

# SUMMARY OF THE HUMANE ALTERNATIVES TO LONG-TERM (HALT) SOLITARY CONFINEMENT ACT

## *HALT's Key Mechanisms for Challenging Isolated Confinement:*

- **Creates More Humane & Effective Alternatives to Isolated Confinement:** Any person separated from general population for more than 15 consecutive days must be in a separate secure residential rehabilitation unit (RRU) – a rehabilitative & therapeutic unit providing programs, therapy, and support to address underlying needs and causes of behavior, with 6 hours per day of out-of-cell programming plus one hour of out-of-cell recreation.
- **Ends Long-Term Isolated Confinement:** No person may be held in isolated confinement more than 15 consecutive days nor 20 days total in any 60 day period. At these limits, a person must be released or diverted to the alternative RRU with more out-of-cell time, programs, and therapy.
- **Restricts Criteria for Placement in Isolated Confinement or RRUs:** A person can only be placed in segregated confinement for more than 3 days and up to 15 days, or be placed in an RRU, if the person is found to have engaged in more serious acts of physical injury, forced sexual acts, extortion, coercion, inciting serious disturbance, procuring deadly weapons or dangerous contraband, or escape.
- **Bans Special Populations from Isolated Confinement:** The department can never place in isolated confinement any person: 21 years or younger; 55 years or older; With a physical, mental, or medical disability; Who is pregnant; Who is a new mother; or Who is or is perceived to be LGBTI.

## *Key Procedural and Other Protections:*

- **Enhances Due Process Protections Before Placement In Isolated Confinement or RRUs:** For example, a person may have access to legal representation by pro bono attorneys, law students, or approved paralegals at hearings that could result in isolated confinement.
- **Creates Mechanisms for Release from RRUs:** There are multiple levels of review at various time intervals to determine if someone shall be released from an RRU: 30 days & every 60 days thereafter; & 100 days & every 120 days thereafter. Also, a person must be released if her or his disciplinary sentence runs out. A person must also be released after one year unless specified exceptional circumstances and review by an independent outside agency.
- **Covers all Categories of People Who Currently Face Isolated Confinement:** The bill applies to disciplinary confinement, administrative segregation, and protective custody, while excluding medical/mental health isolation. It covers people in Special Housing Units (SHU), S-block, Keeplock, and/or any isolation beyond 17 hours. It also applies to all state prisons and county jails in New York State.
- **Other Protections:** Staff working on isolated confinement units or RRUs, and hearing officers, must receive substantial relevant training. Departments of corrections must provide public reports on the number/categories of people in isolation and RRUs, and lengths of stay. Moreover, the Justice Center & State Commission of Correction provide outside oversight in order to assess implementation of the law.

