



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

EMERGENCY EXECUTIVE ORDER NO. 297
November 23, 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 clinics 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; and

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, most recently extended by Emergency Executive Order No. 289, and such declaration 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 1 of Emergency Executive Order No. 293, dated November 18, 2021, is extended for five (5) days.

§ 2. Notwithstanding the repeal of Board of Correction minimum standards sections 1-16 and 1-17 (40 RCNY §§ 1-16 and 1-17) on November 1, 2021, I hereby direct that while this Emergency Executive Order, as extended, is in effect, such minimum standards sections 1-16 and 1-17 shall be deemed to continue to be in effect and applicable to the operations of the Department of Correction, as if such repeal had not been effectuated; provided that, in accordance with section

7 of Emergency Executive Order No. 241, minimum standard section 1-16(c)(1)(ii) shall be construed so that the Department of Correction may continue assigning eligible persons in custody under the age of 22 to Enhanced Supervision Housing.

§ 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.



Bill de Blasio,
MAYOR