



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

EMERGENCY EXECUTIVE ORDER NO. 579

April 9, 2024

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

WHEREAS, on June 14, 2022, the federal court in *Nunez* approved the *Nunez* Action Plan, which “represents a way to move forward with concrete measures now to address the ongoing crisis at Rikers Island”; and

WHEREAS, although there has been improvement in excessive staff absenteeism, extraordinarily high rates of attrition due to staff retirements and other departures continue to seriously affect the Department of Correction’s (DOC’s) staffing levels and create a serious risk to DOC’s ability to carry out the safety and security measures required for the maintenance of sanitary conditions; and access to basic services, including showers, meals, visitation, religious services, commissary, and recreation; and

WHEREAS, this Order is given to prioritize compliance with the *Nunez* Action Plan and to address the effects of DOC’s staffing levels, the conditions at DOC facilities, and health operations; and

WHEREAS, on June 30, 2022, the federal monitor in the *Nunez* action concluded that DOC’s proceeding with the Board of Correction’s Risk Management Accountability System (RMAS) for restrictive housing “is not prudent and poses significant safety concerns” and the federal monitor “does not, at this juncture, approve the Department’s proposal that the implementation of RMAS will satisfy” requirements of the federal action plan; and

WHEREAS, the additional staffing necessary to operationalize RMAS would deplete personnel resources such that it would compromise the safety and well-being of all people in custody and DOC personnel; and

WHEREAS, additional reasons for requiring the measures continued in this Order are set forth in Emergency Executive Order No. 140 of 2022; and

WHEREAS, the state of emergency existing within DOC facilities, first declared in Emergency Executive Order No. 241, dated September 15, 2021, and extended by subsequent orders, remains in effect;

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 2 of Emergency Executive Order No. 577, dated April 4, 2024, is extended for five (5) days, except as provided in Section 2.

§ 2. I hereby terminate the provision of § 2 of Emergency Executive Order No. 279, dated November 1, 2021 that suspended Board of Correction minimum standard § 1-08(f) (relating to Law Library Access).

§ 3. This Emergency Executive Order shall take effect immediately and shall remain in effect for five (5) days unless it is terminated or modified at an earlier date.

A handwritten signature in black ink, appearing to read "Eric Adams", written over a horizontal line.

Eric Adams
Mayor