Committee on Criminal Justice

Alana Sivin, *Senior* *Legislative Counsel*

Kieshorne Dennie, *Policy Analyst*

Peter Butler, *Finance Analyst*



**THE COUNCIL OF THE CITY OF NEW YORK**

**Committee Report of the Justice Division**

Jeffrey Baker*, Legislative Director*

Brian Crow, *Deputy Director, Justice Division*

**COMMITTEE ON CRIMINAL JUSTICE**

Hon. Keith Powers, *Chair*

#### **October 16, 2019**

## Preconsidered Proposed Introduction-A: By Council Members Ayala and Levin

## Title: A Local Law to require the board of correction to report on the impact on incarcerated individuals of closing jails on Rikers Island, and to amend the administrative code of the city of New York, in relation to requiring the mayor’s office of criminal justice to report on progress in closing jails on Rikers Island

## Administrative Code: Adds Section 9-307

## Preconsidered Proposed Introduction-A: By Council Member Levin

## Title: A Local Law in relation to the establishment of a commission to make recommendations on reinvestment in communities impacted by Rikers Island.

## Preconsidered Proposed Introduction-A: By Council Members Powers and Rosenthal

## Title: A Local Law to amend the administrative code of the city of New York, in relation to amending the bill of rights for incarcerated individuals and establishing guiding principles for the design of newly constructed jails

## Administrative Code: Adds Section 9-157, amends Section 9-139

1. **Introduction**

On October 16, 2019, the Committee on Criminal Justice, chaired by Council Member Keith Powers, will vote on three bills related to the closure of jails on Rikers Island. The committee last heard these bills on October 2, 2019, at a joint hearing of the Committee on Criminal Justice and the Committee on General Welfare, chaired by Council Member Stephen T. Levin. The three bills are the following: (1) Preconsidered Proposed Introduction \_\_\_ -A, a local law to require the board of correction to report on the impact on incarcerated individuals of closing jails on Rikers Island, and to amend the administrative code of the city of New York, in relation to requiring the mayor’s office of criminal justice to report on progress in closing jails on Rikers Island, (2) Preconsidered Proposed Introduction \_\_\_-A, a local law in relation to the establishment of a commission to make recommendations on reinvestment in communities impacted by Rikers, and (3) Preconsidered Proposed Introduction \_\_\_\_ -A, a Local Law to amend the administrative code of the city of New York, in relation to amending the bill of rights for incarcerated individuals and establishing guiding principles for the design of newly constructed jails.

1. **Background**

On October 17, 2019, the New York City Council is scheduled to vote on a land use action pursuant to the Universal Land Use Review Procedure (ULURP) that will permit the construction of four new borough-based jail facilities to replace those currently located on Rikers Island, and those facilities currently located in Queens, Manhattan, and Brooklyn. The three bills addressed in this committee report are designed to accompany that ULURP in order to ensure adequate oversight over the construction of new facilities, improve conditions of confinement in new borough-based jails, and reinvest cost-savings from the closure of older jails into directly impacted communities.

*Borough Based Jail Plan*

The Administration’s plan to close jails on Rikers Island and open new borough-based facilities is projected to be complete in 2026. The plan involves reducing the New York City jail population to 3,300 people, demolishing all current facilities, and building new facilities in Manhattan, Queens, Brooklyn, and the Bronx.[[1]](#footnote-2) It is unclear which buildings will be constructed first, whether or not people in custody in existing facilities will be relocated to jails on Rikers Island, and how staffing plans will be impacted throughout the implementation of the plan.[[2]](#footnote-3)

*Jail Conditions*

The jails on Rikers Island have been called some of the worst in the country.[[3]](#footnote-4) In a recent BOC report on jail conditions and operations during a city-declared heat emergency, the Board recorded temperatures in jail facilities as high as 95.8 degrees.[[4]](#footnote-5) Similarly, in a report conducted by The Independent Commission on New York City Criminal Justice and Incarceration Reform, chaired by former New York state chief judge Jonathan Lippman (the “Lippman Commission”), jails on Rikers Island were found to be filled with “leaks, water damages. . . [and] foul smells emanating from the parts of the island that are composed of landfill.”[[5]](#footnote-6) This report also stated that the isolated nature of Rikers Island creates numerous issues, both fiscal and moral. It is accessible by only a narrow bridge, and transportation to courthouses from the Island costs about $31 million per year.[[6]](#footnote-7) Moreover, the isolated nature of the island, combined with construction that uses long, linear, corridors, lends itself to a culture of violence and neglect.[[7]](#footnote-8) Furthermore, the physical design of the jails fails to foster ample programming or mental health treatment. For example, in Anna M. Kross Center, there are a dearth of confidential treatment spaces near housing units for the effective delivery of mental healthcare, and clinical sessions are often held in utility closets or dayroom floors.[[8]](#footnote-9)

*Addressing the Roots of Incarceration*

The vast majority of people who are incarcerated at Rikers Island and current borough-based facilities are Black and Latinx, and most of those incarcerated are detained without having been convicted of a crime.[[9]](#footnote-10) Numerous advocates have argued that systemic racism drives both poverty and mass incarceration, putting low-income people of color especially at risk for justice system involvement.[[10]](#footnote-11) According to an analysis by the Federation of Protestant Welfare Agencies (FPWA), as poverty rates increase, jail incarceration rates increase in New York City community districts.[[11]](#footnote-12) In fact, the five community districts with the highest poverty rates were also among the ten community districts with the highest jail incarceration rates. [[12]](#footnote-13) In addition to race and poverty, the link between incarceration and homelessness is well established. Jails and/or prisons increasingly constitute a feeder into the city’s homeless shelter system, particularly for single adults.[[13]](#footnote-14) From 2014 to 2017, the number and percent of formerly incarcerated individuals released directly from New York State correctional facilities to City homeless shelters rose dramatically.[[14]](#footnote-15) In 2017, more than 54 percent of individuals released from prison to New York City were released directly to the city’s shelter system, an increase from 23 percent in 2014.[[15]](#footnote-16) Also in 2017, more than 4,100 individuals were released to city shelters from upstate prisons, a 92 percent increase from 2014.[[16]](#footnote-17) Accordingly, one in five entrants to the shelter system comes directly from a New York State prison, up from one in 10 four years ago.[[17]](#footnote-18)

While the criminal justice system feeds into the homeless system, the reverse is also true as homeless behavior is often criminalized. Behaviors common among those experiencing homelessness, such as sleeping in a car or loitering, are all prohibited in New York State.[[18]](#footnote-19) The New York Civil Liberties Union filed a complaint in 2016 asking the New York City Commission on Human Rights to investigate the New York City Police Department’s practice of forcing people experiencing homelessness in Harlem to “move along” from place to place, sometimes threatening them with arrest.[[19]](#footnote-20) In January 2016, Governor Andrew M. Cuomo signed an executive order requiring local governments across the state to take people experiencing homelessness off the streets to shelters in freezing temperatures, “including involuntary placement.”[[20]](#footnote-21) The overlap of race, poverty, and homelessness with incarceration demonstrates the complexity of preventing justice involvement and that the health and humans services sector is best positioned to address many related needs.[[21]](#footnote-22)

1. **BILL ANALYSIS**
2. **PROPOSED PRECONSIDERED INTRODUCTION –A (RELATED TO REPORTING)**

Section one amends the administrative code by adding a new section 9-307 to require the Mayor’s Office of Criminal Justice (MOCJ) to issue a progress report on closing jails on Rikers Island and related efforts to reduce the jail population in the city and open jail facilities outside Rikers Island. The bill would require MOCJ to report on trends in the jail population, including average population disaggregated by facility; the timeline for closure; the budget and procurement of contracts related to closure; the design and construction of jail facilities, including relocating incarcerated individuals; changes to information technology infrastructure; and staffing plans for all correctional facilities. Section two requires an additional report from the Board of Correction (BOC) on the impact of the construction of city jails on the quality of life for incarcerated individuals, the impact of any significant changes to the design or construction of any new facilities on incarcerated individuals, and the impact of the construction of new city jails on work conditions for Department of Correction (DOC) and correctional health services staff and volunteers. Section 3 requires the BOC to issue a report on conditions facilities prior to the DOC housing incarcerated individuals on conditions at such facilities.

*Amendments to Preconsidered Introduction (Related to Reporting)*

This bill has been amended to require biannual, as opposed to quarterly reporting, and to require published blueprints to be provided to the Board of Correction.

1. **PROPOSED PRECONSIDERED INTRODUCTION –A (RELATED TO COMMUNITY REINVESTMENT)**

Section one establishes a commission on community reinvestment and the closure of Rikers Island, tasked with advising the City Council and the Mayor with respect to the ways in which the city should invest in neighborhoods and communities that have been disparately affected by mass incarceration to address the drivers of mass incarceration, and issuing a report on its recommendations. Membership on the commission includes:

* The commissioner of the Department of Social Services or their designee, who shall serve as chair
* The comptroller or their designee;
* The commissioner of the department of probation or their designee;
* A representative from the Mayor’s Office of Criminal Justice;
* Seven members appointed by the Mayor who have been formerly incarcerated or directly impacted by incarceration;
* Two members appointed by the Mayor who represent community-based organizations serving areas disparately affected by mass incarceration;
* One member appointed by the Speaker of the Council specializing in justice reinvestment;
* Four members appointed by the Speaker of the Council who have been directly impacted by incarceration
* The director of the Department of Health and Mental Hygiene or their designee; and
* The director of Housing Preservation and Development
* A representative from the office of the Public Advocate

Section two makes it so that the law takes effect immediately.

*Amendments to Preconsidered Introduction (Related to Community Reinvestment)*

This preconsidered introduction was amended to add additional members to the commission, and to ensure that half of all commission members have been directly impacted by incarceration. The legislation also has been amended to require the mayor to respond to recommendations within 60 days of publication of the report.

1. **PROPOSED PRECONSIDERED INTRODUCTION –A (RELATED TO JAIL DESIGN)**

Section one amends the Administrative Code to add a new section 9-157 to require new correctional facilities to be designed in a manner that deprioritizes an institutional appearance and the use of bars. It creates general requirements for all newly built correctional facilities, such as infrastructure that provides internet capability, designated spaces for re-entry services and programming, access to clinical space for each housing unit, and heating and air conditioning. It requires individual living quarters in new facilities must be no less than 75 square feet, whereas state regulations currently only require cells to be 60 square feet.[[22]](#footnote-23) It also requires living quarters to contain a functioning toilet, sink with potable water, and bed, have at least one window with access to natural light, and contain no more than one bed. It requires dormitories to be equipped with a sufficient number of functioning toilets, sinks with potable water, showers, and have at least one unit with access to natural light. It requires housing units to have a recreational area with access to fresh air and natural light and a kitchenette. The bill also requires the DOC to digitize communications. Section two amends section 9-139 of the administrative code to require the DOC to allow incarcerated individuals to decorate a designated area of their living quarters and to address people in custody by their names, to use their preferred pronouns, and expresses zero tolerance for dehumanizing terms such as “body.”

*Amendments to Preconsidered Introduction (Related to Jail Design)*

This legislation has been amended since introduction to change the title from “minimum standards” to “guiding principles,” so as not to confuse the law with Board of Correction minimum standards, which will continue to apply to all correctional facilities. The law also has been amended to ensure that each person in custody shall have access to a light that can turn on and off. The bill has been amended change the word “cell” to “living quarters,” and to allow people in custody to decorate a designated area of their living quarters.

Preconsidered Proposed Int. No. \_\_\_\_-A

By Council Members Ayala and Levin

A Local Law to require the board of correction to report on the impact on incarcerated individuals of closing jails on Rikers Island and to amend the administrative code of the city of New York, in relation to requiring the mayor’s office of criminal justice to report on progress in closing jails on Rikers Island

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-308 to read as follows:

§ 9-307 Report on the closure of jails on Rikers Island.

a. Beginning on the 30th day of January in the year 2020, the mayor’s office of criminal justice shall submit shall submit a biannual report to the council and post to the office’s website and the city’s open data portal, a progress report on closing jails on Rikers Island and opening jail facilities outside Rikers Island. Such report shall be submitted within 60 days of January 1 and July 1 of each year and shall include information on the following issues:

1. Trends in the jail population and the drivers of population changes, including the following:

(a) the average daily population in total and disaggregated by facility, by borough of arrest, and in the following categories: pretrial, sentenced, technical parole violation, pretrial with  parole violations, and other;

(b) the average and median length of stay of incarcerated individuals detained pretrial, in total and disaggregated by borough of arrest and whether there is a co-occurring parole violations; and

(c) the number and percentage of pretrial detainees whose length of stay is longer than 30 days, 90 days, six months, and one year.

2. The total capacity and average daily population of each correctional facility solely operated by the department of correction, disaggregated by facility.

3. The timeline for closure of each correctional facility located on Rikers Island, any significant changes to such timeline, and any significant actions taken by the mayor in response to such changes.

4. The budget for closure, and any significant changes to such budget.

5. The procurement of contracts related to closure and construction of jail facilities, including any relevant timelines.

6. A general overview of the design and construction of new jail facilities and any related information regarding the timelines for the construction of new facilities.

7. Populations relocated as a result of new facility construction.

8. The progress of implementing an electronic management system for individuals in custody.

9. Staff plans, by facility, including but not limited to the following information for the reporting period: the number of uniform and civilian staff hired, the number of uniform and civilian staff terminated, and the number of uniform and civilian staff who left the department for reasons other than termination.

b. No information that is required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of information.

§ 2. Board of correction progress report. The board of correction shall publish a report on the impact on incarcerated individuals of closing jails on Rikers Island and constructing new facilities to replace such jails, commencing on July 1, 2020 and every six months thereafter. Such report shall include but not be limited to information on the following issues:

a. The impact of the construction of new city jails on the department of correction and correctional health services’ ability to comply with board of correction minimum standards;

b. The impact of any significant changes to the design or construction of any new jails on any incarcerated individuals and compliance with board of correction minimum standards.

§ 3. Board of correction facility report.  The board of correction shall publish a report on compliance with the board’s minimum standards at each facility intended for the incarceration of individuals under the jurisdiction of the department of correction constructed after the effective date of this local law. Each such report shall be published no later than sixty days from the later of approval of occupancy from the department of buildings or the New York state commission of correction for the facility to which such report applies. Prior to publication, relevant parties shall be given 30 days to review each such report. The board of correction shall be given sufficient access to such facility to obtain the information necessary to complete such report, and shall have access to all published requests for proposals, contracts, and blueprints, program plans, and other materials related to the design and construction of such facility. All such materials shall remain confidential and may not be disclosed by such board to any person. The use of such facilities shall not be dependent on the publication of such report or its contents.

§4. Effective date. This local law takes effect immediately and is repealed after July 1, 2028.

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| Preconsidered Proposed Int. No. \_\_\_-A    By Council Member Levin    A Local Law in relation to the establishment of a commission to make recommendations on reinvestment in communities impacted by Rikers Island    Be it enacted by the Council as follows:  Section 1. a. Commission established. There is hereby established a commission on community reinvestment and the closure of Rikers Island.  b. Duties. The commission, in consultation with an expert on justice reinvestment appointed by the council, shall provide advice and recommendations to the city council and the mayor with respect to the ways in which the city can invest in neighborhoods and communities that have been disparately affected by mass incarceration to address the drivers of mass incarceration. Within six months of the formation of the commission, no later than the 30th day of each December thereafter, such commission shall submit an annual report to the mayor and the speaker of the city council and publish such report prominently on the website of the department of social services. Such report shall identify neighborhoods and populations most impacted by historical incarceration rates, analyze or assess ways in which reinvestment can reduce incarceration rates and identify opportunities for reinvestment in such communities that shall include, but not be limited to, the following:  1. Investments address the root causes of crime and preventing crime, such as housing, public health and social programs;  2. Practices, policies and community investments that avoid contact with the criminal justice system for persons in mental health crisis, struggling with substance use disorder, homelessness and extreme poverty or other situations in which a traditional law enforcement response may be unwarranted or ineffective; and  3. Proposals for legislation, reviews of prosecutorial practices and police procedures that impact any such issues.  c. Membership.  1. The commission shall be composed of the following members:  (a) The commissioner of the department of social services or their designee, who shall serve as chair;  (b) The comptroller or their designee;  (c) The commissioner of the department of probation or their designee;  (d) A representative from the office of criminal justice;  (e) Seven members appointed by the mayor who have been formerly incarcerated or directly impacted by incarceration;  (f) Two members appointed by the mayor who represent community-based organizations focused on serving the needs of neighborhoods historically impacted by mass incarceration, such as Brownsville, The South Bronx, East New York, Harlem, and Bedford-Stuyvesant;  (f) One member appointed by the speaker of the council specializing in justice reinvestment;  (h) Four members appointed by the speaker of the council who have been formerly incarcerated or directly impacted by incarceration;  (i) The commissioner of the department of health and mental hygiene or their designee;  (j) The commissioner of the department of housing preservation and development or their designee;  (k) A representative from New York city health and hospitals corporation; and  (l) A representative from the New York city office of the public advocate.  2. All appointments required by this section shall be made no later than 90 days after the effective date of this local law.  3. Each member of the commission shall serve at the pleasure of the officer who appointed the member. In the event of a vacancy on the commission, a successor shall be selected in the same manner as the original appointment. All members of the commission shall serve without compensation.  4. No member shall be removed from the commission except for cause.  d. Meetings.  1. The chair shall convene the first meeting of the commission no later than 30 days after the last member has been appointed.  2. The commission may invite relevant experts and stakeholders to attend its meetings and to otherwise provide testimony and information relevant to its duties.  3. The commission shall meet no less than once each quarter to carry out the duties described in section one.  4. The commission shall hold public hearings on a quarterly basis.  e. The commission shall identify between five and ten neighborhoods that have been disparately impacted by mass incarceration, and solicit feedback from community based organizations and service providers focused on serving the needs of such neighborhoods.  f. Agency support. Each agency affected by this local law shall provide appropriate staff and resources to support the work of such agency related to the commission.  g. Within 60 days after publication of the commission’s report, the mayor of the city of New York shall publish a response to each recommendation published by the commission.  h. Termination. The commission shall terminate on March 31, 2027.  § 2. This local law takes effect immediately.              KMD/AS  LS 10630  10/9/19 11:55 AM |

Preconsidered Proposed Int. No. \_\_\_-A

By Council Members Powers and Rosenthal

..Title

A Local Law to amend the administrative code of the city of New York, in relation to amending the bill of rights for incarcerated individuals and establishing guiding principles for the design of newly constructed jails

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-159, to read as follows:

§ 9-159 Guiding principles for new correctional facilities. a. Definitions. As used in this section, the following terms have the following meanings:

Dormitory. The term “dormitory” means a unit which houses multiple individuals. This term shall have the same meaning as the term “multiple occupancy housing unit” .

Housing unit. The term “housing unit” means a structure or part of a structure that contains single occupancy housing units or multiple occupancy housing units, as those terms are defined in the rules of the New York state commission of correction.

Living quarters. The term “living quarters” means an individual occupancy housing unit as defined in section 7040.4 of title 9 of the compilation of codes, rules and regulations of the state of New York or any successor provision.

Kitchenette. The term “kitchenette” means a space equipped to be used for heating food and water.

b. Every city correctional facility under the sole jurisdiction and control of the department built after the effective date of the local law that added this section shall comply with the following requirements:

1. Design requirements. Each such facility shall be designed, where practicable, in a manner that deprioritizes an institutional appearance and the use of bars.

2. General requirements. Each such facility shall include:

(a) a call button or telephone in each room that incarcerated individuals may use to contact staff;

(b) infrastructure that provides internet capability, subject to security and safety protocols of the department;

(c) designated spaces for re-entry services and programming, with sufficient space and infrastructure to accomplish the purposes of the services offered therein;

(d) access to clinical space for each housing unit, with 24 hour access to emergency response;

(e) systems that provide heating and air conditioning;

(f) visiting spaces, waiting areas, and other spaces in which visitors frequent that include an area that is suitable for children; and

(g) an outdoor recreation area.

3. Individual living quarters. Each individual living quarter in such facility shall:

(a) be no less than 75 square feet (6.97 square meters) in total area and no less than six feet (1.83 meters) in any direction;

(b) contain a functioning toilet, sink with potable water, single bed, and a closeable storage container for personal property for a single person;

(c) have at least one window with access to natural light. The total area of all windows in each living quarter shall be a least one-tenth the floor area of such room;

(d) contain no more than one single bed and house no more than one person; and

(e) contain at least one light that can be turned on and off.

4. Dormitories. Each dormitory in such facility shall:

(a) be equipped with a sufficient number of toilets and sinks, and provide showers in accordance with the minimum standards of the New York city board of correction and the guidelines of the New York state commission of correction for multiple occupancy housing units;

(b) have at least one window with access to natural light in each living space within such dormitory. The total area of all windows in each dormitory shall be a least one-tenth the floor area of such space; and

(c) contain a minimum of 75 square feet (6.97 meters) of floor space per person in the sleeping area.

5. Housing units. Each housing unit in such facility shall

(a) include a recreation area with access to fresh air and natural light; and

(b) contain a kitchenette.

6. Bathrooms shall be accessible at all times to individuals housed in each such facility.

c. The department shall digitize paper-based communications and ensure that correctional facilities built after the effective date of the local law that added this section are wired in such a fashion to allow for such electronic communications. Such communication shall include but not be limited to (1) the location of incarcerated individuals, (2) communications between staff, (3) the filing of grievances, and (4) communications regarding bail status, in accordance with standards set by correctional oversight agencies.

d. This section is not intended to encompass the entirety of standards to apply to jail facilities.

§ 2. Subdivision g of section 9-136 of the administrative code of the city of New York, as added by local law number 134 for the year 2019, is amended to read as follows:

g. The department shall install grievance kiosks in each facility where incarcerated individuals may file grievances electronically and in a private setting by [January 2026] December 31, 2026. Such kiosks shall be accessible in multiple languages and shall provide incarcerated individuals physical receipts confirming filing. If a request made through the kiosk is not subject to the [inmate] grievance and review process, the kiosks shall provide incarcerated individuals with information regarding where the grievance should be redirected.

§ 3. Section 9-139 of the administrative code of the city of New York, as amended by local law number 91 for the year 2015, is amended to read as follows:

§ 9-139 [Inmate] Bill of rights for incarcerated individuals. a. The department shall inform every [inmate] incarcerated individual upon admission to the custody of the department, in writing, using plain and simple language, of their rights under department policy, which shall be consistent with federal, state, and local laws, and board of correction minimum standards, on the following topics: non-discriminatory treatment, personal hygiene, recreation, religion, attorney visits, access to legal reference materials, visitation, telephone calls and other correspondence, media access, due process in any disciplinary proceedings, health services, safety from violence, and the grievance system.

b. The department shall inform every [inmate] incarcerated individual upon admission to the custody of the department, in writing, using plain and simple language, of their responsibilities under the department's rules governing their [inmate] conduct.

c. The department shall inform every [inmate] incarcerated individual upon admission to the custody of the department, in writing, using plain and simple language, of available services relating to education, vocational development, drug and alcohol treatment and counseling, and mental health treatment and counseling services.

d. The department shall publish on its website any documents created pursuant to this section. Such documents shall be available in English and Spanish.

e. Within 24 hours of admission to the custody of the department, the department shall provide to each [inmate] incarcerated individual an oral summary of the rights and responsibilities enumerated in subdivisions a, b, and c of this section in their [the inmate's] preferred language, if the language is accessible through the city's language access plan. The department shall make a good faith effort to provide an oral summary in languages that are not accessible through the city's language access plan as soon as practicable.

f. Upon admission to the custody of the department, each [inmate] incarcerated individual shall also be offered the option of being provided the Connections guidebook for formerly incarcerated people, or any similar or successor book or handbook that describes resources available to those re-entering society after being incarcerated.

g. The department shall allow incarcerated individuals to decorate a designated area of their living quarters, with appropriate oversight from the department regarding safety and security considerations.

h. The department shall maintain a policy that requires its employees to refer to individuals in custody by their names and their preferred pronouns, if known and if practicable, and has zero tolerance for staff addressing individuals in custody using dehumanizing terms, such as the word “body.”

§ 4. This local law takes effect 120 days after it becomes law, except that the commissioner of correction may take such measures as are necessary for its implementation, including the promulgation of rules, before such date.

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1. Testimony of various Administration officials before the New York Council Subcommittee on Landmarks, Public Siting and Maritime Uses, September 5, 2019. [↑](#footnote-ref-2)
2. See Id. [↑](#footnote-ref-3)
3. James Ridgeway and Jean Casella, “America’s 10 Worst Prisons: Rikers Island,” May 2013, *available at* <https://www.motherjones.com/politics/2013/05/america-10-worst-prisons-rikers-island-new-york-city/> [↑](#footnote-ref-4)
4. Lippman Commission, “A More Just New York City,” May 2017, *available at* <https://static1.squarespace.com/static/5b6de4731aef1de914f43628/t/5b96c6f81ae6cf5e9c5f186d/1536607993842/Lippman%2BCommission%2BReport%2BFINAL%2BSingles.pdf> [↑](#footnote-ref-5)
5. Id. [↑](#footnote-ref-6)
6. Id. [↑](#footnote-ref-7)
7. Id. [↑](#footnote-ref-8)
8. Testimony of Brook Menschel, Brooklyn Defender Services, before the New York Council Committee on Hospitals, Committee on Mental Health, Disabilities, and Addiction and Committee on Criminal Justice Oversight Hearing on Correctional Health, November 15, 2018. [↑](#footnote-ref-9)
9. Lippman Commission, “A More Just New York City,” May 2017, *available at* <https://static1.squarespace.com/static/5b6de4731aef1de914f43628/t/5b96c6f81ae6cf5e9c5f186d/1536607993842/Lippman%2BCommission%2BReport%2BFINAL%2BSingles.pdf>; See also Mayor’s Office of Criminal Justice, “Jail: Who is in on bail?,” May 2019 *available at* <https://criminaljustice.cityofnewyork.us/wp-content/uploads/2019/05/Bail_2019_May_draft-23.pdf> [↑](#footnote-ref-10)
10. E.g., FPWA, “Ending the Poverty to Prison Pipeline,” April 2019 *available at* <http://www.fpwa.org/wp-content/uploads/2019/04/FPWAs-Ending-the-Poverty-to-Prison-Pipeline-Report-2019-FINAL.pdf> [↑](#footnote-ref-11)
11. *Id.* [↑](#footnote-ref-12)
12. *Id.* [↑](#footnote-ref-13)
13. Cheney, Brendan, “Single Adults in Homeless Shelters Are on The Rise,” POLITICO (Sept. 20, 2018) *available at* <https://www.politico.com/states/new-york/city-hall/story/2018/09/19/single-adults-in-homeless-shelters-are-on-the-rise-619726> [↑](#footnote-ref-14)
14. Coalition for the Homeless, State of the Homeless 2018, *available at* <http://www.coalitionforthehomeless.org/state-of-the-homeless-2018/>. [↑](#footnote-ref-15)
15. *Id.* [↑](#footnote-ref-16)
16. *Id.* [↑](#footnote-ref-17)
17. *Id.* [↑](#footnote-ref-18)
18. National Law Center on Homelessness & Poverty, “Housing Not Handcuffs,” Oct. 2018, *available at* [https://nlchp.org//wp-content/uploads/2018/10/Housing-Not-Handcuffs.pdf](https://nlchp.org/wp-content/uploads/2018/10/Housing-Not-Handcuffs.pdf) [↑](#footnote-ref-19)
19. ACLU National, “NYPD Should Not Take the Lead in Fixing New York’s Homeless Crisis,” Medium, Oct. 26, 2018, *available at* <https://medium.com/aclu/nypd-should-not-take-the-lead-in-fixing-new-yorks-homeless-crisis-3527b20c2d03> [↑](#footnote-ref-20)
20. Annie Correal, “Cuomo Orders That Homeless Be Taken to Shelter in Freezing Weather,” Jan. 3, 2016, *available at* <https://www.nytimes.com/2016/01/04/nyregion/cuomo-orders-homeless-people-to-be-taken-to-shelters-in-freezing-weather.html> [↑](#footnote-ref-21)
21. FPWA, “Ending the Poverty to Prison Pipeline,” April 2019 *available at* <http://www.fpwa.org/wp-content/uploads/2019/04/FPWAs-Ending-the-Poverty-to-Prison-Pipeline-Report-2019-FINAL.pdf> [↑](#footnote-ref-22)
22. N.Y. Comp. Codes R. & Regs. tit. 9, § 7040.4 [↑](#footnote-ref-23)