

****Press Release****

For Immediate Release

**COMMUNITY MEMBERS LAUD SPEAKER ADAMS, PUBLIC
ADVOCATE WILLIAMS, AND SUPERMAJORITY OF CITY
COUNCIL FOR OVERRIDING VETO AND ENACTING 549A
INTO LAW TO END SOLITARY CONFINEMENT IN NYC JAILS**

*Fully and Properly Implementing 549A and Utilizing Proven Alternatives to
Solitary Will Stop Torture, Reduce Violence, & Save Lives*

(New York, NY) - Today, a supermajority of the City Council overrode the Mayor's veto of Int. No. 549A, enacting this legislation into law. Now the law in New York City, fully and properly implementing 549A will [end solitary confinement](#) and instead utilize alternative forms of separation [proven](#) to better support people's health and improve safety for everyone.

Melania Brown, activist and sister of the late Layleen Polanco, said: "On behalf of my family and most importantly my sister, Layleen Polanco: thank you to the Speaker, the Public Advocate, the Council Members, and the community for finally ending solitary confinement. Thank you for hearing our voices and the voices of our loved ones who are no longer here with us today. It was a long depressing fight and many times I lost hope, but you have given me hope for a safer future and ensuring that no other human dies in a hole alone like my sister. I feel Layleen found peace and now she can finally rest knowing that the place that claimed her life and where she took her last breath, scared and alone, has come to an end."

Victor Pate, Co-Director of the #HALTsolitary Campaign and a healing survivor of solitary confinement, said: "We thank our Public Advocate Jumaane Williams, Council Speaker Adrienne Adams, and our NYC Council members who supported Intro 549A and today have rightfully voted to override the Mayor's misguided veto to finally end solitary confinement by any name in our New York City jails. Too many countless people have died in these torturous conditions that have been proven to contribute to a person's mental and physical deterioration and too often lead to self-harm, suicide, and death by other causes. There is no good reason to have solitary confinement, by any name, for any reason. It is now time to implement a more humane, rehabilitative, and transformative program to address disciplinary and mental health issues of incarcerated people, as well as mental health treatment. We look forward to the full and correct implementation of Intro 549A as well as the appropriate oversight and monitoring of the alternatives to solitary confinement. The Mayor and the department of correction should

immediately begin the work of bringing in outside experts to design and carry out proven interventions, such as the RSVP Program, Merle Cooper Program, and CAPS and PACE programs as originally operated. Properly implementing 549A will stop torture, reduce violence, and save lives. Beyond ending solitary, local and state officials need to take additional urgent action to release people, stop sending people to these deadly jails, and protect the basic human rights of all New Yorkers.”

Candie, solitary survivor, said: “Many lives have been lost due to solitary confinement. I am one of the few who made it out. It is a DREAM COME TRUE that we are FINALLY ending such a torturous practice. To GOD be the glory.”

Akeem Browder, brother of the late Kalief Browder, said: “The Browder family was disappointed by Mayor Adams’ recent decision to veto our solitary confinement legislation, 549A, put forth to create more humane treatment. The decision to try to block this legislation raises questions about the Mayor’s commitment to progressive criminal justice reform and the protection of basic human rights during his time in office. My family and the many other advocates including those who also lost a family member or also lived through solitary remain steadfast in our commitment to advocating for policies that reflect the values of justice, rehabilitation, and human dignity. We thank Speaker Adrienne Adams, Public Advocate Jumaane Williams, and the entire City Council for finally ending solitary confinement, in all forms, and by all names, once and for all. Thank you for standing with our family, standing up for basic human rights, and finally stopping this torture. Now the Mayor and other officials must fully and properly implement 549A. Doing so will be one critical and urgent step, and more must be done to stop incarcerating people in deadly jails.”

“It is the duty of our city to protect the human rights of people who have been deprived of their liberty,” said **Darren Mack, Co-Director at Freedom Agenda**. “The Department of Correction’s blatant violations of the Board of Corrections minimum standards and state law is unrelenting and shameful. We thank all of the City Council Members who took action to end solitary confinement in New York City.”

Chaplain Dr. Victoria A. Phillips, Jails Action Coalition, said: “We commemorate the lives of those individuals who have tragically perished due to the abhorrent conditions endured during solitary confinement and the enduring psychological trauma it entails. Over the course of the last sixteen years, I have provided solace to the bereaved, witnessing their profound sorrow resulting from the loss of a loved one while in the custody of the New York City Department of Corrections. I extend my gratitude to the Speaker, the City Council, and to my fellow New Yorkers for their unwavering support in getting Intro 549 passed. By standing united, we prevailed! On this day, our esteemed City Council has overridden the mayoral veto, affirming our steadfast opposition to the morally reprehensible stance. The significance of fostering a sense of community cannot be overstated, for when we nurture and care for our communities, we simultaneously safeguard our well-being.”

“Today is a monumental day – not only for New York City but the entire country. Solitary confinement is a scourge on the criminal legal system, and New York City has finally and fully

banned this horrific practice and provided a blueprint for other cities to do the same,” said **Jennifer J. Parish, Director of Criminal Justice Advocacy at Urban Justice Center Mental Health Project**. “We commend Public Advocate Jumaane Williams for championing Intro 549A, which requires the Department of Correction to replace the punitive system of isolation and deprivation – which has caused devastating harm to countless individuals – with a humane process for separating individuals while addressing their underlying needs and making the jails safer for everyone. Speaker Adrienne Adams and all the Council Members who reaffirmed their support for ending torture by voting to override Mayor Adams’ veto have demonstrated their commitment to protecting the human rights of all people, and we applaud their efforts. This law would not have been enacted without the tremendous work of survivors of solitary confinement and family members of those who died because of solitary. For years these brave individuals have recounted their traumas to bring this abuse to light and demand policymakers take action. We are grateful for their heroic efforts to make New York City more humane.”

“We applaud the Council Members for effectively banning the cruelty of solitary confinement in our city jails,” said **Naila Awan, co-director of policy at the New York Civil Liberties Union**. “Solitary confinement is torture, often leads to lasting psychological damage, and undermines public safety both inside and outside New York City’s jails. As we grapple with the daily horrors and culture of impunity at jails like Rikers Island, we will continue to fight to uphold the dignity of all incarcerated New Yorkers.”

Background:

On the Urgent Need to End Solitary Confinement

1. A new [op-ed by Tamara Carter](#). While the Mayor falsely claims there’s been no solitary in NYC since 2019, Tamara’s son Brandon died in solitary in a shower cage in August 2021. Tamara talks about all the continued various forms of solitary and their harmful impacts, and how her son would still be alive today if 549A had been in place. *“I couldn’t save my son’s life, but if I can help save another person’s life and make sure no other family has to go through what we have gone through, that is so important to me.”*
2. A new [op-ed](#) by Dr. James Gilligan and Dr. Bandy Lee, who have decades of experience designing, operating, and evaluating violence prevention programs in jails and prisons, lauding the Council for taking a crucial step toward scientifically proven methods of violence prevention by passing 549A and documenting how – contrary to critics’ claims – 549A’s ban on solitary and utilization of proven alternatives, will stop torture, save lives, and reduce violence.
3. A new Columbia University Center for Justice [report](#) documents how NYC jails continue to lock people in solitary confinement in various units by various names, with devastating and deadly consequences.

4. In NYC, solitary confinement is almost exclusively inflicted on Black and brown people, who make up [over 90%](#) of all people in NYC jails (58.2% Black people, 30.5% Latinx people, 2.2% Asian people, 5.7% white people, 3.5% other people).
5. Solitary confinement is government torture that inflicts devastating and deadly harm. Solitary causes people to engage in [self-mutilation](#). It causes [heart disease](#). It causes [anxiety, z z xdepression, and psychosis](#).
6. Even after release from incarceration, a [study](#) of hundreds of thousands of people released from prison in North Carolina over a 15 year period found that people who had spent time in solitary were significantly more likely to die by suicide and other causes. [Research shows](#) that even only one or two days in solitary leads to significantly heightened risk of death by accident, suicide, violence, overdose, and other causes.
7. Solitary confinement killed [Kalief Browder](#) 8.5 years ago and [Layleen Polanco](#) 4.5 years ago. On the day of her death in solitary confinement on Rikers Island, Layleen Polanco had been locked in her cell for [two or three hours](#) before she died.
8. Contrary to the purported justification for its use, solitary also makes jails and outside communities [less](#) safe for everyone by causing people to deteriorate and in turn increasing the risk of harmful acts. Numerous studies, such as [here](#) and [here](#) show that people who have spent time in solitary or restrictive housing are more likely to be re-arrested after release from incarceration.
9. On the other hand, the evidence is clear: if a system is trying to reduce violence what works much better than solitary is the exact opposite of solitary: pro-social program-based interventions that involve full days of out-of-cell group programming and engagement, like the [CAPS program](#) in NYC jails, the [Merle Cooper Program in NYS](#), and [the RSVP program](#) in San Francisco jails.
 - a. For example, the RSVP program included people who had carried out acts of assault, sexual assault, other violent acts, and repeated “heinous” acts. It led to a precipitous drop in violence among participants to the point of having zero incidents over a one year period. People who participated in the program also had dramatically lower rates of re-arrest for violent charges after release from jail.
 - b. Best practices in [youth](#) and [mental health](#) facilities limit isolation to minutes or hours at most, with positive impacts on safety and people’s health and well-being.
10. Despite repeated promises over many years to end solitary – invoking Layleen’s and Kalief’s names, the city jails continue to lock people in solitary by many different names, with torturous and deadly results.
11. [Brandon Rodriguez](#) died after he was locked in solitary in a [shower cage](#). The city jails locked [Elijah Muhammad](#) in solitary in those same shower cages to the point he was found with a ligature around his neck, and then placed Elijah in another [form of solitary](#)

[confinement](#) that is supposed to be “de-escalation confinement”, leading to his death. DOC initiated yet another form of solitary last year through automatic lockdowns in general population in George R. Vierno Center, and that is where [Erick Tavira](#) died after being locked in solitary.

12. People in the city jails continue to be locked in solitary in: (1) so-called [de-escalation units and decontamination showers](#), (2) so-called [structurally restrictive housing](#) in North Infirmery Command (NIC) and West Facility that is nothing more than [solitary confinement by another name](#) for 23 to 24 hours a day, (3) Enhanced Supervision Housing (ESH) / Rose M Singer ESH ([RESH](#)), (4) George R. Vierno Center [automatic lockdowns](#) in supposed general population, (5) repeated [lockdowns](#) throughout the jails, and more. People are still locked in solitary for 23 to 24 hours a day for days, weeks, months and more. There are people who have been in solitary for nearly a year and are still there.

On What Int. No. 549A Will Do

1. The core of Int. No. 549A is ending solitary confinement, in all forms by all names, beyond a maximum of four hours for emergency de-escalation, while instead allowing alternative forms of separation proven to better support people’s health and safety for everyone.
2. To be clear, under Intro No 549A if someone engages in violence, they can immediately be locked in a cell on an emergency basis for purposes of de-escalation in order to address the immediate situation, for up to four hours. After that immediate period, people can still be separated from the general facility population in alternative units. Intro. No. 549A would change the nature of that separation. Rather than isolation that is known to cause harm and increase the likelihood of violence, people who are separated would be placed in environments, like CAPS, Merle Cooper, and RSVP above, that are better suited for actually reducing and preventing violence and keeping people more healthy.
3. To ensure that the ban on solitary confinement is real and to prevent the Department of Correction from imposing solitary confinement by a different name as it has repeatedly done, the bill provides very clear definitions of various terms, including “cell”, “out of cell”, and “restrictive housing.” Although one might not think it necessary to define “cell” or “out of cell”, given that the Department has in the past considered being locked alone in an extended cell as “out of cell” these definitions are imperative to ensure that people have access to actually being outside of a cell, in a shared space with other people.
4. Also to ensure that alternative units do not replicate the harms of solitary by another name and instead follow proven programs like CAPS and RSVP, the bill requires that the forty-year-old basic minimum standard for out-of-cell time in NYC jails – namely access to 14 hours of daily out-of-cell time with people only involuntarily locked in for 8 hours at night for sleep and 2 hours during the day for count – applies to all people in the jails

apart from de-escalation confinement, including people in alternative units. The bill also requires people to have access to seven hours of daily out of cell group programming or activities, and limits the use of restraints to prevent people from automatically being chained to desks during out-of-cell time.

5. The bill also enhances fairness, transparency and accountability by enhancing due process protections, including access to representation, time limits on placement in restrictive housing, and public reporting on the use of solitary and alternatives.
6. A [point-by-point response](#) to the recent claims made by the monitor. The bottom line: the status quo has led to horrible cycles of abuse, violence, and death, and can not continue. 549A presents an opportunity for an alternative approach scientifically proven to reduce violence and better protect people's health.

On Widespread Support for Ending Solitary in NYC

1. After all of the failed promises in the names of Kalief and Layleen, now is the moment for New York City to finally end solitary confinement.
2. Int. No. 549A was passed by an overwhelming veto-proof supermajority support and Speaker Adrienne Adams has repeatedly committed to override a veto.
3. Polling [data](#) shows the vast majority of voters across the country support ending solitary specifically in line with the provisions of 549A, by a +32-point margin, with 78% of Democrats, 61% of Independents, and 51% of Republicans supporting it.
4. Every member of the [NYC Democratic U.S. House delegation](#) urged NYC to fully end solitary. [Over 160](#) leading civil rights, racial justice, and human rights organizations urged New York City to fully end solitary confinement. [74 state legislators](#) said DOC's policies violate the state HALT Solitary Law and [urged](#) Council action. [1199SEIU United Health Care Workers East](#) endorsed Int. No. 549A and urged the City Council to pass it.
5. Recent [op-ed](#) by Haydeth and Amariliz Torres Tavira, whose son and brother, Erick Tavira, died in solitary on Rikers last year praises the Council for passing 549A and urging the Mayor to sign. Recent [op-ed](#) by Akeem Browder, whose brother Kalief Browder was killed by solitary and whose mother subsequently died of a broken heart, urged enactment of 549.
6. Coverage of the Council's vote to ban solitary in nearly every major news outlet in NY and across the country: [The Hill](#), [NPR](#), [New York Magazine](#), NYT [here](#) and [here](#), [NBC](#), [PBS](#), [Gothamist](#), [Reuters](#), [AP](#), [Daily News](#), [Black Enterprise](#), [El Diario](#), [City Council](#), [NY1](#), [AMNY](#), [Brooklyn Daily Eagle](#), [Queens Daily Eagle](#), [Truthout](#), [ABC](#), [ABC](#), [CBS](#), [News12](#), [Pix11](#), [Independent](#), and many more.

7. With the years-long deadly crisis plaguing Rikers and the city jails, ending solitary and providing people with access to real out-of-cell time and programming is one concrete and urgent step to save lives, better support people's health, and reduce violence. With the prospect of receivership looming and the possibility of closing Rikers and operating jails with a different approach, it is more urgent than ever to make clear and make it the law of New York City that solitary confinement can no longer be practiced.

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