



NEW YORK CITY DEPARTMENT OF CORRECTION
Joseph Ponte, Commissioner

Office of the Commissioner
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June 7, 2017

Derrick D. Cephas, Vice Chair & Acting-Chair
NYC Board of Correction
1 Centre Street, Room 2213
New York, NY 10007

Re: Limited Variance Extension - BOC Minimum Standards § 1-17(d)(2) Punitive Segregation

Dear Mr. Cephas:

On January 10, 2017, the New York City Board of Correction (“Board”) granted the New York City Department of Correction (“Department”) a six (6) month limited variance to allow the Department, in highly exceptional circumstances presenting safety and security concerns, to waive the requirement that inmates be immediately released from punitive segregation for seven (7) days after they have been held in punitive segregation for thirty (30) consecutive days. The limited variance is set to expire on July 10, 2017, the day before the Board’s scheduled July 11, 2017 Public meeting. As a consequence, the variance will expire less than twenty-four (24) hours prior to the Public meeting.

As stated in extensive detail in the variance request letter submitted by the Department on December 5, 2016, it is essential that we maintain a range of tools to immediately and safely respond to violent acts. The Department is, therefore, requesting that the Board extend the variance period for one day until the July 11, 2017 Public meeting. Prior to the July meeting, the Department will submit a renewal of the limited variance, as appropriate.

The Department appreciates the Board’s consideration of the requested limited variance extension.

Sincerely,

A handwritten signature in black ink that reads "Joseph Ponte".

Joseph Ponte

cc: Martha King, Executive Director