



## FACT SHEET

# APPOINTING A FEDERAL RECEIVER AT RIKERS

New Yorkers are deeply concerned about the ongoing crisis on Rikers Island. The conditions at New York City's massive jail complex are horrific and life-threatening for human beings – the people incarcerated and those who work there.<sup>1</sup> Violence is rampant.<sup>2</sup> Racism and other types of bias are deeply entrenched.<sup>3</sup> Though Black and Latinx people constitute about half of the city's population, they represent roughly 90 percent of jail admissions.<sup>4</sup> Rikers must be shut down.

For years, community groups and advocates have worked to reduce the city's jail populations and shut down Rikers. That work continues. Now, as the crisis worsens and the death toll rises, the federal courts are becoming more deeply involved and could order an independent receiver to take control of Rikers.

This fact sheet provides information about what a federal receiver is and does, and how having a receiver could be an important step in the fight to improve conditions for people who are detained at Rikers. People and families directly impacted by Rikers, along with community and advocacy groups, know that the jail complex must be shut down – and until then, we must do everything we can to improve the conditions for people who are detained there and who work there. That is why a growing number of community groups and city, state, and federal officials are calling for a federal receiver to take over at Rikers.

## WHAT IS A FEDERAL RECEIVER?

As the Brennan Center for Justice describes, “When a local or state government proves unable or unwilling to improve a distressed public institution that has long defied federal law, a federal court can take the troubled entity out of the government's hands and appoint a ‘receiver’ – a nonpartisan expert – to assume direct control, with an eye towards reform.”<sup>5</sup> A federal receiver is not a panacea but could cut through the red tape and political obstacles that contribute to the ongoing cycle of chaos at Rikers and improve conditions for people incarcerated and employed there.

## HOW HAVE FEDERAL COURTS BEEN INVOLVED AT RIKERS AND WHAT IS THE PATH TO RECEIVERSHIP?

On August 18, 2011, the Legal Aid Society filed a lawsuit in federal court on behalf of incarcerated young people who had experienced terrible violence at Rikers, in a case known as *Nunez and United States v. City of New York*.<sup>6</sup> In January 2012, the U.S. Attorney's Office for the Southern District of New York (SDNY) started an investigation into the dire conditions on Rikers Island under the Civil Rights of Institutionalized Persons Act. By December 2014, the U.S. Department of Justice joined the Legal Aid lawsuit against the DOC.<sup>7</sup>

On October 21, 2015, the parties agreed to a consent settlement, with the DOC responsible for prohibiting certain types of force, reporting all incidents in which staff used force on an incarcerated person, installing thousands of wall-mounted cameras, no longer placing people under age 18 in any punitive isolation, and more.<sup>8</sup> U.S. District Court Judge Laura Taylor Swain also appointed corrections consultant Steve Martin as a federal monitor with the role of visiting Rikers, assessing conditions, and writing reports every four months on the progress of the consent agreement.

# THE FIGHT TO SHUT DOWN RIKERS CONTINUES AS WE CALL FOR A FEDERAL RECEIVER IMMEDIATELY.

For years, the federal monitor has filed reports documenting the outrageous levels of violence and dysfunction at Rikers, but without pressing for the next step of real federal intervention to change the situation there.<sup>9</sup> Under Mayor Eric Adams, the violence on Rikers Island has been out of control. The levels of violence are so egregious that in April 2023, federal prosecutors from the SDNY wrote, “**The jails continue to be plagued by an extremely high level of violence and disorder. Incarcerated people and corrections staff continue to face an imminent risk of harm on a daily basis.**”<sup>10</sup> At least 31 people have died in the city’s jail system since Adams took office in 2022.<sup>11</sup>

People impacted by Rikers, community organizations, and advocates have worked to shut down Rikers and hold Adams accountable while demanding federal action. Katal and allied groups have organized, held rallies outside the federal courts and protests at City Hall, confronted Mayor Adams repeatedly to demand that he close Rikers, and issued multiple statements demanding that the mayor, city council, and federal courts take action.

After years of foot-dragging by the courts, in August 2023, during an emergency conference on the crisis at Rikers – Judge Swain finally opened the door for the appointment of a federal receiver, acknowledging that “people incarcerated at Rikers are at a grave risk of immediate harm” and that “the current state of affairs is tragic and unacceptable.”<sup>12</sup> The decision about a receiver would be determined at an upcoming federal court hearing.<sup>13</sup>

## “WE CANNOT WAIT ANY LONGER FOR . . . PROGRESS TO MATERIALIZE.”

While calls for a federal receiver has circulated for some time, substantial, widespread support for a federal receiver has grown dramatically since 2022. Many elected leaders in NYC have called for a federal receiver, including Public Advocate Jumaane Williams, Comptroller Brad Lander, nearly 20 City Council members, and nearly 10 state legislators. In June 2023, community groups worked with PA Williams to introduce a city council resolution which calls for federal receivership.<sup>14</sup> On July 17, Damian Williams, the U.S. Attorney in Manhattan, joined the call for a federal receiver, describing the situation at Rikers as “a collective failure with deep roots” and saying, “We cannot wait any longer for substantial progress to materialize.”<sup>15</sup>

Mayor Adams must shut down Rikers. Until that happens, the federal courts must appoint a receiver who can help save lives and mitigate the growing crisis. We demand that the New York City Council take urgent action and pass **Resolution 183**.

# SHUT RIKERS DOWN

April 2024

TAKE ACTION TO CONTACT YOUR  
CITY COUNCIL MEMBER AT  
[KATAL.INFO/RECEIVER](https://katal.info/receiver)

For more information and to get involved, please contact:  
Melanie Dominguez, Lead Organizer  
[Melanie@katalcenter.org](mailto:Melanie@katalcenter.org) or 516-588-0127.



# KATAL

CENTER FOR EQUITY, HEALTH, & JUSTICE

[www.katalcenter.org](https://www.katalcenter.org)  
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# REFERENCES

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- <sup>2</sup> Jonah E. Bromwich and Jan Ransom. “Rikers Still ‘Unstable and Unsafe’ Under New Jails Chief, Watchdog Says.” *The New York Times*. March 16, 2022. [nytimes.com/2022/03/16/nyregion/rikers-jail-violence-report.html](https://www.nytimes.com/2022/03/16/nyregion/rikers-jail-violence-report.html).
- <sup>3</sup> Concerns about young people and about transgender, gender nonconforming, nonbinary, and intersex (TGNCNBI) people on Rikers Island and in other jails and prisons have long warranted attention. To read more about issues for TGNCNBI people in the city’s jails, see New York City Board of Correction. “Task Force on Issues Faced by TGNCNBI People in Custody.” Updated 2023. [www1.nyc.gov/site/boc/jail-regulations/task-force-on-issues-faced-by-tgncnbi.page](https://www1.nyc.gov/site/boc/jail-regulations/task-force-on-issues-faced-by-tgncnbi.page).
- <sup>4</sup> United States Census Bureau. “Quick Facts: New York City, New York.” July 1, 2021. [census.gov/quickfacts/newyorkcitynewyork](https://www.census.gov/quickfacts/newyorkcitynewyork); Bruce Western, Jaclyn Davis, Flavien Ganter, and Natalie Smith. “The Cumulative Risk of Jail Incarceration.” *PNAS* 118, No. 16. (2021). [pnas.org/doi/10.1073/pnas.2023429118](https://doi.org/10.1073/pnas.2023429118); Reuven Blau. “Racial Gap in City Jails Has Only Gotten Worse, John Jay Study Finds.” *The City*. March 2, 2023. <https://www.thecity.nyc/2023/3/2/23621862/racial-gap-nyc-jails-got-worse>
- <sup>5</sup> Hernandez D. Stroud. *The Way Forward for Rikers Island: Receivership*. Brennan Center for Justice. January 8, 2022. <https://www.brennancenter.org/our-work/analysis-opinion/way-forward-rikers-island-receivership>
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- <sup>7</sup> “Case: Nunez and United States v. City of New York.”
- <sup>8</sup> “Case: Nunez and United States v. City of New York.”
- <sup>9</sup> For links to the reports, see Tillid. “What Is the Nunez Monitorship?” <https://tillidgroup.com/projects/nunez-monitorship>
- <sup>10</sup> Steve J. Martin, Kelly Dedel, Anna E. Friedberg, Dennis O. Gonzalez, Patrick Hurley, Alycia M. Karlovich, Emmitt Sparkman, and Christina Bucci Vanderveer. *Status Report on DOC’s Action Plan by the Nunez Independent Monitor*. April 24, 2023. 27. <https://tillidgroup.com/wp-content/uploads/2023/04/2023-04-24-Status-Report-of-Action-Plan.pdf>
- <sup>11</sup> Jan Ransom and Jonah E. Bromwich. “Tracking the Deaths in New York City’s Jail System.” *The New York Times*. January 2, 2024. <https://www.nytimes.com/article/rikers-deaths-jail.html>
- <sup>12</sup> Reuven Blau. “Judge Says ‘Transformative Change’ Needed, Laying Groundwork for a Possible Rikers Takeover”. *The City*. August 10, 2023. <https://www.thecity.nyc/2023/8/10/23827946/rikers-takeover-judge-receiver>
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