



Commission of Correction

ALLEN RILEY
Chairman

THOMAS J. LOUGHREN
Commissioner

CHAIRMAN'S MEMORANDUM

NO: 3-2020

DATE: March 18, 2020

TO: SHERIFFS, COMMISSIONERS OF CORRECTION, JAIL ADMINISTRATORS, WARDENS, JAIL PHYSICIANS and FACILITY MEDICAL DIRECTORS

RE: Local Correctional Facility Staffing during the COVID-19 pandemic

Pursuant to 9 NYCRR Part 7041, the Commission is charged with determining the minimum staffing requirements for local correctional facilities to ensure proper care, custody and control is maintained. Such requirements are outlined in each facility's Position and Staffing Analysis.

In response to the COVID-19 pandemic, many counties have declared a state of emergency which, in most cases, requires non-essential county employees to work from home or take leave. An [Executive Order](#) from Governor Cuomo, dated March 16, 2020, similarly requires local governments to allow non-essential personnel to work from home or take leave without charging accruals. There may be some instances in which county jail security personnel have been informed they are not considered essential and may be directed not to report to work.

To clarify, the daily staff posts outlined in each jail's Position and Staffing Analysis are considered essential to ensure all services are provided and safety and security is maintained. This includes all administrative, security, and civilian posts (i.e., health services, and where applicable, maintenance) outlined in the Commission's staffing analyses. However, in situations where areas of a facility's operations (i.e., visits, programs, etc.) have been suspended, or an entire housing unit has been closed, the Commission does not expect the corresponding posts to be filled.

Additionally, please be reminded of the existing, staffing-related reporting requirements that must, pursuant to 9 NYCRR Part 7022 and the [Reportable Incident Manual for County Jails and the New York City Department of Correction](#), be conveyed via the eJusticeNY Integrated Justice Portal:

- Any physician-confirmed case of Novel Coronavirus (COVID-19) of facility personnel
- Any removal or relocation of a staff member for quarantine purposes by a physician or local, state or federal department of health or other agency

- Any death of facility personnel
- Any personnel group action that threatens the safety, security and good order of the facility, or results in the facility being unable to maintain minimum staffing levels, or affects scheduled inmate programs and/or services

Notwithstanding the reporting requirements set forth in the *Reportable Incident Manual*, all local correctional facilities are hereby ordered and directed, pursuant to Correction Law sections 44(4) and 46(1), to immediately report, via the eJusticeNY Integrated Justice Portal, any reportable incident that concerns, involves, or is caused by the Novel Coronavirus.

A handwritten signature in cursive script that reads "Allen Riley".

Allen Riley, Chairman