases acutely. And we are not alone: citywide prosecution rates reached their highest levels since 2019 in mid-2025 and have barely declined since. According to CJA, nearly 80% of those arrests are for misdemeanors. There were 1500 more misdemeanor prosecutions in Manhattan in the first quarter of 2026 than in the same period in 2022.³ The increase in arrests and prosecutions is being driven by misdemeanor cases that divert resources from all points in the system away from more serious cases.

District Attorneys already have tools to address this volume problem. But they are not using them.

First, **prosecutors can decline to prosecute** cases. During a 2025 convening of justice system stakeholders from across the country, participants discussed ways to reform misdemeanor prosecutions. A report of the convening notes that:

The good news is that for most people charged with misdemeanors, you can do more simply by doing less. The best causal research to date finds that the prosecution of people charged with nonviolent misdemeanors “substantially *increases* their subsequent criminal justice contact.” As a result, researchers warn that “[w]e may . . . be *undermining* public safety by criminalizing relatively minor forms of misbehavior,” the “large proportion” of which “involve neither violence nor firearms.” **There are good reasons to think that for most people entering the criminal justice system on lower-level charges, the best possible systemic response is simply to dismiss their case or to not even file the charges to begin with.**⁴

Every day in Manhattan’s arraignment courtrooms, we meet clients facing charges that could have safely been dismissed as soon as the prosecution learned of them. Arrests for simple drug possession, shoplifting, unlicensed driving, trademark counterfeiting, and other quality of life offenses are resulting in custodial arrests and criminal charges that very often survive past

²New York City Criminal Justice Agency, *How many criminal cases are prosecuted in NYC?* <https://www.nycja.org/prosecuted-criminal-cases>, last accessed June 26, 2026.

³ *Id.*

⁴ Julian Adler, Center for Justice Innovation, *A Moment for Misdemeanor Policy Change*, Aug. 2025, at 2, https://www.innovatingjustice.org/wp-content/uploads/2025/08/CJI_Summary-Misdemeanor_Policy_Change_08272025.pdf (quoting Agan, A. Y., Doleac, J. L., & Harvey, A., Misdemeanor Prosecution, National Bureau of Economic Research, Mar. 2021, Rev. Aug. 2022, at 2, https://www.nber.org/system/files/working_papers/w28600/w28600.pdf) (italic emphasis in original; bold emphasis supplied).

arraignment. These cases consume multiple court dates, supervised release resources, and attorney time. These resources are pulled directly away from more serious matters.

Second, if they are unwilling to decline to prosecute or dismiss charges, **prosecutors can make better offers** at arraignment. Offering more adjournments in contemplation of dismissal and pleas to non-criminal violations with time served is not a soft-on-crime position. It is a resource allocation decision that reflects the crisis at Rikers Island and the fact that drawing out misdemeanor prosecutions serves no penological or public safety interest. Not every client requires court intervention and not every charge requires punishment. The number of misdemeanor cases in criminal court is growing because cases that once resolved at arraignment now remain open for months while prosecutors demand defendants complete programming with court oversight, or refuse to make offers that comport with the odds of winning at trial. That choice has an impact that ripples through every courtroom and every cell on Rikers Island.

Prosecutors and Judges Must Release More People

We have said for years and will keep saying: the money spent prosecuting poor New Yorkers for low-level offenses would do far more for community safety if we invested it in housing and direct cash assistance.

First, a piece of essential framing for any question about case processing or Rikers Island: most of the people on Rikers Island will eventually go home. And if we want the number of people held at Rikers Island to go down and stay down, we have to plan for people to succeed at home, not take actions that make it more likely they'll end up back inside. Jail destabilizes. People lose their jobs, their income, their housing, and access to support systems. Jail stays often lead to more jail stays.⁵ But community-based programming stabilizes. Being with family stabilizes. And the sooner we can return clients to those sources of stability, the better we can work towards just case outcomes and decreased odds of recidivism.

To achieve this, prosecutors can make a simple change: **consent to commonsense release plans** in lieu of reflexively demanding bail in almost all eligible cases. In particular, prosecutors should stop opposing program-based release packages for clients being evaluated for an alternative to incarceration disposition. My colleague Stan Germán from New York County Defender Service testified about the unreasonably long wait times clients face for a chance at entering Manhattan's felony ATI Part. This is due in large part to the District Attorney's Office's protracted and invasive screening process. A client who is being considered for ATI by staff at the Manhattan DA's Pathways bureau must wait six, eight, even ten months to learn whether the prosecution is consenting to ATI. This is egregiously counterproductive, and even more so when clients are in custody during that wait. But this happens routinely. Just as routinely, the

⁵ Brian Nam-Sonenstein, *Research roundup: Evidence that a single day in jail causes immediate and long-lasting harms*, Prison Policy Initiative, Aug. 6, 2024, https://www.prisonpolicy.org/blog/2024/08/06/short_jail_stays/.

prosecutors assigned to these cases refuse to consent to release packages where clients can receive appropriate programming in the meantime. This is inhumane and unproductive. Not only are clients subjected to the horrific conditions at Rikers while they wait, indefinitely, for the prosecutor's decision. But everyone—the client, the prosecution, and the court—misses the opportunity to see how the client will do in an ATI program. The District Attorney can, and should, end this practice today.

Judges must also release people and set affordable bail over prosecutors' objections. Rollbacks to the 2020 bail reform laws have coincided with a steady increase in the Rikers population since the historic lows since COVID; on average, 1200 more people were detained at Rikers during May 2026 than during May 2022, and even though prosecutions have also increased in that time, the rate of increase in detention outpaces it.⁶ Judges play a pivotal role in determining whether those numbers continue to climb, or whether they decline to a level where opening borough-based jails becomes a real possibility. Unfortunately, many of them continue to rely on bail when our clients do not pose a risk of flight to avoid prosecution. As Councilmember Cabán referenced in her question to Judge Zayas at the hearing, many judges set bail on clients at their post-indictment Supreme Court arraignment, even though that client appeared voluntarily before them. It is hard to imagine more concrete proof that someone is not a risk of flight than appearing in court to face felony charges, but plenty of judges set bail under those circumstances. In addition to violating the clear intent of New York's bail laws, setting bail in these situations conflicts with empirical data about flight risk: years of research show that people accused of the most serious offenses pose the lowest odds of failing to appear.⁷ We have also encountered administrative obstacles to litigating bail, such as court parts resisting advancing cases for bail applications, despite our clients' statutory right to challenge their bail any time they are detained.⁸ Judges must end their over-reliance on bail and pretrial detention, and courts must facilitate bail re-hearings whenever necessary.

Prosecutors Must Comply with New York's Discovery Laws

Finally, prosecutors need to comply with their discovery obligations. The more the legislature chips away at the defense's right to full and speedy discovery, the more prosecutors delay in turning over evidence. We are now seeing prosecutors file Certificates of Compliance—

⁶ Data Collaborative for Justice, *Average daily population trends since June 2016*, John Jay College, <https://nyc-jail-population-tracker.datacollaborativeforjustice.org/>, last accessed June 26, 2026; New York City Criminal Justice Agency, *How many criminal cases are prosecuted in NYC?* <https://www.nycja.org/prosecuted-criminal-cases>, last accessed June 26, 2026.

⁷ Stephen Koppel, Rene Ropac, & Michael Rempel, *Failure to Appear Across New York Regions*, John Jay College, Data Collaborative for Justice, June 2024, https://datacollaborativeforjustice.org/wp-content/uploads/2024/05/FTA_Report_final.pdf.

⁸ CPL 510.20(1) ("Upon any occasion when a court has issued a securing order with respect to a principal and the principal is confined in the custody of the sheriff as a result of the securing order or a previously issued securing order, the principal may make an application for recognizance, release under non-monetary conditions, bail, a reduction of bail, or imposition of non-monetary conditions in conjunction with bail or a reduction of bail.")

a necessary step to stop the speedy trial clock—while simultaneously acknowledging they have not yet obtained, let alone disclosed, essential case materials from the NYPD. One of our attorneys handled a case recently where the prosecutor filed a Certificate of Compliance while failing to turn over the lead detective's entire case file. Their explanation was that, despite due diligence, they had been unable to obtain the detective's file—a detective who was part of a taskforce *embedded in the District Attorney's office*.

Prosecutors' purported inability to obtain discovery from the NYPD cannot be the reasoning for delaying a case. First, those materials are deemed to be in the prosecution's possession as a matter of law.⁹ Second, the NYPD testified at this very hearing that the bulk of their materials are automatically made available to prosecutors. Neither the NYPD nor the District Attorneys needs more money to solve this problem. Both agencies could end these delays tomorrow by giving prosecutors free access to the NYPD's files. But both sides simply refuse to do so. That refusal has a human cost—cases stall, people wait, and Rikers stays full.

This Council Must Pressure Courts and Prosecutors to Use Their Discretion to Decarcerate Rikers Island

This Council has the power to demand better for New Yorkers, and the people sitting in cells on Rikers Island right now are waiting for you to use it. We need fewer arrests and fewer prosecutions. Prosecutors must ask for, and judges must impose, less bail and less supervision. District attorneys and the NYPD must ensure that discovery actually gets turned over. None of this requires new money, new legislation, or new ideas. It requires the people who wield power in this system to make different choices. They have the tools, the funding, and the discretion. What they have lacked is sufficient pressure to use them. We are asking you to apply it.

⁹ CPL 245.20(2).



Testimony of
Stan Germán, Executive Director
New York County Defender Services
Before the
Committee on Criminal Justice
Improving Court Operations to Reduce the Jail Population
June 25, 2026

NYCDS took seriously the mandate to review court operations as a lever for reducing the population at Rikers. NYCDS maintains a database called LegalServer, where we capture as much data about individual cases as possible so that our claims about systemic change are well-researched. In that vein, we conducted a month-long study of our own case processing to identify the drivers of long case-processing times and to answer a single question: would fixing case processing meaningfully reduce the jail population at Rikers?

The uncomfortable reality that we must acknowledge at the outset is that there is no one silver bullet in court operations that will singularly right-size our city's jail population. The Council and this Administration are right to focus on case processing as one significant source of unnecessary incarceration. But what NYCDS sees, again and again, is that many of the most intractable case processing delays are driven by the same structural failures that funnel people into the carceral system in the first place. Cases stall because there is no clear offramp: not enough hospital beds for acute psychiatric care, not enough ACT or IMT teams, not enough residential programming for people with dual diagnoses, and of course, above all else, not enough stable, safe housing. If the city is committed to closing Rikers, it has to build a more robust network of services *outside of* Rikers, the community-based services that address root cases and break the insidious cycle of criminalization, incarceration, and recidivism.

1. Background

To examine the case processing of our city's incarcerated population, NYCDS examined its own data. We began with every indicted felony that was closed from 1/1/26 to 3/31/26, excluding homicides. This query produced 112 cases, with a mean processing time of 508 days from

Supreme Court arraignment to disposition, and a median of 419 days. We then narrowed this pool by honing in on clients who spent at least 90 days of pretrial incarceration during the pendency of the case, the threshold at which a case meaningfully contributes to the Rikers population. After removing duplicates and bundling individuals with multiple cases under their first arrest, the set narrowed to 34. We closely examined these cases, reviewing not only our own case files and the information available on Legal Server, but also cross-referencing our adjournment data with NYSCIS records and incarceration reports from the NYC Department of Correction. In most of these cases, we also interviewed NYCDS attorneys, social workers, corrections specialists and other members of the defense team to better understand the more nuanced factors that impacted the case timeline.

2. Notable Sources of Case Processing Delays for NYCDS's Incarcerated Clients:

a. **Protracted diversion application process for individuals with prominent mental health concerns**

Rikers is increasingly populated by people who are in a state of mental health crisis. Roughly 60% in our jails have a mental health diagnosis, and roughly 22% live with a serious mental illness.¹ This demographic has surged in recent years and now makes up a greater share of the population than ever before.²

Not only are those with mental health diagnoses constituting a greater number of people detained at Rikers, they also end up staying in jail far longer than those without these challenges.

According to a recent report by the NYC Independent Budget Office, “stays associated with an individual living with a mental illness are typically more than twice as long as stays by individuals who are not living with a mental illness[.]”³ This disparity exists even though this same population is less likely to be charged with more serious, violent felonies, which typically require more complex adjudication.⁴

Our data reflected these larger trends. Not only were those with mental health a significant concern, a major portion of our pool of clients. They also tended to stay at Rikers far longer. Below are some of the most notable sources of delays among this group:

¹ Release: New Report on Rikers Island and Mental Health, KATAL, November 19, 2025 at <https://katalcenter.org/2025/11/release-new-report-on-rikers-island-and-mental-health/>

² *New York City Criminal Justice Data Hub*, Vera (last accessed June 25, 2026) at <https://www.vera.org/ny-data-hub/jail>.

³ *In Custody: Length of Stay & Population Demographics at NYC Jails, 2014-2023*, NYC Independent Budget Office, March 19, 2024 www.ibo.nyc.gov/content/publications/2024-march-in-custody-length-of-stay-and-population-demographics-at-nyc-jails-2014-2023.

⁴ *Id.*

i. Extensive application delays for individuals who were incarcerated before being accepted into a diversion program and released:

We noted that a significant source of case processing delays in our sample involved clients who remained incarcerated while seeking admission to diversion programs. More specifically, clients who were *ultimately admitted* into these programs spent an average of **154** days incarcerated while awaiting acceptance and placement in appropriate programming.

To be clear, that period - exceeding five months on average - is spent in conditions widely regarded as among the most harsh, traumatic, and psychologically destabilizing of any institutional setting. Most of the individuals seeking diversion programs have complex needs that no correctional facility is equipped to provide, let alone a jail notorious for its systemic denial of medical care and inhumane treatment of people with mental health conditions. Thus, some of the system's most vulnerable individuals experience prolonged detention despite having been identified as appropriate candidates for treatment-oriented solutions.

Several of our cases highlighted barriers that extended the diversion process, including limited placement options for clients with health needs, and delays related to obtaining records and program screening. In one example, NYCDS represented an elderly individual with significant mobility limitations. He was incarcerated for approximately 130 days, over four months, while applying for diversion. The diversion process was delayed at multiple stages. The defense was asked to procure medical records from Correctional Health Services and previously attended outpatient programs, which took nearly two months. NYCDS staff had to follow up on many occasions to check on the status of the request, as there was missing information in the initial batch that CHS sent to us. As we note below, we frequently encountered delays due to medical records requests.

Once the client's records were obtained, and ultimately accepted into diversion, our client faced a new hurdle: finding an appropriate program and housing. Appropriate programming and housing is difficult to obtain for our most vulnerable clients, especially those needing mental, health and disability accommodations. While our client awaited placement, his health declined. Our office aggressively advocated for his transfer to the North Infirmity Command (NIC). He languished in jail, not receiving appropriate services, despite his age and fragile health, for months. This frail, medically vulnerable client spent over four months waiting for placement that should have been secured sooner. When he was finally released into programming, he succeeded, highlighting the needless human costs of delays that keep an excellent diversion candidate incarcerated instead of receiving support in the community.

In many ways, the protracted mental health diversion application process is more excruciating in cases which are ultimately denied by the district attorney. In an illuminating example, a client returned to Rikers after being held at a forensic psychiatric hospital under a 730 order for one year. While the person was in the hospital, he was pre-approved for the Nathaniel ACT Team. Thus, in June of 2025, at the person's first court date after returning to Rikers, the defense immediately petitioned the district attorney to consider his admission to mental health court. As is custom, the district attorney required the defense to provide extensive medical records and submit the client to an in-person meeting with the prosecutor's office (commonly known as a "proffer"). The following January, over 6 months later, after the defense had fully complied with all the district attorney's requests and demands, the district attorney finally rejected the application.

ii. No clear pathway for mental health resolution:

Unlike clients suffering from substance use disorder, who are commonly routed to drug diversion court, a disposition for those struggling with mental illness does not present in a single, legible way. In the absence of statewide statutory guidance for mental health diversion, over the last two decades, our treatment court landscape has grown into a sprawling, complex patchwork network. In Manhattan, our court system offers the following diversion opportunities to individuals with mental health disorders:

- Manhattan Drug Court - Mental Health Track: for individuals with both a substance use and mental health disorder, who would otherwise qualify for statutory drug diversion.
- Manhattan Mental Health Court: for individuals charged with felony offenses who suffer from a serious mental illness.
- Manhattan Misdemeanor Mental Health Court: for individuals charged with misdemeanors, or on a case by case basis, and contrary to what the title suggests, lower-level felonies, who suffer from a mental health challenge where a "lighter touch" connection to treatment and services is appropriate.
- Manhattan Felony ATI Court: for individuals charged with felony offenses who suffer from any behavioral health diagnosis.
- Manhattan Misdemeanor ATI Court: for individuals charged with misdemeanors and some reduced felony charges, who need more intensive treatment than individuals would receive in Manhattan Misdemeanor Mental Health Court.

All of these programs operate outside of any statutory authority, and thus, are ultimately under the control of the Manhattan District Attorney's Office. Yet, each of these diversion programs operate distinctly from each other, with completely separate stakeholders, eligibility criteria, screening and admissions processes and judges overseeing the programs.

To be clear, these programs achieve incredible results, and NYCDS has seen hundreds of clients change their lives as they work through these holistic treatment mandates, reach graduation, and beyond. But the process of gaining admission to one of these offerings is nothing short of Kafkaesque. Individuals who pursue acceptance into diversion programs can expect to undergo multiple clinical screenings from various sources, which are overlapping yet somehow still underinclusive.

iii. Medical records acquisition.

As we noted above, defense teams are routinely asked to produce records to document our clients' behavioral health challenges. Prosecutors in particular typically ask for extensive medical records to consider mitigating circumstances in plea negotiations or in considering applications for mental health diversion. This leads the defense team down an incredibly time-consuming and painstaking process that depends entirely on third-party providers and sits outside the defense's control.

Records routinely must be pulled from multiple facilities; in one case that we reviewed, six separate providers. Responsiveness varies widely from one provider to the next. Some require sustained follow-up across digital, phone, and mail channels over several weeks before producing anything. Additionally, facilities will often bill us for requesting and obtaining these medical records, and sometimes the costs can be a few thousand. This is despite us providing a fee waiver letter to the providers, and there is no route to challenge their demand for payment.

Others remain unresponsive altogether and must be compelled by subpoena, which itself must be drafted, served, and enforced before a single page arrives. Each provider adds an independent layer of delay, and the slowest one sets the timeline. None of it is attributable to attorney diligence or case complexity; it is administrative friction the defense absorbs but cannot accelerate.

iv. Lack of housing, especially for people with serious mental illness:

The delay for many incarcerated clients, especially those with serious mental illness, stems from the chronic unavailability of housing. Attorney interviews repeatedly surfaced the same pattern: when a client lacked an existing social support network, identifying viable housing became nearly impossible. This occurred at multiple points in the case from the bail application to the probation release and regardless of why it caused case delay. The barriers were consistent. Often no program existed that matched the client's particular needs. Where an appropriate program did exist, waitlists ran too long to resolve the case in any reasonable timeframe. And in many instances, facilities refused the client outright based on conduct in prior placements.

The structure of the system compounds the problem. Currently, the onus falls on the unhoused individual to navigate an overwhelming volume of paperwork, satisfy specific NYC Human Resources Administration (HRA) requirements, track down housing providers, and complete multiple rounds of interviews. As noted above, that gauntlet can take a staggering 12 to 15 months for those seeking supportive housing or using housing vouchers. For supportive housing, the application requires so many steps to even put an application together (can easily take over 6 months), and then once the application is put together, they have to do housing interviews and get accepted into a place that has an opening (which can take an additional 6 months or even a year). While for general housing with housing vouchers, this can take even longer because the person has to go first wait in the shelter to be approved for a housing voucher (which can take 6 months to 2 years or more) and then once they obtain a voucher, they have to find an apartment/landlord that's willing to accept it and not discriminate against them. People who are emerging from incarceration are not prioritized in any way to receive quicker housing, and they are unable to start working towards obtaining it until they are actually in the shelter system. This is a sizable disadvantage that can seriously destabilize an individual who is released.

The scale of the need is documented in our own caseload. In 2024 alone, NYCDS served 5,733 clients, a sobering 1,626 of whom were unstably housed. Within that unhoused population, 27% grappled with mental health concerns and 37% with substance use disorders.

The result is a system that uses Rikers as a holding ground for the people it has otherwise failed to serve. These are individuals the city could not place, detained not because of risk or legal necessity, but because the housing infrastructure to release them does not exist.

b. Our detained clients who are deemed incompetent face the longest case delays

Individuals in the most acute states of psychiatric distress suffer the worst fates in our jails. Specifically, people who are found incompetent to stand trial, meaning they “lack capacity to understand the proceedings against [them] or to assist in [their]own defense,”⁵ typically languish the longest in pretrial incarceration, largely due to bureaucratic failures.

Under the law, upon a finding that an individual charged with a felony is incompetent, the court must issue an order committing the person to the custody of a psychiatric hospital either operated or licensed by the NYS Office of Mental Health⁶ for “care and treatment.”⁷ However, in recent years, OMH has failed to promptly place these individuals in psychiatric hospitals for such care.

⁵ CPL 730.10(1).

⁶ CPL 730.10(9) (definition of “appropriate institution.”)

⁷ CPL 730.50(1).

Instead, according to our data, NYCDS clients wait an average of 5.4 months in jail to be transferred to a forensic hospital after they have been found incompetent. This is an unconscionably long time for anyone to be held in custody, let alone those most vulnerable to neglect and abuse.⁸

For years now, our office and our fellow public defender organizations have engaged in various litigation and advocacy efforts to expedite this incomprehensible backlog, to no avail. OMH contends that it has no capacity at state-run forensic hospitals. However, as we have pointed out to the agency many times, the statute clearly authorizes OMH to find care for these individuals at any “hospital licensed by the department of health which operates a psychiatric unit.”⁹ The Commissioner is further authorized by law to “lease space or facilities in which services for the mentally ill are to be provided,” which would vastly expand the capacity to treat those who are found incompetent.¹⁰ Sadly, OMH has refused to pursue these options.

OMH has immense statutory authority to contract with and deputize non-state-operated hospitals to provide the acute care these individuals need and, in fact, are legally entitled to. It has chosen not to. Thus, the most psychiatrically unwell and acutely vulnerable population in our criminal legal system is left to languish for months on end at Rikers Island.

When these individuals are finally transferred to the hospital, their criminal cases stall. Under the statute, the criminal case is suspended while the individual remains in OMH custody. In most situations, this means all parties temporarily close their files and refocus their attention to other matters until the individual is “restored” to competency and returns to Rikers. At this point, often months and sometimes years later, we found that all parties needed time to re-orient themselves to the case.

Notably, in a few instances, stakeholders continued to conference the case and work on a program-oriented plea and inevitable discharge plan. Months later, when the individual did stabilize and the case resumed, they were able to exit Rikers far more expeditiously. We recommend taking this approach in more cases where the individuals are found unfit.

c. Lack of Judges Available to Preside Over Trials and Trial Parts Available

No trial parts available emerged as a systemic driver in our case processing review, appearing in at least two of the extended-pendency cases we examined and adding substantial delay in each.

⁸ Graham Rayman, *Mentally ill at Rikers often locked in cells for weeks denied treatment*, NY Daily News, October 8, 2024 at <https://www.nydailynews.com/2024/10/08/mentally-ill-at-rikers-often-locked-in-cells-for-weeks-denied-treatment-exclusive/>

⁹ CPL 730.10(9) (definition of “appropriate institution.”)

¹⁰ Mental Health Hygiene Law § 7.11(c)

In these cases, the defense and the prosecution both announced they were ready for trial, but the court had no trial part open to receive the case. With no courtroom and no available judge to seat the trial, each case was adjourned to a later date, and the cycle repeated. The result is delay that no party caused and no party can cure: the client stays in custody, the case stays open, and the only operative constraint is the court's own capacity to hold a trial.

These cases are not aberrations. They are the case-level expression of a structural shortage that court administrators and independent analysts have already documented. Unresolved cases across New York City courts rose 34 percent between 2019 and 2024, compared to a 9 percent increase elsewhere in the state.¹¹ The shortage is built into the system: the Legislature has authorized 364 Supreme Court justices, far fewer than what the system requires. Thus more than 700 judges are assigned to Supreme Court through temporary "acting" reassignments that drain resources from the lower courts they leave behind.¹² A judicial and courtroom shortage in high-volume jurisdictions is a recognized source of calendar congestion. What our review adds is direct, case-level evidence of that congestion in operation. Where citywide data shows rising pendency, our cases show the specific mechanism: a trial-ready case with nowhere to be tried.

d. Discovery

We also noted many instances in which the discovery process significantly stalled the case from progressing. As we have repeatedly lamented, the prosecutors have shown no regard for the statutorily imposed deadlines for the disclosure.¹³ When they do provide discovery, usually months after they were required to, it is often incomplete and chaotically disorganized, in batches of randomly-named, frequently duplicative files. This requires the defense to undertake significant time and resources organizing and checking for completeness. When the defense does identify missing discovery, as is often the case, they are usually forced to engage in further litigation in order to receive the information.

The only practical time pressure imposed on the DA's to furnish discovery lies in the overarching speedy trial deadlines, which is 6 months for a felony. Yet even these deadlines are also consistently subverted and extended. One issue that our attorneys repeatedly cite as a source of delay is the illogical sequencing of discovery compliance and motion practice. Under the CPL, the defense must file an omnibus motion within 45 days of the person's supreme court arraignment.¹⁴ This poses two separate problems, both of which contribute to substantial delays. First, this means that defense attorneys are required to file their pre-trial motions prior to

¹¹ Chris Bragg, *Why New York Judges are Fighting a Major Plan to Fix Court Backlogs*, FOCUS, May 20, 2025 at <https://nysfocus.com/2025/05/30/uncap-justice-act-new-york-court-backlog>.

¹²

<https://statecourtreport.org/our-work/analysis-opinion/proposed-law-could-eliminate-cap-number-judges-n-ew-york>

¹³ CPL 245.10(1)

¹⁴ CPL 255.20(1).

receiving discovery. In many instances, the nature of the motions changes substantially based on the information contained in the discovery. Thus, months later, after the original motions have been litigated and ruled on, when defense attorneys finally do receive discovery, they often have to *refile* their original motions to reflect the updated materials, and start the motion litigation process all over again.

Second, the speedy trial clock stops during motion practice.¹⁵ So while defense attorneys blindly file and await a response and ruling on their motions, prosecutors are under no time pressure to collect and disclose discovery. Consequently, prosecutors are typically afforded an additional 2 months which does not count toward their speedy trial deadline - and by extension, discovery disclosure deadline. Thus, the incongruity of the respective motion practice and discovery due dates produces a litigation timeline that is not only duplicative and maddening, it ultimately ends up adding months to the life of a case.

e. The recent resurgence of low-level policing and prosecutors' refusal to dismiss or DP has created backlogs across the board

Case processing times cannot be understood without examining the resurgence of low-level enforcement and prosecution. Increasingly, courts are being asked to devote limited resources to cases involving low-level offenses that pose little threat, but nevertheless require arraignments, court appearances, discovery compliance, and supervision. As more low-level cases enter the system, already strained systems are forced to absorb additional volume, slowing case processing for everyone. It therefore becomes a self-inflicted backlog.

There has been an increase in police activity around low-level offenses such as unhoused individuals taking up more than one seat on public transit or lying on the floor of a station.¹⁶ One of our clients was arrested the night before a blizzard in February, when he dozed off on a train. Our client had not harmed anyone. He was simply unhoused, cold, and existing on the subway. There has been a boom in these types of cases. During 2024, there were 19 court cases where sprawling out in the transit system was the most serious charge.¹⁷ This number increased almost 30-fold, with a 3,058% increase to 600 cases last year.¹⁸ The growing backlog is not an accident but a predictable result of policy choices. When police and prosecutors flood the courts with low-level offenses tied to poverty, homelessness, and untreated behavioral health needs, they divert finite resources from cases where intervention may be needed.

¹⁵ CPL 30.30(4)(a).

¹⁶ Samantha Max, *Growing number of homeless people caught up in NYC crackdown on sleeping on subways*, NPR (May 26, 2026) at <https://www.npr.org/2026/05/11/nx-s1-5803831/growing-number-of-homeless-people-caught-up-in-nyc-crackdown-on-sleeping-on-subways>.

¹⁷ *Id.*

¹⁸ *Id.*

We are also seeing prosecutors going so far as using *dismissed and sealed cases* as a basis for requesting cash bail and detaining our clients pretrial. Prosecutors use the “harm + harm” theory to advocate for these types of incarceration. This tactic should be seriously concerning to anyone who cares about fundamental fairness and is paying attention to the crisis on Rikers. In Manhattan, prosecutors are far too often only asking if they *can* request bail, not if they *should*. And the ballooning pretrial population is a testament to that unfortunate fact.

The harms from the prosecutor’s choices compound in a system that does not provide adequate services. When individuals are not able to get the care that they need to become or remain stable, they will decompensate. This will inevitably lead to multiple interactions with the criminal legal system. This is true even for harmless behavior, like sleeping on the subway. Sadly, because the behavior recurred, the District Attorney and Court often interpret a client’s multiple open cases as a failure to take personal responsibility, rather than what it often is: a person decompensating. The system treats repetition as defiance when, in certain cases, it is a symptom.

We must remember that these are not isolated incidents. We see the results of our policy choices reflected in city-wide data. An analysis of 2026 first-quarter detention data released by the Criminal Justice Agency (CJA) identified 2,578 cases where individuals were detained at Rikers after their criminal court arraignment, of which 698 (or 27%) were from Manhattan Criminal Court.¹⁹ Notably, the majority of the Manhattan detained cases did not involve serious violent charges. Of the 698 detained cases, 284 (40%) involved misdemeanors, 202 (29%) involved non-violent felonies, and only 212 (31%) involved violent felonies.²⁰ It is shocking to learn that two-thirds of Manhattan cases that resulted in incarceration were either misdemeanors or non-violent felonies.²¹ Every one of those cases represents a conscious decision to devote court resources and public dollars to incarceration rather than less restrictive alternatives.

3. Recommendations:

a. **Urge the State to Pass the Treatment Court Expansion Act (S.4547/A.4869).**

One concrete fix for the delays described above is the state level legislation, the Treatment Court Expansion Act. Right now, mental health diversion eligibility determinations are fragmented, duplicative and underinclusive. People languish on Rikers Island while multiple actors run redundant clinical determinations to establish a clinical diagnosis that should be obvious.

These delays fall hardest on the people least equipped to absorb them. People with serious mental health and substance use disorders should not be on Rikers at all, yet they are routinely gatekept from treatment by prosecutors who send defense teams on a wild goose chase to receive

¹⁹ How Many Criminal Cases Are Prosecuted in New York, CJA (last accessed June 24, 2026) at <https://www.nycja.org/prosecuted-criminal-cases>

²⁰ *Id.*

²¹ *Id.*

approval to even apply for diversion. Over the 2020-to-2025 period that saw the jail population grow, the share of that population receiving mental health services climbed from 44% to 60%. If we are serious about reducing the population, this is the population to release.

The Treatment Court Expansion Act (S4547 / A4869) does exactly that. It allows diversion into care for people who do not pose a public safety threat. It replaces the current ad hoc, overlapping, and onerous admissions process with a single, streamlined route for defendants with serious mental health or substance use disorders to apply for diversion. And it replaces the consent of the local District Attorney, a time- and resource-intensive vetting process that adds months to the admissions cycle, with a neutral judge as arbiter.

- b. To provide effective offramps into the community we fully support the Close Rikers' budget campaign's **additional \$42.6M to meet mental health needs outside of Rikers**, including:
 - **at least \$66.3M, baselined, for [Intensive Mobile Treatment \(IMT\) teams](#)**, \$22M more than the Executive Budget allocates, which should eliminate the current waitlist.²²
 - **At least \$23.8M, baselined, for [Assertive Community Treatment \(ACT\)](#)**, \$4.5M more than the Executive Budget allocates.²³
 - **At least \$6M, baselined, for [Forensic Assertive Community Treatment \(FACT\)](#)**, \$2M more than the Executive Budget allocates, which provides both mental health and reentry services to people returning from jail and prison.²⁴
 - **\$3M in capital funds to support 60 new residential treatment beds** for people with serious mental illness and with co-occurring addictions.²⁵
 - **At least \$8.8M, baselined, for crisis respite centers**, \$6M more than the Executive Budget allocates, to open four new centers, in compliance with Local Law 118-2023.²⁶
 - **\$3.4M to expand the Council's Court-Involved Youth Mental Health Initiative**, for a total allocation of \$6.8M.
 - **\$20.3M²⁷** to establish at least 150 units of low-barrier housing for people with court-involvement and mental health diagnoses.

²²Per [DOHMH testimony](#) on June 5, 2026, the waitlist is 600 people. Each new IMT team can serve 27 people.

²³The combined waitlist for all ACT teams, including FACT and SPACT, was 654 people as of June 5, 2026 per [DOHMH testimony](#). The City should also work with the state to eliminate the waitlist for all ACT teams.

²⁴For FACT teams, the City adds approximately \$675,000 per ACT team to supplement state funding by adding reentry specialists.

²⁵ State funding through OASAS would provide operational funds.

²⁶ The FY2026 budget for crisis respite centers was \$5.3M, but only \$2.8M in the FY2027 Preliminary Budget, as reported by DOHMH.

²⁷ Approximately \$135,000 per unit, based on similar Safe Haven models.

- c. **Pass [S.6534/A.6499](#) - which would reorder the sequencing of omnibus motion and discovery timelines.** This would allow defense teams to file motions *after* receiving discovery, which would enable more substantive litigation and save months of wasted time and resources. It would also pressure the DAs to complete discovery sooner, further expediting the entire litigation timeline.
- d. **Urge the State to Pass [S613/A825](#) and Pass [Int. 1262](#):** Another fix is to give District Attorneys direct access to police records for discovery. Today discovery moves through a manual relay: the prosecutor requests materials, and the police department locates, processes, and turns over voluminous electronic evidence, including documents, audio, and body-worn camera video. That relay is slow on both ends and sits squarely on the critical path to resolution. The People cannot file a valid certificate of compliance until discovery is complete, and cannot validly state ready for trial without it. When the transfer drags, the certificate drags, readiness drags, and the case sits.

Credentialed read access removes the relay. Prosecutors retrieve discovery directly instead of waiting on a request-and-fulfillment cycle, shortening the discovery timeline that feeds the certificate and readiness. It also returns police officers to public safety work instead of functioning as discovery clerks.

At the State level this is [S613/A825](#), which would require every certified police agency to give the local District Attorney credentialed access to its electronic record systems. The City should pursue the same reform for the NYPD through [Int. 1262](#), requiring the Police Commissioner to grant each of the five District Attorneys access to NYPD records systems containing discovery material.

- e. **Urge the State to Pass the Uncap Justice Act [S8192/A3305](#):** The problem here is simple: there are not enough judges. A trial-ready case with nowhere to be tried is what a judge shortage looks like from the defendant's seat. No single courtroom assignment solves it, because the shortage is built into how the state sets the number of judges in the first place. That is what S.8192/A.3305 fixes.

The Uncap Justice Act would require the Legislature to weigh population, case filings, case complexity, and documented delay when setting the number of judges, and require the Office of Court Administration to report each year on how many judges each court actually needs. It makes judicial staffing a measured, accountable process instead of a standing improvisation.

- f. **Urge the Governor to Sign 730 Reform [S.1004-A/A5567A](#):** State bill S.1004-A/A5567, which passed both houses of the legislature this month, would amend Article 730 to give courts the discretion to order restoration services on an out-patient basis without the consent of the district attorney. Under current law, a court can direct out-patient restoration for a felony defendant only if the prosecutor agrees. The practical result is that individuals who are already in the community on their cases, and who could safely begin restoration in the community are instead detained at Rikers custody, where they wait months for a state forensic bed that does not exist.

S.1004-A/A5567A removes that barrier and places the decision with the court, allowing eligible individuals to start restoration immediately rather than sitting at Rikers Island while OMH searches for capacity. The bill also confronts the capacity excuse directly, expanding the definition of "appropriate institution" to expressly include hospitals licensed by the Department of Health that operate psychiatric units. This underscores the very authority OMH has long refused to exercise. Signing S.1004-A/A5567A into law would ensure that a finding of incompetence no longer condemns our most acutely ill clients to months of neglect in a jail cell, and would instead connect them to the treatment they are legally entitled to receive.

- g. **Create and fund an outpatient restoration pilot in NYC:** As noted above, not everyone who is deemed incompetent to stand trial requires intensive oversight and services of a hospital to receive the care they need to stabilize. Many could be safely “restored to competency” in an outpatient setting, as long as the appropriate treatment services were available in the community. We therefore urge the council to invest **\$1.7M to establish an outpatient competency** restoration pilot program for 50-75 people who might otherwise be waiting at Rikers. This will help end reliance on Rikers Island, reduce pre-trial detention times, and divert justice-involved individuals into community-based, trauma-informed care.

Conclusion

We opened this testimony with a single question: would fixing case processing meaningfully reduce the population at Rikers? Our data answers it honestly. Fixing case processing would help, and it would help real people in measurable ways. But it will not be enough on its own, because the delays we found do not begin in the courtroom. They begin upstream, in a system that arrests faster than it treats and detains longer than it houses.

The numbers bear this out. Clients found incompetent to stand trial waited an average of 5.4 months for a forensic bed the State will not create. Of the 5,733 people we served in 2024, 1,626

were unstably housed, and for them the path to supportive housing runs 12 to 15 months. None of these delays reflect a lack of diligence by the defense, the court, or in most cases even the prosecution. They reflect the absence of anywhere to send our clients.

That is the lesson of the cases in this testimony. The elderly man with mobility limitations did not languish at Rikers for an additional two months because his case was complex. He languished because no program would take him, and Rikers became his infirmary by default. The man who dozed off on a train the night before a blizzard was not a danger to anyone. He was unhoused and cold. In each case, the court was not the obstacle. The missing offramp was.

This is why our recommendations move on two tracks at once. We urge the procedural reforms that shorten the path to resolution: the Treatment Court Expansion Act, which replaces prosecutorial gatekeeping with a neutral judge and a single streamlined route to care; direct discovery access for prosecutors; the Uncap Justice Act, so that a trial-ready case is never left with nowhere to be tried; and 730 reform, so that a finding of incompetence no longer condemns our most acutely ill clients to months of neglect. But procedure alone cannot release someone the city has nowhere to place. That is why we stand with the Close Rikers budget campaign in calling for real investment in the offramps: IMT and ACT teams, crisis respite, residential treatment beds, and low-barrier housing for people with court involvement and serious mental illness.

The Council and this Administration are right that case processing is a lever worth pulling. We ask only that you pull the others alongside it. If the city is serious about closing Rikers, it must stop using the jail as the placement of last resort for the people it has otherwise failed to serve, and start building the system that would have served them in the first place. We are ready to partner with you to do exactly that.

Rising Ground, Inc. Written Testimony of Nancy Hruska, Government Affairs Liaison
Submitted to: Committee on Criminal Justice
on Improving Court Operations to Reduce the Jail Population.
Thursday, June 25, 2026

On behalf of Rising Ground, Inc., thank you for the opportunity to submit testimony for the Committee on Criminal Justice’s oversight hearing on Improving Court Operations to Reduce the Jail Population held Thursday, June 25, 2026.

Founded in 1831 as the Leake and Watts Orphan House, Rising Ground has been at the forefront of evolving community needs for almost two centuries, growing into a respected and wide-reaching human services leader recognized for the quality of its services and its results-focused and evidence-based practices. Today, nearly 2,000 dedicated staff members support over 30,000 children, youth, and families across more than 100 sites in New York City. Our programs focus on the core areas of child welfare, early childhood education, developmental disabilities services, juvenile justice services, runaway and homeless youth, mental health clinical services and intimate partner violence prevention.

Our Paths to Healing division provides a continuum of trauma-informed, anti-oppressive services for survivors of intimate partner, gender-based and crime violence. We ensure survivors are not left to navigate complex systems alone—offering clinical care, advocacy, and connections to legal and financial supports that promote long-term healing and stability.

We believe, most relevant to improving court operations to reduce the jail population is the court educational component of our Criminalized Survivor Program (CSP). We respectfully urge the Committee, City Council, and the Administration to continue to support and increase funding for programs like the Criminalized Survivor Program as a proven strategy to reduce jail sentences, lower detention and re-arrest, and improve court efficiency.

Since 1986, CSP has provided holistic support to survivors of intimate partner violence who have been criminalized for their efforts to survive or resist their abusive partner’s coercive and violent behavior. Our team of clinicians provides individual emotional support, opportunities to connect

with other survivors through dynamic group work, robust legal advocacy and court accompaniment, and training for other community-based organizations and court personnel.

Courts recognize CSP as a reliable ATI (alternative to incarceration/alternative to detention) partner funded by the Mayor's Office of Criminal Justice. Judges consistently note that CSP engagement correlates with higher compliance, timely participation, and successful program completion—outcomes that translate into releases, reduced or non-custodial sentences, and family reunification. When assigned as a program mandate, CSP anchors case adjudication while addressing the underlying trauma that often drives system contact, reducing the likelihood of future justice involvement.

Additionally and most effective, the CSP team provides training and support for staff in the DA's office, hospitals and other community based organizations. Our court-involved staff is trained on court proceedings, reporting and their roles and responsibilities in relation to the Court. We are regularly establishing and maintaining relationships with external program partners on how to better identify and support criminalized survivors of intimate partner violence and gender-based violence who are regularly navigating the criminal legal system. We are tasked with training the entire city's response on how to better support criminalized survivors of IPV, because we are only program funded by the City to do this work in the IPV sphere specifically. This also produces increased referrals, and when survivors are enrolled, we are often asked to speak to how criminalized survivors navigate the criminal legal system differently, and this is done via trauma narratives, compliance reports and update letters, court accompaniments and when needed testimony for trials in criminal and family court, as well as DVSJA hearings for survivor's pre-incarceration sentencing.

Case example (pseudonym, dates on file): A survivor referred to CSP in 2025 accepted a Family ACD; with CSP's consistent advocacy, coordinated legal support, and stabilizing services (housing, benefits, visitation, employment/education), her criminal matter was dismissed in early 2026. Family court petitions were narrowed, and she transitioned successfully to aftercare. Throughout, she demonstrated strong engagement, insight, employment progress, and enrollment in college—markers associated with reduced recidivism risk and durable stability. This trajectory reflects the program's core value: pairing court education and advocacy with practical support to meaningfully reduce custodial exposure.

What additional City investment will achieve:

- Scale ATI capacity to serve more survivors earlier in the process—at arraignment and pre-plea—when targeted support most effectively averts detention and lowers sentence length.
- Expand defense-based advocacy to standardize trauma-informed submissions, compliance documentation, and DVSJA preparation—streamlining dockets and promoting proportionate, non-custodial sentences where appropriate.
- Increase cross-system training for judges, prosecutors, defense counsel, probation, hospitals, and CBOs—reducing unnecessary jail time driven by misidentification of survivors and improving coordination that shortens case timelines.
- Strengthen stabilization services (housing navigation, benefits, childcare, employment/education) that support court compliance and reduce re-arrest and violation risk.

We have seen the effectiveness of our training and client advocacy in reducing involvement in the criminal justice system. We urge the Committee to explore expanding this type of opportunities to other sub-sections of the justice involved population by funding trauma-informed services and supports with goals of long-term healing for individuals and their families, as well as supporting additional training components to educate court and justice system personnel.

Investing in survivor-centered, trauma-informed services is a direct, evidence-aligned path to reducing jail sentences, lowering detention and re-arrest, improving court efficiency, and strengthening family stability.

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Rising Ground is a leading nonprofit human services organization providing children, adults, and families in the greater New York City area with the resources and skills needed to rise above adversity and positively direct their lives.



**The New York City Council
Committee On Criminal Justice
Chair: Brooks-Powers**

Oversight
Improving Court Operations to Reduce the Jail Population.

Testimony of
The Legal Aid Society

June 29, 2026

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The Legal Aid Society, founded in 1876, is the nation's oldest and largest nonprofit legal services agency, providing comprehensive legal services to low-income individuals and families in all five boroughs of New York City. Legal Aid's mission is to improve the lives of low-income New Yorkers by ensuring that no New Yorker is denied access to justice because of poverty. For 150 years, our growth has mirrored that of the city we serve. We have expanded our work to passionately advocate for individuals, families, and our youth by fighting for the most vulnerable populations not only in court, but also beside them in their communities, before the City Council, and in Albany in hopes that they will eventually receive true equity and be treated with humanity. We appreciate the opportunity to submit this written testimony on the topic of improving court operations to reduce the jail population.

Reducing The Jail Population Begins Long Before Arrest

Just over a year from the legal deadline to close Rikers Island, we continue to grapple with the results of a surge in low-level policing, which ushered in a return to thousands of New Yorkers locked away on a hard to access island. Of the approximately 6500 people currently detained at Rikers, about 5500 are detained pre-trial, presumed innocent and unable to afford bail or not given the opportunity to try. Of those 6500 New Yorkers languishing in the summer heat in those concrete buildings, close to 4000 have a known mental health diagnosis.

This committee seeks understanding of how court processes have contributed to this soaring jail population. We urge you to look beyond what happens in court – the system failures start long before the case is arraigned, and bail is set. The jail population has soared because we continue to invest more in policing, prosecution and incarceration than we do in our schools, in supportive housing, in community-based public health care, and in programming for young people. The jail population has soared because we continue to make the choice, year in and year out, to use policing, prosecution and court mandates as a way to address what has long been a behavioral health crisis

exacerbated by lack of accessible and supportive housing and accessible community-based health care.

At the moment of arrest, we have already failed to prevent further increases in the jail population. But we continue to fail once the case enters our court system and roadblock after roadblock to their release is put up to instead send and keep people on Rikers. This is evidenced by the continuous practice of prosecutors demanding unaffordable bail rather than consenting to proven alternatives to detention such as supervised release or personally tailored bail packages. It is worsened by judges granting the request for unaffordable bail or mandating supervised release on cases where the charges are not even bail eligible.

Once a case is arraigned, the roadblocks continue. Police and prosecutors still fail to transmit the evidence of a case to the defense in a timely manner, despite repeated regressive changes to the discovery law to accommodate them. Delays are worsened by our mandatory minimum sentencing scheme. While prosecutors continue to stretch the timeframes of our discovery statute, they often also fail to evaluate the strength of their case and consider reasonable plea offers. In this testimony we highlight some of the area that must be addressed to course correct and begin to reduce the number of New Yorkers detained pretrial in our city jails.

Reducing the Rikers Population Demands Fewer Arrests

It has been widely reported that the NYPD, beginning in the Eric Adams Administration, and under Commissioner Jessica Tisch, returned to an era of “Stop and Frisk”¹ and in turn surged low-level arrests.² Unfortunately, despite campaign promises to reverse this trend and curb this practice,

¹ “NYPD Stop-And-Frisks Soared in 2024” by Surina Venkat, New York Focus April 2, 2025 available at <https://nysfocus.com/2025/04/02/nypd-stop-and-frisk-eric-adams>

² see “NYPD’s low-level arrests have surged under Tisch. Mamdani may end that streak” by Charles Lane, Gothamist , Nov20

which been disproven to deter violent crime,³ the Mamdani administration has done nothing to curb the NYPD's surge of low-level arrests. Low-level offenses for citations like "taking up two seats on a subway" surged in 2025 and continue apace in the reporting available so far in 2026.⁴

Exacerbating this return to "broken windows" policing, officers routinely refuse to issue appearance tickets in favor of dragging the majority of these low-level arrests into central bookings for an in-custody arraignment. This results, at best, in an over-run system creating illegal stays past-24 hours in arraignments. At worst, it results in deaths and court-room births. We have ongoing litigation in Brooklyn because the system is routinely filled with low-level offenses keeping people in well over 24 hours and making the already dangerous and filthy conditions in arraignments even more dangerous for New Yorkers swept up by NYPD. We are also in active litigation challenging NYPD to do what the law requires: issue appearance tickets for low-level arrests. These low level arrests turn into low-level prosecutions, and they are clogging our courts.

So far in 2026, the OCA data⁵ shows a total of 116,689 arraignments as of May 2026 across NYC. Of that total, 73,122 were on misdemeanor charges and 19,696 were for violations. Combined, these low-level charges account for nearly 80% of all arraignments in 2026. This is where we must start: 80% of these arraignments should not be in-custody but rather, as the law allows,⁶ via Appearance Tickets. We must examine *why* these interactions between the public and the police are met with arrest or appearance tickets in any form. Low-level, quality of life policing has been roundly debunked as an effective way of curbing violent criminal activity.⁸

³ see "*Northeastern University researchers find little evidence for 'broken windows theory,' say neighborhood disorder doesn't cause crime*" by Greg St. Martin, May 15, 2019 available at <https://news.northeastern.edu/2019/05/15/northeastern-university-researchers-find-little-evidence-for-broken-windows-theory-say-neighborhood-disorder-doesnt-cause-crime/>

⁴ see "*Court cases for sleeping, spreading out on the subway surge under NYPD crackdown*" by Samantha Max, April 27th, 2026 available at <https://gothamist.com/news/court-cases-for-sleeping-spreading-out-on-the-subway-surge-under-nypd-crackdown>

⁵ OCA Stat-Act dashboard available at <https://app.powerbigov.us/view?r=eyJrIjoiaMGQwYWYwYmYtNTE0Ni00YmZhLTg4MmYtMzczYjVzMzYxNjM5IiwidCI6IjM0NTZmZTk5LWNiZDEtNDA2ZC1iNWZzLTUzNjRiZWMyYTgzMyJ9>

⁶ see "Desk Appearance Tickets in New York in 2019" by Olive Lu, M.S., Erica Bond, J.D., & Preeti Chauhan, Ph.D., Data Collaborative for Justice available at <https://datacollaborativeforjustice.org/work/low-level-enforcement/desk-appearance-tickets-in-new-york-state-in-2019/>

⁸ see "The Problem With Broken Windows Policing" by Sarah Childress, June 28, 2016 available at <https://www.pbs.org/wgbh/frontline/article/the-problem-with-broken-windows-policing/>

After the police refuse to use their discretion to write Appearance Tickets, the NYC DA offices also fail to use their discretion to decline prosecution or suggest the NYPD write an Appearance Ticket. Instead, prosecutors continue to fully prosecute low-level offenses, which in turn saturates the court calendars, slowing down the entire system. Prosecutors must use their power to decline to prosecute violations at the earliest point possible and seriously consider the same for misdemeanors.

To stop the surging jail population, we *must* reduce the footprint of arrests. Both police and prosecutors have a role to play in any reduction. So too does this administration and this Council. The City must stop growing the NYPD headcount and put an end to NYPD policies that sweep impoverished New Yorkers into the criminal legal system and its jailhouses. To begin reducing the footprint of low-level arrests, we urge you to reject the Mayor's final budget proposal to add 580 police to the NYPD headcount.

Prosecutors Must Stop Demanding Unaffordable Bail and Judges Must Stop Setting It

Across the city from 9am until all arraignment parts close at 1am, prosecutors are busy at work requesting bail where the independent Criminal Justice Agency⁹ has determined the person is *not* a flight risk. These same prosecutors are requesting bail on misdemeanors and demanding supervised release on non-bail eligible offenses. What's worse, our criminal court judges are not acting as a much-needed neutral check on this abuse, but instead are setting bail in amounts people cannot afford and ordering supervised release on misdemeanors and non-bail eligible offenses. This continues to take place, every day, in every arraignment part despite the fact that that sending people to jails to await trial is not making New York City any safer.¹⁰

When the Criminal Justice Public Safety Committee Chair Brooks-Powers convened a round table of defenders and providers in May of this year, the representative from Brooklyn Justice Initiatives,

⁹ more on Criminal Justice Agency release assessment tool at their website available here

<https://www.nycja.org/assets/Updating-the-NYC-Criminal-Justice-Agency-Release-Assessment-Final-Report-June-2020.pdf>

¹⁰ see "The Facts of Bail Reform and Crime Rates in New York State" by Ames Grawer and Noah Kim, The Brennan Center for Justice, published March 22 2022 and updated January 26, 2024, available at <https://www.brennancenter.org/our-work/research-reports/facts-bail-reform-and-crime-rates-new-york-state>

the organization contracted for supervised release programs for Kings County stated that 48% of their clients ordered on supervised release are charged with non-bail eligible charges. As of March 2026, over 50% of people on supervised release had misdemeanor cases only.¹¹ This unacceptable use of supervised release should concern this Council. When prosecutors and judges use the precious resources of a program designed to be an alternative to detention for non-bail eligible offenses, then the resources are stretched too thin to provide support for otherwise bail-eligible charges. New Yorkers who are detained at Rikers on unaffordable bail should instead be considered for supervised release. But in order to ensure there is capacity for these alternatives to detention, DAs must stop requesting and judges must stop ordering supervised release on non-bail eligible charges.

Further, we recommend much more comprehensive training by OCA for the Judges who sit in arraignment parts. Too often, we see judges circumventing the required partially secured bond amount by setting it at a much higher amount than a regular commercial bond. We struggle to have court clerks accept, particularly after 5pm and on weekends, applications from families who have scraped together the money and supporting documents needed to swear out partially secured bonds. These roadblocks put release out of touch for so many New Yorkers who otherwise would make bail and be able to fight their case from their homes with the support of their community.

At the Legal Aid Society, we have specialized units to counter the system's intransigence to alternatives to incarceration. Our Decarceration Unit and our Women's Pretrial Release Initiative work with the people we represent, alongside embedded social workers, to create thorough bail packages that include housing and services which create a safe landing for detained New Yorkers. However, these intricate and specific release plans are routinely *opposed* by the DAs across this city. The default response to the safe release mechanisms that would reduce the Rikers population is NO. Prosecutors must begin to change these reflexive postures of denial and instead begin to engage in serious consideration of alternatives to detention to begin to reverse the surging jail population.

Preventing Court Delays Requires NYPD and Prosecutors to Comply

¹¹ see <https://www.nycja.org/people-in-community>

with Discovery Obligations

The state legislature finally made clear in the long-overdue changes to our discovery laws in 2019 that defense attorneys have a right and duty to see the evidence against our clients before communicating any plea offers or proceeding to trial. Our clients have the right to review the full scope of evidence as they weigh what can be a life-altering decision on whether to accept a plea or risk trial and the accompanying mandatory minimums. Indeed, the legislature went out of its way to add an entire section of the discovery statute that requires the disclosure of all discovery before an offer can expire. The legislature further added that where our clients are incarcerated, they are entitled to release within 30 days on a misdemeanor and 90 days on a felony if the DA has not filed a certificate of compliance. The discovery statute contemplates that discovery delay means prolonged incarceration.

The NYPD has now claimed to this committee in their live testimony that they give DAs direct access to their evidence databases to facilitate faster compliance with discovery obligations. However, this does not square with our experience in courts across the city. A far cry from direct access, what we see every day in our practice is that DAs blame NYPD for their inability to timely turn over the full evidence in each case. Millions upon millions of dollars have been invested by the city and the state to enable NYPD and the six District Attorneys to comply with the obligations of our discovery law. The state has weakened those laws in order to facilitate compliance, at the expense of New Yorkers accused of crimes. And yet, every day in every borough, defenders are met with excuse after excuse as to why body cameras or witness statements or disciplinary records cannot be turned over within the ninety days allowed before dismissal on a misdemeanor or the six months allowed before dismissal on a felony. In fact, some prosecutors seem to go out of their way to make what *is* disclosed difficult to sort through and analyze. For example, the Queens DA continues to turn over discovery with files that are labeled “miscellaneous #####”. Likewise, the same materials are being shared multiple times at an increased rate which makes the review of the material much more challenging. In this age of technology, there has been no sound reason offered for police and prosecutor opposition to true direct access to NYPD evidence sharing databases. This council has, in past sessions, introduced such a bill and we encourage you to introduce it

again and pass it immediately. Direct access will stop the delay and blame game and certainly speed up case processing.

Law enforcement clearly does not see themselves as part of the problem contributing to court delays. Their continued refusal to wield their vast resources to enact something as straight-forward as sharing the passwords to law enforcement evidence databases is itself proof of their unwillingness to be partners in reducing the Rikers Population. Their inability to present themselves for questioning and testimony to this committee during the live testimony on this oversight topic is further proof that not only do they not count themselves as part of the problem, they refuse to be part of the solution.

Robust Funding of Public Defenders is Paramount to Preventing Court Delays

At the Legal Aid Society, we fight every day in our criminal and supreme courts for the New Yorkers we represent. However, our attorneys continue to be burdened by high caseloads and low pay while our offices continue to suffer from the attrition of felony-certified attorneys who are able to handle the complex cases. When attorneys and social workers leave our office for higher paying work, their clients are all assigned to new attorneys and new social workers. We have used the infusion of state funds over the past three years to hire litigation assistants to assist our attorneys across the city with discovery review and trial preparation. These positions have proved vital to moving cases along but when these employees move on to graduate school or higher-paying pursuits, our current funding limitations mean that we cannot hire to replace them. This is why we continue to stress the extreme importance of fair pay for our attorneys and social workers and investigators and paralegals. Funding fairness for our public defense offices is paramount to ensuring we reduce any delays inside the court system brought on by attrition.

No attorney can provide meaningful representation when stretched beyond capacity, and no court system committed to the rule of law should demand it. Here in New York City, public defenders are paid significantly less than other system stakeholders, even as we shoulder the responsibility of protecting the fundamental rights of people facing the loss of their liberty. Chronic underinvestment, combined with the erosion of defender independence, has led to staffing

shortages, high attrition, and workloads that make it increasingly difficult to provide the representation the Constitution requires. These conditions do not just impact public defenders — they undermine fairness, weaken the integrity of our courts, and threaten the rule of law itself. Despite these challenges, we remain committed to the New Yorkers and communities we serve. But commitment alone cannot sustain a system that is fundamentally under-resourced. The right to counsel must be more than a promise on paper. It must be backed by the funding, independence, and support necessary to make it real.

Reducing the Rikers Population Requires Investments in Community-Based Programs and Resources

Any commitment to reduce the footprint of arrests means that we must be investing in the community resources that create true community safety - the same resources which are necessary for safe transition back to the community after periods of detention and imprisonment. We also continue to ask for City support for the services embedded in defender offices across the five boroughs.

We need funding for the work that prevents violence and ensuing arrest, like that of our Community Justice Unit which supports the crisis management work of our violence interrupters across the city. The Cure Violence/Crisis Management System was created and funded by the City in an effort to end gun violence. This city-wide network of credible messengers operates across 22 communities and consists of more than 50 community-based organizations and allied organizations like the Community Justice Unit of Legal Aid; all of whom operate with the understanding that early intervention and community involvement can indeed curtail violence. The Cure Violence model of community-led intervention and support does just that: From 2010 to 2019, data shows that Cure Violence and Human Justice Sites have contributed to an average 40% reduction in shootings across program areas compared to a 31% decline in shootings in the 17 highest violence precincts in New York City.¹²

We need to support services that work to mitigate the harm incarceration does to New Yorkers living with an untreated mental health diagnosis. At Legal Aid, we continue to innovate and

¹² See <https://home.nyc.gov/site/peacenyc/interventions/crisis-management.page>

incorporate best practices to support the people we serve who are living with a mental health diagnosis. In addition to our deeply committed forensic social workers across our trial offices, we also staff a pre-arraignment social work program, which has been funded by this council. This essential work ensures that social workers are part of the arraignment process, meeting clients at the first moment possible for us who may be in crisis or on the precipice due to their arrest, detention, and lack of connection to community-based services. This work can often be the key to ensuring that bail is not set and instead immediate placement in appropriate services is secured.

Our social workers and attorneys work closely with mental health professionals who work to keep New Yorkers in their communities and bring much needed services to them, where they are. Connecting clients to one of three types of intensive, assertive community-based mental health treatment often means the difference between achieving long-term stability in the community and facing the destabilizing consequences of incarceration while awaiting trial. At Legal Aid, we have found that Assertive Community Treatment (ACT) teams¹³, Forensic Assertive Community Treatment (FACT)¹⁴ and the City-funded Intensive Mobile Treatment (IMT) Teams¹⁵ to be excellent models of successful stabilization for those we serve. These teams include mental health, substance use, and peer specialists who provide support and treatment, including medication, and facilitate connections to housing and additional supportive services. Currently IMT teams—which are easier to access because they do not require active Medicaid —have capacity for 486 New Yorkers, but the need is much greater. Our social workers at Legal Aid are often faced with extensive waiting lists that create a significant barrier to connecting clients to these services, and too often result in prolonged periods of incarceration. We encourage the City Council to fund the Department of Health and Mental Hygiene to facilitate additional IMT teams and ensure that they operate to provide quality care, as well as further fund the organizations that coordinate ACT and FACT teams, to meet New Yorkers where they are and reduce the jail population.

¹³ see more info at <https://omh.ny.gov/omhweb/act/>

¹⁴ see more info at <https://omh.ny.gov/omhweb/act/>

¹⁵ see more info at <https://omh.ny.gov/omhweb/act/>

Of course, stability in the community also requires the essential component of safe and stable housing. The Mayor's Office on Criminal Justice has long promised to fund a continuum of housing from the essential and easy-to access emergency transitional housing to long-term housing. In fact, even as the Mayor's Office on Criminal Justice closed the COVID-era emergency reentry hotels, the City continued to fund transitional housing, reportedly investing "\$50 million per year to provide approximately 1,000 units of transitional housing administered by a network of non-profit organizations."¹⁶ Unfortunately, at Legal Aid, we have not seen the fruits of this investment, as we have long lists of people we represent waiting for a rare housing spot that would serve as a pathway off Rikers Island and back to a safe and stable life. To be serious about reducing the jail population the City must be serious about investments to expand safe housing and community-based services that help to prevent crisis moments from ever occurring. Only when we have created a network of easy-to-access services and robust housing solutions will we finally cease to use the police and our courts, jails, and prisons as the knee-jerk response to New Yorkers in mental health crisis.

Additionally, we need funding for the services that ensure that once people are ensnared in our criminal legal system, they are able to return to our communities with the resources to thrive. This means investing in robust transitional services and funding programs embedded at defender offices and aligned organizations like our Reentry Unit which works to help Legal Aid clients return successfully to our communities after incarceration. It also means expanding programming at Rikers Island, including Cognitive-behavioral and stress-management interventions; education, literacy, and vocational training; reentry preparation and job readiness; and trauma-informed and therapeutic supports. Programming is among the most effective strategies for reducing violence, decreasing use of force, improving stability, and promoting successful reentry as well as for strengthening bail packages and reducing length of stay.

We must also expand and fully fund youth development and pro-social programming and services to reduce the use of detention and incarceration of youth. One necessary step is to change contracts for alternative to detention and prevention programs for young people so that a young person under

¹⁶ See Mayor's Office on Criminal Justice website, <https://criminaljustice.cityofnewyork.us/programs/transitional-housing/>

18 can continue in the same program if their case is transferred from adult court to family court. Ensuring continuity of care can lead to better outcomes for youth, including reducing incarceration and increasing educational attainment.

We continue to urge the City to completely turn away from a police and jailing response to problems rooted in behavioral health crisis, long stand disinvestments in largely Black and Brown communities and a refusal to create the community-based resources, respite centers and opportunities for our city's young people. We must pass budgets with robust investments in supportive and transitional housing, support and connection centers, and community-based behavioral health services.

Conclusion

We must stop using the criminal legal system as the band aid that covers up—but never heals—the fissures in our social safety net. Lowering the population at Rikers requires a real investment in the communities that have long been under-served and under-resourced.

At the Legal Aid Society, we will continue to vigorously represent indigent New Yorkers accused of crimes. We will never be driven by 'faster case processing' but instead by the duty of zealous representation which demands our dedication to ensure those we represent see all evidence against them before accepting a plea offer or proceeding to trial.

As we do our work as attorneys, social workers, litigation assistants, investigators ,and paralegals to reduce the jail population, we expect the police, prosecution and the courts to make every effort to do the same. These system actors who drive low-level arrest rates, unaffordable bail and prolonged prosecution must begin to comply with the mechanisms of the law designed to discourage custodial arrest and detention and commit to ending the long-standing roadblocks they have created that prevent efficient and fair case resolution.



Testimony of

Helen "Skip" Skipper

Executive Director, The NYC Justice Peer Initiative

Lived Experience Advocate | Scholarvist (Scholar/Activist) | Pracademic (Practitioner/Academic)

Vice Chair, New York City Board of Correction

Before the New York City Council Committee on Criminal Justice

June 25, 2026

Good afternoon, Chair and members of the Committee. Thank you for the opportunity to testify today. My name is Helen "Skip" Skipper. I serve as the Executive Director of The NYC Justice Peer Initiative, and I come before you as a directly impacted woman, a lived experience advocate, a scholarvist - meaning a scholar and activist - and a pracademic - meaning a practitioner and academic who studies these systems while also working inside the community to change them. I also serve as Vice Chair of the New York City Board of Correction. I offer this testimony from the place where those roles meet: lived experience, public accountability, community expertise, and a deep belief that people closest to the problem are closest to the solution.

At the NYC Justice Peer Initiative, our work is to move lived experience to lived expertise. We train, organize, and build leadership pathways for justice-impacted peers who know, in their bones and in their practice, that care, connection, housing, treatment, recovery, and community are public safety. We are not anecdotes. We are evidence. We are not just stories. We are strategy.

I am here today to urge this Council to formally call on Albany to pass the Treatment Court Expansion Act, S4547/A4869, and to push the court system and prosecutors in New York City to stop using Rikers Island as a waiting room for people who need treatment, not cages.

I. The Scale of the Task

As of the mid-June jail population snapshot cited for this testimony, there were 6,631 people in New York City jails.[1] That number changes daily, but the direction of the crisis is clear. If New York City is serious about closing Rikers Island and moving to a smaller, borough-based jail system as required by law, the jail population must come down by thousands.

Let me say that plainly: we do not close Rikers by managing harm more efficiently. We close Rikers by refusing to send people to jail when what they need is care. We do not get to the borough-based system by polishing the machinery of detention. We get there by interrupting the front door to incarceration, especially for people whose court involvement is tied to serious mental illness, substance use, trauma, disability, homelessness, and untreated need.

The law may require Rikers to close, but the moral obligation is bigger than a deadline. The question before us is whether New York City will keep cycling the same people through the same trauma, or whether we will finally build a system that responds to root causes with root-cause solutions.

II. Who Fills Our Jails

A major share of the people trapped in our jails are people living with serious mental health needs. The template data before this Committee indicates that roughly 60 percent of people in New York City jails have a mental health diagnosis, and approximately one in five live with a serious mental illness.[2][3] Those numbers should stop us in our tracks.

These are not just numbers on a chart. These are New Yorkers. They are sons, daughters, parents, siblings, elders, neighbors, and community members. Some are people who have been failed by schools, hospitals, shelters, child welfare systems, behavioral health systems, and the criminal legal system again and again before they ever arrive at a jail intake window.

And once they arrive, the harm multiplies. People with mental health needs do not simply make up a large share of the jail population; they also stay longer. The template cites analysis showing that people needing mental health services had been held for 281 days, compared with 212 days for people not needing such services.[5] The NYC Independent Budget Office has also reported that stays associated with people living with mental illness are typically more than twice as long as stays for people not living with mental illness.[6]

That is the revolving door dressed up as case processing. That is delay disguised as due process. That is the City warehousing illness and then calling the outcome inevitable.

Rikers is not a hospital. Rikers is not a recovery center. Rikers is not a stabilization unit. Rikers is a jail - and for people living with serious mental illness, jail often means decompensation, isolation, violence, trauma, interruption of medication and treatment, and a deeper disconnection from the very community supports that make stability possible.

Every day that a person who needs treatment is held on Rikers, we are not just failing that person. We are failing their family. We are failing public safety. We are failing the legal mandate to close Rikers. And we are filling a jail bed that should not be filled in the first place.

III. The Durable Solution Is Diversion, and It Requires Albany

The Treatment Court Expansion Act is the kind of public health and public safety legislation New York should have passed a long time ago. S4547/A4869 would expand judicial diversion programs, establish diversion parts in each county, and create a more consistent path to treatment for eligible New Yorkers whose court involvement is connected to serious mental health needs, substance use disorders, and other functional impairments.[7]

That matters because right now, New York City does not have one fair, clear, accessible diversion pathway. We have a patchwork. We have different rules in different counties. We have overlapping screenings, duplicative paperwork, months of delay, and too many points where an adversarial system can block a person from even being considered for the care they need.

TCEA moves us closer to what common sense, clinical evidence, and lived expertise already tell us: clinical questions should be answered by clinicians; public safety determinations should rest with neutral judges; and people who can be safely treated in the community should not be held on Rikers while systems argue over paperwork.

The City Council cannot pass this state law, but the City Council can and should use its voice. I urge this Council to formally call on Albany to pass the Treatment Court Expansion Act and to make clear that closing Rikers requires meaningful, accessible, timely diversion.

But while Albany acts, there are also failures within the City's reach today. The Council can press the Office of Court Administration, District Attorneys, defense providers, and diversion programs to stop manufacturing delay inside daily court practice. I want to focus on three failures that must be addressed immediately.

A. Failure One: A Court Process That Manufactures Delay

When a person with mental illness is a candidate for treatment instead of incarceration, the core question should be direct: does this person have a qualifying condition, and can this person be treated safely and effectively in the community with the right supports?

Instead, we often see a process that demands years of medical records, thousands of pages of documentation, repeated reviews, and months of waiting. The defense requests records. The prosecutor requests records. The court may request records. Different offices review the same information to answer the same clinical question while the person waits on Rikers.

That is not careful justice. That is duplication. That is bureaucracy acting like a brick wall.

I am not saying assessment does not matter. Assessment absolutely matters. Safety matters. Treatment planning matters. But when everyone is trying to prove what is clinically obvious, and when the person is actively presenting with serious mental health needs, we have to stop pretending that delay is neutral. Delay is a decision. Delay is a condition of confinement. Delay is harm.

The Council should press the relevant court stakeholders to adopt immediate streamlining reforms:

- Gather necessary medical documents once, through a unified and narrowly tailored process for review by qualified clinical professionals, not as an open-ended fishing expedition.
- Make the clinical determination once where all parties are evaluating the same eligibility question, and require that assessment to be shared and accepted across the process.
- When a qualifying illness is clearly documented or actively presenting, create a time-limited presumption of eligibility for treatment-track consideration so no person sits in jail for months to establish a fact that is not really in dispute.

None of these recommendations requires releasing anyone whom a court has not already found appropriate for treatment. These recommendations simply stop the City from using Rikers as a holding pen while systems repeat the same review over and over again. Streamlining would shorten stays, reduce the jail population, and spare people months of avoidable harm.

B. Failure Two: Prosecutorial Gatekeeping Adds Months of Additional Delay

The second failure is prosecutorial gatekeeping. In too many cases, a person seeking mental health diversion must first secure the approval of the local District Attorney before the court and diversion staff can meaningfully consider the application.

That means defense teams spend months gathering documents, preparing summaries, responding to demands, and waiting for a decision from the very office prosecuting the case. Only after that can the person move toward the actual diversion process. For a person sitting on Rikers, those months are not abstract. Those months are missed treatment. Missed medication stabilization. Missed family connection. Missed housing opportunities. Missed employment opportunities. Missed life.

The Treatment Court Expansion Act would remove the prosecutor's veto power over applications and shift admission decisions to judges overseeing these courts, with clinical information informing the decision. That is exactly where these decisions belong.

Prosecutors have a role in public safety. But they should not function as the front door lock on treatment, especially when the question is whether illness, disability, trauma, or substance use is driving the case and whether community-based care can address it.

C. Failure Three: Charge-Based Exclusions Shrink the Pool of People Who Can Heal

The third failure is categorical exclusion. In some jurisdictions, people are excluded from mental health diversion because of the charge alone. Before anyone asks whether treatment would work, before anyone looks at the whole person, before anyone considers what supports would reduce risk, the door is already closed.

As a directly impacted leader, I know what it means to be reduced to the worst line in a file. I know what it means for a system to look at a charge, a record, or a moment of crisis and decide that is the whole person. But a charge is not a clinical diagnosis. A charge is not a treatment plan. A charge is not a prognosis. A charge is not destiny.

We have seen people with serious histories become stable, employed, credentialed, accountable, and deeply committed to giving back. I am part of a community of people who have transformed pain into purpose and lived experience into professional expertise. That is not fantasy. That is what happens when systems stop building permanent punishment around a person's worst moment and start building pathways for accountability, healing, and contribution.

Public safety is not served by excluding people who need treatment. Public safety is served when judges can look at the whole person, clinicians can assess the real needs, and communities can offer the right supports. Removing categorical barriers and prosecutorial veto points would open the door for people who are ready for change and move New York City closer to the population reductions required to close Rikers.

IV. Justice Peers Must Be Part of the Solution

Diversion cannot be a paper pathway. It has to be a real pathway, and real pathways require people who can walk beside participants through the hardest parts of change. That is where justice peers belong.

Justice peers are trained professionals who use lived experience as part of an ethical, disciplined, recovery-oriented practice. We help people navigate court dates, treatment appointments, benefits, housing, family repair, employment, crisis moments, relapse risk, shame, fear, and the deep distrust that many directly impacted people carry because systems have harmed them before.

When a person says, "You do not understand what I have been through," a justice peer can often say, "You are right, I may not know your exact story, but I know the road. I know the fear. I know the stigma. And I know there is another side." That kind of credibility cannot be manufactured by a brochure. It has to be lived, trained, supervised, and valued.

So when we talk about TCEA and diversion, we must also talk about investment in community-based treatment, peer support, housing, harm reduction, voluntary recovery supports, family support, and employment pathways. Diversion without infrastructure is just another promise the system makes and breaks. Diversion with justice peers and wraparound care is a real opportunity to interrupt the cycle.

V. Conclusion: Breaking the Cycle

The failures I have described all produce the same result: people with serious mental illness and complex behavioral health needs are trapped in a revolving door that cycles them through jail, court, crisis, release, instability, and rearrest. The system keeps calling the same people back to Rikers and then acts surprised when Rikers makes them worse.

We have to stop asking cages to do the work of care.

The Council can act on two fronts. First, within the City's reach, press the courts and District Attorneys to end duplicative screening, reduce unnecessary records delays, eliminate avoidable gatekeeping, and create immediate time limits for diversion decisions. Second, beyond the City's direct authority, demand that Albany pass the Treatment Court Expansion Act, which creates a clearer, fairer, more accessible diversion pathway and recognizes treatment as a legitimate public safety response.

Treatment is not leniency. Treatment is accountability with care. Treatment is prevention. Treatment is stabilization. Treatment is the difference between cycling a person through harm and helping a person return to community with support, responsibility, and hope.

I ask this Council to be bold, clear, and urgent. Call on Albany to pass the Treatment Court Expansion Act. Push our local court actors to streamline diversion now. Invest in the justice peer workforce. And do not let Rikers remain New York City's waiting room for people who needed treatment yesterday.

We are not choosing between compassion and safety. We are choosing evidence over fear, healing over warehousing, and community over cages.

Thank you for your time and for the opportunity to testify.

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Freedom
Agenda

Testimony to the Council Committee on Criminal Justice

June 25, 2026

Submitted by Ryan Acquattro, Campaigns Coordinator, Freedom Agenda

Chair Brooks-Powers and Committee members, thank you for this opportunity to provide public comment today.

My name is Ryan Acquattro, and I work with Freedom Agenda, a member-led project at the Urban Justice Center. Prior to my work at Freedom Agenda, I spent several years working in the Bronx criminal court for an Alternative To Incarceration (ATI) program at the Fortune Society, working with anyone the District Attorney and Court would allow me to. We helped people find housing and jobs, get their GEDs, reunite with their families, get connected to treatment, and so much more.

Our program regularly did amazing things for the people in the community, but to be completely honest the courts frequently did not allow me to work with most of the people I interviewed who were detained on Rikers Island. Sometimes the DA would refuse to consider an alternative solely based on the nature of the charge, despite the evidence that ATIs are much more effective at preventing future arrests than time at Rikers. Given that our City budget funds the DAs, the City should do more to ensure they are not creating unnecessary obstacles to diversion. But most often, the obstacle was that I couldn't piece together an adequate treatment plan for someone with serious behavioral health needs. I'd make referral after referral to programs across the five boroughs and beyond. But if someone had a dual diagnosis, or a serious mental illness that wasn't currently being medicated, or any kind of history of violence, each program would reject the application in turn. They'd tell me that the person needed a "higher level of care", a level of care that no facility seemed to offer.

People with serious mental illness are being failed by the jails and by the court system, often even when a judge and DA are willing to release someone to a treatment program. Because so many of our programs are at capacity and the wait lists are too long, people languish on Rikers and sink deeper into crisis, which harms everyone there, and ultimately drags cases out for years.

The City needs to ensure that we're adequately funding the programs that get people off Rikers at scale. That means funding enough mobile treatment teams (IMT, ACT, and FACT) to eliminate the long wait lists for these services, and funding enough crisis respite centers to comply with local law 118 of 2023. It means helping Harbor House, the only residential treatment program in the five boroughs who will work with the people no one else will, get the \$3M in capital funding they need to renovate a building and bring online 60 more beds. It means

funding an outpatient competency restoration pilot, so that New York City can catch up with the dozens of other states and municipalities that are already doing it. And it means funding MOCJ's ATI programs and reentry services at a scale where they can both grow what's working well and also pilot new programs and initiatives that will better serve the people that existing programs can't.

If the Council and the administration can get this budget right, we can continue the decades long trend of reducing crime and incarceration simultaneously, we can reduce the burdens on our courts and jails, and we can Close Rikers once and for all. I've linked to the Campaign to Close Rikers' FY27 Executive Budget Analysis [here](#), which articulates our demands in full.

However, while funding programs through the budget is perhaps the most timely way the City can support reducing the jail population, it is far from the only thing within the City's power to address.

To enhance the impact of the various investments that can be made in diversion programs and mental health treatment infrastructure through the budget, the Mayor and Council should also be actively supporting the passage of the Treatment Court Expansion Act (S4547/A4869) in Albany. The Council has passed a resolution in support of this bill in prior sessions, and the Mayor has spoken publicly in support of it after co-sponsoring it during his time in the state legislature. Both the Mayor and Council should consider this as one of their top priorities in Albany in the coming year, as it will remove obstacles to treatment for people in the court system with a variety of behavioral health needs.

The Department Of Correction should be releasing more people through the 6-A Work Release Program, enacting whatever changes to current policy are necessary to make that possible. The Department of Probation's Local Conditional Release Commission also has authority to release people who are serving City sentences, and should be convened to review applications as often as possible. The City governs both of these agencies and should use its discretion to release people at a scale more in line with the early years of the pandemic. The threat that conditions in the jails pose to the lives of everyone detained there has not diminished at all in the years since 2020, as reiterated by report after report from the federal monitor in the Nunez case.

The Mayor's Office of Criminal Justice (MOCJ) should be fully embracing its role as a convener, and should regularly bring together defenders, DAs, judges, executive agencies, service providers, community groups, and any other stakeholders to figure out ways to release people, divert more people from jail, and resolve cases more quickly. Every party involved should be working to their utmost ability to make this possible, and the city should exert whatever leverage it has over the organizations it funds and the agencies it operates to hold them accountable to that expectation.

MOCJ can provide regular training and re-training to judges across the city to ensure that everyone on the bench understands the City's release assessment, supervised release program, and array of ATI programs. MOCJ can provide judges with bench cards that function as cheat sheets reminding them of key facts about all of these things, as well as other subjects

like electronic monitoring, strategies for assessing someone's ability to pay bail, and best practices for reducing case delays.

MOCJ should in fact create an ability to pay assessment tool, and require its use in any case where a judge is considering or has set bail. MOCJ should publish a wide array of data to educate the public about judges' bail setting practices, and illuminate the ways bail is used as a means to detain someone on Rikers rather than as a means for ensuring a person returns to court. The Council could pass legislation requiring MOCJ to do all of this.

In conclusion, there is no shortage of actions to take. While not every stakeholder is a city agency or elected official, there is an incredible amount the City can do to address issues faced in our courts, and to support reducing the jail population. There's no time to waste. Lives depend on every stakeholder treating these issues with urgency, and I urge all of you to rise to the occasion. Thank you.

Testimony before the New York City Council in Support of Treatment Court Expansion Act and the full passage of Local Law 42.

Good afternoon, Chair and members of the City Council

My name is Victor Herrera, a leader and member of Freedom Agenda Close Rikers Campaign, speaker and mentor, Jailhouse Lawyer and community advocate. Thank you for the opportunity to testify today.

I urge the City Council to support the Treatment Court Expansion Act and fully implement Local Law 42.

There was a time when I struggled to recognize my self-worth. Years of trauma-based mental health challenges and self-medicating behavior left me searching for a way to survive pain that often felt overwhelming. Through treatment, support, and the difficult work of change, I came to understand that my pain could become my platform. That realization gave me a voice—not only for myself, but for community members who have experienced the tragedy of escape, despair, and the loss of hope. Absent the Re-entry resources, many will be left with unresolved trauma.

My brother Luis is just one of many whose recent experience shows how deeply funding failures have harmed the unhoused, those living with mental health challenges, and returning citizens who are trying to rebuild their lives. I am still struggling to know where to begin, because the lack of resources and the operational barriers before him have not only limited access to meaningful treatment—they have shaken the hope I once saw in his eyes. The treatment plan carried out by Court intervention in Brooklyn, Justice Innovations should have opened a door toward healing, stability, and reintegration, yet instead it exposed gaps that have no place in transitional services. At 59, Luis now faces the painful possibility of aging in prison unless we identify and fight for long-term options in both treatment alternatives and reduction of the Jail Population, which will comprehensively expedite the closure of Rikers, and the beginning of a new era of humane detention. Even with this heartbreak, I refuse to give up hope. With the support, ideas, and commitment of my colleagues and friends, I believe we can begin to confront this concern—not only for Luis, but for the many others whose futures are also at risk because the funding they need has fallen short.

A Call for Trauma-informed Public Safety Invest in Healing, Stability, and Reintegration

For our communities to flourish and for public safety to truly grow, we must invest in trauma-informed approaches that are supported by adequate funding, clear accountability, and compassionate care.

We cannot look the other way when comprehensive support systems fail people charged with low-level offenses. Without meaningful access to treatment, housing, and community-based services, too many people are left without a real path forward.

Public safety is strengthened when people are given genuine opportunities to heal, stabilize their lives, and successfully return to their communities.

Victor M Herrera

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Frances Geteles, Ph.D.

[REDACTED], New York, New York 10025

NYC Council Committee on Criminal Justice

Public Hearing June 25, 2026

Testimony of
Dr. Frances Geteles, Clinical Psychologist

My name is Frances Geteles. I am a Clinical Psychologist and I am also a member of the Jails Action Coalition (JAC), the HALT Solitary Campaign (HALT) and Mental Health Alternatives to Solitary Confinement (MHASC), organizations that advocate for the people incarcerated in our jails, which includes fighting for the passage of laws that can improve our justice system.

I wish to communicate with this committee about the failure of the District Attorney's office to comply with the Sixth Amendment to the United States Constitution which guarantees the right to a prompt trial, or a later Supreme Court decision which attempted to clarify the implementation of this right, suggesting that no more than 70 days pass between indictment and trial. I will use the mistreatment of Kalief Browder to explain why I believe that the functioning of the prosecutors must be changed.

Mr. Browder was accused of stealing a backpack, said he was not guilty and refused to plead guilty. As a result, he was incarcerated at Rikers Island for 3 years, probably more time than the prison sentence he might have gotten if he had been found guilty of stealing the backpack. For much of that time, he was being tortured by being held in solitary confinement. This terrible injustice happened because, when the time for

a speedy trial came up the prosecutor requested a postponement and was able to “stop the clock” so the issue of a speedy trial was no longer considered relevant – i.e. no longer something the prosecutor needed to adhere to.

In Mr. Browder’s case, “stopping the clock” appears to have been used as a means of coercion to force him into a guilty plea. In his case the coercion did not work, so finally the case was dropped. Apparently, there was not sufficient evidence or maybe even none at all. But all the suffering Mr. Browder had been submitted to in our jails resulted in his eventually committing suicide.

“Stopping the clock” should not be allowed, especially in a misdemeanor case. If a speedy trial cannot happen, for whatever reason, the accused person should be released from jail, allowed to await trial at home or at least in his community. I am asking that this committee write something about this into the city’s law.

In much more serious criminal cases, where release is a lesser option, the decision to postpone a case should be made by the judge after he is given a chance to review existing evidence, or important, documented reasons as to why the evidence is not yet available.

I am hoping that the Criminal Justice Committee of the City Council will support the effort to reduce the huge numbers of people held in the city jails by reinforcing the principal of more speedy trials as suggested here.

Francis Gedeon, PhD

From: [Michele Evans](#)
To: [NYC Council Hearings](#)
Subject: [EXTERNAL] Supplemental written testimony
Date: Friday, June 26, 2026 2:15:43 PM

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Supplemental Written Testimony of Michele Evans
Submitted to the New York City Council
Re: Criminal Court Delays, Discovery Access, Technology Failures, Rikers Island, and the Human Cost of Pretrial Detention

My name is Michele Evans. I am an independent journalist, author of *Rikers Island: Criminalized Survivor*, a domestic violence survivor sentenced under the Domestic Violence Survivors Justice Act, and formerly incarcerated at Rikers Island and in New York State custody.

My case took **1,126 days** to resolve. That is not an administrative backlog. That is a human rights failure.

I am also a former software engineer with approximately 20 years of experience working on high-profile, large-scale systems, including media, sports, healthcare, telecommunications, and enterprise technology platforms. I have worked on systems where failure was not an option. Because of that background, I want to be very clear: I do not accept the excuse that New York City and New York State court technology failures are simply “vendor problems.”

In 2026, there is no excuse for the criminal legal system to still be operating with fragmented, confusing, unreliable technology that directly prejudices defendants.

One current example is EDDS. The Supreme Court Criminal Term does not accept EDDS filings, even though the system accepts the filing, sends a confirmation, and identifies the filing as a Supreme Court Criminal filing. That creates serious confusion for the public and for defendants attempting to file papers. A person can believe they have successfully submitted a filing, receive confirmation, and then later learn the office does not use or honor that system.

That is unacceptable.

If the system accepts the filing and sends confirmation, the court should honor it. If the court does not accept EDDS filings, the system should not accept them, should not issue misleading confirmations, and should not create the false appearance of a completed filing. This causes prejudice to defendants and creates yet another barrier for people who are already navigating a confusing and punitive system.

Criminal Court must start honoring electronic filing systems or stop misleading the public into believing those systems are functional. There is no excuse for lack of basic technology access in 2026. This is not rocket science.

At the hearing, discovery delays and court technology delays were repeatedly attributed to vendor problems, vendor capacity, or outside technology limitations. As someone who spent approximately 20 years building and supporting high-profile, large-scale systems, I do not find that explanation acceptable.

Blaming outside vendors is not an adequate answer when liberty is at stake. If a vendor cannot reliably support criminal court infrastructure, discovery exchange, electronic filing, or data-sharing systems, then the government has a duty to fix the architecture, replace the vendor, build internal capacity, and protect the people harmed by those failures. Relying on unreliable vendors for critical criminal legal infrastructure is disastrous and presents a serious security risk.

New York City has plenty of software engineers, systems engineers, database engineers, cybersecurity professionals, and technology workers capable of building and maintaining reliable in-house systems. If the current systems are failing, the city and state should hire the people necessary to fix them. Court delay caused by bad technology is still court delay. Discovery delay caused by bad technology is still discovery delay. A defendant should not lose months or years of their life because agencies outsourced responsibility and then pointed at the vendor when the system failed.

Technology failures are not minor administrative problems. In the criminal legal system, technology failures can mean missed filings, delayed discovery, missed motions, prolonged detention, wrongful pleas, and years of harm.

I also want to reiterate the issue of discovery access for incarcerated individuals. In my own case, I was denied access to a laptop to review discovery while incarcerated. That should never happen. Discovery is not meaningful if the defendant cannot actually review it. A person cannot assist counsel, evaluate evidence, identify errors, or make informed legal decisions without real access to the material being used against them.

Discovery access must include practical technology access. Incarcerated defendants should have reliable access to laptops, digital discovery review tools, and the ability to meaningfully review the evidence in their own cases. Anything less turns discovery reform into a promise on paper instead of a functioning right.

I was incarcerated at Rikers Island when many of the reforms now discussed as implemented, but still not functioning as promised, were passed or coming into effect. DVSJA, bail reform, and discovery reform gave many of us hope at the time. Women inside Rikers talked about those reforms with real hope. We believed the system might finally be changing.

But that hope turned into despair.

In my own case, I was not released because the system worked. I was bailed out of the Rose M. Singer Center in June 2020, shortly after COVID hit, because an outside organization stepped up and posted \$30,000 cash bail for me. If that organization had not trusted me to return to court, I would have remained on Rikers Island from January 2019 until February 2022.

That is not justice. That is luck.

I was fortunate someone believed I would show up. Many people do not have that. Many

people are left sitting on Rikers not because they have been convicted, not because they are a danger, and not because there is no alternative, but because no one with resources steps forward at the right moment.

Before I was bailed out, I had requested release to a program that had already accepted me. That program was a recognized Alternative to Incarceration. My request was supported by the Women's Prison Association and other advocates. There was literally a line of women at my defense table advocating for my release.

The judge denied it.

Instead of recognizing the clear community support, the existence of an accepted ATI placement, and my status as a domestic violence survivor, the judge admonished me in open court and said words to the effect of: "That man right there is listening to every word you say and will use it against you."

The comment was inappropriate and unnecessary. It came across as belittling to the women standing with me by identifying the ADA as "that man," as though the presence of a male prosecutor should intimidate or silence us. I was a domestic violence survivor. The judge knew that. The court knew that. There was no reason to frame the moment that way.

There was also no legitimate reason I should not have been released to the program. I had been accepted. Advocates were present. The Women's Prison Association supported my release. The court was aware of my domestic violence history. Yet I was kept incarcerated.

That was unconscionable.

My own case languished from January 2019 into 2020 while I was held pretrial. During that time, the pressure to plead was enormous. New York uses coercive control against defendants by stacking absurdly lengthy minimums and maximums against them, then using the threat of decades in prison to force pleas. This pressure does not only impact guilty people. It pressures innocent people, overcharged people, mentally exhausted people, traumatized people, and people desperate to escape Rikers Island.

The very limited percentage of cases that actually go to trial should alarm every person in government. When almost nobody goes to trial, that is not proof that the system is working. It is proof that the plea system has become the system.

That must be stopped.

The combination of long pretrial delays, Rikers conditions, denied discovery access, poor communication, technology failures, ineffective counsel, and extreme sentencing exposure creates a coercive environment where pleas are often not truly voluntary. They are survival decisions.

I did not receive effective assistance from Legal Aid in my case. Despite my history as a domestic violence survivor, despite the facts that eventually supported sentencing relief under the Domestic Violence Survivors Justice Act, I was not placed into an Alternative to Incarceration program when I truly deserved one. An ATI was denied pretrial, and it was not offered or meaningfully pursued at sentencing either. By the time I was sentenced, the court was aware of my domestic violence history, yet incarceration remained the outcome instead of

treatment, stabilization, or community-based support.

That failure changed the course of my life.

My case illustrates why reforms on paper are not enough. Bail reform, discovery reform, DVSJA, and ATI expansion cannot be treated as symbolic victories while judges, prosecutors, defense counsel, and court systems continue operating in ways that defeat the purpose of those reforms.

A reform is not real if the person it was designed to help is still left sitting in a cage.

A reform is not real if a domestic violence survivor with an accepted ATI placement is denied release.

A reform is not real if discovery exists on paper but the defendant cannot access the digital evidence.

A reform is not real if EDDS accepts a filing and sends confirmation, but the criminal court does not honor it.

A reform is not real if people are still forced to plead guilty because the alternative is remaining at Rikers for months or years while their case slowly moves.

I lived the gap between reform language and courtroom reality. That gap destroys people.

The Treatment Not Jail Act must be passed. Alternative to Incarceration programs must be expanded, funded, and treated as a front-end solution rather than an afterthought. People should not have to survive Rikers Island before the system finally acknowledges trauma, mental health, domestic violence, disability, addiction, poverty, or instability.

I was also brought to court but denied entry into proceedings on more than one occasion. That experience is dehumanizing and procedurally disturbing. A defendant should not be physically transported to court only to be excluded from proceedings that affect their liberty. Court access is not optional. Participation in one's own case is a basic due process issue.

I also want to acknowledge the importance of the hearing beginning with the story of Kalief Browder. I recently met Kalief Browder's brother at Tribeca, and I appreciated that the Council recognized the tragedy of Kalief's story. But Kalief's story cannot be treated as history while the same conditions continue to exist.

I was at Rikers Island when Layleen Polanco died in solitary confinement. Her death shook the women's facility. People were grieving, scared, and furious. We were told change would come. We were told things would be fixed.

They have not been fixed.

People are still dying. People are still being harmed. People are still being held in conditions that damage the body, the mind, and the spirit. Deaths in custody are unacceptable. Solitary confinement is unacceptable. Delays that keep people trapped in those conditions are unacceptable.

I am submitting this testimony not only as a survivor of Rikers Island, but as someone with the

technical background to recognize that many of these failures are fixable. The lack of progress is not because solutions are impossible. It is because the system has tolerated failure when the people harmed are defendants, detainees, incarcerated people, poor people, Black and Brown New Yorkers, survivors, disabled people, and people without power.

The City Council should act with urgency.

I respectfully urge the Council to:

1. Require clear, reliable, and mandatory electronic filing access in criminal cases, including Supreme Court Criminal Term.
2. Prohibit court technology systems from accepting filings and sending confirmations where the court does not actually honor those filings.
3. Investigate and publicly report how vendor failures have contributed to discovery delays, court delays, electronic filing failures, and data-sharing problems, and invest in in-house public technology infrastructure instead of continuing to blame outside vendors.
4. Guarantee incarcerated defendants meaningful access to digital discovery, including laptops and secure review systems.
5. Require courts to document and report instances where defendants are brought to court but denied entry into proceedings.
6. Expand and fund Alternative to Incarceration programs.
7. Pass the Treatment Not Jail Act.
8. Address coercive plea practices driven by excessive sentencing exposure and prolonged pretrial detention.
9. Increase accountability for ineffective counsel and under-resourced defense.
10. Review how judges handle ATI requests for domestic violence survivors, especially where a recognized program has already accepted the defendant.
11. Treat deaths, solitary confinement, medical neglect, and preventable harm in custody as urgent government failures, not isolated incidents.
12. Require courts and defense counsel to document whether ATI was considered at both pretrial release hearings and sentencing, especially in cases involving domestic violence survivors, mental health, trauma, disability, or other treatment needs.

New York cannot continue to call itself a leader while operating criminal courts with outdated technology, inaccessible discovery, coercive plea pressure, and jail conditions that have already taken too many lives.

Nothing about this is inevitable.

It can be fixed.

It should have been fixed already.

And the people most harmed by these failures should not have to keep paying the price while government agencies blame vendors, paperwork, staffing, or bureaucracy.

Respectfully submitted,

Michele Evans

Independent Journalist

Author, *Rikers Island: Criminalized Survivor*

Domestic Violence Survivor

Formerly Incarcerated at Rikers Island
Former Software Engineer

Warm Regards,
Michele Evans



Testimony of

Nova Benway

Before the New York City Council Committee on Criminal Justice

June 25, 2026

I. The Scale of the Task

Today there are 6,631¹ people in our jails. To close Rikers Island and move to the borough-based system, as the law requires by August 2027, that number has to fall by thousands. The borough-based jails are designed to hold roughly 4,160 people. We will not reach that target by running the jail more efficiently. We reach it by keeping out of jail the people who never needed to be there in the first place.

II. Who Fills Our Jails

Chief among them are people with serious mental illness. Roughly 60% in our jails have a mental health diagnosis², and about one in five lives with a serious mental illness³. This population has surged in recent years and now makes up a higher proportion of the overall census than ever before.⁴

Not only are those with mental health diagnoses constituting a greater number of people detained at Rikers, they also end up staying in jail far longer than those without these challenges. According to a recent analysis by the Data Collaborative for Justice and Katal Center, “people in the latest jail population needing mental health services had been held for 281 days, compared to 212 days for people not needing such services.”⁵ According to a recent report by the NYC Independent Budget Office, “stays associated with an individual living with a mental illness are typically more than twice as long as stays by individuals who are not living with a mental illness[.]”⁶ This disparity exists even though this same population is less likely to be charged with more serious, violent felonies, which typically require more complex adjudication.⁷

¹ <https://www.vera.org/ny-data-hub/jail> snapshot on June 17, 2027, *subject to change daily*

² <https://katalcenter.org/2025/11/release-new-report-on-rikers-island-and-mental-health/>

³ <https://www.nimh.nih.gov/health/statistics/mental-illness>

⁴ <https://www.vera.org/ny-data-hub/jail>

⁵ https://datacollaborativeforjustice.org/wp-content/uploads/2025/11/Katal_DCJ_Report_.pdf

⁶

<https://www.ibo.nyc.gov/content/publications/2024-march-in-custody-length-of-stay-and-population-demographics-at-nyc-jails-2014-2023>

⁷ Id.

To be clear, Rikers is not built to treat complex mental illness. It makes the illness worse. It traumatizes people, it causes them to decompensate, and it drives a cycle of crisis, incarceration, and rearrest that returns the same people to custody again and again. Every person held this way occupies a bed we need to close Rikers, and is being harmed in the process.

III. The Durable Solution Is Diversion, and It Requires Albany

The lasting answer to this problem is a state law: the Treatment Court Expansion Act ([S4547](#) / [A4869](#)). This proposed state legislation targets this population: people who are arrested due to underlying and untreated serious mental illness. TCEA proposes not only to divert these individuals out of jail and into community-based treatment and wraparound services, but it provides a clear, streamlined, fast-tracked route to do so.

Currently, there is no statutory guidance for establishing alternatives to incarceration for people who suffer from serious mental health challenges. In the absence of state legislation, each county has admirably endeavored to create its own ad hoc program to fill this clear void in our criminal legal system. The result is a fragmented, inequitable network of mental health diversion programs across New York City. Each mental health diversion track entails its own confusing, overlapping and far too onerous admissions processes. And to even be considered for these programs, all require the consent of the local District Attorney, which in many cases entails an extraordinarily time- and resource-intensive vetting process that adds months and months to the admissions cycle.

TCEA will establish a single, streamlined route for defendants with either serious mental health or substance use disorders to apply for diversion, identify judges as the final decision-makers, and create fair and direct standards for eligibility.

The City cannot pass this law, but the City has every reason to demand it. I urge the Council to formally call on Albany to help New York City quickly decarcerate through streamlined, accessible mental health diversion.

While the State acts, there are failures within the City's reach today, inside the daily operation of our courts. I want to focus the Committee on two of them. These would be covered under the law, however they should be addressed immediately to effectuate change.

A. Failure One: A Court Process That Manufactures Delay

When someone with mental illness is a candidate for treatment instead of incarceration, eligibility comes down to one clinical question: does this person have a qualifying illness that the District Attorney believes can be treated and “managed safely” in the community? To answer it, the defense, the District Attorney, and the court might each separately demand the person's

medical records, often going back years. Those records can run thousands of pages, take months to obtain, and then get reviewed independently by multiple parties reaching the same conclusion about an illness the person is plainly presenting.

This is duplication, not deliberation. These three stakeholders - the defense, the prosecution and the court - are not bringing different perspectives that each merit a separate determination. They are all answering one clinical question, and answering it the same way. Three offices spend months proving what is clinically obvious, and the person waits on Rikers Island while they do it.

This can and should be streamlined. In addition to urging the state to pass TCEA, I also urge the Committee to press the Office of Court Administration and the District Attorneys to consolidate and streamline this unnecessarily onerous screening process. Specifically, we recommend these stakeholders adopt the following policies:

- 1) First, gather medical documents once, for use and review only by the clinicians screening the client, and limit these requests to critically needed records. A single unified request, for the purposes of review by a clinician (not a legal professional) would save months of time and significant expense, and would avoid intrusive fishing expeditions.
- 2) Second, make the clinical determination once. Where all parties are evaluating the same eligibility question, a single shared assessment they agree to accept can replace three parallel reviews.
- 3) Third, when an illness is clearly documented or actively presenting, presume eligibility for a treatment track on a time-limited basis, so no one waits months to establish a fact that is not in dispute.

None of this requires releasing anyone a court has not already found appropriate for treatment. It simply stops us from using Rikers as a waiting room for a decision everyone already agrees on. Streamlining this one process would shorten stays, reduce the jail population, and spare people with mental illness months of avoidable harm.

B. Failure Two: Prosecutorial Gatekeeping Adds Months of Additional Deliberation Time for Those Seeking Diversion

Under current law, those seeking diversion for mental health challenges must engage in two phases of the application process: before even being considered by the court and its diversion staff, applicants must first secure the approval of the local District Attorneys. Some county DAs do not scrupulously micromanage the application process. But in the counties where DAs do invoke their gatekeeping power, defense teams routinely spend months of time and innumerable resources compiling the documents and pre-pleading summaries that these prosecution offices demand, and then are forced to wait indefinitely for a decision, all before they can even begin the application for the program itself. This prosecutorial gatekeeping process squanders months and

months critical time while the person languishes in jail. TCEA would eliminate the DA's power to veto applications, instead shifting the admissions decisions to the judges overseeing these courts.

C. Failure Three: Prosecutorial gatekeeping limits the pool of participants.

As noted above, under current law, prosecutors are legally entitled to play gatekeepers to mental health diversion programs. In some jurisdictions, DAs exclude people on the basis of the charge alone. Many charged with an offense classified as a violent felony are automatically excluded before anyone asks whether treatment would work, no matter how strong a candidate they are. This categorical preclusion shuts out hundreds of people for whom community-based treatment would be transformational, people who could be stabilizing, working, and contributing in their communities instead of cycling through Rikers.

We know it would work because we have watched it work. Members of the Treatment Court Expansion Act coalition were admitted to treatment court in spite of a history that included a violent offense. Today they hold steady careers, they have rebuilt their lives, and they have dedicated themselves to giving back. They are the proof that a charge is not a prognosis.

The clinical question of who needs treatment should be answered by a clinician, not by an adversary, and any public safety calculations should rest with a neutral judicial officer, who is already trained to make these determinations. A judge can weigh the whole person, their clinical needs, their history, their prospects, and the interests of public safety, rather than a single line on a charging document. Removing the prosecutorial veto, and grounding eligibility in a clinical determination, would open the door to people who are ready for change and move us measurably closer to the population reductions that closing Rikers requires. This is precisely what the Treatment Court Expansion Act does.

IV. Conclusion: Breaking the Cycle

These failures share a single consequence: they trap people in an unending revolving door that cycles them through jail and prison at longer and longer intervals. New Yorkers with serious mental illness are routed through the justice system again and again, despite the clear connection between their illness and their conduct. That cycle is what produces the long stays on Rikers Island and the population growth this Committee is working to reverse. If we intervene at the root cause, treating the illness rather than re-arresting the person, we can break these institutional cycles and deliver care in the community, where these New Yorkers belong.

Conclusion

The path to closing Rikers runs directly through the people our system is least equipped to help and most determined to detain. The Council can act on two fronts. Within the City's reach, press the courts and the District Attorneys to end the duplicative records process that adds months to

every diversion case. Beyond it, demand that Albany pass the Treatment Court Expansion Act, which moves the clinical decision to clinicians, removes the prosecutorial veto, and treats serious mental illness as the root cause it is. Together, these reforms would shorten stays, shrink the population, and stop the harm we are inflicting on people who should be in treatment.

From: [New York City Council](#)
To: [Testimony](#)
Subject: Thu, Jun 25 2026 @ 10:00 AM - Committee on Criminal Justice
Date: Monday, June 8, 2026 2:47:58 PM
Attachments: [For-Julie-Zero-Fines-Collected-200-Million-not-going-to-Victims-of-Domestic-Violence.pdf](#)

Attendee will be: Testifying via Zoom (web)

[REDACTED]

Attendee name (Zoom name): Glen Bolofsky

[REDACTED]

Hearing: Thu, Jun 25 2026 @ 10:00 AM - Committee on Criminal Justice

Subject of testimony: Stip Fine Program - Reducing \$200m in funding for Victims of Domestic Violence

Organization: Self

Organization if "Other":

If a testimony was uploaded, it will be in the attachments.

Stipulated Fine and Commercial Abatement Programs Parking Summons Payment Schedule
Effective 1/5/2026

VIOLATION CODE	VIOLATION DESCRIPTION	Other Areas		Manhattan 96th Street and Below	
		Fine Amount	Program Timely Payment Rate	Fine Amount	Program Timely Payment Rate
1	FAILURE TO DISPLAY BUS PERMIT	\$515	\$515	\$515	\$515
2	NO OPERATOR NAM/ADD/PH DISPLAY	\$515	\$515	\$515	\$515
3	UNAUTHORIZED PASSENGER PICK-UP	\$515	\$515	\$515	\$515
4	BUS PARKING IN LOWER MANHATTAN	\$0	\$0	\$115	\$115
5	BUS LANE VIOLATION	\$50	\$50	\$50	\$50
6	OVERNIGHT TRACTOR TRAILER PKG	\$250	\$250	\$250	\$250
7	FAILURE TO STOP AT RED LIGHT	\$50	\$50	\$50	\$50
8	IDLING	\$115	\$115	\$115	\$115
9	OBSTRUCTING TRAFFIC/INTERSECT	\$115	\$115	\$115	\$115
10	NO STOPPING-DAY/TIME LIMITS	\$115	\$100	\$115	\$100
11	NO STANDING-HOTEL LOADING	\$115	\$100	\$115	\$100
12	MOBILE MTA BUS LANE VIOLATION	\$50	\$50	\$50	\$50
13	NO STANDING-TAXI STAND	\$115	\$85	\$115	\$85
14	NO STANDING-DAY/TIME LIMITS	\$115	\$90	\$115	\$90
15	MTA DOUBLE PARKING	\$50	\$50	\$50	\$50
16	NO STANDING-EXC. TRUCK LOADING	\$95	\$0	\$95	\$0
17	NO STANDING-EXC. AUTH. VEHICLE	\$95	\$80	\$95	\$80
18	NO STANDING-BUS LANE	\$115	\$95	\$115	\$95
19	NO STANDING-BUS STOP	\$115	\$100	\$115	\$100
20	NO PARKING-DAY/TIME LIMITS	\$60	\$25	\$65	\$25
21	NO PARKING-STREET CLEANING	\$65	\$40	\$65	\$40
22	NO STAND TAXI/FHV RELIEF STAND	\$115	\$115	\$115	\$115
25	NO STANDING-COMMUTER VAN STOP	\$115	\$100	\$115	\$100
26	NO STANDING-FOR HIRE VEH STND	\$115	\$100	\$115	\$100
27	NO PARKING-EXC. DSBLYT PERMIT	\$180	\$180	\$180	\$180
28	OVERTIME STANDING DP	\$95	\$60	\$95	\$60
29	ALTERING INTERCITY BUS PERMIT	\$515	\$515	\$515	\$515
30	NO STOP/STANDING EXCEPT PAS P/U	\$515	\$515	\$515	\$515
31	NO STANDING-COMM METER ZONE	\$115	\$90	\$115	\$90
32	OT PARKING-MISSING/BROKEN METR	\$35	\$25	\$65	\$25
33	MISUSE AGENCY AUTHORIZED PARKING PERMIT	\$65	\$65	\$65	\$65
35	SELLING/OFFERING MCHNDSE-METER	\$35	\$30	\$65	\$40
36	PHOTO SCHOOL ZN SPEED VIOLATION	\$50	\$50	\$50	\$50
37	EXPIRED MUNI METER	\$35	\$20	\$65	\$30
38	FAIL TO DISPLAY MUNI METER RECPT	\$35	\$25	\$65	\$45
39	OVERTIME PKG-TIME LIMIT POSTED	\$60	\$25	\$65	\$25
40	FIRE HYDRANT	\$115	\$115	\$115	\$115
42	EXPIRED MUNI MTR-COMM MTR ZN	\$35	\$30	\$65	\$50
43	MTA BUS STOP	\$50	\$50	\$50	\$50
44	PKG IN EXC. OF LIM-COMM MTR ZN	\$35	\$30	\$65	\$60
45	TRAFFIC LANE	\$115	\$100	\$115	\$100
46	DOUBLE PARKING	\$115	\$65	\$115	\$65
47	DOUBLE PARKING-MIDTOWN COMML	\$0	\$0	\$115	\$100
48	BIKE LANE	\$115	\$115	\$115	\$115
49	EXCAVATION-VEHICLE OBSTR TRAFF	\$95	\$60	\$95	\$60
50	CROSSWALK	\$115	\$100	\$115	\$100
51	SIDEWALK	\$115	\$100	\$115	\$100
52	INTERSECTION	\$115	\$100	\$115	\$100
53	SAFETY ZONE	\$115	\$100	\$115	\$100
54	PICKUP/DISCHARGE TX/COMMUTER VAN/FHV	\$115	\$115	\$115	\$115
55	TUNNEL/ELEVATED ROADWAY	\$115	\$100	\$115	\$100
56	DIVIDED HIGHWAY	\$115	\$100	\$115	\$100
57	BQE Weigh-In-Motion	\$650	\$650	\$0	\$0
58	MARGINAL STREET/WATER FRONT	\$45	\$30	\$65	\$40
59	ANGLE PARKING-COMM VEHICLE	\$115	\$25	\$115	\$25
60	ANGLE PARKING	\$45	\$30	\$65	\$40
61	WRONG WAY	\$45	\$30	\$65	\$40
62	BEYOND MARKED SPACE	\$45	\$25	\$65	\$25
63	NIGHTTIME STD/ PKG IN A PARK	\$95	\$60	\$95	\$60
64	NO STANDING EXCP D/S	\$95	\$60	\$95	\$60
65	OVERTIME STDG D/S	\$95	\$60	\$95	\$60
66	DETACHED TRAILER	\$45	\$30	\$65	\$40
67	PEDESTRIAN RAMP	\$165	\$165	\$165	\$165
68	NON-COMPLIANCE W/ POSTED SIGN	\$60	\$25	\$65	\$25
69	FAIL TO DISP. MUNI METER RECPT	\$35	\$30	\$65	\$55
70	REG. STICKER-EXPIRED/MISSING	\$65	\$50	\$65	\$50
71	INSP. STICKER-EXPIRED/MISSING	\$65	\$60	\$65	\$60
72	INSP STICKER-MUTILATED/C'FEIT	\$65	\$30	\$65	\$40
73	REG STICKER-MUTILATED/C'FEIT	\$65	\$30	\$65	\$40
74	FRONT OR BACK PLATE MISSING	\$65	\$25	\$65	\$25
75	NO MATCH-PLATE/STICKER	\$65	\$30	\$65	\$40
76	VIN OBSCURED	\$65	\$30	\$65	\$40
77	PARKED BUS-EXC. DESIG. AREA	\$45	\$30	\$65	\$40
78	NGHT PKG ON RESID STR-COMM VEH	\$65	\$40	\$65	\$40
79	UNAUTHORIZED BUS LAYOVER	\$115	\$100	\$115	\$100
80	MISSING EQUIPMENT	\$45	\$30	\$60	\$40
81	NO STANDING EXCP DP	\$95	\$60	\$95	\$60
82	COMML PLATES-UNALTERED VEHICLE	\$115	\$65	\$115	\$65
83	IMPROPER REGISTRATION	\$65	\$30	\$65	\$40
84	PLTFRM LFTS LWRD POS COMM VEH	\$45	\$35	\$65	\$55
85	STORAGE-3HR COMMERCIAL	\$65	\$30	\$65	\$40
86	MIDTOWN PKG OR STD-3HR LIMIT	\$0	\$0	\$115	\$100
87	FRAUDULENT USE PKG PERMIT	\$65	\$65	\$65	\$65
89	NO STD(EXC TRKS/GMTDST NO-TRK)	\$0	\$0	\$115	\$25
91	VEHICLE FOR SALE(DEALERS ONLY)	\$45	\$30	\$65	\$40
92	WASH/REPAIR VEHCL-REPAIR ONLY	\$45	\$30	\$65	\$40
93	REMOVE/REPLACE FLAT TIRE	\$65	\$30	\$65	\$40
96	RAILROAD CROSSING	\$95	\$60	\$95	\$60
97	VACANT LOT	\$45	\$30	\$65	\$40
98	OBSTRUCTING DRIVEWAY	\$95	\$60	\$95	\$60
99	OTHER	vary	\$25	vary	\$25

**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: ANDREW BOTELHO, EXEC. DIRECTOR,

Address: CHIEF OF DEPT

I represent: NYPD

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6/25

(PLEASE PRINT)

Name: Nota Daniels

Address: _____

I represent: MOC9

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6/25/2026

(PLEASE PRINT)

Name: Wesley Chan

Address: [REDACTED] Bx. NY 10473

I represent: THE BRONX DEFENDERS

Address: 360 E. 161st St. Bx NY 10451

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THE CITY OF NEW YORK

Appearance Card

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☐ in favor ☐ in opposition

Date: 6/25/26

(PLEASE PRINT)

Name: Stan German; NYCD5

Address: 100 William St; NY 10038

I represent: NYCD5

Address: _____

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THE CITY OF NEW YORK

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Appearance Card

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

☐ in favor ☐ in opposition

Date: 6/25/26

(PLEASE PRINT)

Name: Ryan Acquafredda

Address: 40 Rector St, 9FL

I represent: Freedom Agenda

Address: _____

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THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 42 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: VICTOR M. HECCECA

Address: [REDACTED] 926 11101

I represent: FREEDOM AGENDA - TCEA

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Chaplain Dr. Victoria A. Phillips - D.D.V

Address: 89 Wall St. #18/3 NYC

I represent: Seals Action Coalition / Treatment not Seals

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: Jennifer Parish

Address: 40 Rector St., NY, NY 10006

I represent: _____

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6/25/2026

(PLEASE PRINT)

Name: Michael Tucker

Address: [REDACTED] Ave

I represent: The Grimes

Address: _____

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THE CITY OF NEW YORK

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6-25-26

(PLEASE PRINT)

Name: Michele Evans

Address: [redacted] St Brooklyn NY

I represent: _____

Address: _____

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THE CITY OF NEW YORK

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6/25/2026

(PLEASE PRINT)

Name: Blake Walker

Address: [redacted] 8th Avenue [redacted]

I represent: _____

Address: _____

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THE CITY OF NEW YORK

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6/25/26

(PLEASE PRINT)

Name: TINA Luongo

Address: 199 Water St

I represent: Legal Aid Society

Address: 199 Water

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 844-1188 Res. No. _____

☐ in favor ☐ in opposition

Date: 6/25/20

(PLEASE PRINT)

Name: Elizabeth Fischer

Address: 317 116th Ave NY NY

I represent: Neighborhood Defenders Service of Harlem

Address: 103rd (part of defender panel)

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THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6/25/20

(PLEASE PRINT)

Name: Yung-Mi Lee

Address: 127 Livingston St. # 7, Brooklyn 11201

I represent: Brooklyn Defenders Services

Address: _____

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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: ZACHARY KATZNEISSON

Address: 121 6TH AVE

I represent: INDEP. RIKERS COMMISSION

Address: SAME

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

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THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6-25-26

(PLEASE PRINT)

Name: Elizabeth Fischer

Address: 317 Lenox Ave 10th Fl NY, NY 10027

I represent: Neighborhood Defender Service of Harlem

Address: 317 Lenox Ave NY NY 10027

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THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6/25/26

(PLEASE PRINT)

Name: Helen 'Skip' Skipped

Address: [REDACTED] Bronx NY 10468

I represent: NYC Justice Peer Initiative

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6/25/26

(PLEASE PRINT)

Name: Yorah Zeitz

Address: _____

I represent: Katal Center for Equity, Health, and Justice

Address: _____

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**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: Justyna Rzewinski

Address: [REDACTED] Howard Beach NY 1144

I represent: _____

Address: _____

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