



November 12, 2024

Dwayne C. Sampson, Chair
Jasmine Georges-Yilla, Executive Director
New York City Board of Correction
One Centre Street
New York, NY 10007
VIA EMAIL

Re: Board of Correction Meeting November 12, 2024

Dear Chair Sampson, Executive Director Georges-Yilla, and Board Members:

Since 1995, Children's Rights has been a national advocate for youth in state systems. We are also a member of the New York City Jails Action Coalition. Our experience with adolescents and young adults in foster care and juvenile legal systems often brings us into contact with young adult and youth corrections policy, as our clients are disproportionately represented in young adult and juvenile correction facilities. We advocate for young adults incarcerated on Rikers Island.

It is beyond appalling that the public had to wait for a whistleblower to learn that incarcerated persons with mental health issues are frequently locked inside cells for weeks or months at a time without access to medication. They are left to deteriorate with no one to advocate on their behalf—by all reports, this horrific treatment has lasted well over a year. Where were members of the Board? Don't you visit the Island regularly? Where was Correctional Health Services? How is it possible that this is going on and on and only one former staffer notices and goes to the press?

Half the population on Rikers has mental health conditions, and over 1,000 detainees have serious mental illness. Research has shown that the presence of mental illness, as opposed to incarcerated persons' misconduct records, increases the likelihood of their being disciplined using punitive segregation.¹ This continues to occur despite widespread acknowledgment that isolation worsens mental health conditions and causes long-term harm.²

Children's Rights reiterates what we have been saying for years—the criminalization of mental health is a direct result of the lack of investment in community-based mental health services and supportive housing. The Mayor's suspension of Local Law 42, which bans solitary confinement in the city's jails, certainly contributes to the deplorable conditions that Justyna Rzewinski has

¹ Kyleigh Clark, *The Effect of Mental Illness on Segregation Following Institutional Misconduct*, 45 *Crim. Just. & Behav.* 1363, 1376 (2018), <https://journals-sagepub-com.proxygt-law.wrlc.org/doi/full/10.1177/0093854818766974>.

² Katie Rose Quandt & Alexi Jones, *Research Roundup: Incarceration can cause lasting damage to mental health*, Prison Policy Initiative (May 13, 2021), <https://www.prisonpolicy.org/blog/2021/05/13/mentalhealthimpacts/>.

brought to the public's, and your, attention. The delay in decarceration that would help enable Rikers to close on time is surely another factor in the torture being visited daily on detained mentally ill New Yorkers.

How much more do we need to know before closing Rikers gets treated with the urgency it deserves?

Respectfully,

A handwritten signature in black ink, appearing to read "Daniele Gerard", with a stylized flourish at the end.

Daniele Gerard
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