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Independent Commission on New York City Criminal Justice and Incarceration Reform

TESTIMONY OF JUDGE MATTHEW D'EMIC TO THE NEW YORK CITY COUNCIL ON SEPTEMBER 5, 2019

Good afternoon. My name is Matthew D'Emic and I am the administrative judge for criminal matters in Kings County Supreme Court. I am also a member of the Independent Commission on New York City Justice and Incarceration Reform, commonly known as the Lippman Commission.

Thank you for this opportunity to testify in favor of the city's application for a borough-based jail system.

When former Chief Judge Lippman asked me to join his commission, I was highly skeptical of the idea that Rikers Island could or should be closed.

However, after a year of meetings and listening to the experiences of former Rikers detainees, their families, correctional, mental health and other experts, and most importantly, visits to Rikers, I am now firmly convinced that we as a community have no other choice.

I am also the presiding judge in the Brooklyn mental health court and, in that capacity, have experienced the decompensation of accused individuals on Rikers Island and its deeply dehumanizing effect on people living with serious mental illness.

Smaller, local facilities will certainly be a better option for them. In fact, for all incarcerated defendants, jails that are close to the courts, their families and their attorneys, as opposed to the isolated outpost that is Rikers, serve justice and alleviate inequalities unworthy of our city. I contend that now is the time to choose progress over retreat before this opportunity evaporates for generations.

There are many practical reasons to close Rikers. Having witnessed the decrepit, dank conditions in which we house detainees and the spirit-crushing travel to and from the island both for them and their families, there is one overriding reason for closing it: its abasement of human dignity.

No person, no matter the accusation, should lose his or her personal dignity. Whatever insults human dignity, dishonors us.

Rikers Island dishonors us.

Thank you for your courtesy.