



Stanley Brezenoff, Chair  
Derrick D. Cephas, Vice Chair  
Jennifer Jones Austin  
Gerard W. Bryant, Ph.D.  
Robert L. Cohen, M.D.  
Hon. Bryanne Hamill  
Michael J. Regan  
Stanley Richards  
Steven M. Safyer, M.D.

**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 W. King  
*Executive Director*

July 8, 2016

Via E-Mail

Joseph Ponte  
Commissioner  
NYC Department of Correction  
75-20 Astoria Boulevard  
East Elmhurst, NY 11370

**Re: Request for Limited Variance re Punitive Segregation for Young Adults**

Dear Commissioner Ponte:

As noted in my letter to you yesterday, by *July 11*, please provide the Board with written responses to the following questions and information requests regarding the Department's request for a limited variance extending its time to end punitive segregation for young adults (ages 19-21):

- Why was the Department unable to achieve full compliance with Minimum Standard § 1-17(b)(1)(ii) by transferring the remaining young adults in punitive segregation into the Secure Unit or elsewhere by June 30? In answering this question, please include additional information regarding the *“specific facts or reasons making full compliance impossible, and when those facts and reasons became apparent,”* as required by § 1-15 (c)(1)(v) of the Board's Minimum Standards.
- In the event the Board grants a variance, what strategies will the Department pursue to keep the number of young adults in punitive segregation as low as possible until the Department achieves full compliance? In answering this question, please include information about the Department's *“specific plans for serving the purpose [of § 1-17(b)(1)(ii)] for the period that strict compliance is not possible,”* as required by § 1-15 (c)(1)(vii).
- Lastly, the Department's application for a variance must include *“specific plans, projections and timetables for achieving full compliance,”* as required by § 1-

15(c)(1)(vi). Please submit an outline of an action plan with benchmarks by July 11, to be followed by submission of a fully developed plan on a date to be determined by the Board, should the Board vote to grant a variance.

Sincerely,



Stanley Brezenoff

cc: Derrick D. Cephas (Vice-Chair)  
Jennifer Jones Austin  
Gerard Bryant  
Robert L. Cohen  
Bryanne Hamill  
Michael J. Regan,  
Stanley Richards  
Steven M. Safyer  
Martha W. King  
Michele M. Ovesey