

# Vera Institute of Justice

## Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/closing-rikers-island>

### Public Facing Advocacy Writing

On October 17, the New York City Council will consider a historic vote to approve the construction of four new jails to replace the decrepit, decaying facilities that currently exist in the Bronx, Queens, Brooklyn, and Manhattan.

This is a critical step for the once-in-a-lifetime opportunity to close Rikers Island and end mass incarceration in our city. New York City will go from having eleven operating jails today to only four citywide, and cut our jail capacity by over 70 percent from 14,000 beds today (of which half are empty) to less than 4,000 in the future.

We strongly urge the City Council to vote yes if key commitments are made to decarceration.

The critical juncture and the challenge ahead of New York City is that we march with purpose towards shrinking the footprint of the criminal justice system to a day when we don't need incarceration. If, in a decade, we spend \$8.7 billion building four new jails as is the projected cost of the construction and leave Rikers Island open, we will have turned a remarkable opportunity into a colossal failure. On the other hand, if we invest in our communities and make incarceration truly the last resort, we can aspire to a future where New York City rivals places like Scandinavia in our parsimonious use of jail. For the very few who remain incarcerated, we will ensure that people are treated with dignity and autonomy and that incarceration is solely a loss of liberty, not the violence, terror, and inhumanity that we associate with it today. These jails can be built with an eye towards adaptive reuse so that as we continue to decarcerate and need fewer beds, they can be turned into office space, grocery stores, community centers, or anything else.

How do we set ourselves up now to achieve this vision?

Before the City Council votes yes on October 17, they and Mayor de Blasio must make five key commitments. Some of these have been addressed by proposals in recent days, but there is much more to be done in the coming two weeks.

**First**, commit to reducing the number of people who can be incarcerated to far less than 4,000, the number currently on the table in the City's plan. We can and should go as low as 3,300 jail beds citywide. This is ambitious but not unrealistic, between the historic reforms to bail, discovery, and speedy trial that were passed in Albany in April 2019, potential reforms to parole, and the continuing decline in arrests and crime in New York City.

**Second**, agree to allocate a significant sum of money at least \$260 million a year for the next decade to housing, healthcare, treatment, education, and the other resources and services that deliver safety to our neighborhoods and help communities to thrive. These community investments should go to the communities most impacted by our city's legacy of over-enforcement, criminalization, and incarceration.

**Third**, release a timeline for constructing new jails in the boroughs with demolishing the jails on Rikers Island. Waiting until the four new jails are built to begin closing Rikers Island, and moving people from the current borough-based jails onto Rikers Island during construction, are inconsistent with a firm commitment to closing Rikers Island once and for all. Begin building first in Queens and the Bronx, where the sites picked for the jails sit empty, and demolish at least two jails on Rikers Island each year as the borough-based construction progresses.

**Fourth**, invest in culture change that will ensure that the violence and despair that plagues Rikers Island is not transferred to the borough-based jails. Enact legislation and directives that promote human dignity through architecture, policies, and programming individual rooms with natural light and private showers, sinks, and toilets; access to kitchens and fresh food; and more time in programs, employment, and the community.

**Finally**, and importantly for investing in a future where abolition is a reality, engage in a design process where the new facilities are built as buildings first, and then adapted to be jails, so that, when the day comes where we no longer rely upon incarceration, those structures can be repurposed for some other use than as a jail.

These five commitments, along with a vote to move forward with new construction, give us a fighting chance to seize the opportunity to end mass incarceration in New York City. This is not a moment to be squandered or to be taken for granted. New York City has tried to close Rikers Island twice before once in the late 1970s, and once again in the mid-2000s. Both times, those efforts were defeated by a chorus of naysayers who did not want jails in our communities but were fine with leaving people in cages on Rikers Island, out of sight and out of mind.

Our political will is different this time. Yes, there are pockets of local opposition to jail construction in the boroughs, as evidenced by a proposal released this week by neighborhood groups who want to build new jails on Rikers Island and not close it at all. But there is also opposition to the construction of any replacement jails, questioning whether we need them at all. For now, we do, as the jails we have cannot suffice. While much ink has been spilled over the violence, terror, despair and decay that is Rikers Island, the same holds true of the existing jails in the Bronx and Manhattan, known anecdotally as the Boat and the Tombs. The cells in the Brooklyn House of Detention cramped, isolated, and falling apart do not meet minimum standards for jail conditions but were grandfathered in because they were built so long ago. This is unacceptable. To the extent that even one New Yorker is in jail, we cannot subject ourselves to these kinds

of conditions.

We at Vera do not come lightly to this decision. We have supported efforts for jail closure and against jail construction in places like Los Angeles, St. Louis, and Philadelphia, and will continue to use our influence with government partners and leaders to invest in communities, not incarceration. But the opportunity and the moment in New York City looks radically different from anywhere else in the country. New York City has already decarcerated from 21,000 people in jail on any given day in the 1990s to 7,000 today, with a goal of fewer than 4,000 in the near future. Los Angeles, with 17,000 people in jail, and Philadelphia, with 5,500, have much, much more decarceration to do to be on par with New York City.

A decade from now, the story of closing Rikers Island may be that New York City pulled off what no other American city has done, which is to truly end mass incarceration. Or, we may look back at this moment as the third failed attempt to close Rikers Island. Voting yes on October 17 is not at odds with a future in which we do not need to rely on incarceration at all. We need to take concrete steps to get us there.

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