

Pursuant to §1-16(c)(1)(ii) of the New York City Board of Correction's Enhanced Supervision Housing ("ESH") Minimum Standards and associated February 11, 2020 Record of Variance Action, the New York City Department of Correction ("the Department") is submitting this plan to encourage increased recreation participation among young adults in ESH.

Background, Research, and Limitations

Uniform and non-uniform DOC leadership and staff conducted informal, in person, one-on-one and group interviews with young adults in ESH in order to determine potential barriers and deterrents to their participation in recreation. The Department believes that the information gained from the informal engagement to be substantial and representative of the young adult ESH population as a whole. It is important to note that the low numbers of young adults in ESH poses a challenge to formal research at the level of statistical significance in this area. The low numbers of young adults in ESH also means that recreation data trends are more volatile. For example, on a randomly selected day in April (4/10/20), there were only fourteen (14) young adults in ESH. The fourteen (14) young adults in ESH accounted for approximately only five percent (5%) of the Department's young adult population on that day. The decision of a single young adult in ESH to participate or not participate in recreation accounted for over seven percent (7%) of the broader young adult ESH recreation participation rate on that given day. Despite these broader challenges, the Department further reviewed recreation data, which is readily available to Board staff at all times in housing area logbooks, and previous public reporting on young adult ESH recreation data, which is available to the Board and the public in the Department's Young Adult ESH Monthly Audits.

Initial Findings

Young adults consistently communicated that weather was a dominant factor in their daily determination regarding recreation participation. To the extent that weather patterns are a defining component of seasonality, seasonal patterns clearly play an important role in young adult recreation participation. Young adults in the unit, particularly those in Level 1, also cited a lack of structured activities in the recreation area as a reason why they may choose not to participate in recreation. Additionally, several young adults communicated that group dynamics within the housing area are a contributing factor to their participation in recreation. As is common with many young adults in Department custody, groupthink is a strong contributing factor for young adult behavior in ESH. Young adults reported to DOC staff that if there are a few dominant voices who are disinterested in leaving the housing area for any reason on a given day, others will often follow suit. These two factors, weather conditions and group dynamics, shift on a daily basis and require staff to continuously adjust their strategy for encouraging outdoor activity. In many cases, however, staff efforts do not lead to increased recreation participation as a result of these dominant factors.

There are additional, though less salient, factors that were reported to impact whether or not a young adult may choose to take advantage of their allotted recreation time in ESH. ESH exclusively houses those with a history of serious or persistent violence and often houses active gang members. ESH is specifically designed to programmatically and behaviorally address the needs of this challenging population in a safe environment. However, despite the Department's various efforts to ensure a safe environment, some young adults reported a reluctance to participate in recreation while in ESH due to their perception of an increased risk for violence in recreation areas.

Plan for Increased Recreation Participation

As discussed, reasons for recreation refusals vary greatly day to day. As a result of the aforementioned findings, the Department will instruct staff to consult with young adults when consistent refusals to participate are noted. This will be done on an ongoing basis in congregate and individual settings. Security staff privy to gang activity will also be consulted in order to determine if young adult participation may be impacted by gang-related considerations. Depending on the response from young adults and security staff members, new strategies will be adapted in real time on an individual basis as information is gathered. Efforts will be responsive to the individual needs and considerations of the situation and will be made in order to ensure an increased perception of safety for young adults participating in outdoor recreation. Participation trends, gathered through both reporting requirements associated with the Young Adult ESH Variance, will continue to be communicated to Program Division staff and OBCC leadership on a regular basis in order to support a continued data driven approach to increasing recreation participation among young adults in ESH.

When it is determined that consistent inclement weather is deterring recreation participation, non-uniform staff will facilitate structured games and activities indoors. These games and activities will include, but are not limited to, jeopardy and family feud-style competitions, timed chess tournaments, and art projects.

To address the reported lack of structured activities in the recreation area, non-uniform staff will facilitate activities that strengthen cognitive and motor skills when requested. Dependent on the programming plan and engagement model implemented post COVID-19, these activities may include training simulations, obstacle courses, and/or basketball games.

Recreation under COVID-19

Recreation in ESH has been offered without alteration during the COVID-19 pandemic. However, it should be noted that incarcerated individuals have become understandably wary of interacting with recreation and program staff who are still working in the facility to provide essential counseling, social services, and self-guided programming materials due to increased social anxiety surrounding concern for infection. While the Department continues to afford and encourage recreation participation, it is important to note that the COVID-19 pandemic is likely to impact recreation participation data trends and DOC staff's ability to engage young adults under current circumstances and related social distancing guidelines pursuant to the aforementioned plan for engagement.

Reporting

In accordance with the Board of Correction's Enhanced Supervision Housing variance conditions, the Department will report monthly on the implementation of the aforementioned plan along with the number, rate, and time of young adult recreation participation. This reporting will further be disaggregated by ESH level once the Department is able to do so effectively.