

****Press Release****

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COMMUNITY MEMBERS LAUD SPEAKER ADAMS, PUBLIC ADVOCATE WILLIAMS, AND SUPERMAJORITY OF CITY COUNCIL FOR PASSING 549A TO END SOLITARY CONFINEMENT IN NYC JAILS

With Veto-Proof Supermajority of Council Members Voting to Pass Int. No. 549A, Community Members Urge Mayor Adams to Sign Int. No. 549A into Law to Finally End Solitary Confinement Once and For All

(New York, NY) - Today, a supermajority of the City Council passed Int. No. 549A to end solitary confinement and instead utilize alternative forms of separation proven to better support people's health and improve safety for everyone.

Jerome Wright, Co-Director of the #HALTsolitary Campaign said: "We thank Speaker Adrienne Adams, Public Advocate Jumaane Williams, and the supermajority of Council Members for passing Int. No. 549 to end solitary confinement once and for all. Solitary confinement is one of the greatest inhumanities a person can inflict on another person, and thanks to the years-long tireless and relentless efforts of those who have lived through solitary or lost their loved ones to solitary, we are now on the brink of finally ending this torture in New York City jails. The jails have been imposing various forms of solitary confinement by many different names for far too long, causing immense suffering and harm, taking countless lives, and worsening safety for everyone in the jails and after people come home. Today's vote was for Kalief Browder, for Layleen Polanco, for Brandon Rodriguez, Elijah Muhammad, Erick Tavira, Jason Echeverria, Bradley Ballard, Carina Montes, and countless others who lost their lives, who were tortured, or who saw their loved ones tortured. Now it is time for Mayor Adams to sign the bill into law. Enacting Int. No. 549, ending solitary confinement in all forms and names, and implementing real alternatives will stop torture, save lives, and make everyone safer."

Tamara Carter, mother of Brandon Rodriguez, who died in solitary in a shower cage, said, "Amen Brandon, we did it, mommy made sure no one will ever suffer like you did."

Chaplain Dr. Victoria A. Phillips- Dr. V, Jails Action Coalition said: "I wish to extend my gratitude to the Public Advocate and the New York City Council for the passage of legislation known as Intro 549. I would also like to acknowledge and pay tribute to former Council Member Danny Dromm, who initially introduced a bill aimed at discontinuing the use of solitary confinement within the Council several years prior. The unwavering commitment of the impacted individuals, their families, advocates, and all others instrumental in bringing about this change has ultimately led to the present action being taken by the council. The devastating consequences of solitary confinement were tragically exemplified by the cases of Kalief Browder, who perished almost a decade ago, Layleen Polanco, who lost her life nearly five years ago, and Brandon Rodriguez who died in solitary in a shower cage two years ago. Some members of the council have consistently spoken out against these practices. On the date of her demise while confined in a solitary setting on Rikers Island, Layleen Polanco had been confined to her cell for two or more hours prior to her passing. For far too long, our incarcerated community has endured appalling and inhumane correctional conditions without any respite. It is our responsibility as leaders to uphold and enforce the principles of human rights and civil law. Today, the Council has fulfilled its obligation to be a responsible governing body. By consistently acknowledging the names of Kalief Browder and by recommitting to their previous promises following Layleen's death while in NYC DOC custody, they have demonstrated their commitment to the cause. The prohibition of solitary confinement in all its forms is of paramount importance, as underscored by the introduction of this bill. As we approach the end of 2023, we

wholeheartedly commend the City Council for their steadfast dedication to the principle that the incarcerated members of our community, though deprived of their freedom, remain on American soil and deserve a minimum of dignity and respect while under the care and control of the New York City Department of Corrections. It is crucial to emphasize that the foundation of correctional safety measures must first be rooted in compassion and humanity. This is a positive step in moving towards a holistic approach to corrections.”

Darren Mack, Co-Director of Freedom Agenda said, "We thank the Public Advocate and the City Council for their bold commitment to human rights and their courage to take action on the belief that we will never make our jails or our city safer by subjecting people to isolation, deprivation, and torture."

Conrad Blackburn, Bronx Defenders, said: "Solitary Confinement is a remnant of outdated and shortsighted thoughts about how our criminal legal system should work. It is torture and does not serve any legitimate purpose. We commend the City Council's historic passage of Intro 549, ending this inhumane practice."

“We applaud the Council for finally taking action to end all forms of solitary confinement in New York City jails. This barbarous practice harms the mental health of all people subjected to it, and is particularly damaging to people with pre-existing mental health concerns, more than half of the City jail population,” said **Jennifer J. Parish, director of criminal justice advocacy of the Urban Justice Center Mental Health Project**. “The scars inflicted by solitary confinement last long after incarceration ends. This torture has no place in NYC jails or any other jail, prison, or detention facility.”

“Solitary confinement is tantamount to torture and has caused irreparable harm to countless people held in city custody, and the practice has no place in New York City,” said **Barbara Hamilton, Supervising Attorney of the Incarcerated Client Services Unit with The Legal Aid Society**. “We laud the City Council for its commitment to see this essential legislation through the entire body. Eradicating all forms of solitary keeps with New York’s progressive values, and we urge Mayor Adams to sign this bill into law at once.”

Jayette Lansbury, mental health advocate whose son spent time in solitary, said: “Solitary by any name is outright torture! It exacerbates any mental health condition! It leaves lifelong Trauma! It increases suicide rates. It must end.”

Rabbi Margo Hughes-Robinson, T’ruah, said: “Solitary confinement is torture. In NYC, it is predominantly inflicted on Black and Latinx people. Solitary causes immense suffering and devastating harm, and has taken far too many minds and lives, including Kalief Browder, Layleen Polanco, Brandon Rodriguez, and countless others. As Jewish clergy, we are compelled to speak out against this form of torture. The very first two chapters of our Torah teach us that every human being is created in the image of God, and that no human being should be alone. Many of us have also visited congregants in prison, or served as prison chaplains. These pastoral experiences have taught us the degradation prisoners feel, the loneliness of being in prison, and the desperation of those unable to maintain relationships while living in isolation. Our long-term partnerships with NY-CAIC, Jails Action Coalition, and other groups led by the New Yorkers most directly affected by these issues also demand that we follow the biblical injunction of Leviticus 19:16: “**Do not stand idly by the blood of your neighbor.**” We celebrate the passage of this landmark legislation, and urge Mayor Adams to sign Intro 549 into law as quickly as possible.”

“The people we represent—along with their families, friends, and advocates—are all impacted by the serious trauma caused by DOC’s inhumane restrictive housing practices,” said **Lucas Marquez, Director of Civil Rights and Law Reform at Brooklyn Defenders**. “We applaud the City Council for taking action to pass Int. 549 on behalf of the countless solitary survivors, defenders, doctors, scholars, corrections experts, and human rights advocates who have long urged an end to torture of solitary confinement. We urge Mayor Adams to immediately sign the bill into law.”

“By effectively banning the torture of solitary confinement in all its forms in our city jails, the City Council has taken action that will save New Yorkers’ lives,” said **Donna Lieberman, executive director of the New York Civil Liberties Union**. “Solitary confinement is a form of torture that has inflicted enduring harm on generations of incarcerated New Yorkers, especially Black and Brown people. Given the daily horrors and culture of impunity at jails like Rikers Island, we urge the Mayor to heed the call of incarcerated New Yorkers and their families and sign this bill into law immediately.”

Background:

On the Urgent Need to End Solitary Confinement

1. 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.
2. 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).
3. Solitary confinement is government torture that inflicts devastating and deadly harm. Solitary causes people to engage in [self-mutilation](#).
4. It causes [heart disease](#). It causes [anxiety, depression, and psychosis](#).
5. 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.
6. [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
8. [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.
9. 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.
10. 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.
11. 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.
12. 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.
13. [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

14. [Erick Tavira](#) died after being locked in solitary.
15. 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
16. 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. 549 Will Do

1. The core of Int. No. 549 is ending solitary confinement, in all forms by all names,
2. 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.
3. To be clear, under Intro No 549 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.
4. Intro. No. 549 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.
5. 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.
6. 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.
7. 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.

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. 549 has veto-proof supermajority support and the backing of Speaker Adrienne Adams.

3. Polling [data](#) shows the vast majority of voters across the country support ending solitary specifically in line with the provisions of 549, 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.
5. [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](#)
6. [United Health Care Workers East](#) endorsed Int. No. 549 and urged the City Council to pass it.
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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