

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

January Monthly Report (Covering the period of December 1 – December 31, 2017)

- 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
12/7/17	Assault resulting in serious injury to inmate	12/3/17 – serious injury to inmate	Level 1	General Population	Level 1	TRU
12/8/17	Assault involving a slashing	12/3/17 – slashing	Level 1	Protective Custody	Level 1	TRU
12/12/17	Possession of a weapon; participant in multiple inmate gang assault; and multiple inmate assaults	7/26/17 – dangerous article; 3/28/14 – use of force; 3/23/14 – use of force	Level 2	APU	Level 2	No
12/22/17	Possession of a weapon	12/12/17 – dangerous article	Level 2	General Population	Level 2	No
12/23/17	Possession of a weapon; participant in multiple inmate gang assault	12/2/17 – dangerous article; 5/12/15 – use of force; 3/10/15 – use of force	Level 2	General Population	Level 2	ESH
12/27/17	Assault resulting in serious injury to inmate	12/17/17 – serious injury to inmate; 12/11/17 – use of force	Level 1	TRU	Level 1	TRU
12/27/17	Assault resulting in serious injury to inmate	12/17/17 – serious injury to inmate	Level 1	APU	Level 1	No

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
12/14/17	Assault on Staff, Possession of weapon	12/4/17 – AOS 12/13/17 – Possession	Phase 1	SCH	Continued Placement	ESH, TRU, Secure, SCH

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- 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
12/13/17	Discharged from Custody	428	Level 2	N/A
12/15/17	Discharged from Custody	267	Level 2	N/A
12/21/17	Discharged from Custody	299	Level 1	N/A

SECURE

Release Date	Release Reason	Total Days in Secure	Secure Phase Prior to Release	Housing Category After Release
12/22/17	Discharged from Custody	92	Phase 3	N/A

- 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
12/15/17	Level 1	Level 2	Advanced based on upcoming review that will recommend advancing
12/28/17	Level 2	Level 1	Committed an act of violence

SECURE

Date of Movement	Phase Prior to Movement	Phase After Movement	Reason for Movement
12/5/17	Phase 1	Phase 2	Review Recommendation
12/5/17	Phase 1	Phase 2	Review Recommendation
12/12/17	Phase 1	Phase 2	Review Recommendation
12/19/17	Phase 1	Phase 2	Review Recommendation

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

ESH

Entry Unit	Level 1	Level 2	Level 3	Level 4	Overall
8.6	7.5	7.8	0.9	0	7.0

SECURE

Phase 1	Phase 2	Phase 3	Overall
2.87	3.68	1.71	8.26

- e. The total number of people entering ESH or Secure Unit to-date and the total number of entries to date. Minimum, maximum, median, and average length of stay in each phase/level and overall and in each phase/level and overall by release reason¹, and the time in-program minimum, maximum, median, and average on the last day of each month overall and by phase/level².

	Total People Entered To-Date	Total Entries To-Date
ESH	117	128
Secure	48	55

Length of Stay in ESH ³ (days; N=70 for Entry – Level 3 and N=126 for Overall) ⁴					
	Entry Unit	Level 1	Level 2	Level 3	Overall
Average	32	54	64	27	106
Median	30	39	43	27	73
Minimum	2	3	0	25	1
Maximum	428	199	400	28	428

¹ For ESH, Overall Length of Stay by release reason is not available for this reporting period because the historical data needed for this data point is still being collected.

² The min, max, median average LOS by phase/level by release reason and time in program min, max, median and average by phase/level are unable to be produced at this time. The Department will need approximately three months before it can begin to provide this data.

³ 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. Days are only added to each Young Adult's cumulative level total if the stay in a given level has concluded. For example, if at the time of reporting a Young Adult is currently on his 10th day in Level 1 after spending 30 days in ESH Entry, only the 30-day stay in the Entry Unit is included in the Young Adult's record, as the stay in Level 1 is active as of the reporting period close. Records are only included for Young Adults placed in ESH after March 1, 2017, upon the formalization of the Entry Unit.

⁴ The N value represents all ESH young adult records that were used in any of the LOS calculations. Due to the progressive introduction of ESH levels and the establishment of the ESH Entry Unit in March 2017, young adults placed in ESH prior to March 1, 2017 are only included for the calculation of Overall length of stay. These young adults are excluded from the Level-specific length of stay calculations.

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Length of Stay in Secure ² (days; N=47) ⁵				
	Phase 1	Phase 2	Phase 3	Overall
Average	45.19	33.79	40.81	84.28
Median	30.00	30.00	32.00	76.00
Minimum	1.00	7.00	5.00	1.00
Maximum	228.00	81.00	133.00	300.00

Overall Length of Stay in Secure by Release Reason (days, N=47)				
	Completed All 3 Phases	Transferred to Another Unit for Security/Health	Discharged from DOC Custody	Adjudication Determination
Average	115.31	50.83	83.22	8
Median	101.5	21	74.5	8
Minimum	43	1	1	8
Maximum	225	180	300	8

Time in Program ^{6,7} (days)				
Housing Area	Average	Median	Minimum	Maximum
ESH (N=24)	101.38	81.5	5	308
Secure (N= 8)	55.88	56.5	17	111

- f. The number of young adults who met the criteria for an initial 28-day review (Secure), 30-day review (ESH) and 45-day review (ESH).

28-day Review (Secure)	30-day Review (ESH)	45-day Review (ESH)
8	0	14

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

28-day Review (Secure)	30-day Review (ESH) ⁸	45-day Review (ESH)
8	0	12 ⁹

⁵ The N value represents all Secure Unit young adult records that were used in any of the LOS calculations. The Department will attempt to break out N's for levels in subsequent reports. After a recent update to our tracking mechanism, the number of stays has been adjusted (reduced) to account for those individuals who were only temporarily removed from Secure for security or health reasons. Their returns are now reflected to be part of the original stay as opposed to an entirely new stay.

⁶ Time in Program is calculated only for inmates who were still in the unit on 9/1/17. The records are only included for Young Adults placed in ESH after March 1, 2017, upon the formalization of the Entry Unit

⁷ The Department is unable to provide Time in Program by phase/level at this time. The Department plans to provide this data in the March 2018 report.

⁸ Pursuant to the November 14, 2017 variance: Young Adult ESH, Variance Condition #2, the Department dissolved the ESH Entry Unit and discontinued conducting 30-day assessments on November 16, 2017. The Department is currently piloting a multi-disciplinary team review process for all ESH inmates. Young adults will continue to receive 45-day reviews as required by the Minimum Standards.

- ii. 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 Reviews Recommending Advancement, Regression, or Release			
Secure Phase at Time of Review	New Secure Phase or Housing Type Recommended	Resulting Placement	If no advancement, why?
Phase 3	Phase 3	Phase 3	Credible intelligence
Phase 3	Pending security review	Discharged before security review completed	Discharged before security review completed
Phase 1	Phase 2	Phase 2	N/A
Phase 2	Phase 2	Phase 2	Disruptive behavior
Phase 1	Phase 2	Phase 2	N/A
Phase 1	Phase 1	Phase 1	Disruptive behavior
Phase 1	Phase 2	Phase 2	N/A
Phase 1	Phase 2	Phase 2	N/A
Phase 1	Phase 1	Phase 1	Disruptive, aggressive behavior

45-Day Reviews Recommending Advancement, Regression, or Release			
ESH Level at Time of Review	New ESH Level or Housing Type Recommended	Resulting Placement	If no advancement, why?
Level 1	Remain in Level 1	Level 1	Violent behavior
Level 1	Remain in Level 1	Level 1	Disruptive, violent, and, aggressive behavior and credible intelligence
Level 1	Remain in Level 1	Level 1	Disruptive, violent, and aggressive behavior
Level 1	Remain in Level 1	Level 1	Aggressive and violent behavior
Level 3	Remain in Level 3	Level 3	Lack of program participation
Level 2	Remain in Level 2	Level 2	Disruptive, violent, and aggressive behavior
Level 2	Remain in Level 2	Level 2	Disruptive and aggressive behavior
Level 1	Remain in Level 1	Level 1	Credible Intelligence
Level 2	Remain in Level 2	Level 2	Disruptive, violent, and aggressive behavior
Level 2	Move to Level 3	Level 3	N/A
Level 1	Remain in Level 1	Level 1	Disruptive and violent behavior
Level 2	Remain in Level 2	Level 2	Disruptive and violent behavior

⁹ Two young adults who met the criteria for a review during the reporting period were discharged from DOC custody prior to having their reviews.

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- g. 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
Anger Management	5	4.6
Community Meeting	4	5.8
Creative Arts	2	3.5
DBT	7	4.6
Education Tablets	1	5.0
Individual One-on-One Sessions	27	2.4
Interactive Journaling	7	3.4
Interpersonal Skills	7	4.6
Leadership Development	6	2.7
Structured Recreation	1	3.0
Youth Communication	5	4.0
ICAN (Level 2)	14	0.2
Counseling & Social Services (Level 1)	14	1.75
Counseling & Social Services (Level 2)	21	2.1

Secure Programs	# of Sessions Offered	Average # of Participants per Session
Anger Management	16	1.8
Community Meeting	8	2
Creative Arts	9	1.9
Dialectical Behavior Therapy	25	2.2
One-on-One Counseling Sessions	23	1.9
Interactive Journaling	13	2
Interpersonal Skills	24	1.7
Leadership Development	28	2
Structured Recreation	12	1.8
Youth Communication	16	2.3

- h. 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

- i. 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	4	1	66
Monthly Rate	0.15	0.12	0.18
Cumulative Count	55	9	1463
Cumulative Rate	1.948	1.130	2.524

- j. 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	2
Monthly Rate	0.04	0	0.01
Cumulative Count	12	0	51
Cumulative Rate	0.366	0	0.088

- k. 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	3	0	6
Monthly Rate	0.11	0	0.02
Cumulative Count	33	13	100
Cumulative Rate	1.005	1.632	0.172

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I. 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	124	67	846
Cumulative Rate	4.393	8.413	1.459