



# Corrections and Community Supervision

KATHY HOCHUL  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

## MEMORANDUM

TO: All Superintendents

FROM: Anthony J. Annucci, Acting Commissioner

SUBJECT: Safety

DATE: April 21, 2022

The Humane Alternatives to Long Term (HALT) segregated confinement Law provides that restraints shall not be used when incarcerated individuals are participating in out-of-cell activities within a Residential Rehabilitation Unit (RRU), unless an assessment is made that restraints are required because of a significant and unreasonable risk to the safety and security of staff or other incarcerated individuals.

Since the effective date of the HALT Law, we have closely monitored the activities within our Special Housing Units and RRUs and have seen an escalation of violence that has occurred in not only RRUs across the state, but also in Regional Mental Health Therapeutic Units (RMHTU), Step Down Programs (SDP) and Diversion Units. This trend is very concerning and will not be tolerated

As a result of what has occurred since the effective date across the system, on April 19, 2022, under my authority as Acting Commissioner in accordance with Section 112 of the Correction Law, and in line with the above cited provision of the HALT Law, I directed all Superintendents who supervise an RRU, RMHTU, SDP and/or Diversion Units, to utilize restraints any time an incarcerated individual is under escort and while participating in out-of-cell programming. For the immediate safety of all staff and incarcerated individuals, this order shall remain in effect until further notice.

Incarcerated individuals will be placed in wrist restraints prior to exiting their cells for escort to the program areas. Upon arrival in the program area, incarcerated individuals will be secured to a RESTART chair with leg restraints and the wrist restraints will be removed. Prior to returning to their cells at the conclusion of the program module wrist restraints will be reapplied, followed by the removal of leg restraints. Incarcerated individuals will then be escorted back to their cells.

When an incarcerated individual is out of their assigned cell, restraints shall be removed to accommodate the following:

1. A request of a Physician or a Physician's Assistant (PA) when removal is necessary to permit medical treatment.
2. A request of the Parole Board at a parole hearing.
3. A request of a Judge or Magistrate.
4. An order of the Deputy Superintendent for Security Services or higher-ranking authority.
5. A scheduled shower when the incarcerated individual can be secured in a shower room.
6. A scheduled period of exercise when the incarcerated individual can be secured in an exercise area.
7. A visit.

Under these circumstances, if mechanical restraints are removed, they will be reapplied prior to the incarcerated individuals being returned to their cells.

The safety of staff and incarcerated individuals is of paramount importance, and I will do whatever is in my power to protect each and every individual in a facility. Any questions regarding this matter should be directed to your Assistant Commissioner for Facility Operations.