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Statement
to the
New York City Council
Committee on Fire and Criminal Justice Services
Elizabeth Crowley, Chairperson

by
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Examining the Unique Issues Facing Women in City Jails

Good afternoon, Chairperson Crowley and members of the Committee on Fire and Criminal Justice Services. I am Dina Simon, Acting First Deputy Commissioner of the New York City Department of Correction. Thank you for the opportunity to testify today regarding the unique issues facing women in city jails. This is an important topic and we appreciate your attention to it.

Since Commissioner Ponte came to our Department in 2014, he has emphasized that populations must be managed according to their unique needs. This philosophy can be seen in the changes to managing the adolescent population, the young adult population, the seriously mentally ill population, and we are applying it to the female population, as well.

Information about the population

In order to frame the unique needs facing women in city jails, we would like to provide some background on this population.

Women make up about 10% of admissions into DOC custody, but only 7% of the average daily population, which reflects their shorter lengths of stay as compared to men. The average length of stay for women is 39 days; the average length of stay for men is 59 days. Half of all females admitted to our custody are discharged in a week or less. About 60% of admitted women are released in less than two weeks and about 75% are released in less than a month. Of the 6,604 female inmate admissions in fiscal year 2015, fewer than 1,100 were in custody for three months or longer.

Women spend less time in custody because, as a group, they are admitted to custody for less serious crimes than men. For example,

- 35% of women are in custody on a top charge of a violent offense vs. 44% of men
- 23% of women are in custody on a top charge of a drug offense vs. 17% of men
- 13% of women are in custody on a top charge of a property crime vs. 6% of men

As with the male population, most of the women in custody are detainees whose cases have yet to be resolved. This means their lengths of stay are uncertain, as they can either be bailed out or released by the court at any time.

All of the females in DOC custody are housed in the Rose M. Singer Center, or RMSC, on Rikers Island.

Challenges Facing Women in DOC Custody

DOC recognizes that any gender responsive programming and strategies must respond to the significant needs that women in our custody have and the challenges they face. About 70% of the women in our care are known to mental health. The most common issues our women face are depression, anxiety, adjustment disorder, and personality disorders. Additionally, a significant number of women admitted to custody test positive for drugs. If mental health and substance abuse issues are not resolved, they are likely to seriously impact on a woman's successful reentry to the community.

Another significant obstacle to reentry is the lack of support received by many women in custody. Female inmates are visited less frequently than male inmates. A few issues contribute to this discrepancy. First, drug addiction and mental illness can sever ties with family and friends. This is true for men and women (men who suffer from drug addiction or mental illness are also visited less frequently), but these issues affect a higher proportion of women. It is also possible that female inmates get fewer visitors because the social stigma of incarceration is greater for women. Whatever the cause, this lack of support is something that must be considered when we are providing programming and preparing women for discharge back to the community.

Programs

The Commissioner has placed an emphasis on increasing programming for all inmates in custody. We have increased programming for adolescents and are doing so for young adults. We are also working to provide five hours of daily programming for the adult population.

The Department currently offers a variety of programs to address women's unique needs in the areas of reentry, employment and substance use needs. We are constantly looking to add to this catalogue in order to more holistically address the varied and changing needs of our population.

A major program component for women is currently provided through our Individualized Correction Achievement Network, or I-CAN. The program focuses on individuals who are at moderate to high risk of recidivism and partners with the Osborne Association and Fortune Society to provide the tools and support needed to ensure a successful reentry to the community along with a variety of program offerings such as relapse prevention, anger management, parenting workshops, work readiness, and cognitive behavioral therapy. The I-CAN programming uses Seeking Safety, an evidence-based, trauma-informed therapy proven effective for women with substance abuse and mental illness. Upon release, I-CAN participants receive assistance with employment, housing and substance use referrals. Earlier this year, the program was funded for expansion, enabling us to increase the number of individuals we serve from 2,270 to 6,400.

A range of other programs address women's educational and vocational needs. All 16-17 year olds attend school at the East River Academy. The Department of Education's Office of Continuing Adult Education offers GED programming for adults. DOC's Workforce Development Unit offers work readiness programming that enables participants to create resumes, prepare cover letters, and practice interviewing. The Manhattan College allows women who already have a high school diploma or GED the opportunity to earn three credits towards a college degree. The Horticultural Society of New York operates the Greenhouse Project, which includes classroom instruction followed by hands-on experience that includes designing, installing, and maintaining the multi-use gardens. Upon release, participants can join an internship program. Single Stop,

available through a partnership with the Center for Urban and Community Services, assists city-sentenced women who are 18 or older with public benefits, eviction prevention, and other civil legal matters including, rap sheet error correction.

Several other programs focus on substance use, the impact of violence, and creative arts. Substance use treatment programming is provided through A Road Not Taken, which uses cognitive behavioral therapy to provide individual and group counseling. Steps to End Community Violence offers workshops that promote healing and social change, and provides assistance with custody issues including counseling, home visits and foster care services. A number of other providers offer leisure time activities including creative writing groups, drama classes offered by Stella Adler Studio, Zumba classes, and yoga classes. The Ministerial Services staff and Volunteer groups offer religious services and prayer groups and respond to women requesting assistance.

As I mentioned, the Department is working to expand program offerings so that all adults in the system receive five hours of programming per day. As part of our efforts to meet this goal, the Department has identified women-specific programming as an area for expansion. Program staff are looking for providers who may be able to address the needs of incarcerated women, since their pathways to incarceration and needs while incarcerated are often different than men's. We have identified a number of vendors who have experience with reentry services and we are assessing their ability to provide the programming requested. Additionally, the agency is hiring more counseling and reentry staff, who will be trained on the unique needs of incarcerated women.

In many cases, the best way for us to help women, both to not be readmitted to our custody and to improve their lives, is to securely connect them with the assistance, services, educational, and job training resources that they need to be successful once discharged from our custody. To get a better sense of what those needs are and what programs would be most helpful for the women in our custody, this past summer program staff surveyed more than 100 women, representing a cross section of the population. The survey focused on what the women would like to be doing with their time in custody as well as their reentry concerns and discharge planning needs. In terms of idleness reduction, an overwhelming majority of women were interested in exercise classes, domestic violence awareness classes, opportunities to be creative, and ways to deal with stress. For discharge planning, popular areas of interest include help finding affordable housing, domestic violence advocacy, assistance in regaining custody of their children, classes about strengthening parenting skills and interpersonal relationships, and classes about managing feelings and emotions. Interest in several areas of vocational training and educational services ranked high on the list among most of the population, particularly related to high school equivalency classes and general classes to improve reading and writing. These survey results are helping program staff create new programs and expand or modify current ones.

Nursery

RMSC has a nursery where a mother can live with her child until that child is a year old. To be housed in the nursery, a mother must apply and be accepted. The assessment is based on criteria including criminal history, behavior while in custody, and ACS history. Pregnant women may apply to keep their babies after they are born, and women who gave birth prior to entering DOC custody may also apply to have their infants brought in to live with them.

The nursery census has been very low in recent years, so we have reexamined our nursery admission standards while actively encouraging expectant mothers to apply. That being said, the safety of all of the children in the nursery must be the top priority, so mothers who might pose a safety risk are not admitted. Use has increased recently; there are four mothers and four babies in the nursery today.

In the nursery, the mothers are with their children all day. The mother can take the baby to visits and some programs. If a mother needs to go to court or attend a program where she cannot take her infant, another inmate who is a trained caretaker serves as the babysitter. A full-time nurse works with the mothers and infants in the unit.

Regarding the proposed Introduction 899, the Department can provide the Council with information about the nursery, but we do not think it is necessary to formalize the reporting of these few data in a reporting bill.

PREA

The Department has been working to come into compliance with PREA requirements. Six areas of the Commissioner's 14 Point Antiviolence Reform Agenda are PREA-related. These are:

1. Redefining the investigations division to ensure PREA training and integrity
2. Designing a recruitment, hiring, and staff selection plan in accordance with PREA
3. Expanding targeted training to add PREA training and specialized investigations and medical/mental health staff training
4. Improving leadership and culture to address a code of silence and to monitor retaliation
5. Creating an integrated classification and housing strategy that takes PREA's screening requirements and housing decision-making into account
6. Redefining first line incident response and ensuring all staff know and perform all PREA required response and reporting duties

In addition to these overarching initiatives, specific PREA compliance action plans are underway. A PREA Implementation workgroup, consisting of DOC and partner agency staff, has been created to initiate comprehensive efforts towards achieving PREA compliance at all facilities.

In July, the Commissioner and the Chief of Department issued a teletype informing all DOC about the PREA initiative, including the law and its application. Staff were told to expect changes in policy, procedure, and training and were advised that PREA would be rolling out agency-wide in the coming months. Also in July, the Commissioner and the Chief announced, via teletype, a new requirement that all supervisory staff (captains and above) conduct and document unannounced rounds at various times to all parts of all facilities where inmates have access, in order to identify and/or deter staff sexual abuse and sexual harassment. These announcements were a clear statement of DOC's full commitment to achieving PREA compliance.

In November, the Department held a PREA leadership symposium for all uniformed leadership in the agency, to introduce them to the standards and requirements under federal law. A new formal PREA policy is being created now.

The Department expects to have complete camera coverage of inmate areas in RMSC by the end of calendar year 2016.

DOC has also entered into an MOU with Safe Horizons, which provides a rape crisis hotline and in-person victim advocates for any victim needing or requesting emotional support services.

Additionally, the Department has established and staffed a hotline for private reporting (to non-uniformed staff) of all allegations of sexual abuse, harassment, and retaliation, consistent with PREA standards. Information about this hotline is posted throughout the DOC facilities.

Importantly, earlier this year, DOC partnered with The Moss Group. The Moss Group is a leading expert in the implementation of PREA. They provide technical assistance, operational assessments, and staff training. The Moss Group has been assessing our system and helping us create a plan to come into compliance. Our partnership with the Moss Group will continue for the next two years.

Conclusion

As I have discussed, the Department is committed to providing effective gender responsive programs and strategies and we are in the process of identifying ways to build on our current approach to supporting women in our custody. The Department is an active participant in the Young Women's Initiative, led by City Council, and we are committed to working with YWI partners to identify ways in which we can better support young women in NYC, including those in DOC custody. Also, as part of our overall initiative on PREA, the Department will be implementing gender-responsive training sessions for uniformed and non-uniformed staff in the facility. Finally, we are in the early stages of a process to create a gender-specific version of the Inmate Handbook, which will be given to all women upon admission to custody.

Thank you again for the opportunity to testify today. My colleagues and I will now be happy to answer any questions that you have.