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November 18, 2021

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

City Jail Federal Monitor Report Shows Work Stoppage in City Jails Continues: Nearly 30% of Uniformed Correction Officers Call In Sick

(NEW YORK, NY) - New [data](#) released by the federal monitor in [Nunez v. City of New York](#) - litigation brought by The Legal Aid Society in 2014 to challenge the systemic brutality by staff against people incarcerated in New York City jails - show that the City has failed to get uniformed correction officers to end their sickout that is causing a humanitarian crisis in the jails.

According to the report, roughly 29 percent or 2,351 uniformed officers were reportedly unavailable to work as of the most recent data on November 3, 2021, paralyzing the Department's ability to care for and keep safe the New Yorkers in its custody. At least 1,515 officers were out on reported "sick leave"- nearly a fifth of uniform staff.

In successive Emergency Orders dated September 15 and November 1, 2021, Mayor DeBlasio ordered immediate actions to curb the correction officers' refusal to work. The correction officers also received a special exemption from the Mayor's vaccine mandate for all City workers, and were given until December 1, 2021, to comply with the vaccines order.

"The City's initiatives have failed to get their workforce back on the job, and their absence is leading to extraordinary danger in the jails. They do not have adequate supervisors or staffing skill to accomplish basic correctional functions - providing food, medical care or protection from harm," said **Mary Lynne Werlwas, Director of the Prisoners' Rights Project at The Legal Aid Society**. "With the deadline to comply with the City's vaccine mandate less than two weeks away, and correction officers showing the lowest vaccination rates of any City workforce, we face the frightening possibility that this ongoing humanitarian crisis at Rikers Island will get worse."

Background

The Legal Aid Society, as counsel for the plaintiff class in *Nunez v. City of New York, et al.*, [filed](#) a letter this past September 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 response to that hearing, the Court issued an [order](#) requiring 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.

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, 14 people have died in New York City jails, including five who have died by suicide.

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