



# NYS Department of Corrections and Community Supervision

Brian Fischer, Commissioner

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## PUBLIC STATEMENT

Brian Fischer, Commissioner

### **Re: Release of New York Civil Liberties Union report, *Boxed In: The True Cost of Extreme Isolation in New York's Prisons***

The debate over what is an appropriate sentence for a crime committed in society or within the confines of a prison elicits competing points of view. The New York Civil Liberties Union has issued a report that supports their belief that disciplinary segregation in New York State prisons is “arbitrary, inhumane and unsafe.” That is their opinion. I disagree.

In reality, those in segregation on a daily basis see and interact with numerous facility staff who provide services outlined in Correction Law and departmental directives, including: medical, mental health religious counseling, education and personal hygiene.

As society removes those individuals who commit crimes, so too must we remove from general population inmates who violate the Department’s code of conduct and who threaten the safety and security of our facilities. The possession of drugs, cell phones and weapons pose a serious threat within this and any other prison system.

It is our duty to protect those in our custody, as well as our employees. If we fail to protect *everyone* in our facilities, we fail to maintain the task that has been placed in our trust. The use of disciplinary segregation is important to the overall well-being of any of our prisons. But I also recognize the need to constantly review our policies to determine if what we’re doing is effective and beneficial to everyone.

Early last month, DOCCS began the process to undertake an intense review of its policies regarding such placements and lengths of stay in Special Housing Units (SHU). Our SHU Task Force is reviewing all aspects of disciplinary segregation in our facilities and will provide a list of recommendations based upon sound penological principles, as well as practical experience, that will further the goal of ensuring a safe and humane correctional setting while enabling offenders to better themselves during their incarceration to increase the chances of them leading law abiding lives upon their release into the community.

I welcome reports such as what has been released by the NYCLU and note that the principal author of the report acknowledged yesterday that “this issue is one that has received substantial attention from you and your [DOCCS] staff.” That is true. As DOCCS has led correctional policies nationally with such progressive programs and policies as treatment for the mentally ill, sensorially disabled, infirm, cognitively impaired and handicapped, as well as prison population management, so too will we continue to review and assess issues such as disciplinary segregation to ensure that they meet the standards of a modern corrections system in New York State.

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