

Date: 1/20/17 11:15 PM (GMT-05:00)

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Subject: Re: Emergency Declaration

The New York City Department of Correction is notifying the New York City Board of Correction of an emergency situation and declaration of an emergency variance pursuant to 1-15(b)(3) of the Minimum Standards. An emergency situation prevents our continued compliance with 1-16(c)(1)(ii), which requires pursuant to a limited variance granted by the Board on October 11, 2016, that young adults ages 19 to 21 years old be excluded from placement in Enhanced Supervision Housing (ESH) by January 11, 2017.

As stated by the Department repeatedly, the elimination of punitive segregation for all young adults (18 to 21 years old) necessitated the availability of alternative housing options, of critical importance among those options is the use of ESH for young adults (19 to 21 years old). The expiration of the current continuing variance on January 11, 2017 will detrimentally impede the Department's ability to continue to safely manage the young adult population; particularly the most problematic young adults in need of the unique rehabilitative programming, structure and enhanced security and separation provided in ESH. This significant security concern is most evident in the Department's placement of our most violent young adults in ESH. These young adults have committed serious infractions including stabbings, slashings, and other serious assaults and have been adjudicated for placement in ESH Level I. ESH Level I uses restraint desks during programmatic activities for the young adults due to the severity of their actions. This housing option provides a level of security, separation, and control that does not exist elsewhere for this population and without which the safety of young adults will be in jeopardy.

Maintaining the safety and security of inmates and staff is critical. The nature of this emergency situation prevents the Department's continued compliance with 1-16(c)(1)(ii) as it applies to 19 to 21 year olds in our custody. The Department is unable to safely relocate the young adults (19 to 21 years old) in ESH, and has submitted an emergency variance request to the Board.

Thank you.