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MAYOR DE BLASIO, NYC BOARD OF CORRECTION TO END SOLITARY CONFINEMENT IN CITY JAILS

NEW YORK—Tomorrow, the New York City Board of Correction, an independent oversight board for the City's jail system, will formally propose rules to end solitary confinement in the City's jails at its public meeting. With the new proposed disciplinary model, New York City will go further than any major jail system in the country in banning solitary confinement.

"From closing Rikers Island, to ending solitary confinement for people under the age of 22, we have reoriented our correction system to value human life and rehabilitation," said **Mayor Bill de Blasio**. "Now we are making good on our commitment to ban solitary confinement altogether, creating jails that are fundamentally smaller, safer, and fairer."

"Ending solitary confinement is essential to building a safer and more humane jail system for both people in custody and staff. This proposal, developed with the input of experts from across the nation, will end solitary confinement in the New York City jail system and replace it with a system that aims to provide the care and support needed to address violent behavior and better ensure safety for all," said **Board of Correction Chair and CEO and Executive Director of FPWA, Jennifer Jones Austin**.

The framework for the new alternative disciplinary model, the Risk Management Accountability System (RMAS), is the product of a collaboration of the Working Group to End Punitive Segregation. Announced by Mayor de Blasio and Chair Jennifer Jones Austin last summer, the group set forth clear recommendations to prioritize safety, accountability, and support for both officers and detained persons in our jail system.

RMAS is a three-level progression model that separates people from general population, for a determinate amount of time, in response to violence and holds them accountable through a swift, certain, and fair, process. RMAS aims to ensure that people will be provided with the support they need to successfully reenter general population and, eventually, their communities.

The Board's proposal begins a public comment process that will seek feedback from people with lived experience, families, staff, advocates, and other experts. After the public comment period, the Board will make changes to the proposal and vote on a final rule in the spring.

The full text of the proposal is available <u>here</u>, with key provisions to include:

• Ends solitary confinement and all other current forms of restrictive housing on 11/1/2021 and replaces it with Risk Management Accountability System (RMAS)

- RMAS is a three-level progression model with:
 - o Minimum 10 hours out of cell, socializing with at least one other person
 - 5 hours of daily programming
 - o Steady, experienced case managers
 - o Individualized behavioral support plans
 - Periodic reviews by multidisciplinary team
 - \circ Ends use of routine non-individualized restraints (e.g. restraint desks) by 11/1/2021

The proposed rules build on groundbreaking reforms in 2015, which ended solitary confinement for 16-21 year olds and people with serious mental illness – and set strict limits on its use for everyone else. These reforms contributed to an 81% decrease in the use of solitary confinement. In October 2019, the Board proposed rules to further restrict solitary confinement however, the vast majority of community members who testified and/or submitted written comments on the proposal — solitary survivors and their loved ones; mental health, criminal justice, legal, and human rights experts; elected officials; faith leaders; and community members – said that new, proposed limits were not enough and called for the immediate end to solitary confinement. The Board's new proposal recognizes that solitary confinement creates significant risks of psychological and physical harm to people in custody.

The Board will accept written comment on the proposal until April 16th 2021 and hold online public hearings at 9:00 AM on April 13 and 6:00PM on April 14 for members of the public to speak on the proposal. Additionally, people in custody and jail staff can call the Board's public comment voicemail box (212 669 7900) and leave a message that will be shared with Board Members.

"The working group worked diligently to develop a system that would end the harms of solitary confinement, and keep officers, staff, and people detained safe. The workgroup focused on building a system of accountability, transparency, and individualized support that we know will change behavior. We sought to address all stakeholders concerns and recommended a model that could inform and encourage the nation to safely end solitary confinement by ending it in New York City," said **Board of Correction Vice Chair and Executive Vice President, Fortune Society, Stanley Richards**.

"As important as safety and security are in any correctional setting, maintaining safety should not come at the expense of affording people their humanity," **said Department of Correction Commissioner Cynthia Brann.** "The Risk Management Accountability System provides our officers with the tools they need to manage some of the most challenging people in our care, while ensuring that placement within a restrictive housing setting does not lead to the deleterious impact solitary confinement can have. For the past eight years, this Department has lead the way in restrictive housing reform, and I am proud to once again to be providing an innovative model for others around the country to follow."