



March 14, 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: The Department of Correction's Continuing Variance Requests from Minimum Standards § 1-11(e)(1)(i) Regarding Correspondence and § 1-12(a) Regarding Packages; and the Board of Correction's Public Meeting Frequency Resolution

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.

We call on the Board of Correction to (1) reject the resolution to reduce the number of Board meetings and (2) deny both of the requested variances.

First, regarding the Public Meeting Frequency Resolution: Children's Rights supports Legal Aid wholeheartedly in their description of how fewer meetings and less public testimony will gut the Board process by reducing both transparency and public input. These measures smack of authoritarianism. We hold the Mayor responsible, and urge the Board to reject this resolution.

Second, the variance requests on mail and packages are mean-spirited and small-minded.<sup>1</sup> One of the few lifelines incarcerated persons have in the hellhole that is Rikers is to connect with their loved ones through items they can repeatedly see and touch—especially when it comes to letters or crafts from children. On top of every other inhumane practice and indignity suffered by each incarcerated person on Rikers, for which New Yorkers pay well over half a million dollars per year per person, approving these variance requests would be yet another example of cruel thoughtlessness. We urge the Board to deny the Department of Correction's requested variances from the minimum standards.

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<sup>1</sup> The variance request regarding packages further ignores that shipping costs could make purchasing online prohibitive for families.

Third, Commissioner Molina's remarks at today's meeting regarding Rikers' wretched physical plant only underscore the dire need for the Island to close on time and in accordance with current law. When is the Board going to address the Mayor's and the Commissioner's stated plan not to close Rikers as the law demands, especially now that the Mayor has publicly encouraged slow-walking construction of the new Brooklyn jail? The Empire State Building was built in under 14 months. Nothing should stand in the way of completing construction on the borough-based jails by August 2027.

Finally, when is the Board of Correction going to use its oversight power to demand that Rikers decarcerate below the 3,300 people the borough-based jails are designed to hold? The Board and the Department should be doing everything possible to ensure this happens.

Month after month, advocates come before the Board to express our concerns, because doing so is one of the few options we have to make our voices heard. But far too often, we leave with the feeling that we are hitting our heads against a brick wall.

We are just lucky that brick wall is not on Rikers.

Respectfully,

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

Daniele Gerard

Senior Staff Attorney

dgerard@childrensrights.org