

December 18, 2014

Gordon J. Campbell, Chair
Members of the Board
NYC Board of Corrections
51 Chambers Street, Room 923
New York, NY 10007

Our Social Work Task Force Against Prolonged Solitary Confinement writes to oppose the proposed changes to the Jail Minimum Standards that would permit implementation of Enhanced Supervised Housing (ESH). Our national task force includes members of the NYC Jails Action Coalition; we urge you to accept their recommendations for needed changes to implement meaningful reform.

As social workers, we strongly oppose any form of solitary confinement, including ESH on a prolonged basis. It is considered torture by the Special Rapporteur on Torture of the United Nations. Two members of our task force, as employees at SHU facilities, have witnessed the deleterious effects of solitary confinement, including serious self-harm, suicide and murder, not only on prisoners, but on staff and on the community as well.

We understand that there is a need for very close supervision of prisoners who are extremely violent, and that the high rate of violence in prisons is unacceptable. However, placing prisoners in ESH is cruel, non-rehabilitative, and will only breed more violence. As an alternative, we support a humane, multi-disciplinary, therapeutic approach that provides incentives for positive behavior, proper medical treatment for those inmates with mental health and other health-related problems, and placement in humane alternative settings as appropriate, opportunities for regular family visits and human contact, physical and mental stimulus, music and art, access to light, open space, and the opportunity to work in gainful employment, and to volunteer. In addition, the changes recommended by the NYC Jails Action Coalition should be implemented, transparently monitored, and frequently reviewed. In particular, it is important that non-DOC staff conduct a hearing before a person is placed in solitary confinement or ESH, at which the accused person has legal representation and an opportunity to present evidence and to call and cross-examine witnesses.

We are concerned about the disproportionate imprisonment of people of color, which reflects the institutional racism of our criminal justice system that is currently receiving national attention. We therefore urge you to ensure that the decision to place prisoners in ESH is made without prejudice due to race or other factors. We believe staff members need protection when they report problems to their superiors. ALL staff members should be encouraged to work as a team, with social service staff being an integral part of the Corrections team.

The fact that there are not enough mental health professionals to meet the needs of prisoners creates enormous stress on the prison system. The former Commissioner cited additional staff being placed in the ESH – one legal coordinator, three chaplains, one social service counselor and one grievance coordinator. We question if this will be adequate staffing for the numbers of prisoners anticipated. We believe staff training needs to include anti-violence, dispute resolution

and communication skills, as well as the ability to recognize signs of psychiatric distress and how to address it in a non-violent manner.

Thank you for this opportunity to comment.

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