

NEW YORK CITY DEPARTMENT OF CORRECTION

2020-2021
YOUNG ADULT
PLAN



T A B L E O F C O N T E N T S

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INTRODUCTION:

The New York City Department of Correction (“Department”) published a Young Adult Plan in 2015, becoming one of the first correction departments in the country to acknowledge the age-specific developmental considerations, risks, and needs unique to young adults (18-21 year-olds) in correctional settings. Most critically, the Department – in partnership with the New York City Board of Correction (“Board”) – committed to making operational, housing, and programmatic determinations for young adults in accordance with their age-related needs and development. Notably, this commitment additionally included the historic elimination of punitive segregation for young adults in custody and the creation and refinement of alternative housing models including Enhanced Supervision Housing (“ESH”) and the Secure Unit, which involve comprehensive programmatic offerings in structured environments that provide crucial incentives for positive engagement, behavior, and rehabilitation. The Department sought and incorporated thoughtful feedback and valuable direction from the Board in the creation of this renewed plan, which seeks to build upon the shared achievements and lessons learned of the previous five years.

Since the creation of the original Young Adult Plan in 2015, the Department developed improved unit management strategies, age-specific programmatic resources, targeted staff training, and state of the art programming spaces specifically for young adults in custody. Most importantly, through the treatment of young adults as a separate cohort from adults, the Department developed a more nuanced understanding of the age-specific risks and needs presented by young adults in Department custody. The Department further acknowledges the emergent research in neuroscience, developmental psychology, and sociology that further establishes the importance of age-specific attention and intervention for young people, particularly in correctional settings.

Despite the unique and pressing challenges of 2020, the Department is committed to building upon the accomplishments of the previous five years and is working to provide individual-specific programming plans and engagement for all young adults in custody. While young adults, as a cohort, may generally demonstrate similar characteristics, each individual young person in custody has unique circumstances and requires individual support and planning in an environment that is responsive to their personal risks and needs. Underpinning every aspect of this plan is the understanding that each young adult in the Department’s care has immense potential to overcome challenges and invest in their personal growth and development. These efforts align with the Department’s mission, vision, and values in their intention to acknowledge the humanity and unique circumstances of young adults, while preparing them to contribute meaningfully to their communities (See Appendix A).

In this plan, the Department outlines a holistic unit management approach to young adult housing and engagement designed to unlock and foster the potential of each young adult in custody, including a discussion of alternative housing needs and support for young adults who are unable to productively live with their peers as a result of their unique needs and behavior.

UNIT-MANAGEMENT AND INDIVIDUALIZED CARE:

Evaluating Risks and Needs

In order to support the needs of each young adult in custody in a unit management approach, the Department seeks to first gain an understanding of each young adult’s unique needs through the use of a needs assessment tool.¹ Once individual risks are identified, a counselor designated to the unit works directly with the young adult to define correlated needs and complete an individualized

¹ Criminogenic risk broadly refers to behaviors or circumstances that increase the likelihood of an individual’s criminal behavior and recidivism. Criminogenic risk factors vary by individual, but may include antisocial behavior, personality patterns, cognition, and/or associates, as well as family, work, school, financial security, or substance use circumstances.

programming plan for the young adult. The individualized programming plan involves the scheduling of daily evidence-based programming tailored to the individual's needs, including group and one-on-one counseling, re-entry support, and recreation and supplemental enrichment activities that are tailored to the interests of each young adult.² The Department's programming for young adults falls within various categories of engagement, as outlined in the Department Programs Division's mission, vision, and values (See Appendix B). Department programming is further supplemented by the provision of Department of Education ("DOE") educational services for all interested young adults in custody. The critical function of this work is to involve the young adult at every stage of their planning and to maintain regular contact with each young adult as they progress through their individual plans. Through these efforts, the Department seeks to meet each young person where they are in their personal development and create a supportive environment where young people have both the resources and the encouragement to pursue educational, behavioral, vocational, and social learning.

Unit Management

Unit management is an evidence-based correctional best practice that creates safer and more responsive facilities through the designation of smaller unit management teams within a larger facility structure. The unit management model was deployed in select young adult units at the Robert N. Davoren Center ("RNDC") in September 2020 with plans for expansion across all Department units and facilities. Once fully implemented, the Department will have steady uniform and counselor staff assigned to each unit. Department staff will receive a robust suite of targeted evidence-based trainings, including modules on the unit management approach, the principle of risk-needs-responsivity, and the eight principles of effective management in a correctional setting, along with a range of team-building activities. The trainings, which were piloted in August 2020 at RNDC, are rooted in an evidence-based approach to unit management and will be supplemented by Department-wide Outward Mindset training.³ Together, these trainings build upon Direct Supervision training and provide staff with the resources, information, and skills to engage the young adults in their respective units in a meaningful and positive manner.⁴ By developing interpersonal relationships and furthering staff understandings of people in custody and people in custody's understandings of staff, the Department seeks to create a restorative environment for everyone who lives and works on the unit and ensure safety through a dynamic security approach.⁵

Developing Supportive Environments Through Unit Management

Grounding staff interactions with young adults in mutual understanding and respect represents invaluable progress in the Department's creation of supportive and restorative environments for young adults. Young adults have immense potential to contribute to their communities and develop a positive framework for their behavior and social interactions. The Department has invested heavily in the creation of additional recreation and programmatic spaces, as well as enhanced recreation, evidence-based programming, vocational training, and various other enrichment and entertainment activities and programming for young adults to productively channel their energy. However, young adults in custody often have and impose unique operational challenges. The same body of contemporary research that impresses the importance of providing age-specific care to young adults in correctional settings also yields considerable evidence that individuals in the young adult stage of brain development are more attracted to

² As a result of the COVID-19 pandemic, the Department has transitioned to the provision of programming through programming packets and tablets with a mixture of educational, programming, and entertainment content. Supplemental entertainment resources like hand-held game devices and reading materials have also been distributed to all young adults.

³ Outward Mindset training is being provided to all Department staff in partnership with the Arbinger Institute. The training, which assists participants' adoption of an outward mindset – that facilitates awareness, collaboration, accountability, innovation, and engagement – is a core component of Department culture change efforts.

⁴ Although typically utilized by correctional agencies as a best practice in managing adult populations, in 2016 the Department collaborated with the Nunez Federal Monitor to customize the Direct Supervision Model to young adult populations by incorporating brain development science and related content.

⁵ The 'Dynamic Security Approach' is a core component of the Norwegian Model based on the 'Principle of Normality,' which emphasizes communication and interpersonal relationships between staff and the incarcerated population as the primary factors in resolving situations and maintaining safety within a correctional facility.

risk-seeking behavior and have unique challenges regulating emotion and controlling risk-seeking behavior, particularly when surrounded by peers.

These findings are corroborated by Department experience and data since the creation of the 2015 Young Adult Plan. The Department's young adult population accounts for a disproportionate share of violence and affiliates with active gang involvement at significantly higher rates than the adult population. In FY19, the percent of young adults in custody with an active gang affiliation was 45.4%, approximately three (3) times the equivalent rate of adults at 15.6%. In FY19, gang-affiliated young adults committed violence against other individuals in custody at a rate that was over nine (9) times higher when compared to the gang-affiliated adult population. Additionally, in FY19, young adults in Department custody without any known gang affiliation committed violence against other individuals in custody at more than twice the equivalent rate for adults without any known gang affiliation.

Despite these serious operational challenges, the Department is committed to utilizing the least restrictive form of intervention possible within the unit management approach in order to correct negative, anti-social behaviors through an evidence-based approach of positive framing interlaid with progressive incentives. The Department is further committed to ensuring living spaces, programmatic spaces, and recreation areas are all designed and maintained with the goal of creating positive environments and expectations.

ADDRESSING NEGATIVE BEHAVIORS IN A POSITIVE FRAMEWORK:

Managing Misbehavior Through Unit Management

While the Department makes every effort to prevent violence through direct engagement and support, it must be acknowledged that young adults often enter Department custody as a result of serious behavioral and social challenges. Operational experience has shown that more serious violent young adult behavior is often preceded by less egregious transgressions, such as failing to follow directions from staff, using abusive or obscene language or gestures, or fighting. Informal resolutions are proportional and consistent responses to negative behaviors that are applied in a conversation between unit staff and the young adult. They may include, for example, the reduction of commissary spending, reduced or restricted access to the Programs, Education, and Community Engagement Center ("PEACE Center"),⁶ restriction from attending special events, and/or restricted tablet access for a set period. Informal resolutions are aligned with an evidence-based approach to behavioral management as they involve swift and proportional responses to negative behaviors and are developed and applied in direct conversation, and with the understanding of, the young adult. Informal resolutions set attainable and distinct goals, thereby creating a positive framework through which young adults understand the direct connection between their behavior and a defined benefit.

It should further be acknowledged that informal resolutions are effective because the Department has invested in additional resources, programming, entertainment, and activities for the young adult population in excess of the Board's Minimum Standards. While young adults are cognitively and behaviorally distinct from adults, it must also be noted that young adults are equally distinct from adolescents and often do not respond positively to being treated as youth. Informal resolutions are not punishments. They are direct conversations that respect the humanity, independence, and potential of each young adult by applying accountability, transparency, and fairness as a swift response to correct emerging negative behavior.

⁶ The PEACE Center is a state-of-the-art programming space originally developed in GMDC, but rebuilt and expanded in RNDC for the young adult population. The PEACE Center includes a computer lab, driving simulators, programming space, a professional music recording studio, as well as video game consoles and other entertainment activities like ping pong tables and exercise equipment.

Managing Young Adults Who Engage in Violent and Disruptive Behavior

While informal resolutions provide a pathway for meaningful interventions to nonviolent behavior, the Department requires the flexibility to take further action when a young adult's behavior threatens the wellbeing of other individuals in the unit and therefore the productive environment Department staff and other young people in the unit work to achieve. When individuals commit violent acts in a housing area, they create an unsafe and unproductive environment for community and personal development. A growing body of research demonstrates that young adults are particularly susceptible to influence and impulsive decision-making when in settings with their peers. While this can often be overcome through team-building and the modeling of positive behavior by staff, in certain limited cases – and only when the young adult's behavior is not able to be managed in a young-adult-only setting – the Department requires the ability to commingle a young adult in a housing unit with adults in order to provide a setting in which the young adult does not feel pressured to perform or otherwise engage in problematic and disruptive behaviors.⁷ In these cases, an individual commingling determination is made in writing and provided with supporting documentation to the young adult and the Board.

Commingling Disruptive Young Adults Reduces Violence

While the Department would prefer to safely house all young adults with their peers in supportive young-adult-only environments, the benefits of commingling young adults who meet the Board's criteria are clear for both the young adult's behavioral outcomes, but also for the remaining young adults who are able to live peacefully and focus on their personal development without fear of victimization.

The Department conducted a descriptive analysis of young adult admissions who entered young adult housing before being transferred to commingled housing in order to understand the effect of commingling on the young adult's behavior.⁸ Young adults who engage in violent or disruptive behavior while in young-adult-only housing are significantly less likely to engage in violent or disruptive behavior when transferred to commingled housing. Young adults were 16% less likely to be involved in incidents resulting in serious injury while housed in commingled housing, and young adults were a staggering 42% less likely to be involved in fights while in commingled housing as opposed to young-adult-only housing. Additionally, young adults were 32% less likely to be involved in a use of force incident following their transfer to commingled housing. These findings are particularly compelling, considering these reductions are realized among a particularly challenging subset of young adults.

While the majority of young adults are able to live productively with their peers, certain young adults who engage in violent and disruptive behaviors in young adult housing, require more stable and calm housing settings that are free from the young adult social dynamics and peer pressures that may develop in young-adult-only housing. In this manner, commingling serves as a critical tool to redirect challenging young adults back to the programmatic objectives in their individualized programming plans. When provided with an opportunity for reflection, commingled young adults frequently express to staff their desire to continue living in predominantly adult housing areas to avoid feeling a need to perform for their peers or otherwise to provide themselves with a less active social environment with fewer distractions so they can focus more freely on their programming objectives. Young adults may additionally wish to live in adult environments with fewer gang-involved individuals to avoid the various pressures associated with the high levels of gang-involved young adults entering Department custody.

⁷ In compliance with BOC variance conditions, the Department may only commingle a young adult (19-21) in exceptional circumstances when he/her/they engage in violent or assaultive behavior towards staff or other people in custody, or he/her/they engage in actions that directly threaten the safety and security of the facility. Following these behaviors, a young adult may additionally be commingled with adults in restrictive housing settings.

⁸ The analysis considers documented violence and use of force data for young adults who were admitted to young-adult-only housing before being transferred to commingled housing between October 1, 2019 and October 5, 2020 in order to analyze calculated changes in daily incidence rates of various key data indicators in the unit prior to commingling and in the unit following commingling.

Commingling as a Limited Tool

The Department makes commingling determinations on an individual basis with careful consideration of all alternative housing options. Young adults who meet the current Board criteria for commingling represent a significant minority of the Department's entire young adult population. As of November 2, 2020, there were 119 young adults in custody housed outside of RNDC. Of the 119 young adults, seventeen (17) were housed in young adult only housing in Secure and ESH, two (2) were commingled in ESH housing, three (3) were housed in protective custody housing, seven (7) were housed in Centrally Monitored Case ("CMC") housing or other secure housing, and eleven (11) young adults were housed in the Rose M. Singer Center ("RMSC"). Of the remaining young adults housed outside of RNDC, thirty-five (35) were housed in new admission housing due to COVID-19 screening, and ten (10) young adults were housed in specialized mental health housing, the hospital, or an infirmary. Only thirty-four (34) young adults, fewer than 8% of young adults in custody, were commingled in GP housing outside of RNDC based on violent incidents or threats to the safety and security of a facility.

It is very important to note that while a very small subset of young adults may be commingled outside of RNDC based on their violent or disruptive behavior, each commingled young adult will still be provided age-appropriate individualized programming and attention as the Department rolls out the unit management approach across all facilities. Additionally, when young adults demonstrate an ability to refocus on their programming and live productively with their peers in commingled housing, the Department frequently rehuses commingled young people back in young adult housing so long as they communicate a willingness to return to young adult only housing and an ability to live peacefully among their peers. The Department is committed to ensuring all young people in custody are provided the opportunities and resources to succeed.

MANAGING SERIOUS BEHAVIORAL ISSUES THROUGH MEANINGFUL INTERVENTIONS:

As the Department awaits the Board's restrictive housing rulemaking, there remains a need for more structured living environments when young adults do not respond to the Department's many engagement efforts and instead engage in persistent violence or acts of egregious violence while in custody. In instances where a young adult commits a slashing/stabbing or other act of violence that causes serious harm to another individual in custody or staff, the Department cannot responsibly house that individual in a general population environment without causing serious risk of harm to the other individuals and staff in the area. While the Department and the Board's efforts to reform the current young adult ESH and Secure Unit models is well documented, the Department is concerned by a lack of meaningful program engagement by young adults in these units. Young adults in ESH and Secure Unit require the most engagement in evidence-based and pro-social programming, not the least.

Despite the creation of detailed individualized support plans, the provision of individualized programming, and constant encouragement from both uniform and counselor staff, young adults in these units are keenly aware that programming participation is not a requirement for progression and frequently choose not to participate.⁹ The current lack of programming engagement undermines the Department's vision for these units as meaningful and restorative behavioral interventions. With the collaboration of the Board, the Department seeks to require programming engagement in order to address the root causes of persistent and serious violent behavior among young adults in ESH and Secure Unit prior to their return to general population.

⁹ Current Board variance conditions stipulate that only behavioral indicators are considered during reviews, thereby allowing young adults who do not engage in programming to progress back to general population housing.

CONCLUSION AND ACKNOWLEDGEMENTS:

Through the implementation of a unit management approach, the provision of robust programmatic resources, individualized attention, and structured housing options that address the root causes of negative young adult behaviors, the Department is better suited to address the unique and individual needs of each young adult in custody. The Department is encouraged by the progress made over the past five years and is energized to continue this important work.

The Department thanks its uniform and nonuniform staff for their enduring commitment to improving correctional practices and providing individualized support to people in custody. The Department additionally thanks its partners in service at the Correctional Health Service and DOE for their commitment to the young adult population and their key collaboration in the success of related Department efforts.

The Department acknowledges the vital partnership of the Board in this work, and thanks each of the Board members and staff for the dedication, passion, and expertise they contribute toward our agencies' shared mission. In partnership, we can create safe and supportive environments and provide all individuals in our care with a path to successful community reintegration. The Department looks forward to continued collaboration and engagement with all stakeholders.

APPENDIX A

New York City Department of Correction: Vision, Mission, Values

- **Vision:** Transforming lives and building safer communities.
- **Mission:** We create a safe and supportive environment where we act with integrity and professionalism while providing individuals in our care with a path to successful community reintegration.
- **Values:** As stewards of public safety, we are committed to
 - recognizing the **humanity** in everybody;
 - acting with **integrity**;
 - **investing in staff** through wellness and professional development;
 - providing individualized **programs and rehabilitative services** to those in our care;
 - achieving **excellence** in correctional practices.

APPENDIX B

RAPPORT, DATA, CLIENT-FOCUSED, INDIVIDUAL FOCUSED, COLLABORATION, RISK + NEEDS, EVALUATIONS, TARGETED INTERVENTION, PROGRAM PLANS, RAPPORT, DATA, CLIENT-FOCUSED, INDIVIDUAL FOCUSED, COLLABORATION,

COLLABORATION, RISK + NEEDS, EVALUATIONS, TARGETED INTERVENTION, PROGRAM

VISION, MISSION, VALUES OF PROGRAMS DIVISION

<p>Vision: To be the national model for jail-based programming.</p> <p>Mission: To empower individuals in our custody through the implementation of Correctional Best Practices, leading to safer facilities and increased public safety.</p> <p>Values:</p> <ul style="list-style-type: none"> • We are responsible, accountable, respectful and effective public servants. • We foster an environment of collaboration with internal and external partners. • We promote honesty, inclusivity, and integrity in all we do. • We believe people have the ability to change. 	<p>PROGRAMS</p> <p>Activities: Recreation and Structured Leisure Time which promotes socialization and idleness reduction</p> <p>Enrichment: Activities that promote critical thinking, listening, visualization and concentration. These activities should include singing, art, music, theater, and creative writing</p> <p>Evidence Based Programs: Program facilitated by a trained professional which have been studied and proven to increase prosocial behavior</p> <p>Education: Academic and Vocational training such as Hard Skills and Certifications.</p> <p>Reentry Programs: Programs that help individuals prepare for release or transition</p>
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RISK + NEEDS, EVALUATIONS, TARGETED INTERVENTION, PROGRAM PLANS, RAPPORT, DATA, CLIENT-FOCUSED, INDIVIDUAL



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