



**Testimony to the New York City Department of Corrections and
The Mayor's Office of Environmental Review
Scoping Meeting: 18DOC001Y
September 27th, 2018**

The Chinese-American Planning Council (CPC) thanks NYC Department of Corrections and the Mayor's Office of Environmental Review for the opportunity submit testimony on *Draft Scope of Work 18DOC001Y*.

CPC's mission is to promote social and economic empowerment of Chinese American, immigrant, and low-income communities. CPC was founded in 1965 as a grassroots, community-based organization in response to the end of the Chinese Exclusion years and the passing of the Immigration Reform Act of 1965. CPC is the largest Asian American social service organization in the U.S., providing vital resources to more than 60,000 people per year at over 30 sites across Manhattan, Brooklyn, and Queens. Twenty of our sites are located across Chinatown and Lower Manhattan. At 70 Mulberry Street, a block from the proposed 18DOC001Y, CPC's Chinatown Senior Citizen Center provides daily senior activities including exercise, dance, meals, educational classes, social and field trips, and case management.

With over 50 years of history in the community, we are well-poised to deliver the following testimony and are grateful for the opportunity to submit comment.

CPC urges the withdrawal of *Draft Scope of Work 18DOC001Y* because key information relevant to our communities and the lives of our community members is missing from the planning and impact scopes. The plan lacks critical information about community investment and criminal justice reform. Community-based organizations have not been sufficiently engaged to advise on neighborhood needs. Simultaneously, key recommendations from criminal justice advocates are missing from the scope. *Draft Scope of Work 18DOC001Y* references the City's separate *Smaller, Safer, Fairer* report. *Smaller, Safer, Fairer* only brings the citywide jail population to 7,000, but 18DOC001Y's plans suggest a total population of 5,000. ***Draft Scope of Work 18DOC001Y* does not include plans for these 2,000 New Yorkers and is unclear why new sites are needed for a projected smaller jailed population.**

Without detailed information on how criminal justice reform policies and community based services will be included in the proposed plan, we do not have faith in the permanence of the proposed *Draft Scope of Work 18DOC001Y*. For these reasons detailed below, **CPC urges the Mayor's Office of Environmental Review and the Department of Corrections to withdraw *Draft Scope of Work 18DOC001Y*.**

The following sections highlight critical pieces of information missing from 18DOC001Y. Without integrating community feedback on criminal justice reform and community investment, the feasibility and impact of the proposed plan cannot accurately be assessed. CPC's testimony addresses:

- *Criminal Justice Reform: No New Jails*
- *Community Investment: Now and Returning Home*
- *Community Engagement*

Criminal Justice Reform: No New Jails

CPC affirms that Rikers Island must close and we support policies that will expedite those currently held at Rikers, including many of those outlined in *Smaller, Safer, Fairer*.

The current *Draft Scope of Work 18DOC001Y* refers to the separate *Smaller, Safer, Fairer* report which expands pre-trial diversion, makes bail easier to pay, replaces short sentences with recidivism reduction programs, speeds processing times, and reducing the number of individuals with mental health or substance abuse illnesses. We support many of the reforms outlined in the *Smaller, Safer, Fairer* report **but worry about the permanence of the plan as it would be implemented into *Draft Scope of Work 18DOC001Y***. *Smaller, Safer, Fairer* only addresses plans to bring the city jail population to 7,000. The *Draft Scope of Work 18DOC001Y* assumes a citywide jail population of 5,000. **We cannot put faith in a plan that refuses to account for 2,000 New Yorkers who make up the difference.**

The *Draft Scope of Work 18DOC001Y* names 80 Centre Street as the proposed Manhattan site, instead of the originally planned site at 125 White Street. 80 Centre Street would require the construction of a new, 40-story building. **CPC requests disclosure on this decision. We do not believe a new site is consistent with the stated goal to reduce the jailed population. If the reforms are implemented properly and expeditiously, there should not be any new jails.**

In the few public meetings that have been held since the plans release, CPC has heard compelling arguments from allies, advocates, and individuals formerly held at Rikers that criticize reforms that do not include elimination of cash bail. **CPC echoes the concerns and recommendations of criminal justice reform advocates that cash bail must end in order to permanently reduce the overall jailed population.** Cash bail burdens low-income New Yorkers disproportionately. Even the shortest pre-trial wait times are destabilizing -- those unable to make bail are at risk of losing their jobs and housing, facing more crime in jail, or missing critical mental health or healthcare regimens that keep them healthy. Eliminating cash bail would dramatically reduce the city jail population and minimize risks to individuals awaiting trial.

Additionally, while the overall city jail population has declined, DOC's budget has grown. Significant savings can be made by eliminating housing wings used for the pre-trial wait. In the City's own Independent Budget Office report, the City spends \$100 million annually to detain people pre-trial. Holding New Yorkers awaiting trial is costly, unfair, and harmful to both individuals and the system. This money could be better spent expediting trials, training officers, providing better on cultural and linguistic competency, reducing arrests, and investing in communities. **For this reason, we reject a Draft Scope of Work that does not integrate feedback from criminal justice reform advocates and address permanent bail reform, and does not include explicit plans to bring the citywide jailed population lower than the 7,000 projected in the *Smaller, Safer, Fairer* report.** A withdrawal of this scope would allow further consideration and adoption of reforms that could relocate the Rikers Island population to an existing, smaller, renovated site.

Community Investment: Now and Returning Home

The *Draft Scope of Work 18DOC001Y* suggests that all sites would include positive civic aspects, publicly accessible community space, and that each site would be designed and responsive to the communities in which they were located.

CPC affirms that the City's jail population and overall crime have decreased significantly in that last ten years. **However, we also believe that these numbers would not have declined without the work of non-profit organizations and community advocates who provide critical social services, housing, education, health and mental health care to our communities.** These community programs and resources have played major roles in making New York City a safer place where individuals and families are able to increasingly find support, justice, and success.

As a community-based organization, we did not have sufficient dialogue with the Mayor and have not had enough time to meaningfully engage our constituents, understand their needs, and come to consensus on recommended resources.

Plans for any site within New York City's justice system should lead with community investment and community resources. **New Yorkers who are arrested disproportionately come from communities of color, low-income, immigrant, homeless, or non-Native English speaking communities. To reduce the city jail population, the City must minimize the factors that contribute to the arrest and over-incarceration of these communities** by investing in more housing, education, financial literacy, health and mental health resources, and social support services. **These critical community investments are absent from *Draft Scope of Work 18DOC001Y*.** Community programs support and empower New Yorkers, and **no plan should be approved unless investments are made in families whose lives have been destroyed by arrest, over-incarceration, poverty, and discrimination.**

CPC urges the withdrawal of the *Draft Scope of Work 18DOC001Y*. We request community engagement on how existing local sites can be renovated to support a smaller jailed population and which investments would support existing communities and those who are returning home.

Community Engagement

Manhattan's Chinatown is one of the oldest Chinese ethnic enclaves and remains today as a historic neighborhood and hub for Asian American Pacific Islander (AAPI) New Yorkers. AAPI are the fastest growing group in the city, making up 15% of the population. AAPI live in, work, and visit Chinatown to socialize, conduct business and commerce, and seek linguistically and culturally competent services. Visitors from across the country also visit to Chinatown for its historic significance and cultural heritage.

Over the last two decades, Chinatown has undergone significant change. Many residents and businesses have been impacted by post-9/11 security and street closures, while lack of affordability has increasingly pressured families who have watched as friends and neighbors moved to other parts of the city, like Flushing and Sunset Park.

Citywide, over a similar period of time, New York City has seen a dramatic decline in overall crime and a reduction of the city's jailed population. Much of this work is thanks to important community institutions and criminal justice reform advocates whose partnership has both empowered communities and advanced policies that contribute to a fairer, more equitable city.

CPC is critical of how communities have been engaged in plans for *Draft Scope of Work 18DOC001Y*. Chinatown residents, criminal justice reform advocates, community leaders, and allies have been left out of conversations and have had little time to communicate with each other. The Mayor's own timeline for engagement was delayed from spring to August of this year. Within that delay, decisions were made to reject renovations of 125 White Street and now includes a new 40-story building at 80 Centre Street. The period of time between the date of release to the scoping session hearings was too short to assess how the plan could legitimately reduce the jailed population long-term, invest in communities, or impact any of the proposed neighborhoods.

Because of rushed dialogue, many residents and advocates felt forced to choose between the much-needed closure of Rikers and their wish to provide serious input on the future of criminal justice

reform and community investment. Neither should be delayed because of poorly planned engagement, which is why we recommend an immediate withdrawal of *Draft Scope of Work 18DOC001Y* and deeper community involvement in a new plan.

CPC is not alone in rejecting a one-size-fits-all approach. **Multiple Borough Presidents, Council Members, State Senate and Assembly Members, and countless community members, residents, and advocates across all four boroughs have criticized engagement or issued letters urging a withdrawal of the plan.** Community engagement on criminal justice reform and community investment is necessary. The volume of public comment should attest to how willing New Yorkers are to start the conversation immediately.

Closing

CPC thanks the Department of Corrections and Mayor's Office of Environmental Review for the opportunity to submit testimony and public comment. **We request *Draft Scope of Work 18DOC001Y* is withdrawn. We also request immediate engagement for criminal justice reform and community investment.** We affirm the urgency to close Rikers Island and thank you for your leadership in moving the process forward. We look engaging further with you.

Further question or comment can be submitted to Amy Torres, Director of Policy and Advocacy at the Chinese-American Planning Council, at atorres@cpc-nyc.org.