



Commission of Correction

ALLEN RILEY
Chairman

YOLANDA CANTY
Commissioner

MEMORANDUM

TO: COMMISSION MEMBERS

FROM: Brian Callahan, General Counsel *BC*

RE: AGENDA FOR COMMISSION MEETING

DATE: March 27, 2024 at **11:00AM**

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

I. MINUTES

SCOC

February 28, 2024 Commission Meeting

March 6, 2024 Supplemental Commission Meeting

CPCRC

March 14, 2024 CPCRC Meeting

MRB

Administrative Closures

March 7, 2024 Medical Review Board Meeting

II. VARIANCES

- A. Port Authority Police Department
24-V-New
Supervision of Female Prisoners
Section 7504.1(e)**

III. MFC

- B. Dutchess County Sheriff's Office
Dutchess County Jail
MFC Revocation**
- C. Onondaga County Sheriff's Office
Onondaga County Custody Department
Revised MFC**

IV. CONSTRUCTION

**D. Montgomery County Sheriff's Office
Montgomery County Jail
24-C-019
Repair Hot Water Main**

**E. New York State Office of Children and Family Services
Goshen Secure Center
23-C-095
Door Replacement**



Commission of Correction

ALLEN RILEY
Chairman

YOLANDA CANTY
Commissioner

MINUTES Commission Meeting

STATE COMMISSION OF CORRECTION

LOCATION:

80 S. Swan Street, 12th Floor
Albany, New York 12210

DATE OF MEETING: February 28, 2024

Chairman Riley called the meeting to order at 11:00 a.m.

PRESENT:

Allen Riley, Chairman
Yolanda Canty, Commissioner
Tricia Amati, Assistant to Chairman/Commissioner
Brian Callahan, Counsel
Deborah Slack-Bean, Associate Attorney
Jayne Lavigna-Jesmain, Senior Attorney
Keith Zobel, Director of Operations
Cynthia Allen, Correctional Facility Specialist 3
Amanda Grimes, Correctional Facility Specialist 3
Christopher Ost, Correctional Facility Specialist 3 **WebEx**
Lloyd Robistow, Correctional Facility Specialist 3
Larry Roe, Correctional Facility Specialist 3
Adam Tilbe, Correctional Facility Specialist 3
Ellen Tryon, Correctional Facility Specialist 3 **WebEx**
Robert Mennona, Correctional Facility Specialist 1

LOCATION: Alfred E. Smith Building, 80 So. Swan Street, 12th Floor,
Albany, New York.

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I. MINUTES

SCOC

January 24, 2024 Commission Meeting

**Approved Unanimous
Canty/Riley**

February 2, 2024 Supplemental Commission Meeting	Approved	Unanimous
	Canty/Riley	
CPCRC	Approved	Unanimous
February 23, 2024 CPCRC Meeting	Canty/Riley	
MRB	Approved	Unanimous
Administrative Closures	Canty/Riley	

II. VARIANCES

A. Erie County Department of Social Services	Approved	Unanimous
Erie County Specialized Secure Detention Center	March 1, 2024	
20-V-26	Canty/Riley	
Section 7320.4		
Pod		
B. New York City Department of Correction	Approved	Unanimous
Rose M. Singer Center	September 1, 2024	
23-V-05	Canty/Riley	
Section 7075.4(a)		
Program Desks		
C. Tioga County Sheriff's Office	Approved	Unanimous
Tioga County Jail	July 1, 2024	
24-V-02	Canty/Riley	
Sections 7004.3 and 7004.4		
Correspondence		

III. MFC

D. New York City Department of Correction	Held	
Rose M. Singer Center		
Revised MFC		
E. New York City Department of Correction	Approved	Unanimous
Robert N. Davoren Center	Canty/Riley	
Revised MFC		
F. Erie County Sheriff's Office	Approved	Unanimous
Erie County Correctional Facility	Canty/Riley	
Revised MFC		

G. Onondaga County Sheriff’s Office Onondaga County Custody Department Revised MFC	Approved Canty/Riley	Unanimous
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H. Washington County Sheriff’s Office Washington County Jail Revised MFC	Approved Canty/Riley	Unanimous
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IV. CONSTRUCTION

I. Carthage Police Department 24-C-009 Lockup	Approved Canty/Riley	Unanimous
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J. Seneca County Sheriff’s Office Seneca County Jail 23-C-128 Boiler Replacement	Approved Canty/Riley	Unanimous
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K. New York City Administration for Children’s Services Crossroads Specialized Secure Detention Facility SCOC #24-C-007 Exercise Yard	Approved Canty/Riley	Unanimous
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L. New York City Administration for Children’s Services Horizon Specialized Secure Detention Facility SCOC #24-C-008 Exercise Yard	Approved Canty/Riley	Unanimous
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M. New York City Department of Correction Robert N. Davoren Center 24-C-012 De-escalation Unit	Approved Canty/Riley	Unanimous
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N. Washington County Sheriff’s Office Washington County Jail 24-C-015 Removal of Top Bunk in Double Cells	Approved Canty/Riley	Unanimous
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Commissioner Canty made a motion to go into executive session at 11:01 a.m. to discuss Maximum Facility Capacities, Construction and Medical Review Board items which was seconded by Chairman Riley. Commissioner Canty made a motion to exit

Executive Session and return to general session at 11:23 a.m., which was seconded by Chairman Riley.

The meeting resumed at 11:23 a.m. Motion was made by Commissioner Canty to ratify actions taken in Executive Session regarding Maximum Facility Capacities, Construction and Medical Review Board items, seconded by Chairman Riley. Commissioner Canty made a motion to adjourn at 11:23 a.m. which was seconded by Chairman Riley.

Respectfully submitted,

Tricia Amati
Assistant to Chairman/Commissioner



Commission of Correction

ALLEN RILEY
Chairman

YOLANDA CANTY
Commissioner

EXECUTIVE SESSION

MINUTES Commission Meeting

STATE COMMISSION OF CORRECTION

LOCATION:

80 S. Swan Street, 12th Floor
Albany, New York 12210

DATE OF MEETING: February 28, 2024

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Keith Zobel, Director of Operations
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Christopher Ost, Correctional Facility Specialist 3 **WebEx**
Lloyd Robistow, Correctional Facility Specialist 3
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Chairman Riley.

Respectfully submitted,

Tricia Amati
Assistant to Chairman/Commissioner



Commission of Correction

ALLEN RILEY
Chairman

YOLANDA CANTY
Commissioner

MINUTES Commission Meeting

STATE COMMISSION OF CORRECTION

LOCATION(S):

Alfred E. Smith Building
80 S. Swan Street, 12th Floor, Albany, NY 12210,
Valley Stream, New York

DATE OF MEETING: March 6, 2024

Chairman Riley called the meeting to order at 12:30 p.m.

PRESENT:

Allen Riley, Chairman
Yolanda Canty, Commissioner **WebEx**
Tricia Amati, Assistant to Chairman/Commissioner
Brian Callahan, Counsel
Deborah Slack-Bean, Associate Attorney
Jayne Lavigna-Jesmain, Senior Attorney
Keith Zobel, Director of Operations
Terry Moran, Project Director **WebEx**
Cynthia Allen, Correctional Facility Specialist 3
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Lloyd Robistow, Correctional Facility Specialist 3
Larry Roe, Correctional Facility Specialist 3
Ellen Tryon, Correctional Facility Specialist 3 **WebEx**

I. MAXIMUM FACILITY CAPACITY

**A. New York City Department of Correction
Rose M. Singer Center
Revised MFC**

**Approved Unanimous
Canty/Riley**

Commissioner Canty made a motion to go into executive session at 12:30 p.m. to discuss a Maximum Facility Capacity item which was seconded by Chairman Riley.

Commissioner Canty made a motion to exit Executive Session and return to general session at 12:32 p.m., which was seconded by Chairman Riley.

The meeting resumed at 12:32 p.m. Motion was made by Commissioner Canty to ratify actions taken in Executive Session regarding a Maximum Facility Capacity, seconded by Chairman Riley. Commissioner Canty made a motion to adjourn at 12:32 p.m. which was seconded by Chairman Riley.

Respectfully submitted,

Tricia Amati
Assistant to Chairman/Commissioner



Commission of Correction

ALLEN RILEY
Chairman

YOLANDA CANTY
Commissioner

EXECUTIVE SESSION

MINUTES Commission Meeting

STATE COMMISSION OF CORRECTION

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Respectfully submitted,

Tricia Amati
Assistant to Chairman/Commissioner

CITIZENS' POLICY AND COMPLAINT REVIEW COUNCIL

March 14, 2024

NYS Commission of Correction
at
Alfred E. Smith Office Building
80 South Swan Street, 12th Floor
Albany, NY 12210

WEBEX Meeting

PRESENT:

Commissioner Yolanda Canty

Council Members:

Albany:

Martin Stanton

Also Present:

Jayne Lavigna-Jesmain

Deborah Slack-Bear

Lanaya Garnes

Cynthia Allen

Commissioner Canty opened the meeting at 11:00 A.M.

Commissioner Canty asked for a motion to ratify all actions taken at the February 23, 2024 meeting. Martin Stanton made a motion to ratify all actions taken on February 23, 2024. Commissioner Canty seconded. Carried. Commissioner Canty asked for a motion to approve the minutes of the February 23, 2024 meeting. Martin Stanton made a motion to approve the minutes of the February meeting. Commissioner Canty seconded. Carried.

Martin Stanton and Commissioner Canty reviewed the Denied with Comment grievances for the month of February 2024. Martin Stanton and Commissioner Canty made motions to Deny with the appropriate comment the grievances that they reviewed. These motions were seconded by Commissioner Canty and Martin Stanton respectively, and unanimously passed.

Martin Stanton and Commissioner Canty reviewed the Expedited grievances for the month February 2024. Martin Stanton and Commissioner Canty made motions to Deny the grievances that they reviewed. These motions were seconded by Commissioner Canty and Martin Stanton respectively, and unanimously passed.

The Council reviewed two (2) Facility Responses.

The Council reviewed the remaining Grievances.

ACCEPT IN PART

187764
Cayuga CJ

Unanimous

186928 Fulton CJ	Unanimous
187130 Ulster CJ	Unanimous
187639 Orange CJ	Unanimous

DENIED WITH COMMENT

187674 Delaware CJ	Unanimous
187650 Onondaga DOC	Unanimous

ADMINISTRATIVE CLOSURES

DENY

187671 Albany CJ	Unanimous
187667 187666 187665 187045 Broome CJ	Unanimous
187955 187584 187425 187279 Chautauqua CJ	Unanimous
187920 187724 187705 187487 187190 187188 Chenango CJ	Unanimous
188690 188008 188007 188004	

187804
187776
187774
187673
187470
187467
187466
187465
187464
187404
187394
187393
187392
187391
187390
187388
187387
187375
187374
187315
187314
187313
187311
187310
187308
187304
187205
187204
187196
187173
187172
187128
186963

Delaware CJ

Unanimous

187681

Dutchess CJ

Unanimous

187946
187945
187919
187916
187784
187750
187748
187680
187678
187629
187506
187485
187428

187386 186934 Erie CF	Unanimous
187989 187887 187886 187885 187185 187174 Erie CJ	Unanimous
187616 187095 Franklin CJ	Unanimous
187683 187159 187044 Fulton CJ	Unanimous
187615 Genesee CJ	Unanimous
187760 187759 187511 187510 187509 187508 187158 187133 187132 187075 Herkimer CJ	Unanimous
187184 Livingston CJ	Unanimous
187317 187168 187064 Monroe CJ	Unanimous
187967 187966 187954 187649 187167 Montgomery CJ	Unanimous

187396 186943 Nassau CJ	Unanimous
187490 187489 187086 187085 187084 187083 187063 Niagara CJ	Unanimous
186940 Oneida CJ	Unanimous
186932 Onondaga DOC	Unanimous
187951 187950 187949 187432 187431 187430 187267 187165 Ontario CJ	Unanimous
187905 187156 187154 187153 187150 187148 186942 Orange CJ	Unanimous
187492 Orleans CJ	Unanimous
187908 Putnam CJ	Unanimous
187769 187768 187324 St. Lawrence CJ	Unanimous
187265 Steuben CJ	Unanimous

187648	
187628	
187627	
187626	
187609	
187469	
187281	
Suffolk CJ	Unanimous
187757	
187524	
Sullivan CJ	Unanimous
187484	
187472	
187471	
Tioga CJ	Unanimous
187429	
187208	
Tompkins CJ	Unanimous
187403	
187395	
Ulster CJ	Unanimous
187631	
Warren CJ	Unanimous
186956	
Wayne CJ	Unanimous
187957	
187947	
187904	
187773	
187677	
187625	
187620	
187607	
187606	
187493	
187486	
187474	
187473	
187402	
187401	
187400	
187399	
187370	

187280
187278
187277
187088
187087
187074
186988
186987
186933
186931
187152
Westchester DOC Unanimous

187164
Yates CJ Unanimous

DENIED WITH COMMENT

187364
Albany CJ Unanimous

187664
187266
Broome CJ Unanimous

187564
Chemung CJ Unanimous

186949
Cortland CJ Unanimous

188006
187964
187805
187761
187756
187755
187754
187753
187752
187751
187674
187672
187670
187668
187654
187623
187622
187389
187306

187195	
187193	
187170	
187169	
186938	
Delaware CJ	Unanimous
187965	
187907	
187890	
187889	
187785	
187749	
187684	
187679	
187373	
187372	
Erie CF	Unanimous
187988	
187884	
Erie CJ	Unanimous
187244	
187191	
187104	
187094	
187071	
186965	
186964	
186939	
186936	
Franklin CJ	Unanimous
187166	
186955	
Fulton CJ	Unanimous
187476	
187475	
187069	
Genesee CJ	Unanimous
187772	
Herkimer CJ	Unanimous
187397	
187103	
186958	
186957	
Monroe CJ	Unanimous

187264 Niagara CJ	Unanimous
187652 Oneida CJ	Unanimous
187651 187650 Onondaga DOC	Unanimous
187952 187426 187194 Ontario CJ	Unanimous
187906 187888 187744 187640 187639 187157 187155 187151 187149 Orange CJ	Unanimous
187491 186950 Orleans CJ	Unanimous
187369 Rensselaer CJ	Unanimous
187187 Saratoga CJ	Unanimous
187767 187319 187320 St Lawrence CJ	Unanimous
187968 Steuben CJ	Unanimous
187986 187647 Suffolk CJ	Unanimous
187913 187284	

187271 Tioga CJ	Unanimous
187864 187207 187105 187070 Tompkins CJ	Unanimous
187676 187675 187669 187444 187186 187146 187145 187144 187126 187125 187124 Ulster CJ	Unanimous
188010 187771 187747 187746 187745 187632 187630 187610 187131 186954 Warren CJ	Unanimous
187073 Washington CJ	Unanimous
187948 187944 187917 187321 Wayne CJ	Unanimous
187621 187398 187127 Westchester DOC	Unanimous

The next CPCRC meeting will be held on Thursday April 11, 2024, at 11:00 A.M. via WebEx.

Commissioner Canty requested a motion to adjourn the meeting, which was made by Martin Stanton, seconded by Commissioner Canty, and carried. The meeting adjourned at 11:17 A.M.

Respectfully submitted,

Lanaya Garnes
Administrative Assistant

Name of Facility: NY & NJ Port Authority Police Department- NY Commands Variance NEW

New: Renewal:

Relief from Standard: 7504.1(e)

Application by: Chief of Police Operations Richard Bellucci Date Request Rec: 2/28/2024

Last Approved: N/A

Length of Approval: N/A

Write-up Prepared by: Jordan Smoczynski

Recommendation by Field Staff: Approve through January 1, 2025.

Recommendation at Briefing:

Final Recommendation:

SUMMARY OF VARIANCE REQUEST

The Port Authority Police Department (PAPD) is requesting variance relief from the requirements of Minimum Standard 7504.1(e), supervision of female prisoners by a female officer/matron. The PAPD is presently unable to staff a female officer/sergeant or Matron 24 hours per day, 7 days per week at each of its four Police Commands that contain temporary prisoner detention areas. Those four Commands include JFK International Airport, LaGuardia Airport, the Port Authority Bus Terminal, and the George Washington Bridge Bus Terminal.

If/when there is a female prisoner temporarily detained in a Port Authority Temporary Detention Area, a female officer or sergeant will be requested to be on scene to conduct all searches, assist with arrest processing and prisoners/detainee observation for the duration of the female prisoners lodging in a Port Authority Detention Area. The female officer or sergeant will remain with the female prisoner through all transports to and from central bookings or long-term detention.

VARIANCE HISTORY

N/A

CONSTRUCTION/RENOVATION PLANS

None

OTHER VARIANCES IN EFFECT

None

DATE OF LAST CYCLE VISIT THAT STANDARD VIOLATIONS WERE IDENTIFIED:

A MSE evaluation was conducted on 10/2023

ANY OPEN MINIMUM STANDARD VIOLATIONS:

October 2023 was the last minimum standards evaluation. The Department is currently actively working with SCOC on coming into compliance identified violations.

ANY VIOLATIONS WHICH PERTAIN TO THE VARIANCE'S CONDITIONS:

None

JUSTIFICATION FOR WHY VARIANCE SHOULD OR SHOULD NOT BE EXTENDED:

Recommend that the variance be approved for 9 months.

RECOMMENDED CONDITIONS

1. The PAPD shall ensure that anytime a female prisoner is placed in a detention cell, a female officer or matron is present in the building and has the ability to respond in times when a search is needed, or a female prisoner is placed on constant supervision.
2. The PAPD shall ensure that any search of a female prisoner is conducted by a female officer or matron.
3. The PAPD shall ensure that anytime a female prisoner is placed on constant supervision, such supervision is conducted by a female officer or matron.
4. The PAPD shall maintain a system of video recording of the detention area that cannot be disabled by staff any time a male officer is providing supervision to a female prisoner.
5. The PAPD shall maintain the video recording for a minimum of 6 months
6. The PAPD shall ensure that an entry is made in the supervision records that states a male officer is supervising a female prisoner housed in a detention cell.
7. The PAPD shall maintain a centralized record of allegations of improper or physical contact between a female prisoner and male officer. Such record shall include any allegation, the investigative files, findings, and any related disposition.
8. The PAPD shall submit a plan to come into compliance with this standard with any future request to extend this variance.

REVIEWED BY REGIONAL SUPERVISOR: Amanda Grimes
REVIEWED BY DIRECTOR: Keith Zobel

DATE: 3/21/2024
DATE: 3-23-24

COMMENTS BY DIRECTOR:

OFFICIAL USE ONLY:

NOTES OF MEETING:



**Commission of
Correction**

VARIANCE APPLICATION FORM

Lockup



New York State
Commission of Correction 80 S.
Swan Street, 12th Floor Albany, New
York 12210
518-485-2346
correspondence@scoc.ny.gov

Lockup Variance Application Form

INSTRUCTIONS TO CHIEF, COMMISSIONER, OR SHERIFF:

Pursuant to New York State Minimum Standards Part 7512,
Variances, please complete all portions of this form and email to the
attention of Chairman/Commissioner, using the above e-mail address.

Lockup: Port Authority Police Department - NY Commands

Person requesting: Chief of Police Operations, Richard Bellucci

A. State the specific Part, section and subdivision of New York State Minimum
Standards for which the variance is requested: Example: 7510.1 (b) states that,
Visits to prisoners by a family member, relative or other person may be permitted
at the discretion of, and in accordance with regulations established by, the
officials in charge. To request a variance the citation should be listed as:

Ex. Part: 7510 Section: 1 Subdivision: b

Standard for which the variance is requested:

Part: 7504 Section: 1 Subdivision: (e)

B. In the space provided below include specific plans fully explaining and supporting
the alternative manner of compliance. If you are requesting a modification to an
existing variance please include that information in the area below as well.
(Include or attach any relevant supporting documentation). The number of characters
you can type in the below space is limited. If necessary, please attach any
additional information with your submittal.

If/when there is a female prisoner temporarily detained in a Port Authority
Detention Area, a female officer or sergeant will be requested to be on scene to
conduct all searches, assist with arrest processing and prisoner/detainee
observations for the duration of the female prisoner's lodging in a Temporary
Detention Area. The female officer or sergeant will remain with the female prisoner
through all transports to and from central bookings or long-term
detention/correctional facilities.

C. In the space provided below include a detailed description regarding why this variance is necessary. **The number of characters you can type in the below space is limited. If necessary, please attach any additional information with your submittal.**

See attached document.

D. Provide the amount of time for which the variance is requested, if applicable:

XXXX Days 52 Weeks 12 Months

E. Should this variance application be approved, please detail below any plans, provisions and timetables for achieving full compliance with the Minimum Standard regulation that is the subject of this application. **The number of characters you can type in the below space is limited. If necessary, please attach any additional information with your submittal.**

See attached document.

F. Has this variance been previously approved by the Commission?

Yes If yes, include the variance number _____ No



2/28/24

Signature (Chief) (Commissioner) (Sheriff)

Date

Additional copies of this form can be obtained by contacting the Commission, or by visiting www.scoc.ny.gov

NYS Commission of Correction – Variance Application Form, Lockup

Enhanced Explanations

C. In the space provided below include a detailed description regarding why this variance is necessary.

The PAPD must request this variance as a necessity to be in compliance with 7504.1(e). Presently, the PAPD is unable to staff a female officer/sergeant or Matron 24 hours per day, 7 days per week at each of our four (4) NYC Police Commands that contain temporary prisoner detention areas. Those four (4) Police Commands include JFK International Airport (Queens), LaGuardia Airport (Queens), the Port Authority Bus Terminal (Manhattan), and the George Washington Bridge Bus Terminal (Bronx).

E. Should this variance application be approved, please detail below any plans, provisions and timetables for achieving full compliance with the Minimum Standard regulation that is the subject of this application.

Plans to achieve full compliance include the continued annual hiring of additional police recruits to both backfill attrition of manpower and increase overall manpower of the department, which will include more diverse and female hirings. Additionally, the feasibility of a dedicated detail labeled as a stationhouse officer dedicated to the responsibility of prisoner care and intake is being researched. Due to collective bargaining agreements and contractual obligations surrounding details, this will take some time, but is possible. For the time being, the current operating procedures will continue to include that if/when there is a female prisoner temporarily detained in a Port Authority Temporary Detention Area, a female officer or sergeant will be requested to be on scene to conduct all searches, assist with arrest processing and prisoner/detainee observations for the duration of the female prisoner's lodging in a Port Authority Detention Area. The female officer or sergeant will remain with the female prisoner through all transports to and from central bookings or long-term detention/correctional facilities.



Chief of Police Operations

M-E-M-O-R-A-N-D-U-M

To: Chairman Riley and Commissioner Canty

From: Adam Tilbe, CFSIII

Re: Old Dutchess County Jail MFC Revocation

Date: March 19, 2024.

With the recent opening of the new Dutchess County Justice and Transition Center, I am recommending that the Maximum Facility Capacity for the old Dutchess County Jail on North Hamilton St in Poughkeepsie, New York, be revoked. AT



**Commission of
Correction**

MAXIMUM FACILITY CAPACITY

For the

Onondaga County Custody Department

Syracuse, New York

March 27, 2024

Allen Riley
Chairman

Yolanda Canty
Commissioner

Onondaga County Custody Department

Located in Syracuse, New York, the Onondaga County Custody Department opened in 1995. The current Maximum Facility Capacity is rated at 662 beds at standard, consisting of 15 individual occupancy housing areas (that include a limited number of double cells) for both general housing and special housing.

The facility is led by a Chief Administrative Officer and is operated by a compliment of sworn security and civilian personnel. Those staff are responsible for providing all required essential services to incarcerated individuals while maintaining the safety and security of the facility.

ONONDAGA COUNTY CUSTODY DEPARTMENT – MFC 2024

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.

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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.

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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
5-B	8	8 @ 88 sq. ft.	1	8

Individual General Housing Unit Total: 8

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
5-B Behavioral Health	Mental Health	12	12 @ 88 sq. ft.	2	14
		2	2 @ 100 sq. ft.	1	2
5-C MHU	Mental Health	47	47 @ 88 sq. ft.	7	55
		8	8 @ 100 sq. ft.		8
Cell #7 see note					

Note: Cell #7 has no fixtures. Accordingly, it cannot be used to house incarcerated individuals.

Individual Admissions/Orientation, Medical and Mental Health Observation Housing Unit Total: 69

IC. INDIVIDUAL OCCUPANCY HOUSING UNITS USED FOR SPECIAL HOUSING

Name of Housing Area/Section	Type of Special Housing	Number of Individual Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	# of Showers Available per Section	Maximum Incarcerated Individual Capacity
5-B SHU #2	Punitive and Administrative Segregation	4	4 @ 88 sq. ft.	1	4
5-B SHU #3	Punitive and Administrative Segregation	29	29 @ 88 sq. ft.	4	29
Cell #34 see note					

Note: Cell #34 has no fixtures. Accordingly, it cannot be used to house incarcerated individuals.

Individual Special Housing Unit Total: 33

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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
Not Applicable					0

Multiple General Housing Unit Total: 0

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

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

Multiple Admissions/Orientation, Medical and Mental Health Observation Housing Unit Total: 0

IIC. MULTIPLE OCCUPANCY HOUSING UNITS USED FOR SPECIAL HOUSING

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

Multiple Special Housing Unit Total: 0

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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
2-A Pod Single Cells Double Cells	56	48 @ 88 sq. ft. 8 @ 100 sq. ft.	6	60 48 12
2-B Pod* Single Cells Double Cells	56	48 @ 88 sq. ft. 8 @ 100 sq. ft.	6	60 48 12
2-C Pod Single Cells Double Cells	56	48 @ 88 sq. ft. 8 @ 100 sq. ft.	6	60 48 12
3-A Pod* Single Cells Double Cells	56	48 @ 88 sq. ft. 8 @ 100 sq. ft.	6	60 48 12
3-B Pod Single Cells Double Cells	56	48 @ 88 sq. ft. 8 @ 100 sq. ft.	6	60 48 12
3-C Pod Single Cells Double Cells	56	48 @ 88 sq. ft. 8 @ 100 sq. ft.	6	60 48 12
4-A Pod Single Cells Double Cells	56	48 @ 88 sq. ft. 8 @ 100 sq. ft.	6	60 48 12
4-B Pod Single Cells Double Cells	56	48 @ 88 sq. ft. 8 @ 100 sq. ft.	6	60 48 12
4-C Pod Single Cells Double Cells	56	48 @ 88 sq. ft. 8 @ 100 sq. ft.	6	60 48 12

Individual and Multiple Occupancy General Housing Unit Total: 540

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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 Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	Number of Showers Available	Maximum Incarcerated Individual Capacity
5-A	Medical				12
Infirmary		4	4 @ 100 sq. ft.	2	4
Negative Pressure 1		1	1 @ 100 sq. ft.	1	1
Negative Pressure 2		1	1 @ 100 sq. ft.	1	1
Ward #1		Dorm	1 @ 368 sq. ft.	1	3
Ward #2		Dorm	1 @ 302 sq. ft.	1	3

**Individual and Multiple Occupancy Admissions/Orientation,
Medical and Mental Health Housing Unit Total: 12**

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

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

Individual and Multiple Occupancy Special Housing Unit Total: 0

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IV. 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
Court Holding #1	1	1	1 @ 362 sq. ft.	The facility may hold up to twenty-four (24) incarcerated individuals.
Court Holding #2	1	1	1 @ 408 sq. ft.	The facility may hold up to twenty-seven (27) incarcerated individuals.
Court Holding #3	1	1	1 @ 408 sq. ft.	The facility may hold up to twenty-seven (27) incarcerated individuals.
Court Holding #4	1	1	1 @ 118 sq. ft.	The facility may hold up to seven (7) incarcerated individuals.
Holding #1	1	1	1 @ 92 sq. ft.	The facility may hold up to six (6) incarcerated individuals.
Holding #2	1	1	1 @ 92 sq. ft.	The facility may hold up to six (6) incarcerated individuals.
Holding #3	1	1	1 @ 92 sq. ft.	The facility may hold up to six (6) incarcerated individuals.
Holding #4	1	1	1 @ 92 sq. ft.	The facility may hold up to six (6) incarcerated individuals.
Holding #5	1	1	1 @ 92 sq. ft.	The facility may hold up to six (6) incarcerated individuals.
BSR Holding Cell <i>see note #2</i>	0	0	1 @ 92 sq. ft.	The facility may hold one (1) incarcerated individual.

Notes:

1. **Non-Standard housing 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 12 hours. Multiple occupancy holding shall be limited to four (4) hours. Any other use is prohibited. Whenever incarcerated individuals are placed in non-standard housing, at a minimum, Active Supervision shall be maintained.**

2. **Any incarcerated individual placed in the BSR Holding Cell shall be provided access to a toilet and sink.**

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HOUSING TYPE	TOTALS
Subtotal Individual Housing Units Used for General Housing	8
Subtotal Individual Housing Units Used for Admissions/Orientation, Medical and Mental Health Observation	69
Subtotal Individual Housing Units Used for Special Housing	33
Subtotal Multiple Occupancy Housing Units Used for General Housing	0
Subtotal Multiple Occupancy Housing Units Used for Admissions/Orientation, Medical and Mental Health Observation	0
Subtotal Multiple Occupancy Housing Units Used for Special Housing	0
Subtotal Units Containing both Individual and Multiple Occupancy Housing Used for General Housing	540
Subtotal Units Containing both Individual and Multiple Occupancy Housing Used for Admissions/Orientation, Medical and Mental Health Observation	12
Subtotal Units Containing both Individual and Multiple Occupancy Housing Used for Special Housing	0
MAXIMUM FACILITY CAPACITY:	662

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

Revised to reflect current and ongoing facility renovations as previously approved under project number 22-C-073.

Reviewed by: Adam Tilbe



CFSIII 3/25/2024

Approved by: Keith Zobel



Director 3/25/2024