

# THE LEGAL AID SOCIETY

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**\*\*\*FOR IMMEDIATE RELEASE\*\*\***

## ***Legal Aid Statement on Latest Nunez Independent Federal Monitor Report on Abuse in New York City Jails***

(NEW YORK, NY) - **The Legal Aid Society** issued the following statement upon the filing of the 11th [report](#) from the Nunez federal monitor:

“Despite the Mayor’s rhetoric of reforming Rikers Island, the New York City Department of Correction has been unable or unwilling to take the actions necessary to dismantle the culture of brutality and incompetence in the jails.

The latest Monitor’s report describes how the uniformed leadership in the jails perpetuates a chaotic environment plagued by operational failures that threaten security and chronic disruptions in basic services, such as recreation and commissary, that cause frustration and despair.

The Monitor details the way that uniform staff and supervisors abdicate their duties to solve every day correctional problems within the facilities, instead outsourcing day-to-day tasks to militarized emergency teams that default to excessive and unnecessary force.

Time and again, uniform leadership refuse or are unable to curb brutal and hyper-confrontational behavior by staff. The data reflects these failures — the Monitor describes a [Use of Force rate higher](#) than any previous Monitoring Period.

The problem of violence is exacerbated by the fact that Rikers is one of the most heavily staffed jails in the country, even during the last year when large numbers of the correctional workforce stayed home. The Monitor makes clear that even with the unusual numbers of staff unavailable to work, the Department still has an [extraordinarily large number of](#) staff to operate the jails.

As the Monitor found, all too often the large numbers of staff converging on a scene precipitate violence and chaos. The brutal results are borne most heavily by people of color, who are disproportionately held in the jails. Accountability for this violence and misconduct is rare, because the Department has not created a functioning disciplinary system, and is now overwhelmed by a backlog of nearly 1,500 unredressed disciplinary cases.

The Nunez orders mandate the actions the City must take to change these abysmal outcomes, and the technical assistance provided by the correctional experts on the Nunez monitoring team has provided invaluable resources for crafting operational solutions.

But fundamentally, New York City must make significant changes to its obsolete correctional models if it is to close this violent chapter in Rikers history, including:

- insist upon professionalism and accountability from uniformed leadership, including drawing upon a pool of uniformed leaders with experience outside the broken system of DOC;
- deploy resources responsibly, beginning with conducting a full staffing audit to address the over-deployment of staff and resulting downward spiral of disorganization, chaos and violence, and including a full review of the sick leave policies that have upended jail operations in the last year;
- cease the practice of facilities outsourcing conflict resolution to emergency Response Teams the monitor describes as ‘aggressive, antagonistic, frequently hyper-confrontational, and unprofessional.’;
- abolish the Emergency Services Unit (ESU), a rogue command operating throughout the Department that routinely violates use of force policy with impunity;
- create smaller, safer units within existing jails by adopting new forms of unit management, while moving swiftly to close Rikers entirely;
- immediately redouble efforts by District Attorneys, the Mayor’s Office, the Office of Court Administration, and other criminal system actors to decarcerate the current jail population and prevent the persistent reliance on incarceration in future cases before New York City criminal courts.”

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*The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. [www.legalaidnyc.org](http://www.legalaidnyc.org)*