

# Vera Institute of Justice

## Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/annual-report-2019-a-vision-for-change/closing-mass-incarcerations-front-door>

### Annual reports

Vera's fight to end mass incarceration nationally is fueled by our strategic work focused on small cities and rural communities, which are grappling with the nation's highest rates of jail incarceration and prison admissions. While major cities like Chicago, Los Angeles, New Orleans, New York, and Philadelphia have dramatically reduced their incarceration rates, our research shows that many smaller communities across the country are moving in the opposite direction. It is critical that we respond to this shifting geography of incarceration. Otherwise, our progress toward ending mass incarceration may be eroded by deepening problems in overlooked communities across the country.

Although the challenges facing rural America today are widely covered in the news, the dramatic rise in jail incarceration remains a missing piece of the discussion. Vera's In Our Backyards initiative is working to stop the rise of incarceration in small towns and rural communities. Over the past year, our team has worked with local advocacy organizations and government stakeholders in a range of states (Illinois, Indiana, Kansas, Kentucky, North Carolina, Pennsylvania, Tennessee, and Texas) to develop strategies to safely reduce incarceration and invest public dollars in supporting communities. In some communities, this work called for Vera to provide updated data on prison and jail populations at both the county and state levels, research on local causes of incarceration, and information about best practices. In other places, it involved facilitating discussions with key stakeholders including justice activists and organizers, government and corrections officials, and families about alternatives to incarceration. Vera also deepened our support of local battles against mass incarceration by awarding grants to 11 community-based and statewide organizations in seven states to help expand and sustain this work. Over the next year, working in 10 states with high rural jail populations, Vera will expand our engagement with and support for local communities and government partners seeking to fight jail expansion and overincarceration.

Vera is committed to transforming an unfair justice system in which too many are incarcerated not because they pose serious risks to their communities, but simply because they are too poor to pay for their freedom. This unjust burden is also disproportionately harming communities of color, with studies showing that Black people are more likely to pay higher bail amounts and less likely to be released without bail. The problem of bail, fines, and fees has captured the attention of the American public and media in a way not seen in half a century, and bold litigation and advocacy by civil rights lawyers and organizers have built powerful momentum for change. Vera is harnessing this energy by actively collaborating with local justice systems across the country and partnering with advocates at the state and local levels to curtail the use of money bail, fight the criminalization of poverty, and stem the overuse of jail.

**Home win!** In a huge victory, Vera and our allies spurred sweeping reforms passed by New York State this year that will dramatically curtail the use of pretrial detention and cash bail, overhaul rules for the sharing of evidence, and strengthen measures to ensure a person's right to a speedy trial. If implemented effectively, these historic reforms should drive a 40 percent reduction in the statewide jail population. Vera helped lay the groundwork by providing advocacy groups and community organizers with data analysis, research, and strategic guidance to support their work toward key reform priorities. In January, we also organized a two-day statewide convening attended by more than 60 advocates and people impacted by the justice system to facilitate discussions and generate strategies around issues ranging from bail reform and fighting new jail expansion to sentencing and parole reform. As the issue of bail reform gains even more momentum nationwide, other places will look to New York as a model.

**Down 80%! In New Orleans** where our team has worked for more than a decade Vera helped develop reforms allowing people under arrest to be released without bail when they are not a threat to public safety and can be counted on to appear in court. These reforms have led to an extraordinary 80 percent reduction in the city's jail population over the past 13 years. To build on this work, earlier this year Vera published *Paid In Full: A Plan to End Money Injustice in New Orleans*, a detailed roadmap for completely eliminating the practice of bail, fines, and fees in New Orleans and bringing equity to the city's justice system. Developed in close collaboration with city officials and 32 community-based organizations, the proposed plan has the potential to make further dramatic cuts to the city's jail population and save \$5.5 million in taxpayer money in the process. As we support the movement for nationwide change, Vera is demonstrating a better way that improves the system, benefits the public, and serves the cause of justice.

Rikers Island, a jail complex built on land owned by a notorious New York judge involved in the slave trade, has for almost a century been a stain on the humanity of New York City. While the number of people held on the island has fluctuated from a high of more than 20,000 people in the early 1990s to fewer than 7,000 today it has always been a warehouse of human suffering and misery. People who are locked up simply because they cannot afford bail or are held on minor parole infractions such as missing a curfew or an appointment. People with mental illness, for whom jail only makes them sicker. Women, for whom alternatives to jail are too few. Everyday New Yorkers, with families, jobs, and lives in the balance. One universal observation by both those incarcerated and those employed at Rikers is that the level of violence, the poor housing conditions, and the lack of meaningful programs and opportunities are unconscionable.

In 2016, City Council Speaker Melissa Mark-Viverito tasked the Independent Commission on New York City Criminal Justice and Incarceration Reform colloquially known as the Lippman Commission after its chair, Judge Jonathan Lippman to study the problems of Rikers Island and make recommendations for change. Vera played a key role on the commission as a research and thought partner to the organizations on the frontlines of closing Rikers Island and reforming New York's criminal justice system. We participated in coalition

meetings, shared data and knowledge, and learned from our partners to inform our research and writing. After a year of careful inquiry, the commissions recommendation was unequivocal: Rikers Island is a stain on our great City. We have proven that more jail does not equal greater public safety. We must close the jail complex on Rikers Island. Period.

Nearly three years later, in a historic vote on October 17, 2019, the New York City Council approved the construction of four new jails by 2026 to replace the decrepit, decaying facilities that currently exist in the Bronx, Queens, Brooklyn, and Manhattan a significant first step in the decades-long battle to close Rikers Island. The council also approved a cap of no more than 3,300 jail beds citywide, which will shrink the capacity to incarcerate by 76 percent from the 14,000 beds available today. In addition, the council approved a legal mandate ensuring that no jails will exist on Rikers after 2026, along with significant investments in community-based services and alternatives to incarceration. The city council vote this October marked a turning point, not only in the trajectory of criminal justice reform in New York City, but also in the vision of what is possible.

As important and historic as the vote was, however, the hard work to close Rikers Island is not over. In fact, it is just beginning. Throughout this difficult journey, Vera has worked closely with government and community partners to capitalize on the momentum to establish a transformative vision of justice in New York City's neighborhoods and criminal justice system that is rooted in human dignity. As we move into the next chapter, we will continue to partner with the mayor, the city council, advocates, and reform-minded leaders to safely and dramatically shrink the number of people behind bars, make significant investments in the resources and programs that help neighborhoods thrive, and finally make good on closing Rikers Island once and for all.

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