



# COMMISSION ON COMMUNITY REINVESTMENT AND THE CLOSURE OF RIKERS ISLAND REPORT

# TABLE OF CONTENTS

I. INTRODUCTION.....	4
CONTEXT.....	5
II. COMMENT FROM COMMISSION CHAIR.....	7
III. COMMISSION FINDINGS: THE MOST IMPACTED COMMUNITIES.....	9
IV. COMMISSION FINDINGS: COMMUNITY INVESTMENT PRINCIPLES.....	12
V. COMMISSION FINDINGS: THE SUBCOMMITTEES AND THEIR MISSION AND GUIDING PRINCIPLES.....	15
VI. COMMISSION RECOMMENDATIONS.....	22
A. EMPLOYMENT/ENTREPRENEURSHIP FOCUSED RECOMMENDATIONS.....	22
B. HEALTH FOCUSED RECOMMENDATIONS.....	32
C. HOUSING/HOMELESSNESS FOCUSED RECOMMENDATIONS.....	40
D. YOUTH FOCUSED RECOMMENDATIONS.....	46
APPENDIX.....	55
I. CHRONOLOGY OF EVENTS and ACTIONS - Timeline.....	55
II. COMMISSION OVERVIEW.....	56
III. ROADMAP FOR THE FUTURE: POINTS OF AGREEMENT FOR REINVESTMENT 2021.....	58
IV. COMMISSION FINDINGS: APPROACH & FRAMEWORK.....	59
V. COMMISSION PRINCIPLES AND VALUES.....	61
VI. COMMISSION FINDINGS: REVIEW OF STAKEHOLDERS, CBOS AND AGENCY DATA.....	62
VII. COMMISSION MEMBER BIOGRAPHIES (NAMES AND BIOS).....	63
VIII. PUBLIC ENGAGEMENT AND COMMENTS.....	69
IX. PUBLIC MEETING AGENDAS.....	72



# I. INTRODUCTION

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## CONTEXT

Established by a Local Law 193<sup>1</sup>, the Commission on Community Reinvestment and the Closure of Rikers Island (the “Commission”) is committed to the process of equitable reinvestment of savings from the closure of Rikers for justice-involved and justice-impacted communities. The local law empowers the Commission to operate until 2027, engage stakeholders for public input, and issue periodic reinvestment recommendations and findings to which the Mayor is required to respond. In providing our recommendations, we recognize the importance of community engagement and the voices, the opinions and the participation of those with lived experiences as well as collaboration with representatives from community-based organizations, service

providers, and government agencies. This is the Commission’s initial report in the multi-year process through 2027 as provided in the local law. As such, this initial report defines the Commission’s framework, structure, and principles that govern its decision-making and reinvestment recommendations. We envision our recommendations on a continuum during the course of our work through 2027, taking into account the most recent data and evolving expert analyses, to ensure that the reinvestment recommendations address the root causes, the prevention and the aftermath of mass incarceration and justice system involvement and impact.

The local law specifies that the Commission is chaired by the Commissioner of the New York City Department of Social Services (DSS) and includes representatives of designated City agencies and appointees of the Mayor, the Speaker of the New York City Council, the New York City Public Advocate, and New York City Comptroller.

Ana Bermudez, Commissioner, NYC Department of Probation, designated member in the local law

América Cañas  
Senior Advisor, Justice Initiatives and Community Reinvestment  
Mayor’s Office of Criminal Justice

Dr. Siobhan Carney, Policy Director, CUNY Institute for State and Local Governance, Speaker Appointee

Louise Carroll, Commissioner, NYC Department of Housing and Preservation and Development, designated member in the local law

Kandra Clark, Vice President of Policy & Strategy, Exodus Transitional Community Inc, Speaker Appointee

Khalil Cumberbatch, Senior Advisor, New Yorkers United for Justice (NYUJ) and a Senior Fellow at the Council on Criminal Justice, Mayoral Appointee

Nora Daniel, Director, Intergovernmental Affairs, Mayor’s Office of Criminal Justice (MOCJ), representative of MOCJ, designated in the local law

Jarrell E. Daniels, SIM|ED Fellow and Research Assistant, Center for Justice at Columbia University, Mayoral Appointee

Tracie M. Gardner, Vice President of Policy Advocacy, Legal Action Center, Public Advocate Appointee

Felix Guzman, a leader, Vocal-NY, Speaker Appointee

DeAnna Hoskins, President, JustLeadershipUSA (JLUSA), Mayoral Appointee

Dr. Jeremy Kohomban, President and CEO, The Children’s Village, Mayoral Appointee

Doug Lasdon, Executive Director, Urban Justice Center, Mayoral Appointee

Darren Mack, Co-Director, Freedom Agenda, Speaker Appointee

Dr. Michael T. McRae, Interim Executive Deputy Commissioner / Assistant Commissioner, Health Promotion for Justice Impacted Populations, NYC Department of Health and Mental Hygiene (DOHMH), representative of the DOHMH Commissioner designated in the local law

Joanne Page, Esq. President & CEO, The Fortune Society, Mayoral Appointee

Dr. Divine Pryor, Chief Executive Officer of the People’s Police Academy in the City University of New York at Medgar Evers College, Mayoral Appointee

Rev. Sharon White-Harrigan, Executive Director, The Women’s Community Justice Association (WCJA), Mayoral Appointee

Dr. Patricia (Patsy) Yang, Senior Vice President, Correctional Health, New York City Health & Hospitals (H&H), representative of H&H designated in the local law

<sup>1</sup> The New York City Council. <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4146411&GUID=7CFA7B7C-1203-4CFA-B180-BF9B41961C-D2&Options=&Search=>

**CONTEXT cont.**

We acknowledge that “the plan to close Rikers Island and build a borough-based jail system is guided by three basic principles and was shaped by valued input from the community:

**1**

Our jail system can be much smaller with thousands fewer people in jail;

**2**

Our jails should be safer with modern, well-designed facilities that promote the dignity of those who visit, work and are incarcerated

**3**

The justice system should be fairer, changing the culture inside the jails, fostering community connections and providing greater access to services.”<sup>2</sup>

Our focus on the community reinvestment process is an extension of these principles as we will make recommendations with the goal of reducing incarceration rates, influencing new fairer policies and strategies, and co-creating communities in ways that are restorative, healing and just.

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<sup>2</sup> NYC: A Roadmap To Closing Rikers. <https://rikers.cityofnewyork.us/>



## II. COMMENT FROM COMMISSION CHAIR

## II. COMMENT FROM COMMISSION CHAIR



*Given the essential need for social services and support, including housing, training and employment as well as health care, to address the impact of and the need to prevent justice system involvement, it is particularly appropriate that the local law designates the New York City Social Services Commissioner as the Chair of the Commission. Reinvestments in social services and support are the key to ending mass incarceration and addressing its disproportionate impact in identifiable communities in New York City. These are the communities that urgently need reinvestments from the closure of Rikers.*

- COMMISSIONER STEVEN BANKS



# III. COMMISSION FINDINGS: THE MOST IMPACTED COMMUNITIES



### III. COMMISSION FINDINGS: THE MOST IMPACTED COMMUNITIES

Research and data have shown a significant percentage of individuals incarcerated at Rikers Island reside in historically underserved neighborhoods in New York City.

This Commission is charged with ensuring significant reinvestment recommendations are made in vulnerable communities disparately and historically impacted by mass incarceration. Pursuant to the local law, Section 4(e)<sup>3</sup>, the Commission shall identify neighborhoods that have been disparately impacted by mass incarceration and solicit feedback from community-based organizations and service providers focused on serving the needs of such neighborhoods.

The Commission has embraced an all-inclusive approach; communities where data indicates a high justice system impact and a high disinvestment have been identified, and the data reflects at least 16 communities in New York City that have been the most impacted. These targeted communities do not necessarily align with zip codes, but are defined by broad geographic disparities in health, housing, and employment. The Commission recognizes that residents of these impacted communities are seeking a real way out of justice system involvement, disinvestment, and poverty.

The Commission has reviewed data from the New York City Department of Correction (DOC) which provides geographic representation by zip code of where the highest number of incarcerated individuals had been living before they were sent

to Rikers; data from the New York City Department of Social Services (DSS)/Department of Homeless Services (DHS) which shows the neighborhoods where the highest number of families and individuals last lived before they lost their homes and had to enter DHS shelters; data from the New York City Department of Health and Mental Hygiene (DOHMH) which contains maps and data tables for 51 health-related measures across New York City; and data from the New York City Department of Probation's Neighborhood Opportunity Network (NeON) which shows seven locations where services to justice-involved individuals are provided. The Commission analyzed the data and found it consistently pointed to the same neighborhoods. The data also provided support for the target communities where the Commission recommends a reinvestment focus as the data shows a full picture of the holistic needs of impacted communities.

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<sup>3</sup> file:///home/chronos/u-479546c2feb64baf3336fa52fe8e871eb0b2090/MyFiles/Downloads/Local%20Law%20193.pdf

### III. COMMISSION FINDINGS: THE MOST IMPACTED COMMUNITIES CONT.

Based on the data<sup>4</sup>, the Commission’s reinvestment recommendations focus on the following communities in New York City:

#### BRONX

- Hunts Point / Longwood / Melrose
- Concourse / Highbridge / Mount Eden
- Morris Heights / Fordham South / Mount Hope
- Castle Hill / Clason Point / Parkchester
- Wakefield / Williamsbridge / Woodlawn
- Belmont / Crotona Park East / East Tremont
- Bedford Park / Fordham North / Norwood

#### MANHATTAN

- East Harlem
- Central Harlem

#### STATEN ISLAND

- Stapleton

#### QUEENS

- Jamaica / Hollis
- St. Albans
- Far Rockaway
- Broad Channel

#### BROOKLYN

- East New York / Starrett City
- Bedford-Stuyvesant
- Brownsville / Ocean Hill
- East Flatbush / Farragut / Rugby



<sup>4</sup> Department of Correction (DOC) - Geographic representation of where incarcerated individuals resided at the time of admission by zip codes

DHS - Data from September 30, 2021 - Community District of Associated Address for DHS Shelter Residents - Community District and Neighborhoods

New York City Community Health Profiles 2018 Map Atlas - Contains maps and data tables for 51 health-related measures across New York City

Neighborhood Opportunity Network (NeON)- There are 7 Department of Probation NeON neighborhoods which highly represent those in the criminal justice system: South Bronx, Harlem, Bedford-Stuyvesant, Brownsville, East New York, Staten Island, and Jamaica, serving 6,000+ people on probation annually via community events and service programming.



# **IV. COMMISSION FINDINGS: COMMUNITY INVESTMENT PRINCIPLES**

## IV. COMMISSION FINDINGS: COMMUNITY INVESTMENT PRINCIPLES

The Commission is charged with addressing the root causes and drivers of crime in the process of recommending community investments. We recognize that everyone may not agree on the root causes; in this process, however, the Commission has focused on five overarching drivers and a set of values to inform the findings and recommendations of this Commission. The Commission's work is focused on five overarching drivers: policing, criminalization, systemic racism, poverty, and mental health/substance use disorders. Developing recommendations of strategies that address these drivers is a significant goal of the Commission.

Mass incarceration affects communities in many ways. The community impact includes the shift of public resources away from health and social supports to the systems of incarceration, the depletion of the community's talent pool of young people and adults, an increase in entrenched poverty, and an increase in chronic health problems, mental health challenges, and substance use disorders, among other impacts.

The root causes of criminalization drive impacted community residents into mass incarceration. The Commission seeks to invest in communities most affected by mass incarceration in an effort to minimize interactions and involvement with the criminal justice system. To that end, in addition to making investments in communities to mitigate the community impact of mass incarceration,

the Commission is focused on preventing the incarceration events from happening in the first place by addressing the identified underlying drivers (policing, criminalization, systemic racism, poverty, and mental health/substance use disorders).

## IV. COMMISSION FINDINGS: COMMUNITY INVESTMENT PRINCIPLES CONT.

These overarching drivers are an integral part of the Commission's deliberation:

### 1 POLICING

The Commission believes that evaluating the system of policing and identifying alternatives to arrest can make a difference. The Commission is concerned about the impact of youth being on probation and the impact of that experience on entry into carceral settings. The Commission is particularly concerned about both the over-policing of youth and mental health crisis/events in diverse communities. The role of the police in de-escalation and policies that support de-escalation tactics are supported by the Commission.

### 2 CRIMINALIZATION

The Commission supports public policies that decriminalizes behaviors that can be better addressed outside of the criminal justice system. The transformation of behaviors into crimes and individuals into criminals is criminalization. In its ongoing work, the Commission will review policies and processes that result in the criminalization of youth, individuals with mental health challenges, people experiencing poverty and racial minorities as well as public policies and structures in place that result in disparities in criminalization.

### 3 SYSTEMIC RACISM

The Commission is focused on how systems of racism impact education, policing, health care, housing, and employment opportunities and then drive mass incarceration in impacted communities. Institutional racism was defined by Sir William Macpherson in the United Kingdom's Lawrence report as: "The collective failure of an organization to provide an appropriate and professional service to people because of their color, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviors that amount to discrimination through prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage minority ethnic people."<sup>5</sup> The Commission analyzed and continues to analyze how systems fail in their effectiveness and delivery because of racism and how such racism is a catalyst for long-standing inequalities and injustice.

### 4 POVERTY

The Commission believes that not having enough income or resources for one's basic needs has a detrimental effect on the individual, the family, and the community. Addressing poverty by providing access to work and living wage income, housing, health services, and education is a priority of the Commission, as such access has been shown to greatly reduce mass incarceration and reincarceration rates. The Commission's reinvestment recommendations provide opportunities to address poverty in the impacted communities.

### 5 MENTAL HEALTH/ SUBSTANCE USE DISORDER

The Commission identifies substance use disorder (SUD) as a complex condition that affects the mind and behaviors that lead to the use of legal and illegal drugs. Untreated mental health can lead to drug addiction; drug addiction further causes other health-related concerns. The Commission believes that focusing on mental and physical health is an important component in providing necessary health services that address addiction and behavioral health.

<sup>5</sup> Independent Report of The Stephen Lawrence Inquiry by Sir William Macpherson, Published February 24, 1999. <https://www.gov.uk/government/publications/the-stephen-lawrence-inquiry>



# **V. COMMISSION FINDINGS: THE SUBCOMMITTEES AND THEIR MISSION AND GUIDING PRINCIPLES**

## V. COMMISSION FINDINGS: THE SUBCOMMITTEES AND THEIR MISSION AND GUIDING PRINCIPLES

The Strategic Framework for the Commission's Subcommittees is as follows:

Each subcommittee utilized a Strategic Framework to create their Mission, Guiding Principles, and Investment Strategy in three (3) key domains: prevention, intervention, and reentry. Although the mission and guiding principles are unique to each subcommittee, the strategic framework serves as the foundational tool that unifies all subcommittees as one body and ensures all proposed recommendations achieve the overarching goal to reinvest in the communities most impacted by mass incarceration as well as reduce mass incarceration at the outset. In addition, the Commission engaged with the community to hear their ideas on how best the reinvestments could be targeted. Those ideas were integrated into the recommendations below. This Commission's public engagement process is outlined in the Appendix to this report.

Mass incarceration affects communities in many ways. The community impact includes the shift of public resources away from health and social supports to the systems of incarceration, the depletion of the community's talent pool of young people and adults, an increase in entrenched poverty, and an increase in chronic health problems, mental health challenges, and substance use disorders, among other impacts.

The root causes of criminalization drive impacted community residents into mass incarceration. The Commission seeks to invest in communities most affected by mass incarceration in an effort to minimize interactions and involvement with the criminal justice system. To that

end, in addition to making investments in communities to mitigate the community impact of mass incarceration, the Commission is focused on preventing the incarceration events from happening in the first place by addressing the identified underlying drivers (policing, criminalization, systemic racism, poverty, and mental health/substance use disorders).

## V. COMMISSION FINDINGS: THE SUBCOMMITTEES AND THEIR MISSION AND GUIDING PRINCIPLES CONT.

The members, mission, and guidelines for each of the subcommittees are as follows:

### EMPLOYMENT & ENTREPRENEURSHIP – ADULT EDUCATION & RESKILLING AND ECONOMIC DEVELOPMENT

#### SUBCOMMITTEE MEMBERS:

##### KANDRA CLARK

Vice President of Policy & Strategy,  
Exodus Transitional Community,  
Co-Chair

##### NORA DANIEL

Director, Intergovernmental Affairs,  
New York City Mayor's Office of  
Criminal Justice (MOCJ), Co-Chair

##### DR. DIVINE PRYOR

Chief Executive Officer of the  
People's Police Academy in the City  
University of New York (CUNY) at  
Medgar Evers College

#### MISSION:

To impact economic development and ensure economic equity through investments in opportunities to reduce reincarceration, build entrepreneurship opportunities, and invest resources in communities most impacted by mass incarceration.

#### GUIDING PRINCIPLES:

##### GUIDING PRINCIPLE #1

Removal of all legal barriers that prohibit individuals with convictions from obtaining employment and/or professional licenses.

##### GUIDING PRINCIPLE #2

Investing in multi-generational education/training centers and initiatives in the communities most impacted by incarceration; and such centers and initiatives must focus on stable career pathways.

##### GUIDING PRINCIPLE #3

Investing in entrepreneurship programs and small businesses, including non-traditional opportunities.

##### GUIDING PRINCIPLE #4

Ensuring people who are detained/incarcerated have access to fair labor wages and benefits.

##### GUIDING PRINCIPLE #5

Invest in vocational and hard-skills training, and GED and college programs, for individuals who are detained/incarcerated



# V. COMMISSION FINDINGS: THE SUBCOMMITTEES AND THEIR MISSION AND GUIDING PRINCIPLES CONT.

The members, mission, and guidelines for each of the subcommittees are as follows:

## HEALTH

### SUBCOMMITTEE MEMBERS:

#### AMÉRICA CAÑAS

Senior Advisor, Justice Initiatives and Community Reinvestment  
Mayor’s Office of Criminal Justice

#### TRACIE M. GARDNER

Vice President of Policy Advocacy,  
Legal Action Center, Chair

#### FELIX GUZMAN

VOCAL-NY

#### DEANNA HOSKINS

JustLeadershipUSA

#### DR. MICHAEL MCRAE

Assistant Commissioner, New York City Department of Health and Mental Hygiene

#### DR. PATRICIA (PATSY) YANG

Senior Vice President, Correctional Health, New York City Health & Hospitals

### MISSION:

To identify investments that significantly expand and increase capacity to meet health care needs, avoid criminal legal system (CLS) involvement, and mitigate CLS-related harms for individuals and their communities.

### GUIDING PRINCIPLES:

#### GUIDING PRINCIPLE #1

Ensuring quality healthcare is available in the community so that the carceral system becomes the last resort for quality healthcare services.

#### GUIDING PRINCIPLE #2

Focusing on the values of diversity and inclusion in all areas of health investments (i.e. health workforce, service providers, and partners).

#### GUIDING PRINCIPLE #3

Ensuring health delivery systems are leveraging principles of trauma-and-resilience-informed care and healing.

HEALTH GUIDING PRINCIPLES CONT:

**GUIDING PRINCIPLE #4**

Establishing health strategies guided by health determinants of the community.

**GUIDING PRINCIPLE #5**

Investing in innovations that can be scaled to meet the community’s needs and address gaps that exist.

**HOUSING / HOMELESSNESS**

**SUBCOMMITTEE MEMBERS:**

**LOUISE CARROLL**

Commissioner, New York City Department of Housing Preservation and Development

**KANDRA CLARK**

Vice President of Policy & Strategy, Exodus Transitional Community

**FELIX GUZMAN**

VOCAL-NY, Co-Chair

**REV. SHARON WHITE-HARRIGAN**

Executive Director, The Women’s Community Justice Association (WCJA), Co-Chair

**DOUG LASDON**

Assistant Commissioner, New York City Department of Health and Mental Hygiene

**JOANNE PAGE**

President & CEO, The Fortune Society

**MISSION:**

To identify quality investments that will provide adequate resources to justice-impacted people and communities, with a focus on equitable permanent housing with appropriate social service supports as needed.

**GUIDING PRINCIPLES:**

**GUIDING PRINCIPLE #1**

Providing access to safe, affordable housing with appropriate social service supports when needed is essential to closing Rikers and reducing mass incarceration.

**GUIDING PRINCIPLE #2**

Centering the voices of tenants; and ensuring that tenant protections clearly prevent discrimination based on socioeconomic positions like criminal record, source of income, and race, and that discrimination, eligibility criteria, and harassment are addressed to help justice-impacted people access housing.

HOUSING / HOMELESSNESS GUIDING PRINCIPLES CONT:

**GUIDING PRINCIPLE #3**

Although it has gaps and limitations, Commission members fully support the Fair Chance for Housing Act, which is local legislation that has been advancing to passage to address barriers to affordable housing based on criminal background checks that often prevent people who just need affordable housing from accessing it (the legislation addresses many, but not all, the barriers and exclusions that keep people unhoused and, for example, provides a process to contest apartment rejections based on sex offender registry).

**GUIDING PRINCIPLE #4**

Increasing investments in community education, particularly with respect to eviction and prevention services and programs to help justice-involved people avoid experiencing homelessness and/or exclusion from affordable housing.

**GUIDING PRINCIPLE #5**

Including more stakeholders with lived experience at the center of policy discussions so that stakeholders include policymakers, subject-matter experts, those with lived experiences, and impacted community residents.

**GUIDING PRINCIPLE #6**

Addressing city, state and federal barriers to the aforementioned principles; and invest more federal and state funding into the New York City housing landscape.

YOUTH

SUBCOMMITTEE MEMBERS:

**ANA BERMUDEZ**

Commissioner, New York City Department of Probation

**SIOBHAN CARNEY**

Policy Direction, CUNY Institute for State and Local Governance

**KHALIL CUMBERBATCH**

Senior Advisor, New Yorkers United for Justice (NYUJ) and a Senior Fellow at the Council on Criminal Justice

**JARRELL E. DANIELS**

SIM|ED Fellow and Research Assistant, Center for Justice at Columbia University, Co-Chair

**DR. JEREMY KOHOMBAN, PH.D**

President and CEO, The Children’s Village

**DARREN MACK**

Co-Director, Freedom Agenda

MISSION:

The following guiding principles are divided along a justice continuum beginning with prevention (preventing justice system involvement), to intervention (intervention to reduce justice system involvement) and ending with reentry (reentry support for youth returning from incarceration).

## YOUTH GUIDING PRINCIPLES CONT:

**GUIDING PRINCIPLE #1**

Making commitments in support of young people that ensure every young person can succeed and no one is left behind:

- Commitment to transparency (piloting existing grass roots)
- Commitment to partnership (government and community)
- Commitment to equity
- Commitment to trauma-informed practices (intervention/prevention)

**GUIDING PRINCIPLE #2**

Making concrete investments in dignity and justice for young people by breaking the existing mold and providing what is really needed; and ensuring/identifying ways to give our youth population money without spending so much everywhere else before \$1 reaches them.

**GUIDING PRINCIPLE #3**

Making investments in front end leadership that support prevention strategies like providing transitional housing, employment, and critical life skills.

**GUIDING PRINCIPLE #4**

Broadening the definition of safety for young people to include other impacts like food insecurity which also challenge the safety of young people; breaking away from traditional labels/understanding (i.e. “mentally ill children”) and emphasizing prevention/preventative measures.

**GUIDING PRINCIPLE #5**

Recognizing that the social determinants of poverty, over-representation of people of color being arrested by police, and disproportionate suspensions among young people of color can be addressed with financial resources distributed directly into their communities using prevention strategies vs. distribution through multiple entities.

An aerial, high-angle view of the New York City skyline, featuring the Empire State Building as the central focus. The building is enclosed in a yellow rectangular frame. The surrounding city is densely packed with various skyscrapers and buildings, extending to the water in the distance. The lighting is soft, suggesting a hazy or overcast day.

# VI. COMMISSION RECOMMENDATIONS

## VI. COMMISSION RECOMMENDATIONS

# A.

### EMPLOYMENT/ENTREPRENEURSHIP FOCUSED RECOMMENDATIONS

#### Landscape/Description of Issue #1

A conviction from court can have a long-term impact on a life, whether or not jail time is served. A conviction, or even sometimes just an arrest, can affect the individual's employment, housing, government benefits, immigration status, student loans, occupational licenses, and more. The collateral consequences of a criminal conviction are ever-reaching. Individuals who are convicted of felonies and some misdemeanors (such as domestic violence and sexual harassment) in New York State are subjected to civil disabilities that are associated with the conviction; as such, individuals who currently hold a license automatically lose it and are denied a license solely based on the conviction if they apply in the future. As a result, eligible individuals are prohibited from entering the labor force and denied opportunities to support themselves and their families, rendering them unable to contribute to society.

Starting in the mid-1980s, state legislatures accelerated the number and breadth of occupational restrictions for people with prior convictions. In the 1970s, roughly 1,950 separate laws limited job opportunities for people with a criminal record.<sup>6</sup> Today, more than 27,000 rules bar formerly justice-involved people from holding professional licenses. Of the 27,000 licensing restrictions on those who have been formerly incarcerated, over 12,000 disqualify any individual with any type of felony, over 6,000 disqualify those with misdemeanors, roughly 19,000 exclusions are permanent and over 11,000 are mandatory, which denies agencies any discretion to consider mitigating circumstances or rehabilitation.<sup>7</sup>

These limitations and the corresponding lack of job opportunities can trap people in poverty for decades after incarceration. As of 2019, nearly one-fourth of people incarcerated in

prisons were between the ages of 20 and 29.<sup>8</sup> Most of them will be released at some point — many will enter the job market and only some will find success. But even then, they are likely to begin their working lives earning roughly \$7,100 less per year than individuals of similar socioeconomic status without a criminal record. Consequently, they trail their peers by more than \$20,000 in income annually. As recent Brennan Center research suggests, a prior criminal conviction is devastating to an individual's earning prospects, but a prison record all but ensures a lifetime straddling the poverty threshold.<sup>9</sup>

Under current New York State law, there are little to no avenues for reprieve. New York State does not offer expungement, and the current sealing law significantly fails New Yorkers. A 2017 New York State law allows for criminal records to be permanently sealed under certain conditions. Unfortunately, far too few people know how to apply or have the resources to do so. While an estimated 600,000 New Yorkers are eligible to apply for records sealing under this law, fewer than 2,500—less than 1%—have actually made it through the complex, burdensome process.<sup>10</sup> The need for stronger legislation to end the perpetual punishment of New Yorkers with justice histories is so significant that the Clean Slate NY Campaign was formed in 2019 and currently has nearly 100 member organizations signed on.<sup>11</sup>

<sup>6</sup> Kimble, C. & Grawert, A. (June 2021). Collateral Consequences and the Enduring Nature of Punishment. The Brennan Center for Justice.

<https://www.brennancenter.org/our-work/analysis-opinion/collateral-consequences-and-enduring-nature-punishment>

<sup>7</sup> Haggerty, J. (May 2018) HOW OCCUPATIONAL LICENSING LAWS HARM PUBLIC SAFETY AND THE FORMERLY INCARCERATED. R STREET POLICY STUDY NO. 143. <https://www.rstreet.org/wp-content/uploads/2018/05/Final-No.-143-for-posting.pdf>

<sup>8</sup> <https://bjs.ojp.gov/content/pub/pdf/p19.pdf>

<sup>9</sup> [https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport\\_pdf.pdf](https://www.brennancenter.org/sites/default/files/2020-09/EconomicImpactReport_pdf.pdf)

<sup>10</sup> <https://www.cleanslateny.org/facts>

<sup>11</sup> <https://www.cleanslateny.org/steering-committee>

## Landscape/Description of Issue #1 Cont.

Clean Slate NY legislation would automatically seal misdemeanor convictions three years from sentencing (excluding any time spent incarcerated) and felony convictions seven years from sentencing (excluding any time spent incarcerated). Once records are sealed, they cannot be seen in most situations, including when applying for housing and most jobs, but records can still be seen by law enforcement, the criminal courts, and some licensing and clearance agencies. Approximately 95% of incarcerated people serve their sentences and come home. By eliminating barriers to jobs, housing, and education, Clean Slate legislation will allow individuals to support themselves and their families, thereby reducing reincarceration. Research shows that five years after benefitting from records clearance, individuals were less likely than members of the general public to be convicted of a crime.<sup>12</sup>

There is also City legislation that has yet to be passed but that would help justice-impacted New Yorkers get back into the workforce. Intro 1881<sup>13</sup> would mandate that individuals are released from Rikers Island with their official birth certificate and education records, including their GED/high school diploma. These documents would ensure detained/incarcerated people have had their identity verified and are authorized to be hired for employment in the United States ( I-9 compliant) prior to their release from Department of Corrections custody, thus strengthening their chance of obtaining employment

upon release.

Even in the absence of legislation, administrative agencies can also take action to help justice-impacted New Yorkers get back into the workforce and we encourage them to do so. For example, the New York City Department of Correction (DOC) and the New York City Human Resources Administration (HRA) have recently implemented a new protocol for required documents so that individuals discharged from Rikers can obtain an IDNYC from HRA.

Finally, in New York State, people convicted of any number of misdemeanors or violations, and who have not been convicted of more than one felony offense, can apply for a certificate of relief from disabilities. This certificate is a way to remove certain collateral consequences of a criminal conviction. Having the certificate can remove barriers to applying for jobs, licenses, public housing and more. If you apply for and receive a certificate, you will have the right to apply for an apartment or job just like someone without a conviction. Certificates of Relief can be issued upon sentencing by the Judge. However, this process is not automated in New York State, and, as seen with the State's current sealing laws, the application process can be tedious and often confusing. Automating the process would help justice-impacted New Yorkers get back in the workforce expeditiously.

## RECOMMENDATION #1

Removal of all legal barriers that will prohibit individuals with convictions from getting professional licenses and/or obtaining employment.

### SHORT TERM:

Support the passage of New York State Clean Slate legislation<sup>14</sup>, which ensures people's criminal convictions will be sealed after 3 years for misdemeanor convictions and 7 years for felony convictions. This will end the perpetual punishment people experience when attempting to obtain housing, employment, licensing, et al. The New York City Council and this Commission can draft a resolution in support of the passage of the Clean Slate bill by March 1, 2022; language can be drawn from the Clean Slate Coalition through working with the Clean Slate Steering Committee.<sup>15</sup>

<sup>12</sup> <https://www.cleanslateny.org/facts>

<sup>13</sup> This bill requires the Department of Correction to assist incarcerated individuals in obtaining education records, to require issuance of birth certificates to all people in custody upon request, and to report on the issuance of education records and birth certificates. <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4329698&GUID=4A3BD8C2-0D2A-4D76-A3D4-95EED93071BD&Options=&Search=>

## ISSUE #1 - CONT.

## SHORT TERM:

Automate the process upon sentencing for individuals to obtain certificates of relief from disability,<sup>16</sup> which is a certificate issued by the Court that is intended to help remove barriers for individuals seeking employment/licensing.

## SHORT TERM:

Enact City Council Intro 1881 (assist with obtaining birth certificates and education records) to ensure detained/incarcerated people have had their identity verified and are authorized to be hired for employment in the United States (I-9 compliant) prior to their release from Department of Corrections custody. The New York City DOC and HRA can ensure that their new protocol provides access to the IDNYC for individuals who are discharged from Rikers.

## SHORT/INTERMEDIATE TERM:

As we eliminate barriers to licensing, this Commission Subcommittee will work with partners to incorporate an education campaign to promote the new laws and policies. For example, the Commission will work to ensure the Reintegration Report Card<sup>17</sup> is updated, along with data found in the National H.I.R.E. Network – a clearing house for information pertaining to the labor force.<sup>18</sup> We will utilize these resources/organizations when devising educational campaigns.

## LONG TERM:

This Commission Subcommittee will devise an Implicit Bias training that can be used for employers citywide and a plan to roll out the facilitation of this training by culturally competent service providers who work with justice-impacted communities.

## COST/BENEFIT ANALYSIS:

With more than 400,000 New Yorkers arrested on criminal charges each year, the exclusion of people with criminal records from employment opportunities via background checks and other barriers hurts productivity and deprives the workforce of crucial talent. The American Civil Liberties Union estimates that, nationally, excluding individuals with conviction histories from the workforce costs the economy between \$78 billion and \$87 billion in lost domestic product.<sup>19</sup>

<sup>14</sup> The Clean Slate NY campaign is fighting for a new law (S1553A/A6399) that will automatically clear a New Yorker's criminal record once they become eligible. The collateral damage of a criminal conviction can be wide-ranging and enduring—permanently barring many individuals from basic opportunities like employment and housing. Clean Slate NY is about strengthening our communities by ensuring that New Yorkers are not punished beyond their sentences and can be full and fair participants in economic and civic life. <https://www.cleanslateny.org/>

<sup>15</sup> <https://www.cleanslateny.org/steering-committee>

<sup>16</sup> A Certificate of Relief from Disabilities (CRD) is a way to remove certain [Collateral Consequences](#) of a criminal conviction. Having the CRD can remove bars to applying for jobs, licenses, public housing and more. If you apply for and receive a CRD, you will have the right to apply just like someone without a conviction. <https://www.nycourts.gov/courthelp/criminal/CRD.shtml>

<sup>17</sup> This Report Card supplements a recently published 50-state report, “The Many Roads to Reintegration,” a survey of U.S. laws aimed at restoring rights and opportunities after arrest or conviction. That report includes topical essays covering voting and firearms rights, an array of record relief remedies, and consideration of criminal record in employment and occupational licensing. Retrieved from: Love, Margaret Love & Schluskel, David. (October 2020) The Reintegration Report Card: Grading the States on Laws Restoring Rights and Opportunities After Arrest or Conviction. Collateral Consequences Resource Center.

<sup>18</sup> Established by the Legal Action Center in 2001, the National Helping Individuals with criminal records Re-enter through Employment (H.I.R.E.) Network is both a national clearinghouse for information and an advocate for policy change. <https://www.lac.org/major-project/national-hire-network>

<sup>19</sup> <https://www.cleanslateny.org/facts>



## Landscape/Description of Issue #2

The communities most impacted by incarceration also have the highest poverty rates, lowest education rates, and are food deserts, etc. These communities have not been resourced for decades. According to New York State prison entry data collected by the Justice Mapping Center, 54.5% of New York City adult males entering prison – and eventually returning from it – are residents of 7 areas that account for only 22.1% of the total NYC population: the South Bronx, Mid-Upper Manhattan (including East Harlem), four neighborhoods in Brooklyn, (Brownsville, Bedford-Stuyvesant, East New York, Crown Heights) and Jamaica, Queens. Criminal justice experts refer to areas within these neighborhoods as “million dollar blocks” because of the amount of money the State spends annually incarcerating residents. These neighborhoods have a collective poverty rate of 34.4% (compared to 17.5% for the rest of NYC), 40.2% of adults in these neighborhoods never completed high school (compared to 24.7% of the rest of NYC), and 17.5% of residents were unemployed (compared to 8.0% of the rest of NYC). Experts cite lack of training, loss of public-sector jobs, incarceration rates which are five times that of white males, unequal access to social networks, and outright discrimination as reasons for these employment disparities.<sup>20</sup>

There is also a significant disconnect between the needs of the labor force and what individuals are being taught in our public education systems. Students’ skill sets should be compatible with the current needs of the labor force to allow for a competitive advantage; this effort needs to be at the forefront of their career development. Furthermore, many young people and adults alike become involved in the criminal legal system, particularly in the communities outlined above.

In particular, if young people do not have adequate skill sets, they may resort to illegal means to survive. Utilizing programs such as those below will mitigate the school to prison pipeline.

One such program is Summer Youth Employment. However, it is not accessible to all students, nor does it provide year-long transitional work opportunities that have been proven to benefit young people entering the workforce. Investing in year-round summer youth employment opportunities will provide students with the social and professional skills needed to obtain unsubsidized employment in the future.

Poor education outcomes in these communities are another driver of mass incarceration. Community members may lack basic access to quality education – a problem that has persisted for generations. Bridge programs build accessible career pathways and economic mobility for all New Yorkers by combining educational programs with a career focus to help jobseekers resolve crucial deficiencies in their educational attainment while simultaneously preparing them for their next step in either education, advanced training, or employment positions. Research has found that bridge programs are effective for students with significant barriers to employment, including those with a reading level as low as the 7th grade.<sup>21</sup> However, bridge programs are not funded to scale. For example, a 2013 study by MDRC showed that students in LaGuardia’s bridge program were twice as likely as their peers to pass the high school equivalency exam and three times as likely to pursue a postsecondary degree. The program has proven so effective that other states are using it as a model, notably a new bridge program at Northeast Wisconsin College. But even as Wisconsin imports LaGuardia’s pioneering program, none of New York State’s 35 other community colleges have been funded to offer bridge programs of their own.<sup>22</sup>

Finally, the communities most impacted by incarceration are the communities that lack youth, training and education centers. Mass incarceration has plagued these communities for generations. Young people return to these communities after release from incarceration and are now adults looking to enter the workforce without adequate education and training needed to do so effectively. As a result, we see this vicious cycle of crime and incarceration persist. Investing in state-of-the-art Education/Training centers that focus on stable career pathways will help to break this cycle. We can utilize New York State Tuition Assistance Program (TAP) funding to support people’s enrollment and completion of an educational/vocational program before, during or after incarceration.

<sup>20</sup> The Justice Mapping Center found at: <https://c4sr.columbia.edu/projects/million-dollar-blocks>; <https://www.justicemapping.org/>

<sup>21</sup> Sharp, N. (March 2018) Bridge Programs Get Big Results, But Little Support. Gotham Gazette.

<https://www.mdrc.org/news/mdrc-news/bridge-programs-get-big-results-little-support>

<sup>22</sup> Sharp, N. (March 2018) Bridge Programs Get Big Results, But Little Support. Gotham Gazette.

<https://www.gothamgazette.com/opinion/7551-bridge-programs-get-big-results-but-little-support>.

<sup>23</sup> The Tuition Assistance Program (TAP) helps eligible New York State residents pay tuition at approved schools in New York State. TAP is one of the grants, scholarships and awards programs administered by the New York State Higher Education Services Corporation (HESC). TAP is available for eligible college students studying full- or part-time. <https://www.ny.gov/services/apply-new-york-state-tap>

## ISSUE #2 - CONT.

## RECOMMENDATION

#2

Investing in multi-generational education/training centers and initiatives in the communities most impacted by incarceration; centers and initiatives must focus on stable career pathways.

## SHORT TERM:

Provide detained/incarcerated people with access to New York State Tuition Assistance Program (TAP) funding to complete an educational/vocational program.

## SHORT TERM:

Extend Summer Youth Employment (SYE) as a year-round program to increase opportunities for paid transitional employment; allow students from the communities most impacted by incarceration to have top priority to access, regardless of their current educational status.

## SHORT TERM:

Expand Bridge Program Funding, with a focus on STEM and Green industries, without discounting fields in City Sanitation, Parks, and other horticulture fields.

## LONG TERM:

Developing Educational/Training Centers in the communities most impacted by incarceration that focus on the tools and skills needed (such as language proficiency) to obtain stable career pathways, with a primary focus on the Green and STEM fields. Centers would include workspaces that allow for hands-on training. For example, a robotic lab that provides students with space to complete a step-by-step process of building a robot.

## COST/BENEFIT ANALYSIS:

The ability to read, write, compute, understand and solve problems, and communicate in English are foundational skills that every adult in the U.S. needs to achieve economic security and develop their knowledge and potential. Yet while the relationship between literacy levels and positive social and economic indicators is well established, today in New York City, 2.2 million adults lack English language proficiency, a high school diploma, or both.<sup>24</sup> There is a strong correlation between educational attainment and arrest and incarceration rates, particularly among males, according to a 2013 Alliance report: 56% of federal incarcerated persons, 67% of people incarcerated in state prisons, and 69% of individuals incarcerated/detained in local jails have not completed high school.<sup>25</sup> Moreover, one in ten young men who drop out of high school end up in adult jail or juvenile detention systems, compared to one in 35 high school graduates.<sup>26</sup> These young men then fall into New York City's "school-to-prison pipeline" which will severely limit their future opportunities and heighten their vulnerability and is costing City taxpayers \$750 million annually.<sup>27</sup>

<sup>24</sup> Soneman-Bell, S. & Ira Yankwitt (December 2017) Investing in Quality: A Blueprint for Adult Literacy Programs and Funders. Literacy Assistance Center. <https://static1.squarespace.com/static/55a158b4e4b0796a90f7c371/t/5aceaaa03ce64b9a468334d/1523493549232/Investing+in+Quality+-+Literacy+Assistance+Center+%28December+2017%29+.pdf>

<sup>25</sup> Alliance for Excellent Education. (September 12, 2013) Saving Futures, Saving Dollars: The Impact of Education on Crime Reduction and Earnings. Available at: <https://all4ed.org/wp-content/uploads/2013/09/SavingFutures.pdf>

<sup>26</sup> Dillon, S. Study Finds High Rate of Imprisonment among Dropouts. The New York Times. Oct. 8, 2009. Available at: [http://www.nytimes.com/2009/10/09/education/09dropout.html?\\_r=0](http://www.nytimes.com/2009/10/09/education/09dropout.html?_r=0)

<sup>27</sup> The \$746 Million a Year School-to-Prison Pipeline: The Ineffective, Discriminatory, and Costly Process of Criminalizing New York City Students. The Center for Popular Democracy. The Urban Youth Collaborative. (April 2017) See [https://populardemocracy.org/sites/default/files/STPP\\_layout\\_web\\_final.pdf](https://populardemocracy.org/sites/default/files/STPP_layout_web_final.pdf)

### Landscape/Description of Issue #3

Small business is the engine of economic activity in New York City and throughout the world. Building an infrastructure in order to ensure sustainable growth for local businesses ensures that we are able to contribute to a growing economy and the development of local communities; therefore it is incumbent on us to understand that there are individuals and industries that have not been adequately supported in the past.

Providing support for people with criminal convictions to engage in entrepreneurial enterprises presents opportunities for further stimulation to the economy by expanding the range of products and services. Their ability to contribute meaningfully to the open market removes them from the category of being unemployed and places them among the population of self-sufficient, financial contributors to society. As such, they become contributors to the consumer tax base through the purchase of goods, real estate, payment of city, state and federal taxes, and the ability to support themselves and their families. One of the emerging industries that could address both economies of scale and public safety would be the cannabis sector. Providing opportunities for individuals with criminal convictions to gain licenses in this emerging industry would eliminate the criminalization associated with selling recreational cannabis, create hundreds if not thousands of businesses and remove the need for individuals to participate in the underground economy. Doing so would also produce a pathway to licensure, eliminating criminal activity and the illicit practices currently associated with the sale, use and possession of cannabis.

Prior to cannabis legalization in NY State via the Marijuana Regulation and Taxation Act (MRTA) (S.854-a/A.1248-a), cannabis remained severely criminalized with more arrests in

black and brown communities than violent crimes for possession. The Start SMART Campaign was created by the Drug Policy Alliance (DPA) in partnership with community-based organizations and advocates, who remain dedicated to ending the racially rooted drug war and creating an equitable cannabis industry that bolsters economic justice regardless of any socioeconomic factor. As black and brown communities have been historically devastated by biased cannabis arrests and ostracized from many meaningful employment and entrepreneurship opportunities, these communities need assistance and prioritized investment as equity participants.<sup>28</sup>

Systemic racism is further exemplified in the disparities faced by Black-owned small business owners. Overall, Black-owned small businesses have suffered the most in New York City. According to BE NYC's landmark report Advancing Black Entrepreneurship in NYC, less than 40% of Black entrepreneurs reported that they had adequate access to mentors and advisors in operating their business. While Black-owned small businesses are essential to the fabric of New York City, many have historically been left behind due to limited access to capital and bank loans, predatory credit policies, and the lack of banking relationships.<sup>29</sup>

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<sup>28</sup> <https://drugpolicy.org/new-york/marijuana-reform>

<sup>29</sup> BE NYC. ADVANCING Black entrepreneurship In New York City. (August 2020) <https://www1.nyc.gov/assets/sbs/downloads/pdf/about/reports/benyc-report-digital.pdf>

## ISSUE #3 CONT.

**RECOMMENDATION**

#3

Invest in entrepreneurship programs and small businesses, including nontraditional industries.

**SHORT TERM:**

Eliminate licensing costs for justice-impacted communities to open their own businesses, such as marijuana dispensaries.

**SHORT TERM:**

Increase funding for the Worker Cooperative Business Development Initiative.

**SHORT TERM:**

Provide specific funding for targeted approaches to support justice-impacted communities. For example, providing funding to someone who was incarcerated for cannabis to start their own dispensary upon release.

**SHORT TERM:**

Support small businesses in the communities most impacted by incarceration by paying 30% of their employment taxes.

**SHORT TERM:**

Help people who desire to be entrepreneurs to attain business permits and licensing. In addition, provide workshops and training, such as the Incarcerated Persons to Entrepreneurs program, as well as financial literacy courses, including accounting. We should also provide consultants through corporate partners, like the NYC Department of Small Business Services' BE NYC Access initiative that Ernst & Young provides.<sup>30</sup>

**INTERMEDIATE TERM:**

Make tax credits for new industries contingent on offering set-asides of at least 15% for members of the local community who have been impacted by mass incarceration and ensure that these set-asides are protected.

**COST/BENEFIT ANALYSIS:**

The most obvious benefit is the creation of new jobs and businesses, which would help to spur economic growth. Another benefit would be that reparations are provided to individuals who experienced incarceration (sometimes decades) as a result of cannabis. These individuals should have top priority in obtaining business licenses at no costs and opening dispensaries.

<sup>30</sup> City Collaborates with EY to Provide World Class Consulting Services to Black Entrepreneurs. (August 2021)

<https://www1.nyc.gov/office-of-the-mayor/news/573-21/city-collaborates-ey-provide-world-class-consulting-services-black-entrepreneurs>

## Landscape/Description of Issue #4

As of 2018, 80% of employers conducted background screening on candidates for full-time positions.<sup>31</sup> While in some cases there is a compelling rationale for these checks, in others they screen people out of the workforce unnecessarily, turning a conviction record into a scarlet letter. In her seminal study, “The Mark of a Criminal Record,” the late Devah Pager found that a criminal conviction reduced the likelihood of a job applicant receiving a call back by 50% for white applicants and by nearly two-thirds for Black applicants.<sup>32</sup>

While people released from jail/prison often experience difficulty obtaining unsubsidized employment, detained/incarcerated people work while in jail/prison. However, they do not receive labor wages or retirement compensation. As a result, not only are people released less likely to receive an interview let alone an employment position, they are unable to access

savings, social security or retirement benefits and thereby sustain themselves immediately upon release. By creating a streamlined process for released individuals to access these benefits, we would off-set the barriers to ageism and access to living wage income in order to enable people to sustain themselves holistically (i.e. obtain stable housing, etc.). Doing so will also help to reduce reincarceration.

There is State legislation pending that would help support prison labor wages –the Prison Minimum Wage Act (A1275/S3138).<sup>33</sup> The Act’s purpose is to end the last vestiges of slavery and embrace the spirit and the promise of the Thirteenth Amendment of the United States Constitution by providing a minimum wage of \$3.00 an hour to incarcerated people.

RECOMMENDATION

#4

Ensure people who are detained/incarcerated have access to fair labor wages and benefits

### SHORT TERM:

Have the person’s time spent detained/incarcerated while working count towards retirement, social security, and living wages.

### SHORT TERM:

The City Council should submit a resolution in support of passing the Prison Minimum Wage Act (A1275/S3138), as well as work on drafting city legislation that supports labor reform within the City’s corrections system. Salary can be based on the scale outlined in the Prison Minimum Wage Act (\$3.00 an hour). This will allow people to save money during incarceration that can support reentry, as well as provide a legal pathway to protect access to fair labor wages.

### COST/BENEFIT ANALYSIS:

The benefit would be that individuals can sustain themselves and their families immediately upon release via savings or access to social security benefits, thereby reducing recidivism. Having some access to finances upon release can often mean the difference between having basics (food, shelter, clothing) or not.

<sup>31</sup> The National Association of Professional Background Screeners (NAPBS) commissioned HR.com to conduct an unprecedented national survey of 2,137 human resources professionals to gauge their views on background screening. Retrieved from: How Human Resource Professionals View the Use and Effectiveness of Background Screening Methods. (2018) <https://pubs.thepbsa.org/pub.cfm?id=9E5ED85F-C257-C289-9E8E-A7C7A8C58D00>  
<sup>32</sup> Pager, D. The Mark of a Criminal Record. AJS Volume 108 Number 5 (March 2003): 937–75. [https://scholar.harvard.edu/files/pager/files/pager\\_ajs.pdf](https://scholar.harvard.edu/files/pager/files/pager_ajs.pdf)  
<sup>33</sup> <https://www.nysenate.gov/legislation/bills/2019/s3138>; <https://www.nysenate.gov/legislation/bills/2019/a1275>

## Landscape/Description of Issue #5

According to a 2016 report by the Center for Economic and Policy Research, using data from the Bureau of Justice Statistics, there were between 14 and 15.8 million working age people with felony convictions in 2014, of which between 6.1 and 6.9 million were formerly incarcerated. Note that there is substantial research pointing to the adverse impact that time in prison has on an individual's employment prospects due to loss of skills, work history and the social capital that comes from social networking in the labor market. The legal restrictions that convictions present, specifically related to restrictions to licensed professions, further exacerbate the issue by eroding potential employment prospects. It should come as no surprise that increased employment for people with convictions stimulates economic activity, increases the labor force exponentially and decreases the reincarceration rate significantly. Needless to say, these adverse impacts can be reversed and become positive contributions to the workforce, the economy and society overall by simply removing all barriers to employment and civil society for people with criminal convictions. In other words, restricting formerly incarcerated people from the labor market is a problem for the economy, because the economy is dependent on the size of the labor market.

Restricting people with conviction histories from the labor force begins both before and during incarceration. Throughout the first 18 months of COVID, detained/incarcerated people did not have access to programming. However, even prior to COVID and for several past decades, there has been limited funding allocated to advanced vocational and hard-skills training, as well as GED and college programs for detained/incarcerated people. Furthermore, skills obtained during incarceration do not necessarily translate to the outside world. For example, obtaining an Occupational Safety and Health Act training certification alone is no longer acceptable to secure an entry level labor position. Individuals also need their SST (Site Safety and Training) card and often have some type of required hands-on training if they do not have any prior experience. The OSHA certification does not train people in real-life situations, such as what it feels like to work on scaffolding with varying wind degrees. Lack of a comprehensive training investment has been a persistent problem for decades and is one driver of high reincarceration rates among this population. Recent steps represent progress. Most recently, for example, tablets have been provided to detained/incarcerated people systemwide. These tablets allow people to access programming, TED talks, books, and much more. They also

provide detained/incarcerated people with an opportunity to learn and/or hone their digital literacy skills.

In addition to a lack of a comprehensive investment in hard skills, vocational and educational training, the culture of violence<sup>34</sup> that has plagued Rikers Island makes the environment a difficult one in which to teach and learn. The current staffing structure is also not equipped to teach detained/incarcerated people hard skills, vocational and educational training.

In Europe, the corrections systems have devised a ground-breaking model – the Import Model – that has shown significant success in transforming a culture of violence to one of learning, growth, and change. The Import Model is the practice of providing as many critical non-security services to incarcerated people using local and municipal – non-correctional – service providers. Prisons/jails (they are the same in Europe in that they house people sentenced for several years with people being detained for minor offenses and who are awaiting their day in Court) do not have their own staff for medical, education, employment, clerical, or library services (nor do they oversee these departments; these services are imported from the local community and overseen by local municipalities. The model improves community reentry and reintegration. Incarcerated people have normal contact with community members and organizations while in prison/jail. Continuation of care and services after release is relatively easy. Prisons/jails and incarcerated people enjoy community-standard services. Communities adopt improved views of detained/incarcerated people.

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<sup>34</sup> To date, 15 people have died on Rikers Island this year. The Eleventh Nunez Report describes a culture of violence and a staffing pattern of correctional officers that is eight times the national average. [https://www1.nyc.gov/assets/doc/downloads/pdf/11th\\_Monitor\\_Report.pdf](https://www1.nyc.gov/assets/doc/downloads/pdf/11th_Monitor_Report.pdf)

## Landscape/Description of Issue #5 Cont.

For example, at the Just Innovate Conference in September of 2019 (a conference in Europe that included members of this Commission, the Mayor's Office of Criminal Justice, the NYC Department of Corrections, and leading designers), the Import Model was clearly displayed in their vocational training and employment opportunities. A leading restaurant provided training to detained/incarcerated people in a real-life simulation program during the second-third of their sentence.

Detained/incarcerated people learned every aspect of the restaurant business, from waiting tables, to cooking, to managing the restaurant. During the last third of a person's sentence, they worked in the community at the restaurant. This model can be infused in the current NYC DOC structure to ensure people are having real-life access to training and employment opportunities during and after incarceration.<sup>35</sup> It would also allow employers and community members to form

relationships with people prior to release, thus making the re-entry process easier.

To further compound the root causes of incarceration (lack of education and employment opportunities, and untreated health concerns), detained/incarcerated people experience an extreme amount of stress and trauma while in DOC custody – making it an adverse learning environment overall.

In our current corrections staffing structure, correctional officers are tasked with monitoring safety. Their job description does not reflect the qualifications needed to equip justice-impacted New Yorkers with the tools and skills needed to enter the workforce. In contrast, the Import Model addresses these needs.

### RECOMMENDATION #5

Invest much more significantly in vocational and hard-skills training, and GED and college programs, for individuals who are detained/incarcerated.

#### SHORT TERM:

Invest in hard-skills training to incarcerated people that translate to the outside and that are connected to career-oriented employment upon release. Skills should be comparable to the current market, and additional funding should be invested in Year 1 to offer wrap-around supportive services upon release to help them maintain employment and overall stability.

#### SHORT TERM:

Provide access to technology for people who are detained/incarcerated. Ensure that the tablet program is offered to all detained/incarcerated people and that this technology remains in all facilities in 2022 and beyond.

#### LONG TERM:

This Commission Subcommittee should devise a plan to infuse the Import Model<sup>36</sup> into DOC. Detained/incarcerated people would work in the community during detention and the last third of their sentence and retain employment in those positions upon release. For individuals who have yet to be sentenced, we can devise a timetable to ensure they are able to participate. Educational/vocational training would be overseen by private and public business sectors and non-profit providers.

<sup>35</sup> For individuals who have yet to be sentenced, we can devise a timeframe for people who are detained to participate. The average length of stay at Rikers Island is 322 days. [https://vera-institute.shinyapps.io/nyc\\_jail\\_population/](https://vera-institute.shinyapps.io/nyc_jail_population/)

<sup>36</sup> Prisons/jails in Norway are often considered as "models", mostly because they reflect the Norwegian welfare-punishment approach. The penitentiary system is organized by the so-called import model: the prisoners lose their freedom of movement, but they are still part of the Norwegian welfare state. The Norwegian Correctional Service,

## ISSUE #5 CONT.

## COST/BENEFIT ANALYSIS:

European models that once had significantly high reincarceration rates (comparable to the current US rates) were able to reduce their rates by over half (from 70% to 20%) by infusing the Import Model into their system and fully revamping their training and culture of officers and facilities. The benefit of reducing the US reincarceration rate to 20% or lower is attainable. We could significantly reduce the need for jails/prisons. It will also allow justice-impacted people to end the cycle of incarceration and poverty by providing them with the tools and resources needed to obtain living wage employment, stable housing, etc.

## B.

## HEALTH FOCUSED RECOMMENDATIONS

Health equity is the attainment of the highest level of health and well-being for all people. Not all New Yorkers have the same opportunities to live a healthy life. Achieving health equity requires focused and ongoing efforts to address historical and contemporary injustices such as discrimination based on social position (e.g., class, immigration status, past CLS (Criminal Legal System) involvement) or social identities (e.g., race, gender, sexual orientation).

We acknowledge an existing system in which services are categorized as prevention, intervention and re-entry and reduction of reincarceration that operate through an inevitable sequential “workflow.”

Our subcommittee recommendations are two-fold:

1. Preventing CLS involvement due to gaps in health services, and
2. Investment in a sustainable community health system.

Whether healthcare needs are met in the healthcare system or in the community, our recommendations speak to the need to build capacity and to move away from a “one size fits all” approach to solutions. Services should be tailored to unique individuals instead of lumping them under categories of “special needs” or “special populations”. Our subcommittee heard from the community where the following groups were highlighted as groups to focus on: adults and adolescents and youth, LGBTQ, Women, Black Men, Men’s Health, non-English speakers and immigrant individuals.

Our subcommittee also acknowledges that community investments must be made to address the needs of the CLS-involved individuals as well as the communities impacted by this same system; the needs of these people and communities cannot be strictly categorized by the service needs, but should target the social determinants that impact either or, more often, both.

## Health Delivery System Landscape

Community-based health care delivery systems (physical, mental and substance use) in NYC have been historically inequitably distributed and fragmented. More importantly, these systems have not escaped institutional inequities that contribute to the likelihood of CLS involvement, especially by Black and Latinx individuals who live in certain geographic locations across the five boroughs.

As a result of these community “health care deserts”, individ-

uals may become unnecessarily entangled in a cycle of CLS involvement, shelter and emergency room encounters. This is in large part due to behaviors and circumstances that could be prevented through appropriate clinical management and wrap around supportive services. The New York City Health + Hospitals Correctional Health Services (CHS) in too many instances serves as the first and most robust provider of health care to persons who encounter the City’s carceral system.

under the Ministry of Justice and Public Security, is in charge of the execution of the sentence, but the welfare service (as education, health care, social welfare services, etc.) is under the jurisdiction of the same authorities as for those outside. <https://www.prison-insider.com/countryprofile/prisons-norway2019>



## Health Delivery System Landscape Cont.

Involvement in the CLS in turn can lead to devastating sequelae ranging from reduced quality of life and years lived, to lost productivity and agency on personal and societal levels.

There is a strong correlation between the communities characterized by poor health outcome indicators and those in which individuals involved in the CLS reside. This informs the high

burden of certain chronic and acute diseases among persons who enter the City’s jail system.

The opportunity to change this paradigm exists through reinvestment and realignment through the following recommendations:

RECOMMENDATION

#1

Strategically reinvest city, state, federal dollars by:

#1

Leveraging recommendations and opportunities of Medicaid redesign to establish a city/state/federal funding partnership for a coordinated model of care, with linkages through outreach, navigation, and care management services to safety net providers, for especially vulnerable populations:

We highlight a few specific opportunities within the New York State Department of Health proposed 1115 Medicaid Waiver renewal in 2021 that for the first time explicitly mentions criminal justice populations as a key priority in addressing historic health inequities and racial disparities in healthcare access. The State also listed, for the first time, opioid use disorder as a single qualifying condition for 30-days pre-release services including:

- A. In-reach care management;
- B. Clinical consultation services; and
- C. Medication management plan development.

An example of such an opportunity is the New York City Health + Hospitals proposal for city/state/federal funding to create a Special Populations model of coordinated care. During incarceration, justice-involved persons will be linked to points of care within an Accountable Care Organization comprised of the NYC Health + Hospitals system and community partners through outreach, navigation, and care management services. Under an advanced value-based payment model funded by enhanced Medicaid funds, the provider partnership will assume new responsibility for the cost of care and provide new care management resources while maintaining patient relationships with their existing providers and health plans. The proposed partnership will therefore establish a sustainable network of accessible, accountable, high quality care for individuals who may be marginalized by current systems despite higher health care needs.

## RECOMMENDATION #1 CONT.

#2

Reexamining and refocusing city, state, and federal resources that fund direct and contractual services and tie these investments to community-specific principles and outcomes:

An example is to examine the health and human services contracts issued by City agencies that funnel local, state, and federal dollars to community providers across the city. These contracts should be assessed and redirected as appropriate to ensure that public dollars are supporting services targeted to the populations most at risk for CLS involvement. There should be a special focus on underserved and heavily burdened communities across the boroughs, including in the South Bronx, Queens, and Brooklyn.

#3

Targeting local, state, and federal resources to strengthen outpatient and acute community-based mental health services:

An example is to identify and address barriers that create these health care deserts, particularly in the area of available community mental health services.

#4

Taking advantage of opportunities presented by the eventual State Opioid Settlement dollars which are estimated to bring in \$1.6 Billion over the next 10 years and should be used to develop harm reduction services that engages drug user health as a way to decrease law enforcement involvement.

## RECOMMENDATION

#2

Enhance the existing network of health care and facilitative services to connect and keep connected to health care, marginalized residents in disproportionately burdened neighborhoods of the city to prevent avoidable involvement with the criminal-legal, shelter and emergency systems. We recommend a requirement for community systems to be more responsive to patient needs and focused on health outcomes by:

1. Redirecting existing ambulatory care structures to focus on populations most at risk of CLS involvement.
2. Improving training by inclusion of the following:
  - A. Trauma-and-resilience-informed care;
  - B. Anti-racist/ racially aware training;
  - C. Understanding Sequential Intercept Model of justice; and
  - D. Values of harm reduction over prevention, conflict over rule-breaking, and de-escalation.

## RECOMMENDATION #2 CONT.

3. Optimizing technology that is open and flexible to allow for data sharing among health care providers. Enabling the following:
  - A. App based and in person appointment and registration processes;
  - B. Data sharing among providers while maintaining patient confidentiality; firewall sensitive health issues that can be used for further punishment; and
  - C. Investments in health system literacy.
4. Making significant workforce investments allowing for manageable caseloads by:
  - A. Increasing diversity of practitioners/clinicians, with a focus on those from marginalized communities;
  - B. Expanding federal eligibility criteria for national health service and other loan forgiveness programs, to include health care personnel working in neighborhoods marked by high CLS involvement and in local correctional settings;
  - C. Increasing peer workforce to prioritize people with lived experience in the CLS and behavioral health systems; and
  - D. Providing competitive financial compensation to increase the workforce which may include reimbursement that is adequate and tied to accountable outcomes, signing bonuses, thriving vs livable/living wages and other non-monetary incentives.
5. Requiring community health systems to be responsive to patient needs and focused on health outcomes by:
  - A. Establishing and maintaining temporal, geographic, cultural, linguistic accessibility with the foundational principle of “no wrong door, no wrong time, no wrong place” including considering such factors as mass transportation and real-life schedules relative to nights and weekends;
  - B. Co-locating physical, mental health, and substance use treatment services;
  - C. Creating open and flexible appointment and registration systems;
  - D. Intensively promoting sustained engagement with medical homes;
  - E. Offering facilitative services including transportation and cell phone access;
  - F. Providing case management including connections to supportive services like home and community-based services, health homes, home health services, vocational support, family education, wellness skills, and community linkages;
  - G. Following patients through systems and levels of care for horizontal and vertical integration; and
  - H. Creating realistic network rules such as administrative and performance targets and preauthorization thresholds that encourage the progressive health care utilization.
6. Deepening investments in low-threshold, no law enforcement involved crisis intervention capacity by:
  - A. Providing 24/7 treatment primarily on mental health and addiction crisis similar to the Watertown Model<sup>37</sup>;
  - B. Increasing crisis intervention capacity through Cure Violence organizations; and
  - C. Investing in community-based intensive case management services to increase connections to mental health, substance use, and social service supports.

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<sup>37</sup> [https://www.nny360.com/communitynews/healthmatters/citizen-advocates-plans-to-bring-24-hour-mental-health-urgent-care-to-watertown/article\\_fdb77739-3c0f-5557-b3c0-143be50b358d.html](https://www.nny360.com/communitynews/healthmatters/citizen-advocates-plans-to-bring-24-hour-mental-health-urgent-care-to-watertown/article_fdb77739-3c0f-5557-b3c0-143be50b358d.html)

## RECOMMENDATION #2 CONT.

## COST/BENEFIT ANALYSIS:

We believe that rebalancing investments in community-based healthcare delivery systems is a vital and essential catalyst for community stability, sustainability and health. Access to appropriate health care is one of the most fundamental prerequisites to a strong health system and investing in the equitable delivery of services has immediate and long-term benefits. The benefits of strengthening communities, families and individuals through effective screening, diagnosis, and treatment is invaluable. For the-justice involved persons returning to the community who have received care while incarcerated, continuity of care is essential for individuals to successfully re-enter and remain in the community after release. For persons at risk of justice involvement, the availability of health services to support productive lives in the community is indispensable. Every preventive health care dollar invested yields many more dollars saved and costs averted in the care of more advanced disease. The absence of accessible, appropriate health care to prevent or treat disease results in the tragic loss of lives lived and lived well, and in costs to society in terms of more expensive secondary and tertiary care as well as lost economic opportunity and productivity.

## Public / Community Health Landscape

In October 2021, the New York City Board of Health introduced a resolution declaring racism as a public health crisis. This resolution recognizes that disparities in health and social conditions are rooted in institutionalized racism, and charges City government to take concrete actions to address the crisis. Racism has been endemic to the CLS. Mass Incarceration, Stop-and-Frisk, Three Strikes, and the War Against Drugs are but a few of the past policies in New York City that have led to disparate health outcomes and racial trauma for BIPOC New Yorkers. From neighborhood police presence and interactions with law enforcement to challenges during re-entry, CLS involvement is associated with poorer physical health, mental health, substance use, and social outcomes; this is magnified for BIPOC communities. The disparity is not coincidental, as these same communities also experience the vast majority of arrests, convictions, incarceration rates, and restrictive supervision conditions upon release.

The COVID-19 pandemic has highlighted numerous injustices for historically marginalized groups in New York City, including people of color and lower income New Yorkers. Consistent with past public health emergencies and many chronic diseases, Black and Latinx and those in low-income neighborhoods have been disproportionately impacted by COVID-19. Residents of higher poverty neighborhoods are also more likely to report symptoms of anxiety, and Latinx adults and residents of higher poverty neighborhoods experience greater unmet needs for mental and physical health care. Inequities and trauma compound, leading to significantly worse outcomes in communities most impacted by the CLS.

We understand that community violence is a public health issue recognized by many public health bodies, including the American Public Health Association (APHA) and Centers for

Disease Control and Prevention (CDC).

We also understand that facing racism, discrimination and inequity can significantly affect a person's mental health, substance use, and overall wellness. According to the US Department of Health and Human Services Office of Minority Health, Black adults in the U.S. are more likely than white adults to report persistent symptoms of emotional distress (i.e., sadness, hopelessness, fatigue).

The Health Subcommittee recognizes the role of social determinants of health that impact the physical health and well-being of entire neighborhoods and communities. In addition to providing recommendations to increase system capacity for individual care, we recommend health-based initiatives and investments for prevention at the community level that tie into the purview of our fellow sub-committees.

Health intersects with the focus of every subcommittee – Housing, Employment and Youth. Persons with CLS involvement face systemic racism and other barriers when re-entering the community, which result in discriminatory practices across societal structures and systems – in turn contributing to poorer health outcomes such as higher rates of heart disease, trauma, hypertension, behavioral health conditions, and premature mortality. There is an inadequate and insufficient capacity of community-based services to address the health and human needs of some of the City's most vulnerable residents, contributing to avoidable involvement in the CLS. Investment in and by community-based organizations that are based out of the targeted communities should provide for the basic needs such as food, clothing and housing. The opportunity to create sufficient community capacity exists through reinvestment and realignment through the following recommendations:

## RECOMMENDATION

# #3

Invest in youth-focused prevention and alternatives to incarceration and detention by:

1. Investing in initiatives to engage youth after-school, in jobs, and increase health system literacy. Example include:
  - A. After-School Programs;
  - B. Sports Initiatives;
  - C. STEM Initiatives;
  - D. Adolescent Skills Centers; and
  - E. Summer jobs.
2. Increasing crisis intervention capacity through Cure Violence organizations
  - A. Youth Prevention Programs
  - B. Teen Relationship Abuse Prevention Program (RAPP), Early RAPP
  - C. Hospital Based Violence Intervention Programs (HVIPs).

## RECOMMENDATION

# #4

Invest in Street Outreach, Service Referral, and Crisis De-escalation by engaging with persons that are experiencing street homelessness and connecting them to services that minimize interactions and touchpoints with the CLS, ultimately preventing (re-) incarceration. This can be realized by:

1. Increasing presence of street outreach teams to expand capacity to provide connections to services and de-escalation through
  - A. Homeless Outreach Teams (HOT; DHS);
  - B. Neighborhood-specific response teams (i.e. Behavioral Health Emergency Assistance Response Division (BHEARD)); and
    - i. Community Education and Engagement.
2. Investing in and deploying peer led crisis response teams; and
3. Investing in credible messenger and violence interrupter programs in neighborhoods most impacted by incarceration and increasing crisis intervention capacity through:
  - ii. Cure Violence organizations; and
  - iii. Investing in domestic and gender-based violence programming.

**RECOMMENDATION**

#5

Invest in community health and wellness, social support and community systems by:

1. Expanding wrap-around services for persons involved or at risk of involvement with CLS;
2. Creating peer-based workforces to connect to and pick up from transitional and reentry services to avoid incarceration or re-incarceration;
3. Reducing or eliminating barriers to and disruptions in public assistance such as food assistance, housing assistance, Medicaid, and SSI; and
4. Providing services and resources for families affected by and experiencing trauma (i.e. justice-impacted group).IPs).

**HOUSING:**

Housing insecurity is widespread, with persons with CLS involvement experiencing almost 10 times the rate of homelessness compared to the general population.

**People must be stabilized for health and human needs.  
Housing-related recommendations include:**

1. Facilitating access to subsidized/supported housing including assisted living;
2. Expanding Transitional housing options;
3. Expanding Long-Term housing options;
4. Allocating housing specifically for justice-involved men with mental health issues who are experiencing homelessness;
5. Investing in housing first models and safe havens for this community and allow direct placement as an option;
6. Continuing to expand the domestic violence shelter system;
7. Establishing options such as respite care medical shelters for individuals experiencing homelessness with clinical conditions that do not require institutional care but cannot be managed on the streets; and
8. Creating supportive/case-management services to help stabilize individuals experiencing homelessness.

## RECOMMENDATION #5 CONT.

## EMPLOYMENT

Persons with CLS involvement also face numerous barriers to employment, with only 55% of individuals report having any income during the first year following release.

**Related recommendations include:**

1. Incentivizing employers to hire people with previous CLS involvement;
2. Creating job placement opportunities and
3. Protecting people with CLS involvement from employer discrimination.

**RECOMMENDATION**

#6

Invest in community training and messaging by:

1. Sourcing non-health specific community partners to enable and facilitate health literacy and resources to include:
  - A. Faith-Based organizations (FBOs); and
  - B. Community-based organizations (CBOs).
2. Training community providers on trauma-and-resilience informed care in the following areas:
  - A. Harm reduction over prevention;
  - B. Conflict over rule-breaking;
  - C. De-escalation; and
  - D. Person-centered Care.
3. Creating campaign normalizing/destigmatizing health services with
  - A. Community-based health resources and programs; and
  - B. Public Service Announcements.

## RECOMMENDATION #6 CONT.

## COST/BENEFIT ANALYSIS:

Investments in public and community health that are focused on the health status and outcomes in vulnerable communities are critical for the health of New York City. Specifically investing in violence prevention and public safety, training and capacity building, supportive housing and employment for justice-involved persons and justice-impacted communities is an important step towards a more healthy New York.

The community health recommendations address both the effects of the trauma and crisis of being incarcerated and the effects of not having equitable and adequate community health support prior to any CLS involvement.

Focusing on the collective well-being of community members creates opportunities to address health disparities, improvements in the quality of life, prevention and treatment of diseases of the body and the mind and health education – all of which create exponential contributions to economic, environmental and social benefits.



## HOUSING/HOMELESSNESS FOCUSED RECOMMENDATIONS

Housing is not “a one size fits all” need. It is the foundation for everything, for having a life and keeping people out of carceral systems. Lack of housing is a society-created problem with real solutions available to address this basic need. However, these solutions have not been implemented due to the government’s lack of funding for pathways for housing, as well as the barriers that exist to accessing existing housing including eligibility requirements that exclude justice-impacted people and discrimination based on criminal record, race and/or source of income. Commission subcommittee members understand that people’s needs vary and change over time, and housing should adapt to those changing needs, including rental subsidies for people who are ready to move out of high-touch emergency, transitional or permanent housing but stay “stuck” because they cannot afford market rent – increasing access can create new pathways to avert and move out of homelessness.

Specifically in New York City, rent levels are high and as a result many cannot afford the cost of housing. The State-set public assistance rent allowance of \$215 a month for a single individual is a major driver of homelessness. People whose needs have changed stay too long in high-touch, high-cost supportive housing simply because they cannot afford the rent to move out, utilizing permanent supportive housing beds desperately needed to pull other people out of homelessness and costing far more than if rental supports were provided to allow move-outs. More community education can help with prevention, but it remains critical to add federal and state investment for New York City housing. In the absence of such additional federal and state investment, we will continue to see avoidable growth of the unhoused population with massive human and financial costs due to policy failures over many years without accountability and transparency and partnership among all three levels of government.

**Housing Subcommittee Members identified the following types of housing needed to create more housing access for people who are impacted by the criminal legal system.**



## C. HOUSING CONT.

#1

## Emergency Housing

available immediately with no eligibility requirements. For justice-system involved people, the US Department of Housing and Urban Development definition of homelessness for eligibility for federally-funded transitional and permanent supportive housing programs is a barrier because it requires street or shelter homelessness first; this bars all people being released from prison and almost everyone released from jail. Changing the HUD definition is a priority but simply changing the definition without increasing the federal resources for transitional and permanent supportive housing is a zero sum game that will leave both justice-involved and non-justice-involved people without the housing that they need. In the absence of such federal change, where only State or City funding is used for such housing, the City and State are free to decide not follow the HUD eligibility definition which would allow those coming directly from incarceration to be eligible without requiring street homelessness or a shelter stay first; however, again, without an increase in State and City resources simply changing the eligibility without an increase in available housing is a zero sum approach.

#2

## Transitional Housing

services that are needed for a period of time, but people should be able to transition to permanent housing, which typically requires rental support to avoid being “stuck” in transitional housing when someone is ready to move out, solely because they cannot afford rent.

#3

## Permanent Housing

which can vary in service supports needed, from none to intensive, and can vary in terms of whether rental assistance is needed; can include market rate housing, affordable housing, family reunification, and permanent supportive housing. Affordable housing and market-rate housing can mean that people need some rental support but little or no service support. Eligibility for permanent supportive housing should be based on seriousness of need, and as noted above eligibility criteria should not bar all people recently released from prison and almost everyone released from jail, no matter how great their documented need, because they have not experienced street or shelter homelessness as a result of their incarceration. But adopting new eligibility standards without increasing the supply of housing resources will not address the need.

#3

## Affordable Housing

most housing is not accessible to working class/immigrant communities anymore. Tenant protections are essential and expanded tenant protection programs are needed, like the CONH (Certificate of No Harassment) requirement that prioritizes protecting tenants against abusive landlords.

## C. HOUSING CONT.

## A. VOUCHER RECOMMENDATIONS:

## Landscape/Description of Voucher Issue 1

The City created the CityFHEPS voucher program to address the DHS shelter census which is driven up because of the catastrophic inadequacy of the \$215 State-set public assistance monthly rent allowance. Because it is a public assistance benefit, CityFHEPS is based on public assistance eligibility criteria like poverty level income percentages as opposed to Area Median Income (AMI) measures. Moreover, CityFHEPS is targeted to address the DHS census, not people living in private or faith-based shelters and transitional housing. Recent City-funded improvements to CityFHEPS have included increasing the rent levels to the NYCHA Section 8 payment standard which is 108% of the HUD FMR and modifying the income level at renewal to 80% of AMI. But even with these improvements, CityFHEPS is not equivalent to a federal Section 8 subsidy entitlement (currently only about one in five people eligible for federal Section 8 receive it because it is not

an entitlement) and it does not fill the massive gap between rent and income resulting from the \$215 State-set monthly public assistance rent allowance for many more people than those in DHS shelter. City funding for CityFHEPS continues a trend in which the State has been disinvesting in social services and shifting costs traditionally borne by the State to the City. The recent enactment of a State law to align State FHEPS with the HUD FMR like CityFHEPS is a step in the right direction. But additional State and federal rental assistance is still needed because CityFHEPS is largely targeted to help people move out of DHS shelters. But people coming out of correctional facilities or in privately-run shelter/transitional housing also need access to rental assistance. The combination of federal, state and city rental assistance should be sufficient to meet the need, including for those who are coming out of correctional facilities or in such privately-run shelters/transitional housing.

## Voucher Recommendation 1

The combination of federal, state and city rental assistance programs should be sufficiently funded to meet the need to cover all those experiencing homelessness in the City regardless of what system they are in and to prevent homelessness.

## Cost/Benefit Analysis

This proposed recommendation will avoid a massive cost shift from the State to the City and at the same time meet the needs of justice-involved City residents by ensuring that all three levels of government support rental assistance at the scale needed. Rikers closure savings can be applied to the City's portion of this federal-state-city effort.<sup>38</sup>

<sup>38</sup> <https://www1.nyc.gov/site/hra/help/cityfheps.page>; <https://www1.nyc.gov/assets/hra/downloads/pdf/cityfheps-documents/dss-7r-e.pdf>

C. HOUSING CONT.

**B. NYC1515 PERMANENT SUPPORTIVE HOUSING RECOMMENDATIONS**

**Landscape/Description of Issue 2**

Supportive housing offers intensive services in the community. While not everyone needs these services, many individuals coming out of incarceration need the wrap-around supports offered by permanent supportive housing. For Rikers in particular, about half the population currently there needs such permanent supportive housing. Given the urgent need for permanent supportive housing, simply reallocating housing<sup>39</sup>

resources within the NYC1515 program will not address the needs of both justice-involved and non-justice-involved individuals. Accordingly, there is a need to create an additional set-aside beyond the current 15,000 NYC1515 units specifically for justice system-involved individuals as part of the Rikers closure reinvestment efforts.

**Recommendation 2 NYC1515**

- Increase funding and add to the supply of supportive housing instead of reallocating the existing 15,000 units, and playing one group of people in need in shelters against another coming out of correctional facilities.
- Provide increased numbers of permanent supportive housing units specifically accessible to justice system impacted individuals who cannot meet the HUD chronicity standard or allow incarceration time to substitute for street or shelter homelessness for rental of these additional units.
- Remove any other barriers to housing for people with justice histories to allow eligibility for permanent supportive housing.

**Landscape/Description of Issue 2b**

There is a need for increased access to housing opportunities for foster youth and seniors.

**Recommendation 2b**

**Foster Youth/Elderly**

As recommended for other justice system-involved individuals, additional units need to be funded for young adults coming out of foster care (18-25) and seniors to prevent justice system involvement or ameliorate past involvement.

**Cost/Benefit Analysis 2b:**

Paying for permanent supportive housing is far more cost-effective than custodial or institutional care.<sup>40</sup>

<sup>39</sup> Coalition For Supportive Housing (CSH) [https://www.csh.org/wp-content/uploads/2021/03/2020-New-York-Housing-and-Criminal-System-Platform\\_3.16.pdf](https://www.csh.org/wp-content/uploads/2021/03/2020-New-York-Housing-and-Criminal-System-Platform_3.16.pdf)  
<sup>40</sup> <https://www.csh.org/wp-content/uploads/2011/11/Cost-Effectiveness-FAQ.pdf>

## C. HOUSING CONT.

**Landscape/Description of Issue 3**

JISH service funding is too low and takes too long to receive. JISH needs to include adequate funding and room to innovate, including combining scattered and congregate sites.

**Recommendation 3**

Increase funding and add to the supply of supportive housing instead of reallocating the existing 15,000 units, and playing one group of people in need in shelters against another coming out of correctional facilities.

**Cost/Benefit Analysis 3**

It is far more cost-effective to provide permanent supportive housing in place of custodial or institutional care.<sup>41</sup>

**Landscape/Description of Issue 4**

People moving on from permanent supportive housing need access to vouchers.

**Recommendation #4:**

Increase efforts to support Moving On initiatives. Moving On works to help people who no longer need to/want to be served by supportive housing move on to their own living arrangements. Moving On providers help the clients with addressing credit scores and employment, and identifying an apartment. Currently, there are a number of one-time federal Emergency Housing Vouchers that are committed to the Moving On program. An ongoing allocation of vouchers is needed to make this Moving On program work. Having people who no longer need/want supportive housing moving on will help open up units and decrease wait lists. Moving On initiatives should be expanded to include people leaving long-term transitional housing as well as permanent supportive housing.

<sup>41</sup> <https://www.csh.org/wp-content/uploads/2011/11/Cost-Effectiveness-FAQ.pdf>

## C. HOUSING CONT.

**Cost/Benefit Analysis 4**

Freeing up units in supportive housing helps conserve currently limited resources and can reduce the costs of custodial and institutional care.<sup>42</sup>

**Landscape/Description of Issue 5**

JISH service funding is too low and takes too long to receive. JISH needs to include adequate funding and room to innovate, including combining scattered and congregate sites.

**Recommendation 5**

Increase the Empire State Supportive Housing Initiative (ESSHI) Services & Operating Funding. High property costs in New York City and metropolitan areas are straining providers' service budgets. Property costs are increasing and, in turn, shrinking the amount of available funds to pay for critical and much-needed supportive services that are the very underpinning of ESSHI. The existing services and operating rate for ESSHI is \$25,000 per unit statewide. In NYC, the rate to adequately cover both the cost of rent and services is \$35,000 per unit. We recommend that ESSHI increase the services rate to \$35,000 per unit in NYC and \$30,000 in the rest of the State and set the rent at the HUD FMR.

**Cost/Benefit Analysis 5**

Permanent supportive housing is far more cost-effective than custodial or institutional care.<sup>43</sup>

<sup>42</sup> <https://www.csh.org/wp-content/uploads/2011/11/Cost-Effectiveness-FAQ-pdf>

<sup>43</sup> Women's Community Justice Project (WCJP) spends roughly \$50K per year v. \$500K to detain/incarcerate a person on Rikers Island. <https://comptroller-nyc.gov/wp-content/uploads/documents/Fees-and-Fines-in-the-Criminal-Justice-System-pdf>

## D.

## YOUTH FOCUSED RECOMMENDATIONS

The Commission's Youth Subcommittee is committed to justice and equity for all youth in NYC, especially Black and Brown youth from low-income communities who have been historically disenfranchised, marginalized and disproportionately impacted by high levels of mistrust, surveillance and mass incarceration.

Our mission is to identify investments that will prevent or remove young people from the criminal justice pipeline and ensure that they achieve healthy, productive and positive outcomes.

Investment recommendations fall along a continuum that begins with prevention, i.e. from birth investing in initiatives that prevent young people from entering the justice system,

to intervention, i.e. diverting young people from entering the system, to community-based supports, and reentry, i.e. supporting successful reentry back to their communities.

These investment recommendations require a more equitable budgeting process at the City-level that recognizes and reflects historical underinvestment, the political will to move away from intentional segregation and meaningful investments in communities most impacted by family separation and incarceration. City budgets are a reflection of City values and the City should adopt a more equitable budgeting process to adequately support low-income communities of color which have been under-resourced and overly criminalized for too long.

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### As we continue this work through 2027, we are guided by the following commitments:

1. Partnership with young people, communities, government and the funder community in developing and implementing investment recommendations.
  2. Transparency in sharing what we hear from young people, sharing what we learn from our work and gathering evidence of success or failure as we implement investment recommendations.
  3. Investing in initiatives that ensure dignity and justice for young people.
  4. Embracing a more holistic definition of public safety – one that is rooted in well-being principles and not focused exclusively on the absence of crime
  5. Incorporating trauma-informed practices across investment recommendations to support healing and mental health treatment.
  6. Addressing and healing harm in a multifaceted approach that honors the dignity of the person(s) harmed and the person(s) causing the harm.
  7. Layering capacity-building support on to programmatic investments, to support community-based organizations, especially grassroots organizations.
  8. Flexible funding – so that community-based organizations can adapt to support young people and not be restricted by unrealistic requirements for targets, length of supports and types of interventions.
- 

### Prevention Recommendations:

1. Scale the “Healthy Start” initiative.
2. Achieve equitable investment across systems.
3. Increase support for two-generational models for young people and their families.
4. Scale the “Next Steps Transformative Mentoring Program”.
5. Develop wraparound service-delivery models.
6. Offer quality spaces for young people to access pro-social and educational opportunities.
7. Create a more navigable social service delivery model.

## D. YOUTH CONT.

## RECOMMENDATION #1

### Invest in Healthy Start initiatives

1. Support new parents for the first year through evidence-based initiatives like having in-home parenting and other in-home and local supports such as quality child-care services.
2. Continue the baby bonds like Save For College; consideration should be given to rebalancing the amounts of the bonds based on equity metrics.

## RECOMMENDATION #2

### Equitable investment in systems

1. The City should adopt a more equitable approach to funding big systems that are key to successful outcomes for young people.
  - A. These systems include education, health and employment.
2. Divert DOE funds from non-performing initiatives in District 75; hold District 75 accountable for their spending/interventions and successful outcomes in education and certificate programs that lead to employment.
3. Invest in creating MEANINGFUL ACCESS to quality education at all levels.
  - A. Continue funding and grow Universal, Pre-K and 3-K for all in these communities.
  - B. Ensure that DOE reallocates funds equitably to enhance academic and social/emotional outcomes for schools in the identified communities.
    - i. Ensure quality educators who are culturally competent.
    - ii. Ensure quality social work supports that are also culturally competent and child/family-strength-based.
    - iii. Strengthen family support systems.
  - C. Ensure that curricula are culturally relevant.
  - D. Involve Credible Messenger Mentors in the middle and high schools.
  - E. Invest in the FULL integration in the schools of restorative practices or other social/emotional learning driven approaches.
  - F. Eliminate all forms of school safety agents.
  - G. Invest in developing family supportive, holistic attendance recovery initiatives.
  - H. Ensure equitable presence of community schools or similar models within the identified communities.
  - I. Require ACS to develop alternatives to the Children's Center run by ACS for children older than 13.

## D. YOUTH CONT.

**RECOMMENDATION**

#3

**Two Generational programs**

A healthy, functioning family is the most important influence on a young person's life. Invest in two-generational models to support young people and their families. The City must continue to support, expand, and enhance programs that focus on 2-generational models, working with family units-parents/guardians (defined broadly) and young people to ensure healthy and productive family units. Family support with seeking employment, therapy, etc. is a vital investment to ensure the young person and family unit are productive and experience successful, healthy outcomes.

**RECOMMENDATION**

#4

**Scale and correctly-resource Next Steps Transformative Mentoring Program**

Following the successful implementation of Next Steps Transformative Mentoring Program across 15 Mayor's Action Plan developments, the City should scale this program across all housing developments, change the age range of participation to 14-17 year-olds and adequately resource the providers so that they can offer a greater range of opportunities for participating young people.

**RECOMMENDATION**

#5

**Wraparound Service-Delivery Models**

For young people requiring access to a range of services, it can be a struggle to locate and connect with services because they are often located across systems and CBOs, rather than at a single location. There is a need to encourage partnerships between government agencies and community-based organizations (CBOs) to create wraparound service-delivery models for young people, similar to the five Youth Opportunity Hubs located across Manhattan. Hubs should offer a range of services, including pro-social, education, employment, housing and mental health support. Hubs should be resourced to allow a guarantee of employment opportunities for young people who need a job. Where needed, programs should offer stipends for youth to participate and include hot meals and transportation, which are often huge barriers for young people. Partnerships should reflect a mix of large, established CBOs and grassroots organizations and credible messengers who can face many barriers in accessing funding but are highly effective change agents in their communities. Models should develop strategies for engaging young people who are not accessing services.



## D. YOUTH CONT.

**RECOMMENDATION**

#6

**Quality Spaces for Young People**

There is a lack of quality spaces for young people, and community centers located across housing developments are often under-resourced, underutilized, or inaccessible. The City should increase capital fund investments to ensure young people have access to safe, quality spaces to participate in programs and engage in prosocial activities. Capital plans should be designed in partnership with young people and community organizations, and priority should be given to community centers across housing developments.

**RECOMMENDATION**

#7

**System Navigation**

Young people who require access to a range of services often face barriers accessing them for many reasons, including a lack of awareness of available services, distrust in government, or a need for a community peer support person to help them in identifying needs and matching them with services. The City should invest in community-based navigation initiatives, hiring navigators from the communities they serve, to help make social services more navigable.

**RECOMMENDATIONS****Intervention**

**INTERVENTION:** intervening at the earliest point when a young person is in contact with the justice system.

**INTERVENTION RECOMMENDATIONS:**

1. Invest in planning an intervention for young people aged 11-15 who are at the highest risk for violence. The intervention should include voluntary respite for young people and their families.
2. Adequately resource the recommendations coming out of the Juvenile Justice Advisory Committee re: ATD (Alternative To Detention) opportunities for juvenile and adolescent offenders in the youth parts.
3. Restructure the youth part system, using a treatment court model, and expand the age-range they cover to 16-24-years.
  - A. As part of this endeavor, develop and resource diversion options for youth 19-24 entering the adult justice system.
4. Correctly resource credible messenger programs.
5. Develop a youth referral process for young people at the point of arrest/interaction with police officers.

## D. YOUTH CONT.

**Landscape/Description of Issue 1**

There is a gap in supports for young people aged 11-15 who are at the highest risk for violence and not able to show-up to available programs in the community. A new intervention model should be planned which incorporates an intensive offering of supports similar to the CASES ACES model for 16-24-year-olds in East Harlem and the South Bronx. Once the intervention is planned with community providers, government, and law enforcement, the City should identify providers who want to serve this population and offer flexible funding and capacity building to support them in this work.

**Recommendation 1**

The combination of federal, state and city rental assistance programs should be sufficiently funded to meet the need to cover all those experiencing homelessness in the City regardless of what system they are in and to prevent homelessness.

**Landscape/Description of Issue 2**

Incarceration is a very effective driver of individual violence and keeping young people out of carceral settings will foster improved public safety outcomes. ATD recommendations coming out of the Juvenile Justice Advisory Committee should be implemented and adequately resourced.

**Recommendation 2**

Adequately resource the recommendations presented in the Juvenile Justice Advisory Committee re: ATD (Alternative To Detention) opportunities for juvenile and adolescent offenders in the youth parts.

**Landscape/Description of Issue 3**

There is no community-based organization offering guidance to the youth part system on services and programs which could support young people in the community.

**Recommendation 3**

We recommend the City contracts with a youth-development, community-based organization which can offer guidance, and assist in making referrals to a wide-range of services to align with the needs of young people who end up in this youth court part. We also recommend that this court serve youth up to age 24.

## D. YOUTH CONT.

### Landscape/Description of Issue 4

The City has increased investments in credible messenger models but more funding is needed to support these programs, which include additional credible messengers on-the-ground, adequate salaries to reflect the hard work and on-call nature of their work with COLA (Cost Of Living Adjustments), flexible funds to support young people's individual needs and capacity-building support for their organization.

1. Need for real support of credible messengers getting the financial resources to expand proven grass-roots models that are working in certain communities.
2. Credible messengers should be paid to support cure violence outreach, innovations, and behavioral therapy utilizing non-clinicians.
3. All investments need to have the proper oversight to ensure resources are distributed directly to those on the ground doing the work.

### Recommendation 4

Adequately resource credible messenger programs

### Landscape/Description of Issue 5

At the point of arrest and at every precinct and with parental consent, young people should be immediately connected to a community support person who can tell them about the range of supports offered by CBOs in their neighborhoods and encourage them to participate. CBOs and NYPD should develop and implement a youth referral process to ensure young people are connected to community members.

### Recommendation 5

Develop a youth referral process for young people at the point of arrest/interaction with police officers.

### Cost/Benefit Analysis 5

S.A.V.E steers high-risk young people to its partners for job-readiness, educational/vocational and mental health services in order to reduce gun violence and the chance of incarceration in East Harlem<sup>44</sup>

<sup>44</sup> <https://www.gosonyc.org/2016/09/26/today-join-goso-at-the-stand-against-violence-east-harlem-s-a-v-e-launch/>; [https://burnsinstitute.org/wp-content/uploads/2020/13/YJC\\_report\\_11.pdf](https://burnsinstitute.org/wp-content/uploads/2020/13/YJC_report_11.pdf)

## D. YOUTH CONT.

**RECOMMENDATIONS**

## Reentry

**REENTRY:** supporting successful reentry back to their communities.

**REENTRY RECOMMENDATIONS:**

1. Ensure reentry planning begins day one of incarceration (in detention, jail and prison).
2. Invest in wraparound reentry service models to encourage collaboration and coordination between sectors.

**Landscape/Description of Issue 1**

There are many barriers in place for CBOs who seek access to detention, jails and prisons in support of reentry planning. Reentry planning should be conducted by community providers and should begin on day one of incarceration.

**Recommendation 1**

Ensure reentry planning begins day one of incarceration (in detention, jail and prison).

**Landscape/Description of Issue 2**

Invest in planning a people-centered reentry hub model which includes life coaching, employment, mental health treatment and access to a range of services.

**Recommendation 2**

Invest in wraparound reentry service models to encourage collaboration and coordination between sectors.

# APPENDIX

## I. CHRONOLOGY OF EVENTS and ACTIONS - Timeline

The following timeline provides the chronology of the events and actions that culminated into the formation of the Commission:

FEBRUARY 2016	City Council Speaker Melissa Mark-Viverito appointed an independent commission headed by former New York Chief Judge Jonathan Lippman to study the closure of Rikers Island and the reforms needed to achieve the goal.
MARCH 2017	Mayor de Blasio and City Council Speaker announce a 10-year plan to close Rikers Island by the end of 2027.
FEBRUARY 2018	Mayor de Blasio announces agreement with City Council to replace Rikers Island jails with borough-based jail facilities.
AUGUST 2018	De Blasio administration announces plans for borough-based jails to replace facilities on Rikers Island.
SUMMER 2018	First Rikers Island facility, the George Motchan Detention Center, which housed about 600 men in custody, closed.
JUNE 13, 2019	Council Member Constantinides introduces Renewable Rikers Act, which would (1) establish a process to transfer control of Rikers Island from the Department of Corrections to other agencies for sustainability and resiliency purposes, (2) require New York City to determine the feasibility of what renewable energy and large-scale battery storage can be sited on Riker Island, and (3) require New York City to assess capacity for organics and wastewater processing on Rikers Island.
OCTOBER 16, 2019	The City Council Subcommittee on Landmarks, Public Sitings and Dispositions and the Committee on Land Use voted to approve the plan to close the jails on Rikers Island and build four new borough-based facilities.
OCTOBER 17, 2019	Mayor de Blasio, Speaker Corey Johnson and Council leadership announce agreement to a wide-range of investments tied to the closure of Rikers totaling \$391 million dollars, including \$126 million in previously planned investments and \$265 million in new programming that will address the root causes of incarceration and help fundamentally reshape New York City's criminal justice system going forward.
OCTOBER 17, 2019	New York City Council passed Local Law 193, establishing the Commission on Community Reinvestment and the Closure of Rikers Island.
OCTOBER 17, 2019	New York City Council voted to close Rikers Island.
FEBRUARY 2021	Council passes the Renewable Rikers Act legislation and Mayor Bill de Blasio signs it into law.
JULY 2021	Mayor Bill de Blasio authorized the transfer of the New York City Department of Corrections (DOC) James A. Thomas Center (JATC), the oldest correctional facility on Rikers Island, to the Department of Citywide Administrative Services (DCAS). Now that the Department's transfer of the property has been accepted, DCAS owns JATC. This reaffirms the City's commitment to shutter Rikers Island and create new, modern borough-based jails.

## II. COMMISSION OVERVIEW

### A. Mandate

On Oct. 17, 2019, the New York City Council passed what is now Local Law 193, sponsored by Council Member Stephen Levin, to establish the Commission along with their vote to close Rikers Island. With the historic closing of Rikers Island becoming policy, the mandate for this Commission is to make recommendations on reinvestment in communities impacted by Mass Incarceration. The selection of Commission members was designed to be an intentional process to ensure proper representation of all stakeholders with the requisite background and lived experience to make such recommendations.

“The Commission, in consultation with an expert on justice reinvestment appointed by the Council, shall provide advice and recommendations to the City Council and the Mayor with respect to the ways in which the city can invest in neighborhoods and communities that have been disparately affected by mass incarceration to address the drivers of mass incarceration. Within six months of the formation of the commission, no later than the 30th day of each December thereafter, such commission shall submit an annual report to the Mayor and the Speaker of the City Council and publish such report prominently on the website of the Department of Social Services. Such report shall identify neighborhoods and populations most impacted by historical incarceration rates, analyze or assess ways in which reinvestment can reduce incarceration rates and identify opportunities for reinvestment in such communities that shall include, but not be limited to, the following:

1. Investments that address the root causes of crime and preventing crime, such as housing, public health and social programs;
2. Practices, policies and community investments that avoid contact with the criminal justice system for persons in mental health crisis, struggling with substance use disorders, homelessness and extreme poverty or other situations in which a traditional law enforcement response may be unwarranted or ineffective; and
3. Proposals for legislation, and reviews of prosecutorial practices and police procedures that impact any such issues.“

### B. Composition and Governance

As outlined in Local Law 193, the Commission shall be composed of the following members: the Commissioner of the Department of Social Services or their designee, who shall serve as Chair; the Comptroller or their designee; the Commissioner of the Department of Probation or their designee; a representative from the Office of Criminal Justice; seven members appointed by the Mayor who have been formerly incarcerated or directly impacted by incarceration; two members appointed by the Mayor who represent community-based organizations focused on serving the needs of neighborhoods historically impacted by mass incarceration, such as Brownsville, the South Bronx, East New York, Harlem, and Bedford-Stuyvesant; one member appointed by the Speaker of the Council specializing in justice reinvestment; four members appointed by the Speaker of the Council who have been formerly incarcerated or directly impacted by incarceration; the Commissioner of the Department of Health and Mental Hygiene or their designee; the Commissioner of the Department of Housing Preservation and Development or their designee; a representative from New York City Health and Hospitals Corporation; and a representative from the New York City Office of the Public Advocate.

These appointments were required to be made no later than 90 days after the effective date of the law. Commission members serve at the pleasure of the officer who appointed the member. Any potential vacancies would be filled in the same manner of the original appointment. There is no compensation for serving on the Commission and no member shall be removed except for cause.

The Commission was charged with convening the first meeting no later than 30 days after the last member was appointed and to meet no less than once each quarter to fulfill their duties in addition to holding public hearings. Relevant experts and/or stakeholders could be invited to share relevant information.

Due to the COVID-19 global health pandemic, the creation and work of the Council was delayed one year with the appointments of Commission members occurring in February and March of 2021, and Commission meetings began in April 2021 as outlined below.

## II. COMMISSION OVERVIEW CONT.

Additionally, the Commission is tasked with soliciting feedback from community-based organizations and service providers focused on serving the identified five to ten neighborhoods disparately impacted by mass incarceration.

Appropriate support will be given from all agencies affected by this local law. The Mayor of the City of New York will publish a response to each recommendation in the report of the Commission within 60 days after the publication.

The Commission shall terminate on March 31, 2027.



## C. TIMEFRAME & PROCESS

In accordance with the mandate outlined in the Local Law 193, the Commission held the following meetings to gather data, information and resources to assist with the formulation of the findings and recommendations included in this report:

<b>APRIL 1, 2021</b>	First meeting of Commission: Review of Rikers Closing (Mayor's Office of Criminal Justice), Points of Agreement Investments, City Budget (Office of Management and Budget (OMB))
<b>MAY 6, 2021</b>	Discussion of the Department of Corrections Budget (OMB, First Deputy Mayor's Office), and the Housing New York Plan Budget and Process (Department of Housing, Preservation and Design)
<b>JUNE 3, 2021</b>	Discussion of the Department of Education, Administration for Children's Services, Department of Youth and Community Development programs
<b>JUNE 24, 2021</b>	Discussion of the Department of Probation programs; Commission organized into Subcommittees - Housing, Youth, Health, Employment/Entrepreneurship
<b>JULY 8, 2021</b>	Commission Subcommittee Meetings; Focus Areas, Neighborhoods, CBOs
<b>JULY 26, 2021</b>	Discussion of the Pre-Engagement Survey, and the Drivers and Nexus of Incarceration
<b>AUG 5, 2021</b>	Public / Community Engagement Meeting
<b>AUG 26, 2021</b>	Full Commission Meeting
<b>SEP 30, 2021</b>	Full Commission Meeting
<b>OCT 21, 2021</b>	Public / Community Engagement Meeting
<b>OCT 28, 2021</b>	Full Commission Meeting
<b>DEC 2, 2021</b>	Full Commission Meeting

The work of this Commission will continue until March 2027, in keeping with the mandate laid out in the local law. To this end, the initial recommendations shared in this report will serve as a starting point that covers the most pressing and urgent portfolios of community reinvestment.

### III. ROADMAP FOR THE FUTURE: POINTS OF AGREEMENT FOR REINVESTMENT 2021

New York City outlined the Criminal Justice Reform Investment Points of Agreement in October 2019, which reflects the investments the Administration is currently making. The recommendations being put forward in this report are the investments that will be made from the closing of Rikers Island.

Unfortunately, over the last decade in NYC, there has been serious disinvestments in social services for the most vulnerable communities; most of them low-income communities of color with food deserts and the highest health disparities. Consequently, disinvestment has caused significant challenges in the delivery of social services for residents in most need.

There are several communities throughout New York City that have been historically underfunded, which suffer from high quality educational, nutritional, and health deserts. These neighborhoods – most of which are in low-income communities of color – face significant challenges in the delivery of social services for residents in most need.

The Criminal Justice Reform Investment Point of Agreement has indicated portfolios of investments, totaling \$391 million dollars, including \$126 million in previously planned investments and \$265 million in novel programming; these investments will help to address the root causes of incarceration.

Portfolios of Investment are neighborhood-based and highlight community-led programs that improve public safety and reduce violence.

1. Reduce incarceration through prevention, diversion, and reentry;
2. Capital improvements to community centers and schools; and
3. Improve the culture of jails and prioritize therapeutic environments and culture change in all aspects of the development of the borough-based jail system.

#### City-Wide Points of Agreement 2021 Updates (\*already in progress)

1. Reduce incarceration through prevention, diversion, and reentry;
2. Expand and fund Supervised Release to ensure safe and fair implementation of bail reform and Other Pre-Trial Services - \$66M in FY2021 (\$54M new investment in FY2021);
3. Increase investments in comprehensive reentry services, for example, Alternatives to Detention (ATD) and Alternatives to Incarceration (ATI). Increase Alternatives to Incarceration (ATIs) funding to serve at least 7,300 people per year and to reduce the number of people serving City sentences - \$30.6M in FY2021 (\$17M new investment in FY2021);
4. Reduce gun violence and promote public safety by expanding investments in Cure Violence programs - \$2.7M in FY21. Community-based violence reduction investments include promotion and expansion of existing Cure Violence programs in the following precincts: 25th Precinct (Wagner Houses); 40th Precinct (Patterson and Mitchel Houses); 113th Precinct; 47th Precinct (Edenwald Houses); 60th Precinct; and the 67th Precinct Public Safety Coalition; and
5. Enhance Reentry and Discharge Planning Services Available to Everyone Leaving City Jails.

These investments are dedicated to serving all residents, especially those who have serious needs.

## Housing

1. Facilitate access and increase the number of supportive housing beds, increasing rates for Scattered-Site Supportive Housing Units, and expanding Shelter for People Reentering from State Prison; and
2. Expand Transitional Housing for People in the NY Justice System with Histories of Homelessness to Reduce Incarceration and Enable Participation in ATD/ATI Programs - \$12.5M.

## Mental Health

3. Strengthen NYC's ability to prevent and respond to mental health crises - \$23M by FY22. Expand Correctional Health Services' discharge planning and reentry services for people with serious health needs leaving city jails - \$6.2M in FY21; and
4. Innovative solutions include development of new Health Engagement and Assessment (HEAT) teams (8), Mobile Crisis Teams (6); Intensive Mobile Treatment teams (4) to proactively engage people at risk of mental health crises and 4 new co-response teams in high need precincts.

## Capital improvements to community centers and schools

5. Fund and Implement Innovative Plan for Restorative Justice Training at Every Middle and High School, Social Emotional Learning (SEL) at Every Elementary School - \$2.5M in FY21; and
6. Community Justice Center in the Far Rockaways.

## Key Data Points:

The Lippman Commission cites a \$1.9 billion projected savings number from closing Rikers.<sup>46</sup>

## IV. COMMISSION FINDINGS: APPROACH & FRAMEWORK

### A. Subcommittee Framework and Structure

#### Subcommittee Focus Areas

In order to maximize time, resources and expertise, Commission members divided into four sub-committees around four key focus areas: Employment and Entrepreneurship, Health, Housing/ Homelessness and Youth to provide an additional layer of research, discovery and specificity to exploring the recommendations for quality reinvestments in communities most impacted by mass incarceration. All Committees incorporated addressing the underlying drivers of criminalization (policing, systemic racism, poverty and mental health/ substance use disorders) in their analysis outcomes to determine what contributes to crime/mass incarceration and identify prevention work streams that will explain how community reinvestment will enhance social service programs/community and mitigate these barriers.

<sup>46</sup> (<https://vitalcitynyc.org/wp-content/uploads/2021/09/What-to-Do-About-Closing-Rikers.pdf#page=45>). The ratio of officers to incarcerated people in New York City is one of the highest in the nation, without any clear benefits and with extraordinary costs. Since 2013, the per person cost of incarceration has increased 166%. The average annual cost to incarcerate a person in New York City jails is a staggering \$447,000. Better run jails with far fewer incidents of violence are possible. Arlington County, Virginia, Denver and San Diego, for example, operate with staffing ratios roughly two-thirds lower than the ratio in New York City. An April 2021 analysis conducted by the CUNY Institute for State and Local Governance for the Independent Commission on Criminal Justice and Incarceration Reform estimated that the number of uniformed corrections officers required in a new, humanely designed and state-of-the-art system of jails with a maximum capacity of 3,300 people would require just 2,400 uniformed staff. (A system capped at 2,200 would operate with fewer officers.) This would reduce the annual corrections budget by \$1.9 billion dollars

## Subcommittee Composition/Member Selection

Each Commission member self-selected the subcommittee(s) they wanted to contribute to the development of its recommendations. Some Commission members served on multiple subcommittees.

Each subcommittee is composed of three to six Commission members. As a subcommittee, one of the initial tasks was to draft a Strategic Framework to serve as a compass to identify compelling issues of that particular focus area and provide recommendations to address them.

In addition, a representative of Queen Strategy Partners (QSP), the Commission's consultant, participated in subcommittee meetings on a monthly basis to facilitate the work stream process and document progress towards completion of proposed recommendations.

## Sub-committee Co-Chair Selection

Two Commission members serve as Co-Chairs of each subcommittee. The Co-Chairs represent the lived experiences of the community and/or formerly incarcerated individuals as well as the City agencies directly involved in addressing the issues of mass incarceration. Co-Chairs were selected based on volunteers and/or by recommendation of other subcommittee members.

The responsibilities of the Subcommittee Co-Chair(s) are:

- With other subcommittee members, the Committee Co-Chairs develop a work plan that will allow the subcommittee to effectively and efficiently discharge its responsibilities for the Commission.
- The Subcommittee Co-Chairs and QSP are co-responsible for keeping leadership and appropriate staff fully informed of committee activities.
- The Subcommittee Co-Chairs work with QSP to ensure that the work of the subcommittee is carried out between meetings.
- The Subcommittee Co-Chairs report to the Commission at large key information that may affect the Commission's work.
- The Subcommittee Co-Chairs, where appropriate, guide the subcommittee in proposing recommendations that will further the goals and objectives of the Commission.
- The Subcommittee Co-Chairs are permitted to schedule special meetings outside of normal scheduled meetings.
- The Subcommittee Co-Chairs will invite external subject-matter experts to present to subcommittee members.
- The Subcommittee Co-Chairs will review and sign off on the areas of the report that fall under the domain of that particular subcommittee.

Responsibilities of Subcommittee Members are:

- Provide input on the development of proposed recommendations to be made to the Commission at large.
- Assist in the development and implementation of the workstream to achieve goals and objectives.
- Carry out due diligence and conduct research to be informed of the wider issues that affect its work.
- Attend all meetings.
- Express opinions and perspectives to ensure all viewpoints are taken into consideration in the formation of subcommittee recommendations.

## Subcommittee Meeting Cadence

From June of 2021 through September of 2021, each subcommittee met with QSP for two hours the third week of the month on Mondays or Wednesdays. They also had the option to meet on their own accord on the first Thursday of the month to hear from guests, share new research and data, and integrate new data and research into proposed recommendations.

## V. COMMISSION PRINCIPLES AND VALUES

Further to the Commission's principles and values provided in Section IV above, the Commission's work is informed by the inclusion and integration of the following additional values:

**INCLUSION:** Inclusion for this Commission means how well the contributions, presence and perspectives of different groups of people are valued and integrated into the Commission's process. The Commission values the contributions of those with lived experiences, those who are justice-involved and those who are justice-impacted, and has and will continue to invite them into the reinvestment discussion process as partners and stakeholders in the solutions we recommend.

**HOLISTIC HEALING:** The Commission seeks the optimal health and wellness of communities and will consider the whole person – body, mind, spirit and emotions, in its analysis of the issues, root causes and pathways to solutions with the goal of providing recommendations that are comprehensive, empathetic and impactful.

**TRAUMA-INFORMED CARE / SERVICES:** The Commission values trauma-informed care as a response to the signs, symptoms, and risks of trauma to better support the health needs of the community in general and specifically the justice-involved who have experienced Adverse Childhood Experiences (ACEs) and toxic stress.

**CREDIBLE MESSENGERS:** The Commission values the inclusion of credible messenger mentors that connect with and motivate the most challenging young people who may be connected by coming from the same communities or being formerly incarcerated or justice-involved. Credible messengers have turned their lives around, demonstrated integrity and transformation, and are skilled and trained in mentoring young people.

**JUSTICE:** The Commission values justice as a moral principle, equitable action and just conduct. In this process, the Commission asks questions like “Is this the right thing to do?”, “Is this the fair thing to do?”, “How do we build equity and fairness into every step or action on the path to community safety, healing and sustainability?”

**EVIDENCE-BASED SERVICES, MODELS AND SOLUTIONS:** The Commission values research, expert experience and user preferences to guide decisions and recommendations. We review pilot and existing programs and innovative ideas with the eye to determine how to scale viable community solutions. Evidence of impact can be represented by quantitative and qualitative data.

**DIVERSION MODELS:** The Commission values diversion from detention or incarceration where other intervention approaches and alternatives are viable. There is value in assessing treatment as an alternative to the court and criminal justice system.

**SUSTAINABLE COMMUNITIES:** The Commission values a community plan that includes economic and environmental sustainability, social equity, community services, public safety and culturally responsive support systems.

**FINANCIAL SUSTAINABILITY:** The Commission values a financial sustainability model that optimizes, manages and deploys reinvestment funds responsibly – meaning the funds are used to support first and foremost the people most in need in the communities where funds are allocated. Oversight of funds can be realized with reporting and evaluation mechanisms to track expenditures. The Commission values the review of future capital needs of the programs and initiatives that are working and making an impact.

**INNOVATION:** The Commission values new ideas, programs, initiatives and models and welcomes innovation that originates from the community stakeholders who are closest to the challenges.

**PARTNERSHIP WITH FEDERAL, STATE AND CITY:** The Commission values first the understanding of the interconnected branches of government and second how that poses opportunities for collaboration, resource share and co-investing in community solutions.

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<sup>46</sup> Source: DOC Budget FY 2021-2025 – Savings over Time  
 Source: Housing Preservation & Development – Affordable Housing 101  
 Source: NYC ACS Juvenile Justice Prevention Programming  
 Source: Division of School Climate & Wellness

Source: The Correctional Association of New York; CANY's Research and Reports can be accessed here: <https://www.correctionalassociation.org/recent-news>

## VI. COMMISSION FINDINGS: REVIEW OF STAKEHOLDERS, CBOS AND AGENCY DATA

The Commission solicited feedback and engaged with a variety of community-based organizations (CBOs) to capture the voices of those with lived experiences, which is a priority of this effort. There are a number of agencies working across all boroughs in the city with localized resources. The Commission deems CBOs as partners in this process and welcomed invited groups to share input and feedback via Public Engagement Meetings and a pre/post-engagement survey. The main goal of the Commission's continued engagement is to solicit quality feedback from CBOs and service providers focused on serving the needs of neighborhoods that have been disparately impacted by mass incarceration. The Commission has used the solicited feedback to help prioritize the current issues identified as high priority focus areas and guide their reinvestment recommendations.

A Commission Pre-Engagement CBO Survey was created to elicit feedback on what the community believes are the issues that contribute to avoidable incarceration impacting the community as well as recommendations for solutions, initiatives and focus areas for reinvestment.

### **CBO Pre-Engagement Process**

In preparation for Public Engagement Meetings, direct marketing outreach was made to key stakeholders and CBOs to invite them to engage with Commission Members and share their insights on what recommendations should be considered. Outreach was sent via email and direct inbound phone calls to promote and ensure increased engagement.

### **CBO Post-Engagement Survey**

A CBO Post-Engagement Survey was provided for both Public Engagement Meetings to gather integral feedback to enhance the engagement experience as partners. At least 20 were received; 100% survey respondents cited these meetings as helpful and 94.4% indicated interest to participate in future Public Engagement Meetings with the Commission. CBOs appreciated the participatory nature and the ability to give and hear feedback on innovative ideas and approaches to the delivery of supportive services and programming to address many concerning issues being faced by the populations we serve. Most notably, segmented breakout groups based on the four focus areas were well organized and small enough to allow for true engagement and discussion.

### **Key Data Points**

The Commission reviewed data from a range of City agencies and other sources.<sup>47</sup>

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<sup>47</sup> Source: DOC Budget FY 2021-2025 – Savings over Time  
Source: Housing Preservation & Development – Affordable Housing 101  
Source: NYC ACS Juvenile Justice Prevention Programming  
Source: Division of School Climate & Wellness

Source: The Correctional Association of New York; CANY's Research and Reports can be accessed here: <https://www.correctionalassociation.org/recent-news>

## VII. COMMISSION MEMBER BIOGRAPHIES (NAMES AND BIOS)

During 2021, the Commission has been chaired by Steven Banks, Commissioner of The New York City Human Resources Administration/ Department of Social Services (HRA/DSS).

The Commission is comprised of the following appointed members:

### **Ana Bermudez, Commissioner, NYC Department of Probation, designated in the local law**

Ana M. Bermúdez is the NYC Department of Probation's (DOP's) first openly gay person, first Latina and second woman to be appointed Commissioner. A graduate of Brown University and Yale Law School, Commissioner Bermúdez began her professional career representing children in family court cases at the Legal Aid Society. For over twenty years, she has been a tireless advocate for children and teenagers involved in the justice system through the development and implementation of strengths-based interventions, the application of restorative and youth development practices and the designing of programs that ensure successful reintegration for adjudicated juveniles. During her tenure as DOP's Deputy Commissioner of Juvenile Operations from 2010 through 2014, she successfully led city-wide initiatives that focused on improving outcomes for court-involved youth through interdisciplinary collaborations. With her appointment to Commissioner in March 2014, she continues to lead the Department in its mission to enhance public safety through appropriate and individualized and community-based interventions in the lives of people on probation to enable them to permanently exit the justice system. Prior to joining the DOP in 2010, she was the Director of Juvenile Justice Programs at the Children's Aid Society. She has also worked at CASES (The Center for Alternative Sentencing and Employment Services) holding progressively responsible positions: Director of Training and Technical Assistance; Co-Director of Community Prep High School: a transitional school for court-involved students; and Deputy Director for Court Services and Case Management at CASES' Court Employment Project, an alternative to incarceration program for adolescent felony offenders.

### **América Cañas, Senior Advisor, Justice Initiatives and Community Reinvestment Mayor's Office of Criminal Justice**

América Cañas is currently a Senior Advisor on Justice Initiatives and Community Investment at the NYC Mayor's Office of Criminal Justice. Previously, she was the Acting Commissioner and Chief of Staff at the NYC Mayor's Office of Community Affairs, and a Senior Policy Advisor at the Department of Correction and the Mayor's Office of Operations. America has also served as the Director of Constituent Services at the NYC Office of the Public Advocate, and spent five years with the non-profit community organization ACORN.

### **Dr. Siobhan Carney, Policy Director, CUNY Institute for State and Local Governance, Speaker Appointee**

Siobhán Carney leads ISLG's policy agenda. As policy director, she manages a multidisciplinary team overseeing all work within the Policy Department portfolio, including the Criminal Justice Investment Initiative, a \$250 million justice reinvestment initiative supporting communities across NYC. Siobhán also manages ISLG's Fellowship programs – the Lindsay Fellowship for Elected officials and the Kriegel Fellowship for legislative chiefs of staff. Her areas of interest include community investment, leadership development, social entrepreneurship, and initiatives supporting young people and families, survivors of crime, diversion from the criminal justice system and successful reentry from jail or prison. Prior to joining the Institute, she served as chief of staff and acting research director at the Vera Institute of Justice. She has also served as a consultant to the nonprofit sector in Ireland, as an evaluator for projects funded under the Peace and Reconciliation Program for Northern Ireland and the European Union LEADER program. She holds an MA in spatial analysis, a post-graduate diploma in education and a PhD in geography from Trinity College, Dublin.

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Source: The Real Rites Research project was the first branch of Anti-Violence/Community Reinvestment work conducted by RHI. Currently, the Public Safety Program and the Participatory Action Research Project, being led primarily by RHI's youth, are underway. PAR will be completed by the end of this Fall and the Public Safety Programs final community safety recommendations are to be presented to the Borough president and Community Board 6 in December of 2022.

Source: <https://www.urban.org/features/five-charts-explain-homelessness-jail-cycle-and-how-break-it>.

Source: <https://ps.psychiatryonline.org/doi/full/10.1176/appi.ps.201200190>.

### **Louise Carroll, Commissioner, NYC Department of Housing and Preservation and Development, designated in the local law**

Louise Carroll is the Commissioner of the New York City Department of Housing Preservation and Development (HPD), the nation's largest municipal housing agency. As Commissioner, Louise leads the charge to implement Mayor Bill de Blasio's five-borough, ten-year Housing New York plan, which was accelerated and expanded through Housing New York 2.0 to create and preserve 300,000 affordable homes by 2026. She will also continue to strengthen the agency's robust enforcement and anti-harassment efforts, working on multiple fronts to protect tenants and prevent displacement.

Louise was previously General Counsel and Senior Vice President at the New York City Housing Development Corporation (HDC). She formerly served at HPD from 2006 to 2018, most recently as Associate Commissioner for Housing Incentives. During her tenure at the agency, Louise was the primary architect of changes to the City's tax programs to leverage greater affordability and better promote the goals of this Administration's housing plan. Louise also led the creation of a compliance and enforcement unit to protect tenants' rights and make sure landlords were following through on their promises to the City. She was also instrumental to both the design and implementation of the City's path-breaking Mandatory Inclusionary Housing Program to require the creation of permanently affordable housing as part of residential rezonings, and streamlined and revamped the agency's approach to the Voluntary Inclusionary Housing program to produce record numbers of affordable homes.

Louise was born in the U.S. Virgin Islands and raised in St. Lucia. She holds a JD from Tulane Law School, an MBA from the University of Leicester, England, and a B.Sc. from the University of Wales at Aberystwyth. Louise is a recipient of the Ibo Balton Community Planner Award from the Citizens Housing and Planning Council. She lives in Manhattan with her husband and their seven-year-old son.

### **Kandra Clark, Vice President of Policy & Strategy, Exodus Transitional Community Inc, Speaker Appointee**

With seven prior years of non-profit experience, Kandra Clark began working as Associate Vice President of Strategy with Exodus Transitional Community (Exodus) in January 2019 and was quickly promoted to Vice President of Policy and Strategy in January 2020. She oversees Exodus' policy and advocacy efforts, including supporting the closure of Rikers Island and the transformation of our justice system. She also oversees fundraising efforts for the agency, including writing government and foundation grant proposals and meeting with potential donors. Since her release from Beacon Correctional Facility (NY) in September 2011, Kandra has earned an Associate's Degree in Criminal Justice from LaGuardia Community College, a Bachelor's Degree in Humanities and Justice (summa cum laude) from John Jay College of Criminal Justice, and a Master's Degree in Public Policy and Administration with a focus on Urban Affairs.

Kandra is an alumna of College and Community Fellowship, a JLUSA 2018 Leading with Conviction alumna, and a Beyond Rosie's Steering Committee member with the Women's Community Justice Association (WCJA). She works alongside several partner agencies, including the Freedom Agenda, in the fight to close Rikers Island. In addition, Kandra is a member of the Queens Neighborhood Advisory Council (appointed through the Mayor's Office of Criminal Justice in 2018), and sits on the Board of Corrections Task Force on Issues Faced by Transgender, Gender Non-Conforming, Non-Binary, and/or Intersex People in Custody as well as the Closure of Rikers Island and Reinvestment Commission through which she was appointed by Speaker Johnson. Kandra also sits on the Board of Directors with both WCJA and A Little Piece of Light Foundation. She also works as a consultant with various organizations. Furthermore, she was honored by Citizens Against Recidivism in 2016 when she received the Julio Medina Freedom Fighter Award, and is a 2018 NY Nonprofit Media 40 Under 40 Rising Star awardee.

### **Khalil Cumberbatch, Senior Advisor, New Yorkers United for Justice (NYUJ) and a Senior Fellow at the Council on Criminal Justice, Mayoral Appointee**

Khalil A. Cumberbatch is a nationally recognized formerly incarcerated advocate for criminal justice and deportation policies reform. Since his release from NYS prison in 2010, his efforts have led to the passing and adoption of policies and legislation which reduce the footprint of the criminal justice system and highlighted the intersection of immigration and criminal justice policies. Khalil currently serves as Senior Advisor to New Yorkers United for Justice (NYUJ) and is a Senior Fellow at the Council on Criminal Justice. Khalil is also a lecturer at Columbia University. In December 2014, Khalil was one of two people to receive an Executive Pardon from New York State Governor Andrew Cuomo to prevent his deportation from the United States. Khalil previously served as Chief Strategist at NYUJ, and prior to that was the Associate Vice President of Policy at the Fortune Society.

Mr. Cumberbatch was appointed by the Mayor to the Mayor's Automated Decision Systems Task Force and was appointed by the NYC Council Speaker to the NYC Temporary Task Force on Post-Incarceration Reentry for Older Adults.



**Nora Daniel, Director, Intergovernmental Affairs, Mayor's Office of Criminal Justice (MOCJ)**, representative of MOCJ designated in the local law

**Jarrell E. Daniels, SIM|ED Fellow and Research Assistant, Center for Justice at Columbia University, Mayoral Appointee**

Jarrell E. Daniels is a research assistant at the Center for Justice at Columbia University, where his focus is on understanding how mass incarceration and criminalization impact minority communities. He is particularly interested in working with others in academia, government, civil society and affected communities to create a new vision for criminal justice and ultimately shape policies that help individuals, families and communities thrive.

Jarrell is a Friends of the Island Youth Leadership peer mentor and a member of the 2018 Justice-In-Education Scholars cohort at Columbia University. Since his release from prison, he has become a sought after speaker on college campuses, where he has shared the experiences that led to his incarceration and that of others from similar communities. Through his work with the community, he offers disciplined advice for at-risk and troubled teens re-emerging from Rikers Island and juvenile detention centers throughout NYC.

**Tracie M. Gardner, Vice President of Policy Advocacy, Legal Action Center, Public Advocate Appointee**

As Legal Action Center Vice President of Policy Advocacy, Tracie spearheads major initiatives and fosters strategic partnerships that support LAC's mission. Tracie has worked almost 30 years in the health and social services policy arena as a policy advocate, trainer and lobbyist. From 2015-2017, Tracie served as the Assistant Secretary of Health for New York State, where she oversaw the state's addiction, mental health and developmental disabilities agencies. Tracie received a B.A. from Mount Holyoke College.

**Felix Guzman, a leader, Vocal-NY, Speaker Appointee**

Currently facilitating debate classes at Rikers Island with the Rikers Debate Project, Felix is a proud member of Vocal-NY, Coalition for the Homeless, Fortune Society, Community Access and countless other organizations. Building positive conversation around the issues of ending mass incarceration, ending homelessness, harm reduction, and mental health, as a survivor of said broken systems he is an advocate for the community-at-large. He has been published in Voices of Fortune and has two poems featured in the 4Tune Society Success Stories album from/by Fortune Society. He has performed poetry at venues, press conference rallies, open mics and award ceremonies including on the steps of City Hall, at Carnegie Hall, Nuyorican Poets Cafe, Staten Island Fatherhood Awards, and more. His periodical writing has appeared in the NY Daily News as an Opinion-Editorial on issues of homelessness; in City Voices Newspaper on the issue of removing law enforcement from encounters with those in emotional crisis.

Formally identifying in all spaces as formerly incarcerated and formerly homeless, not to cause conflict but raise awareness to the intersectionality of the two worlds, Felix advocates for what is right, standing against injustice and using the power of personal testimony always. Furthermore, Felix is a member of the current men's Ritual 4 Return Cohort, and working towards starting his own organization called Men Can Be Abused which is to work towards addressing intimate partner violence, and domestic violence as it relates to male-identifying survivors.

**DeAnna Hoskins, President, JustLeadershipUSA (JLUSA), Mayoral Appointee**

DeAnna Hoskins is President of JustLeadershipUSA (JLUSA). Dedicated to cutting the US correctional population in half by 2030, JLUSA empowers people most affected by incarceration to drive policy reform. A nationally recognized leader and dynamic public speaker, Ms. Hoskins has been committed to the movement for justice, working alongside people impacted by incarceration for nearly two decades. She was formerly the Senior Policy Advisor over Corrections and Reentry with the Department of Justice. In this capacity, she represented DOJ's strategies and priorities and oversaw the Second Chance Act portfolio of grants, The National Reentry Resource Center and Residential Substance Abuse Treatment programs.

### **DeAnna Hoskins Cont.**

Ms. Hoskins was designated as the Interim Deputy Director of the Federal Reentry Interagency Council by Attorney General Loretta Lynch. The Federal Interagency Reentry Council is comprised of more than 20 federal agencies, that coordinates and leverages existing federal resources that are targeted to reentry; uses the bully pulpit to dispel myths, clarify policies and provide visibility to programs and policies that work; all while reducing the policy barriers to successful reentry.

She is originally from Cincinnati, holds a masters' degree in Criminal Justice from the University of Cincinnati, Bachelor's degree in Social Work, Licensed Clinical Addictions Counselor, and certified as an Offender Workforce Development Specialist, and a JLUSA 2016 graduate. She has experienced the reentry system from all perspectives, as she is herself a previously incarcerated individual who has successfully transitioned back into the community, ultimately receiving a pardon from Governor Ted Strickland.

### **Dr. Jeremy Kohomban, President and CEO, The Children's Village, Mayoral Appointee**

Dr. Jeremy Christopher Kohomban is the President and CEO of The Children's Village and the President of Harlem Dowling. The Children's Village, founded in 1851, and Harlem Dowling, founded in 1831, provide a broad continuum of residential and community-embedded programs, serving 15,000 children and families each year.

In 2020 he was appointed by the Mayor to the Nonprofits and Social Services Sector Advisory Council, which provides guidance to ensure reopening plans for the city in the wake of the COVID-19 pandemic.

Dr. Kohomban is an author, sometimes an activist, and always a pragmatic leader. He has played a lead role in the family support and residential treatment reforms that are transforming children's care. Dr. Kohomban is driven by the belief that every child, regardless of age, deserves a family, and he is outspoken in his recognition of the social justice antecedents that drive child welfare and juvenile justice. Under his leadership, The Children's Village, the nation's oldest and once the largest children's residential treatment center, has been transformed into a national model for community-embedded family support.

Dr. Kohomban testified before the US Senate Finance Committee on the need for finance reform that supports children, families and communities and, in March of 2018, with the passage of the Family First Prevention Services Act (FFPSA), The Chronicle of Social Change noted that Dr. Kohomban was one of the most important off-the-Hill boosters of the FFPSA, described as the "biggest federal overhaul of foster care in decades." He is chair of the Human Services Council of New York, the national co-chair of the Children Need Amazing Parents (CHAMPS) campaign, and a Trustee of Save the Children.

He is a graduate of Emporia State University, Kansas, and holds a Masters from Long Island University, New York, a PhD from the School for Business and Leadership at Regent University, Virginia, and a LittD (Honorary Doctor of Letters) from Mercy College, New York.

### **Doug Lasdon, Executive Director, Urban Justice Center, Mayoral Appointee**

In 1984, Doug Lasdon founded the Urban Justice Center as a one-person operation in a burned-out building in East Harlem, to provide badly needed legal services to one of New York City's most underserved populations – single, homeless adults. To make his services accessible to his clients, he conducted outreach legal clinics directly in soup kitchens, making it the first organization in the country to use this approach.

Since then, Doug has greatly expanded the agency's size, scope, and influence, while still holding fast to its core mission – helping those at the farthest margins of society, both one at a time and collectively. The UJC now has twelve Projects and over two-hundred staff members. Doug is now spearheading the agency's new Social Justice Accelerator. Prior to founding the Urban Justice Center, Doug was a Fellow and Staff Attorney at Covenant House in New York City.

Currently, Doug is an Adjunct Professor at the Cornell Law School where he teaches Poverty Law and Social Entrepreneurship. He has also been on the Adjunct Faculty at New York University since 1987, where he teaches Law and Urban Problems; and in 2019, he taught in the J-Term at the William S. Richardson School of Law at the University of Hawaii. Over the years, Doug has served on many Boards and Advisory Councils. Currently, he sits on the Board of Justice Project Pakistan. He has also served as a consultant to the World Bank, and as a Wasserstein Fellow at Harvard Law School. He spent the Fall 2017 semester as the Distinguished Practitioner in Residence at Cornell Law, from which he received his law degree. His undergraduate degree is from the Wharton School at the University of Pennsylvania.

## **Darren Mack, Co-Director, Freedom Agenda, Speaker Appointed**

Darren Mack was born and raised in Brooklyn, New York in a community that was plagued with a high concentration of poverty, sub-standard schools, and high rates of unemployment among Black and Latino males. In 1992, at the age of 17, Darren was arrested for being an accomplice to a robbery and was ultimately sentenced to 20 to 40 years in New York State prison system. His first time in the prison system, Darren served a total of 20 years straight. During his incarceration, Darren had his life changing moment when he received a letter from his cousin that informed him about a distant relative by the name of George Stinney Jr. who was also impacted by the criminal justice system. In 1944, George was wrongly convicted and found guilty by an all-white male jury in a racially-biased trial in South Carolina. George was sentenced to death and was executed by the electric chair. George was only 14 years old.

Darren wanted to learn more about the case, which led him to become interested in U.S. History. He became an avid reader particularly interested in issues related to race, class, and gender. Several years later into his sentence, Darren was accepted into Bard College's Bard Prison Initiative. After being released in 2012, Darren graduated on Bard College's campus with a B.A. degree in Social Studies with the class of 2013. Since his release, Darren has been actively engaged in working to dismantle New Jim Crow practices. He became a member of the Education From The Inside Out Coalition working to remove statutory and practical educational barriers for individuals impacted by the punishment system. He advocated in front of the Black, Puerto Rican, Hispanic & Asian Legislative Caucus to push New York State legislation to Ban The Box on college admission applications. Darren also advocated in front of the SUNY Board of Directors with members of the EIO Coalition. In 2016, SUNY decided to Ban the Box across all their campuses.

Darren is an active member of JustLeadershipUSA. He was honored in 2016 to be an Emerging Leader recipient from JLUSA. In April of 2016, he became one of the outspoken advocates and organizers for the Close Rikers Campaign. His experience on Rikers was covered by Mass Story Lab at The New School and other periodicals.

In 2016, Darren was accepted into and completed a fellowship program with the New York Civil Liberties Union- Community Organizing Institute. He was also awarded with the very first Lawrence "Larry" Gelber Award for Justice in 2017 by JLUSA. He was a panelist at the first Beyond the Gates conference at Harvard University. Darren worked as a Project Coordinator for the Beyond the Bars Fellowship in the Center for Justice at Columbia University. He graduated from Hunter College with a MSW majoring in Community Organizing and Policy. Darren is the Director of Community Engagement and Advocacy for JustLeadershipUSA.

## **Dr. Michael T. McRae, Interim Executive Deputy Commissioner / Assistant Commissioner, Health Promotion for Justice Impacted Populations, NYC Department of Health and Mental Hygiene (DOHMH), representative of the DOHMH Commissioner designated in the local law**

Dr. Michael McRae is a clinical psychologist and the [Interim Executive Deputy Commissioner of the NYC DOHMH's Bureau of Health Promotion for Justice-Impacted Populations (HPJIP)], which aims to reduce the negative social and health consequences of criminal legal system involvement through evidenced-based policy and practice change. Anchoring his work in a trauma-and-resilience-informed framework, Dr. McRae centers relationship building, racial and social justice, and inclusion to serve the most marginalized individuals and their communities, particularly with respect to behavioral health issues. Dr. McRae views these as core to his history of effective program and policy development and implementation as well as his ultimate goal of achieving health equity.

## **Joanne Page, Esq. President & CEO, The Fortune Society, Mayoral Appointee**

JoAnne Page has more than 45 years' experience in criminal justice and human services, with the last 30+ at the helm of The Fortune Society, a non-profit organization that serves and advocates for formerly incarcerated individuals and people with criminal justice involvement. Her prior experience includes six years as Director of Court Operations at the Court Employment Project, now CASES, where she developed New York City's first felony Alternative to Incarceration (ATI) program. That program is still running strong and is one of the premier ATI programs in New York City.

Under Ms. Page's stewardship, The Fortune Society has been recognized by researchers and policy makers as a pioneer in assisting former prisoners to reintegrate into society. With a \$40 million annual budget and staff of approximately 300 (more than half of whom are formerly incarcerated), the organization serves more than 9,000 people in a typical year through programs including ATI, permanent, supportive and scatter site housing, mental health services, education, employment services, substance abuse treatment, counseling, family services, care management, a recovery center and HIV/AIDS health services.

## **Joanne Page, Esq. Cont.**

Fortune's innovative and successful initiatives have become models for similar programs across the country. For example, Fortune's pioneering AIDS reentry and community services were federally funded in the 1990s as a Special Project of National Significance through six consecutive competitive funding cycles. Another national model was launched by Ms. Page in 2002 with the opening of the groundbreaking Fortune Academy (also known as The Castle), an innovative supportive residence in West Harlem providing emergency and transitional housing for formerly incarcerated homeless individuals. At the request of New York State, Fortune's housing model was replicated in Syracuse New York through Fortune technical assistance and a groundbreaking partnership between a community-based organization and the Syracuse Housing Authority.

In 2010, Fortune opened "Castle Gardens," a mixed-use, affordable and green apartment complex located next to the Academy. The 110,000 square-foot building provides 114 apartments for formerly incarcerated individuals and low-income families from the local community. It also offers 20,000 square feet of service space. In April, 2020, during the height of the COVID pandemic, Fortune opened Freedom House, a 38 bed emergency and transitional residence housing men with behavioral health issues who otherwise would have been incarcerated. Other housing projects are in the Fortune pipeline, and Fortune's housing model is being explored for technical assistance or replication in several sites across the country.

Among her areas of criminal justice and human services expertise are:

- Criminal justice and correctional reform
- Mental illness and the criminal justice system
- Homelessness and emergency/transitional/permanent supportive housing
- Race and the criminal justice system
- Reentry issues and services
- Housing and employment discrimination against justice impacted persons

A graduate of Yale Law School, and a former defense attorney, JoAnne Page is a frequent speaker at conferences and in the media about alternatives to incarceration, housing, and criminal justice issues. She has been recognized over the years for her work, including being named one of the most effective nonprofit leaders by City and State during each of the last three years.

## **Dr. Divine Pryor, Chief Executive Officer of the People's Police Academy in the City University of New York at Medgar Evers College, Mayoral Appointee**

Center for NuLeadership on Urban Solutions is an independent human justice think tank and training center, formerly at Medgar Evers College in the City University of New York (CUNY). Its staff is comprised of academic professionals with prior experience within the criminal punishment system. It is the first and only public policy center of its kind in the country.

In 2001, he was appointed by the Council of State Governors to the National Re-entry Policy Council where he and over 100 national experts produced the extensive work in re-entry policy in the nation. He is currently a board member of the National Legal AID & Defender Association and the National Council of Previously Incarcerated Professionals. He is also Co-Chair of the Criminal Justice Policy Cluster for the Black Brooklyn Empowerment Coalition. In 2009, Dr. Pryor was appointed by the Majority Leader of the New York State Senate to co-chair the New York State Anti-Gang Violence Reduction Commission. In addition, Dr. Pryor is an active member of a number of local, regional & national legislative, social and political advocacy groups whose focus is to achieve decarceration through community development.

Dr. Pryor is a public speaker, lecturer, and educator. He has traveled half of the United States in the past 5 years promoting leadership concepts and the emergence of this Nu and innovative approach to problem solving.

## **Rev. Sharon White-Harrigan, Executive Director, The Women's Community Justice Association (WCJA), Mayoral Appointee**

Sharon White-Harrigan is the Executive Director of The Women's Community Justice Association (WCJA), a gender-specific,

### **Rev. Sharon White-Harrigan Cont.**

trauma-informed, advocacy for justice agency that uplifts and amplifies the voices of all women who are experts through their life experiences and efforts. Prior to WCJA and leading BEYOND Rosies 2020 Campaign, Sharon was the Program Director and Clinical Director of a temporary residence for formerly incarcerated women at the Women's Prison Association. She has worked in a range of direct service fields including reentry, domestic violence, homelessness, mental health and substance abuse. She has also worked on policy advocacy efforts and she was a leader in the successful campaign to pass NY's Domestic Violence Survivors Justice Act in 2015. Sharon is a minister, motivational speaker, adjunct lecturer, consultant, therapist, advisory member of the Survivor's Justice Project, co-lead of the Bedford Hills project, and co-founder of the Justice 4 Women Task Force. In her presentations, Sharon draws upon her expertise as a licensed social worker, survivor of violence, and 11 years of incarceration. She holds a Master's Degree in Social Work from Lehman College, and a Bachelor's Degree in Social Work and Criminal Justice, (Thomas W. Smith Fellow), and an Associate's Degree in Liberal Arts. Sharon is the recipient of many awards including the 2019 Leadership Award for her contribution to the Domestic Violence Survivors Justice Act.

### **Dr. Patricia (Patsy) Yang, Senior Vice President, Correctional Health, New York City Health & Hospitals (H&H), representative of H&H designated in the local law**

Patricia ("Patsy") Yang, Dr PH, is Senior Vice President for Correctional Health Services, a division that provides medical, mental health, and dental health services to individuals in the NYC jail system. Dr. Yang previously served as Director of Health Policy in the Office of the NYC Mayor, and as Executive Deputy Commissioner of Health and Chief Operating Officer for the NYC Department of Health and Mental Hygiene. She also served as First Deputy Commissioner of Health and Acting Commissioner of Health for Westchester County, New York. Earlier service with NYC Health + Hospitals included Associate Executive Director at NYC Health + Hospitals/Bellevue and at NYC Health + Hospitals/Metropolitan.

Dr. Yang holds a Bachelor of Arts from Brown University, and a Master and Doctor of Public Health with Distinction from Columbia University.

## **VIII. PUBLIC ENGAGEMENT AND COMMENTS**

### **List of CBOs and Participants**

Obarima Afriye, Red Hook Initiative  
 Five Mualimm-Ak, Incarcerated Nation Network  
 Javon Alexander, Getting Out and Staying Out  
 Olga Atkinson, Girl Vow Inc.  
 Rachel Barnard, Young New Yorkers  
 Tabber B. Benedict, The Fortune Society  
 Amanda Berman, Red Hook Community Justice Center/ Center for Court Innovation  
 Robert Blocker, Project Renewal  
 Leslie Brown, Women's Prison Association  
 Terrance Byerson, STRIVE NY  
 Angel Caballero, Davison Community  
 Kim Capers, QPL  
 Daniela Castillo, El Puente  
 Brad Cauthen, Osborne Association  
 Judith Clark, Hour Children  
 David Condliffe, Center for Community Alternatives, Inc.  
 Dollie Cornelius, Osborne Association  
 Jonathan Cortez, Petey Greene  
 Vanessa C., A Little Piece Of Light  
 Susan Dan, Project Renewal, Inc.  
 Chervantes Dawkins, Osborne Association  
 Thorin Daye, Network Support Services Inc.  
 Julie Defina, Community Mediation Services  
 Rob DeLeon, The Fortune Society  
 Ismael Diaz, El Puente

## List of CBOs and Participants Cont.

Melanie Dominguez, Katal Center for Equity, Health & Justice  
 David Eldenstein, Jewish Community Council of Pelham Parkway  
 Kenny Escobar, the Archdiocese of New York Drug Abuse Prevention Program  
 Yesenia Espinosa, Osborne Association  
 Alice Frontier, NDS Harlem  
 Tamika Flemin, SCO Family of Services  
 John Gordon, Youth Justice Network  
 Susan Gottesfeld, Osborne Association  
 Kazi Hasan, Bangladeshi Correction Society  
 Patricia Hernandez, Corporation for Supportive Housing (CSH)  
 Sara Hobel, The Horticultural Society of New York  
 Dr. Coralanne Griffith-Hunte, Created for Greatness Leadership Group  
 Nahshon Jackson, Network Support Services, Inc.  
 Zoe Johnson, John Jay College Institute for Justice and Opportunity  
 Bilal Karriem, Southeast Queens Muslim Collective  
 Palak Kaushal, NYC Department of Housing Preservation & Development  
 Erin McCormack, SCO Family of Services jail based program  
 Ana Melendez, Neighborhood Association For Inter-Cultural Affairs (NAICA)  
 Tyrrell Muhammed, The Correctional Association of New York  
 Dr. Abdus-Salaam Musa, Southeast Queens Muslim Collective, Inc.  
 Morounranti Ogunleye  
 Mya Padilla, Katal Center for Equity, Health & Justice  
 Rev. Wendy Calderon-Payne, Urban Youth Alliance International, Inc.  
 Douglas Pentland, The Hort  
 Chantal Polinsky, Urban Justice Center  
 Steven Raga, Woodside On The Move  
 Betsy Ramos, A Little Piece Of Light  
 Christina Reid, Black Diaries  
 Doranny Rojas  
 Eric Rosenbaum, Project Renewal, Inc.  
 Damion Samuels, Community Mediation Services  
 Thomas Sheehan, EAC CRAN  
 Matt Sieglar, NYC Health & Hospitals  
 Jacquelyn Simone, Coalition for the Homeless  
 Alana Sivin, More Just NYC  
 Imani Webb-Smith, Katal Center for Equity, Health & Justice  
 Aqirah Stanley, Alliance of Families for Justice  
 Louis Straker, GodSquad  
 Felipe Vargas, The Doe Fund  
 Andre Ward, The Fortune Society  
 Margretta Willemin, The Fresh Air Fund  
 Ramik Williams, Doing Good Business Well  
 Dyverse Wooten, Fatherhood Matters  
 Nathan Yaffe, New Sanctuary Coalition NYC  
 Stacey Younge, CASES

## Public Input

There were two interactive Community Engagement Meetings held on August 5, 2021 and October 21, 2021 to capture the voices of key stakeholders and those with lived experiences as integral partners in the engagement process who have tangible solutions for the identified target communities. The Commission made successful outreach to over 150 organizations and had confirmed participation from over 40 CBOs.

## Public Input Cont.

There were two interactive Community Engagement Meetings held on August 5, 2021 and October 21, 2021 to capture the voices of key stakeholders and those with lived experiences as integral partners in the engagement process who have tangible solutions for the identified target communities. The Commission made successful outreach to over 150 organizations and had confirmed participation from over 40 CBOs.

Approximately, 20 CBOs participated in the pre-engagement survey process, providing feedback to the five outlined questions based on their experiences. CBOs outlined the following considerations for the full Commission to review in regards to the reinvestment recommendations in the four subcommittee focus groups of Employment, Health, Housing, and Youth.

## Employment /Entrepreneurship

- The laws that allow discrimination for employment for those that have criminal convictions.
- The Commission can issue a recommendation to provide access to The New York State Tuition Assistance Program (TAP) funding for incarcerated individuals towards the completion of an educational program, and provide an incentive for college programs, and other educational programs to provide more programming in state prisons.
- An implementation of modernized and relevant programming in State Correctional Facilities, including by providing widespread access to GED programs, college programs, advanced college programs, and relevant vocational programs.
- Transitional paid employment, education and occupational training opportunities that include community vocational trades or job training/education programs.
- Educational Programs for adults and youths that will enhance their ability to navigate systems and create their own revenue in communities they live in.

## Health

- Healthcare navigation and case management, including enrollment in Medicaid prior to release from jail or prison and dedicated peer health navigation to support uptake and engagement.
- Continued development and support of alternatives to incarceration programs addressing substance use disorders, mental illness, poverty, youth empowerment and re-entry programs.
- Would institute new initiatives such as Drug treatment classes, Anger management classes and Abuse classes with the counseling class depending on the type of crime.
- The Post Traumatic Prison Disorder Shawanna W 76337 Bill (S.4872) .
- Flexible mobile mental health treatment services for youth and youth adults that encompass education and employment as core features of service delivery.
- Housing Justice Network (HJN) model; a great solution to those barriers.
- City initiative exists where social workers/mental health providers accompany law enforcement to offer different perspectives. Law enforcement must align with social service providers.
- Suggestion of a requirement for law enforcement/ prosecutors/court officials to continue to be immersed in what's going on with others.
- Training is mandated for health professionals/social workers to meet required education hours annually to stay abreast of what's going on; recommendation "for systems that directly impact large masses of folks, there is required foundational knowledge of what's going on with others. Huge undertaking for anyone, but it's important."

## Housing

- The Commission can review policies and practices surrounding housing vouchers provided by the Department of Social Services to remove barriers to using those vouchers in the rental housing market and can issue RFPs for justice-specific transitional housing for people released from prison.
- Supportive housing for people with mental health diagnoses, with integrated support to address the needs of people with mental health needs.
- Dedicated housing for people returning home from prison and jail that is not part of the shelter system, with integrated support to find permanent housing and employment.
- HUD regulations; Definition of chronic homelessness, utilization of outpatient restoration for felony cases option of outpatient restoration for CPL 730.40 Temporary Orders and CPL 730.50 Commitment Orders.
- Increases in affordable, supportive housing with “no blanket discrimination” policy from housing providers for people who have been impacted by the criminal legal system, more models of supportive housing for youth and young adults.

## Youth

- Languages need more representation in DOE, as well as culture inclusive programming. Chinese, Mandarin, French, Spanish are well represented, but South Asian language representation isn’t strong enough.
- Lack of school support, educational and employment opportunities, lack of easily accessible and attractive recreational activities.
- Civic engagement among young people.
- Summer Youth Employment (SYE) could be made a year-round program; increased opportunities for paid transitional employment (which requires sufficient investment), increased diversion opportunities, readily accessible housing opportunities.

## IX. PUBLIC MEETING AGENDAS

### August 5 Public Engagement Meeting Framework

August 5, 2021 - 2PM - 4PM - Virtual - Town Hall

Welcome/ Opening, Commissioner Banks

Commissioner Remarks, Commissioner Banks

    Purpose of Commission

    Introduction of Commission Members

    Public Engagement Philosophy

    Current State/Goals

        Commission Recommendations will be issued in Report

        Status Update on Progress - Future Public Engagement Meetings

    QSP Intro

    Co-Chair Introduction / Subcommittee Focus Areas

Community Engagement, QSP

    Pre-Engagement Survey Process

Break out of Subcommittees, QSP & Co-Chair Chairs

CBO discussion highlighting concerns and solutions

Subcommittee Sessions - Report Out (Public Comment) - QSP & Co-Chair Chairs

Issues/Problems Discussed

Solutions Proposed by X Org.

Next Steps, Commissioner Banks

Closing/Adjournment, Commissioner Banks



## IX. PUBLIC MEETING AGENDAS CONT

### October 21st Public Engagement Meeting Framework

October 21, 2021 - 2PM - 4PM - Virtual - Town Hall

Welcome/ Opening, Commissioner Banks

Commissioner Remarks, Commissioner Banks

Commission Purpose & Progress

Introduction of Commission Members: New Members

Public Engagement Philosophy and Participation

Current State/Goals

Commission Recommendations will be issued in Report

Next Public Engagement Meeting

Recap of August Public Meeting - Take-aways

QSP Role

Co-Chair / Subcommittee Focus Areas

Break out Session Overview, QSP

Break out of Subcommittees, QSP & Co-Chair Chairs

Subcommittee Focused Recommendations/CBO discussion highlighting concerns and solutions

Subcommittee Sessions - Report Out (Public Comment), QSP & Co-Chairs

Issues/Problems Discussed

Solutions Proposed by X Org.

Next Steps/Adjournment, Commissioner Banks