

# THE LEGAL AID SOCIETY

Justice in Every Borough.

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

## ***Legal Aid Demands the City Take Action to Remedy Dangerous Conditions where Clients are Held in Local Courthouses***

### ***Defenders Call on DCAS to Update Filtration Systems, Implement Other Measures to Keep Clients Safe from COVID-19***

(NEW YORK, NY) – The Legal Aid Society, in a recent [letter](#) to the New York City Department of Citywide Administrative Services (DCAS), [decried](#) the lack of sanitary conditions in detention areas within local courthouses where Legal Aid clients and many New Yorkers are regularly held. Specifically, public defenders are calling on DCAS to immediately update the ventilation and air flow conditions and implement other measures to keep clients safe from COVID-19. The Legal Aid Society began requesting improvements to courthouse detention areas, including where individuals are held pre-arraignment and where they are held to meet with attorneys before court appearances, almost a full year ago, but DCAS and other city agencies have not taken the measures necessary to keep people safe.

According to DCAS, the agency updated the filtration systems in all of the public areas of the courthouses last summer, but left most of the areas where clients are held with out of date filtration systems that increase the risk of contracting COVID-19.

Despite DCAS's clear responsibility for "(p)roviding facilities management for 55 public buildings" and "implementing conservation and safety programs throughout the City's facilities", the Department denies any responsibility for detention areas in New York City's courthouses and has attempted to redirect to other agencies that they claim are responsible for those spaces, including the New York State Office of Court Administration (OCA), the New York City Department of Correction (DOC) and the New York Police Department (NYPD).

#### **The letter states:**

*This continued lack of transparency and shifting of attention to other agencies is disappointing in light of DCAS's primary role in ensuring health and safety standards are met in New York City buildings and the interconnected nature of the air filtration systems and overall sanitary conditions in courthouse detention areas..In your most recent letter you...acknowledge your responsibility for the filtration systems in the courthouses, noting that*

*“(s)etting aside holding cells, DCAS has ensured that all criminal courthouses have ventilation systems equipped with MERV 14 or MERV 15 bag filters.” But you continue to fail to explain why DCAS has chosen not to take this same basic safety step in the holding cells.*

“DCAS has a legal and moral obligation to keep these facilities safe from COVID-19 and to protect those New Yorkers, our clients, who are detained in them,” said **Emma Goodman, Staff Attorney with the Criminal Defense Practice’s Special Litigation Unit at The Legal Aid Society**. “This includes ensuring that all areas of local courthouses, not just those accessed by the public, have ventilation systems that are up to standard. This is especially crucial as in-person appearances begin again, and we see more people brought to court and more attorneys entering detention areas to speak with their clients. The solution is simple and one that DCAS can immediately implement by installing free standing HEPA filters in any area that DOC or NYPD use to hold people who are detained. We need DCAS to act on these concerns now.”

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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](http://www.legalaidnyc.org)*