



NEW YORK CITY DEPARTMENT OF CORRECTION
Cynthia Brann, Commissioner

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

718 o 546 o 0708
Fax 718 o 278 o 6022

July 7, 2020

Jennifer Jones Austin, Chair
NYC Board of Correction
1 Centre Street, Room 2213
New York, NY 10007

RE: Limited One (1) Month Variance Renewal Request to Board of Correction Minimum Standards Section 1-02 Regarding Commingling Young Adults (19-21 Years Old) with Adults (22 Years Old and Older)

Dear Chair Jones Austin,

Pursuant to §1-15(f) of the New York City Board of Correction (“Board”) Minimum Standards, the New York City Department of Correction (“Department”) requests a one (1) month limited variance renewal from Board Minimum Standards, §1-02(c)(1), which requires individuals in custody ages 18 through 21 to be housed separate and apart from individuals 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 years-old, the Department seeks for this variance request to apply only for young adults ages 19 to 21 years-old. The Department requests this renewal to take effect August 13, 2020, the date upon which the current variance is set to expire, in order to have a full and meaningful discussion during the September 2020 Public Meeting.

As discussed in previous public meetings, the Department has pledged to house as many young adults in young-adult-only housing as is safe. Per the June 2020 Young Adult Monthly Progress Report, there was a total of 231 young adults in young-adult-only housing and a total of 127 young adults in a commingled setting.¹ Despite a changing population and a robust COVID-19 response, the Department’s housing record demonstrates a continued commitment to age-appropriate housing practices.

The Department’s approach to the management of the young adult population ensures that appropriate housing placements, be it in a commingled or young-adult-only setting, are made on an individualized basis with consideration for each young adult’s specific needs. The young adults in Department custody are not a monolithic cohort in regard to their services, education, programming, and housing needs. It cannot be said that one type of housing environment is best for all young adults. The selective commingling of young adults is an important tool that clearly supports the safety and wellbeing of all those in DOC custody and staff alike.

¹ Per the report, 65% of the Department’s young adult population was housed in young-adult-only housing.

The Department appreciates the Board's consideration of this one (1) month limited variance renewal request, which would allow for the commingling of young adults (19-21 years-old) with adults (22 year-olds and older) until a more substantive discussion on the variance request can take place in September. The Department additionally appreciates the Board's consideration of a similar provision in future rulemaking. We are committed, in our partnership with the Board, to ensuring a safe and successful management approach for all young adults in Department custody.

Sincerely,

A handwritten signature in blue ink that reads "Cynthia Brann". The signature is written in a cursive, flowing style.

Cynthia Brann

cc: Margaret Egan, Executive Director