



NEW YORK CITY DEPARTMENT OF CORRECTION
Cynthia Brann, Commissioner

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April 15, 2021

Jennifer Jones Austin, Chair
NYC Board of Correction
1 Centre Street, Room 2213
New York, NY 10007

RE: New York City Board of Correction Rulemaking Concerning Restrictive Housing in Correctional Facilities

Dear Chair Jones Austin,

The New York City Department of Correction (“Department”), in partnership with the New York City Board of Correction (“Board”), has taken significant steps during the current administration to reform our correctional management practices pertaining to the specialized housing of adolescents, young adults, the mentally ill, and individuals who engage in violence while in the Department’s care. This work began with the acknowledgment that a one-size-fits-all management approach did not adequately address the needs and challenges of the diverse population in Department custody. Our engagement on these issues culminated in the elimination of the use of punitive segregation for all adolescents (16-17 years old) in December 2014 and for young adults (18-21 years old) in Department custody in October 2016. During this time, the Department also eliminated the use of punitive segregation for all seriously mentally ill individuals in custody and worked to further refine alternative structured housing practices. During this dynamic period of change in Department operations, custody management practices were also reassessed relative to the Department’s changing population and the need for distinct approaches to housing, programming, and care. This work included the creation of more transparent and frequent review processes in structured housing areas, limitations on length of stays in certain restrictive housing, the creation of robust clinical alternatives to restrictive housing, as well as the significant expansion of programmatic and counseling offerings that target the needs of each individual with a focus on disrupting violent behaviors and addressing criminogenic risk.

The Board’s current rulemaking proposal continues this important reform work through the new alternative disciplinary model, the Risk Management Accountability System (RMAS). RMAS is a three-level progression model that holds people accountable for their involvement in violence and serious misbehavior through a swift, certain, and fair process. RMAS builds upon the Department’s important work over the past many years to ensure that people who engage in violence while in custody are provided the support they need to successfully reenter general population and, eventually, their communities. As a proud member of the Working Group to End Punitive Segregation, I worked alongside the other committed members of the working group – including Board Vice Chair Stanley Richards – to set forth clear recommendations that prioritize safety, accountability, and support for both officers and detained persons in our jail system. The foundations of these recommendations are captured in the RMAS, which will critically ensure accountability for the population of individuals in Department custody who engage in serious and persistent violence against

correction officers, program staff, medical staff, and their peers. Their serious and unacceptable actions will be addressed in a structured framework that ensures safety for all people in Department facilities, while critically addressing the underlying causes of violence to limit the likelihood of re-offense or further harm.

As important as safety and security are in any correctional setting, maintaining safety should not come at the expense of affording people their humanity. The RMAS provides our officers with the tools they need to manage some of the most challenging people in our care, while ensuring that placement within a restrictive housing setting does not lead to the deleterious impacts of solitary confinement. For the past eight years, this Department has led the way in national restrictive housing reform and we are proud to once again provide an innovative model for others around the country to follow. We look forward to the critical work ahead in order to finalize and successfully implement the Board's proposal, as well as the Board's support through the critical upcoming period of implementation in order to ensure the RMAS will serve as a foundational model of correctional best practice in our City and our country for many years to come.

Sincerely,

A handwritten signature in blue ink that reads "Cynthia Brann". The signature is fluid and cursive, with the first name "Cynthia" being larger and more prominent than the last name "Brann".

Cynthia Brann

cc: Margaret Egan, Executive Director