

NYC Department of Correction Response to Board of Correction’s “Injury Response in NYC Jails” Report

The New York City Department of Correction (“the Department” or “DOC”) appreciates the Board of Correction (“the Board” or “BOC”) sharing its “Injury Response in NYC Jails” report. While the Department has concerns regarding the scope and methodology of the report and some of the subsequent conclusions that are drawn, we are supportive of the spirit of the assessment and agree with several of the Board’s recommendations.

The Board’s assessment was twofold: to determine whether the Department and New York City Health + Hospitals/Correctional Health Services (CHS) complied with §3-16 of Title 40 of the Rules of the City of New York (RCNY) during CY2024, and to assess the effectiveness of related policies and procedures developed under 40 RCNY §3-16(a). While we understand the value of examining both compliance and broader policy effectiveness, evaluating these distinct areas within a single assessment may blur the focus of the reporting requirements set forth in §3-16. The Board found DOC and CHS to largely be in compliance with the reporting rules, but the nature of the twofold assessment may make that high-level takeaway less clear. The Board’s analysis, which was based on a review of just 99 of 28,273 injury investigation forms (0.0035%) from CY2024, represents a limited sample size that may affect the extent to which conclusions can be generalized and, as a result, may misrepresent the Department’s ongoing work to maintain compliance with §3-16.

We agree that injuries should be reported in an accurate, timely, and objective manner that informs injury prevention and supports the wellbeing of people in custody, and we continue to work collaboratively with CHS toward that shared goal. We also acknowledge that we can do more to improve the joint reporting process. We believe that many of the Board’s recommendations, namely those having to do with contemporaneously identifying trends and improving the monthly reporting timeline, would be addressed by implementing a coordinated electronic injury tracking system, which is an effort we have been discussing internally as we remain laser focused on modernizing the agency.

Most of the Board’s recommendations are aimed at strengthening the reporting process rather than identifying compliance deficiencies. As the Board stated in its assessment, both agencies maintain policies that govern the reporting process, complete investigations, and work with one another on a regular basis to issue each report required by the Minimum Standards. We thank the Board for its findings and recommendations as well as our partners at CHS for helping sustain this coordinated effort.