

A MORE JUST NYC

Independent Commission on New York City Criminal Justice and Incarceration Reform

Testimony of Seymour James for City Council

September 5, 2019

My name is Seymour James. I am here in support of the plan to close Rikers and replace it with borough-based jails.

I was a public defender in New York City for over 40 years, and until last year, served as the Attorney-in-Chief at The Legal Aid Society. I am currently a partner at Barket Epstein, and a member of the Independent Commission on New York City Criminal Justice and Incarceration Reform.

My decades as a public defender made something very clear: Rikers Island harms thousands of New Yorkers every day, most of them people of color. The jails are isolated, they are decrepit, and they have to go.

Because of the culture there, bred in large part by Rikers' isolation, officers are far too likely to resort to violence and are rarely held accountable for doing so.

Because of Rikers' isolation, a one hour visit by an attorney can take all day. That means public defenders with very limited time often have to choose between visiting a single client – or working on their dozens of other cases, people to whom they also owe their attention.

Family members face the same difficulties visiting. If people cannot take a day off work, or arrange hours of childcare, those visits just don't happen. I cannot tell you how many clients told me over the years how critical visits by their families were to them. Those visits brought them calm and hope, and allowed people to remain connected to their communities and loved ones.

Furthermore, the expensive, logistical nightmare of busing hundreds of people at Rikers to and from court every day means people are often brought to court late and sometimes not at all. A single missed court date can add weeks to people's pre-trial incarceration.

We have a historic chance to change all this. The Mayor's plan would greatly reduce the number of available cells and turn us towards a path where incarceration is a last resort. At the same time, for anyone who remains incarcerated, borough facilities offer the chance to end the unacceptable brutality and degradation of Rikers. Let's work to improve the plan. And critically, let's invest in our communities, so people have the opportunities for success they have been denied for so long. This is our time. Please approve the best version of this plan possible, and let's make history together.

Thank you for your time and consideration.