

February 13, 2023

Dear Members of the Board of Correction,

We, the undersigned, are writing to urge the Board of Correction to reject the Department of Correction requests for continuing variances to Minimum Standard §§ 1-11(e)(1)(i) and 1-12(a).

The proposed variances would cause great harm to people incarcerated, their children, and their other family members. Among other challenges, the proposed variance regarding mail raises serious concerns about delays in mail delivery, denial of mail delivery, increased surveillance, and the denial of the ability to receive direct mail from loved ones. Denying the ability of a child to share their artwork with their parent or send a birthday card is cruel. Similarly, among other challenges, the proposed variance regarding packages will place significant financial burdens on family members and other loved ones.

The proposed variances also represent an attempt to make significant permanent policy changes to the Board's minimum standards without going through rulemaking procedures that involve a public comment period and hearings. The proposed variances would drastically change the Department's packages and mail policies by requiring all packages to be sent from vendors rather than directly from family members and all mail to be scanned and read on tablets by people in custody. The Board must exercise its authority and independence by rejecting these variance requests and upholding longstanding minimum standards.

Moreover, these policy changes will not address concerns about drugs in New York City's jails. The Department of Investigations has documented, as recently as July 2022, that "mail and visits are not significant entry points for contraband." Meanwhile, multiple investigations have documented jail staff as sources of drugs in the jails.

Overall, these policies will weaken family and community connections, cause harm to people's health and well-being, and have negative impacts on everyone's safety. The Board must reject the variance requests, maintain its independence, and protect the basic rights of people in the city jails and their families and loved ones.

Thank you for your consideration.

Sincerely,

AAS EMPOWERMENT LLC

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