



October 21, 2019

Jacqueline Sherman, Interim Chair
Michelle Ovesey, Action Executive Director
New York City Board of Correction
1 Centre Street
New York, NY 10007

Re: October 22, 2019 Board of Correction Meeting

Dear Chair Sherman, Members of the Board, and Ms. Oversey,

Brooklyn Defender Services strongly urges the Board of Correction to immediately publish comprehensive rules on restrictive housing and vote to initiate the public rulemaking process, an important step to ending inhumane treatment in our City's jails. The Board has an opportunity to shift our City's responses to behavior in our jails and ensure that tactics we employ do not contribute to the cycle of violence and torture. People in our jails deserve humane conditions and treatment, and that starts with policies this Board can and must initiate.

This Board has a responsibility for the safety and care of individuals in DOC custody, and yet for over three years, this body has rubber stamped the Department's requests to bypass Minimum Standards. Time and again we see the Department request variances that are approved with the understanding the Board is moving forward with rulemaking¹. For far too long this shameful practice has continued.

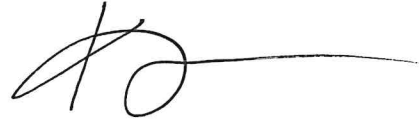
The Department of Correction's use of isolation, and the same policies by any other name, have continued to go unchecked, with limited oversight and accountability. We echo the comments made by our colleagues at the Legal Aid Society in their October 17, 2019 letter². People will suffer every day that this Board continues to delay rulemaking on restrictive housing.

¹ <https://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2019/July/July-9-2019-Board-Meeting-Minutes-9-13-19.pdf>

² https://www1.nyc.gov/assets/boc/downloads/pdf/boc_letter_oct_17_2019_signed.pdf

We call on the Board of Correction to release comprehensive rules on restrictive housing, because too many lives are harmed and will continue to be at risk if this Board does not exert its authority and hold the Department accountable for their use of torture.

Sincerely,

A handwritten signature in black ink, consisting of a stylized initial 'K' followed by a long horizontal line that tapers to the right.

Kelsey De Avila