

A MORE JUST NYC

Independent Commission on NYC Criminal Justice and Incarceration Reform

Testimony of Zachary Katznelson, Executive Director

New York City Council Criminal Justice Committee

June 28, 2022

Good afternoon. I am Zachary Katznelson, Executive Director of the Independent Commission on New York City Criminal Justice and Incarceration Reform, often known as the Lippman Commission after our chair, former Chief Judge of the State of New York Jonathan Lippman. Thank you for holding this hearing and for the opportunity to testify.

We are faced with two urgent tasks. Ensuring everyone in the jails is safe. And closing Rikers forever.

Together, we can take steps that will help on both fronts, easing the terrible crisis at Rikers, and laying the foundation for success in the borough jails to come. Those jails will be safer for staff and incarcerated people. As we saw just last week when the Mayor visited Rikers, the number one source of weapons in the jails is the buildings themselves – plexiglass and rusted metal ripped off the walls. We need transformational change in bricks and mortar, and in operations.

Rikers cannot handle the number of people who are locked up today. We must safely and smartly lower the jail population. Fewer people in jail will give DOC a fighting chance to ensure there are enough officers on any given shift.

We can start with women and gender-expansive people.

Today, the Lippman Commission – with our partners at the Women’s Community Justice Association, the Center for Court Innovation, and the Data Collaborative for Justice at John Jay – released a report called the *Path to Under 100*, laying out a roadmap of proven strategies to safely lower the number of women and gender-expansive people at Rikers below 100 – down from over 300 today.

I’ll touch on a few key points from the report.

89% of the women at Rikers are waiting for a trial, including 57 women who have been languishing for more than a year. 96% of those women have a mental illness. Many if not most have been victims of domestic and/or sexual violence.

A pilot project in Brooklyn led by the Center for Court Innovation increased the number of cases of people in Rikers that were resolved within 6 months by 70%. Let’s expand that citywide.

The Mayor’s Office of Criminal Justice can spearhead a Population Review Team or PRT. These are teams used around the country that bring together senior representatives of every

justice agency. A PRT would collaboratively examine the case of every woman and gender-expansive person at Rikers to see if they can be safely released, with monitoring, conditions, and support, or their cases resolved once and for all.

We also have fantastic gender-responsive diversion programs here in NYC – proven to cut recidivism, and put people on the path to success. They cost about 1/10 of the cost of Rikers. They should be fully-funded, and bolstered with more supportive housing, so judges have a full range of safe, appropriate options other than Rikers.

Together, we can seize this opportunity and bring about the profound change we need. Thank you.