



The Honorable Kathy Hochul
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

September 2, 2021

Dear Governor Hochul,

We are writing to express our urgent concern about the humanitarian crisis ongoing at Rikers Island and other New York City jails. Although Rikers has long been an unsafe and inhumane facility, conditions have rapidly deteriorated over the last few months. This moment calls for urgent action on your part, beginning by immediately signing the Less is More Act (S1144A/A5576) and directing Acting NYS DOC Commissioner Anthony J. Annucci to use his discretion to release individuals being incarcerated for technical parole violations in city jails.

A report released by the federal Monitor appointed in *Nuñez v. City of New York*, warned of “grave concerns about the conditions and pervasive high level of disorder and chaos in the New York City jails,” on August 24th.¹ According to the Monitor, facilities have failed to provide incarcerated individuals with access to medical services, food, and other basic services, and are experiencing long delays in intake, sometimes leaving individuals “languishing” in intake pens for longer than 24 hours. Further, the Monitor highlighted basic security lapses such as failure to lock doors and abandoning housing units that have resulted in serious injury including burns, stabbings, and slashings. They concluded that the “seriously compromised safety has spiraled to a point at which, on a daily basis, there is a manifest risk of serious harm to both detainees and staff.”

These alarming findings have been confirmed by the Correctional Officers Benevolent Association (COBA) and medical staff at facilities. In July, COBA filed a lawsuit alleging an inhumane working environment, and noting unsanitary conditions and the mental and physical toll staff are experiencing.² Similarly, medical staff at Rikers have spoken publicly about feeling

¹ <http://tillidgroup.com/wp-content/uploads/2021/08/2021-08-24-Letter-to-Court-re-Conditions-FINAL.pdf>

² *Correction Officers' Benevolent Association v. New York City Department of Corrections et al.*, Sup Ct. Queens County, July 13, 2021, Ind. No. 715864/2021.

unsafe at work and have raised concerns that incarcerated individuals are not receiving proper medical care during the intake process.³ One nursing supervisor told the Daily News that when individuals are brought into Rikers it can take longer than 16 hours for them to receive medical screening, and they often are not provided with food for a whole day.⁴

The ongoing crisis at Rikers and other New York City jails threatens incarcerated individuals, and staff alike. Already this year, eight people have died on Rikers, more than were lost in the entirety of 2020 in the midst of the COVID-19 pandemic.⁵ Thomas Earl Braunson, III passed away in April after being held in “horrible conditions” in an intake pen on Rikers Island.⁶ According to a Board of Corrections investigation, Mr. Braunson was held with as many as 27 people in the pen, and did not have access to pillows, blankets, or regular food. He was being held due to a technical parole violation.

COVID-19 also remains a dire threat in city jails. Institutions are having trouble keeping density low to allow physical distancing. According to an August 6th Board of Corrections report, 79% of the city jail population is being held in housing units above 50% of capacity.⁷ Furthermore, both staff and incarcerated individuals have low vaccination rates. Even if individuals are offered vaccination when they enter the facility, they are at a great risk in the weeks it takes for their body to develop immunity.

In order to ameliorate this crisis, we ask that you immediately sign the Less is More Act into law to reduce the number of people incarcerated for technical parole violations. Additionally, we request that you direct the Acting NYS DOC Commissioner Anthony J. Annucci to exercise his discretion and release individuals held in city jails due to technical parole violations as if Less is More were in place. The Legislature has correctly recognized that re-incarcerating people for technical violations such as missing a parole appointment, being late for curfew, or drinking alcohol, is wrong and counterproductive. In the midst of the ongoing COVID-19 pandemic and the dire crisis at jail facilities, it is downright dangerous. Everyday that goes by without action to reduce the number of people incarcerated at Rikers and other city jails places the lives and wellbeing of those individuals, and staff at risk.

With gratitude,

³ <https://bronx.news12.com/its-no-longer-safe-nurses-doctors-rally-at-rikers-island-for-better-prison-staffing>

⁴ <https://www.nydailynews.com/news/politics/new-york-elections-government/ny-rikers-island-department-of-correction-nurses-doctors-20210815-7afhpb2tdzddljecuoutygmzc4-story.html>

⁵ Legal Aid Society, Prisoner’s Rights Project memo to Speaker Johnson

⁶ <https://www.thecity.nyc/2021/8/1/22605140/rikers-island-horrible-conditions-jail-deaths>

⁷ <https://www1.nyc.gov/assets/boc/downloads/pdf/covid-19/BOC-Weekly-Report-07-31-08-06-2021.pdf>



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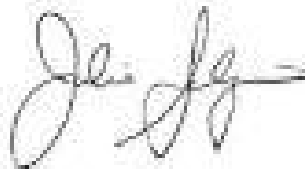
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CC: New York City Mayor Bill de Blasio