



New York City Jails Action Coalition

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May 6, 2016

BY EMAIL

Stanley Brezenoff, Chair
Members of the Board of Correction
1 Centre Street, Room 2213
New York, NY 10007

Dear Chair Brezenoff and Members of the Board:

We write regarding the implementation of harm reduction policies that would begin to address the current crisis of rape, sexual assault, and sexual abuse occurring on Rikers Island and other New York City jails. Currently, the Jail Minimum Standards do not provide protection for incarcerated individuals from sexual victimization while in Department of Correction (DOC) custody.

In April 2015, Public Advocate Letitia James petitioned the Board to commence a rule-making process that would safeguard people incarcerated in City jails from sexual abuse and harassment. The petition proposes changes to DOC protocol, procedure, and oversight in order to curb the rampant sexual violence plaguing Rikers Island and other NYC jails. The proposed rules incorporate regulations set forth to implement the Prison Rape Elimination Act (PREA) of 2003, including: limits on cross-gender viewing and contact; supervision and video monitoring requirements; staff training, hiring, and promotion practices; assistance for detained individuals making allegations; improved intake and screening procedures; improved reporting and monitoring; and specific measures to protect women and adolescent girls as well as transgender and intersex persons. Subsequent comments and revisions were submitted by the Legal Aid Society, Brooklyn Defender Services, and the Sylvia Rivera Law Project.

In June 2015, the Board agreed that such rules were needed and voted to begin rule-making. Six months later, the Board announced that its Proposed Rules would not be published until February 2016. In February and again at the March Board meeting, the Board reported the Proposed Rules would be issued in May 2016. The May Board meeting is next week, Tuesday, May 10, 2016. No Proposed Rules have been published.

Over a year has passed, and the Board has yet to exercise its authority over the DOC to address a crisis affecting thousands of New Yorkers. During this year, news accounts revealed visitors to Rikers Island being sexually violated by correctional staff and at least one rape of a detained woman involving multiple correction officers on an inbound DOC bus to Rikers. Such reports in the media – as well as several lawsuits filed alleging sexual abuse in the jails – belie an ongoing and spiraling crisis.

The time has come for the Board to regulate the DOC in the area of sexual abuse. We urge the Board to publish Proposed Rules for public comment before the end of May.

Sincerely,

Jails Action Coalition