

# **Board of Correction**

# **Assessment of Enhanced Supervision Housing**

Findings & Recommendations

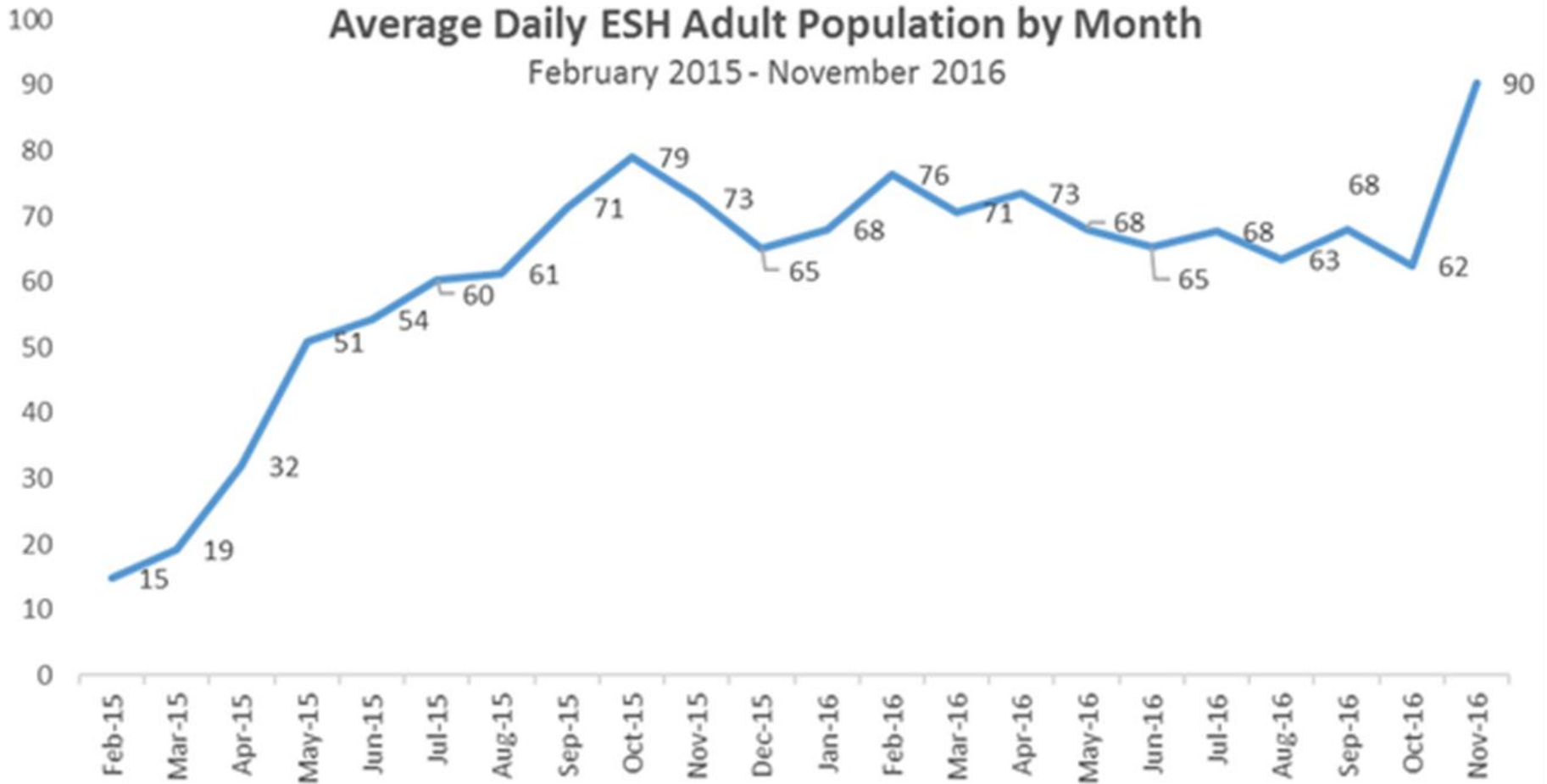


May 9, 2017

# Board's Assessment

## Average Daily ESH Adult Population by Month

February 2015 - November 2016



SOURCE: ADP calculated using ESH placement dates matched to the Department of Correction 5 am Daily Census Report.

# Enhanced Supervision Housing

Primary objectives are to:

- “. . . protect the safety and security of inmates and facilities, while promoting rehabilitation, good behavior, and the psychological and physical well-being of inmates.”
- “. . . separate from the general population inmates who pose the greatest threats to the safety and security of staff and other inmates.”
- “. . . promote the rehabilitation of ESH inmates by
  - incentivizing good behavior, and by
  - providing necessary programs and therapeutic resources.”

# Positive Findings

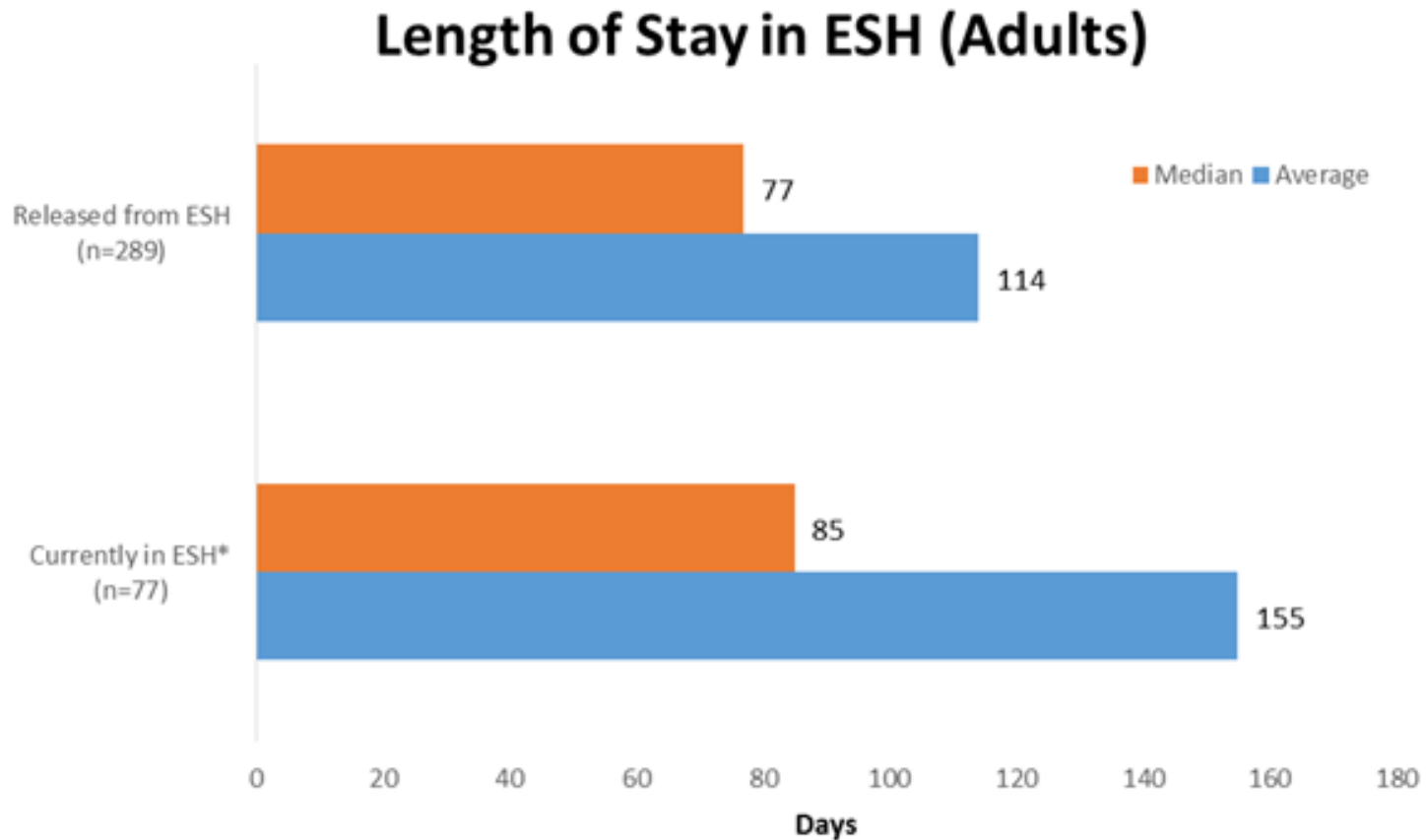
## The Department:

- placed individuals in ESH who met at least one ESH placement criterion, with most placements meeting multiple ESH criteria
- provided individuals with timely notice, placement hearings, and written placement determinations
- excluded people with known serious mental or serious physical disabilities or conditions from placement in ESH
- provided programming and developed a structured approach to programming in ESH
- provided most officers working in ESH 40 hours of specialized training

# Key Recommendations for Improvement

- Progression through & out of ESH
- Procedural justice, fairness, and transparency
- Medical care access
- Lock-out
- Steady staffing
- Monitoring

# Progression Through and Out of ESH



SOURCE: Calculated from ESH placement and released dates provided by the Department of Correction.

\* Refers to inmates in ESH as of December 14, 2016.

# Progression Through and Out of ESH

## Findings

- Only 9% (19) of eligible placements (209) were ended because of a periodic review
- On average, individuals received 1.6 fewer periodic reviews than they should have given their length of placement in ESH
- Over half of individuals (54%) released from ESH were released directly from DOC custody

# Progression Through and Out of ESH

## Recommendations

The Department should:

- Assumes progression through ESH levels unless an individual engages in problematic behavior or does not participate in an individualized program plan
- Establish a multi-disciplinary team to conduct periodic reviews and allow inmates to attend periodic reviews



# Procedural Justice, Fairness, and Transparency

## Findings

- People in custody expressed confusion about why they were being placed in ESH
- The ESH notice form does not reference the specific restrictions recommended for the individual receiving the notice
- Placement Hearings did not include discussion or explanation of ESH levels or the restraint desk restriction
- Very few people (6) appealed placement in ESH and nearly all (5) appeals were decided by a staff member who had earlier recommended the appellant for ESH placement
- 29% had movements in and out of ESH housing during their placement period and 72% of all movements were between ESH and punitive segregation

# Procedural Justice, Fairness, and Transparency

## Recommendations

The Department Should:

- provide individuals with a voice and ability to participate in the process
- treat people with respect throughout the process
- ensure individuals understand the process and how decisions are made
- ensure decision-making is unbiased and there is a neutral decision-maker
- clarify and include additional information regarding recommended restrictions on notice forms
- develop a FAQ for people upon placement

# Procedural Justice, Fairness, and Transparency

## Recommendations

The Board & the Department should:

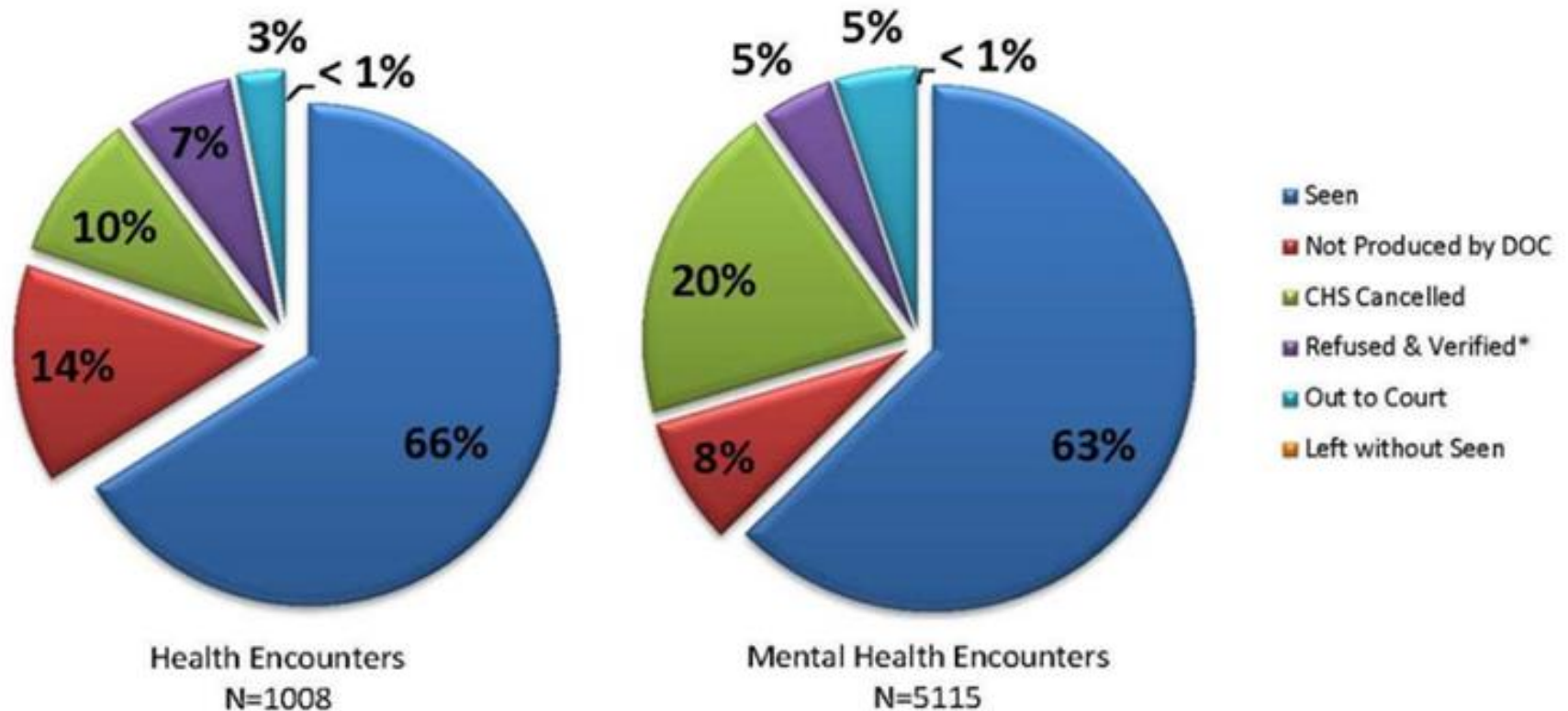
- Discuss piloting different formats for adjudication hearings
- Consider whether Standards should address appeals of ESH placement

The Department should:

- Update policies to ensure that the person rendering appeal decisions is not involved in recommending placement

# Access to Treatment

Outcome of Scheduled Health and Mental Health Encounters for Adult ESH Placements



SOURCE: Correctional Health Services data as of January 30, 2017 matched to adults placed in ESH from February 2015 through November 2016.

# Access to Treatment

## Recommendations

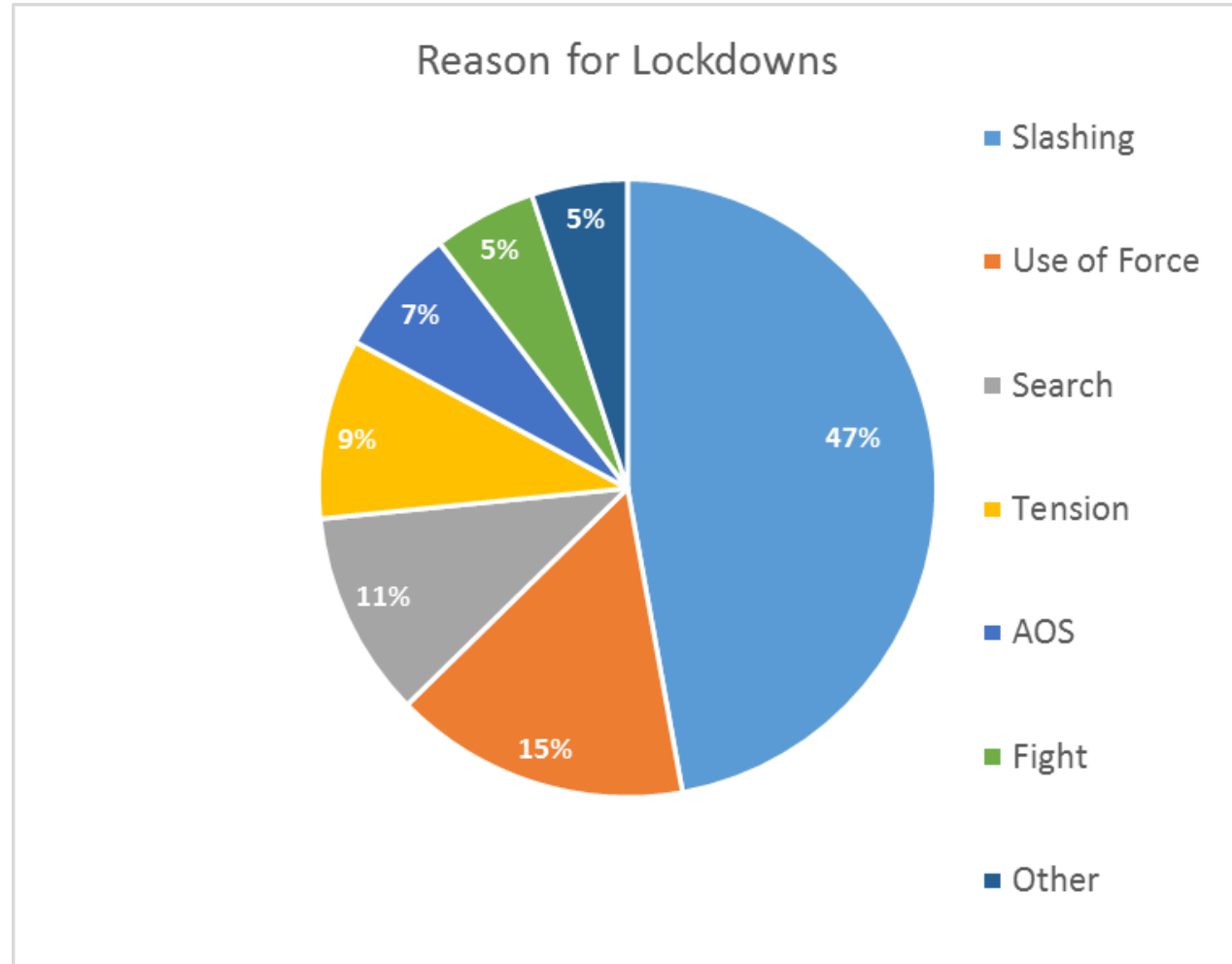
Correctional Health Services & the Department should:

- Use health and mental health care action plan to improve access in ESH
- Develop written policies for CHS staff on how to clear individuals for ESH

# Lock-out Time

## Findings

- Individuals in ESH received an average of 12% (27.5 hours) fewer hours of out-of-cell time per month than that to which they are entitled under the Standards



# Lock-out Time

## Recommendations:

The Department should:

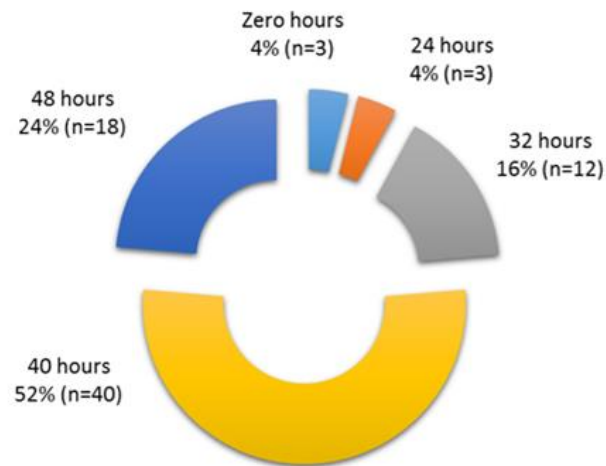
- Provide staff in ESH additional training on mediation, and conflict resolution
- Continue ongoing efforts to train correction officers on the use of force policy and de-escalation tactics
- Explore new approaches to managing violence in ESH
- Consider restorative justice approaches and the cure violence health model which promote engagement with individuals to address the root causes of violence and behavior problems

# Steady Staffing

## Findings

- 88% were regularly assigned to ESH housing area, not assigned to specific ESH units
- 76% (58) of correction officers had received at least 40 hours of training, though none was particular to ESH

Required Training Hours Received by Correction Officers Assigned to ESH



The DOC-required training programs are: Basic Crisis Management, Safe Crisis Management, Mental Health First Aid, and Emergency Service Unit Security Skills.

SOURCE: ESH staff training data for correction officers assigned to ESH in October or November 2016 provided by the Department of Correction.



# Steady Staffing

## Recommendations

The Department should:

- Align written policies and practice
- Provide training and guidance to DOC and CHS staff as changes to the ESH model are made
- Establish more steady posts assignments to ESH units so that correction officers get to know inmates, operating procedures, and policies related to their unit

# Monitoring

## Findings

- There are no benchmarks for measuring the progress or success of ESH, nor is there a research-based model outlining how the current approach in ESH will improve safety and reduce violence
- DOC lacks data management systems to electronically track data on ESH and Minimum Standards

# Monitoring

## Recommendations

The Department should:

- Create a model, based on research, outlining how the ESH structure and programming intends to improve safety and reduce violence
- Use this model to develop benchmarks and define what “success” looks like in ESH
- Collect, track, and systematically share with the Board individual-level data on all restrictive housing placements
- Track and regularly report to the Board metrics by type of restrictive housing unit

# Board Discussion

For access to the full report please visit:

<http://www1.nyc.gov/site/boc/reports/board-of-correction-reports.page>