



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, General Counsel 
RE: AGENDA FOR COMMISSION MEETING
DATE: January 21, 2015 at 11:00AM

I. MINUTES

SCOC
December 16, 2014

CPCRC
January 8, 2015

MRB
Administrative Closures

II. VARIANCES

A. Greene County Jail
14-V-02
(Section 7028.4 Exercise area and equipment)

**B. NYS Department of Corrections and Community Supervision
Clinton Annex and Wallkill Correctional Facility**
12-V-06
(Section 7621.3 Facility Population Limitation and
Section 7621.8 Multiple Occupancy Housing Units)

III. MFC

C. Delaware County Jail
MFC Reformulation (Double Ceiling)

D. Livingston County Jail
MFC Reformulation

E. Wayne County Jail
MFC Reformulation

IV. CONSTRUCTION

F. Otis Bantum Correctional Center Annex (NYC DOC)
New Multi-Purpose Rooms for the Enhanced Supervision Area

G. Schenectady County Jail
Pre-Screening Shed Construction



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MINUTES

LOCATIONS:

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

NYS Empire State Development Corporation
633 Third Avenue (33rd Floor) Conference Room
New York, New York 10017

DATE OF MEETING: December 16, 2014

Chairman Thomas Beilein called the meeting to order at 11:05am.

PRESENT:

Thomas Beilein, Chairman
Phyllis Harrison-Ross, M.D., Commissioner (**Participated from NYC Office Above**)
Thomas Loughren, Commissioner
Tricia Amati, Assistant to Chairman/Commissioners
Jim Lawrence, Director of Operations
Richard Kinney, Deputy Director of Operations
Brian Callahan, General Counsel
Debbie Slack-Bean, Senior Counsel
Bill Benjamin, South Central, Supervisor
Christopher Ost, Forensic Unit, Supervisor,
Ellen Tryon, Senior Utilization Review Nurse
Steve Savoy, Hudson Lakes, Supervisor
Walt McClure, Deputy Director of Public Information

I. MINUTES

SCOC
November 18, 2014

Approved Unanimous
Loughren/Ross

CPCRC
December 11, 2014

Approved Unanimous
Loughren/Ross

MRB

Administrative Closures

**Approved Unanimous
Ross/Loughren**

December 4, 2014 Meeting

**Approved Unanimous
Ross/Loughren**

II. VARIANCES

A. Nassau County Jail
00-V-04
(Section 7040.3 Facility Population
Limitation)

**Approved Unanimous
One (1) Year
Ross/Loughren**

B. Otsego County Jail
99-V-24
(Section 7040.3 Facility Population
Limitation)

**Approved Unanimous
One (1) Year
Loughren/Ross**

III. MFC

C. Jefferson County Jail
MFC Reformulation

**Approved Unanimous
Loughren/Ross**

IV. CONSTRUCTION

D. Franklin County Jail
Security Cage Control Room Modification

**Approved Unanimous
Loughren/Ross**

Commissioner Harrison-Ross, M.D. made a motion to go into executive session at 11:15am to discuss Construction and MRB items, which was seconded by Commissioner Loughren.

Commissioner Loughren made a motion to exit Executive Session and return to general session at 11:37am, which was seconded by Commissioner Harrison-Ross, M.D.

The meeting resumed at 11:40am. Motion was made by Commissioner Harrison-Ross, M.D. to ratify actions taken in Executive Session regarding MRB and Construction items, seconded by Commissioner Loughren and approved.

Commissioner Loughren made a motion to adjourn at 11:41am, which was seconded by Commissioner Harrison-Ross, M.D.

Respectfully submitted,

Tricia Amati
Assistant to Chairman/Commissioners



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

CITIZENS' POLICY AND COMPLAINT REVIEW COUNCIL

January 8, 2015

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

PRESENT:

Commissioner Thomas J. Loughren

Council Members:

Albany:

Charles Burkes
Doug Landon
Martin Stanton

Williamsville:

Julie Scalione

Also Present:

Rich Kinney
Deborah Slack-Bean
Chris Ost
Sara Loguercio
Ellen Tryon
Michael Walters

Commissioner Loughren opened the meeting at 11:10 a.m.

Commissioner Loughren asked for a motion to approve the minutes of the December 11, 2014 meeting. Charles Burkes made a motion to approve the minutes and Doug Landon seconded. Carried.

Julie Scalione, Tom Cross and Martin Stanton as the grievance sub-committee, reviewed the expedited grievances for the month of January 2015. Motions were made respectively to deny all of the expedited grievances. The motions were seconded by Charles Burkes, Doug Landon and Julie Scalion respectively and unanimously passed.

Doug Landon reviewed the Expedited with Comment grievances for the month of January 2015 and made a motion to deny all of the grievances. The motion was seconded by Martin Stanton and unanimously passed.

The Council reviewed the remaining grievances.

ACCEPT

55212
Oswego CJ Unanimous

ADMINISTRATIVE CLOSURES

DENY

55691
Allegany CJ Unanimous

54913
Chemung CJ Unanimous

56149
55676
Chenango CJ Unanimous

54950
54933
54953
52675
52654
52676
52657
52674
52664
55682
Monroe CJ Unanimous

55683
55684
Nassau CJ Unanimous

55834
55856
55835
55836
55837
55857
55858
55859
Onondaga DOC Unanimous

54336
55862
55863
53057
Ontario CJ Unanimous

56256
54316
53918
Orange CJ Unanimous

55214
55868
Oswego CJ Unanimous

55869
Rensselaer CJ Unanimous

55215	
55238	
55216	
55239	
Rockland CJ	Unanimous
53468	
53981	
Steuben CJ	Unanimous
54322	
54323	
53927	
53984	
54324	
53996	
53933	
54325	
53066	
53041	
53935	
54326	
53937	
53949	
Sullivan CJ	Unanimous
53072	
Tioga CJ	Unanimous
56274	
56295	
56296	
56280	
56297	
45342	
56253	
56294	
54968	
54946	
56277	
56278	
56279	
Warren CJ	Unanimous

56282
54347
Westchester CJ

Unanimous

DENY WITH COMMENT ADMINISTRATIVE CLOSURES

53995
53978
55864
55865
55866
53917
53980
53919
53898
54318
55235
54319
53899
Orange CJ

Unanimous

53926
53932
53934
Sullivan CJ

Unanimous

55839
Warren CJ

Unanimous

The next CPCRC meeting will be held on Thursday, February 12, 2015 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 Martin Stanton, seconded by Doug Landon and carried. The meeting adjourned at 11:37 a.m.

Respectfully submitted,

Sara Loguercio
Secretary 1

Name of Facility: Greene County Jail Variance # 14-V-02

New: X Renewal:

Relief from Standard: 7028.4

Application by: Superintendent Spitz

Date Request Rec: 12/12/2014

Last Approved: 7/15/2014 Length of Approval: 6 Months Expiration: February 1, 2015

Write-up Prepared by: Terrence Moran

Recommendation by Field Staff: Approve for 6 Months

Recommendation at Briefing:

Final Recommendation:

SUMMARY OF VARIANCE REQUEST

The facility is requesting a six month extension for variance 14-V-02 which authorizes the county to use an exercise yard for the purpose of providing prisoners outdoor exercise that does not meet the requirements of 7028.4.

RECOMMENDED CONDITIONS

1. No more than 8 inmates will utilize the outdoor exercise yard at one time.
2. The facility will schedule sufficient exercise periods to ensure that all inmates receive the required exercise pursuant to Part 7028, Exercise.
3. The facility administration shall provide the Commission with updates and minutes of meetings from the Jail Task Force with any future extension requests.

OTHER VARIANCES IN EFFECT – None

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

On January 15, 2015, Commission staff member Terrence Moran attended the monthly Greene County Jail Task Force Meeting.

DATE OF LAST CYCLE VISIT THAT STANDARD VIOLATIONS WERE IDENTIFIED:

ANY OPEN MINIMUM STANDARD VIOLATIONS:

Physical plant limitations

ANY VIOLATIONS WHICH PERTAIN TO THE VARIANCE'S CONDITIONS:

JUSTIFICATION FOR WHY VARIANCE SHOULD OR SHOULD NOT BE EXTENDED:

For several months, the county has held monthly Jail Task Force meetings to discuss available options in constructing a new correctional facility. SCOC staff have attended several of the meetings. Information to note:

1. Three architectural/engineering firms delivered presentations to the Jail Task Force with respect to the planning and construction of a new county jail.
2. It is the county's intent to release a Request For Proposal for a needs assessment study.
3. Members of the task force have toured several county jails to gather information on the planning, transition and construction process.
4. The county has engaged in discussions with the NYS Office of General Services and the Department of Corrections and Community Supervision on the feasibility of constructing the new jail on the grounds of the Coxsackie and Greene Correctional Facilities. According to county officials, such proposal looks promising.

REVIEWED BY REGIONAL SUPERVISOR:

TM DATE: 1/5/15
R 1/5/15

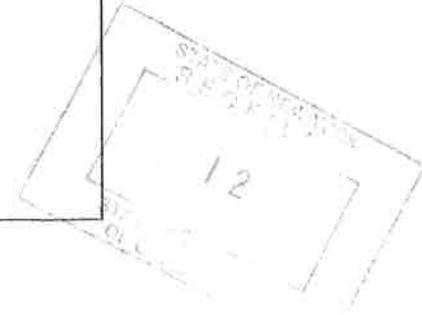
OFFICIAL USE ONLY:

NOTES OF MEETING: _____



New York State
Commission of Correction
AE Smith Building, 12th Floor
80 South Swan Street
Albany, NY 12210
518-485-2465
518-485-2467 (Fax)

New
Renewal
Variance #
(SCOC Use Only)



Thomas A. Beilein
Chairman

Variance Application Form

INSTRUCTIONS TO COMMISSIONER OR SUPERINTENDENT:

Pursuant to New York State Minimum Standards Part 7603, Variances, please complete all portions of this form and mail or fax this form Attn: Chairman to the address or fax number listed above.

Facility: Greene County

Person requesting: Michael J. Spitz, Superintendent
(COMMISSIONER/SUPERINTENDENT)

A. State the specific part, section and subdivision of New York State Minimum Standards for which the variance is requested: Example: 7621.3 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: 7621 Section: 3 Subdivision: N/A

Standard for which the variance is requested:

Part: 7028 Section: 4 Subdivision: B

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)

The variance is necessary to comply with C.O.C. standard 7028.2(b)

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

Days _____ Weeks _____ Months 6

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).

Unknown at this time

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:** November 18, 2014

Last Approved: Jan 2014 **Length of Approval:** 1 Year **Expiration:** February 1, 2015

Write-up Prepared by: Paul D. Annetts CFS II

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	12/17/2014
Wallkill CF	72	12/23/2014

Total Beds Requested: 99

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: 8 toilets/ 4 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

Wallkill CF

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

<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

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

TOTAL DOUBLE BUNKS: 72

RECOMMENDED CONDITIONS IF APPROVED

At the January 20, 2015 meeting this variance will be presented before the Commission. If 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.

SCOC VARIANCE WRITE-UP FORM: EFFECTIVE JANUARY 2010

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 OPEN MINIMUM STANDARD VIOLATIONS:

None

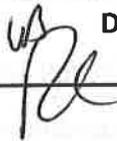
ANY VIOLATIONS WHICH PERTAIN TO THE VARIANCE'S CONDITIONS:

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:

1/5/15
1/9/15

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 pm (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:

2 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.

Miscellaneous

Commission staff observed extremely well-maintained housing units 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.

Recommendation

Commission staff recommends the continuation of this variance based upon need and lack of issues with the double-bunking program at the Annex.

MEMORANDUM

TO: William Benjamin, CFS III
FROM: Paul D. Annetts, CFS II 
RE: 12.30.2014 Site visit to the Wallkill Correctional Facility to review Double Bunking Variance # 12-V-06
DATE: January 5, 2015

On December 30, 2012, Commission staff members Paul D. Annetts and Deborah Slack-Bean 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. G. Niles and Sgt. M. Ochs to discuss the purpose of the visit to the facility. D.S.S. Niles and Sgt. Sgt. Ochs 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 a 7:40 am sick call and the facility medical personal average seeing about 14 inmates a day during sick call.

Medical Staffing Levels

- 1 Doctor
- 1 Nurse Administrator
- 2 Full time R.N.'s
- 3 Part time R.N.'s
- 4 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 7:15 am
- Lunch 11:30 am
- Dinner 4:15 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)
153 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.

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 Superintendent C. Jacobsen and D.S.S. Niles at the end of the tour.

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

Memorandum

From: Chairman Thomas A. Beilein
24, 2014

Date: November

Access Number:

To: Jim Lawrence
Brian Callahan
Richard Kinney

Sender: Anthony J. Annucci

Agency: NYS DOCCS

Date Original Received: 11/18/14

Re: Clinton Annex 95V11; Wallkill CF 98V21

Document Description: Letter

Chairman's Comments:

Routing Information

Regional Supervisor: Benjamin

CC:



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BY:

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

November 18, 2014

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

Dear Chairman Beilein:

The purpose of this letter is to request an additional one-year extension for the 27 variance beds that are located at the Clinton Correctional Facility Annex, and the 72 variance beds that are located at Walkkill 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, 2015.

<u>Facility</u>	<u>Historical Variance #</u>	<u>Total Beds</u>
Clinton Annex	95-V-11	27
Walkkill CF	98-V-21	72
	Total =	99

As you may recall, the Department's two prior submissions were 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 Walkkill 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
November 18, 2014

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 submissions, Wallkill is a medium B security correctional facility. There are four other medium security facilities, somewhat comparable to Wallkill, 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 Wallkill variance beds.

All of the above reasons have not changed and therefore, the Department requests that the 72 variance beds at Wallkill 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 slight reduction. 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.

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

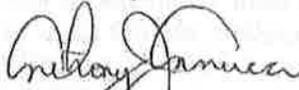
Honorable Thomas Beilein
November 18, 2014

determined that this reduction presents an opportunity to continue to dismantle its double-cells that were originally converted from single cell use.

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
Steven Racette, Superintendent – Clinton C.F.
Catherine Jacobsen, Superintendent – Wallkill C.F.
File

Amendment to Facility MFC

Facility: Delaware County Jail

Date of Site Visit:

January 2015

Name of Person Who Conducted the Last Site Visit to Facility:

Chester Martinez

Date of Last MFC

May 2006

Update on Capital Construction Project:

N/A

Summary of amendment(s) to current MFC

Delaware County Jail officials are seeking approval to increase the jail's MFC by 18 beds. This increase is the result of county officials proposing to permanently double cell in the majority of their existing 104 sq. ft. cells. A double ceiling plan has been received by the Commission and has been deemed acceptable.

Recommendation/Comments:

Recommend approval

Physical Plant Deficiencies:

None

Approve: X

Amended Capacity: 121

No Recommendation:
(Check One)

Submitted by CFS Staff:

 Chester Martinez

Date: January 6, 2015

Reviewed by Regional Supervisor:

 Steve Savoy *SS*

Date: 1/6/15

Reviewed by Facility Planning:

 WB

Date: 1/6/15

Reviewed by Deputy Director:

 DL

Date: 1/8/15

COMMISSION OF CORRECTION

NEW YORK STATE



January 2015

**MAXIMUM FACILITY CAPACITY
for
DELAWARE COUNTY JAIL
in
Delhi, New York**

Thomas A. Beilein

Chairman

Phyllis Harrison-Ross, M.D.

Commissioner

Thomas J. Loughren

Commissioner

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

INDIVIDUAL OCCUPANCY HOUSING UNITS:

1. Each such unit shall only house 1 inmate and contain at least 60 square feet of floor space.
2. Each such unit shall contain:
1 bed and mattress;
1 functioning toilet; and
1 functioning sink.
3. At least 1 functioning shower shall be available for each tier/section of such units.

EXCEPTIONS:

1. A unit may contain less than 60 square feet of floor space if such unit was originally constructed for single occupancy or rated for single occupancy by the Commission of Correction prior to the effective date Part 7040, September 13, 1989.
2. Each such unit used to house inmates apart from general population for the purpose of medical observation or treatment shall have a minimum of 80 square feet of floor space.
3. Required equipment (bed, mattress, toilet, sink) may be modified or excluded for units used for short term medical/mental health observation of inmates when the presence of such equipment may pose a threat to such inmates or to the safety or security of the facility.

MULTIPLE OCCUPANCY HOUSING UNITS:

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

II. A. MULTIPLE OCCUPANCY HOUSING UNITS USED FOR GENERAL HOUSING

Name of Housing Area/Section	Number of Toilets	Number of Sinks	# of Showers Available per Section	Total Size of Unit (Sq. Ft. of Floor Space)	Maximum Inmate Capacity
C Pod - Cell # 29	1	1	1	150 Sq. Ft.	2
A Pod - Cell #'s 1 - 6	1	1	1	140 Sq. Ft.	12
B Pod - Cell #'s 7 - 12	1	1	1	140 Sq. Ft.	12
C Pod - Cell #'s 13 & 14	1	1	1	140 Sq. Ft.	4
D Pod - Cell #'s 1,2,7,8	1	1	1	140 Sq. Ft.	8

GENERAL HOUSING MULTIPLE OCCUPANCY UNIT TOTAL: 38

I. B. INDIVIDUAL OCCUPANCY HOUSING UNITS USED FOR SPECIAL HOUSING

Name of Housing Area/Section	Purpose/ Type of Special Housing	Number of Individual housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	# of Showers Available per Section	Maximum Inmate Capacity
Booking - Cell # 104	Special housing	1	65 Sq. Ft.	1	1

SPECIAL HOUSING INDIVIDUAL OCCUPANCY UNIT TOTAL: 1

II. B. MULTIPLE OCCUPANCY HOUSING UNITS USED FOR SPECIAL HOUSING

Name of Housing Area/Section	Number of Toilets	Number of sinks	Number of Showers Available per Section	Total Size of Unit (Sq. Ft. of Floor Space)	Maximum Inmate Capacity
N/A					

SPECIAL HOUSING MULTIPLE OCCUPANCY UNIT TOTAL: 0

III. A. NON-STANDARD HOUSING

Name of Housing Area/Section	Number of Toilets	Number of Sinks	Total Size of Unit (Sq. Ft. of Floor Space)	Description of use (Limit as to use, time frame, etc.)
HOLDING AREAS				
B 112	1	1	385 Sq. Ft.	The facility shall limit individual occupancy holding to 12 hours. Multiple occupancy holding shall be limited to four (4) hours. When utilized for holding, the facility may hold up to twenty five (25) inmates in this holding cell.
B 105	1	1	47 Sq. Ft.	The facility shall limit individual occupancy holding to 12 hours. Multiple occupancy holding shall be limited to four (4) hours. When utilized for holding, the facility may hold up to twenty three (3) inmates in this holding cell.

This housing may be used only for the type of housing, or for the durations shown, as listed in the right hand column. Any other use is prohibited. This housing is non-standard and will not be added to the MFC.

MAXIMUM FACILITY CAPACITY
DELAWARE COUNTY JAIL

Date: January 21, 2015

HOUSING TYPE	TOTALS
Subtotal Individual Housing Units Used for General Housing:	82
Subtotal Individual Housing Units Used for Special Housing:	1
Subtotal Multiple Housing Units Used for General Housing:	38
Subtotal Multiple Housing Units Used for Special Housing:	0
MAXIMUM FACILITY CAPACITY:	121

Other identified housing areas not on Max. Facility Capacity Yes (X) No ()

The above-noted capacity is based upon the following:

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

Adjustments have not been made based on the facility's ability to provide required programs and services and to comply with other rules and regulations of 9 NYCRR Chapter IV which are related to facility capacity.

Adjustments have been made based on the facility's ability to provide required programs and services and to comply with other rules and regulations of 9 NYCRR Chapter IV which are related to facility capacity. (Explain below.)

COMMENTS:

MFC increased by adding 18. The reformulation is based on the facility's request to double cell without variance in their 104 sq. ft. cells.

To the best of my knowledge all information contained in this formulation is correct.

Submitted by:

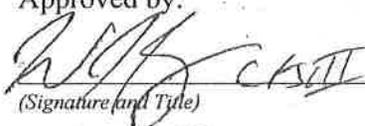


(Preparer's Signature and Title)

1/6/15

(Date)

Approved by:



(Signature and Title)

1/6/15

(Date)

II. A. MULTIPLE OCCUPANCY HOUSING UNITS USED FOR GENERAL HOUSING

Name of Housing Area/Section	Number of Toilets	Number of Sinks	# of Showers Available per Section	Total Size of Unit (Sq. Ft. of Floor Space)	Maximum Inmate Capacity
C Pod - Cell # 29	1	1	1	150 Sq. Ft.	2
A Pod - Cell #'s 1 - 6	1	1	1	104 Sq. Ft.	12
B Pod - Cell #'s 7 - 12	1	1	1	104 Sq. Ft.	12
C Pod - Cell #'s 13 & 14	1	1	1	104 Sq. Ft.	4
D Pod - Cell #'s 1,2,7,8	1	1	1	104 Sq. Ft.	8

GENERAL HOUSING MULTIPLE OCCUPANCY UNIT TOTAL: 38

I. B. INDIVIDUAL OCCUPANCY HOUSING UNITS USED FOR SPECIAL HOUSING

Name of Housing Area/Section	Purpose/ Type of Special Housing	Number of Individual housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	# of Showers Available per Section	Maximum Inmate Capacity
Booking – Cell # 104	Special housing	1	65 Sq. Ft.	1	1

SPECIAL HOUSING INDIVIDUAL OCCUPANCY UNIT TOTAL: 1

**Contact Information for
BSC Human Resources Services**

BSC Human Resources Services	Contact Information
<p>Benefits Administration</p> <ul style="list-style-type: none"> • Benefits • Health Insurance and Other Benefits • Orientation Packet Processing • I-9 Form Processing • Leaves of Absence (e.g. FMLA, Medical, Military, Maternity) • Productivity Enhancement Program, Option Transfer, Other Special Programs • Workers' Compensation 	<p>Mail: BSC Benefits Administration 50 Wolf Road, 3rd Floor, Albany, NY 12232</p> <p>Call: (518) 457-4272 Option #2, then Option #3</p> <p>E-mail: BSCBenefitsAdmin@ogs.ny.gov</p> <p>Fax: (518) 457-1879</p>
<p>Payroll Administration</p> <ul style="list-style-type: none"> • Copies of W-2 and/or Paycheck Stubs • Deductions, Direct Deposit, Paycheck Earnings • Employee ID # • Employment Verification Letters • Lump Sum Payments • Performance Advances • Overtime Payments, Holiday Payments, Additional Pay Factors, Retirement Deductions, Loans, Arrears, Salaries/Paychecks • Tax Withholding • Taxable Use of State Vehicle Forms • Unemployment Forms/No-Fault Forms 	<p>Mail: BSC Payroll Administration 50 Wolf Road, 3rd Floor, Albany, NY 12232</p> <p>Call: (518) 457-4272 Option #2, then Option #1</p> <p>E-mail: BSCPayrollAdmin@ogs.ny.gov</p> <p>Fax: (518) 457-1879</p>
<p>Personnel Administration</p> <ul style="list-style-type: none"> • Change of Address/Name 	<p>Mail: BSC Personnel Administration 50 Wolf Road, 3rd Floor, Albany, NY 12232</p> <p>Call: (518) 457-4272 Option #2, then Option #4</p> <p>E-mail: BSCPersonnelAdmin@ogs.ny.gov</p> <p>Fax: (518) 457-1879</p>
<p>Time and Attendance Administration</p> <ul style="list-style-type: none"> • Leave Accruals (balances) • Comp Over 40 Program • Holiday Waivers • LATS (Electronic Time Card System) 	<p>Mail: BSC Time and Attendance Administration 50 Wolf Road, 3rd Floor, Albany, NY 12232</p> <p>Call: (518) 457-4272 Option #2, then Option #2</p> <p>E-mail: BSCTimeAdmin@ogs.ny.gov</p> <p>Fax: (518) 457-1879</p>

Amendment to Facility MFC

Facility: Livingston County Jail

Date(s) of Site Visit:

November 21, 2014

October 6-10, 2014

August 6, 2014

Name of Person (s) Who Conducted the Last Site Visit to Facility:

November 21, 2014 – Deborah Clark, Deane McGeary

October 6-10, 2014 – Deborah Clark

August 6, 2014 – Terry Moran, Deborah Clark

Date of Last MFC report:

July 18, 2011

Update on Capital Construction Project:

N/A

Summary of amendment(s) to current MFC:

MFC re-formulation based upon Sheriffs request to increase MFC in D, E, F Blocks. These blocks have oversized day space areas. Recalculations of the day space areas found that D block could house an additionally 2 inmates in the day space area and E and F Blocks could house an additional 3 inmates in each day space area. For an increase of 8, please note that each housing area has a shower, sink and toilet in the day space area.

Amended Capacity:

194

Recommendation:

Approval: X

Denial:

(Check One)

Comments:

Reviewed by Regional Supervisor: TM

Date: 12/10/14

Reviewed by Facility Planning: WAS

Date: 12/10/14

Reviewed by Deputy Director:

Date: 1/8/16

**NEW YORK STATE
COMMISSION OF CORRECTION**



JANUARY 2015

MAXIMUM FACILITY CAPACITY

**for
Livingston County Jail
in
Geneseo, New York**

Thomas A. Beilein

Chairman

Phyllis Harrison-Ross, M.D.

Commissioner

Thomas J. Loughren

Commissioner

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

INDIVIDUAL OCCUPANCY HOUSING UNITS:

1. Each such unit shall only house 1 inmate and contain at least 60 square feet of floor space.
2. Each such unit shall contain:
1 bed and mattress;
1 functioning toilet; and
1 functioning sink.
3. At least 1 functioning shower shall be available for each tier/section of such units.

EXCEPTIONS:

1. A unit may contain less than 60 square feet of floor space if such unit was originally constructed for single occupancy or rated for single occupancy by the Commission of Correction prior to the effective date Part 7040, September 13, 1989.
2. Each such unit used to house inmates apart from general population for the purpose of medical observation or treatment shall have a minimum of 80 square feet of floor space.
3. Required equipment (bed, mattress, toilet, sink) may be modified or excluded for units used for short term medical/mental health observation of inmates when the presence of such equipment may pose a threat to such inmates or to the safety or security of the facility.

MULTIPLE OCCUPANCY HOUSING UNITS:

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

I. A. INDIVIDUAL OCCUPANCY HOUSING UNITS USED FOR GENERAL HOUSING

Name of Housing Area/Section	Number of Individual Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	# of Shower Available per Section	Proposed Inmate Capacity
A POD				
Sub 1 (cells 1-2)	2	70 sq. ft.	4 showers	2
Sub 2 (cells 5-6)	2	70 sq. ft.		2
Sub 3 (cells 19-20)	2	70 sq. ft.		2
Sub 4 (cells 23-24)	2	70 sq. ft.		2
Cells 3, 4, 7, 8, 11, 12, 17, 18, 21, 22, 25, 26, 27, 28, 29, 30, 31, 32 35, 36, 41, 42, 43, 44, 45, 46, 47, 48	26	70 sq. ft.		28
Cells	12	104 sq. ft.		24
9, 10, 13, 14, 15, 16, 33, 34, 37-40				
Sub-total: 60				
B POD				
Sub 1 (cells 1-2)	2	70 sq. ft.	4 showers	2
Sub 2 (cells 5-6)	2	70 sq. ft.		2
Sub 3 (cells 19-20)	2	70 sq. ft.		2
Sub 4 (cells 23-24)	2	70 sq. ft.		2
Cells 3, 4, 7, 8, 11, 12, 17, 18, 21, 22, 25, 26, 27, 28, 29, 30, 31, 32 35, 36, 41, 42, 43, 44, 45, 46, 47, 48	26	70 sq. ft.		28
Cells	12	104 sq. ft.		24
9, 10, 13, 14, 15, 16, 33, 34, 37-40				
Sub-total: 60				

Continued on Next Page

I. A. INDIVIDUAL OCCUPANCY HOUSING UNITS USED FOR GENERAL HOUSING, Cont

Name of Housing Area/Section	Number of Individual Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	# of Shower Available per Section	Proposed Inmate Capacity
D-Block Old Section	5	70 sq. ft.	1	5
E-Block Old Section	5	70 sq. ft.	1	5
F-Block Old Section	5	70 sq. ft.	1	5
G-Block Old Section	2	70 sq. ft.	1	2
H-Block Old Section	2	70 sq. ft.	1	2

Individual Housing Unit Total: 139

I. B. INDIVIDUAL OCCUPANCY HOUSING UNITS USED FOR SPECIAL HOUSING

Name of Housing Area/Section	Purpose/ Type of Special Housing	Number of Individual Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	# of Showers Available per Section	Maximum Inmate Capacity

Individual Special Housing Unit Total: N/A

II. A. MULTIPLE OCCUPANCY HOUSING UNITS USED FOR GENERAL HOUSING

Name of Housing Area/Section	Number of Toilets	Number of Sinks	# of Showers Available per Section	Total Size of Unit (Sq. Ft. of Floor Space)	Maximum Inmate Capacity
C Dorm	3 toilets 1 urinal	4	3	3,226 sq. ft.	
Bay 1 (bunks 1-8)					
Bay 2 (bunks 9-16)					
Bay 3 (bunks 17-24)					
Bay 4 (bunks 25-32)					
Dorm I – Trusties	1	1	1	364 sq. ft.	5
Dorm J – Trusties	1	1	1	364 sq. ft.	5
Dorm K – Trusties	1	1	1	364 sq. ft.	5
D Block - Dayspace	1	1	1	320 sq. ft.	2
E Block - Dayspace	1	1	1	361 sq. ft.	3
F Block - Dayspace	1	1	1	361 sq. ft.	3

Multiple General Housing Unit Total: 55

II. B. MULTIPLE OCCUPANCY HOUSING UNITS USED FOR SPECIAL HOUSING

Name of Housing Area/Section	Number of Toilets	Number of Sinks	Number of Showers Available per Section	Total Size of Unit (Sq. Ft. of Floor Space)	Maximum Inmate Capacity

Multiple Special Housing Unit Total: N/A

III. A. NON-STANDARD HOUSING

Name of Housing Area/Section	Number of Toilets	Number of Sinks	Total Size of Unit (Sq. Ft. of Floor Space)	Description of use (limit as to use, time frame, etc.)
Intake				These cells may be used for short-term individual and multiple occupancy holding of inmates during the intake process, provided supervision is maintained pursuant to Part 7003 of 9NYCRR.
Holding #1	1	1	50 sq. ft.	
Holding #2	1	1	65 sq. ft.	The facility shall limit individual occupancy holding to 12 hours. Multiple occupancy shall be limited to four (4) hours.
Holding #3	1	1	50 sq. ft.	
Holding #4	1	1	50 sq. ft.	When utilized for holding multiple inmates, the facility may hold up to:
Holding #5	1	1	50 sq. ft.	Holding #1: 3 inmates
Holding #6	1	1	50 sq. ft.	Holding #2: 4 inmates
				Holding #3: 3 inmates
				Holding #4: 3 inmates
				Holding #5: 3 inmates
				Holding #6: 3 inmates
Old Section				
Observation #1	1	1	80 sq. ft.	Observation #1: 0
Observation #	1	1	48 sq. ft.	Observation #2: 0

This housing may be used only for the durations shown, as listed in the right hand column. Any other use is prohibited. This housing is non-standard and will not be added to the MFC.

HOUSING TYPE	TOTALS
Subtotal Individual Housing Units Used for General Housing:	139
Subtotal Individual Housing Units Used for Special Housing:	N/A
Subtotal Multiple Housing Units Used for General Housing:	55
Subtotal Multiple Housing Units Used for Special Housing:	N/A
MAXIMUM FACILITY CAPACITY:	194

The above-noted capacity is based upon the following:

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

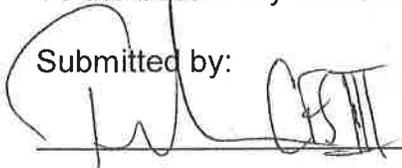
X Adjustments have not been made based on the facility's ability to provide required program and services and to comply with other rules and regulations of 9 NYCRR Chapter IV which are related to facility capacity.

_____ Adjustments have been made based on the facility's ability to provide required programs and services and to comply with other rules and regulations of 9 NYCRR Chapter IV which are related to facility capacity. (Explain below.)

COMMENTS:

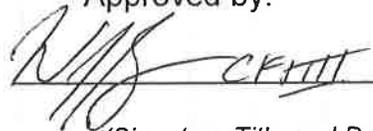
To the best of my knowledge all information contained in this formulation is correct.

Submitted by:

 CF III 12/10/14

(Preparer's Signature and Title, and Date)

Approved by:

 CF III Dec 10, 2014

(Signature Title and Date)

Amendment to Facility MFC

Facility: Wayne County Jail

Date of Site Visit:

December 10-12, 2014

Name of Person Who Conducted the Last Site Visit to Facility:

Donald Lincourt

Date of Last MFC report

November 16, 2010

Update on Capital Construction Project:

N/A

Summary of amendment(s) to current MFC

Modification needed to current MFC document to allow for denotation of existing physical plant separations in facility housing areas A-Pod, Upper K and Lower K to allow for continued compliance with Part 7013 Classification.

Under Individual Occupancy Housing Units:

Change Upper K Block- 16 individual units to:

Upper K Block North- 8 individual units.

Upper K Block South- 8 individual units.

Change Lower K Block - 8 individual units to:

Lower K Block North- 4 individual units.

Lower K Block South- 4 individual units.

Under Individual Occupancy Housing Units Used for Special Housing:

Change Housing Pod A- 16 individual units to:

Housing Pod A-1, 2 individual units; Cells 1-2.

Housing Pod A-2, 2 individual units; Cells 3-4.

Housing Pod A-3, 4 individual units; Cells 5-8.

Housing Pod A-4, 2 individual units; Cells 9-10.

Housing Pod A-5, 2 individual units; Cells 11-12.

Housing Pod A-6, 4 individual units. Cells 13-16.

Recommendation/Comments:

Recommend approval

Physical Plant Deficiencies:

None

Approve: X

Amended Capacity: N/A

No Recommendation: _____
(Check One)

Submitted by CFS Staff: Donald Lincourt Date: December 15, 2014

Reviewed by Regional Supervisor: Steve Savoy Date: 1/6/15

Reviewed by Facility Planning: WD Date: 2/6/15

Reviewed by Deputy Director: _____ DL Date: 1/9/15



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

January 22, 2015

Sheriff Barry Virts
Wayne County Jail
7376 Route 31- Suite 1000
Lyons, NY 14489

Re: **Maximum Facility Capacity**

Dear Sheriff Virts:

Please find enclosed an updated copy of the Maximum Facility Capacity (MFC) for the Wayne County Jail which was formulated pursuant to 9 NYCRR 7040, *Maximum Facility Capacity*.

The general confinement capacity is **190** beds at standard, which does not include any variances the facility may currently have pursuant to Part 7040. The MFC was updated to delineate the existing separate classification housing available in A-Pod 1 through 6; Upper K-Block North 1 through 3, Upper K Block South 1 and 2; Lower K-Block North and South.

Please acknowledge receipt of this report to the Commission and submit any comments you have by **March 15, 2015**. Once Comments are received (or if none are received by March 15, 2015) this report will be deemed finalized and subject to FOIL. If you have any comments or questions, please feel free to contact me.

Sincerely,

Thomas A. Beilein
Chairman

Cc: Maj. Les Carr

**NEW YORK STATE
COMMISSION OF CORRECTION**



JANUARY 22, 2015

**MAXIMUM FACILITY CAPACITY
for
WAYNE COUNTY JAIL
in
Lyons, New York**

Thomas A. Beilein

Chairman

Phyllis Harrison-Ross, M.D.

Commissioner

Thomas J. Loughren

Commissioner

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

INDIVIDUAL OCCUPANCY HOUSING UNITS:

1. Each such unit shall only house 1 inmate and contain at least 60 square feet of floor space.
2. Each such unit shall contain:
1 bed and mattress;
1 functioning toilet; and
1 functioning sink.
3. At least 1 functioning shower shall be available for each tier/section of such units.

EXCEPTIONS:

1. A unit may contain less than 60 square feet of floor space if such unit was originally constructed for single occupancy or rated for single occupancy by the Commission of Correction prior to the effective date Part 7040, September 13, 1989.
2. Each such unit used to house inmates apart from general population for the purpose of medical observation or treatment shall have a minimum of 80 square feet of floor space.
3. Required equipment (bed, mattress, toilet, sink) may be modified or excluded for units used for short term medical/mental health observation of inmates when the presence of such equipment may pose a threat to such inmates or to the safety or security of the facility.

MULTIPLE OCCUPANCY HOUSING UNITS:

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

I. A. INDIVIDUAL OCCUPANCY HOUSING UNITS USED FOR GENERAL HOUSING

Name of Housing Area/Section	Number of Individual Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	# of Shower Available per Section	Proposed Inmate Capacity
Housing Pod B	18	77 square feet each cell	2	18
Housing Pod C	18	77 square feet each cell	2	18
Housing Pod D	18	77 square feet each cell	2	18
Housing Pod E	18	77 square feet each cell	2	18
Housing Pod F	18	77 square feet each cell	2	18
Upper K North 1	4	48 square feet each cell	1*	4
Upper K North 2	3	48 square feet each cell	1*	3
Upper K North 3	1	48 square feet each cell	1*	1
Upper K South 1	7	48 square feet each cell	1*	7
Upper K South 2	1	48 square feet each cell	1*	1
Lower K North	4	48 square feet each cell	1	4
Lower K South	4	48 square feet each cell	1	4

NOTE: To allow the facility Management housing flexibility, subdivisions listed above may be used for Special housing based on the needs of the facility.

***One shower shared for Upper K North and One shower shared for Upper K South.**

GENERAL HOUSING INDIVIDUAL OCCUPANCY UNIT TOTAL: 114

I. B. INDIVIDUAL OCCUPANCY HOUSING UNITS USED FOR SPECIAL HOUSING

Name of Housing Area/Section	Purpose/ Type of Special Housing	Number of Individual Housing Units	Total Size of Unit (Sq. Ft. of Floor Space)	# of Showers Available per Section	Maximum Inmate Capacity
Medical Unit	Medical	3	1@ 77 sq. ft. and 2@ 72 sq. ft.	1	3
Housing Unit Pod A	Classification/Discipline	See Below	-	-	-
Sub-Dayroom A 1 Cells 1 -2	Classification/Discipline	2	77 square feet each cell	6*	2
Sub-Dayroom A 2 Cells 3-4	Classification/Discipline	2	77 square feet each cell	6*	2
Sub-Dayroom A 3 Cells 5-8	Classification/Discipline	4	77 square feet each cell	6*	4
Sub-Dayroom A 4 Cells 9-10	Classification/Discipline	2	77 square feet each cell	6*	2
Sub-Dayroom A 5 Cells 11-12	Classification/Discipline	2	77 square feet each cell	6*	2
Sub- Dayroom A 6 Cells 13-16	Classification/Discipline	4	77 square feet each cell	6*	4

* 6 total showers available in Housing Pod A.

SPECIAL HOUSING INDIVIDUAL OCCUPANCY UNIT TOTAL: 19

II. A. MULTIPLE OCCUPANCY HOUSING UNITS USED FOR GENERAL HOUSING

Name of Housing Area/Section	Number of Toilets	Number of Sinks	# of Showers Available per Section	Total Size of Unit (Sq. Ft. of Floor Space)	Maximum Inmate Capacity
Lower K Dorm	2	2	1	840 sq. ft.	11
Upper K Dorm	2	2	1	600 sq. ft.	8
Annex North Dorm	3	3	3	2340 sq. ft.	19
Annex South Dorm	3	3	3	2400 sq. ft.	19

GENERAL HOUSING MULTIPLE OCCUPANCY UNIT TOTAL: 57

II. B. MULTIPLE OCCUPANCY HOUSING UNITS USED FOR SPECIAL HOUSING

Name of Housing Area/Section	Number of Toilets	Number of Sinks	Number of Showers Available per Section	Total Size of Unit (Sq. Ft. of Floor Space)	Maximum Inmate Capacity
N/A					

SPECIAL HOUSING MULTIPLE OCCUPANCY UNIT TOTAL: 0

III. A. NON-STANDARD HOUSING

Name of Housing Area/Section	Number of Toilets	Number of Sinks	Number of Showers	Total Size of Unit (Sq. Ft. of Floor Space)	Capacity	Description of use (Limit as to use, time frame, etc.)
Booking						These cells may be used for short term individual and multiple occupancy holding of inmates provided supervision is maintained pursuant to Part 7003 of 9NYCRR. Individual occupancy holding shall be limited to twelve (12) hours. Multiple occupancy holding shall be limited to four (4) hours.
Booking Cell 1	1	1	-0-	220 sq. ft.	14	14 inmates for four (4) hours
Booking Cell 2	1	1	-0-	83 sq. ft.	5	5 inmates for four (4) hours.
Booking Cell 3	1	1	-0-	83 sq. ft.	5	5 inmates for four (4) hours

This housing may be used only for the type of housing, or for the durations shown, as listed in the right hand column. Any other use is prohibited. This housing is non-standard and will not be added to the MFC.

HOUSING TYPE	TOTALS
Subtotal Individual Housing Units Used for General Housing:	114
Subtotal Individual Housing Units Used for Special Housing:	19
Subtotal Multiple Housing Units Used for General Housing:	57
Subtotal Multiple Housing Units Used for Special Housing:	0
MAXIMUM FACILITY CAPACITY:	190

Other identified housing areas not on Max. Facility Capacity Yes () No (X)

The above-noted capacity is based upon the following:

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

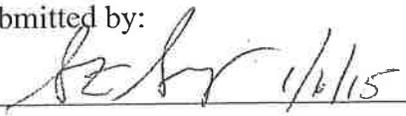
X Adjustments have not been made based on the facility's ability to provide required programs and services and to comply with other rules and regulations of 9 NYCRR Chapter IV which are related to facility capacity.

_____ Adjustments have been made based on the facility's ability to provide required programs and services and to comply with other rules and regulations of 9 NYCRR Chapter IV which are related to facility capacity. (Explain below.)

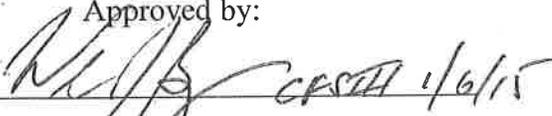
COMMENTS:

MFC updated January 2015 to delineate existing classification separations in existing facility housing areas only.

To the best of my knowledge all information contained in this formulation is correct.

Submitted by:


(Preparer's Signature and Title, and Date)

Approved by:


(Signature Title and Date)