



**DISABILITY RIGHTS
ADVOCATES**

**WINSTON
& STRAWN
LLP**

March 13, 2025

Contact:

Audrey Martin

Amartin@legal-aid.org

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

Legal Aid, Disability Rights Advocates and Winston & Strawn LLP Secure Court Order to Compel DOCCS to Account for Suspension of HALT Solitary Law in NY State Prisons

(NEW YORK, NY) - The Legal Aid Society, Disability Rights Advocates and Winston & Strawn LLP today secured a [court order](#) to compel the New York State Department of Corrections and Community Supervision (DOCCS) to make transparent which provisions of [the Humane Alternatives to Long-Term Solitary Confinement Act \(HALT\)](#) they have suspended as a result of illegal strikes by corrections staff at prisons across New York State.

The Order to Show Cause (OSC) was filed in [Anthony v. DOCCS](#), a class action lawsuit brought on behalf of New Yorkers with disabilities incarcerated in state prisons against DOCCS and the New York State Office of Mental Health (OMH) for their ongoing violations of the HALT Act, a landmark human rights law that limited the use of solitary confinement in prisons and jails throughout New York State.

Under HALT, prison and jail officials are prohibited from using solitary confinement to punish people with disabilities. HALT's protections are grounded in the broad scientific consensus that individuals with disabilities are particularly vulnerable to the disastrous and frequently irreversible medical and psychological consequences wrought by solitary confinement, and the growing penological consensus that solitary makes prisons less safe.

The corrections officers' union has fought unsuccessfully against HALT since its inception. In response to the illegal strike, on February 20, DOCCS announced a vague suspension of the HALT law in a [memorandum](#) issued by DOCCS Commissioner Daniel F. Martuscello III. On February 24, Legal Aid [demanded](#) that Commissioner Martuscello reverse the "suspension" or otherwise clarify its terms. On March 6, the State again proposed to continue its indeterminate suspension of HALT in a memorandum of agreement with the correctional officers' union.

The OSC requires that DOCCS identify the specific provisions of HALT the Department purports to have suspended.

“HALT is the law in New York and DOCCS has no authority to suspend it,” said **Antony Gemmell, supervising attorney for the Prisoners’ Rights Project at The Legal Aid Society**. “The legislature enacted HALT because of profound harms that solitary confinement, a form of torture, has inflicted on generations of New Yorkers. By announcing a vaguely defined ‘suspension’ of HALT, DOCCS opens the door to a potentially boundless circumvention of the legislature’s express will. Our clients, who depend on HALT’s protections, deserve answers about what DOCCS is doing here. We’re glad the Court agrees.”

“People with disabilities have been suffering the torturous conditions of solitary confinement in New York State’s prisons for far too long,” said **Brittany Castle, staff attorney at Disability Rights Advocates**. “DOCCS cannot claim for itself the power to ‘suspend’ the state law that prohibits this practice and it certainly cannot do so in secret. We welcome the Court’s order that DOCCS must share information vital to the lives of our clients.”

"Today's court order is a crucial step in ensuring that the New York State Department of Corrections and Community Supervision (DOCCS) adheres to the legal standards set forth by the HALT Act," said **Winston & Strawn partner Eva Cole**. “This decision underscores the importance of transparency and accountability in protecting the rights and wellbeing of incarcerated individuals, particularly those with disabilities.”

###

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 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. <https://www.legalaidnyc.org>

Disability Rights Advocates (DRA) – With offices in California, New York, and Illinois, Disability Rights Advocates is the leading national nonprofit disability rights legal center. Its mission is to advance equal rights and opportunity for people with all types of disabilities nationwide. DRA represents people with all types of disabilities in complex, system-changing, class action cases. Thanks to DRA’s precedent-setting work, people with disabilities across the country have dramatically improved access to education, health care, employment, transportation, disaster preparedness planning, voting, and housing. For more information, visit www.drlegal.org.

Winston & Strawn LLP is an international law firm with 15 offices in North America, South America, Europe, and Asia. More information about the firm is available at www.winston.com.