

# Brooklyn <sup>(BDS)</sup> Defenders

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Contact: Daniel Ball, [dball@bds.org](mailto:dball@bds.org)

**\*\*\*For Immediate Release\*\*\***

## ***Brooklyn Defenders Calls on NYC Board of Correction to Deny Department of Correction's Requests to Limit Physical Mail and Packages in NYC Jails***

(BROOKLYN, NY) – Brooklyn Defender Services submitted a [letter](#) to the New York City Board of Correction (BOC) in advance of BOC's January 10th meeting urging the BOC to reject a NYC Department of Correction (DOC) request for variances from the Board Minimum Standards that would limit the receipt of physical mail and external packages by people incarcerated in the city jails.

Under DOC's proposed mail policy, all non-privileged correspondence will be sent to a P.O. Box at a vendor's off-site location to scan the mail and forward a copy to the recipient's DOC-issued tablet. As such, people in custody will no longer be able to keep physical mail, including photos, children's drawings, or handwritten letters from family or friends, and instead will depend on access to a tablet to read scanned correspondences. The text of every non-privileged correspondence will become data retained by Securus Technologies, the private vendor of DOC's mail scanning program. Securus has a track record of faulty privacy safeguards and improperly distributing confidential communications, including in New York City.

Under DOC's proposed package policy, all incoming packages must be purchased from and mailed by a private company whose "ordinary business includes the sale and shipping of such items." As such, family and friends, legal providers, and community aid organizations cannot send care packages, used books, and vital items directly, but rather must incur additional expenses to use a private vendor. The Department claims these proposed policies are necessary because drugs are entering DOC facilities through correspondence and packages. However, the experience of jurisdictions that have instituted similar mail and package policies belie the Department's contentions, because such policies do not result in a decrease in drug use in the jails. Further, the city's own Department of Investigation and federal prosecutors have repeatedly found that DOC uniformed and civilian staff are the main source of drugs entering New York City jails.

**Lucas Marquez, Associate Director / Interim Acting Director of Civil Rights & Law Reform with Brooklyn Defenders stated:**

“The Department of Correction’s proposals to cut off physical mail and non-commercial packages to everyone in its custody is a drastic overreach that will only further dehumanize people in custody. As public defenders, we know these policies will cut people off from crucial family ties and subject them and their families to invasive and enduring surveillance. DOC claims to be implementing these policies to thwart drugs from entering the jails, however, such policies have been shown ineffectual at achieving that goal. Instead of adopting policies that profit private companies at the expense of incarcerated people and their families, DOC should take steps that would be effective in reducing overdoses, such as expanding harm reduction strategies, improving access to medical care, prioritizing treatment over incarceration, and reducing the jail population. We strongly urge the Board to deny DOC’s variance requests.”

**Background**

On November 14, 2022, the New York City Department of Correction (“DOC” or “Department”) requested two variances from the Board of Correction (“BOC” or “Board”): a variance from Board Minimum Standards § 1-11(e)(1)(i) that would limit the receipt of physical mail, and a variance from Board Minimum Standards § 1-12(a) that would limit the sources of external packages.

Brooklyn Defender Services will testify at the January 10, 2023 Board of Correction hearing about this variance.

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*Brooklyn Defender Services is a public defense office whose mission is to provide outstanding representation and advocacy free of cost to people facing loss of freedom, family separation and other serious legal harms by the government. We believe in a client-centered approach and work, in and out of court, to uphold the rights, freedom and dignity of people threatened by unjust, racist and harmful legal systems.*