



Commission of Correction


ALLEN RILEY
Chairman

THOMAS J. LOUGHREN
Commissioner

YOLANDA CANTY
Commissioner

MEMORANDUM

TO: COMMISSION MEMBERS

FROM: Brian Callahan, General Counsel 

RE: AGENDA FOR COMMISSION MEETING

DATE: March 8, 2023 at 1:00PM

LOCATION: Alfred E. Smith Building, 80 So. Swan Street, 12th Floor,
Albany, New York, Ellenton, Florida 34222 and Cedarhurst, New
York 11516
**Please be advised that proper identification is required at front
desk.*

I. MFC

- A. New York City Department of Correction
Eric M. Taylor Center (EMTC)
Revised MFC



**Commission of
Correction**

MAXIMUM FACILITY CAPACITY

For the

**New York City Department of Correction
Eric M. Taylor Center (EMTC)**

**Rikers Island
East Elmhurst, New York**

March 8, 2023

Allen Riley
Chairman

Thomas J. Loughren
Commissioner

Yolanda Canty
Commissioner

ERIC M. TAYLOR CENTER COUNTY JAIL – MFC 2023

NOTE: INDIVIDUAL OCCUPANCY HOUSING UNITS AND MULTIPLE OCCUPANCY HOUSING UNITS WHICH MEET THE FOLLOWING REQUIREMENTS PURSUANT TO 9 NYCRR PART 7040 ARE TO BE INCLUDED IN THE MAXIMUM FACILITY CAPACITY FORMULATION.

I. INDIVIDUAL OCCUPANCY HOUSING UNITS:

1. Each such unit shall only house one (1) incarcerated individual and contain at least 60 square feet of floor space.
2. Each such individual occupancy housing unit shall contain:
 - One (1) bed and mattress;
 - One (1) functioning toilet; and
 - One (1) functioning sink.
3. Sufficient showers shall be available to permit each incarcerated individual to shower daily.
4. Each tier or section of individual housing units constructed after the effective date of 9 NYCRR 7040 shall provide dayroom space adjacent and accessible to such tier or section.

EXCEPTIONS:

1. A unit may contain less than 60 square feet of floor space if such unit was originally constructed for single occupancy prior to the effective date of 9 NYCRR Part 7040.
2. Each such unit used to house incarcerated individuals apart from general population for the purpose of medical observation or treatment shall have a minimum of 80 square feet of floor space.

II. MULTIPLE OCCUPANCY HOUSING UNITS:

1. Each such unit shall provide a minimum of 50 square feet of floor space per incarcerated individual in the sleeping area.
2. Each such unit shall house no more than 60 incarcerated individuals.
3. Each such unit shall have a bed and mattress for each incarcerated individual.
4. Each such unit shall have at least:
 - One (1) functioning toilet for every 12 incarcerated individuals;
 - One (1) functioning shower for every 15 incarcerated individuals; and
 - One (1) functioning sink for every 12 incarcerated individuals.
5. Each such unit shall provide a minimum of 25 square feet of dayroom space immediately adjacent and accessible to the sleeping area.

EXCEPTIONS:

1. Each such unit used to house incarcerated individuals apart from general population for the purpose of medical observation or treatment shall have a minimum of 80 square feet of floor space.

ERIC M. TAYLOR CENTER COUNTY JAIL – MFC 2023

III. UNITS CONTAINING BOTH INDIVIDUAL AND MULTIPLE OCCUPANCY HOUSING:

1. The requirements as stipulated in I and II apply to all housing units consisting of both individual and multiple occupancy housing units.

EXCEPTIONS:

1. A unit may contain less than 60 square feet of floor space if such unit was originally constructed for single occupancy prior to the effective date of 9 NYCRR Part 7040.
2. Each such unit used to house incarcerated individuals apart from general population for the purpose of medical observation or treatment shall have a minimum of 80 square feet of floor space.

IV. NON-HOUSING AREAS USED FOR THE TEMPORARY DETENTION OF INDIVIDUALS

1. These are used to identify areas within the facility that are used for the temporary detention of individuals. These areas do not increase the capacity of the facility.

ERIC M. TAYLOR CENTER COUNTY JAIL – MFC 2023

IA. INDIVIDUAL OCCUPANCY HOUSING UNITS USED FOR GENERAL HOUSING

Name of Housing Area/Section	Number of Individual Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	Number of Showers Available per Section	Maximum Incarcerated Individual Capacity
2 Upper	34	34 @ 54 Sq. Ft.	3	34
3 Upper	34	34 @ 54 Sq. Ft.	3	34
2 Main	34	34 @ 54 Sq. Ft.	3	0*
3 Main	34	34 @ 54 Sq. Ft.	3	34
			Total	102

Note: *Units closed due to inadequate condition and non-compliance with construction project conditions.

IB. INDIVIDUAL OCCUPANCY HOUSING UNITS USED FOR ADMISSIONS/ORIENTATION, MEDICAL AND MENTAL HEALTH OBSERVATION

Name of Housing Area/Section	Type of Housing	Number of Individual Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	Number of Showers Available	Maximum Incarcerated Individual Capacity
Not Applicable					
				Total	0

IC. INDIVIDUAL OCCUPANCY HOUSING UNITS USED FOR SPECIAL HOUSING

Name of Housing Area/Section	Type of Housing	Number of Individual Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	Number of Showers Available	Maximum Incarcerated Individual Capacity
Not Applicable					
				Total	0

Note: Any of these housing areas may be used for general or quarantine housing purposes when not used for the segregation of incarcerated individuals for punitive or administrative reasons.

ERIC M. TAYLOR CENTER COUNTY JAIL – MFC 2023

IIA. MULTIPLE OCCUPANCY HOUSING UNITS USED FOR GENERAL HOUSING

Name of Housing Area/Section	Number of Toilets	Number of Sinks	Number of Showers	Total Size of Unit (Sq. Ft. of Floor Space)	Maximum Incarcerated Individual Capacity
NORTH SIDE					
1 Main Dorm	4T-5U	7	9	4258 Sq. Ft.	56
1 Upper	7T-5U	22	10	6084 Sq. Ft.	60
4 Main Dorm	7T-5U	24	10	4898 Sq. Ft.	60
4 Upper Dorm	7T-5U	20	10	4789 Sq. Ft.	60
South Side					
5 Lower Dorm	6T-3U	9	7	4250 Sq. Ft.	0*
5 Main Dorm	6T-3U	9	7	4250 Sq. Ft.	56
5 Upper Dorm	6T-3U	9	7	4250 Sq. Ft.	56
6 Lower Dorm	6T-3U	9	7	4250 Sq. Ft.	56
6 Main Dorm	6T-3U	9	7	4250 Sq. Ft.	56
6 Upper Dorm	6T-3U	9	7	4250 Sq. Ft.	56
7 Lower Dorm	6T-3U	9	7	4251 Sq. Ft.	56
7 Main Dorm	6T-3U	9	7	4252 Sq. Ft.	56
7 Upper Dorm	6T-3U	9	7	4253 Sq. Ft.	56
8 Lower Dorm	6T-3U	9	7	4254 Sq. Ft.	56
8 Main Dorm	6T-3U	9	7	4255 Sq. Ft.	56
8 Upper Dorm	6T-3U	9	7	4256 Sq. Ft.	56
ANNEX					
9 Lower Dorm	6T-3U	9	7	4256 Sq. Ft.	56
9 Main Dorm	6T-3U	9	7	4256 Sq. Ft.	56
9 Upper Dorm	6T-3U	9	7	4256 Sq. Ft.	56
10 Lower Dorm	6T-3U	9	7	4256 Sq. Ft.	56
10 Main Dorm	6T-3U	9	7	4256 Sq. Ft.	56
10 Upper Dorm	6T-3U	9	7	4256 Sq. Ft.	56
11 Lower Dorm	6T-3U	9	7	4256 Sq. Ft.	0*
11 Main Dorm	6T-3U	9	7	4256 Sq. Ft.	56
11 Upper Dorm	6T-3U	9	7	4257 Sq. Ft.	56
12 Lower Dorm	6T-3U	9	7	4258 Sq. Ft.	56
12 Main Dorm	6T-3U	9	7	4259 Sq. Ft.	56
12 Upper Dorm	6T-3U	9	7	4260 Sq. Ft.	56
T=Toilet, U=Urinal				Total	1468

Note: * Units closed for renovation/construction.

ERIC M. TAYLOR CENTER COUNTY JAIL – MFC 2023

IIB. MULTIPLE OCCUPANCY HOUSING UNITS USED FOR ADMISSIONS/ORIENTATION, MEDICAL AND MENTAL HEALTH OBSERVATION

Name of Housing Area/Section	Type of Housing	Number of Individual Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	Number of Showers Available	Maximum Incarcerated Individual Capacity
Not Applicable					
				Total	0

IIC. MULTIPLE OCCUPANCY HOUSING UNITS USED FOR SPECIAL HOUSING

Name of Housing Area/Section	Type of Housing	Number of Individual Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	Number of Showers Available	Maximum Incarcerated Individual Capacity
Not Applicable					
				Total	0

IIIA. UNITS CONTAINING BOTH INDIVIDUAL AND MULTIPLE OCCUPANCY HOUSING USED FOR GENERAL HOUSING

Name of Housing Area/Section	Number of Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	Number of Showers Available	Maximum Incarcerated Individual Capacity
Not Applicable				
			Total	0

IIIB. UNITS CONTAINING BOTH INDIVIDUAL AND MULTIPLE OCCUPANCY HOUSING USED FOR ADMISSIONS/ORIENTATION, MEDICAL AND MENTAL HEALTH OBSERVATION

Name of Housing Area/Section	Type of Housing	Number of Individual Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	Number of Showers Available	Maximum Incarcerated Individual Capacity
Not Applicable					

ERIC M. TAYLOR CENTER COUNTY JAIL – MFC 2023

	Total	0
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IIIC. UNITS CONTAINING BOTH INDIVIDUAL AND MULTIPLE OCCUPANCY HOUSING USED FOR SPECIAL HOUSING

Name of Housing Area/Section	Type of Housing	Number of Individual Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	Number of Showers Available	Maximum Incarcerated Individual Capacity
Not Applicable					
				Total	0

ERIC M. TAYLOR CENTER COUNTY JAIL – MFC 2023

NON-HOUSING AREAS USED FOR THE TEMPORARY DETENTION OF INDIVIDUALS

Name of Area/Section	Number of Toilets	Number of Sinks	Total Size of Area (Sq. Ft. of Floor Space)	Description of Use
Holding Pen 1	1	1	420 Sq. Ft.	The facility may hold up to twenty-eight (28) incarcerated individuals.
Holding Pen 2	1	1	420 Sq. Ft.	The facility may hold up to twenty-eight (28) incarcerated individuals.
Holding Pen 3	1	1	420 Sq. Ft.	The facility may hold up to twenty-eight (28) incarcerated individuals.
Holding Pen 4	1	1	288 Sq. Ft.	The facility may hold up to nineteen (19) incarcerated individuals.
Holding Pen 5	1	1	160 Sq. Ft.	The facility may hold up to ten (10) incarcerated individuals.
Holding Pen 6	1	1	300 Sq. Ft.	The facility may hold up to twenty (20) incarcerated individuals.
Holding Pen 7	1	1	500 Sq. Ft.	The facility may hold up to thirty-three (33) incarcerated individuals.
Holding Pen 8	0	0	33 Sq. Ft.	The facility may hold up to two (2) incarcerated individuals in this pen.

*Note: Non-housing areas may be used only for temporary holding for up to the number of incarcerated individuals as prescribed. The facility shall limit individual occupancy holding to **twelve (12) hours**. Multiple occupancy holding shall be limited to **four (4) hours**. Any other use is prohibited. Whenever incarcerated individuals are placed in non-housing areas, at a minimum, Active Supervision shall be maintained.*

ERIC M. TAYLOR CENTER COUNTY JAIL – MFC 2023

HOUSING TYPE	TOTALS
Subtotal Individual Housing Units Used for General Housing	102
Subtotal Individual Housing Units Used for Admissions/Orientation, Medical and Mental Health Observation	0
Subtotal Individual Housing Units Used for Special Housing	0
Subtotal Multiple Housing Units Used for General Housing	1468
Subtotal Multiple Housing Units Used for Admissions/Orientation, Medical and Mental Health Observation	0
Subtotal Multiple Housing Units Used for Special Housing:	0
Subtotal Units Containing both Individual and Multiple Occupancy Housing Used for General Housing	0
Subtotal Units Containing both Individual and Multiple Occupancy Housing Used for Admissions/Orientation, Medical and Mental Health Observation	0
Subtotal Units Containing both Individual and Multiple Occupancy Housing Used for Special Housing	0
MAXIMUM FACILITY CAPACITY:	1570

Other identified areas not rated as part of Maximum Facility Capacity: Yes (X) No ()

The above-noted capacity is based upon the following:

1. The number of properly equipped individual occupancy housing units, including the number of properly equipped admissions, medical and mental health and any other special housing units;
2. The number of properly equipped multiple occupancy housing units, including the number of properly equipped admissions, medical and mental health and any other special housing units; and
3. The facility's ability to provide required programs and services and to comply with other rules and regulations of 9 NYCRR Chapter IV which are related to facility capacity.

JUSTIFICATION FOR CHANGE IN MFC

This capacity adjustment is necessary as a result of a recent site visit, conducted during the week of February 27 - March 3, 2023, and non-compliance with conditions of construction approval 22-C-009, on February 23, 2022. Specific conditions of the construction approval included but are not limited to the departments proposed condition to decommission the housing unit and lock all cell doors. The continued operation of housing unit 2-Main will be monitored, and additional non-compliance will result in immediate action by the Commission.

During the aforementioned site visit, it was noted that the facility actively houses incarcerated individuals within housing unit 2-Main for de-escalation, following incidents, prior to the completion of the approved construction project. Commissions staffed toured the unit and reviewed video footage, noting several concerns with the condition of the unit and supervision of incarcerated individuals within the unit. The noted physical plant concerns include, but are not limited to, the following:

1. Incomplete repairs and inoperable cell doors.
2. Unsanitary conditions, including toilets containing feces and urine.
3. Broken and missing fixtures, including light fixtures and toilets.

ERIC M. TAYLOR CENTER COUNTY JAIL – MFC 2023

4. Non-functioning sinks and toilets.
5. Beds without mattresses.

Additional details regarding all noted concerns will be provided, by Commission staff, in an upcoming Minimum Standards Evaluation report.