



NEW YORK STATE SENATOR

Andrea Stewart-Cousins

Senate Majority Leader Andrea Stewart-Cousins Passes the ‘HALT’ Solitary Confinement Act

ANDREA STEWART-COUSINS March 18, 2021

| ISSUE: **SOLITARY CONFINEMENT; CRIMINAL JUSTICE**

(Albany, NY) Senator Andrea Stewart-Cousins passed legislation ([S.2836](#)) today known as The Humane Alternatives to Long-Term Solitary Confinement Act or HALT to prohibit solitary confinement beyond 15 days and to ban its use entirely for people with mental and physical disabilities who are behind bars. The [Nelson Mandela Rules](#), adopted by the United Nations, define segregated confinement for more than 15 days as torture. HALT will bring New York in compliance with this international standard and save the State tens of millions of dollars over the next several years.

“We remember the names Layleen Polanco, Kalief Browder, and Benjamin van Zandt, and the countless others whose lives have either been taken or destroyed by solitary confinement,” **Majority Leader Andrea Stewart-Cousins** said. “Prolonged segregated confinement can cause permanent harms and does not properly address the root causes that lead to the punishment.”

HALT will create more humane and effective alternatives to solitary confinement. HALT provides that people who are deemed necessary to separate from the general population for longer periods, be held in safe, secure units that rely on evidence-based pro-social programming, rather than complete isolation, to address the reasons why a person might

need to be separated. The legislation also adds due process protections by prohibiting placement in solitary confinement prior to a disciplinary hearing and by allowing access to counsel.

Majority Leader Andrea Stewart-Cousins said, “These reforms are morally right, fiscally responsible, and will improve outcomes at jails and prisons. This legislation is another major step in the Senate Democratic Majority’s commitment to reforming New York’s justice system. I applaud the sponsor, Senator Salazar, and all of the advocates who have helped make today happen.”

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ADDITIONAL INFORMATION ON THE LEGISLATION:

The Humane Alternatives to Long-Term Solitary Confinement Act (HALT), S.2836, will:

Limit the use of segregated confinement in state prisons and county jails and implement alternative rehabilitative measures, including the creation of Residential Rehabilitation Units (RRU).

Restrict the use of segregated confinement for all incarcerated persons for up to 15 days.

Expand the definition of segregated confinement to include any form of cell confinement where an individual is held for more than 17 hours a day.

Mandate additional out-of-cell time and rehabilitative programming for individuals diverted to rehabilitative units after the 15-day limit has been reached.

Prohibit segregated confinement for special populations for any period of time.

Special populations are:

Individuals age 21 or younger,

Individuals age 55 and over,

Individuals with a disability,

And individuals who are pregnant, up to eight weeks postpartum, or caring for children in a facility.

Prohibit the denial of services, treatment, or basic needs such as clothing, food, and bedding while an individual is held in segregated confinement.

Mandate that staff must undergo 37 hours and 30 minutes initial training prior to assignment on segregated confinement units and 21 additional hours, annually, after assignment.

Add due process protections by prohibiting placement in segregated confinement prior to a disciplinary hearing and by allowing access to counsel.

Require DOCCS to publish monthly reports on its website with semi-annual and annual cumulative reports of the total number of people in segregated confinement.

RELATED LEGISLATION

2021-S2836

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Restricts the use of segregated confinement and creates alternative therapeutic and rehabilitative confinement options

January 25, 2021

Senate Floor Calendar

Sponsored by [Julia Salazar](#)

Do you support this bill?
