



# Correction Captains' Association, Inc.

CORRECTION DEPARTMENT • CITY OF NEW YORK

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## RE: CCA COMMENTS ON PROPOSED RULE CHANGES

The Correction Captains' Association (CCA) appreciates the opportunity to voice our opinions concerning the proposed rules changes that the NYC Department of Correction is requesting. The CCA is well aware of the difficulties and challenges that our members are faced with while they work in the city's jail system.

The changes requested by the Department are critical to the safety of staff and inmates and security of the jails. In general, the CCA supports the Department in their efforts to enhance the operation of our jails. That being said, we feel that their requests do not go far enough. Below are our opinions on the different areas that these rule changes could effect.

### VISITATION

The CCA understands the importance of allowing inmates to have visits with their family and friends while they are in custody. However, it is also imperative that security of each facility be maintained at the highest level. With the number of visitors the Department says it processes, we feel that the changes requested by the Department are prudent and necessary. However, the Department should also enhance the staffing levels to coincide with these increased operational duties. This is not the place for the "do more with less" attitude.

### PACKAGES

The restriction on incoming packages would have a positive impact on the safety and security of the jails. The Department's proposal to limit items does not appear to have any negative impact on an inmate's conditions while in custody. We feel that limiting the acceptable items would greatly reduce the instances where predatory inmates steal and extort weaker individuals.

### PUNITIVE SEGREGATION

This subject is critical to the safety of staff and inmates. The current mindset pertaining to punitive segregation places everyone who is behind the gates of our jails in peril. The CCA does not agree with the limitations and restrictions being proposed. We do agree that individuals who have serious, documented mental health issues are entitled to proper treatment. However, the Department of Correction oversees jails and not mental hospitals. It is the responsibility of the City of New York to provide its citizens with access to proper medical and mental health services.



Uniformed correction staff are not trained mental health professionals. The city must provide adequate funding through the Health and Hospitals Corporation to provide proper services within the confines of our facilities to those individuals who really do need help. For far too many years, inmates have played the system to avoid placement in punitive segregation and continue to present a danger to staff and inmates. Those individuals who truly are suffering from serious mental health issues should be provided with proper care in a therapeutic setting.

Additionally, the provisions that restrict the placement of violent, predatory inmates in punitive segregation for more than 30 days places staff and inmates in peril. These individuals are violent and dangerous. The Department needs to have punitive segregation and a viable option to restrict the contact between these inmates and others. In recent months, there has been an increasing number of staff, both uniformed and civilian, have suffered serious injuries from inmates that have a history of violence who should have been in punitive segregation. The request by the Department to extend the maximum sentence of an individual to 60 days in punitive segregation does not go far enough. If an inmate continually demonstrates violent behavior toward others, they should not have any restrictions on time spent in segregation.

The CCA is also of the opinion that prohibiting the placement of adolescent inmates in punitive segregation is detrimental to safety and security. Statistics have shown that adolescent inmates are involved in violent behavior at a higher rate than adult inmates. We do understand that the nationwide trend is not to place adolescents in segregation; however, in cases where counseling or other therapeutic options are not viable and have shown no positive results, punitive segregation needs to be an option for these individuals. Counseling, educational services and other tools that the Department is using to keep adolescent inmates active and occupy their time is acceptable. But it will not work for everyone. Punitive segregation needs to be an option available to the Department, even for adolescents.

#### **ENHANCED SUPERVISION HOUSING**

The CCA supports the Department's request to have flexibility to house inmates in restrictive housing without cumbersome adjudication processes. However, the Department must provide ESH with proper staffing and also to provide the staff that work in these areas with proper training and support. The CCA does not agree with utilizing ESH as a replacement for punitive segregation.



Patrick Ferraiuolo  
President