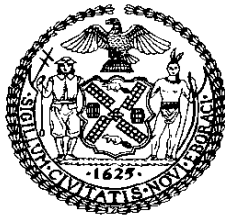


Committee on Criminal Justice
Alana Sivin, *Legislative Counsel*
Kieshorne Dennie, *Policy Analyst*
Jin Lee, *Financial Analyst*



THE COUNCIL OF THE CITY OF NEW YORK

**BRIEFING PAPER AND COMMITTEE REPORT OF THE
JUSTICE DIVISION**

Jeffrey Baker, Legislative Director
Brian Crow, Deputy Director, Justice Division

COMMITTEE ON CRIMINAL JUSTICE

Hon. Keith Powers, Chair

January 29, 2019

Oversight
DOC Grievance System

Int. No. 1340 By Council Member Ayala

Title: A Local Law to amend the New York City Charter, in relation to requiring DOC to make the grievance process more efficient.

Administrative Code: Amends Section 136

Int. No. 1370 By Council Member Powers

Title: A Local Law to amend the New York City charter, in relation to 311 complaints from incarcerated individuals and informing incarcerated individuals of the protections against retaliation for filing a grievance.

Administrative Code: Amends Sections 136 and 139

Int. No. 1334 By Council Member Ampry-Samuel

Title: A Local Law to amend the New York City charter, in relation to requiring BOC to conduct surveys of DOC’s grievance process.

Administrative Code: Adds Section 626

I. Introduction

On January 29, 2018, the Committee on Criminal Justice, chaired by Council Member Powers, will hold an oversight hearing on the Department of Correction’s (DOC) grievance system. The committee will also hear Introduction Number 1340, a local law to amend the New York City Charter in relation to requiring DOC to make the grievance process more efficient. It will also hear Introduction Number 1370, a local law to amend the New York City Charter in relation to 311 complaints from incarcerated individuals and inform incarcerated individuals of the protection against retaliation for filing grievances. In addition, the committee will hear Introduction Number 1334, a local law to amend the New York City Charter in relation to requiring BOC to conduct surveys of DOC’s grievance process. The committee is expecting representatives from the DOC and the Board of Correction (BOC or Board), legal services providers, advocates, and other key stakeholders to testify.

II. Grievance System Overview

The grievance process as discussed herein refers to the wide range of processes utilized by the DOC to address complaints made by individuals in custody or by others on their behalf. Currently, DOC places all complaints into one of two broad categories: “grievable” and “non-grievable.”¹ Grievable complaints are written complaints that fall within one of the 26 categories

¹ NYC Department of Correction, Forms 7100R-A and 7101R-A of Directive 3376R-A (Dec. 10, 2018), available at https://www1.nyc.gov/assets/doc/downloads/directives/Directive_3376R-A.pdf

of issues related to confinement (see Appendix A) that are subject to a formal grievance process, which entitles complainants to receive a notification on the resolution of their grievance and access to an appeals process.² In contrast, non-grievable complaints are written complaints that do not fall within one of the 26 grievable categories and are referred to a separate office where they are resolved outside the formal grievance process.³ Examples of non-grievable complaints are staff complaints, inmate altercation, and sexual abuse/sexual harassment that falls under Prison Rape Elimination Act (PREA).⁴

Individuals in custody have multiple ways to file grievances. They can drop handwritten forms in grievance boxes located in housing facilities, deliver them to the Office of Constituent and Grievance Services (OCGS), or submit them to grievance coordinators who regularly tour housing facilities.⁵ If OCGS determines that a complaint is non-grievable, the incarcerated person is given a written response indicating that the grievance is non-grievable and has been referred to another office.⁶

Many incarcerated individuals also utilize 311 to make complaints, as do advocates and loved ones who make complaints on their behalf.⁷ However, calls made through 311 are not automatically subject to the formal grievance process, even if they fall under one of the 26

² NYC Department of Correction, Forms 7100R-A and 7101R-A of Directive 3376R-A (Dec. 10, 2018), available at https://www1.nyc.gov/assets/doc/downloads/directives/Directive_3376R-A.pdf.

While the State Commission on Correction contains detailed rules guiding the grievance process, it specifically excludes cities with a population of one million or more from following them. N.Y. Comp. Codes R. & Regs. tit. 9, § 7032.12.

³ NYC Board of Correction, Second Assessment of the New York City Department of Correction Inmate Grievance System (June 2018), available at http://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2018/June-12-2018/GrievanceAuditReport_Final_2018.11.06.pdf

⁴ NYC Department of Correction, Forms 7100R-A and 7101R-A of Directive 3376R-A (Dec. 10, 2018), available at https://www1.nyc.gov/assets/doc/downloads/directives/Directive_3376R-A.pdf

⁵ NYC Board of Correction, Second Assessment of the New York City Department of Correction Inmate Grievance System (June 2018), available at http://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2018/June-12-2018/GrievanceAuditReport_Final_2018.11.06.pdf

⁶ Id.

⁷ Id.

categories of grievable complaints.⁸ OCGS is responsible for resolving all 311 complaints that a grievable. To that end, OCGS notifies the grievance coordinator of the relevant facility, who is tasked with approaching the incarcerated individual and inquiring whether they wish to file a grievance. Only if the grievant files a handwritten grievance does the complaint become subject to the formal grievance process. Unlike those who submit non-grievable complaints through the grievance process, individuals who make non-grievable complaints through 311 were historically not notified that their complaints were non-grievable or were referred to another office.⁹ While DOC has recently changed its directive to require such written notice, the department has yet to implement this requirement, according to BOC.¹⁰

With regards to complaints having to do with medical services provided by Correctional Health Services (CHS), individuals can file complaints by filling out complaint forms in the facility clinic, having a friend, relative or advocate contact CHS, calling 311, or filing a complaint with OCGS.¹¹ CHS complaints are not subject DOC's formal grievance process.¹²

III. Grievance Process Issues

In a report on the grievance process released in June 2018, BOC analyzed aggregated data for Fiscal Years (FY) 2016 and 2017, which included data on resolution for grievable complaints, a case file audit of 262 complaints from FY 2016, and Health + Hospitals CHS complaint data for FY 2016 and 2017.¹³ Based in part on report, advocates and elected officials, including the Legal

⁸ Id.

⁹ Id.

¹⁰ NYC Department of Correction, Directive 3376R-A (Dec. 10, 2018), available at https://www1.nyc.gov/assets/doc/downloads/directives/Directive_3376R-A.pdf

¹¹ NYC Board of Correction, Second Assessment of the New York City Department of Correction Inmate Grievance System (June 2018), available at http://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2018/June-12-2018/GrievanceAuditReport_Final_2018.11.06.pdf

¹² Id.

¹³ Id.

Aid Society (LAS) and the New York City Council’s Progressive Caucus expressed concerns with aspects of the grievance process, including access, responsiveness, and appeals.

A. Access

The Board reported problems with accessibility, finding significant variances between different facilities in the workloads of its grievance coordinators and the number of available grievance boxes, from 1 box in the George R. Vierno Center (GRVC) to 25 boxes in the Manhattan Detention Complex (MDC).¹⁴ The LAS’s Prisoner Rights Project (PRP) has also testified to the BOC regarding their clients’ inability to access or understand the grievance process, stating that “[e]very day, individuals incarcerated in City jails call and write to PRP to ask us to complain for them to DOC Central Office, instead of using the [Inmate Grievance Resolution Committee]. Many of these persons tell us they have tried to use the IGRC, but never received a response.”¹⁵ Additionally, the Board reported that there were nearly four times as many complaints filed with 311 than with the OCGS and that the vast majority of complaints regarding CHS are filed via 311 (56%) and with PRP (30%)—and not directly with CHS or OCGS.¹⁶

Accordingly, the BOC recommended that DOC “develop a written grievance policy that clarifies how complainants interact with the grievance system, including the role of OCGS staff in following up on complaints made via 311 and to develop case guidelines for grievance coordinators to ensure equal access.”¹⁷ Similarly, LAS has asked for DOC and CHS to treat all

¹⁴ Id.

¹⁵ Written Prisoner’s Rights Project Testimony to the Board of Correction re DOC Inmate Grievance System (June 2018), Legal Aid society, at [https://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2018/June-12-2018%20Written%20PRP%20Testimony%20to%20Board%20of%20Correction%20re%20DOC%20Inmate%20Grievance%20System%20%20FNL.pdf](https://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2018/June-12-2018/6-12-2018%20Written%20PRP%20Testimony%20to%20Board%20of%20Correction%20re%20DOC%20Inmate%20Grievance%20System%20%20FNL.pdf)

¹⁶ NYC Board of Correction, Second Assessment of the New York City Department of Correction Inmate Grievance System (June 2018), available at http://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2018/June-12-2018/GrievanceAuditReport_Final_2018.11.06.pdf

¹⁷ Id.

medical complaints as formal grievances and reported that widespread information regarding 311 calls has decreased accessibility.¹⁸ In one instance, LAS reported that confusion surrounding the grievance system led clients to hold the false belief that making two identical complaints (one using 311 and another using the formal grievance process) would “cancel each other out.”¹⁹

DOC took steps to improve access to the grievance process, including launching a pilot program at GRVC and the Otis Bantum Correctional Center (OBCC) that utilizes mobile tablets to address complaints in a more timely fashion.²⁰ In addition, DOC’s new directive, effective December 10, 2018, requires the department to provide information about the grievance process in the Inmate Handbook and new admission orientation, as well as on posters in congregate areas.²¹ The directive requires grievance coordinators to tour all housing areas weekly and special housing areas (which do not have access to grievance boxes) at least 3 times a week and resolve 311 complaints within 7 days.²²

B. Response

The BOC has found that 95 percent of all grievable complaints in its report were determined “informally resolved,” which by the DOC’s definition means that the grievant signed a form indicating that they are satisfied with the initial response or did not indicate whether they

¹⁸ Written Prisoner’s Rights Project Testimony to the Board of Correction re DOC Inmate Grievance System (June 2018), Legal Aid society, at <https://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2018/June-12-2018/6-12-2018%20Written%20PRP%20Testimony%20to%20Board%20of%20Correction%20re%20DOC%20Inmate%20Grievance%20System%20%20FNL.pdf>

¹⁹ Id.

²⁰ NYC Department of Correction Commissioner’s Response to NYC Board of Correction Second Assessment on the Inmate Grievance System (June 2018), at <https://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2018/June-12-2018/NYC%20Department%20of%20Correction%20-%20Letter%20Regarding%20BOC%20Second%20Grievance%20Report%206.8.18.pdf>

²¹ NYC Department of Correction, Directive 3376R-A (Dec. 10, 2018), available at https://www1.nyc.gov/assets/doc/downloads/directives/Directive_3376R-A.pdf

²² Id.

are satisfied—and 64 percent lacked a signature confirming receipt.²³ The report also indicated that 87 percent of non-grievable complaints were forwarded to other entities, and there is no process that informs individuals on how to follow up on their complaints.²⁴

Advocates have expressed their displeasure with DOC and CHS responses to complaints. PRP has testified that both DOC and CHS consistently fail to give substantive responses to representative submitting complaints to OCGS or CHS directly on behalf of clients, even when such representatives provide release authorization forms. PRP has provided email below in their testimony to the Board as an example of the DOC’s auto-response to such complaints:

From: CONSTITUENT SERVICES <constituentservices@doc.nyc.gov>
Sent: Friday, June 22, 2018 5:03 PM
To: [REDACTED]
Subject: DOC Constituent Services - Auto Reply Email Acknowledgement ***DO NOT REPLY***

Good day,

Thank you for contacting the New York City Department of Correction (DOC). We appreciate your concern and/or feedback. Your correspondence has been received and will be reviewed.

If you have any specific questions or follow up, please feel free to also call the Department of Correction Information Hotline at 718-546-1500.

Thank you again for contacting DOC.

Office of Constituent and Grievance Services
NYC Department of Correction

Source: Prisoner’s Right Project Testimony before BOC

²³ NYC Board of Correction, Second Assessment of the New York City Department of Correction Inmate Grievance System (June 2018), available at http://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2018/June-12-2018/GrievanceAuditReport_Final_2018.11.06.pdf

²⁴ Id.

Similarly, LAS has reported receiving similar responses when making complaints directly to CHS and has requested that CHS share memos documenting findings and treatment plans (which CHS already generates internally) in response to patient complaints.²⁵ Since the reporting period discussed in the BOC's report, the DOC has claimed that it has revised disposition forms to clearly indicate the next stages of the grievance process.²⁶ However, it is unknown whether the responses to complaints made by representatives have changed. Furthermore, there is no regularly published data regarding CHS complaints.

C. *Appeals*

The BOC reported that persons in custody who filed complaints with OCGS are not given clear instructions on grievance forms regarding appeals. At the time the Board made its second assessment of DOC grievance system, DOC had four levels of appeals: (1) the informal resolution; (2) the Inmate Grievance Resolution Committee (IGRC); (3) the Warden; and (4) the Department's Central Office Review Committee (CORC).²⁷ The BOC reported that process could take up to 10 weeks and that only 20 people (0.4%) appealed a grievance decision.²⁸ DOC latest 2019 report on appeals indicates that CORC resolved no grievances, and 98% of complaints were resolved informally.²⁹ The BOC report recommended changes to the appeal process, including simplifying

²⁵ Written Prisoner's Rights Project Testimony to the Board of Correction re DOC Inmate Grievance System (June 2018), Legal Aid society, at <https://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2018/June-12-2018/6-12-2018%20Written%20PRP%20Testimony%20to%20Board%20of%20Correction%20re%20DOC%20Inmate%20Grievance%20System%20%20FNL.pdf>

²⁶ NYC Department of Correction Commissioner's Response to NYC Board of Correction Second Assessment on the Inmate Grievance System (June 2018), at <https://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2018/June-12-2018/NYC%20Department%20of%20Correction%20-%20Letter%20Regarding%20BOC%20Second%20Grievance%20Report%206.8.18.pdf>

²⁷ Id.

²⁸ Id.

²⁹ NYC Department of Correction Office of Constituent and Grievance Services, Local Law 87 FY 2019 First Quarter, at https://www1.nyc.gov/assets/doc/downloads/pdf/Local_Law_87_FY_19_Q1.pdf

the appeal process and sharing appeals to CORC with the Board.³⁰ PRP echoed many of the recommendations the Board made, and also recommended eliminating the warden level of appeal, completing all resolutions and appeals in 30 days, including civilian and non-DOC representatives on the IGRC, and forward CORC decisions to the BOC.³¹

Since the BOC reporting period, DOC has removed IGRC from the appeals process and replaced it with an administrative chief who hears appeals of the Warden's decision before appeals go to CORC.³² DOC's new directive on the grievance process, which was published on December 12, 2018, outlines additional changes to the appeals process. The appeals process now has five stages: (1) informal resolution; (2) a preliminary evidentiary review by the program administrator; (3) appeal to the commanding officer (4) appeal to the assistant chief and (5) to CORC.³³ Certain appeals may be appealed directly to the BOC, including religious services, law library, visitation, incoming correspondence or publications, packages, or media.³⁴

IV. Issues and Concerns

The committee is interested in learning more about the results of DOC's pilot program to improve access to the grievance process and how the new directive address concerns raised about the previous grievance process. The committee is also interested in receiving more data from both the Board and DOC regarding the rate of at which CHS addresses medical complaints and how it

³⁰ NYC Board of Correction, Second Assessment of the New York City Department of Correction Inmate Grievance System (June 2018), available at http://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2018/June-12-2018/GrievanceAuditReport_Final_2018.11.06.pdf

³¹ Written Prisoner's Rights Project Testimony to the Board of Correction re DOC Inmate Grievance System (June 2018), Legal Aid society, at <https://www1.nyc.gov/assets/boc/downloads/pdf/Meetings/2018/June-12-2018/6-12-2018%20Written%20PRP%20Testimony%20to%20Board%20of%20Correction%20re%20DOC%20Inmate%20Grievance%20System%20%20FNL.pdf>

³² NYC Department of Correction, Directive 3376R-A (Dec. 10, 2018), available at https://www1.nyc.gov/assets/doc/downloads/directives/Directive_3376R-A.pdf

³³ Id.

³⁴ Id.

resolves these complaints. The committee would like to learn how the City Council can better partner with the department to improve access to the grievance process for people in custody.

V. Legislation

Introduction 1340 (Ayala): This law aims to make the grievance process more efficient by requiring the DOC to create a central system where it can track all complaints and give regular access to the Board. It also will ensure greater access to the grievance process by requiring a number of grievance boxes to be placed in each unit proportionate to the population in such unit and by requiring caseload guidelines for grievance coordinators. The law will also require the DOC to install electronic complaint kiosks by 2021.

Introduction 1370 (Powers): This law will ensure that all complaints made by incarcerated individuals or on behalf of incarcerated individuals to 311 will be made subject to the inmate grievance review program. Additionally, it will ensure that the department informs every incarcerated individual in writing about the grievance process and about protections against retaliation. Finally, it will require the Department of Health and Mental Health to ensure that any health care provider it contracts with to provide medical and health services to incarcerated individuals respond to medical complaints within five business days.

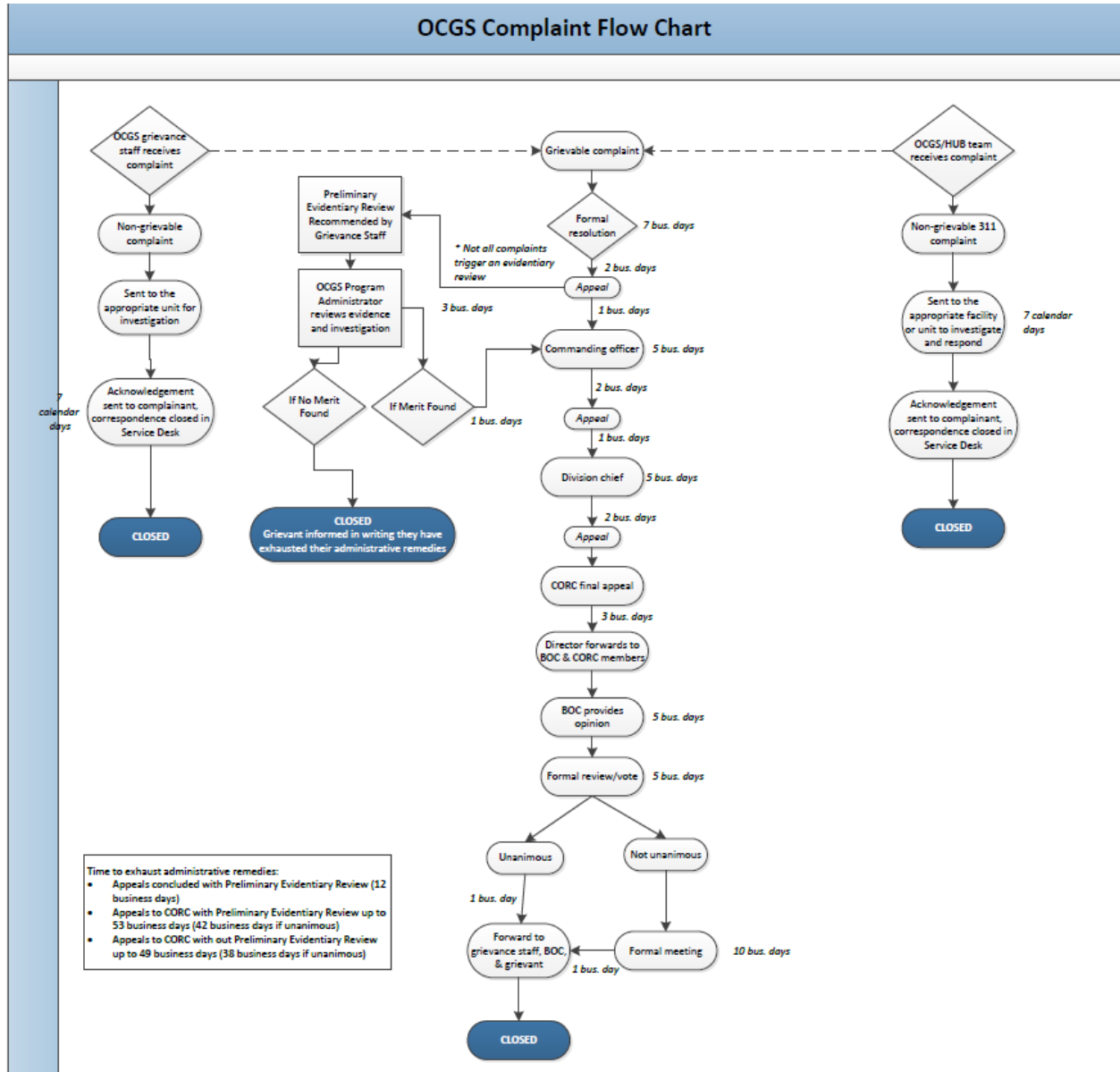
Introduction 1334 (Ampry-Samuel): This law will require the Board of Correction to conduct a survey regarding the correctional system's grievance process and to issue a yearly report on its findings. The law requires the BOC to collect information regarding satisfaction levels, whether the complaint was resolved, additional comments, and general demographic information.

Appendix A: Grievable and Non-Grievable Categories

Grievance Categories	Non-Grievance Categories
Classification/ SRG Status	Assault allegation
Clothing	Sexual abuse/ sexual harassment (PREA)
Commissary	Harrassment allegation
Correspondence/Mail	Staff Complaint
Employment	Inmate altercation
Environmental	Status as an intended contraband recipient (ER, Red ID, or CMC)
Food	Medical/Mental health staff
Inmate Account	Request for accomodation due to disability
Jail Time	Request for protective custody
Laundry	FOIL requests
Law Library	Housing
Medical	Grivance Process
Mental health	Other
Personal Property	
Phone	
Phone	
Programs	
Property	
Recreation	
Religion	
Rules & Regulations	
School	
Search	
Social Service	
Transportation	
Visit	
Other	

Source: NYC Department of Correction, Directive 3376R-A, December 10, 2018

Appendix B: OCGS Complaint Flow Chart



Source: Board of Correction

By Council Member Ayala

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring the department of correction to make the grievance process more efficient

Be it enacted by the Council as follows:

Section 1. Section 9-136 of the administrative code of the city of New York is amended to read as follows:

§ 9-136 Grievance [statistics] system.

a. Definitions. For the purposes of this section, the following terms have the following meanings:

Appeal. The term “appeal” means an incarcerated individual’s request to review decisions regarding resolutions of grievances by a higher body, such as the central office review committee.

Grievance. The term "grievance" means a written complaint submitted by an inmate in the custody of the department about an issue, condition, practice or action relating to the [inmate's] incarcerated individual’s confinement that is subject to the inmate grievance and request program or any successor program.

Grievable complaints. The term “grievable complaints” means complaints subject to the inmate grievance and review program. These include but are not limited to complaints regarding classification, clothing, commissary, correspondence, employment, environment, food, housing, jail time, the inmate grievance and request program, account, laundry, visits, law library, mental health issues involving department personnel, medical issues involving department personnel, noise, personal hygiene, phones, programs, property, recreation, religion, rules and regulation, school, search, security risk group/watch group, social services, and transportation.

Inmate grievance and request program. The term "inmate grievance and request program" means a formal process established by the department that provides [inmates] incarcerated individuals with the opportunity to resolve issues regarding their confinement through a structured process.

Non-grievable complaints. The term "non-grievable complaints" means any complaint which is not subject to the inmate grievance and request program, including but not limited to complaints regarding staff, sexual assault, assault, harassment, verbal harassment, status as intended contraband recipient, the disciplinary process, medical staff, mental health staff, request for protective custody, request for accommodation due to disability, and freedom of information law requests.

b. Forty-five days after the quarter beginning January 1, 2016, and no later than the forty-fifth day after the end of each subsequent quarter, the commissioner shall post on the department website a report containing the following information for the preceding quarter:

1. The number of grievances submitted in all departmental facilities, in total and disaggregated by the facility and housing area type in which such grievance was submitted.

2. The number of grievances submitted in all departmental facilities, disaggregated by grievance category, by the facility and housing area type in which such grievance was submitted, and by the method by which such grievance was submitted.

3. The number of grievances, the stages of the grievance process, the stage in the grievance process at which they were resolved, and the categories for which any grievances were dismissed.

4. The number of [inmates] incarcerated individuals that submitted grievances.

c. The department shall provide the board of correction with all records related to appeals made to the department regarding resolution of grievable and non-grievable complaints as soon as such records are available.

d. The department shall utilize an electronic tracking system to record all grievable and non-grievable complaints made through the inmate grievance and request program and shall provide the board of correction and council access to such system. Such system shall track the following:

1. Whether a complaint is subject to the inmate grievance and request program, and if not, if and where the complainant was directed;

2. Whether the complainant pursued an appeal;

3. How and when the complaint was resolved, and at what stage the complaint was resolved;

4. Who made the complaint;

5. The housing facility and housing area type where the complaint was made;

e. The department shall ensure equal access to the inmate grievance and request program, including the following procedures:

1. Placing a number of complaint boxes in each housing unit proportional to the number of people living in the unit.

2. Placing a number of dedicated personnel in each housing unit to conduct outreach proportional to the number of people living in each unit and the average number of grievances filed in each unit.

3. Developing caseload guidelines for grievance coordinators and officers.

f. The department shall install grievance kiosks in each facility where incarcerated individuals may file grievances electronically by January 2021. Such kiosks shall provide incarcerated individuals physical receipts confirming filing. If a request made through the kiosk is not subject to the inmate grievance and review process, the kiosks shall provide incarcerated individuals with information regarding where the grievance should be redirected.

§ 3. This local law takes effect 6 months after it becomes law.

AS/JK/MKW
LS #7232/7320/7322/7323
1/9/2018

By Council Member Powers

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to 311 complaints made by incarcerated individuals and informing incarcerated individuals of the protections against retaliation for filing a grievance

Be it enacted by the Council as follows:

1 Section 1. Section 9-136 of the administrative code of the city of New York is amended by
2 adding a new subdivision e to read as follows:

3 e. Complaints and requests made by or on behalf of an incarcerated individual to 311 and
4 forwarded to the department shall be subject to the inmate grievance and request program.

5 § 2. Section 9-139 of the administrative code of the city of New York is amended by adding
6 a new subdivision g to read as follows:

7 g. The department shall inform every incarcerated individual in writing, using plain and
8 simple language, of the protections against retaliation for filing a grievance, complaint, or request.

9 The department shall also inform every incarcerated individual in writing upon the filing of a
10 grievance, complaint, or request, of which complaints are not subject to the grievance process, the
11 process for resolving such complaints, and the protections against retaliation for filing such
12 grievance, complaint, or request.

13 h. The department shall include on all grievance forms instructions on how to appeal
14 informal resolutions and post such forms on the department's website.

15 § 3. Chapter 18 of title 17 of the administrative code of the city of New York is amended
16 by adding a new section 17-1805 to read as follows:

1 17-1805 Medical and health services provided to incarcerated individuals. The department
2 shall ensure that any health care provider the department contracts with to provide medical and
3 health services to incarcerated individuals shall answer in writing within five business days any
4 311 complaints or requests made by or on behalf of an incarcerated individual that are forwarded
5 to the department or the health care provider.

6 § 4. This local law takes effect on the same date that a local law for the year 2018 amending
7 the administrative code of the city of New York, relating to requiring the department of correction
8 to make the grievance process more efficient, takes effect.

AM/AS
LS #7232/7458/7314/7315/7319
08/28/18, 12/20/18, 1/7/19

By Council Member Ampry-Samuel

A LOCAL LAW

To amend the New York city charter, in relation to requiring the board of correction to conduct surveys of the correctional system's grievance process

Be it enacted by the Council as follows:

Section 1. Subdivision f of section 626 of the New York city charter, as amended by local law number 102 for the year 1977, is amended to read as follows:

f. The board shall establish procedures for the hearing of grievances, complaints or requests for assistance (1) by or on behalf of any person held or confined under the jurisdiction of the department or (2) by any employee of the department. The board shall create and conduct a voluntary survey for each individual who has submitted a grievance, complaint, or request for assistance pursuant to such procedure. Such survey shall solicit information regarding:

1. the gender and racial group of such individual responding to the survey;
2. the location of the occurrence prompting the grievance or complaint, including the housing unit and facility;
3. the number of complaints or grievances filed by such individual;
4. satisfaction levels with the grievance procedure and appeals process;
5. whether the cause of incident or concern was addressed; and
6. a write-in space for other comments.

The board shall report on this survey annually. Such report shall include, but need not be limited to, statistics on the data collected, as well as proposed recommendations for relevant improvements. The board, or by written designation, a member of the board or the executive director, may conduct hearings, or study or investigate any matter within the jurisdiction of the

department, and the board may make recommendations and submit reports of its findings to the appropriate authorities.

§ 2. This local law takes effect on the same date that a local law for the year 2018 amending the administrative code of the city of New York, related to the department of correction's grievance process, takes effect.

MKW
LS #7318
12/28/18

