

THE LEGAL AID SOCIETY

Justice in Every Borough.

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

Leading National LGBTQI and Women's Advocacy Groups Call on Hochul, de Blasio to Immediately Abandon Plans to Transfer Women and Trans New Yorkers from Rikers Island to Upstate Prisons and Decarcerate Immediately

(NEW YORK, NY) - The Legal Aid Society joined with leading national LGBTQI and women's advocacy organizations including the National Women's Law Center, Transgender Law Center, the Center for Constitutional Rights, and the New York Transgender Advocacy Group [urging](#) Governor Kathy Hochul and Mayor Bill de Blasio to abandon plans to transfer incarcerated women and trans New Yorkers from Rikers Island to upstate correctional facilities including Bedford C.F and Taconic C.F.

The [letter](#) in part states:

Decarceration is gender and trans justice. Shipping women and trans people to state prison will further separate them from families and children, community support, legal defense teams, and social workers. Transfers to state prison will also expose trans people to great risk of harm because DOCCS has inadequate and discriminatory policies guiding the housing of trans people and grossly insufficient protections for respectful and safe treatment of trans people in state prisons.

Decarceration is immigrant justice. New York City's detainer policies do not extend to DOCCS. Forcible transfers will put non-citizens at risk of ICE arrest, detention, and deportation, and will cement family separation. Transferring these people walks back NYC's commitment to not subject non-citizens to ICE enforcement at the end of their jail time.

Decarceration is disability justice. Most people detained at RMSC are living with complex trauma and mental health needs, including more than 80% who are receiving mental health treatment under the "Brad H" designation. Forcibly moving them out of the city unacceptably complicates vital care coordination and firm connections to services for people who will ultimately be released.

Decarceration is racial justice. More than 84% of people held at RMSC are non-white and more than 54% are Black. Your administrations regularly trumpet the importance of racial justice, yet your decision to transfer hundreds of Black women and trans people to DOCCS custody against their will summarily denies their dignity.

The letter also details ways in which decarceration can be achieved including by:

- fully implementing the Less Is More Act immediately by lifting parole detainees today;
- releasing people at Rikers who are serving city sentences pursuant to Correction Law 6A;
- demanding prosecutors and judges consent to release immediately and utilize existing alternatives to detention support services;
- fully funding transitional housing and support services in the community.

“Women and TGNCNBI people housed at Rikers Island should not be used as pawns, and their safety must not be jeopardized by the crises others created,” said **Mik Kinkead, TGNCNBI Task Force Member and Staff Attorney with the Rikers Island Civil Re-Entry Project at The Legal Aid Society**. “We remain outraged over this decision, and again call on Governor Hochul and Mayor de Blasio to immediately abandon this plan and work with defenders and others to decarcerate local jails now. Decarceration is the only speedy and meaningful solution that will help save lives.”

“Women, trans people, immigrants, people with disabilities, Black people and other BIPOC persons already suffer the most brutal impacts of unjust systematic incarceration, and their unwilling transfer from Rikers Island will lead to irreparable harm,” stated **Christian F. Nunes, president of the National Organization for Women (NOW)**. “NOW stands in solidarity to demand justice by ensuring access to legal aid, keeping families together and making sure that aggressive steps be taken to reduce the number of people held in prisons.”

“The constitutional, civil and human rights of those who are detained inside of City jails are to be upheld and not used for political gain that shows the lack of care, custody and control of those incarcerated. As a directly impacted president of a reintegration network of projects in New York City, I see these actions as a direct threat to the safety & security of those incarcerated,” said **Mr. Five Muallimm-ak, President/ CEO Incarcerated Nation Network, Inc.**

“While Hochul’s announcement is a powerful admission that conditions at Rikers are inhumane, isolating women at Rikers from their families, legal advocates, and necessary services is not the solution. Instead, decision-makers must listen to the women inside Rikers who have made clear that the solution is decarceration,” said **Chinyere Ezie, Senior Staff Attorney at the Center for Constitutional Rights**.

“An abruptly considered solution for a complex issue impacting highly marginalized persons like the Rikers island transfers, requires forceful condemnation. We call upon our elected leaders and corrections staff to demand more consideration, more compassion and less disruption to the lives of female and trans-identified detainees,” said **Teri Wilhelm, Equality New York Board Member**.

“Our clients, many of whom have not been tried, convicted, or sentenced, are on Rikers because they were denied bail or could not afford the price of their freedom,” said **Justine Olderman, Executive Director at The Bronx Defenders**. “We must remind the Governor and the Mayor that incarcerated people in fact have rights to legal counsel and due process — and their rights are being violated as long as these transfers are taking place. We demand the release of women and trans people from Rikers now.”

“Moving trans people from Rikers to a different prison where they will have less access to attorneys, services, and supportive loved ones is not an appropriate solution for the problems caused by an inequitable cash bail system and the inhumane violence of prisons. We join the demand for the immediate release of all trans people at Rikers - none of which are even in Rikers for being convicted of a crime and simply they could not afford to pay bail,” said **Lynly S. Egyes, Legal Director of the Transgender Law Center – New York City Office**.

The letter’s signatories include:

The Bronx Defenders

Brooklyn Defender Services
Center for Community Alternatives
The Center for Constitutional Rights
Center for LGBTQ Economic Advancement & Research (CLEAR)
Coalition of Labor Union Women, AFL-CIO
Coalition for Women Prisoners/Campaign Against Isolated Confinement
Decriminalize Sex Work
Defending Rights & Dissent
Disability and Aging Justice Clinic, CUNY School of Law
Envision Freedom Fund
Equality New York
Freedom Agenda
#HALTsolitary Campaign
HousingPlus
Immigrant Defense Project
Incarcerated Nation Network INC
Jails Action Coalition
Jim Owles Liberal Democratic Club
Justice 4 Women Task Force
The Legal Aid Society
Marsha P. Johnson Institute National Center for Lesbian Rights
National Center for Transgender Equality
National LGBTQ Task Force
National Organization for Women National
Religious Campaign Against Torture
National Women's Law Center
Neighborhood Defender Service of Harlem
NEW Pride Agenda
New York Lawyers for the Public Interest
New York Transgender Advocacy Group
Ohio Juvenile Justice Coalition
Public Interest Resource Center, Fordham Law School
Racial Justice Initiative of TBUSA
The Right Now Project
STEPS to End Family Violence - Rising Ground
Sylvia Rivera Law Project
Transgender Law Center
Transgender Legal Defense and Education Fund
UnLocal Urban Justice Center
Mental Health Project
The Who We Are Project
Women's Community Justice Project
Women's Prison Association
The Women's Project – Wildcat/Fedcap Youth Represent

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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 145 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