



THE COUNCIL OF THE
CITY OF NEW YORK

June 13, 2018

Commissioner Cynthia Brann
Department of Correction
75-20 Astoria Blvd.
East Elmhurst, NY 11370

Dear Commissioner Brann:

We, as the Members of the City Council Progressive Caucus, write today to urge the Department of Correction (DOC) to adopt the recommendations set forth by the Board of Correction (BOC) in their report, “Second Assessment of the New York City Department of Correction Inmate Grievance System.” In the report released Monday, the Board evaluated the current complaint systems in New York City jails and identified varying institutional problems which we believe must be addressed immediately.

Ever since the City made 311 calls freely available to incarcerated individuals, the amount of 311 complaints has increased significantly—from 20,000 calls in 2016 to 30,000 calls in 2017. However, under current DOC policy, 311 complaints are not subject to a formal grievance process. There are no guidelines or practices to monitor the resolution of these complaints, effectively sending potentially thousands of complaints against the Department into a void.

We agree with the Board that DOC must develop a formalized grievance policy to clarify the role of 311 calls in the grievance system. We also support the report’s recommendation of a central tracking system to monitor these complaints and provide incarcerated individuals with updates on the status of their complaints. This should be the bare minimum of what the City provides any New Yorker who files a complaint through 311—regardless of their incarceration status.

Additionally, the report found that grievances filed not through 311 but through the Inmate Grievance and Request Program must fall within one of 29 established categories to be subject to formal review. In 2017, nearly 40% of formal complaints were considered “non-grievable” and therefore not subject to a full review process or set timeline. The most common non-grievable category was complaints against DOC staff.

At the Council, we are concerned that these complaints are also not being addressed, and incarcerated people are not being informed of next steps needed or evidence that their complaint

was actually resolved. The grievant should be fully informed on the process and status of the complaint.

Grievances made within the correctional system cannot continue to go unaddressed. Along with BOC, we ask you to develop policies that reflect these concerns, as well as clarify and streamline the process for future complaints. Grievance systems should not only encourage justice and equality, but also prevent smaller issues from turning into large-scale crises.

Thank you for your timely consideration of this matter.

Sincerely,



Council Member Keith Powers
Chair, Criminal Justice Committee
Vice-Chair, Progressive Caucus



Council Member Ben Kallos
Co-Chair, Progressive Caucus



Council Member Carlos Menchaca
Vice-Chair, Progressive Caucus



Council Member Antonio Reynoso
Member, Progressive Caucus



Council Member Brad Lander
Member, Progressive Caucus



Council Member Helen Rosenthal
Member, Progressive Caucus



Council Member Justin Brannan
Member, Progressive Caucus



Council Member Daneek Miller
Member, Progressive Caucus



Council Member Diana Ayala
Chair, Mental Health & Disabilities
Co-Chair, Progressive Caucus



Council Member Donovan Richards
Chair, Public Safety Committee
Member, Progressive Caucus



Council Member Deborah Rose
Member, Progressive Caucus



Council Member Carlina Rivera
Member, Progressive Caucus



Council Member Jimmy Van Bramer
Member, Progressive Caucus



Council Member Stephen Levin
Member, Progressive Caucus



Council Member Jumaane Williams
Member, Progressive Caucus



Council Member Margaret Chin
Member, Progressive Caucus



Council Member Ydanis Rodriguez
Member, Progressive Caucus