



Gordon J. Campbell, Chair
Alexander Rovt, Ph.D., Vice Chair
Greg Berman
Robert L. Cohen, M.D.
Hon. Bryanne Hamill
Michael J. Regan

BOARD OF CORRECTION
CITY OF NEW YORK
51 CHAMBERS STREET, RM 923
NEW YORK, NY 10007
212 788-7840 (Office)
212 788-7860 (Fax)

Amanda Masters, Esq.
Acting Executive Director

September 23, 2014

Commissioner Joseph Ponte
New York City Department of Correction
75-20 Astoria Boulevard
East Elmhurst, New York 11370

Dear Commissioner Ponte:

This is to formally advise you that at the September 9, 2014 meeting, the Board of Correction granted the Department of Correction's request for a variance from Minimum Standard 1-02(b)(2) that requires male adults ages 19 and over to be housed separate from male minors, ages 16-18 inclusive. The Department's proposal is to house ages 18-21 inclusive together, and the 16 and 17 year olds shall be housed as a cohort separate from them.

The variance is granted in light of the detailed proposals for new programming described in the Department's letters of August 8, 2014, August 26, 2014, and September 8, 2014 and after consideration of written comments from stakeholders Friends of Island Academy and the Legal Aid Society, both of whom support the proposals.

This variance is granted upon the Department first meeting the following conditions:

1. DOC will create a timeline to have each and all of the uniform staff who will be working in the young adult and the 16 and 17 year-old housing areas complete the safe crisis management training 3-day curriculum within a reasonable period of time:
 - a. Before the housing changes may be implemented, 140 of those officers and supervisors will begin the three day training the week of September 29, 2014, and this will be certified to the Board.

- b. The Department will then continue training on a timeline containing specific dates on which certifications of training will be provided to the Board. This timeline must be provided to the Board within two weeks.
2. Within two weeks, and before any housing changes are made, DOC will deliver to the Board timelines with specific dates by which each of the following will be completed:
 - a. Technical, vocational, and job engagement training will be provided to all eligible young adults.
 - b. Cameras will be in place in all housing areas where young adults are housed.

Additionally, the Board will carefully monitor whether a "C" officer is needed in the young adult housing areas in order to provide inmates with enhanced supervision. The Department will prepare a report analyzing this issue for the November 18, 2014 Board meeting.

Finally, the Board understands that the Department will no longer place 16 and 17 year olds in punitive segregation before the end of November 2014, and therefore "cell study" will no longer be imposed on any 16 and 17 year olds by that time. The Department will consider also allowing access to congregate school settings for the 18-21 year old cohort housed in punitive segregation housing areas, including the Restricted Housing Units.

This variance will remain in effect until November 18, 2014.

Please contact me if you have any questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Gordon Campbell", with a stylized flourish at the end.

Gordon Campbell

- c: Members of the Board of Correction
Heidi Grossman, Deputy Commissioner, DOC
Amanda Masters, Acting Executive Director, BOC