

COMMITTEE ON CRIMINAL JUSTICE

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CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CRIMINAL JUSTICE

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May 11, 2023
Start: 11:22 a.m.
Recess: 11:37 a.m.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: Carlina Rivera, Chairperson

COUNCIL MEMBERS:

Shaun Abreu
David M. Carr
Shahana Hanif
Mercedes Narcisse
Lincoln Restler
Lynn C. Schulman
Althea V. Stevens

2 SERGEANT-AT-ARMS: Mic check for the
3 Committee on Criminal Justice. Today's date is May
4 11, 2023. Located in the Committee Room. Recording
5 done by Walter Lewis.

6 SERGEANT-AT-ARMS: Good morning and
7 welcome to the New York City Council vote of the
8 Committee on Criminal Justice.

9 At this time, can everyone please silence
10 your cell phones? Thank you for your cooperation.

11 Chair, we are ready to begin.

12 CHAIRPERSON RIVERA: [GAVEL] Good morning.
13 I am Council Member Carlina Rivera, Chair of the
14 Council's Committee on Criminal Justice.

15 I'd like to welcome you to our vote on
16 three pieces of legislation I sponsored, Proposed
17 Introduction 589A, Proposed Introduction 806A, and
18 Proposed Resolution 156A.

19 I want to recognize my Colleagues who are
20 here, Council Members Carr, Schulman, Narcisse,
21 Hanif, Stevens, and Restler.

22 The legislation we are voting on today
23 will help bring about much needed transparency and
24 spur action towards reducing our jail population for
25 a safer and more humane New York City.

2 Proposed Intro 589A will mandate new
3 reporting requirements on medical care and outcomes
4 for incarcerated pregnant persons. This bill will
5 ensure this population with unique health needs
6 including women with higher rates of trauma and
7 mental illness are getting the proper care while in
8 custody prior to, during, and after childbirth.

9 Proposed Intro 806A will require the
10 establishment of a new borough-based population
11 review program to identify people in custody whose
12 cases could be resolved or who could be safely
13 released into their community so they will not be
14 unnecessarily exposed to the conditions on Rikers
15 Island. Several jurisdictions outside of New York
16 City have already adopted this approach, and it has
17 been proven to be effective. Reducing the jail
18 population benefits those who are released and eases
19 the burden on the jail system as we get closer to
20 closing Rikers Island in 2027.

21 Proposed Resolution 156A calls upon our
22 State Legislators in Albany to pass the Treatment Not
23 Jail Act sponsored by Senator Ramos and Assembly
24 Member Forrest. This bill would expand the successful
25 diversion model by enabling anyone with a functional

2 impairment to participate in judicial diversion
3 regardless of the crime with which they are charged.
4 Research shows that incarceration is destabilizing
5 and traumatizing, especially for those with mental
6 health and substance abuse challenges. We must
7 swiftly enact this bill in Albany to move us close to
8 a criminal legal system that acknowledges and works
9 to address the root causes of people's medical and
10 mental healthcare rather than creating additional
11 harm.

12 To close Rikers Island on schedule in
13 2027, a deadline that the City is obligated to meet
14 by law, we must be diligent in reducing the jail
15 population and ending the cycle of recidivism. Rikers
16 Island keeps no one safe, and it must close. With
17 innovative policies like the establishment of new
18 population review teams and expansion of judicial
19 diversion, this goal is entirely within our grasp.

20 I'm proud to be joined by many Members of
21 this Committee as Co-Sponsors of this important
22 legislation.

23 With that, I now call on the Clerk to
24 call the roll.

1 COMMITTEE ON CRIMINAL JUSTICE

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2 COMMITTEE CLERK WILLIAM MARTIN: Good
3 morning. William Martin, Committee Clerk. Roll call
4 vote Committee on Criminal Justice. All items are
5 coupled. Chair Rivera.

6 CHAIRPERSON RIVERA: Aye.

7 COMMITTEE CLERK WILLIAM MARTIN: Hanif.

8 COUNCIL MEMBER HANIF: Aye.

9 COMMITTEE CLERK WILLIAM MARTIN: Narcisse.

10 COUNCIL MEMBER NARCISSE: Aye.

11 COMMITTEE CLERK WILLIAM MARTIN: Restler.

12 COUNCIL MEMBER RESTLER: I know I'm just
13 supposed to say aye, but I feel obligated to say two
14 things. One, really happy to have you back. We missed
15 you a lot. Secondly, so good that you're back and
16 passing a truly transformative piece of legislation.
17 The PRT bill is going to smartly, safely reduce the
18 population on Rikers Island and is one of the most
19 important bills I think we'll pass this year in the
20 whole City Council, and I really want to thank you
21 for your leadership in making it happen. Aye.

22 COMMITTEE CLERK WILLIAM MARTIN: Schulman.

23 COUNCIL MEMBER SCHULMAN: Permission to
24 explain my vote.

25

2 First, I am proud to Co-Sponsor Intro.
3 589A which is designed to help incarcerated pregnant
4 people get the medical care they need while in the
5 custody of the Department of Correction.

6 With regard to Intro. 806A and Reso.
7 156A, while I had some initial concerns, after some
8 deep research and discussions with experts and
9 members of my community, I am convinced that Intro.
10 806A and Reso. 156A will enhance public safety by
11 expediting case reviews and getting people with
12 severe mental health issues and other impairments the
13 care and support they need so they do not fall
14 through the cracks of the criminal justice system and
15 potentially become harmful to themselves and others.

16 With that, I vote aye on all.

17 COMMITTEE CLERK WILLIAM MARTIN: Stevens.

18 COUNCIL MEMBER STEVENS: Aye on all.

19 COMMITTEE CLERK WILLIAM MARTIN: Carr.

20 COUNCIL MEMBER CARR: Aye on Intro. 589A

21 and no on the rest. Thank you.

22 COMMITTEE CLERK WILLIAM MARTIN: Okay. By
23 a vote of seven in the affirmative, zero in the
24 negative, and no abstentions, we have Proposed
25 Introduction 589A adopted by the Committee.

2 With six in the affirmative, one in the
3 negative, and no abstentions, we have Proposed
4 Introductions 806A and Proposed Resolution 156A
5 adopted by the Committee as well.

6 CHAIRPERSON RIVERA: We will hold the roll
7 open just for a few minutes. Hope to accommodate
8 Council Member Abreu.

9 Thank you for your support.

10 COMMITTEE CLERK WILLIAM MARTIN:
11 Continuation roll call, the Committee on Criminal
12 Justice. Proposed Introductions 589A, 806A, and
13 Proposed Resolution 156A. Council Member Abreu.

14 COUNCIL MEMBER ABREU: Aye.

15 COMMITTEE CLERK WILLIAM MARTIN: Final
16 vote now on the items. We have Proposed Introduction
17 589A is now adopted with eight in the affirmative,
18 zero in the negative, and no abstentions.

19 Proposed Introduction 806A and Resolution
20 156A are adopted by the Committee with seven in the
21 affirmative, one in the negative, and no abstentions.

22 Council Member Abreu to close.

23 COUNCIL MEMBER ABREU: This hearing is now
24 adjourned. [GAVEL]

C E R T I F I C A T E

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



Date May 17, 2023