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*****FOR IMMEDIATE RELEASE*****

Legal Aid Calls On NYC Correction To Protect Incarcerated New Yorkers From Summer Heat-Related Dangers

(NEW YORK, NY) – The Legal Aid Society, in a recently issued [letter](#), called on the New York City Department of Correction (DOC) to implement measures to protect incarcerated New Yorkers from this summer’s high heat days. DOC recently published a 2020 Summer Heat Plan that is substantially the same plan that failed last summer, subjecting incarcerated New Yorkers to extreme and potentially deadly temperatures.

“During heat emergencies, the City offers cooling centers for its citizens who do not have air conditioning in their homes. Incarcerated individuals do not have the option to go to an air conditioned location, take a walk outside or even open a window. It is therefore up to the City to take the necessary measures to protect them from the dangers posed by high temperatures,” said **Mary Lynne Werlwas, Director of the Prisoners’ Rights Project at The Legal Aid Society**.

Legal Aid calls on DOC to protect individuals who are particularly vulnerable to heat. Specifically, we ask DOC to:

- confirm to the Board of Correction, in advance of any high heat days, that a list of heat sensitive individuals was sent to appropriate facility leadership so that they can ensure appropriately cooled housing;
- send a copy of the list to the Board of Correction so they can monitor the process in real time; and
- inform the individual’s counsel of record whenever a heat-sensitive individual is not moved to heat-sensitive housing in advance of a high heat day, and
- take swift disciplinary action against any individuals for action or inaction that results in failures to protect individuals from heat related illness.

DOC recently informed Legal Aid that as of June 2, 2020, 162 heat sensitive individuals refused transfer from their current housing area to heat sensitive housing and signed a refusal in the pretense of a clinician. In response, Legal Aid also demands that:

- in advance of any and all high heat days, Department staff and a CHS clinician meet with anyone who has refused air- conditioned housing, counsel them about the dangers of heat-related illness and their unique vulnerability to it given their medical condition, and again offer that person cooled housing, and
- and that all refusals of offers of air-conditioned housing are videotaped, and provided to the Board of Correction to audit in as close to real time as possible.

Legal Aid also asks that the Department provide individuals with access to cool showers, which have been shown to be significantly protective from heat related illness. This means ensuring that every uncooled housing unit have a plan for how it intends to supply individuals with that access, including a sufficient number of officers to escort individuals, where necessary. Last summer, the Department's claim that it provides cool showers failed in practice, and multiple housing units had only hot showers.

Finally, we call on DOC to distribute “ice in sufficient quantities to cool human bodies during *all* daytime hours of high heat days” and to produce information with an explanation of what the Department has done and is doing to ensure that fans are operable and provide meaningful relief during this summer’s high heat days.

As we stated in our letter:

"We appreciate the summer heat season provides unique challenges to the Department in light of its aging facilities. But we cannot allow a repeat of last year’s July heat emergency, which subjected incarcerated people to incredibly dangerous conditions. The Department should not await a tragedy in order to implement these demands."

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The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. www.legalaidnyc.org