

Written Testimony Submitted to the NYC Board of Correction on June 12, 2018
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I would like to thank the BOC and DOC for focusing on this epidemic of rape and sexual assault that is currently and has been raging through our City jails for over two decades. I appreciate the department's emphasis on PREA standard 5-80 which requires timely investigative closures. I have a FEW short comments about the current status of PREA (non) implementation:

1. I don't understand why this is the only board standard the DOC is currently focused on. I am also miffed as to why we weren't included in the recent conversations between the BOC and DOC ref: "resolving the backlog" of complaints of rape and sexual assault from Rikers. I have been patient, polite, helpful and I have BEGGED the board to be included.

2.) I find the plan submitted by the DOC on June 10, 2018 to be a wholly insufficient response to the current crisis of rape and SA and lack of implementation of the hundreds of PREA standards the department and the board voted to implement in November of 2016. Currently over 70 of the PREA standards approved in Nov of 2016 by the BOC remain UN-IMPLEMENTED.

3.) In March of 2018 the NYC DOC released a report claiming that ~1973 complaints of rape and sexual assault were filed from detainees and incarcerates on Rikers island in the years 2016 and 2017.

A report released on June 10, 2018 by the DOC and BOC purports that there are currently 2,275 open PREA and non-PREA complaints from Rikers from 2015, 2016 and 2017 but only 2167 complaints have been reported (188 from 2015, 828 from 2016 and 1151 from 2017 respectively.) The additional complaints may stem from 2018 but without data on closure rates from 2015-2018 it is impossible to interpret this data efficaciously.

4.) The categories the department is using to wipe the boards clean of complaints by deeming them "non-PREA" are arbitrary and do not comply with Board standards. Complaints of rape or SA of a detainee by another detainee are suddenly NOT PREA complaints? Complaints of illegal and Nor are complaints of detainees/incarcerates being assaulted during the search procedure and deemed non-PREA as well and the captains of individual units are now tasked with being the primary arbitrator

5.) Also there is something wonky with the way the DOC just made their own short closure form for investigations. PREA standards require certain information about investigations to be captured and documented. The narratives are necessary for many reasons and merely checking off boxes on a form only serves to assist perpetrators from being held accountable in civil matters where details about investigations are useful and necessary for civil rights attorneys.

6.) The June 10 2010 document raises many questions about how the DOC how the DOC is estimating the amount of time they need to close cases. I would like to see how they arrived at staffing estimates and average hours needed per case. Why wasn't the staffing plan published and distributed as per PREA standards?

7.) Most bizarre to me is the board is letting the DOC get away with not producing data. Why do we know nothing about substantiation rates? We know nothing about cases from prior years: we are still waiting on data regarding substantiation rates and average investigative span from 2014 and 2013?!

8.) We have been asking for visitor assault data for years. What about data from other City jails? What about breaking down data by facility on Rikers? I have been asking for this information for OVER a year. My FOILs to the DOC go ignored.

9.) Why did Townsend leave bf public comment? Why hasn't she reached out to us? We have been working on these issues for the better part of a decade and being shut out again does not feel collaborative or inclusive. I find I have NO CHOICE but look for other collaborators to help stave the rape and sexual assault epidemic in our City jails.