

BOARD OF CORRECTION ANNOUNCEMENT

November 15, 2019

Notice of Proposed Rule and Opportunity to Comment

What did the Board of Correction propose?

The Board of Correction proposed a Rule to ensure that people in the Department of Correction's custody: (1) are placed in restrictive housing in accordance with due process and procedural justice principles; and (2) are confined in the least restrictive setting and for the least amount of time necessary to address the specific reasons for their placement and to ensure their own safety as well as the safety of staff and other people in custody.

What are the key provisions of the proposed Rule?

- Maximum PSEG sentence reduced from 30 to 15 days (other than for serious assault on staff)
- Maximum PSEG sentence for serious assault on staff remains at 60 days, but with ability to earn reduction in sentence for good behavior
- Daily lock-out in PSEG increased from one (1) to four (4) hours
- DOC must place person in PSEG within 30 days of guilty adjudication or else the person cannot be placed there at a later time
- Elimination of automatic \$25 fine for guilty infractions
- Elimination of routine use of restraints, including restraint desks, by February 2022
- Daily lock-out for young adults in restrictive housing increased from seven (7) to ten (10) hours
- Expanded procedural due process protections for placement in structurally restrictive housing (a housing unit with a physical design that permits people confined in the unit to congregate with only one or two other people in custody)
- Data reporting to monitor and track compliance with the proposed rules and the core principles on which they are based

Where can you read the full text of the proposed rule?

A copy of the proposed rule is in the Law Library. If you are not able to access a copy, please contact the Board of Correction at (212) 669-7900. The proposed rule is also available on the Board's website – www.nyc.gov/boc.

How can you comment on the proposed rules?

Public comment is very important and will be reviewed by the Board. The deadline for submission of written comments is **January 3, 2020**. If you need assistance submitting your comment, please contact the Board of Correction at (212) 669-7900. You can comment by:

- Mail.** You can mail comments to the Board of Correction, 1 Centre Street, Room 2213, New York, NY 10007.
- Voicemail.** You can call (212) 669-7900 and leave comment on our voicemail. This call is free and not recorded.
- Email.** You can email comments to the Board of Correction at BOC@BOC.nyc.gov.
- Fax.** You can fax comments to the Board of Correction at 212-669-7980.
- Website.** You can submit comments to the Board of Correction through the NYC Rules Website at <http://rules.cityofnewyork.us>.
- By Speaking at the Hearing.** Anyone who wants to comment on the proposed rules at the public hearing must sign up to speak. You can sign up before the hearing by calling 212-669-7900. You can also sign up in the hearing room before the session begins at **9:00 a.m. on December 2, 2019**.

When and where is the hearing?

The Board of Correction will hold a public hearing on the proposed rules. The public hearing will take place at **9:00 a.m. on December 2, 2019**. The hearing will be held at 22 Reade Street, Spector Hall, New York, New York, 10007.

Please tell the Board of Correction if you need a reasonable accommodation of a disability at the hearing or if you need a language interpreter. You can tell us by mail at the address given above or by telephone at (212) 669-7900. Please tell us by **November 30, 2019**.

What is the Board of Correction?

The New York City Board of Correction (BOC) is a nine-person oversight board that regulates, monitors, and inspects the City's correctional facilities. The City Charter mandates the Board's responsibilities which include establishing and ensuring compliance with minimum standards, investigating any matter within the jurisdiction of the Department, and evaluating the performance of the NYC Department of Correction.

For more information, call us at (212) 669-7900. Your call is free and not recorded.