Int. No. 1954

By Council Members Powers, Ayala, Rivera, Rosenthal, Maisel, Kallos and Chin

..Title

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction and correctional health services to issue reports during public health emergencies

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-161 to read as follows:

§ 9-161 Reports during public health emergencies. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Cumulative infections. The tem “cumulative infections” means the total number of positive infections of people who have been incarcerated during a given public health emergency, regardless of whether those individuals have been discharged.

Cumulative deaths. The tem “cumulative deaths” means the total number of deaths of people who have been incarcerated during a given public health emergency, regardless of whether those deaths occurred during or after the period of incarceration.

Infection. The term “infection” means the infection that is the subject of a given public health emergency.

Public health emergency. The term “public health emergency” means any declared state of emergency made in response to an outbreak of an infectious disease.

Significant event. The term “significant event” means any notable actions taken by the department to address the public health emergency by date. Such events include but are not limited to:

1. Memorandums distributed to staff and incarcerated individuals regarding changes to department or correctional health directives, along with links to such memorandums;

2. Memorandums distributed to staff regarding work from home policies and trainings related to the public health emergency, along with links to such memorandum and trainings;

3. Posters distributed and posted within correctional health facilities, along with links to such posters;

4. Memorandums distributed to external stakeholders, such as defense attorneys and reentry providers, along with links to such memorandums;

5. Public information disseminated to family members of incarcerated individuals; and

6. Contact information created for the distribution of information to the public.

Staff. The term “staff” means any person who works routinely in city jails, including civilian and uniform staff of the department of correction and correctional health staff.

b. During the duration of any public health emergency, the department and correctional health services shall submit to the speaker of the council, and make publicly available on the department’s website, a daily report related to the outbreak of infectious diseases in city jails. Such report shall be submitted in a machine-readable format and stored permanently on the department’s website, and include the following information:

1. The cumulative number of incarcerated individuals diagnosed with the infection, in total and disaggregated by race, gender, and age group;

2. The cumulative number of staff diagnosed with the infection; disaggregated by whether such infections were of uniform, civilian, or correctional health staff;

3. The number of incarcerated individuals diagnosed with infections in the preceding, day, week, and month;

4. The number of staff diagnosed with infections in the preceding day, week, and month, in total and disaggregated by uniform, civilian, and correctional health staff;

5. The cumulative number of deaths caused by the infection, in total and disaggregated by whether such deaths were of staff or incarcerated individuals, and further disaggregated by whether such deaths of staff were of uniform, civilian, or correctional health staff;

6. The cumulative number of hospitalizations due to the infection, disaggregated by whether such hospitalizations were of staff or incarcerated individuals, and further disaggregated by whether such hospitalizations of staff were of uniform, civilian, or correctional health;

7. The number of people who have been tested for the infection, disaggregated by whether such tests were positive, negative, and pending results, and also disaggregated by whether tests were uniform staff, civilian staff, or incarcerated individuals, and further disaggregated by positive, negative, and pending results.

8. The number of people who have been quarantined, in total and disaggregated by incarcerated individuals and staff, and further disaggregated by whether staff were uniform, civilian, or correctional health; and

c. The reports required by subdivision b of this section shall include, for every report issued on a Monday, the following information for the previous week and the previous month:

1. The number of individuals incarcerated solely on a definite sentence, disaggregated by how many such individuals have 30, 60, and 90 days remaining to serve on such sentence;

2. The number of people in custody with a serious mental illness;

3. The number of mental health appointments completed;

4. The amount of money spent at commissary on soap;

5. The amount of money spent at commissary on hygiene products, in total;

6. The number of requests for video visits made, in total and disaggregated by how many video requests were completed.

d. The department and correctional health services or the department of health and mental hygiene shall provide weekly in-person updates to incarcerated individuals during the duration of the public health emergency. Minutes of such updates shall be provided to the Council and the board of correction. Such updates shall include the following information:

1. A summary of announcements made to the general public related to the public health emergency in the city of New York;

2. Operational changes made within the jails in relation to the public health emergency;

3. Changes in mediums people in custody can use to access physical and mental healthcare;

4. Best public health practices to avoid the spread of the infectious disease within the jail.

e. During the duration of a given public health emergency, the department and correctional health services shall submit to the speaker of the council, and make publicly available on the department’s website, a timeline of significant events. Such a timeline shall be updated weekly

§2. This local law takes effect immediately.

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