



Department of Correction

Local Law 12 of 2023

5-Year Accessibility Plan (2024-2028)

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Background

Local Law 12 of 2023 requires every New York City agency to develop and implement a five- year accessibility plan, in consultation with the Mayor’s Office for People with Disabilities (“MOPD”). The legislation mandates that the accessibility plans outline the steps agencies are taking to “ensure that the agency’s workplace, services, programs and activities are accessible to and accommodating and inclusive of persons with disabilities”¹ by improving physical, digital, and programmatic access, and providing effective communications for persons with disabilities. These efforts include, but are not limited to: any alterations or structural changes to facilities or premises that are owned and operated by the agency or contracted for use by the agency or otherwise under the agency’s jurisdiction; any planned upgrades or investments in technology or tools that will improve accessibility within the agency or access to such agency’s services and programs; and additional steps to make the agency’s programs and services more accessible to and inclusive of persons with disabilities.

Statement of Commitment

The New York City Department of Correction (“DOC” or “Department”) believes in an equitable, diverse, and inclusive environment. DOC is committed to providing persons with disabilities with access to the Department’s services; to identifying, preventing, and removing barriers to accessibility; and to meeting accessibility requirements in a manner that respects the dignity and independence of persons with disabilities.

Consistent with the purpose of the legislation, the New York City Department of Correction strives to use reasonable efforts to ensure that its policies, practices, and procedures are consistent with the following principles:

- Department services are provided in a manner that respects the dignity and independence of persons with disabilities to enable them to obtain, use or benefit from Department resources and/or services;

¹ Local Law 12 of 2023, available at: <https://intro.nyc/0682-2022>

- Persons with disabilities are given an opportunity equal to that given to others to obtain, use and benefit from Department resources and/or services;
- When communicating with a person with a disability, the Department will do so in a manner that considers the person's disability and preferred method of communication;

Agency Mission

The New York City Department of Correction is dedicated to creating a safe and supportive environment while providing individuals in our care with a path to successfully re-enter their communities. The Department provides for the care and custody of people 18 years of age and older ordered to be held by the courts and awaiting trial or who are convicted and sentenced to one year or less of jail time.

Contact Information

DOC's Intergovernmental Affairs Unit is responsible for preparing and updating the Department's Accessibility Plan.

Online Resources

DOC's website contains useful information for individuals with disabilities, including:

1. Non-discrimination Policy and Notice of Rights
2. Grievance Procedures
3. Website Accessibility Statement
4. Five-Year Accessibility Plan

To access DOC's online accessibility resources, please visit our [website](#). A copy of this webpage is appended to this plan as Appendix A.

Accommodations Requests

Under Local Law 27 of 2016, every City agency is required to appoint a Disability Service Facilitator (“DSF”). The DSF coordinates agency efforts to comply with and carry out the agency's responsibilities under the Americans with Disabilities Act (“ADA”) and other federal, state and local laws and regulations concerning access to agency programs and services by persons with disabilities. These individuals are liaisons to New Yorkers with disabilities, connecting people with disabilities to City government. Employees and/or members of the public who need assistance accessing a particular program or service, should contact DOC’s DSF Nancy Bleakley at (718) 546-0943/0861.

Availability

DOC’s accessibility plan is publicly posted on our [website](#). Individuals may request a copy of this document in an accessible alternative format by contacting the DSF at (718) 546-0943/0861.

Executive Summary

DOC is committed to equity both in its workforce and in its service to the public. To comply with the ADA and Local Law 12 of 2023, DOC has designed this accessibility plan to identify priority areas to remove barriers to accessing DOC’s services and to empower its workforce to better serve New Yorkers. This plan addresses access in the following areas: (1) Physical Access; (2) Digital Access; (3) Programmatic Access; (4) Communications; and (5) Workplace Inclusion. The purpose of this plan is to outline how DOC will identify, remove, and prevent barriers for persons with disabilities and comply with the ADA and other legal requirements. This plan was informed by consultations with DOC’s Health Affairs Division and Office of Equal Employment Opportunity (EEO), which, through their role in answering disability-related inquiries and processing reasonable accommodations requests, has a strong understanding of past, present, and future accessibility issues. DOC has developed this plan to address these

issues, remove barriers, and prevent creation of new ones in the areas identified above. While DOC designed this plan to be comprehensive, a more thorough assessment will be required in some instances to identify effective long-term solutions and implementation strategies. As such, this plan will continue to evolve with the goal of achieving our accessibility objectives and keeping pace with changing accessibility standards and requirements.

Agency Plan

Physical Access

Implementation Timeframe: 2024-2028

On August 16, 2018, the City of New York, including the New York City Department of Correction and the New York City Health and Hospitals Corporation, executed a Voluntary Compliance Agreement (VCA) concerning the Americans with Disabilities Act (ADA) with the United States of America, represented by the United States Attorney for the Southern District of New York. Currently, due to the expected closure of Rikers Island in 2027, there are no additional ADA Accessibility plans for the Island. DOC's Borough Based Jail facilities and Outposted Therapeutic Housing Units (OTxHU) will be fully ADA compliant upon completion.

For those traveling to and from the Island, DOC provides free ADA compliant Rikers Visitor buses from Harlem and Brooklyn to Rikers Island which are staffed by drivers with Vision Zero training.

DOC's leased office space is located at 75-20 Astoria Blvd S, Queens, NY 11370. The building is equipped with accessible doors that automatically open and close, accessible elevators, and ADA compliant parking spaces.

In addition to the above, the Department will continue to establish plans to make its facilities more accessible. The Department will take appropriate steps to prevent service

disruptions to accessible parts of its public spaces. In the event of a service disruption, we will notify the public of the service disruptions and alternatives available.

Digital Access

Implementation Timeframe: 2024-2028

DOC will continue to strive to meet Web Content Accessibility Guidelines 2.1 Level AA for both our internal and public facing websites. DOC's Web Accessibility Statement is posted on the Department's Accessibility [webpage](#) in compliance with Local Law 12.

Programmatic Access

Implementation Timeframe: 2024-2028

The Department is under a Voluntary Compliance Agreement with the Department of Justice to assist persons in custody who are classified as being protected under the Americans with Disabilities Act. Below is a list of most of the services that the ADA team in conjunction with our partners at Correctional Health Services ("CHS") and other affiliates provides under Reasonable Accommodations:

1. Assistive Devices (CPAP machines, eyeglasses, hearing aids, wheelchairs, walkers, canes, crutches, prosthetic devices, shower chairs)
2. Auxiliary Aids (Video Relay Services, TTY machines, sign language interpreters, audio readers, large print keyboards, large print library books, computers for the visually impaired, portable digital magnifiers)
3. Footwear (supportive footwear, orthopedic footwear)

At this time, due to the expected closure of Rikers Island in 2027, there are no additional ADA Accessibility plans for Rikers Island. DOC's Borough Based Jail facilities and Outposted Therapeutic Housing Units (OTxHU) will be fully ADA compliant upon completion.

Effective Communications

Implementation Timeframe: 2024-2028

The Department is committed to providing accessible service to people with disabilities and making our information and communications accessible to people with disabilities. DOC is committed to ensuring its digital content is accessible to and usable by people with disabilities.

To achieve greater digital accessibility and remove barriers to persons with disabilities, DOC will:

1. Upon request, provide or arrange for the provision of accessible formats and communication supports to persons with disabilities in a timely manner, considering the person's accessibility needs.
2. Provide, upon request, accessible formats and communication supports for receiving and responding to feedback from persons with disabilities.
3. Organize professional training sessions, including those offered by the Department of Citywide Administrative Services (DCAS).

Workplace Inclusion

Implementation Timeframe: 2024-2028

Accessibility Policies and Plan

The Department has developed and will implement and maintain a five-year accessibility plan that outlines the strategies and actions to identify, prevent and remove barriers for people with disabilities. Specifically:

1. The Department has incorporated the Citywide EEO Policy into the DOC Code of Conduct and DOC Employee Handbook. DOC's current policy requires all employees to read, review and sign the Code of Conduct and Employee Handbook, upon hire, and as part of an annual review process for all employees.

2. The Department will review, assess, and amend, where necessary, its internal policies and procedures to incorporate accessibility equity into DOC's core operations with respect to DOC employees and members of the public with whom DOC interacts.
3. DOC reviews internal policies on a regular basis and will integrate updates and/or amendments regarding accessibility to relevant laws, rules and regulations into the Code of Conduct and Employee Handbook. In conjunction with the commencement of its five-year accessibility plan, DOC plans to do an accessibility review of agency policies to ensure they address any accessibility issues.

Employment Standard and Reasonable Accommodations

DOC is committed to ensuring that our recruitment, assessment and on-boarding processes are fair and accessible to all applicants and potential employees. DOC will also continue to provide reasonable accommodations when feasible to assist employees in performing their essential job functions. The Department will continue to provide reasonable accommodations to applicants during the interview process. The Department actively works with DCAS to recruit 55-A candidates for certain positions.

The Department has taken the following steps to ensure compliance with this standard:

1. Specifying that accommodations are available for employees and applicants with disabilities.
2. When making offers of employment, successful candidates are notified that accommodations are available upon request to DOC's EEO Office.
3. EEO arranges interviews, if applicable, for requested accommodation(s) in a timely manner, in a format/forum that is preferable to the employee requesting/requiring the accommodation.
4. EEO informs employees of policies used to support employees with disabilities and notifies employees when there is a change in policy, as soon as practicable.

Documented Individual Accommodation Plans

Consistent with the Citywide EEO Policy and relevant laws and rules, DOC EEO shall produce and provide documented individual accommodations based on the following practices:

1. Cooperative dialogue with the employee or applicant requesting/requiring the accommodation;
2. External medical evaluations to determine appropriate and effective accommodations that address the specific disability or condition;
3. High level of privacy;
4. Regular review and updates, where applicable;
5. Reasons for denial, if applicable;
6. The means of providing the accommodation in a format that considers the needs of the employee;
7. If required, include individualized workplace emergency response information.

Accessible Emergency Information

The Department has created a process for documenting challenges with accessibility in addition to recording and providing accommodation for individualized accessible emergency response information. DOC has provided and will continue to provide individual emergency response plans to employees with disabilities in order to ensure such employees can be safely evacuated from DOC premises in the event of emergency. If an employee who receives individualized workplace emergency response information requires assistance, with the employee's consent, the workplace emergency response information will be given to the designated employee(s) responsible for coordinating search and evacuation of Department employees. An individual emergency response plan shall include the employee's:

1. Location
2. Type of disability, if applicable
3. Special equipment required for safe transport and evacuation.

The Department will continue to review the individualized workplace emergency response plans to ensure the plans are updated and accurate.

The Department is committed to making the following upgrades to improve accessibility during an emergency:

- Installation of “Glow in the Dark” directional arrows on walls and flooring.
- Installation of additional of Smoke and Carbon Dioxide Detectors with lights.
- Installation of a Front Entrance ramp.
- Additional training in emergency procedures with staff in dealing with persons with disabilities.
- Installation of Alarm and Emergency Strobe lighting and sound.

Performance Management, Career Development and Redeployment

The Department is committed to ensuring that the accessibility needs of employees with disabilities are considered with regard to performance management, career development and redeployment processes.

The Department will continue to regularly review and update Human Resources policies and procedures taking the following elements into consideration:

1. Accessibility needs of employees with disabilities, as well as individual accommodation plans, shall be taken into account when using performance management processes.
2. Accessibility needs of employees with disabilities, as well as individual accommodation plans, shall be considered when providing career development and advancement opportunities.
3. Accessibility needs of employees with disabilities, as well as individual accommodation plans, shall be taken into account when redeploying employees with disabilities.

Training

The Department's Training and Development Division works hand in hand with the Office of EEO and Health Affairs Division to provide staff training including and not limited to content related to persons with disabilities. DOC's eLearning content is created with audio, transcripts, and closed captioning to assist those who might be visually and hearing impaired. All DOC eLearning courses are accessible via the DOC Learning Management System.

The following courses available to staff members as part of the disability awareness trainings

1. Assisting Persons in Custody with Disabilities
2. DCAS- Disability Awareness and Etiquette

Methodology

Beyond meeting ADA compliance requirements, DOC is committed to identifying priorities to increase accessibility and inclusion. The Department has identified the following goals to remove and prevent accessibility barriers over the coming years:

1. Review existing accessibility policies and procedures and update, where necessary.
2. Increase employment and other opportunities for under-represented populations.
3. Commit to filing an accessibility report based on stated deadlines in § 23-1004.

Public Comment

The Department has thoroughly reviewed and considered all comments received throughout the public comment period that ended on February 16, 2024.

Agency Grievance Procedure

Department of Correction Grievance Procedure for Members of the Public Alleging Discrimination Based on Disability

Any member of the public alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Department of Correction may file a grievance with the Department of Correction, which should contain:

- the name, address, telephone number and/or email of the grievant and
- information about the alleged discrimination, such as the location, date, and description of the incident or alleged violation of the ADA, Rehabilitation Act, NY State Human Rights Law, or NYC Human Rights Law.

“Grievance” is the term for the allegation filed with the Department of Correction by a member of the public.

“Grievant” is the term for the person alleging discrimination in the grievance.

When and How to File a Grievance

The grievance should be submitted as soon as possible, but no later than sixty (60) calendar days after the date of the alleged violation to:

The Office of Constituent and Grievance Services

718-546-1500

ConstituentServices@doc.nyc.gov

The grievance may be filed in one of two ways:

1. By submitting the grievance in email using the above address; or
2. You can contact OCGS by phone by calling 718-546-1500, Monday- Friday 8:00am-5:00pm.

Timeline Following Filing of Grievance

Within fifteen (15) calendar days after receipt of the grievance, the Disability Service Facilitator or designee will contact the grievant to discuss the grievance and possible resolutions.

Within fifteen (15) calendar days of this contact with the grievant, the Disability Service Facilitator or designee will provide a response in writing. Grievants may

request the response in an additional format accessible to them, such as large print, Braille, or audio recording. This response will address the grievance, describe the agency's position, and offer options for substantive resolution of the grievance, where applicable.

When and How to File an Appeal

The grievant may appeal the agency's decision within thirty (30) calendar days of receipt of the agency's response.

The appeal should be mailed to:

Commissioner Lynelle Maginley-Liddie
New York City Department of Correction
75-20 Astoria Blvd.
East Elmhurst, NY 11370

The appeal may be filed by submitting the appeal in writing and by mail using the above address.

Timeline Following Filing of Appeal

The Department of Correction response to the appeal will be provided to the grievant in writing within sixty (60) days following receipt of the appeal. Grievants may request the response in an additional format accessible to them, such as large print, Braille, or audio recording. This response will address the appeal, describe the agency's decision, and offer options for substantive resolution of the appeal, where applicable.

All written grievances, appeals, and responses in connection with a grievance made to the Department of Correction will be retained for at least three (3) years.

Note: Upon request to the Disability Service Facilitator, this page can be made available in an alternative format.

Agency Notice of Nondiscrimination / Notice of Rights

Department of Correction Policies Prohibiting Discrimination Against People with **Disabilities in Access to Services**

It is the policy of the Department of Correction to comply with all applicable laws including, but not limited to, the Americans with Disabilities Act (ADA), Rehabilitation Act, the New York State Human Rights Law and the New York City Human Rights Law. The Department of Correction does not discriminate on the basis of disability in the operation of its programs, services and activities and strives to be welcoming to and inclusive of people with disabilities.

Employment related complaints for employees and applicants for employment seeking a reasonable accommodation are covered under the City's EEO Policy which can be found [here](#)

Any member of the public who requires an auxiliary aid or service for effective communication, or a reasonable modification of policies or procedures in order to participate in our programs, services or activities (involving matters other than employment) is invited to direct their needs and preferences to Department of Correction Disability Service Facilitator by email, phone or mail:

Disability Service Facilitator Nancy Bleakley
75-20 Astoria Boulevard
Suite 390
East Elmhurst, NY 11370
Phone: (718) 546-0943/0861
Email: Nancy.Bleakley@doc.nyc.gov

Requests should be made as soon as possible but no later than three (3) business days before the scheduled program, service or activity. Questions, concerns or requests for additional information may be directed to the Department of Correction Disability Service Facilitator.

If you believe that you have been denied an auxiliary aid or service or a reasonable modification of policies or procedures that you need in order to

participate in programs, services or activities provided by the Department of Correction please see the Department of Correction grievance procedure.