

A New Path to Justice: Getting Women Off Rikers Island

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Fact Sheet

On any given day, approximately 500 to 550 women, mostly women of color, are held at Rose M. Singer Center (RMSC) at Rikers Island. Under pressure to close Rikers Island, one of the biggest and most notorious jails in the country, the city has already taken concrete steps to make closure a reality by reducing the number of people in jail and identifying sites for new jails in four of New York City's five boroughs. Yet one of the risks in this moment of opportunity is that the needs of specific populations within the criminal justice system—especially women—will be overlooked. Nationally, women are the fastest growing segment of the incarcerated population, in no small part because so little attention has been paid until recently to the unique pathways that result in the arrest, prosecution and, increasingly, the incarceration of women. While time in jail or prison is destabilizing and traumatic for anyone, for many women the sheer impact of an arrest—let alone incarceration—can extend that instability and trauma to the children and families who rely on them.

New York City must be deliberate and focused in making sure that criminal justice reform does not overlook the experience of justice-involved women. To this end, a group of stakeholders led by the Vera Institute of Justice and The New York Women's Foundation began meeting regularly over several months in 2017 to answer the question:

“What would it take to get *all* women off Rikers Island now?”

Over six sessions, the group identified the specific challenges women face in the New York City criminal justice system and developed strategies and solutions to change the trajectory of their involvement from arrest to case disposition. This report is a blueprint of aspirational first principles, programmatic considerations, and practical solutions to keep women out of the criminal justice system and off Rikers Island. It reflects the consensus of the stakeholders who participated in an advisory group, individual meetings, and focus groups, including one with incarcerated women held at Rikers Island.

Findings

As context for the ideas and solutions in this report, the advisory group analyzed Department of Correction data for a cohort of 5,734 women admitted to RMSC between October 2015 and September 2016. This analysis found that of the women admitted to the jail during this time period:

- > more than three out of four were black or Latina;
- > the majority were 25 years or older;
- > almost three-quarters had identified mental health needs;
- > or those admitted pretrial, 47 percent had bail set at \$2,000 or less;
- > a third were admitted for drug possession and larceny, and another third were for offenses where there is a complainant or victim, such as assault, robbery, burglary, or homicide; and
- > most stayed at Rikers Island only a few days, and 60 percent were released within two weeks.

Recommendations

The report starts with a set of **first principles** and overarching **resource ideas** before identifying specific **strategies**. The first principles are aimed at developing new solutions—ones that focus on needs and strengths, minimize unnecessary mandates and surveillance, and prioritize safety for both justice-involved women and the public. The group recommended:

- > creating an overall smaller footprint of the criminal justice system for women;
- > providing true alternatives for women who would otherwise be in jail;
- > integrating harm reduction principles into programming;

For more information

To read the full report, visit www.vera.org/a-new-path-to-justice-getting-women-off-rikers-island. For more information about this report, contact Insha Rahman, program director, at irahman@vera.org. The Vera Institute of Justice is a justice reform change agent. Vera produces ideas, analysis, and research that

inspire change in the systems people rely upon for safety and justice, and works in close partnership with government and civic leaders to implement it. Vera is currently pursuing core priorities of ending the misuse of jails, transforming conditions of confinement, and ensuring that justice systems more effectively serve America's increasingly diverse communities.

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- > tailoring programs and services to the needs of women;
- > prioritizing direct experience and peer support in staffing and developing services for justice-involved women; and
- > maintaining a commitment to advancing equity, including racial equity and equity around gender identity, sexual orientation, disability, and other characteristics.

In addition to cross-cutting first principles, some themes emerged about streamlining resources—such as programs and services, namely:

- > creating an online centralized resource hub that tracks program availability and location; and
- > collecting and publishing real-time data on women in the New York City justice system.

Finally, the group developed recommendations for how New York City can embrace a different approach at three critical junctures in the criminal justice system: at arrest; at arraignment; and when women are admitted to jail at RMSC.

At the moment of *arrest*, the group recommended:

- > creating a pre-arraignment off-ramp for women arrested on misdemeanor charges; and
- > using Desk Appearance Tickets (DATs) more frequently by reserving grand jury notice for women arrested on felonies.

Strategies to get women off Rikers at the point of *arraignment* include:

- > creating a screening process at arraignments to flag women for pretrial release;
 - > encouraging prosecutors to institute new policies regarding bail requests;
 - > avoiding jail pleas at arraignments by providing an alternative to incarceration; and
 - > creating a process for handling outstanding warrants to remove a common barrier to release.
- Women could even be targeted for pathways out of jail once *at RMSC*. Strategies include:
- > implementing early screening at intake in the jail; and
 - > assigning a point person within each defender office to handle jail-bound cases involving female clients.

The ideas in this report will be valuable to policymakers in City Hall as they chart a path towards Rikers Island's closure; to philanthropists who support both criminal justice reform and investment in women; to stakeholders such as judges and district attorneys, whose daily decisions impact lives in critical ways; and to the individuals and organizations who serve criminal justice-involved women.

Figure 4

Most common charges of women to Rikers Island, October 2015 to September 2016

