



## Testimony of the Jails Action Coalition & #HALTsolitary Campaign

Presented before the New York City Council  
Committee on Criminal Justice

Regarding Banning Solitary Confinement in New York City Jails  
Int 2173-2020

December 11, 2020

Thank you very much to the Committee on Criminal Justice for holding this important hearing and to Council Member Dromm for being a longstanding champion in the City Council for ending solitary confinement. This testimony is presented by the Jails Action Coalition and the #HALTsolitary Campaign.

The New York City Jails Action Coalition (JAC) is a coalition of activists that includes formerly incarcerated and currently incarcerated people, family members and other community members who are working to promote human rights, dignity and safety for people in New York City jails. Since its formation in 2011, JAC has been at the forefront of the struggle to end solitary confinement in New York City jails.

The #HALTsolitary Campaign is a New York statewide coalition led by people who have survived solitary, family members who have or who have lost loved ones to solitary, and other leaders in the human rights, advocacy, health, and faith communities. Comprised of more than 200 organizational supporters, the #HALTsolitary Campaign aims to end the torture of solitary for all people and create more humane and effective alternatives. The #HALTsolitary Campaign also aims to build on these changes – and their pursuit – to dismantle the racial injustices and punishment paradigm that underpin the entire incarceration system.

### **Solitary Confinement is Torture and the City Council Must Must Go Further to Finally and Fully End Solitary Confinement in All Its Forms**

#### *Introduction*

**Solitary confinement is torture.** It causes immense suffering. It's disproportionately inflicted on Black & Latinx people, and transgender and gender non-conforming people.

**NYC must fully end solitary confinement in all its forms** to stop suffering, save lives, and increase safety for people incarcerated, staff, and outside communities.

**To effectively end solitary, there should be no carve outs in any City Council bill. Every incarcerated person must have a minimum of 14 hours of out-of-cell time per day**, in line with the current minimum standards for people in jails generally. When out of cell, every incarcerated person must have meaningful human engagement and congregate programming without restraints. Addressing the root causes of harmful behaviors requires engagement, not isolation. Limiting people’s out-of-cell time does *not* address safety or violence concerns, but it can cause devastating harm. For any separation from the general jail population, there must be specific, uniform processes and procedural safeguards, including true and meaningful access to counsel.

This is an historic moment: an opportunity to finally & fully end solitary. **The City Council must do this right: fully end solitary in all its forms in a real and meaningful way.**

*Solitary is Torture that Causes Devastating Harm and Death*

**Solitary Confinement is torture.** It causes immense suffering and devastating mental, physical, and emotional harm. Black and Latinx people are disproportionately locked in solitary, as are transgender and gender non-conforming people.

Layleen Polanco died in solitary confinement on Rikers Island in 2019. Kalief Browder died because of solitary confinement in 2015. Bradley Ballard, Jason Echeverria, and Carina Montes all died in solitary confinement in New York City jails. Not one more person should be tortured or die because of solitary.

The proportion of people in the city jails sent to solitary confinement has [\*increased\*](#) in recent years, plus there are a variety of forms of “restrictive housing” in the city jails that amount to solitary by another name.

*The City Council Must Go Further to Fully End Solitary Confinement in All its Forms*

**New York City must finally and fully end solitary confinement in all its forms in a real and meaningful way.** Doing so will stop suffering, save lives, and increase safety for people incarcerated, staff, and outside communities.

Program- and engagement-based supports are more effective at addressing violence than isolation and deprivation. Some key examples that demonstrate this more effective approach include: the CAPS program in NYC jails, former Merle Cooper program in NY State prisons, and RSVP program in San Francisco jails.

This is an historic moment – a real opportunity to finally and fully end solitary. While we appreciate the City Council’s intention to end solitary confinement, **the Council must do it right**, and this bill falls short of that goal. Amongst other changes, our key recommendations include the following. More detailed recommendations can be seen in the attached exhibits, namely Exhibit 1: A Summary List of Suggestions and Exhibit 2: Proposed Red Line Edits.

1. Ensure all people have access to at least 14 hours out of cell per day

The existing minimum standards governing the Department of Correction require that **people have at least 14 hours out of cell per day. There should be no carve outs:** this standard must apply to all people in the city jails.

The City should not create classes of people who are subject to more limits on out-of-cell time. Limiting people's out-of-cell time does *not* address safety or violence concerns, but it can cause devastating harm. We need an approach that is actually about addressing safety and protecting the health and well-being of people who are incarcerated.

Even if the Department actually gave 10 hours of out of cell time, that means at least 14 hours locked in your cell per day, including six hours during the day time. We also know that past practice shows that a 10 hour requirement does not actually mean 10 hours, as DOC counts hours for things like showers or the possibility of a medical appointment even if someone doesn't have one. Allowing people to spend any time, let alone languish for up to four months, in these isolating conditions can cause severe harm.

At the time she died, Layleen Polanco was in a unit that was supposed to be an alternative to solitary with at least seven hours out-of-cell per day, but she was locked in most of the day. She was only in her solitary-by-another-name unit for nine days, and at the time she died she had only been locked in her cell for two hours.

2. Strengthen the language regarding time limits, placement criteria, conditions, and protections

There must be very clearly defined time limits, placement criteria, conditions, and protections for all forms of isolation and any housing separate from, or more limited in any way than, the general jail population. Specifically:

- a. The definitions of solitary confinement, restrictive housing, and emergency lock-in must reflect conditions people face so that DOC does not continue to place people in solitary by another name or other very restrictive conditions without protections.
- b. There must be very narrowly defined criteria for what conduct can result in placement into isolation, restrictive housing, and emergency lock-in
- c. Young adults should never be placed in any form of restrictive housing – not enhanced supervision housing, not Secure Unit, not separation status housing.
- d. There must be stronger due process protections for placement in any of these types of units, including making access to counsel real, providing timely notice and an opportunity to be heard, and videotaping any purported refusals to appear at a hearing, with **dismissal of charges if these requirements are not followed.**

### ***Widespread Support Among Political Leaders for Fully Ending Solitary Confinement***

For the last year, the City Council Speaker, Public Advocate, Comptroller and several Council Members have publicly advocated for the [Blueprint to End Solitary](#), including specific provisions like the requirement that the minimum standard of out-of-cell time of 14 hours should apply to all people in city jails.

For example, [Speaker Johnson](#) stated in his December 2019 testimony before the Board of Correction: “Change the cap on solitary confinement from 15 days to 0, no exceptions. Mandate truly therapeutic and treatment-based units that give people at least 14 hours out of their cells, with at least 7 hours of congregate programming.”

[Public Advocate Williams & Chair Powers](#) stated in their September 2020 letter: “We believe that the standard practice for housing units should be 14 hours of meaningful out-of-cell-time. This move would include ending existing exceptions to the Board’s minimum standards for Enhanced Supervision Housing (ESH) units.”

[Council Member Rivera](#) stated in her December 2019 testimony before the Board of Correction: “I strongly urge the Board of Correction to adopt the HALT Solitary campaign’s blueprint to end the practice.”

[Council Member Reynoso](#) stated in his December 2019 testimony before the Board of Correction: “To address these issues, I’m endorsing the coalition’s recommendation that minimum standards be applied to all detainees across the board. This includes 14 hours of out-of-cell time for every detainee in City jails and removing any exceptions to standards for punitive segregation, enhanced supervision housing, and other forms of restrictive housing.”

### ***Conclusion***

We urge the City Council to add all these strengthening provisions, including the 14 hour minimum out-of-cell time and the strengthened definitions, criteria, due process protections, and more, to make this bill one that will actually end solitary in all its forms in a real and meaningful way. Now is the moment to finally and fully end solitary confinement in New York City.

## EXHIBIT 1

### Summary List of Suggestions for Newly Introduced Bill to End Solitary

**Summary:** 1) **14 hours out of cell time** for everyone in jails; no exception for restrictive housing; 2) **definition of solitary & restrictive housing** should be based on conditions people face; criteria for placement must be much stricter; 3) get rid of **emergency lock-in** or have four hour time limit and much stricter criteria; 4) can't have **months** in housing that can be solitary; 5) must better ensure **access to counsel**; 6) need stronger **due process protections**; 7) **young adults** should never be in solitary or restrictive housing; 8) **end BOC waivers**; 9) require **training** for all DOC staff; 10) ban **restraints** or at least stronger standards for use and review.

#### **1. The Minimum Standard of 14 Hours Out of Cell Per Day Should Apply to All People**

- a. **Issue:** Rather than following the Blueprint to End Solitary, which says that all people should have 14 hours out of cell time per day, the bill creates a separate category of people (as is the case now) in restrictive housing who are only permitted 10 hours out of cell per day.
  - i. The 10 hour standard would seem to render the four hour limit on solitary meaningless, as people in these units could be locked in their cells 14 hours straight each day, including 6 hours during the day, for 4 months.
- b. **Our Recommendation:** The minimum standard of 14 hours out of cell per day should apply to everyone, and there should *not* be an exception for people in "restrictive housing".

#### **2. The Definition of Restrictive Housing & Solitary Confinement Should be Based on the Conditions People Face, & There Should be Very Strict Criteria for Placement**

##### *Restrictive Housing*

- a. **Issue:** This definition is in many ways both too narrow and too broad. Regarding being too narrow, with this definition, DOC will find many ways to still keep people isolated without providing them with the protections that are offered for people in restrictive housing (as they do currently). With respect to it being too broad, almost any person could be deemed a threat to safety and security and thus placed in restrictive housing for almost any reason, or no reason, at all.
- b. **Recommendation:** All of the protections laid out should apply for any person who is in any form of housing that is apart from the general population or is in any way more restrictive than the general population (in terms of hours or conditions). In addition, there should be a very strict criteria for what conduct can result in someone being in any form of restrictive housing, including having just carried out a serious act of violence (define the acts)

##### *Solitary Confinement*

- a. **Issue:** the definition of “solitary confinement” is too narrow, because it defines “solitary” not by reference to the experience of the confined person (e.g., limitations on human contact, deprivations of services, time spent alone), but solely by reference to DOC’s purported justification for imposing the deprivation—as punishment. DOC imposes de facto “solitary” on people for many reasons, only one of which is as punishment for a disciplinary infraction. In addition, the actions that can result in solitary are broad and vague.
  - b. **Our recommendation:** Define both “restrictive housing” and “solitary confinement” functionally, in terms of the conditions the individual experiences in that setting – that is, any confinement separated from others that is more restrictive/isolated/less hours out of cell. There also should be a very strict criteria for when the four hours of solitary could be used, such as when a person has exhibited behavior that constitutes a serious and evident danger to themselves or others in a way that has already resulted in injury or makes injury imminent.
- 3. Emergency Lock-in Must Not Be Allowed to Be Used As A Way to Hold People In Solitary Confinement: If In This Bill At All, There Must Be A Strict Time Limit of No More than 4 Hours and Strict Criteria For When and How It Can Be Used**
- a. **Issue:** Emergency lock-in potentially shouldn’t be allowed at all / shouldn’t be in this bill, but if it is included then this definition is broad and vague, without any specific time limit, and so could allow DOC to keep people isolated, potentially indefinitely, without protection. This could be an easy way for DOC to get around all of the other protections in the bill.
  - b. **Our Recommendation:**Emergency lock-in should be eliminated from this bill as it deals with an entirely separate issue. If it remains in this bill, there should be strict criteria for what constitutes an emergency, who can impose an emergency-lock in, only after exhausting all less restrictive options (for example, separating individuals who are causing the emergency rather than locking down an entire unit), and an hourly review—signed off by a captain or higher—to continue the lock-in. CHS and BOC must be notified.
- 4. If There Continue to Be Units With Restricted Out of Cell Time and Engagement with Other People, then People Must Not Be Kept In Such Conditions for 4 Months**
- a. **Issue:** Given that the minimum standard of out of cell time does not apply to these units (and thus people could be locked down 14 hours straight each day), this is solitary by another name (in a way that it was for Layleen Polanco). And people thus can now be held in these very restrictive environments for months.
  - b. **Our recommendation:** Again the 14 hours out of cell minimum standard should apply to restrictive housing (and everywhere else). People should only be allowed to be locked in their cells for the four hours at a time for the immediate reasons laid out as solitary in the bill itself (and not more than x times per week / not days

on end). Also, opportunities for “programming” in restrictive housing should explicitly state “congregate programming”

**5. Need Stronger Notice and Other Provisions to Ensure Access to Counsel; DOC Must Not Provide Attorneys to Represent People in Prison**

- a. **Issue:** counsel provided by the Department? Conflict of interest. Must be a better way to ensure access to counsel
- b. **Our Recommendation:** At very least need notice to people’s own attorneys, including public defenders and private defense attorneys.

**6. There Must Be Stronger Due Process Provisions**

- a. **Issue:** Restrictive housing should be imposed only pursuant to meaningful due process that includes timely notification of charges, access to representation, the ability to introduce evidence, and procedural safeguards.
- b. **Our recommendation:** Need to be clear and applied uniformly. The rules should make explicit that the person in custody receives a notice of the reason for restrictive housing 2 business days prior to a disciplinary hearing and that failure to do so constitutes a due process violation warranting dismissal. It should also require that any refusals to attend disciplinary hearings be videotaped and made part of the record, and that failure to do so is a basis for dismissal of the charges.

**7. Young Adults Must Never be in Solitary Confinement or Restrictive Housing**

- a. **Issue:** Young adults should never be in solitary or restrictive housing.
- b. **Our recommendation:** Explicit prohibition of young adults from ever being in solitary or restrictive housing, and appropriate, intensive programming for all YAs and training for officers

**8. The BOC Should be Prevented from Granting Waivers to DOC to Circumvent Protections**

- a. **Issue:** BOC often gives DOC waivers of its rules, thereby allowing DOC to circumvent protections
- b. **Recommendation:** May wish to make explicit that the BOC does not have the authority to provide waivers to any of the legislation’s protections (of course BOC could issue rules that are more protective of people incarcerated, but can’t grant waivers to get around these protections). May also wish to more generally limit the BOC’s ability to provide waivers to its own rules.

**9. All DOC Staff Should be Required to Undergo Training Outlined in the Bill**

- a. **Issue:** The proposed legislation only requires training for people working in restrictive housing areas
- b. **Rec:** Make training requirements re de-escalation etc. apply to all staff.

**10. Restraints Should be Banned, or At Least There Must be Stronger Standards**

**Limiting When Restraints Can Be Used and How Restraint Use Is Reviewed**

- a. **Issue:** There's no standard and no review process.
- b. **Recommendation:** Standards for when it can be imposed and how/when it should be reviewed.



**EXHIBIT 2**

**Proposed Red Line Edits to Solitary Confinement Bill**

Int 2173-2020

Int. No.

By Council Member Dromm, the Public Advocate (Mr. Williams), Council Members Lander, Reynoso, Rivera, Levin and Rosenthal

A Local Law to amend the administrative code of the city of New York, in relation to banning solitary confinement in city jails

Be it enacted by the Council as follows:

1           Section 1. Chapter 1 of title 9 of the administrative code is amended by adding a new  
2 section 9-161 to read as follows:

3           § 9-161 Solitary confinement. a. Definitions. For the purposes of this section, the following  
4 terms have the following meanings:

5           Emergency lock-in. The term “emergency lock-in” means a department-wide emergency  
6 lock-in, a facility emergency lock-in, a housing area emergency lock-in or a partial facility  
7 emergency lock-in as defined in section 9-155.

8           Restrictive housing. The term “restrictive housing” means any housing area that separates  
9 incarcerated persons from the general jail population or that poses restrictions on programs,  
10 services, interactions with other incarcerated people, hours out of cell, or other conditions of  
11 confinement due to a heightened threat to the safety and security of staff and other incarcerated  
12 persons.

13           ~~Solitary confinement. The term “solitary confinement” means any instance in which a~~  
14 ~~person is locked in a cell in isolation as punishment for a violent offense.~~

15           b. Ban on solitary confinement. No incarcerated individual shall be locked in a cell, other  
16 than at night for count or sleep for a period that exceeds eight hours in any 24-hour period or during

1 the day for count for no more than two hours in any 24-hour period, placed in solitary confinement  
2 unless such confinement is necessary to de-escalate immediate conflict that poses a serious and  
3 evident danger to a person's safety and has resulted in injury or makes imminent injury likely. In  
4 such circumstances, in which case an incarcerated individual may be placed in such confinement  
5 for no longer than necessary to de-escalate the conflict, not to exceed four hours immediately  
6 following such conflict. During this period, department staff must meet with the person at least  
7 once an hour to attempt de-escalation, work toward their release from such confinement, and  
8 determine whether it is necessary to continue to hold the person in such confinement. While an  
9 incarcerated individual is in such confinement, medical staff must conduct meaningful rounding  
10 every 15 minutes to engage with the person in custody, evaluating and treating any immediate  
11 health needs. Mental health staff must meet with the person at least once an hour to conduct an  
12 assessment of their health and attempt de-escalation. If medical or mental health staff determine  
13 the person should be removed from such confinement for assessment or treatment purposes, the  
14 person shall be removed to the appropriate setting. No person shall be placed in such confinement  
15 for more than four hours total in any 24-hour period, nor more than 12 hours in any seven day  
16 period.

17 c. Reporting on solitary confinement. For each instance an incarcerated person is placed in  
18 solitary the type of confinement described in subdivision b of this section, the department shall  
19 prepare an incident report that includes a detailed description of why isolation was necessary to  
20 de-escalate immediate conflict and the length of time the incarcerated individual was placed in  
21 solitary such confinement. Within 15 days of the end of each quarter of the fiscal year, the  
22 department shall provide the council and the board of correction all such reports and post all such  
23 reports on the department's website with any identifying information redacted, along with data on

1 the total number of people placed in such confinement during that time period, broken down by  
2 race, age, gender identity, and mental health treatment level, as well as a breakdown of the total  
3 number of people held in such confinement for up to one hour, between one and two hours,  
4 between two and three hours, and between three and four hours.

5 d. Restrictive housing.

6 1. No incarcerated individual shall be placed in restrictive housing until a hearing on such  
7 placement is held pursuant to the rules of the board of correction, at which the person is found to  
8 have engaged, contemporaneously at the time placement is sought, in grave and dangerous  
9 behavior that resulted in injury or presents a specific, significant, and imminent threat to the safety  
10 and security of people who live and work in the facility, and placement in restrictive housing is  
11 necessary to address serious harm. Incarcerated individuals shall have the right to be represented  
12 by their legal counsel or legal advocate for such hearings, and have the right to present evidence  
13 and cross-examine witnesses which shall be provided by the department if such individual does  
14 not have their own counsel. Both the person incarcerated and their attorney of record shall be  
15 provided written notice of the reason for proposed placement in restrictive housing no later than  
16 two days prior to the restrictive housing placement hearing, during which time the person shall not  
17 be placed in restrictive housing. Such legal counsel shall be provided adequate time to prepare for  
18 such hearings, including requests for adjournments. Any refusal by an incarcerated person to attend  
19 such hearings shall be videotaped and made part of the record. A failure to provide the notice  
20 described herein or to enter into the record videotaped evidence of an alleged refusal to attend by  
21 a person in custody shall constitute a due process violation warranting dismissal.

22 2. No incarcerated individual shall be placed in restrictive housing for longer than  
23 necessary and no more than a cumulative total of four months in any 12 month period.

1           3. The placement of an incarcerated individual in restrictive housing shall be **meaningfully**  
2 reviewed every 15 days, **by a multi-disciplinary team, including program and health staff,** to  
3 determine whether the incarcerated person continues to present a **specific, significant, and**  
4 **imminent** threat to the safety and security of **people who live and work in** the facility if housed  
5 outside restrictive housing. **If a person is not discharged from restrictive housing at such a review,**  
6 **they shall receive in writing the reasons for the determination and the program, treatment, service,**  
7 **and/or corrective action required before discharge.** The incarcerated person shall be given access  
8 to the programs, treatment and services specified, and shall be discharged from restrictive housing  
9 if the person does not engage in behavior that presents a specific, significant, and imminent threat  
10 to the safety and security of the facility during the following 15 days.

11           4. Individuals placed in restrictive housing shall have comparable interaction with other  
12 individuals and **have access to comparable congregate programming and** comparable amenities to  
13 those housed outside restrictive housing, **including access to at least seven hours of out-of-cell**  
14 **congregate programming or activities.**

15           5. The department shall utilize programming that addresses the unique needs of those in  
16 restrictive housing, and staff in restrictive housing units **and throughout the jails** shall be trained  
17 in de-escalation techniques, conflict resolution, the use of force, and related topics to address the  
18 unique needs of those in restrictive housing units.

19           6. Positive incentives shall be used to encourage good behavior in restrictive housing units,  
20 and disciplinary sanctions shall be used as little as is feasible, **and only as a last resort in response**  
21 **to behavior presenting a serious and evident danger after other measures have not alleviated such**  
22 **behavior.**

1           7. Reporting on restrictive housing. For each instance an incarcerated person is placed in  
2 restrictive housing, the department shall prepare an incident report that includes a detailed  
3 description of the grave and dangerous behavior that resulted in restrictive housing and why  
4 restrictive housing was necessary to address serious harm. For each instance where confinement  
5 in restrictive housing is continued at a 15-day review of an incarcerated person's placement in  
6 restrictive housing, the department shall prepare an incident report as to why the person was not  
7 discharged, including a detailed description of why the person continued to present a specific,  
8 significant and imminent threat to the safety and security of the facility if housed outside restrictive  
9 housing and what program, treatment, service, and/or corrective action was required before  
10 discharge. Within 15 days of the end of each quarter of the fiscal year, the department shall provide  
11 the council and the board of correction all such reports and post all such reports on the department's  
12 website with any identifying information redacted, along with data on the total number of people  
13 placed in restrictive housing during that time period, broken down by race, age, gender identity,  
14 mental health treatment level, and length of time in restrictive housing, as well as data on all  
15 dispositions on all charges during that time period, broken down by charge(s), race, age, gender  
16 identity, and mental health treatment level.

17           e. Out-of-cell time.

18           1. All incarcerated individuals shall have access to at least 14 hours of time outside of their  
19 cells every day, except for incarcerated individuals placed in ~~solitary~~ confinement for de-escalation  
20 pursuant to subdivision b of this section, ~~and except that individuals placed in restrictive housing~~  
21 ~~pursuant to subdivision d of this section shall have access to at least 10 hours of time outside of~~  
22 ~~their cells.~~

1           2. No incarcerated individual shall be placed in restraints during out-of-cell time unless an  
2 individualized determination is made that restraints are necessary to prevent an immediate risk of  
3 self-injury or injury to other incarcerated persons or staff, and in such instances the least restrictive  
4 form of restraints shall be used for no longer than necessary to abate such imminent harm.  
5 Restraints shall not be used beyond the initial occasion following such determination unless a due  
6 process hearing, with all of the protections in subdivision d(1), is held to determine if restraints  
7 can continue to be used, and to what degree. Any continued use of restraints shall be reviewed  
8 daily and discontinued once there is no longer an immediate risk of injury. Restraints shall not be  
9 used for more than seven days, unless a new due process hearing, with all of the protections in  
10 subdivision d(1), is held, and a new hearing must occur at least every seven days if restraints  
11 continue to be used.

12           3. Incarcerated individuals may congregate with others and move about their housing area  
13 freely during out-of-cell time and shall have access to education and programming pursuant to  
14 section 9-110.

15           f. Emergency lock-ins. Emergency lock-ins shall only be used when the chief of department  
16 determines such lock-ins are necessary to investigate or de-escalate an emergency that poses a  
17 threat of specific, significant, and imminent harm to people incarcerated or staff. Emergency lock-  
18 ins shall only be used when there are no less restrictive means to address the emergency and only  
19 as a last resort after exhausting less restrictive measures. Emergency lock-ins shall be confined to  
20 as narrow an area as possible and to as limited number of people as possible. Emergency lock-ins  
21 shall be lifted as quickly as possible, shall be reviewed at least every hour by the chief of  
22 department, and shall never last more than four hours. Throughout an emergency lock-in, medical  
23 staff must conduct meaningful rounding every 15 minutes to engage with each person locked in,

1 evaluating and treating any immediate health needs. Mental health staff must meet with the person  
2 at least once an hour to conduct an assessment of their health and attempt de-escalation.

3 1. The department must provide immediate public information on its website concerning  
4 any emergency lock-in, including information about any restrictions on visits, phone calls, counsel  
5 visits or court appearances.

6 2. For each instance an emergency lock-in is imposed, the department shall prepare an  
7 incident report that includes a description of why the lock-in was necessary to de-escalate an  
8 emergency, including the ways in which it posed a threat of specific, significant, and imminent  
9 harm, and how other less restrictive measures were exhausted, as well as the number of people  
10 held in lock-in, the length of lock-in, the areas affected and why, any medical and mental health  
11 services affected, any counsel visits or court appearances affected, any programs affected, all  
12 activities taken during the lock-in to resolve and address the lock-in, and the number of staff  
13 diverted for the lock-in. Within 15 days of the end of each quarter of the fiscal year, the department  
14 shall provide the council and the board of correction all such reports and post all such reports on  
15 the department's website with any identifying information redacted, along with data on the total  
16 number of lock-ins, areas affected by each lock-in, length of each lock-in, and number of people  
17 locked-in, broken down by race, age, gender identity, mental health treatment level, and length of  
18 time in cell confinement.

19 g. Incarcerated people under the age of 22 shall not be placed in solitary confinement or  
20 restrictive housing of any kind, and shall receive access to trauma-informed, age-appropriate  
21 programming and services on a consistent, regular basis.

22 § 2. This local law takes effect ~~180~~ 30 days after it becomes law. The board of correction  
23 shall take any actions necessary for the implementation of this local law, including the

- 1 promulgation of rules relating to procedures and penalties necessary to effectuate this section,
- 2 before such date.

AM  
LS #2666/2936/12523/12658/12676/12913  
11/19/20