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***Legal Aid Files Class Action Lawsuit Against DOCCS for Illegally Suspending
HALT Solitary Law in NY State Prisons to Appease Illegal Strikers***

***Since February, Incarcerated New Yorkers Have Faced Prolonged Confinement
Without Programming and Recreation***

***Lawsuit Petitions Court to Order DOCCS to Reverse Unlawful HALT Suspension
and Reinstate Protections***

(NEW YORK, NY) - The Legal Aid Society [filed](#) a class action [lawsuit](#) against the New York State Department of Corrections and Community Supervision (DOCCS) for its far-reaching and unlawful rollback of [the Humane Alternatives to Long-Term Solitary Confinement \(HALT\) Act](#), a landmark human rights law that limited the use of solitary confinement in prisons and jails throughout New York State.

The lawsuit was filed on behalf of six people incarcerated in prisons across the state who, since the HALT suspension was announced on February 20, are subjected to daily, prolonged periods of solitary confinement during which time they are unable to leave their cells or participate in programming and recreation that allows them critical access to outdoor time, as well as the ability to interact with others.

The purportedly temporary suspension was announced via a [memorandum](#) issued by DOCCS Commissioner Daniel F. Martuscello III three days into a weeks-long authorized strike by DOCCS staff, which comprised hundreds of corrections officers from dozens of prisons upstate.

The HALT suspension was intended to placate the striking officers – since the corrections officers’ union has unsuccessfully opposed HALT since its inception in 2021 – and to entice them back to work. But the ambiguous scope of the suspension threatens a potentially boundless circumvention of HALT’s core protections.

And despite Governor Kathy Hochul announcing on March 10 that the strike had ended, many incarcerated New Yorkers – including the six individuals named in the lawsuit – continue to be exposed to the devastating mental and physical harms of prolonged isolation, which HALT was enacted to prevent.

The lawsuit seeks a court order directing DOCCS to vacate the illegal HALT suspension and restore the critical protections granted under the duly enacted legislation.

“In a misguided attempt to appease the prison officers who participated in an unsanctioned strike – the deeply [harmful consequences](#) of which are still being felt by incarcerated people across the state – DOCCS has unlawfully rolled back key provisions of a landmark human rights law, despite having no authority to do so,” said **Antony Gemmell, Supervising Attorney with the Prisoners’ Rights Project at The Legal Aid Society**. “HALT was duly enacted by the Legislature to protect incarcerated people from the profoundly damaging effects of solitary confinement. The law cannot simply be cast aside at the political whim of the Commissioner. This illegal suspension – which remains in place weeks after the strike’s conclusion – must be lifted to ensure that our clients, and all similarly situated New Yorkers, do not continue to suffer precisely the harm HALT was designed to prevent.”

Some of the plaintiffs bringing this case include:

Alfonso Smalls is a 29-year-old man from Harlem who is currently incarcerated in a general population unit at Coxsackie Correctional Facility. Since the strike began, and continuing under the HALT suspension, Mr. Smalls has been held in segregated confinement, isolated in his cell for between 22 and 24 hours per day. During the strike, Mr. Smalls was locked in his cell continuously for about two and a half weeks, leaving only to take a total of three eight-minute showers. Since the strike has ended, Mr. Smalls is still only permitted to leave his cell for between 90 minutes to an hour and 45 minutes each day.

Kariem Tomlin is a 46-year-old man from Staten Island who is currently housed in general population at Clinton Correctional Facility. Despite being housed in general population, since the strike began and continuing under the HALT suspension, DOCCS has isolated Mr. Tomlin in his cell for between 21.5 and 24 hours every day. During the strike, Mr. Tomlin was held in his cell for 24 hours a day. For several days during the strike, he and other incarcerated individuals were not allowed out of their cells even to bathe, with officers instead distributing hot water to the cells. Due to the extended period of isolation, Mr. Tomlin feels mentally disengaged and not like himself. The isolation has created tension among the people living in close quarters on his unit, making life difficult and leading to arguments.

Jerome Leslie is a 28-year-old man housed in a general population unit at Sing Sing Correctional Facility where, despite being in general population, Mr. Leslie is confined to his cell for at least 21 hours per day under the HALT suspension. Mr. Leslie is allowed to leave his cell only for work, as he lost access to the college program and Substance Abuse Treatment programs he was enrolled in as a result of the strike. The isolation Mr. Leslie is experiencing has taken a toll on his mental and physical health, leading to feelings of depression, anxiety, and hopelessness.

Taron Jackson is a 45-year-old father of three from the Bronx currently housed in the Special Housing Unit at Green Haven Correctional Facility. Under the HALT suspension, Mr. Jackson has been locked in his cell for between 23 and 24 hours per day. He is permitted one hour of outdoor recreation time per day, however,

DOCCS employees have told Mr. Jackson that he must choose between the outdoor recreation or access to the telephone after 5 P.M. Because he prioritizes speaking with his children after school, Mr. Jackson chooses not to go to recreation, meaning that his only time out of his cell is for a ten-minute shower three times per week. The isolation has caused Mr. Jackson – who has mental illness – to experience insomnia and nightmares that make him feel like “he might be going crazy.”

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