



**NEW YORK STATE COMMISSION OF CORRECTION
ANNUAL REPORT
2013**

**THOMAS A. BEILEIN
CHAIRMAN**

**PHYLLIS HARRISON-ROSS, M.D.
COMMISSIONER**

**THOMAS J. LOUGHREN
COMMISSIONER**

**“TO PROVIDE FOR A SAFE, STABLE AND HUMANE
CORRECTIONAL SYSTEM.”**

HISTORY

The State Commission of Correction is the current-day embodiment of the New York State Commission of Prisons, which was established in July of 1895. The Commission of Prisons was meant to function as an autonomous body for the sole purpose of monitoring all detention and correctional facilities within the State.

While the State Commission of Correction essentially functioned in its original capacity for almost eighty years, in the 1970's, the Commission underwent a series of administrative and legal changes that significantly affected its mission in the correctional field.

As the State Commission of Correction's autonomy and mission were expanded and made more credible, the Governor and Legislature also restructured the agency's administration. A full-time, three member Commission was established, appointed by the Governor with the advice and consent of the Senate. The Citizen's Policy and Complaint Review Council (CPCRC), consisting of nine gubernatorial appointed positions, of which seven are currently filled, was also established, and the Medical Review Board was reorganized.

CORRECTIONAL OVERSIGHT LEGAL AUTHORITY

Correctional facilities in New York State operate pursuant to a body of carefully formulated constitutional and statutory law and regulations. The State Commission of Correction's legal authority is derived from the following:

- County Law, Article 5, Section 217: "Each county shall continue to maintain a county jail as prescribed by law."
- Correction Law, Article 6: Management of state correctional facilities.
- Correction Law, Article 20: Statutory provisions governing New York State penitentiaries and jails.
- Article XVII, Section 5 of the New York State Constitution provides that there shall be a State Commission of Correction, which shall visit and inspect all institutions used for the detention of sane adults charged with or convicted of crime.
- Correction Law, Article 3, establishes the Commission and its oversight and regulatory powers. Section 45(6) of the Correction Law provides for the State Commission of Correction to promulgate rules and regulations establishing minimum standards for the care, custody, correction, treatment, supervision, discipline, and other correctional programs for all persons confined in correctional facilities for adults and correctional facilities for juvenile offenders.
- Title 9, Subtitle AA of the Official Compilation of Codes, Rules and Regulations of the State of New York contains the minimum standards and regulations for the management of correctional facilities, as promulgated by the State Commission of Correction.

ORGANIZATIONAL AND STATUTORY AUTHORITY

The New York State Commission of Correction is an Executive Department correctional oversight and technical services agency first established in the New York State Constitution (Article XVII) in 1895. The Commission's services are delivered to all state and county correctional facilities, police department detention and facilities in New York City. Its organization, functions, powers and duties are set forth in New York State Correction Law, Article 3.

The Commission's duties include:

- advising the Governor on correctional policy;
- promulgation of rules and regulations establishing minimum standards for the care, custody, treatment, supervision and discipline for all persons confined in correctional facilities;
- ensuring compliance with minimum standards;
- monitoring, adjusting and enhancing prison and jail population capacity;
- reviewing all inmate grievances, complaints, and reportable incidents;
- overseeing new correctional facility development;
- providing staffing services;
- assisting in the implementation of new correctional technologies;
- review of inmate mortality;
- evaluation and development of health and mental health services; and
- overseeing secure juvenile centers operated by the NYS Office of Children and Family Services.

The Commission's mission is to provide for a safe, stable and humane correctional system and for the delivery of essential services therein. The three deliberative members of the Commission are appointed by the Governor to statutory terms with the advice and consent of the New York State Senate. One commissioner serves as chair and chief executive officer. The other two commissioners are assigned to head the Medical Review Board and Citizen's Policy and Complaint Review Council respectively, members of which are also appointed to terms by the Governor.

The Commission is primarily a field services agency with 18 Correctional Facility Specialists in its Field Operations Bureau and Forensic Medical Unit. Legal, executive and support services complete the agency's current staff complement of 25. The present staff represents a reorganized approach to the agency mission associated with a downsizing and streamlining of operations.

In summary, the Commission is a small, specialized criminal justice service agency supporting the statewide correctional community, working on behalf of the Governor to professionalize and enhance the quality of corrections in New York.

MEDICAL REVIEW BOARD

The Medical Review Board (MRB) was established by the Legislature in 1972 to investigate deaths in correctional facilities within the state and to make recommendations for improving the delivery of health care to detainees and sentenced offenders.

Section 46 of the Correction Law provides for an organized Correction Medical Review Board within the State Commission of Correction. The Board must consist of two physicians who are board certified respectively in forensic pathology and forensic psychiatry, another physician, an attorney admitted to the New York Bar, and two at-large members, all appointed by the Governor to statutory terms with advice and consent of the Senate.

Section 47 of the Correction Law empowers the Board to:

“(1.) (a) Investigate and review the cause and circumstances of the death of any inmate of a correctional facility and,

(1.) (e) Investigate and report to the Commission on the condition of systems for the delivery of medical care to inmates of correctional facilities and where appropriate, recommend such changes as it shall deem necessary and proper to improve the quality and availability of such medical care.”

The Commission and the Medical Review Board pursue the following objectives:

- Conduct timely and thorough investigations of all mortality and serious incident cases in the correctional system;
- Develop and administer cost-effective plans, projects, and programs to address identified problems in the health care delivery of all correctional facilities; and
- Maintain continuous oversight of correctional health care trends by substantive response to inmate health care grievances and review of Medical Review Board recommendations.

The Medical Review Board meets on a quarterly basis. The 2013 MRB members included:

Phyllis Harrison-Ross, M.D., Chairperson
Michael Baden, M.D.
Robert Kurtz, M.D.
Bruce David, M.D.
Scott S. Coyne, M.D.
Marjorie Blieka, M.D.
Allison Bishop, Esq.

CITIZEN’S POLICY AND COMPLAINT REVIEW COUNCIL

The Council was established by the Legislature to address the need for increased public participation in the oversight and regulation of local correctional facilities. Its mandate includes: improving conditions in local correctional facilities, overseeing the inmate complaint and grievance process, and advising the Commission.

The Council is comprised of nine members appointed by the Governor with advice and consent of the Senate. The statute requires that one member shall have been a Vietnam veteran, or a licensed mental health professional with expertise in Post-traumatic Stress Disorder, an attorney, a former inmate of a correctional facility, a former Office of Children and Family Services (OCFS) resident, and a former OCFS employee.

The Citizen’s Policy and Complaint Review Council (CPCRC) convenes monthly. The 2013 CPCRC members included:

Thomas Loughren, Chair
Thomas Cross
Theodore Hilscher, Esq.
Nicholas LaBella, Jr.
Douglas Landon, Esq.
Jimmie Seright
Julie Scalione, Esq.
Burt Schoenbach

**FIELD OPERATIONS MANAGEMENT AND
SUPERVISORY STAFF
2013**

JAMES E. LAWRENCE
Director

RICHARD KINNEY
Deputy for Field Operations

STEVEN SAVOY
Field Supervisor
Metro South-Central Region

TERRY MORAN
Field Supervisor
Capital-West Region

WILLIAM BENJAMIN
Field Supervisor
Hudson Lakes Region

PEGGY LOFFREDO
Field Supervisor
Forensic Unit

FIELD OPERATIONS MISSION DIRECTED PROGRAMS

Facility Monitoring, Evaluations and Incidents

Healthcare, Mental Health and Suicide Prevention

Inmate Complaints and Grievances

Capacity Management, Staffing Services

Technical Assistance

Facilities Development and Operational Transition

Compliance Monitoring for the Handling and Processing of Juveniles

**Regulatory Oversight of Secure Facilities Operated by the Office of Children
and Family Services (OCFS)**

BUREAU OF FIELD OPERATIONS

The Bureau of Field Operations has primary responsibility for performing the Commission's agency functions. Among them are correctional facility compliance assessments, incident reviews and investigations, mortality investigations, health system evaluations, inmate grievance and complaint review, facility planning and a variety of technical assistance.

The Bureau of Field Operations operates throughout the correctional systems of New York State. These systems include all state, county, and New York City correctional facilities, as well as local police department lockups and those secure facilities operated by the New York State Office of Children of Family Services. In 2010, the Bureau of Field Operations was organized into three regions: Hudson Lakes, Capital West, and Metro South-Central.

Facility Compliance: Assessment and Monitoring Field Work, Incidents, Complaints & Grievances

Field staff based in both Albany and New York City conducted on-site visits to various state and local correctional facilities. This fieldwork included assessing facility operational compliance with the Commission's minimum standards, monitoring unusual conditions (e.g. disturbances, strikes, job actions, unstable conditions), evaluating management practices, preparing comprehensive reports and providing technical assistance to facility administrators. In the event that issues of non-compliance remain unresolved, the Commission has recourse through the courts.

Individual Facility Plan Development: Minimum Standards Compliance Assessment

Commission field staff begins each calendar year by preparing an Individual Facility Plan (IFP) for each of their assigned county correctional facilities. The IFP is best described as a 12-month comprehensive facility work plan. This plan can follow several different paths depending upon the compliance status of the particular facility. An IFP may include assessing the compliance of six to twelve standards, or it may call for field staff to focus more intensely on a limited number of standards that have proven problematic for the jail over an extended period. In such circumstances, the onsite work is more concentrated and requires even greater collaboration between field staff and facility officials in order to identify mutually acceptable remedial strategies.

By deploying staff resources in this fashion, the Commission believes it can be more successful in its mission to assist all county facilities in attaining substantial compliance with 9 NYCRR. To ensure that no parts of New York State Minimum Standards are overlooked for extended periods, the Commission's IFP model requires field staff assess each standard once every five years, regardless of the facility's overall compliance status.

In addition to the compliance assessment activities described above, field staff also schedule regular follow-up site reviews and provide various forms of technical assistance to facilities throughout the year. These additional forms of monitoring activities serve to augment the more standardized compliance assessment work. Staff periodically conducts unannounced site visits to

facilities as a way of more closely monitoring operational competencies. Such visits also provide staff with a window in order to scrutinize a facility's climate and physical plant conditions. Finally, Commission staff makes every effort to maintain an open and ongoing dialog with facility management throughout the year. Such sustained communication helps to ensure that field staff has an accurate understanding of the day-to-day operational challenges confronting local facility management and staff.

Whenever issues of non-compliance are identified, Commission staff brings their findings to the attention of the sheriff, chief administrative officer or responsible county commissioner. Commission staff prepares reports that outline non-compliance findings and specific remedial action(s) the facility is expected to implement. Staff periodically recommends actions that can help to ameliorate certain operational inefficiencies. Commission staff schedule frequent follow-up site visits to facilities as a means of ensuring that any necessary remedial steps have been properly implemented.

The following list represents the New York State Minimum Standards (9 NYCRR) pertaining to the management of county correctional facilities:

- | | |
|---|---|
| Part 7002, Admissions | Part 7024, Religion |
| Part 7003, Security and Supervision | Part 7025, Packages |
| Part 7004, Correspondence | Part 7026, Printed Materials & Publications |
| Part 7005, Prisoner Personal Hygiene | Part 7028, Exercise |
| Part 7006, Discipline | Part 7030, Nondiscriminatory Treatment |
| Part 7007, Good Behavior Allowance | Part 7031, Legal Services |
| Definite Sentences & Civil Commitments | Part 7032, Grievance Program |
| Part 7008, Visitation | Part 7033, Transfer of Records |
| Part 7009, Food Services | Part 7039, Fire Prevention and Safety |
| Part 7010, Health Services | Part 7040, Maximum Facility Capacity |
| Part 7013, Classification | Part 7041, Staffing Requirements |
| Part 7015, Sanitation | Part 7050, Variances |
| Part 7016, Commissary & Inmate Accounts | Part 7051, Funeral and Deathbed Visits |
| Part 7017, Personnel Standards | Part 7063, Chemical Agents |
| Part 7019, Gifts and Gratuities | Part 7064, Human Immunodeficiency |
| Part 7022, Reportable Incidents | Information Confidentiality |
| Part 7023, Access to Media | Part 7070, Educational Services for Youth |

The following is a list of those county facilities at which Commission staff conducted on-site compliance assessments in 2013, including the specific standards reviewed. Also listed are the notifications of violation issued to county facilities in 2013. These notifications are typically issued upon a finding of significant or chronic non-compliance at a time other than the scheduled compliance review.

Albany County Jail

Compliance assessment conducted for the following:

Part 7041, Staffing Requirements

Follow up compliance status assessment conducted for the following:

None

Other Activity:

Staffing Services
Special Investigations
Facility Planning and Improvement

Allegany County Jail

Compliance assessment conducted for the following:

Part 7004, Correspondence
Part 7005, Prisoner Personal Hygiene
Part 7006, Discipline
Part 7009, Food Services
Part 7016, Commissary & Inmate Accounts
Part 7023, Access to Media
Part 7030, Nondiscriminatory Treatment
Part 7032, Grievance Program
Part 7051, Funeral and Deathbed Visits
Part 7063, Chemical Agents

Follow up compliance status assessment conducted for the following:

None

Other Activity:

None

Broome County Jail

Compliance assessment conducted for the following:

Part 7003, Security and Supervision
Part 7006, Discipline
Part 7009, Food Services
Part 7013, Classification
Part 7015, Sanitation

Part 7016, Commissary & Inmate Accounts
Part 7026, Printed Materials & Publications
Part 7030, Nondiscriminatory Treatment
Part 7041, Staffing Requirements
Part 7063, Chemical Agents

Follow up compliance status assessment conducted for the following:

None

Other Activity:

NITAP
Variances

Cattaraugus County Jail

Compliance assessment conducted for the following:

Part 7015, Sanitation
Part 7016, Commissary & Inmate Accounts
Part 7017, Personnel Standards
Part 7022, Reportable Incidents
Part 7026, Printed Materials & Publications
Part 7041, Staffing Requirements

Follow up compliance status assessment conducted for the following:

Part 7022, Reportable Incidents

Other Activities:

JJDPA Assessment
500-b Approval 1st Occurrence

Cayuga County Jail

Compliance assessment conducted for the following:

None

Follow up compliance status assessment conducted for the following:

None

Other Activities:

JJDPA Assessment

Chautauqua County Jail

Compliance assessment conducted for the following:

Part 7003, Security and Supervision
Part 7008, Visitation

Part 7013, Classification
Part 7016, Commissary & Inmate Accounts
Part 7024, Religion
Part 7026, Printed Materials & Publications
Part 7028, Exercise
Part 7032, Grievance Program
Part 7039, Fire Prevention and Safety
Part 7070, Educational Services for Youth

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision
Part 7005, Prisoner Personal Hygiene
Part 7008, Visitation
Part 7016, Commissary & Inmate Accounts
Part 7070, Educational Services for Youth

Other Activity:

Notice of Medical Services Violation – Part 7010, Health Services Sections 7010.2(j) and 7010.3(c)
County of Erie Supreme Court Consent Order (Compliance with 9NYCRR Part 7040)
JJDP A Assessment
Facility Planning and Improvement

Chemung County Jail

Compliance assessment conducted for the following:

Part 7004, Correspondence
Part 7016, Commissary & Inmate Accounts
Part 7024, Religion
Part 7025, Packages
Part 7026, Printed Materials & Publications
Part 7032, Grievance Program
Part 7051, Funeral and Deathbed Visits

Follow up compliance status assessment conducted for the following:

None

Other Activities:

JJDP A Assessment
Special Investigation

Chenango County Jail

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7005, Prisoner Personal Hygiene

Part 7006, Discipline
Part 7008, Visitation
Part 7009, Food Services
Part 7015, Sanitation
Part 7019, Gifts and Gratuities
Part 7026, Printed Materials & Publications
Part 7028, Exercise
Part 7033, Transfer of Records

Follow up compliance status assessment conducted for the following:

None

Other Activities:

None

Clinton County Jail

Compliance Assessment conducted for the following:

Part 7005, Prisoner Personal Hygiene
Part 7008, Visitation
Part 7009, Food Services
Part 7015, Sanitation
Part 7070, Educational Services for Youth

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision
Part 7005, Prisoner Personal Hygiene
Part 7008, Visitation
Part 7009, Food Services
Part 7013, Classification
Part 7015, Sanitation
Part 7022, Reportable Incidents
Part 7031, Legal Services
Part 7032, Grievance Program
Part 7039, Fire Prevention and Safety
Part 7041, Staffing Requirements
Part 7063, Chemical Agents
Part 7070, Educational Services for Youth

Other Activities:

Notice of Violation Part 7009
Notice of Violation Part 7032
Waiver of application for software upgrades approval
Staffing Services

Columbia County Jail

Compliance Assessment conducted for the following:

None

Follow up compliance status assessment conducted for the following:

None

Other Activities:

Variance

Cortland County Jail

Compliance Assessment conducted for the following:

- Part 7003, Security and Supervision
- Part 7005, Prisoner Personal hygiene
- Part 7008, Visitation
- Part 7024, Religion
- Part 7028, Exercise
- Part 7030, Nondiscriminatory Treatment
- Part 7033, Transfer of Records
- Part 7050, Variances
- Part 7070, Educational Services for Youth

Follow up compliance status assessment conducted for the following:

None

Other Activity:

- Revocation of Substitute Jail Order Pursuant to Correction Law §504
- Facility Planning and Improvement
- Variance

Delaware County Jail

Compliance Assessment conducted for the following:

- Part 7009, Food Services
- Part 7013, Classification
- Part 7015, Sanitation
- Part 7024, Religion
- Part 7025, Packages
- Part 7026, Printed Materials & Publications
- Part 7030, Nondiscriminatory Treatment
- Part 7033, Transfer of Records

Follow up compliance status assessment conducted for the following:

- Part 7002, Admissions
- Part 7003, Security and Supervision

Part 7006, Discipline
Part 7009, Food Services
Part 7013, Classification
Part 7015, Sanitation
Part 7024, Religion
Part 7025, Packages
Part 7030, Nondiscriminatory Treatment
Part 7033, Transfer of Records
Part 7041, Staffing

Other Activity:

Facility Planning and Improvement
Variance
Staffing Services

Dutchess County Jail

Compliance assessment conducted for the following:

No compliance activity

Follow up compliance status assessment conducted for the following:

No follow-up compliance activity

Other Activity:

Facility Planning and Improvement

Erie County Holding Center

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7006, Discipline
Part 7009, Food Services
Part 7013, Classification
Part 7015, Sanitation
Part 7025, Packages

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision
Part 7008, Visitation
Part 7013, Classification
Part 7025, Packages

Other Activity:

Facility Planning and Improvement
Maximum Facility Capacity
NITAP

Holding Buffalo PD Unarraigned
Variance

Erie County Correctional Facility

Part 7003, Security and Supervision
Part 7006, Discipline
Part 7008, Visitation
Part 7015, Sanitation
Part 7025, Packages

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision
Part 7009, Food Services
Part 7015, Sanitation

Other Activity:

Staffing Services

Essex County Jail

Compliance Assessment conducted for the following:

Part 7004, Correspondence
Part 7008, Visitation
Part 7009, Food Services
Part 7016, Commissary & Inmate Accounts
Part 7019, Gifts and Gratuities
Part 7026, Printed Materials & Publications
Part 7040, Maximum Facility Capacity
Part 7041, Staffing Requirements
Part 7063, Chemical Agents

Follow up compliance status assessment conducted for the following:

Part 7002, Admissions
Part 7003, Security and Supervision
Part 7007, Good Behavior Allowance Against Definite Sentences & Civil Commitments
Part 7008, Visitation
Part 7028, Exercise

Other Activity:

JJDPA Assessment
Maximum Facility Capacity

Franklin County Jail

Compliance Assessment conducted for the following:

- Part 7002, Admissions
- Part 7007, Good Behavior Allowance Against Definite Sentences & Civil Commitments
- Part 7013, Classification
- Part 7033, Transfer of Records
- Part 7051, Funeral and Deathbed Visits

Follow up compliance status assessment conducted for the following:

- Part 7003, Security and Supervision
- Part 7008, Visitation
- Part 7009, Food Services
- Part 7013, Classification
- Part 7015, Sanitation
- Part 7022, Reportable Incidents
- Part 7031, Legal Services

Other Activity:

- JJDP A Assessment
- Notice of Violation – Suicide Prevention Screening
- 500-b Approval 1st Occurrence
- 500-b Approval 2nd Occurrence
- Special Investigations
- Facility Planning and Improvement

Fulton County Jail

Compliance Assessment conducted for the following:

- Part 7004, Correspondence
- Part 7005, Prisoner Personal Hygiene
- Part 7007, Good Behavior Allowance Definite Sentences & Civil Commitments
- Part 7016, Commissary & Inmate Accounts
- Part 7017, Personnel Standards
- Part 7023, Access to Media
- Part 7024, Religion
- Part 7025, Packages
- Part 7026, Printed Materials & Publications
- Part 7028, Exercise
- Part 7030, Nondiscriminatory Treatment
- Part 7033, Transfer of Records
- Part 7039, Fire Prevention and Safety
- Part 7040, Maximum Facility Capacity
- Part 7051, Funeral and Deathbed Visits

Follow up compliance status assessment conducted for the following:

None

Other Activity:

500-b Approval 1st Occurrence

Genesee County Jail

Compliance Assessment conducted for the following:

Part 7005, Prisoner Personal Hygiene
Part 7023, Access to Media
Part 7026, Printed Materials & Publications
Part 7030, Nondiscriminatory Treatment
Part 7041, Staffing Requirements

Follow up compliance status assessment conducted for the following:

None

Other Activity:

Special Investigations
Staffing Services
Facility Planning and Improvement

Greene County Jail

Compliance Assessment conducted for the following:

Part 7028, Exercise
Part 7041, Staffing Requirements

Follow up compliance status assessment conducted for the following:

None

Other Activity

Variance
Notice of Violation – Part 7041, Staffing
Maximum Facility Capacity
Facility Planning and Improvement

Hamilton County Jail

Compliance Assessment conducted for the following:

Part 7004, Correspondence
Part 7006, Discipline
Part 7008, Visitation
Part 7009, Food Services
Part 7013, Classification
Part 7016, Commissary & Inmate Accounts
Part 7023, Access to Media

Part 7030, Nondiscriminatory Treatment
Part 7033, Transfer of Records
Part 7039, Fire Prevention and Safety
Part 7051, Funeral and Deathbed Visits

Follow up compliance status assessment conducted for the following:

Part 7002, Admissions
Part 7009, Food Services
Part 7030, Nondiscriminatory Treatment
Part 7051, Funeral and Deathbed Visits

Other Activity:

JJDP A Assessment
Variance

Herkimer County Jail

Compliance Assessment conducted for the following:

No compliance work conducted.

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision
Part 7006, Discipline
Part 7008, Visitation
Part 7009, Food Services
Part 7028, Exercise

Other Activity:

Variance
500-b Approval 1st Occurrence
Facility Planning and Improvement

Jefferson County Jail

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7006, Discipline
Part 7009, Food Services
Part 7013, Classification
Part 7016, Commissary & Inmate Accounts
Part 7022, Reportable Incidents
Part 7023, Access to Media
Part 7028, Exercise
Part 7032, Grievance Program
Part 7041, Staffing Requirements
Part 7063, Chemical Agents

Follow up compliance status assessment conducted for the following:

- Part 7003, Security and Supervision
- Part 7006, Discipline
- Part 7009, Food Services
- Part 7016, Commissary & Inmate Accounts
- Part 7028, Exercise
- Part 7032, Grievance Program

Other Activity:

- Facility Improvement and Renovation
- Staffing Services
- Special Investigations

Lewis County Jail

Compliance Assessment conducted for the following:

- Part 7004, Correspondence
- Part 7013, Classification
- Part 7022, Reportable Incidents
- Part 7025, Packages
- Part 7026, Printed Materials & Publications
- Part 7041, Staffing Requirements

Follow up compliance status assessment conducted for the following:

- Part 7003, Security and Supervision
- Part 7006, Discipline
- Part 7039, Fire Prevention and Safety
- Part 7041, Staffing Requirements

Other Activity:

- JJDP A Compliance Assessment
- Staffing Services

Livingston County Jail

Compliance Assessment conducted for the following:

- No compliance activity

Follow up compliance status assessment conducted for the following:

- No follow-up compliance activity

Other Activity:

- 500-b Approval 1st Occurrence
- Variance

Madison County Jail

Compliance Assessment conducted for the following:

No compliance activity

Follow up compliance status assessment conducted for the following:

No follow-up compliance activity

Other Activity:

Special Investigations

Monroe County Jail

Part 7004, Correspondence

Part 7005, Prisoner Personal Hygiene

Part 7007, Good Behavior Allowance

Definite Sentences & Civil Commitments

Part 7040, Maximum Facility Capacity

Part 7041, Staffing Requirements

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision

Part 7041, Staffing Requirements

Other Activity:

JJDPA Assessment

Part 7500-7512 Sheriff's Lockups

JJDPA Compliance Assessment Sheriff's Lockups JJDPA Compliance Assessment

Facility Improvement and Renovation

Maximum Facility Capacity See Staffing Services

Variance

Monroe County Penitentiary

Part 7004, Correspondence

Part 7005, Prisoner Personal Hygiene

Part 7007, Good Behavior Allowance

Definite Sentences & Civil Commitments

Part 7040, Maximum Facility Capacity

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision

Other Activity:

JJDPA Compliance Assessment

Variance

Montgomery County Jail

Compliance Assessment conducted for the following:

None

Follow up compliance status assessment conducted for the following:

No follow-up compliance work conducted.

Other Activity:

JJDP A Compliance Assessment
Variance
Facility Planning and Improvement

Nassau County Correctional Facility

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7006, Discipline
Part 7004, Correspondence
Part 7008, Visitation
Part 7013, Classification
Part 7016, Commissary & Inmate Accounts
Part 7051, Funeral and Deathbed Visits
Part 7063, Chemical Agents
Part 7040, Maximum Facility Capacity

Follow up compliance status assessment conducted for the following:

No follow-up compliance work conducted.

Other Activity:

Special Investigations
Staffing

Niagara County Jail

Follow up compliance status assessment conducted for the following:

No compliance work conducted

Follow up compliance status assessment conducted for the following:

No follow-up compliance work conducted.

Other Activity:

Variance
Facility Planning and Improvement
Substitute Jail Order Revocation

Oneida County Jail

Compliance Assessment conducted for the following:

- Part 7003, Security and Supervision
- Part 7008, Visitation
- Part 7009, Food Services
- Part 7013, Classification
- Part 7015, Sanitation
- Part 7017, Personnel Standards
- Part 7026, Printed Materials & Publications
- Part 7028, Exercise
- Part 7039, Fire Prevention and Safety

Follow up compliance status assessment conducted for the following:

- Part 7003, Security and Supervision
- Part 7009, Food Services
- Part 7015, Sanitation
- Part 7039, Fire Prevention and Safety

Other Activity:

- Notice of Violation of JJDP Act – Operating Scared Straight Program

Onondaga Justice Center

Compliance Assessment conducted for the following:

- Part 7040 Maximum Facility Capacity

Follow up compliance status assessment conducted for the following:

- Part 7040 Maximum Facility Capacity.

Other Activity:

- 500-b Approval 1st Occurrence
- 500-b Approval 2nd Occurrence
- Notice of Violation Part 7040 Maximum Facility Capacity
- Variance

Onondaga County Penitentiary

Compliance Assessment conducted for the following:

- Part 7003, Security and Supervision
- Part 7004, Correspondence
- Part 7009, Food Services
- Part 7015, Sanitation
- Part 7028, Exercise
- Part 7030, Nondiscriminatory Treatment
- Part 7050, Variances

Follow up compliance status assessment conducted for the following:

No follow-up compliance work conducted.

Other Activity:

Variance

Ontario County Jail

Compliance Assessment conducted for the following:

Part 7004, Correspondence
Part 7017, Personnel Standards
Part 7022, Reportable Incidents
Part 7025, Packages
Part 7028, Exercise
Part 7033, Transfer of Records
Part 7039, Fire Prevention and Safety
Part 7051, Funeral and Deathbed Visits

Follow up compliance status assessment conducted for the following:

Part 7028, Exercise

Other Activity:

500-b Approval 1st Occurrence
500-b Approval 2nd Occurrence
500-b Approval 3rd Occurrence
JJDP A Compliance Assessment
See Facility Planning and Improvement

Orange County Jail

Compliance assessment conducted for the following:

No compliance activity

Follow up compliance status assessment conducted for the following:

No follow-up compliance follow-up activity

Other Activity:

None

Orleans County Jail

Compliance assessment conducted for the following:

No compliance activity

Follow up compliance status assessment conducted for the following:

- Part 7003, Security and Supervision
- Part 7006, Discipline
- Part 7008, Visitation
- Part 7009, Food Services
- Part 7015, Sanitation
- Part 7028, Exercise
- Part 7030, Nondiscriminatory Treatment
- Part 7033, Transfer of Records
- Part 7070, Educational Services

Other Activity:

- Response to complaint filed with Orleans County DOH
- Facility Planning and Improvement
- Variances

Oswego County Jail

Compliance Assessment conducted for the following:

- Part 7006, Discipline
- Part 7015, Sanitation
- Part 7016, Commissary & Inmate Accounts
- Part 7017, Personnel Standards
- Part 7033, Transfer of Records
- Part 7039, Fire Prevention and Safety
- Part 7070, Educational Services for Youth

Follow up compliance status assessment conducted for the following:

- Part 7002, Admissions
- Part 7003, Security and Supervision
- Part 7009, Food Services
- Part 7028, Exercise
- Part 7032, Grievance Program

Other Activity:

- JJDP A Compliance Assessment
- Notice of Repeal of Substitute Jail Order eligibility
- Notice of Violation Part 7041, Staffing Requirements
- Staffing Services
- Variance

Otsego County Jail

Compliance Assessment conducted for the following:

- Part 7003, Security and Supervision
- Part 7004, Correspondence

Part 7009, Food Services
Part 7015, Sanitation
Part 7017, Personnel Standards
Part 7022, Reportable Incidents
Part 7030, Nondiscriminatory Treatment
Part 7040, Maximum Facility Capacity
Part 7050, Variances

Follow up compliance status assessment conducted for the following:

No compliance follow-up activity

Other Activity:

Special Investigations

Putnam County Jail

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7015, Sanitation

Follow up compliance status assessment conducted for the following:

Part 7002, Admissions
Part 7006, Discipline
Part 7013, Classification

Other Activity:

Notice of Repeal of Substitute Jail Order eligibility
Facility Planning and Improvement

Rensselaer County Jail

Compliance Assessment conducted for the following:

Part 7002, Admissions
Part 7005, Prisoner Personal Hygiene
Part 7006, Discipline
Part 7007, Good Behavior Allowance Against Definite Sentences & Civil Commitments
Part 7008, Visitation
Part 7013, Classification

Follow up compliance status assessment conducted for the following:

Part 7002, Admissions
Part 7003, Security and Supervision
Part 7013, Classification
Part 7016, Commissary & Inmate Accounts
Part 7032, Grievance Program

Other Activity

Special Investigations

Rockland County Jail

Compliance Assessment conducted for the following:

Part 7004, Correspondence
Part 7013, Classification
Part 7015, Sanitation
Part 7024, Religion
Part 7041, Staffing Requirements
Part 7051, Funeral and Deathbed Visits

Follow up compliance status assessment conducted for the following:

Part 7015, Sanitation

Other Activity:

JJDPa Compliance Assessment (Jail)
JJDPa Compliance Assessment (Sheriff's Lockup)
Part 7500-7512 Compliance Assessment (Sheriff's Lockup)
Staffing Services
Variance
Facility Planning and Improvement

St. Lawrence County Jail

Compliance Assessment conducted for the following:

(Reported 2013)
Part 7002, Admissions
Part 7003, Security and Supervision
Part 7005, Prisoner Personal Hygiene
Part 7006, Discipline
Part 7008, Visitation
Part 7009, Food Services
Part 7013, Classification
Part 7015, Sanitation
Part 7022, Reportable Incidents
Part 7031, Legal Services
Part 7032, Grievance Program
Part 7040, Maximum Facility Capacity
Part 7063, Chemical Agents
Part 7063, Chemical Agents

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision
Part 7005, Prisoner Personal Hygiene

Part 7009, Food Services
Part 7013, Classification
Part 7022, Reportable Incidents
Part 7031, Legal Services
Part 7032, Grievance Program

Other Activity:

Notice of Violation Part 7000.1(d), Legal Authority (Sheriffs' Annual Report)

Saratoga County Jail

Compliance Assessment conducted for the following:

No compliance follow-up activity

Follow up compliance status assessment conducted for the following:

No follow-up compliance activity

Other Activity:

Variance

Schenectady County Jail

Compliance Assessment conducted for the following:

Part 7041, Staffing Requirements

Follow up compliance status assessment conducted for the following:

Part 7041, Staffing Requirements

Other Activity:

None

Schoharie County Jail

Compliance Assessment conducted for the following:

Part 7041, Staffing Requirements

Follow up compliance status assessment conducted for the following:

Part 7041, Staffing Requirements

Other Activity:

JJDPA Compliance Assessment

Schuyler County Jail

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision

Part 7007, Good Behavior Allowance Against Definite Sentences & Civil Commitments
Part 7009, Food Services
Part 7015, Sanitation
Part 7016, Commissary & Inmate Accounts
Part 7017, Personnel Standards
Part 7022, Reportable Incidents
Part 7024, Religion
Part 7031, Legal Services
Part 7039, Fire Prevention and Safety

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision
Part 7007, Good Behavior Allowance Against Definite Sentences & Civil Commitments
Part 7016, Commissary & Inmate Accounts
Part 7022, Reportable Incidents

Other Activity:

500-b Approval 1st Occurrence
500-b Approval 2nd Occurrence
500-b Approval 3rd Occurrence

Seneca County Jail

Compliance Assessment conducted for the following:

No compliance follow-up activity

Follow up compliance status assessment conducted for the following:

Part 7009, Food Services
Part 7028, Exercise

Other Activity:

None

Steuben County Jail

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7005, Prisoner Personal Hygiene
Part 7017, Personnel Standards
Part 7023, Access to Media
Part 7024, Religion
Part 7031, Legal Services
Part 7032, Grievance Program
Part 7033, Transfer of Records
Part 7041, Staffing Requirements

Part 7041, Staffing Requirements (Medical)
Part 7051, Funeral and Deathbed Visits

Follow up compliance status assessment conducted for the following:

Part 7032, Grievance Program

Other Activity:

500-b Approval 1st Occurrence
500-b Approval 2nd Occurrence
500-b Approval 3rd Occurrence
Staffing Services

Suffolk County Jail (Riverhead & Yaphank)

Compliance Assessment conducted for the following:

Part 7002, Admissions
Part 7003, Security and Supervision
Part 7004, Correspondence
Part 7005, Prisoner Personal Hygiene
Part 7006, Discipline
Part 7008, Visitation
Part 7009, Food Services
Part 7010, Health Services
Part 7013, Classification
Part 7015, Sanitation
Part 7016, Commissary
Part 7017, Personnel Standards
Part 7019, Gifts and Gratuities
Part 7022, Reportable Incidents
Part 7023, Access to Media
Part 7024, Religion
Part 7025, Packages
Part 7026, Printed Materials & Publications
Part 7028, Exercise
Part 7030, Nondiscriminatory Treatment
Part 7031, Legal Services
Part 7032, Grievance Program
Part 7033, Transfer of Records
Part 7039, Fire Prevention and Safety
Part 7040, Maximum Facility Capacity
Part 7041, Staffing Requirements
Part 7050, Variances
Part 7051, Funeral and Deathbed Visits

Part 7063, Chemical Agents
Part 7064, Human Immunodeficiency
Information Confidentiality
Part 7070, Educational Services for Youth

Follow up compliance status assessment conducted for the following:

None

Other Activity:

Notification of imposed population cap
Facility Planning and Improvement
NITAP
Maximum Facility Capacity
Variances

Sullivan County Jail

Compliance Assessment conducted for the following:

None

Follow up compliance status assessment conducted for the following:

None

Other Activity:

Facility Planning and Improvement

Tioga County Jail

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7016, Commissary
Part 7017, Personnel Standards
Part 7019, Gifts and Gratuities
Part 7030, Nondiscriminatory Treatment

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision

Other Activity:

Facility Planning and Improvement

Tompkins County Jail

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7004, Correspondence

Part 7016, Commissary
Part 7025, Packages
Part 7026, Printed Materials and Publications
Part 7051, Funeral and Deathbed Visit

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision (2012)
Part 7026, Printed Materials and Publications (2012)
Part 7030, Fire Prevention and Safety (2012)

Other Activity:

See Facility Planning and Improvement
See Staffing
Variance

Ulster County Jail

Compliance Assessment conducted for the following:

Part 7004, Correspondence
Part 7005, Prisoner Personal Hygiene
Part 7007, Good Behavior Allowances Against Definite Sentences
Part 7016, Commissary
Part 7017, Personnel Standards
Part 7023, Access to Media
Part 7024, Religion
Part 7025, Packages
Part 7026, Printed Materials and Publications
Part 7028, Exercise
Part 7030, Nondiscriminatory Treatment
Part 7033, Transfer of Records
Part 7039, Fire Prevention and Safety
Part 7040, Maximum Facility Capacity
Part 7051, Funeral and Deathbed Visit

Follow up compliance status assessment conducted for the following:

Part 7016, Commissary

Other Activity:

Staffing Services

Warren County Jail

Compliance Assessment conducted for the following:

None

Follow up compliance status assessment conducted for the following:

None

Other Activity:

Maximum Facility Capacity

Staffing Services

Washington County Jail

Compliance Assessment conducted for the following:

None

Follow up compliance status assessment conducted for the following:

Part 7002, Admissions

Part 7003, Security and Supervision

Part 7005, Prisoner Personal Hygiene

Part 7006, Discipline

Part 7007, Good Behavior Allowance Against Definite Sentences & Civil Commitments

Part 7008, Visitation

Part 7013, Classification

Part 7015, Sanitation

Part 7016, Commissary & Inmate Accounts

Part 7025, Packages

Part 7028, Exercise

Part 7031, Legal Services

Part 7032, Grievance Program

Other Activity:

Maximum Facility Capacity

Wayne County Jail

Compliance Assessment conducted for the following:

None

Follow up compliance status assessment conducted for the following:

None

Other Activity:

None

Westchester DOC/Westchester Penitentiary

Compliance Assessment conducted for the following:

None

Follow up compliance status assessment conducted for the following:

- Part 7002, Admissions
- Part 7003, Security and Supervision
- Part 7013, Classification

Other Activity:

- Facility Planning and Improvement
- Special Investigations
- JJDPA Compliance Assessment

Wyoming County Jail

Compliance Assessment conducted for the following:

- Part 7006, Discipline
- Part 7015, Sanitation
- Part 7023, Access to Media
- Part 7025, Packages
- Part 7030, Nondiscriminatory Treatment
- Part 7033, Transfer of Records
- Part 7013, Classification
- Part 7022, Reportable Incidents
- Part 7040, Maximum Facility Capacity
- Part 7041, Staffing Requirements

Follow up compliance status assessment conducted for the following:

- Part 7003, Security and Supervision
- Part 7005, Prisoner Personal Hygiene
- Part 7013, Classification
- Part 7022, Reportable Incidents
- Part 7032, Grievances
- Part 7041, Staffing
- Part 7070, Educational Services for Youth

Other Activity:

- Staffing Services

Yates County Jail

Compliance Assessment conducted for the following:

- None

Follow up compliance status assessment conducted for the following:

- None

Other Activity:

- None

New York City Department of Correction

Anna M. Kross Center

Compliance Assessment conducted for the following:

None

Follow up compliance status assessment conducted for the following:

None

Other Activity:

None

Brooklyn House of Detention

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision

Part 7006, Discipline

Part 7009, Food Services

Part 7015, Sanitation

Part 7016, Commissary & Inmate Accounts

Part 7033, Transfer of Record

Part 7039, Fire Prevention and Safety

Part 7050, Variances

Part 7051, Funeral and Deathbed Visits

Part 7063, Chemical Agents

Part 7070, Educational Services

Eric M. Taylor Center

Compliance Assessment conducted for the following:

None

Follow up compliance status assessment conducted for the following:

None

Other Activity:

None

George Motchen Detention Center

Compliance Assessment conducted for the following:

None

Follow up compliance status assessment conducted for the following:

None

Other Activity:

None

George R. Vierno Center

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7006, Discipline
Part 7009, Food Services
Part 7015, Sanitation
Part 7016, Commissary & Inmate Accounts
Part 7033, Transfer of Record
Part 7039, Fire Prevention and Safety
Part 7050, Variances
Part 7051, Funeral and Deathbed Visits
Part 7063, Chemical Agents
Part 7070, Educational Services

Follow up compliance status assessment conducted for the following:

Part 7009, Food Services
Part 7015, Sanitation
Part 7039, Fire Prevention and Safety
Part 7063, Chemical Agents

Other Activity:

None

Manhattan Detention Center

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7006, Discipline
Part 7009, Food Services
Part 7015, Sanitation
Part 7016, Commissary & Inmate Accounts
Part 7033, Transfer of Record
Part 7039, Fire Prevention and Safety
Part 7050, Variances
Part 7051, Funeral and Deathbed Visits
Part 7063, Chemical Agents
Part 7070, Educational Services

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision
Part 7039, Fire Prevention and Safety
Part 7063, Chemical Agents

Other Activity:

JJDPA Compliance Assessment

North Infirmiry Command

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7006, Discipline
Part 7009, Food Services
Part 7015, Sanitation
Part 7016, Commissary & Inmate Accounts
Part 7033, Transfer of Record
Part 7039, Fire Prevention and Safety
Part 7050, Variances
Part 7051, Funeral and Deathbed Visits
Part 7063, Chemical Agents
Part 7070, Educational Services

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision
Part 7009, Food Services
Part 7031, Legal Services
Part 7039, Fire Prevention and Safety

Other Activity:

JJDPA Compliance Assessment

Otis Bantum Correctional Center

Compliance Assessment conducted for the following:

None

Follow up compliance status assessment conducted for the following:

None

Other Activity:

None

Robert N. Doraven Center

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7006, Discipline
Part 7009, Food Services
Part 7015, Sanitation

Part 7016, Commissary & Inmate Accounts
Part 7033, Transfer of Record
Part 7039, Fire Prevention and Safety
Part 7050, Variances
Part 7051, Funeral and Deathbed Visits
Part 7063, Chemical Agents
Part 7070, Educational Services

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision
Part 7006, Discipline
Part 7009, Food Services
Part 7015, Sanitation
Part 7063, Chemical Agents

Other Activity:

JJDP A Compliance Assessment

Rose M. Singer Center

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7006, Discipline
Part 7009, Food Service
Part 7015, Sanitation
Part 7016, Commissary & Inmate Accounts
Part 7033, Transfer of Record
Part 7039, Fire Prevention and Safety
Part 7050, Variances
Part 7051, Funeral and Deathbed Visits
Part 7063, Chemical Agents
Part 7070, Educational Services

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision
Part 7039, Fire Prevention and Safety
Part 7063, Chemical Agents

Other Activity:

None

Vernon C. Bain Center

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7006, Discipline
Part 7009, Food Service
Part 7015, Sanitation
Part 7016, Commissary & Inmate Accounts
Part 7033, Transfer of Record
Part 7039, Fire Prevention and Safety
Part 7050, Variances
Part 7051, Funeral and Deathbed Visits
Part 7063, Chemical Agents
Part 7070, Educational Services

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision
Part 7009, Food Service
Part 7015, Sanitation
Part 7039, Fire Prevention
Part 7063, Chemical Agents

Other Activity:

None

West Facility

Compliance Assessment conducted for the following:

Part 7003, Security and Supervision
Part 7006, Discipline
Part 7009, Food Service
Part 7015, Sanitation
Part 7016, Commissary & Inmate Accounts
Part 7033, Transfer of Record
Part 7039, Fire Prevention and Safety
Part 7050, Variances
Part 7051, Funeral and Deathbed Visits
Part 7063, Chemical Agents
Part 7070, Educational Services

Follow up compliance status assessment conducted for the following:

Part 7003, Security and Supervision
Part 7009, Food Services
Part 7039, Fire Prevention and Safety
Part 7063, Chemical Agents

Other Activity

None

Cunty Facility Reportable Incidents

In fulfilling its oversight and regulatory responsibilities, the Commission requires that all local correctional facilities report incidents that endanger inmates or staff, or disrupt facility operations. **The Commission received 2220 categories of Reportable Incidents from the county jail systems** this past year. Incidents are reported around the clock. Every incident report is screened by a Correctional Facility Specialist, logged, and assigned a file number. The reports are then reviewed to determine the necessary level of inquiry or other response.

Table I	
CATEGORY	# INCIDENTS
Inmate on Inmate Assault	435
Inmate Group Action	2
Inmate/Personnel Assault	131
Inmate/Personnel Sexual Assault	1
Personnel/Inmate Sexual Assault	3
Inmate/Visitor Assault	0
Inmate on Inmate Assault (Sexual)	9
Individual Inmate Disturbance	658
Minor Disturbance	102
Major Disturbance	0
Maintenance/Service Disruption	4
Inmate Introduced Contraband	353
Visitor Introduced Contraband	77
Personnel Introduced Contraband	2
Unknown Source Contraband	52
Suicides (County)	6
Suicide (NYC DOC)	3
Attempted Suicide (County Only)	128
Other Deaths(Counties & NYC DOC)	36
Accidental Inmate Physical Injury	44
Self-inflicted Injury	59
Personnel Accidental Injury	2
Escape (County)	1
Attempted Escape (County)	5
Fire (Arson)	2
Fire (Non-Arson)	1
Fire (Unknown)	102
Firearm Discharge	2
Hostage Situation	0
Abscondence	0

Natural or Civil Emergency	1
TOTAL	2220

Office of Children and Family Services' Facility Reportable Incidents

Pursuant to New York State Correction Law, §§45 [6-b] and 47 [2], the five (5) secure centers operated by the New York State Office of Children and Family Services (OCFS) are required to report to the State Commission of Correction all incidents deemed to be of a serious or potentially problematic nature. Reports are received by Commission staff twenty-four hours a day, seven days a week. Each individual report is reviewed by a facility specialist, assigned a tracking number and logged in the Commission's incident data base. In many cases OCFS incidents involve more than one category type. For example, an incident reported by OCFS as a "major disturbance," may also have involved a "resident on resident assault" or "resident group action." Although not counted below, when such multiple incidents are identified, Commission staff record them individually in order to ensure that all such serious incidents are properly recorded and tracked. Following this initial review, the Commission then determines if additional information should be gathered or if the incident merits an on-site investigation.

Table II: 2013 OCFS Secure Center Reportable Incidents	
CATEGORY	# INCIDENTS
Alleged Child Abuse	46
Assaults	399
Major Service Disruption	15
Resident Group Action	7
Personnel Group Action	1
Employee Misconduct	17
Major Disturbance	0
Contraband	55
Suicides	0
Attempted Suicide	22
Serious Accidental Resident Injury	0
Self-inflicted Injury	27
Attempted Escape	2
Fire	3
Sexual Abuse	1
Sexual Assault	1
Miscellaneous	377
TOTAL	973

Local Police Reportable Incidents

Pursuant to Correction Law, §45[6], local police departments operating lockups are required to report to the Commission those incidents deemed to be of an unusual nature which may endanger detainees, law enforcement staff, or otherwise disrupt facility operations. In 2013, the Commission received 727 reportable incidents from local police agencies. Reportable incidents are received around the clock. Every incident report is reviewed by a Facility Specialist, assigned a tracking number and logged. Based upon the initial review, it is then determined if additional inquiry, technical assistance, or an on-site investigation is necessary.

Table III: 2013 Local Police Reportable Incidents	
CATEGORY	# INCIDENTS
Suicides	4 ¹
Attempted Suicide	35
Detainee to Hospital	538
Other	150
TOTAL	727

Complaints

Complaints from inmates, their families, advocates, elected officials and other state and local agencies are received by the Commission on a daily basis. When complaints are received, they are classified and electronically logged. Many county complaints can be addressed through the facility grievance process. Such complaints are typically returned to the sender for filing with the facility grievance program. Those retained are referred to a Correctional Facility Specialist for response. Health complaints are referred directly to the Commission's Forensic Medical Unit for review and follow-up when appropriate. An electronic query of the complaints received from a particular facility is generated by field staff as part of their preparation for future site visits.

Beginning in 1984, the Commission developed a procedure for the centralized compilation of inmate complaints from state and local facilities. This procedure breaks down complaints into discrete categories, and allows Correctional Facility Specialists to address specific problems and trends in a systematic fashion. Inmates often report multiple issues within a single piece of correspondence. In 2013, 1939 complaint letters were received by the Commission regarding 3483 individual categories of complaints. The numbers below reflect the breakdown of those complaint categories as submitted by both state and local inmates.

¹ NYPD 3 Other 1

Below is a summary of state and local facility complaint categories received in 2013.

Table IV	State Complaints		Local Complaints
CATEGORY	Total	CATEGORY	Total
Non Discriminatory Treatment	0	Non Discriminatory Treatment	2
Visitation	20	Visitation	24
Facility Transfer / Classifications	98	Substitute Jail Order	3
Security and Supervision	21	Security and Supervision	22
Sanitation	8	Sanitation	12
Religion	18	Religion	27
Prisoner Personal Hygiene	20	Prisoner Personal Hygiene	38
Printed Materials and Publications	4	Printed Materials and Publications	1
Personnel Standards(Officer Conduct)	746	Personnel Standards	201
Personal Safety	491	Personal Safety	119
Packages	53	Packages	15
Double Bunking/Double Ceiling	7	Maximum Facility Capacity	2
Legal Services/Law Library	25	Legal Services	57
Inmate Workers	16	Inmate Workers	4
Health Services /Medical Treatment	363	Health Services /Medical Treatment	161
Inmate Grievance Program	121	Inmate Grievance Program	122
Good Behavior	13	Good Behavior	4
Food Services	47	Food Services	51
Exercise	7	Exercise	9
Educational Services	1	Discipline Program	73
Funeral Deathbed Visit	2	Construction and Renovation	10
Discipline Program	170	Correspondence	25
Correspondence	40	Commissary	18
Commissary	8	Classification	10
Admissions/Reception	3	Admissions/Reception	1
Access To Media	0	Access To Media	1
Miscellaneous	137	Miscellaneous	17
TOTAL	2439	TOTAL	1029

Grievances

According to the Commission's Minimum Standards, 9 NYCRR Part 7032, each county correctional facility is required to establish, implement and maintain a formal inmate grievance program. This program allows inmates a process at the facility level to address their complaints regarding written or unwritten facility policies, procedures, rules, practices, programs, or the

action or inaction of any person within the facility. If a grievance is denied at the facility level, inmates have the option to appeal that disposition to the Commission within a specified time frame. Appeals are forwarded to the Commission for review and disposition by the Citizen's Policy and Complaint Review Council (CPCRC). **During 2013, the Commission received 1812 grievances regarding 1873 categories of allegations. (See Table V).** When grievances are appealed to the Commission, they are reviewed, categorized, electronically filed. Grievances are forwarded to the Correctional Facility Specialist assigned to the sending facility. Grievances that pertain to health care matters are forwarded directly to the Forensic Medical Unit for processing. Grievances are thoroughly reviewed and researched by the Correctional Facility Specialist, the Deputy Director of Operations, and the Commission's Office of Counsel. Grievances are then put before the CPCRC for final disposition. Both the inmate/grievant and facility officials receive a written decision from the CPCRC for each grievance received. As with complaints, field staff runs a data base report to tabulate the total number of grievances, by category, prior to any scheduled county jail site visit.

Table V Grievance categories for 2013

Table V: County Facility Grievances Categories 2013	
CATEGORY	# GRIEVANCES
Visitation	22
Security and Supervision	31
Sanitation	49
Religion	45
Prisoner Personal Hygiene	108
Printed Materials and Publications	7
Personnel Standards	226
Personal Safety	5
Packages	21
Maximum Facility Capacity	5
Legal Services	121
Inmate Workers	6
Health Services /Medical Treatment	532
Inmate Grievance Program	81
Good Behavior Allowance	6
Food Services	233
Exercise	42
Educational Services for Youth	6
Discipline Program	49
Correspondence	71
Commissary	47
Classification	32

Table V: County Facility Grievances Categories 2013	
Admissions/Reception	38
Access to Media	1
Staffing	1
Funeral and Deathbed Visits	6
Nondiscriminatory Treatment	12
Miscellaneous	70
TOTAL	1873

Capacity Management

At the end of 2013, there were approximately 80,167 persons incarcerated within New York State's prisons, local county jails and the New York City Department of Correction (NYCDOC). As a result, inmate capacity management within various facilities can be problematic due to overcrowding. The Commission continually monitors the capacities of these facilities, via a daily electronic population reporting system for county facilities, and via facsimile for New York City and state prisons. The latter is also utilized to monitor the census of all county-sentenced inmates scheduled for transfer to a state facility. In 2013 SCOC revised the Maximum Facility Capacity at the following facilities:

County and NYC Facilities

Erie County Holding Center
 Essex County Jail
 Genesee County Jail
 Greene County Jail
 Monroe County Jail – Public Safety Building (PSB) Housing
 Monroe County Correctional Facility (Penitentiary)
 Suffolk County Jail - Riverhead
 Suffolk County Jail - Yaphank
 Washington County Jail
 West Facility Central Intake (NYC DOC)

State Facilities

NYS DOCCS - Eastern Correctional Facility
 NYS DOCCS - Edgecombe Correctional Facility
 NYS DOCCS - Green Haven Correctional Facility
 NYS DOCCS - Shawangunk Correctional Facility
 NYS DOCCS - Sing-Sing Correctional Facility
 NYS DOCCS - Sullivan Correctional Facility

When capacity issues arise, the Commission employs its statutory authority under Correction Law section 504 to move local prisoners from overpopulated facilities to those with available housing. The Commission's authority to set facility prisoner capacities allows it to evaluate and approve temporary or interim space in crowded local facilities. This authority also allows the Commission to authorize double-bunking and double-celling programs in the DOCCS.

Double-Bunking, Double-Celling, & Special Housing
New York State Department of Corrections and Community Supervision (DOCCS)

By the end of 2013, double-bunked cells within the NYS DOCCS totaled 103 beds in both Walkill and Clinton Correctional Facilities. In addition, the Commission had sanctioned the use of an additional 1,400 cells, located in seven 200-bed housing areas, designated as S-Blocks, or Special Housing Units, in which each cell is permanently approved to house two individuals.

During the 2013 reporting period, Commission staff conducted site visits to the two facilities managing double-bunk variances and inspected each double-bunked housing area to assess the general physical condition of the space. The condition and operation of any equipment was also examined. In addition, SCOC staff noted the degree to which normal inmate services were impacted by double-bunking, such as medical, dental, food services, visitation, laundry services and the availability of academic and vocational programs.

Variances

This aspect of the Capacity Management program primarily grants authority to state and local correctional administrators to safely and securely house inmates in excess of facility capacity. Variance relief also assists jail administrators with problems such as an inability to achieve compliance with certain minimum standards within a certain time frame, or a need to employ alternative methods of compliance not contemplated by Commission Minimum Standards. According to this procedure, facility administrators may apply to the State Commission of Correction in order to seek relief from the requirements of a specific standard. All such applications result in site visits to assess the need for such a variance and determine the possible impact the variance could have on the facility's current operation. All variances are tracked by the Commission's Field Operations staff. Operational areas of a facility operating under an approved variance granted by the State Commission of Correction are routinely assessed by field staff during facility site visits.

During 2013, Commission staff continued to evaluate areas that required variance relief in addition to preparing written variance recommendations for Commission consideration. For the year 2013, the Commission considered a total of 64 new or renewed variance applications.

Facility Planning and Improvement

The basic function relegated to Facility Planning and Improvement is set forth in two areas of New York State Law. According to NYS Correction Law, section 45(10), the State Commission of Correction shall “approve or reject plans and specifications for the construction or improvement of correctional facilities.” The second area is found in County Law, section 216.

This statute states, “No site or location for any county jail shall be selected or acquired by such board of supervisors which shall not have been approved by the state commission of correction.”

The Commission provides technical planning, capital project development and construction plan review services for development of new correctional facilities. The Commission has viewed the modernization of an aging and overcrowded local correctional infrastructure as a major priority. The agency reviews and approves site selection and construction plans, monitors progress, and assists in problem identification and solution. In carrying out these responsibilities, staff responsibility goes far beyond the simple review of blueprints and plans. Particular attention is directed to building code requirements, operational rules and regulations, and case law affecting conditions of confinement. Additionally, Commission staff provides local decision makers with technical assistance to help assure the jurisdiction of satisfactory, safe and secure methods of incarcerating offenders in a cost effective manner.

During 2013, findings and determination reports relative to construction plans and specification were prepared by Commission staff and forwarded with recommended action on forty (40) projects variously submitted by the New York State Department of Correction and Community Supervision (NYS DOCCS), county correctional facilities, police/court detention units, or the New York City Department of Correction (NYCDOC). The calendar below lists those projects submitted to the Commission in 2013.

Jan-13	
NYS DOCCS	Attica CF - Upgrade of heating system and windows
OCFS Facility	Brookwood Secure Center – Security Upgrades
OCFS Facility	Columbia Secure Center – Security Upgrades
County Jail	Delaware CJ – Install Touch Screen Control System
OCFS Facility	MacCormick Secure Center – Security Upgrades
Feb-13	
LOCAL PD	Scotia PD – Remove Cell
NYS DOCCS	Upstate CF – Replace Cell Doors
NYS DOCCS	Five Points CF, Greene CF, Mid-State CF, Southport CF - Replace SHU Doors

Mar-13	
NYS DOCCS	Five Points CF, Greene CF, Mid-State CF, Southport CF - Replace Cell Doors
NYS DOCCS	Upstate CF – Replace Cell Doors
April - 13	
NYC DOC	Anna M. Kross Center – Law Library Modification
NYC DOC	Manhattan Detention Center – Criminal Court Cell Project
NYC DOC	Cranston Judicial Center – Renovation and Reconstruction
LOCAL PD	Ocean City Beach PD – Temporary Holding Facility
May-13	
County Jail	Monroe CJ – Renovations
County Jail	Montgomery CJ – Dorm Conversion
Jun-13	
NYC DOC	North Infirmery Command – Renovation Project
NYS DOCCS	Willard Drug Treatment Center – Window Replacement Project
County Jail	Ontario CJ – Floor Renovation Project
Jul-13	
County Court	Montgomery County Courthouse – Renovation of Holding Cells
NYS DOCCS	Auburn CF – Cell Back and Domestic Piping Project
NYS DOCCS	Green Haven CF – Shower Upgrade Project (<i>Withdrawn</i>)
NYS DOCCS	Mid-State CF – Replacement of Windows
County Jail	Ontario CJ – Dorm Conversion and Housing Pod Sub Day Room Renovation
Aug-13	
NYS DOCCS	Bedford Hills CF – Expansion of recreation area RMU Building/Site wide CCTV Upgrade

NYS DOCCS	Taconic CF – Housing Cell Locking System
County Jail	Tompkins CJ PSB Roof Renovation Proposal
	Sep-13
NYC DOC	Manhattan Detention Center – Cell Door Renovations, TV and Recreation Area Renovation
SUNY Police	New Police Lockup
County Jail	Rockland CJ Removal and replacement of perimeter fence and detection system
	Oct-13
NYS OCFS	Brookwood Secure Center – Asbestos Abatement
MTA	Grand Central Concourse Precinct Holding Cells
	Nov-13
County Jail	Cortland CJ – Gym Dorm Conversion
County Jail	Niagara CJ – Elevator Modernization and Alarm Panel Replacement
LOCAL PD	Pelham PD – Lockup Renovation
County Jail	Putnam CJ – Renovation of Housing Unit Subdivision
County Jail	Rockland CJ – Removal and Replacement of Two Jail Elevators
LOCAL PD	Wappinger’s Falls PD – Lockup Renovation
	Dec-13
County Jail	Erie County Holding Center – Holding Cell Door and Frame Replacement
NYS DOCCS	Coxsackie CF – Rehabilitate Two Cell Block Plumbing Systems
County Court	Tompkins County Courthouse – Basement Renovations

In addition to the above projects reviewed by the full Commission, agency staff provided various forms of technical assistance and support on facility improvement projects to the following facilities:

Albany County Jail
Broome County Jail
Chautauqua County Jail
Cortland County Jail
Delaware County Jail
Dutchess County Jail
Erie County Holding Center
Franklin County Jail
Genesee County Jail
Greene County Jail
Herkimer County Jail
Jefferson County Jail
Monroe County Jail
Montgomery County Jail
Niagara County Jail
Ontario County Jail
Orleans County Jail
Putnam County Jail
Rockland County Jail
Suffolk County (Riverhead and Yaphank)
Sullivan County Jail
Tioga County Jail
Tompkins County Jail
Westchester County DOC
New York City DOC

New Institutions Transition Assistance Program (NITAP)

Through its New Institutions Transition Assistance Program (NITAP), Commission technical assistance teams work closely with localities constructing new correctional facilities or additions to existing facilities. Such assistance includes policy and procedure reviews, staff training, reviews of moving logistics plans, on-site monitoring of inmate transfers and post-transition jail operations. During the new facility transition process, the Commission establishes formal liaisons with county executives and managers, legislative public safety committees, and county sheriffs. The Commission and its staff meet regularly with all involved officials, correctional facility executive teams and facility transition staff to assess transition-related progress to ensure that new institutions are opened and operated in a safe, efficient, and cost-effective manner.

2013 NITAP PROJECTS

Dutchess County

- Provided technical assistance to the county as they moved forward with plans to construct modular housing units to ease overcrowding. This included site visits and meetings with county officials.
- Provided technical assistance to county in addressing the jail's long-term capacity needs. This included multiple site visits and meetings with county officials both in Poughkeepsie and Albany.

Erie County Holding Center

- Assisted in the opening of a new reception housing dormitory.

Herkimer County

- Provided extensive technical assistance to the county as they continue plans for a new county jail. Such assistance included:
 - On-site meetings with county officials;
 - Meetings with architectural firms; and
 - Technical assistance reviews of schematic designs and discussions of such reviews with county officials.

Jefferson County

- Provided technical assistance to the county in assessing the feasibility of converting an indoor exercise area into a 35+ bed housing dormitory. Such assessment included:
 - Need for furniture and equipment (i.e., bunks, desks, chairs, etc.);
 - Cordoning off of archived documents stored in the area; and
 - Ability of infrastructure (i.e., kitchen, visiting, etc.) to handle increased capacity Staffing needs.

Ontario County

- Worked with the county on their plans to convert a supervisors' office into a small dormitory for inmates placed on Constant Watch (suicide watch).

Schoharie County

- Worked with county officials as they continue their efforts to either renovate or replace the current jail, which was closed in August 2011 as a result of devastating floods caused by Hurricane Irene.

Sullivan County

- Continued to work with the county as they plan for the construction of a new county jail. Such assistance included:
 - A tour of the now-closed Sullivan Correctional Facility Annex operated by the New York State Department of Corrections and Community Supervision to assess the feasibility of Sullivan County utilizing it for a county jail – determined not to be feasible; and

- Reviews of schematic designs for a new jail and discussions of such reviews with county officials.

Amherst Police Department (Court Detention)

- Assisted the department in designing a detention area for the Town Court.
- Reviewed with the department the various transition-related issues (i.e., policy development, equipment purchase, installation and testing, staff training, etc.) required.

Buffalo Police Department

- Met with department and city officials to assess the feasibility of the Buffalo Police Department's use of detention areas (in the City Court building) as a lockup for female arrestees. The area is currently used by the Erie County Sheriff's Office for court holding. It was determined that such use would have a negative impact on public safety.
- Met with department and city officials to assess the feasibility of renovating an unused cell block (in the basement of the City Court building) for use a detention area for female arrestees. SCOC continues to work with the department on this.

East Rochester Police Department

- Reviewed with the department the various transition-related issues (i.e., policy development, equipment purchase, installation and testing, staff training, etc.) required, as they construct a new police department building and lockup.

Lancaster Police Department

- Provided the following technical assistance as the department was constructing a new lockup:
 - Needs assessment for equipment, training, etc.;
 - Review of draft policies and discussions of same; and
 - Multiple on-site assessments of department's preparation.

West Seneca Police Department

- Met with department officials to discuss possible renovations to the lockup as well as transition-related issues (i.e., policy development, equipment purchase, installation and testing, staff training, etc.) that would require attention with the renovations.

Staffing Services

Commission Minimum Standards, 9 NYCRR Part 7041, Staffing Requirements, provide that the Commission shall determine the minimum number of staff necessary to operate each correctional facility in New York. Upstate county jails and New York City correctional facilities are unique institutions with wide variation in size, age, and configuration. Each must be staffed at a cost-effective level that provides for adequate levels of inmate supervision and for staff and public safety. The Commission provides the correctional staffing services for all county correctional facilities and more recently, for the City of New York. Commission staffing specialists travel to

facilities upon local government request, and to all newly constructed facilities. The staffing assessment is based on specific correctional functions, physical plant configuration, inmate population trends, and other factors unique to a particular correctional facility. Detailed guidelines direct staff in developing a facility staffing plan. A proposed minimum institutional position and staffing analysis is prepared, and then negotiated to consensus with county legislative officials, the county executive, sheriff or commissioner. The Commission affords timely security staffing expertise not available in localities, eases the local criminal justice budget process and promotes local government confidence in the safety of widely disparate facilities.

During the 2013 reporting period the revision of six staffing analyses was finalized by Field Operations staff:

- Albany County Jail - Administrative position modified
- Clinton County Jail - Position and Staffing Analysis revised
- Delaware County Jail - Position and Staffing Analysis revised
- Franklin County Jail - Position and Staffing Analysis revised
- Genesee County Jail – Position and Staffing Analysis revised
- Jefferson County Jail – Position and Staffing Analysis revised
- Monroe County Jail – Position and Staffing Analysis revised
- Monroe County Correctional Facility – Position and Staffing Analysis revised
- Steuben County Jail – Position and Staffing Analysis revised
- Schoharie County Jail – Position and Staffing Analysis revised for the jail’s temporary inmate processing facility. The current jail has been closed since August 2011 due to flooding.
- Ulster County Jail - Position and Staffing Analysis revised
- West Facility Central Intake (NYC DOC) - New Position and Staffing Analysis

Technical Assistance

During the course of field evaluations, Commission staff frequently renders technical assistance to facility administrators in order to resolve any number of problems. Generally, the assistance involves policy and procedures review, standards interpretation, referrals to other agencies, training issues, development of operational procedures, modifications or improvements to physical plant and implementation strategies. Staff record significant technical assistance contacts so that the data can be used to identify future projects.

While Commission staff provided facilities with hundreds of hours of technical assistance in 2013, the following is a list of counties and the operational issues for which Commission staff provided officials with technical assistance.

County Correctional Facilities

Cattaraugus CJ

- Assistance in implementing policy regarding required legal reference materials for the facility library and policy regarding inmate weddings and female health issues.

Chautauqua County Jail

- Inmate correspondence policy
- Maximum Facility Capacity (MFC) compliance
- Report incident requirement review
- Procedures pertaining to review and documentation of time recording / watch tour records.

Delaware County Jail

- Classification instrument development

Dutchess County Jail

- Providing information regarding housing of transgender detainees
- Overcrowding management and juvenile policy and procedure
- Temporary housing

Essex County Jail

- Legal reference material and inmate discipline

Franklin County Jail

- General policy and procedures development
- Maximum facility capacity vs. operational facility capacity

Greene County Jail

- Met with facility and county leaders on issues of overcrowding and initial plans for construction of a new facility.

Herkimer County Jail

- New jail design development (Goldberg group)
- Assistance in the revision of the inmate rulebook

Jefferson County Jail

- Gym dorm conversion

Lewis County Jail

- General policy and procedure development
- Control room and 911 Center construction

Madison County Jail

- Provided technical assistance on inmate classification system.
- Inmate supervision

Montgomery County Jail

- Sub dayroom for housing pod

Monroe County Jail and Monroe County Correctional Facility

- Assisted the county with changes in jail operations as part of revising the Position and Staffing Analysis for the facilities
- Tour annunciators system

Nassau County Correctional Facility

- Provided technical assistance regarding construction and the location of physical separation in housing areas in order to comply with 9 NYCRR, Part 7013, Classification.

New York City Department of Correction

- Provided central administration with technical assistance in the development of the CAPS unit.

New York City Department of Environmental Protection (Gilboa)

- Assisted the department as they expressed the desire to close the Gilboa substation. Necessary operational and written procedures were discussed.

Onondaga County Justice Center

- Assisted the county with identifying available space for the boarding out of inmates.

Orange County Jail

- Reportable Incident, Staffing and MFC

Orleans County Jail

- Alternative meal delivery
- Provided assistance in identifying variance housing space to allow the facility to move forward with its roof replacement project.
- Assessed situation whereby the kitchen is planning to close temporarily due to water pipe break. Technical assistance was provided concerning the serving of meals during the kitchen's closure.

Putnam County Jail

- Assisted in the resolution of violations of Part 7013, Classification, by identifying areas of the facility that can be sub-divided.
- Dorm Conversion

Queens House of Detention

- Technical assistance in preparing the facility for use as an alternate location for housing of inmates if needed.

Rensselaer County Jail

- Legal correspondence procedures

Rockland County Jail

- Perimeter fence
- Elevator project

Steuben County Sheriff's Office (Jail)

- Discussed various topics including Minimum Standard evaluations, jail staffing requirements, and proposed equipment for their jail emergency response team.

Suffolk County Jails

- Provided technical assistance in the opening of the new Yaphank facility while simultaneously closing older portions of the jail.

Sullivan County Jail

- Jail design development (Goldberg group)

Tompkins County Jail

- Classification instrument development

Washington County Jail

- Housing renovation

Wayne County Jail

- Main Control consolation and direct supervision housing conversation

Westchester County Jail

- Inmate supervision, lock inspection, and juvenile policy and procedure
- Restriction of exercise options and documentation, Facility feeding obligations to inmates at court, provided classification policy suggestions and total prisoner population counts

New York State Agencies

Office of Children and Family Services

- Beginning October 2013, SCOC conducted weekly site visits to OCFS secure centers to directly monitor safety and security conditions. SCOC staff was also appointed to two working committees formed to develop operational recommendations for improving the safety and security at the secure centers. (Statewide Search Team and Facility De-escalation Team)

Brookwood SC

- Assisting in the development of a grievance program and staff training program

Court Holding Facilities

Town of Amherst

- Construction of new holding pens

Montgomery County

- Courthouse cell renovation

Tompkins County

- Policies and requirements for county court holding pens

Local Police Lockups

Rye Police Department

- Annual Lock-up report requirements

White Plains Police Department

- Annual lock-up report requirements

Niagara Falls Police Department

- Holding cell benches

Niskayuna Police Department

- Provided technical assistance to the department as they inquired as to the feasibility of decommissioning their lockup. It was determined the lockup would remain open.

Ocean Beach Police Department

- Holding cell locks

Yorktown Police Department

- Discussed daily record of detention reporting requirements and juvenile handcuffing procedures and approved room procedures.

Bronxville Police Department

- Policy and procedures, security device inspections and reportable incident requirements.

SUNY Purchase PD

- Lockup minimum standards and general operations.

Information Management

The Commission is the only central repository for local correctional information in New York State. The Commission provides electronic and retrospective management information to assist local correctional administrators. The Jails Daily Population Reporting System reports inmate

population counts in all local facilities each day through the eJustice Portal. The Commission also tracks New York City population levels, parole violators and "state-ready" inmates in jails. The Sheriffs' Annual Report provides comprehensive data from sheriffs on admissions, discharges and inmate demographics. SCOC works with the Rockefeller Institute of Government in that organization's preparation of its annual publication of public safety and criminal justice statistics.

Chairman's Memoranda

The Commission is a key player in the delivery of salient correctional management information and education to county correctional facilities. The Chairman's Memorandum, a bulletin that is sent to all county sheriffs and administrators of correctional facilities and police departments, is an efficient vehicle for the delivery of such information. In 2013 the following Memoranda were issued:

- Chairman's Memorandum #1 Benzodiazepine Withdrawal and Treatment
- Chairman's Memorandum #2 Veteran's Justice Outreach Initiative
- Chairman's Memorandum #3 Changes to NYS Public Health Law
- Chairman's Memorandum #4 Scared Straight Programs
- Chairman's Memorandum #5 Appointment of Commissioner Thomas J. Loughren
- Chairman's Memorandum #6 Follow-up Survey Related to Educational Materials
on Prevention of Mother-to-Child Transmission
(MTCT) of HIV

Special Investigations

At times, it becomes necessary for field staff to conduct investigations of incidents, complaints and other matters requiring intensive analysis and review. The following is a summary of noteworthy special investigations conducted by Commission staff during the year 2013:

Albany County Jail

- Inmate allegation - Use of Force

Albany County Jail

- Request that facility officials investigate inmate allegations of assault

Albany County Jail

- Reportable Incident – use of force

Chemung County Jail

- Visitors' rights to wear religious head covering

Chemung County Jail

- Inmate allegations of staff assault

Clinton County Jail

- Reportable Incident - staff conduct

Franklin County Jail

- Inmate allegations regarding staff conduct

Jefferson County Jail

- Reportable Incident follow-up – inmate attempted suicide

Genesee County Jail

- Report completed on 2012 inmate escape

Madison County Jail

- Reportable Incident follow-up – use of force

Nassau County Jail

- Inmate allegations – staff conduct

Niagara County Jail

- Inmate allegations staff assault.

Otsego County Jail

- Reportable Incident- use of force

Westchester County Jail

- Reportable Incident investigation - use of force

Westchester County Jail

- Complaint investigation - use of force

Westchester County Jail

- Reportable Incident – staff conduct
-

Westchester County Jail

- Reportable Incident – staff conduct

FORENSIC MEDICAL UNIT

The Forensic Medical Unit is a Field Operations unit within the State Commission of Correction. This unit is intended to fulfill the health care oversight mandate of Correction Law, Article 3 by providing the SCOC and its Medical Review Board (MRB) with expertise in the investigation of inmate mortality, the evaluation of State and local correctional facility health care delivery. The unit also provides technical assistance to state and local correctional facilities for the improvement of health care delivery. Technical assistance is regularly provided in the development of health care delivery procedures including tuberculosis control, occupational health and safety, health care staffing, health facility designs and handling of pharmaceuticals among others. Each year a number of New York's jails are visited by trained health care system evaluators. Health care delivery systems are evaluated in each facility, recommendations are made and technical assistance is rendered. The Forensic Medical Unit also presents its cases to the MRB, investigates medical grievances and complaints, and conducts various special investigations as directed by the Commission. This includes the following activities:

- Field mortality investigation;
- Health services evaluation;
- Standards development and compliance;
- Resolution of complaints and grievances;
- Collection and interpretation of data and statistics;
- Development and administration of technical assistance programs; and
- Policy formulation and advice.

Mortality Investigations

The State Commission of Correction's Forensic Unit conducted twenty (20) mortality and eighteen (18) abridged mortality investigations. Those cases and their corresponding facilities are as follows:

Mortality Investigations (Full Board Cases):

Ramon Vasquez/Monroe CJ/#2012-M-052
Jamal Polo/GMDC/#2012-M-061
Jorge Rios/Wende CF/#2012-M-071
Alexander Gonzalez/NYPD 14th Pct./#2011-M-157
Jack Hough/Great Meadow CF/#2012-M-089
Ronnez Sanders/Green haven CF/#2012-M-087
Arthur Thomas/Suffolk CJ/#2012-M-070
Harold Case/NiagaraCJ/#2012-M-010
George Joannette/St. Lawrence CJ/#2012-M-088
Edward Berezowoski/ECHC/#2012-M-107
Marcelo Rodriquez/Fishkill CF/#2012-M-103
Teofilo Diaz/Upstate CF/#2012-M-058
Randy Griffin/Wayne CJ/#2012-M-116
Stanley Haluska/Albany CJ/#2012-M-142
Nathaniel Richardson/Fishkill CF/#2013-M-005

Robert Reed/Auburn CF/#2012-M-129
Anthony Manners/Auburn CF/#2012-M-110
Shun Wilson/Ontario CJ/#2012-M-115
Gregory Giannotta/AMKC/#2012-M-132
David Grochowski/MohawkWalsh RMU/#2012-M-092

Abridged MRB Mortality Cases

Salvatore Amico/Elmira CF/#2011-M-117
Jesus Carmona/Onondaga DOC/#2011-M-078
Frederick Velez/Oneida CF/#2009-M-059
Dana Booth/Eastern CF#2011-M-076
Robert Poulsen/Clinton CF/#2011-M-057
Juan Carlos Carrasquillo/Sing Sing CF/#2010-M-064
Thomas Sides/Attic CF/#2012-M-059
Reginald Jarrett/Saratoga CJ/#2012-M-007
Theodis Radcliffe/Great Meadow CF/#2010-M-106
Christopher Robinson/RNDC/#2008-M-135
Carmen Fasano/NYPD 63rd Pct./#2009-M-062
George Combes/Queens Detention Complex/#2010-M-107
Thomas Brown/Coxsackie CF/ #2012-M-032
Jorge Morillo/Cape Vincent CF/#2011-M-089
Phillip Andrill/Upstate CF/#2012-M-080
Raymond Allard/Coxsackie CF/ #2013-M033
Joseph Allen/GRVC/#2012-M-045
Jose Martinez/Woodbourne CF/#2012-M-084

Technical Assistance

Health Care Evaluations

Technical assistance in the form of health services evaluations is typically provided in response to a formal request from a county correctional facility. It may also be provided as a result of findings of chronically inadequate healthcare delivery. In 2013 the following facilities received such technical assistance.

Chautauqua County Jail
Erie County Holding Center
Seneca County Jail
Schuyler County Jail
Yates County Jail

Healthcare Staffing

Rockland County Jail
Suffolk County Jail

Construction or Expansion of Health Care Facilities

Broome County Jail - Infirmary
Ontario County Jail - Constant Supervision
Erie County Holding Center - Reception Center
Suffolk County Jails - Health Services/Pharmacy Operations

Monitoring

Nassau County Jail's Weekly D2D (medical tier)
Nassau County Jail's Weekly BHU Medical
Suffolk County Jail's Weekly BHU Medical
DOCCS Self Inflict Injuries/Suicide Attempts
Medical/Mental Health PD Reportable Incidents
Medical/Mental Health Local Facilities Reportable Incidents

Training Attended

Omnisure Webinars
AMC HIV Teleconferences
Interview and Investigation Training
Suicide Prevention T-T-T

Interagency

New York State Department of Corrections and Community Supervision Health Services
New York State Office of Mental Health
New York State Department of Health - Office of Professional Medical Conduct
New York State Education - Office of the Professions
New York State DCJS/ New York State Office of Mental Health/Commission of
Correction Training Committee
New York State Department of Corrections and Community Supervision
Office of Health Services and Inspector General, Review of Mortality Cases
New York State AIDS Institute
New York State Sheriffs' Association
Mental Health Criminal Justice Planning Committee
Suicide Prevention Revision Committee

Mental Health and Suicide Prevention

During the 1970's and early 1980's, suicide was the leading cause of death in county jails and preventable suicide emerged as a major source of successful litigation against local government. The Commission, in conjunction with the NYS Office of Mental Health (OMH), researched, developed and obtained federal financing for a state-of-the-art suicide prevention program that has yielded a sustained annual reduction in suicide of more than 70%, despite extraordinary increases in local inmate populations. The Commission and OMH deliver suicide prevention training to all incoming correction officers, either directly, or by offering training to established correctional staff who, in turn, trains their own incoming correction officers. The training conducted for incoming correction officers is an intensive eight hour module.

Beginning in 2010, the Commission and OMH completed a comprehensive training curriculum revision, the first revision since 2000. New training manuals, screening guidelines, and videos were produced. An initial pilot training was conducted with county corrections and mental health instructions in June 2011. The new curriculum was revised and screening guidelines were officially released in November 2011. The first full instructor course was conducted in December 2011 for the New York State Department of Corrections and Community Supervision.

Inmate Mortality During 2013

The following table lists the numbers and causes of death for inmates in all correctional facilities in New York State during the year 2013. The Commission receives notice of each of these deaths within 6 hours of occurrence. Each case is separately investigated by the Commission’s Forensic Medical Unit. Problematic cases are investigated in the field, carefully documented, presented to the Medical Review Board and published. In 2013, the Board and Commission published 24 problematic cases in which recommendations to prevent similar recurrence and to improve medical and mental health care were made to correctional facility administrators.

INMATE DEATHS IN STATE AND LOCAL CORRECTIONAL FACILITIES 2013

	SUICIDE	AIDS	NATURAL	HOMICIDE	UNKNOWN	OTHER	TOTAL
NYS DOCCS	13	2	114	0	5	7	141
COUNTY JAILS	6	0	9	0	3	2	20
NYCDOC	3	1	13	1	6	1	25
POLICE LOCKUPS	1	0	0	0	0	1	2
NYCPD PRECINCTS	3	0	6	0	1	0	10
TOTAL	26	3	142	1	15	11	198

COUNSEL'S OFFICE

The Office of Counsel is responsible for the interpretation and analysis of all legal issues related to the work of the Commission. Part of this function includes the coordination of the Commission's legislative program, including the submission and review of legislation affecting the correctional and criminal justice system in New York State. The Commission has worked with administrators on a number of issues. Such collaborative work has included legislation aimed at reducing the number of mandated classification categories in local correctional facilities, assisting in the treatment of mentally ill inmates, facilitating the rapid and accurate transfer of vital medical information between facilities and the addition of a former correction officer to the Citizen's Policy and Complaint Review Council. In addition, agency attorneys represent the Commission in litigation related to conditions of confinement such as overcrowding, civil rights, and medical care. Counsel also acts in an enforcement capacity in regard to facility compliance with minimum standards.

In addition to all the above listed functions, Counsel's Office has developed a technical assistance approach to correctional jurisdictions by providing legal opinions to sheriffs and jail administrators.

Regulatory Reform

In 2013, the Commission amended sections 7032.5 and 7032.8 of Title 9 NYCRR to allow local correctional facilities to submit inmate grievances electronically.

Further, the Commission amended sections 7022.4, 7200.2, 7200.3, 7200.6, 7202.4, 7202.6 and 7202.11 of Title 9 NYCRR to amend the Commission of Correction's listed office address, reflecting its recent agency relocation to downtown Albany.

Sections 7002.2 and 7205.2 of Title 9 NYCRR were amended to reconcile a statutory amendment regarding agreements for the detention of foreign-state inmates in the Albany County Correctional Facility.

Section 7031.4 of Title 9 NYCRR was amended to eliminate the requirement that law libraries be maintained within a local correctional facility.

The Commission amended sections 7005.7 and 7025.2 of Title 9 NYCRR to allow local correctional facilities to regulate the source of incoming inmate packages.

Sections 7013.8, 7064.8, 7300.2, 7300.4, 7414.6, 7600.1, 7601.1 and 7651.3 of Title 9 were amended to change references of the Department of Correctional Services to the Department of Corrections and Community Supervision.

Lastly, pursuant to State Administrative Procedure Act §207, the Commission carried out the required regulatory review of all rules adopted in the calendar years 1998, 2003 and 2008. After publishing notice and an invitation for public comment, said rules were continued without amendment.

Legislation Summary

The following legislative proposals were made to the Governor's Counsel's Office for the 2013-14 session:

- 1.) Amending Correction Law §42 to provide for improvement of the functioning of the Citizen's Policy and Complaint Review Council by updating the diversity of its membership.
- 2.) Amending section 504 of the Correction Law to permit any attorney employed by the Commission to execute Substitute Jail Orders.

Litigation

In the course of the year, fourteen (14) new cases were opened, nine (9) were closed, and fifty seven (57) were pending as of the end of 2013.

On January 28, 2013, the Erie County Supreme Court, via consent order, granted the Commission's petition to enforce a directive, previously issued on July 17, 2012, requiring the Chautauqua County Sheriff to remedy certain violations of the Commission's regulations. Specifically, the Commission sought compliance with respect to maximum facility inmate capacity.

Legal Opinions

In 2013, Counsel's Office rendered 112 legal opinions by telephone and 16 legal opinions in writing.

Freedom of Information Law (FOIL) Requests

For the year 2013, the Office of Counsel received and responded to 154 Freedom of Information Law (FOIL) requests for records of the Commission of Correction.

Juvenile Justice

In 2013, Counsel's Office continued to provide guidance and assistance to the Field Operations Bureau with the Commission's duty of monitoring the state's compliance with the Juvenile Justice and Delinquency Prevention Act (JJDA).

EPILOGUE

The Commission continues to strive toward its mission-directed goals. The compliance evaluation work is ongoing as the Commission perseveres in its mission to fulfill New York State's public protection mandate.