

Re: Entry Submission

I am enclosing this entry, which is an open letter to New York City Mayor Bill de Blasio. This letter has also been sent to various media outlets. I am now submitting it for posting on my blog.

I thank you, and I look forward to (finally) working with you more regularly.

Open Letter to His Honor, the Mayor of New York City: Leadership on the Question of Prison Reform

I would like to present to you the question of your role and leadership in the area of prison reform. You, Your Honor, as the mayor of the largest city in the United States, a New Yorker, a taxpayer, a concerned citizen, a father, and a husband, must know what is at stake when countless men and women are released from New York's prisons back to the streets of New York City every year. There are four factors judges consider when sentencing individuals to a term of incarceration: retribution, isolation, deterrence, and rehabilitation. New York State, when it comes to its current prison policies, is preoccupied with the first two of these factors, justifies this by pointing to the third, and pays mere lip service to the fourth factor.

While Governor Andrew Cuomo has been delivering mixed messages on prisons—their use and purpose—his present prison policies belie his proclamation that prisons are not mere employment agencies, that they are institutions wherein rehabilitation is central. Prisons remain the same as they were under the punitive and restrictive policy regime of former-Governor George Pataki's administration. As Gov. Cuomo's administration has looked to cut government expenditures by closing medium and minimum correctional Facilities, he has sustained the promotions of countless prison administrators whose personal penological bent is toward the costly, ineffective, and not-so-bygone Pataki paradigm. According to this paradigm, those committed to serve a term of incarceration are sent to prison for punishment as opposed to being sent to prison as the punishment. Under this paradigm, rather than rehabilitation, punishment is the predominant focal point.

Cuomo and his top aides have done nothing to shift New York away from this unproductive paradigm so as to match the governor's self-professed progressive and cost-conscious philosophy. Consequently, this paradigm has manifested itself in particular practices whereby volunteer programs¹

¹ In the aftermath of the Attica riot, skilled and willing citizen volunteers have been allowed to register with NYSDOCCS and enter correctional facilities to aid in the educating and training of the prisoner so that s/he is better

(e.g., AVP,² RTA,³ and several post-secondary educational programs) that have had noted successes are now being torn asunder by antagonistic prison administrators. Though these programs have demonstrated rehabilitative value⁴—and have had little or no impact on individual prisons' budgets, for the programs are either volunteer-ran and/or privately funded—they are being frustrated and dogged by "Pataki-ite" prison administrators. This is obviously antithetical to one of New York State Department of Corrections and Community Supervision's underlying goals set forth in its mission statement: rehabilitation. A present example of this "anti-program" mentality can be seen in correctional facilities like Green Haven Correctional Facility, in Stormville, New York; Elmira Correctional Facility, in Elmira, New York; and even Great Meadow Correctional Facility, in Comstock, New York.

But no greater and deplorable example can be found than at Eastern Correctional Facility in Napanoch, New York. Since 1999, Eastern Correctional Facility has been the main site for Bard College's Bard Prison Initiative (BPI).⁵ BPI has had and is having a positive impact on rehabilitation, saving New York taxpayers' much-needed dollars by helping to clip the cycle of recidivism. Simply put, and without hyperbole, BPI graduates, once released, don't come back to prison. They find employment because they are employable. A great many are not only living independent, crime-free lives, they are also assets to their families and communities.⁶ These men, incarcerated and formerly incarcerated alike, have not and are not being "rewarded" with a free education by virtue of their convictions; rather, they are being presented with an opportunity to change, grow, and contribute. This opportunity had been denied to many of them, and true, some men chose not to take advantage of the opportunities they once had. However, the door to a world of ideas was opened, and those who stepped through it have taken

prepared to return to society and function as a law-abiding member of the community. Prison volunteerism has proven to be an efficient, reliable, and less expensive means of providing rehabilitative programs to the prisoner.

² The Alternatives to Violence Project has had a long history of working inside of prisons. Created in 1975 as a collaboration between a group of prisoners ("The Think Tank") at Green Haven Correctional Facility and members of the Society of Friends (the Quakers), AVP began as discussion groups focused on ways to curb the swelling problem of violence "behind the wall." This post-Attica effort has grown into a worldwide project, finding its way into schools, community centers, and colleges. AVP is strictly a volunteer program offering workshops, wherein prisoners and citizen volunteers explore non-violent resolutions to a myriad of everyday conflicts.

³ Largely a theatrical arts program, Rehabilitation Through the Arts began in Sing Sing Correctional Facility in 1996. RTA participants have demonstrated growth as individuals by paradoxically learning to be someone else on stage or discovering a creative self previously unknown to themselves. With the assistance of men and women who perform on, work in, and teach for the stage and screen, dance and music, RTA participants prepare for the roles they will someday take on as law-abiding, contributing, and valuable members of society. RTA is now currently functioning as a strictly volunteer-run program in more than several facilities throughout NYSDOCCS.

⁴ Around 2008, John Jay College conducted a study finding that former-RTA participants have had the lowest rate of recidivism compared to any control group.

⁵ Bard College is a private, liberal arts college located in Annandale-on-Hudson, New York. Fully accredited and privately funded, BPI was created as a response to and recognition of the rehabilitative void left behind in the wake of the early-1990s "tough-on-crime" zeitgeist, which effectuated the elimination of public funding all college programs operating in NYSDOCS (now NYSDOCCS). BPI provides Liberal Arts education and offers Associate of Arts degrees to students who complete the required courses. The first graduation of AA students occurred in 2001. Students receiving an Associate's degree with BPI, and showing an outstanding ability for educational achievement, may enroll in the BPI Bachelor of Arts program. BPI does not accept credits from other colleges and those accepted into BPI will remain enrolled as they approach a parole date or release.

⁶ Around 2011, PBS News Hour's two-part segment "Making Sense: Bard Behind Bars" explored ex-offenders' journeys from the college behind bars to the real world.

advantage of that opportunity. As one former BPI student described his experience in the January 30, 2005 *Poughkeepsie Journal*, "The workshop of the mind with the Bard faculty has helped us mature into accomplished men."

The troubling aspect of NYSDOCCS now, and increasingly more pronounced under the Cuomo administration, is that success and accomplishment are not rewarded. An "accomplished man" at Eastern often finds himself targeted by correction staff, typically slapped with dubious rule violations, and then subject to excessively harsh sanctions. And BPI is also besieged by restrictive and heavy-handed policies (quite obviously implemented solely for a program such as BPI). The once robust curriculum offered at Eastern has been watered down by intrusive correction staff for no better reason than they "don't like that subject." The computer lab, furnished and supplied by the donations made to BPI, is frequently shutdown by security personnel—BPI students' physical access to the lab, which is located on the second floor of Eastern's school building, is often so restricted that assignments are often handed in late. Books and materials for scheduled classes are not issued on time because they have not been "properly vetted" by the facility media review committee⁷—the timeframe for books and materials receiving approval varies so greatly that entire sections have to be dropped from proposed syllabi. All of these frustrations go on with the doubtless sanction and encouragement of Eastern Correctional Facility's superintendent—himself employed by the Department since the Pataki years.

Whether one penological approach should be privileged over another—whether the punitive model or the rehabilitative model should be followed—presents an answer within the question. Who decides how much punishment is enough? And what is ultimately at stake? Under the Pataki paradigm, prisons were nothing more than catch basins for New York's least desirable classes and cauldrons for crime and chaos. This has served the interests of NYSCOPBA—the correction officers' union: they could always tout the specious number of violent incidents occurring in prison and press Albany for more correction officers, tighter control over facility operations, and, commensurately, more money. Yet, not only has the number of violent incidents decreased drastically since 1999, the overall prison population has dropped from 72,649 (as recorded in December 31, 1999) to 54,617 (as last recorded in April 1, 2013).⁸ Even though these decreasing numbers appear promising, the fact remains that in New York individuals receive lengthier prison sentences as compared to most other states. Though this is a different discussion, we must ask "how best for an offender to spend his time in prison?" What shall become of the young person in her or his late teens or early twenties and sent away to prison for 10 or 20 years or more? Should they remain isolated, continually punished, with the threadbare hope that it will deter them from ever committing another crime? And what of the rehabilitative and volunteer programs; should they be summarily cut—ostensibly due to budget constraints? Tax dollars could better spent. New York has seen overtime for state agencies climb 16% to just over \$600 million—the bulk of those dollars going to corrections. NYSDOCCS seems to have the stomach for manufactured overtime, but no stomach for inexpensive and effective volunteer programs.

In his first State of the State address, Governor Cuomo said that we will not send someone to prison just to give someone else a job. But he needs to go further: We don't obstruct someone's attempt to educate himself, expand himself, and rehabilitate himself so as to make it more likely s/he'll

⁷ According to NYDOCCS Directive #4572 "Media Review."

⁸ These numbers were reported in NYSDOCCS Fact Sheet updated and issued by the Department April 1, 2013.

return to prison in the future—thereby ensuring a job for someone else. Mayor Bloomberg sought to address the crime problem from one end (the preventive end) by causing another problem, never asking the perennial question “What is best for all?” What is best for all right now is addressing the crime problem from an oft-overlooked—and beleaguered—end: the rehabilitative end.

Your Honor, your voice and leadership is needed. Over two-thirds of the men and women incarcerated at correctional facilities like Green Haven, Elmira, Bedford Hills, Great Meadow, Eastern, and elsewhere will return to New York City. Are we a better society when we insist that our collective values be maintained, modeled, and inculcated even in the institutions constructed to hold those who may also be striving to prove their worth to return, belong, and contribute to their home communities? We may have applauded Governor Cuomo’s declarations of weaning New York off of its generations-long and financially destructive “prison-as-employment” model; yet, we must now realize that his current prison policies don’t match his rhetoric. We must demand that Andrew Cuomo ensures us all that prisons are places wherein the incarcerated are allowed to mature into accomplished men and women without the impedance of extrajudicial punishment and parochial interests. The vast majority of incarcerated have a deep and earnest desire to prove that they can actually succeed in society. Why deny them the means of demonstrating that desire?

Signed,

Stephen J. Matthews