

**NYC Department of Correction
 Monthly Reducing Population in Punitive Segregation Report
 September 2021 Report (August 2021 Updates)**

The Department shall submit to the Board, on a monthly basis and in writing, a public progress report for the previous month, which shall include the Department’s progress toward achieving:

- a) *Progress in reducing the PSEG population (i.e., PSEG I/Central Punitive Segregation Unit (CPSU), PSEG II, Restrictive Housing Unit (RHU));*

	% change in daily ADP from 7/1/21 – 8/31/21¹
PSEG (PS I, PS II, RHU)	4% [100 – 104]

- b) *Progress in reducing the population housed in other restrictive housing units, including Enhanced Supervision Housing (ESH) and Secure;*

	% change in ADP from 7/1/21 – 8/31/21¹
ESH	32% [117 – 155]
Secure	-19% [16 – 13]

- c) *Construction, opening, and use of new RMAS housing units, including when plans are submitted to and approved by SCOC and explanations for unanticipated delays;*

Construction in RMAS units is underway. The Department submitted plans for RMAS Level 1 units on September 20, 2020 and received SCOC approval on October 29, 2020. The Department submitted plans for RMAS Level 2 units on September 11, 2020 and received SCOC approval on September 29, 2020.

- d) *Development of Department policies governing the operation of RMAS disaggregated by the stage of their development, as follows:*
 - i. Commenced drafting;
 - ii. Signed by DOC and posted on DOC’s public website;
 - iii. Integrated into training of DOC staff.

Please refer to Attachment A for updated chart of policy revisions.

- e) *Implementation of training on RMAS, including:*
 - i. Status of curriculum development;
 - ii. Number of staff scheduled to be trained disaggregated by uniform and non-uniform status;
 - iii. Number of staff who have been trained, disaggregated by uniform and non-uniform status.

¹ Data snapshot per DOC 5am Census. Housing area censuses changes daily as individuals are discharged or progressed from the housing area and/or placed in the area based on a qualifying incident and guilty adjudication finding.

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Staff training curriculum development and planning is underway. Curriculum will be finalized pending finalization of all related policies [See response to item (d)]. The training methodology will encompass a holistic approach, and may incorporate modules on the following applicable components:

- Department Vision, Mission and Values
- Multi-disciplinary team approach emphasizing collaboration and person in custody engagement
- Awareness and modeling of Procedural and Transformative Justice principles, where applicable
- RMAS Operations, Policies, Directives, etc. in accordance with BOC RMAS Rule and Procedural/Restorative Justice Principles
- Conflict Resolution and De-escalation options in accordance with related policies and consistent with organizational values
- Individual, team, and person in custody needs in the corrections environment
 - This training component may include sub-modules on “Correction Fatigue to Fulfillment” and “Outward Mindset”

Pending the finalization of training curriculum, no staff have been scheduled for training at this time. The Department will continue to provide updates in monthly reports and public Board of Correction meetings on the status of policy development, training curriculum finalization, and scheduled training.

f) Implementation of programming in RMAS.

The Department completed the drafting of a programming plan and sample daily engagement schedules for individuals in RMAS Levels 1 and 2. These plans are subject to change as implementation develops and were provided in the Department’s Comprehensive Transition Plan submitted to the Board on August 9, 2021 as required by §6-26(b).

g) The provision of services such as recreation, visits, and privileges in the general population which exceed the requirements of the Minimum Standards outlined in Chapter 1 of Title 40 of the Rules of the City of New York;

All services in general population adhere to the requirements of Board Minimum Standards with alterations in accordance with public health guidance related to COVID-19. The Department continues to provide free telephone calls in excess of the Board Minimum Standards, as well as free weekly postage.

h) Any deviations from the detailed timelines and benchmarks set forth in the plan required by 40 RCNY § 6-26(b);

There are no deviations in the referenced timelines and benchmarks at this time. The Department will continue to provide implementation updates at monthly public Board meetings and will continue to update this report as additional information becomes available.

i) Any other information the Department or the Board deems relevant to understanding progress toward the elimination of punitive segregation and implementation of the RMAS model.

The Department is actively working to reduce the current PSEG population while maintaining safe and secure facilities in advance of the RMAS implementation, including through the creation of a 15-day

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review process for individuals currently housed in PSEG. The Department will provide a more extensive update on these efforts as they develop in advance of November 2021.

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Updated: 8/31/21

	<u>Policy Area</u>	<u>Major Change</u>	<u>Status</u>
1	Inter-Facility Transfers	Compliance with Rulemaking Requirements	Drafting In-Process
2	Special Unit Assignments	Compliance with Rulemaking Requirements	Drafting In-Process
3	Classification	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
4	Solo Housing	Will be rescinded in its entirety when RMAS Policy is promulgated	Awaiting Rescinding Pending Rulemaking Implementation
5	Enhanced Supervision Housing	Will be rescinded in its entirety when RMAS Policy is promulgated	Awaiting Rescinding Pending Rulemaking Implementation
6	Pre-Hearing Detention and Punitive Segregation Status	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
7	Centrally Monitored Cases	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
8	Restraints	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
9	Department Definitions of People in Custody Categories	Compliance with Rulemaking Requirements	Drafting In-Process
10	Lock In & Lock Out	Compliance with Rulemaking Requirements	Drafting In-Process
11	Mental Health Referral of Individuals Awaiting Disciplinary Action	Compliance with Rulemaking Requirements	Drafting In-Process
12	Observation Aide Program	Compliance with Rulemaking Requirements	Drafting In-Process
13	Clinical Alternative to Punitive Segregation	Compliance with Rulemaking Requirements	Drafting In-Process
14	Constant Supervision	Compliance with Rulemaking Requirements	Drafting In-Process
15	Transitional Restorative Unit	Will be rescinded in its entirety when RMAS Policy is promulgated	Awaiting Rescinding Pending Rulemaking Implementation
16	Secure Unit	Will be rescinded in its entirety when RMAS Policy is promulgated	Awaiting Rescinding Pending Rulemaking Implementation
17	Restricted Housing Unit (RHU) Program	Will be rescinded in its entirety when RMAS Policy is promulgated	Awaiting Rescinding Pending Rulemaking Implementation
19	Due Process Procedures	Compliance with Rulemaking Requirements	Drafting In-Process

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20	De-escalation Confinement	Compliance with Rulemaking Requirements	Drafting In-Process
21	Canine Unit (K9)	Compliance with Rulemaking Requirements	Drafting In-Process
22	DOC Rules and Regulations	Compliance with Rulemaking Requirements	Drafting In-Process
23	Individual in Custody Handbook	Compliance with Rulemaking Requirements	Drafting In-Process
24	Mail and Packages	Compliance with Rulemaking Requirements	Drafting In-Process
25	Restrictive Statuses	Compliance with Rulemaking Requirements	Drafting In-Process
26	Risk Management & Accountability System (RMAS) and Restorative Rehabilitation Unit (RRU)	New policy created	Drafting In-Process
28	Facility Operating Plan	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
29	Access to Religious Programs and Services	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
30	Law Library Operations	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
31	Orientation	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
32	Environmental Health Program	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
33	Telephone Calls	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
34	Referral of Individuals to Mental Health Services	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
35	Control of and Search for Contraband	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
36	Suicide Prevention	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
37	Drug Testing	Compliance with Rulemaking Requirements	Pending Policy and Legal Review

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38	Use of Body Scanners and Separation Status Housing	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
39	Reporting Unusual Incidents	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
40	Elimination of Sexual Abuse and Sexual Harassment	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
41	Workplace Violence Prevention Program	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
42	Due Process Tracking System	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
42	Reporting Male Adults Awaiting Placement into Punitive Segregation	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
43	Transfer of Trial Adult General Population Individuals to Appropriate Department Facilities	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
44	Facility Review of Uses of Force in the C.P.S.U.	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
45	Intelligence-Gathering Strategies to Prevent and Reduce Institutional Violence	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
46	Punitive Segregation Conditional Discharge	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
47	Department Housing Categories and Custody Management	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
48	Deputy Warden Duty Officers	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
49	Automated External Defibrillator (A.E.D.)	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
50	Splashing Incidents	Compliance with Rulemaking Requirements	Pending Policy and Legal Review
51	Mental Health Status and Mental Observation Transfer	Compliance with Rulemaking Requirements	Pending Policy and Legal Review