

**Testimony to New York City Council
Criminal Justice and Oversight Committees**

Visiting Rikers Island

Public Hearing

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Thank you for the opportunity to provide testimony today. To my knowledge, this is the first time a City Council hearing has been held to examine the very important topic of visiting Rikers Island. Thank you, Chair Nurse and Chair Brewer. And thank you to the staff of the Oversight & Investigations Committee who issued such an important report yesterday. For those of us who have been calling for attention and improvements to visiting at Rikers for many years, this is really meaningful.

My name is Tanya Krupat and I am the Vice President of Policy and Advocacy at the Osborne Center for Justice Across Generations. As many of you know, Osborne Association is one of the oldest and largest criminal legal service organizations in the state. Our services reach over 14,000 individuals each year, assisting them and their families in navigating arrest, courts, incarceration on Rikers and in state prisons, and reentry. Through advocacy, direct service, and policy reform, Osborne works to create opportunities for people to heal, grow, be accountable, and thrive. Osborne also now provides a variety of reentry housing.

My introduction to visiting on Rikers began 25 years ago, when I was at ACS and started bringing children in foster care to visit their parents on Rikers in June, 2000. This effort became the basis for the current ACS Children of Incarcerated Parents Program (CHIPP), which provides 2-hour visits on Tuesdays, with visiting children brought directly to the facility they are visiting (in other words, they do not go through processing at the initial Central Visit House). The five years I spent taking children to visit their parents on Rikers every Tuesday gave me unique insight into the layout of each facility visiting room (each facility is different); the many challenges of interagency work; the tension between “security” and the desire to maintain critical parent-child relationships; the enormous amount of time required to get on and off Rikers (counter to a child’s sense of time and developmental needs); and to the joys and heartbreak surrounding visits. It also left me with an unwavering commitment that visiting is essential and must be protected and improved. I’ve been advocating and working with DOC to improve visiting ever since.

Visiting affects New Yorkers everywhere and spans across so many agencies. I was hoping that more agencies would have been called to testify today as children in foster care have parents on Rikers who they are legally required (in most cases) to visit; children in NYC public schools

have parents and family on Rikers; children in DHS shelters and whose families rely on childcare vouchers from DSS; young people in DYCD afterschool programs are affected by Rikers; and more. Every agency that serves New Yorkers is serving people affected by Rikers, and likely, who have or would like to visit there.

As we focus today on the visiting experience for families and their incarcerated loved ones, it's important to place visiting in the larger context of Rikers, where 14 people have died this year and where:

- 85% of people are being detained pre-trial (they have not been convicted of a crime);
- Close to 90% identify as Black and Latino;
- Upwards of 60% of people awaiting trial on Rikers are there because they cannot afford bail;
- 60% receive mental health services, and 22% have a serious mental illness;
- More than 1,000 people on Rikers have been detained between a year and two years, with the average length of stay as high as 101 days as of June;
- Being in detention on Rikers threatens housing, jobs, custody of children, and more for thousands of New Yorkers and their families.

This hearing means a lot to those of us who have been working to shine a light on and improve visiting, and it means even more to those with loved ones inside and to those inside: visiting is finally being acknowledged as a critical aspect of corrections that must be improved. I am grateful to the Council staff who examined visiting over this past year, and for the report issued this morning. There is also an aspect to today that is disheartening: as a member of the DOC Visit Workgroup- initiated as a result of the advocacy of the Jails Action Coalition- we worked so hard from 2016 to 2020 (only to be interrupted by Covid) and accomplished so much. Our charge was to improve the visiting process and the visitor experience. I have attached the spreadsheet from 2016 that we used to track the progress of the Workgroup. We were focused and solutions-driven, working collaboratively with DOC, and we were able to accomplish a lot, including:

- Reducing wait times for visitors by organizing the visit entry process: separating the line to bring packages from the place for posting bail, from the line for visitors;
- Adding and updating signage upon visitor arrival to facilitate a smoother process;

- Developing the Visit Greeter position/ model, with input from Officers, so a non-uniformed person can greet visitors, including children, and respond to their questions and concerns;
- Creating the free van service that continues to exist today, bringing people to Rikers for free from Harlem and downtown Brooklyn;
- Developing an all day visit training for Correction Officers with input from diverse stakeholders.

What we were not able to improve – the wait times for visitors, the lack of information shared with visitors, the number of processing stops and security checks, and Departmental acknowledgement of this entire aspect of corrections – remain significant problems today (as outlined in the report).

The Department has made strides in implementing additional smaller changes, such as installing children's areas at several facilities, and the partnership with the Children's Museum of Manhattan (CMOM) program. It *is* truly remarkable that DOC escorts a small number of detained parents off the island and to the Children's Museum of Manhattan. Despite this initiative, the visiting experience remains very challenging for thousands of visitors with loved ones on Rikers, and system-wide changes to reduce wait times, improve processes and the treatment of visitors are long overdue.

These are troubling and longstanding issues but there are solutions. Regarding the unacceptably long wait times for visitors, a *Village Voice* article from 2007 (entitled "*Do NOT Go Directly to Jail*") describes an almost 10 year period where the Department complied with a court order that visitors not wait more than one hour to start their visit:

"In 1992, a federal judge issued a ruling that forced the Correction Department to meet basic requirements for jail visits. Chief among those was a rule which said that visitors could not wait more than an hour to see a prisoner. In addition, anyone who arrived within visiting hours was guaranteed to see a prisoner.

Under the decree, says John Boston, a lawyer with the Legal Aid Society's Prisoners' Rights Project, the department improved its visiting procedures and consistently came close to meeting the one-hour requirement. **But in 2001, a federal judge dismissed the consent decree. No**

one outside the DOC has done an examination of the visiting process, but anecdotally, observers say the quality and efficiency of the visiting process has deteriorated."

My hope for this hearing is twofold:

- 1) **that someone at a high level of DOC must be responsible for monitoring and improving visiting.** This includes: reducing wait times; increasing the flow of information; making sure cover-up garments are available and that procedures are child-sensitive; and ensuring regular reporting on all of this to DOC and BOC, and City Council. This position should also examine whether two security checkpoints are serving any purpose except adding hours to the visiting process.
Currently, at least as far as I can tell, no single person at DOC has ultimate responsibility for visiting. No one is asking for progress reports, troubleshooting with facilities, or working with the Central Visit House to ensure visitors are getting to their facilities and from there to their visits in a timely fashion. No one is addressing the simplest infrastructure and logistical challenges: checking to see that broken lockers are fixed; that signage is clear and updated; that each facility's waiting room bathroom is stocked with toilet paper; that water fountains work; or that there are clocks in the waiting rooms (since no one has a cell phone at that point).
- 2) **that the DOC Visiting workgroup is resumed, reporting to the Commissioner or to the person filling the high-level position that will be created to oversee visiting.**
The Workgroup should include people who were incarcerated, those who have direct experience visiting, services providers, and advocates. On the DOC side, both uniformed and administrative staff should participate. Progress updates should be submitted quarterly to DOC, BOC, and the City Council. Funding should be allocated or sought to make the changes the Workgroup identifies.

Visiting is not only a lifeline for those in custody and their families on the outside, but it also serves corrections as well. I have interacted with many officers who have facilitated visits for years; they support visiting because they know it's an important part of what DOC does, and they recognize how staying connected to family makes their job easier. They have also shared that they do not feel consulted or included in visit policy decisions or logistics, and they do not feel seen or recognized for the important job they do.

The number of visitors to Rikers has dramatically decreased since before Covid, although the number of people detained has doubled in this time. It is well-recognized and documented that Rikers is a traumatizing and dangerous place for people who live and work there. While the City moves closer to closing it, we need to do everything we can to keep people from being sent to Rikers and to pull every lever possible to reduce the time people spend there—through expanding housing and ATIs, improving court processes, and more. While people are there, and across any period of separation and isolation, visiting is absolutely essential. It is vital that the Department invest in improving visiting, including prioritizing this as a pillar of correctional operations. Enacting the three recent City Council visiting laws will help with this, but there is much more that needs to be done, including creating a culture of compassion and connection, and viewing visiting as a human right, not a privilege.

We stand ready to work with the Department to accomplish this work and to transfer this new, more humane approach to the borough-based jails. NYC's children, families, and communities are counting on us.

Thank you.

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