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

Legislators and Impacted People Demand That District Attorneys End Cash Bail Practices to Curb Rikers Crisis

(NEW YORK, NY) – Legislators, public defenders, and impacted New Yorkers gathered outside the office of Manhattan District Attorney Cy Vance’s office on Wednesday to demand that all five New York City District Attorneys end their cash bail practices, which are driving the crisis on Rikers Island. Video of the rally and press conference is available [here](#).

The rally outside Vance’s office comes a day after 14 legislators [published](#) an open letter to District Attorneys in all five boroughs slamming their cash bail practices and citing the [torturous conditions and deaths](#) on Rikers Island. Since April 2020, the number of people held pretrial on Rikers has surged from 2,718 to 4,578, a number driven primarily by the District Attorney seeking bail in virtually every eligible case.

“We write regarding the ongoing humanitarian crisis at the Rikers Island jail complex, which continues to be fueled by the callous decisions you and your staff make to send New Yorkers to their potential deaths by requesting cash bail,” the letter reads. “While our visit to Rikers was horrifying, many of us recently witnessed your offices in action by visiting arraignments and were similarly appalled. The two sites—the blunt torture of Rikers and the formal violence of the courtrooms in which you seek cash bail—are inextricably linked.”

During the rally, the legislators and public defenders connected what they saw on their [recent visits](#) to Rikers to what they witnessed while watching arraignments in person over the past week. They decried the decision by district attorneys to seek bail in virtually every eligible case, and prosecutors' refusal to consent to release of those held in deadly conditions.

This year, 12 people have died in DOC custody amid a dramatic degradation in conditions on Rikers Island. That has coincided with an explosion of the jail population, from a low of 3,800 in April 2020 to over 6,000 last month. Even in the face of a mounting humanitarian crisis, the pretrial population has [remained stagnant](#) at roughly 4,600 people. This enormous pretrial population -- all people who would be free if they were simply wealthy enough to pay bail -- is driven entirely by the requests of District Attorneys and the decisions of judges. Those decisions leave thousands of poor New Yorkers – overwhelmingly Black and brown – to endure torture and risk death every day.

District attorneys and [judges](#) can decide at any time to drastically reduce the suffering on Rikers Island. Prosecutors can decide not to seek bail in every eligible case at [no cost](#) to public safety, and can decline to oppose defense motions to release those currently held in deadly conditions on Rikers.

“On Monday morning, I sat in on arraignments at Queens County Criminal Court, hoping to see the bail laws we fought for in Albany at work. The crisis on Rikers that I have witnessed firsthand during my visits has resulted

from an irresponsible use of cash bail. We fought hard for bail reform, only to have DAs go aggressively after cash bail during a pandemic,” **State Senator Jessica Ramos** said. “Let’s say it explicitly: setting bail is a choice, and to make that choice, knowing full well that pre-trial detention on Rikers can be fatal, is behavior we cannot accept. DAs must play their part in helping us decarcerate Rikers.”

“Rikers Island is a death trap of our own making,” said **State Senator Robert Jackson**. “Our District Attorneys, including Manhattan DA Cy Vance, have the power to do something about it. Because I have seen how bail is literally setting our people up to die, I join the call for all New York City DAs to immediately halt requests for pretrial detention. Do your part to end this madness now.”

“When visiting Rikers and the Bronx Criminal Court, I saw firsthand how our bail and parole laws are harming and failing New Yorkers. New York City District Attorneys must take accountability for their role in fueling the crisis on Rikers Island, and stop issuing bail callously,” said **State Senator Alessandra Biaggi**. “We must act with urgency to decarcerate Rikers Island immediately and pass strengthened bail and parole reform legislation. When we look back on this time, we will be judged by how we responded to the humanitarian crisis in our City’s jails. District Attorneys must do the right thing.”

“Last month, my colleagues and I witnessed thousands of our neighbors suffering in the most horrific conditions I have ever seen, on an island kept deliberately out of the sight of other New Yorkers. This week, we witnessed the formal violence of arraignments, where under the cover of legal proceedings, District Attorneys choose to toss yet more people to their possible death on Rikers simply because they can’t purchase their freedom,” said **Assemblymember Zohran Mamdani**. “It is not enough to decry the conditions at Rikers - we must decry the decisions of District Attorneys that make the abject horror of Rikers possible. They must stop their bail practices immediately and consent to the release of those currently held in deadly conditions before yet more people die.”

“The inhumane and dangerous conditions on Rikers Island—conditions of starvation and sickness which I have witnessed first hand—have continued despite significant media attention, calls by politicians, and even the signing of my bill Less Is More. It is clear that more action is needed, and that we all need to get on board to fix this humanitarian crisis,” said **Assemblymember Phara Souffrant Forrest**. “Right now, our borough District Attorneys are continuing a harmful pattern of requesting needlessly high bail amounts for people, inevitably placing them in the extremely dangerous conditions at Rikers. DAs should know better, and should make decisions in full awareness of the consequences, in this case, to consign people who pose no threat to anyone at all to an experience which is scarring, traumatic, violent, dangerous, and inhumane; it is no way to be concerned about safety.”

“An increase in incarceration has contributed to the humanitarian crisis at Rikers. This is due to bail being set for a misdemeanor charge at an unaffordable amount, deeply impacting black and brown folks,” **Assemblymember Kenny Burgos** said. “I urge the DAs to use their discretion and stop seeking cash bail in every case so we can continue the path towards decarceration.”

“The District Attorneys every day decide to send poor Black and brown New Yorkers - who are presumed innocent - to certain torture and potential death on Rikers Island, simply because they are not rich enough to buy their freedom,” said **Alice Fontier, Managing Director of Neighborhood Defender Service of Harlem**. “Their decisions are compounding the humanitarian crisis on Rikers, yet they pass the buck to everyone else. We are here to insist that they stop worsening this crisis by ending their deadly bail practices and begin to decarcerate by consenting to the release of New Yorkers whose lives they have callously imperiled.”

“New York City’s District Attorneys have turned a blind eye to the crisis of Rikers, one fueled by a staffing shortage and an overwhelming increase in people detained on bail that they simply cannot afford,” said **Tina Luongo, Attorney-In-Charge of the Criminal Defense Practice at The Legal Aid Society**. “We join lawmakers and our fellow defenders demanding that DAs immediately stop requesting bail in all cases. Given the deplorable situation at Rikers, anything less is unconscionable.”

"Pretrial detention is deadly," said **Marvin Mayfield, Lead Statewide Organizer at Center for Community Alternatives**. "12 people have already died at Rikers Island, many who were incarcerated pretrial because prosecutors requested unaffordable bail. New York's District Attorneys cannot sit idly by. They must change their pretrial practices immediately to decarcerate and reduce the number of New Yorkers languishing on Rikers Island."

"Every day, judges and district attorneys disregard our warnings and cruelly place people in the custody of the Department of Correction without fully understanding or appreciating the horrors that await them once confined to the city's jails," said **Yung-Mi Lee, Legal Director of Brooklyn Defender Services' Criminal Defense Practice**. "As people continue to suffer and die in horrific conditions at Rikers Island, the jail population continues to rise week by week--the majority of people held pre-trial because of unaffordable bail. Before another life is lost, we urge District Attorneys and judges to stop seeking and setting bail and to consent to defense requests for emergency releases."

"People crammed together in 'standing room only' cells; garbage, bugs, and feces strewn across the floor; people begging for help. That is Rikers Island," said **Ann Matthews, Managing Director of The Bronx Defenders' Criminal Defense Practice**. "What is happening in the city jails is nothing short of a humanitarian nightmare. This moment demands immediate action. Prosecutors and judges must stop ignoring the commands of the 2019 bail reform by requesting and setting unaffordable bail. Judges and prosecutors hold the keys to ending this crisis. They must use them to decarcerate. Now."

"At its lowest, the citywide jail population was around 3,900 individuals in custody. Today, as we get closer and closer to 6,000 people on Rikers Island & a dozen reported deaths from that Toxic Island," said **Victor Herrera, Campaign Leader at Freedom Agenda**. "We demand District attorneys stop requesting bail and urge judges to use their discretion to release our neighbors. The only thing people need to ensure return to court is a roof over their head, food on the table, and clothes on their back — not a death sentence on Rikers Island."

"Throughout this pandemic, District Attorneys in all 5 boroughs have continued the unconscionable practice of requesting bail in almost every case possible, despite the zealous advocacy of our membership in the courts. With this most recent crisis on Rikers Island, their insistence on sending our clients to deplorable conditions has only become more clear." said **Lisa Ohta, President of the Association of Legal Aid Attorneys - UAW Local 2325**. "Prosecutors must immediately cease seeking bail and consent to the release of clients currently held for the crime of not being able to afford their bail."

"The Manhattan DA's office fights tooth and nail every single day to send more Black and brown New Yorkers to unconscionable suffering in our city's jails," said **Stan Germán, Executive Director at the New York County Defender Services**. "Publicly, they issue statements claiming to be compassionate, they issue memos claiming they are taking measures, but in the courtroom they are shameless. They fight day in and day out to send more and more people to a place no human being should ever be, with no apparent remorse or reservations."

"Growing up there were many kids in my home and we didn't have any money to spare. So when I found myself behind bars because of the conditions in which I grew up in and the lack of access to mental health, I always felt stuck. In 2005, I was sent to Rikers with a bail of \$250,000 dollars. Another time my bail was \$75,000. I couldn't post bail either of those times and spent months at Rikers Island in the horrible conditions that we still see to this day," **Henry Robinson, Member of the Katal Center for Equity, Health, and Justice**, said. "While at Rikers, I did not receive the proper medical attention I needed. I did not receive adequate access to mental health. It is unreasonable that NYC District Attorney's subject people to unaffordable bail but this is the reality we live in. 12 people have passed away at Rikers this year alone and this should be enough of a reason for the DA's to stop sending people to Rikers and end pre-trial detention. It is time to decarcerate and close the Rikers Island Jail Complex once and for all!"

“While the humanitarian crisis on Rikers continues, District Attorneys are still sending people - predominantly Black and brown working class and poor New Yorkers - to jail knowing full well they cannot afford to buy their freedom,” **said Tiffany Cabán, former public defender.** “DAs join fear mongers in falsely asserting that cash bail makes us safer. It’s a flat out fallacy and the evidence says otherwise. Instead of keeping people safe, they are sending thousands of vulnerable people to Rikers. Simply being there is a potential death sentence. It’s time for DA Katz, Vance, Gonzalez, McMahon, and Clark to use the power to end this crisis. Stop setting bail, stop sending people to Rikers, save lives.”

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