

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

September Monthly Report (Covering the period of August 1 – August 30, 2018)

- 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

Entry Date	Placement Criteria	Incident Date(s) and Type(s)	Placement Level	Previous Housing Category	Adjudication Result	Previous Placement in Secure, ESH, TRU, SCH
8/3/18	Assault on Inmate, assault on Staff, serious or persistent violence	8/2/18- Assault on Staff 5/31/18- Assault on Inmate 4/12/18- Assault on Inmate	2	GP Max	Level 2	TRU , SCH, Secure, and ESH
8/6/18	Assault on Inmate, assault on Staff, serious or persistent violence	8/4/18- Assault on Staff 7/28/18- Assault on Staff 7/4/18- Splashing	1	GP Max	Level 1	ESH
8/6/18	Assault on Staff, possession of a dangerous article, serious or persistent violence	8/4/18- Assault on staff 8/4/18- Assault on Staff 7/11/18- Possession of dangerous article	1	GP Max	Level 1	SCH and TRU
8/6/18	Assault on Staff, serious or persistent violence	8/4/18- Assault on staff 8/4/18- Assault on Staff 7/17/18- Assault on Staff	1	GP Max	Discharged from DOC Custody prior to adjudication hearing	No

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8/6/18	Assault on Staff, assault on Inmate, serious or persistent violence	7/28/18- Assault on Inmate 7/19/18- Assault on Staff 7/3/18- Assault on Staff 5/5/18- Assault on Staff	2	GP Max	Level 2	TRU and SCH
8/9/18	Assault on Staff, assault on Inmate, serious or persistent violence	8/7/18- Assault on Staff 7/3/18- Assault on Staff	2	GP Max	Level 2	TRU and Secure
8/13/18	Assault on Inmate, serious or persistent violence, possession of a dangerous article	5/13/18/- Assault on Inmate 4/10/18- Possession of a dangerous article	2	GP Max	Level 2	TRU
8/13/18	Possession of a dangerous article	7/30/18- Possession of a dangerous article 7/9/18- Possession of a dangerous article	2	GP	Level 2	TRU
8/16/18	Assault on Inmate, serious or persistent violence	7/7/18- Assault on inmate	2	GP Max	Level 2	SCH and TRU
8/14/18	Assault on Inmate, assault on Staff, serious or persistent violence	7/7/18- Assault on Inmate 7/17/18- Assault on Staff	2	TRU	Level 2 ¹	SCH and TRU

¹ This young adult was temporarily transferred from ESH due to the adjournment of the underlying infraction hearing. Once the underlying infraction was adjudicated, the young adult was transferred back to ESH based on his initial July 2018 ESH placement.

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8/28/18	Assault on Inmate, assault on Staff, possession of a dangerous article, serious or persistent violence	3/21/18- Assault on Inmate 3/8/18- Possession of a dangerous article 2/24/18- Assault on Inmate	2	GP Max	Level 2	TRU
8/28/18	Assault on Inmate, serious or persistent violence	1/16/18/- Assault on inmate 12/7/17- Assault on inmate 10/29/17- Assault on inmate 9/15/17- Assault on inmate	2	GP Max	Level 2	SCH and TRU
8/8/18	Slashing	7/19/18- Slashing	1	GPE	Not Recommended for placement at this time ²	SCH,TRU, and ESH

SECURE³

Entry Date	Placement Criteria	Incident Date(s) and Type(s)	Placement Phase	Previous Housing Category	Adjudication Result	Previous Placement in Secure, ESH, TRU, SCH
N/A	N/A	N/A	N/A	N/A	N/A	N/A

² This young adult was temporarily transferred from ESH pending adjudication of the underlying infraction. Following the adjudication determination for the underlying infraction, this young adult was transferred back into ESH based on his initial July 2018 ESH placement. Due to the timeframe from his initial ESH placement to the ESH adjudication, his placement was time barred, and as a result no hearing was conducted and he was released from the unit.

³ For the month of August, there were no Young Adults placed in the Secure Unit.

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- a. 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

ESH⁴

Release Date	Release Reason	Total Days in ESH	ESH Level Prior to Release	Housing Category After Release
8/20/18	Completed all ESH Levels	441 days	Level 2	GP Max
8/16/18	Discharged from DOC custody	35 days	Level 2	N/A
8/16/18	Discharged from DOC custody	16 days	Level 2	N/A
8/9/18	ESH Adjudication determination	10 days	Level 2	GP
8/6/18	Transferred due to pending adjudication of underlying infraction	25 days	Level 2	GP Max
8/6/18	Discharged from DOC custody	1 day	Level 1	N/A
8/3/18	Discharged from DOC custody	23 days	Level 2	N/A
8/16/18	ESH adjudication determination	19 days	Level 1	GP Max

SECURE⁵

Release Date	Release Reason	Total Days in Secure	Secure Phase Prior to Release	Housing Category After Release
N/A	N/A	N/A	N/A	N/A

- b. 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.

⁴ One young adult who was listed as a release in the previous report, was transferred out of the unit for an interim period due to a security concern and was returned during this reporting period once the issue was addressed.

⁵ For the month of August, there were no Young Adults released from the Secure Unit.

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ESH

Date of Movement	Level Prior to Movement	Level After Movement	Reason for Movement
8/30/18	2	3	Review recommendation
8/13/18	2	3	Review recommendation

SECURE

Date of Movement	Phase Prior to Movement	Phase After Movement	Reason for Movement
8/14/18	1	2	Review Recommendation
8/28/18	1	2	Review Recommendation
8/7/18	1	2	Review Recommendation
8/21/18	2	3	Review Recommendation
8/14/18	1	2	Review Recommendation
8/28/18	2	3	Review Recommendation
8/7/18	2	3	Review recommendation
8/15/18	3	2	Assault on staff, possession of a dangerous article
8/28/18	2	3	Review recommendation
8/2/18	1	2	Review Recommendation
8/21/18	2	3	Review Recommendation
8/6/18	1	2	Review Recommendation
8/28/18	2	3	Review Recommendation

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c. Average Daily Population in each phase/level and overall.

ESH

Level 1	Level 2	Level 3	Overall
9.1	12.7	1.6	23.3

SECURE

Phase 1	Phase 2	Phase 3	Overall
1.9	3.6	1.5	7.0

d. 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
ESH	177	189
Secure	62	70

e. 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;⁶

Length of Stay in ESH ⁷ (days; N= 155)						
	ESH Entry	Level 1	Level 2	Level 3	Non-Level ESH ⁸	Overall
Average	33	75	80	27	34	116
Median	29	46	53	25	30	73
Minimum	2	0	0	1	1	1
Maximum	209	304	408	77	105	504

⁶ Time in program min, max, median, and average by phase/level is unable to be produced at this time.

⁷ 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.

⁸ This category refers to ESH before the level system was implemented.

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Length of Stay in Secure (days; N= 65) ⁹				
	Phase 1	Phase 2	Phase 3	Overall
Average	40.20	33.49	45.03	83.38
Median	30.00	27.00	35.00	75.50
Minimum	2.00	7.00	3.00	2.00
Maximum	229.00	112.00	134.00	301.00

Overall Length of Stay in Secure by Release Reason (days; N=65)				
	Completed All 3 Phases	Transferred to Another Unit for Security/Health	Discharged from DOC Custody	Adjudication Determination
Average	120.36	66.43	67.55	7.50
Median	107.00	48.00	69.50	7.50
Minimum	44.00	4.00	2.00	6.00
Maximum	234.0	181.0	301.0	9.0

Time in Program ¹⁰ (days)				
Housing Area	Average	Median	Minimum	Maximum
ESH (N=27)	65.7	32.0	1.0	221.0
Secure (N=7)	78.29	83.0	47.0	105.0

f. The number of young adults who met the criteria for an initial 28-day review (Secure) and 15-day and 30-day review (ESH).

28-day Review (Secure)	15-day Review (ESH) ¹¹	30-day Review (ESH)
7	5	19

g. The number of young adults who received such a review.

28-day Review (Secure)	15-day Review (ESH)	30-day Review (ESH)
7	5	16

28-Day Reviews: All young adults scheduled for a review received a review.

15-Day Reviews: All young adults scheduled for a review received a review.

30-Day Reviews: Three (3) young adults were discharged from DOC custody prior to their reviews.

⁹ The N value represents all Secure Unit young adult records that were used in any of the LOS calculations.

¹⁰ Time in Program is calculated only for young adults who were still in the unit on 8/1/18.

¹¹ Pursuant to the May 9th variance conditions, the Department commenced 15 day reviews in ESH Level 1 on June 11, 2018

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- h. For each review, the individual’s level at the time of review, the level or housing type recommended, and the resulting placement. If the young adult did not advance to a less restrictive level, which exception was used to justify?

28-Day Review Recommendations			
Secure Phase at Time of Review	Secure Phase or Housing Type Recommended	Resulting Placement	If no advancement, why?
1	2	2	N/A
2	3	3	N/A
1	2	2	N/A
2	3	3	N/A
3	Release from Secure	GP	N/A
1	2	2	N/A
2	3	3	N/A
1	2	2	N/A
2	3	3	N/A
2	3	3	N/A
2	3	3	N/A
1	2	2	N/A
1	2	2	N/A

ESH

15-Day Review Recommendations			
ESH Level at Time of Review	New ESH Level or Housing Type Recommended	Resulting Placement	If no advancement, why?
1	2	1	Per Young Adult request to remain in level 1
1	1	1	Credible intelligence
1	1	1	Credible intelligence
1	2	1	Per Young Adult request to remain in level 1
1 ¹²	2	1	Credible intelligence

¹² Due to a clerical error, one young adult’s review paperwork incorrectly states that he received a review on August 18th, instead of August 16th, the date the review was conducted.

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30-Day Review Recommendations			
ESH Level at Time of Review	New ESH Level or Housing Type Recommended	Resulting Placement	If no advancement, why?
Level 2	2	2	Violent behavior
Level 2 ¹³	3	Pending housing availability	Pending housing availability
Level 2	3	Pending housing availability ¹⁴	Pending housing availability
Level 2	2	2	Security Concerns
Level 2	3	Pending housing availability ¹⁴	Pending housing availability (Security concerns)
Level 2	2	2	Disruptive behavior
Level 2	3	Pending housing availability ¹⁴	Pending housing availability
Level 2	2	2	Violent behavior
Level 2	2	2	Violent, aggressive, disruptive behavior
Level 3	3	3	Disruptive behavior
Level 2	GP	Pending housing availability	Pending housing availability (Security concerns)
Level 2	3	Pending housing availability ¹⁴	Pending housing availability
Level 2	3	2	Per Young Adult request to remain in level 2
Level 2	3	3	N/A
Level 2	2	2	Violent, disruptive behavior

¹³ One young adult was scheduled for a review in September, but received a review at the end of this reporting period.

¹⁴ These young adults could not be moved to Level 3 for security reasons, and remain in Level 2 until alternate housing is identified.

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- i. 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.

ESH Young Adult Programs	# of Sessions Offered	Average # of Participants per Session	# of Unique Individual Participants
One on One Counseling (Level 1)	2	0	0
Interactive Journaling (Level 1)	2	0	0
One on One Counseling (Level 2)	50	1.0	15
Interactive Journaling (Level 2)	32	.65	15
FEDCAP: Reentry Programs ¹⁵	22	1	9
One on One Counseling (Level 3)	12	1	2
Interactive Journaling (Level 3)	18	.83	2

Secure Programs	# of Sessions Offered	Average # of Participants per Session	# of Unique Individual Participants
Anger Management	69	119	1.7
Community Meeting	11	20	1.8
Creative Arts Expression	24	42	1.8
DBT	48	81	1.7
Individual One-on-One Sessions	16	28	1.8
Interactive Journaling	40	76	1.9
Interpersonal Skills	53	92	1.7
Leadership Development Skills	70	118	1.7
Structured Recreation	52	88	1.7
Youth Communication	52	84	1.6

¹⁵ FEDCAP is a specialized model of adult re-entry training: and daily skill building modules that focus on healthy thinking, parenting & relationship skills & job readiness.

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- j. 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

- k. 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	0	0	98
	Monthly Rate	0.00	0.0	.31
	Cumulative Count	62	12	2041
	Cumulative Rate	2.48	1.62	4.00

- l. 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	0	0	3
	Monthly Rate	.00	.00	.01
	Cumulative Count	14	0	68
	Cumulative Rate	0.57	0.00	0.13

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m. 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	0	10
	Monthly Rate	.09	0.0	0.03
	Cumulative Count	54	17	153
	Cumulative Rate	2.20	2.30	0.30

n. 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	180	83	1210
	Cumulative Rate	7.2	11.2	2.3