



NEW YORK CITY DEPARTMENT OF CORRECTION  
Joseph Ponte, Commissioner

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

718 • 546 • 0890  
Fax 718 • 278 • 6022

October 28, 2015

Stanley Brezenoff, Chair  
NYC Board of Correction  
51 Chambers Street, Room 923  
New York, NY 10007

Dear Mr. Brezenoff:

This letter is written to request continuing variances, pursuant to §1-15(b)(2)(i) of the New York City Board of Correction's ("Board") minimum standards, for the minimum standards as detailed below. Over the past several years, the Department has consistently requested and been granted the above variances for a limited period of time. The NYC Department of Correction ("Department") has recognized that despite our best efforts, due to the unique circumstances, outlined below, full compliance can not be achieved in the foreseeable future.

**BOC Minimum Standard 1-02, Classification of Prisoners (Commingling special category adolescent City-sentenced and detainee inmates at RNDC)**

This variance enables the Department to house high classification City-sentenced adolescents in cells in RNDC. EMTC, where most male City-sentenced inmates are housed, has a limited number of cell housing areas; it does not have the cell housing capacity to accommodate all City-sentenced adolescents whose classification requires cell housing. The variance provides the Department with the flexibility to use RNDC, a detainee facility with a large number of cell housing areas, for the housing of City-sentenced adolescent inmates in need of cell housing, based on their classification.

**BOC Minimum Standard 1-02, Classification of Prisoners (Commingling City-sentenced and detainee pregnant inmates at RMSC)**

This variance facilitates medical monitoring of these inmates and reduces their exposure to the rest of the RMSC population, and specifically avoids exposure to seasonal and pandemic influenzas that may be prevalent in the general population. Additionally, the separation is an effective infection control measure for outbreaks such as chicken pox, measles, etc. The Department believes that the renewed commingling of detainee and sentenced inmates who are pregnant is a prudent and necessary measure.

**BOC Minimum Standard 1-03, Personal Hygiene (Suicide Smocks and Suicide Resistant Bedding)**

This variance enables the Department to have suicide watch inmates wear specially designed clothing, and use special bedding materials, which reduce the risk of inmate suicide. The clothing and bedding are tear resistant and difficult to manipulate, preventing suicide watch inmates from creating nooses to use to commit suicide. These suicide resistant articles are commonly used for suicide watch inmates in jails and prisons in the United States.

**BOC Minimum Standard 1-06, Recreation (Limited recreation for inmates in the Communicable Disease Units at the West Facility)**

This variance enables the Department to provide meaningful indoor recreation activities, for inmates unable to participate in outdoor recreation for medical reasons.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph Ponte".

Joseph Ponte  
Commissioner

cc: Martha King, Executive Director