



Jacqueline Sherman, Interim Chair  
Stanley Richards, Vice-Chair  
Robert L. Cohen, M.D.  
Felipe Franco  
Tino Hernandez  
Jennifer Jones Austin  
James Perrino  
Michael J. Regan  
Steven M. Safyer, M.D.

**BOARD OF CORRECTION**  
**CITY OF NEW YORK**  
1 CENTRE STREET, RM 2213  
NEW YORK, NY 10007  
212 669-7900 (Office)  
212 669-7980 (Fax)

Margaret Egan  
Executive Director

March 13, 2020

Cynthia Brann  
Commissioner  
NYC Department of Correction  
[Cynthia.brann@doc.nyc.gov](mailto:Cynthia.brann@doc.nyc.gov)

Patricia Yang, DrPH  
Senior Vice President  
Correctional Health Services  
[Patricia.yang@nychhc.org](mailto:Patricia.yang@nychhc.org)

Dear Commissioner Brann and Senior Vice President Yang:

The Board of Correction (the “Board”) recognizes the thoughtful and challenging work that the Department of Correction (DOC) and Correctional Health Services (CHS), partnered with the Department of Health and Mental Hygiene (DOHMH), have put into COVID-19 preparedness planning and response thus far. You know better than anyone that the City’s jails have particular challenges to preventing disease transmission on a normal day and even more so during a public health crisis. You and your staffs’ leadership and work during this time will be critical acts of public service. The Board looks forward to supporting your efforts to keep people in custody and staff safe and healthy.

The Board appreciates the COVID-19 preparation briefings provided DOC and CHS on March 9 over the phone and at the Board’s public meeting on March 10. We are committed to supporting and collaborating with DOC and CHS in the City’s efforts to prevent the spread of COVID-19.

The Board requests DOC and CHS publish updated agency plans for preventing transmission of COVID-19 in the jails. The San Francisco Sheriff’s Department has published its [COVID-19 Response & Action Plan](#), detailing security and health plans to minimize risk of exposure in the San Francisco jails. The City should immediately follow this lead. Additionally, the Board requests DOC and CHS increase and improve communication to people in custody, staff, and the public via all available channels and in multiple languages. DOHMH has advised that communications to people in custody should be made by trusted individuals who do not have

disciplinary or administrative power over them, such as medical professionals. We encourage the agencies to integrate this guidance into the overall public health response.

The Board is particularly concerned about people in custody and staff who are at higher risk of getting very sick from this illness. This includes people over the age of 55 and people who have serious chronic medical conditions like heart disease, diabetes, and lung disease. Given the scope of this pandemic, the best course of action is for the justice system to release these people from jail, where possible. Short of release, DOC and CHS should consider intensive restrictions on movement of staff, people in custody, and visitors into North Infirmery Command (NIC) and other areas that house higher risk people. For example, DOC and CHS should consider medical screens of all people entering the facility. DOC and CHS should also consider whether alternative job placements are available for staff at higher risk.

The Board is in the final stages of developing our independent monitoring plan for this crisis, including oversight of the public health response and facility compliance with agencies' plans and oversight of the agencies' general operations and Minimum Standards compliance amidst the public health crisis. As a part of this plan, we will also request DOC and CHS provide regular updates to the Board, including, but not limited to: the number of patients tested, the number of positive tests, the number and location of people in custody isolated and quarantined, the number and location of "higher risk" people in custody and the number of "higher risk" people who received medical discharge, the number of visitors screened and the number of visits cancelled as a result of screening, the number of court appearances cancelled and teleconferenced for people in custody, the number, length, and location of COVID-19 related lockdowns, and the number of staff who called out sick. We will share our independent monitoring plans and request shortly.

Finally, we expect the agencies may need to declare emergencies and request variances in order to temporarily operate outside of the Minimum Standards and appropriately handle the crisis. We will review all requests as expeditiously as possible.

Thank you for all of your hard work to keep people in custody and staff safe and healthy.

Sincerely,



Jacqueline Sherman

cc: DOC  
Brenda Cooke  
Richard Bush  
Heidi Grossman, Esq.  
Hazel Jennings  
Steven Kaiser  
Dana Wax

CHS  
Dr. Ross MacDonald

**BOC**

All Board Members

Margaret Egan

Kate McMahon, Esq.

Michele M. Ovesey, Esq.

Bennett Stein

Sherie Tripp

Emily Turner