

The Path to Closing Rikers: FEDERAL RECEIVERSHIP

RIKERS

IN CRISIS **RECEIVERSHIP NOW**

What is receivership?

When a local or state government proves **unable or unwilling** to improve a public institution, a federal court can take control and appoint a non-partisan “receiver” to reform it. This process is designed for the kind of long standing dysfunction ripping Rikers Island.

Receivers are given broad and expansive powers to **solve complex problems in crisis without political interference**. On Rikers, a receiver could hire and fire personnel, set an appropriate budget, hold staff accountable for misconduct, and change flawed systems. It can succeed where generations of mayors – including Mayor Adams – have failed.

Receivership is a step towards ensuring successful reforms and the closing of Rikers Island by or before 2027. In this case, it would hold Mayor Adams accountable to his legal obligation to close Rikers by 2027.

Now is the time. Receivership can end a decade-long culture of mismanagement and corruption on Rikers, and begin a new era of a **smaller, safer, and more accountable justice system**. It is necessary to act as a stop gap to prevent further human suffering, including deaths, and improve the inhumane conditions.

Has receivership been used to save lives and mitigate harm in jails or prisons before?






YES. **California's** prison healthcare system has been under receivership since 2005. Receivership has helped the state comply with a court-ordered prison population limit. The **District of Columbia's** health and mental care jail system was under receivership from 1995-2000, and operations significantly improved at a facility once beset by tuberculosis outbreaks, high suicide rates, and woeful AIDS treatment. Receivership also improved operations for statewide systems in **Michigan**, and in **Alabama** where receivership operated with the oversight of a five-member panel of prison experts and lawyers.

Does receivership mean that the federal government is going to run Rikers?

NO. A receiver is an appointed person or group of people who report directly to the federal judge. A receiver is **free from political constraints** and is equipped with tools and resources missing from a City-led plan.

What becomes possible with a receiver in place?

Receivers can change internal policies that have enabled a culture of violence and neglect. **A receiver will be able to override:**

-  **Unlimited sick leave** for uniformed staff, which has created understaffed posts and extreme violence despite being the best-staffed jail system in America;
-  **Hiring practices** that mandate internal promotions to key roles, which ensures the people running Rikers have been trained by those who contributed to its failed culture;
-  **A sluggish, inefficient disciplinary system** that inhibits accountability and erodes trust;
-  **Budget crunches** that have left aging facilities to crumble into unsafe conditions;
-  **Bloated, incompetent administrative practices** that mismanage overtime spending, staffing plans, promotions, and housing decisions.

Source: HERNANDEZ D. STROUD, Op-ed: “The Only Way Forward for Rikers Island: A Federal Judge Should Put The Place into Receivership.” <https://www.nydailynews.com/opinion/ny-oped-the-only-way-forward-for-rikers-island-20211227-kby64fh6djcbhbdbqalnmqtqocq-story.html>