

A MORE JUST **NYC**

# HALFWAY TO HISTORY

FIVE-YEAR STATUS REPORT ON  
THE PATH TO CLOSING RIKERS

INDEPENDENT COMMISSION ON  
NEW YORK CITY CRIMINAL JUSTICE  
AND INCARCERATION REFORM

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October 2022

## HOW NEW YORK CITY WILL CLOSE RIKERS ISLAND – AND INCREASE SAFETY

New York City is on track to experience a watershed moment by August 2027: the permanent closure of the decrepit, dangerous, irredeemable Rikers Island jails. This will be a major victory for crime victims, jail staff, incarcerated people, and our city as a whole.

Closing Rikers and replacing it with a more efficient and effective system of secure hospital beds and borough-based jails is not only doable – even with the rise in crime during the pandemic – it is essential to safety and justice.

This report explains how we will realize this historic achievement by lowering crime, safely and smartly reducing the jail population, and improving the crisis conditions at Rikers today and in preparation for the new facilities to come.

There is nothing radical in these pages; just proven policies and practices New York City has already shown increase safety and racial equity – far more effectively and cheaply than Rikers.

For three decades before COVID, New York City simultaneously cut both the jail population and major crimes by 70%, demonstrating that these two actions are mutually reinforcing. During the five years before Rikers must close, we can and must return to that path.

## CLOSING RIKERS COULD NOT BE MORE URGENT OR NECESSARY

Rikers is an incubator of violence, crime, and misery. Almost no one gets better there.

Half the people jailed at Rikers have a mental health diagnosis, including 85% of incarcerated women.<sup>1</sup> 1,000 people there have a serious mental illness.<sup>2</sup>

89% of people in the jails are awaiting trial.<sup>3</sup> On average, they have been held 286 days and counting waiting for their day in court – keeping them and crime victims waiting for answers and accountability. People with mental illness languish 50% longer pre-trial than people without.<sup>4</sup>

Health care, services, and recreation are hard to access. The jails' isolation and lack of public transportation impede court production, and visits from families, service providers, and attorneys.

Stabbings and slashings occur daily. The buildings are so dilapidated that their broken plexiglass and rusted metal provide the prime source of weapons.

As of the writing of this report, 17 people incarcerated in NYC jails have died this year alone.

Critically, what happens in Rikers does not stay in Rikers. Gang-related disputes and destabilized people flow out into our communities. The violence at Rikers today often leads directly to the crime and violence on our streets tomorrow.

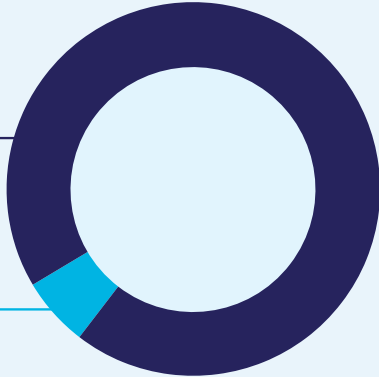
Operating Rikers costs NYC taxpayers about \$500,000 per incarcerated person per year.<sup>5</sup>

**Simply put, we can do much better than Rikers to ensure public safety.**

## WHO IS AT RIKERS TODAY?<sup>6</sup>

**MALE: 5,503**

**FEMALE: 344**



**51%**

NEED MENTAL HEALTH TREATMENT  
(49% OF MEN, 84% OF WOMEN)

**2,589**

PEOPLE ADMITTED PER YEAR NEED  
SUPPORTIVE HOUSING

BLACK: **61%**; LATINX: **29%**; WHITE: **8%**; ASIAN: **2%**

**89%**

AWAITING TRIAL

**1,340**

PEOPLE HELD PRE-TRIAL  
OVER A YEAR

**533**

PEOPLE HELD PRE-TRIAL  
OVER TWO YEARS

AVERAGE TIME AT RIKERS AWAITING TRIAL:

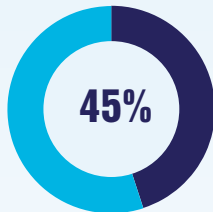
**286 DAYS**

340 DAYS FOR PEOPLE WITH MENTAL  
ILLNESS; 224 DAYS FOR PEOPLE WITHOUT

**75%**

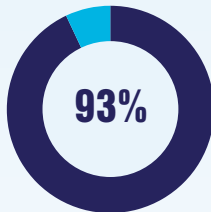
RELEASED  
STRAIGHT  
BACK TO OUR  
COMMUNITIES

BETWEEN



**45%**

AND



**93%**

OF WOMEN AND GENDER-EXPANSIVE PEOPLE  
DIVERTED FROM RIKERS HAVE EXPERIENCED DOMESTIC  
AND/OR SEXUAL VIOLENCE, PER SERVICE PROVIDERS



**70%** OF  
WOMEN ARE  
CAREGIVERS

A VAST MAJORITY HAVE A CHILD UNDER 18

# THE PLAN TO CLOSE RIKERS BY THE LEGAL DEADLINE OF AUGUST 2027

Under New York City law, the Rikers Island jails must be closed entirely by August 31, 2027. The City has also committed to closing the Boat, a jail barge moored to the South Bronx, by 2027.

These common-sense decisions answered the calls of formerly incarcerated people, their families, people who have worked on Rikers, prosecutors, judges, faith & community leaders, and countless others.

## TWO LAWS MANDATE RIKERS CLOSURE BY AUGUST 31, 2027

- Zoning law requires that no jails operate on Rikers after August 31, 2027.<sup>7</sup>
- The Renewable Rikers Act bars incarceration of anyone on Rikers after August 31, 2027. Every six months, the Department of Correction must transfer any land or buildings not in active correctional use to the Department of Citywide Administrative Services, until all of Rikers is transferred by August 31, 2027.<sup>8</sup>

The plan to close Rikers is based on extensive community engagement and dozens of public meetings with impacted residents, faith & business leaders, law enforcement & corrections experts, health care and service providers.

The closure plan consists of five main elements:

- 1. Safely, smartly, and methodically lower the incarcerated population. Our Commission's 2021 and 2022 Blueprints lay out exactly how this can be accomplished.**

The rise in crime during the pandemic is a clarion call to double down on everything we know works to head off violence and disorder, and ensure justice. Rikers fails to achieve those aims: it incubates further violence and most people held at Rikers return straight to our communities worse off than when they went to jail. The fewer people subjected to Rikers, the safer and better off we will all be.

In these efforts, we must keep the needs and wishes of victims front of mind. In survey after survey, crime victims state they want the justice system to hold people accountable and to ensure perpetrators receive the services necessary so they never hurt anyone again. Rikers cannot meet that challenge, but the policies in the Blueprints we published with our partners in 2021 regarding the jail population as a whole, and 2022 regarding women and gender-expansive people, can.

Meanwhile, safely lowering the jail population would allow the Department of Correction to consolidate operations and close jails, requiring fewer management teams and fewer officers on any given shift. Steady staffing could increase, ensuring staff build working relationships with each other and incarcerated people on their watch. Service delivery could improve. More frequent searches for weapons could take place. Enough officers would be available to escort people to court dates, medical appointments, recreation, and more. All of this would support a drop in violence.

**2. Replace the Rikers jails, which are built on decaying landfill and plagued by terrible sightlines, broken cell doors, and sewage leaks, with a new system slated to have a total capacity of 3,924 jail and secure hospital beds.**

The safer, more effective system is on track to be complete by August 2027. It will consist of:

**3,544**  
**MODERN JAIL BEDS**

DIVIDED EQUALLY BETWEEN THE BRONX, BROOKLYN, MANHATTAN, AND QUEENS, CLOSER TO COURTHOUSES AND COMMUNITIES, WITH 3 OF THE 4 JAILS BUILT ON THE FOOTPRINTS OF EXISTING, DECREPIT JAILS (THE 4TH WILL BE BUILT ON A FORMER NYPD TOW POUND)

**380**  
**SECURE HOSPITAL BEDS**



FOR PEOPLE WITH  
**MEDICALLY COMPLEX**  
HEALTH CONDITIONS



DUE TO COME ONLINE IN STAGES  
IN **2023, 2024, AND 2025**,  
THOUGH DESIGN ISSUES MAY  
DELAY CONSTRUCTION

The City should continue to prioritize and support neighborhood engagement around the facilities. It should also continue to fulfill the commitments made in the October 2019 Points of Agreement document between the City Council and the Administration, and regularly report on progress made.

## BENEFITS OF A BOROUGH-BASED SYSTEM OF JAILS AND SECURE HOSPITAL BEDS

- New facilities focused on the dignity of people in custody, staff, and visitors will support the Department of Correction's efforts to boost safety, change culture, and improve outcomes
- Designed with clear sightlines, smaller housing units, more space for rehabilitative programming, education, and health care, staff break rooms, natural light, and direct access to fresh air – all lacking on Rikers
- Secure hospital beds will provide a higher level of care primarily for people with serious physical health issues, reducing the burden on the jail system
- Proximity to courts will allow easier production of people to hearings, cutting time in jail and the jail population
- Access to public transit will support visits from families, children, attorneys, service providers, clergy, and volunteers
- \$2 billion in annual operating savings over the sprawling, inefficient Rikers jail complex

### 3. Transform Rikers' chaotic environment into one characterized by strong management, safe conditions for everyone, and a focus on successful re-entry.

With a jail population and correctional staff that are both 90% Black and Latino, safer jail operations are a matter of racial justice. Staff must be deeply involved in developing a new path. Much can be learned from other correctional systems in the U. S. and abroad.

### 4. Remake Rikers Island into a hub of green infrastructure, following the outline of the 2021 Renewable Rikers Act.

Siting sewage treatment plants, solar power, composting, and other essential infrastructure on Rikers would move New York forward in our battle against climate change. It would also free primarily Asian, Black, and Latinx communities from polluting power and sewage treatment plants, allowing those communities to use the vacated land as they think best.

### 5. Reinvest the \$1.3 billion annual net savings we project will result from the borough-based jails – even after paying for construction – into communities long harmed by underinvestment and overincarceration.

After extensive public engagement, the Commission on Community Reinvestment and the Closure of Rikers has published its [first set of recommendations](#) to use the money saved from closing Rikers to help communities thrive and to drive down crime.<sup>9</sup> A response from Mayor Adams is pending.

## TIMELINE FOR CLOSURE OF RIKERS

**August & December 2014:** After years of investigation, U. S. Department of Justice finds “a deep-seated culture of violence is pervasive throughout the adolescent facilities at Rikers” and joins Legal Aid’s lawsuit in federal court, *Nunez v. City of New York*, alleging unconstitutional levels of violence and uses of force throughout NYC jails.

**June 2015:** Kalief Browder, who suffered extensive abuse while held for three years as a teenager at Rikers, without ever receiving a trial, took his own life.

**October 2015:** Federal judge approves settlement agreement in *Nunez* lawsuit, which lays out plan to reduce violence at Rikers and appoints a federal monitor to oversee implementation of the plan.

**February 2016:** Then-New York City Council Speaker Melissa Mark-Viverito announces formation of the Independent Commission on New York City Criminal Justice and Incarceration Reform, commonly known as the Lippman Commission, to develop plans to safely lower the jail population and explore borough-based jails to replace Rikers.

**April 2016:** Grassroots #CLOSErikers campaign launched, led by directly impacted people.

**March 2017:** Then-Mayor Bill de Blasio pledges to shut down Rikers Island within 10 years.

**April 2017:** The Lippman Commission, comprised of 27 leaders in business, corrections, philanthropy, academia, law, and social services, some of whom were incarcerated on Rikers, releases unanimous report calling for closure of Rikers, major reduction in jail population, and safer, smaller, more effective system of jails in the boroughs.

**February 2018:** Then-Mayor de Blasio and then-City Council Speaker Corey Johnson announce the beginning of a public review process to approve new borough facilities to replace Rikers, in every borough but Staten Island. Master planning for the facilities begins.

**October 2019:** City Council votes to approve closure of Rikers, build 4 new borough jails, and invest hundreds of millions in communities to build opportunity and prevent crime. The Council also establishes a Community Reinvestment Commission to recommend reinvestments from savings in corrections and the closure of Rikers, and approves design standards for newly constructed correctional facilities.

**October 2020:** City Planning Commission approves a zoning map change proposed by the Department of Correction and City Council that bars jails on Rikers after August 31, 2027.

**February 2021:** City Council passes the Renewable Rikers Act, barring incarceration on Rikers after August 31, 2027, requiring phased transfer of Rikers out of Department of Correction control every six months until completed by August 31, 2027, and ordering studies of potential green infrastructure on Rikers.

**July 2021:** First land transfer under Renewable Rikers Act completed: James A. Taylor Center transferred from DOC to Department of Citywide Administrative Services.

**December 2021:** Second land transfer under Renewable Rikers Act completed: 43 acres of vacant land from DOC to DCAS.

**February 2022:** Commission on Community Reinvestment releases its first report containing recommendations to reinvest savings from downsizing corrections and closing Rikers.

**July 2022:** No land transfer made pursuant to Renewable Rikers Act.

**October 2022:** Demolition, site preparation, community engagement, and design peer review on-going at all four borough jail sites.<sup>10</sup>

**January 2023:** Next required land transfer under Renewable Rikers Act (and every 6 months after).

**Spring 2023:** First 100+ secure hospital beds scheduled to come online at NYC Health + Hospitals/Bellevue (construction on-going).

**Spring 2023:** Brooklyn jail design and construction to begin.

**Spring 2023:** Renewable Rikers study due re: using Rikers for renewable energy and battery storage.

**Summer 2023:** Manhattan jail design and construction to begin.

**Fall 2023:** Queens jail design and construction to begin.

**Winter 2023:** Bronx jail design and construction to begin.

**Spring 2024:** Renewable Rikers study due re: using Rikers for sewage treatment plants, composting, and other environmental uses.

**2024:** 160 secure hospital beds scheduled to come online at NYC Health + Hospitals/Woodhull (prep work ongoing, final designs expected by end 2022).

**2025:** 120 secure hospital beds scheduled to come online at NYC Health + Hospitals/North-Central Bronx (designs underway).

**Summer 2027:** All borough jail construction to be completed.

**August 31, 2027:** Rikers legally must close and all incarcerated people to be transferred to new borough jails or secure hospital beds.

# THE CITY’S PROGRESS TO DATE TOWARDS CLOSING RIKERS IS IMPRESSIVE AND SUSTAINABLE

Five years after the plan to close Rikers was first announced, and three years after the City Council voted to enshrine the plan into law, we are well on our way:

Design and construction has begun to replace Rikers with a more efficient and effective system of secure hospital units and borough-based jails. The system will have a total capacity of 3,924 beds.

The City and non-profits have built up an infrastructure of some of the most effective community-based diversion programs in the country, proven to reduce recidivism at far greater rates than Rikers, and for far less money.

Courts have whittled down the backlog of criminal cases that built up during COVID and can now turn to tackling more long-standing, unnecessary delays. We project that eliminating the remaining COVID backlog and pre-pandemic delays could reduce the Rikers population by over 1,300 people—while ensuring justice and accountability.

Over the past three decades, NYC has reduced both major crime and the jail population by over 70%, proving that reducing crime and incarceration are mutually reinforcing.<sup>11</sup> For instance, between 2016 (when our Commission was formed) and 2019 (when the Council approved the plan to close Rikers), the City safely reduced its jail population from over 9,700 people to 5,400, while major crime fell by 6%.<sup>12</sup> We must do all we can to return to this successful, safer path.

## HISTORICAL TRENDS IN CRIME AND JAIL POPULATION

	1991	2022 YTD (THROUGH OCT. 16)
<b>HOMICIDES</b>	<b>2,225</b>	<b>341</b>
<b>SERIOUS FELONIES</b>	<b>680,521</b>	<b>100,333</b>
<b>AVERAGE DAILY JAIL POP.</b>	<b>20,419</b>	<b>5,522</b>



## RECOMMENDATIONS TO IMPROVE THE PLAN AND FINISH THE JOB

Even with this progress, challenges remain, especially in a world re-shaped by COVID. But there is a clear path to overcome them and strengthen the current closure plan in the process. Appointment of senior City Hall leadership to manage this cross-agency mission would greatly enhance effective implementation.

### CHALLENGE #1:

**The jail population is artificially inflated, degrading public safety and making correction officers' jobs much harder. Areas ripe for progress: people in jail with serious mental illness, and undue case delays that extend jail stays for months and years and keep victims in limbo.**

### SOLUTIONS:

#### A. Grapple with people with mental illness

Half the jail population has received mental health treatment, including over 80% of women. 1,000 people at Rikers have a serious mental illness. Many become destabilized in jail, leading to disruptions and violence in jail, and further crime when they are released.

#### I. Increase supportive housing for homeless people with a serious mental illness – avoiding crime in the first place.

Justice Involved Supportive Housing (JISH) provides permanent affordable housing with intensive mental health, addiction and other services to people with the highest rates of jail and shelter use. JISH has been proven to reduce returns to jail by 38 percent in NYC.<sup>13</sup> Fewer victims experience harm at 1/10 the cost of Rikers. There are only 120 JISH units available today.

Almost 2,600 people cycle in and out of Rikers each year who need supportive housing.<sup>14</sup>

In 2019, the City pledged to add 380 new JISH beds, bringing the city-wide total to 500. To date, not one of those 380 beds has come online, due to insufficient funding. Adequate funding must be provided, and the number of JISH beds expanded swiftly.

### MENTAL HEALTH COURTS ARE TOO RESTRICTIVE

**Mental health courts, which direct very ill people to services, generally have strict entry requirements. For instance, the Manhattan Mental Health Court handles only 50 cases at any one time. This hinders many people from accessing services that might resolve their cases equitably and head off recidivism. Instead, they stay in Rikers.**

## **II. Build secure hospital beds for people with serious mental illness.**

Every secure hospital bed that opens means one fewer person in Rikers. Everything possible should be done to expedite construction of the 380 planned secure hospital beds and ensure adequate staffing for them.

However, those 380 beds are slated to focus primarily on people with physical rather than mental illnesses. With 1,000 people at Rikers today with a serious mental illness, we need secure hospital beds to meet their needs too. Available sites should be rapidly identified at City or State hospitals (perhaps leased to the City), and the beds brought on-line as swiftly as possible.

Notably, then-Borough President Eric Adams called in September 2021 for emergency build-out of off-site secure facilities like these.<sup>15</sup>

## **III. Expand jail-based programs for people with serious mental illness.**

The Program to Accelerate Clinical Effectiveness (PACE) and Clinical Alternative to Punitive Segregation (CAPS) program, both devised by Rikers personnel to treat people with serious mental illness, are proven to significantly lower violence and improve outcomes.<sup>16</sup> However, the PACE program has capacity to treat only roughly  $\frac{1}{4}$  of the people at Rikers with serious mental illness. The units should be expanded rapidly.

## **B. Provide people in New York City with speedy trials as guaranteed by the Constitution.**

People held at Rikers awaiting trial have been jailed an average of 286 days. Over 1,300 people have been jailed over a year waiting for their day in court. These delays leave incarcerated people in limbo and deny victims the answers and accountability they deserve. Furthermore, the longer people stay at Rikers, the more likely they are to be involved in violence and uses of force, and the more profound mental illness becomes.

### **I. Expand a successful case processing pilot citywide that could cut the Rikers population by 1,000 people.**

A 2019 pilot in Brooklyn by the Center for Court Innovation increased the number of cases resolved within 180 days by 70% for people in jail.<sup>17</sup> Among the common-sense steps: cut the time between court appearances, ensure lawyers come prepared and court dates are meaningful, and get the parties to sit down early to honestly assess the strength of the evidence and work to resolve cases. We project that if the pilot were instituted city-wide, 1,000 fewer people would be in Rikers. Victims would get resolutions.

### **II. Establish Population Review Teams so all players in the justice system come together to collaboratively examine individual cases, determine whether people can be safely diverted, or whether their cases can be resolved once and for all.**

Establishing Population Review Teams, used successfully around the country, could mean hundreds more people held at Rikers could have their cases completed – fairly and appropriately – much more

quickly than the regular court process. A similar process was used in the early days of COVID to safely release hundreds of people from Rikers.

### C. Divert More People to Safe, Effective Community-Based Programs

#### I. NYC has some of the best diversion programs in the country – they should be used to their maximum potential.

New York City’s diversion programs work to:

- ➔ hold accountable people charged with violent & non-violent crimes
- ➔ link people to treatment & community-based support
- ➔ cut recidivism, improve outcomes, and increase safety

These programs are not a guarantee of success, but they have a much better track record at combatting recidivism than Rikers. Over the past five years, an average of 34% of people released from Rikers return to jail within 1 year.<sup>18</sup> That number rises to 46% for people with mental illness.<sup>19</sup> In comparison, diversion programs have reported the following results to us:

- ➔ **BronxConnect:** 97% of successful graduates are felony conviction-free 3 years post-graduation (3% recidivism)
- ➔ **Exodus Transitional Community:** 4% recidivism, 78% of program participants secure living wage jobs
- ➔ **SHERO:** 1% of people in their program were re-arrested (2/300 women and gender-expansive people served since 2017)
- ➔ **Brooklyn Mental Health Court:** chance re-arrest ↓ 46% & new conviction ↓ 28%

To ensure the continued success of diversion and other violence and crime prevention programs, the City must continue to tackle contract processing and payment delays. Many non-profits cannot afford to provide services while waiting for months for City reimbursement. The City could also offer management and organizational training and support for newer, smaller non-profits, perhaps via the Department of Small Business Services.

<b>COST COMPARISON: RIKERS VS. DIVERSION PROGRAMS</b>	
<b>RIKERS</b>	<b>\$500,000+ PER PERSON/YEAR</b>
<b>DIVERSION PROGRAM WITHOUT HOUSING</b>	<b>\$12,000-16,000 PER PERSON/YEAR</b>
<b>DIVERSION PROGRAM WITH HOUSING</b>	<b>\$60,000-\$70,000 PER PERSON/YEAR</b>

**II. Early holistic assessments of people upon arrest or entry into Rikers could identify more people who can be safely and appropriately diverted to treatment and services that are proven to hold people accountable, combat recidivism, and improve outcomes.**

Early holistic assessments could help identify to defense lawyers, prosecutors, and judges appropriate candidates for safe diversion from Rikers to mental health and drug treatment, jobs programs, and more. People could be safely placed into appropriate community-based programs within days or weeks, rather than languishing for month or years in the chaos and violence of Rikers before heading to the very same programs. Today, such assessments are ad hoc, and often done only months into someone's incarceration.

**III. Ensure all players in the justice system have access to a real-time database of housing, treatment programs, and community resources & expert resource navigators to advise all criminal justice actors on these non-jail options and provide appropriate referrals.**

The Mayor's Office of Criminal Justice has contracted with Unite Us to provide a centralized database with comprehensive, up-to-date information regarding community-based programs, their eligibility criteria, and available slots. Resource liaisons in courtrooms could advise criminal justice actors on these resources and provide referrals to appropriate programs to support safe, successful diversion and reentry.

## **CHALLENGE #2:**

**As inflation hits all sectors, the cost of building the borough jails and secure hospital beds will inevitably rise. Even so, we estimate the new system will save \$2 billion in annual operating costs, dwarfing the \$660 million inflation-adjusted annual cost of jail construction.**

We estimate the smaller, more efficient borough-based jails will save the City \$2 billion per year in operating costs, thanks to improved staffing ratios and fewer people in jail.<sup>20</sup>

The new system that will replace Rikers will be paid for with bonds – not all at once. The bonds will be paid back in annual installments over the course of 30 years. We estimate that with construction inflation of over 20%, and absent any cost-saving measures for the new jails, the City will have bond repayments of roughly \$660 million per year.<sup>21</sup>

We also recommend funding a new state-of-the-art training academy for correction officers. We estimate a new academy would cost around \$270 million after accounting for inflation, or \$18 million per year in annual debt service costs.

Therefore, **we estimate the net savings once Rikers is closed will be at least \$1.3 billion per year.** The City can use that money to invest in communities long suffering from disinvestment and

overincarceration, with the guidance of the Commission on Community Reinvestment and the Closure of Rikers.

**Rebuilding on Rikers would cost up to 15% more and take years longer. It would also be illegal under multiple provisions of NYC law.**

<b>COSTS AND SAVINGS OF BOROUGH JAIL PLAN</b>	<b>TOTAL CAPITAL COST INCLUDING INFLATION</b>	<b>ANNUAL COST OF BOND PAYMENTS/ANNUAL SAVINGS</b>
<b>CONSTRUCTION COST</b>		
<b>FOUR NEW BOROUGH FACILITIES</b>	\$9.9 BILLION	\$657 MILLION A YEAR
<b>NEW TRAINING ACADEMY</b>	\$272 MILLION	\$18 MILLION A YEAR
<b>TOTAL COST</b>	\$10.2 BILLION	\$675 MILLION A YEAR
<b>OPERATIONAL SAVINGS FROM IMPROVED STAFFING RATIOS AND THE DECREASING JAIL POPULATION</b>		\$2 BILLION A YEAR
<b>NET ANNUAL SAVINGS</b>		\$1.325 BILLION A YEAR

According to the New York City Department of Design and Construction, jail construction on Rikers would cost 8%-15% more than the borough-based facilities which are already under way.<sup>22</sup> This is due to: necessary environmental remediation and landfill stabilization; the island’s isolation and single bridge on and off; and the presence of active jails, which would limit construction hours and require a staggered schedule to maintain sufficient capacity during construction. In addition, the City would have to pay over \$800 million to demolish the existing jails on Rikers.<sup>23</sup> The City has already spent \$500 million on design, demolition, project management, and site preparation for the new borough-based jails.

Rebuilding on Rikers would take years longer to complete than borough facilities for the reasons listed above, combined with having to restart the procurement and contracting process. In the meantime, staff and incarcerated people would continue to be subjected to unacceptable conditions. And of course there would be no Renewable Rikers.

Perhaps most critically, **the Renewable Rikers Act and NYC zoning law bar any jails from being operated on Rikers or any people from being incarcerated there after August 31, 2027.**

## **SOLUTIONS TO LOWER COSTS AND INCREASE SAVINGS:**

### **A. Build more secure hospital beds rather than jail cells.**

Not only would secure hospital beds provide people better access to needed care, they cost 25% less to build. Again, the planned 380 secure hospital beds will be dedicated primarily to people with serious physical health rather than serious mental health issues. Many of the 1,000 people with serious mental illness at Rikers would equally benefit from such care. Relying more on secure hospital beds would permit the City to build smaller jails, reducing height and square footage.

### **B. Explore moving drug detoxification units and drug treatment units out of the jails and into secure medical settings.**

45% of people at Rikers have a substance use disorder, a number that rises to 97% among people who cycle frequently in and out of jail.<sup>24</sup> Rikers has a history of strong drug treatment programs, including medically assisted treatment and the A Road Not Taken residential program. The City could examine the feasibility of moving those programs out of jails and into other secure settings.

## **CHALLENGE #3:**

### **Conditions on Rikers remain dire and must be addressed urgently; operations must be dramatically reformed as we move towards new borough facilities**

Even as Correction Commissioner Louis Molina and his team grapple with the dire conditions at Rikers, all key parties must work collectively to ensure a transformed Department of Correction takes control of the new facilities in 2027. Under no circumstances can the current chaos be transferred from Rikers to the boroughs.

Rikers' decades of violence and dysfunction must be replaced with strong management, staff support and accountability, and an emphasis on successful re-entry. Staff must be deeply involved in efforts to remake the Department; no revisions will work without staff buy-in and support.

## SOLUTIONS:

- A. Set a clear mission of a positive, rehabilitative organizational culture, rooted in care and support for staff and people in custody, accountability, and successful re-entry.**

This could include:

- **Establishing steady teams of supervisors and line officers who work together in the same units each day. Staff would receive the support they need, and the continuity will help build trust between staff and incarcerated people. This will help lower violence and increase everyone’s quality of life.**
- **Exploring different shift models, such as having staff work 10-hour or 12-hour shifts, fewer days a week. This has worked elsewhere around the country to boost productivity and increase the amount of time staff can spend with their families.**
- **Encouraging, tapping into, and rewarding staff ingenuity with negotiated promotions, bonuses, and public recognition. Building on DOC efforts to engage staff via town halls, surveys, and more, we should ensure staff have a seat at the table in reform and try out the best of their suggestions.**
- **Reinvigorating mental health crisis intervention and de-escalation training for staff, known as Crisis Intervention Training – developed successfully on Rikers – and ensuring trained staff are assigned to appropriate posts.**
- **Providing captains and other supervisors with the training and support they need to succeed as leaders and managers. There must be enough supervisors to provide adequate oversight and guidance to line officers.**
- **Developing management training that focuses on staff development, support, and well-being, and managing people to a goal. Quality trainers are essential, as is hands-on learning and mentoring after initial training is complete.**
- **Expanding recruitment of officers with backgrounds in social work, youth development, and other critical areas; and ensure existing staff with these backgrounds work jobs that match their skillset, and are tapped for innovation.**

- B. Draw on national and international models from places like Colorado, Oregon, and Norway, which have secure, humane, and dignified facilities that minimize violence and prepare people well for release.**

## CONCLUSION

In the words of Mayor Adams, “If we get it right in New York City, it gets right across the whole country.” Now is the time to demonstrate once again to the nation, as New York City has for decades, that justice and safety go hand in hand. While the road to closing Rikers Island, safely reducing the jail population, and transforming the city’s jails will not always be smooth, this report and our prior Blueprints point the way forward. Together, we will succeed.

# ENDNOTES



## ENDNOTES

- 1 New York City Open Data, Daily Inmates in Custody, available at <https://data.cityofnewyork.us/Public-Safety/Daily-Inmates-In-Custody/7479-ugqb> (visited Oct. 20, 2022). Special thanks to Michael Rempel of the Data Collaborative for Justice at John Jay College for his analysis of the data.
- 2 Correctional Health Services, Local Law 59: Report for Week of September 19, 2022 - September 25, 2022 New York City Comptroller, Department of Correction Dashboard, available at <https://comptroller.nyc.gov/services-for-the-public/department-of-correction-doc/dashboard/>, available at <https://hhinternet.blob.core.windows.net/uploads/2022/10/report-for-the-week-of-september-19-2022-to-september-25-2022.pdf>.
- 3 NYC Open Data, Daily Inmates in Custody. This includes roughly 200 people (3.5% of the population) who are on parole or probation and are facing new criminal charges.
- 4 Id.
- 5 NYC Comptroller, Agency Watch List, Department of Correction FY 2023 (Mar. 2022), available at [https://comptroller.nyc.gov/wp-content/uploads/documents/Agency\\_Watch\\_List\\_DOC\\_FY2023.pdf](https://comptroller.nyc.gov/wp-content/uploads/documents/Agency_Watch_List_DOC_FY2023.pdf).
- 6 NYC Open Data, Daily Inmates in Custody (Data as of October 20, 2022); NYC Department of Correction, NYC Department of Correction at a Glance (Nov. 2020), available at [https://www1.nyc.gov/assets/doc/downloads/press-release/DOC\\_At\\_Glance\\_FY2020\\_thru\\_4thQuarter.pdf](https://www1.nyc.gov/assets/doc/downloads/press-release/DOC_At_Glance_FY2020_thru_4thQuarter.pdf).
- 7 Application C 200143 MMY, Adopted October 21, 2020, available at <https://a860-gpp.nyc.gov/downloads/hm50t-v03d?locale=en>.
- 8 <https://www.renewablerikers.org/legislation>; Int. 1592-2019, available at <https://legistar.council.nyc.gov/Legislation-Detail.aspx?ID=3983008&GUID=33061BE9-BD8C-4F5A-8165-AD3DFD0BFDF0&Options=&Search=>.
- 9 Commission on Community Reinvestment and the Closure of Rikers Island Report (2021), available at <https://www1.nyc.gov/assets/hra/downloads/pdf/hra-docs/Commission-Community-Reinvestment-Report.pdf>.
- 10 Information regarding borough jail design and construction compiled from NYC A Roadmap to Closing Rikers website, available at <https://rikers.cityofnewyork.us/>.
- 11 New York State Division of Criminal Justice Services, Index Crimes by County and Agency: Beginning 1990, available at <https://data.ny.gov/Public-Safety/Index-Crimes-by-County-and-Agency-Beginning-1990/ca8h-8gjq>; Brennan Center for Justice, How New York City Reduced Mass Incarceration: A Model for Change? (Jan. 2013), available at [https://www.brennancenter.org/sites/default/files/publications/How\\_NYC\\_Reduced\\_Mass\\_Incarceration.pdf](https://www.brennancenter.org/sites/default/files/publications/How_NYC_Reduced_Mass_Incarceration.pdf); New York State Division of Criminal Justice Services, Annual Jail Population Trends (Jan. 2022), available at [https://www.criminaljustice.ny.gov/crimnet/ojsa/jail\\_pop\\_y.pdf](https://www.criminaljustice.ny.gov/crimnet/ojsa/jail_pop_y.pdf).
- 12 NYPD, Historical New York City Crime Data, Citywide Seven Major Felony Offenses 2000-2021, available at [https://www1.nyc.gov/assets/nypd/downloads/pdf/analysis\\_and\\_planning/historical-crime-data/seven-major-felony-offenses-2000-2021.pdf](https://www1.nyc.gov/assets/nypd/downloads/pdf/analysis_and_planning/historical-crime-data/seven-major-felony-offenses-2000-2021.pdf).
- 13 NYC Mayor's Office of Criminal Justice, Mayor's Office of Criminal Justice, Department of Health Announce Successful Rollout of "Justice-involved Supportive Housing" Program Stabilizing Individuals Who Frequently Cycle Through Jail and Shelter (2017), available at <https://criminaljustice.cityofnewyork.us/in-the-news/mayors-office-of-criminal-justice-department-of-health-announce-successful-rollout-of-justice-involved-supportive-housing-program-stabilizing-individuals-who-frequently-cyc/>.
- 14 Corporation for Supportive Housing, Advancing Supportive Housing Solutions to Reduce Homelessness for People Impacted by the Criminal Legal System (2022), available at: <https://www.csh.org/wp-content/uploads/2022/02/Reduce-Homelessness-for-People-Impacted-by-the-Criminal-Legal-System.pdf>. The Corporation for Supportive Housing estimates that of the 2,589 people who need supportive housing, 777 people meet the current eligibility criteria for supportive housing, but 1,812 people do not because City regulations bar them once they are in Rikers for more than 90 days. At that point, the City no longer considers them "chronically homeless," making them ineligible for supportive housing. Id. at 6.
- 15 Borough President Eric Adams, Testimony Before the Joint Hearing of the Committees on Criminal Justice and Civil Service and Labor (Sept. 15, 2021), available at <https://twitter.com/bkborohall/status/1438193272531341319>.
- 16 NYC Department of Correction, CAPS and PACE Backgrounder, available at <https://www1.nyc.gov/site/doc/media/caps.page>; Ford, E., et. al., Clinical Outcomes of Specialized Treatment Units for Patients with Serious Mental

Illness in the New York City Jail System, PSYCHIATRY ONLINE (Feb. 2020), available at <https://ps.psychiatryonline.org/doi/10.1176/appi.ps.201900405>.

- 17 Weill, J., Rempel, M., Rodriguez, K., & Raine, V., *Felony Case Delay in New York City: Lessons from a Pilot Project in Brooklyn* (2021), available at [https://www.courtinnovation.org/sites/default/files/media/document/2021/Case\\_Delay\\_Policy\\_Brief\\_3.29.2021.pdf](https://www.courtinnovation.org/sites/default/files/media/document/2021/Case_Delay_Policy_Brief_3.29.2021.pdf).
- 18 New York City Department of Correction, *Annual Report on Mentally Ill Incarcerated Individuals and Recidivism, 2016-2021*, available at [https://www1.nyc.gov/assets/doc/downloads/pdf/FINAL\\_Mentally\\_Report\\_CY21.pdf](https://www1.nyc.gov/assets/doc/downloads/pdf/FINAL_Mentally_Report_CY21.pdf).
- 19 *Id.*
- 20 Uniform personnel costs include salary, fringe benefits, and pension contributions. Current costs are based on the City of New York FY 2023 adopted budget and inflated using the average CPI of 2.5% over the last two years (2020-2021) for the New York-Newark-Jersey City metropolitan area. Approximate annual savings attainable after fully completing the move to the new system. Savings based on a detained population of 3,300 people. The estimates in this section were developed by the CUNY Institute for State and Local Governance. Special thanks to Victoria Lawson, Michael Jacobson, Marc Shaw, and Dean Fuleihan for their analysis and guidance.
- 21 The approximate annual cost of debt service was provided by the Office of the NYC Comptroller using a coupon rate of 5.17% and TIC of 4.98%, while inflation for operational costs (i.e., reduced spending on staff) uses the average CPI of 2.5% over the last two years (2020-2021) for the New York-Newark-Jersey City metropolitan area. Inflation is applied to all capital costs with the exception of the \$499 million in costs already contracted out for work in the borough sites. The inflation rate for total capital costs is 21% based on Mortenson's annual increase from 2020 to 2021, available at <https://www.mortenson.com/cost-index>.
- 22 Independent Commission on NYC Criminal Justice and Incarceration Reform, *A More Just NYC* (April 2017) at 89, available at <https://static1.squarespace.com/static/5b6de4731aef1de914f43628/t/5b96c6f81ae6cf5e9c5f186d/1536607993842/Lippman%2BCommission%2BReport%2BFINAL%2BSingles.pdf>.
- 23 In 2017, HR&A estimated that demolition would cost approximately \$145 per square foot, or \$735 million total. We have adjusted that amount for inflation, conservatively using the average CPI of 2.5% over the last two years (2020-2021) for the New York-Newark-Jersey City metropolitan area.
- 24 NYC Health + Hospitals, *Substance Use and Incarceration* (July 2018), available at <https://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2018/July-10-2018/POST/BOC%20SUT%20Service%20Overview%20-%20July%202018%20-%20FINAL.pdf>.