

November 9, 2015

Dear Chair Brezenoff and Members of the Board of Correction,

We write to you again on behalf of New York City's children and families echoing the concerns that have been excellently expressed in recent letters from the Legal Aid Society (10/27/15) and the Jails Action Coalition (11/2/15). We are very concerned with the lack of public transparency that has transpired in the past few weeks since the Department of Correction's "testimony" was made public after business hours on Friday 10/23/15, when the public comment period was closed. The "testimony," which was *not* presented at the public hearing on 10/16/15 although it bears this date, presents new details about the proposed rule changes that DOC has been pursuing over the past 8 months. Since the broad and unprecedented rule changes were announced in March 2015, numerous individuals, officials, advocates, and community members have requested greater details and specificity which have not been provided. Now, with a potential November 10th vote looming, DOC's testimony outlines details that are extremely significant but were made known to the public by the BOC only after the public could no longer comment. This is disturbing and counter to the purpose and spirit of a process which requires the public be able to comment on any proposed rule changes.

We are very concerned that the public does not know what changes have been made to the proposed rules and what version of the rules the BOC will be voting on, nor whether there will be a vote on November 10th. To date, the agenda for the November 10th meeting has not been posted on the BOC's website as has been done in advance of other meetings.

We reiterate our **specific substantive concerns about and opposition to the proposed changes to visiting, packages, and solitary confinement** that have been so eloquently and consistently expressed in many BOC meetings and at the October 16th hearing, and in recent letters to you.

We call on you to postpone the vote until the public has had an opportunity to comment on the current version of the rule changes. We trust that the Board values input from the public and directly impacted New Yorkers as crucial to its mission to oversee the Department of Correction.

Sincerely,

The Bronx Defenders

Brooklyn Defender Services

CASES

Center for Family Representation

Center for Community Alternatives

Citizens' Committee for Children

Correctional Association of NY

The Fortune Society

Women and Justice Project

Incarceration and the Family Clinic, Columbia Law School

Hour Children

JustLeadershipUSA

Lawyers For Children

Legal Action Center

NYU Family Defense Clinic

The Osborne Association

Center for Employment Opportunities

Women's Prison Association