

NYC Department of Correction

Variance Conditions (1-16(c)(1)(ii)) – Young Adult Enhanced Supervision Housing (ESH) and

Variance Conditions (1-05(b) and 1-08(f)) – Secure

September Monthly Report (Covering the period of August 1 – August 31, 2020)

- a. For each placement, the date of entry, the criteria met for placement, the dates of specific incidents used to justify placement and the associated incident type, the placement level, the housing category in which the inmate was housed prior to placement (e.g., GP, SCH, TRU, ESH, REST, APU), the result of his adjudication, and whether individual had previously been housed in Secure, ESH, TRU, and/or SCH.

**ESH**

Entry Date	Placement Criteria	Incident Date(S) And Type(S)	Placement Level	Previous Housing Category	Adjudication Result	Previous Placement in Secure, ESH, TRU, SCH
08/26/2020	Assault on Staff, serious or persistent violence	01/09/2020- Assault on Staff 10/21/2019- Assault on Staff 10/14/2019- Assault on Staff 09/04/2019- Assault on Staff	Level 2	GP	Level 2	ESH

**Secure**

Entry Date	Placement Criteria	Incident Date(s) and Type(s)	Placement Phase	Previous Housing Category	Adjudication Result	Previous Placement in Secure, ESH, TRU, SCH
08/18/2020	Assault on Staff	07/24/2020- Assault on Staff 05/29/2020- Assault on Staff 04/08/2020- Destruction of DOC property 03/30/2020- Possession of a dangerous article 02/18/2020- Assault on Staff	Phase 1	GP	Phase 1	TRU

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		01/21/2020- Assault on Staff				
08/06/2020	Assault on Inmate, slashing stabbing	08/04/2020- Assault with a weapon	Phase 1	SCH	Phase 1	Secure, ESH, TRU, SCH
08/03/2020	Assault on Staff, possession of a dangerous article	07/31/2020- Assault on Staff 07/31/2020- Possession of a dangerous article	Phase 1	GP	Phase 1	SCH, TRU, Secure
08/06/2020	Assault on Inmate, assault on Staff, possession of a dangerous article	07/29/20- Assault on Staff 07/29/20- Possession of a dangerous article 07/16/20- Assault on Inmate	Phase 1	GP	Phase 1	SCH, TRU, Secure
08/19/2020	Assault on Inmate	08/15/2020- Assault on Inmate	Phase 1	New Admission Housing	Phase 1	N/A
08/05/2020	Assault on Inmate, assault on Staff	07/20/2020- Assault on Inmate 07/09/2020- Assault on Staff 07/02/2020- Assault on Staff	Phase 1	PSEG <sup>1</sup>	Phase 1	N/A

<sup>1</sup> This young adult's securing order indicated that he was 22 years old upon admission. As a result, following an assault, he was placed in Punitive Segregation. Subsequently, a superseding securing order was generated indicating the age of 21. Consequently, the young adult was removed and placed in the Secure Unit.

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- b. For each release, the date of release, the reason for release, the total number of days spent in the restrictive housing area (ESH or Secure), and the housing category (and phase/level, if applicable) in which the inmate was housed prior to and upon release**

**ESH**

Release Date	Release Reason	Total Days in ESH	ESH Level Prior to Release	Housing Category After Release
08/04/2020	Satisfied the requirements of ESH	57	Level 3	GP
08/07/2020	Satisfied the requirements of ESH	60	Level 3	GP
08/31/2020	Satisfied the requirements of ESH	64	Level 2	GP
08/28/2020	Satisfied the requirements of ESH	113	Level 3	GP
08/28/2020	Satisfied the requirements of ESH	113	Level 3	GP
08/21/2020	Moved for security/health reasons	63	Level 2	GP

**Secure**

Release Date	Release Reason	Total Days in Secure	Secure Phase Prior to Release	Housing Category After Release
08/06/2020	Discharged from DOC Custody	77	Phase 3	N/A
08/24/2020	Completed All 3 Phases	56	Phase 3	GP
08/24/2020	Transferred to another unit for security/health reasons	7	Phase 1	CDU
08/19/2020	Other	61	Phase 3	GP
08/12/2020	Completed All 3 Phases	64	Phase 3	GP
08/04/2020	Completed All 3 Phases	64	Phase 3	GP

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Release Date	Release Reason	Total Days in Secure	Secure Phase Prior to Release	Housing Category After Release
08/30/2020	Other	56	Phase 3	GP
08/24/2020	Completed All 3 Phases	71	Phase 3	GP
08/03/2020	Completed All 3 Phases	118	Phase 3	GP
08/14/2020	Completed All 3 Phases	92	Phase 3	GP
08/14/2020	Completed All 3 Phases	85	Phase 3	GP
08/03/2020	Completed All 3 Phases	78	Phase 3	GP
08/18/2020	Discharged from DOC Custody	50	Phase 3	N/A

- c. For each movement between phases/levels, the date of movement, the phase/level prior to movement, the phase/level to which the individual moved, and the reason for movement.

**ESH**

Date of Movement	Level Prior to Movement	Level After Movement	Reason for Movement
08/07/2020	Level 2	Level 3	Review Recommendation
08/18/2020	Level 1	Level 2	Review Recommendation
08/07/2020	Level 2	Level 3	Review Recommendation
08/18/2020	Level 2	Level 1	Slashing
08/20/2020	Level 1	Level 2	Review Recommendation
08/31/2020	Level 2	Level 3	Review Recommendation

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**SECURE**

Date of Movement	Phase Prior to Movement	Phase After Movement	Reason for Movement
08/19/2020	Phase 1	Phase 2	Review Recommendation
08/26/2020	Phase 2	Phase 3	Review Recommendation
08/12/2020	Phase 2	Phase 3	Review Recommendation
08/26/2020	Phase 1	Phase 2	Review Recommendation
08/12/2020	Phase 1	Phase 2	Review Recommendation
08/19/2020	Phase 2	Phase 3	Review Recommendation
08/12/2020	Phase 2	Phase 3	Review Recommendation
08/02/2020	Phase 1	Phase 2	Review Recommendation
08/16/2020	Phase 2	Phase 3	Review Recommendation
08/05/2020	Phase 2	Phase 3	Review Recommendation
08/12/2020	Phase 2	Phase 3	Review Recommendation
08/12/2020	Phase 2	Phase 3	Review Recommendation
08/19/2020	Phase 2	Phase 3	Review Recommendation
08/19/2020	Phase 1	Phase 2	Review Recommendation

**d. Average Daily Population in each phase/level and overall.**

**ESH**

Level 1	Level 2	Level 3	Overall
1.38	5.67	1.88	8.92

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**SECURE**

Phase 1	Phase 2	Phase 3	Overall
5.48	3.65	6.52	15.65

e. The number of young adults in each phase/level as of the 1<sup>st</sup> day of the month following the reporting period.

**ESH**

Level 1	Level 2	Level 3
1	7	1

**SECURE**

Phase 1	Phase 2	Phase 3
4	2	5

f. The total number of people entering ESH or Secure Unit to-date and the total number of entries to date.

	Total People Entered To-Date	Total Entries To-Date
<b>ESH</b>	334	393
<b>Secure</b>	196	271

g. The minimum, maximum, median, and average length of stay in each phase/level and overall and in each phase/level and overall by release reason, and the time in-program minimum, maximum median, and average on the last day of each month overall and by phase/ level; phase/ level;

Length of Stay in ESH <sup>2</sup> (days; N=381)						
	ESH Entry	Level 1	Level 2	Level 3	Non-Level ESH <sup>3</sup>	Overall
<b>Average</b>	33	54	55	25	35	84
<b>Median</b>	30	29	41	22	32	58
<b>Minimum</b>	2	0	0	0	1	1
<b>Maximum</b>	135	326	408	111	105	472

<sup>2</sup> Lengths of stay are calculated by averaging individual Young Adults' accumulated time in each level, regardless of the chronological progression of the Young Adult through various levels. Records are only included for Young Adults who have been released from ESH or Secure.

<sup>3</sup> This category refers to ESH before the level system was implemented.

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Overall Length of Stay in ESH by Release Reason <sup>4</sup> (days; N=113)						
	Not recommended by adjudication	Discharged or transferred from DOC custody	Moved for security/health reasons	Satisfied the requirements of ESH	Regressed to Phase 1, Re-adjudicated	Moved to Less Restrictive Unit
<b>Average</b>	-	61.57	50.60	71.44	59.00	35.67
<b>Median</b>	-	30.00	63.00	63.00	60.00	31.00
<b>Minimum</b>	-	3.00	6.00	15.00	27.00	3.00
<b>Maximum</b>	-	472.00	84.00	247.00	90.00	131.00

ESH Time in Program <sup>5</sup> (days) (N=9)				
	Level 1	Level 2	Level 3	Overall
<b>Average</b>	39.13	53.44	1.67	88.78
<b>Median</b>	39.50	36.00	1.00	83.00
<b>Minimum</b>	27.00	6.00	1.00	6.00
<b>Maximum</b>	57.00	101.00	3.00	149.00

Length of Stay in Secure (days; N=232) <sup>6</sup>				
	Phase 1	Phase 2	Phase 3	Overall
<b>Average</b>	35.55	22.19	28.82	65.38
<b>Median</b>	28.00	14.00	23.00	58.50
<b>Minimum</b>	1.00	1.00	2.00	1.00
<b>Maximum</b>	229.00	112.00	134.00	301.00

<sup>4</sup> Length of stay in ESH by release reason is calculated for all those discharged on or after 10/01/2019. Those included in the calculation are individuals who were age 18-21 upon entry into ESH.

<sup>5</sup> Time in Program is calculated for all individuals who were 18-21 at the time of their placement in ESH and who were still in ESH on 09/01/2020.

<sup>6</sup> The N value represents all Secure Unit young adult records that were used in any of the LOS calculations.

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Overall Length of Stay in Secure by Release Reason <sup>7</sup> (days; N=232)						
	Completed All 3 Phases	Transferred to Another Unit for Security/Health	Discharged from DOC Custody	Completed Program –Step down from ESH	Other <sup>8</sup>	Adjudication Determination
<b>Average</b>	86.87	35.96	55.94	31.00	50.50	22.67
<b>Median</b>	77.00	22.00	42.00	28.00	36.00	9.00
<b>Minimum</b>	19.00	1.00	2.00	9.00	2.00	6.00
<b>Maximum</b>	234.00	183.00	301.00	75.00	139.00	94.00

Secure Time in Program <sup>9</sup> (days) (N=11)				
	Phase 1	Phase 2	Phase 3	Overall
<b>Average</b>	29.27	16.71	29.80	53.45
<b>Median</b>	30.00	14.00	27.00	49.00
<b>Minimum</b>	13.00	7.00	18.00	13.00
<b>Maximum</b>	41.00	33.00	44.00	106.00

**h. The number of Young Adults who met the criteria for a 28-day review (Secure) and 7-day (ESH) and 21-day review (ESH).**

28-day Review (Secure)	7-day Review (ESH)	21-day Review (ESH)
19	3	9

**i. The number of young adults who received such a review.**

28-day Review (Secure)	7-day Review (ESH)	21-day Review (ESH)
18	3	9

**28-Day Reviews:** One (1) young adult was discharged from DOC custody prior to their scheduled monthly review.

**7-Day Reviews:** All young adults received their scheduled review during the month of August.

**21-Day Reviews:** All young adults received their scheduled review during the month of August.

<sup>7</sup> Length of stay by release reason for Secure is calculated for all those released from Secure since its opening. The entry dates of the first individuals included was 06/30/2016.

<sup>8</sup> This column represents all those who were released from Secure who do not fall into the other categories (i.e. temporarily transferred from DOC facility, aging out, inmate was sentenced and sent to another program within another facility).

<sup>9</sup> Time in Program is calculated for all individuals who were still in Secure on 09/01/2020.



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- j. For each review, the individual’s, review date, level at the time of review, the level or housing type recommended, the resulting placement, resulting placement date, and days from review recommendation to resulting placement. If the Young Adult did not progress or regress in their placement, which exception was used to justify? If the Young Adult was not recommended to progress or regress in their placement, or if they were not moved following their recommendation reason for lack of movement.

**28-DAY REVIEW RECOMMENDATIONS**

Review Date	Secure Phase at Time of Review	Secure Phase Recommended	Resulting Placement	Resulting Placement Date	Days from Review Rec. to Resulting Placement	If no phase regression or progression, why?
08/05/2020	Phase 1	Phase 1	Phase 1	08/05/2020	0	Violent, aggressive behavior
08/19/2020	Phase 1	Phase 2	Phase 2	08/19/2020	0	N/A
08/26/2020	Phase 2	Phase 3	Phase 3	08/26/2020	0	N/A
08/12/2020	Phase 2	Phase 3	Phase 3	08/12/2020	0	N/A
08/24/2020	Phase 3	GP	GP	08/24/2020	0	N/A
08/19/2020	Phase 1	Phase 1	Phase 1	08/19/2020	0	Violent aggressive behavior
08/26/2020	Phase 1	Phase 2	Phase 2	08/26/2020	0	N/A
08/06/2020	Phase 1	Phase 1	Phase 1	08/06/2020	0	Violent aggressive behavior
08/12/2020	Phase 1	Phase 2	Phase 2	08/12/2020	0	N/A
08/19/2020	Phase 2	Phase 3	Phase 3	08/19/2020	0	N/A
08/12/2020	Phase 2	Phase 3	Phase 3	08/12/2020	0	N/A

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Review Date	Secure Phase at Time of Review	Secure Phase Recommended	Resulting Placement	Resulting Placement Date	Days from Review Rec. to Resulting Placement	If no phase regression or progression, why?
08/10/2020	Phase 3	GP	GP	08/12/2020	2	N/A
08/03/2020	Phase 3	GP	GP	08/04/2020	1	N/A
08/02/2020	Phase 1	Phase 2	Phase 2	08/02/2020	0	N/A
08/16/2020	Phase 2	Phase 3	Phase 3	08/16/2020	0	N/A
08/30/2020	Phase 3	GP	GP	08/30/2020	0	N/A
08/03/2020	Phase 2	Phase 3	Phase 3	08/05/2020	2	N/A
08/24/2020	Phase 3	GP	GP	08/24/2020	0	N/A
08/03/2020	Phase 3	GP	GP	08/03/2020	0	N/A
08/13/2020	Phase 3	GP	GP	08/14/2020	1	N/A
08/12/2020	Phase 2	Phase 3	Phase 3	08/12/2020	0	N/A
08/14/2020	Phase 3	GP	GP	08/14/2020	0	N/A
08/03/2020	Phase 3	GP	GP	08/03/2020	0	N/A
08/12/2020	Phase 2	Phase 3	Phase 3	08/12/2020	0	N/A
08/19/2020	Phase 2	Phase 3	Phase 3	08/19/2020	0	N/A
08/19/2020	Phase 1	Phase 2	Phase 2	08/19/2020	0	N/A

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**7-DAY REVIEW RECOMMENDATIONS**

Review Date	ESH Level at Time of Review	ESH Level Recommended	Resulting Placement	Resulting Placement Date	Days from Review Rec. To Resulting Placement	If No Level progression, Why?
08/18/2020	Level 1	Level 2	Level 2	08/18/2020	0	N/A
08/25/2020	Level 1	Level 1	Level 1	08/25/2020	0	Credible Intelligence, violent aggressive behavior
08/20/2020	Level 1	Level 2	Level 2	08/20/2020	0	N/A

**21-DAY REVIEW RECOMMENDATIONS**

Review Date	ESH Level at Time of Review	ESH Level Recommended	Resulting Placement	Resulting Placement Date	Days from Review Rec. To Resulting Placement	If No Level Progression, Why?
08/04/2020	Level 3	GP	GP	08/04/2020	0	N/A
08/10/2020	Level 2	Level 2	Level 2	08/10/2020	0	Willfully disregarded rules and regulations
08/31/2020	Level 2	GP	GP	08/31/2020	0	N/A
08/09/2020	Level 2	Level 3	Level 3	08/07/2020	0	N/A
08/30/2020	Level 3	GP	GP	08/28/2020	0	N/A

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08/26/2020	Level 2	Level 3	Level 3	09/01/2020	0	N/A
08/12/2020	Level 2	Level 2	Level 2	08/12/2020	0	Violent, aggressive behavior
08/11/2020	Level 3	GP	GP	08/07/2020	0	N/A
08/09/2020	Level 2	Level 3	Level 3	08/07/2020	0	N/A
08/30/2020	Level 3	GP	GP	08/28/2020	0	N/A
08/17/2020	Level 2	Level 3	Level 3	08/31/2020	0	N/A
08/10/2020	Level 2	Level 3	Level 2	08/10/2020	0	Credible Intelligence
08/31/2020	Level 2	Level 2	Secure	09/01/2020	1	Violent, aggressive behavior

k. The total number of recommended progressions, the total number of actual progressions, and the average and median days from review recommendation to actual progression.

Progressions				
Housing Area	Total recommended progressions	Total actual progressions	Average days from review rec. to progress.	Median days from review rec. to progress.
ESH (7 day reviews)	2	2	0	0
ESH (21 day reviews)	10	9	.1	0
Secure (28 day reviews)	23	23	.3	0

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- I. For each program offered, the number of classes or meetings offered, the average number of participants, and the number of unique individuals participating in any program that month and by each program type during the reporting month.

Secure – Self- Guided Components	# of Times Delivered	# of Self-Guided Packages Delivered	Average # of Packages per Delivery	Unique Individuals
Anger Management	1	1	1	1
Dialectical Behavioral Therapy	5	16	3	15
Elite Learners	4	18	5	18
Goal Setting	5	17	3	16
Interactive Journaling	4	17	4	17
The Inner You	12	42	4	20
The Wet Paint	12	42	4	20
Young Men’s Work	4	12	3	12
Youth Communication	8	26	3	15
Secure – In-person Components	# of Sessions Offered	Total Participations	Average: # of Participants per Session	Unique Individuals
Community Meeting	8	20	3	7
Follow-up on Self-Guided Materials	22	78	4	21
Individual Counseling	38	100	3	23

ESH – Self- Guided Components <sup>10</sup>	# of Times Delivered	# of Self-Guided Packages Delivered	Average # of Packages per Delivery	Unique Individuals
Distribution of Self-Guided Materials	89	80	0.9	16
ESH – In-person Components	# of Sessions Offered	Total Participations	Average: # of Participants per Session	Unique Individuals
Individual Counseling	78	82	1.1	17

<sup>10</sup> During the month of August, self-guided packets distributed to young adults in ESH consisted of a variety of materials on a given week. Materials distributed throughout the month included activity packets such as coloring pages and brainteasers, a CBT-based journaling series, and other evidence-based worksheets on a variety of topics including, but not limited to, relapse prevention, anger management, and young adult specific curricula.

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- m. The number of Young Adults in Secure Units who were placed in De-escalation areas, including the minimum, maximum, median, and average length of time in such areas.

Number of Young Adults Placed in De-escalation Areas: 0			
Length of Stay in Secure De-escalation Areas			
Average	Median	Minimum	Maximum
N/A	N/A	N/A	N/A

- n. The number of inmate-on-inmate fights to date and for the reporting month in Young Adult ESH and in Secure Unit, and the rates of inmate-on-inmate violence cumulatively and for the reporting month in Young Adult ESH, Secure Unit, and the Young Adult general population (number of incidents / average daily population).

Inmate-on-Inmate Fights	ESH Young Adults	Secure Young Adults	General Population Young Adults
Monthly Count	2	2	57
Monthly Rate	.22	.13	.36
Cumulative Count	136	67	3909
Cumulative Rate	6.33	6.58	10.00

- o. The number of slashings/stabbings to date and for the reporting month in Young Adult ESH and in Secure Unit, and the rates of inmate-on-inmate violence cumulatively and for the reporting month in Young Adult ESH, Secure Unit, and the Young Adult general population (number of incidents/average daily population).

Slashing/Stabbings	ESH Young Adults	Secure Young Adults	General Population Young Adults
Monthly Count	1	0	2
Monthly Rate	.11	.00	.01
Cumulative Count	36	8	129
Cumulative Rate	1.76	.79	.33

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- p. The number of assaults on staff to date and for the reporting month in Young Adult ESH and Secure Unit, and the rates of assaults on staff by Young Adults in Young Adult ESH, Secure Unit, and the Young Adult general population, which shall be calculated cumulatively and for the reporting month.

Assaults on Staff		ESH Young Adults	Secure Young Adults	General Population Young Adults
	Monthly Count	0	0	7
	Monthly Rate	.00	.00	.04
	Cumulative Count	83	46	363
	Cumulative Rate	4.06	4.51	.93

- q. The number of uses of force in Young Adult ESH and Secure Unit, and the rates of use of force for Young Adult ESH, Secure Unit, and the Young Adult general population

Uses of Force		ESH Young Adults	Secure Young Adults	General Population Young Adults
	Cumulative Count	300	184	2635
	Cumulative Rate	13.96	18.06	6.74

- r. The implementation of the Department’s plan to increase young adults’ participation in recreation, including the number, rate, and time of young adults’ recreation participation.

**Implementation Update:** The Department took steps to implement its YA ESH Recreation Plan in August. Young adults who opted not to participate in recreation were consulted with and the general consensus was that they did not want to go outside due to the heat and occasional rain. Additionally, young adults stated that due to the heat, they would rather opt for inside programming and/or watch television. In order to continue to follow social distancing guidelines programming staff were unable to facilitate structured activities. As an alternative, young adults were provided authorized books of their choice as well as cognitive skills therapeutic packets. As discussed with Board staff, given current data collection limitations the Department is unable to report on time of recreation participation at present.

	Total Count	Average Participation Per Day
ESH1	8	1.4
ESH2	95	5.7
ESH3	19	1.9
Total	120	8.9

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