



STATE OF NEW YORK • EXECUTIVE DEPARTMENT  
**STATE COMMISSION OF CORRECTION**  
Alfred E. Smith State Office Building  
80 S. Swan Street, 12th Floor  
Albany, New York 12210-8001  
(518) 485-2346  
FAX (518) 485-2467

CHAIRMAN  
Thomas A. Beilein

COMMISSIONERS  
Phyllis Harrison-Ross, M.D.  
Thomas J. Loughren

## MEMORANDUM

**TO:** COMMISSION MEMBERS  
**FROM:** Brian Callahan, Counsel   
**RE:** AGENDA FOR COMMISSION MEETING  
**DATE:** January 22, 2014 at 11:00AM

### I. MINUTES

#### SCOC

December 17, 2013

#### CPCRC

January 9, 2014

#### MRB

Administrative Closures

### II. VARIANCES

#### A. **NYS Department of Corrections and Community Supervision Clinton Annex and Walkill Correctional Facility**

12-V-06

(Section 7621.3 Facility Population Limitation)

#### B. **Poughkeepsie Police Department**

(New) 14-V-01

(Section 7504.1(e) Supervision of Detention Areas)

(Section 7502.1(d) Admissions)

#### C. **Orleans County Jail**

(98-V-19)

(Section 7040.3 Facility Population Limitation)

**III. Construction**

**D. East Rochester Police Department  
New Lockup**



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**MINUTES**

**CHAIRMAN**  
Thomas A. Beilein  
  
**COMMISSIONERS**  
Phyllis Harrison-Ross, M.D.  
Thomas J. Loughren

**LOCATION:**

**STATE COMMISSION OF CORRECTION**  
Alfred E. Smith State Office Building  
80 So. Swan Street, 12<sup>th</sup> Floor  
Albany, New York 12210-8001

**DATE OF MEETING: December 17, 2013**

Chairman Beilein called the meeting to order at 11am.

**PRESENT:**

Thomas A. Beilein, Chairman  
Phyllis Harrison-Ross M.D., Commissioner  
Thomas J. Loughren, Commissioner  
Brian Callahan, Acting Counsel  
Jim Lawrence, Director of Operations  
Tricia Amati, Assistant to Chairman/Commissioners  
Peggy Loffredo, Forensic Unit, Supervisor  
Terry Moran, Capital West, Supervisor  
Bill Benjamin, Hudson Lakes, Supervisor  
Steve Savoy, South Central, Supervisor  
Bob Cuttita, CFS II  
Walter McClure, Deputy Director of Public Information  
New York State Division of Criminal Justice Services

**I. MINUTES**

<b>SCOC</b> November 19, 2013	<b>Approved Unanimous</b> <b>Ross/Loughren</b>
<b>CPCRC</b> December 14, 2013	<b>Approved Unanimous</b> <b>Loughren/Ross</b>
<b>MRB</b> Administrative Closures	<b>Approved Unanimous</b> <b>Ross/Loughren</b>
Medical Review Board Meeting December 5, 2013	<b>Approved Unanimous</b> <b>Ross/Loughren</b>

## II. VARIANCES

- |  |   |
|--|---|
| <b>A. Onondaga County Justice Center</b><br>13-V-03<br>(Section 7040.3 Facility Population Limitation) | <b>Approved Unanimous</b><br><b>Sixty (60) Days</b><br><b>Loughren/Ross</b> |
| <b>B. Nassau County Jail</b><br>00-V-04<br>(Section 7040.3 Facility Population Limitation)             | <b>Approved Unanimous</b><br><b>One (1) Year</b><br><b>Ross/Loughren</b>    |
| <b>C. Otsego County Jail</b><br>99-V-24<br>(Section 7040.3 Facility Population Limitation)             | <b>Approved Unanimous</b><br><b>One (1) Year</b><br><b>Ross/Loughren</b>    |
| <b>D. Rockland County Jail</b><br>95-V-17<br>(Section 7040.3 Facility Population Limitation)           | <b>Approved Unanimous</b><br><b>Six (6) Months</b><br><b>Loughren/Ross</b>  |

## III. MFC

- |   |   |
|---|---|
| <b>E. Washington County Sheriff's Office</b><br>Reformulation | <b>Approved Unanimous</b><br><b>Loughren/Ross</b> |
|---|---|

## IV. Construction

- |   |   |
|---|---|
| <b>F. Erie County Holding Center</b><br>Gulf East Inmate Holding Cell Door<br>And Frame Replacement | <b>Approved Unanimous</b><br><b>Ross/Loughren</b> |
| <b>G. NYS DOCCS-Coxsackie CF</b><br>C and D Block Rehab Plumbing Systems                            | <b>Approved Unanimous</b><br><b>Loughren/Ross</b> |
| <b>H. Tompkins County Courthouse</b><br>Basement Renovations  | <b>Approved Unanimous</b><br><b>Loughren/Ross</b> |

Commissioner Ross made a motion to go into executive session at 11:13am to discuss Construction and MRB items, which was seconded by Commissioner Loughren.

Commissioner Ross made a motion to exit Executive Session and return to general session at 11:48am, which was seconded by Commissioner Loughren.

The meeting resumed at 11:48am. Motion was made by Commissioner Ross to ratify actions taken in Executive Session regarding MRB and Construction items, seconded by Commissioner Loughren and approved.

Commissioner Ross made a motion to adjourn at 11:50am, which was seconded by Commissioner Loughren.

Respectfully submitted,

Tricia Amati  
Assistant to Chairman/Commissioners





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(518) 485-2346  
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**EXECUTIVE SESSION**

CHAIRMAN  
Thomas A. Beilein

COMMISSIONERS  
Phyllis Harrison-Ross, M.D.  
Thomas J. Loughren

**LOCATION:**  
**STATE COMMISSION OF CORRECTION**  
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**PRESENT:**

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Jim Lawrence, Director of Operations  
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Bill Benjamin, Hudson Lakes, Supervisor  
Steve Savoy, South Central, Supervisor  
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CHAIRMAN  
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COMMISSIONERS  
Phyllis Harrison-Ross, M.D.  
Thomas J. Loughren

## CITIZENS' POLICY AND COMPLAINT REVIEW COUNCIL

January 9, 2014

NYS Commission of Correction  
at  
Alfred E. Smith Office Building  
80 South Swan Street, 12<sup>th</sup> Floor  
Albany, NY 12210  
and  
The Division of Criminal Justice Services  
at  
633 Third Ave, 33rd Floor  
New York, NY 10017  
and  
Julie Scalione  
Williamsville, NY 14221

**PRESENT:**

Commissioner Thomas J. Loughren

**Council Members:**

Albany:

Tom Cross  
Ted Hilscher  
Nick LaBella Jr.  
Douglas Landon

NYC:

Burt Schoenbach

Williamsville:

Julie Scalione

**Also Present:**

Rich Kinney  
Brian Callahan  
Janet Judge  
Deane McGeary  
Sara Loguercio

Commissioner Loughren opened the meeting at 11:01 a.m.

Commissioner Loughren asked for a motion to approve the minutes of the December 12, 2013 meeting. Tom Cross made a motion to approve the minutes and Ted Hilscher seconded. Carried.

Commissioner Loughren asked for a motion to ratify all actions taken in the year 2013. Doug Landon made the motion to ratify all actions of 2013 and Ted Hilscher seconded. Carried.

Ted Hilscher and Doug Landon, as the grievance sub-committee, reviewed the expedited grievances for the month of January 2014. Motions were made respectively to deny all of the expedited grievances. The motions were seconded by Tom Cross and Nick LaBella and unanimously passed.

Tom Cross reviewed the Expedited with Comment grievances for the month of January 2014 and made a motion to deny all of the grievances. The motion was seconded by Nick LaBella and unanimously passed.

The Council reviewed the remaining grievances.

#### **ACCEPT IN PART**

13-LG-42041 Chautauqua CJ	Unanimous
13-LG-42653 Chemung CJ	Unanimous
13-LG-40537 Delaware CJ	Unanimous
13-LG-43090 Warren CJ	Unanimous

#### **DENY WITH COMMENT**

13-LG-42236 13-LG-42256 13-LG-42258 Madison CJ	Unanimous
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#### **TABLED**

To be discussed at the February 13, 2014 meeting  
13-LG-43092  
Washington CJ

**ADMINISTRATIVE CLOSURES**

**DENY**

13-LG-41650 Albany CJ	Unanimous
13-LG-42039 13-LG-42040 13-LG-42490 13-LG-42502 13-LG-42692 Chautauqua CJ	Unanimous
13-LG-42476 Delaware CJ	Unanimous
13-LG-42158 Essex CJ	Unanimous
13-LG-42648 13-LG-42649 Herkimer CJ	Unanimous
13-LG-42715 13-LG-43076 13-LG-43077 13-LG-43103 13-LG-43104 13-LG-43105 Madison CJ	Unanimous
13-LG-42711 Nassau CJ	Unanimous
13-LG-42431 13-LG-42496 13-LG-42497 13-LG-42499 13-LG-42713 Ontario CJ	Unanimous
13-LG-42641 Orange CJ	Unanimous

13-LG-42336 Orleans CJ	Unanimous
13-LG-42337 13-LG-42950 Oswego CJ	Unanimous
13-LG-40985 Putnam CJ	Unanimous
13-LG-42332 Rockland CJ	Unanimous
13-LG-42470 13-LG-42691 13-LG-42791 Seneca CJ	Unanimous
13-LG-41437 13-LG-43083 13-LG-43101 Steuben CJ	Unanimous
13-LG-41731 Sullivan CJ	Unanimous
13-LG-42812 Tioga CJ	Unanimous
13-LG-42354 Tompkins CJ	Unanimous
13-LG-42037 13-LG-42156 13-LG-42157 13-LG-42230 13-LG-42232 13-LG-42250 13-LG-42251 13-LG-42253 13-LG-42254 13-LG-42474 13-LG-42500 13-LG-42695 Warren CJ	Unanimous

13-LG-39490  
13-LG-42153  
13-LG-42154  
13-LG-42155  
13-LG-42170  
13-LG-43092  
Washington CJ Unanimous

13-LG-39930  
13-LG-42050  
13-LG-42491  
13-LG-42492  
13-LG-42493  
13-LG-42494  
13-LG-42654  
13-LG-42655  
13-LG-42851  
13-LG-42952  
Westchester CJ Unanimous

13-LG-42252  
13-LG-42624  
13-LG-42625  
Yates CJ Unanimous

**DENY WITH COMMENT ADMINISTRATIVE CLOSURES**

13-LG-42335  
13-LG-42255  
13-LG-42622  
13-LG-42642  
13-LG-42643  
13-LG-42644  
Madison CJ Unanimous

13-LG-42501  
Schuyler CJ Unanimous

13-LG-41435  
Steuben CJ Unanimous

13-LG-41397  
Westchester CJ Unanimous

Julie Scalione and Ted Hilscher will form the sub-committee for the next CPCRC meeting. Tom Cross will review the Expedited with Comment grievances for the next CPCRC meeting.

The next CPCRC meeting will be held on Thursday, February 13, 2014 at 11:00 a.m. at SCOC, AESOB 80 S. Swan Street, Albany, New York at the NYS Division of Criminal Justice Services, 65 Court Street, Buffalo, New York, at the NYS Division of Criminal Justice Services, 633 Third Avenue, New York, NY, and at Williamsville, NY 14221

Commissioner Loughren requested a motion to adjourn the meeting which was made by Nick LaBella, seconded by Tom Cross and carried. The meeting adjourned at 12:23 p.m.

Respectfully submitted,

Sara Loguercio  
Secretary 1

Name of Facility: NYSDOCCS, Clinton Annex & Wallkill CF      Variance # 12-V-06

New:  Renewal: X      Relief from Standard: (Section 7621.3 Facility Population Limitation)

Application by: ACTG Commissioner Annucci      Date Request Rec: December 12, 2013

Last Approved: Jan 2013      Length of Approval: 1 Year      Expiration: February 1, 2014

Write-up Prepared by: William Benjamin, CFS III

Recommendation by Field Staff: 1 Year Approval

Recommendation at Briefing:

Final Recommendation:

**SUMMARY OF VARIANCE REQUEST**

Double Bunking Program Variance for Clinton Annex and Wallkill CF.

<u>Facility</u>	<u>Total Beds</u>	<u>Date of Site Visit</u>
Clinton Annex	27	12/27/2013
Wallkill CF	72	12/18/2013
<b>Total Beds Requested: 99</b>		

**Clinton Annex**

Double-bunking at the Clinton Annex consists of rooms. Locations and programs at the Annex are as follows:

**Bldg. #10-1 (8 Rooms) (Total Capacity 44: 5 toilets/ 6 sinks/ 4 showers) (RSAT)**

10-1-1 (T/B) 10-1-2 (T/B) 10-1-3 (T/B) 10-1-4 (T/B) 10-1-5 (T/B)  
10-1-6 (T/B) 10-1-7 (T/B) 10-1-8 (T/B)

**Bldg. #10-2 (8 Rooms) Total Capacity 44: 5 toilets/ 6 sinks/ 4 showers) (Network Pro.)**

10-2-9 (T/B) 10-2-10 (T/B) 10-2-11 (T/B) 10-2-12 (T/B) 10-2-13 (T/B)  
10-2-14 (T/B) 10-2-15 (T/B) 10-2-16 (T/B)

**Bldg. #11-2 (11 Rooms) (Total Capacity 39: 7 toilets/ 6 sinks/ 3 showers) (Food Service)**

11-2-1 (T/B) 11-2-2 (T/B) 11-2-4 (T/B) 11-2-5 (T/B) 11-2-6 (T/B)  
11-2-7 (T/B) 11-2-8(T/B) 11-2-9 (T/B) 11-2-10 (T/B) 11-2-11 (T/B)  
11-2-12 (T/B)

**TOTAL DOUBLE BUNKS: 27**

**Note** Rooms 3-1-17 (T/B), 3-1-18 (T/B), 3-2-18 (T/B), 3-2-19 (T/B) were removed from

the variance per the Departments request. Room 11-2-3 was rated as a two person room in the MFC based upon 102 Sq. Ft. room size.

**Walkkill CF**

Double-bunking at the Walkkill CF consists of cells used for the Medium Security Close to Home and Free Bus Program. The location double-bunked beds are as follows:

<b><u>Block</u></b>	<b><u>Cell #s</u></b>	<b><u>Total</u></b>
A1 – B1 (102 inmates)	5(2), 6(2), 13(2), 14(14), 29, 30, 37, 38	12
A2 – B2 (102 Inmates)	5(2), 6(2), 13(2), 14(14), 29, 30, 37, 38	12
A3 – B3 (102 Inmates)	5(2), 6(2), 13(2), 14(14), 29, 30, 37, 38	12
C1 - D1 (102 Inmates)	5, 6, 13, 14, 29(2), 30(2), 37(2), 38(2)	12
C2 - D2 (102 Inmates)	5, 6, 13, 14, 29(2), 30(2), 37(2), 38(2)	12
C3 - D3 (102 Inmates)	5, 6, 13, 14, 29(2), 30(2), 37(2), 38(2)	12

All units have 8 toilets, 16 sinks, 4 urinals and 6 showers

**TOTAL DOUBLE BUNKS: 72**

**RECOMMENDED CONDITIONS IF APPROVED**

At the January 22, 2014 Commission Meeting, this variance will be presented before the Commission. If this variance is approved, the following conditions should be included in the approval letter.

**Condition No. 1:**

All variance space shall conform to the totals listed in the previous section.

**Condition No.2:**

For the duration of the variance period, DOCCS shall provide the Commission with monthly status reports documenting all Aunusual incidents as that term is defined by the Department, regardless of the location in the facility where such incidents occur. In addition, the status report shall include all incidents involving inmate on inmate assaults, inmate on staff assaults, and incidents involving the use of force, whether or not they result in injury to staff or inmates. The term assault is used in its broadest sense. All inmates fighting shall be reported by location or occurrence within the affected facilities, and whether or not there is resulting injury to staff or inmates.

**Condition No. 3:**

DOCCS shall provide the Commission with the Monthly Report on Disciplinary Activities for each variance facility. Data shall be provided for each month of the variance period.

**VARIANCE HISTORY**

New number 12-V- 06 when converted to program variance in 2012, Historical Variance # 07-V-04 when all double bunking variance were combined in 2007, and 95-V-11 Clinton Annex and 98-V-21 Wallkill CF prior.

Clinton Annex – 44 beds approved at 1 year and 3 months intervals since 1995 request reduced to 31 beds in 2012 and 27 beds for 2014.

Wallkill CF - 72 beds, approved at 1 year and 3 months intervals since 1998.

2013- Recommendation      Approval  
Action                      Approved at 01/13 Meeting  
Length of Variance      1 Year  
Conditions, if changed: See revised conditions above

2012- Recommendation      Approval  
Action                      Approved at 01/12 Meeting  
Length of Variance      1 Year  
Conditions, if changed: See revised conditions above

2011- Recommendation      Approval  
Action                      Approved at 10/11 Meeting  
Length of Variance      3 months  
Conditions, if changed: See revised conditions above

2010 - Recommendation      Approval  
Action Taken              Approved at 10/10 Meeting  
Length of Variance      One Year  
Conditions, if changed: See revised conditions above

2009 - Recommendation      Approval  
Action Taken              Approved at 10/09 Meeting  
Length of Variance      One Year  
Conditions, if changed: See revised conditions above

2008 - Recommendation      Approval  
Action Taken              Approved at 10/08 Meeting  
Length of Variance      One year  
Conditions, if changed: See revised conditions above

2007- Recommendation      Approval  
Action Taken              Approved at 10/07 Meeting  
Length of Variance      One year  
Conditions, if changed: See revised conditions above

2007 - Recommendation      Approval  
Action Taken              Approved at 8/07 Meeting  
Length of Variance      60 days  
Conditions, if changed:

**CONSTRUCTION/RENOVATION PLANS**

None

**OTHER VARIANCES IN EFFECT**

None

**STAFF INFORMATION AFTER SITE VISIT (DATE OF LAST VISIT TO FACILITY):**

See attached memos

**DATE OF LAST CYCLE VISIT THAT STANDARD VIOLATIONS WERE IDENTIFIED:**

N/A

**ANY OPEN MINIMUM STANDARD VIOLATIONS:**

None

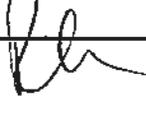
**ANY VIOLATIONS WHICH PERTAIN TO THE VARIANCE'S CONDITIONS:**

None

**JUSTIFICATION FOR WHY VARIANCE SHOULD OR SHOULD NOT BE EXTENDED:**

Recommendation is to approve the extension of this variance. The NYS DOCCS has determined that the programmatic needs of the affected inmates cannot be achieved, or will be adversely impacted without the continuation of the housing flexibility permitted under this variance.

REVIEWED BY REGIONAL SUPERVISOR:

 DATE: 1/8/14  
 1/20/14

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**OFFICIAL USE ONLY:**

NOTES OF MEETING: \_\_\_\_\_



### **Food Services (Annex)**

Food Service Personnel consists of:

- 1 Food Service Manager
- 1 Assistant Food Service Manager
- 2 Head Cooks
- 2 Cooks

The food service staff estimated that it takes approximately 30 – 40 minutes to complete a meal.

Meal times are as follows:

- Breakfast: 6:15 am - 6:45 am (Inmate workers)  
7:00 am - 7:55 am (General Population Inmates)  
8:20 am - 8:45 am (GP inmates)
- Lunch: 10:00 am - 10:30 am (Inmate workers)  
10:30 am - 11:10 am (GP inmates)  
11:30 am - 12:15 pm (GP inmates)
- Dinner: 4:00 pm - 4:30 pm (Inmate workers)  
4:30 pm - 5:15 pm (GP inmates)  
5:20 pm - 5:45 pm (GP inmates)

### **Facility Overview**

The Clinton Correctional Facility is a maximum security facility for general confinement male inmates aged 16 or older. It is also a reception center for males 16 or older at the time of sentencing. The programs at the facility include RSAT, Network, ICP and a TRI ICP program. Also, the Office of Mental Health (OMH) operates a satellite unit at the facility as well.

### **Medical Services**

According to facility staff, medical services continue to operate without any adverse effects from double bunking. The following are the staffing levels for the Medical Department:

- 4 Doctors
- 1 N.P.
- 23 Nurses

3 Pharmacists  
1 X ray technician

Morning sick call is held Monday through Friday at 7:30 am. Approximately 40-60 inmates per day are seen during sick call. Clinton C.F. uses the Champlain Valley Physicians Hospital for emergencies.

The following are the staffing levels for the Dental Department:

3 Dentists  
3 Dental Assistants

### **Staffing at the Annex**

#### Security Staffing Levels

1 Assistant Deputy Superintendent of Program  
1 Captains  
5.5 Lieutenants  
13 Sergeants  
255 Correctional Officers

### **Complaints/Grievances**

No double bunked inmates voiced any complaints to Commission staff during the tour.

### **Construction & Renovation**

There were no other construction or renovation projects being worked on which would directly impact the double bunking variance at Clinton C.F.

### **Sanitation**

Commission staff noted the facility to be exceptionally clean in all areas toured. No major service disruptions were observed nor reported from the inmates during the tour.

### **Unusual Incidents**

As per Acting Commissioner A. Annuci; there were three unusual incidents at the Clinton Correctional Facility Annex between August 5, 2013 (8:00 a.m.) through September 2, 2013 (8:00 a.m.)

### **Miscellaneous**

Commission staff observed an extremely well-maintained program for the double-bunking program at the Annex. Finally, throughout the tour of the Annex, facility staff was extremely

cooperative and courteous to Commission staff.

**MEMORANDUM**

**TO:** William Benjamin, CFS III  
**FROM:** Paul D. Annetts, CFS II (P)  
**RE:** 12.18.2013 Site visit to the Wallkill Correctional Facility to review Double Bunking Variance # 12-V-06  
**DATE:** December 18, 2013

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On December 18, 2013, Commission staff member Paul D. Annetts conducted a site visit to Wallkill Correctional Facility for the purpose of reviewing the double-bunking variance. Prior to entering the facility, Commission staff met with D.S.S. Pingotti and Captain Neuwirth to discuss the purpose of the visit to the facility. Captain Neuwirth escorted Commission staff for the tour of the facility. As of this date, the following double-bunked beds were in effect:

<u>Block*</u>	<u>Cell #s</u>	<u>Total</u>
A1 – B1 (102 inmates)	5(2), 6(2), 13(2), 14(14), 29, 30, 37, 38	12
A2 – B2 (102 Inmates)	5(2), 6(2), 13(2), 14(14), 29, 30, 37, 38	12
A3 – B3 (102 Inmates)	5(2), 6(2), 13(2), 14(14), 29, 30, 37, 38	12
C1 - D1 (102 Inmates)	5, 6, 13, 14, 29(2), 30(2), 37(2), 38(2)	12
C2 - D2 (102 Inmates)	5, 6, 13, 14, 29(2), 30(2), 37(2), 38(2)	12
C3 - D3 (102 Inmates)	5, 6, 13, 14, 29(2), 30(2), 37(2), 38(2)	12

TOTAL = 72

\*Two blocks with one officer posted between constitutes one housing floor within the buildings. (A-1 + B-1, C-1 + D-1, etc.) All units have 8 toilets, 16 sinks, 4 urinals and 6 showers available for inmate use. At the time of the site visit, all toilets, sinks, and showers were in good operating condition. In addition, all areas were found to be extremely clean and well maintained.

### **Medical Services**

Discussions with facility staff revealed that the Medical Department is operating without any adverse effects from double-bunking. The facility is medically staffed 16 hours per day seven days a week. If needed, emergency room services are provided by St. Luke's Hospital which is approximately 15-minutes from the facility or for emergency medical services Albany Medical Hospital is utilized. Subsequently, facility staff expressed that dental services are also being provided without any adverse effects from double-bunking. There is an 8:00 am sick call and the facility medical personal average seeing about 10 inmates a day during sick call.

#### Medical Staffing Levels

- 1 Doctor
- 1 Nurse Administrator
- 2 Full time R.N.'s
- 3 ½ Part time R.N.'s
- 4 positions vacant (being filled with per diem staff)

### **Food Services**

Discussions with facility staff revealed that all food service equipment was operable at the time of the site visit. No meals at Wallkill are mandatory. Inmates have the ability to warm food on all of the housing units. Currently, Wallkill is utilizing Quik-Chill to service their population.

#### Meal Times

- Breakfast 7:30 am
- Lunch 11:30 am
- Dinner 5:00 pm

### **Optics Program**

This long running facility program has been in operation at the facility since 1981. Currently, the Optics program produces approximately ten thousand pairs of eyeglasses each month.

### **Facility Farms**

Within the 1200-acre facility grounds there is a horse farm. The horse farm maintains thoroughbred race horses which have been retired.

#### Security Staffing Levels

- 1 Deputy Superintendent of Security
- 1 Captain
- 7 Lieutenants
- 8 Sergeants (Total 9)

149 Correctional Officers (Total 154)

**Grievances**

Commission staff did not receive any complaints from the inmate population while touring all of the double bunked units.

**Construction**

Currently, there is no construction or renovation projects being worked on which directly impact the double bunking variance at the Wallkill C.F.

**Unusual Incidents**

As per the letter dated September 17, 2013 from NYSDOCCS Acting Commissioner Anthony Annucci, there was one unusual incident at the Wallkill C.F. between August 5, 2013 (8:00 a.m.) through September 2, 2013 (8:00 a.m.).

**Conclusion**

Wallkill Correctional Facility is a well run and maintained facility. Facility staff was extremely courteous and cooperative to Commission staff throughout the tour. Also, Commission staff heard no complaints or concerns from any inmates. All of the above information was discussed with D.S.S. Pingotti, D.S.P. Joan Stewart, D.S.A. Roxanne Creen, and Captain Neuwirth at the end of the tour.

**New York State Commission of Correction  
Chairman Thomas A. Beilein**

**Memorandum**

**From:** Chairman Thomas A. Beilein  
12, 2013

**Date:**December

**Access Number:**

**To:** Jim Lawrence  
Brian Callahan  
Richard Kinney

**Sender:** Commissioner Anthony Annucci

**Agency:**NYS DOCCS

**Date Original Received:**12/13/13

**Re:**Request One Year Extension for most variances located at Clinton Annex and Wallkill CF

**Document Description:** Letter

**Chairman's Comments:**

**Routing Information**

Regional Supervisor: Benjamin



STATE OF NEW YORK  
 DEPARTMENT OF CORRECTIONS  
 AND COMMUNITY SUPERVISION  
 THE HARRIMAN STATE CAMPUS – BUILDING 2  
 1220 WASHINGTON AVENUE  
 ALBANY, N.Y. 12226-2050

ANDREW M. CUOMO  
 GOVERNOR

ANTHONY J. ANNUCCI  
 ACTG. COMMISSIONER

December 12, 2013

Honorable Thomas Beilein  
 Chairman and Commissioner  
 State Commission of Correction  
 Alfred E. Smith State Office Building  
 80 S. Swan Street, 12<sup>th</sup> Floor  
 Albany, NY 12210

Dear Chairman Beilein:

The purpose of this letter is to request an additional one-year extension for most of the variance beds that are located at the Clinton Correctional Facility Annex, and all of the 72 variance beds that are located at Walkill Correctional Facility. The Department has a continuing need for these beds at this time, and the variances listed below are otherwise scheduled to expire on February 1, 2014.

<u>Facility</u>	<u>Historical Variance #</u>	<u>Total Beds</u>
Clinton Annex	95-V-11	31
Walkill CF	98-V-21	72
<b>Total =</b>		<b>103</b>

As you may recall, the Department's prior submission was based entirely on the Commission's revisions to Part 7603 of Title 9 of the New York Codes, Rules and Regulations (NYCRR), to permit a variance for programmatic or other important inmate needs.

With respect to the 72 beds at Walkill Correctional Facility, a medium security facility, these beds are still needed because they will continue to serve an important inmate need, i.e., the need for area of preference beds. In prior submissions, it was explained in great detail that the closure of Arthur Kill and Mid-Orange Correctional Facilities meant that approximately 1,500 area of preference beds were no longer available for inmates who were committed from New York City and the adjacent counties. Furthermore, a large number of other medium security facilities, such as Bare Hill, Franklin, Altona, Ogdensburg, Riverview, Cape Vincent, Watertown, Collins, Gowanda and Wyoming, pose enormous travel times and distances for visitors from New York City.

Honorable Thomas Beilein  
December 12, 2013

In prior submissions, it was also noted that the Free Bus Program, which permitted family members to visit these distant facilities without having to pay the cost of transportation, had to be discontinued due to the fiscal crisis. This situation continues at the present time and no restoration of funding for this purpose is envisioned for the upcoming fiscal year.

It was also noted in the prior submission that inmate area of preference movement has slowed to the point where the Department determined it needed to change the frequency for transfer reviews. The change, which the Department implemented on July 1, 2012, reduced the frequency for Offender Scheduled Transfer reviews from a quarterly basis to a semi-annual basis.

It was also explained in prior submissions that area of preference beds fulfill a very important need for the inmate population, as well as other needs. Visitation by family members, including the children of incarcerated parents, as well as friends and community representatives, can occur with much greater frequency at facilities that are geographically close to the communities where these individuals live and work and where the inmates ultimately will be released.

It has also been noted that a much greater emphasis has been placed upon the ability of an incarcerated parent to maintain a relationship with a child that has been placed in foster care. Pursuant to Chapter 113 of the Laws of 2010, among other things, the Department is now required to work closely with Social Service agencies to set up visitation in specific cases as warranted. Presently, there continues to be significant legislative interest in doing more in order to facilitate visitation between incarcerated parents and their children.

Finally, as was also noted in the prior submission, Walkill is a medium B security correctional facility. There are four other medium security facilities, somewhat comparable to Walkill, that are considered area of preference facilities for male inmates in the Southern Tier and they are Fishkill, Otisville, Ulster and Woodbourne. However, these four facilities are still classified as medium A facilities and their populations continue to be close to their maximum facility capacities. Therefore, they cannot, at this time, be considered as suitable facilities to absorb some or all of the existing 72 Walkill variance beds.

All of the above reasons have not changed and therefore, the Department requests that the 72 variance beds at Walkill be approved for an additional one-year period since they address an important inmate program need and since it is not envisioned that the overall population demographics will allow for a possible redistribution during this period.

Similarly, the Department also requests that the variance for the beds at the Clinton Annex also be approved for an additional one-year period with a light reduction. The current variance is for 31 beds, four of which were part of the Merle Cooper Program, which is now undergoing a transition. Accordingly, the four variance beds which were previously identified as 03-01-17T, 03-01-18T, 03-02-18T and 03-02-9T, will no longer be needed.

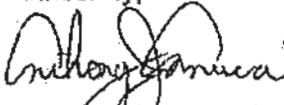
The remaining 27 variance beds at the Clinton Annex will be needed for an additional year. In prior submissions to the Commission, it was carefully detailed why these variance beds serve important inmate program needs. In particular, the program needs pertained to participation in substance abuse treatment and participation in outside clearance projects. Ample supporting documents were also provided in prior submissions to the Commission, which I have been informed, are still contained in your files.

Honorable Thomas Beilein  
December 12, 2013

In addition, the Annex at Clinton is classified as a maximum B security facility. The only two other maximum security facilities with this classification are Eastern N.Y. and Coxsackie, neither of which can be used to absorb any of the beds. Moreover, while there has been a slight reduction in the overall demand for maximum security bed space, the Department has determined that this reduction presents an opportunity to dismantle some of its double-cells that were originally converted from single cell use. Accordingly, as you were separately notified, the double-cells that were in operation at Sing Sing, Green Haven, Eastern N.Y., Shawangunk, and Sullivan have been completely dismantled. Furthermore, at both Downstate and Auburn Correctional Facilities, a substantial number of double-cells were dismantled, and revised maximum facility capacities were filed with the Commission for these facilities.

The Department anticipates that going forward several other facilities will have their double-cells that were converted from single cells, dismantled. Nevertheless, the 27 beds at the Clinton Annex will continue to be needed for the immediate future. For all of the above reasons, the Department requests that the variance for these beds, as modified, be continued for one additional year.

Thank you for your consideration of this request.

Sincerely,  
  
Anthony J. Annucci  
Acting Commissioner

Attachments

cc: Anne Marie McGrath, Assistant Commissioner for Population Management  
Thomas LaValley, Superintendent – Clinton C.F.  
Timothy Laffin, Superintendent – Walkkill C.F.  
File



Name of Facility: Poughkeepsie PD

Variance # 14-V-01

New:  Renewal: Relief from Standard: Part 7504.1 (e) Supervision of  
detention areas  
Part 75002.(d) Admission Procedures

Application by: Chief Ronald J. Knapp

Date Request Rec: 1/3/2014

Last Approved: n/a Length of Approval: n/a

Expiration: n/a

Write-up Prepared by: William Benjamin, CFS III

Recommendation by Field Staff: 1 year

Recommendation at Briefing: Approve

Final Recommendation:

**SUMMARY OF VARIANCE REQUEST**

The police chief is requesting relief from the requirement that a female staff member or matron must be duty when female prisoner is secured in a holding cell. Currently he only has four (4) female police officers and none are assigned to the 4:00 pm to midnight shift because of seniority. Not being able to secure female prisoners in holding cells impacts (limits) the availability of the supervising police officer to handle calls and perform other public service/safety duties.

**VARIANCE HISTORY**

None

**CONSTRUCTION/RENOVATION PLANS**

None

**OTHER VARIANCES IN EFFECT**

None

**STAFF INFORMATION AFTER SITE VISIT (DATE OF LAST VISIT TO FACILITY):**

Last Site Visit - December 3, 2013 - Commission staff Elisha Hamilton

The PD does not to place female prisoners in cells because no female staff is available. This is not always the best practice and causes the department to assign a male police officer to sit with the prisoner in the process area until she can be arraigned.

**DATE OF LAST CYCLE VISIT THAT STANDARD VIOLATIONS WERE IDENTIFIED:**

October 25, 2012

**ANY OPEN MINIMUM STANDARD VIOLATIONS:**

None

**ANY VIOLATIONS WHICH PERTAIN TO THE VARIANCE'S CONDITIONS:**

None

**JUSTIFICATION FOR WHY VARIANCE SHOULD OR SHOULD NOT BE EXTENDED:**

The chief indicates he has no female officers working the afternoon or nights shifts. The department does not employ matrons. Cross gender supervision is a standard practice in all other correctional systems. Part 7504 dates back to 1976 when the matron laws were in effect.

**RECOMMENDED CONDITIONS IF APPROVED**

1. No female detainee shall be detained in the same cell or pen as a male detainee.
2. No female detainee shall be detained in cell or pen that allows for sustained visual contact with a male detainee.
3. Policies and procedures shall be implemented that allow a female detainee to perform bodily functions and, when necessary, shower or change clothing outside the view (including via video camera) of male detainees, officers and other staff. Such policies and procedures shall require male officers and staff to announce their presence when entering an area when a female detainee may be performing bodily functions, changing clothing or showering.
4. In instances where constant observation is provided per 9 NYCRR §7504.1(b), such supervision shall be performed solely by qualified female staff.
5. Cross-gender strip searches or cross-gender visual body cavity searches shall not be conducted except in exigent circumstances or when performed by medical practitioners.
6. Policies, procedures and appropriate training shall be implemented to ensure that cross-gender pat-down searches are conducted in a professional and respectful manner, in the least intrusive manner possible, consistent with security needs.

REVIEWED BY REGIONAL SUPERVISOR: WB



DATE: 1/10/2014

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**OFFICIAL USE ONLY:**

NOTES OF MEETING: \_\_\_\_\_



Ronald J. Knapp  
Chief of Police

POLICE DEPARTMENT  
CITY OF POUGHKEEPSIE  
NEW YORK



January 3, 2014

New York State Commission of Corrections  
Alfred E. Smith State Office Building  
80 S Swan Street, 12<sup>th</sup> Floor  
Albany, New York 12210-8001

Dear Chairman Beilein,

Please accept this letter as an application for variance for Part 7504.1(e) supervision of detention areas; supervision of female prisoners.

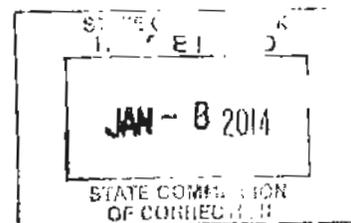
Currently our police agency has four (4) female police officers. As a result, on a regular basis, there are multiple shifts throughout the week in which our agency does not have a female officer on duty. Presently our 4:00 pm to midnight shift does not have a female officer assigned due to members being able to select their shifts by seniority based upon the contractual agreement.

When this occurs, our agency is unable to secure our female prisoners in the detention facility (female cell). This creates a need to assign male officers to observe the female prisoner until the female prisoner is arraigned or until a female officer is on duty. This can often be a substantial amount of time. This impacts the available staffing of police officers to handle calls for service from the public as well as providing other police services to the public. The inability to use the female detention/cells could also indirectly impact upon officer and public safety.

Thank you for your consideration in this matter.

Sincerely,

Ronald J. Knapp  
Chief of Police



**PART 7504**  
**SUPERVISION OF DETENTION AREAS**

(Statutory authority: Correction Law, § 45(6))

Sec.

7504.1 Supervision of detention areas

**Historical Note**

Part (§ 7504.1) added by renum. § 5200.5, Title 7, filed June 26, 1976 eff. Oct. 1, 1976.

**§ 7504.1 Supervision of detention areas.**

(a) As a minimum, the condition of prisoners shall be checked, by actual visits to cells and detention rooms, at intervals not to exceed 30 minutes.

(b) In situations where a prisoner's physical or mental condition obviously warrants it, constant observation and supervision shall be provided.

(c) The supervisory visit procedure shall be accomplished either by personnel on full-time duty in the detention area or by those assigned to other duties in police department operations.

(d) A suitable record of supervisory visits shall be maintained in ink and in a legible manner and shall include but shall not necessarily be limited to the following information:

- (1) date;
- (2) time of each visit;
- (3) condition of prisoner(s), *e.g.*, awake, sleeping, etc.;
- (4) other notations considered relevant;
- (5) signature of officer or matron.

(e) Supervision of female prisoners shall be accomplished by a matron, and a female prisoner shall not be placed in or removed from a detention area unless the matron is present. The matron shall retain the key for the detention area for females and no male person shall be permitted to enter an area where female prisoners are detained unless accompanied by the matron.

(f) If a detention facility is located in a structure which is not of fire-resistant construction and where a fire hazard of extensive proportions exists, constant supervision is required.

(g) The use of closed circuit television to visually monitor an area in which prisoners are detained is approved only as an adjunct to actual physical supervisory visits by police department personnel and shall not be considered as a substitute for such visits.

(h) Under no circumstances shall an officer while armed enter a detention area when prisoners are being detained.

**Historical Note**

Sec. added by renum. 5200.5, Title 7, filed June 26, 1976 eff. Oct. 1, 1976.

Name of Facility: Orleans County Jail

Variance # 98-V-19

New:  Renewal: 

Relief from Standard: 7040.3

Application by: Sheriff Scott Hess

Date Request Rec: 1-8-14

Last Approved: November 19, 2013 Length of Approval: 60 days Expiration: February 1, 2014

Write-up Prepared by: Terrence Moran

Recommendation by Field Staff: Deny

Recommendation at Briefing:

Final Recommendation:

**SUMMARY OF VARIANCE REQUEST**

The facility is requesting a continued extension of the variance beds authorized via variance 98-V-19 which authorizes the county to house an additional 17 inmates in the jail through the use of housing in day space areas. The facility reports that in working with the Orleans County Probation Department has identified proposed changes to the Alternative to Incarceration Programs that have the potential to reduce the population of the Orleans County Jail. They feel this extension will enable the county to gauge the effectiveness of new ATI initiatives.

**RECOMMENDATION**

It is recommended that this grievance be denied. Subsequent to the May 2013 Commission Meeting, Sheriff Hess was notified that the facility's population, as well as the absence of any capacity enhancement plans from the county, did not justify the continuation of the variance beyond the anticipated time frames for completion of various construction projects (i.e., rooftop replacement, shower replacement, etc.) ongoing at the facility. The county's efforts to reduce the jail population via enhancement of Alternative to Incarceration programs should have commenced long ago. This variance is not needed by the county to gauge the effectiveness of new ATI initiatives.

**VARIANCE HISTORY**

2013	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 12/19 Meeting 60 days
2013	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 8/21 Meeting 3 months
2013	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 5/21 Meeting 3 months
2012	Recommendation Action Taken Length of Variance	Approval Approved at 12/18 Meeting 6 months

SCOC VARIANCE WRITE-UP FORM: EFFECTIVE JANUARY 2010

	Conditions, if changed	
2012	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 6/19 Meeting 6 months
2011	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 12/11 Meeting 6 months
2011	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 06/11 Meeting 6 months
2010	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 12/10 Meeting 6 months
2010	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 07/10 Meeting 6 months
2010	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 04/10 Meeting 90 days
2009	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 10/09 Meeting 6 months
2009	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 7/09 Meeting 90 days
2009	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 4/09 Meeting 90 days
2009	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 1/09 Meeting 90 days
2008	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 10/08 Meeting 90 days
2008	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 6/08 Meeting 60 days
2008	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 5/08 Meeting 30 days
2008	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 4/08 Meeting 30 days
2008	Recommendation Action Taken Length of Variance	Approval Approved at 1/08 Meeting 3 months

Conditions, if changed      Addition of condition #7 above – county must provide status report of progress

**CONSTRUCTION/RENOVATION PLANS**

None

**OTHER VARIANCES IN EFFECT**

None

**STAFF INFORMATION AFTER SITE VISIT (DATE OF LAST VISIT TO FACILITY):**

Variance 98-V-19 was last reviewed on November 7, 2013.

**DATE OF LAST CYCLE VISIT THAT STANDARD VIOLATIONS WERE IDENTIFIED:**

December 2012

**ANY OPEN MINIMUM STANDARD VIOLATIONS:**

7015 – Painting of the facility will commence in early 2014

7070 – Need to verify corrective action on providing required hours of GED instruction.

**ANY VIOLATIONS WHICH PERTAIN TO THE VARIANCE'S CONDITIONS:**

None

**JUSTIFICATION FOR WHY VARIANCE SHOULD OR SHOULD NOT BE EXTENDED:**

Variance is not needed in order for the county to gauge the effectiveness of new ATI initiatives.

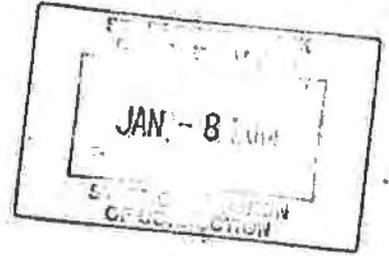
REVIEWED BY REGIONAL SUPERVISOR:

*Im*      DATE: 1/13/14  
*Rh*      1/13/14

**OFFICIAL USE ONLY:**

NOTES OF MEETING: \_\_\_\_\_

ORLEANS COUNTY JAIL  
26 PLATT ST  
ALBION, NEW YORK 14411  
OFFICE (585)-589-4310  
FAX (585)-589-2522



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FACSIMILE TRANSMITTAL SHEET

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TO: TERRY MORAN

FROM: SCOTT D. WILSON

Jail Superintendent

COMPANY: NYSCOC

DATE: 1/8/14

FAX NUMBER: (518)-485-2467

NO. OF PAGES INCLUDING COVER:

PHONE NUMBER:

RE: VARIANCE EXTENSION  
REQUEST (98-V-19)

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS: IF YOU HAVE ANY QUESTION PLEASE FEEL FREE  
TO CONTACT ME AT (585)-589-4310. THANK YOU.

---



Scott D. Hess  
**SHERIFF**  
[www.orleansny.com/sheriff](http://www.orleansny.com/sheriff)



**COUNTY OF ORLEANS**

**Office of the Sheriff**

400 Public Safety Bldg.,  
13925 State Route 31  
Albion, New York 14411-9386  
Communications – (585) 589-5527  
Fax – (585) 589-6761  
Administrative Offices – (585) 590-4142  
Fax – (585) 590-4178  
County Jail – (585) 589-4310  
Fax – (585) 589-2522

Steven D. Smith  
Undersheriff

Thomas L. Drennan  
Chief Deputy

Lieutenant Scott D. Wilson  
Acting Jail Superintendent

January 7<sup>th</sup>, 2014.

Honorable Thomas A. Beilein, Chairman  
State Commission of Correction  
Alfred E. Smith State Office Building  
80 S. Swan Street 12th Floor  
Albany, NY 12219

Dear Chairman Beilein,

The purpose of this letter is to respectfully request a 2 month extension for the Orleans County Jail bed space variance (#98-V-19). The purpose of this extension will allow the Orleans County Jail to maintain a formal and objective classification system while assessing the effectiveness of our alternatives to incarceration programs (ATI). Currently due to having an additional 10 intermittent sentenced inmates our population requires the use of our current variance beds until population issues can be addressed through changes to ATI Programming.

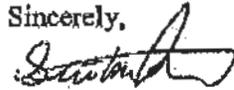
The Orleans County Jail in conjunction with the Orleans County Probation Department has identified changes to our current Alternatives to Incarceration Programs (ATI) that have the potential to reduce the population of the Orleans County Jail. These changes are as follows:

1. Expanding Released under supervision (RUS) to increase inmate eligibility.
2. Expediting presentence investigations for felony level offenders to reduce substantial time delays for sentencing proceedings.
3. Exploring the possibility of establishing an effective GPS electronic monitoring program for offenders released under supervision. (RSU).
4. Working with the local magistrates to affect the release of inmates who are committed to the Orleans County Jail on violation level offenses.

In requesting a 60 day variance extension the Orleans County Jail will be able gauge the effectiveness of the ATI program changes without having to house inmates in other jurisdictions during weekly population expansions as a result of our intermittent sentenced inmates. This will also allow the Orleans County Jail to fulfill its lawful obligation to accommodate intermittent remands without incurring additional boarding expenses for the jail and to the County of Orleans.

Thank you for your continued assistance. Please feel free to contact my office with any questions or concerns.

Sincerely,



Scott D. Wilson  
Jail Superintendent  
Orleans County Jail



New York State  
Commission of Correction  
80 Wolf Road  
Albany, New York 12205  
518-485-2465  
518-485-2467 (Fax)

New	_____
Renewal	_____
Variance #	_____
(SCOC USE ONLY)	

**Thomas A. Beilein**  
Chairman

**Variance Application Form**

**INSTRUCTIONS TO SHERIFF OR CHIEF ADMINISTRATIVE OFFICER:**

Pursuant to New York State Minimum Standards Part 7050, Variances, please complete all portions of this form and mail or fax this form Attn: Chairman/Commissioner to the address or fax number listed above.

Facility: ORLEANS COUNTY JAIL

Person requesting: SUPT. SCOTT WILSON

(Sheriff/Chief Administrative Officer)

- A. State the specific part, section and subdivision of New York State Minimum Standards for which the variance is requested: Example: 7040.3 states that, the total number of inmates confined within each correctional facility shall not exceed the maximum facility capacity of such facility. To request a variance to house additional inmates within the facility the citation should be listed as:

Ex. Part: 7040 Section: 3 Subdivision: n/a

Standard for which the variance is requested:

Part: 7040 Section: 3 Subdivision:

- B. In the space provided below include specific plans fully explaining and supporting the alternative manner of compliance. If you are requesting a modification to an existing variance please include that information in the area below as well. (Include or attach any relevant supporting documentation)

- C. In the space provided below include a detailed description regarding why this variance is necessary. (Include or attach any relevant supporting documentation

(see attached)

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

\_\_\_\_\_ Days      \_\_\_\_\_ Weeks        2   Months

- E. If this variance request is approved, what plans, provisions and timetables are in place for achieving full compliance with the Minimum Standard at issue such as adding to the MFC, etc. (Use additional sheets to provide additional supporting documentation, if necessary).

(see Attached)

Section C. Response

This purpose of requesting this 60 day variance extension is to allow the Orleans County Jail to maintain a formal and objective classification system for our male inmate population and also to maintain and operate a punitive segregation housing unit. Currently the Orleans County Jail requires the use of its existing variance beds on the first floor male housing units due to having an additional weekly population increase of 10 inmates (intermittent sentences). In order to operate the facility in a safe and secure manner we will be required to house out approximately 6 – 10 inmates to other jurisdictions which represents a substantial financial burden to the facility and to the County of Orleans.

Section E. Response

The Orleans County Jail is in the process of implementing changes to our Alternatives to Incarceration programming in an attempt to resolve inmate population issues that require the continued use of a bed space variance.

Section C. Response

This purpose of requesting this 60 day variance extension is to allow the Orleans County Jail to maintain a formal and objective classification system for our male inmate population and also to maintain and operate a punitive segregation housing unit. Currently the Orleans County Jail requires the use of its existing variance beds on the first floor male housing units due to having an additional weekly population increase of 10 inmates (intermittent sentences). In order to operate the facility in a safe and secure manner we will be required to house out approximately 6 – 10 inmates to other jurisdictions which represents a substantial financial burden to the facility and to the County of Orleans.

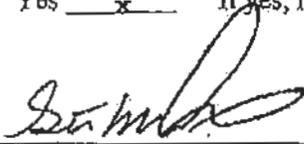
Section E. Response

On January 15<sup>th</sup>, 2014 I will be meeting with the Orleans County Public Defender's Office, District Attorney's Office and the Sheriff of Orleans County to develop a long term solution to address the inmate population issues at the Orleans County Jail. Alternatives to incarceration programs that we will be exploring during this meeting will include the following: electronic monitoring enhanced conditional releases for low level misdemeanor offenders, pre-trial release and community service programs. The long term goal is to develop a viable cost effective program to reduce the inmate population of the Orleans County Jail.



G. Has this variance been previously approved?

Yes  If yes, include the variance number 98-V-19 No



Signature (Sheriff) (Chief Administrative Officer)

Date

1-7-14

Additional copies of this form can be obtained by contacting the Commission, or online at [www.scoc.state.ny.us](http://www.scoc.state.ny.us). Click on table of contents, Commission Forms, Request for a Variance (Formal application statement).

(SCOC Form #V-1)  
(07/06)