

# Rikers Island Must Be Turned Over to a Federal Receiver

By Susan J. Kohlmann and Stephanie Holmes

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**T**his past September, a delegation from the New York City Bar Association toured the George R. Vierno Center, one of the jails on Rikers Island. What we saw brought into stark relief why a federal court must intervene and appoint its own official—known as a receiver—to run the jail complex, and why the City Bar, along with the Vera Institute of Justice, recently submitted an amicus brief urging a court to do just that.

Perhaps counterintuitively, the dangerous conditions at Rikers, for both incarcerated people and jail staff, do not stem from a lack of corrections personnel. The Department of Correction (DOC) has more uniformed staff than incarcerated people in Rikers, compared to the national average of over three incarcerated people for every officer. That contributes to a DOC budget that costs New York City taxpayers over \$2.7 billion per year.

Yet, even as staff absenteeism has declined from its COVID height, it was clear on our visit that DOC was not properly allocating its massive staff. There was only a single officer on duty in the unit we visited for people with serious mental illness, though there are always supposed to be at least two. As a result, most people were kept locked in their cells.



Photo from Court Documents

**Correction officers restrain a person in custody on Rikers Island during a May 2023 incident at the jail complex.**

Across the hall, a single officer was keeping watch over 43 people in a maximum-security unit, which is the typical ratio at Rikers. Meanwhile, in the hallway between the two cell blocks, three uniformed officers were loading garbage into a skip.

At the main medical clinic, numerous medical staff were just sitting around, waiting for patients to arrive. Almost none did. The jail's medical director said his staff was scheduled to see over 200 people per day, in a jail holding approximately 1,000 people, a sign of the scale

of medical issues in Rikers. But, mostly because not enough correction officers were available to escort people from their cells to the clinic, they were lucky if they saw 50 patients.

Violence continues at unacceptable levels. The Federal Monitor that reports on conditions in Rikers stated recently that Rikers is on track to have almost 400 stabbings and slashings in 2023. There were 159 stabbings and slashings in 2016, when the Federal Monitor first started overseeing the jails because of an unconstitutional level of violence. The Monitor also found DOC was wrongfully downgrading stabbings and slashings, and failing to report serious incidents and injuries.

Between April 6, 2023 and Sept. 30, 2023 alone, there were approximately 560 incidents of self-injurious behavior or attempted suicides. So far this year, nine people have died at Rikers or very shortly after being “compassionately released.”

About 90% of the people jailed in Rikers are Black and Latino. Almost the same percentage of uniformed staff are also Black and Latino. Most people in Rikers are there awaiting trial—over 1,300 for more than a year—and have not been convicted of anything. Their cases often take an extraordinary amount of time to resolve, over triple the national average. Ultimately, three out of four come directly back to our communities, and they are usually worse off than when they went into Rikers.

We need immediate action and intervention at Rikers. In 2019 and 2021, the City of New York enacted into law a historic plan to decarcerate and close the jails on Rikers Island, committing to creating a network of smaller, safer, borough-based jails and secure hospital beds. Those laws

mandate that Rikers close permanently by Aug. 31, 2027. An Independent Rikers Commission is tasked with developing a blueprint to ensure that actually happens. However, given the conditions at Rikers, we cannot wait.

As the Adams administration points out, the intractable problems at Rikers are the result of decades of neglect and underfunding. They inherited a profoundly broken system, exacerbated by the effects of an unprecedented global pandemic. However, that does not allow them to abdicate their responsibility to humanely care for incarcerated people.

As the Federal Monitor recently concluded, “These particularly aggravated, unsafe and dangerous conditions have now persisted for over two years, and the Department has made little to no progress in improving its security or supervision practice.... The City and Department have repeatedly and consistently demonstrated they are incapable of effectively directing and managing the multilayered and multifaceted reform effort, and continuing on the current path is not likely to alter the present course in any meaningful way.”

Based on our visit to Rikers and everything else we know, we have to agree. At a time when violence has reached historic highs, and DOC cannot assure the safety of people entrusted to its care or the staff it employs, it simply cannot be allowed to continue to exercise its authority.

The New York City Bar Association joins those who are calling for the immediate appointment of a federal receiver to run Rikers Island.

**Susan J. Kohlmann** is president of the New York City Bar Association. **Stephanie Holmes** is Co-Chair of the City Bar’s Committee on Corrections and Community Reentry.