



Legislation Text

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Int. No. 1843

By Council Members Dromm, Powers and Levine

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to give incarcerated individuals the opportunity to express preferences with regards to programming and to report on programs offered

Be it enacted by the Council as follows:

Section 1. Subdivision c of Section 9-139 of the administrative code of the city of New York is, as added by local law 91 for the year of 2015, is amended to read as follows:

c. [The department shall inform every inmate upon admission to the custody of the department, in writing, using plain and simple language, of available services relating to education, vocational development, drug and alcohol treatment and counseling, and mental health treatment and counseling services.] Within a week of admission and at regular intervals no greater than three months, persons incarcerated shall be provided with a programming guide that lists all programs and services provided at their specific facility in plain and simple language. That programming guide shall include a comprehensive and accurate list of the programs and services provided, their times, description, registration instructions, and an easily accessible contact person who can be asked for further details. The programming guide at each institution shall be updated at least once every three months, and copies shall be readily available upon request by people detained at the facility.

Section 2. Section 9-144 of the administrative code of the city of New York, as added by local law number 122 for the year 2016, is amended to read as follows:

a. The department shall evaluate [inmate programming] programming for incarcerated individuals each calendar year. For purposes of this section, [“inmate programming”] “programming” includes but is not limited

to any structured services offered directly to [inmates] incarcerated individuals for the purposes of vocational training, counseling, cognitive behavioral therapy, addressing drug dependencies, or any similar purpose. No later than April 1 of each year, beginning in 2017, the department shall submit a summary of each evaluation to the mayor and the council, and post such summary to the department's website. This summary shall include factors determined by the department, including, but not be limited to, information related to the following [for each such program]:

[ (i) ] 1. the amount of funding received by each program;

[ (ii) ] 2. estimated number and percentage of [inmates] incarcerated individuals served by each program;

[ (iii) ] 3. a brief description of [the] each program including the estimated number of hours of programming offered and utilized [weekly], program length, goals, target populations, effectiveness, and outcome measurements, where applicable; [and]

[ (iv) ] 4. successful completion and compliance rates, if applicable

5. The number of college credits or certificates conferred;

6. How many hours of programming incarcerated individuals received daily, disaggregated by facility, housing unit, and program; and

7. Where incarcerated individuals received less than five hours of total programming, the reason for not receiving that amount, including whether or not individuals refused, whether there was an interruption in programming and the nature of the disruption, whether providers were unable to enter facilities; whether there was a lack of sufficient programming available, or another reason.

b. The department shall publish specific standards for when incarcerated persons will be denied the ability to attend programming.

c. The department shall ensure that all service-provider trainings are developed in collaboration with an outside organization focused on the welfare of incarcerated individuals. Each required provider training session shall include at least one formerly incarcerated person and one correctional officer delivering the training in

real time.

§ 2. Chapter 1 of title 9 of the administrative code is amended by adding a new section 9-160 to read as follows:

§ 9-160 Program accessibility. a. The department shall establish and chair a program council consisting of sixteen members with terms of four years each. Six of the members shall be providers of programming, six shall be formerly incarcerated persons, two shall be appointed by the speaker, one shall be a representative of the board of correction, and one shall be a representative of the department of correction. The program council shall meet monthly to discuss needs and operations, and to establish guidelines and recommendations regarding the required provider training, the programming guide, and the evaluation of programming.

§ 4. This local law takes effect immediately.

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