



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EMERGENCY EXECUTIVE ORDER NO. 248
September 24, 2021

WHEREAS, on September 2, 2021, the federal monitor in the *Nunez* use-of-force class action litigation stated steps must be taken immediately to address the conditions in the New York City jails; and

WHEREAS, excessive staff absenteeism among correction officers and supervising officers has contributed to a rise in unrest and disorder, and creates a serious risk to the necessary maintenance and delivery of sanitary conditions; access to basic services including showers, meals, visitation, religious services, commissary, and recreation; and prompt processing at intake; and

WHEREAS, the Department of Correction's (DOC's) staffing shortages are affecting health operations, including the availability of escorts to bring patients to the clinic and of DOC personnel to staff the clinics; and

WHEREAS, this Order is given to address the effects of excessive staff absenteeism and in order to address the conditions at DOC facilities;

WHEREAS, on September 15, 2021, I issued Emergency Executive Order No. 241 and declared a state of emergency to exist within the correction facilities operated by the DOC, and such declaration remains in effect; and

NOW, THEREFORE, pursuant to the powers vested in me by the laws of the State of New York and the City of New York, including but not limited to the New York Executive Law, the New York City Charter and the Administrative Code of the City of New York, and the common law authority to protect the public in the event of an emergency:

Section 1. I hereby direct that section 1 of Emergency Executive Order No. 245, dated September 19, is extended for five (5) days.

§ 2. I hereby direct that Section 6 of Emergency Executive Order No. 241, and last extended by section 1 of Emergency Executive Order No. 245, is amended to read as follows:

§ 6. During the State of Emergency, and to the extent such laws and rules may be suspended consistent with State law, the following laws and regulations related to procurement are suspended with respect to any procurement of goods, services or construction when the Commissioner of Correction determines in writing that the procurement is necessary to respond to the emergency: Chapter 13 of the New York City

Charter; Title 9 of the Rules of the City of New York (Procurement Policy Board Rules); and Sections 6-101 through 6-107.1, 6-108.1 through 6-121, and 6-124 through 6-129 of the New York City Administrative Code. Nothing herein shall preclude the DOC from complying with any portions of such laws or rules to the extent that the Commissioner determines that compliance will not interfere with the agency's emergency response and the DOC shall follow the process in Section 315 of the New York City Charter unless the Commissioner determines in writing that doing so will interfere with the agency's response.

§ 3. This Emergency Executive Order shall take effect immediately.



Bill de Blasio,
MAYOR