

PREA STANDARDS IMPLEMENTATION TIMELINE	
Date	Action
April, 2015	New York City Public Advocate Letitia James petitioned the Board to adopt rules consistent with national standards that the Department of Justice (DOJ) had promulgated pursuant to the Prison Rape Elimination Act of 2003 (PREA) in response to the epidemic of sexual violence in the nation's prisons and jails.
June 9, 2015	Board accepted the petition at its June 9, 2015 meeting, and after several months of fact-finding by the Board's ad hoc PREA Committee, developed proposed rules which incorporate in whole or in part many elements of the national standards.
May 2, 2016	DOC issued a Directive on PREA policies and procedures (Directive 5011).
June 6, 2016	DOC revised Directive 5011 to amend their Intake Questionnaire for incarcerated persons. (Removes Attachment C and replaces it with New Attachment C (Intake Questionnaire)).
July 15, 2016	DOC issued a Division Order which standardized the procedures for preventing, detecting, reporting and responding to incidents of sexual abuse and harassment against persons in custody (Division Order # 04/16).
July 26, 2016	Board held a Hearing in order to hear the proposed rules designed to detect, prevent, and respond to sexual abuse and sexual harassment of persons incarcerated in jails and other facilities operated by the Department of Correction.
August 31, 2016	Board voted to amend Minimum Standards to include a new chapter, the Elimination of Sexual Abuse and Sexual Harassment in Correctional Facilities as a result of the Prison Rape Elimination Act (PREA).
January 2, 2017	Board's new chapter of the Board's Minimum Standards, the Elimination of Sexual Abuse and Sexual Harassment in Correctional Facilities Minimum Standards, went into effect.
January 24, 2017	DOC revised Directive 5011 to amend their Intake Questionnaire for incarcerated persons. (Removes Attachment C and replaces it with New Attachment C (Intake Questionnaire)).
March 10, 2017	DOC revised Directive 5011 to amend their Intake Questionnaire for incarcerated persons. (Removes Attachment C and replaces it with New Attachment C (Intake Questionnaire)).
March 30, 2017	DOC provided an update on the Transgender Housing Unit (THU) at a Board Meeting, in which DOC acknowledged that their current operation of the THU is not in compliance with PREA. The subsequent discussion consisted of questions in regard to the DOC's intake policies and procedures in the THU.
May 9, 2017	DOC provided update on the THU at a Board Meeting, in which DOC stated that the DOC has established a working group to develop strategies and training, which met for the first time on May 3. This working group consists of advocates, Mayor's Office Staff, Law Department Staff, and Board Executive Director Martha King.
September 8, 2017	DOC submitted a six-month Limited Variance Request on systematically tracking screening information and reassessing incarcerated person's risk of victimization and abusiveness (§5-17(f), §5-17(g) and §5-18). Variance request submitted due to the DOC's need of a new electronic system.
September 12, 2017	Board heard Board Executive Director Martha King proposed four approaches to monitoring the DOC's implementation, including 1) quarterly meetings, 2) analyzing BOC and DOC reports on the Standards, 3) analyzing compliance data and conducting structured observations and audits, 4) conducting ongoing observations and interviews. Areas of concern discussed at this meeting include the increase of sexual abuse complaints, overly long investigations, low substantiation rates, lack of rape crisis intervention and counseling services and a missed deadline for these services, and DOC's violation of the Standard's critical information-sharing requirements.
October 10, 2017	Board withdrew the DOC's Limited Variance Request to BOC Minimum Standard request on systematically tracking screening information and reassessing incarcerated persons' risk of victimization and abusiveness (§5-17(f), §5-17(g) and §5-18).
October 10, 2017	Board proposed a Resolution citing the DOC's violation of systematically tracking screening information and reassessing incarcerated persons' risk of victimization and abusiveness (§5-17(f), §5-17(g) and §5-18). Resolution stated that the DOC must submit to the Board, by October 25, 2017, a Corrective Action Plan detailing how it intends to comply with those Minimum Standards, as well as information related to the training of officers assigned to the THU.
January 9, 2018	DOC provided an update at a Board Meeting in which the DOC described uploading their paper-based screening tool into the electronic system, as well as their use of the screening tool to improve how persons in custody are assigned housing and separated based on their designations (likely abuser or likely victim). DOC clarified that they did not have a plan in place to house transgender individuals based upon their identity and choice.
February, 2018	DOC fully implemented an electronic PREA screening tool in all facilities.
February, 2018	Board published a report titled <i>An Assessment of the Transgender Housing Unit</i> in regard to housing and placement of transgender and intersex persons in custody. The report revealed that the DOC does not have an effective system for managing applications and placements into the THU, that policies related to the application process have not been consistently practiced across all facilities, that there is no mechanism in place explaining the appeal process to people who have been denied placement, that there is no mechanism to address conflict between people in the unit, and lastly, nearly all individuals who applied (95%) stated they would feel more comfortable living in a separate housing area, rather than the general population or protective custody.
March 13, 2018	Board discussed the BOC report titled <i>An Assessment of the Transgender Housing Unit</i> . DOC stated that individuals who self-identify as transgender through the new screening tool are now afforded a THU application at intake in each facility and that a Captain on the PREA team conducts twice-weekly check for persons newly admitted to DOC custody who self-identify as transgender. DOC stated that they were still reviewing the report's recommendations.
April 20, 2018	Board discussed the DOC's lack of compliance with data reporting, particularly their lack of submission entirely, lack of complete submission, and lack of completion of sexual abuse incident reviews. Board discussed issues with PREA investigations namely that they are not completed within 90 days as required, the high rates of victimization, and their low substantiation rate. The DOC clarified their procedures, stated their new use of a streamlined closing memo to allow investigators to close out cases more quickly, and their work to hire more investigators and supervisors. The DOC was asked to submit a Corrective Action Plan by June 2018 addressing their investigations. Lastly, the DOC made two major announcements in regard to the THU, 1) DOC would house incarcerated persons consistent with their gender identity, and 2) DOC's intention to keep the THU open.
June 12, 2018	DOC presented their Corrective Action Plan at the Board Meeting in regard to their PREA Investigations Division caseload, case closing timeframe, current staffing and staffing goals, as well as target dates for their goals.
July 31, 2018	DOC moved the THU from MDC to RMSC where transgender women can more easily access gender responsive programming and preferred commissary items and toiletries.

August 17, 2018	DOC submitted an extension letter (which was treated as a Variance Request) until March 1, 2019 in regard to the pilot program for surveillance cameras on transport buses.
September, 2018	Board published an Audit Report on the DOC's PREA Closing Reports. Key findings include: missing supervisory approval of investigations, key interviews not completed, insufficient explanations as to why crime scenes were not established, investigative format insufficient on covering precise investigative steps taken, not completed in a timely manner (though, DOC did complete initial interviews within 72 hours as required), and lastly, alleged victims were not made aware of case outcomes.
September 17, 2018	DOC opened a new admission housing unit for the transgender and intersex population where individuals may be housed pending completion of their housing assessment.
October 9, 2018	Board proposed a Resolution to address Audit findings and recommendations about deficiencies in the timeliness and quality of investigations. The resolution requires DOC to provide a Corrective Action Plan to cure its violations by November 8, 2018 to improve the quality of the §5-40 data and assessment reporting.
October 9, 2018	Board denied the DOC's Variance Request in regard to the pilot program to place surveillance cameras on DOC transport buses (§ 5-04(g)).
December 10, 2018	DOC addresses the Board with an overall description of the DOC's recent efforts to improve its compliance with the Chapter 5 Standards as well as a statement concerning their public statements in response to the October 8, 2018 Board Resolution.
January 3, 2019	Board responded to the DOC letter stating that the DOC did not respond to the Resolution by the stated deadlines and reinforced that DOC needs to demonstrate compliance by preparing a Corrective Action Plan. The Board also stated that there would be a Special Hearing in April 2019.
January 31, 2019	DOC submitted its Corrective Action Plan, showing progress in regard to their staffing and conducting of PREA investigations.
February 12, 2019	Board reiterated the importance of resolving the DOC's data and reporting challenges in meeting the reporting requirements of PREA Standard §5-40. Board announced that the special hearing was scheduled for April 23, 2019. Board requested that the DOC provide information in regard to 1) PREA referrals to the Department of Investigation (DOI), 2) PREA referrals to district attorneys, 3) PREA cases involving DOC staff tried to resolved at OATH, and 4) PREA-related indictments.
March 7, 2019	Board sent a letter to Commissioner Brann requesting individual-level and individually-identifiable PREA screening and re-screening information on PREA Intake Questionnaires for all people admitted to DOC custody in machine-readable data format.
March 22, 2019	DOC issued a Teletype Order with procedures in regard to the PREA Intake Screening Tool (No. HQ -00917-0).
April, 2019	Board published a report on DOC's unannounced PREA rounds recorded in logbooks and reviewed by BOC staff, in which BOC found that DOC conduct rounds at unpredictable times as required by the Minimum Standards, but that over 1/3 of the unannounced PREA rounds recorded in logbooks did not actually occur (§ 5-04(k)).
April, 2019	Board published a report on observations regarding person in custody education and shared with department the locations where posters were missing and where corrective action is needed to ensure visibility and language access (§5-14(a)).
April, 2019	Board published a report titled <i>Supplementary Audit Report on the New York City Department of Correction's Sexual Assault and Sexual Harassment (PREA) Closing Report</i> . Key findings include: considerable delays in DOC's PREA investigations, lack of interviews with alleged victims and alleged perpetrators, lack of private/confidential interviews, improvements in use of historical information, improvements in Closing Reports, lack of understanding surrounding credibility assessments, and documentation problems in the Closing Reports.
April 22, 2019	Board published a report on the PREA Reportable vs. Non-Reportable Allegations pursuant to DOC Minimum Standard §5-40(d) Data Submission. The report concluded with a list of missing but required information that the DOC agreed to provide to the Board.
April 23, 2019	The Board held its first ever Special Hearing on PREA.
May 31, 2019	DOC updated their Directive 5011 on the Elimination of Sexual Abuse and Sexual Harassment.
June 13, 2019	DOC proposal to replace and update its current edition of the Inmate Rulebook will be discussed. This includes new sections and/or substantial revisions to Department rules concerning sexual harassment towards staff, prohibited conduct concerning sex offenses and changes to offenses involving the offenses of Assault and Fighting, Contraband, Creating a Fire, Health or Safety Hazard, violating Identification Procedures and Smuggling.