

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES

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December 4, 2017
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HELD AT: Council Chambers - City Hall

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

COUNCIL MEMBERS:

MATHIEU EUGENE
FERNANDO CABRERA
RORY I. LANCMAN
PAUL A. VALLONE
MELISSA MARK-VIVERITO
DANIEL DROMM
BRAD LANDER

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

Elizabeth Glazer
Director of the Mayor's Office of Criminal
Justice

Dana Kaplan
Executive Director, Youth and Strategic
Initiatives-Mayor's Office of Criminal Justice

Jeff Thamkittikasem
Chief of Staff at the New York City Department of
Corrections

Cynthia Brann
Commissioner at the New York City Department of
Corrections

Jonathan Lippman
Chairman of the Independent Commission on the New
York City Criminal Justice and Incarceration
Reform

Glenn Martin
President and Founder of Just Leadership USA

Akeem Browder
President and Founder of Kalief Browder
Foundation and Founder of the Campaign to Shut
Down Rikers Island

Shanique Charles
Member and Leader of Just Leadership USA

Marie Fuchs
Resident of Astoria, Queens, 26 years old, Member
Of Just Leadership USA

Halima Washington
Former Medical Case Manager at Community Based
Organization Contracted to Work with Rikers

Inmates Living with AIDS and HIV

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

Jasmine Moore
Resident of New York, African American, Member of
Just Leadership USA

Victor Herrero
Inmate served time on Rikers Island, Member of
Just Leadership USA

Herbert Murray
Resident of Rikers Island for 29 years, Member of
Just Leadership USA

Chanta Parker
Special Counsel for the New Initiatives at the
Innocence Project

Liz Bender
Member of Decarceration Project at the Legal Aid
Society

Alice Fontier
Managing Director of the Criminal Defense
Practice at the Bronx Defenders

Mary Lynne Werwas
Director of the Prisoners' Rights Project of the
Legal Aid Society of the City of New York

Kelsey DeAvila
Jail Services Social Worker at Brooklyn Defender
Services

Jordyn Rosenthal
Advocacy Coordinator at BOOM!Health

Rita Zimmer
Executive Director of the Women's Community
Justice Project and of Housing Plus Solutions

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

Carrie Smith
Member of the New York City Chapter of Critical
Resistance

Melissa Legge
Equal Justice Works Fellow at Earth Justice in
New York

Maureen Belluscio
Disability Justice Program Staff Attorney with
New York Lawyers for the Public Interest

Nicole Diaz
CASES

Charles Nunez
Community Advocate at Youth Represent

Alexander Horwitz
Chief of Staff of the Doe Fund and Member of the
Board of Directors of the Liberty Fund

Darlene Jackson
Member of the Close Rikers Campaign

Tanya Krupat
Director of the Center for Justice Across
Generations at the Osborne Association

Leanne Sharp
Senior Director of Court Services at CASES

David Schermerhorn
Represents VOCAL and Harm Reduction

Jimmy Barr
VOCAL New York

Unidentified Male

Inmate at Rikers Island

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

Anna Pastoressa

Son Incarcerated in Rikers Island Since 2010

Camilla Broderick

Former Inmate on Rikers Island, Member of Rikers
Debate Team

Serita Detrabe

Testimony on Behalf of Diane Johnson

[gavel]

CHAIRPERSON CROWLEY: Good morning, my name is Elizabeth Crowley and I am the Chair of the Fire and Criminal Justice Services Committee. Today we will be holding an oversight hearing on the administration's progress in closing Rikers Island. I've been the Chair of the Fire and Criminal Justice Services Committee for eight years and during that time I've seen conditions in our city jails steadily decline. The conditions of the facilities are deteriorating and the overall conditions for inmates, staff and officers are declining. Meanwhile the rates of violence and the DOC's budget continue to rise. The time for incremental reforms has come and gone. I believe we have reached the point where the only way to achieve genuine reform is to start anew, that is why I have supported the closing of all jails on Rikers Island. Opening new jail facilities throughout the city by courthouses will not only solve these issues with the current facilities, it will help solve problems that have plagued Rikers Island for, so long. Closing Rikers Island is not only financially responsible it is morally responsible. As the independent commission created through the

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2 leadership of Council Speaker Melissa Mark-Viverito
3 and Chaired by former Chief Judge Jonathan Lippman
4 concluded opening new jails throughout the city may
5 be costly in the short term but in the long term it
6 will save the city literally billions per year. The
7 question that this committee is looking to discuss
8 today is what is actually being done to make this
9 happen. Closing Rikers Island is clearly a major
10 undertaking, and nobody expects it to happen
11 overnight, but the Mayor announced that the policy of
12 the city of New York is to close Rikers Island and
13 that was announced over eight months ago, what has
14 the administration actually accomplished during that
15 time. From the information that is publicly available
16 there has been a lot of talk but little action. The
17 administration released a roadmap to closing Rikers
18 Island in June, but this document did not contain any
19 new ideas that weren't already in Judge Lippman's
20 report which had been publicly available three months
21 earlier. The administration created a website to
22 update the public on its progress but all of its
23 goals are listed as either in progress or in
24 planning. The administration spoke to the media and
25 released a statement about looking to hire

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2 consultants to create yet more plans but had not
3 publicly released that request for proposals. In
4 fact, the administration would not even release the
5 document to the council despite repeated requests.
6 None of this gives me the confidence that the
7 administration is truly committed to closing Rikers
8 Island. Let me be clear, I do not believe we should
9 rush into a project as massive as this and clearly
10 some planning is required however it should not take
11 eight months to come up with a plan to ask for more
12 planning. We have had a facility in Queens for
13 decades, we have most of the Queens Council
14 delegation in support of the usage of this as a jail
15 and there is work that could be done now to jumpstart
16 getting it back on track. I look forward to
17 discussing this and other concrete steps the Mayor is
18 taking to close Rikers Island and to discussing the
19 numerous other strategies that would be necessary to
20 accomplish this task. I want to thank all the staff
21 who helped put together this hearing. Thank you to
22 the Council Members here in attendance including our
23 Speaker Melissa Mark-Viverito, Council Member Rory
24 Lancman, Council Member Danny Dromm and now we will
25 hear from our Speaker Melissa Mark-Viverito.

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2 COUNCIL MEMBER MARK-VIVERITO: Thank you
3 Madame Chair and I want to thank the colleagues that
4 are here, I want to thank all the advocates in the
5 room and obviously I want to thank Miss Glazer and,
6 and all the representatives from the admin to really
7 talk about this very important matter. You know when
8 I started my tenure as Speaker the idea of closing
9 all the jail facilities on the Rikers Island was
10 considered outlandish, unrealistic, naïve and
11 impractical and it's incredible to see how far we
12 have come. In the my State of the City Speech in 2016
13 I called for the creation of an independent
14 commission to address whether closing all jail
15 facilities on Rikers was realistic, whether it was
16 practical, whether the dream of closing Rikers could
17 become a reality and earlier this year that
18 commission made up of some of the most experienced
19 and knowledgeable people in this city issued a
20 unanimous decision, the city should close all jail
21 facilities on Rikers and that it could do so within
22 ten years, that doing so would actually save the city
23 money in the long term and that it was the right
24 thing to do. Now thanks to the agreement of this
25 Mayor and his administration it is the policy of the

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2 city of New York to close all jail facilities on
3 Rikers Island. Since the Mayor announced this policy
4 we at the City Council have secured the support of
5 the Council Members who have jails in their districts
6 in Manhattan, Brooklyn, and Queens. We have secured
7 the support of virtually all of the Queens delegation
8 as mentioned by the Chair to reopen the Queens House
9 of Detention and numerous other Council Members have
10 supported closing Rikers including all of the current
11 candidates for Speaker. Here at the City Council we
12 have already fulfilled many of the recommendations
13 of, of Chief Judge Lippman's independent commission.
14 We have funded expanded supervised release programs
15 to cover a younger, higher risk population, we have
16 funded an initiative to help judges more accurately
17 assess defendant's financial ability to pay bail and
18 set more appropriate bail amounts. We passed a
19 package of five bills that comprehensively overhaul
20 bail payment processes to ensure that those who can't
21 pay bail are not needlessly detained longer than
22 necessary. We funded three diversion programs to keep
23 cases out of the criminal court system altogether
24 including programs aimed at addressing drug issues in
25 Brooklyn and Staten Island and a new neighborhood

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2 court in the Bronx that will empower communities to
3 choose the appropriate remedy for misdemeanor cases
4 without the possibility of jail or a criminal record.
5 So, of course the commitment of this council is very
6 clear and everything that we have been able to do
7 that has been laid out as recommendations on the
8 report we have done. Of course, the council's
9 citywide bail fund is operational and will be bailing
10 out more than 1,000 people every year. Many of these
11 initiatives were reflected in the Mayor's roadmap for
12 closing Rikers released about five months ago. That
13 road map is part of what we are here to discuss
14 today. There are dozens of strategies in that plan
15 including a number of initiatives that are supposed
16 to have already been implemented including developing
17 more alternatives to incarceration programing to
18 replace shorter jail sentences and expanding the
19 currently available supervised release programs.
20 However there has been little publicly available
21 information about progress in these and other steps
22 in closing Rikers. We know the Mayor has appointed a
23 number of very impressive individuals to his task
24 force and has started to solicit consultants to
25 develop plans for building new jail facilities

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2 outside Rikers Island. I'm interested in learning
3 more about what progress this task force has made,
4 details regarding the solicitation for consultants
5 and the administration's progress in implementing the
6 dozens of strategies contained in his roadmap. None
7 of us are under the illusion that closing Rikers
8 Island will be either quick or easy, however long it
9 takes we have a lot of work ahead of us and it is
10 crucial that we continue to work to get it closed as
11 soon as possible. It is also crucial that this
12 council and the public be made regularly aware of our
13 progress in this critical issue. I look forward to
14 learning more about the progress today, I mean I do
15 want to say that although the independent commission
16 talks about to... within ten years there are many of us
17 who believe very firmly that if there is the true
18 will and interest in putting our hearts and minds
19 into this matter and our priorities that we can get
20 that timeline reduced considerably particularly since
21 the issue of jails and locally... community based jails
22 we've already made progress on securing the support
23 of Council Members, it's a matter of now for... put...
24 moving forward in terms of a land use process and the
25 proper funding to make those community based

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2 facilities a reality. So, I look forward to
3 continuing... to learning more about that progress
4 today. I want to thank the members of the
5 administration that are here for their testimony. I
6 thank the Chair, all the staff who have put this
7 hearing together and I look forward to it. I just
8 want to say this is something that is very important
9 to me as I leave office and transition into civic
10 life something that I'm very proud of the legacy that
11 we've been able to lay the groundwork in this council
12 and really committed to seeing or really interested
13 in seeing the commitment move forward into the next
14 legislative session. I will continue to be part of
15 that process, I am committed to making this a, a
16 reality and I want to thank everyone, everyone in
17 particular the advocates that have really held us
18 accountable as elected officials to make this reality
19 take place. So, thank you all very much for your time
20 for being here today.

21 CHAIRPERSON CROWLEY: Thank you Madame
22 Speaker. Those who are testifying from the
23 administration we ask if you could raise your right
24 hand... right hand and affirm that you will tell the
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2 truth and nothing but the truth in your testimony and
3 answering questions posed by this committee?

4 [off-mic affirmation]

5 CHAIRPERSON CROWLEY: Thank you and I'm...
6 the Mayor's Office of Criminal Justice is prepared to
7 testify, thank you, once you're ready please begin.

8 ELIZABETH GLAZER: Good morning Speaker
9 Mark-Viverito and Chair Crowley and members of the
10 Committee on Fire and Criminal Justice Services. My
11 name is Elizabeth Glazer and I'm the Director of the
12 Mayor's Office of Criminal Justice. Thank you for the
13 opportunity to testify here today. I'm joined by my
14 colleagues the Corrections Commissioner Cynthia
15 Brann; her Chief of Staff Jim... Jeff Thamkittikasem
16 and from my office, Dana Kaplan who's leading a lot
17 of Race the Age work and other work on the Rikers.. on
18 closing Rikers. The Mayor's Office of Criminal
19 Justice advises the Mayor on public safety strategy
20 and together with partners inside and outside of
21 government develops and implements policies that
22 reduce crime, unnecessary incarceration, promote
23 fairness and builds strong and safe neighborhoods.
24 While Close Rikers has become a convenient moniker,
25 it masks the seismic system change that must happen

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2 in order to achieve that one goal. Close Rikers is
3 not simply about jail or where it is located or what
4 happens inside, it is about creating a smaller, safer
5 and fairer justice system of which jails are just one
6 expression. To do this depends on not just one
7 person, one entity or one program, it must be the
8 work of each of us system leaders and every New
9 Yorker. It's to affect the system change, the Zack
10 Carter, the Corporation Counsel for the city of New
11 York and I Chair the justice implementation task
12 force. This task force brings together all of the
13 entities from inside and outside of government with a
14 decision-making authority, implementation of
15 oversight and expertise on the key topics related to
16 creating a smaller, safer and fairer justice system
17 in New York City. A system that would allow for among
18 other important gains the eventual closing of Rikers
19 Island. Specifically, the task force includes leaders
20 whose decisions affect the size of our jail
21 population including the police, prosecutors,
22 defenders, state courts, corrections, probation,
23 service providers all of whom are working together to
24 identify and implement strategies to reduce the size
25 of the jail population safely. Task force members

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2 also have responsibility for advising on the best
3 ways to improve safety and opportunity for people
4 inside the jails and to design modern jail
5 facilities. The over 75 leaders and experts who have
6 joined the task force are meeting regularly creating
7 a coordinated mechanism to shape and implement system
8 changes. The justice implementation task force is not
9 calling for change, we are making it, it is embedded
10 in the every day work of the government of New York
11 City and the entities responsible for moving us with
12 urgency toward a smaller safer and fairer justice
13 system. Closing Rikers is the official policy of New
14 York City and it is a goal we are making concrete
15 practice... progress towards every day moving on
16 multiple and parallel work streams. For this
17 administration this work is not about short term
18 political gains but building enduring mechanism to
19 ensure that our justice system is smaller, safer and
20 fairer, fairer and in a sustainable way. To do that
21 requires a clear eyed realistic look at the problems
22 that exist in this system, the progress that is
23 possible and the work it will take to get there. I
24 want to discuss today three specific considerations
25 that we must take into account if the city is going

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2 to achieve its goal of closing Rikers and replacing
3 it with that smaller, safer and fairer justice
4 system. First it is New York's unique public safety
5 climate that makes the goal of closing Rikers
6 possible, a climate that must endure if this effort
7 is going to be successful. In the last four years in
8 New York City we've seen an acceleration of the
9 trends that have defined the public safety landscape
10 in this city over the last three decades. While jail
11 and prison populations around the country increased
12 New York City's jail population has fallen by half
13 since 1990. And in the last four years the jail
14 population dropped by 20 percent giving us the lowest
15 incarceration rate of any big city and the steepest
16 four-year decline in the size of our jail population
17 since 1998. The population reduction has been the
18 result of a number of things. First New Yorkers are
19 simply committing fewer crimes, you all know and it's
20 in the testimony with the major crime numbers are but
21 perhaps what is most striking are the murder and
22 shooting numbers that Commissioner O'Neill discussed
23 yesterday and today, although any murder or any
24 shooting is too much we've seen a drop of 17 percent
25 in our murders from 312 to this year, 259 and for

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2 those of us who lived through 1990 when murders were
3 tipping over 2,200 this is truly remarkable.
4 Shootings also are 20... down 21 percent this year. The
5 second thing is that police are arresting fewer
6 people, overall arrests are down 29 percent year to
7 date in this year compared to the same period in
8 2013. Then fewer people are simply entering jail
9 meaning once the police have arrested them judges
10 choose to release them, there are 41 percent fewer
11 admissions of those facing misdemeanor charges since
12 2013. And the number of people detained on bail of
13 2,000 or less has fallen by 36 percent since the
14 Mayor took office. And overall the jail population is
15 shifting with those accused of violent felonies
16 comprising a larger percent, percentage of the
17 population. Today almost every pre-trial detainee is
18 charged with a felony and over half are charged with
19 violent felonies suggesting that we are getting
20 closer to the goal of reserving jail for those who
21 pose a risk. This did not happen by accident, it is
22 the result of the intentional efforts of many that
23 must continue. Enforcement resources that focus on
24 public safety risks, alternatives to jail that earn
25 their trust of judges and prosecutors and New Yorkers

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2 themselves keeping crime low. The second
3 consideration is that closing Rikers Island cannot be
4 accomplished by any one person instead it requires
5 broad partnership and coordination among, among many
6 few of whom answer to the same boss. As just one
7 example current borough, borough facilities have the
8 capacity to house approximately 2,300 incarcerated
9 individuals yet the average daily jail population in
10 New York City is just over 9,000. Any effort to
11 expand existing facilities or build new ones off
12 island must be approved by five different entities
13 including community boards and the city council and
14 to transition to a system of only borough based
15 facilities the size of the jail population must be
16 smaller. That has changed, that's only possible in
17 partnership with the independently elected District
18 Attorneys, State Court Judges, State Legislators, New
19 Yorkers who show up as jury members and witnesses,
20 Defense Attorneys and multiple Mayoral Agencies. The
21 need for broad partnership is why we have been so
22 intentional in selecting the members of the justice
23 implementation task force and it is an indication of
24 concrete progress that over 75 individuals with
25 decision making authority and expertise have

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2 committed to the effort to implement change not just
3 discuss the need for it. The third consideration we
4 should make together as a city is that... I'm sorry... is
5 that this effort is not just a real estate issue,
6 Rikers Island is in effect short hand for many of the
7 problems in our justice system that go well beyond
8 what happens in a jail; over incarcerating those who
9 pose, pose a low risk, cases that drag on for years,
10 physical environments in jails that undermine safety,
11 this list goes on. When we talk about closing Rikers
12 it is irresponsible to reduce this effort to a change
13 in real estate. We are talking about leaving behind
14 and solving the problems of a justice system that is
15 not as small, safe or fair as it could be. This
16 requires solving those problems which are numerous
17 and complex and in the last four years we've worked
18 with our partners to make measurable progress on many
19 of these issues but solving them in an enduring way
20 takes time and this is the important work we are
21 doing and must do to ensure that we're not just
22 relocating a flawed system. Since the first day of
23 this administration numerous steps have been taken to
24 reduce the jail population and improve conditions of
25 confinement. In the... a few months since the city

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2 released smaller, safer, fairer; a roadmap to closing
3 Rikers we've taken two more important steps towards
4 this needed system change. We are continuing to build
5 out reliable and effective neighborhood based
6 alternatives to jail. In the last few months in
7 partnership with working groups of Defense Attorneys,
8 Judges, Prosecutors and non-profit program providers
9 we've launched several new programs to accelerate
10 safe reductions to the jail population. These include
11 new behavioral health services for defendants
12 assigned to supervised release, a pre-trial community
13 based alternative to jail program that's diverted
14 nearly 6,000 people since launching a year and a half
15 ago. A new program that replaces short sentences with
16 community based sanctions that address issues like
17 housing and employment insecurity and transitional
18 housing beds for women to allow them to remain in the
19 community while waiting for trial. We've taken the
20 first concrete steps towards creating a master plan
21 for a borough based New York City jail system. Two
22 weeks ago, we issued the capital project scope
23 development request for proposals to investigate and
24 assess three existing off island jail facilities in
25 New York City and investigate and identify additional

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2 sites with an emphasis on neighborhood engagement.
3 Community engagement is essential in how we design a
4 borough based jail system and procedurally critical
5 to creating a modern innovative model that instills
6 trust and reduces violence. Issuing the CPSD, this,
7 this plan is the first step in an open and
8 transparent planning process in which we invite New
9 Yorkers and their representatives to help us co-
10 produce a plan for the future of New York City's jail
11 system. Moving the city towards a smaller, safer and
12 fairer just... fairer justice system is a shared
13 endeavor one that will be guided by the justice
14 implementation task force. Briefly I'm going to give
15 an overview of the work of this body to date and
16 their focus in the coming months and years. The task
17 force includes three dedicated working groups; one
18 focused on safely reducing the size of the jail
19 population; one on design and one on improving
20 culture inside the jails and there are a few people
21 here today who are both members and Co-Chairs of that
22 task force. The population working group will help
23 achieve our shared goal of ensuring that no one who
24 could safely remain in the community enters jail and
25 that those in custody are not there longer than

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2 needed. This group has already met several times and
3 will continue to meet monthly helping to implement a
4 strategy to reduce the population further while
5 maintaining safety in two phases. First over the next
6 five years we will work towards the goal of safely
7 reducing the size of the jail population by an
8 additional 25 percent to reach 7,000. Doing so will
9 require full implementation of the strategies laid
10 out in the city's smaller, safer, fairer roadmap
11 which includes among other things safe... expanding
12 diversion, reducing how long it takes a case to
13 conclusion, an effort that requires all New Yorkers
14 and every part of the criminal justice system to
15 participate as well as updating the... updating the
16 tool used by judges to determine whether to release
17 or detain an individual and making it easier to pay
18 bail. Second the working group will develop
19 innovative ways to reduce the population further with
20 a goal of reaching 5,000. As the size, size of the
21 jail population falls to 7,000, jail will
22 increasingly be reserved for individuals charged with
23 serious crimes or who are a high risk of flight.
24 Further reductions will require developing solutions
25 to complicated problems like chronic recidivism and

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2 also reaching a consensus as to the appropriate use
3 of confinement for those charged with violent crimes.
4 The design in facilities working group is engaging in
5 how we ensure effective renovations to existing
6 facilities and development of new facilities creating
7 environments that foster opportunity and hope instead
8 of isolation and despair. Once the jail population
9 reaches 5,000 the city will be in a position to close
10 Rikers Island for good. Doing so will depend on the
11 desires of neighborhoods and their elected officials
12 as even a jail population of 5,000 significantly
13 smaller than the jail population today will still
14 require identifying and developing appropriate sites
15 for new jails as well as renovating existing
16 facilities in the boroughs. The design working group
17 is an important part of this process. Finally, the
18 culture change working group is working to ensure
19 that incarcerated people have access to stabilizing
20 services and staff have the support to serve the
21 public at the highest levels in integrity. The city
22 has already invested over 90 million dollars in this
23 effort and the culture change working group will
24 shape additional strategies to provide effective
25 programming and reentry support to incarcerated

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2 individuals as well as more professional development
3 opportunities for corrections officers. I'm grateful
4 to the many who have joined us in the implementation
5 phase of this work knowing that it will be
6 complicated and time consuming but with this shared
7 responsibility and shared effort we have a rare and
8 real opportunity to construct a smaller, safer, and
9 fairer justice system in New York City that will
10 endure. Thanks for the opportunity to testify here
11 today, I'd be happy to answer any questions.

12 CHAIRPERSON CROWLEY: Thank you for your
13 testimony Mr... Miss Glazer I'm going to first ask
14 Council Speaker Melissa Mark-Viverito to ask
15 questions and then we'll hear from others.

16 COUNCIL MEMBER MARK-VIVERITO: Yes, thank
17 you Madame Chair. So, so I just had some general
18 questions about the overall power structure and the
19 timelines, you know I think there's been some concern
20 that in looking at the website there really hasn't
21 been any updates, everything is in progress so to
22 speak, I'm not sure if there's been any changes yet
23 to the... to the website to inform of the work that
24 you're doing and so looking at, at this task force
25 which you and, and Mr. Carter are, are chairing can

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2 you just talk to us about... you laid out all the work
3 and the different things... focus that you're going to
4 look at, the different working groups etcetera but
5 what's the timeline in terms of the actual work and
6 what is it that you're looking to do at the end of
7 this process of the task force and the work that it's
8 been doing?

9 ELIZABETH GLAZER: So, this is a task force
10 that is focused on the actual action and activity, so
11 it will be with us for as long as this work endures
12 because every single person who's on the task force is
13 a decision maker and an important part of ensuring
14 that the projects and pieces of this pretty big piece
15 of work go forward and are done with the urgency that
16 I think we all share. There are essentially sort of
17 three parts to the work; one and most crucially is we
18 have to get the population down, that's important to
19 do both as a matter of pragmatism that is... so that we
20 can build the smallest number of jails off island.
21 It's also just a matter of fairness that we want a
22 population that's as small as possible. So, we've
23 already reduced the population by about 20 percent
24 that's been a very, very steep reduction over the last
25 four years and we've done it in quite intentional ways

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2 by reducing the number of people who go in and by
3 reducing the amount of time that they stay. That
4 hasn't been something that has just been the
5 administration's work, it has to be every single
6 person who buys into that. One of the major drivers of
7 that has been the supervisor release program that DA
8 Vance funded initially and has now been expanded to
9 also address the needs of those with, with behavioral
10 health issues and there are numerous other pieces to
11 that work including reducing the number of people who
12 serve short amounts of sentences, figuring out how to
13 ensure people are not needlessly held on bail. The
14 council as you pointed out has funded a citywide bail
15 fund, we funded bail expeditors that can ensure the...
16 [cross-talk]

17 COUNCIL MEMBER MARK-VIVERITO: Uh-huh...
18 [cross-talk]

19 ELIZABETH GLAZER: ...people pay their bail
20 before actually being put on a bus to Rikers. So,
21 there are a whole range of things that are happening
22 under population.

23 COUNCIL MEMBER MARK-VIVERITO: Right, so,
24 so let me just... let me just stop you there for one
25 second... [cross-talk]

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ELIZABETH GLAZER: Yep... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...because you know I understand the, the... obviously and, and a, a big believer in collaboration and coalition building and working collaboratively so I hope that as you're task force deliberates you don't, you know really short change the commitment of this council and all of the things that we have done that have actually contributed to reducing that jail population and we... as we revisit the way that we approach our criminal justice system and the way that we treat offenses, the way that we treat people that are incarcerated etcetera and I think that our commitment has been very firm and that a lot of consistent work that we've done over the past four years has also contributed to that and I'm hoping that that does not get short shrift as, as we... [cross-talk]

ELIZABETH GLAZER: Totally... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: ...deliberate but... [cross-talk]

ELIZABETH GLAZER: ...if I could just say, so I was remiss and not acknowledging, you know the deep and broad and important work of the council and I hope that we've been good partners to the council in

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2 accomplishing many of those goals and I think the most
3 important thing for me and for the administration is
4 that we have a shared goal and a shared sense of
5 urgency and this can only happen together and so... yes...
6 [cross-talk]

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COUNCIL MEMBER MARK-VIVERITO: Yes... [cross-

8 talk]

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ELIZABETH GLAZER: ...totally endorse that...

10 [cross-talk]

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COUNCIL MEMBER MARK-VIVERITO: So, then

12 just going into specifics, specifics about the
13 steering committee so how often is... has it met, how
14 many times has it met, how often do you plan to meet
15 and then if you could delineate also with the, the
16 working groups the same thing like how often are you
17 meeting and is there kind of an end goal in terms of
18 an update on what recommendations are being made, what
19 additional details to that roadmap are being laid out,
20 I mean if you can... [cross-talk]

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ELIZABETH GLAZER: Yep, absolutely... [cross-

22 talk]

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COUNCIL MEMBER MARK-VIVERITO: ...if you can

24 speak to...

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2 ELIZABETH GLAZER: So, the working groups
3 meet monthly, the way in which it's set up is there's
4 a steering committee that consists of the system
5 decision makers so that means the Chief Administrative
6 Judge of the state, the five District Attorneys, the
7 leadership of the Defenders Organizations, the Mayoral
8 agencies, corrections, police, probation but also
9 critically education, ACS and others, Health and
10 Hospitals so they're the broad steering committee,
11 they meet four times a year, they've already met once
12 and will meet again in December then under that there
13 are three subcommittees; one on population reduction,
14 one on culture change meaning all the things that
15 happen both inside the jail and then how incarcerated
16 people link back to neighborhoods and transition back
17 as well as how we ensure we support officers inside
18 and then the third subcommittee is on design and very
19 critically particularly now they are there to advise
20 and guide us both on how we invest the billion... a
21 little over a billion dollars that we now have
22 committed to ensuring that we have safe places for
23 people to be incarcerated and people who work there
24 and also then to look forward as to how we think about
25 the designs going forward and they are a very

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2 significant adviser and participant in this, this
3 planning process that we launched with this RFP two
4 weeks ago. So, in... Dana Kaplan is the Executive
5 Director who does all this, and I don't know if
6 there's anything else you'd like to add...

7 DANA KAPLAN: Yeah, I would just add that
8 the charter for the task force outlines an initial
9 three year commitment so we understand that there will
10 need to be that significant momentum moving forward
11 and I should also note that as Liz said we've got not
12 only the key decision makers but significant community
13 representation and feel that it is incredibly
14 important for there to be people who are formally
15 incarcerated, family members, service providers, non-
16 profit representatives on those working groups and so
17 that's an important commitment as well as well
18 representation of staff who are also working on these
19 issues.

20 COUNCIL MEMBER MARK-VIVERITO: So, then
21 just to... going one step further when we look at... you
22 know, and I know that there's obviously the, the
23 importance and the need to downsize the population and
24 I think that, you know we have been as a city trying
25 to look at how we, again re-envision or revisit the

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2 way that we approach incarceration and who gets
3 incarcerated and the... and below level minor offenses,
4 the community justice reform act which we passed about
5 really revisiting, you know who gets arrested and any
6 time that is spent in jail and whether these could be
7 dealt with in a civil... you know with a civil summons.
8 So, so taking into... all of that into account
9 understanding that reducing the population is
10 important but I, I think and I hope that it's your
11 understanding as well and your mission to maybe on
12 parallel tracks this idea of the community based
13 facilities that the quicker we can get those up and
14 running, you know the quicker that we can divert
15 people from Rikers to more locally based facilities
16 then I just think that we are just... we have to do that
17 at the same time, it's not about... [cross-talk]

18 ELIZABETH GLAZER: Totally agree... [cross-
19 talk]

20 COUNCIL MEMBER MARK-VIVERITO: ...waiting
21 till we get to that magic number and then taking a lot
22 at the borough based facilities. I think that it's
23 critical that we're doing it on parallel tracks and
24 that that take priority and again we've indicated
25 there's already support that we've been able to garner

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2 from the elected officials who are returning and who
3 represent those districts and, so I know the RFP is
4 out and all that, but I really hope that that's an
5 aggressive aspect of this idea that we can do those on
6 parallel tracks.

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ELIZABETH GLAZER: Totally, I think we are
8 completely in alignment that we must fire on all
9 cylinders, we can't simply wait for the population to
10 go down before... [cross-talk]

11

COUNCIL MEMBER MARK-VIVERITO: Uh-huh...
12 [cross-talk]

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ELIZABETH GLAZER: ...we start looking at
14 both the facilities that already exist and how we're
15 going to move off. So, what this, this effort does
16 that we just put the RFP out for is it does exactly
17 that and it also anticipates the ULURP process which
18 obviously the council is so crucially involved in so
19 there are a whole bunch... [cross-talk]

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COUNCIL MEMBER MARK-VIVERITO: So, you're
21 acknowledging that ULURP would be necessary in these
22 cases maybe in some and not all, what's the view on
23 that?

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ELIZABETH GLAZER: It is very likely from the work that we've done, we've done quite a bit of it that ULURP will be necessary... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: Okay... [cross-talk]

ELIZABETH GLAZER: ...for a whole bunch of reasons so... but we're anticipating that, I mean I think we, we can't not and so one of the things that this effort will do is start to check off the list some of the things that have to happen even before ULURP gets kick, kicked off, for example, an environmental impact state... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: Right... [cross-talk]]

ELIZABETH GLAZER: ...statement.

COUNCIL MEMBER MARK-VIVERITO: And then within... and I'm sorry I have not had an opportunity to look at that RFP specifically, but do you set forth any time lines on that?

ELIZABETH GLAZER: Yeah... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: Okay and what, what is the time line there?

ELIZABETH GLAZER: So, it's on a pretty accelerated time line so we anticipate that we'll have

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2 an entity selected by early in the year, I think it's
3 in February and that there will be a full study ten
4 month from that... from then. I don't think that there
5 will be complete silence between the beginning and the
6 end of the study that is... we will be, you know
7 obviously deeply involved with understanding what
8 they're finding as they start to look at the existing
9 sites and begin to figure out what other options there
10 are in those sites and a piece of the CPSD, this... you
11 know this effort quite significantly is that we must
12 have neighborhood engagement and elected engagement
13 and so that's all built in to part of this effort.

14 COUNCIL MEMBER MARK-VIVERITO: Alright, I
15 know that there's a lot of questions that the Chair
16 has and others on the panel, so I will leave it there
17 for now and thank you again for, for being here and
18 for testifying.

19 CHAIRPERSON CROWLEY: Thank you Madame
20 Speaker and we've been joined by Council Member Paul
21 Vallone. I'm going to continue to ask questions...

22 COUNCIL MEMBER MARK-VIVERITO: And Mr.
23 Perkins...

24 CHAIRPERSON CROWLEY: Oh I'm sorry, and
25 Council Member Perkins, my apologies. So, in line with

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2 the questions about the RFP, has the RFP been made
3 public?

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ELIZABETH GLAZER: So, I believe that a
5 copy was provided to the council and I believe
6 there's... on the website there's also...

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DANA KAPLAN: So, we have a summary
8 document on the website. The, the council received a
9 copy of the full RFP and this R... [cross-talk]

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CHAIRPERSON CROWLEY: But as of Friday at
11 five o'clock the council hadn't, right so what was
12 the... what was the reason for delaying, what... why
13 wasn't the administration more transparent about
14 letting us review that document if it was released
15 over two weeks ago?

16

DANA KAPLAN: So, I should also just... I
17 think it's helpful to know that the CPSD, it was an
18 RFP that went to the preselected vendors as part of
19 OMB's CPSD process that had already gone through the
20 full RFP and, so we selected this because we believe
21 that this was the most expedited route to be able to...
22 [cross-talk]

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CHAIRPERSON CROWLEY: Right but, but...
24 [cross-talk]

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DANA KAPLAN: ...move forward... [cross-talk]

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CHAIRPERSON CROWLEY: ...you knew about this hearing since that date you released the RFP and we've not been able to review your RFP because we didn't have a, a business day to... a single business day to look at it, you know you... we did not receive that as of five o'clock on Friday so obviously it seems as if the administration is trying to hide something which... [cross-talk]

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DANA KAPLAN: So, and, and my, my understanding was that you had received it, but we would be happy to confirm that that is accurate and that it went to everyone within the council who, who wanted to have that copy.

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CHAIRPERSON CROWLEY: And what kind of company are you... were, were preselected, what kinds of company, were they architectural firms, what type of consulting firms?

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DANA KAPLAN: So, it was OMB's vendors and I believe they'd be better suited to speak to the particular specifics of the qualifications of those that received the RFP.

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CHAIRPERSON CROWLEY: Can... so, the Office of Criminal Justice can't... cannot speak about the types of companies that were preselected?

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DANA KAPLAN: It was certainly very qualified companies but I, I don't think I'd be the best person to speak about their particular history.

CHAIRPERSON CROWLEY: It, it still seems as if you're trying to hide something, you know a few years ago when the federal government was investigating everything that was happening on Rikers Island and they issued a, a scathing report and were threatening to take over running the Department of Corrections then the De Blasio Administration came up with this 14-point plan and paid a consultant, the Mackenzie Group over 29 million dollars to reduce violence and make the jail safer and the federal monitor released a report just a few months ago saying that the jails are no safer so there's concern that we have in this oversight hearing, try to understand what's included in your RFP when we... when we've been through this before with the Department of Correction and there are other contracted agencies that has been very expensive and has shown little to no success in reducing violence on the island.

ELIZABETH GLAZER: So, this is a very standard procedure that happens when the city or frankly anybody wants to determine whether and where

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2 to build something, if you were to renovate your
3 apartment, if you were to build a house you would want
4 to do determine what the conditions were beforehand so
5 that you could figure out what kind of skills you
6 needed, what the options were and what you could do...

7 [cross-talk]

8 CHAIRPERSON CROWLEY: Right... [cross-talk]

9 ELIZABETH GLAZER: ...and so that's... I don't
10 think there's any... [cross-talk]

11 CHAIRPERSON CROWLEY: No, that's, that's...

12 [cross-talk]

13 ELIZABETH GLAZER: ...mystery... [cross-talk]

14 CHAIRPERSON CROWLEY: ...understood... [cross-
15 talk]

16 ELIZABETH GLAZER: ...yeah... [cross-talk]

17 CHAIRPERSON CROWLEY: ...except that the
18 timeline I heard is like ten months for a plan to come
19 back and the Council Speaker said only, only a few
20 moments ago that the Council Members in Manhattan and
21 Brooklyn and in Queens that represent the areas where
22 you have jails and courthouses are okay with expanding
23 the existing jails and the one that's not even being
24 used in Queens so that's like 80 percent of the

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2 population that we're looking to move off of Rikers
3 Island... [cross-talk]

4 ELIZABETH GLAZER: So... [cross-talk]

5 CHAIRPERSON CROWLEY: So, the plan could be
6 in, in practice already if, if you do believe you need
7 a ULURP process but that's not even concrete, it seems
8 as if the administration doesn't even know if you have
9 to start with land use because those facilities are
10 already okayed to be used as jails and one in Queens
11 has been empty. So, it seems as if the administration
12 is, is not prepared and it's being... like react... when
13 you issued this RFP it was the same day that the
14 Lippman Commission was having it's, it's meeting since
15 after it released its report and that was when the
16 Mayor finally agreed, when he released the report. So,
17 it seems as if the council and the Commissioner had
18 been pulling the Mayor along and he has not been and
19 nor has your office been more proactive and working
20 with stakeholders to make sure that the RFP is proper,
21 that the plan is in place to do this in under ten
22 years.

23 ELIZABETH GLAZER: So, I would push back
24 pretty hard on that, I think there are multiple things
25 in what you said. So, first of all having the support

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2 of the elected is very, very important but it is not
3 the only thing that will make a building get built.
4 One of the things that we all have to do is figure out
5 what actually can be built. Let's think about for
6 example the Manhattan Criminal Court Complex, how many
7 people could actually fit there, where would we
8 actually put a building, what would that building look
9 like. So, all of those things are just... are part of
10 what's involved in actually building a building and we
11 need help for people to see what that's going to look
12 like, and I would imagine that elected officials would
13 be quite interested in figuring out what in fact could
14 fit in Manhattan, what could fit in Brooklyn, what are
15 some options that we could have. We chose the
16 particular kind of procurement process that we did in
17 order to not be caught up in the multiple years of
18 procurement that a normal process has so as you know
19 the city has prequalified vendors that they can select
20 from and we chose one of those lists of people who are
21 architectural and engineering firms who have all been
22 pre-vetted and that's the reason why we're able to get
23 to procurement so quickly. Ten months to figure out
24 what is actually possible in what will be one of the
25 largest capital programs that this city has ever

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undertaken seems like a wise and prudent investment in order to determine how we're going to move forward with this incredibly important project.

COUNCIL MEMBER MARK-VIVERITO: Did you just say that you already selected the vendor?

ELIZABETH GLAZER: No, we issued the RFP... so, there are preselected vendors that are on a... that are on... they're pre-vetted and these are backdrop contracts, I'm going to use the wrong words for this, but it permits the city to procure more quickly with a selected list of vendors.

COUNCIL MEMBER MARK-VIVERITO: You seem to be indicating an architectural firm or something to that effect, you seem to, to... [cross-talk]

ELIZABETH GLAZER: So, architectural and engineering firms are the kinds of folks who are able to do the kinds of investigation that will help us determine whether... how to use the existing site... [cross-talk]

COUNCIL MEMBER MARK-VIVERITO: So, are you saying that... it sounds like you said you have selected from a list so how many pre-vetted vendors received copies of this RFP?

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ELIZABETH GLAZER: So, I believe there are four that are pre-vetted and then from those four one will be selected.

COUNCIL MEMBER MARK-VIVERITO: What are... do you know what they are?

ELIZABETH GLAZER: I don't.

COUNCIL MEMBER MARK-VIVERITO: You... it would be great if we could get that since it's such a small number just to know the firms and, and their experience, I, I mean the one thing I'll, I'll say and I'm... unfortunately I'm going to have to leave shortly but I want to talk about again... I just want to reiterate how strongly I feel and not just because me and this council convened it but I really want to really highlight again the work of the independent commission because that was a process of, you know which people gave of their time and their time and their effort and a lot of the things that you were discussing in this roadmap are things that were deliberated and discussed by the independent commission and the one thing that I... it really frustrates me about government is recreating the wheel and expending unnecessary resources and effort. So, to what extent in you deliberating and coming up with

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2 this task force and this plan was there some sort of
3 deferment or consultation or aggressive, you know
4 outreach to the members of the independent commission
5 and try to involve them in that process?

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ELIZABETH GLAZER: Yeah, so I... there are
7 numerous members of the Lippman Commission who are on
8 our current task force and I would say that a lot of
9 the work that the Lippman Commission did is the
10 foundation for what we're doing now and built the kind
11 of cooperative effort that permits us to now actually
12 issue an RFP to go to the particular sites to begin
13 building... you know to begin to figure out whether or
14 not those are sites to build. So, I think that this is
15 big and complicated work, we need all the brains we
16 can on it, I think the Lippman Commission did
17 incredibly important work, I think we're very aligned
18 and were... when I testified there that many of those
19 ideas about how we, you know reduce the population are
20 things that we have been very strongly driving here
21 and hope to continue and expand and there's much more
22 that we need to do and need to figure out and so we
23 very much look forward to that partnership... [cross-
24 talk]

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COUNCIL MEMBER MARK-VIVERITO: Well...

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3 [cross-talk]

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4 ELIZABETH GLAZER: ...and feel that... [cross-
5 talk]

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COUNCIL MEMBER MARK-VIVERITO: ...well

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7 that's... [cross-talk]

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8 ELIZABETH GLAZER: ...we have it by having
9 members there.

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COUNCIL MEMBER MARK-VIVERITO: It's

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11 critically needed and important and that again, you
12 know recognition of effort that has gone into it be
13 part of this and not recreating the wheel in the
14 efforts because we are trying to get done with this as
15 quickly as possible, we're not trying to drag this out
16 ten years or beyond. I think there's many of us who
17 obviously feel that we can do it in a much shorter
18 time frame but we'll... you know I know Liz and I are
19 very... have a lot of confidence that there will be
20 aggressive oversight moving forward as this progress...
21 as this work moves forward and, and will continue to
22 work diligently to make sure that the intentions of
23 this council and of the advocates and all of us who've
24 been working on this together are fulfilled. So, again

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2 thank you and I, I look forward to the additional
3 questions and answers.

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CHAIRPERSON CROWLEY: Thank you Madame
5 Speaker. Within the RFP and within the Office of
6 Criminal Justice and Department of Correction's plan
7 are you looking to house a jail facility on, on Staten
8 Island?

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ELIZABETH GLAZER: That's not part, part of
10 the current examination.

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CHAIRPERSON CROWLEY: So, the answer is no?

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ELIZABETH GLAZER: Right.

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CHAIRPERSON CROWLEY: However the... it means
14 we're going to have to be produced for court in Staten
15 Island. So, so, so... [cross-talk]

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ELIZABETH GLAZER: Absolutely... [cross-talk]

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CHAIRPERSON CROWLEY: ...the RFP is not in
18 line with the Commission's report that there should be
19 a jail in every borough?

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ELIZABETH GLAZER: So... [cross-talk]

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CHAIRPERSON CROWLEY: Near the courthouses.

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ELIZABETH GLAZER: We're not looking to put
23 a jail in, in Staten Island, Staten Island represents
24 about three percent of the current population of
25 Rikers Island. We anticipate that by the time we're

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2 moving off island it'll be under two percent, 1.5
3 percent of the population and what's involved in
4 building a jail and in producing all those services
5 this does not seem that it's worth the candle.

6 CHAIRPERSON CROWLEY: So, right now there
7 are about three percent of the population, so it's got
8 like... [cross-talk]

9 ELIZABETH GLAZER: Uh-huh... [cross-talk]

10 CHAIRPERSON CROWLEY: ...200 people, 150
11 people?

12 ELIZABETH GLAZER: Correct.

13 CHAIRPERSON CROWLEY: And has Staten Island
14 been having more arrests and more people sent to
15 Rikers Island with the large opioid epidemic that's
16 happening there?

17 ELIZABETH GLAZER: I would have to get back
18 to you precisely on that, but we've seen overall
19 pretty much in every borough everything is going down.

20 CHAIRPERSON CROWLEY: So, the
21 administration doesn't believe it's cost efficient to
22 have a jail the size of 150 inmates?

23 ELIZABETH GLAZER: Correct.

24 CHAIRPERSON CROWLEY: Its more cost
25 efficient to transport the inmates from another jail?

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ELIZABETH GLAZER: Correct.

CHAIRPERSON CROWLEY: It doesn't seem... that doesn't seem right. How much is the administration willing to pay for whomever gets this plan, like how much do you believe that this plan that you're looking for these various different companies to put forth, how much do you believe that would cost the city?

ELIZABETH GLAZER: I mean what does the CPSD study cost?

CHAIRPERSON CROWLEY: Yes... [cross-talk]

ELIZABETH GLAZER: Is that what you're asking?

CHAIRPERSON CROWLEY: Uh-huh.

ELIZABETH GLAZER: Dana... [cross-talk]

DANA KAPLAN: We don't have funding, the, the bids will come back with an estimate as to what the cost of the master plan will be and so that's the numbers that we'll be looking for.

CHAIRPERSON CROWLEY: But the company is going to look at the three different jail facilities that are currently in the boroughs that have the detention centers near the courthouses; Queens, Brooklyn and Lower Manhattan?

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DANA KAPLAN: It's, it's starting with the three existing DOC facilities as the sites of examination, but the ultimate objective is a comprehensive master plan to, to identify the capacity to house 5,000 individuals off of Rikers Island. So, that's the starting point but it will also work with the city to help identify additional sites as required.

CHAIRPERSON CROWLEY: The city and the Department of Correction is currently working to move 150 16 and 17-year old's off of Rikers Island?

ELIZABETH GLAZER: Correct.

CHAIRPERSON CROWLEY: And do you believe that the city will meet the timeline that the state has put forth that... recommended by April 2018?

ELIZABETH GLAZER: We have every intention of meeting that deadline, it will require... I'm sorry, you said what date... [cross-talk]

CHAIRPERSON CROWLEY: They recommend April, but I think that's... [cross-talk]

ELIZABETH GLAZER: October 28... [cross-talk]

CHAIRPERSON CROWLEY: ...they recommended April... [cross-talk]

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ELIZABETH GLAZER: ...October 2018... [cross-talk]

CHAIRPERSON CROWLEY: ...but they will not take action... [cross-talk]

ELIZABETH GLAZER: Right... [cross-talk]

CHAIRPERSON CROWLEY: ...if it... you know if it happens before October 2018.

ELIZABETH GLAZER: October 2018 is the date that we and every other county across the... [cross-talk]

CHAIRPERSON CROWLEY: The final... [cross-talk]

ELIZABETH GLAZER: ...across the state... [cross-talk]

CHAIRPERSON CROWLEY: ...right... [cross-talk]

ELIZABETH GLAZER: ...are recognizing...

CHAIRPERSON CROWLEY: But they did recommend April.

ELIZABETH GLAZER: Right, well they said if... [cross-talk]

DANA KAPLAN: If, if practical... [cross-talk]

ELIZABETH GLAZER: ...if practical.

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2 CHAIRPERSON CROWLEY: If practical but the,
3 the practicality here is that you have an existing
4 facility in the Bronx which has made this process all
5 that much more less difficult than moving the other
6 inmates, the vast majority of the inmates and so it's,
7 it's frustrating to look at, you know the state... the,
8 the federal government recommended this going back
9 into 2014 to put a plan in place to take the 16 and
10 17-year old's off the island. So, I bring that up
11 because here we are in 2017 now the state is mandating
12 it and the process is taking place painstakingly slow,
13 it's so slow that it doesn't make me believe that the
14 administration really is so focused on moving the
15 population off the island as quickly and as
16 efficiently as possible.

17 DANA KAPLAN: So, as, as noted the
18 commitment to move adolescents off of Rikers is
19 something that the administration was focused on even
20 in advance of Raise the Age having passed a, a law
21 that we supported significantly. There are, you know
22 many things that are required in that such as doing
23 facility renovation, so we are now working very
24 intensively with all of the agencies that will be a
25 part of this focused at, at... on the particularly

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2 aggressive time line but we are heartened by this
3 feel... both the... though there's a lot of progress and
4 obviously are working with the state as well... [cross-
5 talk]

6 CHAIRPERSON CROWLEY: Right, what... [cross-
7 talk]

8 DANA KAPLAN: ...and we'll be able to...
9 [cross-talk]

10 CHAIRPERSON CROWLEY: ...would happen if you
11 didn't meet that deadline of October? The... recently a
12 State Senator wrote a, a letter to... I don't know it
13 was a governor or a... the Board of Correction, the
14 State Board of Correction or Commission of Correction
15 saying that things are so unsafe on the island that
16 there is a state law where the state could come in and
17 take control of Rikers Island and take... I imagine that
18 if you don't meet this October deadline they could
19 come forth and take over this process, are you
20 familiar with that state law, does, does the
21 Department of Correction realize that if things
22 continue to spiral out of control and that if violence
23 continues to increase on the island and if you're
24 moving as slow as you're moving that the state could
25 actually come in and take control of moving inmates

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2 off the island and opening borough based jail
3 facilities?

4 ELIZABETH GLAZER: I would say that we're
5 very focused on meeting the deadline.

6 CHAIRPERSON CROWLEY: But it doesn't answer
7 the question about how unsafe the reality is on Rikers
8 Island and despite all these plans that have been put
9 forth and all these consultants that have been hired
10 the number of stabbings and slashings continue to
11 rise, the Nunez report that was put out four months
12 ago says that despite the oversights and despite the
13 cameras and other types of reforms that have been put
14 in place the jail is no safer and in a lot of ways the
15 culture of violence is, is continuing to get worse day
16 by day so the, the frustration here is to look at
17 another ten years like what could happen, why can't we
18 expedite this process and look to a goal of maybe five
19 years, look to ask the state for help if we can't do
20 it ourselves. I'm going to ask... I'm going to let my
21 colleagues have a chance here in asking some
22 questions, I'm going to recognize Council Member Rory
23 Lancman first.

24 COUNCIL MEMBER LANCOUNCIL MEMBERAN: Thank
25 you Madame Chairwoman, good morning Director Glazer

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2 and your team. Let's recap, I April a few days before
3 the Lippman Commission was known to be releasing it's
4 report, the Mayor announces support for closing Rikers
5 Island, it was an announcement and it was welcomed but
6 at the time it had no details attached to it and a few
7 days later the Lippman Commission report was released
8 which was extraordinary for it's depth how
9 comprehensive it was and in particular for a policy
10 maker like myself the roadmap that it provided for how
11 we get to close Rikers Island and in particular how we
12 get from a population at the time of I think it was
13 9,700 down to below 5,000. Now in June the Mayor came
14 out with... fleshed out some more details of his plan, I
15 think most of us found it to be a step forward but far
16 less than what would be necessary to have a real plan
17 going forward to close Rikers Island and then last
18 week or within the last couple of weeks we were given
19 a, a progress report. I want to use the Lippman report
20 as a foundation because it is the most detailed, the
21 most comprehensive and have... being the product of a
22 commission it is something that at least has the
23 imprimatur of a, a wide range of, of, of experts whose
24 participation and, and... or views were, were solicited.
25 Now my understanding of the, the overlap between the

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2 two plans and, and, and the Lippman report could
3 basically be summarized by keep people out of court in
4 the first place, keep people out of jail in the first
5 place, move the cases of people who are in jail faster
6 and let those people out of jail faster. So, we start
7 with for the Lippman Commission diverting people at
8 the point of arrest which the Lippman Commission
9 attributed to 302 reductions in daily population, 302
10 slots, 302 people and reducing pre-trial detention
11 which was the bulk of the reductions overall, 3,074.
12 Now in the Mayor's plan it seems that you assign a
13 reduction of 3,300 to expanding pre-trial diversion
14 and supervised release but frankly there are very
15 little details as to how you get there. So, let's use
16 the Lippman Commission report as a guide. The Lippman
17 Commission report recommended diverting misdemeanor or
18 drug possession... misdemeanor drug possession and petty
19 larceny cases for a reduction of 302 people daily
20 population at Rikers, does the Mayor's plan include
21 that or anything similar to that?

22 ELIZABETH GLAZER: So, the Lippman
23 Commission's approach is very similar to ours and in
24 fact tracks almost exactly my testimony to them but
25 there are some significant differences. I would say

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2 the first significant difference is that they are much
3 more optimistic about the role that expediting cases
4 will have in reducing the jail population. We also,
5 when we started that effort to try to expedite the,
6 the cases and working with then Chief Judge Lippman,
7 now Chief Judge DiFiore with the five DA's, the
8 defenders, corrections and others we also were very
9 optimistic. We have since reduced that number
10 significantly so while the Lippman Commission ascribes
11 about 1,400 beds to case processing we're at about a
12 third of that. I think otherwise we are pretty
13 aligned... [cross-talk]

14 COUNCIL MEMBER LANCMAN: I, I just... I just
15 want to... [cross-talk]

16 ELIZABETH GLAZER: ...we do not believe...
17 [cross-talk]

18 COUNCIL MEMBER LANCMAN: ...I just want to
19 correct that number... I... or I, I misunderstand the
20 numbers so let me... let's not go forward... [cross-talk]

21 ELIZABETH GLAZER: Okay... [cross-talk]

22 COUNCIL MEMBER LANCMAN: ...with the number
23 that we don't understand. What I have from the
24 reforming case processing section and, and my question

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2 was about pre-trial diversion and, and reducing pre-
3 trial detention but that's fine... [cross-talk]

4 JEFF THAMKITTIKASEM: Thank you... [cross-
5 talk]

6 COUNCIL MEMBER LANCMAN: ...we'll get back to
7 that. For reforming case processing the Lippman
8 Commission put that number at 858 and as best that I
9 could see from the Mayor's plan, trying to mix apples,
10 apples you put it at 450 so, so the number you gave
11 is, is what amount?

12 ELIZABETH GLAZER: I have 1,400...

13 COUNCIL MEMBER LANCMAN: And that is 1,400
14 by, by reforming... [cross-talk]

15 ELIZABETH GLAZER: ...case... [cross-talk]

16 COUNCIL MEMBER LANCMAN: ...case processing?

17 ELIZABETH GLAZER: Uh-huh.

18 COUNCIL MEMBER LANCMAN: Alright, could,
19 could you just break down how you do that because the
20 Lippman Commission breaks it... that... their reforming
21 case processing into one, two, three, four, five, six,
22 seven different discreet aspects, if you could do the
23 same so we can be confident this is a real plan I, I
24 would really appreciate it.

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ELIZABETH GLAZER: Okay. So, you will have all these details which go through all the different calculations that we make and in our plan, itself we go strategy by strategy to explain what the beds are that are ascribed to it and then we have an appendix at the end that explains how we do those bed calculations.

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COUNCIL MEMBER LANCMAN: Alright, could, could you... [cross-talk]

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ELIZABETH GLAZER: So... [cross-talk]

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COUNCIL MEMBER LANCMAN: ...tell us what they are, testify to it so we could talk about it?

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ELIZABETH GLAZER: So... sure. So, first of all there are essentially two ways to reduce the jail population. One is to reduce the number of people who go in, that's the number of admissions and the second is to reduce length of time that they stay. Those are the two things that are driving our jail population. To reduce the number of people that go in, the Lippman Commission was looking at decriminalizing marijuana and prosecutions and low-level offenses, those are not jail bound offenses, so we differ on that, we are looking at jail bound offenses. There are a lot of reasons to reform the summons process, to reform all

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2 kinds of low level offenses to reform marijuana if
3 you're talking about reducing the jail population
4 that's not going to reduce the jail population, what
5 will reduce the jail population is to try an get even
6 further and even closer to a risk based system so that
7 the people who actually go into Rikers are either a
8 risk of failing to return to court which is the only
9 kind of risk except in very narrow circumstances the,
10 the state of New York permits judges to take into
11 consideration or in some very narrow cases are a
12 danger... [cross-talk]

13 COUNCIL MEMBER LANCMAN: You know I...
14 [cross-talk]

15 ELIZABETH GLAZER: So... [cross-talk]

16 COUNCIL MEMBER LANCMAN: ...I understand... I'm
17 sorry, we're just... we're just... we're just jumping
18 around because I had first asked you about diversion
19 and, and... [cross-talk]

20 ELIZABETH GLAZER: So, I am trying to
21 answer... [cross-talk]

22 COUNCIL MEMBER LANCMAN: But you were
23 telling me... [cross-talk]

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ELIZABETH GLAZER: ...your question

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Councilman and I'm trying to go through each of the things that we have to do.

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COUNCIL MEMBER LANCMAN: Okay...

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ELIZABETH GLAZER: So, if you want me to continue I'm happy to, if you want to do this separately or offline I'm happy to do that too but if you ask a question then I get to answer it.

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COUNCIL MEMBER LANCMAN: Okay, I understand but my question was you had said that you were going to reduce the population by about 1,400 based on case processing strategies... [cross-talk]

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ELIZABETH GLAZER: No, that's what... [cross-talk]

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COUNCIL MEMBER LANCMAN: ...so, I thought we were going to talk... [cross-talk]

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ELIZABETH GLAZER: ...you said... [cross-talk]

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COUNCIL MEMBER LANCMAN: No, no, no I, I... [cross-talk]

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ELIZABETH GLAZER: ...we said in our plan... [cross-talk]

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COUNCIL MEMBER LANCMAN: ...I said... I said the Lippman Commission plan was going... [cross-talk]

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ELIZABETH GLAZER: ...we said in our plan...

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[cross-talk]

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COUNCIL MEMBER LANCMAN: ...to reduce by 858

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so how many... how many... [cross-talk]

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ELIZABETH GLAZER: ...we said in... [cross-

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talk]

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COUNCIL MEMBER LANCMAN: We can... we can

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take it from the top and you can run through it, I'm

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happy to do... [cross-talk]

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ELIZABETH GLAZER: I'm going to run through

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it.

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COUNCIL MEMBER LANCMAN: Let's do it, let's

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take it... [cross-talk]

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ELIZABETH GLAZER: So, let me tell you...

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[cross-talk]

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COUNCIL MEMBER LANCMAN: ...from the top, go

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ahead.

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ELIZABETH GLAZER: So, first we need to

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reduce the number of people who go in...

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COUNCIL MEMBER LANCMAN: Got it...

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ELIZABETH GLAZER: To do that we need to we

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believe have a risk based system, right now if you

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look at the Rikers population it hues relatively

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2 closely risk and so the opportunities for reduction
3 are relatively small...

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COUNCIL MEMBER LANCMAN: And the risk from
5 the CJA advises the, the... CJA's assessment of, of risk
6 is that what you're referring... [cross-talk]

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ELIZABETH GLAZER: Correct... [cross-talk]

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COUNCIL MEMBER LANCMAN: ...to... right, okay.

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ELIZABETH GLAZER: So, just to give you a
10 sense about half of the people who are currently in
11 Rikers Island are not bailable at all, they're not
12 bailable either because they've been remanded meaning
13 they've been held without any bail at all or they're
14 not bailable because they have a warrant, a parole
15 violation, multiple cases or other things. So, the
16 first thing that we think that we need to do and that
17 we're working with multiple groups on frankly across
18 the nation and in this city, is to update our... the
19 tool that judges use to determine whether or not
20 someone should be in or out. We think that will make a
21 very major difference in our jail population...

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COUNCIL MEMBER LANCMAN: Right, before you
23 move onto the next strategy... [cross-talk]

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ELIZABETH GLAZER: Yeah... [cross-talk]

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COUNCIL MEMBER LANCMAN: ...when do you expect that risk, risk assessment tool to be complete because I've been hearing about it for, for a while, I understand these things are complicated and what impact do you expect the risk assessment tool to have on the... reducing the daily population, what, what number range?

ELIZABETH GLAZER: So, we anticipate that it will have a... an effect of about 710 beds and that's in the report.

COUNCIL MEMBER LANCMAN: Got it, when do you expect the risk assessment tool to be completed and rolled out?

ELIZABETH GLAZER: So, we anticipate that it will probably be at the end of 2018 because of all the different pieces that have to come together on it including various data sources and cleaning those things and training judges and prosecutors so there are many, many different pieces to that.

COUNCIL MEMBER LANCMAN: Got it, risk assessment tool about 710, what's next?

ELIZABETH GLAZER: So, then there is a whole array of diversion opportunities that we think are possible. We think supervised release both in the

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2 way in which it was rolled out and the way in which
3 it's been taken up is one of our... is... serves... shows a
4 path. We have already in the last couple of months
5 expanded supervised release because there's been so
6 much take up on that. So, that would be another 500
7 beds or so but the other way to also expand diversion
8 is in people who are sentenced... city sentenced..
9 [cross-talk]

10 COUNCIL MEMBER LANCMAN: Right. Before,
11 before, before we move on from supervised release,
12 that 500 that is what the reduction will be after this
13 five-year time frame that, that the Mayor's laid up?

14 ELIZABETH GLAZER: Over five years.

15 COUNCIL MEMBER LANCMAN: Over five years,
16 how many more additional supervised release slots will
17 be necessary to accommodate that and, and what will it
18 cost, and will we see that in this year's Mayor's
19 budget?

20 ELIZABETH GLAZER: So, we've already
21 implemented an expansion of another about ten percent,
22 so we have about 3,000 slots citywide and we've added
23 another 300 slots but significantly we've also added
24 staff that is... that... both social workers and mental
25 health workers so that we can have the kind of

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2 capacity to deal with those who are entering our
3 system and who have behavioral health issues but with
4 some amount of supervision could be diverted from
5 jail.

6 COUNCIL MEMBER LANCMAN: So, before... again
7 before we leave supervised release, I, I want to ask
8 you about the five... the four supervised release
9 expansions mentioned in the Lippman report and whether
10 or not these are being contemplated because the
11 Lippman report had a much, much larger number, I'm
12 going to say about 2,700 in supervised release and I'd
13 like to... [cross-talk]

14 ELIZABETH GLAZER: The Lippman report
15 believes that all non-violent felonies can be eligible
16 for supervised release, we don't believe that.

17 COUNCIL MEMBER LANCMAN: Okay, so, so
18 specifically the Lippman report has suggested
19 releasing misdemeanors, non-domestic violence to
20 supervised release, release non-violent felonies, non-
21 domestic violence to supervised release, allow
22 judiciary discretion to admit misdemeanor domestic
23 violence defendants into supervised release and allow
24 some 16 to 24 year old's on violent felony offense;
25 assault, burglary, or robbery into supervised release,

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2 are there any of those that, that, that you agree with
3 should be eligible... [cross-talk]

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5 talk]

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7 release and... [cross-talk]

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9 supervised release takes non-violent felons and takes
10 misdemeanors, it does not take violent felonies and it
11 does not take domestic violence offenders. In order...
12 the reason why this program has had effect and why it
13 has had so much take up in each of the boroughs by
14 judges, defenders and prosecutors is because we were
15 able to come to an agreement with respect to the
16 offenses. So, if we're going to have domestic violence
17 offenders or violent offenders eligible for this
18 program we need to have agreement from those who
19 actually are going to be making the decisions about
20 whether somebody goes in or not.

21

22 the administration... is the administration disagree
23 with the Lippman Commission's recommendation or is it
24 from other... some other source; through judiciary, the

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2 District Attorneys because, because that's where the
3 biggest difference is... [cross-talk]

4 ELIZABETH GLAZER: Right now we're not
5 there.

6 COUNCIL MEMBER LANCMAN: Okay. Okay. Okay,
7 let's move forward, what's after supervised release?

8 ELIZABETH GLAZER: So, then we need to also
9 take a look... the other opportunity we think that is a
10 big opportunity is for city sentenced folks. So, we
11 have about 1,100 city sentenced people who are at
12 Rikers right now and we believe that, that about 65
13 percent of them have sentences for under 30 days. We
14 think that with an option in the same way that
15 supervised release gave judges an option to choose
16 between release or nothing that giving judges an
17 option at, at sentencing to choose between programming
18 or Rikers will have a significant take up and that we
19 can address that 65 percent that are at 30 days and
20 under. So, we think that will be a very important
21 piece.

22 COUNCIL MEMBER LANCMAN: Do, do you have an
23 estimated number for that?

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ELIZABETH GLAZER: We have about 300 beds and that's already... that rolled out a month or two ago.

COUNCIL MEMBER LANCMAN: Okay, you say beds I say people, it's the... it's the same as people serve... people on Rikers Island on a given day.

ELIZABETH GLAZER: Right... [cross-talk]

COUNCIL MEMBER LANCMAN: Okay, I just... [cross-talk]

ELIZABETH GLAZER: ...it's a snapshot of... [cross-talk]

COUNCIL MEMBER LANCMAN: ...wanted... got it... [cross-talk]

ELIZABETH GLAZER: ...who's actually there.

COUNCIL MEMBER LANCMAN: Okay. Okay, what's next?

ELIZABETH GLAZER: So, I think the next really big thing would be the state parole violators, that is something that we need state corporation to reduce. You can see that they... there are about seven or eight percent of our population and there are two ways that we could address that. One, under state law any parole violator is, is required to be incarcerated in the nearest correctional facility, required no

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2 matter what the parole violation was for. We think
3 that one thing the state should consider is first of
4 all having some kind of alternatives to incarceration,
5 so they simply have some kind of risk based system
6 that would potentially divert those state prisoners
7 from Rikers and two, that legislation might be
8 considered about whether or not it is wise to have a
9 mandatory requirement that every parole violator be
10 incarcerated. Second, the state could do a lot to
11 reduce... to reduce the length of stay, that is
12 completely a state function housed at Rikers but
13 completely a state function.

14 COUNCIL MEMBER LANCMAN: You mean the
15 length of stay for parole violators?

16 ELIZABETH GLAZER: Correct.

17 COUNCIL MEMBER LANCMAN: Okay.

18 ELIZABETH GLAZER: How they actually... how
19 they're administrative law judges operate, how those
20 procedures actually happen that could be a significant
21 reduction... [cross-talk]

22 COUNCIL MEMBER LANCMAN: Is there any state
23 representation on your... on your... on your task force?

24 ELIZABETH GLAZER: No.

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COUNCIL MEMBER LANCMAN: Okay, has the state been invited?

ELIZABETH GLAZER: Yes.

COUNCIL MEMBER LANCMAN: Okay. What number do you give to that state parole violator population?

ELIZABETH GLAZER: Well if they... we anticipate about 170 days... beds.

COUNCIL MEMBER LANCMAN: Okay, good, what's next?

ELIZABETH GLAZER: Then we think that, and we already have this in progress both reducing the number of women in jail through transitional housing beds, renewed... reducing the behavioral health population which has already been reduced over the past four years also through some permanent supportive housing. We anticipate that those two programs will be about 70 beds.

COUNCIL MEMBER LANCMAN: Okay. Can, can we... can we get to the speed case processing piece of it?

ELIZABETH GLAZER: Sure.

COUNCIL MEMBER LANCMAN: Okay, so can you tell me how many beds you plan to reduce through improved case... speedy... through improved case

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2 processing time and then the elements of that and, and
3 how we get from here to there?

4 ELIZABETH GLAZER: Sure. So, we anticipate
5 that that would be approximately 450 beds, that's
6 reduced significantly from our initial prognosis after
7 having worked for a, a year or so with all our
8 partners on it. So, what needs to happen for that to...
9 for that to, to be accomplished, a lot of things.
10 Everything from judges need to have meaningful court
11 appearances where the case actually moves forward,
12 prosecutors and defenders both need to be ready, New
13 Yorkers who are witnesses need to show up, courthouses
14 need to have enough space for lawyers to meet with
15 their clients, so the cases don't get kicked over and
16 on and on and on. So, it is an enormously complicated...
17 those... and those are just some of the things.

18 COUNCIL MEMBER LANCMAN: Well... [cross-talk]

19 ELIZABETH GLAZER: So, so right now we
20 have... we have groups of people in each of the boroughs
21 working on each of these things who have first agreed
22 for... have agreed to, to a goal of having certain
23 milestones that they meet between sort of the key
24 parts of a case and there are numerous other pieces to

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2 this that are ongoing, but this is truly something
3 that is going to require everybody.

4 COUNCIL MEMBER LANCMAN: Right, so... on
5 behalf of the... those of us who using the Lippman
6 Commission as a... as a guide, you know the number that,
7 that they had determined for reforming case processing
8 was not 450, was, was 858 and there were specific
9 things that, that, that got them to that number;
10 improved calendar management especially with detained
11 cases, adjournments not to exceed 30 days, adjournment
12 for sentencing of 14 days, reduced indictments, focus
13 on the Bronx, reduced homicide processing time. Are
14 there any of those that, that, that the administration
15 feels are, are not doable or are not realistic or
16 don't produce the numbers that, that they... [cross-
17 talk]

18 ELIZABETH GLAZER: These are all... [cross-
19 talk]

20 COUNCIL MEMBER LANCMAN: ...thought... [cross-
21 talk]

22 ELIZABETH GLAZER: ...the things that we're
23 doing; so that's the agreement and don't say the
24 administration, this cannot happen with one person or
25 one entity. So, yes, now we have a, a process by which

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2 the judges and the DA's and the defenders have agreed
3 that there will just be 14 days between the filing
4 indictment and the first... the first, first appearance
5 in court, that there will be no more than 30 days of
6 adjournments between, between court appearances,
7 etcetera, etcetera, etcetera. So, absolutely, the
8 question as to whether or not there's more use of
9 SCI's or not is something that I know the Chief Judge
10 is very, very interested in, it's something that the
11 District Attorney's having to agree to, it's a major
12 change in the way in which they operate. In Queens as
13 you know there's a high use of it, the other boroughs
14 are less excited about it. so, each of these things is
15 a major project by itself, each of these things are
16 things that multiple people have to come to the table
17 to in order to pull it over the line.

18 COUNCIL MEMBER LANCMAN: Alright, so I'll
19 just conclude because the Chair's been very generous
20 with... [cross-talk]

21 ELIZABETH GLAZER: I was enjoying it.

22 COUNCIL MEMBER LANCMAN: With time... well
23 there, they're okay, the rest of them, they'll enjoy
24 it. It seems to me that where the real difference is
25 between the administration's plan and the Lippman

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2 Commission's plan is on supervised release. I, I don't
3 mean to presume but, but you gave me a very skeptical
4 look, but I think that the, the, the numbers just,
5 just bare that out, that the Lippman... [cross-talk]

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ELIZABETH GLAZER: They think that all the
7 non-violent felons can walk out the door, we think
8 that that is an uphill climb.

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COUNCIL MEMBER LANCMAN: Hey... no, so what
10 I'm saying is correct, I mean you, you have very
11 different views on supervised release and for my part,
12 you know when we see you all again in, in, in the
13 budget process before then would really like to have
14 the opportunity to sit down with you and talk
15 seriously about why they're view of, of what could be
16 done is so different than your view because we're
17 talking about a couple of thousand beds.

18

ELIZABETH GLAZER: Okay, so I would say one
19 word, reality. So, here's where we are... [cross-talk]

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COUNCIL MEMBER LANCMAN: Uh-huh... [cross-
21 talk]

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ELIZABETH GLAZER: ...I see a very clear path
23 to 7,000, I think it is a very steep path, I think it
24 is a very hard path and I think with every person who...
25 that we are able to reduce the population by it

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2 becomes steeper and harder and the reason for that is
3 that who is left at Rikers Island increasingly will
4 become those accused of violent offenses. It does not
5 mean that people who are accused of violent offenses
6 cannot be let out safely, there is a whole literature
7 that absolutely they can but our current culture, New
8 Yorkers themselves, judges, prosecutors are very much
9 driven by what the severity of the charge is. So, to
10 crack that problem is not just a question of that of
11 this administration saying let's let out people
12 charged with violent offenders... violent offenses, it's
13 a question of determining how do we persuade and how
14 do we ensure that if we let people out who are charged
15 with those kinds of offenses that we will continue to
16 be able to reduce crime, so that's one. The second
17 thing is, is that once we get to 7,000 we will
18 continue to have this problem that... not just us but
19 that almost every jurisdiction across the country has
20 which is people who are... who are low level offenders
21 who often suffer from behavioral health issues, who
22 often hit our homeless shelters as well and who cycle
23 in and out of our jail system and the question is even
24 though they are not driving huge numbers of our
25 population they're driving a lot of admissions because

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2 they come for very short periods of time and it is not
3 a question just of math, it's a question of humanity
4 as to how it is we interrupt that cycle in order to
5 get the population down and to get those folks the
6 kind of help they need and to move on a productive
7 path in their... in their lives so those are sort of the
8 two big issues that we have to deal with.

9 COUNCIL MEMBER LANCMAN: I hear you and,
10 and Judge Lippman is testifying next but I just do
11 want to point out that of the 2,700 that the Lippman
12 Commission... 2,700 beds the Lippman Commission would
13 reduce through expanded supervised release the largest
14 category, 1,950 which is almost four times your total
15 of what the administration's plan is are release non-
16 violent felonies, non-domestic violence to supervised
17 release or alternative forms of bail. So, Judge
18 Lippman is capable of explaining is commission's
19 report but... [cross-talk]

20 ELIZABETH GLAZER: He, he surely is, I
21 would just urge you to consider risk and not every
22 name of every offense addresses what the risk is and I
23 would also urge you to consider what the reality is of
24 what is holding people in jail so even were you to
25 have supervised release that would not get those folks

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2 out if half of them and half of them are, are being
3 held on other things either remand, a parole
4 violation, a warrant or something else so there are
5 multiple issues that have to be resolved in order to
6 get there. If we could reduce the population that way
7 I'm all... and continue to drive down crime I'm all for
8 it but we have to deal with what some of the realities
9 are and we have to solve those problems one by one.

10 COUNCIL MEMBER LANCMAN: Last question,
11 when are we going to finally see online bail payment?

12 ELIZABETH GLAZER: So, we started testing
13 it last week, there are a whole bunch of things that
14 still have to happen, it was like opening the hood of
15 a car and finding out everything else that has to be
16 fixed so for online bail to, to come online
17 essentially many, many different systems in the
18 corrections department needed to be upgraded and sort
19 of brought into the modern, modern age, there will
20 also be neighborhood kiosks as you know and so there's
21 sort of a whole technology piece to that. So, we
22 anticipate assuming all the testing goes well that we
23 will be up and running in April of next year.

24 COUNCIL MEMBER LANCMAN: April of '18?

25 ELIZABETH GLAZER: Correct.

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2 COUNCIL MEMBER LANCMAN: Okay, thank you,
3 thank you Madame Chair.

4 CHAIRPERSON CROWLEY: Thank you Council
5 Member Lancman. Just in line with the Council Member's
6 last question as it relates to the online bail system,
7 I believe that was the supposed to be in place this
8 past spring not next spring, is that correct?

9 ELIZABETH GLAZER: Yep.

10 CHAIRPERSON CROWLEY: Okay and so, so it
11 was a real difficult process to get that done on time
12 and it took an extra year?

13 ELIZABETH GLAZER: Extremely...

14 CHAIRPERSON CROWLEY: Is going to take?
15 Okay, I'm going to now recognize Council Member Dromm
16 for questions.

17 COUNCIL MEMBER DROMM: Thank you Chair
18 Crowley and let me also thank you for your dedicated
19 service to this committee, this probably is one of
20 your last hearings as the Chair of the committee and I
21 want to thank you and congratulate you for all the
22 hard work that you have done, you have been
23 outstanding, thank you very much.

24 CHAIRPERSON CROWLEY: Here, here...

25 [applause]

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2 COUNCIL MEMBER DROMM: You know on the way
3 into work this morning I was on the BQE and I passed
4 six or seven DOC buses or actually we were stuck on
5 the B... the BQE together not quite past but it hit me
6 very concretely what a waste of time and money it is
7 to see all of those buses having to transport people
8 to, I would assume Brooklyn because that was the
9 direction I was heading in and or State Island and it
10 also hit me that it really speaks to the need to
11 swiftly move to close Rikers Island if not for humane
12 reasons and I'm going to talk a little bit about that
13 as well but because of deep budget concerns and the
14 waste of funding for that. I still remain very
15 concerned as a Council Member about the number of
16 variances that are requested to solitary confinement
17 and punitive segregation, I think that that's
18 something we need to look at very much further as we
19 go down the road into the next term. I want to
20 reiterate something that the Speaker said which was
21 that we remain committed to this issue here in the
22 council and I for one will continue to advocate on
23 behalf of closing Rikers Island moving forward and in
24 a swifter fashion. I still do not really understand
25 why it take... why it will take ten years to do this and

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2 I'll be asking some questions about that. I was very
3 deeply concerned to hear about the gassing of students
4 in my Education Committee hearing a few months ago and
5 only to learn now that students are being chained to
6 their desks. So, that still concerns me and as far as
7 I'm concerned Rikers remains a hell hole and a torture
8 chamber and that's why...

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[applause]

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COUNCIL MEMBER DROMM: We need to move even
11 more quickly than the Mayor has indicated because we
12 are losing and further damaging the lives of thousands
13 upon thousands of people who have to go through even a
14 day at Rikers Island. In your testimony you mentioned
15 that we may have to go through a ULURP process, does
16 that include at existing sites like Queens House of
17 Detention because that's... [cross-talk]

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ELIZABETH GLAZER: Correct... [cross-talk]

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COUNCIL MEMBER DROMM: ...already... but I
20 don't understand why, why is a ULURP process needed
21 there if there was already an existing jail for years
22 upon years and it's still the same building, the
23 purpose of which has not been changed, why is a ULURP
24 process needed?

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ELIZABETH GLAZER: What our lawyers have taken a look at and we have looked at it very, very extensively is that it is both the extent of the renovations that would have to happen assuming that it's renovation and not something else and also the change in use meaning that you're right it is a correctional facility but apparently the difference between simply using it as a day holding cell and using it as a, a place in which those incarcerated are living overnight... [cross-talk]

COUNCIL MEMBER DROMM: But to be honest with you... [cross-talk]

ELIZABETH GLAZER: ...makes a difference... [cross-talk]

COUNCIL MEMBER DROMM: ...Miss Glazer from the stories that I've heard when Queens House was opened people remained in Queens House for long periods of time.

ELIZABETH GLAZER: Right and now they're remaining there for very short periods of time and... [cross-talk]

COUNCIL MEMBER DROMM: Downstairs... [cross-talk]

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2 ELIZABETH GLAZER: ...it... I didn't... [cross-
3 talk]

4 COUNCIL MEMBER DROMM: ...but not upstairs...
5 [cross-talk]

6 ELIZABETH GLAZER: ...I didn't write the law
7 I'm just telling you what our best understanding is
8 and there are two things that trigger ULURP, one is...
9 and again this is very much a layperson's
10 interpretation or translation so if you want to have
11 a, you know deeper discussion about the law we, we
12 should get the people here who can have that
13 conversation but it is both the extent of the
14 construction as well as the change in the use and
15 those two things together are what the trigger are.

16 COUNCIL MEMBER DROMM: So, why not begin
17 that ULURP process now because it's already been
18 decided... [cross-talk]

19 ELIZABETH GLAZER: Well... [cross-talk]

20 COUNCIL MEMBER DROMM: ...by the existing
21 Council Member that she would work with the
22 administration for approval of that site... [cross-talk]

23 ELIZABETH GLAZER: So, two things, first we
24 have to know what we're doing there, are we simply
25 renovating, if we are renovating what kind of

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2 renovations, who's going to be there or are we doing
3 something else. Two, to the extent that ULURP has a
4 whole bunch of pre-requirements, for example in
5 environmental impact statement those things are going
6 to be checked off during this process so effectively
7 we are on parallel tracks doing both.

8 COUNCIL MEMBER DROMM: And that's going to
9 take ten months?

10 ELIZABETH GLAZER: For three facilities or
11 maybe four... [cross-talk]

12 COUNCIL MEMBER DROMM: Well let's just,
13 just, just say Queens House?

14 ELIZABETH GLAZER: I can't separate it out,
15 I mean we'll know... [cross-talk]

16 COUNCIL MEMBER DROMM: So, it's still going
17 to take... [cross-talk]

18 ELIZABETH GLAZER: ...when those... [cross-
19 talk]

20 COUNCIL MEMBER DROMM: ...ten months to do
21 that. And then you'd start a ULURP process, how long
22 does a ULURP process take?

23 ELIZABETH GLAZER: Well you're probably a
24 bigger expert on ULURP than... [cross-talk]

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COUNCIL MEMBER DROMM: I, I haven't had to do it in my district yet, so I've been lucky, but I think it's going to take a long time to do that so that's going to extend the time needed to actually make that a reality, it could even take as long as more than four years when the existing Council Member, the current Council Member leaves office which would then add a... [cross-talk]

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ELIZABETH GLAZER: That is... that is certainly possible and that is one of the complexities here is the ULURP is hard, it's hard in almost every circumstance, it's particularly... [cross-talk]

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COUNCIL MEMBER DROMM: Well that's why that ten-month period is not acceptable to the council because we need to have this done now, we need to move forward on this immediately... [cross-talk]

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ELIZABETH GLAZER: And, and what exactly would you put there and how would it be designed and all of those other questions that you have to answer, how big would it be... [cross-talk]

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COUNCIL MEMBER DROMM: Right, well... so you... [cross-talk]

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ELIZABETH GLAZER: ...would you tear it down... [cross-talk]

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COUNCIL MEMBER DROMM: ...that's, that's...

[cross-talk]

ELIZABETH GLAZER: ...do you not tear it
down... [cross-talk]

COUNCIL MEMBER DROMM: ...the question you
need to be... [cross-talk]

ELIZABETH GLAZER: ...right... [cross=talk]

COUNCIL MEMBER DROMM: ...asking yourself not
me, you're supposed to be the expert on this... [cross-
talk]

ELIZABETH GLAZER: That is the question...
[cross-talk]

COUNCIL MEMBER DROMM: ...and, and you're
supposed... [cross-talk]

ELIZABETH GLAZER: ...that's being asked...
[cross-talk]

COUNCIL MEMBER DROMM: ...excuse me and
you're supposed to know that, that's the answer that
you're supposed to give us.

DANA KAPLAN: So, one of the things that
the master plan is going to be looking at is both what
is possible within the existing zone as well as what
could be possible with any type of special permit or
zoning considerations so we are committed to moving

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2 ahead as quickly as possible with the pieces of it
3 that we... as we have information about what is possible
4 at each site looking at the type of programmatic needs
5 of both DOC, DOE, Correctional Health Services,
6 understanding what the scale is that's possible, how
7 large the facility could be and then we can begin the
8 environmental impact... [cross-talk]

9 COUNCIL MEMBER DROMM: Chair, Chair...
10 [cross-talk]

11 DANA KAPLAN: ...statement... [cross-talk]

12 COUNCIL MEMBER DROMM: Crowley has been
13 advocating... [cross-talk]

14 DANA KAPLAN: ...which is currently... [cross-
15 talk]

16 COUNCIL MEMBER DROMM: ...for this for four
17 years... [cross-talk]

18 DANA KAPLAN: Uh-huh... [cross-talk]

19 COUNCIL MEMBER DROMM: ...why is it taking so
20 long to get to this point?

21 DANA KAPLAN: Well we have... [cross-talk]

22 COUNCIL MEMBER DROMM: Am I wrong about
23 that?

24 DANA KAPLAN: What I certainly can say is
25 that the... we want to do this right so to talk about

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2 how we don't just relocate problems to other locations
3 but actually think about what is the appropriate jail
4 system that we should be building in New York City
5 that can fully be transformative and have community
6 engagement take some time so we are committed to
7 working with neighborhoods, with other elected
8 officials on making sure that as we talk about what is
9 possible at each of these sites and what are the other
10 sites that might be required to develop that full
11 capacity of a 5,000 person system that we are doing it
12 in a way that is going to ensure that when we do close
13 Rikers Island it is because we are... [cross-talk]

14 COUNCIL MEMBER DROMM: Well... [cross-talk]

15 DANA KAPLAN: ...building a, a jail system
16 that represents a far different vision of what has
17 historically been and as Liz said that involves a
18 number of different people and we are trying to do
19 this deliberately and we're trying to do it right, but
20 we have been very hard at work. The development of
21 that master plan alone took time to make sure that it
22 was going to provide the information that's needed to
23 get... [cross-talk]

24 COUNCIL MEMBER DROMM: Alright, we're
25 repeating ourselves... [cross-talk]

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DANA KAPLAN: ...to the jail of the future..

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[cross-talk]

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COUNCIL MEMBER DROMM: ...here but let... you know what I... what I would like to see is that you look at Queens House immediately and move forward on that in, in, in very quick order, that seems to be the place where you can actually do something right away and hopefully we'll see some capital dollar requests for that to happen in the next budget. Council Member Lancman alluded to also some budget items that we'd like to see in terms of alternatives to incarceration as well and that's where we need to see a commitment from the administration to make sure that we are achieving the goals maybe even quicker than what you're, you're proposing but that we need to move forward on this quickly.

DANA KAPLAN: And I should say that we appreciate tremendously the leadership that the local elected officials in Queens demonstrated in, in expressing that support for the reuse of the Queens House... the Queens Detention Center, we know that that is a, a... an incredibly important piece in our being able to move this forward and yes, we share your urgency in wanting to move forward with the pieces of

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2 that starting with QDC that we can as quickly as we...
3 as possible.

4 COUNCIL MEMBER DROMM: How many were housed
5 in the Queens House of Detention in the past?

6 ELIZABETH GLAZER: It has a capacity of
7 about 440.

8 COUNCIL MEMBER DROMM: 440... [cross-talk]

9 ELIZABETH GLAZER: But fewer than that
10 would be housed there.

11 COUNCIL MEMBER DROMM: Okay... [cross-talk]

12 ELIZABETH GLAZER: ...for obvious reasons.

13 COUNCIL MEMBER DROMM: Let me go to the
14 question about Staten Island as well. I know that
15 Arthur Kill is a state facility, why is Arthur Kill
16 not being considered as a possible site?

17 ELIZABETH GLAZER: I thought they had
18 actually sold it and it was being turned into movie
19 studio, something else, I don't think it's available.

20 COUNCIL MEMBER DROMM: So, has that,
21 that's, that's not been explored then?

22 ELIZABETH GLAZER: No, it's been explored.

23 COUNCIL MEMBER DROMM: And it... and it's...

24 [cross-talk]

25 ELIZABETH GLAZER: ...it's not available.

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COUNCIL MEMBER DROMM: The... and the... and the state is, is, is giving it up... is going to turn it over to a private developer... [cross-talk]

ELIZABETH GLAZER: I think... I think the state is relatively well advanced on that site, I can get back to you with what the information is.

COUNCIL MEMBER DROMM: Okay because you know you mentioned I think there was about 300 or so people you say come from Staten Island but that seems to be... [cross-talk]

ELIZABETH GLAZER: 200... [cross-talk]

COUNCIL MEMBER DROMM: ...the... I'm sorry?

ELIZABETH GLAZER: 200.

COUNCIL MEMBER DROMM: 200 but that seems to be the criteria that we're asking for, for smaller jail facilities, if there's 200 it seems the perfect opportunity to find a site and we can see how it works with those 200 people if there's only 200 people. It's the perfect place for a site and it's the perfect way to go about this and, and it also contradicts to a certain extent the Mayor's philosophy on homeless shelters, the Mayor has been saying that we need to have homeless shelters in every community and I do believe that we should also have correctional

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2 facilities in every community in smaller places. On
3 the implementation of the justice implementation task
4 force, are there any formerly incarcerated members?

5 DANA KAPLAN: Yes, there are.

6 COUNCIL MEMBER DROMM: There are, they've
7 been represented there, okay.

8 ELIZABETH GLAZER: I think three... every
9 subcommittee has a Co-Chair who was formerly
10 incarcerated as well as the membership.

11 COUNCIL MEMBER DROMM: Okay, in your
12 testimony again you said that you were trying to reach
13 the goal of 5,000 folks but you don't give a date or a
14 timeline for that reaching of the 5,000 would that be
15 the ten-year period, how long will it... [cross-talk]

16 ELIZABETH GLAZER: Yeah... [cross-talk]

17 COUNCIL MEMBER DROMM: ...take to get to
18 5,000... [cross-talk]

19 ELIZABETH GLAZER: ...we have a... so ten years
20 is what we say in the roadmap, ten years is what we
21 anticipate. As I mentioned to Councilman Lancman this
22 is a steep hill.

23 COUNCIL MEMBER DROMM: So, that's only
24 going to be left open and then that says to us in the
25 council that it's not really all that solid of a plan

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2 if you're not having... if you don't have a, a date or,
3 or, or a goal by which... [cross-talk]

4 ELIZABETH GLAZER: Ten years is... [cross-
5 talk]

6 COUNCIL MEMBER DROMM: ...to reduce it to
7 5,000... [cross-talk]

8 ELIZABETH GLAZER: ...the date that's
9 written... ten years is the date that's written in the
10 plan.

11 COUNCIL MEMBER DROMM: So, it's going to
12 take ten years to get to the 5,000?

13 ELIZABETH GLAZER: Yes.

14 COUNCIL MEMBER DROMM: Long period of time.

15 DANA KAPLAN: So... and... [cross-talk]

16 COUNCIL MEMBER DROMM: How many violent
17 offenders are on Rikers now, how do you describe
18 violent offenders?

19 ELIZABETH GLAZER: 3,432 so, it's... [cross-
20 talk]

21 COUNCIL MEMBER DROMM: How, how do you...
22 [cross-talk]

23 ELIZABETH GLAZER: ...about half of... [cross-
24 talk]

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COUNCIL MEMBER DROMM: ...describe them or identify them?

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ELIZABETH GLAZER: So, it's a... it's a technical definition that's used by the FBI in putting together their stats so its murder, robbery, rape and I'm sure there are a few others.

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COUNCIL MEMBER DROMM: Let me go to camera coverage and then I'll turn it back over to the Chair. Can you give us an update on camera coverage?

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JEFF THAMKITTIKASEM: Sorry Council Member, so for camera coverage we have all the houses... [cross-talk]

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COUNCIL MEMBER DROMM: And just turn that mic on.

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CHAIRPERSON CROWLEY: Turn the mic on please...

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COUNCIL MEMBER DROMM: And then state your name for the record.

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JEFF THAMKITTIKASEM: Sorry, this is Jeff Thamkittikasem, Chief of Staff for the Department of Correction. Camera coverage, we've achieved 100 percent coverage of all housing areas on Rikers Island, we are working to expand that coverage to the borough facilities in all the housing areas.

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COUNCIL MEMBER DROMM: And the camera coverage does it include stairwells?

JEFF THAMKITTIKASEM: They.. the ultimate plan is to have all ancillary areas including stairwells and everything from the law libraries, programming area... programming areas and we're significantly along.

COUNCIL MEMBER DROMM: So, when you say that you have 100 percent coverage of housing areas it does not include stairwells at this time?

JEFF THAMKITTIKASEM: Currently though the number is... I don't have... I don't want to guess at a number but we're significantly along on the island for ancillary areas.

COUNCIL MEMBER DROMM: And what about exits when you're transporting folks?

JEFF THAMKITTIKASEM: That is also included in that ancillary area.

COUNCIL MEMBER DROMM: That's included what?

JEFF THAMKITTIKASEM: In the ancillary areas though it's not 100 percent coverage right now but we are significantly along the way.

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COUNCIL MEMBER DROMM: So, it's not really 100 percent coverage then.

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JEFF THAMKITTIKASEM: Again in the housing areas we are.

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COUNCIL MEMBER DROMM: In the housing areas only but that's not enough because as we know from reports that's not where violent incidents from corrections officers often happen, it's outside or leaving the facility or it's in stairwells and other areas, am I right?

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JEFF THAMKITTIKASEM: A significant number of our stairwells are already covered.

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COUNCIL MEMBER DROMM: Okay, but we need them all done, yep, okay. Alright, thank you and thank you Chair.

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CHAIRPERSON CROWLEY: Thank you Council Member Dromm, we've been joined by Council Member Rosenthal and Council Member Cabrera and now I'd like to recognize Council Member Lander for questions.

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COUNCIL MEMBER LANDER: Thank you Madame Chair and like Council Member Dromm I want to thank you for your leadership on this issue today and for the past several years and you know I just think it's worth saying out loud your courage on this issue is

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2 part of what was the, the problem in your election and
3 so when we talk about the work we have to do
4 collectively, all the specific work we are exploring
5 today and the cultural work that we have to do to make
6 this possible that is on all of us and I want to thank
7 you for your courage in pushing and I want to say I
8 think it's our responsibility not only as Council
9 Member Dromm said to take up the step by step work but
10 to take up that work, you know as, as a... as your
11 legacy in this council and I also though she's gone
12 want to thank the Speaker for her work obviously in
13 pushing us all forward. I want to thank the advocates
14 in the room, we sure would not be here without the
15 Close Rikers campaign and the folks that have been
16 pushing on this longer than any of us except maybe
17 Danny Dromm but... so thank you, all of you for being
18 here and of course to Judge Lippman and the Lippman
19 Commission as well. Miss Glazer I, I appreciate your
20 testimony and all the work that you have done and your
21 props in acknowledgement of the role of the council,
22 you know and, and it is an enormous amount of work.
23 The, the, the only thing I really take issue with in
24 your testimony is this slightly stingy statement that
25 suggests that some people see this as a real estate

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2 issue, I don't think anyone sees this as a real estate
3 issue, the idea of the Close Rikers Campaign is
4 exactly the kind of culture change, it is... it is
5 possible, in fact it's, it's obvious that two things
6 are true. On the one hand this is a massive effort,
7 it's a massive logistical effort and it involves
8 change in our attitudes and our thinking about
9 criminal justice and race and punishment and safety
10 and of course it's also true that every single day we
11 needlessly and harmfully incarcerate people who
12 shouldn't be there and that the cultures irrevocably
13 brutal and the Nunez monitoring team report shows that
14 maybe it's even getting worse. So, that's the
15 challenge and that's the challenge we all have and we
16 have to find a way to recognize the difficulties and
17 the work of the specifics step by step by step and the
18 moral urgency of getting there and the need for us all
19 to do it together firing on lots of cylinders, some of
20 those highly legal and technical and some of those
21 marching in the streets to push us to get there and
22 you know I, I guess I just... it seems to me making this
23 change requires action on as you say so many different
24 people's parts so I... you know I think you're right to
25 push us, to push out DA's, we actually had a great

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2 town hall just a week or two ago in Brooklyn with our
3 newly elected DA who committed to bunch of steps in
4 the campaign but people are already pushing him to
5 keep going further step by step. We've seen great
6 change in what people are willing to do and we're
7 going to have to make more of them. I don't know if
8 the Governor's watching our live stream here but, but
9 I hope he is, you know on the one hand I was thrilled
10 he wants to accelerate the closing of Rikers, on the
11 other hand he could obviously make enormous necessary
12 contributions by getting on board to push bail reform
13 and speedy trial and obviously the city council cannot
14 compel those things and the city administration cannot
15 compel those things but I don't want to let him off
16 the hook either if we're going to do this that's
17 something else we need. So, I assume you agree that we
18 need state level reform on bail reform and speedy,
19 speedy trial as well even though it's not what you're
20 focused on here today, yes?

21 ELIZABETH GLAZER: Most definitely and
22 state parole violators.

23 COUNCIL MEMBER LANDER: I'm sorry... [cross-
24 talk]

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ELIZABETH GLAZER: It... and it is the only part of the population that is rising, it's up by 36 percent as everything else is dropping so we have to have the same focus and attention at that seven, eight percent of the population as we have collectively on everybody else.

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COUNCIL MEMBER LANDER: Okay, so I just want to make sure those things are on the record, they're not worth our focusing on today, we shouldn't let ourselves off the hook because we need those things but we sure should not let them off the hook because we're spending time talking about it and, and at least as far as I know they're not doing enough of that yet, so, we could... we could put that to, to side but, but that's obviously necessary. And then I want to talk a little more about what we're doing to move ourselves and our constituents, I do think this is an area where the leadership of the Council Members who have been... expressed openness to having facilities in their... in their districts and their boroughs is important and I guess I want to start by asking a little more about the RFP and the process for the planning and how you see the public engagement part of that work, it is obviously also an architectural and

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2 engineering and technical and design process but it is
3 a public engagement process during the Lippman
4 Commission, they went out and did listening sessions
5 trying to change people's attitudes, help people
6 understand what's going on so, so what are the plans
7 for public engagement to make sure that the borough
8 facility design process is also part of the organizing
9 process to move us forward?

10 ELIZABETH GLAZER: Well first I completely
11 and wholeheartedly agree that the community engagement
12 piece is absolutely crucial on many different levels
13 that you've outlined. I think the Lippman Commission
14 did some terrific work with Van Alen in doing those,
15 those neighborhood based discussions and I think more
16 needs to be done on that, that we can't let it lie
17 there but it's a terrific foundation. This is going to
18 be a big part of the work of, of the folks who will be
19 hired, and do you want to maybe... [cross-talk]

20 DANA KAPLAN: Yeah, so... [cross-talk]

21 ELIZABETH GLAZER: ...talk a little bit about
22 that... [cross-talk]

23 DANA KAPLAN: ...I think... first of all just
24 in terms of the work that has been done to date we are
25 asking the selected vendor to synthesize past studies

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2 and past community feedback on, on the plans and on
3 the sites so we can be starting from a, a place that
4 can take into account the feedback already offered,
5 lessons to date but we also will be doing a number of
6 community meetings and stakeholder sessions with all
7 of the people who have a stake and a voice in this so
8 both local neighborhood residents, formerly
9 incarcerated, staff and we are asking the vendor to
10 synthesize all the feedback that they receive from
11 those sessions, any... into any type of final plan. We
12 hope to work with the local elected officials and the
13 council of course in helping to ensure that that
14 community engagement process is a success and we
15 believe that only if we make sure that we do hear all
16 of those voices and that that is part of the planning
17 process that we can think about how to best integrate
18 any future facilities into the neighborhood and really
19 look at them as potential civic assets but also how to
20 ensure that any future plans take into consideration
21 the perspectives of staff and DOC and the people who
22 have experienced detention first hand.

23 COUNCIL MEMBER LANDER: And so did you put
24 into the RFP or do you have plans to make sure that
25 those teams which it sounds like will be led by folks

1
2 with architectural and engineering expertise to make
3 sure that they have some of the kinds of public
4 engagement, thinking about what works in helping drive
5 processes that are designed to move culture change and
6 that's both internal and external, that's thinking
7 with the public about how to think differently about
8 what these facilities are and then of course it's
9 about thinking with staff and former prisoners about
10 what the facilities will be like on the inside,
11 there's pieces of that that are architectural to be
12 sure but there are pieces of that that are more about,
13 you know how you engage people and make change in, in
14 complex processes, are we going to have some folks
15 that, that are thoughtful about that on the team?

16 DANA KAPLAN: Certainly one of things that
17 we'll be looking at in evaluating who the final
18 selected vendor will be will be their capacity in both
19 the technical parts of this process but as well in
20 ensuring that that community engagement is also a
21 critical piece and is, is success and there's an
22 understanding of how to ensure that that's successful
23 and again we look forward and welcome working with the
24 council in helping to shape that engagement as well so
25 that as that rolled out over the, the master plan

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process that we make sure that it delivers the results that we want. We are committed to making sure that there is robust community engagement and that the voices that need to be part of this process are part of it.

COUNCIL MEMBER LANDER: Alright, thank you.

I want to touch on the Staten Island issue here for just a minute, I, I don't have a question I'm just going to make a point on this, if, if it's true that thinking about the facilities is supposed to help drive public thinking and change in what's fair and what's safe and what's just then starting by saying we won't have one in Staten Island undermines the process from the beginning, it's not just a question of what percentage and I mean I think the reference to the fair share concept in citing homeless shelters is important partly that's about fairness and if we got a fundamental principle of fairness we have to start there and partly it's about asking communities to think differently and at least in district we've been able to see that when people understand they have a responsibility they're able to think differently about it and when you hear well some people decided they don't want to have that responsibility and so we're

1
2 going to say fine they don't have to have it, they
3 don't have to change how they think that... they can
4 keep a different older way of thinking, the rest of us
5 will try to grow and change is pretty difficult to do
6 that. So, the RFP is what it is but I really want to
7 push you here, it's not going to go better, I mean I
8 guess I think there was a political logic in saying
9 not on Staten Island as though that will help the
10 process, I'm telling you I think it will hurt the
11 process because you can't ask New Yorkers collectively
12 to change how we think about these issues and say but
13 not some folks over there, it, it just won't work. So,
14 I want to keep going on this public engagement theme
15 and you're welcome to respond to that but I'm not
16 going to ask you to respond to it, I, I just want to
17 make my point about it. On public engagement I thought
18 Miss Glazer you said something pretty interesting and
19 important about public perceptions around violent,
20 violent offenders and felony offenders and I think
21 what you said is there's a fair amount of data that
22 shows we could safely release people and we even know
23 a lot about how to do it but there's real public
24 resistance and I think that's true and understandable
25 then the question is so what are we going to do to

1
2 help people understand and change their thinking here,
3 the thing that's been most powerful for me in that is
4 seeing Danielle... the Common Justice Program that
5 Danielle Sered is running like that's helped me change
6 my sense of what I think is possible and I wonder also
7 where that piece of public engagement or conversation
8 is built into the plan so that if we know part of what
9 we have to do is change hearts and minds, we build
10 into the plan to do so.

11 ELIZABETH GLAZER: Yeah, I think it's a
12 great point and I think that is exactly the work of
13 the population subcommittee, I think the work that
14 common justice does is incredibly interesting and
15 important, I think the work that we're going to be
16 doing in connection with both the introduction of the
17 new bail tool even though we don't officially consider
18 danger in determining when someone is in or out that
19 that will be an education opportunity as well and so I
20 think figuring out how to do it in a purposeful way
21 that's very married to risk is absolutely critical and
22 is an important piece of this.

23 COUNCIL MEMBER LANDER: So, I'll just
24 connect some dots here, obviously part of the effort
25 for bail reform at the state level is so that we have

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2 the authorization under state law to do this right and
3 the political campaign this is not just me saying
4 hello Governor Cuomo on the live stream, the political
5 campaign to make change in Albany is also connected to
6 these issues, we are seeing on criminal justice a
7 rapid evolution of how a lot of people are thinking
8 pushed by hard political organizing, by kind of cold
9 facts and reality and we'll just have to keep that
10 going together so the political work to make those
11 changes in Albany, the design of the program and our
12 public dialogue has to be, you know all part of trying
13 to make that, that change together. So, I look forward
14 to hearing more in the future about how that, that
15 particular working group is doing its work and I hope
16 this is something you'll, you'll build into it. Two
17 final quick things I think... well one is I will just
18 point out on ULURP that in my district right now... it's
19 actually in Council Member Levin's district but it's
20 on the Gowanus Canal, DEP is doing a ULURP that it
21 needs to do because of the EPA's timeline far in
22 advance of them knowing a lot of the specifics of the
23 facility, we... there are times when things come to
24 ULURP fully designed and there are times when things
25 come to ULURP at the beginning of a process knowing

1
2 that the design... that many things in design will have
3 to be worked out later, often the council resists
4 that, right because that means we're going through
5 ULURP without all the details and we say well how are
6 we going to know what the final design is going to
7 look like if you aren't going to have to come back and
8 do ULURP again but I think we are saying here given
9 how long this is going to take we would like to get
10 started sooner and if that means without some of the
11 details we sometimes ask for still please start moving
12 forward because that's all part of the, the drum beat.
13 And then my final question is, is a pretty specific
14 one and it goes to the goals. As, as you know I often
15 in this I'm mostly just carrying water for Herb Sturz
16 who has been pushing us on all this for a couple of
17 decades and one of the things that's most... that he is
18 most focused on currently is what it would take to get
19 women off the island, to close Rose M. Singer, I know
20 you're doing some work with a new program that's
21 getting started there I guess I'd like to hear a few
22 more details about that new program and I'd like to
23 know what it would take to close Rose M. Singer and
24 move women off the island and how soon we could get
25 that one... that step done?

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2 ELIZABETH GLAZER: So, I think there are
3 two separate things, one is how do we get that
4 population down which I think we have to be fiercely
5 focused on and the second is where do they go to. So,
6 two different and both complicated issues, there are a
7 whole group of folks, Herb certainly is one, there are
8 many, many other partners in this to try an understand
9 how best to reduce the number of women who come on the
10 island and how long they stay. One thing that we have
11 just started are these transitional housing beds for
12 women more than any other person whose incarcerated
13 women suffer from housing instability and with that
14 goes a lot of other needs, they're often caregivers as
15 well and so this comes with a whole array of services
16 and supports for, for women so that they, they have
17 that but there is way, way, way more to be done and
18 that is sort of a big area of focus for us.

19 COUNCIL MEMBER LANDER: Alright and I just...
20 I've, I've heard Council... I will say I've heard
21 Council Member Johnson volunteer that the facility
22 that had women previously could have it back if it
23 doesn't work there I'd be glad to find a site in my
24 district, I think you'd have competition amongst
25 Council Members... [cross-talk]

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ELIZABETH GLAZER: Great... [cross-talk]

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COUNCIL MEMBER LANDER: ...and I want to...

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[cross-talk]

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ELIZABETH GLAZER: We'll be in touch...

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[cross-talk]

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COUNCIL MEMBER LANDER: ...be mindful I don't

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want that to reinforce our sense that the men we're

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talking about are dangerous, that's got to go to the

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other conversation that we're having so I, I don't... I

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want to be mindful of that and not kind of draw that

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line, but it is a step that as you say through more

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supportive housing and diversion we can get that done,

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we... you know we can get it done I think in the... in,

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in, in the very... you know in the nearer future, so I

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hope we can continue working on that together. Thank

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you, Madame Chair.

17

CHAIRPERSON CROWLEY: Thank you Council

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Member Lander and before we hear from Council Member

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Richards with questions I just earlier asked you Miss

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Glazer about the people who... or the companies that had

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been invited to put proposals together, have you been

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able to find those companies names since that question

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was asked?

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ELIZABETH GLAZER: Yes, hold on one sec...

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Urban Architects, Perkins Eastman, Arcadis and Mott

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MacDonald.

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CHAIRPERSON CROWLEY: Those are the four

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different firms?

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ELIZABETH GLAZER: Uh-huh.

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CHAIRPERSON CROWLEY: Thank you. Now I'd

9

like to call on Council Member Richards for questions.

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COUNCIL MEMBER RICHARDS: Thank you

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Chairwoman, I want to thank you just like the rest of

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my colleagues for your leadership in this area, you

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are truly going to be one of the unsung heroes when

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all of this is done, and we ought to make sure that

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your name is remembered throughout this conversation,

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so I want to thank you for your leadership. I also

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want to point out that I've been sort of sitting here

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and trying to grapple and even before we sat here and

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had this hearing, you know hearing this continuous

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conversation around its going to take a decade before

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we see any real progress on Rikers is shameful, I

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think... you know we would not even be having this

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conversation about it's going to take a decade if this

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is not poor black and brown people who are languishing

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on the island and I know it's going to make some

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2 people uncomfortable here today but you know these are
3 my constituents, these are my family members, these
4 are my friends, these are people that I've known who
5 are going through Rikers and have come home broken and
6 when we talk about trying to rehabilitate people lives
7 it's very hard to rehabilitate people when they're
8 living in such conditions which really signify
9 institutional racism at it's best and we have a lot of
10 work to do in this city as we talk about addressing
11 the Tell of Two Cities, you know these young men
12 coming home are broken and we need to do better and I
13 think ten years is not saying we have... or we're
14 addressing this issue urgently. Not only that... you
15 know so I saw these astounding numbers a few weeks
16 ago, I think the daily news pointed it out how it is
17 now costing around 247K a year to house one inmate at
18 Rikers Island, I could think about a lot of things we
19 can be doing with 247K whether it's putting people
20 into housing because many of our young men and women
21 who come home from prison can't even find housing at
22 that... or let, let, let alone afford it, vocational
23 training, there are all sorts of things that we can be
24 doing with 247K. I'm interested in knowing how much
25 more will this... these costs grow over the next decade

1
2 so we're seeing it creep up now to 247 do you have any
3 indication if this number will decrease or increase as
4 we move into the future?

5 ELIZABETH GLAZER: So, I think one the...
6 among many, many other points and the human points
7 that you make I think are at the core of it but having
8 asked a budget question I'm going to answer it as a
9 budget question and again I'm not... [cross-talk]

10 COUNCIL MEMBER RICHARDS: Sorry, I had to
11 get... [cross-talk]

12 ELIZABETH GLAZER: ...the expert on this...
13 [cross-talk]

14 COUNCIL MEMBER RICHARDS: ...because I get
15 emotional about it because these are people... [cross-
16 talk]

17 ELIZABETH GLAZER: ...you are completely...
18 [cross-talk]

19 COUNCIL MEMBER RICHARDS: ...that I know...
20 [cross-talk]

21 ELIZABETH GLAZER: ...right... [cross-talk]

22 COUNCIL MEMBER RICHARDS: ...who can come
23 home and... [cross-talk]

24 ELIZABETH GLAZER: ...to do that and I think...
25 [cross-talk]

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COUNCIL MEMBER RICHARDS: ...do good for themselves but who are being beat up not only by the correctional officers but the inmates in, in the prisons so they're fighting people who are supposed to protect, protect them as well and I'm just not seeing justice for these individuals.

ELIZABETH GLAZER: So, we talk about this as numbers and population decline... [cross-talk]

COUNCIL MEMBER RICHARDS: Uh-huh... [cross-talk]

ELIZABETH GLAZER: ...and budget and other things but this is at the end of the day a human issue and one of the... [cross-talk]

COUNCIL MEMBER RICHARDS: Human rights issue.

ELIZABETH GLAZER: Human rights issue... [cross-talk]

COUNCIL MEMBER RICHARDS: Uh-huh... [cross-talk]

ELIZABETH GLAZER: and a quality issue all of those things so I completely take your, your statements but I'm saying that as a preface to the cold budget things I'm not going to say... [cross-talk]

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COUNCIL MEMBER RICHARDS: Okay, so 247...

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[cross-talk]

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ELIZABETH GLAZER: ...so... [cross-talk]

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COUNCIL MEMBER RICHARDS: ...right now so I'm going to get past emotion... [cross-talk]

7

ELIZABETH GLAZER: So... [cross-talk]

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COUNCIL MEMBER RICHARDS: ...how much more will we see these numbers grow over the next decade...

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[cross-talk]

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ELIZABETH GLAZER: So, to be frank I don't know obviously our focus is to drive that number down, I think one of the points of... among many, many others of rehabilitating facilities, potentially building new facilities is to build facilities that permit the kind of staffing that is more efficient than what we have now... [cross-talk]

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COUNCIL MEMBER RICHARDS: Uh-huh... [cross-talk]

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ELIZABETH GLAZER: I think the second thing I would say though is that most of the costs that we see in Rikers have to do with the staffing and what we've seen over the years is that that ratio has gotten smaller and smaller meaning that there are fewer incarcerated people to one officer or staff

1
2 person and the reason for that is there are richer and
3 richer services with respect to mental health
4 supports, there are requirements with respect to young
5 people on the island as to what that ratio should be,
6 a much smaller ratio and so it's perhaps a reflection
7 of that that, that... [cross-talk]

8 COUNCIL MEMBER RICHARDS: I'm not sure that
9 that's entirely true though and I'll tell you this
10 because I was actually at an event and I actually met,
11 I won't disclose his name of course but a young man
12 who actually works on the island and does mental
13 health services... [cross-talk]

14 ELIZABETH GLAZER: Uh-huh... [cross-talk]

15 COUNCIL MEMBER RICHARDS: ...who thinks that
16 they obviously... they need more than what... [cross-talk]

17 ELIZABETH GLAZER: No doubts... [cross-talk]

18 COUNCIL MEMBER RICHARDS: ...currently...

19 [cross-talk]

20 ELIZABETH GLAZER: No doubt... [cross-talk]

21 COUNCIL MEMBER RICHARDS: ...there... [cross-
22 talk]

23 ELIZABETH GLAZER: ...but you know there's
24 been a tripling of these pace and caps units over the

25

1
2 past couple of years and no doubt this is a very, you
3 know serious and important issue.

4 COUNCIL MEMBER RICHARDS: Yeah and let me
5 just go through, so there are some things that we can
6 do in our purview now and, and obviously crime is
7 getting lower and the NYPD is still issuing... they can
8 issue summonses or make arrests based on certain low
9 level offenses such as sitting on the steps of subway
10 platforms or being in a public park after dusk, many
11 of the solutions around low level offenses don't
12 really require a legislative fix, I'm interested in
13 knowing how many people are languishing on the island
14 right now due to these sort of low level offenses so..
15 [cross-talk]

16 ELIZABETH GLAZER: So, I think... [cross-
17 talk]

18 COUNCIL MEMBER RICHARDS: ...turnstile
19 jumping... [cross-talk]

20 ELIZABETH GLAZER: Yeah... so I think very,
21 very few, I can get a breakdown... [cross-talk]

22 COUNCIL MEMBER RICHARDS: ...with an exact
23 number... [cross-talk]

24 ELIZABETH GLAZER: ...and give it to you..
25 [cross-talk]

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COUNCIL MEMBER RICHARDS: ...with a few...

ELIZABETH GLAZER: I, I can't give it to you but summons able offenses; marijuana... [cross-talk]

COUNCIL MEMBER RICHARDS: Uh-huh... [cross-talk]

ELIZABETH GLAZER: ...arrests, many of things that we think about in that category these are not folks who end up going to jail so we don't... [cross-talk]

COUNCIL MEMBER RICHARDS: But you don't have a number today to give me? Okay... [cross-talk]

ELIZABETH GLAZER: I can... no.

COUNCIL MEMBER RICHARDS: So and, and I, I, I'll just throw out two other things that I think... [cross-talk]

ELIZABETH GLAZER: Yep... [cross-talk]

COUNCIL MEMBER RICHARDS: ...makes sense this is why there has been organizations out there such as the Community Service Society pushing for something called Fair Fares because... [cross-talk]

ELIZABETH GLAZER: Uh-huh... [cross-talk]

COUNCIL MEMBER RICHARDS: ...you know a lot of individuals are jumping the turnstile based on, on that issue and we also need to have a larger

1
2 conversation around the decriminalization of marijuana
3 because too many people are languishing on the island
4 over that.

5 ELIZABETH GLAZER: So, I would... [cross-
6 talk]

7 COUNCIL MEMBER RICHARDS: I'm... and... [cross-
8 talk]

9 ELIZABETH GLAZER: I was just handed a...
10 [cross-talk]

11 COUNCIL MEMBER RICHARDS: ...that's a larger
12 conversation... [cross-talk]

13 ELIZABETH GLAZER: ...handed a number.

14 COUNCIL MEMBER RICHARDS: Okay...

15 ELIZABETH GLAZER: So, I can give you a
16 number.

17 COUNCIL MEMBER RICHARDS: Okay, go ahead.

18 ELIZABETH GLAZER: Under 100.

19 COUNCIL MEMBER RICHARDS: Under 100...

20 ELIZABETH GLAZER: So... but I would say
21 these issues that you raise are very, very important,
22 they're very important to address... [cross-talk]

23 COUNCIL MEMBER RICHARDS: Uh-huh... [cross-
24 talk]

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ELIZABETH GLAZER: ...I think they are not the main drivers of the jail population...

COUNCIL MEMBER RICHARDS: Right but, but I still think... I mean unless I'm missing something here if you jump the turnstile or you know you have a little bit of marijuana I don't think you should really be languishing whether it's 100 people or not, really be languishing on the island so that may be... I mean an, an easy fix. I want to go through the ULURP process a little bit and I Chair the Subcommittee on Zoning... [cross-talk]

ELIZABETH GLAZER: Sure... [cross-talk]

COUNCIL MEMBER RICHARDS: ...so I'm interested in knowing who in City Planning is assigned, do we have dedicated staff at City Planning assigned to this issue, are they working on it day in and day out, can you give me somewhat of a, a status report on that and I know we spoke of specific sites that... obviously the Queens Detention Center which I'm a Queens Council Member which we signed onto, are you looking at any potential sites outside of the, the, the sites that we've identified right now and normally a ULURP process takes around 18 months at best and it could go a little longer, I... we understand this is

1
2 going to be a very intense conversation as we, we move
3 into community engagement and to... and to communities,
4 I have a federal prison in my district. I do want to
5 know where are we at?

6 DANA KAPLAN: I don't... [cross-talk]

7 COUNCIL MEMBER RICHARDS: And... [cross-talk]

8 DANA KAPLAN: So... so... [cross-talk]

9 COUNCIL MEMBER RICHARDS: ...because if
10 you're telling me City Planning... I meant... I'm just
11 interested in knowing where is City Planning at and
12 who's assigned there to work on this issue?

13 DANA KAPLAN: So, Purnima Kapur is the Co-
14 Chair of the Design Working Group... [cross-talk]

15 COUNCIL MEMBER RICHARDS: Okay... [cross-
16 talk]

17 DANA KAPLAN: ...and... [cross-talk]

18 COUNCIL MEMBER RICHARDS: ...know her well...

19 DANA KAPLAN: ...and there have been... you
20 know she has a number of her staff that both come to
21 meetings or have been working with us on it and she
22 could better, you know say who is the official staff
23 leads but to the point about the other sites that
24 would be identified we assume that yes, we will
25 require additional sites beyond the three existing DOC

1

2 facilities to get us to that total capacity to be able
3 to house 5,000 individuals and so part of the master
4 plan is helping to identify those sites and certainly
5 if there are locations that we should be considering
6 as part of this we would welcome those suggestions.

7

COUNCIL MEMBER RICHARDS: Okay, so we
8 rezoned a lot of places; communities, we rezoned East
9 New York, we rezoned Far Rockaway, we rezoned East
10 Midtown, we've rezoned East Harlem I might of just
11 mentioned last week, we're going through Jerome Avenue
12 all of these rezonings have happened over a two to
13 three year period so I'm just interested in knowing
14 why we can't get to... through the ULURP process a
15 little sooner, I mean if you're telling me it's going
16 to take you ten years to figure this out I'm just not...
17 I'm trying to make the correlation of... if you're
18 talking about siting, the EIS process obviously that
19 has to happen as well, you know that's around an 18-
20 month process... [cross-talk]

21

DANA KAPLAN: We, we share the... [cross-
22 talk]

23

COUNCIL MEMBER RICHARDS: So, so when you
24 talk about ten years I'm just a little caught off
25 guard, I, I meant on why it would take ten years to

1
2 figure out a location we've already identified that's
3 sitting there.

4 DANA KAPLAN: So, I, I want to make very
5 clear that we share the urgency of wanting to get
6 there as fast as possible... [cross-talk]

7 COUNCIL MEMBER RICHARDS: But you're still
8 saying ten years.

9 DANA KAPLAN: So, that is what our
10 realistic understanding is... [cross-talk]

11 COUNCIL MEMBER RICHARDS: But that's not
12 realistic... [cross-talk]

13 DANA KAPLAN: ...what this will... [cross-talk]

14 COUNCIL MEMBER RICHARDS: ...if you're
15 talking about a ULURP... [cross-talk]

16 DANA KAPLAN: ...of what this will take...
17 [cross-talk]

18 COUNCIL MEMBER RICHARDS: ...process it
19 normally goes... it normally takes... [cross-talk]

20 ELIZABETH GLAZER: But it... [cross-talk]

21 DANA KAPLAN: So, certainly we're not
22 hoping... [cross-talk]

23 COUNCIL MEMBER RICHARDS: ...18... so,
24 especially on sites... I'm, I'm speaking... [cross-talk]

25 DANA KAPLAN: Yeah... [cross-talk]

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COUNCIL MEMBER RICHARDS: ...specifically on
the sites... [cross-talk]

DANA KAPLAN: Uh-huh... [cross-talk]

COUNCIL MEMBER RICHARDS: ...that we've
identified that at least in Queens we've identified,
I'm sort of lost on why it would take more... and I... and
I understand we have a citywide purview we're looking
at as well but why would it take ten years?

DANA KAPLAN: We will be looking to advance
the pieces of this that we can including the ULURP
process as we... [cross-talk]

COUNCIL MEMBER RICHARDS: Okay, I like
that... [cross-talk]

DANA KAPLAN: ...have the in, information as,
as quickly as possible.

COUNCIL MEMBER RICHARDS: Okay and my... and
my last question is what are we going to do right now,
you know every time I turn on the news I see people
getting slashed on Rikers, what are we doing now to
ensure that safety is a priority on the island and I
understand the cameras and all that good stuff but you
can have cameras all you want if the culture on the
island is not where it needs to be cameras do very
little?

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CYNTHIA BRANN: Cynthia Brann, Commissioner of Department of Correction. So, we are not waiting the ten years, we are working to change the culture now on the island, we have implemented five hours of programming for each inmate, we have implemented vocational training for anyone who wants to partake of that, we have... [cross-talk]

COUNCIL MEMBER RICHARDS: How many people are taking advantage of the vocational programming... or you don't have to have those numbers now, but I'm just interested in knowing... [cross-talk]

CYNTHIA BRANN: I will provide you with that... [cross-talk]

COUNCIL MEMBER RICHARDS: ...what those number look like on your... on your programs and are your programs truly meeting the needs of... you know have we surveyed the individuals on the island, I hate to call them inmates, on the island to know what are the things they are interested in doing as well.

CYNTHIA BRANN: We actually hold town halls with the people who are incarcerated and ask them what they would like to participate in, so you have to understand that half of our population transitions in and out of the facility within seven to ten days so

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2 it's, it's sometimes difficult to, to determine which
3 programs which may include several weeks or months of
4 participation, what we will be able to implement for
5 the majority of folks who stay with us a long time. We
6 do engage them in figuring out what is best suited to
7 the needs and have implemented many of those programs
8 and I will get you a listing of that and, and what our
9 participation rate is for the island. We've also
10 implemented reentry services so everyone who comes to
11 our door meets with a reentry counselor upon admission
12 and starts a reentry plan regardless of how long
13 they're with us. For the officers we've expanded our
14 training, so our training is now six months long, we
15 recently completed the first half of the Nunez
16 requirements of the training, its' called Star
17 training which was the defensive tactics and we begin
18 the second half of that training this month which arms
19 the officers with crisis intervention and de-
20 escalation skills. We've also provided them with
21 specialized training for the special populations that
22 they manage in the housing areas.

23 COUNCIL MEMBER RICHARDS: Okay, it all
24 sounds great, hopefully it... I, I look forward to
25 hearing a little bit more about that. Last question

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2 just... so, in the event that there are correction
3 officers who are not doing the right thing and, and
4 I'm not saying all don't do... all are doing the wrong
5 thing because there are a lot of good correction
6 officers personally I know a, a few. What space is
7 provided for people who are incarcerated... what, what
8 is being provided to them to report these individuals
9 who may be doing the wrong thing in a way that can be
10 anonymous without them being targeted, what sort of..
11 I'm just interested in knowing what sort of space is
12 there for reporting individuals who may be
13 participating in, in bad activities without them being
14 targeted for doing it?

15 CYNTHIA BRANN: So, everyone has access to
16 3-1-1, they can call... [cross-talk]

17 COUNCIL MEMBER RICHARDS: Wait, wait three..
18 on the island you...

19 CYNTHIA BRANN: All inmates have access to
20 3-1-1... [cross-talk]

21 COUNCIL MEMBER RICHARDS: Can... my
22 constituents don't want to call 3-1-1 so I could.. I
23 can't even imagine that people sitting on Rikers
24 Island... I don't even want to call 3-1-1 and I'm a
25 Council Member so... I'm... [cross-talk]

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CYNTHIA BRANN: I can... [cross-talk]

COUNCIL MEMBER RICHARDS: ...astounded at that... [cross-talk]

CYNTHIA BRANN: I can... I can tell you... [cross-talk]

COUNCIL MEMBER RICHARDS: ...answer... [cross-talk]

CYNTHIA BRANN: ...that inmates do call 3-1-1, it is a free call, they're not charged... [cross-talk]

COUNCIL MEMBER RICHARDS: Really... [cross-talk]

CYNTHIA BRANN: That's correct... [cross-talk]

COUNCIL MEMBER RICHARDS: ...so, you tell an inmate they have a chance to make a call and how many minutes on, on, on average can a person use the phone? So, if they had to choose between calling a family member and calling 3-1-1 who do you think they would choose... [cross-talk]

CYNTHIA BRANN: No, no, no, it's, it's a free call, it's not charged... [cross-talk]

COUNCIL MEMBER RICHARDS: So, they can request anytime of the... [cross-talk]

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CYNTHIA BRANN: They can... [cross-talk]

COUNCIL MEMBER RICHARDS: ...day to call 3-1-1... [cross-talk]

CYNTHIA BRANN: They can... they can use the... [cross-talk]

COUNCIL MEMBER RICHARDS: ...and speak to an operator and say hey I'm being beat up in Rikers Island.

CYNTHIA BRANN: During lockup... [cross-talk]

COUNCIL MEMBER RICHARDS: I'm a little astounded by this.

CYNTHIA BRANN: During lockout time anyone who can... who accesses the phone can use a free call to call 3-1-1 and, and people... [cross-talk]

COUNCIL MEMBER RICHARDS: Okay, so I'm... [cross-talk]

CYNTHIA BRANN: ...who use that service... [cross-talk]

COUNCIL MEMBER RICHARDS: ...going to stop you. So, we need to figure this out because I don't even want to call 3-1-1 and I'm, I'm being honest, I mean we have to fight with our constituents to call 3-1-1 so I can't imagine people who are incarcerated wanting to call 3-1-1... [cross-talk]

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CYNTHIA BRANN: Yeah, I know... [cross-talk]

COUNCIL MEMBER RICHARDS: ...we need to figure out a systematic way, a better way, I'm, I'm... and I'm not trying to be funny here, I mean we just did something for children where we offered them an, an anonymous survey in New York City now to, to... so I... I'm a little saddened to hear that... [cross-talk]

CYNTHIA BRANN: So, that's not the only... [cross-talk]

COUNCIL MEMBER RICHARDS: ...you would have to call 3-1-1... [cross-talk]

CYNTHIA BRANN: ...way. There are confidential numbers that anyone can call to leave a message or a complaint and all... [cross-talk]

COUNCIL MEMBER RICHARDS: Okay, alright. I think Madame Chair we need to have a larger conversation about this because if there's not a transparent way and a way to really address this issue perhaps this is something the... [cross-talk]

JEFF THAMKITTIKASEM: Council... [cross-talk]

COUNCIL MEMBER RICHARDS: ...the council can look at.

JEFF THAMKITTIKASEM: Just so you know... just... [cross-talk]

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COUNCIL MEMBER RICHARDS: But 3-1-1 I...

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[cross-talk]

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JEFF THAMKITTIKASEM: That's fine... [cross-

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talk]

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COUNCIL MEMBER RICHARDS: ...please don't...

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[cross-talk]

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JEFF THAMKITTIKASEM: ...but there are...

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[cross-talk]

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COUNCIL MEMBER RICHARDS: ...let's not...

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[cross-talk]

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JEFF THAMKITTIKASEM: ...also... because of the

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extensive kind of work we've done with the Nunez...

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[cross-talk]

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COUNCIL MEMBER RICHARDS: Hit your... hit...

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press your mic.

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JEFF THAMKITTIKASEM: Because of the

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extensive work we've done with the federal monitor we

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have also increased the lines that go both to the

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Board of Correction, the SCOC as well as the

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Department of Investigation all of those numbers...

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[cross-talk]

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COUNCIL MEMBER RICHARDS: I hear you but if

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I'm someone in Rikers Island I'm scared to call any of

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those numbers, so we need to figure out... [cross-talk]

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JEFF THAMKITTIKASEM: Yeah, they're

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anonymous just so you know... [cross-talk]

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COUNCIL MEMBER RICHARDS: ...another... I hear

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you... [cross-talk]

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JEFF THAMKITTIKASEM: Fair enough... [cross-

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talk]

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COUNCIL MEMBER RICHARDS: But if I'm on

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Rikers Island I'm scared to call those numbers, so we

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need to figure out a, a better way, I don't know if

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its by email or some sort of survey program where you

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can remain anonymous, but we need to figure out a

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better way forward. Thank you all for the work that

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you're doing.

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CHAIRPERSON CROWLEY: Thank you Council

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Member Richards, this concludes the questions for the

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administration. I want to thank them for being here to

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testify, I, I do hope that staff stays around for the

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entire duration of the hearing. I, I think it's

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important to try to reach your goal of closing Rikers

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Island in under ten years just based on other goals

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that this administration has had certainly within the

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Department of Correction and one name just today the

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online paying for bail for that... something that

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appears to be quite simple in comparison to the

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2 extensive work required to close down Rikers Island
3 that is at least a year behind schedule and it only
4 had a year to go online so, you can understand the
5 frustration this committee has and we do want to work
6 together to ensure that we could do this as timely and
7 as effectively as possible. So, thank you again for
8 your work and for being here.

9 ELIZABETH GLAZER: Thank you... [cross-talk]

10 CHAIRPERSON CROWLEY: I'd now like to call
11 up to testify Chief, Chief Judge Jonathan Lippman who
12 is the Chairman of the Independent Commission on New
13 York City Criminal Justice and Incarceration Reform.

14 [applause]

15 CHAIRPERSON CROWLEY: Judge once you are
16 ready to begin please do so, thank you.

17 JONATHAN LIPPMAN: I'm ready. Let me say
18 you all have my written statement and I see no reason
19 to... [cross-talk]

20 CHAIRPERSON CROWLEY: Sorry, sorry to
21 interrupt going to... the microphone if you can turn it
22 on please, thank you.

23 JONATHAN LIPPMAN: Okay, you all have my
24 written statement, so I know... see no reason to read it
25 to you. Let me just give you some comments based on

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2 the hearing so far today. Let me start by thanking the
3 Speaker for establishing the commission and for her
4 commitment to this issue, she has absolutely been a
5 driving or the driving force in the city to making
6 sure that this happens. I want to thank Councilperson
7 Crowley for your leadership of this commission and
8 your leadership on this issue. We are deeply, deeply
9 grateful and, and thank you and look forward to your
10 continued support. And let me just say I think that
11 there is today as witnessed by this hearing a
12 political consensus as to where we should go in this
13 city, you know we're proud of the commission's report
14 and I think did lay out a, a roadmap. We look for,
15 forward to our work as we call a commission 2.0 in
16 this implementation of phase. There have been so many
17 people who are responsible for getting us this point;
18 the advocates, including Glenn Martin who you're going
19 to hear from today, so many others, so many public
20 officials, the Governor's been very strong on this
21 issue and we have at the centerpiece now the Mayor
22 saying that the public policy of the city is to close
23 Rikers Island and we welcome that but the.. and, and I
24 think it was a historic commitment but now the
25 question is where do we go from here and how do we use

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2 that political consensus to get something done and the
3 first thing I think is that we do have to reduce the
4 population and I appreciate all the discussion back
5 and forth as to how you do it. I think the city has to
6 think more bold, in a more bold fashion about getting
7 the numbers down. To be, be quite frank the numbers
8 are coming down no matter what they do, there's less
9 arrests, public policy is different, without doing
10 anything you can get pretty much along the lines where
11 we'd like to go but I think they have to think again
12 in a more bold way in terms of getting down to the
13 5,000. We laid out the very specifics of this how you
14 do it precisely I think that supervised release,
15 release is a terrific program, you can do more, so
16 many of these people don't belong incarcerated and
17 there's no reason why we can't go along the lines of
18 some of the numbers that we, we put out for the
19 Commission. I'd also say that the courts and the
20 speedy trial issues and the moving along more quickly
21 is so obviously a, a, a commitment that the courts are
22 making with my successor, Chief Judge DiFiore and I
23 think that we can move cases more quickly which again
24 will reduce the, the, the population to be sure. And I
25 think the discussion about bail reform and what's

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2 needed in Albany is certainly also indicated but let
3 me say that this is not so complicated, you get three
4 populations that don't belong there in the first
5 place; women, children and the mentally ill and so
6 much can be done to get those people off the island
7 and to get them off now. You have people who are there
8 half the population is there for three, four, or five
9 days, it doesn't take much imagination to say gee if
10 they're there for three or four days maybe they don't
11 have to be there at all, to me it's just common sense.
12 So... and of course we need to look at risk assessment
13 and all those kinds of things but there are people who
14 are just no threat to anybody who should not be on
15 this island and just looking at it from the broadest
16 strokes we can do this and do it quickly and we have
17 to do actions that make what we say real and you can't
18 say we're going to close Rikers without doing things
19 that show that that's exactly what we're going to do
20 and we have to do... we have to move along two parallel
21 fronts. One is obviously what I just talked about,
22 you're not going to hurt somebody get them off Rikers
23 Island no reason to be there, population is so obvious
24 they don't belong get them off Rikers Island but the
25 second aspect, this population can go to 5,000

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2 dollars... 5,000 people we've stated it again precisely
3 as you get there and Councilman Lancman talked about
4 some of those numbers but parallel to that is this
5 business about the siting's, its so clear that we have
6 to have local jails in each of the five counties, this
7 isn't nuclear science, we've laid it out, I think
8 there's a broad agreement in what we recommended, on
9 jail each county downtown, close to the courthouse,
10 not in people's bedrooms or back yards, not necessary.
11 The population is going to be low enough that we can
12 do this. This business about everywhere but Staten
13 Island is ridiculous, this is not a political game
14 where we decide on not you because, you know votes are
15 here or there, it doesn't make any sense, each of the
16 five counties have to equally share to the extent it's
17 a burden, they each have to share it and we did too
18 all the people in the three places where you have a
19 footprint; Queens, Manhattan, Brooklyn, the Council
20 Members are for it, the Borough Presidents are for it,
21 the public officials are for it, those things can
22 happen tomorrow. We talked about Queens that building
23 is not being used, get it down, get it renovated now.
24 There's no reason not to do it, this is common sense,
25 this is not about bureaucracies, get it down those

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2 buildings, get ULURP done now, get whatever has to be
3 done, there's nothing to study for years and years,
4 everyone agrees what the solution is and again we
5 spoke it in the Bronx, we certainly can find a
6 location there, we spoke in the borough president,
7 there's broad support there too and Staten Island
8 you're talking about 100... as has been discussed 150 or
9 200 person... a 200 bed facility, there is absolutely no
10 reason we shouldn't get started tomorrow in looking at
11 where that should be, everyone shares the burden;
12 ULURP now that's what we do... this is what... it, it
13 doesn't make any sense and task forces are great and I
14 commend the Mayor for appointing the task force. I
15 don't think and, and again the work should continue,
16 they'll do terrific work, work, there's wonderful
17 people there but appointing 80 people to a task force
18 is not necessarily the quickest way to get things
19 done. While that task force is doing its business and
20 they're great, people are wonderful, let's do the
21 concrete steps that need to be... no... done to show that
22 this is real. This is about unanimous... humanity, this
23 is about people suffering now, we can't wait another
24 day to get this done. There's talk about ten years,
25 three years, two years, five years, the absolute

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2 quickest way is what we, we need to do and what that
3 takes is political courage, everyone has to have the
4 courage to confront this issue now and of course we
5 could get it done within earlier than ten years but it
6 takes political courage and putting stakes in the
7 ground now so that nobody suffers any longer, that
8 this accelerate of human misery is taken away from us
9 to be just a distant memory, this stain on the soul of
10 our city is such a, a miserable thing for a place like
11 the city of New York for this to be a representation
12 of our values is so wrong so bottom line let's get the
13 stakes in the ground, engage with the community,
14 budget siting's, criminal justice reform all on
15 parallel treks... tracks now and that's what we need to
16 do and we need to take away again... make the soul of
17 the city whole again by getting rid of this miserable
18 horrible place and do it now. Thank you.

19 [applause]

20 CHAIRPERSON CROWLEY: Thank you Judge,
21 thank you for your commitment to public service, your
22 years of... [cross-talk]

23 JONATHAN LIPPMAN: Thank you... [cross-talk]

24 CHAIRPERSON CROWLEY: ...service to the city
25 and the state in making it a, a better place to live

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2 and certainly a more just place. And thank you for
3 your commitment to this commission and everyone who
4 participated on the commission, all of the board
5 members. I appreciate your testimony and I couldn't
6 agree with more... with everything you said, you know
7 like... [cross-talk]

8 JONATHAN LIPPMAN: Thank... [cross-talk]

9 CHAIRPERSON CROWLEY: ...we need to see more
10 of the walking the walk rather than talking the talk.

11 JONATHAN LIPPMAN: I'm with you.

12 CHAIRPERSON CROWLEY: And it could be done
13 in under ten years...

14 JONATHAN LIPPMAN: Absolutely.

15 CHAIRPERSON CROWLEY: But at the rate the
16 city is going in now I don't know that it would... that
17 the De Blasio Administration is going to lay the
18 groundwork the next four years... [cross-talk]

19 JONATHAN LIPPMAN: I'd, I'd say this...

20 CHAIRPERSON CROWLEY: Yeah...

21 JONATHAN LIPPMAN: ...think about it, in four
22 years what do we expect to see?

23 CHAIRPERSON CROWLEY: Right...

24 JONATHAN LIPPMAN: Are there going to be
25 shovels in the ground, are there going to be buildings

1
2 actually built or we... or are we still going to be in
3 the ULURP process, you know...

4 CHAIRPERSON CROWLEY: Right, if it was
5 another city agency outside of DOC maybe the Police
6 Department I could see it happening, you know I could
7 see shovels in the ground, I, I, I agree with you with
8 it... it comes to the Queens House of Detention if the
9 building is not efficient or sufficient take it down...

10 JONATHAN LIPPMAN: Absolutely...

11 CHAIRPERSON CROWLEY: Start the work now...

12 JONATHAN LIPPMAN: Tomorrow.

13 CHAIRPERSON CROWLEY: Know if you need
14 ULURP.

15 JONATHAN LIPPMAN: I, I... [cross-talk]

16 CHAIRPERSON CROWLEY: Waste no more time.

17 JONATHAN LIPPMAN: Well you know the... well
18 as you pointed out and some of the other Council
19 Members did you're talking about a process that by
20 definition is going to take 300 days from the time
21 when they, you know pick the vendor so your building
22 in so much delay and then when you acknowledge as we
23 all do that ULURP and these things take time why
24 wouldn't you start today and again if we didn't know
25 the solution, if we didn't have a good sense of what

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2 needed to be done I'd say let's spend another five
3 years studying it but it's totally unnecessary, the,
4 the outlines of what needs to be done are clear, we
5 have to just fill in the canvas a little bit and this
6 could be done very quickly.

7 CHAIRPERSON CROWLEY: Thank you. I'd like
8 to recognize Council Member Lancman for questions.

9 COUNCIL MEMBER LANCMAN: Judge it's always
10 good to see you.

11 JONATHAN LIPPMAN: You too.

12 COUNCIL MEMBER LANCMAN: Thank you for your
13 service and, and for the extraordinary contribution
14 that you've made to this, this conversation... [cross-
15 talk]

16 JONATHAN LIPPMAN: Thank you... [cross-talk]

17 COUNCIL MEMBER LANCMAN: ...I'll put it to
18 you plainly, we've known each other a while, the
19 Mayor's Director of Criminal Justice sat here and gave
20 testimony and as we, you know went through the numbers
21 for how we get from where we are today to the point...
22 [cross-talk]

23 JONATHAN LIPPMAN: Yes... [cross-talk]

24 COUNCIL MEMBER LANCMAN: ...where we have
25 reduced the jail population enough so that we can

1
2 realistically close Rikers and, and house individuals
3 in smaller borough based jails, she said that your
4 numbers were not realistic, I think the term she used
5 was... when I asked her what accounted for the
6 difference between the Commission's numbers and the
7 administration's numbers particularly as it relates to
8 supervised release... [cross-talk]

9 JONATHAN LIPPMAN: Yeah... [cross-talk]

10 COUNCIL MEMBER LANCMAN: ...which accounts
11 for the bulk of the... [cross-talk]

12 JONATHAN LIPPMAN: Yes... [cross-talk]

13 COUNCIL MEMBER LANCMAN: ...the downsizing if
14 you will... [cross-talk]

15 JONATHAN LIPPMAN: Yeah... [cross-talk]

16 COUNCIL MEMBER LANCMAN: ...she said reality,
17 what do you say to that?

18 JONATHAN LIPPMAN: Well, you know I've been
19 in this game a little... a long time myself, over 40
20 years and I think I understand the criminal justice
21 system and I think, you know and we've had this
22 discussion before and let me say first of all that Liz
23 Glazer is a Criminal Justice professional, I respect
24 her, her opinions but we do have a disagreement that
25 again I think that they're not thinking with an

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2 urgency and, and a boldness that, that they need to
3 and when Liz appeared before the Commission we had the
4 same discussion, could you do it more quickly and I
5 think if you follow certain principles... look I'm the
6 first person who again understands the issue of public
7 safety and you know dangerousness and all of that but
8 I think the, the... we have to rethink this tough on
9 crime, soft on crime syndrome where we can't be smart
10 on crime just doesn't, you know make any sense to me
11 and to me it's simple it goes right to what you're
12 asking about with supervised release. If, if it goes
13 to the bail issue and it goes to all these things, if
14 you're a danger to society, if you're going to hurt
15 your neighbor, we're going to incarcerate you and
16 you're going to stay there but if you're not a threat
17 to society, if you're not a danger to anybody that's...
18 all these people... we're not talking about the violence
19 now, we're talking about the non-violent. Why in the
20 world should you be away from your family, away from
21 your community and a great, great public expense as
22 the Councilman indicated before, why in the world do
23 we keep these people incarcerated in these miserable
24 places when, when they come out they're a threat to

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2 public safety because they've been treated so
3 miserably... [cross-talk]

4 COUNCIL MEMBER LANCMAN: Right... [cross-
5 talk]

6 JONATHAN LIPPMAN: That, that... you take a
7 normal human being, you walk out of that place, you're
8 a hardened criminal. So, you don't protect public
9 safety by saying gee we have to be real... of course you
10 have to be careful, of course we have to be concerned
11 with public safety, but I don't think, and I say this
12 again from 40 years in the criminal justice system, I
13 don't think our numbers are unrealistic if anything we
14 tried to pair them back a little bit... [cross-talk]

15 COUNCIL MEMBER LANCMAN: Uh-huh... [cross-
16 talk]

17 JONATHAN LIPPMAN: ...to not be too rosy
18 because that's indicated before because of the change
19 particularly in New York City in the mindset of how we
20 deal with criminal justice, the population is going
21 down. These things just are helping that process so I
22 don't think we're unrealistic at all, I respect other
23 opinions and will continue to talk about it but my
24 view the whole time is that I, I don't think it's
25 realistic to say gee let's suffer and maybe we can get

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2 to 7,000 and we don't even know, you know exactly what
3 the dates are to get to that kind of intermediate
4 level, I think we reduced the population in half we
5 can do it again and it's rapidly coming to... into place
6 and the mistake is to sit here and do nothing while
7 we're waiting until the population comes down. The
8 population is coming down, will come down, we can do
9 this, but we can't do it if we do it in a kind of a
10 bureaucratic way where we say listen we're going to
11 study this, that, the other thing. As we said my
12 vision is what's going to be in four years, what a
13 rare opportunity that we have that we have the Mayor
14 of the city in New York saying this is our public
15 policy we have the almost overwhelming support of the
16 city council including in the particular areas where
17 we need to build jails, we have the Governor of the
18 state of New York saying we don't want to wait ten
19 years, we don't want to wait five years, we want to do
20 it tomorrow, what more can we need, we have the
21 controller saying in the last couple of days as
22 pointed out it cost more and more to house these
23 people, why, why, why would we sit around and wait to
24 see... gee maybe we can get the population faster,
25 slower, we've got to act now.

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COUNCIL MEMBER LANCMAN: I, I agree. In your written testimony you talk about the urgency and having a sense of urgency, this is really a particular maybe once in a lifetime moment where you have a, a, a consensus, you have a council in place, you have a Governor in place at least in principle you have a Mayor in place that's all committed, and you don't know what the... one does not know what the road will look like four years... [cross-talk]

JONATHAN LIPPMAN: And, and... [cross-talk]

COUNCIL MEMBER LANCMAN: ...from now... [cross-talk]

JONATHAN LIPPMAN: And my friend when we were... used to work together on the legislation for so many years if we knew this we would of said a year or two ago it's impossible to have this kind of momentum on this issue but if we're not going to break bones, if we're not going to do strong things, if we're not going to have political courage we can lose all of this and it just becomes another one of these things that goes on and on while we talk and talk and talk... [cross-talk]

COUNCIL MEMBER LANCMAN: Right... [cross-talk]

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JONATHAN LIPPMAN: ..about it.

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3 COUNCIL MEMBER LANCMAN: It... is the Lippman
4 Commission still in business or... [cross-talk]

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5 JONATHAN LIPPMAN: Yes, thanks to the city
6 council, thanks to the Ford Foundation, thanks to Open
7 Society, we are, we intend to... we call it the 2.0, we
8 intend to be very active in this implementation stage
9 to be working with all of you and to be frank... [cross-
10 talk]

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COUNCIL MEMBER LANCMAN: Right... [cross-
12 talk]

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JONATHAN LIPPMAN: ..to be causing a little
14 trouble. As all of you do to make sure that this
15 happens, to keep the fire burning under everybody..
16 [cross-talk]

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COUNCIL MEMBER LANCMAN: Well let, let me
18 just suggest Judge that, you know where the rubber is
19 going to meet the road next is going to be the budget
20 and I don't know... [cross-talk]

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JONATHAN LIPPMAN: Councilman I couldn't
22 agree more...

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COUNCIL MEMBER LANCMAN: Yeah and none of
24 us know where we're going to be once the, the, the
25 shuffling goes on after whoever the next Speaker is,

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2 is elected but I for one would like to be armed with
3 the information and with the analysis to be able to,
4 to go into that budget processing, we can do a lot
5 better on supervised release in particular and here's
6 why that's realistic... [cross-talk]

7 JONATHAN LIPPMAN: And Councilman Lancman...
8 [cross-talk]

9 COUNCIL MEMBER LANCMAN: If you could put
10 that together by then that would be tremendous...
11 [cross-talk]

12 JONATHAN LIPPMAN: We intend to put
13 together timetables including dollars that need to be
14 in there to get this done. It's again, it's that sense
15 of urgency, it's doing it now, what do you need to do.
16 When I talk about stakes in the ground what does that
17 mean, what has to be done when and none of us can say
18 that oh we're doing this... or whatever if we don't have
19 the backup, if there's not money in the budget then
20 we're not for it no matter how much planning we do, if
21 we don't have the land use beginning we're not for it
22 no matter what we say, all those, those things have to
23 take place and we hope to be of whatever assistance we
24 can to ensure that we all understand those milestones
25 that have to happen.

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2 COUNCIL MEMBER LANCMAN: Perfect, thank you
3 Judge, Madame Chair, thank you.

4 COUNCIL MEMBER RICHARDS: Thank you Madame...
5 oh Chair, I'm sorry. So, you heard me mention this
6 question to the Commissioner I believe, what can we do
7 in... what immediate steps can we take now to ensure
8 that until we make real systematic changes people on
9 the island could be safer?

10 JONATHAN LIPPMAN: Well, you know... [cross-
11 talk]

12 COUNCIL MEMBER RICHARDS: What are some
13 immediate things we... [cross-talk]

14 JONATHAN LIPPMAN: No, no, I, I agree with
15 you totally. First of all, the culture has to be
16 changed and culture doesn't change overnight, I get
17 that, but these people have to be... these people,
18 corrections officers, everyone else who works there
19 has to understand their role in a little different way
20 than they do today. This is not... everything is not
21 punitive, the way to treat human beings is not to put
22 them in a cage and treat them like animals, they treat
23 them like human beings and I think that that cultural
24 change and understand I don't... I don't believe in
25 these broad scale criticisms where they're trying,

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2 they're trying to do that and I'm, I'm not one of
3 those people to believe that the correction officers
4 are responsible for all the problems in the world,
5 they're trying too but you have such antiquated
6 facilities that... you know one of our strong
7 recommendations was to build a new academy to train
8 the... to train the corrections officers and that has to
9 be done but I think right now the selection system,
10 the training that they get has to be in the... in the
11 vein of reimagining the role of correction officers
12 and this idea that you have one for one between
13 correction officers and inmates and yet it's such an
14 unsafe horrible place is mind boggling. So, tomorrow
15 you have a new Commissioner let's start a new momentum
16 in that getting the training whether it's new people
17 who are coming in or the people who are there now, you
18 have so many officers, pull them out train every week,
19 rethink the way they, they, they look at their job...

20 COUNCIL MEMBER RICHARDS: And what's your
21 thoughts on people calling 3-1-1? In, in all
22 seriousness, in, in... [cross-talk]

23 JONATHAN LIPPMAN: In all seriousness...
24 [cross-talk]

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COUNCIL MEMBER RICHARDS: ...and what... and what... in, in, in what... do we do like a CCRB structure there, I meant... in, in all honesty... [cross-talk]

JONATHAN LIPPMAN: Yeah... [cross-talk]

COUNCIL MEMBER RICHARDS: I meant... and not, not to say CCRB is... [cross-talk]

JONATHAN LIPPMAN: The... in, in all... [cross-talk]

COUNCIL MEMBER RICHARDS: ...you know but... [cross-talk]

JONATHAN LIPPMAN: ...seriousness I... [cross-talk]

COUNCIL MEMBER RICHARDS: ...but it should be an independent... [cross-talk]

JONATHAN LIPPMAN: Yeah... [cross-talk]

COUNCIL MEMBER RICHARDS: ...body I... [cross-talk]

JONATHAN LIPPMAN: ...I'm as incredulous as you are, I mean maybe it works but... [cross-talk]

COUNCIL MEMBER RICHARDS: ...because when you talk about shifting culture and, and, and I'm... [cross-talk]

JONATHAN LIPPMAN: Yeah... [cross-talk]

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COUNCIL MEMBER RICHARDS: ...we're laughing about it but in all seriousness one of the reasons people are getting away with what they want to get away with it's because people have to call 3-1-1... [cross-talk]

JONATHAN LIPPMAN: We have an... we have to have a new way... [cross-talk]

COUNCIL MEMBER RICHARDS: Yeah... [cross-talk]

JONATHAN LIPPMAN: ...to protect people, I don't consider myself an expert on jail reform, but I can tell you this business as usual is this miserable place that we're living today. So, we have a new Commissioner let's ask for new ideas, new ways to do it and again without any humor I can't imagine that the way to do that is for them to call 3-1-1.

COUNCIL MEMBER RICHARDS: Thank you sir.

JONATHAN LIPPMAN: Thank you.

CHAIRPERSON CROWLEY: Thank you Judge, thanks for your testimony and for your commitment and let's hope that this is the start of the end of business as usual.

JONATHAN LIPPMAN: I'm with you again.

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CHAIRPERSON CROWLEY: Thank you... [cross-talk]

JONATHAN LIPPMAN: Thank you.

CHAIRPERSON CROWLEY: Thank you.
[applause]

CHAIRPERSON CROWLEY: Next from the public we invite Glenn Martin, Just Leadership USA, Founder and Executive Director.

GLENN MARTIN: No water for the advocates? Thank you. Thank you, Chairperson Crowley and other members of the committee, I'm going to paraphrase my written testimony to respect the amount of time that we have here. so, I come to this moment not just as an advocate who cares deeply about the injustices and violence that characterizes the jails on Rikers Island but also as someone who has firsthand experience as a victim of those realities. I also come as Co-Founder of the Close Rikers Campaign, a glass... a grassroots coalition of New Yorkers who have been directly impacted by the harms of Rikers and who have utilized their voice and their shared experience to take the goal of closing Rikers from a bold and ambitious idea to citywide policy. Maybe this reality is why I find myself so insulted by the Mayor's Office and their

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2 effort to continue to describe our efforts at reform
3 with such paternalism and contempt versus partnership
4 and comradery. My submitted testimony can be
5 summarized in four key points. Rikers must be closed
6 as soon as possible, number one. The time for the
7 closure of Rikers Island is long overdue and meeting
8 that urgency of this moment is possible. Rikers could
9 be closed in far fewer than ten years if Mayor De
10 Blasio made a concrete and meaningful commitment to
11 shudder those jails. The Empire State Building was
12 built in a year and 45 days while the Mayor's staff
13 dithers with opaque, narrow and visionless RFP's. I've
14 seen a copy, it's narrow and visionless. The city
15 council has shown evidence of its readiness to address
16 the difficult issue of nimbyism and the ULURP process
17 while the Mayor's Office appears focused on coopting
18 the rhetoric of the advocates smaller, safer and
19 fairer without the finding or delivering outcomes.
20 Number two, New Yorkers deserve concrete solutions.
21 The lack of readily achievable and objectively
22 perceivable solutions from Mayor De Blasio undermines
23 all of the promising rhetoric or benevolent platitudes
24 that we hear from him all too often. Words without
25 action amounts to silence, 75 people on a task force

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2 minus leadership from the Mayor, measurable goals and
3 a sense of urgency amounts to stalling and contrary to
4 earlier testimony some subcommittees of the Mayor's
5 Task Force have not yet met, I know because I agree
6 with Liz Glazer, there are amazingly intelligent and
7 passionate people on those task forces many of them
8 are my friends and colleagues. As someone who read the
9 Lippman Report, I know some of us haven't, the Lippman
10 Commission offered concrete solutions for shrinking
11 the population. If the Lippman Report is quote,
12 "optimistic" as declared by Liz Glazer it's because
13 it's based more on data and less on politics. Number
14 three, legislative reform is both vital and possible,
15 progress will require steadfast determination,
16 progressive policy making locally and an active
17 partnership with our elected leaders in Albany. This
18 administration appears to relish witty tweets and
19 public debates with the Governor more than problem
20 solving partnerships to save black and brown New
21 Yorkers from the human carnage produced by Rikers. And
22 number four, less people think the advocates are not
23 also focused on city council members. City council
24 members must be leaders beyond the confines of City
25 Hall. The strength of the Close Rikers Campaign lies

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2 in the simple truth that people closer to the problem
3 are also closest to the solution not McKenzie rules.
4 Maybe when Deputy Mayor Shorris goes so will Wall
5 Street. Today you will hear from many of these people
6 however these brave men and women are often farthest
7 from power and resources, that distance between the
8 perspectives we share and the power you hold has been
9 significantly shortened due to the leadership of at
10 least 30 council members who have contributed to the
11 momentum of our campaign by expressing support for the
12 goals of closing Rikers for good. Even if you were
13 vocal advocates for policy changes I described above
14 the advocacy will not have the necessary impact if it
15 is limited to conversations in this building, culture
16 eats policy for breakfast. Policy change is essential,
17 here I agree with the administration, but both can
18 happen simultaneously. In redefining that culture I
19 urge each of you to remember this, you can be leaders
20 outside of this building and you must be so in order
21 to drive culture... the cultural change that while not
22 solely sufficient for comprehensive reform are
23 necessary for reform to be as far reaching, deep and
24 long lasting as it must be for us to move forward. You
25 cannot fall into the trap of seeing yourselves as

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2 merely transactional figures with your potential to
3 achieve transformative change being limited by the
4 nuance of legislation or practicality of process. Each
5 of you has a constituency that has sent you here, each
6 of you holds an office whose power goes beyond the
7 final word of any proposal you craft or support, each
8 of your colleagues can be what the members of the
9 Close Rikers Campaign have been. As I stated above the
10 success of the Close Rikers Campaign has been premised
11 on the intentional decision to elevate the voices of
12 people most directly impacted by Rikers. Just as the
13 voices of these men and women have transcended far
14 beyond the walls of those jails so too must your
15 voices carry beyond the walls of City Hall. Follow the
16 examples set by these advocates in partnering with
17 them, be engaged, be vocal, each of you could take a
18 tour of Rikers Island to witness hell firsthand, each
19 of you could and should bring constituents, media
20 personnel, policy makers and stakeholders with you on
21 that tour. Transparency is crucial, the world must see
22 Rikers for what it is and so many New Yorkers could
23 see Rikers through your eyes. We must not rely on nor
24 can we wait for another young man's tragedy to
25 motivate your constituents to see, feel, and

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2 understand the need for change. We depend on you to
3 build and act on that motivation. In closing I leave
4 you with this, what you may not know about Rikers is
5 that the island is named after a judge who used his
6 power to capture free black men and ensure that they
7 were sold back into slavery. Today the jails on Rikers
8 Island trap free black and brown women and men and
9 ensure they are sent into cages, their lives forever
10 scarred by a facility that we're paying for in many
11 ways. If we don't work to close Rikers we bear the
12 responsibility for this. Remember as New Yorkers our
13 names are on everything that this city does, our names
14 are engraved on every single bar and every single cell
15 on Rikder Island, our names are etched into the stones
16 that built that torture chamber, our names are sewn
17 into the thin and fraying rags that my brothers and
18 sisters are forced to wear, our names are stamped into
19 the backs of thousands of New Yorkers who've been
20 subjected to the hell of Rikers. Our legacies live on
21 Rikers Island and it is up to us to determine what
22 that means. Thank you.

23 [applause]

24 CHAIRPERSON CROWLEY: I thank you Mr.
25 Martin, thank you for your advocacy, for being here

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2 today, certainly for your Just Leadership USA, you
3 built this campaign and because of the membership I
4 believe and, and your leadership and the leaders
5 amongst your board you're making real meaningful
6 change not just here in New York but throughout the
7 country and your goal of reducing the number of people
8 incarcerated by 50 percent by the year 2030 I
9 wholeheartedly agree with and believe could be
10 achieved.

11 GLENN MARTIN: Thank you.

12 CHAIRPERSON CROWLEY: And that we could get
13 to reducing 50 percent a lot sooner here in New York
14 City. You sat through the whole morning into this
15 afternoon of testimony from the administration and
16 from the Chief Judge, what do you think we could be
17 doing more, now I'm not going to be in the council too
18 much longer but the commitment is real for my
19 colleagues who are here and spoke today that they will
20 hold the administration accountable, what, what could
21 be realistic in terms of a time frame because, because
22 I'm hearing that ten years is a long time and, and it
23 could possibly be done a lot quicker, I mean from what
24 the judge said and I agree with in, in Queens and we,

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2 we could be moving towards something in, in less than
3 three years?

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GLENN MARTIN: Sure, so you know as a
5 member of the Lippman Commission I support much of
6 what showed up in the final report. The one piece of
7 the report that I actually did not support was the
8 timeline and it was because I saw how we arrived at
9 that timeline and so while the majority of the report
10 in my opinion is based on data and research and
11 evidence, the timeline had a lot more to do with how
12 much political capital is going to be spent by the
13 Mayor to move this forward. I think what the city
14 council can do is some of the things mentioned in my
15 written testimony, some of the things I mentioned in
16 my testimony here. while there are concrete policy
17 prescriptions that the city council can engage in many
18 of the prescriptions that need to happen have to
19 happen on the state level; speedy trial discovery,
20 speedy trial and bail reform, no your rights, you know
21 I think that every advocate in this room would say
22 that the city council should move expeditiously to
23 pass that piece of legislation but beyond that it is
24 the fact that you guys have the ear of a constituency,
25 if it's not your local constituency alone it's a

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2 constituency across the city of New York and the more
3 they believe that the folks they elected into office,
4 the folks they put there to represent them believe
5 that this is a right thing to do based on your values,
6 I mean that's what got you into this office. The more
7 I believe your constituents are going to follow along
8 or at the least ask questions and so yes, we're in a
9 political moment that makes it seem to the Mayor that
10 this may take ten years but look at the Close Rikers
11 Campaign, we were in a political moment where we
12 weren't even having this discussion 18 months ago and,
13 so I think the city council members can use their
14 pulpit to change the political moment, to change the
15 reality and to move this forward more quickly.

16 CHAIRPERSON CROWLEY: And what I heard from
17 the Chief Judge was similar in, in the sense where
18 leaders are to lead, and followers are... you know it's
19 not real leadership if you're saying that each borough
20 doesn't have its own jail so, you know the Mayor's not
21 being a leader in, in terms of, of the Lippman
22 Commission's Report and wanting... and, and, and
23 suggesting that it's important to have a jail in each
24 borough.

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2 GLENN MARTIN: You know with all due
3 respect to the Mayor, I think I'm supposed to say that
4 before I say what I'm about to say, I was... I was here
5 when the Mayor became Mayor literally in this
6 building, I waited to take a picture with him within
7 ten minutes of the Mayor becoming Mayor I said to him
8 Mayor you should close Rikers and at that moment he
9 was about as dismissive as he seems to continue to be
10 about this issue of closing Rikers which I don't
11 understand because in my opinion all the values of the
12 Close Rikers Campaign seemed to line up rhetorically
13 with the values that got him into office and so I and,
14 and the other members of the Close Rikers Campaign
15 continue to hope that we're creating the political
16 atmosphere for the Mayor to show leadership but yes,
17 we have not seen the sort of leadership we were hoping
18 for from a Mayor who stood on the steps of City Hall
19 and said there's a Tale of Two Cities and I'm going to
20 change that and what we've seen instead is a Tale of
21 Two Mayors for over four years.

22 CHAIRPERSON CROWLEY: I'm going to
23 recognize... does Council Member Lancman have any
24 questions?

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COUNCIL MEMBER LANCMAN: I don't only
because he had me at hello, thank you.

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CHAIRPERSON CROWLEY: I again, you know
congratulate your leadership and the job that you've
done thus far and your passion and leadership really
in the past two years and putting us where we are
today, we weren't a part of the conversation and your
members... I certainly don't believe that we would be
where we're at today and I think we've come a long way
and that the commitment is real from enough leaders to
see this through. My last question would be just about
the state again because I've read that the Governor
could achieve this goal of closing Rikers Island in
less than three years, the Comptroller has said that
too and even the Judge has said that it could be done
in a lot less than ten years, do you believe that the
state should step in here if we're not seeing real
action happening, you know ten months is a long time
to wait for this RFP and plan to be given to us, the
complete plan of what to do next... [cross-talk]

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GLENN MARTIN: Yeah... [cross-talk]

CHAIRPERSON CROWLEY: ...we just base it on
how, how long it's taking them to get 16 and 17-year

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2 old's off the island or how long it's taking to put
3 online bail payments, you know in place.

4 GLENN MARTIN: So, you know I know the
5 administration likes to dismiss the advocates as
6 naïve, I think that's the word that's been used over
7 and over by the Mayor, the fact of the matter is that
8 the campaign has always been very sophisticated and
9 steps ahead of just about everyone else and extremely
10 knowledgeable about the data with respect to Rikers,
11 the local jails and so on. Similarly, while I'm not
12 prepared to talk about it publicly the advocates are
13 putting together a plan that would create an
14 opportunity potentially for the Governor to play a
15 much more active role and to make this timeline much
16 more ambitious and when we're ready with that we'll
17 contact the press.

18 CHAIRPERSON CROWLEY: Alright, well thank
19 you for being here today, I, I look forward to hearing
20 from members of your coalition, your movement campaign
21 to testify as well and will certainly stay in touch.

22 GLENN MARTIN: Council Member I'd be
23 remised if I didn't say thank you for your amazing
24 leadership at a time when it wasn't politically the
25 right thing to do you stood up, you did the right

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2 thing, the same with Council Member Lancman and others
3 who are here today, thank you.

4 CHAIRPERSON CROWLEY: Thank you, I
5 appreciate that. Next up from the public we have Akeem
6 Browder, the Kalief Browder Foundation.

7 AKEEM BROWDER: Alright... thank you for
8 having me here and thank you for having these
9 conversations which as Glenn Martin and... which I, I, I
10 agree with isn't really something that was popular to
11 speak about and it's definitely controversial to talk
12 about. When it comes to family members that do suffer
13 with those that are incarcerated I got to say that it,
14 it doesn't feel not just, just but it doesn't also
15 feel fair to the communities that we put... we put our
16 life into after, after something like this happens and
17 so when my brother, his... is already gone and not with
18 us the movement still has to happen and the work still
19 has to be done so that not just his legacy but others
20 aren't still struggling and stragglng on Rikers so
21 there's a lot of things that came up during this
22 conversation that just didn't feel right and so
23 without holding off the violent offenders versus non-
24 violent offenders theory and aspect doesn't actually
25 sit right with the thought that in our communities we

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2 aren't allowed or afforded the thought that we are
3 considered the non-violent which in Kalief's case non-
4 violent wasn't attributed to his case, he was given a
5 violent felony, alleged violent felony arrest and so
6 regardless if they drop it down to a misdemeanor or a
7 violation that proceeding charge is what was... is, is
8 what's given to... allow someone like a child to be on
9 Rikers Island. And so, I think more thought needs to
10 be done because it doesn't seem like the, the
11 administration, the corrections or... and De Blasio
12 Administration is looking forward to actually doing
13 what they say. And so giving that, that, that
14 designation of violent and non-violent I think should
15 be rethought and reformed in a way that doesn't just
16 say we're going to think about it and talk about it
17 and have these meetings which cost a lot of money
18 about it, I mean the action is where I think we need
19 to start focusing in action and speaking and having
20 these meetings aren't action, it's just another thing
21 that we've been doing so far for the longest. The
22 prevention and care... aftercare is also something that
23 is really prevalent to the families that are affected.
24 The aftercare isn't really much of a thought, we have
25 facilities or small groups of reentry population that

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2 doesn't really cover much, I mean you have groups like
3 Fortune Society, Exodus, Osborne Association which
4 covers roughly 12 to 1,700 a year which is not even
5 touching the... not just Rikers Island but the
6 correction's population of the returning citizens. And
7 so not much thought is given into what we're doing to
8 give them life after and with that being said there's...
9 there... what leads me to the distracting... distraction,
10 we're not doing enough to distract those that are
11 either in the realm of being... that should be prevented
12 into... from going into Rikers or coming home so that
13 they can be distracted enough so that they can have a
14 real opportunity when they come home which not just
15 leading into jobs but mental health counseling and
16 therapy, psychiatric care. In my run for Mayor of New
17 York I actually came across a lot of people that
18 focused on the thought that mentally ill in New York
19 are severely disenfranchised and so there's a thought
20 that we have these meetings and I really, really want
21 to consider that it's great... I'm grateful that we had
22 these conversations, but I do want to understand that
23 the families and the... those that are being affected in
24 these decisions to shut down Rikers whether it's the
25 money that's allocated or the people that's being

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2 decided upon, when is it that those that are affected
3 actually at the table, it's hardly ever and so someone
4 like De Blasio or anyone in this administration that
5 feels that 18 months ago he didn't even... I mean he sat
6 with me and my family and the verbiage just across the
7 hall... just across the street at 250 Broadway was that
8 it was a dream that couldn't... that wouldn't be
9 possible. And so, we look forward to nothing from,
10 from this man or his administration or his leadership
11 and so realistically Mark, Mark-Viverito has been a
12 strong voice and advocate for us in New York that... I
13 think she's personally effected and as, as well as Mr.
14 Lancman and everyone that's on here. I just... I want
15 those that are in power to realize that those that are
16 affected aren't just a conversational starter but an
17 action that needs to happen, the action that needs to
18 happen isn't just shutting down Rikers because the
19 walls and the floors did not kill not just my brother
20 but many others that came before and after him. The...
21 it's the in, inherent and unconventional thought that
22 we should shut down a facility that the behaviors
23 behind it will just be transferred to another
24 facility. And so, yes, shutting it down would stand
25 for a monumental or at least landmark thought but the

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2 thought after is the after care, the therapy, the help
3 to be a productive member of society. And so, some...
4 our... just to close to this, my, my passion for this is
5 not just driven by what happened to my brother but by
6 the humanity that lives in not just New York but where
7 I'm consisted of is in New York and so the humanity
8 aspect is something that doesn't seem like its
9 reaching to the communities because we're not... we're
10 just not really thought of in most cases.

11 CHAIRPERSON CROWLEY: Thank you M. Browder.
12 I couldn't agree with you more that humanly, you know
13 it's our responsibility to make sure what happened to
14 your brother does not happen again to any young boy or
15 young man in the city of New York. I am impressed with
16 your courage to take on this leadership role in
17 starting the Foundation and to want to make sure that
18 you see a lasting change happen here in the city and,
19 and that you believe that starts with closing down
20 Rikers Island. You know what you mentioned earlier
21 before is important, we haven't heard from advocates
22 yet about people being charged with the wrong type of
23 offense or your brother was charged with a violent
24 felony though it wasn't a violent felony. According to
25 what I read and understand he was arrested for

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allegedly stealing a backpack, is that correct..

[cross-talk]

AKEEM BROWDER: Correct, correct.

CHAIRPERSON CROWLEY: But yet he was charged with a violent felony.

AKEEM BROWDER: Yes.

CHAIRPERSON CROWLEY: Makes absolutely no sense. So, there are certainly measures that we need to take to make sure that the state and the courts and the district attorneys are acting appropriately too and doing their part in this effort as well as the Department of Correction and the Mayor's Office of Criminal Justice. I, I have no other questions, Council Member Lancman doesn't either. We have a, a number of folks still yet to testify but I do encourage you to stay in touch with the council's committee on criminal justice and, and come to these hearings going forward and working with the council to, to help strengthen the organization that you started.

AKEEM BROWDER: Thank you.

CHAIRPERSON CROWLEY: Okay, thank you.

AKEEM BROWDER: Thank you.

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CHAIRPERSON CROWLEY: We have approximately 45 to 50 people registered to testify and being that we have to try to be out of the, the chambers before five o'clock I am going to now put those and the public who have yet to testify on a clock, I'm going to start closing up the... calling up the next panel which includes Marie Fuchs, Close Rikers Campaign; Jasmine Moore, of Lead... Just Leadership USA; Halima Washington Just Leadership USA, Shanique Charles, Just Leadership USA; Victor Herrera, Just Leadership USA and that's our, our first panel. Each panel member testifying we're going to try to hold you to three minutes, if you could adhere to that I'd greatly appreciate it. And you can begin in the order in which you're seated comfortably, please begin, yes.

SHANIQUE CHARLES: Good morning, good morning Council. First of all, thank you so much for creating the opportunity to address the urgent issues of closing Rikers. My name is Shanique Charles, I'm a Just Leadership USA member and Leader and before I begin my testimony I find something very interesting as a, a person who spent years as member of community board seven and how the structure of things work. It would be wonderful for the folks that have this huge

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2 impact on moving these agendas forward to be required
3 to stay to listen to the public, to listen to what we
4 have to say and the advocates and the folks most
5 impacted by the issues, that was a sidebar but an
6 observation that I, I always make... [cross-talk]

7 CHAIRPERSON CROWLEY: Thank you, we do have
8 at least one representative from the Mayor's Office...
9 [cross-talk]

10 SHANIQUE CHARLES: Alright... [cross-talk]

11 CHAIRPERSON CROWLEY: ...here... [cross-talk]

12 SHANIQUE CHARLES: ...so that's good...

13 CHAIRPERSON CROWLEY: It would have been
14 nice to, to see the whole panel stay.

15 SHANIQUE CHARLES: Absolutely. So, as a
16 leader, community advocate, mother, professional and
17 impacted person it wouldn't... it wouldn't be enough for
18 me to sit here before you today to keep identifying
19 problems that you, us and our society already know
20 exists with Rikers Island like the fact that our city
21 pays 270,000 dollars per year per person to keep
22 individuals locked in cages and treated worse than
23 what we consider fair treatment for pets and animals.
24 Seven hundred and forty-two dollars daily proves to be
25 more than enough to invest in the human beings and the

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2 predicates to increasing their sustainability such as
3 permanent housing, educational resources, employment,
4 along with other social services that would strengthen
5 those impacted in our community. Taking the
6 opportunities to explore and evaluate what it would
7 mean to work towards this fair and just justice system
8 and implement it here in New York City and abroad is
9 not only necessary but it's... but we're not going to go
10 away without it happening. Again, identifying problems
11 that we already know exist is working backwards when
12 we're fighting to close Rikers Island and move
13 forward. Like the fact of... that thousands of residents
14 on torture island receive severe and unwarranted abuse
15 from undertrained officers each year, I'm not saying
16 all officers are bad but those who are bad are really,
17 really bad which leads to hundreds of reports of staff
18 brutality and violence and does it alarm anybody to
19 know that the most impacted folks from this abuse are
20 the mentally ill and adolescents to the tune of over
21 77 percent of those that receive the injuries. It's
22 preposterous and it must stop, no wonder the
23 recidivism rate is 66 percent, you arrive at Rikers
24 Island a peaceful soul and you're forced into violence
25 in order to survive which by the way some of us don't

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2 make it out alive, blessings to you brother Kalief.
3 These facts and data lead us to know that the
4 implementation of proper screening and enlisting
5 mental health professionals along with the broader
6 scope to truly address the underlying problem should
7 be the wave of concern when talking about justice and
8 reform. Visitation and keeping family involved with
9 those who have been sentenced is also a huge
10 determining factor in how our folks leave out after
11 they've come in. As the daughter of a... of a person who
12 gave with her whole heart that spent time on Rikers
13 Island, I was never treated with decency or respect as
14 her daughter coming to see her rather a person who was
15 possibly guilty of something in the eyes of the folks
16 who were checking me and making me feel uncomfortable
17 about walking into Rikers Island. It wasn't until I
18 had to use my ID and class as a provider in social
19 service and a chemical dependence therapist and came
20 to the jail as her provider before I got treated with
21 a little more decency and respect. So, just moving
22 forward I know my time is up but just moving forward,
23 as we continue the dialect and dialogue about what
24 needs to happen in order for our folks to come out
25 rehabilitated instead of tortured that part of keeping

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2 them close to their family and allowing for
3 visitations to happen and, and really examining how
4 that impacts our folks that are behind those prison
5 bars needs to be a part of the conversation. Thank you
6 so much.

7 CHAIRPERSON CROWLEY: Thank you.

8 MARIE FUCHS: I'm not used to going second,
9 I'm always used to going last so... anyways... firstly,
10 I'd like to thank you for this opportunity and
11 everybody here today. My name is Marie Fuchs, I'm 26
12 years of age, born and raised in Astoria, Queens. I'm
13 here today to remind you that Rikers Island is still
14 there, 8,000 out of 9,500 residing in our New York
15 City jails rotating daily. Injustice, the strategies
16 behind who it serves, person, people and not inmate,
17 prisoner, criminal, convict leave reminded of its
18 experience barricaded by a system designed to
19 incarcerate race, not to ensure public safety. Eighty
20 nine percent of the population black and Latino, 54.6
21 percent black, 33.7 percent Latino, white making up
22 7.2 percent, 4.5 percent other and this is in... this is
23 a source from the Lippman final report... Lippman's
24 Commission's final report anyway... these fears are
25 obvious, ten years is not only too patient, it's even

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2 more insulting when stakes are this high,
3 circumstances need to be addressed urgently, instead
4 court congestion takes time to decongest, being
5 genuine will eventually happen. The more cold hearted
6 our progressive city warms up to how serious of a
7 problem, 400 acres has committed and addicted to
8 punishing innocence. Why put 80 percent of the Rikers
9 population through a one day, 30 day which are mind
10 you two thirds of the stay is there, three months,
11 two, four, six-year process awaiting trial having not
12 yet been convicted of a crime, how has trauma reduced
13 crime, what's it's formula, why do minor infractions
14 ensure jail be a preventative measure, broken window
15 policing because one, eight, 30, 140 jailed
16 experiences are a personal motive encouraged to
17 sentence black and brown youth. Public safety means
18 keeping color away from a white, whitened, whitening
19 community who's fears heighten from how wrong it is to
20 be prided on ignorance, makes it right enough to be a
21 racist asshole. Inspiring hate, the freedom to
22 terrorize a community is your first amendment right,
23 right? Rikers Island again jail does not mean public
24 safety, it exposes and poses even more of a threat
25 without addressing real problems, maintaining rather

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2 than faulting flawed solutions, temporary release is
3 not changed. Selling humanity short of the law because
4 one dollar, 100 dollars, two grand is a bill that
5 assumes guilt on behalf of court congestion and
6 financial profit, 270,000 dollars a year to house one
7 individual at Rikers Island, drug addiction, mental
8 illness, violent versus non-violent offenses and why
9 they all deserve attention, a safe rehabilitative
10 space to heal and learn from. The very individual...
11 this is also a quote from the report directly made by
12 a panelist, "the very individual at Rikers charged
13 with the crime is also likely a victim of another
14 crime". I visited a friend at Rikers, one visit
15 there's only so much you can access, and I'm almost
16 done... I visited a friend at Rikers, one visit there's
17 only so much you can access, I guess being from the
18 neighborhood growing up a few blocks away from it
19 everyone knows the island and its reputation, the
20 conditions are not livable and I've never served time,
21 faced any legal action or penalties for the impulses
22 I've struggled with, my parents were able to provide
23 me with the finances to hire a private attorney
24 visiting me on psychiatric holds because mental
25 illness meant treatment for me not jail. I'm extremely

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2 grateful for the support system I've had despite that
3 there's still privilege here that I'd like to everyone
4 of and I'm almost done... jail is a four-letter
5 silencer, hospital is an eight-word attempt at
6 treatment and support regardless of whether or not it
7 happens, resources sparing or not. There are plenty of
8 circumstances where those who've either committed
9 smaller or greater offenses than my own are facing
10 legal consequences that hadn't been pursued in my case
11 instead a three-year statute of limitations ran, I was
12 able to complete my degree which don't get me wrong
13 I'm not trying to sell myself short of the experiences
14 I've been through and that led up to poor decision
15 making but if I'd faced jail, prison these chances
16 would have never been given.

17 CHAIRPERSON CROWLEY: Thank you for your
18 testimony.

19 HALIMA WASHINGTON: Well... good afternoon,
20 thank you. My name is Halima Washington and I would
21 like to thank you for this opportunity to address this
22 urgent issue of closing Rikers. Dear city council
23 members, Rikers Island needs to be closed right now
24 because of all of the human rights violations that
25 take place their daily and because it is a waste of

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2 money to New York City and taxpayers. It costs over
3 270,000 dollars a year to detain one person on Rikers
4 Island. The money used to detain people at Rikers
5 Island can be reinvested into the communities that
6 most of the... most of the detainees come from. Most of
7 these community's lack resources necessary for one to
8 be a productive member of society, resources like
9 reentry support services, employment opportunities,
10 adequate education, recreational programs options and
11 mental health services. I was a medical case manager
12 at a community based organization contracted to work
13 with people living with AIDS and HIV in Rikers Island,
14 in this role I was required to visit Rikers Island one
15 to two times a week to help my clients access medical
16 care and medical services vital to keeping them
17 healthy and alive while detained as well as once they
18 were released into the community I helped them access
19 resources that were necessary for their health and to
20 be successful members of society. My, my clients
21 experienced many challenges accessing resources vital
22 for their health and successful reentry. When people
23 are released they tend to return to the same under
24 resourced communities and are expected to change for
25 the better, be successful and stay out of trouble that

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2 is the definition of insanity, doing the same thing
3 and expecting different results. Ten years is too
4 long, close Rikers right now and invest in our
5 communities. Thank you.

6 JASMINE MOORE: Oh, it's already on, okay.
7 Sorry. Hello, my name is Jasmine Moore. I want to
8 thank you for giving me this opportunity to kind of
9 voice my personal opinion on Rikers Island and about
10 immediate shutdown. As a 31-year-old African American
11 female who grew up in a two-parent home, who has two
12 beautiful children, who's college educated, who
13 doesn't come from the background that you would
14 statistically think would be in the criminal justice
15 system. My six-month period at... partly done at... part...
16 at Rikers Island was extremely life changing and not
17 in a positive way, it had severe emotional mental
18 detriments that applied to me personally as well as
19 the other people who were in the dorm with me as well
20 as the women who live in the building in the facility
21 on Rosie's. You have women who have set there for
22 eight months just awaiting arraignment, just waiting
23 to see someone, don't know what's going on with their
24 case, they don't know if they're going to get bail.
25 It's, it's beyond nerve-wracking to sit somewhere

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2 where you're isolated from all of the rest of the
3 world, everything that you love and know to sit in a
4 room with other people where they're not properly
5 housed because you have people who have mental
6 disabilities, severe mental disabilities that are not
7 being taken care of because you have a one size fits
8 all kind of mentality on dealing with people who have
9 mental health issues and dealing with people as far as
10 they're criminal classification level within the
11 compound, the facility. You... the training as far as
12 the, the, the corrections officers in a professional
13 level there's no reason for you to come out of your
14 professional level where you've been trained to keep
15 order, maintain order in a peaceful and kind of
16 diplomatic way and you abuse that power just because
17 you know that you have the power to do whatever you
18 want and we're just criminals to you. You have people
19 who come from all kinds of backgrounds, anybody can be
20 within Rikers Island, it's, it's not a... it's not a
21 whole lot that comes with it to be arrested at all. A
22 lot of people who are in there are in there for things
23 that are totally ridiculous, extremely petty and
24 they're sitting there, half the programs that you all
25 talked about, you said that inmates get five hours of

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2 programming, inmates get none of that, I've sat in
3 Rosie's and those inmates don't get the programming
4 that you claim you fund for them and half the time the
5 CO's are not properly equipped... you, you don't have
6 enough for all the inmates that you want to house, I
7 don't need to really get into the schematics of you
8 know the money we all know you... it cost over 200,000
9 dollars to just house me. Well I'm going to... I'm going
10 to hurry up and say this, at the end of the day you...
11 the funding that you're putting to put people into
12 jail that you, you pay to put people into the prison
13 system or... the justice system to house them you could
14 be putting that back into preventative care and into
15 the programs that you are... that are federally funded
16 to just house a body on the way out. There's a lot of
17 other positive things that you could be putting that
18 money to, if you prevent the problem before it is a
19 problem then there is no problem, you understand?
20 Thank you.

21 VICTOR HERRERO: Good afternoon, my name is
22 Victor Herrero. I'm a 51-year-old male Hispanic. I
23 made my statement kind of short practically
24 instantaneous while I was here. As a youth I was one
25 of the directly impacted serving a combined 11 years'

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2 incarceration, three of those 11 years spent on Rikers
3 Island. New York City Department of Corrections, this
4 is my opinion, okay, is responsible for the security
5 of the detainees yet on more precisely the
6 contributing element in much of the deplorable and
7 constantly repugnant conditions on Rikers Island
8 accounting for many of the violent concerns that have
9 manifested there. To be effective in ensuring a more
10 practical and reliable system of justice the conflict
11 is known for the much, much of the violence engrained
12 by the... by the agency itself needs to be shuddered,
13 the institution, the policies and the conflicts known
14 as gladiator school sends a negative message to
15 society built on the belief of justice. Historically
16 Rikers Island is a far too costly institution in the
17 city and state that has opened a sense of fear and
18 arrogance on the part of those confined and those
19 assigned to operate as New York City's boldest.
20 Correction... corruption and the culture of violence
21 that for many years existed, if the city and state
22 intend to eliminate the culture of violence it must
23 begin by removing, removing the institution behind it.
24 like I said mine was short and thank you for allowing
25 me this opportunity to testify before this committee.

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CHAIRPERSON CROWLEY: Thank you and now I want to thank everybody who's testified on this panel, it's important to hear a personal perspective and that's what most...

HALIMA WASHINGTON: There's one other person... [cross-talk]

JASMINE MOORE: There's one more... [cross-talk]

CHAIRPERSON CROWLEY: I know I see six, but I thought I only called up five.

HERBERT MURRAY: Hello...

CHAIRPERSON CROWLEY: Did you... just want to make sure everybody filled out one of those forms.

HERBERT MURRAY: Yes... [cross-talk]

CHAIRPERSON CROWLEY: Yeah... [cross-talk]

HERBERT MURRAY: I filled one out...

CHAIRPERSON CROWLEY: Because... did I... did I call... I only had five forms... [cross-talk]

HERBERT MURRAY: I thought you called Herbert Murray.

CHAIRPERSON CROWLEY: It's alright, we'll make sure you fill out a form...

HERBERT MURRAY: I filled out one already...

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CHAIRPERSON CROWLEY: Oh, we have it, it wasn't in the pile that... go ahead, sorry.

HERBERT MURRAY: Okay, thank you Councilors for giving me this opportunity to express my concern, my experience of being on Rikers Island. My name is Herbert Murray, when I was 21 years old in 1981 I was tried, convicted and sentenced to 15 years to life. Subsequently I did 29 years for a murder I did not commit, and I just did not say I committed this murder, I had a police officer and five other witnesses came forth and says this individual was with me during this time when the murder was committed. I was in Rikers Island. Rikers Island has a history, a long history of violence and corruption. When I was in Rikers Island I was placed in a cell block that was housed approximately 120 residents with two TV's, three showers... pardon me, eight showers and three telephones and this condition itself generated violence amongst the residents in the cell block. Things has gotten worse since my being incarcerated at Rikers Island because our broken down criminal system... justice system which is still under a 19th century drug laws, they're treating everybody like they're drug offenders. When you think of a person in such a manner

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2 you don't care if you're right or wrong, they will
3 railroad you because they stigmatize you already and
4 you didn't even... wasn't found guilty as of yet. Black
5 and Hispanic New Yorkers make up 80 percent of those
6 who are arrested for marijuana possession, jumping the
7 turnstile or just being poor in those communities.
8 When you're poor you feel... you feel a certain way, you
9 feel you're not being represented on no aspect
10 whatsoever. Subsequently our youth's lives are being
11 destroyed because of up... to ongoing violence and
12 corruption on the resident's side as well as the
13 corrections side, the correction officer's side. Mayor
14 De Blasio recognized the ongoing violence and
15 corruption on both sides, but he wants to close Rikers
16 Island in a ten-year transition which is unacceptable
17 because again it will destroy too many lives. In
18 addition, Rikers Island has become a breeding ground
19 for mass incarceration and its purpose is to break the
20 spirit of the resident so he or she conform to the
21 super exploitation once he or she is convicted.
22 Governor Cuomo and other officials want to slow the
23 house close in three years therefore close it down now
24 and use the smaller jails within the five boroughs
25 close to our courts, your smaller jails will, will cut

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2 down millions of dollars from transporting residents
3 from Rikers Island to the courts within the five
4 boroughs, the money can be reinvested in the
5 rehabilitation of the detainees and in our
6 communities. Also, the smaller facilities will give
7 the community the opportunity to invest in the
8 rehabilitation of the residents... the... of the
9 residents. In closing, let's build communities as
10 opposed to building mass incarceration. Thank you.

11 CHAIRPERSON CROWLEY: Well said Mr. Murray,
12 thank you to this panel. I'm going to call up the next
13 panel. Chanta Parker from the Innocence Project; Alice
14 Fontier from the Bronx Defenders; Mary Lynne Werlwas,
15 Werlwas of the Legal Aid Society; Elizabeth Bender of
16 the Legal Aid Society; Kelsey DeAvila of Brooklyn
17 Defender Services.

18 CHANTA PARKER: Should we just... it doesn't
19 really matter right...

20 [off-mic dialogue]

21 CHAIRPERSON CROWLEY: Chanta, sorry about
22 the pronunciation of the name and we can begin with
23 you, okay.

24 CHANTA PARKER: Thank you Chairperson... oh
25 there we go... thank you Chairperson Crowley and members

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2 of the committee for holding this hearing on the
3 progress in closing Rikers. As members of the Rikers...
4 Close Rikers Campaign, the Innocence Project joins in
5 the course of voices here today, ten years is too
6 long, now is the time to engage all stakeholders and
7 in the human trafficking... human suffering caused by
8 incarceration on Rikers. Innocence Project appreciates
9 this opportunity to talk to you about this issue. Let
10 me tell you about me, I have a unique professional
11 experience. I have... am now the Special Counsel for New
12 Initiatives at the Innocence Project but for ten years
13 I was a criminal defense attorney, I was a public
14 defender in New Orleans and I was also a Staff
15 Attorney at the Neighborhood Defender Service of
16 Harlem and the Legal Aid Society in Brooklyn. The
17 Innocence Project's mission is to free the staggering
18 number of innocent people who remain incarcerated and
19 bring reform to the system that is responsible for
20 their unjust imprisonment. Over the last 25 years the
21 Innocence Project has repeatedly exposed the systemic
22 problems in our criminal justice system by using the
23 stories of the innocent. Many scholars and reports
24 highlight the fact that we all know the overwhelming
25 majority of criminal defendants plead guilty.

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2 Estimates indicate that over 95 percent of cases end
3 in a guilty plea. Of the 351 DNA exonerations that the
4 Innocence Projects tracks nationally, ten percent of
5 those folks plead guilty to crimes they didn't commit.
6 Consider Rodney Roberts, I May of 1996 Rodney had a
7 good job, he had his son, he was in school and he
8 owned his own apartment, but his world was turned
9 upside down when he was arrested and charged with
10 kidnapping and sexual assault. Rodney was innocent,
11 but he knew those were serious charges and after a few
12 days in jail and unable to make bail his attorney came
13 to him with a plea deal, take seven years with two to
14 serve or risk spending the rest of his life in jail
15 and according to Rodney's lawyer he would lose that
16 trial and in Rodney's mind and in the minds of, so
17 many innocent people caught in this position that plea
18 seemed like the way out. So, he took the plea to a
19 crime he didn't commit and tragically Rodney spent 17
20 years incarcerated. Each day of that wrongful
21 incarceration Rodney had to fight the frustration, the
22 depression, the hopelessness and the inhumane
23 environment of the jails and prisons that he was
24 incarcerated in. Rodney's nightmare and the nightmare
25 of the ten percent who plead guilty in the most

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2 serious cases are representative of a larger problem
3 in our system because DNA is probative of innocence or
4 guilt in less than ten percent of all criminal cases.
5 So, just imagine the untold numbers of innocent people
6 who plead guilty to low level crimes to avoid even one
7 day on Rikers Island. As Rodney aptly puts it,
8 innocent people plead guilty out of fear. This fear is
9 real, it's palpable and I have felt it. When I
10 represented people in criminal courts in Manhattan and
11 Brooklyn I worked many arraignment shifts, more than I
12 count and I entered each one of those shifts with a
13 knot in my stomach, how many people would I be able to
14 get out, how many of my clients will be... end up... end
15 up sleeping that night on Rikers Island. I'd have to
16 explain to my clients the process that was going to
17 happen and I'd have to look them in the eye and say I
18 don't know if you're going to go home. The presumption
19 of innocence is one of the foundations of our legal
20 system, but I've learned through working through
21 arraignments and representing clients in this city
22 that it doesn't matter if you're innocent and the
23 presumption of innocence doesn't really apply to poor
24 people and people of color. In those hurried
25 conversations with my clients who were stuck between

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2 the rock and the hard place accept the plea and go
3 home or maintain their innocence and risk having bail
4 set. The thought of Rikers inhumane conditions, the
5 violence, the isolation made the choice for so many
6 people. I stood with untold numbers of people who pled
7 guilty to crimes they didn't commit just to go home.
8 Our system relies on those pleas and so the Innocence
9 Project is seeking to fashion a criminal justice
10 system that cares about innocence, a system that
11 treats people humanly with dignity and respect and
12 that can decide fairly and accurately guilt and
13 innocence. Closing Rikers not in ten years but now as
14 the campaign demands will help achieve our goal. On
15 behalf of the Innocence Project staff and innocent men
16 and women we are privileged to represent, we stand in
17 solidarity with the Close Rikers Campaign. Thank you.

18 ALICE FONTIER: Hello, my name is Alice
19 Fontier, I'm the Managing Director of the Criminal
20 Defense Practice at the Bronx Defenders. Thank you for
21 this opportunity to testify today. New York City has
22 committed itself to something that would have been
23 unimaginable just a few years ago, permanently closing
24 Rikers Island. The goal is as daunting as it is
25 ambitious. We applaud the Mayor, the Council and all

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2 those that wish to see the tragedy of Rikers Island
3 come to an end. Today however we wish to voice our
4 deep concern that the administration has pinned it's
5 hope for closing Rikers on technocratic fixes. The
6 desire to turn the data and hard numbers to solve a
7 human problem seems attractive on its face but it is
8 unlikely to be the silver bullet that we all wish
9 existed and very well may exacerbate the inequalities
10 that now exist. Recently the administration laid out a
11 plan that relies heavily on a new risk assessment
12 instrument. To reduce the average daily population of
13 Rikers from approximately 9,400 to 7,000 in five
14 years. For the reason we've set forth in our written
15 testimony the administration's faith in an RAI to
16 bring the Rikers population down is both misguided and
17 dangerous. Today we have heard the administration give
18 voice to the truth that we cannot close Rikers without
19 addressing violent felony offenses but while noting
20 that it is possible to safely release these detainees
21 the administration's plan is to delay review of any of
22 these cases. We cannot wait until some future time to
23 focus on the population... on this population, we must
24 do it now. Data released by the Mayor's Office shows
25 in 2016 people charged with violent felonies accounted

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2 for 11,500 admissions to the city jails, on average
3 they spent 111 days on Rikers. From 1996 to 2016 the
4 percentage of people incarcerated on Rikers for
5 violent offenses increased from 27 to 42 percent. On
6 any given day there are on average over 3,400 people
7 charged with violent crimes in Rikers facilities. A
8 decarceration strategy that ignores these facts is
9 doomed to fail. If we are serious about decarceration
10 we need to make a real effort to understand the people
11 we casually label as violent, one of those people was
12 our client Selmin Feratovic. Selmin was 27 years old
13 when he was arrested for the last time. Selmin had
14 been in a motorcycle accident when he was younger, as
15 it tragically does for so many a prescription for
16 Oxycodone after the accident had evolved into heroine
17 dependency. Last March after a series of misdemeanor
18 arrests but no convictions he was accused of entering
19 the laundry room of an apartment building and trying
20 to pry quarters out of a machine, no coins were
21 actually stolen, and no one was threatened or hurt but
22 because he was in a residential building he was
23 charged with burglary in the second degree, a class C
24 violent felony. Selmin's struggle with addiction was
25 plain for all to see, he needed services, he needed

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2 and wanted treatment, instead because he was charged
3 with a violent felony he was locked up on Rikers and
4 not given any help. Instead of help at Rikers Island
5 this struggling young man had access only to more
6 drugs. On October 19th, 2017, Selmin Feratovic was
7 found dead in his cell, the cause of death overdose by
8 Fentanyl. Selmin is the perfect example of someone in
9 need of an alternative to detention. Prior to his
10 addiction he had never encountered law enforcement, he
11 was working and supporting his young children. Once he
12 became addicted to opioids he lost everything and was
13 arrested several times. Selmin is also the person that
14 no one wanted to help, he was charged with a violent
15 felony offense. In an appropriate alternative to
16 detention he could have received the, the treatment he
17 needed but supervised release, the administration's
18 flagship diversion program categorically excludes all
19 people charged with violent felonies. So, instead of
20 receiving the treatment he needed Selmin went to
21 Rikers. Rote reliance on categorization of offenses
22 and reliance on cold data instead of examining his
23 personal needs resulted in this death. At route the
24 administration's fixation on risk assessment
25 instruments obscures an essential fact, that if we are

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2 to close Rikers we will need to radically rethink the
3 way we treat people charged with violent crimes. We
4 urge the administration and the council to encourage,
5 create, and support new alternatives to detention for
6 people charged with violent crimes. We cannot continue
7 to exclude people charged with violent crimes from
8 these programs if we truly want to close Rikers. We
9 must now allow... we must not allow another person to
10 suffer the fate of Selmin Feratovic. Thank you.

11 LIZ BENDER: Good afternoon. My name is Liz
12 Bender, I'm with the Decarceration Project of the
13 Legal Aid Society. I want to thank you Chair Crowley
14 as many others have already this afternoon for your
15 leadership on this issue. To close Rikers we need to
16 do two things, send fewer people... send fewer people to
17 jail in the first place and shorten the stays of those
18 who are incarcerated. Two of the keys to doing those
19 things are better bail decisions and enforcing the
20 speedy trial rights of accused New Yorkers. The key is
21 not incarcerating people based on an algorithms
22 prediction of their risk or someone's perception of
23 their public safety risk. We are not going to get
24 people off of Rikers if you keep creating new reasons
25 to put them there. It is no secret that New York's

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2 bail system is broken, our city has learned that harsh
3 lesson from the experiences of people like Pedro
4 Hernandez, the tragedy of Kalief Browder, and of
5 Alice's client that she just described as well.
6 Jailing people before a trial on bail that they cannot
7 pay has lasting devastating consequences on the
8 accused, on their families and on their communities.
9 Four decades ago when Albany reformed our state's bail
10 laws, it did so with one overarching purpose in mind,
11 to let more people out of jail, pretrial to create
12 more flexible bail options for indigent people. So,
13 how did we go from that to a system that in the first
14 ten months of 2017 alone put over 4,000 New Yorkers on
15 Rikers Island because they couldn't pay bail on
16 misdemeanors, these are presumptively innocent people
17 charged just with misdemeanors who couldn't pay bail
18 and there are 4,000 of them on Rikers just in the
19 first ten months of this year. Every day in criminal
20 courtrooms across our city our once progressive bail
21 laws are being misapplied to the detriment of poor New
22 Yorkers of color. The culture of setting bail is
23 pervasive, it is engrained and to the accused and to
24 their public defenders it can feel intractable but to
25 close Rikers we can't just accept that and call it a

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2 day, we have to work to change it and I work with... my
3 work with the Decarceration Project at Legal Aid has
4 shown promise that that culture change is... culture
5 change is possible. We are a bail reform unit
6 dedicated to aggressively challenging bad bail
7 decisions and the culture that enables them. We just
8 concluded a nine-month pilot project which partnered
9 our small staff with a group of lawyers in our
10 Manhattan office in order to grow their ability to
11 litigate bail in every possible forum. We assisted
12 well over 100 clients who couldn't pay their bail and
13 about one third of them were ultimately released. Our
14 mission is to change the culture that fosters pretrial
15 detention of poor people across the board including
16 within prosecutors' offices and among judges because
17 it's their decisions that set bail and ask for it in
18 the first place. Each of our successes has encouraged
19 us that even those agencies can change, we've
20 persuaded judges to set alternative forms of bail for
21 their... for the first time in their careers, we have
22 collaborated with Cy Vance's office on a women's
23 pretrial release project and we have seen some
24 prosecutors consent to the release of accused women at
25 Rikers Island. These steps however small still

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2 demonstrate that culture change is the possibility but
3 in order to... in order to close Rikers that change must
4 be a certainty and we ask for the council's support of
5 our efforts as we try to make that happen. And I do
6 just want to emphasize that we, we are urging the
7 council to resolve to support Kalief's Law, an
8 essential change to New York speedy laws that didn't
9 make it... was... it was passed by the Assembly in
10 February but not by the Senate. There are people on
11 Rikers right now who've been waiting months or even
12 years for their trial because our speedy trial laws in
13 reality act as a means for prosecutorial delay. Albany
14 had the opportunity to change that but failed and we
15 ask the council to pass a resolution urging them to
16 take up the cause and bring it to completion. Thank
17 you.

18 MARY LYNNE WERLWAS: Good afternoon, I'm
19 Mary Lynne Werlwas, the Director of the Prisoners'
20 Rights Project at Legal Aid and I'm not going to
21 repeat what is in the written testimony that my
22 colleague and I submitted separately because as usual
23 at these hearings what happens in the room becomes so
24 much more interesting to my... to me than what we
25 thought of the night before but in particular I did

1
2 want to note that we would... how much progress towards
3 closing Rikers has been made because of this
4 committee, because of this Speaker and this council
5 and in particular Chair Crowley from your leadership.
6 We have been holding these hearings and participating
7 in them for years and the conversation has changed,
8 it's not that we're having the same conversation year
9 after year it's that partly through your leadership
10 and your colleague's leadership in creating a space
11 where we come and say what happens behind closed doors
12 at Rikers can't stay behind those doors anymore. This
13 is a matter of public policy, this is a matter of New
14 Yorker's lives and too many of New Yorker's lives are
15 affected by what happens on this island, too many
16 lives are ended there and have been while we've been
17 having these hearings. That we cannot just leave this
18 to, to the bat, I commend your leadership in allowing
19 us all to come and talk, listen to each other, agree,
20 disagree but to move things forward so that now we
21 aren't having to come here to talk about what an
22 embarrassment Rikers is to our city, about just what a
23 hell hole it is, we have all... know that by now, we
24 still need to be reminded of it because there are
25 still individuals who are being harmed by it while

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2 we're sitting here today but nonetheless we're talking
3 about what are we doing to actually close that and
4 the... what we want to leave you with is not enough, not
5 fast enough and it... and particular leaving aside the
6 physically closing the, the facilities at Rikers.
7 Closing Rikers also means just closing the Rikers
8 chapter in New York Correctional policy and that is a
9 chapter whose themes are incompetence, impunity, and
10 abuse. That's not going to be changed through ULURP,
11 that's not changed through architect, that's change to
12 the correctional leadership and we must say that
13 despite some very promising promotions in the
14 Department of Correction and despite the dedication of
15 many new recruits and other line staff, it's a very
16 big agency. The Department still as a whole too often
17 cannot perform basic correctional practice and
18 supervise its workforce. This culture change has to
19 start right now, it won't be changed just by
20 dispersing it off into five, four, or however many
21 boroughs jails the administration is willing to
22 actually put its political weight behind, it needs to
23 start right now, it needs to be shown that with
24 professionalism now. And the longer the city drags its
25 feet on closing Rikers the costlier it's going to be,

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2 merely keeping these decrepit facilities open and
3 keeping them safe for the workforce and for the people
4 who are incarcerated there is costing us thousands of
5 dollars and it's costing us way too much in New
6 Yorker's lives. So, thank you, we intend to hold your
7 colleagues to task and... but we hope that they will
8 have, you know learned from the example that you've
9 set that we need this place to talk about this very,
10 very important part of our city. Thank you.

11 KELSEY DEAVILA: Hi, my name is Kelsey
12 DeAvila, I'm the Jail Services Social Worker at
13 Brooklyn Defender Services. I'd like to thank the
14 committee and especially Chair Crowley for convening
15 this hearing on progress in closing the jails on
16 Rikers Island. Rikers Island has been the site of
17 countless atrocities and ten years is too long. The
18 current model for pretrial detention which is
19 undoubtedly punitive even though it purports to mostly
20 serve as a New York tool to ensure defendants return
21 to court, creates and perpetuates violence. Better
22 models facilitate healing and create meaningful
23 accountabilities for those who have done wrong while
24 allowing those who are presumed innocent to remain at
25 liberty. In addition to doing its part to end most

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2 pretrial detention the city must one, ensure that all
3 borough based jails are small, accelerate reductions
4 in jail populations and invest the operating cost
5 saving to meet community needs. Two, end the culture
6 of violence and staff impunity in all city jails.
7 Three, redesign borough based facilities to promote
8 socialization, education and individual and collective
9 health and well being including by abolishing solitary
10 confinement. Four, preserve family and community bonds
11 by encouraging contact visits and five, reimagine by
12 remaining pretrial detention to make it as nonpunitive
13 and non-course as, as possible and help to ensure that
14 defendants have all necessary resources to participate
15 in their own defense. And lastly six, end all revenue
16 generation from incarcerated people. As I... as I
17 testified to this community before in any conversation
18 about our jails it is crucial to first acknowledge the
19 vast number of people on Rikers Island who simply
20 should not be there in the first place. More than a
21 third of all people in city jails are retained for
22 four or fewer days and more than three quarters are
23 discharged in the community without ever being sent to
24 prison. Decarceration while investing in healthy and
25 empowered communities must remain the primary goal as

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2 we close Rikers and build our future. The council must
3 also continue to shine a spotlight on the culture of
4 violence and staff impunity at DOC and to demand
5 better, better thorough... through the process of
6 closing Rikers. The fourth and most recent report from
7 the Nunez Independent Monitor filed on October 10th
8 details the same disturbing behavior routinely
9 reported by our clients, officers who relish
10 confrontation stoke conflict between incarcerated
11 people and resort to violence as a first response. The
12 New York Times recently reported that a captain was
13 alleged to have punched a handcuffed teenager in the
14 face breaking his teeth as the young man pleaded with
15 him to calm down and then colluding with his
16 subordinates to cover up the incident. Jails with
17 smaller populations that are better integrated into
18 the community and more accessible to visitors and
19 service providers will be better positioned to
20 meaningful, meaningfully reduce violence and improve
21 staff accountability but this change alone will not
22 solve the problem. As a first step DOC must ensure
23 that staff who engage in substantiated abuse... uses of
24 excessive force or serious neglect no longer work for
25 the agency. Closing Rikers and transforming the

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2 punishment paradigm and creating more... a more just New
3 York City must include abolishing solitary
4 confinement. And there's more in my testimony in terms
5 of alternatives to solitary confinement. And I just
6 want to leave my last comments around encouraging
7 contact visits because research and if you ask anyone
8 here with direct experience who's been to the jails
9 that the visits are preserved... critical prosocial
10 support, they're meaningful not just to the person but
11 the family in reducing recidivism, they improve
12 behavior, they reduce violence and for young people
13 improve school performance. Beyond data and outcomes
14 visits also provide immeasurable relief from the
15 extreme stress of jails however the hardships of
16 visiting at Rikers in some cases coupled unnecessary
17 security restrictions, preclude many families and
18 friends from being present during this difficult
19 period. Plans for redesigned facilities should
20 prioritize comfortable and welcoming visit space and
21 efficient visiting process. Equally important DOC
22 policies and culture must respect the dignity and time
23 of all visitors. So, thank you for your time and
24 consideration of our comments.

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CHAIRPERSON CROWLEY: Thank you and thank you to all providers, thank you for the years of coming while I've been the Chair of the Committee and bringing unique and certainly reasonable perspectives that's independent of... from whether it's a union's perspective or certainly the Department's so I also agree the importance of community jails and family involvement and sensitivity to that and the complete need for an overhaul of the Department from top to bottom and from bottom to top. I'm going to take a brief three-minute break and then I'll be back for the next five panels. Thank you.

[off-mic dialogue]

CHAIRPERSON CROWLEY: Okay. For the next panel we have Darlene Jackson, Close Rikers Campaign; Melissa Legge, Earth Justice; Carrie Smith, Critical Resistance; Rita Zimmer, Women's Community Justice Project; Maureen Belluscio, New York Lawyers for Public Interest; Jordyn Rosenthal. Whenever you're ready the first panelist please begin.

JORDYN ROSENTHAL: There we go, sorry about that. Thank you for having us right now. So, my name is Jordyn Rosenthal and I'm the Advocacy Coordinator at BOOM!Health which is a public health organization

1
2 in the South Bronx. I work in our harm reduction
3 center and I'm going to go a little bit off of my
4 written testimony and kind of just talk about some
5 things that no one else has mentioned yet. A lot of
6 individuals who are sent to Rikers have low level drug
7 offenses. I consistently kept on hearing people
8 talking about marijuana offenses but let's be real, a
9 lot of these people who are detained are people of
10 color that are low income and are using drugs like
11 heroine, crack, cocaine as well as K2 and other drugs
12 and what we're finding is that these facilities have
13 even more drugs inside of them. A lot of members of
14 our community and participants have said things like
15 if you didn't have a drug problem going into Rikers
16 you'll have one by the time you leave, that's insane,
17 I mean while we're not help... holding people
18 accountable for maintaining facilities free of
19 violence and drugs. Closing Rikers means more than
20 just closing the facility, it means reinvesting in
21 these communities that we've continuously de-invested
22 in, this means getting rid of prohibition and telling
23 vulnerable New Yorkers we care about you, we recognize
24 that you're suffering with problems from addiction and
25 substance abuse and we are going to help you. Part of

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2 the problem is larger societal and institutional
3 issues of stigmas against drug use and communities
4 that are low income and communities of color. It's
5 time to reimagine incarceration and create facilities
6 that offer rehabilitation and work to address those
7 root causes of drug offenses and... such as substance
8 abuse, addiction and mental health disorders. Be... on
9 behalf of our participants, the Bronx and people
10 across New York City we ask the Board and the New York
11 City Council to close Rikers Island and in its place
12 build smaller safer facilities in each borough and
13 reduce the incarceration rates of individuals
14 experiencing substance use by providing evidence based
15 practices such as diversion and harm reduction and to
16 other treatment services. Thank you for your time.

17 RITA ZIMMER: Thank you very much for your
18 leadership. My name is Rita Zimmer, I'm the Executive
19 Director of the Women's Community Justice Project and
20 also of Housing Plus Solutions and the Women's
21 Community Justice Project is a group of five women's
22 organizations creating help services for women, our
23 children, Housing Plus, Providence House and the
24 Women's Prison Association. We... the Executive
25 Directors of the five groups, we started the

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2 organization about two and a half years ago and our
3 purpose was to reduce the number of women at Rikers
4 Island and to close Rikers... to close Rose M. Singer
5 Center for women at Rikers Island. I think if Rose
6 Singer, she was the first woman who was named to the
7 Department of New York City Board of Corrections by
8 Mayor Robert Wagner actually and it was named the Rose
9 M. Singer Center by Mayor Koch in the late 80's. I
10 think if she were here today she'd probably want it
11 closed herself, she'd probably be leading the charge
12 to close Rose M. Singer and to close Rikers based on
13 the... what my history of how I know she lived her life.
14 The... we received funding in July of this year to open
15 up 49 units of transitional housing to reduce the
16 number of women at Rikers and to take women off of
17 Rikers Island and of the five organizations we've been
18 doing that. I thought rather than talk about the
19 things that have already been mentioned I'd talk about
20 three of the women who we've served in the last... since
21 July and give you a little... brief idea of who they
22 are, who are these women. I'm going to all... call them
23 Rosie, Rosie... the first Rosie, she was eight months
24 pregnant when she came to us, to Housing Plus, she had
25 been on Rikers since March, she'd been there for seven

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2 months, she moved into one of our housing programs in
3 October three... two weeks later she delivered a baby
4 girl at Harlem Hospital. The baby girl is about six
5 weeks old, the mother is doing well, and she's been
6 reunited with the father... of her father as well as her
7 older sister, she spent the Thanksgiving weekend with
8 them, she's living in one of our housing programs,
9 she's getting services and she's doing really well.
10 She was referred to us by the Women's Prison
11 Association. The Rosie number two, the second Rosie
12 she's a middle-aged woman with two children and
13 suffering from cancer, she was in Rikers for two
14 months when she was referred to the... to our children,
15 she is receiving treatment for her cancer and
16 reuniting with her children, she was referred to us by
17 the Osborne Association, one of the many fine
18 organizations in New York City.

19 CHAIRPERSON CROWLEY: Okay... [cross-talk]

20 RITA ZIMMER: The third Rosie is a woman
21 who moved into Providence House, she moved there in
22 August, she had a very serious mental health problem,
23 she had been on Rikers from August until about four
24 months when she moved into Providence House. She has
25 now been linked to permanent housing and will be

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2 moving into permanent housing and is now already
3 receiving mental health services for her problems. Let
4 me just talk a little bit about the, the woman who was
5 there, there for seven months it would have... it costs
6 us 148,000 dollars, 742 dollars a day to keep her at
7 Rikers, at one of our projects it cost 82 dollars a
8 day, I think it really just makes sense for a lot of
9 sense not just money sense but just common sense, so I
10 thank you for listening and I hope that we can
11 together close Rikers and Rosie's. When you see my
12 testimony, I think I said we should close Rosie's in
13 the year 2022 after listening to the testimony earlier
14 today I think we should close it by 2018 so I'm ready
15 to work with you to do that.

16 CARRIE SMITH: Good after... good afternoon,
17 my name is Carrie Smith and I am a member of the New
18 York City Chapter of Critical Resistance. Thank you to
19 Chair Crowley and to members and staff of the
20 Committee on Fire and Criminal Justice Services for
21 the opportunity to, to testify. Critical Resistance is
22 a national organization with local chapters across the
23 country carrying out campaigns to stop the harmful
24 reliance on imprisonment and policing through the
25 building of healthy self-determined communities. For

1
2 more than two decades we have organized to move
3 jurisdictions away from expanding jail systems by
4 advocating for the transfer of construction funds
5 towards community investments. We have led multiple
6 campaigns against jail expansion including in the
7 South Bronx and more recently in San Francisco. While
8 we applaud the Mayor's announcement to shut down
9 Rikers Island we are alarmed by many pieces in the
10 smaller, safer, fairer plan including calls to
11 identify and develop sites for new jails. With our
12 testimony today, we urge the council to move resources
13 away from new forms of imprisonment and towards what
14 the people of New York want and need like shutting
15 down Rikers Island. At the most basic level it is
16 unacceptable to allocate public funds for the
17 renovation of Rikers and for expanding the Department
18 of Correction. This is not where we need to funnel the
19 city's money and to jails we want to close and into an
20 abusive agency that should be shrinking along with the
21 jail population. We also urge the council not to
22 reopen, expand, renovate, or build borough jails.
23 Replacing Rikers by building new jails or reopening
24 old sites including Queens House will serve to
25 perpetuate the horrific reality of Rikers. As a

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2 national organization working with imprisoned
3 organizers across the country we are well aware that
4 the horror of jail is not unique to Rikers Island but
5 rather inherent to all jails and all forms of
6 imprisonment. A jail closure plan that lacks the
7 ultimate goal of decarceration through reducing
8 policing and ending pretrial detention will only lead
9 to greater community trauma and devastation.
10 Additionally, we must invest in meaningful solutions
11 and prioritize community led alternatives. Efforts to
12 transform jail into mutually respectful and
13 rehabilitative, rehabilitative spaces are misguided
14 and counter to the harmful reality of imprisonment. We
15 must divest public funds away from the DOC and invest
16 in life sustaining sources for the people of New York
17 such as access to mental health supports and
18 treatment, affordable and stable housing communities
19 for all people, housing opportunities for all people,
20 substance use programs that do not mandate interaction
21 with police or imprisonment, fully funded, funded
22 education including community and city colleges, and
23 reentry programs and voluntary services for people
24 coming home from jail and prison. In closing we know
25 that Rikers Island and all jails stand in the way of

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2 guaranteeing community safety and self-determination,
3 now is the time to divest from the inequitable and
4 harmful systems that have led to calls to close Rikers
5 Island. In this political moment we have the critical
6 opportunity to not only shut down Rikers Island but
7 follow through on real transformative opportunities
8 for the people of New York. Thank you again.

9 MELISSA LEGGE: Good afternoon, my name is
10 Melissa Legge and I am an Equal Justice Works Fellow
11 at Earth Justice here in New York and I am testifying
12 today on behalf of both Earth Justice and the New York
13 Lawyers for the Public Interest Environmental Justice
14 Program. Thank you to Chair Crowley and the committee
15 for holding this hearing. As advocates for
16 Environmental Justice we urge the city to close Rikers
17 Island as quickly as possible and to ensure that any
18 future jail facilities provide a clean, safe, and
19 healthy environment for the people living in working
20 in them. As this committee well knows numerous severe
21 and intractable environmental problems affect the
22 facilities on the island. Rikers Island is literally a
23 toxic place and its environmental conditions threaten
24 the health of everyone on the island; detainees,
25 corrections officers, and medical and maintenance

1
2 staff alike. Much of the island was created from
3 landfill trash and as the trash decomposes it emits
4 not only a noxious smell but also methane gas which
5 can cause nausea, headaches and dizziness. As the
6 decomposing trash shifts the buildings on top of it
7 crack and pipes break disrupting the flow of clean,
8 clean water to jail facilities and causing sewage
9 backups. This environment is ideal for water borne
10 contaminants and bacteria to grow which can sicken the
11 incarcerated people who have no other water source.
12 Persistent leaks disrupt daily life and also create
13 conditions ripe for the growth of toxic mold. In
14 addition to mold and methane other air emissions
15 threaten the health of detainees, particulate matter
16 from the power plant on the island and the two power
17 plants nearby particularly impacts those with asthma,
18 heart disease and other medical conditions that make
19 them vulnerable to air pollution. Finally, the poor
20 ventilation, lack of air conditioning and
21 malfunctioning heat and cooling systems result in
22 temperature extremes inside the facilities that pose a
23 serious health threat especially to those with health
24 conditions that make them vulnerable to heat. In
25 short, the conditions on Rikers are inhumane and an

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2 environmental health disaster. Moving forward the city
3 must not repeat the same environmental justices...
4 injustices anew, as the city develops new community
5 based jail facilities as well as alternatives to
6 incarceration centers the environmental conditions in
7 those facilities need to be part of the discussion.
8 Whether the facilities are new or renovated the city
9 must ensure access to clean water, good ventilation,
10 and a properly functioning plumbing and sewage system.
11 The city has an obligation to ensure that the indoor
12 air is clean and breathable for all including those
13 with medical conditions like asthma and that the
14 facilities are free of mold; lead paint and other
15 indoor toxins and that adequate heating and cooling
16 systems exist. Those living and working within the
17 city's jails deserve a healthy, safe, and clean
18 environment just like all New Yorkers. Clearly the
19 injustices at Rikers spanned far beyond this and
20 include the egregious criminal justice concerns and
21 civil liberties violations we've heard about today.
22 The Environmental Justice problems of the system of
23 jails are as urgent as any other environmental justice
24 challenges the city is facing. This is why it is of
25 utmost importance to quickly shutter Rikers Island and

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ensure we are making progress for all New Yorkers.
Thank you.

DARLENE JACKSON: So, before I... before I read my testimony I, I wanted to, to share the same sentiments from the... my fellow advocate that was in the first panel that I think it was very distasteful for the administration to get up and leave and not stay throughout the duration to hear from the very advocates and the people... the service providers and the people... and the people directly impacted that's on the... that's on the ground... on the ground pushing the envelope... the envelope forward. I think that the Mayor for the past four years has lacked and still lacks, lacks to listen to the very constituents that he's... that he serves, and his administration has reflected that today and so as I read my testimony I would really appreciate to have your fullest... your, your full attention. So, first and foremost I would like to thank the Council Speaker Melissa Mark-Viverito for being bold enough and have the political will to take on an issue that no one else dared to and for her leadership for spearheading a year long commission that produced the Lippman Report. I'm here today as a Close Rikers supporter and member, as a collective

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2 voice demanding that it is morally imperative to
3 expedite the closure of Rikers Island. Rikers has
4 robbed the life... the livelihood, dignity and souls of
5 communities of color. We cannot claim to be a
6 progressive city while continuing to operate in modern
7 day slave facility right behind... right in our back
8 yards. Every hour, days and weeks I go by the city is
9 complicit to the community's broader tragedy. Our
10 Mayor has proposed a city plan without the input of
11 communities directly impacted and in... and in... and in
12 ten-year time frame that is irresponsible and
13 negligence to all New Yorkers. It is evident that
14 Rikers is beyond reform and a financial burden to tax
15 payers. The time is now to address the root cause of
16 mass incarceration and invest in building our
17 communities. Thank you for those elected officials
18 that have stepped up and acknowledged that it... we
19 have... we have community jails in the district is the
20 humane thing to do. I believe that we as a collective
21 effort can close Rikers in less than ten years and
22 work together in drafting a new city plan proposal to
23 close Rikers now. Justice, justice delayed is justice
24 denied. Thank you to the council... committee members
25 that are still here today right now for hosting this

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2 oversight hearing to... hearing and to look... and I look
3 forward to taking the, the necessary steps. Thank you.

4 MAUREEN BELLUSCIO: My name is Maureen
5 Belluscio, I am a Disability Justice Program Staff
6 Attorney with New York Lawyers for the Public
7 Interest. On behalf of NYLPI and the communities that
8 we serve thank you Council Member Crowley for
9 conducting this hearing. My testimony today focuses on
10 the experiences of people who have mobility
11 impairments and people who have intellectual
12 disabilities, but I note that the treatment of people
13 with all types of disabilities on Rikers Island is
14 sorely lacking to the point of being discriminatory
15 and illegal. According to the Mayor's Office for
16 People with Disabilities 2017 accessible NYC Annual
17 Report there are almost one million New Yorkers who
18 have disclosed living with a disability which is over
19 11 percent of the city's population. While we do not
20 have access to statistics regarding the number of
21 people who have disabilities on Rikers Island, we
22 assume that the, the percentage is similar. People who
23 have mobility impairments are generally held in two
24 facilities on Rikers both of which contain multiple
25 architectural barriers impeding access. Men are held

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2 on NIC and women are held at Rosie's. The barriers at
3 both NIC and Rosie's impede access not only to the
4 facilities themselves but also to the services
5 provided by DOC. In both NIC and Rosie's our clients
6 have reported inadequate facilities for physical
7 therapy, deteriorating and inaccessible bathrooms,
8 inaccessible showers, inaccessible sinks and
9 inaccessible entrances and exits. Mobility devices,
10 devices such as wheelchairs and canes are taken and
11 never returned. People are denied medical beds;
12 counsel visit areas are inaccessible. Court transports
13 for people with mobility impairments run incredibly
14 late such that when people with mobility impairments
15 return from court they are denied access to showers.
16 Most alarmingly requests for reasonable accommodations
17 to address these issues are routinely ignored. People
18 who have developmental or intellectual disabilities
19 are generally among the most value.. vulnerable
20 populations in jail and prison settings. However,
21 despite this known risk there do not appear to be
22 adequate systems in place to ensure that this
23 population receives appropriate Care One DOC custody
24 or adequate discharge planning when they are released.
25 While in DOC custody people who have developmental or

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2 intellectual disabilities are often placed in the
3 general population. Lack of officer training on the
4 subject, lack of coordination with New York State's
5 Office for People with Developmental Disabilities and
6 the chaotic nature of these facilities render this
7 population extraordinarily vulnerable to
8 decompensation and abuse. July 2018 will mark the 28th
9 anniversary, anniversary of the Americans with
10 Disabilities Act, members of New York City's various
11 and diverse disability communities deserve and demand
12 full and equal access and a seat at the table to
13 ensure that any and all remedies reflect their
14 communities needs. We thank you for your attention to
15 this matter, thank you, thank you very much.

16 CHAIRPERSON CROWLEY: Thank you, thank you
17 to this panel. We're going to now call the next panel.
18 Tanya Krupat, Osborne Association; Charles Nunez,
19 Youth Represent Inc.; Nicole Diaz CASES; Leanne Sharp,
20 CASES; Nicole...

21 [off-mic dialogue]

22 CHAIRPERSON CROWLEY: It's just going to be
23 two minutes before we start. Okay, I apologize for
24 that, but I am expecting a call to be part of another
25 hearing just to give two-minute testimony, but I

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2 missed that call so... if I do get a call in the middle
3 of your testimony understand that that's what it's
4 about. Whomever wants to start first can begin.

5 LEANNE SHARP: Thank you. Hi, my name
6 Leanne Sharp, I'm the Senior Director of Court
7 Services at CASES. I want to thank Speaker Mark-
8 Viverito and Chair Crowley for holding this hearing
9 today. I... you know I think we, we strongly support a
10 lot of what has been mentioned already today and in
11 the interest of time I'll move on to some very
12 important points that I'd like to make. CASES have an
13 established track record for over 50 years of
14 providing jail and prison alternatives and, and we
15 include three key achievements. We've proven that
16 diversion programs are actually more effective in
17 reducing recidivism and overreliance on incarceration
18 and improved public safety. We've proven that
19 diversion programs are significantly more cost
20 effective than jail or prison and we've proven that
21 diversion programs improve people's lives and
22 communities compared to sending them to punitive and
23 traumatic facilities that have a marginal impact on
24 crime. I think it's significant for us as a provider
25 of both supervised release and one of the city's

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2 newest initiatives as diversion for short term jail
3 alternatives to provide an update on those programs.
4 Our supervised release program keeping in mind the
5 goal is to reduce the risk of people failing to appear
6 in court and for people being rearrested while their
7 case is pending, we show that our participants have a
8 96 percent rate of appearing in court and a 94 percent
9 rate of avoiding any rearrests while in supervised
10 release. We show that this program works. Similarly,
11 with our New Start Program which is a short-term jail
12 alternative program for low level misdemeanor
13 offenses. We recently expanded the program and since
14 the expansion... part of the expansion was held in close
15 collaboration with the Mayor's Office of Criminal
16 Justice with the DA's Office of New York County and
17 the Defense Bar and I say this to say that as was
18 mentioned earlier in the morning how important
19 collaboration is between stakeholders our efforts in
20 these matters could not have taken place and been as
21 successful as they have been without everyone's buy in
22 and everyone's investment in this overall goal to
23 close Rikers. In the... in the month since the expansion
24 of our newest program New Start we've seen already a
25 46 percent increase in our admission rate to take

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2 people who would otherwise face short jail sentences,
3 most of these people have... are homeless, over 40
4 percent are homeless, and 73 percent are unemployed
5 and, so we take these people in and have the ability
6 to help people get the needed services that they would
7 not otherwise get in jail. With that I'd like to turn
8 it over to my colleague Nicole Diaz to talk about who
9 these people actually are.

10 NICOLE DIAZ: These achievements are having
11 a real impact for real people as in the case with the
12 supervised release participant, we'll call her Sarah.
13 Sarah came to supervised release in December of 2016
14 on B felony drug charge. Her primary challenge was,
15 was assessed to be dependent on heroine and crack
16 cocaine. She also struggled with major depressive
17 disorder and post-traumatic stress syndrome. Initially
18 Sarah had difficulty adhering to program mandates
19 frequently missing supervision appointments and
20 showing little interest in engaging in treatment.
21 Using a person-centered approach her case manager
22 consistently and creatively engaged Sarah and her... and
23 her adherence to supervised release improved
24 significantly. Sarah ultimately accepted the option of
25 beginning substance abuse treatment, through her

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2 participation and treatment the mental health
3 challenges that she had previously been unwilling to
4 confront became a priority and she was then receptive
5 to counseling around past traumatic experiences that
6 were contributing to her propensity to relapse over
7 her last 40 years and recognition of Sarah's
8 outstanding performance in treatment the court granted
9 her a promise sentence on a lesser charge of 22003,
10 criminal possession of a controlled substance an A
11 misdemeanor on the condition that she successfully
12 meet the obligations of probation for one year and
13 complete a full year of substance abuse treatment.
14 This additionally enabled Sarah to avoid serving any
15 further jail time in connection with her arrest. Sarah
16 has almost completed the conditions of her sentence
17 and is still willing to participate in treatment. Real
18 impacts can also be seen in the case of John, a New
19 Start participant. John was ordered to complete five
20 sessions with the New Start after pleading guilty to
21 petty larceny and a misdemeanor. John had a history of
22 low level convictions, 19 prior misdemeanor
23 convictions and being arrested on average once every
24 couple of months for the last few years. John was
25 homeless, unemployed and often resorted to stealing

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2 especially when under the influence of drugs. John
3 completed two of five sessions and only a limited time
4 to finish the last three sessions, since John had
5 difficulty, difficulty consistently coming into the
6 office for his sessions his case manager met with him
7 at his shelter and also accompanied him to substance
8 abuse treatment appointments and helped him obtain
9 Medicaid. John developed a positive rapport with his
10 case manager and continued to come to Start on a
11 voluntary basis to continue the services he was
12 receiving. Over the course of nine months John was
13 also was only arrested one time a drastic drop in
14 frequency of arrests from when he was first admitted.
15 During that time his case manager was able to obtain
16 supportive housing and he now has a place to live, he
17 participates in substance use treatment and he
18 continues working with his case manager on his next
19 goals which includes obtaining an education in
20 culinary arts as he is interested in becoming a chef.
21 These stories are people and people are not unique,
22 this is just a snapshot of the kind of difficulties
23 people come to us with and how we are able to help
24 them significantly improve their lives and in concert
25 improve our communities. As I... as I... excited as I am

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2 about these CASES programs and the real progress we
3 are making to close Rikers every day thousands of
4 people remain there most of whom have not yet seen
5 their day in court. Over 40 percent of these young
6 people, men and women have mental illness likely
7 exacerbated by the traumatic environment. We are
8 closing Rikers and we have much more work to do.

9 CHAIRPERSON CROWLEY: If Elena Weissmann of
10 the Bronx Freedom Fund and Alexander Horwitz of the
11 Doe Fund are still here if they can come up and
12 complete this panel. I'm sorry I didn't invite you up
13 early enough and with that sir if you could begin your
14 testimony.

15 CHARLES NUNEZ: Okay, good afternoon
16 Chairwoman and... oh... thank you. Good afternoon
17 Chairwoman and... Crowley and thank you for hosting this
18 oversight hearing and for the opportunity to testify
19 today. My name is Charles Nunez, I'm the Community
20 Advocate at Youth Represent. At Youth Represent we
21 provide reentry legal services to young people 24 and
22 under who've come in contact with the criminal justice
23 system. I'm here today to support our community for
24 the closure of Rikers Island and more specifically
25 though to continue our call for the immediate removal

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2 of 16 and 17-year old's from Rikers Island. Chairwoman
3 Crowley I would... first I would like to say thank you
4 for addressing MOCJ with their position on when
5 they'll be removing 16 and 17-year old's but I must
6 say it was very disheartening to hear their response
7 as someone that was in Rikers Island at the age of 17
8 and once I... on my 18th birthday going through a brawl
9 fighting with like almost eight other individuals when
10 I was in Rikers Island, to hear them say that... well
11 not even just hear them immediately pivoting from
12 April to the October prohibited release that was put
13 on the state legislator so... on the state legislation
14 so I would just like to say thank you for the pressure
15 and like questioning MOCJ but to like... I would love
16 for the rest of your all... colleagues to continue
17 pressuring MOCJ on the release of 16 and 17-year old's
18 from Rikers Island immediately and with that said
19 there's three reasons for... there are three reasons why
20 Youth Represent believes young people need to be out
21 of... well 16 and 17-year old's need to be out of Rikers
22 immediately. So, the first reason is because of the
23 perpetual culture of violence that's in Rikers Island.
24 We heard a lot about that throughout the... throughout
25 the hearing today so I won't go into full details but

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2 I will quote the United States Department of Justice
3 Investigation and their conclusion from their
4 investigation on Rikers which stated, "the New York
5 City Department of Correction systematically has
6 failed to protect adolescent inmates from harm, this
7 harm is the result of the repeated use of excessive
8 and unnecessary force by correction officers against
9 adolescent inmates at... as well as high level of inmate
10 on inmate violence". As we went through today we know
11 that the culture of violence is perpetual in Rikers
12 Island but the second reason why we, we know 16 and
13 17-year old's need to be out of Rikers is because of
14 what we've learned thus far from brain science. The
15 growing consensus in the New York science field is
16 that adolescents are more responsive to their
17 environments and peers rather than adults... well more
18 so than adults thus if an adolescent is in a negative
19 environment and experiences trauma it can prevent
20 effective adolescent brain development as well as
21 emotional development but on the contrary it works as
22 well if young people are in a more positive
23 environment they'll be more... they'll be more better...
24 and a better environment to have effective adolescent
25 brain development. And our third reason, I'll be

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2 concluding with this, is we've learned that the
3 visitation rates for... well data has shown that the
4 visitation rates in Rikers Island compared to the
5 borough... compared to the borough based facilities are
6 twice as... well twice as low compared to the borough
7 facilities. Studies have shown that social support can
8 protect people from various health issues such as
9 depression or suicide. These social supports are
10 especially critical for teenager yet the data from the
11 New York City Department of Corrections shows that
12 detainees in borough based facilities receive almost
13 twice the number of visits compared to those people
14 detained in Rikers Island. With our city government
15 fully aware of these low visitation rates for our
16 young people detained in Rikers Island, fully aware of
17 the brain science and fully aware of the embedded
18 culture of violence it needs to... our city government
19 needs to be... we need to focus on the priority of
20 removing 16 and 17-year old's out of Rikers Island and
21 closer to their family and friends. State and city
22 officials have agreed that Rikers Island needs to
23 close, everyday goes... every day that goes by with 16
24 and 17-year old's in Rikers Island is a day that we

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2 inflict more damage on our youth, let's get them out
3 of there by April of 2018.

4 TANYA KRUPAT: I agree. I want to focus
5 also on an additional population to get off of Rikers
6 as soon as possible which are those who are older, age
7 50 and above. Thank you for the opportunity to speak
8 to you today and thank you Chair Crowley for your
9 longstanding leadership on all these issues. My name
10 is Tanya Krupat, I'm the Director of the Center for
11 Justice Across Generations at the Osborne Association.
12 Osborne is currently one of the largest providers of
13 discharge planning services on Rikers and our CEO Liz
14 Gaynes is also the Co-Chair of the population
15 reduction working group of the Mayor's Justice
16 Implementation Task Force, such a mouthful... as we've
17 heard a critical component of closing Rikers is
18 reducing the number of people in jail. I want to
19 provide an update on two promising strategies; Osborne
20 is currently working with others to employ towards
21 this goal. One you've heard a little bit about Rita
22 Zimmer this morning, our Second Look Initiative is
23 working with the Women's Community Justice Project and
24 the other is the Elder Reentry Initiative which is
25 focusing on people aged 50 and over. Both of these

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2 strategies could and should be brought to scale.
3 Osborne began Second Look in July 2017. Through Second
4 Look we meet with women within 72 hours of their
5 admission to Rikers and immediately begin assessing
6 their case for release options with the aim of
7 minimizing their time in detention. These are women
8 who did not qualify or were not approved for ROR
9 existing bail funds or supervised release often
10 because of their current charges, criminal histories
11 or lack of housing and more detail on how Second Look
12 works is in my written testimony. We've also been
13 successful in advocating for bail reductions that are
14 affordable to our participant's families. We're
15 currently funded to serve 100 women each year. Since
16 the project began in July we've screened 165 women,
17 have enrolled 20 women and so far, have secured quick
18 release for 15 women with five of them already
19 achieving a non-jail sentence. Second Look is a tweak
20 on our long-standing mitigation model and that
21 advocacy works... the work starts immediately upon
22 detention. In our longstanding program we have a 90
23 percent rate of success in achieving safe release from
24 jail and community alternatives to incarceration or
25 fewer years of incarceration and in FY '15 alone we

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2 reduced participants in incarcerated sentences by
3 1,170 years. In our Elder Reentry Initiative, we're
4 also seeing similar successes for those who are 50
5 years and older to safely return to the community.
6 Elders have specific needs and informed discharge
7 planning and case management reduces recidivism which
8 is the backend strategy for reducing the jail
9 population. Older people on Rikers often have a
10 history of multiple incarcerations, homelessness,
11 addiction and mental illness. We are finding that most
12 men and women engaged in our Elder Reentry Initiative
13 have not received the support and access to services
14 needed to help them return home and stay home.
15 Finally, in order to close Rikers we need fewer folks
16 inside, diverting in court is imperative and the city
17 has recently enhanced diversion options through
18 supervised release and bail funds but there are still
19 and will continue to be... [cross-talk]

20 CHAIRPERSON CROWLEY: Okay, sorry... [cross-
21 talk]

22 TANYA KRUPAT: ...people going... [cross-talk]

23 CHAIRPERSON CROWLEY: ...to interrupt...
24 [cross-talk]

25 TANYA KRUPAT: Okay... [cross-talk]

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CHAIRPERSON CROWLEY: ...I just received the call that I have to take, so I have to take a, a three-minute break and I'll be back as soon as that's finished, thank you. Sorry about that, thank you, you were just finishing up too, I, I apologize, if you could sir.

ALEXANDER HORWITZ: Committee Chair Crowley, Councilor. I'm Alexander Horwitz, Chief of Staff of the Doe Fund and a member of the Board of Directors of the Liberty Fund. Thank you for the opportunity to testify today. For more than 30 years the Doe Fund has helped deal with the consequences of the criminal justice system on the backend specifically. We provided a way home or rather a way to a home, a job and a productive life for men paroled into homelessness. Our program is successful because it addresses some of the root causes of poverty and as we know poverty and incarceration are linked, we've shown that the desire to live independently, law abidingly and productively is universal. The Doe Fund also recently worked with this council and MOCJ to create the Liberty Fund delivering on the Speaker's vision for a citywide charitable bail fund. That work has given our organization new insight on the frontend

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2 of the criminal justice system where a charge can
3 derail a life or even extinguish it regardless of a
4 person's innocence. So, entangling is the mouth of our
5 criminal justice system that the Liberty Fund must
6 work around it through our insurance policy and
7 statute just to provide some fairness within it and
8 yet over 90 percent of the people served by charitable
9 bail make their court appearances. For these reasons
10 and for the tens and thousands of men we've served
11 over the years we're proud to join our many sister
12 organizations in the call to close Rikers as soon as
13 possible. Rikers is an island full of cages and those
14 cages are full of our neighbors. Any other municipal
15 site that caused the unnecessary maiming and death of,
16 so many citizens would already be gone. It is symbolic
17 of a city that once was in crisis, a city that was
18 afraid of its own people, a city that was paralyzed by
19 the fear of decoupling justice from harsh punishment.
20 If the violence that's common at Rikers isn't
21 wrenching enough then that image of ourselves surely
22 is because we are none of those things. To achieve
23 more than the destruction of a symbol however we must
24 take a wide view of our CJ system. Rikers may be its
25 most malignant organ but as so many have pointed out

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2 reducing the population conveyed into it is the key to
3 closing not just the facility but this chapter in our
4 city's history we therefor employ the council... implore
5 the council to adopt a panoramic perspective on the
6 system that allowed Rikers to exist in the first
7 place, to advocate and legislate for equality not just
8 under the law but in it's application. We must
9 eliminate cash bail, we must reform sentencing
10 guidelines and statutes and we must provide a working
11 way home from incarceration and a way out of
12 generational poverty. While I speak for only two of
13 the organizations working in this space I offer our
14 unlimited assistance, our expertise and most
15 importantly our sweat. The nonprofit organizations
16 represented today are your army, please put us to
17 work. Closing Rikers may be our first step to create
18 equality in our CJ system but it's far from the only
19 one we must take if we want that equality to endure,
20 if we destroy Rikers, you have to paraphrase Isiah, we
21 beat the bars of our jail cells into foundations for
22 better lives, we must also ensure that we and the
23 generations to come never have a reason to build it
24 again. Thank you.

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2 CHAIRPERSON CROWLEY: Thank you to all our
3 providers for being here today, to staying here
4 throughout the whole hearing, I know it's been long,
5 but your testimony is important, thank you for your
6 advocacy too. We have our last panel... no, two, two
7 more. Do we have... we have representatives from VOCAL,
8 you can raise your hand, how many folks are testifying
9 from VOCAL, okay if everybody from VOCAL could come up
10 to testify, then who else is left... okay, in the order
11 in which you choose to start.

12 DAVID SCHERMERHORN: Good, good afternoon,
13 my name is David Schermerhorn, I represent VOCAL and
14 Harm Reduction. I'm not going bore you with statistics
15 and stuff because I know you've probably heard enough
16 of those already today but I'm one of the guys that...
17 the first time I went to Rikers Island was in 1969 and
18 I spent ten months there for something that I didn't
19 do, right but I wound up spending ten months and I
20 wound up pleading guilty to the... to the case just so I
21 could go home and here it is 2017 and nothing's
22 changed. The exact same thing instead of ten months
23 they got 14 months out of me this time and nothing is
24 going to change on Rikers Island until you change. You
25 have the fox in the hen house and until you change

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2 that or get help changing it it's always going to be
3 the same thing over and over and over again because
4 you can't ask them to police their self because
5 they're not going to do it because all they see is
6 them losing these jobs and there was a lady up here
7 talking about the parole and the recidivism rate of
8 people on parole that's incarcerated there. You have
9 so many people there because when... you have people
10 that's trying to do right, trying to change their life
11 around and something goes wrong the first word that
12 comes out of these people's mouth is how to punish
13 you, what are they going to do to you for a, a drug
14 violation, you're a drug addict and it doesn't come
15 over night so there's going to be slippages and you
16 have people that want to come forward and look for
17 help but you can't go to them because the first thing
18 that comes out of their mouth is not how to help you
19 but how much punishment you're going to get and that's
20 why you have parole the way that it is, you know right
21 now and you have so many people coming back to jail
22 from parole, you have so many parolees from state in
23 Rikers Island. Rikers Island is not going to change
24 until you change the population both inmate and
25 correctional. Thank you.

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2 JIMMY BARR: Good afternoon Council Member,
3 Elected Officials, Miss Crowley honorable. My name is
4 Jimmy Barr, I'm a Veteran, I'm also... I've served the
5 public, the city of New York for 18 years. I'm here
6 with VOCAL NY that gave me the opportunity to speak in
7 front of the council. I just want to say that Rikers
8 Island is a stain to our great city, a poor example of
9 a broken-down system that needs to be revamped. They
10 got to end the mass incarceration and if you end mass
11 incarceration you'll be able to close down Rikers
12 Island sooner than later. My story really begins where
13 I was falsely accused of a crime that I did not
14 commit. I only spent 24 hours in Rikers Island but the
15 time that I was... that I spent there it seemed like the
16 gates of hell, okay, my safety... I, I was very
17 concerned about my safety. Fortunately for me I was
18 able to... I was able to post bail, but it was delayed
19 for 16 hours. My party was sent back and forth, forth
20 from the city to the Department of Corrections and at
21 one point the person was sent home for five hours, now
22 these were people that believed in, in me that I did
23 not commit any crimes or any violations. Fortunately,
24 again they tried to bail me out and 16 hours later is
25 when I was able to post bail and then a couple hours

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2 or... I believe it was 12 hours I was allowed to leave
3 Rikers Island. There was no reason for me to be in
4 Rikers Island, all, all, all they could have done was
5 give me a, a desk appearance ticket and then I would
6 have showed up, I don't have a history of criminal
7 conduct or anything to that effect. I'm here because I
8 support VOCAL New York and VOCAL New York represents
9 the people and I strongly believe that Rikers Island
10 should be closed, it's not... it's not good for the
11 city, it's not good for the people and I would like to
12 thank you very much for the opportunity to testify,
13 thank you.

14 UNIDENTIFIED MALE: Hello Council. The
15 reason I came here of course I experienced a lot in
16 Rikers Island. I've been going to Rikers... back in
17 Rikers Island 37 years of my life in Rikers Island and
18 most of my life in Rikers Island was in the window
19 breaking... breaking window under Giuliani's
20 Administration. I experienced my first time ever
21 shooting drugs was in Rikers Island, working in the
22 mess hall in the KK, for the warden getting what I
23 wanted to get at that time in Rikers Island. I was
24 there when... I... people who... I was doing the suicide job
25 where I had inmates that hung up on me and started

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2 C71, I was one... in one of the oldest prisons in there
3 called HDM, okay, where you had two people sleeping in
4 a cell, okay and Rikers Island... it made me... okay and
5 then I can come home and I can say about Rikers
6 Island, it had it there... it was another world on the
7 inside, okay, it changed... it changed my life, okay, it
8 made me came out and disrespect my family, it made me
9 steal from my family everything I went... it's back to
10 Rikers Island, I have not learned anything there, I've
11 been in Rikers Island for like say 40 years now, I'm
12 66 years old and I want to see Rikers Island closed
13 now, today.

14 CHAIRPERSON CROWLEY: Sir, did you say that
15 the first time you shot up drugs was on Rikers Island?

16 UNIDENTIFIED MALE: Yes, ma'am.

17 CHAIRPERSON CROWLEY: That's terrible.
18 Okay, I, I agree with you, we, we need to close Rikers
19 Island, thank you for your testimony and we're going
20 to have our last panel, I believe... Camilla Broderick;
21 Dwayne Lee Horsley; Kelly Grace; Alfredo Carrasquillo;
22 Serita Datrabe [sp?]; Anna Pastoressa from Justice
23 Leadership. Is there anybody that signed up that did
24 not get called? Okay, please begin.

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2 ANNA PASTORESSA: Hi, thank you so much for
3 making this time available to discuss this urgent
4 matter of closing Rikers. My name is Anna Pastoressa.
5 In October 2010 my son was incarcerated on Rikers
6 Island without bail. He was on Rikers Island for six
7 long years and each time he went to court the
8 prosecutor was never ready and came up with one excuse
9 after another and adjourned the case for six years. My
10 son's incarceration on Rikers Island traumatized him
11 and everyone in our family. My son endured daily
12 punishment by physical and mental abuse inflicted by
13 other detainees at the direction of correction
14 officers. That is culture on Rikers Island, it's a
15 culture of violence, abuse and power of uniformed
16 officers versus prisoners. The length of time that my
17 son was held on Rikers Island waiting for trial is
18 extreme, no legally innocent person should be held for
19 six years in an abusive environment waiting for trial,
20 but I realized that my son's story was the story of
21 many other prisoners on Rikers Island. People, men and
22 women are held for indefinite periods of time and are
23 treated like substandard humans being provoked,
24 humiliated and violated, abused every day on that...
25 this grey suit slavery island. Besides the violent

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2 daily life detainees are faced with environmental
3 problems which effect their health. The buildings and
4 cells are even... and even the visiting rooms are
5 falling apart. There are roof leaks when it rains and
6 when the snow melts, dirty water and debris dripping
7 down, buckets placed around various areas to catch the
8 mess and mold growing on ceilings. Such conditions are
9 unacceptable and considered environmental building
10 violations in the regular world. These health hazards
11 are dangerous for the detainees and the corrections
12 officers as well. Nobody deserves to be held captive
13 on Rikers Island for many years because they cannot
14 pay bail or are waiting for their trial. New York City
15 is allowing the prolonged incarceration of many of
16 it's citizens, citizens who are desperately waiting
17 for the prosecutor and the judge to grant them a
18 speedy trial or release them while they're waiting
19 trial. Unfortunately, the system allows the abuse to
20 go on, as a visitor on Rikers Island myself I was
21 treated in a brutal way by officers who yelled instead
22 of talking, who body searched me for no reason after I
23 had already gone through two metal... two metal
24 detectors, I was treated like cattle along with other
25 visitors, shoved around and sniffed by dogs while

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2 yelled at by officers. I was treated like a criminal
3 just for setting my foot on Rikers Island, that is
4 unacceptable, but I could not complain, I stayed quiet
5 and I took the yelling and realized that I'm not the
6 only... I'm not... only taking minimal portion of the
7 abuse that my son is enduring everyday... [cross-talk]

8 CHAIRPERSON CROWLEY: I'm sorry, if you
9 submit your testimony in the entirety it will be part
10 of the record but in moving along with the hearing
11 you're... we're limited to two minutes and that has...
12 you've exceeded that, if you could wrap it up that
13 would be great.

14 ANNA PASTORESSA: Okay, it's time for New
15 York to behave like a civil, civilized metropolis,
16 this is not Nazi Germany, it's time to close Rikers
17 now. Thank you.

18 CAMILLA BRODERICK: My name is Camilla
19 Broderick and as someone who was recently released
20 from Rikers Island, I see the necessity to close this
21 East Coast Alcatraz down. Rikers is one of the most
22 populated jails in the country and also one of the
23 most notorious. First, I just want to say that the
24 drug epidemic is not just a problem for poor or
25 minority communities. The opioid epidemic especially

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2 is ensnaring more white, middle and upper-class people
3 the way it did me. Individuals with no prior
4 involvement in the criminal justice system and
5 incarceration is not the answer to this epidemic. In
6 the eight months I spent on that island I saw and
7 heard of inmates getting stabbed, raped, and abused.
8 There is a culture of violence and hatred that goes
9 far beyond the inmates. I know corrections officers
10 who did nothing about it and saw ones who even
11 encouraged this behavior. I also met many officers who
12 were amazing and helpful people, but the culture of
13 Rikers Island brings out the worst in people. In the
14 mental health housing area detainees are left without
15 adequate attention or medication, over time their
16 conditions deteriorate. The lack of programs and
17 education and job training is alarming. Our system
18 should be designed to rehabilitate people not cage
19 them. Rikers Island has become a revolving door even
20 though there are concrete steps we can take to change
21 this. Many jails have their problems but the deep-
22 seated problems on Rikers Island need more than just
23 good will to fix. Closing Rikers is official New York
24 City policy, all elected officials and citywide
25 agencies need to do what is best for all New Yorkers

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2 and close Rikers now. We need to address the reasons
3 people go to jail in the first place such as
4 homelessness, substance abuse, and over policing
5 communities of color. We need a plan from the Mayor's
6 Task Force... Task Force with clear outcomes and a
7 timeline that includes reporting the progress on
8 closing the jails. Our city officials must be more
9 transparent on their next steps to close Rikers
10 Island, we must also create smaller, safer jails
11 designed to rehabilitate and return people to their
12 communities. New York City can't be known by this
13 black mark on our record, the fact is many of us come
14 home one day and in order to make our reentry
15 beneficial to society certain steps need to be taken.
16 Closing Rikers would be a huge step towards ending
17 mass incarceration in New York State. Thank you.

18 SERITA DATRAPE: Thank you. My name is
19 Serita Datrabe [sp?], I'll be delivering testimony on
20 behalf of one of our members Diane Johnson, she
21 actually submitted this testimony on behalf of her
22 daughter who's currently on Rikers Island. So, maybe
23 this is a good way to close out our hearing to ground
24 ourselves on the reality of what people are
25 experiencing as we're speaking. So, this is her words.

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2 Twenty months, that's how long I've been detained at
3 Rose M. Singer Center on Rikers Island. After my
4 arraignment in Queens County Supreme court I was
5 ordered remanded without bail confused as to why still
6 reeling from the fact that I was just railroaded
7 through the criminal justice system. I was ordered to
8 strip naked and deep knee bend front and back, I sat
9 in the intake pen for hours on a cold and hard metal
10 bench waiting to be housed. I stayed five hours in
11 intake and another three hours sitting in the clinic.
12 Once in I was housed in what is known as the 800 beds,
13 about 50 women, five toilets, six sinks, six showers
14 half of which didn't work, that was the start of an
15 endless cycle of what at times seemed to mental and
16 physical torture. The housing area; we are forced to
17 sleep on iron cots with mats that are clearly labeled
18 not to be used on a frame, we are given one sheet, a
19 blanket, one towel and maybe a pillow otherwise you
20 have to use your uniform as a pillow. The showers have
21 mold and mildew on the walls and floors with clogged
22 drains that cause the water to overflow onto the sinks
23 and toilet area. The smell is terrible, and the air
24 vents are so clogged with dirt that women with
25 respiratory problems can barely breath, they have to

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2 constantly see the doctor. The medical process; the
3 sign-up sheet is always a day behind and only
4 available Monday to Friday, on a weekend the medical
5 emergency can take up to an hour before the staff come
6 with a bed to take one to the clinic. Once there you
7 can wait up to eight hours to see a doctor or the
8 clinician at which time you can be cursed at and
9 insulted and told any medication they give you will be
10 at the window that evening if you're lucky. Once
11 you're done you have to wait for an escort to return
12 to your housing area which could take another two
13 hours or more. Escorting; while waiting for an escort
14 one can miss their counsel visit, family visit,
15 religious service. When someone shows up you have to
16 hope they are heading in your direction and are in a
17 good mood or like you. It continues of the written
18 record, but I'll stop there because I know time is
19 wrapping up. Thank you.

20 CHAIRPERSON CROWLEY: Thank you. Thank you...
21 thank you all, all for your testimony, for your
22 advocacy, for being here today and for staying for as
23 long as you have to, to testify.

24 SERITA DATRABE: Thank you.

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CHAIRPERSON CROWLEY: This concludes the
Fire and Criminal Justice Services Committee of
December 4th, 2017 on the topic of closing Rikers
Island.

[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

December 12, 2017