

THE LEGAL AID SOCIETY

Justice in Every Borough.

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Contact:

Redmond Haskins
The Legal Aid Society
rhaskins@legal-aid.org
(929) 441-2384

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

In Longstanding Federal Monitorship Overseeing Safety and Security in New York City Jails, Court Issues Emergency Order to Address the Ongoing Humanitarian Crisis

(NEW YORK, NY) - The Legal Aid Society announced that the federal court in [Nunez v. City of New York et. al.](#) today issued an [emergency order](#) requiring immediate changes in the New York City jails to address the current humanitarian crisis in the facilities. The order in the case comes in response to an emergency request by Legal Aid filed last week, detailing the extraordinary risk of harm facing people in city jails and calling for immediate action from the City and the federal court.

The order requires the City, among other things, to:

- place a mandatory 24-hour cap on the time people can be housed in intake facilities, to address the problem of warehousing people in inhumane conditions, and require the City to track and report to the Court on how long people stay in intake;
- ensure staff follow strict suicide prevention protocols;
- report back to the court with an immediate interim security plan that addresses the gross deficiencies in basic security practices in the Department such as staff abandoning posts, failing to lock doors, and failing to supervise people in custody;
- launch a process to allow hiring of facility leadership from outside of DOC ranks, so that hiring is not limited to current DOC staff.

In addition, the order sets a timetable for reporting to the court on the implementation of these steps, including a process for appointing an outside head of security for the jails.

“This order is a necessary and important step, requiring the City to take actions we have been urging for years,” said **Tina Luongo, Attorney-In-Charge of the Criminal Defense Practice at The Legal Aid Society**. “And if the City is unable to comply with this order and show immediate improvements to safety and security in the jail, we will be back in court as often as is necessary to hold the de Blasio Administration accountable. We will continue to use every tool we have to protect our clients. Lastly, this order should not supplant the need to decarcerate local jails, and we again call on Governor Hochul, Mayor de Blasio and local District Attorneys to prioritize that effort.”

Background

The Legal Aid Society, as counsel for the plaintiff class in *Nunez v. City of New York, et al.*, filed a letter last week in the United States District Court for the Southern District of New York requesting an emergency court conference to protect people from the extraordinary harm they face given the collapse of basic operations in the City jails. The proceedings were held on Friday, September 24, 2021, before the Hon. Laura Taylor Swain.

In 2014, Legal Aid brought Nunez to challenge the systemic brutality by staff against people incarcerated in New York City jails. The case resulted in a landmark consent decree mandating significant reforms in the use of force practices in the City jails and steps to address the systemic causes of violence.

Since then, a federal monitor has overseen various aspects of jail operations, including in relation to safety, staffing, and disciplinary issues. Under the consent decree, the Court retains the power to issue orders necessary to ensure that the Department of Correction is complying with terms of the agreement designed to keep people who are incarcerated safe from harm.

This year alone, 12 people have died in New York City jails, including five who have died by suicide.

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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 145 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