



April 23, 2019

Derrick Cephas, Chair
Members of the Board
NYC Board of Correction
1 Centre Street, Room 2213
New York, NY 10007

Re: Board of Correction Special Hearing: PREA Compliance

Dear Chair Cephas and Members of the Board,

Exodus Transitional Community (Exodus) thanks the Board for scheduling a hearing on Minimum Standards to Eliminate Sexual Abuse and Sexual Harassment in NYC Jails. I, Kandra Clark, Associate Vice President with Exodus, would like to personally thank you for allowing testimony at the September 6, 2018 hearing regarding Sexual Abuse and Harassment in NYC Jails, where I testified as a staff member with the Fortune Society. It is unfortunate that I cannot remain present for today's hearing. After the September 6th hearing, DOC's inability to protect women and the transgender community became even more apparent. As you can recall, the ratio of the number of reports of sexual abuse (over 700) and the number of rape kits administered (less than 30) was jaw dropping. Again, having survived the horrors of Rikers, and hearing hundreds of other women testify (at various meetings including several with MOCJ and in trauma-informed groups as service providers) about the abuse they experienced in the 80s, 90s, 2000s, and today, the time for drastic action is NOW. We cannot wait for one more woman or transwoman to be harmed by the cycle of abuse and harassment perpetuated on Rikers.

In addition to my role with Exodus, where we will be launching a GIRLS Project in the near future to train women to become Credible Messengers through the Exodus Institute for Transformative Mentoring, I am a member of the Beyond Rosie's Steering Committee with the

Women's Community Justice Association (where I am also a Board Member). Beyond Rosie's is a broad-based group of women with lived experience in the justice system, thought leaders and executives from community non-profits. Our mission is to help transform the NYC justice system for women in deep and sustainable ways while elevating the experiences of personally impacted women to create meaningful programs and services both in a secure facility and in the community. Beyond Rosie's has a vision to reimagine justice, dignity and safety for women in the criminal justice system.

As a leader and expert in the field, I implore you to consider creating a Committee, the majority of which to be composed of directly impacted people, to work specifically on the design of the women and transwomen (centralized to date) facility. Through the collective efforts of advocates across NYC, including several organizations that have testified today, we know that we can close the Rose M. Singer by 2020. We also know that we can design a trauma-informed healing space and women-centric, secure, stand-alone, conveniently-accessible facility or facilities for women and transwomen in the community (and it would not take a ULURP Process to do). Only through a trauma-informed facility, with a completely new staffing structure, will we be able to eliminate sexual assault and abuse experienced by detained and incarcerated people who identify as women, as well as their family members, friends, neighbors, colleagues, and members of the community who visit them. Through continuing decarceration efforts aimed at both reducing the overall rate of incarceration, we have a historical opportunity to design this state of the art facility or facilities immediately for approximately 100 women/transwomen or less.

I have several questions for today's hearing and look forward to reading through the transcript, and continuing to collectively work towards reimagining our justice system for women and transwomen moving forward:

1. Why are male officers assigned for duty at the Rose M. Singer Center with such a high percentage of female officers on staff?
2. Are there still 5 PREA compliance officers? How many PREA ambassadors?
3. Who conducts the initial screening regarding sexual assault and abuse during intake and transfer to a new facility? Can we see an example of the screening tool? Are there data attached to the screening tool?
4. Are PREA compliance officers and ambassadors trauma-informed? If so, what external organization trains them and can you describe the training?
5. According to the NYC Department of Correction NYC Board of Correction Sexual Abuse and Sexual Harassment Minimum Standards 5-04 (g) Video Surveillance Cameras on Transport Vehicles Pilot Report – March 1, 2019, "Of all the allegations reported to the Investigation Division that alleged sexual harassment and or sexual abuse during the comparative pilot period, 0.7% alleged to have occurred on or around transport buses (6 of 810). Nothing about the allegations, however, provided information sufficient to conclude that there was a specific area of the bus where camera coverage would be most needed in order to capture these types of events." Can we receive further elaboration on this? Were the officers wearing body cameras? What were the outcomes?

6. According to “§ 5-08 Hiring & Promotion Decisions: § 5-08: (a) The Department shall not hire or promote anyone who may have contact with inmates and shall not enlist the services of any contractor who may have contact with inmates who have a history of engaging in sexual abuse (in a facility, has been convicted in engaging/attempting to engage in sexual activity by force, threats, or coercion, and has been civilly/administratively adjudicated to have engaged in the activity). (b) Requires that Incidents of sexual harassment should be considered in determining hiring/promotion decisions when they have contact with inmates. (c) Before hiring, DOC shall (1) perform background checks (COs and contractors/volunteers) and (2) contact all prior employers for information on allegations of sexual abuse. (d) DOC must perform criminal background checks BEFORE hiring contractors and (e) at least every 5 years of current employees/contractors who have contact with inmates. (f) DOC shall ask applicants/employees/potential promotees who may have contact with inmates about previous misconduct and impose a continuing obligation to report misconduct to DOC by employees/contractors. (g) Material omissions shall be grounds for termination. (h) Unless prohibited by law, the agency shall provide information on substantiated allegations of sexual abuse/harassment involving a former employee upon receiving a request from an institutional employer from whom such employee has applied to work.” How many people has DOC screened that have produced dispositive results and been denied employment, access to volunteer, etc.?
7. In addition to DOC’s culture, the directives are written with dehumanizing language. For the women/transwomen facility or facilities, will directly impacted people, possibly the Committee suggested above, have the opportunity in formulating trauma-informed directives which use humanizing language? Using humanizing language is important for everyone; however, women in particular (due to high rates of experiencing trauma) must hear and see humanizing language.

As a directly impacted woman, who continues to receive therapy weekly (8 years after my release from prison) as a direct result of the abuse I experienced before and during incarceration, the guidelines outlined under PREA are lackluster at best. I know that we can achieve a trauma-informed facility for women to meet their unique needs. I look forward to reading through the transcripts from today’s hearing and following up with additional questions at a later date. I want to thank you again for the opportunity to speak on this important and urgent issue.

Sincerely,

Kandra Clark
Associate Vice President
Exodus Transitional Community