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BOARD OF CORRECTION
CITY OF NEW YORK
1 CENTRE STREET, RM 2213
NEW YORK, NY 10007
212 669-7900 (Office)
212 669-7980 (Fax)

Martha King
Executive Director

Record of Variance Action

On December 16, 2015, the NYC Board of Correction voted to APPROVE the Department of Correction's request for a limited variance from BOC Minimum Standard §1-02(c)(1), which requires inmates age 18 through 21 be housed separate and apart from inmates over the age of 21.

This variance allows the Department a short extension of time, commencing December 31, 2015 and ending January 12, 2016, to house inmates ages 18-21 separately and apart from inmates over the age of 21.

Type of Variance: Limited

Date on which variance will commence: December 31, 2015

Time period, if any: ending January 12, 2016

Minimum Standard for which Variance is Granted: 1-02(c)(1)

Date on which Board of Correction first approved variance (for renewals only):
September 8, 2015

Requirements imposed as conditions on variance:

1. The Department of Correction shall not transfer any inmate ages 18 through 21 ("Young Adult Inmate") into North Infirmary Command or West Facility or equally restrictive housing other than Punitive Segregation and Enhanced Supervision Housing. Transfers into Punitive Segregation and Enhanced Supervision Housing shall be in full compliance with BOC minimum standards and due process.
2. By January 7, 2016, The Department shall provide the Board with an operational plan that shall include, but not be limited to: (a) a description of the physical layout of all housing for Young Adult Inmates, including photographs of cells, day rooms, recreation areas, classrooms and other program space; (b) the nature of Inmates' access to outdoor and indoor recreation, law library, classrooms, medical and mental

health services, religious services, and programmatic services, (c) restrictions to be imposed on individual Inmates, including visiting; and (d) programmatic services for Inmates.

3. The Department shall submit their Young Adult Plan to the Board by January 7, 2016. The Plan shall include, but not be limited to, a detailed description and discussion of secure housing alternatives to punitive segregation for Inmates.
4. The Department shall discontinue its practice of housing high classification 18-year old inmates with low classification 18-year old inmates in RNDC pending the inmates' transfer to GMDC.