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October 15, 2015

Stanley Brezenoff, Board Chair
NYC Board of Correction
51 Chambers Street, Room 923
New York, 10017

Dear Mr. Brezenoff and Members of the Board of Correction,

Thank you for your commitment to improving the correctional facility conditions across New York City, particularly the Rikers Island facilities. I am writing to express my opposition to the changes proposed by the New York City Department of Corrections (DOC) in the petition submitted to the New York City Board of Corrections (BOC). Specifically, I oppose the BOC's proposed changes to its jail minimum standards. These changes will move the city backwards, not forwards.

My interest in these issues stems from a deeply held belief that all New Yorkers deserve fair treatment in the eyes of the law. Last year, we all learned the heart wrenching story of Kalief Browder. Mr. Browder was the victim of a deeply flawed monetary bail system. Unable to afford the court set bail, Mr. Browder spent the next three years of his life in Rikers awaiting a trial that never came. That is three full years in which Mr. Browder suffered through abuse and solitary confinement instead of completing his high school degree and living the life of a normal teenager surrounded by friends and family. While Mr. Browder's life was put on hold, he was never given a trial nor convicted of any crime. DOC's proposals regarding a rollback of its solitary confinement rules would have made Mr. Browder's time in jail even worse.

The DOC has a responsibility to demonstrate that proposed rules changes have a legitimate evidentiary basis. Until such proposals are based in evidence that indicates they are best practices for DOC staff, inmates, and families, I recommend that the BOC resist any measure that could represent a step backwards and prevent the much needed reform in our correctional system. Only by resisting the urge to fall back into the old way of doing things can we move forward with humane treatment of detainees.

If there is one thing that is clear to me, it is that the “culture of violence”¹ in City jails needs to stop now. Therefore, I do not support the rule changes proposed by Commissioner Joseph Ponte, which I believe may slow reform efforts. This includes proposing limits on physical contact between incarcerated individuals and their visitors, the exclusion of visitors based on their prior criminal record, a rollback of recently enacted rules regarding solitary confinement, and a prohibition on packages (other than court clothes) unless sent from an approved vendor.

This problem is not new to New York City’s correctional system. Anna M. Kross, DOC Commissioner from 1954-1966, said:

“Remaining in jail because you can't get bail is really being punished before you're found guilty... As far as I was concerned, that was not just, that was destroying our concept of justice.”

Until we can reform New York’s antiquated and dysfunctional monetary bail system, I fear more young men and women will meet the same unjust circumstances as Mr. Browder.

Thank you again for fighting for the improvement of our correctional facilities. I look forward to working with you on these critically important issues and your continuing efforts to protect the welfare of our inmates and correctional officers. Finally, I thank you for your willingness to stand up for innocents like Mr. Browder. We can and must do better for the sake of all New Yorkers.

Sincerely,



New York City Council Member
Council District 6

¹ U.S. Dep't of Justice, CRIPA Investigation of the New York City Department of Correction Jails on Rikers Island (2014) available at:
<http://www.justice.gov/sites/default/files/usao-sdny/legacy/2015/03/25/SDNY%20Rikers%20Report.pdf>