STATE OF NEW YORK • EXECUTIVE DEPARTMENT
STATE COMMISSION OF CORRECTION
80 WOLF ROAD, 4TH FLOOR
ALBANY, NY 12205-2670
(518) 485-2346
FAX (518) 485-2467

CHAIRMAN
Thomas A. Beilein

COMMISSIONER
Phyllis Harrison-Ross, M.D.

December 7, 2011

Dear Chief of Police:

In accordance with section 7509.1(b) of Title 9 of the Codes, Rules and Regulations of the State of New York, your department is required to submit an **annual report of facility detention statistics**. The annual report form for this purpose requests: the total number of males and females detained, the number of juveniles (15 and under) detained, the number of cells and/or detention areas in your lockup, and the total number of detentions in your lockup during the 24-hour period of December 31, 2011.

Pursuant to 9 NYCRR §7501.1(c), a police department headquarters, precinct house or station shall be deemed to operate a police lockup subject to the provisions of 9 NYCRR Chapter IV, if any such place contains a discrete area designated and/or used for the temporary detention of persons awaiting disposition of their cases in the courts, before arraignment in court or for a brief period after court arraignment, irrespective of design, configuration or equipment and notwithstanding occasional incidental use for detention of persons for purposes other than court dispositions. If your agency has **multiple lockup locations** (i.e., different buildings), please complete a **separate annual report form for each location**.

As you know, New York State laws and regulations, as well as federal regulations, prohibit the detention of juveniles (15 and under) in adult jails, lockups, and other adult detention facilities. Unfortunately, it does sometimes happen that a juvenile will be securely detained in an adult facility. For example, we occasionally find that an officer has placed a runaway youngster in a cell while awaiting the arrival of a parent/guardian, or a juvenile appeared to be an adult and was detained before a true date of birth was discovered.

Regardless of the reason, **every** instance of a juvenile detention in an adult facility must be reported to the State Commission of Correction. The enclosed **Record of Juvenile Detention** form should be used to report any occurrence of a juvenile being securely detained in your adult facilities. If a Record of Juvenile Detention form was not completed for any juvenile detentions in 2011, please complete the form and forward it with your annual report response.

The Commission of Correction is the agency in New York that is tasked with reviewing all adult jails' and lock-ups' compliance with the JJDPA core requirements. Failure to comply with the core requirements can jeopardize the state funding that is used for juvenile justice-related programs. The Commission will visit your agency once every three years to check for compliance with all applicable laws and standards. Also, for your information our website has copies of past detention summaries.

Your annual report is due by February 1, 2012. **Please complete the annual report and any outstanding Record of Juvenile Detention forms by this time.** If you have any questions regarding the annual report, please feel free to call our office at (518) 485-2463. Thank you for your continued cooperation.

Sincerely,

James E. Lawrence
Director of Operations

Enclosures (2)

Annual Report of Adult Lock-Up for 2011

Department or Agency_____

Department or Agency ORI _____

Lock-Up Location or Precinct Name _____

Lock-up Location ORI _____

Total # of detentions during year Males _____ Females _____

Total # of juveniles (15 and under placed in lock-up) Males _____ Females _____

Total # of reported JJDPA violations
Secure detention violation Males _____ Females _____
Sight and sound separation Males _____ Females _____
Jail removal violation Males _____ Females _____

Total # of cells in your lockup _____

Total # of detention areas in your lockup _____

If they are designated as Male and Female, what is the breakdown?

Males _____ Females _____

Total # of persons held regardless of age held **on 12/31/11 only**

Males _____ Females _____

Complete a form for each individual lock-up that your department operates

Address _____

City _____

Zip Code _____

County _____

Telephone Number _____

Chief of Police **(signature)** _____

Chief of Police **(printed)** _____

Date: ____/_____/ 2012

Please return this completed form by February 1, 2012 to:
New York State Commission of Correction
80 Wolf Road, 4th Floor
Albany, New York 12205
ATTN: James E. Lawrence

NEW YORK STATE RECORD OF JUVENILE DETENTION IN ADULT LOCK-UPS

(PERSON UNDER THE AGE OF 16)

The following information must be submitted to the New York State Commission of Correction whenever a Juvenile has been detained in an adult lockup.

Name of Reporting Facility:_____ Date of Report: _____

Name of Juvenile: _____ Date of Birth: _____

Did juvenile give a false DOB? Yes ☐ No ☐ If so indicate the false DOB: _____

Gender: Male ☐ Female ☐

Race and Ethnicity:

- ☐ White (non-Hispanic)
- ☐ Asian (non-Hispanic)
- ☐ American Indian or Alaska Native (non-Hispanic)
- ☐ Hispanic or Latino
- ☐ Black or African American (non-Hispanic)
- ☐ Native Hawaiian or other Pacific Islander (non-Hispanic)

Crime Charged/Reason for Detention:

_____

_____

Was juvenile separated from adult (age 16 or over) detainees? Yes ☐ No ☐

If NOT please note where the juvenile was when they were not separated (e.g. Booking Area, Cell Block):

_____

_____

Date & time juvenile entered the Lock-up: _____

Date & time juvenile was removed from Lock-up:_____

Was juvenile transferred from another location or agency (e.g. Police Dept/Jail)?

Yes☐ No ☐ If yes, which agency? _____

Was juvenile transferred to another agency (e.g. Police Dept/Jail/ Probation)?

Yes☐ No ☐ If yes, to which agency? _____

Form submitted by: Name: _____Title: _____

Area code and phone number:(____)_____Date:_____

Mail form to: OR Fax the form to:

NYS Commission of Correction
80 Wolf Road, 4th Floor
Albany, NY 12205

(518) 485-2467

If you have any questions, please call (518) 485-2485

11/09