



NEW YORK CITY DEPARTMENT OF CORRECTION  
Cynthia Brann, Commissioner

Office of the Commissioner  
75-20 Astoria Blvd., Suite 305  
East Elmhurst, NY 11370

718 • 546 • 0890  
Fax 718 • 278 • 6022

January 2, 2019

Derrick D. Cephas, Chair  
NYC Board of Correction  
1 Centre Street, Room 2213  
New York, NY 10007

Re: Limited One Month (1) Month Variance Renewal Request to Board of Correction Minimum Standards Section 1-02 Regarding Co-mingling Young Adults (19-21 years old) with Adults (22 years old and older)

Dear Chair Cephas:

Pursuant to §1-15(f) of the New York City Board of Correction's ("Board") Minimum Standards, the New York City Department of Correction ("Department") writes to request a one month limited variance renewal from BOC Minimum Standards, §1-02(c)(1) which as of January 8, 2019<sup>1</sup> requires inmates ages 18 through 21 be housed separate and apart from inmates over the age of 21. While the scope of the Board's Minimum Standards §1-02(c)(1) is applicable to young adults ages 18 to 21 inclusive, the Department is seeking that this variance apply only for young adults ages 19 to 21 years old. This renewal would take effect on January 8, 2019, the date upon which the current variance is set to expire.

Over the years since the Department's initial request for limited variance on the Minimum Standard §1-02(c)(1), a multitude of lessons have been drawn and applied in the continuing process to meet full compliance. That being said, a myriad of factors must be taken into account with the utmost weight placed on providing a safe and nurturing environment for the Department's young adult population while providing the officers, counselors, and specialists in these facilities a secure and comprehensive work setting. Given how the endeavor to implement a complete division of young adult inmates from adult inmates is the first of its kind within the City, there are certain aspects that must be first addressed through tested strategies that take seriously the well-being of both the inmates and Department staff.

In the November 2018 Young Adult Housing Monthly Progress Report, there was an overall increase of 15 young adults in young adult-only Housing Areas and an overall decrease of 33 in young adults in Co-mingled House Areas from October 2018. From September 2018 to October 2018 in the same monthly report, the number of young adults in young adult-only housing areas had an overall increase of 32 and the number of young adults in co-mingled housing areas had an overall decrease of 42. As of December 21, 2018, there were a total of 622 young adults in the total population. 363 young adults, which constitute 58 percent, are housed in young adult-only units while 259 young adults, which constitute 42 percent, are housed in co-mingled units.

---

<sup>1</sup> Based on variances granted by the Board on September 8, 2015, December 16, 2015, January 12, 2016, July 12, 2016, January 10, 2017, July 11, 2017, January 9, 2018, July 10, 2018, and October 15, 2018 extending the October 15, 2015 deadline for the housing of inmates ages 19 to 21 separately and apart from inmates over the age of 21.

While there have been success stories of young adult housing areas such as the Success House, not every young adult in the Department's care will find it as beneficial. Through past efforts to eliminate co-mingling of young adults with adults, the Department experienced a notable increase in violence as demonstrated during the events of June 2016, when over 700 young adults, including high-risk young adults, were transferred to George Motchan Detention Center (GMDC). Higher incidents of violence among young adults is not a mere premonition, but a known consequence of the initiative to eliminate co-mingling of young adults with adults in housing units. Lower proportions of young adults with respect to overall house count demonstrated decreased occurrences of Uses of Force and fights, compared to houses with higher proportions of young adults, especially when compared to houses with all young adults. In addition, there have been noticeable decreases in incidents involving young adults (18 to 21 year olds) throughout the Department. From CY15 to CY18, young adult-involved assaults on staff with major injuries are down 35 percent and young adult-involved assaults on staff with minor injuries are down by 48 percent.

Maintaining a combination of both co-mingled and pure young adult housing units ensures that a majority of the unique needs of detainees and inmates are met through an ever-changing and growing array of targeted programs and services led by experienced and knowledgeable instructors. Throughout October, November, and December of 2018, the Department trained 46 members of staff on Supportive Structured Houses and 15 members of staff on Dialectical Behavior Therapy. The former program focuses on directives, required documentation, and daily operations of Second Chance House, Transitional Restorative Unit, Secure and Enhanced Supervision Housing. In addition to those focuses, other subject areas include human development, a social psychological approach to violence, the understanding of mental illness in the young adult population, trauma and its impact on young adults, vicarious trauma, behavior changes, crisis intervention, and resilience. While the latter program consists of a cognitive behavioral treatment focusing on mindfulness, interpersonal skills, distress tolerance, and emotion regulation. Those trained in the sessions include members of staff assigned to work in Enhanced Supervision Housing.

Furthermore, the Department enacted an additional path forward for young adults to explore potential educational opportunities. The Educational Services unit assigned an Education Specialist to a new admissions house at the Robert N. Davoren Center (RNDC) to encourage young adults to opt for educational services. Currently, only 18 year old young adults are admitted to RNDC. Those aged 19-21 year old are admitted to general intake facilities. As it stands, those inmates admitted outside of RNDC are engaged by program coordinators to determine if the young adult requests Department of Education (DOE) services. If they do express a desire we prioritize the transfer into RNDC or GRVC where the Department has a DOE operation. The Education Specialist at RNDC reports to the housing area three times a week. The addition of the Education Specialist is one component of the Department's multi-platform communication-based strategies to engage young adults in education services, particularly those who did not initially express an interest in education during the intake process. The Department provides the Department of Education staff with consistent escorts in order for them to meet young adults and encourage their enrollment in school. The staff assigned to the Youthful Offender Programming are provided with a refresher on educational services and meet regularly with young adults to encourage attendance in school.

The Department's Programs & Community Partnerships unit along with the Information Technology unit and the Deputy Commissioner of Public Information are developing a strategy for the implementation and distribution of programming menus to the population at RNDC during intake. The strategy is set to begin first with the intake process before being widely implemented among the rest of RNDC's population. As of January 3, 2019, all young adults (18 to 21 year olds) that are newly-admitted to the Department are processed through RNDC, thereby providing more direct and immediate interaction with young adult specialists. Moreover, the Department is crafting a business assessment and proposal to potentially procure a risk and needs assessment for the young adult population.

Over the Summer of 2018, the Department identified nine Program Counselors out of which, at this time, five are onboard to begin working with the remaining three awaiting approval from the Office of Management and Budget. The five Program Counselors are experienced in working with individuals involved in criminal justice and each are assigned to two housing areas. A sixth Program Counselor is currently undergoing training and is set to be assigned early January.

Continual refinement and creation of programs allows the Department to meet the needs of the population, reduces idle times, and promotes successful re-entry of those in our care into the community upon discharge. Five (5) newly renovated off-housing units' exterior recreation yards are being finalized, which permit approximately 21 housing units with direct access to these newly-created recreation space. Additionally, the FUTURE programming centers in RNDC are on schedule for February 2019, which will add to programming space, auto repair, hard skills, audio visual recording studios, driving simulators, art therapy among other improvements. In order to maintain this wide range of programs and services, the appropriate members of staff must be allowed time to acclimate to their work environment in addition to the young adult participants. However, such programs and services can only be initiated and taught effectively if conducted within secure and safe facilities brought on by balanced custody management. The programs and services touched upon in this letter serve as but a sliver into the continual progress the Department has achieved for young adult detainees and inmates. Preserving housing units of pure young adults, co-mingled, and pure adults is the foundational stage upon which other elements of providing valuable programming for re-entry to the population are built.

The Department appreciates the Board's consideration of a one month limited variance renewal, which would allow for the co-mingling of young adults (19 to 21 years old) with adults (22 years old and older). We look forward to continuing to work together to ensure the successful management of the Department's young adult population and to achieve compliance through future rulemaking.

Sincerely,



Cynthia Brann

cc: Martha King, Executive Director