



**BROOKLYN  
DEFENDER  
SERVICES**

**TESTIMONY OF:**

**Wesley Caines – Reentry Specialist**

**BROOKLYN DEFENDER SERVICES**

**Presented before**

**The New York City Council Committees on Public Safety**

**and the Committee on Oversight and Investigations**

**May 3, 2016**

My name is Wesley Caines. I am the Reentry Specialist at Brooklyn Defender Services (BDS). BDS provides innovative, multi-disciplinary, and client-centered criminal, family, and immigration defense, as well as civil legal services, social work support and advocacy, for over 40,000 clients in Brooklyn every year. I thank the City Council Committee on Public Safety and the Committee on Oversight and Investigations for the opportunity to testify today about BDS's support for various resolutions, in particular the creation of a municipal division of transitional services.

**Int. No. 1150 - In relation to creating a municipal division of transitional services**

BDS strongly supports the creation of a municipal division of transitional services.

Pursuant to Int. 1150, the division of transitional services would:

1. Ensure the effective and efficient provision of reentry services to all individuals released from the NYC Department of Correction after a period of detention;
2. Create a coordinated system for the administration of reentry services;

3. Administer contracts for the provision of reentry services and review budget requests and recommend to the mayor budget priorities;
4. Prepare and submit to the mayor and council an annual report of the reentry service needs of the city residents and the availability of reentry services to meet such needs;
5. Provide outreach and education on the availability of reentry services; and
6. Prepare and submit to the mayor a five-year plan for providing reentry services to city residents.

A coordinated City response to reentry services is long overdue. On any given day more than 9,000 city residents are imprisoned in City jails.<sup>1</sup> Every day, hundreds of people are released from Rikers Island back into their communities. While detained, many people lose their jobs or shelter beds; face eviction; suffer the interruption of mental health, medical or substance abuse treatment; or lose their children to the child welfare system. Upon returning home, they face significant barriers to employment, housing, licensing, and immigration consequences. Many suffer trauma and violence on the inside that stay with them and negatively affect their relationships with family, friends and colleagues when they return to their communities.

BDS began our Reentry Project more than a year ago to ensure that BDS clients from all of our practice areas have access to reentry support to minimize the impact of collateral consequences. Our experience shows us that reentry work must not wait until a person is looking at imminent release from jail or prison, but must begin immediately after arrest. It requires coordination with the criminal defense attorney to ensure that defendants' reentry is prioritized during their court involvement.

As a non-profit law office, we are in a unique position to provide our clients with in-house legal advice and representation in criminal, family, immigration and housing courts. Our specialized defense model at BDS ensures that all of our clients have access to comprehensive legal and social work support to help address their unique challenges. It is critical that our clients have access to civil legal services because people with criminal records are often excluded from free legal assistance programs. Most civil legal service providers in the City are able to serve only a small percentage of potential clients who walk through their doors because of limited funding. Too often, civil legal service providers must turn away clients with complicated criminal histories, leaving clients like ours underserved. Public defenders, then, are in a unique place to advocate for court-involved clients in all areas of their lives where they need legal assistance—all of which impact reentry. We are deeply grateful for the continued support and funding from the City Council to help us provide high-quality specialized legal services to court-involved New Yorkers.

Because we are first and foremost a public defense office, our reentry project seeks to connect our clients with programs and services in their communities. As BDS' Reentry Specialist, I make substance abuse program, education, employment, and housing

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<sup>1</sup> New York State Commission of Correction, Inmate Population Search, <http://www.scoc.ny.gov/pop.htm> (2016).

referrals. I also help clients navigate benefits programs, identify and repair RAP sheet errors, obtain Certificates of Relief from Disabilities and Certificates of Good Conduct, craft resumes and cover letters, and prepare for interviews.

Programs like the Fortune Society, Exodus Transitional Community, Osborne Association, to name a few, also play a critical role in helping our formerly incarcerated clients get back on their feet. In addition, a wide variety of smaller providers do important re-entry work, though many of them might not call it that. Certainly, mental health service providers are essential to successful re-entry, and greater access to care—including in pre-arrest diversion—is needed. This legislation will provide long-overdue coordination and, hopefully, increased allocation of resources, among re-entry organizations, including legal service providers like BDS, which can identify the needs of clients early in their involvement in the system. We also hope that this legislation provides for the foundation of an advocacy effort in the City Council to end the statutory barriers to reentry maintained by the State and Federal Government.

We are grateful that the City is seeking to build on this important work through the creation of a municipal division of transitional services. We also note our support for the #CloseRikers campaign and Speaker Mark-Viverito's call to close the jail. Rikers Island creates structural barriers to reentry. It has been shown that proximity to family and support networks positively impacts reentry outcomes. The immense and often insurmountable barriers to families and others wishing to visit people detained on Rikers Island fray support networks and make for a more challenging re-entry. Many of our senior attorneys remember when the majority of their defendants were detained at Brooklyn House of Detention, where it was much easier for both attorneys and families to visit them.

I would be remiss not to add that earlier this year BDS put in a request for Speaker's funding to increase the capacity of our reentry team. We hope that the Council will support our request for funding and allow us to improve the level of reentry services that we provide to BDS's 40,000 clients every year.

**Int. No. 1136 - In relation to the collection and evaluation of civil actions and other complaints alleging misconduct by correction officers.**

BDS strongly supports this resolution. The resolution would require that the law department post information relating to the civil actions filed against the department of correction and any of its employees during the preceding six months on its website. This resolution would provide the Council, the Mayor's Office and other City agencies with easily accessible information about allegations of violence in department of correction facilities, fostering much-needed transparency.

BDS requests that the Committees consider revising the proposed Section 7-112(c)(vi). Section 7-112(c)(vi), which would mandate that the law department disclose the address of the plaintiff. BDS sees no reason that it would be necessary for the plaintiff's address to be disclosed on the law department website, particularly as the address of the

individual corrections officer's address is not required to be disclosed. To ensure fairness, we would ask that neither the correction officer's address nor the plaintiff's address be disclosed on the law department website.

The plaintiff's address is already public and available in local clerks' offices to anyone wishing to obtain this information. The disclosure of this personal information on the website would make it easier for bad actors to intimidate or discourage plaintiffs from pursuing viable claims. In the alternative to eliminating the address clause, we would recommend replacing the word "address" with the words "zip code." This would allow the public and city officials to easily see which communities are most affected by DOC violence without minimizing compromising the security of the parties.