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Borough Based Jails Progress Report¹ **December 21, 2021**

Introduction:

In 2019, the City of New York formally committed to closing Rikers Island and building a smaller, safer, fairer, more humane jail system in the boroughs. The City Council approved a plan to build four new jail facilities in Manhattan, Brooklyn, Queens, and the Bronx.² The new system is planned to be fully operational in 2027. The New York City Council has also passed legislation barring the use of Rikers Island as a correctional facility.³

When the City Council passed legislation to create the new jail system, companion legislation was also passed requiring the Board of Correction to provide an update report every six months. According to the legislation, the Board is required to report on the City's progress of closing the City's jail facilities at Rikers and the transition to the borough-based jails. Due to the COVID-19 pandemic, this marks the Board's first progress report.

This report will provide an update on the City's efforts to reduce the jail population, the current state of the Department of Correction ("DOC" or "the Department"), the closure of jails, and the status of plans to build new facilities in the boroughs.

¹ The Board would like to thank Bill Heinzen, Ana Gonzalez, and the Eva Kastan Grove Fellows from Roosevelt House Institute of Public Policy at Hunter College, Mario Altamirano, Rafael Garcia, Chantal Polinsky, Jada Shannon, and Luisais Taveras

² Richard Gonzales, "City Council Votes To Close New York's Notorious Rikers Island Jail Complex" National Public Radio, October 17, 2019

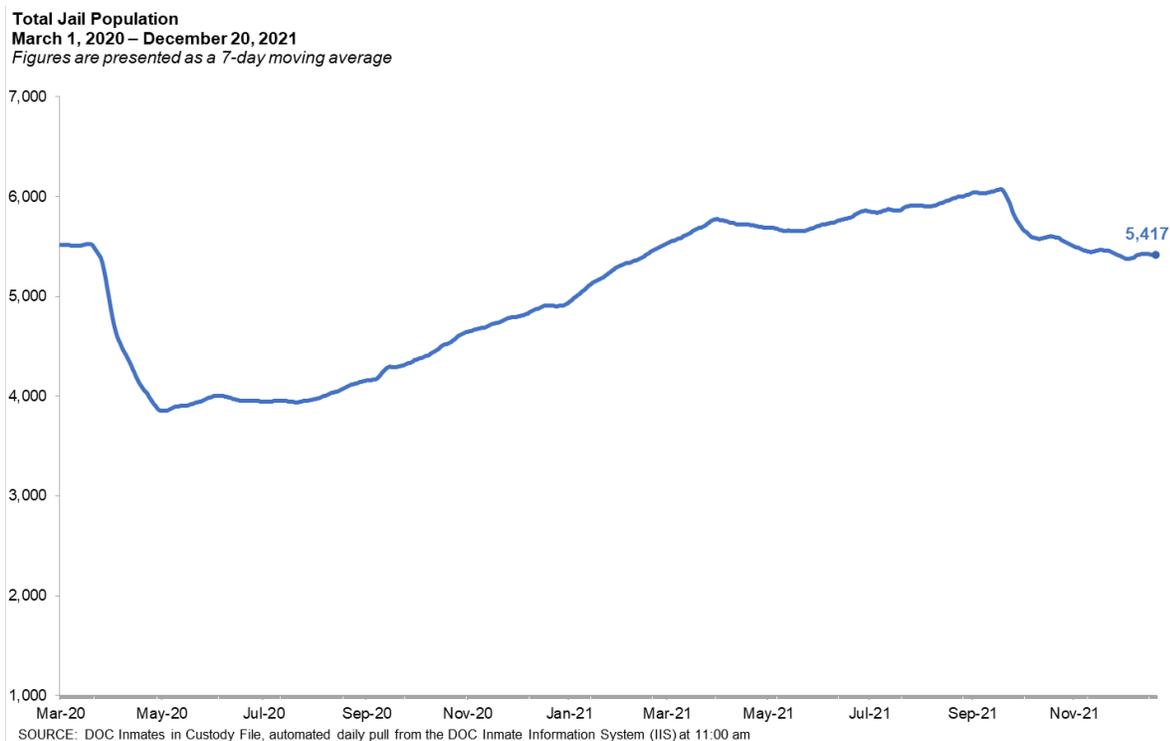
<https://www.npr.org/2019/10/17/771167909/new-york-to-close-citys-notorious-rikers-island-jail-complex>

³ Rachel Vick, "NYC Council Votes to Ban Jails from Rikers Island in Step Toward. Renewable Energy Hub." Queens Daily Eagle, February 11, 2021.

<https://queenseagle.com/all/nyc-council-votes-to-ban-jails-from-rikers-island-in-step-toward-renewable-energy-site>

Reducing the Jail Population:

A critical step to realizing the goal of closing Rikers Island is reducing the jail population to an average daily population of 3,300. The City’s original plan set a goal of 3,300 people in custody by 2026. During the summer of 2021, the jail population was nearly 6,000 after reaching a 40 year low of approximately 3,800 in April 2020.⁴ Since that peak in the summer of 2021, the jail population has dropped to approximately 5,200.⁵



The COVID-19 pandemic impacted the criminal justice system as a whole and the jail system specifically in a number of ways. One positive outcome was to show that the population can be dramatically reduced when criminal justice system stakeholders come together. The Mayor’s Office of Criminal Justice (MOCJ), the Office of Court Administration (OCA), the District Attorneys, the New York State Department of Corrections and Community Supervision (DOCCS), defender organizations, and supervised release providers all worked to develop early release programs, identify those at greater risk of illness for pre-trial release, and identify those held on technical parole violations for release. However, the pandemic also disrupted court

⁴ City Jail Population Drops Below 4,000 for First Time Since 1946, Press Release, Office of the Mayor, April 21, 2020. <https://www1.nyc.gov/office-of-the-mayor/news/278-20/city-jail-population-drops-below-4-000-first-time-since-1946>

⁵ New York City Board of Correction, Weekly COVID-19 Update, November 27, 2021 – December 3, 2021. <https://www1.nyc.gov/assets/boc/downloads/pdf/covid-19/BOC-Weekly-Report-11-27-12-03-21.pdf>

operations, slowing time to trial, and increasing length of stay. The increased length of stay and other factors have led to the increase in the jail population since that historic low in April 2020.

MOCJ reports that they expect the population will begin to fall again as the courts resume normal operations.⁶ MOCJ has also testified that it is working closely with judges and the providers of supervised release services to increase the use of supervised release, rather than holding people on bail.⁷

An August report from the Independent Commission on New York City Criminal Justice and Incarceration Reform (The Commission) and CCI outlines a path to a daily jail population of 2,700 to 3,100.⁸ In order to achieve this population reduction, the report recommends a series of reforms including resuming court operations to address the COVID-19 backlog of cases, changing pretrial decision making to safely keep people in the community rather than detention, addressing long-standing case processing delays, expanding sentencing options, reducing the use of jail for technical parole violations, and developing robust alternatives for those who have a diagnosed serious mental illness, those who are over the age of 55, and certain gender groups.⁹ The Commission and CCI estimate that those reforms can reduce the jail population to 2,700-3,150.¹⁰

The June 2021 appointment of Vincent Schiraldi as Commissioner of the Department of Correction signals a renewed commitment to realizing the population reduction goals set by the plan to close Rikers Island. The Department and the Commissioner have publicly supported a number of initiatives including the state's Less is More legislation that will prohibit jailing people solely on technical parole violations.¹¹ While the recent increase in the jail population is concerning, leadership at the Department may help strengthen and expand the reforms in place – bail reform, an expansion of supervised release, work to reduce time to trial, and a focus on reducing incarceration solely for technical parole violations.

Current State of the Jails

The Department of Correction is currently operating 9 open facilities. The Department has closed the George Motchan Detention Center (GMDC), Brooklyn Detention Complex (BKDC), the Manhattan Detention Complex (MDC). The Eric M. Taylor Center (EMTC) and Otis T. Bantum

⁶ Testimony, New York City Board of Correction Public Meeting, October 19, 2021
<https://www1.nyc.gov/site/boc/meetings/october-12-2021.page>

⁷ Id.

⁸ Closing Rikers Island A Roadmap for Reducing Jail in New York City, Independent Commission on New York City Criminal Justice and Incarceration Reform and the Center for Court Innovation
https://www.courtinnovation.org/sites/default/files/media/document/2021/Roadmap_for_Reducing_Jail_NYC_07192021_0.pdf

⁹ Id.

¹⁰ Id.

¹¹ Erica Byfield and Andrew Siff, "Amid Deepening Rikers Crisis, Hochul Signs 'Less Is More' Parole Reform Act" NBC 4 New York, September 17, 2021.
<https://www.nbcnewyork.com/news/local/amid-deepening-rikers-crisis-hochul-signs-less-is-more-parole-reform-act/3277713/>

Correction Center (OBCC) had also been slated to close in November of 2020 but both have remained open.¹²

During the COVID-19 pandemic, EMTC reopened sporadically to serve as intake and new admission housing under the Department's COVID-19 mitigation plans. OBCC has remained open as part of the Department's efforts to reduce housing area capacity, and for a period of time served as the intake facility for the jail system. Moreover, the James A. Thomas Center (JATC) has now been formally transferred from the Department of Correction to the Department of Citywide Administrative Services (DCAS), a critical first step in transferring the operational responsibility of the Island for non-carceral uses.¹³

The current state of the jails is one of crisis. While staffing and management are key to these challenges, the existing jails are not designed to meet the goals that we all share and are in a state of disrepair. The design of the buildings creates dangerous site lines for staff and does not provide space for effective programming, care, or positive interaction. Additionally, people are able to fashion dangerous weapons from the deteriorating buildings and in many housing areas are able to pop open cell doors and security gates which contributes to the increasing violence in the jails.¹⁴ The current conditions in the jails illustrate the need for new, state of the art facilities that are efficient to operate and designed with care as a priority.

Staffing in the Jails

The Department has been experiencing troubling staffing shortages throughout the COVID-19 pandemic, with those shortages peaking during the summer of 2021.¹⁵ Uniform staff are regularly working triple shifts. This crisis began in the spring of 2020 as the pandemic hit New York and has continued through the pandemic and into the summer of 2021. The Department has reported 30-35% of staff unavailable to work with people in custody on any given day, which includes calling out sick, going AWOL, or being on modified duty.¹⁶

The effect of this crisis is far ranging. A small number of staff are working multiple tours leading to exhaustion. This puts correction staff at risk and impact their ability to respond to serious matters in a timely fashion. The staffing shortages have also led to a concerning failure to provide basic services including access to medical and mental health care, recreation, programming, and barbershop to people in custody, an increase in violence, and a lack of sanitation.¹⁷

¹² New York City Department of Correction, webpage. <https://www1.nyc.gov/site/doc/about/facilities.page>

¹³ DOC Transfers First Rikers Facility to DCAS, Press release, New York City Department of Correction, July 27, 2021 <https://www1.nyc.gov/site/doc/media/transfers-facility-dcas%20.page>

¹⁴ Second Remedial Order Report of the Nunez Independent Monitor, Second Remedial Order Period January 1, 2021 – March 31, 2021. United States District Court, Southern District of New York. 1:11-cv-05845.

¹⁵ Roshan Abraham, "The Real Reason Behind the Crisis at Rikers Island" Slate.com, September 29, 2021 <https://slate.com/news-and-politics/2021/09/rikers-island-is-in-crisis-its-not-caused-by-understaffing.html>

¹⁶ Id.

¹⁷ Testimony, New York City Board of Correction Public Meeting, October 19, 2021 <https://www1.nyc.gov/site/boc/meetings/october-12-2021.page>

The City committed to hiring a new class of 400 correction officers who will begin the DOC training academy in 2021.¹⁸ The Department has also instituted a number of measures to reduce the number of staff out sick, including requiring staff to visit a healthcare provider within 24 hours of calling in sick.¹⁹

Throughout the pandemic, the Board has continued to monitor conditions in the jails. When COVID-19 hit New York City in March 2020, the Board adapted its oversight model and prioritized monitoring the Department of Correction's and Correctional Health Services' evolving COVID-19 response. In May 2020, the Board began targeted on-site inspections to strategically supplement the remote oversight work. Board staff conducted tours to monitor facility compliance with agency plans and general operations and also to monitor compliance with BOC Minimum Standards amidst the public health crisis. Each visit is carefully planned to be responsive to the ongoing, exceptional health risks as well as oversight needs. Since the Spring of 2021, BOC has continued to refine this process and the on-site inspection work to allow for more robust, strategic tours as issues beyond the COVID-19 pandemic have emerged.

The increased population, noted above, and DOC staffing shortages add to the already difficult challenges presented by the COVID-19 pandemic and have exacerbated unsafe and unsanitary conditions for those who live and work in the jails. If the population remains high, persons in custody and those who protect and work with them are in an impossible position and these troubling conditions will persevere.

Observations from our tours over the last six months have revealed four key takeaways. While these patterns and trends are not necessarily new, they have been intensified by the COVID-19 emergency, a steadily rising jail population, and, more specifically, the staffing crisis it engendered.²⁰

While all areas of the jails are impacted by these current staffing shortages, Board staff observed inadequate staffing ratios in restrictive housing units like ESH and Secure. Staff state there should be four (4) uniform staff assigned in ESH level 1 units. Instead Board staff observed two ESH units with only one officer on post during two tours in July and August.²¹

Board staff spoke with uniform staff and learned that staff are experiencing low morale, exhaustion from working triple and quadruple tours, and fear for their safety in the current conditions. According to DOC data from January 1 to September 1, assaults on staff without

¹⁸ Chris Sommerfeldt and Graham Rayman. "Just 64 recruits training to become NYC correction officers, far less than the 400-plus promised by Mayor de Blasio." *New York Daily News*, September 30, 2021 <https://www.nydailynews.com/new-york/nyc-crime/ny-correction-officer-recruit-class-rikers-island-20210930-6mpevy5bfffobabh5p65ogf6pu-story.html>

¹⁹ "De Blasio Announces Plans To Address Staffing Crisis, Inmate Deaths on Rikers Island" *NBC 4 New York*, September 15, 2021. <https://www.nbcnewyork.com/news/local/de-blasio-announces-plans-to-address-staffing-crisis-inmate-deaths-on-rikers-island/3272634/>

²⁰ Testimony before the New York City Council, Margaret Egan, Board of Correction Executive Director, September 15, 2021.

²¹ N.Y.C. DEP'T OF CORRECTION, OTIS BANTUM CORRECTIONAL CENTER, SECURITY MEMORANDUM NO. 016/17, ESU/K9 ASSIGNED TO ESHU PHASE I UNITS, para. II (Mar. 6, 2017).

serious injury or use of force have increased 53%: from 726 in 2020 to 1,112 in 2021. There were five incidents categorized as serious injury to staff in the same period. Additionally, our analysis of incident reports shows a 530% increase in still-fires when comparing the first 8 months of 2020 with the first eight months of 2021. During that time period in 2020, there were 179 incidents categorized as fires, in 2021, there were 1178. While these fires are not always life-threatening, they present a safety issue for people in custody and staff and are clearly a sign of distress contributing to the chaos present in some units.²²

These incidents make the jails less safe for persons in custody as well as staff. They also lead to massive disruptions to normal processes, including access to services like medical care, because they divert staff, which is already spread thin. When far too few staff are added to a steadily increasing jail population now above pre-COVID levels, the inevitable result is violence, between staff and persons in custody, as well as between persons in custody.²³

Staffing shortages and the increasing jail population are also resulting in delays moving people out of intake. Every person entering the New York City jail system must first go to intake, where initial determinations about housing and medical and mental health care are made. Intake spaces are also used to send people to court and process their return as well as process transfers from other jails in the system. It is important to note that intake facilities are not designed for extended stays: for example, they do not have beds. A person staying overnight in intake has a choice between a stone floor or a stone bench.²⁴

Because of COVID-19, DOC has made several changes to the physical location of the new admission process, so that it has shifted among the following facilities this year: EMTC, OBCC, VCBC and AMKC. Despite the change in location the same concerns persist, people in custody are spending extended periods of time in intake, with limited or no access to mandated services, like shower, medical and recreation. Furthermore, some staff assigned are not adequately trained to work in intake areas. The Board observed similar concerns at RNDC intake in June and OBCC intake in September.²⁵

During a tour on June 24, 2021 staff observed the intake bathroom that is used for showers and decontamination of people in custody, instead being used as a holding space for individuals involved in uses of force. The area was filthy. The Board has also received several concerns from people in custody, advocates, and family members about their loved ones spending extended amounts of time in intake areas or “living-in” Intake. These intake issues have largely been addressed by moving central intake to EMTC. However, supply and basic service issues remain.

There is also a lack of access to mandated and other services. In June, DOC began providing some congregate services such as religious services, barbershop, and in-person visits. Based on recent observations, review of housing area logbooks, and conversations with incarcerated

²² Id.

²³ Id.

²⁴ Id.

²⁵ Id.

individuals and staff, these and other mandated services are occurring in a very limited capacity, or sometimes not at all, due to staffing shortages.²⁶

Additionally, there is a deterioration of sanitary conditions in the jails. It does not appear that proper sanitation is being maintained in the jails on a consistent basis. During recent tours Board staff observed unsanitary conditions in many housing areas, which were dirty with garbage, ashes, and feces on the floor. Additionally, some housing areas did not have an adequate supply of personal hygiene items or were unable to provide access to showers due to staffing shortages. PPE and cleaning supplies were not available in one unit during a recent tour. These conditions are unsafe both for people who live and work in these units.²⁷

One heartbreaking result of these overlapping crises has been the sharp increase in self-harm incidents, some resulting in fatalities. It seems undeniable that there is a direct link between the COVID-19 pandemic and a growing mental health crisis. Reported incidents of self-harm spiked dramatically after the appearance of COVID-19 in New York City, and that increase has persisted. We believe the dramatic increase in self-harm incidents is a direct result of the conditions listed above, and that the surest way to alleviate these conditions is to take immediate steps to reduce the jail population.²⁸

These challenges highlight long standing challenges for the Department. Without new facilities and dramatic organizational culture change, these issues will remain.

Nunez Consent Decree

The *Nunez* litigation resulted in the creation of a federally appointed monitor to oversee the City's jail system and work to address use of force and the treatment of young adults in the Department's custody. Once again, the latest monitor's report under the Nunez Consent Decree outlines the management and organizational culture challenges in specific detail. Echoing the previous reports, the Eleventh Monitoring Report notes that "[t]he Monitoring Team remains very concerned about the overall state of reform within the Department. While certain troubling use of force tactics have been curtailed (e.g, improper head strikes), the pervasive level of disorder and chaos in the Facilities is alarming. The conditions that gave rise to the Consent Judgement have not been materially ameliorated."²⁹ The Twelfth Monitoring Reports takes this sentiment a step further to note, "[i]nstead, conditions have progressively and substantially worsened."³⁰ The Monitor further states, "The Department's decades of poor practices has produced a maladaptive culture in which deficiencies are normalized and embedded in every

²⁶ Id.

²⁷ Id.

²⁸ Id.

²⁹ Eleventh Report of the Nunez Independent Monitor, Eleventh Monitoring Period July 1, 2020 – December 31, 2020. United States District Court, Southern District of New York. 1:11-cv-05845.

https://www1.nyc.gov/assets/doc/downloads/pdf/11th_Monitor_Report.pdf

³⁰ Twelfth Report of the Nunez Independent Monitor, Twelfth Monitoring Period January 1, 2021 – June 30, 2021. United States District Court, Southern District of New York. 1:11-cv-05845.

<http://tillidgroup.com/wp-content/uploads/2021/12/12th-Monitors-Report-12-06-21-As-Filed.pdf>

facet of the Department’s work. The Department’s multitude of nonfunctional systems, and ineffective practices and procedures combine to form a deeply entrenched culture.”³¹

Additionally, in the Second Remedial Order entered in September of 2021, the Department agreed to immediately develop an Interim Security Plan to deal with issues including unlocked and unlockable doors; to re-instruct staff about suicide prevention measures, including the need to intervene immediately in any actual or apparent attempt at self-harm; to ensure that new admissions and intra-facility transfers were processed through intake within twenty-four (24) hours, to retain a consultant to advise re: the safe housing of gang members; to explore with the State legal means to hire wardens and other senior facility leadership outside the pool of uniform staff within the Department; and to appoint a Security Operations Manager.³²

The monitor notes that despite staffing shortages, the Department is not understaffed, relative to the number of people held in custody. Instead, the monitor notes that many of the staffing issues are the result of mismanagement. In the eleventh report, the monitor recommended an independent staffing analysis to assess the practices and dynamics leading to improper deployment of staff. That analysis has begun.³³

The twelfth monitors report outlines the challenges that the Department has faced in recent months, echoing the concerning conditions and risk of harm that the Board has also highlighted. The Monitor also notes increasing rates of uses of force, ongoing improper use of alarms, increasing rates of fights, increasing rates of stabbing and slashing, and persistently high numbers of assaults on staff. Together these issues exacerbate the challenging environments inherent in jails. “The jails’ unsafe environments create extraordinary challenge for anyone to manage successfully and...trigger a vicious cycle of fear, stress, trauma, and violence.”³⁴

In order to address the deep and longstanding challenges, the monitor recommends that the Department focus on improving security practices and appointing facility leaders with deep correctional experience, improving management and deployment of staff, and improving processes for holding staff accountable.³⁵

Reforming the organizational culture change of the Department of Correction is equally important to the success of the borough-based jail plan. Simply moving into new buildings will not cure the problems that the Nunez monitor highlights and that the Board’s oversight has revealed. In order to truly meet the goals of a smaller, safer, fairer, more humane jail system for people in custody, families, and staff, the culture of the institution must change. There are several crucial pieces to effective organizational culture change; accountability in management

³¹ Id.

³² Second Remedial Order Report of the Nunez Independent Monitor, Second Remedial Order Period January 1, 2021 – March 31, 2021. United States District Court, Southern District of New York. 1:11-cv-05845. <http://tillidgroup.com/wp-content/uploads/2021/06/Remedial-Order-2nd-06-03-21-As-Filed.pdf>

³³ Twelfth Report of the Nunez Independent Monitor, Twelfth Monitoring Period January 1, 2021 – June 30, 2021. United States District Court, Southern District of New York. 1:11-cv-05845.

³⁴ Id.

³⁵ Id.

and performance, re-envisioning policies and procedures, recruiting and hiring for culture change, using training and education as tools for culture change, and ensuring the wellbeing of, and support for, staff.³⁶ In order to achieve all of these, the city and the Department will need to also make significant investments in people and systems. That culture change will be long and hard but it imperative for the success of all who live and work in our city's jails.

Building New Jails

The design of the new facilities will be a critical component of the plan's overall success. Grounded in dignity, care, safety, and work to prevent isolation from society and family, and located in the boroughs, there will be improved services and connections to attorneys, families, and visitors. The program requires dedicated space for programming, education, healthcare, and visiting space to more effectively support reentry to communities. New programs will include a focus on rehabilitation including skills and job training, education, cooking, and workshops, and provide for the medical and mental health needs of those in custody. Spaces will enable people to work together, promoting a sense of common purpose and shared responsibility not animosity. Critically, the design also prioritizes visitors, ensuring accessibility and comfort for the families and friends visiting their loved ones.³⁷

These are important design principles and the City has taken significant action to implement this plan, and yet, more remains to be done. Given the Board's essential role as the regulatory and oversight authority over the jails system, the minimum standards must play a critical role in setting the standards for basic conditions of confinement, medical care, mental health care, eliminating sexual abuse, and restrictive housing in the borough-based jail system. At the same time, the plan to close Rikers Island creates a critical opportunity for the Board to assess its current minimum standards to identify opportunities to update them to ensure that the baseline conditions of confinement meet the goals of the new jails and current best practices. The Board's standards set a floor for the Department and CHS and this plan provides an opportunity to raise that floor.

Each of the new jail RFPs account for the Board's minimum standards and include them as an addendum. However, to date, the Board has not been involved in the development of the RFPs. The Department has begun providing the Board with regular briefings on the plan, which we greatly appreciate, but there is no indication that the Board will be involved in the design process. The Board must be at the table going forward.

Outposted Therapeutic Housing Units

In addition to the borough-based jails, the DeBlasio administration through the NYC Health + Hospitals / Correctional Health Services (CHS) announced, in late 2019, a plan to establish three

³⁶ Liz DeWolf, Margaret Egan, David Hafetz, and Michael Jacobson, "Beyond the Island: Changing the Culture of New York City Jails." *Fordham Urban Law Journal*, Vol. 45, Issue No. 2, 2018. <https://ir.lawnet.fordham.edu/ulj/vol45/iss2/3/>

³⁷ Design Principles & Guidelines Manhattan Detention Facility, City of New York, October 5, 2020 https://rikers.cityofnewyork.us/wp-content/uploads/BBJ_MN_F_Design-Principles-Guidelines-Public_202001005.pdf

to six new Outposted Therapeutic Housing Units (OTxHUs) within or adjacent to existing Health + Hospital acute care facilities. These units would operate in coordination with the effort to build four new jails by 2027. This plan would decrease the number of beds in the borough-based jails by 250, instead establishing beds for incarcerated people in Bellevue and Woodhull hospitals. The goal is to offer improved access to care in a more therapeutic and normalized environment for those with more complex medical, mental health, and substance use needs.³⁸

Under the plan, the OTxHUs would be locked, securitized, and isolated clinical units operated by CHS and the Department of Correction (DOC). The units would house those requiring specialty care within hospitals. This, according to CHS, would provide a more humane approach to detaining people in clinical environments while reducing the time and cost of transportation between hospitals and jails. CHS would place people deemed to benefit from specialty care, but who do not warrant medical or psychiatric admission, in these facilities. CHS will make decisions regarding admitting and discharging patients based on their clinical needs, while DOC will provide custody management and security. CHS believes the model would allow “clinical rotations” within H+H facilities including the hospital's inpatient, outpatient, and OTxHU services to promote a “continuity of care and opportunities for cross-discipline exposure and collaborations.”³⁹ Ideally this would strengthen the relationship between and among CHS, DOC, and NYC Health + Hospitals, and the Board will seek to further understand the updated plans and timeline prior to the next report.

The Board believes the initiative is a crucial part of the Borough Based Jails concept, but we note that the Board’s minimum standards include requirements for the provision of medical and mental health care. These facilities must also ensure that people housed in these units will have access to basic rights afforded by the minimum standards, including recreation, visitation, and law library. The Board must be at the table throughout the design process to ensure that the minimum standards are met, and we look forward to these discussions with DOC, CHS and DDC.

Board of Correction Minimum Standards

The Board of Correction sets minimum standards that govern the conditions of confinement in the jails, governing both DOC and CHS. The minimum standards regulate basic conditions of confinement, medical care, mental health care, eliminating sexual abuse, and governing restrictive housing. These minimum standards will govern the borough-based system as well.

The Board also conducts important oversight of compliance with the minimum standards. This oversight includes review of the Department’s day-to-day operations to meet the minimum standards as well as the receipt of complaints from people in custody, their families, attorneys, and advocates.

³⁸ De Blasio Administration Announces Outposted Therapeutic Housing Units to Serve Patients in Custody With Serious Health Conditions, Press Release, Office of the Mayor, November 26, 2019. <https://www.nychealthandhospitals.org/pressrelease/mayor-announces-outposted-therapeutic-housing-units-to-serve-patients-in-custody-with-serious-health-needs/>

³⁹ Id.

As we note above, the goals of the plan are to build new facilities that will promote a smaller, safer, fairer and more humane jail system. To date the Board has not been involved in the development of the RFPs nor is there any indication that the Board will be involved in the design process. The Board's standards set a floor for the Department and CHS. Designing new jail facilities provides an opportunity to raise that floor. The Board must be at the table through the design process to ensure the plan to close Rikers Island raises a critical opportunity for the Board to assess its current minimum standards to identify opportunities to update them to ensure that the baseline conditions of confinement meet the goals of the new jails and current best practices. It will be essential for the Board to be directly involved with the design process to ensure compliance with the essential elements of the minimum standards and identify areas for the standards to be updated.

Conclusion

The Board of Correction fully supports the City's plan to close Rikers Island and build new, state of the art facilities in the boroughs. The current state of the jails illustrates the need for new jails and the organizational culture change necessary to meet the goals of a smaller, safer, fairer, more humane jail system.

The Board is encouraged by progress to reduce the jail population from nearly 11,000 in 2017 to fewer than 6,000 in 2021 and encourages all stakeholders to recommit to further reducing the jail population. It is imperative that the Board be involved in the design of the new facilities and for the City to account for the minimum standards across the full plan, including CHS's plans to build outpatient units. Finally, the Board recognizes the opportunity that the plan to close Rikers Island presents to review and update its own regulations to more effectively support the goals of the new jails and best practice. The Board will continue to monitor the City's work to make this plan a reality.