

The Department is notifying the Board of an ongoing emergency situation and declaration of an emergency variance pursuant to §1-15(b)(3) of the Minimum Standards. An emergency situation prevents the Department's continued compliance with §1-16(c)(1)(ii), Enhanced Supervision Housing (ESH) Exclusions, as the current Board Minimum Standards do not provide the Department operational resources and necessary structured housing options to maintain safe and secure facilities. Compliance with current Board Minimum Standards does not afford the Department an ability to take appropriate action in consideration of the safety of individuals in custody and staff following violent incidents involving young adults in custody.

In order to ensure transparent operations, the Department will continue providing the Board access to information in real time pertaining to the placement and movement of young adults in ESH. The Department will additionally continue to produce monthly public reporting and audits in order to provide detailed information regarding the operation of young adult ESH to the Board and the public. Only young adults who recently participated in a serious act of violence, persistent violence, or actions that threaten the safety and security of the facility are considered for YA-ESH placement. As of the date of this declaration, seven young adults are housed in ESH level 1, including five young adults who seriously assaulted another individual in custody, and two young adults who slashed and/or stabbed another individual in custody. Twenty-one young adults are currently housed in ESH Level 2, including four young adults who assaulted another individual in custody, two young adults who were found in possession of weapons, five young adults who were involved in slashings/stabbings, and ten young adults who assaulted staff. Please see the attached confidential addendum further detailing the young adults currently housed in YA-ESH who cannot be safely housed in alternative housing.

Maintaining the safety and security of individuals in custody and staff is a critical function and responsibility of the Department. The occurrence of serious young adult violence and actions that threaten the safety and security of Department facilities poses a significant threat to the safety of the population in custody and staff. The nature of this emergency situation prevents the Department's continued compliance with the Minimum Standards §1-16(c)(1)(ii).

Submitted: 3/7/2021