

January 21, 2025

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*****MEDIA ADVISORY*****

Defenders, Law Enforcement, Impacted New Yorkers, Elected Officials and Mental Health Experts to Hold Advocacy Day, Press Conference Demanding the Passage of the Treatment Not Jail Act

Action Comes In Response to the Continued Mental Health Emergency in New York State, the Widespread Abuse in the NYS Jail and Prison System, and Concerns About Public Safety

Legislation Will Safeguard Public Safety by Providing Comprehensive Community-based Treatment to Those Who Cycle in and out of the Criminal Legal System Due to Untreated Mental Health and Substance Use Challenges

(ALBANY, NY) – Advocates, law enforcement, and experts in the fields of mental health and substance use, impacted New Yorkers, public defenders, elected officials and others, in response to the continued mental health emergency throughout New York State, the abhorrent conditions and unchecked abuse engulfing our jails and prisons, and ongoing concerns about public safety, will hold an advocacy day and press conference urging Albany to enact the [Treatment Not Jail Act](#) (TNJ).

This legislation will ensure that New Yorkers with mental health and other challenges have an off-ramp from the criminal legal system to access support and treatment in their communities, rather than defaulting to incarceration.

What: Press conference calling on Albany to enact the Treatment Not Jail Act

Who: Senator Jessica Ramos, Assembly Member Phara Souffrant Forrest, Assembly Member Steven Raga, Albany Police Department Interim Chief of Police Brendan Cox, Justyna Rzewinski, former mental health clinician at Rikers Island and “[deadlocking](#)” whistleblower, Senator Nathalia Fernandez, The Legal Aid Society, New York County Defender Services, The Alliance for Rights and Recovery, Ontario County Public Defender, Bronx Defender Services, The Legal Aid Society, The Brooklyn Defender Services, Redemption Center, Urban Justice Center, NAMI-NYC, Freedom Agenda, CASES, Fountain House, HALT Solitary Campaign, Jails Action Coalition, Legal Action Center, End the New Jim Crow Network, and others.

When: Tuesday, January 21, 2025 at 12 PM.

Where: Million Dollar Staircase, NYS Capitol, Albany, NY 12224

The Treatment Not Jail Act will:

- expand the already-existing authority of criminal court judges to grant judicial diversion, extending eligibility not just to those with substance use diagnoses, but to New Yorkers who become justice-involved due to their unaddressed mental illness and intellectual, developmental and cognitive concerns;
- evolve the current law's arbitrary and overly restrictive charge-based eligibility restrictions to allow judges to review cases holistically to determine whether they are safe and appropriate for community-based care;
- ensure uniformity and fairness across New York state by incorporating due process protections, harm reduction and person-centered principles, and other best practices, leaving treatment decision-making to healthcare professionals, not lawyers, and encouraging clinically effective forms of treatment.

Nearly half of the current population of New York's carceral system are recommended to receive mental health services, yet few receive [any treatment at all](#) while being housed in our understaffed, cruel and [violently chaotic](#) prisons and jails. This ultimately contributes to the mental health crisis and the surge in carceral violence, self-harm, deaths by suicide and overdose. The Treatment Not Jail Act will offer individuals in need an effective legal pathway out of this oppressive cycle and into the treatment that ultimately benefits both those individuals and our communities.

Treatment Not Jail FAQ: <http://bit.ly/3DSualm>

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