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**Borough-based Jails Progress Report<sup>1</sup>**  
**July 1, 2024**

**Updated July 13, 2024**

**Introduction**

Since the Board of Correction’s (“BOC” or the “Board”) last progress report in March 2024, there have been significant announcements and changes to the plan to close Rikers Island and build four safer, fairer, and more humane jails in the boroughs, presenting new challenges. Indeed, despite the City’s commitment in 2019 to close Rikers Island by August 2027, in March 2024, the City’s budget director, Jacques Jiha, officially acknowledged that the deadline would not be met<sup>2</sup>. According to Mr. Jiha, the timeline for the borough-based jail was set prior to the COVID-19 pandemic and, due to the pandemic, the capital plan was paused for a year and half<sup>3</sup>.

Local Law 192 for the year 2019 (“LL 192”) requires the Board to report every six months the impact of the Department of Correction’s (“DOC” or the “Department”) borough-based jail plans on people in custody and on compliance with the Board’s minimum standards. This is the Board’s fourth progress report under LL 192. This report will provide updates on the status of recreation areas in the proposed borough-based jails (“BBJ”), therapeutic bed space in the proposed BBJs, and the current jail population.

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<sup>1</sup> This report was prepared by Katrina Blackman, Assistant Executive Director and Jasmine Georges-Yilla, Executive Director in compliance with Local Law 192 for the year 2019.

<sup>2</sup> Rikers Island Not Likely to Close by 2027 Deadline, N.Y.C. Official Says <https://www.nytimes.com/2024/03/04/nyregion/rikers-closing-2027.html>

<sup>3</sup> Fiscal Year 2025 preliminary Budget Hearing: Committee on Finance <https://citymeetings.nyc/city-council/2024-03-04-1000-am-committee-on-finance/media-viewer-with-transcript?go=c-2664#c-2634>

**Note on updated report:**

In its July 1, 2024, semi-annual Borough-based Jails (“BBJ”) Progress Report as required by Local Law 192 for the year 2019, the Board of Correction (“Board” or “BOC”) informed the public of the status of the project, its plans, and pending construction updates for the borough-based facilities and hospitals. The Department of Correction (“Department” or “DOC”) and the Board have joined quarterly meetings where the latter agency is informed on the status of projects or initiatives and timelines. The Board uses much of the information the Department shares at that time to write the report. On July 10, 2024, DOC shared updates in four areas essential in providing factual content for the report.

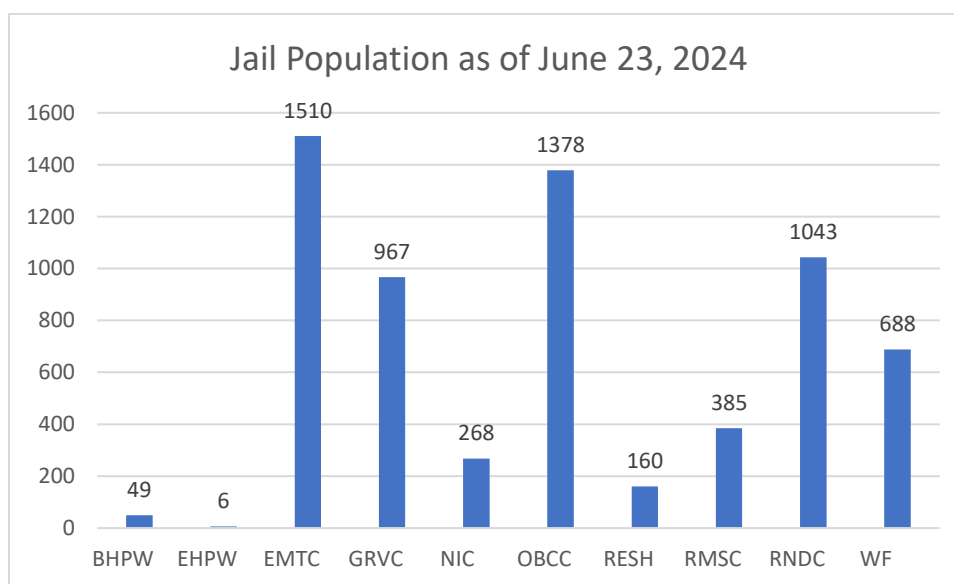
Correctional Health Services (“CHS”) provided new information to the Board on July 8, 2024. At the time of issuing the report, BOC was not privy to the information shared by CHS. Nonetheless, the status will reflect CHS’s update.

The report has been amended to reflect the changes suggested by DOC and CHS. All updated text is in **red**.

## Jail Population

The Department's jail population has increased since the Board's last progress report. As of June 23, 2024, the population's monthly average is approximately 6,554. In the Board's 2021 BBJ report, it was recommended to reduce the jail population, a series of reforms such as changing pretrial decision making, expanding sentencing options, reducing the use of jail for technical parole violations, and developing robust alternatives for individuals diagnosed with serious mental illness can achieve that goal<sup>4</sup>. A report from the Independent Commission on New York City Criminal Justice and Incarceration Reform from the same year, also outlined a path to a daily jail population reduction<sup>5</sup>. The Department's current plans for borough-based jails is 3,300 beds.

DOC informed BOC on July 10, 2024, that the City's current plans for the borough-based jails is 4,160 beds.



Source: DOC Custody File

The Board, as a neutral oversight agency, frequently receives concerns and recommendations from different stakeholders, including the community, and advocates for people in custody. On April 26, 2024, the Board received the following recommendation to reduce the jail population: urge the mayoral administration to utilize the proven-effective Work Release Program in New York City Correctional Institutions: the 6-A program. The Urban Justice Center suggested “the Board again urge the administration to instead pursue pathways to safely reduce the jail population, including utilization of

<sup>4</sup>Borough Based Jails Progress Report 2021 <https://www.nyc.gov/assets/boc/downloads/pdf/Reports/BOC-Reports/Borough-Based-Jails-Progress-Report.pdf>

<sup>5</sup>Closing Rikers Island A Roadmap for Reducing Jail in New York City, Independent Commission on New York City Criminal Justice and Incarceration Reform and the Center for Court Innovation [https://www.courtinnovation.org/sites/default/files/media/document/2021/Roadmap\\_for\\_Reducing\\_Jail\\_NYC\\_07\\_192021\\_0.pdf](https://www.courtinnovation.org/sites/default/files/media/document/2021/Roadmap_for_Reducing_Jail_NYC_07_192021_0.pdf)

the 6A program and active coordination with the judges and District Attorneys to maximize diversion opportunities...” This program, which was successfully implemented during the COVID-19 pandemic, led to the release of some individuals with city sentences. Article 6-A<sup>6</sup> authorizes the Department to permit city sentenced individuals to be released and serve their remaining time at home. Between March 16th and June 5th, 2020, the Department's city sentenced population decreased from 10% to 2%<sup>7</sup>.

## **Recreation Areas Update**

In our last report, the Board was not convinced that the structure of the proposed outdoor recreation spaces was satisfactory. Board members expressed concerns that the areas are not outdoors. The illustrations and renderings showed enclosed physical spaces with a high, solid ceiling and security mesh walls, with paneling along the lower part of the walls to prevent people in custody from interacting with those in the other housing units or people on the streets below. Over the past few months, the Board, and the Department have continued discussions to improve the outdoor recreation spaces to meet the Board’s minimum standard and allow compliance with section 1-06 of chapter 1 of title 40 of the rules of the city of New York, regarding recreation. The Department of Design and Construction and the Department of Correction define outdoor recreation space as follows; “provides direct access to air and sunlight, unconditioned and open to the elements.”<sup>8</sup> According to the Department, it has refined the arrangement of the exterior materials of the outdoor recreation areas; this includes architectural mesh, security mesh, and horizontal louvers. The Board, along with other city agencies are exploring discussions of exemptions from certain building sustainability and stormwater requirements to allow rooftop recreation space in future construction plans for the jails based in the Bronx, Queens, and Manhattan.

**On July 10, 2024, DOC clarified that the Department of Design and Construction and the Department of Correction’s position is that the recreation yards, as currently designed, are in compliance with all applicable definitions of outdoor recreation.**

## **Design and Construction of Borough-Based Jails**

The borough-based jails will be in residential and commercial communities across the City. The Department and the City connected with Thinc Design, a human experience design consulting firm. The purpose is to advise the Department of Correction and each of the design-build teams of interventions that could improve day-to-day human experience and outcomes in and around the jails. Over the past year, Thinc has conducted almost 20 listening workshops with varying constituent groups that include DOC uniformed and non-uniformed staff, Correctional Health Services staff, people in custody, families of people in custody, formerly incarcerated individuals, and homeless population, city agencies such as the District Attorney’s offices, New York City and State courts, justice advocates, and the New York Police Department.

## **Therapeutic Beds and Outpost Areas**

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<sup>6</sup> [New York Correction Law Article 6-A \(2023\) - Work Release Program in New York City Correctional Institutions :: 2023 New York Laws :: US Codes and Statutes :: US Law :: Justia](#)

<sup>7</sup> [https://www.nyc.gov/assets/boc/downloads/pdf/News/covid-19/Public\\_Reports/BOC%20Board%20Update%20-%20COVID-19\\_6.8.2020.pdf](https://www.nyc.gov/assets/boc/downloads/pdf/News/covid-19/Public_Reports/BOC%20Board%20Update%20-%20COVID-19_6.8.2020.pdf)

<sup>8</sup> <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4146389&GUID=5CCFB419-E5BA-45E8-A3A0-07596B5AF1B1&Options=&Search=>

In March 2024, Mayor Eric Adams announced a significant development- the initiation of construction on therapeutic housing units at New York Health+ Hospitals locations. This construction, set to commence at Woodhull Hospital Center in Brooklyn and North Central Bronx Hospital, is a collaborative effort. The Department will be responsible for security and custody management in the units, while Correctional Health Services will operate the needs of incarcerated individuals. It is important to note that Health and Hospitals staff will not be involved in the units. The anticipated date of completion for both hospitals is summer 2027.

The therapeutic spaces in the BBJs will be equipped with dayrooms and program spaces, and like all other units in the new jails, there will be direct observation by correction officers in every housing unit. Therapeutic units will not have additional security staff assigned but will have clinical staff directly in the housing unit. Twenty percent of each BBJ will be dedicated to therapeutic housing areas. Hospital areas will also have dedicated space for Program for Accelerating Clinical Effectiveness ("PACE") units. PACE units provide evidence-based treatment in environments that afford clinical needs for specific individuals with mental health concerns.

On July 10, 2024, DOC clarified that between twenty-one and twenty-two percent of each BBJ will be dedicated to therapeutic housing areas, which is based on the proportion of the population that has serious mental health needs.

Bellevue Hospital is slated to have roughly 100 therapeutic beds as part of its treatment location for people in custody with severe medical and mental health needs. Bellevue's secure area is scheduled to open in mid-2024, which means the units should be ready to open soon with immediate availability.

On July 9, 2024, CHS provided BOC with the following updated information:

#### **"Outposted Therapeutic Beds Outside of Borough-Based Jails**

In 2019, CHS received approval to proceed with an innovative project, the Outposted Therapeutic Housing Units. This pioneering initiative was developed independently of the movement towards Borough-Based Jails and was instead conceived by CHS to bridge what it saw as a gap in the clinical care continuum between jail-based health care and acute inpatient hospitalization. To be located in three NYC Health + Hospital facilities, these will be secure units within three community hospitals, with CHS providing care for certain of its patients in closer coordination with hospital specialists, and DOC providing security and custody management. Construction started at Bellevue Hospital, and design work started for the remaining two sites, and work on the project was then paused in 2022.

In March 2024, Mayor Eric Adams announced a significant development: the resumption of work on the outposted therapeutic housing units at all three NYC Health+ Hospitals locations. Bellevue Hospital is slated to have roughly 100 therapeutic beds as part of its treatment location for people in custody with complex medical and/or mental health needs and is currently slated to be completed by spring of 2025. Completion of the remaining two sites is estimated for 2027 but is dependent on when designs are finalized.

Like the therapeutic housing units planned for the new borough-based jails, the outposted therapeutic spaces in the hospitals will be equipped with dayrooms and will have regularly assigned correctional staff jointly trained with the clinical staff who will be working on the housing units. Although the

Outposted Therapeutic Housing Units were developed as a clinical innovation, they are now recognized as an important component of the movement towards a safer, fairer, and more humane system.”

## **Conclusion**

As part of the Board's effort to remain present in developing the borough-based jails plans, some of our agency's staff will attend the human experience focus group with Thinc Design. We have been informed that members of the Lippman Commission also attended focus groups in the past. While the first BBJ won't be ready until 2029, there are still significant possibilities to improve the living conditions for people in custody across New York City. The identified program spaces, direct observation in all housing areas, therapeutic units for people with acute medical and mental health needs within the jails, and identified hospital centers all point towards a brighter future, inspiring hope that the City is committed to protecting the lives of incarcerated individuals.

On July 10, 2024, DOC clarified that it intends to engage the Lippman Commission for the focus groups, but that has not yet been scheduled.