

The Honorable Corey Johnson, Speaker
NYC Council

The Honorable Keith Powers, Chair, Committee on Criminal Justice
NYC Council

Dear Speaker Johnson and Council Member Powers:

The undersigned groups write to urge the Council to remove all revenue generated from telephone calls and any profits generated from commissary operations and vending machines in jails from the FY2019 budget. The City should be taking action to alleviate the economic impacts of incarceration, not exacerbate them through predatory profit-making arrangements with private contractors. To that end, we also call on the Council to pass Intro 0741, which would require the City to provide phone calls free of charge to people locked up in NYC jails.

The Council's preliminary FY2019 budget projects millions in revenues to be generated through exorbitant fees to people in jail and their families. The practice of driving revenue through user-funded systems and services gives the City a perverse incentive to lock people up. Importantly, 93% of people currently caged in NYC jails are people of color – 89% Black or Latino – and almost all come from economically distressed communities already marginalized by a host of City and social policies.

Nearly 80 percent of people held in NYC jails are there pre-trial, most unable to fight their cases at liberty solely because they cannot meet the bail requirements sought by District Attorneys and set by Judges. And yet, despite this obvious indicator of poverty, the City sees fit to pad its revenue lines through phone calls and other necessities. Meanwhile, the City is providing free phone calls through LinkNYC to people who are not incarcerated. Given how important family contact and communication are to successful reentry, free phone service should be the norm in City jails as well.

It is unconscionable that New York City, which holds itself up as a progressive beacon, relies on extorting people incarcerated on Rikers Island and their family members for a portion of its revenues. These policies act as a tax that disproportionately affect people of color and are a prime example of the wealth extraction from targeted communities that drives economic inequality – one of the most serious problems facing our City today. Moreover, New York State explicitly does not generate profits off phone calls in State Prisons, leaving “liberal” New York City a step behind on progressive policy-making.

We strongly urge the Council to adopt a policy of generating zero profits in City jails and removing all economic incentives for incarceration.

Sincerely,

Alexes Harris, Ph.D., Author of “A Pound of Flesh: Monetary Sanctions as Punishment for the Poor”
Bronx Defenders

Brooklyn Community Bail Fund
Brooklyn Defender Services
Center for Media Justice
Center for Popular Democracy
Color of Change
Community Service Society
Criminal Defense Clinic of the Benjamin N. Cardozo School of Law
Fines and Fees Justice Center
Human Rights Defense Center
Institute for Justice
Jails Action Coalition
JustLeadershipUSA
Juvenile Law Center
Katal Center for Health, Equity, and Justice
Latino Justice PRLDEF
Lawyers Committee for Civil Rights Under Law
National Consumer Law Center (on behalf of its low income clients)
National Legal Aid and Defender Association
New Economy Project
New Jersey Advocates for Immigrant Detainees
New York Law School – Impact Center for Public Interest Law
New York Office of the American Friends Service Committee
Prison Policy Initiative
Sylvia Rivera Law Project
The Legal Aid Society
United Church of Christ, OC Inc. (UCC Media Justice)
Urban Justice Center
VOCAL-NY