



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

**Jumaane D. Williams**

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**TESTIMONY OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS  
TO THE BOARD OF CORRECTIONS**

**DECEMBER 2, 2019**

Good morning, my name is Jumaane D. Williams and I am the Public Advocate for the City of New York. As the City's watchdog, it is my duty to protect the rights of all New Yorkers, including the roughly 7,000 New Yorkers who are housed in the Department of Correction (DOC) facilities. I'd like to thank the Board for holding this hearing and giving the public an opportunity to have their voices heard on this critically important proposed rule.

A member of my team testified at the Board's October 22nd meeting: Restrictive housing, punitive segregation, separation status, whatever we call it--solitary confinement is a torturous punishment that causes deep and permanent psychological, physical, and social harm. It is an ineffective, counterproductive, and unsafe disciplinary practice that fails to address the underlying causes of problematic behavior. We must end solitary confinement in the City of New York now.

The Board's rule must be revised to reflect this moral imperative. Fifteen days in solitary confinement is fifteen days too many. Through this rulemaking process, New York City has an opportunity to serve as a model for the nation in defending basic human rights. I call on the Board to fully end solitary confinement in New York City by adopting the comprehensive blueprint put forward by The NYC Jails Action Coalition and the #HALTsolitary Campaign.

As this blueprint makes clear, ending solitary confinement does not require a radical overhaul of existing protocols. In order to end this shameful chapter in our City's history, we need to strengthen existing standards and follow the example of previous efforts that have successfully replaced punitive segregation with alternatives that prioritize rehabilitation, health, safety, and basic human rights.

One specific example that I want to raise is the Clinical Alternative to Punitive Segregation (CAPS) program that has already been implemented in New York City jails for those living with



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serious mental illnesses. Instead of placing folks in solitary units that only exacerbate existing behavioral problems, this program provides intense programming, out of cell time, therapy and recreation activities. This has resulted in improved outcomes and safety, including a significant decrease in self-harm and injury. The success of CAPS should not be confined to those with serious mental illnesses. This approach can and should be applied for all New Yorkers in DOC facilities.

I'll end by saying that the stakes are too high here for this City to be taking half-measures and exploiting bureaucratic loopholes that continue the practice of solitary confinement. Passing emergency variances for so-called "separation status", issuing substitution orders to send young New York City residents to sit in solitary cells upstate, and capitulating to watered down rules like the ones before us today are how we end up with more tragedies like the preventable deaths of Layleen Polanco and Khalif Browder. We can and we must end solitary confinement in New York City, and I implore the Board to revise and pass rules that will make this happen.

Thank you for your time and consideration.