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Martha W. King
Executive Director

Record of Variance Action

The Board plans to vote on whether to approve or deny the variance request described in this document. The Board will also consider whether to include each condition listed below.

This variance allows 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.

Type of Variance: Limited

Date on which variance will commence: December 17, 2016

Time period, if any: Six months, ending June 17, 2016

Minimum Standard for which Variance is Granted: 1-17(d)(2)

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

PROPOSED requirements imposed as conditions on variance:

1. The Chief of Department shall approve all waivers in writing and state why placement in a less restrictive setting is not a safe option. The Chief of Department must specify his reason for granting or denying the request. Immediately after the Chief's decision is made on a request, the Department shall send to the Board the request and the Chief's decision.
2. Two weeks before the end of the variance, the Department will provide the Board a public report on its punitive segregation reforms, including the use of therapy and other programming among people with long histories of or stays in punitive segregation.