



2021  
**ANNUAL  
REPORT**



**Commission of  
Correction**

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**Allen Riley, Chairman**  
**Thomas Loughren, Commissioner**  
**Yolanda Canty, Commissioner**

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# OUR 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.

The Commission of Correction functioned as established for almost eighty years until, in the 1970s, a series of administrative and legal changes significantly expanded the Commission's mission and autonomy.

During this process, the Governor and Legislature also restructured the agency's administration. A full-time, three-member Commission was established, with the members being 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 was also established, and the Medical Review Board was reorganized.



# ORGANIZATION 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 facilities, and facilities operated by the New York City Department of Correction. Its organization, functions, powers, and duties are set forth in Article 3 of the New York State Correction Law.

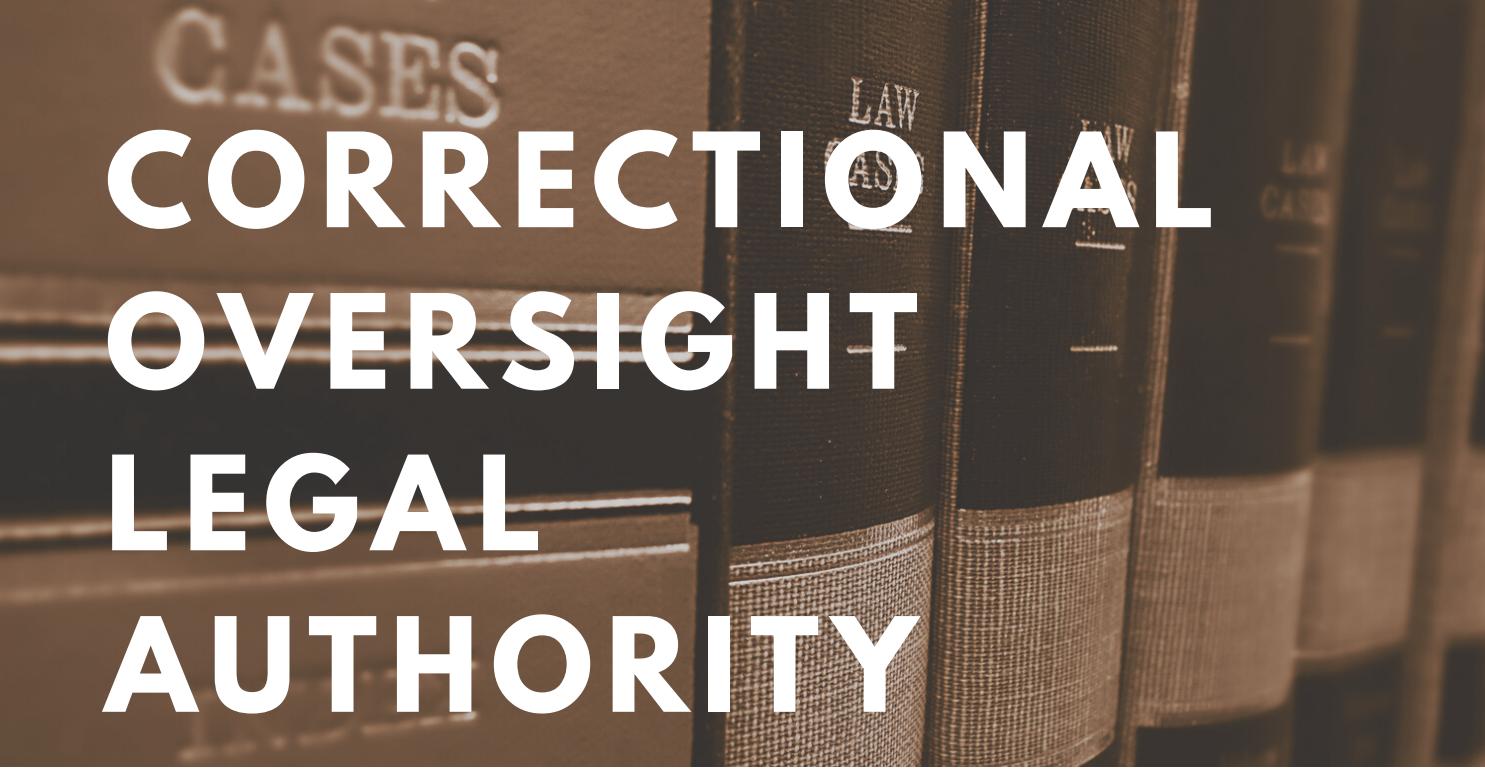
The Commission's duties include:

- 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/jail population capacity;
- Reviewing all incarcerated individuals' grievances, complaints, and reportable incidents;
- Overseeing new correctional facility development;
- Investigating serious incidents;
- Providing staffing services;
- Assisting in the implementation of new correctional technologies;
- Reviewing cases of incarcerated individual mortality;
- Evaluation and development of health and mental health services.

The Commission is tasked with providing a safe, stable, and humane correctional system and, 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 commissioners are assigned to chair the Medical Review Board and the Citizen's Policy and Complaint Review Council, members of which are also appointed to terms by the Governor.

The Commission is primarily a field services agency with consisting of 26 Correctional Facility Specialists and Senior Utilization Review Nurses assigned to either the Field Operations Bureau or the Forensic Medical Unit. Legal, executive and support services complete the agency's present staff complement of 36. Commission field and forensic units are, on occasion, subject to reorganization based upon staffing level fluctuation and the continuous effort to maximize deployment efficiency.

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 the correctional system in New York.



# 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:

- Article XVII, Section 5 of the New York State Constitution states 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;
- County Law, 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;
- 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.



# 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's Office of Counsel continues to work collaboratively with the administrations of local correctional facilities on issues of mutual concern. Further, the Office of Counsel acts in an enforcement capacity with regard to compel correctional facility compliance with minimum standard regulations, and acts as a liaison to the Attorney General's Office for all other agency-related litigation.

In addition to 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**

Pursuant to State Administrative Procedure Act §207, the Commission carried out the required regulatory review of all rules adopted in calendar years 2000, 2005, 2010 and 2015. After publishing notice and extending an invitation for public comment, said rules were continued without amendment.

## **Legislation Summary**

There were no legislative proposals made to the Governor's Counsel's Office for the 2021 session.

## **Litigation**

In the course of the year, one matter of litigation was pending as of the end of 2021.

## **Legal Opinions**

In 2021, Counsel's Office rendered 20 legal opinions by telephone and 4 legal opinions in writing.

## **Freedom of Information Law (FOIL) Requests**

For the year 2021, the Office of Counsel received and responded to 191 Freedom of Information Law (FOIL) requests for records of the Commission of Correction.

## **Directives and Citations**

In 2021, there were no directives or citations issued.

## **Juvenile Justice**

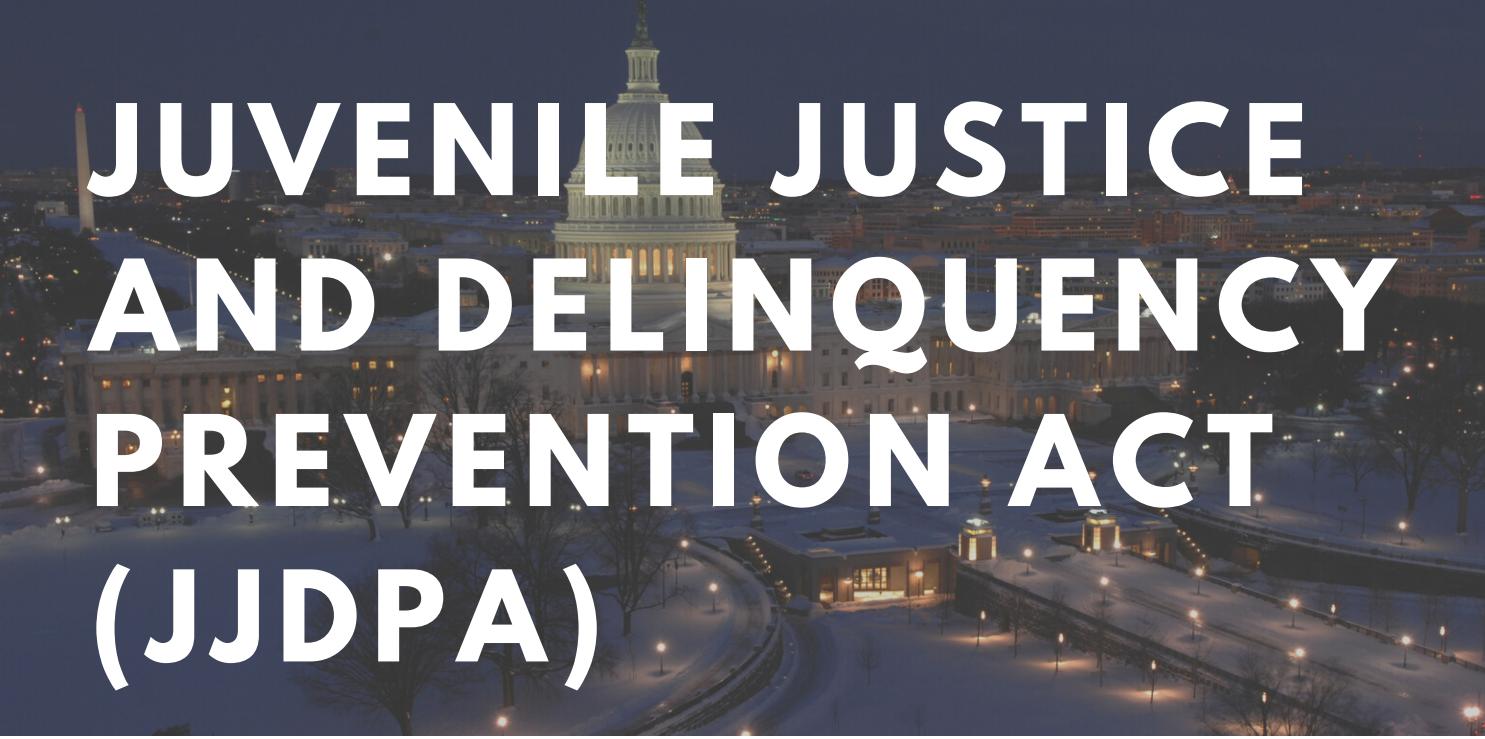
In 2021, Counsel's Office continued to provide guidance and assistance to the Field Operations Bureau with regard to the Commission's duty of monitoring the state's compliance with the Juvenile Justice and Delinquency Prevention Act (JJDA).

On April 10, 2017, Governor Cuomo signed into law what is commonly known as "Raise the Age" legislation (Part WWW of Chapter 59 of the Laws of 2017), which generally serves to prohibit the detention of 16 and 17-year-olds in adult jails and prisons, makes substantive changes to the procedures and mechanisms used to process 16 and 17-year-old offenders in the criminal and youth justice systems, and allows for additional services for youth. This alters the types of detention and/or placement they may receive.

Specifically, the legislation creates a new category of offender, known as an "adolescent offender," defined as a person 16 years old (effective October 1, 2018) or 17 years old (effective October 1, 2019) at the time such person is alleged to have committed a felony offense. While an adolescent offender's case is adjudicated in the Youth Part Court, he or she may be detained in the newly created specialized secure juvenile detention facilities for older youth (SSDs). Per County Law §218-a (6), not every county will be required to operate a SSD, but all must have one available for use when necessary. In New York City, each SSD shall be operated by the Administration for Children's Services in conjunction with the Department of Corrections. All SSDs statewide are required to be certified and regulated by the Office of Children and Family Services (OCFS) in conjunction with the Commission. Additionally, SSDs were included in the Correction Law §40(2) definition of "local correctional facility," necessitating that the Commission promulgate minimum standard regulations for such facilities pursuant to Correction Law §45(6), and approve or reject plans and specifications for their construction or improvement pursuant to Correction Law §45(10).

The Commission's Office of Counsel reviewed and made recommendations regarding the certification of six (6) specialized secured detention facilities for adolescent offenders and one (1) specialized juvenile detention facility.

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# JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT (JJDPA)

The Commission's Field Operations Bureau is responsible for monitoring New York State's compliance with the Juvenile Justice and Delinquency Prevention Act (JJDPA). In 2021, compliance of the JJDPA were conducted at:

- Police Department Lockups – 105
- County Correctional Facilities – 23
- New York State Family Courts – 36



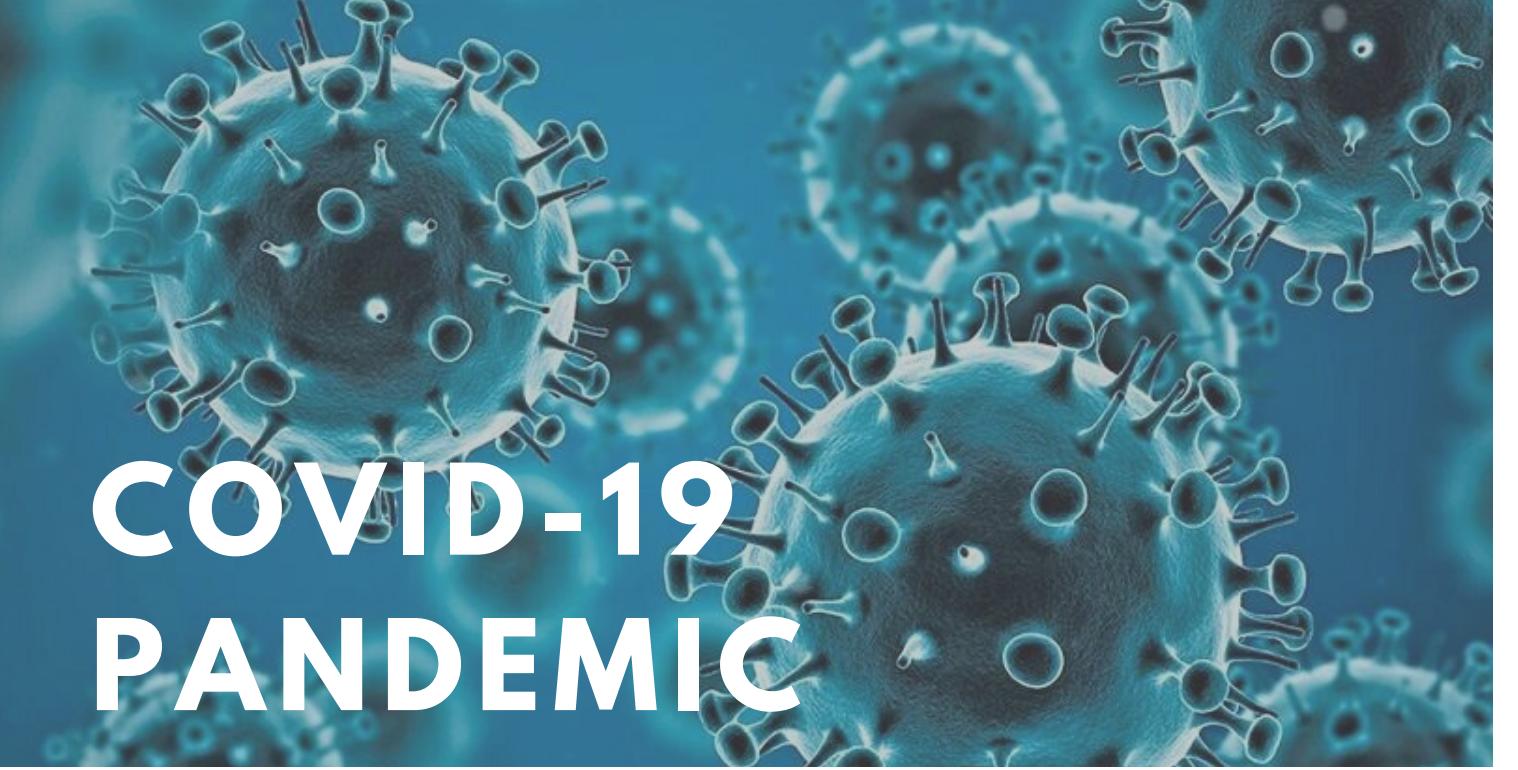
# SPECIALIZED SECURE DETENTION FACILITIES

In April 2017, Governor Cuomo signed into law “Raise the Age” legislation that was included as part of the State budget. In addition to raising the age of criminal responsibility to 18 and establishing time frames for the removal of 16-year-olds and 17-year-olds in county jails, this legislation also required the establishment of Specialized Secure Detention (SSD) facilities to house 16-year-old Adolescent Offenders beginning on October 1, 2018 and 17-year-old Adolescent Offenders on October 1, 2019. This legislation also charged the Commission and Office of Children and Family Services with co-regulating these SSD facilities, promulgating Minimum Standard regulations for their operation and certifying them prior to opening. In 2018, the following SSD facilities became operational:

- Albany County – Capital District Juvenile Secure Detention Facility
- Erie County – Erie County Secure Detention Center
- Monroe County – Monroe County Children’s Center
- New York City – Horizon Specialized Juvenile Detention Center
- New York City – Crossroads Juvenile Detention Center
- Onondaga County – Hillbrook Juvenile Detention Facility
- Westchester County – Woodfield Detention Center

Note: Discussions regarding a proposed SSD facility on Long Island continue.

Information concerning technical assistance provided to SSD facilities is outlined later in this report.



# COVID-19 PANDEMIC

The COVID-19 pandemic impacted how all state agencies and detention facilities operate, and provided the opportunity for the Commission of Correction to reevaluate current procedures within the agency and detention facilities, and to update methods of communication between other local and state government agencies. This section will outline the Commission's efforts to ensure the same level of continuous service from the start of the pandemic through the end of 2021.

## **Telecommuting**

In 2021, the Commission continued to permit telecommuting on a limited basis. This enabled the Commission to maintain a field presence at local correctional facilities.

## **Task Force**

At the onset of the COVID-19 pandemic, the Commission immediately established a team of staff, consisting of a Registered Nurse from the Forensic unit and staff from the Field unit. This team was responsible for the development and utilization of a questionnaire for daily collection of data from all county jails and facilities operated by the New York City Department of Correction. In 2021, the task force continued to gather information, including but not limited, to:

- Identified operational problems
- Confirmed COVID cases for incarcerated individuals and staff
- Hospitalizations of incarcerated individuals
- Involvement of local health department
- COVID screenings of incarcerated individuals and staff
- Staffing levels
- Supply levels of Personal Protection Equipment (PPE)

Relevant information gathered by the Task Force was shared with various state and local agencies. Such information also assisted in identifying areas that required the provision of technical assistance by either the Forensic or Field units.

### **Information Gathering**

Throughout 2021, Commission staff continued to contact each county jail and the New York City Department of Correction on a daily basis to obtain the required data and enter information into a spreadsheet for dissemination to other state agencies.

### **Information Sharing**

Daily information gathered by the Commission was shared with the Governor's Office, Department of Health, Department of Corrections and Community Supervision, along with other agencies.

## Technical Assistance

Throughout 2021, Commission staff provided related technical assistance to numerous county correctional facilities. Such assistance included, but was not limited to:

- The process of medically screening incarcerated individuals already in custody as well as new admissions
- Monitoring availability of Personal Protection Equipment
- Assessing protocols for quarantining incarcerated individuals who either tested positive for COVID-19 or were suspected of exposure from someone who tested positive
- Providing options for physically separating the incarcerated population in a manner that would help reduce the potential for the spreading of the virus
- Continuing facility operations while addressing staffing shortages
- Ensuring the safe operation of programs for incarcerated individuals

This and other technical assistance were provided to the following county correctional facilities:

Albany	Broome	Cayuga	Chautauqua	Herkimer	Suffolk
Dutchess	Fulton	Genesee	Hamilton	Schoharie	
Nassau	Niagara	Rensselaer	Saratoga	Delaware	
Sullivan	Tompkins	Yates	Columbia	Montgomery	

## Collaboration

From the onset of the pandemic, the Commission worked closely with the Governor's Office and the below state and local agencies in carrying out its mission to ensure the continued safe and humane operation of all correctional facilities in New York.

**NYS Department of Health (DOH)**

**NYS Department of Corrections and Community Supervision (DOCCS)**

**New York City Department of Correction**

**NYS Division of Criminal Justice Services (DCJS)**

**Local and County Health Departments**

**New York City Health Department**

Further, the Commission maintained ongoing communication with the Department of Health, providing updates on COVID-related events occurring in county jails and facilities operated by the New York City Department of Correction. Such communications frequently focused on facilities in need of technical assistance with respect to quarantining incarcerated individuals testing positive for COVID and the need to obtain supplies of various PPE. The Commission served as a conduit between DOH, local health departments, and correctional facility administrations.

The Commission also maintained ongoing communication with the Department of Corrections and Community Supervision (DOCCS). Such communication focused on the number of state-ready incarcerated individuals testing positive for COVID in both county jails and NYC Department of Correction; a necessary measure as this had a direct impact on DOCCS' statewide intake process.

### **COVID Site Visits**

During 2021, Commission staff completed on-site visits to all county jails to assess facilities' observance of guidance provided by the Department of Health, Center for Disease Control, and the Commission of Correction. COVID-related operations that were assessed included the following:

- Screening of employees
- Screening of incarcerated individuals
- Screening of visitors
- Disinfecting procedures
- Utilization of face coverings

Areas of concern identified by Commission staff were discussed with facility administrations and, where necessary, local health department representatives. A written report summarizing findings was issued to each facility.

### **Chairman's Memoranda**

Throughout 2021, several Chairman's memoranda were forwarded to sheriffs, commissioners of correction, jail administrators and wardens, jail physicians, and facility medical directors. Such memoranda included vital information concerning COVID-19. Additional information regarding these memoranda can be found later in this report.

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## **Housing/Quarantine Determinations**

In instances where county jails experienced a significant number of incarcerated individuals testing positive for COVID, the Commission worked closely with those facilities, their local departments of health, and on occasion, the State Department of Health, in determining the safest manner in which to quarantine incarcerated individuals.

## **Staffing Analyses and Shortages**

To assist county correctional facilities experiencing staff shortages due to COVID- 19, the Commission developed a 12-hour staffing draft plan for each facility in the event it was to become necessary to implement such. Due to staff placed under quarantine for a positive test or exposure to someone who tested positive, the Commission discussed with two facilities the potential need to implement 12-hour staff work shifts. While the need did not arise to utilize the plan during this health crisis, the planning documents have become part of a response blueprint that can be altered to fit the needs of future emergencies. In 2021, the Commission worked with the Dutchess County Jail and St. Lawrence County Jail, as both were experiencing significant staff shortages.

The Commission also provided technical assistance to multiple county correctional facilities as they faced or were about to face staffing shortages due to the COVID-19 pandemic.

Further, the Commission also provided technical assistance to several Specialized Secure Detention facilities that were facing staff shortages due to the COVID-19 pandemic.

## **Variance Relief**

In 2021, the Commission was in constant communication with correctional facilities to assist in areas of operation that were cause for concern in the potential spread of the virus. Specifically, county jails continued to discontinue programs (e.g., GED, life skills, etc.) for their incarcerated individual population out of an abundance of caution or lack of service providers.

In 2021, some visitation programs for incarcerated individuals discontinued (as a carry-over from 2020) until plans could be implemented for the safe operation of said programs. The Commission continued to assist county jails in implementing non-contact visiting protocols for the incarcerated population. Several county jails requested and received approval from the Commission for variance relief from various elements of 9 NYCRR Part 7008, Visitation, specifically contact visitation requirements. These facilities were authorized to provide non-contact visits only. Such implementation included the installation of barriers between incarcerated individuals and their visitors in an attempt to reduce the potential for the virus spreading during visits, COVID screening (i.e., taking of temperatures, use of questionnaire, etc.) of all visitors, required wearing of masks by all participants, and disinfecting of the visiting room after each visit. Approval of these variances were contingent upon facilities' plans being vetted by their local health department.

## **Reportable Incidents**

On a daily basis, the Commission monitored incoming COVID-related incidents reported by county jails, the New York City Department of Correction, OCFS Secure Centers, and Specialized Secure Detention facilities. Such information was used to identify issues of concern and the need for technical assistance, where appropriate.

Several facets of the Commission's operations required a new approach, all of which is addressed in this report.



# 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. Chairman's Memoranda are available on the Commission's website. In 2021, the following Memoranda were issued:

## **1-2021 COVID-19 Vaccination Availability to Jail Health Staff**

Provided information and protocols for jail health staff to receive the COVID-19 vaccination.

## **2-2021 New Regulations Governing Special Housing**

Advised jails of the following:

- Any special housing areas used must be designated as such in the Commission's Maximum Facility Capacity formulation.
- Prohibiting disciplinary confinement or administrative segregation in a special housing area for specific incarcerated individuals (i.e., those that are pregnant, within 8 weeks of pregnancy outcome, mentally/physically disabled, or have a serious mental illness)
- Limited disciplinary confinement in a special housing area to timeframes outlined in a reduction sliding scale over a multi-year period
- Limited disciplinary segregation in a special housing area to timeframes outlined in a reduction sliding scale over a multi-year period

### **3-2021 Health Advisory: CDC Recommendations for Quarantine Duration in Correctional and Detention Facilities**

Advised jails of the latest guidance from the CDC concerning the duration of quarantine for incarcerated individuals to minimize transmission, illness, and secondary clusters.

### **4-2021 Health Advisory: Updated DOH COVID-19 Guidance Relative to Vaccinated Individuals**

Provided updated guidance and information links from the DOH concerning healthcare personnel returning to work after COVID-19 exposure.

### **5-2021 COVID-19 Vaccination Availability for Incarcerated Individuals**

Provided overview and link to DOH guidelines concerning available guidelines for COVID-19 vaccinations for incarcerated individuals.



# CITIZEN'S POLICY AND COMPLAINT REVIEW COUNCIL

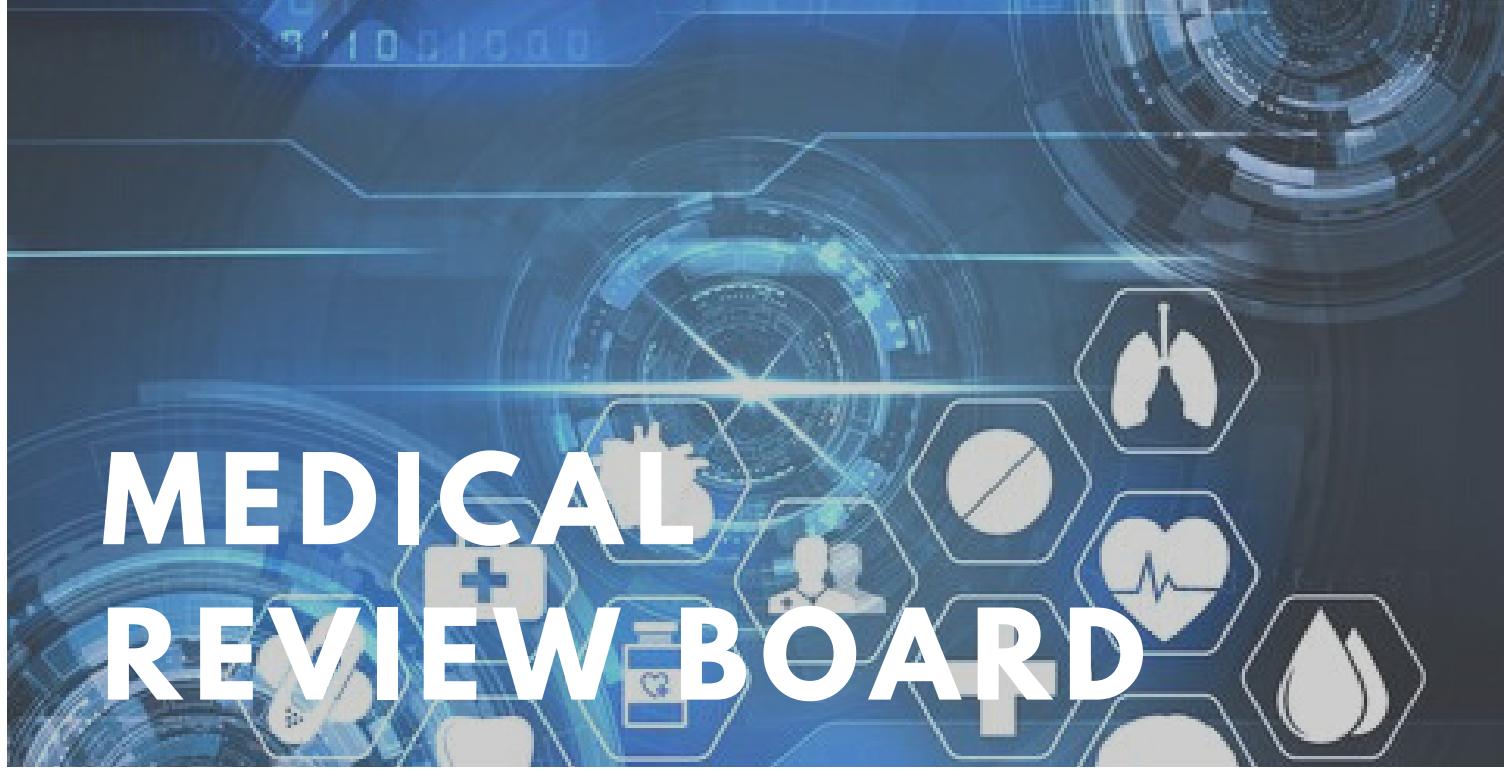
The Council was established by the Legislature to address the need for increased public participation in the oversight and regulation of local correctional facilities. Its mandate includes improving conditions in local correctional facilities, overseeing the incarcerated individual complaint and grievance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

Section 42 of the Correction Law provides for a Citizen's Policy and Complaint Review Council. 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 served in the armed forces of the United States in any foreign war, conflict or military occupation, or shall be a duly licensed mental health professional who has experience of training with regard to Post-Traumatic Stress Syndrome, an attorney admitted to practice in this state, a former incarcerated individual of a correctional facility, a former correction officer, a former Office of Children and Family Services (OCFS) resident or a duly licensed health care professional, and a former OCFS employee who has directly supervised youth in a secure residential center operated by OCFS.

The CPCRC reviews and renders determinations on all grievances presented to it by the Field Operations Bureau and Forensic Medical Unit. If appropriate, the Council will direct county correctional facilities to take corrective action in addressing any violations noted. In 2021, the CPCRC reviewed and rendered determinations on 3668 grievances.

The Citizen's Policy and Complaint Review Council (CPCRC) convenes monthly. The 2021 CPCRC members included:

Yolanda Canty, Chair  
Thomas Cross  
Martin Stanton



# MEDICAL REVIEW BOARD

The Medical Review Board (MRB) was established by the Legislature in 1972 to investigate deaths of incarcerated individuals 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 members are 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 incarcerated individual of a correctional facility; and
- (1.) (e)(i) Investigate and report to the Commission on the condition of systems for the delivery of medical care to incarcerated individuals 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
- Maintain continuous oversight of correctional health care trends by the substantive response to incarcerated individual health care grievances, and review of the Medical Review Board's recommendations

The Medical Review Board meets on a quarterly basis. The 2021 MRB members included:

Thomas Loughren, Chair  
Michael Baden, M.D.  
Allison Bishop, Esq.  
Scott S. Coyne, M.D.  
Robert Kurtz, M.D.

Information concerning incarcerated individual mortality cases is included later in this report.



# FIELD OPERATIONS

## FIELD OPERATIONS MANAGEMENT AND SUPERVISORY STAFF 2021

### **Director of Operations**

TERRY MORAN

### **Deputy Director of Operations**

KEITH ZOBEL

### **Field Operations Supervisors**

CYNTHIA ALLEN

DEBBIE CLARK

LARRY ROE

ELLEN TRYON

### **Forensic Unit Supervisor**

CHRISTOPHER OST

## **Field Operations Missions Directed Programs:**

- COVID-19 Pandemic Monitoring and Assistance
- Correctional Facility Monitoring and Evaluations
- Facility Reportable Incidents
- Healthcare, Mental Health, and Suicide Prevention
- Incarcerated Individual Complaints and Grievances
- Capacity Management, Staffing Services, Technical Assistance
- Facilities Development and Operational Transition (New Institutions Transition Assistance Program)
- Investigations (medical and non-medical)
- Compliance Monitoring for the Handling and Processing of Juveniles (Juvenile Justice Delinquency Prevention Act 2002)
- Regulatory Oversight of Secure Facilities Operated by Office of Children and Family Services
- Co-regulatory Oversight of Specialized Secure Detention Facilities

## **Bureau of Field Operations**

The Bureau of Field Operations has primary responsibility for performing the Commission's agency functions. Among them are local correctional facility compliance assessments, incident reviews and investigations, mortality investigations, incarcerated individual grievances and complaint reviews, 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 centers operated by the New York State Office of Children of Family Services.

In 2021, the Bureau of Field Operations consisted of four distinct teams and the Forensic Medical Unit.

# FIELD WORK, INCIDENTS, COMPLAINTS AND GRIEVANCES

Field staff based in both Albany and New York City conduct on-site visits primarily to local correctional facilities and police lockups. This fieldwork includes assessing the level of operational compliance with the Commission's minimum standards, monitoring unusual conditions (e.g. disturbances and unstable conditions), evaluating management practices, preparing comprehensive reports, and providing technical assistance to facility administrators, including those in state-operated correctional facilities. In the event that staff findings of non-compliance with minimum standards remain unresolved for an extended period, the Commission may seek recourse through other means, including the courts.

# FORENSIC MEDICAL UNIT

The Forensic Medical Unit is a Field Operations unit within the State Commission of Correction. This unit is tasked with fulfilling 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 incarcerated individual mortality and 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 investigations
- Health services evaluations
- Standards development and compliance
- Resolution of complaints and grievances
- Collection and interpretation of data and statistics
- Development and administration of technical assistance programs
- Policy formulation and advice

## Mortality Investigations

In 2021, the State Commission of Correction's Forensic Unit conducted 56 mortality investigations. Those cases and their corresponding facilities are as follows:

- DYQUAN WILKINSON – 2018-M-0169 – ATTICA CF – NATURAL
- VICTOR MERCEDES – 2018-M-0106 – ELMIRA CF – HOMICIDE
- EDWARD PERRY – 2018-M-0096 – GREAT MEADOW CF – NATURAL
- DANIEL SPICOLA – 2019-M-0102 – ERIE COUNTY CF – SUICIDE
- ARIEL MEJIA – 2019-M-0031 – GREAT MEADOW CF – SUICIDE
- GREGORY GALLAWAY – 2019-M-0036 – CHAUTAUQUA CJ – UNKNOWN
- MISCHEAL WILSON – 2019-M-0050 – WESTCHESTER CJ – SUICIDE
- CHRISTOPHER HELMUS – 2019-M-0045 – GROVELAND CF – NATURAL
- GARY STUART – 2018-M-0072 – LIVINGSTON CJ – OVERDOSE
- JAMES JOHNSON – 2018-M-0112 – DOWNSTATE CF – SUICIDE
- CHRISTOPHER FORD – 2017-M-0166 – WENDE CF – NATURAL
- JUSTICE CROUSE – 2018-M-0102 – AUBURN CF – NATURAL
- CHRISTIAN SALAZAR – 2018-M-0172 – WENDE CF – SUICIDE
- CHRISTOPHER LESZCZYNSKI – 2018-M-0117 – COXSACKIE CF – SUICIDE
- GREGORY IRIZARRY – 2019-M-0115 – GREEN HAVEN CF – SUICIDE
- TIMOTHY PABONE – 2019-M-0078 – WYOMING CJ – OVERDOSE
- LAYLEEN POLANCO – 2019-M-0058 – NYC DOC RMSC – NATURAL
- DAVID HALLENBECK – 2020-M-0015 – OSWEGO CJ – NATURAL
- JASON COLE – 2019-M-0113 – DUTCHESS CJ – SUICIDE
- MAURICE JOHNSON – 2018-M-0135 – NYC DOC VCBC – NATURAL
- ALAN SHULTHEIS – 2019-M-0123 – STEUBEN CJ – SUICIDE
- JOSEPH KING – 2018-M-0154 – MIDSTATE CF – SUICIDE
- MARK MCCRAY – 2018-M-0086 – CAPE VINCENT CF – HOMICIDE
- BRUCE MOBLEY – 2018-M-0130 – WALLKILL CF – NATURAL
- ERIC BERMUDEZ – 2018-M-0085 – ATTICA CF – SUICIDE
- WILLIAM NEWHOUSE – 2018-M-0109 – NASSAU CJ – NATURAL
- XAVIER MOXLEY – 2018-M-0166 – WOODBOURNE CF – NATURAL
- JOHN ESPINOZA – 2019-M-0010 – COXSACKIE CF – SUICIDE
- LEBARNES MCCLURE – 2019-M-0124 – NYC DOC AMKC – NATURAL
- DAVID MCPECK – 2018-M-0111 – NYC DOC AMKC – SUICIDE
- LOYD BARNES – 2020-M-0026 – SENECA CJ – SUICIDE
- GILBERT JUDGE – 2020-M-0009 – GREAT MEADOW CF – SUICIDE

## Mortality Investigations (Continued)

- JAMEL LIGHTLY – 2020-M-0002 – GREAT MEADOW CF – SUICIDE
- CHARLES BRAUN – 2018-M-0093 – MOHAWK CF – HOMICIDE
- ANTWOINE FORT – 2018-M-0158 – ATTICA CF – SUICIDE
- COLIN SAME – 2019-M-0037 – ELMIRA CF – SUICIDE
- ANTHONY MYRIE – 2019-M-0014 – GREENE CF – OVERDOSE
- MILTON McNICHOLAS – 2019-M-0082 – WESTCHESTER CJ – SUICIDE
- JAMES FARLEY – 2019-M-0092 – GOWANDA CF – NATURAL
- LAWRENCE MCCOWEN – 2018-M-0091 – ELMIRA CF – SUICIDE
- JULIO VASQUEZ – 2019-M-0106 – NASSAU CJ – ASTHMA
- LARRY UTTER – 2019-M-0091 – ATTICA CF – SUICIDE
- JAMEL BOOKER – 2019-M-0025 – SHAWANGUNK CF - SUICIDE
- FERDY JACINTO-MARTINEZ – 2019 - ROCKLAND CJ – HOMICIDE
- TERRA BONANZA – 2021 – ONEIDA CJ – NATURAL
- HECTOR RODRIGUEZ – 2020-M-0075 – NYC DOC EMTC – NATURAL
- SAMUEL SPELLS – 2019-M-0062 – MIDSTATE CF – SUICIDE
- JOSE FERNANDEZ – 2019-M-0132 – CAPE VINCENT CF – NATURAL
- PATRICK DENNIS – 2018-M-0161 – AUBURN CF – SUICIDE
- MIGUEL PENA – 2018-M-0146 – FIVE POINTS CF – SUICIDE
- JUNIOR GRANADOS – 2020-M-0074 – NYC DOC – OVERDOSE
- JAMES WILLIAMS – 2020-M-0033 – FISHKILL CF – COVID
- GIOVANNI PECCERILLO – 2019-M-0052 – SING SING CF – SUICIDE
- KAAZIM FREEMAN – 2019-M-0098 – WENDE CF – SUICIDE
- MARK LOUZON – 2019-M-0076 – NYPD BRONX COURT – NATURAL
- JEFFREY GLANDA – 2019-M-0090 – GREEN HAVEN CF – OVERDOSE

A breakdown of the completed investigations includes the following:

- NYSDOCCS: 35
- County: 14
- NYCDOC: 6
- NYPD: 1
- Local PD: 0

Causes of death included the following:

- Suicide: 27
- Medical Deaths: 18
- Overdose: 5
- Homicide: 4
- Unknown: 1
- COVID: 1

## **Technical Assistance**

### Construction, Expansion or Planning of Health Care Facilities

- Herkimer County Jail
- Greene County Jail

### Monitoring

- DOCCS Self-Inflicted Injuries/Suicide Attempts
- Medical/Mental Health PD Reportable Incidents
- Medical/Mental Health Local Facilities Reportable Incidents

## **COVID-19**

Forensic staff participated and/or assisted in COVID-19 evaluations at all County Jails, NYC DOC, and Specialized Secure Detention facilities. Forensic staff performed daily monitoring activities of COVID infections at facilities and provided numerous technical assistance advisements.



# MINIMUM STANDARD COMPLIANCE ASSESSMENT OF FACILITIES

In 2020, the Commission postponed on-site evaluations of correctional facilities in an abundance of caution in light of the COVID-19 pandemic. In 2021, the Commission resumed on-site audits of correctional facilities. Staff are scheduled to audit the level of compliance for a specific number of minimum standards at every county jail. Those standards identified as being essential to the jail's safe and secure operation (e.g. Security and Supervision, Sanitation and Incarcerated Individual Grievances) will be assessed on a more frequent basis, in some cases every other year. Issues of non-compliance with a specific standard that cannot be satisfactorily resolved at the end of the calendar year are carried over to the next audit cycle, with continuing efforts towards resolution.

The Commission's current contingent of field staff is each assigned between eight to ten county jails. Each county facility is subject to a compliance assessment (audit) annually. Throughout the year staff may be responsible for a number of police lockups to audit, in addition to their county jail assignments. Field staff normally schedule at least one county facility assessment a month. It typically takes up to 10 days to complete the audit process for a small to medium-sized county jail, including in-office pre-audit reviews of facility operational documents. The audit process for larger county jails can take up to 15 days to complete.

On occasion, unanticipated events occur that require the redeployment of field staff to address emergency circumstances.

At the conclusion of their on-site compliance assessment work at a county jail, the assigned Commission staff member will schedule an exit briefing, preferably with the sheriff and jail administrator. The purpose of this meeting is to present an overview of their findings, including a preliminary explanation of any non-compliance findings and to provide the opportunity for discussion between Commission and correction staff.

Commission staff are then responsible for preparing a written report that details all findings and includes an explanation of the remedial action(s) necessary for the facility to attain compliance. Commission staff may schedule subsequent follow-up site visits as necessary throughout the year to assess the remedial steps implemented to date. Once a matter of non-compliance has been fully addressed by officials, the facility will be found in full compliance and the Commission will issue correspondence to the sheriff/commissioner of correction, advising the county that the violation has been officially closed out.

Commission field staff periodically conduct unannounced site visits to facilities as well in order to conduct “walk-throughs.” Such action often provides an opportunity for Commission of Correction field staff to better assess a facility’s overall environment.

## **County Jails**

In 2021, as part of its annual staff development program, Commission staff were provided training on the two minimum standard regulations (Parts 7003 and 7015) and advised to follow-up on any outstanding minimum standard evaluations from previous assessments. Following are the results from the 2021 jail evaluations.

### **Albany County Jail**

#### Part 7003 Security and Supervision

- §7003.5(a) - Prisoner population counts

### **Allegany County Jail**

#### Part 7003 Security and Supervision

- §7003.1(a) – Policy
- §7003.3(f)(i) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5) – Supervision of prisoners in facility housing areas
- §7003.10 – Locks and other securing devices
- §7003.10(3) – Locks and other securing devices
- §7003.10(4) – Locks and other securing devices

## **Broome County Jail**

### Part 7003 Security and Supervision

- §7003.1(a) – Policy
- §7003.3(j)(5) – Supervision of prisoners in facility housing areas
- §7003.9(d) – Key control

### Part 7015 Sanitation

- §7015.3 – Local health department inspections

## **Cattaraugus County Jail**

### Part 7003 Security and Supervision

- §7003.3(j)(3) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(i-vi) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6)(i-iv) – Supervision of prisoners in facility housing areas
- §7003.5(a) – Prisoner population counts
- §7003.9(d) – Key control

### Part 7015 Sanitation

§7015.2(b) – General facility sanitation

## **Chemung County Jail**

### Part 7003 Security and Supervision

- §7003.3(3)(f) – Supervision of prisoners in facility housing areas
- §7003.3(j)(1) – Supervision of prisoners in facility housing areas
- §7003.5(b)(1) – Prisoner population counts
- §7003.7(a) – Prisoner transportation

## **Chenango County Jail**

### Part 7003 Security and Supervision

- §7003.3(3)(f) – Supervision of prisoners in facility housing areas
  - §7003.3(6)(ii)(iii)(iv) – Supervision of prisoners in facility housing areas
  - §7003.3(6)(a)(b)(c) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
  - §7003.9(a)(d) – Key control
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## **Chenango County Jail cont'd**

### Part 7015 Sanitation

- §7015.1 - Policy

## **Clinton County Jail**

### Part 7003 Security and Supervision

- §7003.3(j)(5) – Supervision of prisoners in facility housing areas
- §7003.8(c) – Firearms control
- §7003.9(d) – Key control
- §7003.9(e) – Key control
- §7003.10 – Locks and other securing devices

## **Columbia County Jail**

### Part 7003 Security and Supervision

- §7003.3(i)(v) – Supervision of prisoners in facility housing areas
- §7003.8(c) – Firearms control
- §7003.10 – Locks and other securing devices

## **Cortland County Jail**

### Part 7003 Security and Supervision

- §7003.1(a) – Policy
- §7003.3(j)(3) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(i,iii,v,vi) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6)(ii,iii,iv) – Supervision of prisoners in facility housing areas
- §7003.3(6)(b) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
- §7003.3(6)(c) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
- §7003.8(b)(c) – Firearms control
- §7003.9(b) – Key control
- §7003.9(d) – Key control
- §7003.10 – Locks and other securing devices

## **Delaware County Jail**

- Part 7003 Security and Supervision
- §7003.1(a) – Policy
- §7003.3(3)(c) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(i-vi) – Supervision of prisoners in facility housing areas
- §7003.5(b)(c) – Prisoner population counts
- §7003.5(d) – Prisoner population counts
- §7003.8 – Firearms control
- §7003.9(d) – Key control
- §7003.10 – Locks and other securing devices

## Part 7015 Sanitation

- §7015.2(b) – General facility sanitation

## **Dutchess County Jail**

### Part 7003 Security and Supervision

- §7003 - Security
- §7003.3(a) – Supervision of prisoners in facility housing areas
- §7003.3(3)(f) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(i-iii) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6) – Supervision of prisoners in facility housing areas
- §7003.5(b) – Prisoner population counts
- §7003.5(c)(d) – Prisoner population counts
- §7003.8(c) – Firearms control
- §7003.9(b)(e) – Key control
- §7003.10 – Locks and other securing devices

## Part 7015 Sanitation

- §7015.2(b) – General facility sanitation

## **Erie County Holding Center and Correctional Facility**

### Part 7003 Security and Supervision

- §7003.1 – Policy HC/CF
  - §7003.3(j)(5)(iii) – Supervision of prisoners in facility housing areas HC/CF
  - §7003.5(a)(4) – Prisoner population counts HC/CF
  - §7003.9(d) – Key control HC
  - §7003.10 – Locks and other securing devices HC
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## **Essex County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(j) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5) – Supervision of prisoners in facility housing areas
- §7003.3(6)(c) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
- §7003.8(c) – Firearms control
- §7003.10 – Locks and other securing devices

## **Franklin County Jail**

### Part 7003 Security and Supervision

- §7003.3(j) – Supervision of prisoners in facility housing areas
- §7003.8(c) – Firearms control
- §7003.3(6)(c) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area

## **Fulton County Jail**

### Part 7003 Security and Supervision

- §7003.3(j)(3)(4) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5) – Supervision of prisoners in facility housing areas
- §7003.10 – Locks and other securing devices

## **Genesee County Jail**

### Part 7003 Security and Supervision

- §7003.3(b) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(i) – Supervision of prisoners in facility housing areas
- §7003.9(b)(e) – Key control

## **Greene County Jail**

### Part 7003 Security and Supervision

- §7003.3(f) – Supervision of prisoners in facility housing areas
  - §7003.3(j)(5)(i-iv) – Supervision of prisoners in facility housing areas
  - §7003.5(c)(d) – Prisoner population counts
  - §7003.8(c) – Firearms control
  - §7003.8(d)(1-4) – Firearms control
  - §7003.9(d)(3) – Key control
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## **Hamilton County Jail**

No Minimum Standard deficiencies were identified during the evaluation.

## **Herkimer County Jail**

### Part 7003 Security and Supervision

- §7003.3(a) – Supervision of prisoners in facility housing areas
- §7003.3(c) – Supervision of prisoners in facility housing areas
- §7003.3(f) – Supervision of prisoners in facility housing areas
- §7003.3(j)(3)(4) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(i-vi) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6)(i-iv) – Supervision of prisoners in facility housing areas
- §7003.3(6)(c) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
- §7003.8(e) – Firearms control
- §7003.9(d) – Key control
- §7003.10 – Locks and other securing devices

### Part 7015 Sanitation

- §7015.2(b) – General facility sanitation

## **Jefferson County Jail**

### Part 7003 Security and Supervision

- §7003.3(f) – Supervision of prisoners in facility housing areas
- §7003.8(c) – Firearms control
- §7003.8(d) – Firearms control
- §7003.9(d) – Key control
- §7003.10(a)(4) – Locks and other securing devices

## **Lewis County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3 – Supervision of prisoners in facility housing areas
- §7003.3(f) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6) – Supervision of prisoners in facility housing areas

### Part 7015 Sanitation

- §7015.1 – Policy
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## **Livingston County Jail**

### Part 7003 Security and Supervision

- §7003.3(f) – Supervision of prisoners in facility housing areas
- §7003.3(j)(1)(3) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(iii) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6) – Supervision of prisoners in facility housing areas
- §7003.5(d)(3) – Prisoner population counts

## **Madison County Jail**

### Part 7003 Security and Supervision

- §7003.3(a) – Supervision of prisoners in facility housing areas
- §7003.3(f) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6)(ii-iv) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6)(v-vii) – Supervision of prisoners in facility housing areas
- §7003.5(c)(d) – Prisoner population counts
- §7003.3(6)(b)(c) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
- §7003.8(a) – Firearms control
- §7003.8(c)(3) – Firearms control
- §7003.8(g) – Firearms control

## **Monroe County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(j)(1) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6) – Supervision of prisoners in facility housing areas
- §7003.5(a) – Prisoner population counts
- §7003.8(a)(b) – Firearms control

## **Monroe County Correctional Facility**

The Monroe County Correctional Facility did not house incarcerated individuals at the time of the evaluation.

## **Montgomery County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(j)(1)(3) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(iii) – Supervision of prisoners in facility housing areas
- §7003.3(9) – Key control

## **Nassau County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.9(d)(1-3) – Key control

### Part 7015 Sanitation

- §7015.1 – Policy
- §7015.2(b) – General facility sanitation
- §7015.3 – Local health department inspection

## **Niagara County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(j) – Supervision of prisoners in facility housing areas
- §7003.3(j)(3) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(i-vi) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6)(i-iv) – Supervision of prisoners in facility housing areas
- §7003.3(m) – Supervision of prisoners in facility housing areas
- §7003.5(d) – Prisoner population counts
- §7003.3(6)(b) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
- §7003.8(c) – Firearms control
- §7003.9(b) – Key control

## **Oneida County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(a) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6) – Supervision of prisoners in facility housing areas
- §7003.5(b)(iv) – Prisoner population counts
- §7003.10(4) – Locks and other securing devices

### Part 7015 Sanitation

- §7015.1 – Policy
- §7015.2(a) – General facility sanitation

## **Onondaga County Custody and Corrections Departments**

### Part 7003 Security and Supervision

- §7003.3(j) – Supervision of prisoners in facility housing areas CUST
- §7003.5(e) – Prisoner population counts CUST
- §7003.8(d)(1-2) – Firearms control CUST
- §7003.10 – Locks and other securing devices CORR

### Part 7015 Sanitation

- §7015.2(b) – General facility sanitation CUST AND CORR

## **Ontario County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(f) – Supervision of prisoners in facility housing areas

## **Orange County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(f) – Supervision of prisoners in facility housing areas
- §7003.8(d)(2) – Firearms control
- §7003.9(d)(2)(3) – Key control

## **Orleans County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(c) – Supervision of prisoners in facility housing areas
- §7003.3(c) – Supervision of prisoners in facility housing areas
- §7003.3(5)(iii) – Supervision of prisoners in facility housing areas
- §7003.3(6)(ii)(iii)(iv) – Supervision of prisoners in facility housing areas
- §7003.3(6)(c) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
- §7003.8(c) – Firearms control
- §7003.9(a)(d) – Key control

## **Oswego County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(j)(6) – Supervision of prisoners in facility housing areas
- §7003.5(b) – Prisoner population counts
- §7003.3(6)(b) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
- §7003.10 – Locks and other securing devices

## **Otsego County Jail**

### Part 7003 Security and Supervision

- §7003.3(a)(b)(d) – Supervision of prisoners in facility housing areas
- §7003.3(f)(g) – Supervision of prisoners in facility housing areas
- §7003.4(a)(b)(c) – Supervision of prisoners outside facility housing areas
- §7003.8(c) – Firearms control

### Part 7015 Sanitation

- §7015.2(b)(d) – General facility sanitation

## **Putnam County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(f) – Supervision of prisoners in facility housing areas
- §7003.8(c) – Firearms control
- §7003.9(a)(e) – Key control
- §7003.10 – Locks and other securing devices

### Part 7015 Sanitation

- §7015.2(b) – General facility sanitation

## **Rensselaer County Jail**

### Part 7003 Security and Supervision

- §7003.6(c) – Locks and other securing devices

### Part 7015 Sanitation

- §7015.2(b) – General facility sanitation

## **Rockland County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(a)(c)(e)(f) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(i-vi) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6)(i-iv) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6)(v-vii) – Supervision of prisoners in facility housing areas
- §7003.3(l)(1-2) – Supervision of prisoners in facility housing areas
- §7003.5(c) – Prisoner population counts
- §7003.10(3-4) – Locks and other securing devices

### Part 7015 Sanitation

- §7015.2(a) – General facility sanitation

## **Saint Lawrence County Jail**

### Part 7003 Security and Supervision

- §7003.3(j)(3)(4) – Supervision of prisoners in facility housing areas
  - §7003.3(j)(5) – Supervision of prisoners in facility housing areas
  - §7003.10(3-4) – Locks and other securing devices
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## **Saratoga County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(c)(f)(i) – Supervision of prisoners in facility housing areas
- §7003.3(j)(3) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(iii)(vi) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6)(vii,viii,iv) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6)(b) – Supervision of prisoners in facility housing areas
- §7003.8(c) – Firearms control

## **Schenectady County Jail**

### Part 7003 Security and Supervision

- §7003.3(a) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(i-vi) – Supervision of prisoners in facility housing areas
- §7003.3(m) – Supervision of prisoners in facility housing areas
- §7003.9(d) – Key control

### Part 7015 Sanitation

- §7015.2(b) – General facility sanitation

## **Schoharie County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(c) – Supervision of prisoners in facility housing areas
- §7003.3(j)(1)(3) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(i)(iii) – Supervision of prisoners in facility housing areas
- §7003.5(c)(d) – Prisoner population counts
- §7003.3(6)(a)(b)(c) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
- §7003.8(b) – Firearms control
- §7003.8(d)(2-3) – Firearms control
- §7003.9(d) – Key control

### Part 7015 Sanitation

- §7015.2(b) – General facility sanitation

## **Schuyler County Jail**

### Part 7003 Security and Supervision

- §7003.3(c) – Supervision of prisoners in facility housing areas
- §7003.3(j)(1)(3) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(i)(iii) – Supervision of prisoners in facility housing areas
- §7003.3(6)(a)(b)(c) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
- §7003.8(c) – Firearms control
- §7003.8(d)(1-3) – Firearms control
- §7003.9(d) – Key control

## **Seneca County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(c) – Supervision of prisoners in facility housing areas
- §7003.3(j)(1)(3)(4) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(i)(iii) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6)(ii,iii,iv) – Supervision of prisoners in facility housing areas
- §7003.5(c)(d) – Prisoner population counts
- §7003.3(6)(a)(b)(c) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
- §7003.8(c)(4) – Firearms control
- §7003.8(g) – Firearms control
- §7003.9(d) – Key control

## **Steuben County Jail**

### Part 7003 Security and Supervision

- §7003.3(j)(5)(i)(iii) – Supervision of prisoners in facility housing areas
- §7003.5(d)(3) – Prisoner population counts
- §7003.7(a) – Prisoner transportation

## **Suffolk County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(c) – Supervision of prisoners in facility housing areas
- §7003.3(e) – Supervision of prisoners in facility housing areas
- §7003.3(f) – Supervision of prisoners in facility housing areas
- §7003.3(h)(3) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5) – Supervision of prisoners in facility housing areas
- §7003.3(k) – Supervision of prisoners in facility housing areas
- §7003.5(a)(c)(d) – Prisoner Population Counts
- §7003.3(6)(c) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
- §7003.8(c)(d)(e) – Firearms control
- §7003.9(d)(3) – Key control
- §7003.10 – Locks and other securing devices

### Part 7015 Sanitation

- §7015.2(d) – General facility sanitation

## **Sullivan County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(f) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(i-vi) – Supervision of prisoners in facility housing areas
- §7003.5(a)(4) – Prisoner population counts
- §7003.8(c) – Firearms control
- §7003.9(d) – Key control
- §7003.10(3-4) – Locks and other securing devices

### Part 7015 Sanitation

- §7015.1 – Policy
- §7015.2(b) – General facility sanitation
- §7015.3 – Local health department inspections

## **Tioga County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(f) – Supervision of prisoners in facility housing areas
- §7003.3(j)(1) – Supervision of prisoners in facility housing areas

## **Tompkins County Jail**

### Part 7003 Security and Supervision

- §7003.3(f) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(iii) – Supervision of prisoners in facility housing areas
- §7003.5(d)(3) – Prisoner population counts
- §7003.7(a) – Prisoner transportation
- §7003.8(c) – Firearms control
- §7003.9(a)(d) – Key control

## **Ulster County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(e)(f) – Supervision of prisoners in facility housing areas
- §7003.5(a-e) – Prisoner population counts
- §7003.3(6)(c) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
- §7003.7(a) – Prisoner transportation
- §7003.8(a-c) – Firearms control
- §7003.9(d) – Key control

## **Washington County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(e)(f) – Supervision of prisoners in facility housing areas
- §7003.8(d)(1-4) – Firearms control
- §7003.9(d)(3) – Key control
- §7003.10(4) – Locks and other securing devices

### Part 7015 Sanitation

- §7015.1 – Policy
- §7015.3 – Local health department inspections

## **Wayne County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(f) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6)(i-iv) – Supervision of prisoners in facility housing areas
- §7003.5(d)(3) – Prisoner population counts
- §7003.8(c) – Firearms control
- §7003.8(d)(1)(3) – Firearms control
- §7003.9(d)(3) – Key control

### Part 7015 Sanitation

- §7015.3 – Local health department inspections

## **Westchester County Jail and Penitentiary**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.10 – Locks and other securing devices

### Part 7015 Sanitation

- §7015.2(b) – General facility sanitation

## **Wyoming County Jail**

### Part 7003 Security and Supervision

- §7003.3(c)(f) – Supervision of prisoners in facility housing areas
- §7003.3(j)(1) – Supervision of prisoners in facility housing areas
- §7003.5(iii) – Prisoner population counts
- §7003.3(j)(6)(ii,iii,iv) – Supervision of prisoners in facility housing areas
- §7003.3(6)(b)(c) – Requirements of facility staff members prior to assuming responsibilities in an assigned facility area
- §7003.8(g) – Firearms control
- §7003.9(a)(d) – Key control

## **Yates County Jail**

### Part 7003 Security and Supervision

- §7003.1 – Policy
- §7003.3(d)(f) – Supervision of prisoners in facility housing areas
- §7003.3(j)(5)(iii) – Supervision of prisoners in facility housing areas
- §7003.4(d) – Supervision of prisoners in facility housing areas
- §7003.8(c) – Firearms control
- §7003.8(d)(1-4) – Firearms control
- §7003.9(a)(e) – Key control
- §7003.10(3) – Locks and other securing devices

### Part 7015 Sanitation

- §7015.2(b) – General facility sanitation
- §7015.3 – Local health department inspections

## **New York City Department of Correction Facilities**

Anna M. Kross Center

Otis Bantum Correctional Center Brooklyn

Detention Complex

Eric M. Taylor Center

Rose M. Singer Center

Robert N. Davoren Center

George R. Vierno Center

West Facility

Vernon C. Bain Correctional Center

North Infirmary Command

George Motchan Detention Center (closed)

Brooklyn Detention Center (closed)

Queens House of Detention (closed)

Manhattan Detention Complex (closed)

*Notes: In July 2018, the George Motchan Detention Center was closed by the New York City Department of Correction in response to a decrease in the Department's incarcerated individual population.*

*In June 2020, the Brooklyn Detention Complex was closed by the New York City Department of Correction in response to a decrease in the Department's incarcerated individual population. Accordingly, the Commission reduced the facility's Maximum Facility Capacity formulation to zero beds.*

*In April 2021, the Manhattan Detention Complex was closed by the New York City Department of Correction in response to a decrease in the Department's incarcerated individual population. Accordingly, the Commission reduced the facility's Maximum Facility Capacity formulation to zero beds in May 2021.*

*The Queens House of Detention has been closed for several years.*

Due to the COVID-19 pandemic, minimum standard evaluations were not completed in New York City Department of Correction facilities in 2020.

In 2021, the Commission completed Department wide minimum standard evaluations through a combination of on-site visits, live video reviews and operational document assessments. The below facilities were evaluated.

### **Anna M. Kross Center**

#### Part 7003 Security and Supervision

- §7003.1 – Policy and Correction Law §500-c
- §7003.3(a)(c)(e) – Supervision of prisoners in facility housing areas
- §7003.3(j)(6) – Supervision of prisoners in facility housing areas

#### Part 7005 Prisoner Personal Hygiene

- §7005.6(a)(d) – Personal healthcare items
- §7005.9(a)(b) – Bedding

#### Part 7009 Food Service

- §7009.5(c) – Food service personnel

### **Eric M. Taylor Center**

#### Part 7003 Security and Supervision

- §7003.1 – Policy and Correction Law §500-c

#### Part 7005 Prisoner Personal Hygiene

- §7005.6(a)(d) – Personal healthcare items
- §7005.9(a)(b) – Bedding

## Part 7009 Food Service

- §7009.3 – Medical Diets
- §7009.4 – Religious Diets
- §7009.5(c) – Food service personnel
- §7009.6(b) – Meals

## Part 7013 Classification

- §7013.7 – Assignment to facility housing areas

## Part 7040 Maximum Facility Capacity

§7040.7 – Formulating maximum facility capacity rating

## **George R. Vierno Center**

### Part 7003 Security and Supervision

- §7003.1 – Policy and Correction Law §500-c
- §7003.3(a) – Supervision of prisoners in facility housing areas
- §7003.3(a)(c)(e)(f) – Supervision of prisoners in facility housing areas

## Part 7005 Prisoner Personal Hygiene

- §7005.6(a)(d) – Personal healthcare items
- §7005.9(a)(b) – Bedding

## Part 7009 Food Service

- §7009.5(a)(2)(b)(c) – Food service personnel

## **North Infirmary Command**

### Part 7003 Security and Supervision

- §7003.3(a) – Supervision of prisoners in facility housing areas

## Part 7005 Prisoner Personal Hygiene

- §7005.6(a)(d) – Personal healthcare items
- §7005.9(a)(b) – Bedding

## **Otis Bantum Correctional Center**

### Part 7003 Security and Supervision

- §7003.1 – Policy and Correction Law §500-c
- §7003.3(a) – Supervision of prisoners in facility housing areas
- §7003.4(a) – Supervision of prisoners outside facility housing areas

### Part 7005 Prisoner Personal Hygiene

- §7005.6(a)(d) – Personal healthcare items
- §7005.9(a)(b) – Bedding

### Part 7009 Food Service

- §7009.2(a)(b) – Nutritional Adequacy
- §7009.5(a)(2) – Food service personnel
- §7009.6(b) – Meals

### Part 7013 Classification

- §7013.7(a) – Assignment to facility housing areas

### Part 7040 Maximum Facility Capacity

- §7040 - Maximum facility capacity

## **Robert N. Davoren Center**

### Part 7003 Security and Supervision

- §7003.1 – Policy and Correction Law §500-c
- §7003.3(a) – Supervision of prisoners in facility housing areas
- §7003.5 – Prisoner population counts

### Part 7005 Prisoner Personal Hygiene

- §7005.6(a)(d) – Personal healthcare items
- §7005.9(a)(b)(d) – Bedding

### Part 7009 Food Service

- §7009.2(a)(b) – Nutritional Adequacy
- §7009.5(a)(2)(b) – Food service personnel
- §7009.6(b) – Meals

## **Rose M. Singer Center**

### Part 7003 Security and Supervision

- §7003.3(a) – Supervision of prisoners in facility housing areas

### Part 7005 Prisoner Personal Hygiene

- §7005.6(a)(d) – Personal healthcare items
- §7005.9(a)(b) – Bedding

## **Vernon C. Bain Center**

### Part 7003 Security and Supervision

- §7003.1 – Policy and Correction Law §500-c
- §7003.3(a) – Supervision of prisoners in facility housing areas

### Part 7005 Prisoner Personal Hygiene

- §7005.6(a)(d) – Personal healthcare items
- §7005.9(a)(b) – Bedding

## **West Facility**

### Part 7003 Security and Supervision

- §7003.1 – Policy and Correction Law §500-c
- §7003.3(a) – Supervision of prisoners in facility housing areas
- §7003.3(c)(a) – Supervision of prisoners in facility housing areas

### Part 7005 Prisoner Personal Hygiene

- §7005.6(a)(d) – Personal healthcare items
- §7005.9(a)(b) – Bedding

### Part 7009 Food Service

- §7009.2(a)(b) – Nutritional Adequacy
- §7009.7 – Meals

## **New York State Office of Children and Family Services**

Due to the COVID-19 pandemic, no minimum standard evaluations were completed in the Office of Children and Family Services Secure Centers (Brookwood, Columbia, Goshen and McCormick).

## **Specialized Secure Detention Facilities**

Due to the COVID-19 pandemic, no minimum standard evaluations were completed in Specialized Secure Facilities in Albany County, Erie County, Monroe County, Onondaga County, Westchester County and New York City (2).

## **Police Department Lockups**

Consistent with the evaluation schedule, in 2021, Commission staff assessed compliance at police department lockups with the following Minimum Standard regulations:

- 7502 – Admission Procedures
- 7503 – Medical
- 7504 – Supervision of Detention Areas
- 7505 – Food
- 7506 – Sanitation and Maintenance
- 7507 – Discipline
- 7508 – Reportable Incidents
- 7509 – Records
- 7510 – Visits
- 7511 – Construction and Renovation
- 7512 – Variances

In 2021, Commission staff assessed Minimum Standard compliance at 105 police department lockups. All lockup evaluations were on site.

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# REPORTABLE INCIDENTS

## **County Jails and New York City Department of Corrections**

In fulfilling its oversight and regulatory responsibilities, the Commission requires that all local correctional facilities report incidents, including but not limited to those that endanger incarcerated individuals, residents or staff or disrupt facility operations. The incidents and criteria for reporting are included in the Commission's Reportable Incident Guidelines Manual. With submitted incidents being self-reported, the Commission strives to ensure the accuracy of incident categorization, and when necessary, in 2021, contacted facilities to obtain correct information and discuss any error(s) made.

Reportable incidents are reported by the facility, to the Commission, via the eJusticeNY Integrated Justice Portal. Reports are received by Commission staff twenty-four hours a day, seven days a week. These reports are then reviewed by a Correctional Facility Specialist or Senior Utilization Review Nurse to determine whether any further inquiry is necessary and if on-site follow-up is appropriate.

## **County Jails**

In 2021 the Commission received 9,031 reportable incidents from county jails.

### Categories

A preponderance of the reportable incidents submitted by county jails fell into specific categories, as listed in *Appendix 1a*.

### Average Timeframes

Time of Incident to Report Submission: 2 days

Report Submission to Submission Closure: 16 days

### Statistics

Please see *Appendix 1b* for 2021 statistics relating to the following:

- Day(s) and time(s) of incident(s)
- Gender, race, ethnicity, and age range of incarcerated individual(s) involved in reported incident(s)

## **New York City Department of Correction**

In 2021 the Commission received 17,255 reportable incidents from jails operated by the New York City Department of Correction (NYCDOC).

### Categories

A preponderance of the reportable incidents submitted by NYCDOC fell into specific categories, as listed in *Appendix 2a*.

### Average Timeframes

Time of Incident to Report Submission: 5 days

Report Submission to Submission Closure: 22 days

### Statistics

Please see *Appendix 2b* for 2021 statistics relating to the following:

- Day(s) and time(s) of incident(s)
- Gender, race, ethnicity, and age range of incarcerated individual(s) involved in reported incident(s)

## **Office of Children and Family Services Secure Centers**

Pursuant to New York State Correction Law, §45 [6-b] and 47 [2], the four (4) 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. With submitted incidents being self-reported, the Commission strives to ensure the accuracy of incident categorization, and when necessary, in 2021, contacted OCFS Secure Centers to obtain correct information and discuss any error(s) made. Reports are received by Commission staff twenty-four hours a day, seven days a week. Every incident report is reported by OCFS, to the Commission, via the eJusticeNY Integrated Justice Portal. These reports are then reviewed by a Correctional Facility Specialist or Senior Utilization Review Nurse to determine if any further inquiry is necessary and if on-site follow-up is appropriate.

In 2021, the Commission received 360 reportable incidents from Secure Centers Operated by the Office of Children and Family Services.

### Categories

A preponderance of the reportable incidents submitted fell into specific categories, as listed in *Appendix 3*.

### Average Timeframes

Time of Incident to Report Submission: 2 days

Report Submission to Submission Closure: 7 days

### Statistics

Please see *Appendix 3* for 2021 statistics relating to the following:

- Day(s) and time(s) of incident(s)
- Gender, race, ethnicity, and age range of incarcerated individual(s) involved in reported incident(s)

## **Specialized Secure Detention Facilities**

In April 2017, Governor Cuomo signed into law “Raise the Age” legislation that was included as part of the State Budget. In addition to raising the age of criminality to 18 and establishing time frames for the removal of 16-year-olds and 17-year-olds in county jails, this legislation also required the establishment of Specialized Secure Detention (SSD) facilities to house 16-year-old Adolescent Offenders beginning on October 1, 2018, and 17-year-old Adolescent Offenders on October 1, 2019.

Pursuant to New York State Correction Law, §45[6-b] and 47[2], Specialized Secure Detention facilities are required to report to the State Commission of Correction all incidents deemed to be of a serious or potentially problematic nature. Because submitted incidents are self-reported, the Commission strives to ensure the accuracy of incident categorization, and when necessary, in 2021, contacted SSD facilities obtain correct information and discuss any error(s) made.

Reports are received by Commission staff twenty-four hours a day, seven days a week. Every incident report is submitted by SSD facilities to the Commission, via the eJusticeNY Integrated Justice Portal. These reports are then reviewed by a Correctional Facility Specialist or Senior Utilization Review Nurse to determine if any further inquiry is necessary and if on-site follow-up is appropriate.

In 2021, the Commission received 1,038 reportable incidents from SSD facilities.

### Categories

A preponderance of the reportable incidents submitted fell into specific categories, as listed in *Appendix 4*.

### Average Timeframes

Time of Incident to Report Submission: 2 days

Report Submission to Submission Closure: 18 days

### Statistics

Please see *Appendix 4* for 2021 statistics relating to the following:

- Day(s) and time(s) of incident(s)
  - Gender, race, ethnicity, and age range of incarcerated individual(s) involved in reported incident(s)
-

## **Police Lockups**

Pursuant to Correction Law, §45[6], 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. Reportable incidents are received on a 24-hour basis. Because submitted incidents are self-reported, the Commission strives to ensure the accuracy of incident categorization, and when necessary, in 2021, contacted police departments to obtain correct information and discuss any error(s) made.

Every incident report is submitted by the facility, to the Commission, via the eJusticeNY Integrated Justice Portal. These reports are then reviewed by a Correctional Facility Specialist or Senior Utilization Review Nurse to determine whether any further inquiry is necessary and if on-site follow-up is appropriate.

In 2021, the Commission received 565 reported incidents from local police agencies.

### Categories

A preponderance of the reportable incidents submitted fell into specific categories, as listed in *Appendix 5*.

### Average Timeframes

Time of Incident to Report Submission: 2 days

Report Submission to Submission Closure: 12 days

### Statistics

Please see *Appendix 5* for 2021 statistics relating to the following:

- Day(s) and time(s) of incident(s)
- Gender, race, ethnicity, and age range of incarcerated individual(s) involved in reported incident(s)

# REPORTED INCIDENTS OF THE USE OF RESTRAINTS ON PREGNANT INCARCERATED INDIVIDUALS



Following 2015 and 2016 amendments to New York State Correction Law section 611, local correctional facilities are generally prohibited from utilizing any restraints on an incarcerated individual who is known by facility staff to be pregnant, on an incarcerated individual who is in labor, or on any incarcerated individual within eight (8) weeks after delivery or pregnancy outcome. Limited exceptions have been provided in the statute for instances where facility staff makes a “finding of extraordinary circumstances,” whereupon options are limited to wrist restraints in front of the body. Any such use of restraints are required by the statute to be documented in writing within 5 days of use, specifying the facts upon which the finding of extraordinary circumstances was based, the type of restraint used, and the length of time such restraints were applied.

Correction Law section 611(1)(e) further requires that each local correctional facility submit an annual report to the Commission of Correction, detailing every use of restraint on a pregnant woman, as governed by the statute. The Commission is thereafter required to include such reported information in its annual report while excluding identifying information.

Listed below, are the use-of-restraint incidents that were reported to the Commission in 2021:

**Agency:** Jefferson County Jail

**Type of Restraint:** Waist Chain Restraints and Shackles

**Length of Time in Restraints:**

- Applied: 13:22 pm
- Removed: 14:00 pm

**Facility Report - Reasons for Using Restraints:**

On 10/26/21, while in a hospital emergency department, the individual removed medical diagnostic equipment, got out of bed and ran past the officers into the hallway in an attempt to escape. She was placed in mechanical restraints and returned to the facility upon discharge from the hospital.

**Agency:** Yates County Jail – Instance #1

**Type of Restraint:** Mechanical Restraints in front while in a wheelchair

**Length of Time in Restraints:**

- Applied: 7:59 am
- Removed: 9:23 am

**Facility Report - Reasons for Using Restraints:**

On 7/28/21, individual was placed in mechanical restraints at a hospital due to two prior escape attempts that put her and her unborn baby at a heightened risk for injury.

**Agency:** Yates County Jail – Instance #2

**Type of Restraint:** Mechanical Restraints in front while in wheelchair

**Length of Time in Restraints:**

- Applied: 13:30 pm
- Removed: 14:40 pm

**Facility Report - Reasons for Using Restraints:**

On 7/28/21, individual was placed in mechanical restraints at family court due to two prior escape attempts that put her and her unborn baby at a heightened risk for injury.

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**Agency:** Yates County Jail – Instance #3

**Type of Restraint:** Mechanical Restraints in front while in a wheelchair

**Length of Time in Restraints:**

- Applied: 8:55 am
- Removed: 17:07 pm

**Facility Report - Reasons for Using Restraints:**

On 8/3/21, individual was placed in mechanical restraints at a medical center due to two prior escape attempts that put her and her unborn baby at a heightened risk for injury.

**Agency:** Yates County Jail – Instance #4

**Type of Restraint:** Mechanical Restraints in front while in a wheelchair

**Length of Time in Restraints:**

- Applied: 13:25 pm
- Removed: 15:32 pm

**Facility Report - Reasons for Using Restraints:**

On 8/11/21, individual was placed in mechanical restraints at a medical center due to two prior escape attempts that put her and her unborn baby at a heightened risk for injury.

**Agency:** Yates County Jail – Instance #5

**Type of Restraint:** Mechanical Restraints in front while in wheelchair

**Length of Time in Restraints:**

- Applied: 13:35 pm
- Removed: 14:36 pm

**Facility Report - Reasons for Using Restraints:**

On 8/18/21, individual was placed in mechanical restraints at family court due to two prior escape attempts that put her and her unborn baby at a heightened risk for injury.

**Agency:** Yates County Jail – Instance #6

**Type of Restraint:** Mechanical Restraints in front while in a wheelchair

**Length of Time in Restraints:**

- Applied: 13:42 pm
- Removed: 15:31 pm

**Facility Report - Reasons for Using Restraints:**

On 8/25/21, individual was placed in mechanical restraints at a medical center due to two prior escape attempts that put her and her unborn baby at a heightened risk for injury.

**Agency:** Yates County Jail - Instance #7**Type of Restraint:** Mechanical Restraint in front while in a wheelchair**Length of Time in Restraints:**

- Applied: 8:55 am
- Removed: 9:30 am

**Facility Report - Reasons for Using Restraints:**

On 8/30/21, individual was placed in mechanical restraints at village court due to two prior escape attempts that put her and her unborn baby at a heightened risk for injury.

**Agency:** Yates County Jail - Instance #8**Type of Restraint:** Mechanical Restraints in front while in a wheelchair**Length of Time in Restraints:**

- **Applied:** 7:53 am
- **Removed:** 11:48 am

**Facility Report - Reasons for Using Restraints:**

On 9/2/21, individual was placed in mechanical restraints at a hospital due to two prior escape attempts that put her and her unborn baby at a heightened risk for injury.

**Agency:** Yates County Jail – Instance #9**Type of Restraint:** Mechanical Restraints in front while in a wheelchair**Length of Time in Restraints:****Applied:** 14:17 pm**Removed:** 16:48 pm**Facility Report - Reasons for Using Restraints:**

On 9/8/21, individual was placed in mechanical restraints at a medical center due to two prior escape attempts that put her and her unborn baby at a heightened risk for injury.

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**Agency:** Yates County Jail – Instance #10

**Type of Restraint:** Mechanical Restraints in front while in a wheelchair

**Length of Time in Restraints:**

**Applied:** 4:11 am

**Removed:** 9:00 am

**Facility Report - Reasons for Using Restraints:**

On 9/10/21, individual was placed in mechanical restraints en route to a NYSDOCCS facility (as part of a Substitute Jail Order) due to two prior escape attempts that put her and her unborn baby at a heightened risk for injury.



# COMPLAINTS

## **State and Local Correctional Facilities**

Complaints from incarcerated individuals, 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 complaints from incarcerated individuals in county jails can be addressed through the facility grievance process. Such complaints are typically returned to the sender, advising them to file a grievance in accordance with the facility grievance program. Those retained are referred to a Correctional Facility Specialist or Senior Utilization Review Nurse 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 incarcerated individual 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. Incarcerated individuals often report multiple issues within a single piece of correspondence.

In 2021, the Commission received 2,849 complaints from state and local incarcerated individuals or their advocates.

### Facility Type

Complaints received were either from incarcerated individuals or their advocates from the following facility types:

- NYSDOCCS: 1416
- County Jail: 1150
- NYCDOM: 283

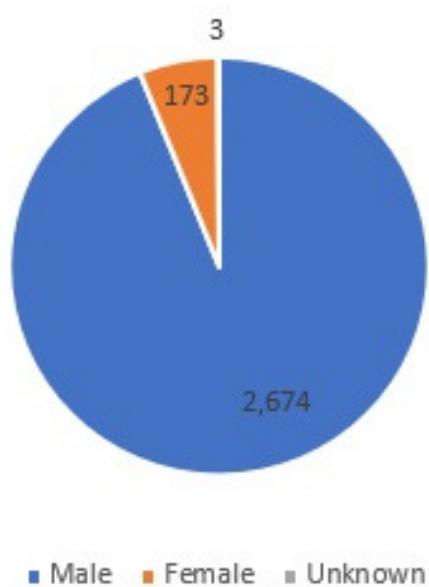
### Categories

A preponderance of complaints fell into the following categories, as listed in *Appendix 6*.

### Statistics

Below are the 2021 statistics relating to the gender of incarcerated individuals who submitted complaints and those incarcerated individuals named by advocates in complaints.

Complaints by Gender





# GRIEVANCES

Pursuant to the Commission's Minimum Standards, 9 NYCRR Part 7032, each county jail is required to establish, implement, and maintain a formal incarcerated individual grievance program. This program allows incarcerated individuals 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, incarcerated individuals 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).

When grievances are appealed to the Commission, they are reviewed, categorized, and electronically filed. Grievances are forwarded to the Commission's Triage Unit for processing. 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/Senior Utilization Review Nurse, the Deputy Director/Director of Operations, and the Commission's Office of Counsel. Grievances are then presented to the CPCRC for final disposition. Both the incarcerated individual/grievant and facility officials receive a written decision from the CPCRC for each grievance received. As with complaints, field staff produces a report from the grievance database that provides them with the total number of grievances by category prior to a scheduled county jail site visit.

During 2021, the Commission received and processed 4,888 grievance appeals from county jails. The grievances encompassed 6,885 categories.

### Categories

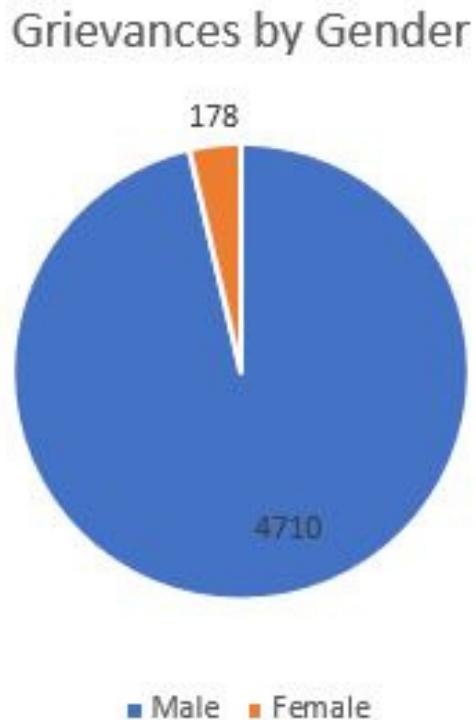
A preponderance of grievances fell into the following categories, as listed in Appendix 7.

### Timeframes

Pursuant to 9 NYCRR, §7032.5(d), the Citizen's Policy and Complaint Review Council shall issue a written determination to the appeal within 45 business days of receipt. Over the years, the Commission has maximized available technologies, along with operational efficiencies, to observe such timeframes. However, the COVID-19 pandemic, along with the turnover of multiple CPCRC members resulted in the cancellation of several monthly meetings in 2021. This had a significant impact in the Council's ability to meet the required 45 business day timeframe. In 2021, the Commission averaged 57 days to complete the review process.

### Statistics

Below are the 2021 statistics relating to the gender of incarcerated individuals who appealed grievances to the CPCRC.



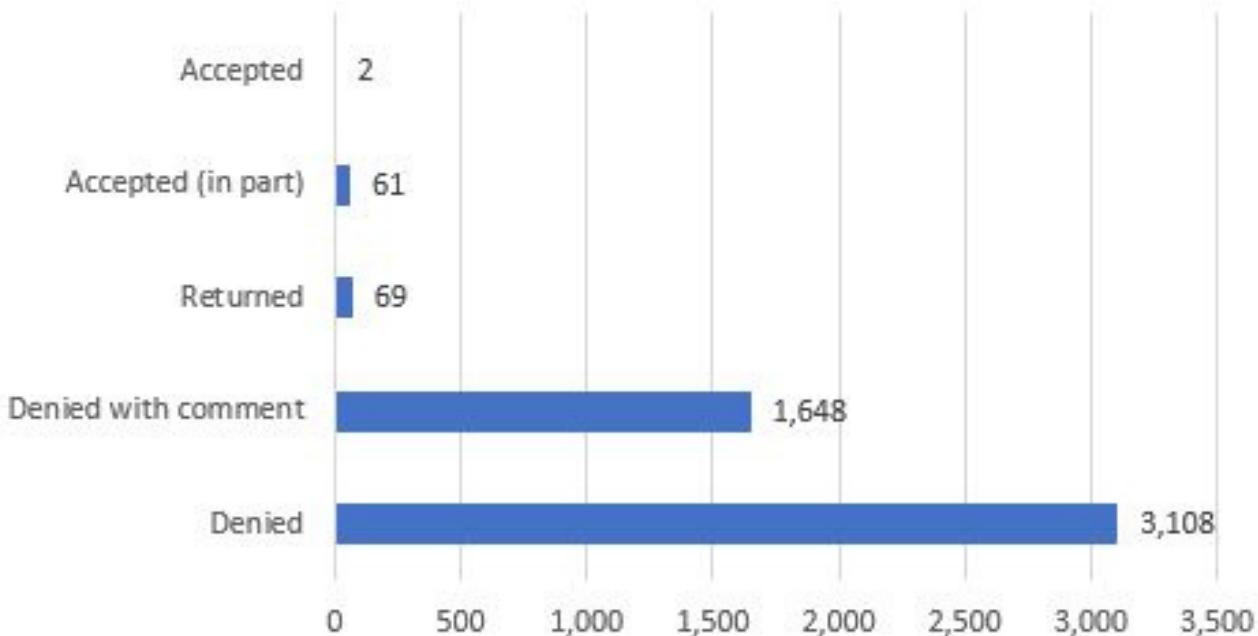
## Determinations

The Citizen's Policy and Complaint Review Council (CPCRC) has four options from which to choose when rendering grievance appeal determinations. They include:

- **Deny** - *The facility's decision is sustained*
- **Deny with Comment** - *The facility's decision is sustained; however, certain elements of the grievance (i.e., timeliness issues, etc.) demand comment by the council*
- **Accept in Part** - *The council accepts a portion of the grievance appeal*
- **Accept in Full** - *The council accepts the grievance appeal in its entirety*
- **Returned** - *The council returns the grievance to the facility for one of many reasons (i.e., issue was not grievable, required elements missing)*

In 2021, the breakdown of grievance determinations are as follows:

Grievance Appeal Determinations





# 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.”

Construction/renovation projects are submitted to the Commission frequently by county jails, jails operated by the New York City Department of Correction, state correctional facilities operated by the Department of Corrections and Community Supervision, secure centers operated by the Office of Children and Family Services, and detention areas operated by local police departments, and beginning in 2018, Specialized Secure Detention facilities. Projects range from window and lock replacement to new stand-alone correctional facilities.

The Commission provides technical planning, capital project development, and construction plan review services for the 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 tasks, staff responsibility goes far beyond the simple review of blueprints and plans. Particular attention is directed to compliance with minimum standards and maximizing physical plant and operational efficiencies to the highest extent possible. 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.

## **Project Reviews**

In 2021, a total of 81 construction/renovation projects were submitted to the Commission for review at its monthly meetings. These projects represented submittals from the following facility types:

- County Jails (including NYC Department of Correction) - 54
- Specialized Secure Detention Facilities- 10
- Police Department Lockups - 8
- OCFS Facilities - 8
- Court Holding - 1

Of the 1003 submittals, eight (8) were approved via waiver. Further, 42 submittals were presented at a series of monthly Commission meetings, with the results listing below.

- Approved at Commission meeting - 40
- Denied at Commission meeting - 2

*Note: The remaining submittals were either scheduled for a 2022 Commission meeting presentation, rescinded by the requesting jurisdiction, or the Commission was still awaiting further information from jurisdictions.*

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## **Specialized Secure Detention Facilities**

The Commission continued to work with the following jurisdictions with respect to construction/renovation of SSD facilities:

- Albany County – Capital District Secure Center
- Erie County – Erie County Youth Facility
- Onondaga County – Hillbrook Juvenile Detention Center
- Monroe County – Monroe County Youth Detention Center
- New York City – Crossroads Juvenile Detention Center
- New York City – Horizon Juvenile Detention Center
- Westchester County – Woodfield Juvenile Detention Center
- Nassau and Suffolk Counties – Potential Construction

## **Police Department Lockup Closures**

In 2021, the Commission worked with the following police departments in the closure of their detention areas:

- Menands
- Auburn

## **Technical Assistance**

Significant construction-related technical assistance was provided to the following correctional facilities:

- Dutchess County Jail
- Genesee County Jail
- Greene County Jail
- Herkimer County Jail
- Hillbrook Juvenile Detention Center
- Monroe County Juvenile Detention Center
- Monroe County Jail
- Monroe County Correctional Facility
- New York City Borough Based Jail Project



# CAPACITY MANAGEMENT

At the end of 2021, there were approximately 45,250 persons incarcerated within New York State's prisons, local county jails, and the New York City Department of Correction (NYCDOC). The Commission continually monitors the capacities of these facilities via a daily electronic population reporting system for county jails and jails operated by the New York City Department of Correction; and via facsimile for state correctional facilities.

## Maximum Facility Capacity

In 2020, the Commission commenced a review of all county jail maximum facility capacity (MFC) formulas and implemented a revised format to ensure consistency. The Commission continued this effort in 2021. The MFC of the following jails were revised to reflect the formatting, new construction, adjustments in capacities and housing types:

Albany	Allegany	Broome	Cattaraugus	Cayuga
Chautauqua	Chemung	Chenango	Clinton	Columbia
Cortland	Delaware	Dutchess	Erie CF	Erie HC
Essex	Franklin	Genesee	Greene	Hamilton
Herkimer	Jefferson	Lewis	Livingston	Madison
Monroe CF	Monroe CJ	Nassau	Niagara	NYCDOC MDC
Oneida	Onondaga Corr.	Onondaga Cust.	Ontario	Orange
Orleans	Oswego	Rensselaer	Rockland	Saratoga

Schenectady	Schoharie	Schuyler	Seneca
St. Lawrence	Steuben	Suffolk Riverhead	Suffolk Yaphank
Sullivan	Tompkins	Ulster	Warren
Wayne	Westchester CJ	Westchester Pen	Westchester Annex
Wyoming	Yates		

At the end of 2021, only a few jails remained that required an MFC review/revision.

In June 2021, the Commission approved an MFC formulation for a new 56-bed dormitory constructed at the Monroe County Jail.



# 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 county jail. County jails are unique institutions with wide variation in size, age, and configuration. Each jail must be staffed in a cost-effective manner that also provides for adequate levels of incarcerated individual supervision, and for staff and public safety. The Commission provides correctional staffing services for all county correctional facilities. Commission staffing specialists travel to facilities upon either the request of a Sheriff, Commissioner of Correction, or a determination by SCOC that a staffing analysis requires revision. The construction of any new county correctional facility requires completion of a new staffing analysis. The staffing analysis is based on specific correctional functions outlined in Minimum Standard regulations, physical plant configuration, incarcerated individual population trends, and other factors unique to a particular correctional facility. If warranted, additional discussions pertaining to staffing levels will be conducted. The Commission affords 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.

## **Revised Staffing Analyses**

During 2021, the following staffing analyses were revised by Field Operations staff:

Greene County Jail – A security and health services staffing analysis was completed for the new Greene County Jail.

## **Staffing Shortages**

During 2021, staffing shortages were experienced by some county correctional facilities. They included:

Dutchess County Jail - The Commission developed an emergency position and staffing analysis for the facility, as it was experiencing significant staff shortages. This analysis comprised of two 12-hour shifts based on the premise that incarcerated individuals were either quarantined or stayed within their assigned housing areas and that programs (i.e., visitation, education, religion, etc.) were discontinued in an attempt to prevent the spread of the COVID-19 virus.

St. Lawrence County Jail - The Commission developed an emergency position and staffing analysis for the facility, as the sheriff was planning to place it in lock-down status due to multiple incarcerated individuals and staff testing positive for COVID-19. This analysis comprised of two 12-hour shifts based on the premise that incarcerated individuals were either quarantined or stayed within their assigned housing areas and that programs (i.e., visitation, education, religion, etc.) were discontinued in an attempt to prevent the spread of the COVID-19 virus.



# NEW INSTITUTION TRANSITION ASSISTANCE PROGRAM (NITAP)

In the early 1990s, the Commission established a technical assistance program to assist jurisdictions in the planning, design, construction, and opening of new correctional facilities. Such assistance provided includes, but is not limited, to:

- Review of and feedback on functional programs
- Review of and feedback on architectural drawings
- Delivery of informational workshops that prepare counties for the transition during construction and planning of opening and operating new facilities
- On-site assessments of jail transition teams and construction progress
- Review of and feedback on operational documents such as policies and procedures, incarcerated individual handbooks, training, and moving plans
- On-site monitoring of new jail opening
- On-site assessment of post-move operations

## Dutchess County

- In 2021, the Commission completed visits to the facility to assess the transition team's efforts and construction progress. The new facility is tentatively scheduled to be completed in summer 2023.

## **Genesee County**

- In 2021, Genesee County continued its efforts to move forward with the new jail project, despite the challenges presented by the ongoing COVID-19 pandemic.
- The Commission completed final technical assistance reviews with the county and its contracted architectural firm.
- The Commission continued to support the county by extending a variance which provides additional beds at the jail.
- In January 2022, the Commission approved plans submitted by Genesee County to construct a new county jail.

## **Greene County**

The new Greene County Jail opened in September 2021, with Commission staff on site to provide technical assistance. The transfer of incarcerated individuals from other local correctional facilities was completed without incident. Commission staff subsequently assisted with a post-opening assessment of operations.

## **Herkimer County**

The new Herkimer County Jail opened in April 2021, with Commission staff on site to provide technical assistance. The transfer of incarcerated individuals from the old facility to the new was completed without incident. Commission staff subsequently assisted with a post-opening assessment of operations.

## **Monroe County**

In 2021, the Monroe County Jail opened a new 56-bed dormitory that had been retrofitted from a previous administrative area. Commission staff worked closely with the jail in ensuring all transition-related issues had been satisfactorily addressed.

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## **New York City Department of Correction**

In 2019, the New York City Council voted to approve the closure of Rikers Island and replace those facilities on the island with four new, smaller jails. To assist the New York City Department of Correction (DOC) with this historical endeavor, the Commission commenced a series of both in-person and remote meetings with Department officials and architects to discuss the plans, the Commission's review and approval consideration process, and Minimum Standard regulations that must be factored in when designing the facilities, as well as tentative timeframes.

In 2021, the Commission completed technical assistance reviews of preliminary construction documents for two proposed borough-based facilities. Multiple discussions were convened with the DOC and other involved parties.

In 2021, the DOC proposed converting existing floors at the Bellevue Hospital into a jail facility for the medical and mental health treatment of incarcerated individuals committed to the custody of the DOC. Technical assistance for this project commenced in 2021 and would continue into 2022.



# TECHNICAL ASSISTANCE (NON-MEDICAL)

## **9 NYCRR Part 7075**

In 2021, the Commission delivered regional on-site workshops to provide county jails an overview of the newly promulgated regulation governing the confinement of incarcerated individuals and the deprivation of essential services, including each element of the regulation, obligations of facilities, and various methods to be considered in meeting such requirements. Workshops were presented at the following locations:

- Erie County Jail
- Essex County Jail
- Onondaga County Justice Center
- Orange County Jail
- Nassau County Jail
- Rensselaer County Jail
- Steuben County Jail

## **Grievance Process**

Each year, the Commission provides technical assistance to county jails in various aspects of the grievance process. The Commission offers a Grievance Program Workshop which focuses on the processes of informal resolution, investigations, facility responses, related Minimum Standard regulations, and submittal process, to name a few.

In 2015, the Commission began offering county jails (non-NYCDOC) the option of submitting incarcerated individual grievances electronically through SharePoint. In such instances, the eventual determinations made by the Citizen's Policy and Complaint Review Council on these grievances were, in turn, forwarded to facilities electronically. Given the turnover of grievance program staff, the Commission often provides assistance on the electronic grievance process.

In 2019, the Commission worked closely with NYS' Information Technology Services in developing a new system in which county jails would eventually submit grievances through the eJustice Integrated Justice Portal.

In November 2020, the Commission implemented the above-referenced system, with all county jails required to submit grievance appeals through the e-Justice Integrated Justice Portal. To assist with this new process, the Commission delivered WebEx presentations for all jails, outlining the protocols for obtaining access to the Portal, uploading documents into the Portal and downloading documents submitted by the CPCRC. The implementation was extremely successful, with the Commission and county jails realizing multiple efficiencies.

Throughout 2020, the Commission provided grievance-related technical assistance to numerous county jails.

## **Work Release Programs**

Correction Law Article 27 requires the Commission to review and consider for approval written policies and procedures drafted by counties for establishment of a Work Release Program. In 2021, the Commission provided related technical assistance to the Monroe County Jail.

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## **Classification**

All county correctional facilities must observe the requirements of New York State Correction Law §500-b and 9 NYCRR Part 7013, Classification. Given the various needs of incarcerated individual populations, the Commission provides technical assistance to facilities in all elements of the classification process (e.g., objective screening instruments, housing determinations, re-classification, etc.). In 2021, technical assistance was provided to various county jails, particularly in light of the impact the COVID-19 pandemic had on operations, the need to quarantine incarcerated individuals who either tested positive for or suspected of being exposed to COVID-19 and to observe the requirements of law.

## **Minimum Standards**

Providing technical assistance on the Commission's regulations is an ongoing endeavor. In 2021, technical assistance was provided to numerous county jails, police department lockups, and secure centers operated by the Office of Children and Family Services.

## **Construction**

As part of its mandate to review and approve correctional facility construction projects, the Commission routinely provides technical assistance. Such assistance is provided to ensure projects maximize security features, are staff efficient, and when applicable, meet Minimum Standard regulations. In 2021, the Commission provided construction-related technical assistance to the following facilities:

- Lewis County Jail – Boiler Replacement
- Nassau County Jail – Proposed structural repairs
- Sullivan County Jail – Create temporary non-contact visiting
- Tioga County Jail – Replacement of walk-in coolers
- Otsego County Jail – Replacement of doors, fans and lights
- Little Falls Police – Convert holding cells to storage
- Croton-on-Hudson Police - Renovate detention area
- Madison County Jail – Wall separation for CAP court
- Monroe County Jail – Cell conversion project
- Chemung County Jail – Housing area plumbing
- Genesee County Jail – New jail construction

## **Construction (continued)**

- Menands Police – Decommission lockup
- Auburn Police – Decommission lockup
- Tompkins County Jail – Plumbing, kitchen and holding cell improvements
- New York City DOC (multiple facilities) – housing area renovations, HVAC improvements, replacement of toilet/sink fixtures, and conversions, door conversions and replacements, housing units converted to program areas, outdoor exercise enclosures, mezzanine housing railings, security fence installation

## **Security Operations**

Assisting correctional facilities with security-related issues is an ongoing venture for the Commission. Operational practices concerning incarcerated individual supervision, key control, and security equipment are just a few of the topics that require attention. In 2021, the Commission provided security-related technical assistance to numerous correctional facilities.

## **Holding of Pre-Arraigned Individuals**

Correction Law §500-a permits certain counties to hold pre-arraigned individuals in their jails. A more concerted effort by counties to implement centralized booking is underway, thus resulting in technical assistance requests from county jails. In 2021, the Commission provided pre-arraignment-related technical assistance to multiple counties.

## **NYS Department of Civil Service**

Several SCOC staff are Subject Matter Experts who provide technical assistance to the NYS Department of Civil Service in the following areas:

- Review of existing examination questions
- Preparation of new examination questions
- Review of and feedback on appeals submitted on questions

In 2021, such assistance was provided on several occasions through WebEx discussions.

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# VARIANCES

State and Local correctional facilities, including police department lockups, are permitted to apply for variance relief of applicable Minimum Standard regulations of which they cannot achieve compliance. Variance approvals provide facilities short-term relief from certain regulations contingent upon implementation of a plan to achieve compliance. Variance requests fall into two categories – Capacity and Non-capacity.

In response to the COVID-19 pandemic, the Commission approved variances for the below-listed county jails to allow for non-contact visiting for the incarcerated individual population. This entailed the installation of barriers in an attempt to prevent the spread of the virus during visits.

*Albany County Jail  
Chautauqua County Jail  
Dutchess County Jail  
Erie County - Correctional Facility & Holding Center  
Franklin County Jail  
Fulton County Jail  
Genesee County Jail  
Jefferson County Jail  
Monroe County Jail  
Onondaga County Corrections Department  
Rensselaer County Jail*

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*Rockland County Jail*  
*Suffolk County Jail - Riverhead & Yaphank Facilities*  
*Tompkins County Jail*  
*Westchester County Department of Correction*  
*Wyoming County Jail*  
*Yates County Jail*

## **Capacity Variances**

Correctional facilities may request capacity relief from 9 NYCRR Part 7040 when experiencing overcrowding. In 2021, there was one request for capacity-related variance relief. Related variance activity is listed below.

Genesee County Jail – The Commission approved a variance that permits additional beds to be used on an as needed basis. Such approval was granted, as the county moved forward with plans to construct a new correctional facility.

Special Secure Detention Facility – Woodfield Cottage – The Commission approved variance relief concerning youth beds.

## **Non-Capacity Variances**

Correctional facilities may request relief from various Minimum Standard regulations, including non-capacity requirements.

### Correspondence (Jails)

In 2019 and 2020, the Commission discussed with county correctional facilities the challenges they were facing with contraband being introduced via incoming correspondence addressed to incarcerated individuals. In 2019, 2020, and 2021 the Commission approved variance relief to the following local correctional facilities that permits them to photocopy or scan incoming non-legal correspondence and photocopy incoming legal correspondence in the presence of the intended recipient:

Albany	Broome	Cattaraugus	Chautauqua
Chenango	Cayuga	Dutchess	Erie (2)

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Franklin	Fulton	Greene	Jefferson
Livingston	Madison	Monroe	Nassau
Niagara	Oneida	Onondaga (2)	Ontario
Oswego	Orange	Orleans	Otsego
Putnam	Rockland	Schenectady	Seneca
Suffolk (2)	Sullivan	St. Lawrence	Westchester

### Female Supervision (Lockups)

In 2018, the Commission became aware of situations involving the lack of female police officers/staff available to supervise female detainees placed in some police department detention (lockup) areas. In 2021, the Commission has approved variance relief with respect to the supervision of female detainees for the following police departments:

Beacon PD	Gates PD	Fairport PD
Irondequoit	Medina	New York City Police Department
Poughkeepsie		

Special Secure Detention Facility – Erie Secure Juvenile Center – The Commission approved variance relief concerning youth beds.

Special Secure Detention Facility – Woodfield Cottage – The Commission approved variance relief concerning youth beds.

**Appendix 1a:**  
 Reportable Incident  
 Categories- County Jails

Category/Sub-Category	Total Grievances	% of Total Grievances
Medical Treatment	580	11.9%
Personnel Standards	564	11.5%
Food Services	413	8.4%
Security And Supervision	404	8.3%
Grievance Program	367	7.5%
Discipline	351	7.2%
Legal Services	339	6.9%
Medication	331	6.8%
Prisoner Personal Hygiene	266	5.4%
Admissions	254	5.2%
Classification	245	5.0%
Correspondence	238	4.9%
Medical Access to Services	225	4.6%
Visitation	214	4.4%
Miscellaneous	174	3.6%
Personnel Verbal Conduct	171	3.5%
Commissary	163	3.3%
Religion	144	2.9%
Sanitation	132	2.7%
Searches	128	2.6%
Exercise	120	2.5%
Telephone	118	2.4%
Medical Personnel Misconduct	104	2.1%
Mental Health Treatment	100	2.0%
Discrimination	99	2.0%
Maximum Facility Capacity	77	1.6%
Personnel Physical Conduct	77	1.6%
Medical Diets	55	1.1%
Dental Treatment	48	1.0%
Physical Plant	43	0.9%
Programs And Counseling	42	0.9%
Deprivation of Essential Services	41	0.8%
Personnel Sexual Conduct	41	0.8%
Printed Materials And Publications	38	0.8%
Packages	37	0.8%
Denial of Out of Cell Time	33	0.7%
Staffing Requirements	19	0.4%
Inmate Labor	15	0.3%
Too Vague To Classify	14	0.3%
Chemical Agents	12	0.2%
Access To Media	11	0.2%
Not Under SCOC Purview	11	0.2%
Funeral And Deathbed Visits	10	0.2%
Sentence Calculation	7	0.1%
Good Behavior Allowance	4	0.1%
Disability Accommodations(ADA)	3	0.1%
Educational Services For Youth	2	0.0%
Fire Prevention And Safety	1	0.0%

## Appendix 1b: Reportable Incident Statistics- County Jails

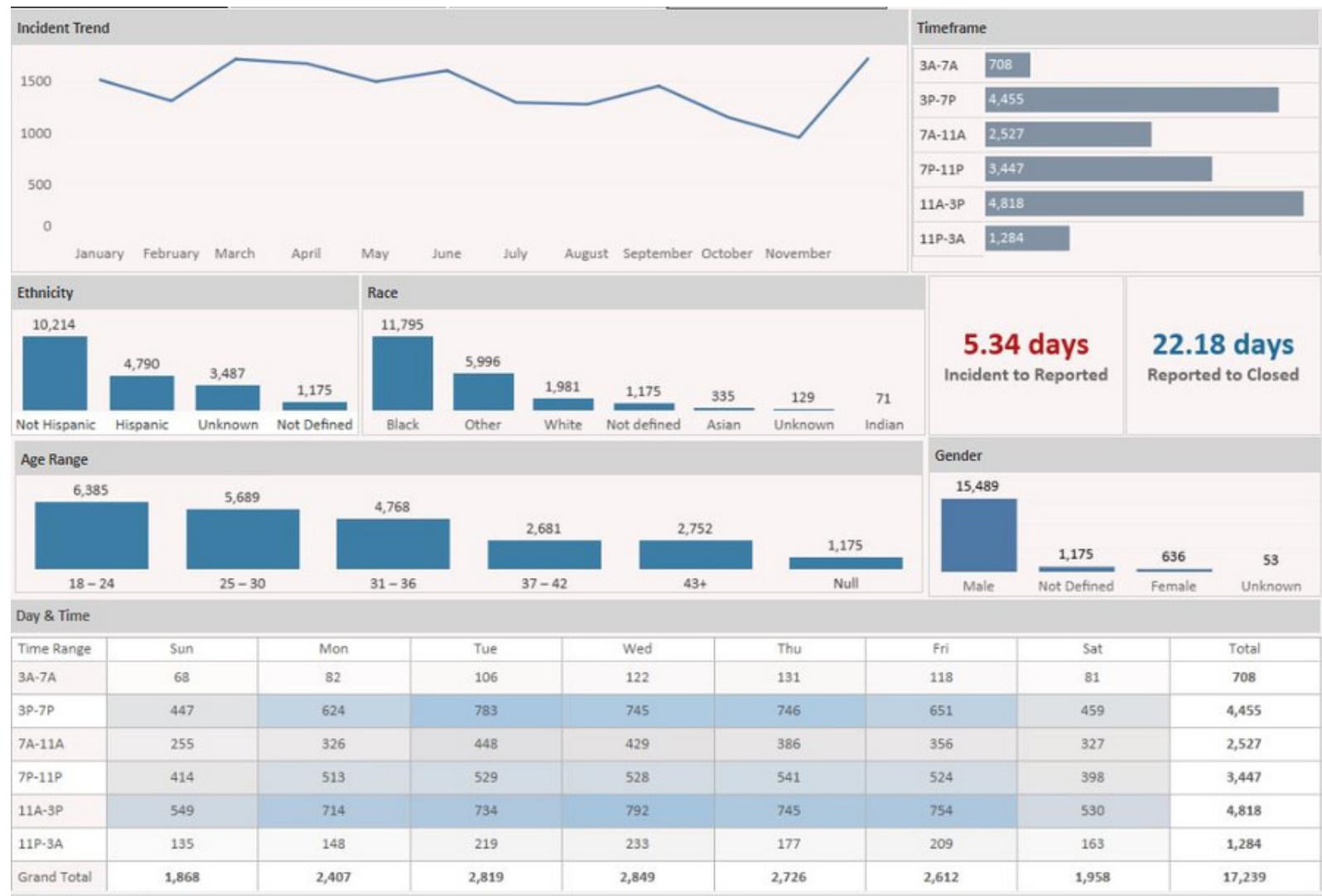


## Appendix 2a:

### Reportable Incident Categories- NYCDOCS

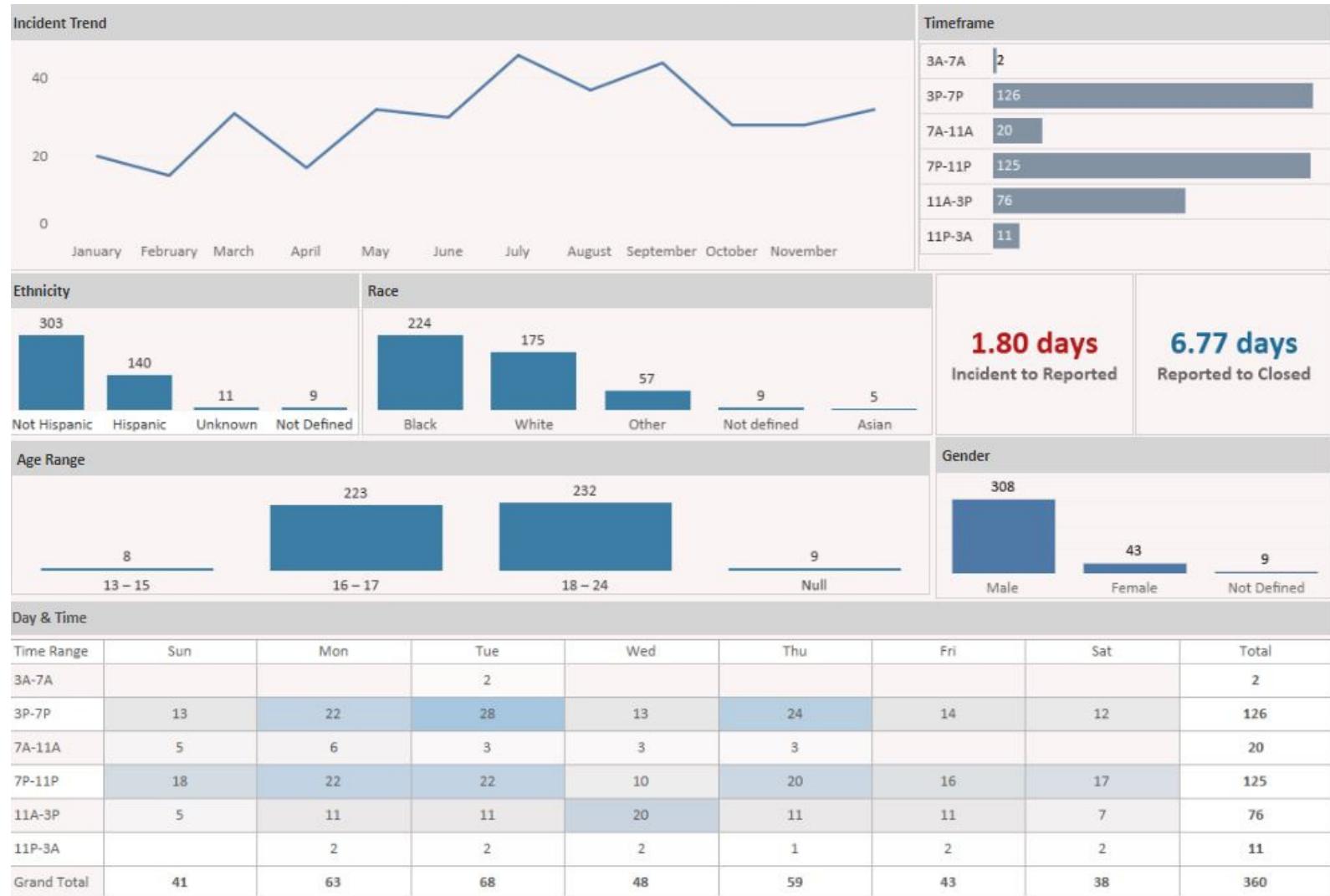
Category/Subcategory	Total Incidents	% Total Incidents
Inmate/Inmate Assault	4,019	23.31%
Inmate/Personnel Assault	2,823	16.38%
Inmate Contagious Illness	1,897	11.00%
Minor Disturbance	1,855	10.76%
Inmate Group Assault/Gang Assault	1,842	10.69%
Fire/Arson	1,683	9.76%
Inmate Self-Inflicted Injury	1,470	8.53%
Individual Inmate Disturbance	1,431	8.30%
Personnel Contagious Illness	819	4.75%
Hospital Admission of Inmate	539	3.13%
Unknown Source-Introduced Contraband	496	2.88%
Inmate Accidental Injury	362	2.10%
Personnel/Inmate Assault	343	1.99%
Inmate/Inmate Sexual Offense	198	1.15%
Personnel/Inmate Sexual Offense	113	0.66%
Major Disturbance	104	0.60%
Release of Hospitalized Inmate From Custody	100	0.58%
Inmate-Introduced Contraband	59	0.34%
Inmate Attempted Suicide	27	0.16%
Visitor-Introduced Contraband	16	0.09%
Personnel-Introduced Contraband	15	0.09%
Personnel Death	13	0.08%
Attempted Escape	10	0.06%
Fire/Unknown Source	7	0.04%
Capture/Return to custody of escaped inmate	5	0.03%
Inmate Group Action	5	0.03%
Personnel Accidental Injury	5	0.03%
Erroneous Releases	4	0.02%
Escape/Other Agency Supervision	4	0.02%
Inmate/Personnel Sexual Offense	4	0.02%
Deprivation/Limitation of essential services	3	0.02%
Fire/Non-arson	3	0.02%
Major Maintenance/Service Disruption	2	0.01%
Discharge of Firearm	1	0.01%
Escape/County Supervision	1	0.01%
Visitor Death	1	0.01%

## Appendix 2b: Reportable Incident Statistics- NYCDOCS



## Appendix 3: Reportable Incident Categories and Statistics- OCFS

Category/Subcategory	Total Incidents	% Total Incidents
Resident/Staff Assault	147	40.83%
Resident/Resident Assault	123	34.17%
Individual Resident Disturbance	108	30.00%
Resident Self-inflicted Injury	46	12.78%
Resident Group Assault/Gang Assault	40	11.11%
Contraband Dangerous Weapon	19	5.28%
Major Disturbance	10	2.78%
Major Maintenance/Service Disruption	9	2.50%
Minor Disturbance	9	2.50%
Resident Attempted Suicide	6	1.67%
Resident Group Action	6	1.67%
Contraband Other	5	1.39%
Contraband Controlled Substance	2	0.56%
Resident/Resident Sexual Abuse/Assault	2	0.56%
Staff/Resident Assault	2	0.56%
Attempted Escape	1	0.28%
Resident/Staff Sexual Abuse/Assault	1	0.28%
Resident/Visitor Assault	1	0.28%



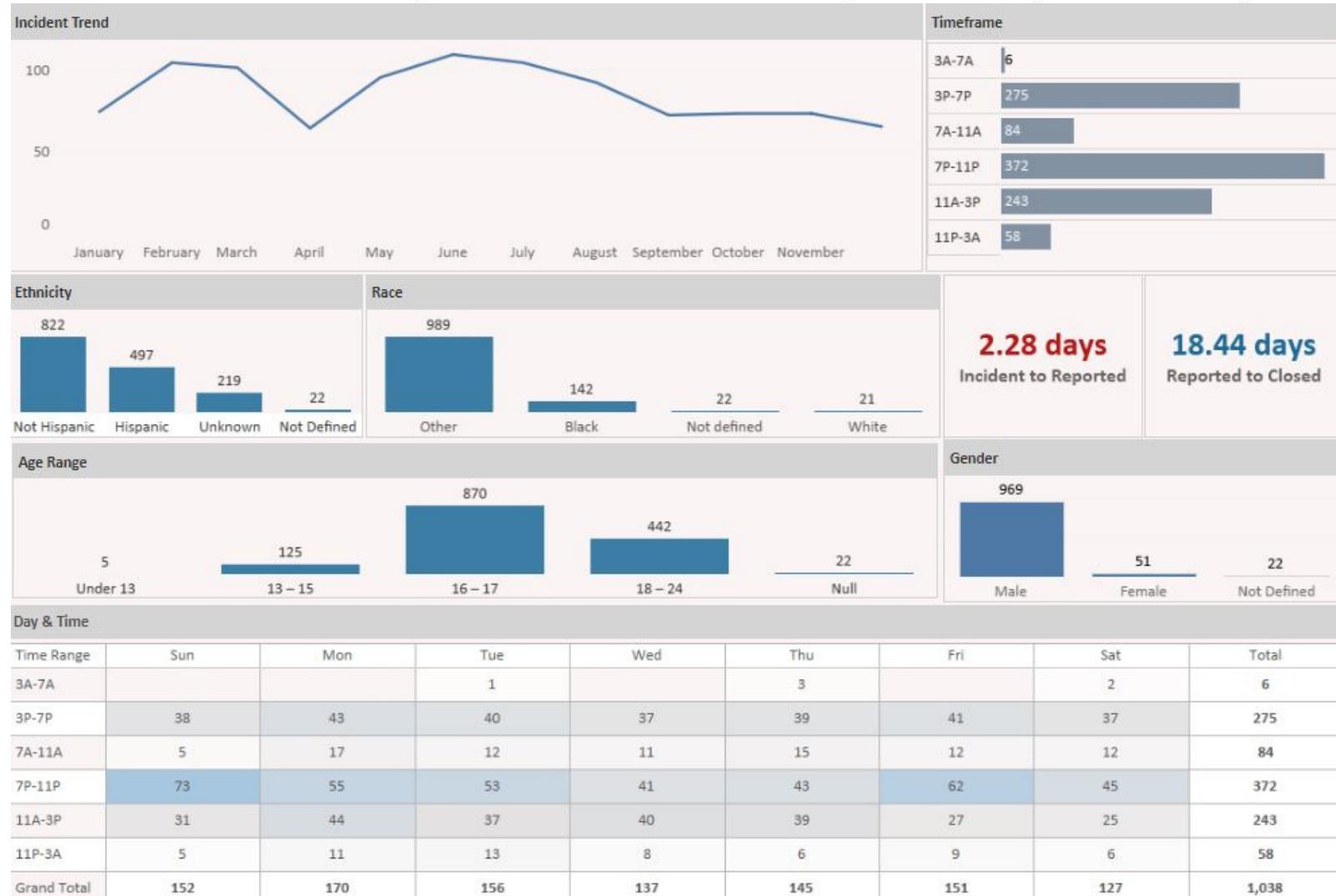
\*\*Null data- incidents that do not relate to a specific incarcerated individual will not record age, gender or ethnicity (i.e. staff incidents, unknown sourced contraband, etc.)

## Appendix 4:

### Reportable Incident

### Categories and Statistics- SSD's

Category\Subcategory	Total Incidents	% Total Incidents
Minor Disturbance	412	39.69%
Resident/Staff Assault	368	35.45%
Resident/Resident Assault	319	30.73%
Individual Resident Disturbance	196	18.88%
Resident Group Assault/Gang Assault	75	7.23%
Resident Self-Inflicted Injury	42	4.05%
Contraband Other	39	3.76%
Contraband Dangerous Weapon	37	3.56%
Major Disturbance	35	3.37%
Major Maintenance/Service Disruption	15	1.45%
Resident Group Action	13	1.25%
Resident/Staff Sexual Abuse/Assault	5	0.48%
Staff/Resident Assault	5	0.48%
Resident/Visitor Assault	3	0.29%
Contraband Controlled Substance	2	0.19%
Fire/Arson	2	0.19%
Resident Attempted Suicide	2	0.19%
Resident Communicable Reportable Disease	2	0.19%
Visitor/Resident Assault	2	0.19%
Contraband Alcohol Substances	1	0.10%
Natural/Civil Emergency	1	0.10%
Resident/Resident Sexual Abuse/Assault	1	0.10%
Resident/Visitor Sexual Abuse/Assault	1	0.10%
Staff Group Action	1	0.10%

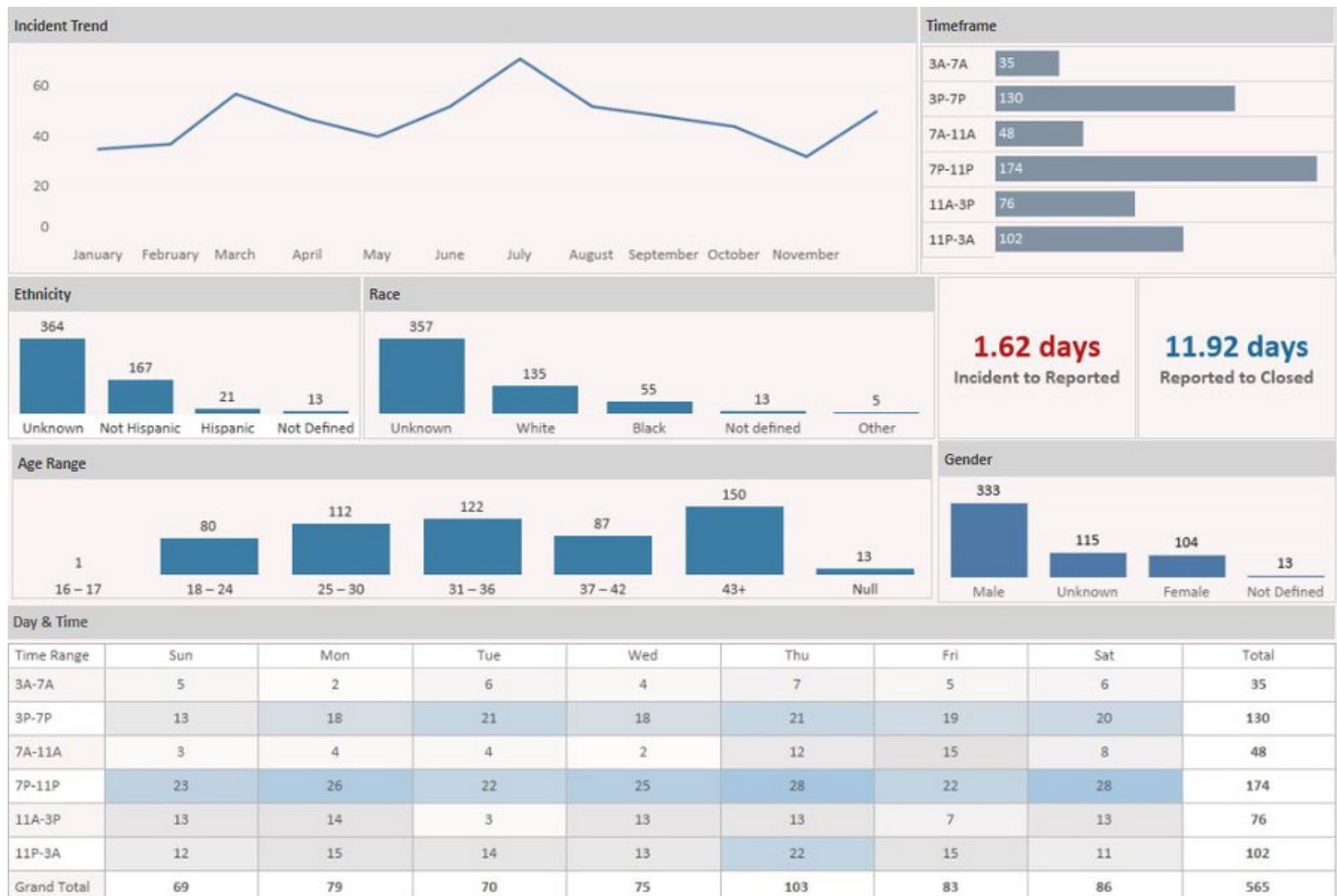


\*\*Null data- incidents that do not relate to a specific incarcerated individual will not record age, gender or ethnicity (i.e. staff incidents, unknown sourced contraband, etc.)

\*\*The "Incident to Reported" data does not accurately reflect incident reporting timeframes as there was an identified technical issue that is being resolved.

## Appendix 5: Reportable Incident Categories and Statistics- Lockups

Category/Subcategory	Total Incidents	% Total Incidents
Inmate Injury/illness requiring hospitalization	515	91.15%
Disturbance	47	8.32%
Natural Emergency	7	1.24%



\*\*Null data- incidents that do not relate to a specific incarcerated individual will not record age, gender or ethnicity (i.e. staff incidents, unknown sourced contraband, etc.)

## Appendix 6a:

### Complaint Categories

Category/Subcategory	Total Complaints	% of Total Complaints
Inmate Fears for Safety	785	27.5%
Staff Misconduct	722	25.3%
Medical Treatment	582	20.4%
Not Under SCOC Purview	426	14.9%
Grievance Program	346	12.1%
Personnel on Inmate Physical Assault	338	11.9%
Personnel on Inmate Harassment	263	9.2%
Discipline	259	9.1%
Physical Plant	232	8.1%
Court Issues	230	8.1%
Sanitation	207	7.3%
Bail/Release	202	7.1%
Food Services	178	6.2%
Correspondence	158	5.5%
Parole	153	5.4%
Mental Health Treatment	148	5.2%
Facility Transfer	146	5.1%
Inmate Personal Hygiene	129	4.5%
Personnel on Inmate Sexual Abuse	128	4.5%
Visitation	119	4.2%
Medication	110	3.9%
Personnel on Inmate Sexual Harassment	105	3.7%
Medical Personnel Misconduct	95	3.3%
Law Library	89	3.1%
Telephone	88	3.1%
Inmate on Inmate Physical Assault	80	2.8%
Loss of Personal Property/Property Claims	78	2.7%
Package	72	2.5%
Drug,Alcohol,Rehabilitation Programs	71	2.5%
Commissary	65	2.3%
Outdoor Exercise	64	2.2%
Medical Access to Services	62	2.2%
Too Vague To Classify	60	2.1%
Miscellaneous	58	2.0%
Discriminatory Treatment	58	2.0%
Classification	50	1.8%
Dental Treatment	49	1.7%
Searches	45	1.6%
Inmate Self Harm	42	1.5%
Inmate on Inmate Harrassment	41	1.4%
Religion	40	1.4%
Good Behavior Allowance	28	1.0%
Inmate Records	27	0.9%
FOIL	24	0.8%
Access To Legal Counsel(In Person,Written,phone)	24	0.8%
Jail Time/Sentence Calculation	19	0.7%

## **Appendix 6b:**

### **Complaint**

### **Categories**

Housing Unit Procedures	19	0.7%
Deprivation of Essential Services	19	0.7%
Inmate on Inmate Sexual Abuse	18	0.6%
Inmate Work Program	17	0.6%
Administrative Segregation	11	0.4%
Special Housing Unit Procedures	10	0.4%
Inmate on Inmate Sexual Harassment	10	0.4%
Education Programs	10	0.4%
Work Release	5	0.2%
Temporary Release Program	4	0.1%
Printed Materials And Publications	4	0.1%
Medical Diets	4	0.1%
Probation	3	0.1%
Marriage	3	0.1%
Double Ceiling	3	0.1%
Double Bunking	3	0.1%
Indoor Exercise	2	0.1%
Funeral and Deathbed	2	0.1%
Denial of Out of Cell Time	2	0.1%
Chemical Agents	2	0.1%
Admissions	2	0.1%
Overcrowding	1	0.0%
Laundry	1	0.0%

## Appendix 7: Grievance Categories

Category/Sub-Category	Total Grievances	% of Total Grievances
Medical Treatment	580	11.9%
Personnel Standards	564	11.5%
Food Services	413	8.4%
Security And Supervision	404	8.3%
Grievance Program	367	7.5%
Discipline	351	7.2%
Legal Services	339	6.9%
Medication	331	6.8%
Prisoner Personal Hygiene	266	5.4%
Admissions	254	5.2%
Classification	245	5.0%
Correspondence	238	4.9%
Medical Access to Services	225	4.6%
Visitation	214	4.4%
Miscellaneous	174	3.6%
Personnel Verbal Conduct	171	3.5%
Commissary	163	3.3%
Religion	144	2.9%
Sanitation	132	2.7%
Searches	128	2.6%
Exercise	120	2.5%
Telephone	118	2.4%
Medical Personnel Misconduct	104	2.1%
Mental Health Treatment	100	2.0%
Discrimination	99	2.0%
Maximum Facility Capacity	77	1.6%
Personnel Physical Conduct	77	1.6%
Medical Diets	55	1.1%
Dental Treatment	48	1.0%
Physical Plant	43	0.9%
Programs And Counseling	42	0.9%
Deprivation of Essential Services	41	0.8%
Personnel Sexual Conduct	41	0.8%
Printed Materials And Publications	38	0.8%
Packages	37	0.8%
Denial of Out of Cell Time	33	0.7%
Staffing Requirements	19	0.4%
Inmate Labor	15	0.3%
Too Vague To Classify	14	0.3%
Chemical Agents	12	0.2%
Access To Media	11	0.2%
Not Under SCOC Purview	11	0.2%
Funeral And Deathbed Visits	10	0.2%
Sentence Calculation	7	0.1%
Good Behavior Allowance	4	0.1%
Disability Accommodations(ADA)	3	0.1%
Educational Services For Youth	2	0.0%
Fire Prevention And Safety	1	0.0%