

**NYC Department of Correction
 Monthly Reducing Population in Punitive Segregation Report
 November 2021 Report (October 2021 Updates)**

The Department shall submit to the Board, on a monthly basis and in writing, a public progress report for the previous month, which shall include the Department’s progress toward achieving:

- a) *Progress in reducing the PSEG population (i.e., PSEG I/Central Punitive Segregation Unit (CPSU), PSEG II, Restrictive Housing Unit (RHU));*

Monthly PSEG ADP				
	July 2021	August 2021	September 2021	October 2021
PSEG (PS I, PS II, RHU)	87.2	98.3	89.6	81.7

- b) *Progress in reducing the population housed in other restrictive housing units, including Enhanced Supervision Housing (ESH) and Secure;*

Monthly ESH and Secure Unit ADP				
	July 2021	August 2021	September 2021	October 2021
ESH	122.4	135.9	147.1	114.1
Secure Unit	15.0	12.5	13.3	12.4

- c) *Construction, opening, and use of new RMAS housing units, including when plans are submitted to and approved by SCOC and explanations for unanticipated delays;*

Construction in RMAS units is underway. The Department submitted plans for RMAS Level 1 units on September 20, 2020 and received SCOC approval on October 29, 2020. The Department submitted plans for RMAS Level 2 units on September 11, 2020 and received SCOC approval on September 29, 2020.

The Department submitted additional plans to the SCOC related to infrastructure improvements in one RMAS Level 1 unit and one RMAS Level 2 unit on September 29, 2021. The Department additionally submitted plans to the SCOC to convert a structured housing area into a dedicated RMAS program space on October 1, 2021. The plans and related drawings were submitted to the Board prior to SCOC submission. The Department anticipated the approval of these plans at the October 19, 2021 SCOC Commission meeting, but the plans were not brought to a vote. Both sets of plans were approved, however, on November 2, 2021. Once construction is complete, the Department believes the changes will provide meaningful improvements for people in custody to access programs and important services while also maintaining safety for people in custody and staff, programming and uniform, in the units.

- d) *Development of Department policies governing the operation of RMAS disaggregated by the stage of their development, as follows:*
 - i. Commenced drafting;
 - ii. Signed by DOC and posted on DOC’s public website;
 - iii. Integrated into training of DOC staff.

Please refer to Attachment A for updated chart of policy revisions. A significant number of revised or drafted policies were shared with the Board on October 1, 2021 and additional policies were shared with the Board on November 1, 2021 as noted in the attachment chart.

**NYC Department of Correction
 Monthly Reducing Population in Punitive Segregation Report
 November 2021 Report (October 2021 Updates)**

- e) *Implementation of training on RMAS, including:*
- i. Status of curriculum development;
 - ii. Number of staff scheduled to be trained disaggregated by uniform and non-uniform status;
 - iii. Number of staff who have been trained, disaggregated by uniform and non-uniform status.

The Department finalized RMAS training materials and the full training curricula was shared with the Board. The Department will continue to evaluate the finalized training curricula and will consider additional feedback from internal and external stakeholders until training commences. The current training plan involves separate trainings for Adjudication Division and the programs and uniform staff comprising RMAS and RRU unit management teams. Please see the below detailed plan for RMAS and RRU training:

Course	Duration
1. Overview of RMAS & Training Goals	1.75 hrs
2. Vision, Mission, and Values	
3. Staff Roles & Responsibilities	
4. Review of RMAS Policies <ul style="list-style-type: none"> a. Levels b. Progression c. In-unit procedures d. Programmatic requirements, etc. 	3.5 hrs
5. Procedural & Restorative Justice Concepts and RMAS	1.75 hrs
6. From Correction Fatigue to Fulfillment	7 hrs
7. Outward Mindset	7 hrs
8. Unit Management Overview	3.5 hrs
9. Unit Management & Multi-Disciplinary Teams – Coordinated Actions	
10. Housing area walkthroughs (Level 1 & 2)	1.75 hrs
11. Scenario Walkthroughs for Uniform and Non-Uniform Staff	3.5 hrs
12. RMAS Scenario Application	7 hrs
13. Use of Force Policy Review	3.5 hrs
14. Use of Force Scenario Walkthrough	3.5 hrs
15. Conflict Resolution & Crisis Intervention	7 hrs
16. Probe Team/Cell Extraction/Chemical Agents Considerations for RMAS	7 hrs
17. Mental Health	3.5 hrs
18. Enhanced Restraints and Escorts	3.5 hrs
19. Immersive drill/simulation	7 hrs

While the training curriculum has been finalized, no staff have been scheduled for training at this time due to the Department’s ongoing staffing crisis and the inability to pull staff from priority posts for training. The Department will continue to provide updates in monthly reports and public Board of Correction meetings on the status of training provision and related implementation planning.

**NYC Department of Correction
Monthly Reducing Population in Punitive Segregation Report
November 2021 Report (October 2021 Updates)**

f) Implementation of programming in RMAS.

RMAS programming will be individualized and intended to address the root causes of violent behavior. The Department acknowledges the critical function of programming and meaningful engagement in maintaining safe and secure facilities. The Department is currently in the process of hiring and onboarding additional program counselors and support staff who will receive the RMAS training alongside uniform staff. The Department completed the drafting of a programming plan and sample daily engagement schedules for individuals in RMAS Levels 1 and 2. These plans are subject to change as implementation develops and were provided in the Department's Comprehensive Transition Plan submitted to the Board on August 9, 2021 as required by §6-26(b).

g) The provision of services such as recreation, visits, and privileges in the general population which exceed the requirements of the Minimum Standards outlined in Chapter 1 of Title 40 of the Rules of the City of New York;

All services in general population adhere to the requirements of Board Minimum Standards with alterations in accordance with public health guidance related to COVID-19. The Department continues to provide free telephone calls in excess of the Board Minimum Standards, as well as free weekly postage. The Department additionally operates commissary for individuals in custody. Video visits are additionally provided, as well as in-person visits on weekdays.

h) Any deviations from the detailed timelines and benchmarks set forth in the plan required by 40 RCNY § 6-26(b);

The Department remains committed to implementing RMAS and the entirety of the Board's rule in a detailed manner compliant with both the various constituent rule requirements and the broader spirit of the reforms. The Department firmly supports this work and continues to make substantial progress preparing for full RMAS implementation. As noted in this report and as previously communicated with the Board, the Department's current staffing emergency delayed the timely training of uniform and non-uniform staff for RMAS implementation. The Department continues to make progress implementing various other aspects of the Board's recent rulemaking, including as it pertains to de-escalation. The Department will continue to provide any updates to the implementation plan in real time and will continue to provide public updates on this progress via monthly public reporting and at monthly public Board meetings.

i) Any other information the Department or the Board deems relevant to understanding progress toward the elimination of punitive segregation and implementation of the RMAS model.

The Department provided a substantive overview of rulemaking implementation progress at the October Board of Correction meeting during this reporting period. Updates included progress to finalize draft policies, training curriculum development, infrastructure improvements, as well as programming development and design.

Additionally, the Department provided an overview of a communications strategy, which has since been more formally solidified. The communications plan will involve internal and external communications through a variety of channels, as well as communications directly with people in the Department's care.

**NYC Department of Correction
Monthly Reducing Population in Punitive Segregation Report
November 2021 Report (October 2021 Updates)**

Substantial progress has been made with regards to preparations for RMAS implementation, including through a reduced PSEG population, as the Department awaits the availability of staff for training. The Department has made continued progress regarding the implementation of rules pertaining to de-escalation confinement and emergency lock-ins.

The Department additionally instituted a 15-day periodic review policy and process for individuals housed in punitive segregation housing. The Department continues to make progress reducing the PSEG population and is further committed to refining the eligibility criteria for PSEG placement in order to further reduce the PSEG population prior to RMAS implementation.

As of the date of this report, the Department has additionally shared substantial updated documents with the Board, underlying the seriousness with which the Department is approaching the rulemaking implementation. Those documents include updated disciplinary sanction grids, all reporting templates, staffing plans, training plans, and many Department policies that have been revised or drafted in order to comply with the Board rule as enumerated in Attachment A.

The Department will continue to provide updates on rulemaking implementation through monthly reporting and at monthly Board meetings and looks forward to continuing the important task of implementing the Board's rule in a meaningful and impactful manner. The Department thanks the Board for its partnership in this important work.

**NYC Department of Correction
 Monthly Reducing Population in Punitive Segregation Report
 November 2021 Report (October 2021 Updates)**

Attachment A: RMAS Policy Planning
 Updated: 11/1/21

	<u>Policy Area</u>	<u>Major Change</u>	<u>Status</u>
1	Inter-Facility Transfers	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
2	Special Unit Assignments	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
3	Classification	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
4	Solo Housing	Will be rescinded in its entirety when RMAS Policy is promulgated	Awaiting Rescinding Pending Rulemaking Implementation
5	Enhanced Supervision Housing	Will be rescinded in its entirety when RMAS Policy is promulgated	Awaiting Rescinding Pending Rulemaking Implementation
6	Pre-Hearing Detention and Punitive Segregation Status	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
7	Centrally Monitored Cases	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
8	Restraints	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
9	Department Definitions of People in Custody Categories	Compliance with Rulemaking Requirements	Policy and Legal Review Underway
10	Lock In & Lock Out	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
11	Mental Health Referral of Individuals Awaiting Disciplinary Action	Compliance with Rulemaking Requirements	Policy and Legal Review Underway
12	Observation Aide Program	Compliance with Rulemaking Requirements	Policy and Legal Review Completed - No Revision Required
13	Clinical Alternative to Punitive Segregation	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
14	Constant Supervision	Compliance with Rulemaking Requirements	Policy and Legal Review Underway
15	Transitional Restorative Unit	Will be rescinded in its entirety when RMAS Policy is promulgated	Awaiting Rescinding Pending Rulemaking Implementation
16	Secure Unit	Will be rescinded in its entirety when RMAS Policy is promulgated	Awaiting Rescinding Pending Rulemaking Implementation
17	Restricted Housing Unit (RHU) Program	Will be rescinded in its entirety when RMAS Policy is promulgated	Awaiting Rescinding Pending Rulemaking Implementation

**NYC Department of Correction
 Monthly Reducing Population in Punitive Segregation Report
 November 2021 Report (October 2021 Updates)**

19	Due Process Procedures	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
20	De-escalation Confinement	Compliance with Rulemaking Requirements	Policy and Legal Review Underway
21	Canine Unit (K9)	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
22	DOC Rules and Regulations	Compliance with Rulemaking Requirements	Policy and Legal Review Underway
23	Individual in Custody Handbook	Compliance with Rulemaking Requirements	Policy and Legal Review Underway
24	Mail and Packages	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
25	Restrictive Statuses	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
26	Risk Management & Accountability System (RMAS) and Restorative Rehabilitation Unit (RRU)	New policy created	Draft Completed and Submitted to Board
28	Facility Operating Plan	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
29	Access to Religious Programs and Services	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
30	Law Library Operations	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
31	Orientation	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
32	Environmental Health Program	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
33	Telephone Calls	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
34	Referral of Individuals to Mental Health Services	Compliance with Rulemaking Requirements	Policy and Legal Review Completed - No Revision Required
35	Control of and Search for Contraband	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
36	Suicide Prevention	Compliance with Rulemaking Requirements	Policy and Legal Review Completed - No Revision Required
37	Drug Testing	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
38	Use of Body Scanners and Separation Status Housing	Compliance with Rulemaking Requirements	Policy and Legal Review Completed - No Revision Required
39	Reporting Unusual Incidents	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board

**NYC Department of Correction
 Monthly Reducing Population in Punitive Segregation Report
 November 2021 Report (October 2021 Updates)**

40	Elimination of Sexual Abuse and Sexual Harassment	Compliance with Rulemaking Requirements	Policy and Legal Review Completed - No Revision Required
41	Workplace Violence Prevention Program	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
42	Due Process Tracking System	Compliance with Rulemaking Requirements	Policy and Legal Review Underway
42	Reporting Male Adults Awaiting Placement into Punitive Segregation	Compliance with Rulemaking Requirements	Awaiting Rescinding Pending Rulemaking Implementation
43	Transfer of Trial Adult General Population Individuals to Appropriate Department Facilities	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
44	Facility Review of Uses of Force in the C.P.S.U.	Compliance with Rulemaking Requirements	Awaiting Rescinding Pending Rulemaking Implementation
45	Intelligence-Gathering Strategies to Prevent and Reduce Institutional Violence	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
46	Punitive Segregation Conditional Discharge	Compliance with Rulemaking Requirements	Awaiting Rescinding Pending Rulemaking Implementation
47	Department Housing Categories and Custody Management	Compliance with Rulemaking Requirements	Policy and Legal Review Underway
48	Deputy Warden Duty Officers	Compliance with Rulemaking Requirements	Policy and Legal Review Underway
49	Automated External Defibrillator (A.E.D.)	Compliance with Rulemaking Requirements	Draft Completed and Submitted to Board
50	Splashing Incidents	Compliance with Rulemaking Requirements	Policy and Legal Review Underway
51	Mental Health Status and Mental Observation Transfer	Compliance with Rulemaking Requirements	Policy and Legal Review Underway