

NYC Department of Correction

Variance Conditions (1-16(c)(1)(ii)) – Young Adult Enhanced Supervision Housing (ESH) and  
 Variance Conditions (1-05(b) and 1-08(f)) – Secure

October Monthly Report (Covering the period of September 1 – September 30, 2020)

- a. For each placement, the date of entry, the criteria met for placement, the dates of specific incidents used to justify placement and the associated incident type, the placement level, the housing category in which the inmate was housed prior to placement (e.g., GP, SCH, TRU, ESH, REST, APU), the result of his adjudication, and whether individual had previously been housed in Secure, ESH, TRU, and/or SCH.

**ESH:** There were no young adult placements in ESH in the month of September.

**Secure**

Entry Date	Placement Criteria	Incident Date(s) and Type(s)	Placement Phase	Previous Housing Category	Adjudication Result	Previous Placement in Secure, ESH, TRU, SCH
09/16/2020	Assault on Staff	09/14/2020- Assault on Staff	Phase 1	GP	Phase 1	TRU, Secure
09/02/2020	Assault on Staff, history of persistent violence	08/28/2020- Assault on Staff 06/12/2020- Dight 06/12/2020- Fight	Phase 1	GP	Phase 1	SCH
09/16/2020	Assault on Inmate, stabbing	09/15/2020- Assault on Inmate, stabbing	Phase 1	GP	Phase 1	Secure
09/15/2020	Possession of a dangerous article	09/14/2020- Possession of a dangerous article	Phase 1	GP	Phase 1	TRU, Secure
09/17/2020	Assault on Staff, assault on Inmate, history of persistent violence	09/01/2020- Assault on Staff 08/26/2020- Destruction of DOC property 08/26/2020- Assault on Staff 08/23/2020- Fight 10/31/2019- Assault on Staff	Phase 1	ESH	Phase 1	ESH

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Entry Date	Placement Criteria	Incident Date(s) and Type(s)	Placement Phase	Previous Housing Category	Adjudication Result	Previous Placement in Secure, ESH, TRU, SCH
09/01/2020	Assault on Inmate	09/01/2020- Assault on Inmate	Phase 1	GP	Phase 1	Secure
09/08/2020	Assault on Inmate	09/07/2020- Assault on Inmate, slashing	Phase 1	GP	Phase 1	ESH, Secure, TRU, SCH
09/01/2020	Assault on Staff	07/02/2020- Assault on Staff	Phase 3	ESH	Phase 3	Secure, TRU, ESH
09/22/2020	Assault on Staff	09/22/2020- Assault on Staff	Phase 1	GP	Released prior to adjudication	Secure, TRU, ESH

- b. For each release, the date of release, the reason for release, the total number of days spent in the restrictive housing area (ESH or Secure), and the housing category (and phase/level, if applicable) in which the inmate was housed prior to and upon release**

**ESH**

Release Date	Release Reason	Total Days in ESH	ESH Level Prior to Release	Housing Category After Release
09/01/2020	Moved to Less Restrictive Unit	50	Level 2	Secure
09/04/2020	Satisfied the requirements of ESH	167	Level 2	GP
09/17/2020	Moved to Less Restrictive Unit	23	Level 2	Secure
09/29/2020	Satisfied the requirements of ESH	71	Level 3	GP

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**Secure**

Release Date	Release Reason	Total Days in Secure	Secure Phase Prior to Release	Housing Category After Release
09/21/2020	Completed all three phases	71	Phase 3	GP
09/05/2020	Completed all three phases	55	Phase 3	GP
09/08/2020	Transferred to another unit for health/security reasons	37	Phase 2	GP
09/10/2020	Completed all three phases	100	Phase 3	GP
09/15/2020	Other	8	Phase 1	GP
09/24/3030	Completed all three phases	95	Phase 3	GP
09/18/2020	Completed Program-Stepdown from ESH	18	Phase 3	GP
09/24/2020	Released prior to adjudication	3	Phase 1	GP
09/10/2020	Completed all three phases	83	Phase 3	GP
09/01/2020	Other	28	Phase 2	ESH

- c. For each movement between phases/levels, the date of movement, the phase/level prior to movement, the phase/level to which the individual moved, and the reason for movement.

**ESH**

Date of Movement	Level Prior to Movement	Level After Movement	Reason for Movement
09/08/2020	Level 2	Level 3	Review Recommendation
09/24/2020	Level 2	Level 3	Review Recommendation

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Date of Movement	Level Prior to Movement	Level After Movement	Reason for Movement
09/02/2020	Level 1	Level 2	Review Recommendation
09/22/2020	Level 2	Level 3	Review Recommendation

**SECURE**

Date of Movement	Phase Prior to Movement	Phase After Movement	Reason for Movement
09/30/2020	Phase 1	Phase 2	Review Recommendation
09/09/2020	Phase 2	Phase 3	Review Recommendation
09/02/2020	Phase 1	Phase 2	Review Recommendation
09/09/2020	Phase 2	Phase 3	Review Recommendation
09/06/2020	Phase 1	Phase 2	Review Recommendation
09/30/2020	Phase 1	Phase 2	Review Recommendation
09/02/2020	Phase 1	Phase 2	Review Recommendation
09/09/2020	Phase 2	Phase 3	Review Recommendation
09/23/2020	Phase 3	Phase 2	Review Recommendation

**d. Average Daily Population in each phase/level and overall.**

**ESH**

Level 1	Level 2	Level 3	Overall
0.0	1.0	4.0	5.0

**SECURE**

Phase 1	Phase 2	Phase 3	Overall
6.13	1.20	4.87	12.20

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- e. The number of young adults in each phase/level as of the 1<sup>st</sup> day of the month following the reporting period.

**ESH**

Level 1	Level 2	Level 3
0	1	3

**SECURE**

Phase 1	Phase 2	Phase 3
5	2	3

- f. The total number of people entering ESH or Secure Unit to-date and the total number of entries to date.

	Total People Entered To-Date	Total Entries To-Date
<b>ESH</b>	334	393
<b>Secure</b>	201	281

- g. The minimum, maximum, median, and average length of stay in each phase/level and overall and in each phase/level and overall by release reason, and the time in-program minimum, maximum median, and average on the last day of each month overall and by phase/ level; phase/ level;

Length of Stay in ESH <sup>1</sup> (days; N=383)						
	ESH Entry	Level 1	Level 2	Level 3	Non-Level ESH <sup>2</sup>	Overall
<b>Average</b>	33	54	56	24	35	85
<b>Median</b>	30	29	41	22	32	58
<b>Minimum</b>	2	0	0	0	1	1
<b>Maximum</b>	135	326	408	111	105	472

<sup>1</sup> Lengths of stay are calculated by averaging individual Young Adults' accumulated time in each level, regardless of the chronological progression of the Young Adult through various levels. Records are only included for Young Adults who have been released from ESH or Secure.

<sup>2</sup> This category refers to ESH before the level system was implemented.

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Overall Length of Stay in ESH by Release Reason <sup>3</sup> (days; N=117)						
	Not recommended by adjudication	Discharged or transferred from DOC custody	Moved for security/health reasons	Satisfied the requirements of ESH	Regressed to Phase 1, Re-adjudicated	Moved to Less Restrictive Unit
<b>Average</b>	-	61.17	47.50	73.03	154.00	34.94
<b>Median</b>	-	35.00	50.00	64.00	60.00	27.00
<b>Minimum</b>	-	3.00	6.00	15.00	27.00	3.00
<b>Maximum</b>	-	472.00	84.00	247.00	375.00	131.00

ESH Time in Program <sup>4</sup> (days) (N=6)				
	Level 1	Level 2	Level 3	Overall
<b>Average</b>	38.33	80.83	12.00	127.17
<b>Median</b>	40.00	72.00	9.50	122.00
<b>Minimum</b>	28.00	54.00	4.00	103.00
<b>Maximum</b>	49.00	124.00	25.00	164.00

Length of Stay in Secure (days; N=241) <sup>5</sup>				
	Phase 1	Phase 2	Phase 3	Overall
<b>Average</b>	35.23	21.88	28.78	64.96
<b>Median</b>	28.00	14.00	23.00	58.00
<b>Minimum</b>	1.00	1.00	2.00	1.00
<b>Maximum</b>	229.00	112.00	134.00	301.00

<sup>3</sup> Length of stay in ESH by release reason is calculated for all those discharged on or after 10/01/2019. Those included in the calculation are individuals who were age 18-21 upon entry into ESH.

<sup>4</sup> Time in Program is calculated for all individuals who were 18-21 at the time of their placement in ESH and who were still in ESH on 10/01/2020.

<sup>5</sup> The N value represents all Secure Unit young adult records that were used in any of the LOS calculations.

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Overall Length of Stay in Secure by Release Reason <sup>6</sup> (days; N=241)						
	Completed All 3 Phases	Transferred to Another Unit for Security/Health	Discharged from DOC Custody	Completed Program –Step down from ESH	Other <sup>7</sup>	Adjudication Determination
<b>Average</b>	88.42	36.76	59.93	30.19	46.00	22.67
<b>Median</b>	78.00	22.00	52.00	26.00	30.00	9.00
<b>Minimum</b>	19.00	1.00	2.00	9.00	2.00	6.00
<b>Maximum</b>	234.00	183.00	301.00	75.00	139.00	94.00

Secure Time in Program <sup>8</sup> (days) (N=10)				
	Phase 1	Phase 2	Phase 3	Overall
<b>Average</b>	26.80	7.60	19.33	36.40
<b>Median</b>	27.50	7.00	22.00	33.50
<b>Minimum</b>	13.00	1.00	14.00	13.00
<b>Maximum</b>	43.00	15.00	22.00	71.00

**h. The number of Young Adults who met the criteria for a 28-day review (Secure) and 7-day (ESH) and 21-day review (ESH).**

28-day Review (Secure)	7-day Review (ESH)	21-day Review (ESH)
15	1	7

**i. The number of young adults who received such a review.**

28-day Review (Secure)	7-day Review (ESH)	21-day Review (ESH)
14	1	6

**28-Day Reviews:** One (1) young adult aged out of the program and was therefor discharged prior to their scheduled review in September.

**7-Day Reviews:** All young adults received their scheduled review during the month of September.

**21-Day Reviews:** One (1) Young Adult transferred out of the unit prior to his 21-day review.

<sup>6</sup> Length of stay by release reason for Secure is calculated for all those released from Secure since its opening. The entry dates of the first individuals included was 06/30/2016.

<sup>7</sup> This column represents all those who were released from Secure who do not fall into the other categories (i.e. temporarily transferred from DOC facility, aging out, inmate was sentenced and sent to another program within another facility).

<sup>8</sup> Time in Program is calculated for all individuals who were still in Secure on 10/01/2020.

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- j. For each review, the individual's, review date, level at the time of review, the level or housing type recommended, the resulting placement, resulting placement date, and days from review recommendation to resulting placement. If the Young Adult did not progress or regress in their placement, which exception was used to justify? If the Young Adult was not recommended to progress or regress in their placement, or if they were not moved following their recommendation reason for lack of movement.

**28-DAY REVIEW RECOMMENDATIONS**

Review Date	Secure Phase at Time of Review	Secure Phase Recommended	Resulting Placement	Resulting Placement Date	Days from Review Rec. to Resulting Placement	If no phase regression or progression, why?
09/21/2020	Phase 3	GP	GP	09/21/2020	0	N/A
09/23/2020	Phase 1	Phase 1	Phase 1	09/23/2020	0	Violent, aggressive behavior, disregarded rules and regulations
09/30/2020	Phase 1	Phase 2	Phase 2	09/30/2020	0	N/A
09/09/2020	Phase 2	Phase 3	Phase 3	09/09/2020	0	N/A
09/04/2020	Phase 3	GP	GP	09/05/2020	1	N/A
09/02/2020	Phase 1	Phase 2	Phase 2	09/02/2020	0	N/A
09/09/2020	Phase 2	Phase 3	Phase 3	09/09/2020	0	N/A
09/06/2020	Phase 1	Phase 2	Phase 2	09/06/2020	0	N/A
09/30/2020	Phase 1	Phase 2	Phase 2	09/30/2020	0	N/A
09/09/2020	Phase 3	GP	GP	09/10/2020	1	N/A



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Review Date	Secure Phase at Time of Review	Secure Phase Recommended	Resulting Placement	Resulting Placement Date	Days from Review Rec. to Resulting Placement	If no phase regression or progression, why?
09/02/2020	Phase 1	Phase 2	Phase 2	09/02/2020	0	N/A
09/09/2020	Phase 2	Phase 3	Phase 3	09/09/2020	0	N/A
09/23/2020	Phase 3	Phase 2	Phase 2	09/23/2020	0	Violent, aggressive behavior
09/30/2020	Phase 1	Phase 1	Phase 1	09/30/2020	0	Aggressive behavior
09/24/2020	Phase 3	GP	GP	09/24/2020	0	N/A
09/16/2020	Phase 1	Phase 1	Phase 1	09/16/2020	0	Violent, aggressive behavior
09/18/2020	Phase 3	GP	GP	09/18/2020	0	N/A
09/08/2020	Phase 3	GP	GP	09/10/2020	2	N/A

**7-DAY REVIEW RECOMMENDATIONS**

Review Date	ESH Level at Time of Review	ESH Level Recommended	Resulting Placement	Resulting Placement Date	Days from Review Rec. To Resulting Placement	If No Level progression, Why?
09/01/2020	Level 1	Level 2	Level 2	09/02/2020	1	N/A

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**21-DAY REVIEW RECOMMENDATIONS**

Review Date	ESH Level at Time of Review	ESH Level Recommended	Resulting Placement	Resulting Placement Date	Days from Review Rec. To Resulting Placement	If No Level Progression, Why?
09/16/2020	Level 3	Level 3	Level 3	09/16/2020	0	Willfully disregarded rules and regulations
09/08/2020	Level 2	Level 3	Level 3	09/08/2020	0	N/A
09/29/2020	Level 3	GP	GP	09/29/2020	0	N/A
09/02/2020	Level 2	Level 2	Level 2	09/02/2020	0	Violent and aggressive behavior, willfully disregarded rules and regulations.
09/23/2020	Level 2	Level 3	Level 3	09/24/2020	1	N/A
09/16/2020	Level 2	Level 2	Level 2	09/16/2020	0	Willfully disregarded rules and regulations, violent and aggressive behavior.
09/22/2020	Level 2	Level 3	Level 3	09/22/2020	0	N/A
09/07/2020	Level 2	GP	GP	09/04/2020	0	N/A

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- k. The total number of recommended progressions, the total number of actual progressions, and the average and median days from review recommendation to actual progression.**

Housing Area	Progressions			
	Total recommended progressions	Total actual progressions	Average days from review rec. to progress.	Median days from review rec. to progress.
ESH (7 day reviews)	1	1	1	1
ESH (21 day reviews)	5	5	.2	0
Secure (28 day reviews)	14	14	.3	0

- l. For each program offered, the number of classes or meetings offered, the average number of participants, and the number of unique individuals participating in any program that month and by each program type during the reporting month.**

Secure – Self- Guided Components	# of Times Delivered	# of Self-Guided Packages Delivered	Average # of Packages per Delivery	Unique Individuals
Anger Management	1	1	1	1
Dialectical Behavioral Therapy	5	16	3	15
Elite Learners	4	18	5	18
Goal Setting	5	17	3	16
Interactive Journaling	4	17	4	17
The Inner You	12	42	4	20
The Wet Paint	12	42	4	20
Young Men’s Work	4	12	3	12
Youth Communication	8	26	3	15
Secure – In-person Components	# of Sessions Offered	Total Participations	Average: # of Participants per Session	Unique Individuals
Community Meeting	8	20	3	7
Follow-up on Self-Guided Materials	22	78	4	21
Individual Counseling	38	100	3	23

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ESH – Self- Guided Components <sup>9</sup>	# of Times Delivered	# of Self-Guided Packages Delivered	Average # of Packages per Delivery	Unique Individuals
Distribution of Self-Guided Materials	114	108	0.9	8
ESH – In-person Components	# of Sessions Offered	Total Participations	Average: # of Participants per Session	Unique Individuals
Individual Counseling	96	98	1.0	8

m. The number of Young Adults in Secure Units who were placed in De-escalation areas, including the minimum, maximum, median, and average length of time in such areas.

Number of Young Adults Placed in De-escalation Areas: 0			
Length of Stay in Secure De-escalation Areas			
Average	Median	Minimum	Maximum
N/A	N/A	N/A	N/A

n. The number of inmate-on-inmate fights to date and for the reporting month in Young Adult ESH and in Secure Unit, and the rates of inmate-on-inmate violence cumulatively and for the reporting month in Young Adult ESH, Secure Unit, and the Young Adult general population (number of incidents / average daily population).

Inmate-on-Inmate Fights		ESH Young Adults	Secure Young Adults	General Population Young Adults
	Monthly Count	1	4	57
	Monthly Rate	.20	.33	.33
	Cumulative Count	137	71	3966
	Cumulative Rate	6.48	6.94	10.26

<sup>9</sup> During the month of September, self-guided packets distributed to young adults in ESH consisted of a variety of materials on a given week. Materials distributed throughout the month included activity packets such as coloring pages and brainteasers, a CBT-based journaling series, and other evidence-based worksheets on a variety of topics including, but not limited to, relapse prevention, anger management, and young adult specific curricula.

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- o. The number of slashings/stabbings to date and for the reporting month in Young Adult ESH and in Secure Unit, and the rates of inmate-on-inmate violence cumulatively and for the reporting month in Young Adult ESH, Secure Unit, and the Young Adult general population (number of incidents/average daily population).**

Slashing/Stabbings		ESH Young Adults	Secure Young Adults	General Population Young Adults
	Monthly Count	1	0	3
	Monthly Rate	.20	.00	.02
	Cumulative Count	37	8	132
	Cumulative Rate	1.85	.78	.34

- p. The number of assaults on staff to date and for the reporting month in Young Adult ESH and Secure Unit, and the rates of assaults on staff by Young Adults in Young Adult ESH, Secure Unit, and the Young Adult general population, which shall be calculated cumulatively and for the reporting month.**

Assaults on Staff		ESH Young Adults	Secure Young Adults	General Population Young Adults
	Monthly Count	2	2	6
	Monthly Rate	.41	.16	.03
	Cumulative Count	85	48	369
	Cumulative Rate	4.24	4.69	.95

- q. The number of uses of force in Young Adult ESH and Secure Unit, and the rates of use of force for Young Adult ESH, Secure Unit, and the Young Adult general population**

Uses of Force		ESH Young Adults	Secure Young Adults	General Population Young Adults
	Cumulative Count	303	191	2677
	Cumulative Rate	14.33	18.67	6.92

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**r. The implementation of the Department’s plan to increase young adults’ participation in recreation, including the number, rate, and time of young adults’ recreation participation.**

**Implementation Update:** In the month of September, there was a decrease in the Enhanced Supervision Housing (ESH) Young Adult population which resulted in less participation in recreation. ESH Security Staff will continue to offer individuals in Level 3 the opportunity to go to the gym once a week as an incentive for that level. Young adults who opted not to participate in recreation were consulted with and the general consensus was that they would rather opt for inside programming, television and/or sleep. In order to continue to follow social distancing guidelines programming staff were unable to facilitate structured activities. As an alternative, young adults were provided authorized books of their choice as well as cognitive skills therapeutic packets.

	<b>Total Count</b>	<b>Average Participation Per Day</b>
<b>ESH1</b>	0	0
<b>ESH2</b>	41	1.37
<b>ESH3</b>	36	1.20
<b>Total</b>	77	2.57