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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

Record of Variance Action

On January 10, 2017, the NYC Board of Correction voted to approve the NYC Department of Correction's request for a limited variance from BOC Minimum Standard 1-02(c)(1).

This variance allows the Department a six-month extension of time to house inmates ages 19-21 separately and apart from inmates over the age of 21.

Type of Variance: Limited

Date on which variance will commence: January 13, 2017

Time period, if any: Six months, ending July 13, 2017

Minimum Standard for which Variance is Granted: 1-02(c)(1)

Date on which Board of Correction first approved variance (for renewals only):
September 8, 2015

Requirements imposed as conditions on variance:

1. During the pendency of this variance, the Department shall provide the Board with a monthly census showing in which housing units and jails 19 to 21 year olds are housed.¹

The Department shall continue to (a) provide the Board with a monthly progress report on its implementation of the Young Adult Plan and implementation of alternatives to punitive segregation (i.e., Second Chance, TRU and Secure Units); and (b) provide its progress report for each month on the tenth business day of the following month.

¹ Census shall be taken on the 15th day of each month (e.g., October 15, 2016).

2. During the pendency of this Variance, by the Board's June 2017 public meeting, the Department will present to the Board an evaluation of the overall young adult plan and the benefits of co-mingling particularly within restrictive housing units such as the blended ESH units.