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**Youth And Government**

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FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Senate 3

Bill #: S-24

1 **Sponsors:** Ryan Penson, James Pinnell

2

3 **AN ACT TO:** Add to § 137 of Article 6 of the Correction Law to prohibit all persons  
4 under the age of 18 from being admitted to any solitary Special Housing Unit,  
5 Segregated Housing (Including PIMS), or Juvenile Separation Unit and to prohibit  
6 any person admitted to any solitary Special Housing Unit or Segregated Housing  
7 (Including PIMS) from remaining for longer than 1 year.

8

9 *The People of the State of New York, represented in the Senate and Assembly, do enact as follows:*

10

11 **Purpose:**

12 To decrease the number of post-solitary confinement suicides and mental disease,  
13 and abolish the inhumane practice of solitary confinement for minors.

14 **Summary of Provisions:**

15 Section 1: Definitions

16 Minor: Any person under the age of 18 years. Includes the term "juvenile", even if  
17 a person under the age of 18 was charged for a crime as an adult.

18 Special Housing Unit: Inmates are securely separated from the general inmate  
19 population and may be housed alone under disciplinary or safety measures. Social  
20 interaction and exercise is limited. Includes the term "Segregated Housing".

21 PIMS: Abbreviation for Progressive Inmate Movement System.

22 Solitary: 1 individual inmate housed in a cell with no interaction with other inmates  
23 or visitors during their time.

24 **Section 2: Provisions**

25 5.(a) Inmates participating in any solitary confinement, Special Housing Unit,  
26 or PIMS program may not be admitted into a solitary housing unit if they are under  
27 the age of 18 years, even if the juvenile inmate was charged, and is serving, as an  
28 adult.

29 (b) No inmate may remain in any solitary Special Housing Unit or solitary  
30 disciplinary Special Housing Unit for longer than 1 year from the day the inmate  
31 was placed into the Special Housing Unit. Only the Commissioner may warrant  
32 repeated admission to a Special Housing Unit in an appropriate circumstance.

33 (c) No inmate in the care or custody of the department shall be subjected to  
34 degrading treatment, and no officer or other employee of the department shall  
35 inflict any blows whatever upon any inmate, unless in self-defense, or to suppress a  
36 revolt or insurrection. When any inmate, or group of inmates, shall offer violence to  
37 any person, or do or attempt to do any injury to property, or attempt to escape, or  
38 resist or disobey any lawful direction, the officers and employees shall use all  
39 suitable means to defend themselves, to maintain order, to enforce observation of



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40 discipline, to secure the persons of the offenders and to prevent any such attempt  
41 or escape.

42 6. Except as provided in paragraphs (d) and (e) of this subdivision, the  
43 superintendent of a correctional facility may keep any inmate confined in a cell or  
44 room, apart from the accommodations provided for inmates who are participating in  
45 programs of the facility, ~~for such period as may be necessary~~ for a period not  
46 extending one year from the time the inmate was initially placed into the solitary  
47 housing unit, for maintenance of order ~~or discipline~~. But in any such case the  
48 following conditions shall be observed:

49 (a) The inmate shall be supplied with a sufficient quantity of wholesome  
50 and nutritious food, provided, however, that such food need not be the same as the  
51 food supplied to inmates who are participating in programs of the facility;

52 (b) Adequate sanitary and other conditions required for the health of the  
53 inmate shall be maintained;

54 **Justification:**

55 According to the U.S. Department of Justice and the American Journal of Public  
56 Health, "... in the New York City jail system from January 1, 2010, through January  
57 31, 2013, 2182 acts of self-harm were committed, (103 potentially fatal and 7  
58 fatal). Although only 7.3% of jail admissions included any form solitary  
59 confinement, 53.3% of acts of self-harm and 45.0% of acts of potentially fatal self-  
60 harm occurred within this group. After we controlled for gender, age, race/ethnicity,  
61 serious mental illness, and length of stay, we found self-harm to be associated  
62 significantly with being in solitary confinement at least once, serious mental illness,  
63 being aged 18 years or younger, and being Latino or White, regardless of gender."  
64 This shows a correlation between solitary confinement and self-harm. This bill, in  
65 the process of reforming these harmful solitary confinement practices, will decrease  
66 the amount of post-solitary confinement inmates performing acts of self-harm or  
67 even suicide.

68 **Fiscal Implications:**

69 This bill will have no fiscal implications.

70 **Effective Date:**

71 This bill will go into effect 90 days after passage.

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