

THE LAURA FLANDERS SHOW

JUMAANE WILLIAMS & HELL GATE ON RIKERS: WHY IS IT SO HARD TO CLOSE A JAIL?

LAURA FLANDERS: Why is it so hard to close a jail even when almost everyone agrees it should be closed? Prisons are bad enough, but jails typically house people who have not yet been convicted of any crime. Rikers, which includes 10 jails on an island in the Bronx of New York, currently has over 6,000 inmates, many more than it should. The majority of whom are there awaiting trials simply because they can't afford bail. Overcrowded, overwhelmed. The place is both a symbol and a symptom of our current approach to crime and safety. It's rife with dysfunction, delays, violence lack of care, lack of justice. In October, 2019, the New York City Council passed and then Mayor Bill de Blasio signed into law a plan to permanently close Rikers and create four neighborhood facilities instead. It was all scheduled to be done by August, 2027 but it has run up against massive roadblocks. They come from the left, from the right from the prison guards' unions, and from the people who live in the neighborhoods where the new jails would be built. In many ways, the entire story shows just how hard it is to shrink the incarceration system once it has grown this large in such an unequal place. What could break the log jam? Our guests are New York City journalist Nick Pinto, co-founder of Hell Gate, a worker-owned news outlet covering New York City. Nick's been writing about Rikers for years and with us too, New York City Public Advocate, Jumaane D. Williams. As city council member, he helped pass the law to close Rikers. Elected Public Advocate in 2019, now he is the prime sponsor of legislation that would ban solitary confinement in the city's jails. Welcome both of you. I don't know where to start but I think I'll start with you, Public Advocate Williams, you have actually visited Rikers, you've been inside probably more than once. Can you describe for us what you saw there?

JUMAANE D. WILLIAMS: Now, I've visited Rikers several times. I will say, I believe it was the end of 2021. That was a time I visited with some folks, and I have to tell you I visited after that, but I say that one in particular because if I was told about what I saw, I would not have believed the people who told me, it was that much of a nightmare. It was a fully dysfunctional jail. We saw people in jails, in cells, that supposed to house two, three people, maybe seven or eight. They had plastic bags, using as bathrooms. We saw one person who had been in the shower, I was told for over 24 hours in the shower cell, in the shower stall. I didn't know if he was wet with urine or with water. Literally had detainees who were out of their cells just walking around. It was filthy. It was just a complete disaster. And I said, then it happened to be our anniversary of Attica. And I said, the mayor got mad at me, but it was true. I was like, we are just

an incident away from that. That's how insane and how bad it was for everyone involved. I can't tell you how bad what we saw was.

LAURA FLANDERS: Attica was the uprising by inmates in an upstate prison about prison conditions there over 50 years ago, right?

JUMAANE D. WILLIAMS: Absolutely. Absolutely. And so I was horrified, terrified. It is still currently a dangerous place for people to be and that's for folks who work there and folks who are housed there. That's why we need to shut it down and we need to make sure that we don't take the culture that's there to the new borough-based jails.

LAURA FLANDERS: Okay, so let's just underscore this. It needs to be shut down. There was a law passed declaring it to be on a schedule to be shut down. Then what happened, Nick? Why are we where we are today?

NICK PINTO: As you alluded to in your introduction, there are a number of groups of people who actually don't like the plan to close Rikers and replace it with borough-based jails. One of those groups are jail and prison abolitionists who look at a plan to build new, fresh, you know, carceral structures where people will be held in detention by many of the same people who are currently holding them on Rikers and say, why would we refresh this institution with new buildings that will last another hundred years? Let's close Rikers and not build new jails. Another set of opposition comes from people who own property or businesses in the immediate vicinity of where the new, smaller, borough-based jails are proposed who are worried about their real estate values basically. And then I think most significantly there is the constellation of guard's unions who recognize that closing Rikers and replacing them with smaller borough-based jails involves dramatically reducing the jail population, which in turn means shrinking their membership and their power. And they're opposed to closing Rikers for that reason. And they have powerful allies in City Hall right now.

LAURA FLANDERS: Which is to say they're big backers of the current Mayor, Mayor Adams, Eric Adams.

NICK PINTO: That is the case.

LAURA FLANDERS: Where do you stand on the neighborhood jail plan, PA Williams?

JUMAANE D. WILLIAMS: It's not, you know, it's not something that I would say I wholeheartedly, oh this is great, we're going to do this, but this is something we have to do and this is now the law, so we have to move forward. Out of sight, out of mind. And the Rikers Island has been out of sight for such a long time. I think that's part of the reason that we allow people to

languish there. And I think as leaders if we would take the time to have a conversation instead of trying to fit the 30-second sound bite, public safety doesn't fit in within 30 seconds, take the time to walk New Yorkers through a plan that will help keep them safe. They are ready for that. And closing Rikers and moving forward with the law is part of that.

LAURA FLANDERS: There were 19 deaths last year I think, matching historic high, one already this year. There have been many other stories that have hit the headlines over the years. Is there one that stands out to you? One perhaps that I don't know propelled you into your work on this issue?

JUMAANE D. WILLIAMS: You know, when it comes to solitary, Layleen Polanco's name comes up. Very often when it comes to bail reform, Kalief Browder, the name, that comes up a lot. But I guess what I want to say is that I don't think any of the people who died and I may be incorrect, were serving time. I believe most folks were waiting to have their cases heard. That's something that we have to always reiterate, 80% of the folks who are in Rikers are simply waiting to have their case heard. And I believe it's something like 50 or more percent actually are dealing with mental health issues. Rikers Island is the largest mental health institution in North America. And so we are talking about folks that don't necessarily need to be housed in a jail like that while they're waiting for their day in court. And I also always mention we should all be on the same page trying to push for speedy trial but the fact that people have to wait on theirs 1, 2, 3 years makes absolutely no sense at all.

LAURA FLANDERS: Why is ending solitary in city jail so important?

JUMAANE D. WILLIAMS: Solitary is torture. It really is, sitting by yourself in a small cell. It's torture. And as I said, so many of the folks on Rikers are dealing with mental health issues. It's torturous for someone who goes in there without mental health issues. Can you imagine if you have them and you're sitting in solitary, and it does not make anyone safer.

- When people ask me to describe my time in solitary confinement, the only word I can use is torture. And I was also there as a detainee. I wasn't found guilty of anything. I was there waiting a speedy trial, a speedy trial for three years, 27 months of solitary confinement for them to tell me, you know what? Oops, not guilty. Go home.

LAURA FLANDERS: There's harm to people. And then to be crass about it, there's also harm to city budgets. I mean, when the city has to pay out for offenses by officials or the staff or the guards, who actually has to pay the money, Nick, where does that money come from?

NICK PINTO: That comes out of city funds, you know, paid by taxpayers. You know, it's not just settlements that we think of when we talk about those costs. It's also just incredibly expensive to

lock people up on Rikers. It's an oft-cited statistic that it would actually be cheaper to send everyone on Rikers to an Ivy League university than it would be to keep them locked up.

LAURA FLANDERS: A lot of the discussion these days is about who is responsible and who could be responsible for closing Rikers. And for this whole situation. 12 years ago in a federal government decision after a case brought by Rikers detainees and advocates, the violence there was deemed bad enough that it was a violation of the Constitution and a federal monitor was overseen to make sure that there were changes. Where does that stand today, Nick?

NICK PINTO: The situation now is that that court continues to check in with the monitor several times a year. And there are public hearings where the monitor explains his periodic reports and talks about the progress the city's making and very little else happens. Attorneys for the class of people who are held at Rikers in over the last year have been pushing the judge to order a takeover of the jail system and take it out of New York City's control. And the judge is very reluctant to do that. There is some, there's some federal law that makes it difficult for her to do it. And I think also it's not a problem that she wants to go out of her way to own on her own, in any case.

LAURA FLANDERS: Do you think the situation would be better if it was taken out of city hands?

NICK PINTO: There's some technical reasons to think that it might be. One is that a lot of what holds the situation locked into its current position are union contracts and even employment law that give the guards enormous leeway and make it very difficult for the city to change how they do their business. And a federal overseer for the courts would be able to cut, would be empowered to cut through those contracts and that law, which is another reason why the guards are very opposed to it.

LAURA FLANDERS: It did look for a moment there as if we were making some progress. I mean, the population of people detained is going to have to shrink if they're going to fit into those neighborhood-based jails. The numbers were coming down a while ago. They now seem to be going back up. Do I have that right Nick?

NICK PINTO: Yeah, you do. The numbers went down, I think they were down in the 3000 range right around, they let a lot of people, a lot of vulnerable sick and elderly people out in the first flush of Covid. And that was sort of the culmination of a long, years' long drawdown in in the population of Rikers. And since that time, the population has been going up and that's due to a lot of factors. Some of it has to do with the change of administration. I mentioned the new mayor. A lot of it has to do with change in the political winds. I would say, and a backlash against the sort of rollback of mass incarceration that was progressing several years ago. We now

are seeing at the state level, even at the federal level and certainly at the city level, a political coalition of Republican politicians and district attorneys and law enforcement as well as conservative news media who share a sense that there's something to be gained by portraying crime in the city as out of control. And in suggesting that the only solution to that is to lock more people up. And when we lock more people up, they go to Rikers.

JUMAANE D. WILLIAMS: I think people will be surprised when they hear that there's less people in, there was less people in Rikers pre-pandemic. Everybody thinks that the quote unquote lefties let everybody out. And there's actually more people in there now. And also to add to what Nick was saying it's not just Republicans, unfortunately it's Democratic leaders who are using Republican-like talking points because they are afraid of having a real conversation.

LAURA FLANDERS: This situation is not isolated to New York City. To what extent is this Rikers crisis reflective of a bigger national problem?

NICK PINTO: Detention in this country is in the main, both broken and inhumane and the systems that send people there remain largely unfair and extremely racist. So in that sense, Rikers is sort of a microcosm of larger issues with how this country feels about mass incarceration and what it's willing to do and what it's not willing to do to step away from 50 years of mass incarceration.

LAURA FLANDERS: I sometimes think that we need not just an economic and political shift, we need a spiritual shift in our relation to one another. Obviously in our relation to race and racism and gender and homophobia and misogyny but sometimes just a connection. And much as I'm against more jails, PA Williams, I do think perhaps having them closer to more of us where we live would improve or increase at least our consciousness of what we're responsible for.

JUMAANE D. WILLIAMS: I think that is correct, a hundred percent correct. A part of it is sometimes people say they want to deal with a problem or fix it when they mean they don't want to see it. So when we don't want to see the buildings that people are housed in, when we don't want to see homeless people, a lot of bad things happen because there are real decisions that have to be made on real human beings. And sometimes when it comes to jail, we assume guilt for everyone that's there and we assume, you know those folks over there as opposed to us all together. And so that spiritual thinking I think is important to remember. This is all of us and the more we isolate as us versus them, you know, it's us today, we're them tomorrow.

LAURA FLANDERS: We just had Chuck D on this program not so long ago talking about the situation in the seventies and the eighties and the early nineties. It's not as if this has ever been an easy walk in the park to decrease incarceration or to shut down a jail.

JUMAANE D. WILLIAMS: So in the years I've been doing this, this is the first time I've seen a population of folks in the city and the state who are ready to receive a conversation that's holistic around public safety and we're squandering it. People understand now what public safety is in a much better way. And so when people are afraid, if you feed that fear the answer has been lock up as many Black and Brown people as humanly possible all the time. And now we're saying let's just lock up the children of the people we locked up 20 years ago.

LAURA FLANDERS: Now this is a national conversation, but we are all of us New Yorkers in this discussion right here and our precious city is involved right now, is gripped by grief and outrage over something that happened in our subways. A young man, Jordan Neely, spent much of his young life houseless, performed on those subways, was killed by a fellow subway rider. Clearly this was a man who needed help. To what extent is our conversation different today and what kind of help do we need to bring to this city to improve safety and care for all?

JUMAANE D. WILLIAMS: You know, Jordan spent time in hospitals, cycled out, spent time in Rikers Island, came out. He was failed a lot of different ways and we have been pushing for a long time, I actually put out a report on what we need to do and how we're doing in those areas in the city around mental health in particular.

LAURA FLANDERS: I mean, you have said we need to invest along with divesting from incarceration. We need to invest in other measures, like what?

JUMAANE D. WILLIAMS: We have put out a report discussing that we need to have respite centers and places where people can go in immediate times to get the assistance. In respite centers, you don't need to have a doctor's note. You don't need to have a diagnosis. You can just go in and get the assistance that you need. We need to make sure that we're getting people into housing that is supportive and has supportive measures there. We need to make sure there's a continuum of care but we seem to get stuck at the immediacy of a tragedy like Michelle Go, a tragedy like Jordan Neely, and we feed off of the emotions of that in a way that's not helpful and has not gotten us to where we need to go, and what we need is leaders who will stand up and say, no, this is the plan, this is what we're going to do. But I feel like most folks are trying to figure out how to win their next election as opposed to how to help New Yorkers.

LAURA FLANDERS: Well there have been a lot of people elected on a criminal justice reform program and successfully so, I'm thinking of Brandon Johnson in Chicago. It's not a rare thing these days even though you don't get a lot of attention to the details. But coming to you Nick, do you agree that there is a roadmap for change? Just a lack of political will?

NICK PINTO: I think that's right. I mean there is literally a roadmap, there is a plan to close Rikers that we are currently deviating from. And so yes, I think it is a question of political will

and I think the sort of education that's necessary to bring the voting public along with the sort of change is difficult and it's and it's especially difficult in the face of a concerted fear mongering campaign.

LAURA FLANDERS: Well, that takes me to the media piece. I mean, you talked about an argument, an argument has to be carried somehow. Politicians do their best, but we need media megaphones. It does seem to me there's a very big one, in fact quite a few arguing the tough on crime so-called line. Do you want to reflect on the media here for a bit?

NICK PINTO: Sure. The media, I would say in the aggregate, has been absolutely terrible on these issues. You know, at the far extreme the New York Post is a Rupert Murdoch owned tabloid that I think it's fair to say has a political agenda in pushing the narratives of fear and the crime scare. But it's not limited to that. You know, other tabloids and newspapers and especially local TV news, are extremely invested in news cycles that revolve around frightening anecdotal incidents of crime. That's just something that collects eyeballs. It's good for the business model even if it's not reflective of reality or good for society.

JUMAANE D. WILLIAMS: Yeah. I just want to point out how impactful it is and you can go back and listen to yourself. The governor, when discussing bail reform, said she was responding to headlines that she saw in the media. That's incredible. That is incredible that you would say that out loud instead of looking at the evidence, looking at the data, and helping our state figure out how best we should move forward. We're looking at headlines like the New York Post's as salacious as they want to be, to help move us in a direction that we know is harmful even though the data says something else. And I think people will be, people do not believe that New York City is actually one of the safest big cities in this country right now. They wouldn't believe it, but it's true.

LAURA FLANDERS: Well, I close these conversations usually by asking my guests what they think the story will be that the future tells of this moment. And I know that you, that this is a frustrating story but maybe the arc is in fact tilting in the right direction. Nick, starting with you what do you think is the story the future will tell and if you have to go forward 50 years, go for it.

NICK PINTO: Yeah, I, it's hard for me to draw a great deal of optimism for the near foreseeable future. But I suppose that in some distant date when people have changed the way they think about crime and punishment and what constitutes a healthy community, they will look back at this time in horror and dismay. I'm not sure how we can get from here to there.

JUMAANE D. WILLIAMS: I'm not sure what the future generation will say. I think they may be dismayed, hopefully once they get it right, of how long it took and the moral blight that stained

our community. But I also, I always often say, I often say that the future's looking at us. Our children are looking at us, who are unborn saying, don't forget about us. Please remember us, in the decisions that we're making and sometimes I don't know that we are thinking of them.

LAURA FLANDERS: Well, thank you both. It's been a challenging conversation. Thank you for your work on the story and we'll continue to follow it.

JUMAANE D. WILLIAMS: Thank you. Peace and blessings to everyone.

NICK PINTO: Thank you.

LAURA FLANDERS: What's going to break the log jam around closing Rikers jail? Well, maybe stirring up a little east coast - west coast competition would help. After all, there's nothing New Yorkers like less than being ill favorably compared to Californians. But just look at what's coming out of the leadership of California versus the Mayor's office on this issue of criminal justice reform and decarceration. From Governor Gavin Newsom, a \$20 million bold plan to transform infamous San Quentin prison into a kind of Norwegian style rehabilitation center set, as he puts it, on breaking the cycles of crime. Out of Mayor Adams' office, a miserly budget cut. In this year's budget Mayor Adams proposes saving \$17 million by cutting the contracts with the service providers who've been offering Rikers detainees rehab classes and help finding housing and getting off drugs. Is that any kind of a way to stir up excitement about transformation in the prison system in New York? Mayor Adams? I don't think so. Let's face it. Maybe Governor Newsom's plan will find lots of devils in the details, but at least it's a vision people can get excited about. One of the reasons people aren't excited about closing Rikers is that it looks like instead of a new plan, they are simply a transition to many Rikers' in people's backyards. What we need is more bolder vision and those visions are out there in this area. What they need is more attention and more attention today with the voices of former detainees being heard. We'll be following the story as it develops. In the meantime, stay kind, stay curious and if you want to hear the full version of today's conversation, sans cuts, subscribe to our free podcast. All the information is at our website. Till the next time, for the Laura Flanders Show. I'm Laura. Thanks for joining me. For more on this episode and other forward thinking content subscribe to our free newsletter for updates, my commentaries and our full uncut conversations. We also have a podcast, it's all at LauraFlanders.org.