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The New York City Department of Correction

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Commissioner Ponte Reduces Punitive Segregation by a Third

In first year, Commissioner eliminates punitive segregation for adolescents; imposes historic limits on punitive segregation for adult population

EAST ELMHURST, N.Y. – Commissioner Joe Ponte today announced the average daily population of inmates in punitive segregation has dropped by nearly a third in his first year as the direct result of the Department’s commitment to end the overuse of punitive segregation. The Commissioner credited the city’s committed correctional officers and the support of the Board of Correction (BOC), DOC’s oversight body, for helping implement the Department’s reforms to promote better outcomes for the city’s inmates.

“We committed to ending the overuse of punitive segregation—and today’s numbers speak loudly. From eliminating punitive segregation for adolescents to establishing Clinical Alternative to Punitive Segregation (CAPS) for the mentally ill, we are taking strong steps to move from punitive models toward rehabilitative programming and therapeutic alternatives,” said Commissioner Ponte. “Our correction officers have shown an unwavering and honorable commitment to serving our Department and keeping our inmates safe, and we are deeply grateful for the dedication of the men and women who help patrol and protect our jails each day.”

Since the Commissioner joined DOC, the Department has ended punitive segregation for 16- and 17-year-olds and will end punitive segregation for 18-to-21-year-olds by the end of the year—putting DOC at the forefront of national jail reform efforts. The City also eliminated owed time for inmates returning to DOC custody, and capped the maximum amount of time an inmate can spend in punitive segregation for one infraction to 30 days. In late March, the Department was also chosen to join the Safe Alternatives to Segregation Initiative of the Vera Institute, and is now working with the Institute to develop and implement alternative policies and programs.

Since the start of Commissioner Ponte's reforms to punitive segregation:

- The average daily population of inmates in punitive segregation dropped to 506 in the period from April 2014 to March 2015, compared to 743 for the same period in 2013 through 2014 — a decrease of 32 percent.
- The following reforms have contributed to the reduction in punitive segregation:
- End of punitive segregation for adolescent inmates: In December 2014, Commissioner Ponte ended punitive segregation for 16- and 17-year-olds, having created the therapeutically oriented, non-punitive housing Transitional Restoration Unit (TRU) and Second Chance Housing Units to replace punitive segregation. Prior to ending punitive segregation for 16- and 17-year-olds, the adolescent unit's average daily population during Ponte's tenure had fallen to 40, from 61 the year before. Violence has also decreased in the five months since punitive segregation ended, from 70 uses of force in December 2014 to 43 in April 2015.
- Limit in punitive segregation stays: Commissioner Ponte and the Board of Correction enacted rules capping the number of days that an inmate may spend in punitive segregation in one contiguous stay to 30 days, and also capped the number of days one can spend in segregation to 60 days in any single six-month period. Exceptions can be made for persistently violent inmates.
- Diversion of Grade 3 Infractions: Since February 2015, punitive segregation is no longer permitted for Grade 3 infractions, the lowest grade. In 2014, 202, or 18%, of the total Grade 3 infractions earned punitive segregation time, with an average sentence of 5 days. Inmates who commit similar infractions today are not given punitive segregation.
- Elimination of time owed: In January 2015, new rules enacted by the DOC's oversight body, the Board of Correction, expunged all historical "owed" punitive segregation time.
- Addition of Less Restrictive Segregation: In February, 2015, DOC established Punitive Segregation II for individuals who have committed non-violent infractions. In this unit, inmates have up to seven hours out of their cells as opposed to one in punitive segregation.
- Creation of Enhanced Supervision Housing: On February 23, 2015, DOC opened its first unit of Enhanced Supervision Housing, which is designed to safely house persistently violent inmates, such as those who have slashed or stabbed others or who have instigated such assaults, in a non-punitive, rehabilitative manner.
- Establishment of Clinical Alternative to Punitive Segregation: The Department established CAPS in 2013 (August for women and October for men) as a special unit to provide mental health treatment for seriously mentally ill inmates who have infringed.

About the New York City Department of Correction

The New York City Department of Correction (DOC) manages the jail system for New York City. It operates Rikers Island, which houses 10 individual facilities, four borough-based jails and two hospital wards, as well as court pens in all five boroughs. In FY 2014, DOC had 77,141 admissions involving 56,218 individuals.

Its Average Daily Population is approximately 11,400, over 80 percent of whom are housed on Rikers Island. Most of the inmates in DOC custody are being detained pending the resolution of

charges against them; approximately 15 percent are city-sentenced inmates who are serving sentences of one year or less.

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