



TESTIMONY OF:

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Presented Before:

**The New York City Board of Correction
Special Hearing on Sexual Abuse and Sexual Harassment Minimum Standards in
Correctional Facilities**

April 23, 2019

My name is Simone Spirig and I am a Jail Services Social Worker at Brooklyn Defender Services. I want to thank you for the opportunity to speak at today's hearing, and share with you some of the experiences of our clients at BDS; clients whose voices are often marginalized and unable to be heard.

Our office is deeply troubled by the Department's lack of accountability within the Department to end sexual abuse. Thousands of people report sexual abuse each year in our City jails and many more incidents go unreported.

I would like to share with you a story about a woman our office has discussed with the Department and the Board many times over the years. We repeat it with you today because her story represents potentially thousands of other people incarcerated in our City jails.

Earlier on the day that Ms. A was raped, she had appeared in court with her lawyer. After her appearance she returned on an early afternoon bus back to Rikers Island. Ms. A was raped by a male officer at the back of the bus in a parking lot on Rikers Island, all while the driver of that bus sat and watched. When she reported the incident, the bruises on her wrists and thighs were clearly visible. The two officers on the bus held Ms. A against her will and tortured her without anyone questioning the missing bus, the missing officers, the missing woman, or why it took more than 10 hours for Ms. A to travel from court to her housing unit.

Her story propelled our office to demand the installation of cameras on buses during the 2016 rule-making. It became a tiny victory when the Board approved the condition and required the Department to institute a one-year pilot program to install video cameras on Department transportation vehicles and then report back to the Board. Unfortunately, as far as the public is

aware, the Department has yet to comply with the Board's standards and the deadline imposed by the Board was nearly *two years* ago. And when questioned by the Board or the public, the Department merely cites unspecified delays.

Though we appreciate that the Department faces significant pulls on its resources, delaying the effort to end sexual assault is simply unacceptable. Further, while the Board's efforts to hold the Department accountable are warranted and appropriate, we urge the Board to go further. The fact that the Board has issued the Department a notice of violation—one of only two ever issued—for failing to comply with the video camera requirement is an important first step. The fact that the Board took such a significant step indicates the troublesome nature of the problem. Nonetheless, we urge the Board to take additional steps, including conducting further investigations and demanding regular progress reports from the Department.

This is one example that highlights the importance of transparency on behalf of the Department and the Board.

Additionally, we have grave concerns over whether the Department is capable of competently investigating sexual abuse in DOC facilities or vehicles. Through reporting, the Board has already established that the Department's investigation practices are deeply flawed. Even more troubling, the Department has so far been incapable of installing cameras, a step that would deter abuse and provide a layer of safety for incarcerated individuals.

We urge the Board to hold the Department accountable for its inaction. The lack of willingness by the Department to abide by the minimum standards is detrimental for the City, and puts the incarcerated population at great risk. We have serious, unanswered questions about training, the competency of investigative staff, and the Department's ability to keep people in its custody safe.

These crucial failures by the Department only underscore the City's lack of concern to keep people in its custody safe, and disregard the need for voices from those incarcerated to be heard.

Thank you for your time.