

Board of Correction Public Meeting
Written Testimony of Jullian Harris-Calvin
Director, Greater Justice New York
Vera Institute of Justice

November 21, 2022

My name is Jullian Harris-Calvin, and I am director of the Greater Justice New York Program at the Vera Institute of Justice, which works to end mass incarceration, protect immigrants' rights, and build safe, thriving communities.

Thank you for the opportunity to testify today on the Department of Correction's (DOC) requested variances limiting mail access for incarcerated New Yorkers. These variances masquerade as attempts to keep people in detention safe, wrongly blaming letters and packages for contributing to the dangerous conditions on Rikers that have led to 18 deaths so far this calendar year.¹ In practice, however, DOC's proposals will rob people of opportunities to connect with their families and communities, inflicting emotional and psychological stress that will further destabilize conditions on Rikers Island. We therefore recommend that the Board of Correction (BOC) deny DOC's requests.

There is no reason to believe the requested variances will achieve their intended effect. There is no evidence that bans on letters and packages have decreased drug-related deaths elsewhere; for example, in Missouri, overdose deaths actually increased after a ban on prison packages.² If DOC's goal is to reduce the inflow of drugs and other contraband, it must focus on its mismanagement and staffing issues, not mail. A February 2022 investigation by *The City* found that when in-person visitation on Rikers Island stopped during the pandemic, contraband surged. Although drug mail seizures increased during that period, DOC acknowledged that most drugs were not coming in through the mail.³ Instead, evidence points to some members of staff. In May 2021, prosecutors charged seven corrections officers and two civilian employees with smuggling contraband.⁴ More recently, in September, two corrections officers pleaded guilty to smuggling in drugs for bribes.⁵

Commissioner Molina has justified DOC's variance requests by pointing to three deaths on Rikers Island this year caused by fentanyl overdoses.⁶ We join the Commissioner in his concerns over these tragic and unnecessary deaths. However, restricting letters and packages will only cause more harm to people in detention, which in turn will worsen conditions for everyone on Rikers Island, including those working there. Instead of focusing on the mail, DOC should focus on the ongoing mismanagement and negligence that has made 2022 the deadliest year in New York City's jails since 2013, despite a dramatically reduced jail population.⁷

Connection to the outside world while incarcerated is essential for people in detention and communities more broadly. Research shows that visitation significantly reduces the risk of recidivism: visits to prison have been associated with recidivism reductions of between 13 and 25 percent.⁸ Another study found that people with no visitors while incarcerated were six times more likely to be reincarcerated than people with at least three visitors.⁹ Other research has demonstrated that visitation can reduce incarcerated people's symptoms of depression and decrease rule-breaking.¹⁰ Overall, contact with family while incarcerated has significant benefits for people in detention, their families, and safety both within carceral facilities and communities.¹¹

While existing research focuses on in-person visits, it seems reasonable to assume that communication and connection in general is what reduces recidivism. Many families and friends of incarcerated people have obligations that prevent them from making in-person visits. In these situations, letters and packages become someone's only connection to the outside world, a vital way for them to remain part of their families and communities while in detention. A low-quality photo of a child's drawing or blurred scan of a letter from a loved one is not the same as the real object, and an Amazon delivery is not the same as a package assembled by friends and family.¹² Mail scanning is part of an exploitative range of communications services that enrich private companies at the expense of incarcerated people.¹³ In addition, DOC's proposal to allow packages from retailers but not families will have a disparate impact on families with limited financial resources.

When we blame the wrong problems, we pursue the wrong solutions. Denying people in detention opportunities to connect with their communities through letters and packages will not eliminate the issue of drugs on Rikers Island. If DOC is serious about removing contraband, improving jail conditions, and ensuring the safety of all people on Rikers Island, it should focus its attention on its own operations, not incarcerated people's already-limited connections to their families. Longer term, city leaders must ensure a swift and smooth transition off Rikers and into four smaller, more humane borough-based jails. By virtue of their locations alone, these jails will make it easier for families to visit their loved ones, strengthening the connections that improve safety for everyone.

Thank you for the opportunity to provide testimony. Please do not hesitate to contact me if the Vera Institute of Justice may provide further support to you all.

¹ Jan Ransom and Jonah E. Bromwich, "Tracking the Deaths in New York City's Jail System in 2022," *New York Times*, November 4, 2022, www.nytimes.com/article/rikers-deaths-jail.html.

² Claudia Levens, "Overdoses in Missouri Prisons Continue Despite Electronic Mail Policy," *Jefferson City News Tribune*, October 18, 2022, <https://perma.cc/GT2Z-QUAK>.

³ George Joseph and Reuven Blau, "When Visitors Were Banned from Rikers Island, Even More Drugs Showed Up," *The City*, February 9, 2022, <https://perma.cc/DW8U-3YMR>.

⁴ Stephen Rex Brown, "Correction Officers, Staffers Took Bribes to Smuggle Scalpels, Phones, Drugs into NYC Jails, Say Feds," *New York Daily News*, May 26, 2021, <https://perma.cc/FT8W-TKL4>.

⁵ David Proper, "Two NYC Correction Officers Admit to Smuggling in Drugs for Bribes," *New York Post*, September 20, 2022, <https://perma.cc/DT48-JFFH>.

⁶ Reuven Blau, "City Jails Move to Digitize Mail, Which Led Other Lockups Into Legal Fights," *The City*, November 4, 2022, <https://perma.cc/ZG23-7VQ5>.

⁷ Jan Ransom and Jonah E. Bromwich, "Tracking the Deaths."

⁸ Minnesota Department of Correction, *The Effects of Prison Visitation on Offender Recidivism*, (Washington, DC: National Institute of Corrections, 2011), 27, <https://perma.cc/4Q8V-DB93>.

⁹ Leah Wang, "Research Roundup: The Positive Impacts of Family Contact for Incarcerated People and Their Families," *Prison Policy Initiative*, December 21, 2021, <https://perma.cc/A4R4-TRX9>.

¹⁰ Karen De Claire and Louise Dixon, "The Effects of Prison Visits From Family Members on Prisoners' Well-Being, Prison Rule Breaking, and Recidivism: A Review of Research Since 1991," *Trauma, Violence and Abuse* 18, no. 2 (2016): 185-199, pubmed.ncbi.nlm.nih.gov/26330175.

¹¹ Johanna B. Folk et al., "Behind Bars But Connected to Family: Evidence for the Benefits of Family Contact During Incarceration," *Journal of Family Psychology* 33, no. 4 (2020): 453-464, <https://perma.cc/9TBH-MX3C>.

¹² Nazish Dholakia, "More and More Prisons Are Banning Mail," *Vera Institute of Justice*, March 1, 2022, <https://perma.cc/6FP9-9NQQ>.

¹³ Leah Wang, "Mail Scanning: A Harsh and Exploitative New Trend in Prisons," *Prison Policy Initiative*, November 17, 2022, <https://perma.cc/8E5L-JCTU>.