



## 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. In the face of the ongoing crisis and the city's unwillingness to address it, a federal judge is moving toward appointing an *independent receiver* to take control of Rikers – an intervention of last resort that has happened only 12 times in US history.<sup>5</sup>

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 help ensure the safety of people who are detained there and who work there. **That is why over 100 community groups and dozens of city, state, and federal officials are calling for an independent 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>6</sup> A federal receiver is not a panacea, but could cut through the red tape and political obstacles that contribute to the ongoing cycles 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>7</sup> In January 2012, the U.S. Attorney's Office for the Southern District of New York (SDNY) started investigating 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 New York City Department of Correction (DOC).<sup>8</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>9</sup> U.S. District Court Judge Laura Taylor Swain also appointed an independent federal *monitor* with the role of visiting Rikers, assessing conditions, and writing reports for the court on the progress of the consent agreement.

# THE FIGHT TO CLOSE RIKERS CONTINUES AS WE CALL FOR A FEDERAL RECEIVER

For years, the federal monitor has documented the outrageous levels of violence and dysfunction at Rikers.<sup>10</sup> These reports show that under Mayor Eric Adams, the violence on Rikers Island has gotten even worse – and is 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>11</sup> At least 33 people have died in the city’s jail system since Adams took office in 2022.<sup>12</sup>

People impacted by Rikers, along with community organizations and advocates, have worked for year to shut down Rikers and hold Adams accountable while demanding action by the federal courts. Katal and allied groups have organized across the city; confronted Mayor Adams repeatedly to demand that he shut Rikers; held protests at City Hall and marches and rallies outside the federal courthouse in Manhattan; and issued multiple statements demanding that the mayor, city council, state legislature, and federal courts take swift action.

Judge Swain finally opened the door for the appointment of a federal receiver in August 2023, 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>13</sup> In September 2024, Judge Swain ordered the parties in the case to meet and develop the structure for a federal receiver at Rikers. In November 2024, Judge Swain said she was “inclined” to appoint an independent receiver.<sup>14</sup>

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

While calls for a federal receiver have circulated for many years, widespread support has grown dramatically since 2022. Many elected leaders in New York City and elsewhere in the state joined the call for a federal receiver, including New York Attorney General Letitia James, New York City Public Advocate Jumaane Williams, city Comptroller Brad Lander, Queens Borough President Donovan Richards, nearly 25 city council members, and dozens of state legislators. In June 2023, community groups worked with the public advocate to introduce a city council resolution that calls for federal receivership.<sup>15</sup>

In the November 2024 ruling, Judge Swain wrote, “The record in this case makes clear that those who live and work in the jails on Rikers Island are faced with grave and immediate threats of danger, as well as actual harm, on a daily basis as a direct result of Defendants’ lack of diligence, and that the remedial efforts thus far undertaken by the Court, the Monitoring Team, and the parties have not been effective to alleviate this danger.”<sup>16</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 ongoing crisis. **We demand that the New York City Council take urgent action and pass Resolution 183.**

# #SHUTRIKERS

**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:**  
Yonah Zeitz, New York advocacy director  
[yonah@katalcenter.org](mailto:yonah@katalcenter.org) or 347-201-2768.

# KATAL

**CENTER FOR EQUITY, HEALTH, & JUSTICE**

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

Updated January 15, 2025

# REFERENCES

- <sup>1</sup> Erica Bryant. “[It’s] a Torture Chamber: Stories from Rikers Island.” Vera Institute of Justice. February 2022. [vera.org/its-a-torture-chamber](https://vera.org/its-a-torture-chamber).
- <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. “Lessons on Receivership in Correctional Settings.” Vital City. August 2, 2023. <https://www.vitalcitynyc.org/articles/lessons-on-receivership-in-correctional-settings>
- <sup>6</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>
- <sup>7</sup> “Case: Nunez and United States v. City of New York.” Nunez and United States v. City of New York 1:11-Cv-05845 (S.D.N.Y.), Civil Rights Litigation Clearinghouse, July 10, 2023. [clearinghouse.net/case/12072](https://clearinghouse.net/case/12072)
- <sup>8</sup> “Case: Nunez and United States v. City of New York.”
- <sup>9</sup> “Case: Nunez and United States v. City of New York.”
- <sup>10</sup> For links to the reports, see Tillid. “What Is the Nunez Monitorship?” <https://tillidgroup.com/projects/nunez-monitorship>
- <sup>11</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*. February 4, 2023. <https://www.nytimes.com/article/rikers-deaths-jail.html>
- <sup>12</sup> Sam McCann and Erica Bryant. “Fifth Confirmed Jail Death in 2024 Brings New York City’s Total to 33 Under Mayor Adams.” Vera Institute for Justice. August 21, 2024. <https://www.vera.org/news/nyc-jail-deaths>
- <sup>13</sup> Reuven Blau. “Federal Judge Opens Door to Rikers Receivership Proposals.” *The City*. June 13, 2023. <https://www.thecity.nyc/2023/6/13/23759929/judge-swain-rikers-receiver-monitor>
- <sup>14</sup> Laura Taylor Swain, Chief United States District Judge. “Opinion and Order on Motion for Contempt.” United States District Court, Southern District of New York. November 2024. 56. <https://storage.courtlistener.com/recap/gov.uscourts.nysd.383754/gov.uscourts.nysd.383754.803.0.pdf>
- <sup>15</sup> New York City Council Resolution 0669-2023. “Resolution Calling on the President of the United States to Immediately Place New York City Jails in Federal Receivership. June 8, 2023. [https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6252835&GUID=6538B8E0-7680-4612-8D2F-4A62BE2E0F62&Open=Search&Search=;Katal Center for Equity, Health, and Justice. “Citywide Elected Officials and Community Groups Rally Outside Rikers to Call for Closure of Jail Complex.” June 7, 2023. <https://katalcenter.org/city-wide-elected-officials-and-community-groups-rally-outside-rikers-to-call-for-closure-of-jail-complex>; Katal Center for Equity, Health, and Justice. “Katal New York Update – June 29, 2023.” <https://katalcenter.org/katal-new-york-update-june-29-2023/>](https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6252835&GUID=6538B8E0-7680-4612-8D2F-4A62BE2E0F62&Open=Search&Search=;Katal%20Center%20for%20Equity%20Health%20and%20Justice%20-%20Citywide%20Elected%20Officials%20and%20Community%20Groups%20Rally%20Outside%20Rikers%20to%20Call%20for%20Closure%20of%20Jail%20Complex%20-%20June%207%2C%202023)
- <sup>16</sup> Federal Judge Laura Taylor Swain, “Opinion and Order on Motion for Contempt,” 11.26.24 <https://storage.courtlistener.com/recap/gov.uscourts.nysd.383754/gov.uscourts.nysd.383754.803.0.pdf>