



NYS Department of Corrections and Community Supervision

Anthony J. Annucci, Acting Commissioner

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Department of Corrections and Community Supervision Resolves Litigation Regarding Segregated Housing for Juveniles

ALBANY - The Department of Corrections and Community Supervision today announced that they have resolved a lawsuit, Cookhorne vs. Fischer, that was filed by Prisoners' Legal Services and will result in updated agency policies that will preclude inmates under the age of 18 from being housed in segregated confinement.

The settlement stipulation, filed October 17, 2014 in New York State Supreme Court, is consistent with efforts that have already been made to address the special circumstances presented by inmates with serious mental illness and those inmates who are intellectually challenged.

Some of the highlights under the agreement include 1) A one time review of all juveniles in SHU; 2) An assessment of every juvenile currently held in SHU and formerly held in SHU up to the age of 21 to determine their need for an individual education plan; 3) The hiring of social workers to work with juveniles in the new housing units; 4) The enactment of a new regulation that will consider age as mandatory mitigating factor in disciplinary cases; 5) Limiting of disciplinary confinement for juveniles; and 6) Training hearing officers in the new procedures and rules.

Acting Commissioner Anthony J. Annucci said, "By signing the agreement, the Department reinforced its continued progressive thinking and commitment to make appropriate changes to the management of young inmates who engage in acts of misbehavior based upon special circumstances while still maintaining the essential need for safety and security."

The agreement took effect October 17, 2014 and will expire in 24 months with DOCCS' intention to continue to adhere to the agreed-to principles.

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