



November 9, 2021

Jennifer Jones Austin, Chair
Margaret Egan, Executive Director
New York City Board of Correction
One Centre Street
New York, NY 10007

Re: Board of Correction Meeting November 9, 2021

Dear Chair Jones Austin, Board Members, and Ms. Egan:

Since 1995, Children's Rights has been a national advocate for youth in state systems. We are also a member of the New York City Jails Action Coalition and the reconstituted Young Adult Task Force.

We appreciate the Commissioner's reported strides in reducing violence on the Island, reducing the number of guards' triple shifts, and increasing vaccination rates among staff. But the crisis on Rikers has not abated.

The Mayor's recent Executive Order, which we just learned today the Department itself requested, certainly hasn't helped matters by suspending the Board's minimum standard § 6-28 Restraints to allow the continued shackling of young adults to desks.

The Executive Order is a fitting testament to the saying, "When in danger, when in doubt, run in circles, scream and shout!" That is what this administration is doing. But it is the young adults on the Island who are in danger. They are in danger because of the Mayor's failed policies and his inattention. They are in danger because of officers' failure to show up for work while forcing their colleagues to work double and triple shifts. Young adults are in danger because our criminal system keeps sending them to New York City's version of Dante's circles of hell. Young adults are in danger because **they are simply not getting the attention they need and deserve in the form of programming, education, mental health services**, and even basic services. The Board must act to ensure that the Department provides essential safeguards to protect the rights of all incarcerated persons on Rikers, especially those of young adults.

Advocates have been told that violence among young adults is nine times higher than among adults. Again, this is because they are simply not getting the attention they need and deserve in

the form of programming, education, and other services. The August 24, 2021 letter from the *Nunez* monitor to the court concerning the current crisis on Rikers emphasized the “systemic dysfunction” in New York City’s jails. No matter how much the Department clamors for euphemistically named forms of punitive segregation, including the Risk Management Accountability System (RMAS), conditions do not improve on Rikers for young adults, or for those barely a few years older. Among the many people who have died in custody this year, one was 24 and one was 25 years old.

We would also like to emphasize that every incarcerated person, especially young adults, should always have 14 hours lock-out time whether separated from general population or not. Any less is inhumane, and does not lessen the violence rampant on the Island. Interaction with other human beings, including regular congregate programming, is essential to avoid adverse mental health effects for a population that already suffers high rates of mental illness.

It is long past time for a complete, thorough, and effective overhaul of the carceral system in New York City. We implore you to start today.

Sincerely,

A handwritten signature in dark ink, appearing to read "Daniele Gerard", with a stylized flourish at the end.

Daniele Gerard
Senior Staff Attorney

A handwritten signature in dark ink, appearing to read "Tobin Kassa", with a stylized flourish at the end.

Tobin Kassa
Paralegal