

A MORE JUST NYC

Independent Commission on New York City Criminal Justice and Incarceration Reform

Why Close the Rikers Jails?

Rikers Island is the largest jail complex in the United States. In February 2019, there were around 8,000 people held at Rikers and other NYC jails. 90 percent are Black or Latinx. Nearly half have a mental health diagnosis. The vast majority are locked up awaiting trial, often because they can't afford bail.

The 9 jails on Rikers have been notorious for violence and inhumane conditions for decades. Many of the jails are in poor condition, making them dangerous for jailed people and correction staff alike. Rikers is isolated, requiring the City to bus nearly 800 people every day between Rikers and courts in the five boroughs. It is hard for family members, lawyers, and service providers to access, preventing connections that are vital to success when people return to our communities. Compounding these problems, the "out of sight, out of mind" isolation of Rikers perpetuates violence and a lack of accountability.

Operating these jails costs more than \$2 billion each year, or \$302,000 per jailed person per year.

In 2016, amid a campaign to close Rikers led by formerly incarcerated people, then-City Council Speaker Melissa Mark-Viverito appointed former state Chief Judge Jonathan Lippman to lead an independent commission to look at Rikers and the City's justice system and propose a path forward.

After a year of investigation, our Commission concluded that NYC should significantly reduce the number of people in jail and that the Rikers jails should be closed forever.

A More Just New York City: Our Blueprint for Change

We set out an [evidence-based roadmap](#) for closing Rikers, reducing the number of people in jail by half or more, and creating a fairer and more effective justice system. Among our key recommendations:

Rethinking Incarceration: Use jail only as a last resort.

- Divert people with mental health or substance issues to treatment and decriminalize certain offenses.
- End cash bail so that wealth does not determine freedom.
- Improve discovery and speedy trial practices so cases proceed fairly and quickly.
- Use alternative to incarceration programs instead of short jail sentences.
- Reform parole so fewer people are jailed for non-criminal "technical violations."

We projected these reforms could **safely reduce NYC's jail population from approximately 10,000 in September 2016 to under 5,000 people in the future.**

A Smaller Borough Jail System: Close the Rikers jails and reduce jail capacity from 14,000 to 5,500.

- One jail in each borough, near the courthouse and accessible by public transit.
- Modern buildings with civic exteriors and cutting edge designs for safety, services, and programming.
- Invest in accountability, culture change, and better training for correction staff.

We projected that a smaller, modernized borough-based system could **save \$500 million annually**, even accounting for construction, financing, and increased diversion and alternative to incarceration programs. These savings should be invested in communities most impacted by the criminal justice system.

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Where Are We Today?

In April 2017, as we released our recommendations, Mayor de Blasio announced the City would seek to close the Rikers jails within 10 years. Since then, the jail population has declined by more than 1,700 people, and one jail on Rikers has already been closed. The City has proposed a plan for four borough jails, one each in Brooklyn, the Bronx, Manhattan, and Queens.

Despite the progress, violence at Rikers remains high and racial disparities remain unchanged. The need to reform the criminal justice system and close the Rikers jails remains as urgent as ever.

What Happens Next?

Land Use – We believe that approval of borough jails is crucial to closing Rikers. The land use approval process (known as ULURP) will determine whether the buildings can be built and their maximum possible size. During this process, the City should reduce the total capacity for the borough system to 5,500 or fewer, provide non-jail space for people with serious mental and other health diagnoses, and address other community concerns.

While ULURP is pivotal, there are many crucial issues that must be resolved outside of or after ULURP, such as the final design for the facilities, how they are operated, and the nature of the programs and services they provide. Communities must have an ongoing, long-term role in addressing these issues.

Justice Reform – Here are [top priorities](#) for increasing fairness and reducing unnecessary incarceration:

- **Bail, Speedy Trial, and Discovery Reform in Albany.** Most people in jail are held pretrial, often because they can't afford bail. Even a few days in jail can cause someone to lose their job, housing, or custody of their children. Because prosecutors in New York (unlike almost every other state) can wait until the day before trial to share critical evidence, even innocent people may plead guilty without full information rather than risk trial and a much harsher sentence. Compounding these problems, it takes an average of 600 days for people charged with felonies to go to trial in NYC. Ending cash bail and passing strong discovery and speedy trial laws would end wealth-based detention, ensure access to evidence, and promote faster trials—safely reducing NYC's jail population by thousands. Reform legislation could be included in the state budget at the end of March.
- **Parole Revocation Reform.** New York automatically jails people accused of non-criminal “technical” parole violations—like failing a drug test or missing an appointment with a parole officer—for up to 90 days without any option for release, while they find out if they will be sent back to prison. In February, 700 people were at Rikers for these alleged violations. The *Less Is More Act*, which is pending in Albany, would significantly cut the number of people in jail and prison for non-criminal violations and refocus resources on helping people on parole succeed.
- **District Attorney, Court, and City Policies.** Even without legislation, DAs can improve charging and discovery practices. Courts can release more people before trial and process cases more quickly. The City can increase the use of supervised release, mental health and substance abuse programs, anti-violence initiatives, and invest in communities impacted by the justice system. These policy changes, among others, would reduce incarceration and make the justice system more fair and effective.