

February 14, 2023

Members of the NYC Board of Correction

Re: Proposal to Decrease Number of Annual Meetings and
the Cap on Public Comments at Today's Meeting

Alan Levine
President

Twyla Carter
*Attorney-in-Chief
Chief Executive Officer*

Justine M. Luongo
*Chief Attorney
Criminal Practice*

Mary Lynne Werlwas
*Attorney-in-Charge
PRP*

Dear Board Members:

The Prisoners' Rights Project strongly opposes BOC's proposed resolution to decrease by one-third the number of annual meetings it holds. BOC serves a critical role of overseeing a sprawling, crumbling City jail system, in which those in its custody are at an extraordinary risk of danger. The public depends on BOC to monitor conditions in the City's jails, and BOC meetings are one of the few occasions where Department of Correction (DOC) officials are held accountable for how they treat people in their care. The City jails are in a state of humanitarian crisis, illustrated by the death of 19 persons in custody in 2022, and another preventable death last week. BOC's oversight is needed now more than ever. Yet the proposed resolution will further shield DOC's actions from scrutiny and undoubtedly hinder efforts to resolve the ongoing emergency.

The proposed resolution is especially troubling in light of DOC's pattern of obstructing its overseers. Last month DOC brazenly revoked BOC's independent access to video footage from inside the jails and forbade the use of such video in BOC's work. BOC immediately denounced this decision as contrary to the terms of the New York City Charter. If BOC were to reduce how often it meets, it would play right into DOC's hands by further restricting its own oversight. We strongly urge Board Members to reject this resolution.

Moreover, BOC announced via email yesterday, just one day before today's meeting, that it would limit the number of people allowed to comment during the three public comment periods at the meeting to 'elected officials and the first six people to sign-up for each comment period (first three in-person and first three online).' BOC established this restriction for a meeting where controversial variances limiting incarcerated people's access to mail and packages will be put to a vote, where DOC's failure to provide access to medical care will be discussed, and where ongoing issues with drugs and violence in the jails will be addressed. At such an important meeting, and at a time when New Yorkers in DOC custody are having their civil rights and their access to basic needs like medical care restricted, the BOC should promote transparency, not restriction. Yet BOC's decision drastically curtails its ability to hear from concerned members of our community, including people directly impacted by DOC's operations. It also leaves to chance—namely, how quickly someone can sign a form at the meeting or register on a computer system—who will be permitted to share their opinion. In this moment and amidst this crisis, BOC should amplify—not quell—the public voice.

Justice in Every Borough.

BOC must rescind this cap, permit all interested community members to exercise their voices, and embrace transparency in this moment of upheaval.

Sincerely,

/s/ Veronica Vela

Veronica Vela
Supervising Attorney
The Prisoners' Rights Project
The Legal Aid Society