



UNITED NATIONS ASSOCIATION  
*of the United States of America*  
A PROGRAM OF THE UNITED NATIONS FOUNDATION  
**Southern New York State Division**

September 3, 2015

Ruth Hassell-Thompson  
New York State Senator, 36<sup>th</sup> District  
959 E 233rd St,  
Bronx, NY 10466

Dear Senator Hassell-Thompson:

Thank you again for your keynote statement and participation in the consultation we held on August 5 on *“Injustice in the Criminal Justice System: A Way Forward -- A Human Rights-Based Approach.”* Your remarks on opportunities for reform at state and local levels led into important discussions and recommendations from three groups of experts representing about 30 civic organizations, named below.

The consultation highlighted: Women and girls; School-to-prison pipeline; and Sentencing, prison and post-incarceration. It also discussed the systemic racism at the core of the justice system. We focused on policy and policing-related issues, and benefitted from your insights. Thank you also for copies of the 2009-2010 Report of the NYS Senate Standing Committee on Crime Victims, Crime and Correction, prepared under your leadership.

Chris Whatley, Executive Director of the United Nations Association of the USA, opened with remarks on UNA-USA<sup>i</sup> and UN actions on human rights. UNA-USA is devoted to the principles of the UN Charter and the Universal Declaration of Human Rights, and follows our government’s performance in treaty obligations, in this case the Universal Periodic Review conducted by the UN Human Rights Council. Last year the Division held a seminar on *“Race and of the American Criminal Justice System,”* which resulted in a “shadow report” from our Division and collaborating organizations to the UN Committee on the Elimination of Racial Discrimination. We will submit additional recommendations next month. The U.S. has submitted reports for both in the past year or so, and UNA-USA and our Division have joined many other civic organizations in contributing materials.

The reviews by the UN bodies present American citizens an excellent opportunity to examine our policies and laws, in relation to treaties our government has ratified.

In keeping with the spirit of “think globally, act locally,” we aim for this letter to be useful to you and other legislators in Albany on several important matters. We want to help advance Governor Cuomo’s plan to expand opportunities for prisoners to get college degrees, as this can reduce recidivism rates while saving tax dollars on incarceration costs. We also support the Council on Community Re-Entry and Reintegration that he established last year. We view the conversion of Fulton prison in the Bronx into a center that offers emergency and temporary housing, job training and social service referrals to people who are coming out of the state’s jails and prisons as an excellent opportunity for transforming the criminal justice system close to home.

Below is a summary of the deliberations and recommendations by each small group. The discussions were rich, passionate and to the point, building from the experience of those in the groups and also based on documentation from the UN processes and UNA materials.

### **Women and girls**

The group considered the pathways to confinement/incarceration for women, looking at sentencing reform, and also at what happens when girls and women end up in the prison industrial complex, or the system, as it currently stands. The starting point for many was a victim in incidents of intimate partner violence, domestic violence of all forms, but also violence on the street, and violence in places of employment. The group took a detailed look at women, gender non-conforming people and transgender women who are subject to forms of violence that lead them to engage in behavior that leads to incarceration, and further traumatization within the prison system. They made the following recommendations:

- Laws are needed to abolish the practice of incarcerating minors. As relevant to minor young women (and men), the group envisions some manner of programming out of the prison system.
- The UN *Convention on the Elimination of Discrimination against Women (CEDAW)* should be ratified on the federal, state and local levels, and all US legislation should be measured against CEDAW’s 30 articles -- on non-discrimination; rights in the public sphere; economic and social rights; right to equality in marriage and family life; and two dealing with administration and the relation of CEDAW to other treaties. In 1980 President Carter signed the Convention, but it has not yet been ratified by the Senate. Cities around the U.S. have begun to ratify it locally in a program of “Cities for CEDAW.” New York could become a leader in this.
- Reform and training are needed to promote women’s and girls’ safety. This framework extends to safety for the incarcerated, safety for those reentering communities and safety for those within communities.

- Special attention should be given to the problem of perpetrators of violence who are also agents of the state. Regular training and screening prior to and during agent employment, as well as zero-tolerance approaches to harm-doers, would go a long way towards combatting the impunity enjoyed by those who commit violence against women and girls.
- Special attention should also be paid to ensure humane practices concerning gender-specific issues, including availability of menstrual and contraceptive supplies, prenatal care and medical care in pregnancy and childbirth. About 2,000 children are born to mothers in prison in the U.S. annually. Even where anti-shackling laws of women in childbirth are passed, as in NY State, actual implementation is erratic.

### **School-to-prison pipeline**

The implicit theme of the group was Frederick Douglass's quote, "It is easier to build strong children than to repair broken men [and women]." The group agreed that one of the biggest contributors to the so-called school-to-prison pipeline involves suspensions from school, sometimes at very early ages. In most states, this is the single greatest predictor of later dropping out. In some states and districts, suspended or expelled students are offered no services once they are out of the school. In every state studied, there is a significant racial discrepancy in rates of suspension, expulsion and referral to the police. Clearly one important needed corrective involves mandates from the national or state level, or both, for districts to eliminate these discrepancies through training for administrators and teachers to remove conscious and unconscious bias. The group recommends:

National level: Create policy for FACE (Families and Community Engagement) programs in all municipalities and school districts and provide funding to support these.

State level: Mandate teacher, administrator and governmental employees annual training (mandatory CTE hours) that provides cultural training and parental and community engagement strategies. Provide funds (Title 1 re-wire of governance regulations of funds) that allow community and parents engaged in school planning to be equal partners in the planning and execution stages. Shift in youth incarceration from punitive to corrective.

District / Local levels: Implement and monitor engagement and funds. Special programs should be designed to meet the corrective/supportive needs of troubled youth as alternatives to incarceration and provide resources for families on how better to support their children.

Our Organizations: Encourage politicians to see the value of alternatives to incarceration, in both the long and short term, in terms of productiveness in society.

Solutions to these problems will require changes in penal policies, schooling and the criminal justice system, and the culture at large. Movement away from mass, high-stakes testing, removal of police officers from school hallways and increasing educational opportunities for incarcerated minors all would help. Ultimately, though, there needs to be a re-orientation of

the entire schooling system away from punitive, zero tolerance policies towards more positive, supportive systems of discipline

### **Sentencing, Prison and Post-Incarceration**

Although both the numbers of crimes and the numbers of those in prison have dropped in recent years, some statistics stand out.

- More than 60% of those in prison and jails are of racial minorities.
- For Black males in their thirties, 1 in every 10 is in prison or jail on any given day.
- One in 9 black children has a parent in jail.
- The cost of a year in prison can exceed a year at Harvard, and
- Taxpayers spend \$260 billion a year on criminal justice.<sup>ii</sup>

We now have federal sentencing guidelines to try to equalize the sentencing given across the country. Also, the federal system has gotten rid of parole. The guidelines do not solve what happens in prison or what happens to people afterward (with no real training for reentry into society; lack of reintegration).

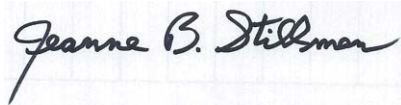
Recommendations:

- We urge New York State to develop more comprehensive reentry preparation programs for former offenders, which will deliberately address the wide range of collateral consequences of conviction; i.e. (public) housing, employment, civil rights (i.e., the right to vote); and provide information and assistance in navigating this post-incarceration landscape. The new Fulton Correctional model in The Bronx, should be considered more broadly in the State and nation.
- Expand educational programs (GED, higher education, etc.) in prisons. In developing the policy, directly link this initiative to the impact on communities and reduced recidivism rates (uneducated 44%; educated through prison programs – less than 4%).
- Promote closer and more transparent reviews of those who serve on, and who are represented on, parole boards.
- Develop more pro-active engagement with communities about closing prisons and expand transitional training programs for community members residing in areas where prisons will close. Develop additional economic opportunities and alternatives for such communities (i.e., Within NYS: consider specific challenges in Adirondack and upstate communities.).
- Create cross-departmental and cross-constituency task forces to discuss sentencing, and meaningfully engage all stakeholders.

- Advocate the eradication of mandatory minimum sentencing.
- Advance the 'Ban the Box' campaign to reduce use of a question about prior convictions from job applications, although noting that certain spheres of employment require such information.
- Reconsider and revisit the use of parole vs. sentencing guidelines.
- Push for reduction of use of solitary confinement.
- Advocate for changes in regulations and /or interpretations of policies on former offenders having access to public housing.
- Reconsider the time limits prohibiting former offenders from voting.
- Promote a shift in public discourse and cultural understanding of incarceration to re-frame discussion in terms of rehabilitation, community building, and reducing recidivism

We look forward to working with you in the coming year on advancing legislation, policies and public awareness in relation to these important issues.

Cordially,



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<sup>i</sup> The United Nations Association of the United States of America (UNA-USA) is a membership organization dedicated to inform, inspire, and mobilize the American people to support the ideals and vital work of the United Nations. For 70 years it has worked through a national network of Chapters and Divisions, youth engagement, advocacy efforts, education programs, and public events. UNA-USA is a program of the United Nations Foundation. UNA-USA and its sister organization the Better World Campaign represent the single largest network of advocates and supporters of the United Nations in the world. The UNA Southern New York State Division comprises all chapters, contact groups, and members-at-large in the five boroughs of New York City and in the counties of Columbia, Dutchess, Greene, Nassau, Orange, Putnam, Rockland, Suffolk, Sullivan, Ulster and Westchester.

<sup>ii</sup> <http://www.theatlantic.com/politics/archive/2015/02/the-many-causes-of-americas-decline-in-crime/385364/>

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**APPENDIX**  
**Consultation Participants**

Opening Remarks: Chris Whatley, UNA-USA Executive Director  
Keynote Speaker: Ruth Hassell-Thompson, Senator, NY State 36<sup>th</sup> District

**Women and Girls Group**

Presenter: Nakisha Lewis, Ms. Foundation for Women  
Facilitator: Brenda Smith, UNA, Alpha Kappa Alpha, World Federation of Methodist and  
Uniting Church Women, The Links, Inc.  
Participants: Lynda Bagley, Alpha Kappa Alpha Sorority, Inc.  
Jacqueline Boucher, Alpha Kappa Alpha, The Links  
Sheila Katzman, Chair, NY City for CEDAW, UNA-USA SNY  
Serena Liguori – Herstory Writers  
Naoma Nagahawatte, Black Women’s Blueprint  
Dorysaura Nunez, Ms. Foundation for Women (Intern)  
Carol Smolenski, Executive Director, End Child Prostitution & Trafficking, ECPAT-USA  
Denise Durham Williams – Executive Director, Student Sponsor Partners

**Prison to School Pipeline Group**

Presenter: Frances Ann Lightsey, Mercy College  
Facilitator: Stephen Miller, Oakwood Friends School; Marist College; UNA Mid-Hudson Valley  
Rapporteur: George A. Garland, UNA-SNY, UNA-SNY Energy Project  
Participants: J. Yuhanna Edwards, Mount Vernon City Council; UNA Westchester Board  
Dianne Young, Westchester County Links  
A.J. Woodson, Black Westchester Magazine  
Mary Frances Perkins, Alpha Kappa Alpha  
Damon K. Jones, Blacks in Law Enforcement of America

**Sentencing, Prison and Post-Incarceration Group**

Facilitator: David Stillman, Public-Private Alliance Foundation; UNA-SNY Board  
Rapporteur: Peter DeBartolo, Adelphi University, UNA-SNY Board  
Consultant: Ruth Hassell-Thompson  
Participants: Barbara Allen, Prison Families Anonymous  
Ronald F. Day, The Fortune Society, David Rothenberg Center for Public Policy  
Cindy Dunne, Scarsdale Rotary; Scarsdale League of Women Voters;  
Joan Levy, UNA-SNY, UNA-NYC  
Sultan Maruf, UNA-USA Queens Chapter  
Sherrie Murphy, UNA-NYC  
Danyelle Solomon, Brennan Center for Justice, NYU  
Jeanne Betsock Stillman, UNA-USA Southern NY State Division  
Elise Warner, MSNBC Lock-Up TV series

**Other participants:** Gerard Savage, Chief of Staff, Counsel, Office of Sen. Ruth Hassell-Thompson  
Donna K. Drayton, Deputy Chief of Staff, Office of Sen. Ruth Hassell-Thompson  
Natalia Cordero Sienna, Intern, EF International School  
Claire Dorville, Intern, Public-Private Alliance Foundation