



NEW YORK CITY BOARD OF CORRECTION

BARRIERS to RECREATION

at Rikers Island's Central Punitive Segregation Unit



STAFF REPORT
July 2014

About the New York City Board of Correction

The New York City Board of Correction (BOC) is a non-mayoral, independent agency created under the New York City Charter, Chapter 25 §626(c). The BOC establishes and monitors compliance with minimum standards on the conditions of confinement, codified under Title 40 of the Rules of the City of New York, as well as health and mental health care in all City correctional facilities, including the ten jails located at Rikers Island, three borough facilities, prison hospital wards, and court pens. In addition to monitoring conditions in the City's jails, the BOC investigates serious incidents, including prisoner deaths, evaluates DOC's performance, and makes recommendations in critical areas of correctional planning.

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Executive Summary

When people confined in New York City's Rikers Island jail complex violate rules the Department of Correction (DOC) has the authority to remove them from the general inmate population and place them in punitive segregation. Often referred to as "the bing," punitive segregation functions as a jail within a jail, where prisoners are locked almost continuously in single-occupancy cells that are roughly 7 feet wide and 12 feet long. Several of the facilities on Rikers Island have punitive segregation units, and the largest is the Central Punitive Segregation Unit (CPSU) at the Otis Bantum Correctional Center, which is reserved for male prisoners. On March 17 of this year, for example, 367 adults - 92.4% of all adult prisoners assigned to punitive segregation - were housed in the CPSU along with 22 adolescent prisoners, representing roughly a quarter (27.8%) of all teens in punitive segregation on that day.

Because continuous solitary confinement is detrimental to a person's physical and mental health, the Minimum Standards promulgated by the New York City Board of Correction (BOC), reflecting both national and international standards for the treatment of prisoners, entitle inmates in punitive segregation to at least one hour of recreation every day. For individuals confined in the CPSU, the only form of recreation available is an hour alone in one of the Unit's 32 outdoor "cages." While the cages are empty of any equipment such as a basketball hoop and ball or pull-up bar that would facilitate exercise, this hour nevertheless represents a prisoner's only access to fresh air and direct sunlight and only opportunity for social contact with other prisoners in adjacent pens and staff present in the area.

This brief interruption of life in solitary confinement is particularly important for a population with a high rate of mental illness and instability and, as a result, one that is difficult to supervise safely. According to snapshot data provided by the New York City Department of Health and Mental Hygiene, more than half of prisoners in CPSU either came to Rikers Island with a diagnosed mental illness or received mental health services during their current period of incarceration.

Despite the existence of the standard requiring daily recreation, the present study by BOC found that, on average, fewer than 1 in 10 CPSU prisoners engage in recreation on any given day. So while the CPSU population hovers around 400 people, fewer than 40 prisoners are experiencing the mandated hour outside their solitary confinement cells on an average day. With the exception of a brief shower and any time out to receive mandated services or visits, the other 360 prisoners spend all day locked in their cells. Moreover, the study shows that many CPSU prisoners go for days without access to the outdoor recreational area.

This study explains why going to recreation is an infrequent event within the CPSU rather than part of a prisoner's daily routine. Based on our research, the principle barriers are DOC procedures that make it very difficult for prisoners to indicate an interest in going to recreation (they are not required to go), shortages in staffing and facilities to accommodate all prisoners who are interested, and inclement weather that makes going outdoors either unappealing or practically impossible. DOC could begin to remedy these problems with relatively simple changes in policy and practice. More significant reform sufficient to fully meet the Minimum Standards would require either an investment in expanding the number of recreation officers and outdoor cages or reductions in the daily CPSU population. In addition, DOC should make an effort to create indoor recreation areas that can accommodate at least some CPSU prisoners during inclement weather.

Introduction

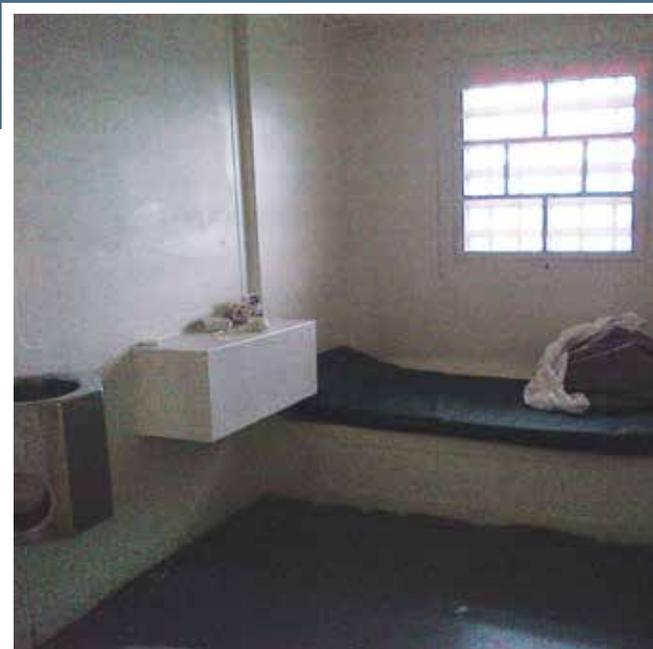


FIGURE 1.
The interior of a
typical punitive
segregation cell
in CPSU

On September 9, 2013, the New York City Board of Correction (BOC) unanimously decided to initiate rule making governing the use of punitive segregation (also known as “solitary confinement,” “the hole,” and “the bing”) in city jails.¹ This decision was the result of mounting concerns about conditions in punitive segregation units. To inform the development of new rules, the BOC has been gathering data and other information from a wide range of sources, and as part of that process conducted original research on access to recreation in the Central Punitive Segregation Unit (CPSU) at the Otis Bantum Correctional Center (OBCC). The largest punitive segregation unit on Rikers Island, roughly 400 adult and adolescent male prisoners occupy the CPSU on any given day.² The CPSU operates as a jail within a jail, with its own staff, operating manual, and facilities. The present study sought to examine the extent to which individuals confined in the CPSU have a genuine opportunity every day to engage in outdoor recreation and what barriers, if any, exist.

The decision to research this particular issue followed anecdotal evidence, including occasional first-hand observations by some BOC staff and some members, that prisoners in punitive segregation seemed to have infrequent access to the recreation area – circumstances that, if true, would be in violation of the Minimum Standard requiring all prisoners, including those in punitive segregation, at least one hour of recreation every day. Recognizing out-of-cell recreation to be “essential to good health” and that it “contributes to reducing tensions within a facility,”³ the Minimum Standards require DOC to provide every prisoner in its custody access to at least one full hour of

¹ DOC can impose punitive segregation on any prisoner that violates jail rules. Unless the violation is serious or the prisoner poses a threat to other prisoners or staff, the decision requires an administrative hearing. Adult male prisoners who are not diverted to Restrictive Housing Units (RHU) or Clinical Alternatives to Punitive Segregation (CAPS) units, are typically assigned to the Central Punitive Segregation Unit (CPSU) at the Otis Bantum Correctional Center (OBCC), although some are placed in a punitive segregation unit at the George R. Vierno Center (GRVC). Most adolescent male prisoners are assigned to the Robert N. Davoren Complex (RNDC), which also includes an RHU, and the rest are assigned to the CPSU. Female prisoners are assigned to a punitive segregation unit in the Rose M. Singer Center, except for the few who are temporarily placed in the prison ward at Elmhurst Hospital.

² On March 17, 2014, for example, 367 people – 92.4% of all adult prisoners assigned to punitive segregation – were housed in the CPSU along with 22 adolescent prisoners, representing roughly a quarter (27.8%) of all teens in punitive segregation on that day.

³ See N.Y.C. BOARD OF CORRECTION, CORRECTIONAL FACILITIES, Recreation § 1-06(a), at 11 (June 16, 2008).

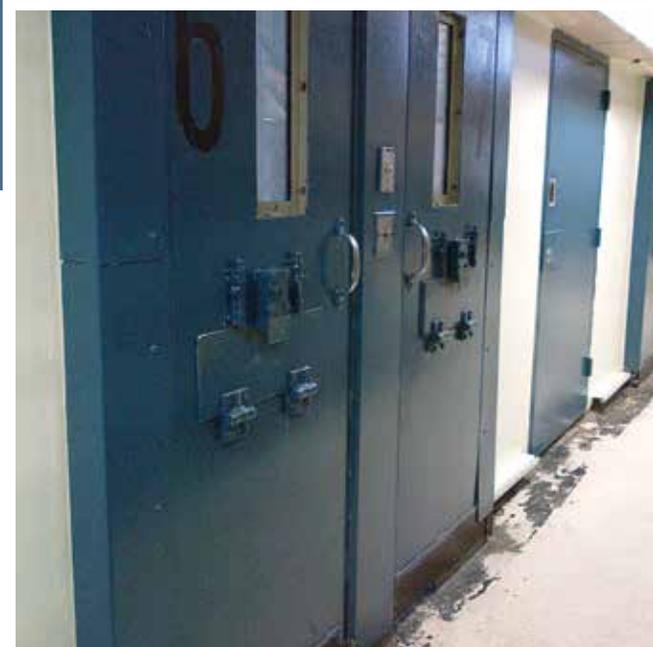


FIGURE 2.
A view of the
tier in one
of the CPSU
housing areas

outdoor recreation, with “direct access to sunlight and air”⁴ seven days per week,⁵ except in inclement weather⁶ when DOC must provide access to an indoor recreation area.⁷ Because prisoners in punitive segregation are locked continuously in single-occupancy cells that are each roughly 7 feet wide and 12 feet long, that hour outside is their only access to fresh air and direct sunlight and gives them a rare opportunity for social contact.⁸

There is no shortage of medical journal articles documenting the strong, positive association between moderate or vigorous exercise and mental or physical wellbeing,⁹ and conversely, the strong association between inactivity and poor mental or physical health.¹⁰ The importance of physical activity to good health is so well established that the Centers for Disease Control and Prevention (CDC) issued minimum guidelines for all Americans. For adults, the CDC recommends at least 300 minutes a week of moderate-intensity exercise, such as walking fast, or 150 minutes

4 *Id.*

5 See *id.* at § 1-06(c), at 11; see also *id.* at § 1-06(a), at 11 (“Prisoners shall be provided with adequate indoor and outdoor recreational opportunities.”) and N.Y.C. DEPT OF CORRECTION, OTIS BANTUM CORRECTIONAL CENTER CPSU OPERATING MANUAL para. 29(a), at 30 (June 2012). “Inmates housed in CPSU shall be afforded the opportunity seven (7) days per week to attend a recreation period of at least one (1) hour. An inmate who requests recreation shall not be denied to recreate [sic].” *Id.*

6 See N.Y.C. BOARD OF CORRECTION, CORRECTIONAL FACILITIES, Recreation § 1-06(c), at 11 (June 16, 2008). Notably, the CPSU Operating Manual does not address inclement weather with respect to recreation. See generally N.Y.C. DEPT OF CORRECTION, OTIS BANTUM CORRECTIONAL CENTER CPSU OPERATING MANUAL (June 2012).

7 See N.Y.C. BOARD OF CORRECTION, CORRECTIONAL FACILITIES, Recreation § 1-06(b), at 11 (June 16, 2008).

8 See N.Y.C. DEPT OF CORRECTION, OTIS BANTUM CORRECTIONAL CENTER CPSU OPERATING MANUAL para. 2(c), at 3 (June 2012) (“All inmates housed in the Central Punitive Segregation Unit will be under twenty-four (24) lock-in status except when participating in daily recreation or other mandated services as described herein.”).

9 See e.g., Andrew Steptoe & Neville Butler, *Sports Participation and Emotional Wellbeing in Adolescents*, 347 THE LANCET 1789-92 (June 29, 1996) (finding a strong and positive association between emotional well-being and participation in sports and vigorous physical activity among 16 year olds) and Frank J. Penedo & Jason R. Dahn, *Exercise and Well-Being: A Review of Mental and Physical Health Benefits Associated with Physical Activity*, 18 CURRENT OPINIONS IN PSYCHIATRY 189 (2005) (a medical literature review finding that majority of studies suggests that exercise and physical activity are associated with better health outcomes and quality of life).

10 See e.g., Ming Wei et al., *Relationship Between Low Cardiorespiratory Fitness and Mortality in Normal Weight, Overweight, and Obese Men*, 282 J. OF THE AM. MED. ASS'N 1547 (Oct. 27, 1999) (looking at low cardiorespiratory fitness as an objective marker of physical inactivity and finding that low fitness was a strong and independent predictor of cardiovascular disease and mortality, independent of body mass index and various other risk factors) and Satoru Kodama et al., *Cardiorespiratory Fitness as a Quantitative Predictor of All-Cause Mortality and Cardiovascular Events in Healthy Men and Women*, 301 J. OF THE AM. MED. ASS'N 2024 (May 20, 2009) (looking at cardiorespiratory fitness as a measure of physical fitness, and finding that better cardiorespiratory fitness was associated with a lower risk of mortality and coronary heart disease and cardiovascular disease).



FIGURE 3.
A toilet, sink/water fountain, and mirror in a typical cell in CPSU

per week of vigorous-intensity exercise, such as playing basketball,¹¹ combined with muscle-strengthening activities at least twice per week.¹² The recommendations for adolescents are even more stringent.¹³

Studies focused specifically on prisoners found a clear connection between inactivity and poor health, including insomnia¹⁴ and low cardiorespiratory fitness.¹⁵ At least two studies examining the structural determinants¹⁶ of health among prisoners found that forced idleness as a result of solitary confinement harms an inmate's mental and physical health and distracts the person from the goal of rehabilitation.¹⁷ In addition to these studies, there is also evidence that overexposure to artificial environments may negatively affect a person's health.¹⁸ A punitive segregation cell is an extreme example of an artificial environment: small and made of cinderblock walls, a concrete floor and ceiling and a reinforced metal door; featuring only a stainless steel sink, toilet and bunk; and illuminated primarily by fluorescent lighting.

11 See CDC, How Much Physical Activity Do Adults Need?, <http://www.cdc.gov/physicalactivity/everyone/guidelines/adults.html> (last visited Feb. 14, 2014).

12 See *id.*

13 See Centers for Disease Control and Prevention, How Much Physical Activity Do Children Need?, <http://www.cdc.gov/physicalactivity/everyone/guidelines/children.html> (last visited Feb. 14, 2014).

14 See e.g., Bernice S. Elger, *Prison Life: Television, Sports, Work, Stress and Insomnia in a Remand Prison*, INT'L J. OF L. AND PSYCHIATRY, Mar.-Apr. 2009, 74 (finding that little or no physical activity or participation in sports was a predictor of insomnia or trouble sleeping at night among prisoners).

15 See e.g., Sulaiman A. Olaitan, *Correlates of Selected Indices of Physical Fitness and Duration of Incarceration Among Inmates in Some Selected Nigeria Prisons*, ETHIOPIAN J. OF HEALTH SCI., Mar. 2010, 65 (finding a high prevalence (93%) of low cardiorespiratory fitness among prisoners and concluding that extended periods of "inadequate physical activity" may cause low physical fitness among prisoners in prison).

16 Structural determinants of health include environmental factors, as well as social, political, economic factors.

17 See e.g., Nick de Viggiani, *Unhealthy Prisons: Exploring Structural Determinants of Prison Health*, 29 SOC. OF HEALTH & ILLNESS 115, 129 (2008) ("While the prison was highly effective in rendering prisoners subservient to and dependent upon the regime, through this very process it fostered idleness and apathy, distracting prisoners from the important goal of rehabilitation (through empowerment, personal responsibility and autonomy) towards short-term privileges . . . [such as] canteen provisions, use of gym. . .") and Jo Nurse et al., *Influence of Environmental Factors on Mental Health Within Prisons: Focus Group Study*, 327 BRITISH MED. J. 480 (Aug. 28, 2003) (concluding that a wide range of environmental and organizational factors in the correctional setting negatively impact prisoners' mental health and prisoners' relationship with staff, including, but not limited to, prisoners' isolation and lack of exercise or mental stimulation).

18 See GEOFFREY GODBEY, RESOURCES FOR THE FUTURE, OUTDOOR RECREATION, HEALTH, AND WELLNESS 1, 4 (May 2009) <http://www.rff.org/documents/RFF-DP-09-21.pdf> (internal citations omitted).

The Board of Correction is not alone in recognizing the importance of daily outdoor exercise for prisoners. Among the American Bar Association's standards regarding the treatment of prisoners, Standard 23-3.6(b) requires that "[e]ach prisoner, including those in segregated housing, should be offered the opportunity for at least one hour per day of exercise, in the open air if the weather permits."¹⁹ A number of courts nationally have found corrections officials to be in violation of the Constitutional prohibition against cruel and unusual punishment for failure to provide prisoners reasonable access to outdoor exercise.²⁰ Similarly, the United Nations Standard Minimum Rules for the Treatment of Prisoners provide that "[e]very prisoner who is not employed in outdoor work shall have at least one hour of suitable exercise in the open air daily if the weather permits."²¹ The UN Standards go even further, requiring that "[y]oung prisoners, and others of suitable age and physique, shall receive physical and recreational training during the period of exercise," and that "[t]o this end space, installations, and equipment shall be provided."²²

19 See AM. BAR ASS'N, TREATMENT OF PRISONERS STANDARDS, Recreation and Out-of-Cell Time § 23-3.6, at 89 (2010). The commentary to the ABA's recreation standard cite to evidence that exercise is essential to physical health, and adds that such exercise is "nearly impossible in a small prison cell." See *id.* cmt. at 90. The commentary further explains that the ABA recommends access to outdoor exercise because the "opportunity to breathe fresh air and see the sky provides independent physical and mental health benefits." See *id.* at n. 115.

20 For a detailed look at the legal landscape pertaining to prisoners' access to recreation, see Americans for Effective Law Enforcement Legal Center, *Prisoner Exercise and Civ. Liability*, AELE Mo. L. J. 301 (Jul. 2008) and Robert D. Lee, *Prisoners' Rights to Recreation: Quantity, Quality, and Other Aspects*, 24 J. OF CRIM. JUST. 167 (1996).

21 See Standard Minimum Rules for the Treatment of Prisoners, U.N. Doc. A/CONF/611, annex I, E.S.C. res. 663C, 24 U.N. ESCOR Supp. (No. 1) at 11, U.N. Doc. E/3048 (1957), amended E.S.C. res. 2076, 62 U.N. ESCOR Supp. (No. 1) at 35, U.N. Doc. E/5988 (1977) (Aug. 30, 1955), at pt. I, sec. 21 (1). The Standard Minimum Rules for the Treatment of Prisoners were adopted by the First UN Congress on the Prevention of Crime and the Treatment of Offenders, approved by the UN's Economic and Social Council in a July 1957 resolution, and extended by the Council by resolution in May 1977. The SMRs are currently under review and may undergo revision in the near future to reflect the evolution of correctional best practices and international human rights law standards since they were first adopted.

22 See *id.* at Part I, sec. 21 (2).

This study involved several research activities conducted over a five-month period beginning in October 2013. BOC staff started by reviewing DOC records pertaining to recreation for prisoners in the CPSU — records that the Department maintains in the ordinary course of business. Specifically, we obtained photocopies of the CPSU daily recreation logbook for July 5 through October 1, 2013, randomly selected a sample of 14 days and closely examined the logbook entries for each of those days, noting how many prisoners and what proportion of the total population went outdoors that day. We also examined the logbook entries for four days that were the focus of an inmate survey we conducted.

The survey took place on Tuesday, December 3, 2013. Between 1:25 PM and 3:20 PM, BOC staff working in pairs went from cell to cell and spoke with every prisoner. We chose afternoon hours because our review of logbook entries showed that the daily recreation period of typically ends by 1:30 PM. We also verified that DOC had completed recreation before the surveys were distributed. Staff introduced themselves, explained the study, and distributed copies of a 30-item mainly multiple-choice questionnaire in either Spanish or English to prisoners who were willing to complete it. Respondents were asked whether they had participated in recreation that day and in each of the three previous days, and if not, to choose among possible reasons they had not gone outside. Respondents were also asked to provide basic demographic information about themselves. BOC staff remained in the housing areas, giving prisoners roughly 30 minutes to complete the questionnaire, and then collected the surveys – 185 in all. A copy of the survey and data on participants are included as appendices to this report.

BOC staff toured the CPSU multiple times during the research period, visiting every housing area and observing the entire recreation process. In the course of these tours, we spoke informally with correction officers, in particular those assigned as CPSU recreation officers, and also with prisoners who had engaged in recreation that particular day as well as those who had not. We also conducted multiple in-depth interviews with randomly selected prisoners in CPSU.²³ A copy of the interview protocol is included as an appendix. To maintain the confidentiality of the prisoners and DOC staff who spoke with us, we have not identified them by name.

²³ BOC Field Representatives Barbie Melendez and Shaquana Pearson and Director of Research & Analysis Chai Park conducted these interviews.

Finding 1

Based on our review of recreation logbook entries and data from the inmate survey, only a small fraction of individuals confined in the CPSU actually participate in outdoor recreation on any given day, and it is common for prisoners to go for days without access to recreation.

Recreation logbook entries for 14 randomly selected days between July 5 and October 1, 2013 reveal that the proportion of CPSU prisoners that participated in daily recreation ranged from a low of 2.9% on August 9, 2013 to a high of 16.0% on July 7, 2013, for an average across these 14 days of 9.8%.²⁴ See Figure 4. Our own first-hand observations echo this data, albeit painting a starker picture: On the several occasions that BOC staff visited the CPSU recreation area during the research period, the recreation area was largely empty.

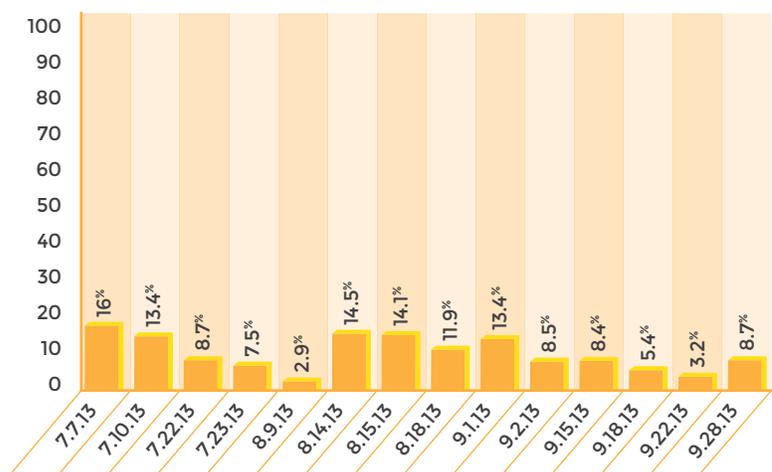


FIGURE 4.
Percentage of CPSU prisoners that participated in recreation on a random sample of dates (Source: CPSU recreation logbook entries)

Moreover, results from our survey of inmates suggest that the vast majority of prisoners go for days without access to recreation. A striking 87.8% of the survey respondents indicated that they did not participate in recreation on any of the four consecutive days (November 30 –December 3, 2013) that were the focus of the survey. A mere 7.9% of respondents indicated that they went to recreation once over those four days, 2.2% stated that they went twice, and only 0.7% indicated that they went to recreation on three of the four days.²⁵ See Table 1.

Fewer than 1 in 10 prisoners in CPSU participate in recreation on an average day, and a majority of CPSU inmates go for days at a time without access to the outdoors.

Corresponding DOC recreation logbook entries confirm that few inmates went to recreation on these four days. Note: No prisoners went to recreation on Saturday, November 30, because the entire jail was on lockdown, a

²⁴ Participation percentages were calculated based on DOC census data for the CPSU.

²⁵ Approximately 1.4% of respondents indicated that they went to recreation on all four days. Their survey responses were not included in this specific analysis because their responses were factually incompatible. See *infra* note 26 and accompanying text.

status that requires all inmates to remain in their cells.²⁶

Survey respondents who reported that they went to recreation at least once during the four-day period tended to have spent fewer days in CPSU during their current incarceration at the time of the survey. The median length of stay among prisoners who participated in recreation at least once was 30 days, compared with a median length of stay of 60 days among those who did not go out on any of the four days – a statistically significant difference ($p=0.04$). This suggests that the longer a person has been confined in the CPSU, the less likely he is to participate in recreation, although the reasons are not clear.

Participated in Recreation On	Percentage of Survey Respondents
Zero of four days	87.8%
One of four days	7.9%
Two of four days	2.2%
Three of four days	0.7%

TABLE 1.
Participation in recreation among survey participants

Finding 2

Results from the inmate survey suggest that a large proportion of CPSU prisoners – roughly 4 out of 5 – never even have a chance to “sign up” for recreation.

To be eligible to go outdoors, a prisoner has to “sign up” – in essence, verbally express an interest in going outdoors that day. This happens in the morning when designated recreation officers canvass the CPSU housing units. Our own observations of this process, conversations with staff and prisoners, and results from the inmate survey show that the canvassing process as it currently operates is actually a deterrent. Some prisoners described it as akin to a game of “cat and mouse.”

Results from the inmate survey suggest that roughly 4 out of 5 prisoners in CPSU are not given a meaningful opportunity to “sign up” for recreation.

Early in the morning, at least one recreation officer goes to each of the eight CPSU housing areas and, without announcement, walks down each tier of cells. Officers typically do not knock on individual cell doors or otherwise make their presence known. Our observations during the research period confirm this practice. As a result, a prisoner who wants to sign up for recreation must be “at the gate” – in other words, standing at his cell door – to catch the recreation officer’s attention. If a prisoner is asleep, using the toilet, at the sink washing his face, or sitting on his bed when the recreation officer passes by, that prisoner has missed his only opportunity to sign up for recreation. Prisoners from different CPSU housing areas told BOC staff that they or their entire housing area risk being barred from recreation if an inmate takes it upon himself to announce the arrival of the recreation officers.

Current practice diverges in important ways from DOC’s own policies. The CPSU Operating Manual requires an “assigned officer” to “make an announcement” prior to canvassing the housing area for prisoners who want to

²⁶ According to a DOC report of unusual incidents issued on November 30, 2013, at 8:20 AM by the Central Operations Desk, every area of OBCC, including CPSU, entered lockdown status at 8 AM that day. CPSU remained under lockdown until 5:10 PM. That report indicated that the entire facility was under lockdown “pending multiple unscheduled searches.” Another DOC report, commonly referred to as the “Action Report” and dated December 11, 2013, noted “Tension in facility.”

participate in recreation that day.²⁷ OBCC’s Institutional Order “CPSU Recreation” is even more specific. Recreation officers are required to use a Megaphone to announce their presence and document their use of the Megaphone in the daily logbook.²⁸ Yet when BOC staff asked recreation officers to see the Megaphone, one officer responded that he did not know where it was kept or whether it works. The Order further requires the recreation supervisor, usually a captain, to be present on the floor when recreation is announced²⁹ and ensure that the recreation officers visit each cell to determine whether or not the inmate would like to go outdoors that day.³⁰

Curiously, the Order also requires officers assigned to the evening “tour” (i.e., shift) to canvass the housing areas for prisoners who want to go to recreation the following day, write their names on an established form,³¹ sign the form and forward it to the CPSU Tour Commander for review.³² But the Order does not state how the recreation officers on duty the following morning are supposed to use the form, assuming it was completed and made available to them, and in the course of our research we never saw a recreation officer consult such a form.

	7.7.13	7.10.13	7.22.13	7.23.13	8.9.13	8.14.13	8.15.13	8.18.13	9.1.13	9.2.13	9.15.13	9.28.13
Start of first tour of recreation officers	5:00 AM	5:00 AM	5:00 AM	5:00 AM	5:00 AM	5:00 AM	5:00 AM	5:00 AM	5:00 AM	5:00 AM	5:00 AM	5:00 AM
Start of recreation canvassing in housing areas	6:40 AM	6:30 AM	5:15 AM	5:20 AM	5:30 AM	5:10 AM	5:20 AM	6:30 AM	5:10 AM	5:05 AM	5:05 AM	5:11 AM
Start of recreation period (first prisoner out)	7:40 AM	6:30 AM	6:38 AM	7:11 AM	7:30 AM	7:00 AM	6:25 AM	6:30 AM	8:35 AM	6:20 AM	6:55 AM	7:45 AM
End of recreation period (last prisoner in)	1:15 PM	1:10 PM	1:15 PM	12:53 PM	1:30 PM	1:10 PM	3:40 PM	3:00 PM	1:30 PM	1:00 PM	11:30 AM	1:20 PM
End of third tour of recreation officers	4:31 PM	4:31 PM	4:31 PM	4:31 PM	4:31 PM	4:31 PM	4:31 PM	4:31 PM	4:31 PM	4:31 PM	4:31 PM	4:31 PM
Sunset	7:30 PM	7:28 PM	7:21 PM	7:20 PM	7:02 PM	6:55 PM	6:54 PM	6:49 PM	6:28 PM	6:26 PM	6:05 PM	5:43 PM

Sunrise indicated by orange bars in chart above, exact times to right:

4:32 AM	4:34 AM	4:44 AM	4:45 AM	5:01 AM	5:06 AM	5:07 AM	5:10 AM	5:23 AM	5:24 AM	5:37 AM	5:50 AM
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TABLE 2. Recreation at CPSU on randomly selected dates from July through September 2013. The portions highlighted in yellow indicate daylight hours, while those in grey indicate pre-dawn or post-sunset hours.

The difficulty of signing up is compounded by the fact that recreation officers canvass the housing areas early in the morning when most prisoners are asleep. It is important to note that the CPSU Recreational Order requires officers to start recreation “no later than” 6:30 AM every day.³³ Our review of a random sample of recreation logbook entries shows that canvassing began as early as 5:05 AM, which was before sunrise on that particular day, and never later than 6:40 AM.³⁴ See Table 2.³⁵ Because prisoners in CPSU are

27 See NYC. DEPT OF CORRECTION, OTIS BANTUM CORRECTIONAL CENTER CPSU OPERATING MANUAL para. 29(c)(1), at 31 (June 2012).

28 See NYC. DEPT OF CORRECTION, OTIS BANTUM CORRECTIONAL CENTER INST’L ORDER NO. 56/01, CPSU RECREATION sec.3(a)(5) (July 16, 2001).

29 See *id.* at sec. 3(a)(8) (“All housing area floor Captains shall be present on the floor when recreation is announced to ensure all inmates are afforded recreation. This does not exclude the recreation Captain from his/her responsibilities.”).

30 See *id.* at sec. 3(a)(6) (“Once recreation is announced the recreation Supervisor shall assure (sic) that the recreation officer goes to each cell, to see if the inmate is requesting recreation.”).

31 See *id.* at sec. 3(b) (“Recreation sheets are established on the 1500 x 2331 hours tour by the housing area officer on a CPSU recreation form.”).

32 See *id.* (“Housing area supervisors are to sign the CPSU recreation form on completion of signing up of inmates [sic] wanting to go to recreation. The signed form is then to be forwarded to the CPSU Tour Commander for review. A log book entry is to be made noting the number of inmates going to recreation.”).

33 See *id.* at sec. 3(a)(1).

34 All sunrise and sunset data for New York City in this report were obtained from the National Oceanic and Atmospheric Administration’s (NOAA) Earth System Research Lab (ESRL) website at www.esrl.noaa.gov/gmd/grad/solcal/sunrise.html.

35 Please also note that data for two of the 14 dates covered in our logbook review - 9/18/2013 and 9/22/2013 - do not appear in this table. Due to incomplete time entries in the recreation logbook for September 18 and September 22, 2013, those two dates were omitted from this specific analysis.

not allowed to have watches, they have no way to ensure they are awake by 5:00 AM.³⁶

A review of logbook entries for the four-day period covered in the inmate survey reveals a similar pattern. As mentioned above, the facility was on lockdown on Saturday, November 30th, so recreation was cancelled, but on December 1st and December 3rd canvassing began at 5:20 AM and 5:15 AM – nearly two hours before sunrise on those days. See Table 3.

	SATURDAY NOVEMBER 30TH	SUNDAY DECEMBER 1ST	MONDAY DECEMBER 2ND	TUESDAY DECEMBER 3RD
Start of first tour of recreation officers	5:00 AM	5:00 AM	5:00 AM	5:00 AM
Start of recreation canvassing in housing areas	No recreation	5:20 AM	7:00 AM	5:15 AM
Sunrise	7:00 AM	7:01 AM	7:02 AM	7:03 AM
Start of recreation period (first prisoner out)	No recreation	7:20 AM	7:30 AM	8:15 AM
End of recreation period (last prisoner in)	No recreation	11:45 AM	11:30 AM	11:15 AM
End of third tour of recreation officers	4:30 PM	4:29 PM	4:29 PM	4:29 PM
Sunset	4:31 PM	4:31 PM	4:31 PM	4:31 PM

TABLE 3.
Recreation at CPSU between Saturday, November 30th and Tuesday, December 3rd, 2013. The portions highlighted in yellow indicate daylight hours, while those in grey indicate pre-dawn or post-sunset hours.

While canvassing early and especially before sunrise seems problematic, BOC staff learned during the course of surveying CPSU prisoners, that the presence of daylight does not mean that prisoners will be awake. Our survey took place in the afternoon, yet roughly one out of every five prisoners (18.3%) was asleep when BOC staff approached the person's cell. This observation further underscores the need for recreation officers to loudly and clearly announce their presence prior to canvassing the housing area, to be vocal during canvassing, and to knock on each cell door.

	Signed up for recreation Saturday, November 30th	Signed up for recreation Sunday, December 1st	Signed up for recreation Monday, December 2nd	Signed up for recreation Tuesday, December 3rd
Yes	18.6% (n=24)	25.2% (n=29)	21.7% (n=33)	28.0% (n=42)
No	81.4% (n=105)	79.7% (n=114)	78.3% (n=119)	72.0% (n=108)
I don't remember	0	0.7% (n=1)	0	0

TABLE 4.
Survey respondents in CPSU who signed up for recreation on any of the four days in the survey

	SATURDAY NOVEMBER 30TH	SUNDAY DECEMBER 1ST	MONDAY DECEMBER 2ND	TUESDAY DECEMBER 3RD
Conflict with other prisoner(s)	0	0	0	0
Conflict with DOC staff	0	1.9% (n=2)	0	1.0% (n=1)
Prisoner had court that day	0	0	6.9% (n=8)	1.0% (n=1)
Prisoner wanted to wait for medical attention instead	1.0% (n=1)	1.9% (n=2)	0	0
Prisoner was tired and did not want to go to recreation	14.9% (n=15)	14.0% (n=15)	12.1% (n=14)	8.6% (n=9)
Prisoner was sleeping when DOC staff may have come by to take names for recreation	18.8% (n=19)	18.7% (n=20)	19.0% (n=22)	22.9% (n=24)
Prisoner was out on a visit or waiting for a visit	0	1.9% (n=2)	0	0
Prisoner was at or waiting for his bing hearing	0	0	0	0
Weather conditions	8.9% (n=9)	4.7% (n=5)	5.2% (n=6)	6.7% (n=7)
DOC staff did not come by prisoner's cell to let him sign up for recreation	43.6% (n=44)	44.9% (n=48)	47.4% (n=55)	48.6% (n=51)
Other	12.9% (n=13)	12.1% (n=13)	9.5% (n=11)	11.4% (n=12)

TABLE 5.
Survey respondents' reasons for not signing up for recreation

Among prisoners surveyed on December 3, 2013, the vast majority indicated that they were not able to sign up for recreation (see Table 4), either because they were sleeping when the recreation officers were canvassing their housing area or because no officer approached their cell to give them an opportunity to sign up. A smaller yet still significant number of respondents indicated that they refused the opportunity for recreation, either because they were too tired or because of the weather. See Table 5.

³⁶ See NYC. DEPT OF CORRECTION, OTIS BANTUM CORRECTIONAL CENTER CPSU OPERATING MANUAL para. 10(d)(4), at 15 (June 2012) (“Watches are not permitted in the C.P.S.U.”).

According to prisoners, getting one's name on the recreation list is no guarantee of actually going outside. Among several possible barriers, which we discuss below, two or more hours can pass between the time recreation officers canvass the housing area and when they return, also without announcement, to begin escorting prisoners on the list to one of the 32 outdoor cages. *See Tables 2 and 3.* Again, prisoners who are not awake, dressed and ready to go will be passed over, since waiting for prisoners would further delay the process. A prisoner told BOC staff that one of the "older" recreation officers would occasionally knock on cell doors to wake up sleeping prisoners – a comment that conveys this is far from common practice.

RECOMMENDATIONS

- Require a clear and loud announcement using an operational Megaphone prior to canvassing each housing area. The recreation captain or housing area captain should enter in the recreation logbook the time of the announcement, confirm the use of the Megaphone, and note whether he or she personally witnessed the announcement.
- During canvassing, require and instruct recreation officers to visit each cell – knocking loudly on the cell door – to ask whether the prisoner wants to participate in recreation that day, record each prisoner's response on a form, and submit the completed form to supervisors for review and storage.
- Require a clear and loud announcement in each housing area using an operational Megaphone 15 minutes prior to beginning to escort the first prisoners to recreation. Require and instruct recreation officers to knock loudly on each cell door in an attempt to wake a sleeping prisoner who has signed up for recreation.
- Create a single clear written protocol – amending and merging existing contradictory policies – that incorporates these standards and then monitor staff compliance with the protocol.

Finding 3

The inability to offer recreation for the majority of the day – which is driven by current staffing levels and shift hours – limits the number of interested prisoners who can participate in recreation on any given day.

Ten correction officers and one supervisor, usually a captain, are assigned to steady posts as recreation officers at the CPSU.³⁷ These officers work one of three 8.5-hour recreation "tours" (i.e., shifts) starting at 5 AM, 6 AM or 8 AM – shift hours that remain consistent throughout the year, despite seasonal variations in what time the sun rises and also the number of hours of daylight.³⁸ According to the CPSU Operating Manual, two recreation officers should be assigned to the 5 AM tour, four officers to the 6 AM tour, and four to the 8 AM tour.³⁹ Under these rules,

³⁷ As part of this research, BOC staff reviewed the Post Assignment Sheets for the CPSU for a two-week period (November 24, 2013 through December 7, 2013) and discovered discrepancies between policy and practice. During that period, when the sun was rising around 7 AM, three officers (instead of the mandated two) were assigned to the 5 AM tour while three officers (instead of the mandated four) began work at 6 AM. *See* N.Y.C. Dep't of Correction, Otis Bantum Correctional Center, CPSU Post Assignment Sheet (Nov. 24, 2013 – Dec. 7, 2013).

³⁸ There is no provision in the CPSU Operating Manual for seasonal adjustments to the shift hours, and DOC staff confirm that the hours are consistent throughout the year. *See generally* N.Y.C. DEPT OF CORRECTION, OTIS BANTUM CORRECTIONAL CENTER CPSU OPERATING MANUAL (June 2012).

³⁹ *See id.* at para. 3(f), at 5.

most recreation officers (6 of the 10) would end their day at 1:31 PM or 2:31 PM, while just four officers would work until 4:31 PM. According to DOC staff, it takes at least six officers working as a team to safely escort prisoners to and from the outdoor recreation cages and monitor them outside. Given this reality, recreation has to end by 2:31 PM when the number of officers on duty decreases to four, assuming DOC follows its own policy on staff assignments.

In practice, recreation typically ends even earlier. BOC's review of daily recreation logbook entries shows that recreation ended on or before 1:30 PM on all but two of the days reviewed. (See Tables 1 and 2 above). The reasons are not entirely clear, but on at least one winter day it was because seven of the ten recreation officers began work at 5 AM – two hours before sunrise – and ended their work day at 1:31 PM, with more than three hours of daylight remaining.⁴⁰ When we asked recreation officers working later tours what they do in the remaining afternoon hours when there are too few officers on duty to escort prisoners to and from recreation, some said they take lunch, and some said they go wherever a supervisor sends them. And when asked what happens when recreation ends before prisoners in every housing area have a chance to go out, the officers said they generally pick up the next day with the housing areas they missed the day before.

One of the main barriers to recreation is the understaffing of correction officers to recreation posts.

Exacerbating these problems, recreation officers are sometimes ordered off-post to assist correction officers in other areas of the facility. At least twice during an unannounced visit to the CPSU on February 7, 2014, BOC staff witnessed recreation officers being called off-post to assist correction officers in other areas of the jail: two left early in the morning to work at Main Intake and the same two were later called off-post to help with a possible cell-extraction in another housing area. The recreation process halted while these officers were away from their assigned posts. Altogether, only seven prisoners participated in recreation that day – all seven from the first housing area the recreation officers canvassed that day.

RECOMMENDATIONS

- Redeploy the current staff of 10 recreation officers to make maximum use of daylight and avoid having officers on duty who are unable to safely escort inmates to and from recreation and supervise them outside because their shift, or a portion of it, is understaffed.
- Unless prisoners in all CPSU housing areas have had an opportunity to participate in recreation that day, do not call recreation officers off-post to perform unrelated duties except in emergency situations.
- While these two changes should expand access recreation, our research suggests that DOC will have to increase the overall number of recreation officers to ensure that all prisoners have a genuine opportunity to participate in recreation every day.

⁴⁰ On February 7, 2014, BOC staff made an unannounced visit to the CPSU. Their observations and DOC records confirm that seven recreation officers reported to work at 5 AM, one officer at 6 AM, and two at 8 AM.



FIGURE 5.
A view of the jail from inside one of the recreation cages in the CPSU recreation area



FIGURE 6.
A prisoner is escorted back to CPSU from the recreation area.

Finding 4

The cumbersome process of escorting prisoners to and from recreation, coupled with the small number of recreation officers on duty at a time, limits the number of prisoners who can participate in recreation on any given day.

While perhaps necessary for security reasons, DOC's procedures for escorting CPSU prisoners to and from recreation are cumbersome, time-consuming and require several recreation officers to be involved in the movements of a single prisoner. The way the process currently works and with the current number of recreation officers, the CPSU cannot accommodate every prisoner who would like to participate in recreation each day.

The ten recreation officers on duty at any one time typically operate as a group, moving from one of the eight CPSU housing areas to the next. In each housing area, some are involved in the process of escorting prisoners to and from recreation while others are stationed outside monitoring prisoners in the recreation cages. Working with one prisoner at a time, an officer rear-handcuffs the prisoner through the food slot in his cell door and then escorts him to the "three-point" search room located in each housing area where the prisoner is strip-searched for possible contraband.⁴¹ The prisoner then walks through a magnetometer to detect any foreign metal objects he might have placed in a body cavity. If the prisoner fails to clear the search process or fails to comply with the procedures, he is deemed to have "refused" recreation.⁴² The prisoner is rear-handcuffed before exiting the three-point search room and may also be required to wear ankle chains and security mitts. If it is cold outside, a recreation officer will give the prisoner a jacket before escorting him out of the housing area.⁴³ For security reasons, only one prisoner is permitted in the open area (i.e., "the floor") of the housing unit at a time. Therefore,

⁴¹ This process is consistent with what is described in the CPSU Operating Manual. See N.Y.C. DEPT OF CORRECTION, OTIS BANTUM CORRECTIONAL CENTER CPSU OPERATING MANUAL para. 29(c)(2), at 31 (June 2012). The process does not require a body cavity search.

⁴² See N.Y.C. DEPT OF CORRECTION, OTIS BANTUM CORRECTIONAL CENTER INST'L ORDER NO. 56/01, CPSU RECREATION sec. 3(c)(3) (July 16, 2001) ("Any inmate who fails to clear the security search process of rails to comply with the security procedures shall be deemed a refusal to participate in that recreation session. All refusals shall be appropriately documented and if required, disciplinary action initiated.")

⁴³ The CPSU Operating Manual requires officers to use handcuffs and a daisy chain to secure and transport two prisoners at a time to the recreation yard, unless otherwise indicated by the on-duty Tour Commander. See N.Y.C. DEPT OF CORRECTION, OTIS BANTUM CORRECTIONAL CENTER CPSU OPERATING MANUAL para. 29(c)(3), at 31 (June 2012).

The Institutional Order further requires that prisoners be transported from the three-point search room to the "interview room," where they and other prisoners will be secured together with daisy chains and escorted en masse to the recreation area. See N.Y.C. DEPT OF CORRECTION, OTIS BANTUM CORRECTIONAL CENTER INST'L ORDER NO. 56/01, CPSU RECREATION sec. 3(c)(2)(a)-(b) (July 16, 2001). However, Board staff have never observed prisoners being transported in such a manner. In addition, DOC staff confirmed with Board staff that they only transport prisoners to outdoor recreation one prisoner at a time.



FIGURE 7.
A view from
inside one of the
recreation cages
in the CPSU
recreation area.

the next prisoner on the recreation list must wait until the prisoner in transit has left the housing area before he can begin the process.

Prisoners remain locked in a recreation cage until an hour has elapsed or until they tell a recreation officer that they want to return to their cell. The security procedures are then repeated in reverse in the process of escorting the prisoner back to his cell.⁴⁴ Recreation officers are also required to search the cages for contraband before and after each use,⁴⁵ as well as monitor both the cages and the corridors to ensure that no contraband is passed between prisoners.⁴⁶

RECOMMENDATION

- While it was beyond the scope of this study to examine potential inefficiencies in the process of escorting prisoners to and from recreation or to consider alternate procedures that might be more efficient, these are issues that DOC should explore.

Finding 5

The outdoor recreation cages are empty of any equipment that might encourage prisoners to go outdoors and that would facilitate aerobic exercise.

The CPSU's outdoor recreation area is a cluster of 32 diamond-pattern metal cages, each measuring 11 feet wide and 22 feet long, and each entirely empty. Unlike recreation areas in other areas of OBCC and in the other city jails, there are no basketball hoops, balls, dip bars, high bars, or pull-up bars. Prisoners can do sit-ups, push-ups, and other stationary exercises, provided the ground is not wet or covered in snow or ice, and they can run in small circles, but that is essentially the limit of what is possible within the cage.

Recreation essentially consists of one hour in an outdoor metal cage devoid of any equipment or structure that would facilitate exercise.

During our visits to the recreation area as a part of this research we saw very few prisoners who appeared to be engaged in physical exercise. BOC staff once observed a prisoner doing push-ups and another pacing along the interior perimeter of the cage, but most of the prisoners we saw were just standing in their cages or leaning against one side. Some appeared to be socializing with prisoners in other cages or talking with an officer on duty. Several survey respondents as well as prisoners we interviewed indicated they have little interest in going out-

⁴⁴ See N.Y.C. DEPT OF CORRECTION, OTIS BANTUM CORRECTIONAL CENTER CPSU OPERATING MANUAL para. 29(c)(7), at 31 (June 2012).

⁴⁵ See *id.*

⁴⁶ See *id.* at p. 2.



FIGURE 8.
A prisoner standing in the driest area of his recreation cage, surrounded by rock salt, ice, melted ice, and snow. A thick layer of snow and ice on the roof of his recreation cage prevented sunlight from entering the area where he was standing.

side, and some explicitly said they often forego recreation because the opportunities for exercise are so limited. One person said that the benefit of standing outside in a cage with little to do does not outweigh the trouble of trying to get on that day's recreation list.

RECOMMENDATION

- The Department should install basic exercise equipment in the recreation cages, such as dip bars, pull-up bars, or basketball hoops, or walls for handball.

Finding 6

If the vast majority of CPSU prisoners were encouraged to participate in recreation every day, the 32 outdoor cages would not meet the need year-round, and there are no indoor facilities for use during inclement weather.

Prisoners' access to recreation is not only limited by the availability of daylight and officers to escort and supervise them, space too is limited. There are 32 outdoor recreation cages at the CPSU, and only one prisoner is allowed per cage for the duration of his recreation hour. For much of the winter, it is mathematically impossible for all or even most CPSU prisoners to participate in recreation. On December 21, 2013, the shortest day of that year when there were 9.25 hours of daylight (7:17 AM to 4:32 PM),⁴⁷ the maximum number of prisoners who could spend a full hour in one of the 32 recreation cages was 288 – roughly a hundred fewer prisoners than the average daily CPSU population. It is important to note that this calculation assumes that recreation is available from sunrise through sunset and that all 32 cages are perpetually occupied – both of which are impossible under current staffing levels and security procedures. Although the shortage of outdoor cages is not the most pressing issue, as DOC changes policies and procedures in ways that make it possible and appealing for more prisoners to participate in recreation, the CPSU will eventually need more outdoor cages to meet the need year-round, although the precise number is unknown.

The calculation above also assumes that prisoners will want to go outside in the depths of winter, which many do not. The CPSU currently has no indoor recreational facilities to accommodate prisoners in inclement weather – extreme cold or heavy rain, despite the Minimum Standard requiring access to indoor recreation in inclement

⁴⁷ See *supra* note 34.



FIGURE 9.
A thick layer of snow and ice on the roof of the recreation cages and corridor prevented sunlight from entering the recreation cages.

weather.⁴⁸ During an unannounced visit to the CPSU on February 7, 2014, BOC staff observed a few prisoners in the outdoor recreation area at approximately 10 AM. The temperature was just 27 degrees, 17 degrees factoring in the wind chill. Staff noticed that each prisoner was wearing DOC-issued black canvas shoes and standing in what appeared to be the driest area of their cage, amid snow, ice, and areas where rock salt had melted the ice.⁴⁹ Very little or no sunlight penetrated the thick layer of snow and ice that had formed across the tops of the cages and in the corridors between cages. When we asked these prisoners why they had chosen to come outside on such a cold day, they said it was their only opportunity for fresh air and time out of their cell. Only seven prisoners went to recreation that day.

Even if many of the barriers to recreation are removed, there is the issue of space. There are only 32 recreation cages and no indoor recreation facilities available to the nearly 400 prisoners in CPSU

RECOMMENDATIONS

- DOC should closely track the use of outdoor recreation cages to ensure that supply meets demand.
- DOC should designate indoor recreational areas for use during inclement weather. Changes in the facility must be accompanied by clear policies and procedures that define under what specific weather conditions prisoners will have access to the indoor facilities and how prisoners will be escorted to and from these areas and supervised during indoor recreation.
- DOC should explore the possibility of providing congregate recreational opportunities to prisoners.

⁴⁸ See *supra* note 7 and accompanying text.

⁴⁹ Recreation officers informed Board staff that they had shoveled several inches of snow from eight of the 32 outdoor recreation cages and that they placed rock salt in those cages so that some cages so that prisoners could go to recreation that day.

Conclusion

Findings from the present study show that fewer than 1 in 10 prisoners confined in the CPSU participate in recreation on an average day and that a majority of CPSU inmates go for days at a time without access to the outdoors. While some prisoners are passing up the opportunity to participate in recreation – principally because there is virtually nothing to do outside other than stand around – many more prisoners never even have the opportunity to decide whether or not to go outside. The process corrections officers use to “sign up” prisoners for recreation in effect bypasses the majority of prisoners, and there are not enough designated recreation officers to escort and supervise the many prisoners who would opt to go outside if given the chance. If these barriers to recreation were removed and participating in recreation was more appealing, there would not be enough outdoor recreation cages for every interested prisoner. Finally, the CPSU has no indoor recreation facilities to offer prisoners during inclement weather.

The recommendations in this report provide at least a starting point for DOC to address these problems. In particular, DOC must require officers to make a clear and loud announcement prior to the start of the recreation period, to canvass each prisoner individually, and to improve the outdoor recreation areas through the addition of basic exercise equipment. These changes will begin to expand access to recreation. But to meet the Minimum Standards requiring that all prisoners have genuine access to an hour of outdoor recreation every day and indoors during inclement weather DOC will have to expand staff and facilities or reduce the number of prisoners in punitive segregation. In considering both the course of reform and the need for reform, DOC should keep in mind that this hour of recreation is not a mere pleasure for prisoners – in fact, the term “recreation” is somewhat misleading. For individuals who are otherwise confined alone in small, spare cells, this hour of fresh air and sunlight and exposure to other people is essential for their mental and physical health and essential to promoting safety within the facility.

Appendix A

Information on Survey Participants

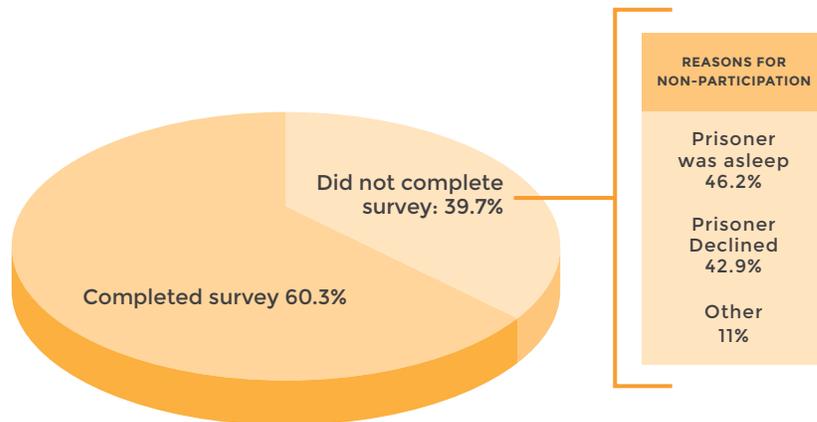


FIGURE 1.
Prisoner participation in CPSU recreation survey on Tuesday, December 3, 2013

SURVEY PARTICIPATION

On December 3, 2013, at the time of the survey 300 prisoners were present in the CPSU.¹ The majority of those inmates (60.3%) completed our survey,² 51 including 8 prisoners (4.4% of all respondents) who did so in Spanish. Among the nearly 4 out of 10 prisoners (39.7%) who did not participate in the survey, a little fewer than half of them (42.9%) actually declined; most of the others were asleep. See Figure 1.

DEMOGRAPHIC INFORMATION ON SURVEY PARTICIPANTS

CURRENT INCARCERATION STATUS The vast majority of survey respondents (81.2%) identified as detainees at the time of the survey, while 17.1% indicated that they had been sentenced and 1.7% did not answer this survey question. See Figure 2. These figures are relatively consistent with the make-up of the entire population of prisoners in DOC custody.

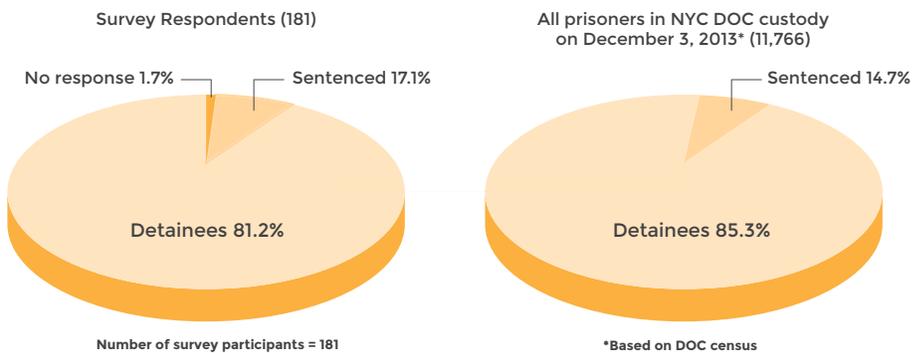


FIGURE 2.
Approximately 81.2% of survey participants indicated that they are detainees, which is relatively consistent with the corresponding figure among the entire prisoner population in DOC custody.

¹ The prisoner census at the time of the survey is different from the prisoner census according to DOC's "floor sheets" because the census was taken at different times of the day, and some prisoners were out at court or medical appointments at the time of the survey.

² BOC staff collected a total of 185 surveys from prisoners. After closer inspection, we dismissed four of the surveys because they were incomplete.

INCARCERATION EXPERIENCE

Three out of 4 survey respondents (75.7%) indicated they had been in jail before, and a sizeable majority (65.2%) indicated that they had been confined in the CPSU on a prior occasion. See *Table 1*.

	YES	NO	NO RESPONSE
Detainee	81.2% (n=147)	17.1% (n=31)	1.7% (n=3)
First time in jail	23.2% (n=42)	75.7% (n=137)	1.1% (n=2)
First time in CPSU	31.5% (n=57)	65.2% (n=118)	3.3% (n=6)

TABLE 1.
Demographic and current incarceration information for survey respondents in CPSU

AGE

Of the 179 survey respondents who provided their age, the youngest was 16 years old and the oldest two were 53 years old. The average, median, and modal ages among survey respondents were 24.9 years old, 23 years old, and 23 years old, respectively. Approximately 11.7% of respondents were between 16 and 18 years old, inclusive. Nearly 60.3% were between 16 and 24 years old, inclusive. Almost 80.0% were 29 years old or younger. See *Figure 3*.

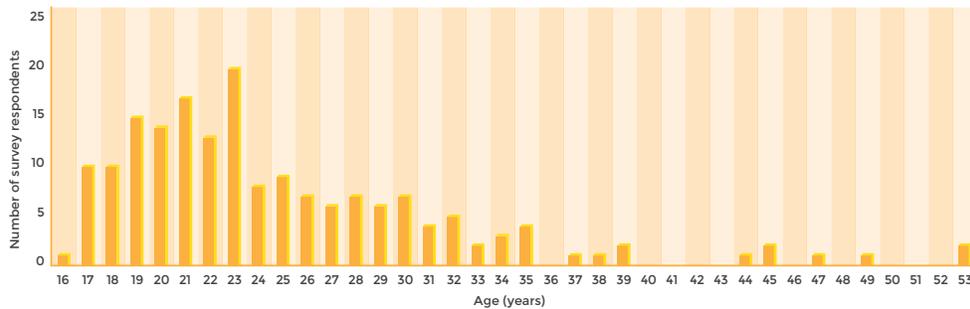


FIGURE 3.
A graph of the age distribution among survey respondents in CPSU

MENTAL HEALTH STATUS

A large number of survey respondents indicated that they have mental illness. Approximately 40.3% of survey respondents reported that they have been diagnosed with a mental illness, are receiving medication for a mental health problem, or both. Meanwhile, 44.2% reported that they have not been diagnosed with a mental illness and are receiving neither mental health therapy nor mental health medication. Nearly 12.2% indicated that they do not know if they have been diagnosed with a mental illness and that they are not receiving mental health treatment.

EXPERIENCE IN PUNITIVE SEGREGATION

A great majority of survey respondents (77.9%) indicated that they have already had their disciplinary hearings (i.e., “bing hearings”) as opposed to the 17.7% who said their hearing had not yet occurred. Similarly, a great majority of respondents (71.3%) knew how many days they had left in the CPSU – as opposed to 22.7% who did not know. Roughly half of all respondents (58.6%) indicated that they had attended their bing hearings, while nearly a third (32.6%) had not. Some respondents chose not to answer one or more of these questions.

See Table 2.

	YES	NO	NO RESPONSE
In Pre-Hearing Detention (PHD)	17.7% (n=32)	77.9% (n=141)	4.4% (n=8)
Attended bing hearing	58.6% (n=106)	32.6% (n=59)	8.8% (n=16)
Knew number of days left in bing sentence	71.3% (n=129)	22.7% (n=41)	6.1% (n=11)

TABLE 2.
Punitive Segregation Sentence Demographics Among Survey Respondents

Among the 91.7% of survey respondents who provided the number of days they have been in CPSU as of December 3, 2013, the average and median were 49.6 days and 28.5 days, respectively. Responses ranged from one day to 425 days. In addition, among the 71.3% of survey respondents who indicated that they knew how many days remained in their bing sentences, the average and median were 66.9 days and 28 days, respectively. The prisoners’ responses ranged from zero days to 774 days remaining in their bing sentences.

Survey respondents who reported that they are mentally ill were more likely to have spent more days in CPSU at the time of the survey: 59 days (median) compared with 29 days (median) among prisoners who did not identify as mentally ill, $p=0.028$. Respondents who identified as mentally ill were also more likely to have more days remaining in their bing sentence, 42 days (median) compared with 16 days (median), $p < 0.000$. These findings suggest that individuals with mental illness are more likely to receive longer bing sentences.

Appendix B

Survey Instrument (English)



THE CITY OF NEW YORK BOARD OF CORRECTION

Version date: November 27, 2013

CPSU RECREATION SURVEY

The **Board of Correction (BOC)** is the city agency that sets the minimum standards that the **Department of Correction (DOC)** must follow. We set standards about jail conditions and health and mental health care in jail. We also monitor DOC's compliance with our standards. In other words, we check to see that DOC follows our standards.

We at the Board of Correction are conducting this survey to learn more about your experience in punitive segregation, and to check if DOC is following our standards. Please help us do this by completing all 30 questions on this survey.

Your participation in this survey is optional, and we will not give you anything for participating in this survey. At the same time, we cannot and will not penalize you if you do not complete this survey.

We value your privacy. Your responses on this survey will be kept anonymous, and we will not share with anyone outside of the Board of Correction your responses to any of the questions in this survey. We estimate that it will take you around 15 to 20 minutes to complete this survey. We will come back to your cell in about 30 minutes to collect this survey. **Thank you very much for your time and cooperation.**

1 Did you go to recreation (rec) in CPSU on TUESDAY, DECEMBER 3rd - TODAY? (circle one)	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%; text-align: center;">YES</th> <th style="width: 25%; text-align: center;">NO</th> <th style="width: 25%; text-align: center;">I DON'T REMEMBER</th> <th style="width: 25%; text-align: center;">DOESN'T APPLY</th> </tr> </thead> <tbody> <tr> <td colspan="4" style="text-align: center; font-size: small;"> Circle DOESN'T APPLY if you weren't housed on CPSU on this day. If you circled NO, go to Question 2. If you circled YES, I DON'T REMEMBER, or DOESN'T APPLY, go to Question 5. </td> </tr> </tbody> </table>	YES	NO	I DON'T REMEMBER	DOESN'T APPLY	Circle DOESN'T APPLY if you weren't housed on CPSU on this day. If you circled NO, go to Question 2. If you circled YES, I DON'T REMEMBER, or DOESN'T APPLY, go to Question 5.			
YES	NO	I DON'T REMEMBER	DOESN'T APPLY						
Circle DOESN'T APPLY if you weren't housed on CPSU on this day. If you circled NO, go to Question 2. If you circled YES, I DON'T REMEMBER, or DOESN'T APPLY, go to Question 5.									
2 Did you sign up to go to recreation (rec) on this day? (circle one)	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%; text-align: center;">YES</th> <th style="width: 33%; text-align: center;">NO</th> <th style="width: 34%; text-align: center;">I DON'T REMEMBER</th> </tr> </thead> <tbody> <tr> <td colspan="3" style="text-align: right; font-size: small;"> If you circled NO, go to Question 3. If you circled YES, go to Question 4. </td> </tr> </tbody> </table>	YES	NO	I DON'T REMEMBER	If you circled NO, go to Question 3. If you circled YES, go to Question 4.				
YES	NO	I DON'T REMEMBER							
If you circled NO, go to Question 3. If you circled YES, go to Question 4.									
3 Why did you not sign up for recreation (rec) on this day? (circle one)	<ul style="list-style-type: none"> a. Conflict with inmate or inmates b. Conflict with DOC staff c. I had court d. I wanted to go to sick call instead e. I was tired and didn't feel like going out to rec f. I was sleeping, so I don't know if a C.O. stopped by to sign us up g. I was out on a visit h. I was at or waiting for my bing hearing i. Weather j. No one came by my cell to let me sign up for rec k. Other. Please explain: 								
4 Why did you not go outside for recreation (rec)? (circle one)	<ul style="list-style-type: none"> a. Conflict with inmate or inmates b. Conflict with DOC staff c. I was waiting for sick call when rec was called in my housing area d. I was out at sick call when rec was called in my housing area e. I was tired when rec was called in my housing area f. I was out on a visit when rec was called in my housing area g. I was at or waiting for my bing hearing when rec was called in my housing area h. Weather i. No one came to my cell to take me to rec j. Other. Please explain: 								
5 Did you go to recreation (rec) in CPSU on MONDAY, DECEMBER 2nd? (circle one)	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%; text-align: center;">YES</th> <th style="width: 25%; text-align: center;">NO</th> <th style="width: 25%; text-align: center;">I DON'T REMEMBER</th> <th style="width: 25%; text-align: center;">DOESN'T APPLY</th> </tr> </thead> <tbody> <tr> <td colspan="4" style="text-align: center; font-size: small;"> Circle DOESN'T APPLY if you weren't housed on CPSU on this day. If you circled NO, go to Question 6. If you circled YES, I DON'T REMEMBER, or DOESN'T APPLY, go to Question 9. </td> </tr> </tbody> </table>	YES	NO	I DON'T REMEMBER	DOESN'T APPLY	Circle DOESN'T APPLY if you weren't housed on CPSU on this day. If you circled NO, go to Question 6. If you circled YES, I DON'T REMEMBER, or DOESN'T APPLY, go to Question 9.			
YES	NO	I DON'T REMEMBER	DOESN'T APPLY						
Circle DOESN'T APPLY if you weren't housed on CPSU on this day. If you circled NO, go to Question 6. If you circled YES, I DON'T REMEMBER, or DOESN'T APPLY, go to Question 9.									
6 Did you sign up to go to recreation (rec) on this day? (circle one)	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%; text-align: center;">YES</th> <th style="width: 33%; text-align: center;">NO</th> <th style="width: 34%; text-align: center;">I DON'T REMEMBER</th> </tr> </thead> <tbody> <tr> <td colspan="3" style="text-align: right; font-size: small;"> If you circled NO, go to Question 7. If you circled YES, go to Question 8. </td> </tr> </tbody> </table>	YES	NO	I DON'T REMEMBER	If you circled NO, go to Question 7. If you circled YES, go to Question 8.				
YES	NO	I DON'T REMEMBER							
If you circled NO, go to Question 7. If you circled YES, go to Question 8.									
7 Why did you not sign up for recreation (rec) on this day? (circle one)	<ul style="list-style-type: none"> a. Conflict with inmate or inmates b. Conflict with DOC staff c. I had court d. I wanted to go to sick call instead e. I was tired and didn't feel like going out to rec f. I was sleeping, so I don't know if a C.O. stopped by to sign us up g. I was out on a visit h. I was at or waiting for my bing hearing i. Weather j. No one came by my cell to let me sign up for rec k. Other. Please explain: 								
8 Why did you not go outside for recreation (rec)? (circle one)	<ul style="list-style-type: none"> a. Conflict with inmate or inmates b. Conflict with DOC staff c. I was waiting for sick call when rec was called in my housing area d. I was out at sick call when rec was called in my housing area e. I was tired when rec was called in my housing area f. I was out on a visit when rec was called in my housing area g. I was at or waiting for my bing hearing when rec was called in my housing area h. Weather i. No one came to my cell to take me to rec j. Other. Please explain: 								

9 Did you go to recreation (rec) in CPSU on SUNDAY, DECEMBER 1st? (circle one)	YES	NO Circle DOESN'T APPLY if you weren't housed on CPSU on this day. If you circled NO, go to Question 10.	I DON'T REMEMBER If you circled YES, I DON'T REMEMBER, or DOESN'T APPLY, go to Question 13.	DOESN'T APPLY If you circled NO, go to Question 10. If you circled YES, go to Question 12.
10 Did you sign up to go to recreation (rec) on this day? (circle one)	YES	NO	I DON'T REMEMBER	If you circled NO, go to Question 11. If you circled YES, go to Question 12.
11 Why did you not sign up for recreation (rec) on this day? (circle one)	a. Conflict with inmate or inmates b. Conflict with DOC staff c. I had court d. I wanted to go to sick call instead e. I was tired and didn't feel like going out to rec f. I was sleeping, so I don't know if a C.O. stopped by to sign us up g. I was out on a visit h. I was at or waiting for my bing hearing i. Weather j. No one came by my cell to let me sign up for rec k. Other. Please explain:			
12 Why did you not go outside for recreation (rec)? (circle one)	a. Conflict with inmate or inmates b. Conflict with DOC staff c. I was waiting for sick call when rec was called in my housing area d. I was out at sick call when rec was called in my housing area e. I was tired when rec was called in my housing area f. I was out on a visit when rec was called in my housing area g. I was at or waiting for my bing hearing when rec was called in my housing area h. Weather i. No one came to my cell to take me to rec j. Other. Please explain:			
13 Did you go to recreation (rec) in CPSU on SATURDAY, NOVEMBER 30th? (circle one)	YES	NO Circle DOESN'T APPLY if you weren't housed on CPSU on this day. If you circled NO, go to Question 14.	I DON'T REMEMBER If you circled YES, I DON'T REMEMBER, or DOESN'T APPLY, go to Question 17.	DOESN'T APPLY If you circled NO, go to Question 14. If you circled YES, go to Question 16.
14 Did you sign up to go to recreation (rec) on this day? (circle one)	YES	NO	I DON'T REMEMBER	If you circled NO, go to Question 15. If you circled YES, go to Question 16.
15 Why did you not sign up for recreation (rec) on this day? (circle one)	a. Conflict with inmate or inmates b. Conflict with DOC staff c. I had court d. I wanted to go to sick call instead e. I was tired and didn't feel like going out to rec f. I was sleeping, so I don't know if a C.O. stopped by to sign us up g. I was out on a visit h. I was at or waiting for my bing hearing i. Weather j. No one came by my cell to let me sign up for rec k. Other. Please explain:			
16 Why did you not go outside for recreation (rec)? (circle one)	a. Conflict with inmate or inmates b. Conflict with DOC staff c. I was waiting for sick call when rec was called in my housing area d. I was out at sick call when rec was called in my housing area e. I was tired when rec was called in my housing area f. I was out on a visit when rec was called in my housing area g. I was at or waiting for my bing hearing when rec was called in my housing area h. Weather i. No one came to my cell to take me to rec j. Other. Please explain:			

17 Your age?	_____ years old		
18 Is this your first time in jail?	Yes	No	
19 Have you been sentenced on your criminal case?	Yes	No	
20 Are you taking a plea or waiting for trial on your criminal case?	Yes	No	
21 Is this your first time in punitive segregation? (It's also known as the box, bing, hole, or solitary confinement)	Yes	No	
22 Is this your first time in the Central Punitive Segregation Unit (CPSU)?	Yes	No	
23 Has Mental Health diagnosed you with a mental illness?	Yes	No	I don't know
24 Are you receiving mental health medication or treatment?	Yes	No	

The rest of the questions are about your CURRENT experience in CPSU.

25 Are you now in Pre-Hearing Detention (PHD) or "PHD'd"?	Yes	No If no, skip Question 26
26 How long have you been in PHD?	_____ days	
27 Did you have your bing hearing?	Yes	No
28 Did you go to your bing hearing? If no, please explain:	Yes	No
29 Including today, how long have you been in CPSU?	_____ days	
30 How many days do you have left in your bing sentence?	_____ days	

Appendix C

Survey Instrument (Spanish)



CIUDAD DE NUEVA YORK JUNTA DE CORRECCIÓN

Fecha de la versión: 2 de Diciembre de 2013

CPSU ENCUESTA SOBRE RECREACIÓN

The **Board of Correction** (BOC en inglés) o la Junta de Corrección es la agencia de la ciudad que establece las normas mínimas que el **Department of Correction** (DOC en inglés) o el Departamento de Corrección debe seguir. Establecemos las normas sobre salud, salud mental y condiciones en la cárcel. Además monitoreamos que DOC cumpla con nuestras normas. En otras palabras, hacemos una encuesta para asegurar que DOC siga estas normas.

La Junta de Corrección ha creado esta encuesta para aprender más sobre su experiencia en castigo por segregación, y inspeccionamos si DOC sigue nuestras normas. Usted puede ayudarnos completando las 30 preguntas de esta encuesta.

Su participación es opcional, y no recibirá nada por participar en esta encuesta. Al mismo tiempo, si no quiere completar esta encuesta no será penalizado.

Valoramos su privacidad. Su participación será anónima y no compartiremos con nadie fuera de la Junta de Corrección sus respuestas a las preguntas en esta encuesta. Estimamos que le tomará entre 15 y 20 minutos completar esta encuesta. Volveremos a su celda aproximadamente en 30 minutos a recoger esta encuesta. Muchas gracias por su tiempo y cooperación.

<p>1 ¿Fue a recreación (rec) en CPSU el MARTES, 3 de DICIEMBRE - HOY? (seleccione uno)</p>	<p>SÍ NO NO RECUERDO NO APLICABLE</p> <p>Seleccione NO APLICABLE si usted no estaba internado en CPSU ese día. Si usted ha seleccionado NO, vaya a la pregunta 2. Si usted ha seleccionado SÍ, NO RECUERDO, o NO APLICABLE, vaya a la pregunta 5.</p>
<p>2 ¿Se registró para ir a recreación (rec) ese día? (seleccione uno)</p>	<p>SÍ NO NO RECUERDO</p> <p>Si usted ha seleccionado NO, vaya a la pregunta 3. Si usted ha seleccionado SÍ, vaya a la pregunta 4.</p>
<p>3 ¿Por qué no se registró para ir a recreación (rec) ese día? (seleccione uno)</p>	<p>a. Conflicto con un recluso o varios reclusos b. Conflicto con un oficial de DOC c. Tenía que ir a la corte d. Preferiría ir a consulta médica e. Estaba cansado y no me sentía con ganas de ir a rec f. Estaba dormido, así que no se si el oficial de correcciones pasó para inscribirme g. Estaba con una visita h. Fui a mi audiencia de bing, o estaba esperando por ella i. Hace mal tiempo afuera j. Nadie vino a mi celda a que firmara para rec k. Otra razón. Por favor aclarar:</p>
<p>4 ¿Por qué no salió a recreación (rec)? (seleccione uno)</p>	<p>a. Conflicto con un recluso o varios reclusos b. Conflicto con un oficial de DOC c. Estaba esperando la visita médica cuando llamaron a rec d. Estaba en visita médica cuando llamaron a rec e. Estaba cansado cuando llamaron a rec f. Estaba con una visita cuando llamaron a rec g. Fui a mi audiencia de bing, o estaba esperando por ella cuando llamaron a rec h. Hace mal tiempo afuera i. Nadie vino a mi celda para llevarme a rec j. Otra razón. Por favor aclarar:</p>
<p>5 ¿Fue a recreación (rec) en CPSU el LUNES, 2 de DICIEMBRE? (seleccione uno)</p>	<p>SÍ NO NO RECUERDO NO APLICABLE</p> <p>Seleccione NO APLICABLE si usted no estaba internado en CPSU ese día. Si usted ha seleccionado NO, vaya a la pregunta 6. Si usted ha seleccionado SÍ, NO RECUERDO, o NO APLICABLE, vaya a la pregunta 9.</p>
<p>6 ¿Se registró para ir a recreación (rec) ese día? (seleccione uno)</p>	<p>SÍ NO NO RECUERDO</p> <p>Si usted ha seleccionado NO, vaya a la pregunta 7. Si usted ha seleccionado SÍ, vaya a la pregunta 8.</p>
<p>7 ¿Por qué no se registró para ir a recreación (rec) ese día? (seleccione uno)</p>	<p>a. Conflicto con un recluso o varios reclusos b. Conflicto con un oficial de DOC c. Estaba en la corte d. Preferiría ir a consulta médica e. Estaba cansado y no me sentía con ganas de ir a rec f. Estaba dormido, así que no se si el oficial de correcciones pasó para inscribirme g. Estaba con una visita h. Fui a mi audiencia de bing, o estaba esperando por ella i. Hace mal tiempo afuera j. Nadie vino a mi celda a que me registrara para rec k. Otra razón. Por favor aclarar:</p>
<p>8 ¿Por qué no salió a recreación (rec)? (seleccione uno)</p>	<p>a. Conflicto con un recluso o varios reclusos b. Conflicto con un oficial de DOC c. Estaba esperando la visita médica cuando llamaron a rec d. Estaba de visita médica cuando llamaron a rec e. Estaba cansado cuando llamaron a rec f. Estaba con una visita cuando llamaron a rec g. Fui o estaba esperando mi bing audiencia cuando llamaron a rec h. Hace mal tiempo afuera i. Nadie vino a mi celda para llevarme a rec j. Otra razón. Por favor aclarar:</p>

9	¿Fue a recreación (rec) en CPSU el DOMINGO, 1 de DICIEMBRE? (seleccione uno)	SÍ	NO	NO RECUERDO	NO APLICABLE
		Seleccione NO APLICABLE si usted no estaba internado en CPSU ese día. Si usted ha seleccionado NO , vaya a la pregunta 10. Si usted ha seleccionado SÍ, NO RECUERDO, o NO APLICABLE , vaya a la pregunta 13.			
10	¿Se registró para ir a recreación (rec) ese día? (seleccione uno)	SÍ	NO	NO RECUERDO	
		Si usted ha seleccionado NO , vaya a la pregunta 11. Si usted ha seleccionado SÍ , vaya a la pregunta 12.			
11	¿Por qué no se registró para ir a recreación (rec) ese día? (seleccione uno)	a. Conflicto con un recluso o varios reclusos b. Conflicto con un oficial de DOC c. Estaba en la corte d. Preferiría ir a consulta médica e. Estaba cansado y no me sentía con ganas de ir a rec f. Estaba dormido, así que no se si el oficial de correcciones pasó para inscribirme g. Estaba con una visita h. Fui a mi audiencia de bing, o estaba esperando por ella i. Hace mal tiempo afuera j. Nadie vino a mi celda a que me registrara para rec k. Otra razón. Por favor aclarar:			
12	¿Por qué no salió a recreación (rec)? (seleccione uno)	a. Conflicto con un recluso o varios reclusos b. Conflicto con un oficial de DOC c. Estaba esperando la visita médica cuando llamaron a rec d. Estaba de visita médica cuando llamaron a rec e. Estaba cansado cuando llamaron a rec f. Estaba con una visita cuando llamaron a rec g. Fui a mi audiencia de bing, o estaba esperando por ella cuando llamaron a rec h. Hace mal tiempo afuera i. Nadie vino a mi celda para llevarme a rec j. Otra razón. Por favor aclarar:			
13	¿Fue a recreación (rec) en CPSU el SÁBADO, 30 de NOVIEMBRE? (seleccione uno)	SÍ	NO	NO RECUERDO	NO APLICABLE
		Seleccione NO APLICABLE si usted no estaba internado en CPSU ese día. Si usted ha seleccionado NO , vaya a la pregunta 14. Si usted ha seleccionado SÍ, NO RECUERDO, o NO APLICABLE , vaya a la pregunta 17.			
14	¿Se registró para ir a recreación (rec) ese día? (seleccione uno)	SÍ	NO	NO RECUERDO	
		Si usted ha seleccionado NO , vaya a la pregunta 15. Si usted ha seleccionado SÍ , vaya a la pregunta 16.			
15	¿Por qué no se registró para recreación (rec) ese día? (seleccione uno)	a. Conflicto con un recluso o varios reclusos b. Conflicto con un oficial de DOC c. Estaba en la corte d. Preferiría ir a consulta médica e. Estaba cansado y no me sentía con ganas de ir a rec f. Estaba dormido, así que no se si el oficial de correcciones pasó para inscribirme g. Estaba con una visita h. Fui a mi audiencia de bing, o estaba esperando por ella i. Hace mal tiempo afuera j. Nadie vino a mi celda a que me registrara para rec k. Otra razón. Por favor aclarar:			
16	¿Por qué no salió a recreación (rec)? (seleccione uno)	a. Conflicto con un recluso o varios reclusos b. Conflicto con un oficial de DOC c. Estaba esperando la visita médica cuando llamaron a rec d. Estaba de visita médica cuando llamaron a rec e. Estaba cansado cuando llamaron a rec f. Estaba con una visita cuando llamaron a rec g. Fui a mi audiencia de bing, o estaba esperando por ella cuando llamaron a rec h. Hace mal tiempo afuera i. Nadie vino a mi celda para llevarme a rec j. Otra razón. Por favor aclarar:			
17	¿Cuál es su edad?	_____ años			
18	¿Es su primera vez en la cárcel?	SÍ			No
19	¿Ha sido sentenciado en su caso criminal?	SÍ			No
		Si respondió sí, no conteste la pregunta 20.			
20	¿Esta esperando declararse en un juicio o está esperando ser procesado en un caso criminal?	SÍ			No
21	¿Es su primera vez en castigo de segregación? (También conocido como el bing, la caja, el agujero o confinamiento en solitario)	SÍ			No
22	¿Es su primera vez en la Unidad Central de Castigo de Segregación (CPSU en Inglés)?	SÍ			No
23	¿El Departamento de Salud Mental le ha diagnosticado alguna enfermedad mental?	SÍ	No		No lo sé
24	¿Está recibiendo tratamiento o medicamento(s) para su salud mental?	SÍ			No
Las siguientes preguntas son sobre su ACTUAL experiencia en CPSU.					
25	¿Está usted en detención previa a su audiencia (PHD en Inglés) o "PHD'd"?	SÍ			No
		Si respondió no, no conteste la pregunta 26.			
26	¿Cuánto tiempo ha estado en PHD?	_____ días			
27	¿Ha tenido su audiencia de bing?	SÍ			No
28	¿Fue usted a su audiencia de bing? Si no, por favor explique la razón:	SÍ			No
29	Incluyendo hoy, ¿cuánto tiempo ha estado en CPSU?	_____ días			
30	¿Cuántos días le quedan de su condena en el bing?	_____ días			

Appendix D Interview Protocol

We randomly selected a number of cells in CPSU using a random number generator. To ensure that no CPSU housing area was overrepresented in the sample, we grouped selected cells by housing area.

Starting with the first cell on the list, Board staff approached the prisoner assigned to that cell, identified themselves, and asked if he would speak with them outside of his cell. Six of the seven prisoners Board staff approached agreed to speak with staff outside of their cells.

The six prisoners were escorted by DOC staff from their cells to the dayrooms, where Board staff conducted the interviews. Board staff ensured that the interviews took place outside of hearing range from DOC staff and other prisoners. Only two Board staff and the prisoner were present in the room during each of the six interviews.

The prisoners spoke at length about their experience in CPSU and recreation, described the recreation process, and explained their perceptions of the impediments to accessing recreation. They also suggested changes that may help improve their overall access recreation while in CPSU.