



For Immediate Release

**MANHATTAN PUBLIC DEFENDERS ADDRESS HUMANITARIAN CRISIS IN
RIKERS ISLAND**

***Winston & Strawn LLP file motion for judicial action to curb COVID-19 outbreaks
in light of severe staffing shortages***

Friday, December 31, 2021 – NEW YORK, NY – The New York County Defender Services (NYCDS) and Winston & Strawn LLP today announced the [filing of an emergency Article 78 petition in New York Supreme Court calling for immediate judicial intervention in the uncontained COVID-19 outbreak spiraling out of control at Rikers Island](#).

This filing comes on the heels of the [recent bombshell decision by a Supreme Court judge](#) that the New York City Department of Correction acted with deliberate indifference in allowing brutal, unchecked violence and inhumane conditions to flourish in its facilities.

According to a letter from the Department of Correction to public defenders and made public in recent days, “the risks to the human beings in our custody are at a crisis level.”

The rates of infection have skyrocketed to unprecedented heights, spreading among what is already an extremely medically vulnerable population, in a jail facility already on the brink of complete humanitarian collapse.

“As has been widely acknowledged by nearly every stakeholder overseeing or involved in the operations of New York City jails, the Department of Correction fundamentally lacks the ability and basic competence to mitigate this crisis and provide safe housing for those confined there,” **said Stan Germán, executive director of NYCDS**. “A staggering sixteen New Yorkers lost their lives to these horrific jail conditions in 2021. As we enter 2022, we are demanding an end to this deadly chapter in our city’s history.”

“The situation at Rikers Island is wholly untenable. Unprecedented staff shortages amidst the COVID-19 health crisis has created an environment that deprives incarcerated persons at Rikers of their most fundamental rights” **said Krishnan Padmanabhan, a partner at Winston & Strawn**.

In fact, in an extraordinary request that recognizes the circumstances at Rikers, the commissioner of the Department of Corrections has called on the courts to, “...consider every available option to reduce the number of individuals in our jails.”

The legal action filed by NYCDS and Winston & Strawn echoes this desperate plea for intervention and requests that the court immediately issue a preliminary injunction forbidding the admission of any new individuals into the Rikers Island jail complex, and divert those presently in Rikers facilities to home confinement or alternative facilities that are capable of providing safe housing and medical care.

You can read the petition [here](#) and the supporting memo of law [here](#).

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