



Legislation Text

File #: Int 1742-2019, Version: A

Preconsidered Int. No. 1742-A

By Council Members Ayala, Levin, Kallos, Rivera, Ampry-Samuel and Treyger

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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