

Testimony to NYC City Council Committee on Criminal Justice

Public Hearing

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Thank you, Chair Rivera, and fellow members of the Criminal Justice Committee. My name is Brad Cauthen and I am the Director of Jail-based Services and Workforce Development with the Osborne Association. As many of you know, Osborne is one of the largest and oldest criminal justice service organizations in the state. We serve participants from arrest to reentry and have offices in Harlem, Brooklyn, Buffalo, Newburgh, with our headquarters in the Bronx.

I oversee Osborne's programming in New York City jails including Rikers Island. As you are aware, our programming on Rikers was drastically reduced when DOC eliminated \$17 million that supported 6 provider agencies serving thousands of individuals, most of whom are there pre-trial and awaiting their "day" in court. Despite this significant change, which we strongly opposed, we still maintain a presence on the island with our Elder Reentry Initiative and Discharge Planning in an effort to continue to have an impact on the lives of those detained as they await the adjudication of their cases.

When DOC eliminated this funding for external providers, they assured all of us that there would be a smooth transition to their bringing all of this in-house. We have a keen interest in how the department is trying to fill the void in our absence, and we know some have been working very hard on this, but we are concerned that adequate and quality programming is not happening at the level required, needed and deserved by those in custody. The programming we provided included employment readiness, Seeking Safety, conflict avoidance, anger management, and rebuilding family relationships. These programs helped thousands of detained people to examine their underlying needs and issues, and begin to plan for their release or transition to state prison. We also connected them with resources and supports in the community, and we could be the bridge for them when they got out. Our staff invested passionately in supporting these individuals' success; many of our staff were formerly incarcerated, themselves. Sadly, many are no longer employed with us due to the funding cut. Across all 6 providers, over 75 direct service staff positions were eliminated, almost half of whom were formerly incarcerated.

On July 1, 2023, when DOC assumed the responsibility for providing programming, they also assumed the responsibility to provide 5 hours of programming each day across housing areas in every facility. The requirement under the law specifies that programming is to include vocational training, counseling, cognitive behavior therapy and drug dependency treatment. Recreational programming like chess, ping pong and basketball are important and beneficial, but they do not fulfill the requirement. It was hard to believe that the department would be able to develop the required programming, and train existing staff and hire new staff in such a short period. Our observations and anecdotal reports are that programming is not happening at the level and quality needed. In fact, many of the detainees we encounter on the island have expressed their frustration that external providers like Osborne are no longer available to them

When we provided programming, we and the other providers submitted daily data to DOC so they knew how many groups we provided on which housing areas and how many people attended. We were held accountable and DOC should be, too. Are they completing their daily internal program provision database? We hope they will make this information available to the City Council and the Board of Correction (BOC).

While we would like the eliminated funds to be restored so we can resume the work that we know was and is effective, we know that in the current budget environment, this is unlikely. However, we are very concerned. With a pending City hiring freeze we worry that DOC will not be able to hire the additional staff needed to deliver the quantity and quality of programming required across all facilities, as they stated they would do when the cuts were introduced in May of this year.

Comprehensive jail programming is a critical component of jail operations; it reduces tension and violence inside of facilities; it provides motivation, rehabilitation, connection, and hope. Without consistent, reliable quality

programming offered by steady, trained, culturally competent staff, idleness and conflict increase. This is the last thing Rikers needs.

Short of restoring funding that was previously allocated to the non-profit providers, we ask the Council to closely monitor program provision across housing areas in all the facilities by seeking access to DOC's internal program database, and to consider additional legislation to address the current and potentially worsening situation.

In closing, I want to remind us all that the best programming for most people on Rikers is outside of Rikers, in the community. There are simply too many people on Rikers who should not be there and should not be there for as long as they are. With a census nearly double what it was during Covid, we must accelerate and commit to a full court press to reduce the number of people on Rikers.

Thank you.