



June 16, 2023

Dwayne C. Sampson, Chair
Jasmine Georges-Yilla, Interim Executive Director
New York City Board of Correction
One Centre Street
New York, NY 10007
VIA EMAIL

Re: Board of Correction Meeting June 13, 2023

Dear Chair Sampson, Interim Executive Director Georges-Yilla, and Board Members:

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. Our experience with adolescents and young adults in foster care and juvenile justice systems often brings us into contact with young adult and youth corrections policy, as our clients are disproportionately represented in young adult and juvenile correction facilities. We advocate for young adults incarcerated on Rikers Island.

Tuesday's disturbing testimony from the Department and advocates alike regarding the inhumane, degrading treatment of incarcerated persons on the Island makes it ever more clear that Rikers must close as scheduled by August 2027.

Specifically:

1. The April 3rd and April 24th *Nunez* reports note a long pattern of questionable promotion decisions reflective of the Department's longstanding culture of mismanagement.¹ They also note a "continued cause for alarm" at the "persistently high rates of use of force and interpersonal violence."² They document deficiencies in managing intake,³ along with ESU's mismanagement of serious incidents regularly leading to uses of force.⁴
2. The June 8th *Nunez* report's findings are universally damning regarding both the Department's attempts to prevent the Monitor from reporting on "life altering" incidents and deaths and an overall lack of transparency and accountability. The Monitor found that "The current state of affairs in the jails remains alarming, not just for the rampant violence and frequency with which force is used, but also because of regression in the Department's management."⁵ How many more such reports must the Monitor publish

¹ Status Report of the *Nunez* Independent Monitor (April 3, 2023) at 220.

² *Id* at 224.

³ Status Report of the *Nunez* Independent Monitor (April 24, 2023) at 16.

⁴ *Id* at 18.

⁵ Special Report of the *Nunez* Independent Monitor (June 8, 2023) at 5.

before we all work together to close Rikers as soon as possible in accordance with the law?

There are many additional issues deserving of the Board's attention. These include the Administration's slow-walking the Brooklyn borough-based jail; the Department's new Enhanced Supervision Housing directive that violates the Board's RMAS rules; the proposed city budget that could focus on crucial community investments to the tune of hundreds of millions of dollars, instead of funding COBA's vacant positions, not to mention staff who don't show up for work; and the April 6th fire at North Infirmiry Command.

We urge the Board to join us in advocating for decarceration, especially given the bill recently passed by the City Council.⁶ As we all well know, jails and prisons feed the cycle of crime; they don't prevent it.⁷ Incarceration makes people more likely to commit crimes when they get out, not less likely. Putting more people away simply does NOT improve public safety. Our young adults, all incarcerated persons, and city taxpayers deserve a more meaningful allocation of the \$557,000 per year that it costs to keep someone in the Department's custody.⁸

Thank you for focusing on the disaster that is Rikers.

Respectfully,



Daniele Gerard
Senior Staff Attorney
dgerard@childrensrights.org

⁶ <https://gothamist.com/news/nyc-lawmakers-pass-bill-designed-to-decrease-jail-population-ahead-of-rikers-closure>.

⁷ <https://vera-action.s3.us-east-2.amazonaws.com/Vera+Action+public+safety+messaging+research+deck+-+long+version+FINAL.pdf>

⁸ <https://comptroller.nyc.gov/newsroom/comptroller-stringer-cost-of-incarceration-per-person-in-new-york-city-skyrockets-to-all-time-high-2/>