

CAPA REGULATORY AGENDA FY 2013  
BOARD OF CORRECTION

SUBJECT AREA

Solitary confinement.

SUMMARY OF PROPOSED RULE

The Board of Correction will consider a petition from the Jails Action Coalition and members of the public to engage in rulemaking concerning solitary confinement. It is expected that the rulemaking will consider changes and additions to the Minimum Standards regarding solitary confinement.

REASON WHY ACTION IS BEING CONSIDERED

Receipt of petition from the Jails Action Coalition and members of the public.

INDIVIDUALS SUBJECT TO THE RULES

The Department of Correction, Department of Health and Mental Hygiene, and inmate population are likely to be subject to the rules.

RELEVANT FEDERAL, STATE AND LOCAL LAWS

The legal basis for this rulemaking is the City Charter mandate of the Board of Correction, N.Y. NYC. Law § 626: NY Code - Section 626: Board of Correction. There are no existing laws which duplicate, overlap, or conflict with matters to be considered, to date.

SCHEDULE FOR ADOPTION  
FY 2014

## SUBJECT AREA

Variance request process.

## SUMMARY OF PROPOSED RULE

The Board will consider amendments which would simplify the existing variance process and add a “best practices” variance.

## REASON WHY ACTION IS BEING CONSIDERED

It is expected that the rulemaking will simplify the variance process by combining two categories of variances - limited and continuing - into one generic variance and providing greater flexibility to authorize the Board to grant variances enabling DOC or DOHMH to test sound practices that have been proven effective in other jurisdictions.

## INDIVIDUALS SUBJECT TO THE RULES

The Department of Correction and Department of Health and Mental Hygiene are to be subject to the rules.

## RELEVANT FEDERAL, STATE AND LOCAL LAWS

The legal basis for this rulemaking is the City Charter mandate of the Board of Correction, N.Y. NYC. Law § 626 : NY Code - Section 626: Board of correction. Minimum Standard Section 1-15, Health Care Minimum Standard Section 3-13, and Mental Health Minimum Standard Section 2-09, would be changed. There are no other duplicate, overlapping, or conflicting laws, because the matter under consideration concerns procedural issues particular to the Board of Correction.

## SCHEDULE FOR ADOPTION FY 2014

Agency Contact  
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