INVEST IN COMMUNITIES, NOT IN JAILS

On any given day, 25,000 New Yorkers are caged in county jails across our state. More than 16,000 are in jails outside of New York City. The abuse that occurs in these jails is rampant. Human rights violations, racial disparities, violence, and medical neglect are commonplace. New York's jails are unjust, unsafe and inhumane. Despite a steady decrease in crime, numerous county jails have grown - some even doubling in size - at great cost to taxpayers.

At a time when families are struggling with rising property taxes, counties across New York are consistently spending more on jails than on education, mental health services, or other investments to support communities facing significant economic challenges and hardships. For example, some counties have constructed new jails and expanded old ones at great costs - both human and financial - to local communities.

70% of people in New York's jails are legally innocent. They have not been convicted but are denied their freedom and forced to languish in pretrial incarceration because of New York's unfair bail, discovery, and speedy trial laws. This is a mockery of justice. The U.S. Constitution guarantees the right to a fair and speedy trial. But these rights are consistently violated in New York State. Thousands languish in jail for months and even years. Jail stays of any length have devastating impacts on individuals, families, and communities. Incarceration leads to the loss of jobs, housing, and parental rights. New York can and must do better. New York must boldly overhaul our pretrial justice system and pass REAL bail, discovery and speedy trial reform.

NEW YORK'S JAILS: BY THE NUMBERS

- Every year, more than 162,000 New Yorkers are locked up in county jails outside of New York City. 62% of jailed New Yorkers are held in the state's other 57 counties.
- On a daily basis, more than 25,000 New Yorkers are caged in county jails, 16,000 of whom are in jails outside of New York City.[1]
- 70% of New Yorkers who are held in county jails are legally innocent and are being held pre-trial.[2]
- The cost of caging New Yorkers in county jails costs nearly $2.5 billion per year - $1.3 billion per year in New York City, and $1.15 billion per year in county jails across the rest of New York State. This is *in addition* to the $3.7 billion per year New Yorkers spend annually on state prisons.[3]

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[1] http://www.criminaljustice.ny.gov/

[2] http://assembly.state.ny.us/Reports/WAM/2018yellow/; http://www.criminaljustice.ny.gov/

[3] www.newyorkupstate.com/news/2017/07/data_cost_per_prisoner_in_new_york_tops_other_states.html

- Rural New York has seen the largest growth in pretrial incarceration. In Allegany County, the jail population has nearly tripled in recent years,[4] and in Essex County it has more than doubled.[5] In St. Lawrence, the average length of stay has doubled in the last decade.[6]

- The number of women caged in New York State's jails has more than quadrupled from 649 in 1978 to 2,656 women in 2015.[7] An astonishing 68% of women in New York's county jails suffer from mental health issues.[8]

- Every day, more than 2,400 New Yorkers are caged in county jails for technical parole violations, held even though they have not even been charged with a new criminal offense, with nearly 1,000 of the people who held on such violations jailed outside of New York City.[9]

- Because of New York's unjust criminal court process, an incredible 98% of criminal cases are resolved by plea deals, rather than by going to trial.[10]

- New York's criminal punishment system has also resulted in enormous racial disparities. For example, Black New Yorkers make up 43% of the state's jail population, but only 15.5% of the state's overall population.[11]

- County jails wreak havoc on local budgets. Many of the state's largest counties, including Albany, Erie, Nassau, Oneida, Onondaga, Suffolk, and Westchester, spend more money on county jails than they do on education, healthcare, or economic development. These resources would be far better spent on investing in communities and creating local job opportunities.

- In New York's nearly 1300 town and village courts,[12] or, "justice courts", people charged with criminal offenses often appear at arraignment without access to a lawyer, appearing in front of a judge who may not be a lawyer, and are subsequently jailed without access to pretrial services.[13]

- Conditions in New York State jails are deplorable. Nassau County was forced to change its medical provider after a number of deaths from "systemic deficiencies" and a failure "to perform basic minimally accepted standards of medical care."[14] Suffolk County was sued over living conditions that included detainees sleeping among sewage and vermin,[15] and Westchester County remains under federal supervision for its failure to control violence in its jails.[16]

- New York State's court system is slow moving and becoming more clogged with cases each year. The average length of stay for someone in jail is 39 days, though many individuals remain caged for far longer.[17] For example, In 2015, Salladin Barton, a man with mental health issues died in the Broome

[4] http://trends.vera.org/rates/allegany-county-ny?incarcerationData=all

[5] http://trends.vera.org/rates/essex-county-ny?incarcerationData=all&admissions=count

[6] http://trends.vera.org/rates/st-lawrence-county-ny?incarcerationData=all&admissions=count

[7] http://trends.vera.org/rates/allegany-county-ny?incarcerationData=all

[8] Bureau of Justice Statistics, https://www.bjs.gov/content/pub/pdf/imhprpji1112.pdf

[9] https://data.ny.gov/Public-Safety/Jail-Population-By-County-Beginning-1997/nymx-kgkn/data;
http://justicelab.iserp.columbia.edu/img/Less_is_More_in_New_York_Report_FINAL.pdf

[10] https://www.nytimes.com/2017/08/07/nyregion/defendants-kept-in-the-dark-about-evidence-until-its-too-late.html?_r=0&mtrref=theoutline.com&gwh=6BE48B29370DAE62C8FD902ECA7660D9&gwt=pay

[11] http://trends.vera.org/rates/allegany-county-ny?incarcerationData=all

[12] https://www.nycourts.gov/courts/townandvillage/

[13] https://www.vera.org/state-of-incarceration/drivers-of-jail

[14] https://www.newsday.com/long-island/nassau/state-agency-faults-medical-care-provided-by-vendor-at-nassau-jail-1.14192308

[15] https://www.newsday.com/long-island/suffolk/judge-suffolk-suit-over-jail-conditions-can-proceed-1.4851321

[16] https://www.lohud.com/story/news/local/westchester/2017/03/01/westchester-jail-doj/98538464/

[17] https://www.vera.org/state-of-incarceration/drivers-of-jail

County jail under questionable circumstances after waiting more than a year and a half for his trial to begin. His death was one of several recent deaths at jail in recent years.[18]

- The for-profit bail industry preys on the families of the people who languish in our jails, and makes between $1.4 and 2.4 billion per year by exploiting our broken system.[19]

- New York City-based research showed that the likelihood of a conviction jumped from 50% to 92% when people remain jailed while awaiting trial, and there is reason to believe that the statistics are similar for people who are held in jails outside the city.

NEW YORK'S JAIL CRISIS: COUNTY SNAPSHOTS

Albany County

- 6,363 people were jailed in Albany County in 2016.[20]

- 616 people are caged daily in Albany County, nearly 400 of whom are pretrial detainees and legally innocent.

- 36 people are caged daily in Albany County for technical parole violations, meaning that they have not even been charged with a new criminal offense.

- The average length of stay in Albany County Correction Facility is 34 days, though some people remain caged for far longer.[21]

- Albany County's incarceration rate is 50% higher than the state average.[22]

- Albany County spends $38 million per year on its jail, more than the county spends on education or healthcare.[23]

Broome County

- 5,950 people were jailed in Broome County in 2016.[24]

- 505 people are caged daily in Broome County, nearly 400 (76%) of whom are pretrial detainees and legally innocent.

- Broome County's incarceration rate is more than double the state average.[25]

- Each year Broome County spends $22 million its jails, more than it spends on education.[26]

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[18] https://prisonreformmovement.wordpress.com/2015/12/15/the-ghosts-of-broome-county-jail/

[19] "Selling Off Our Freedom: How insurance corporations have taken over our bail system," https://d11gn0ip9m46ig.cloudfront.net/images/059_Bail_Report.pdf

[20] http://trends.vera.org/rates/albany-county-ny?incarcerationData=all&admissions=count

[21] https://www.vera.org/state-of-incarceration/data-clearinghouse

[22] https://www.vera.org/state-of-incarceration/data-clearinghouse

[23] http://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovResultsCompare.cfm

[24] http://trends.vera.org/rates/broome-county-ny?incarcerationData=all&admissions=count

[25] https://www.vera.org/state-of-incarceration/data-clearinghouse

[26] http://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovResultsCompare.cfm

- In 2015, Salladin Barton, a man with mental health issues died in the jail under questionable circumstances after waiting more than a year and a half for his trial to begin. His death was one of several recent jail deaths in recent years.[27]

Erie County

- 16,681 people were jailed in Erie County in 2016.[28]
- 1183 people are caged daily in Erie County, 690 in Erie County Correctional Facility and 493 in Erie County Holding Center.
- 753 (64%) are pretrial detainees and legally innocent.
- 98 people are caged daily in Erie County for technical parole violations, meaning that they have not even been charged with a new criminal offense.
- Erie County spends $83 million per year on its jail, more than the county spends on education or healthcare.[29]

Monroe County

- 11,682 people were jailed in Monroe County in 2016.[30]
- 1319 people are caged daily in Monroe County in one of its two jails, more than any county outside of New York City.
- Nearly 800 people caged in Monroe County are pretrial detainees and legally innocent, and 72% of those people are held with bails of $1,000 or less.[31]
- 109 people are caged daily in Monroe County for technical parole violations, meaning that they have not even been charged with a new criminal offense.
- Monroe County's incarceration rate is 40% higher than the state average.[32]
- Monroe County spends more $71 million per year on its jail.[33]

Nassau County

- In 2015, 17,380 people were jailed in Nassau County – the most in the county's history.
- 1157 people are caged daily in Nassau County, nearly 900 (76%) of whom are pretrial detainees and legally innocent.[34]
- 43 people are caged daily in Nassau County for technical parole violations, meaning that they have not even been charged with a new criminal offense.
- Nassau County was forced to change its medical provider after a number of deaths from "systemic deficiencies" and failure "to perform basic minimally accepted standards of medical care."[35]

[27] https://prisonreformmovement.wordpress.com/2015/12/15/the-ghosts-of-broome-county-jail/

[28] http://trends.vera.org/incarceration-rates?data=pretrial&fips=36055

[29] http://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovResultsCompare.cfm

[30] http://trends.vera.org/rates/monroe-county-ny?incarcerationData=all&admissions=count

[31] https://www.vera.org/state-of-incarceration/drivers-of-jail

[32] https://www.vera.org/state-of-incarceration/data-clearinghouse

[33] http://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovResultsCompare.cfm

[34] https://www.vera.org/state-of-incarceration/drivers-of-jail

[35] https://www.newsday.com/long-island/nassau/state-agency-faults-medical-care-provided-by-vendor-at-nassau-jail-1.14192308

- The county jail has been plagued by violence for years.[36]
- Nassau County spends more than $150 million per year on its jail, more than the county spends on education.[37]

Oneida County

- 3,382 people were jailed in Oneida County in 2016.[38]
- 483 people are caged daily in Oneida County, 271 (58%) of whom are pretrial detainees and legally innocent.[39]
- 39 people are caged daily in Oneida County for technical parole violations, meaning that they have not even been charged with a new criminal offense.
- The average length of stay in Oneida County Correction Facility is 45 days – one of the longest in the state, though some people remain caged for far longer.[40]
- Oneida County's incarceration rate is 71% higher than the state average.[41]
- Oneida County spends $22 million per year on its jail, more than the county spends on healthcare.[42]

Onondaga County

- 11,807 people were jailed in Onondaga County in 2016.[43]
- 1074 people are caged daily in Onondaga County, 644 of whom are pretrial detainees and legally innocent. Onondaga County has two jails, the "Justice Center" in Syracuse, and the Jamesville Correctional Facility.[44]
- 68 people are caged daily in Onondaga County for technical parole violations, meaning that they have not even been charged with a new criminal offense.
- The average length of stay in Onondaga County Correction Facility is 32 days, though some people remain caged for far longer.[45] This is the slowest the county's court system has moved in its history.[46]
- Onondaga County's incarceration rate is 83% higher than the state average.[47]
- Onondaga County spends $71 million per year on its jails, more than the county spends on education, healthcare or economic development.[48]

[36] https://www.newsday.com/long-island/crime/nassau-jail-violence-escalates-five-slashings-in-a-week-1.11527972

[37] http://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovResultsCompare.cfm

[38] http://trends.vera.org/rates/oneida-county-ny?incarcerationData=all&admissions=count

[39] https://www.vera.org/state-of-incarceration/data-clearinghouse

[40] https://www.vera.org/state-of-incarceration/data-clearinghouse

[41] https://www.vera.org/state-of-incarceration/data-clearinghouse

[42] http://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovResultsCompare.cfm

[43] http://trends.vera.org/rates/onondaga-county-ny?incarcerationData=all&usage=los&admissions=count

[44] https://data.ny.gov/Public-Safety/Jail-Population-By-County-Beginning-1997/nymx-kgkn/data

[45] https://www.vera.org/state-of-incarceration/data-clearinghouse

[46] http://trends.vera.org/rates/onondaga-county-ny?incarcerationData=all&usage=los

[47] https://www.vera.org/state-of-incarceration/data-clearinghouse

[48] http://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovResultsCompare.cfm

Orange County

- 5,968 people were jailed in Orange County in 2016.[49]
- 669 people are caged daily in Orange County, nearly 300 of whom are pretrial detainees and legally innocent.
- 34 people are caged daily in Orange County for technical parole violations, meaning that they have not even been charged with a new criminal offense.
- The average length of stay in Orange County Correction Facility is 37 days, though some people remain caged for far longer.[50]
- Orange County's incarceration rate is 41% higher than the state average.[51]
- Orange County spends $41 million per year on its jail.[52]

Suffolk County

- 14,777 people were jailed in Suffolk County in 2015.[53]
- 1237 people are caged daily in Suffolk County – 588 at Riverhead County Facility, and 649 at Yaphank County Facility.[54] Nearly 800 (64%) are pretrial detainees and legally innocent.[55]
- 81 people are caged daily in Suffolk County for technical parole violations, meaning that they have not even been charged with a new criminal offense.
- The average length of stay in Suffolk County jails is 38 days, though some people remain caged for far longer.[56]
- Suffolk County spends $162 million per year on its jails, more than the county spends on healthcare.[57]
- Suffolk County has been sued over the deplorable conditions of its jails, which require people to sleep among sewage and vermin.[58]

Westchester County

- 6,193 people were jailed in Westchester in 2016.[59]
- 1038 people are caged daily in Westchester County jails, 638 (61%) of whom are pretrial detainees and legally innocent.[60]
- 49 people are caged daily in Westchester County for technical parole violations, meaning that they have not even been charged with a new criminal offense.[61]

[49] http://trends.vera.org/rates/orange-county-ny?incarcerationData=all&admissions=count

[50] https://www.vera.org/state-of-incarceration/data-clearinghouse

[51] https://www.vera.org/state-of-incarceration/data-clearinghouse

[52] http://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovResultsCompare.cfm

[53] http://trends.vera.org/rates/suffolk-county-ny?incarcerationData=all&incarceration=count&admissions=count

[54] https://data.ny.gov/Public-Safety/Jail-Population-By-County-Beginning-1997/nymx-kgkn/data

[55] https://www.vera.org/state-of-incarceration/drivers-of-jail

[56] https://www.vera.org/state-of-incarceration/data-clearinghouse

[57] http://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovResultsCompare.cfm

[58] https://www.newsday.com/long-island/suffolk/judge-suffolk-suit-over-jail-conditions-can-proceed-1.4851321

[59] http://trends.vera.org/rates/suffolk-county-ny?incarcerationData=all&incarceration=count&admissions=count

[60] https://data.ny.gov/d/udx7-udhw/visualization

[61] https://data.ny.gov/d/udx7-udhw/visualization

- The average length of stay in Orange County Correction Facility is 61 days, though some people remain caged for far longer.[62]
- Every year, Westchester taxpayers spend more than $144 million caging people in Westchester County jails, more than it spends on healthcare or economic development.[63]
- Westchester County Jail remains under Department of Justice monitoring due to its documented history of excessive force.[64]

The #FREEnewyork campaign is led by JustLeadershipUSA in partnership with directly impacted people and more than 250 statewide organizations and faith leaders. #FREEnewyork is organizing to ensure that Governor Cuomo completely overhauls New York State's pretrial justice system to reflect New Yorkers' values and stop the harm caused to individuals, families, and communities, by the criminal justice system.

LEARN MORE!
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[62] https://www.vera.org/state-of-incarceration/data-clearinghouse

[63] http://wwe2.osc.state.ny.us/transparency/LocalGov/LocalGovSearchCompare.cfm

[64] https://www.lohud.com/story/news/local/westchester/2017/03/01/westchester-jail-doj/98538464/