



**Commission of
Correction**

THOMAS A. BEILEIN
Chairman

PHYLLIS HARRISON-ROSS, M.D.
Commissioner

THOMAS J. LOUGHREN
Commissioner

M E M O R A N D U M

TO: COMMISSION MEMBERS
FROM: Brian Callahan, General Counsel *BC*
RE: AGENDA FOR COMMISSION MEETING
DATE: August 25, 2015 at 11:00AM

I. MINUTES

SCOC

July 21, 2015

CPCRC

August 13, 2015

MRB

Administrative Closures

II. VARIANCES

A. Erie County Penitentiary

13-V-04

(Section 7040.3 Facility Population Limitation)

B. Onondaga Justice Center

13-V-03

(Section 7040.3 Facility Population Limitation)

III. CONSTRUCTION

C. New York City Department of Correction

George Motchan Detention Center

New School Annex Renovation

D. Orange County Court Detention

Construction Project

- E. Rockland County Jail**
Cell Window Modification Project
- F. Warren County Interim Court**
Construction Project
- G. Dutchess County Jail**
Request for Approval of Site Selection
for New County Jail Expansion



Commission of Correction

THOMAS A. BEILEIN
Chairman

PHYLLIS HARRISON-ROSS, M.D.
Commissioner

THOMAS J. LOUGHREN
Commissioner

MINUTES

LOCATIONS:

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

STATE COMMISSION OF CORRECTION
Adam Clayton Powell State Office Building
163 W 125th Street
(5th Floor) Suite 506
New York, New York 10027

DATE OF MEETING: July 21, 2015

Chairman Beilein called the meeting to order at 11:03am.

PRESENT:

Thomas Beilein, Chairman
Thomas Loughren, Commissioner
Phyllis Harrison-Ross, M.D., Commissioner (**Participated from NYC Office Above**)
Tricia Amati, Assistant to Chairman/Commissioners
Christine Mozzone, Office Assistant 2
Richard Kinney, Deputy Director of Operations
Brian Callahan, General Counsel
Debbie Slack-Bean, Senior Counsel
Bill Benjamin, South Central, Supervisor
Terry Moran, Capital West, Supervisor
Steve Savoy, Hudson Lakes, Supervisor
Katie Hohman, Program Specialist NYSAC

DATE: July 21, 2015 at 11:00AM

I. MINUTES

SCOC
June 16, 2015

Approved Unanimous
Ross/Loughren

CPCRC
July 9, 2015

Approved Unanimous
Loughren/Ross

MRB
Administrative Closures

Approved Unanimous
Ross/Loughren

II. VARIANCES

- A. Erie County Sheriff's Office** **Approved Unanimous**
(New) 15-V-02 **Six (6) Months**
(Section 7040.3 Facility Population Limitation) **Ross/Loughren**
- B. Dutchess County Jail** **Approved Unanimous**
15-V-01 **(120) Days**
(Section 7040.3 Facility Population Limitation) **Ross/Loughren**
- C. Greene County Sheriff's Office** **Approved Unanimous**
14-V-02 **Six (6) Months**
(Section 7028.4 Exercise Areas and **Loughren/Ross**
Equipment)
- D. Madison County Jail** **Approved Unanimous**
14-V-04 **Six (6) Months**
(Section 7040.3 Facility Population **Ross/Loughren**
Limitation)

III. MFC

- E. Ontario County Jail** **Approved Unanimous**
Reformulation **Loughren/Ross**

IV. CONSTRUCTION

- F. Erie County Holding Center** **Approved Unanimous**
and Erie County Correctional Facility **Ross/Loughren**
Security and Video Upgrade and Other Various Renovation Projects
- G. NYS Department of Correctional Services** **Approved Unanimous**
& Community Supervision **Ross/Loughren**
Groveland Correctional Facility
Window Replacement Project, Buildings 143, 144, and 145

Commissioner Harrison-Ross, M.D. made a motion to go into executive session at 11:17am to discuss Construction and MRB items, which was seconded by Commissioner Loughren.

Commissioner Harrison-Ross, M.D. made a motion to exit Executive Session and return to general session at 11:35am, which was seconded by Commissioner Loughren.

The meeting resumed at 11:35am. Motion was made by Commissioner Loughren to ratify actions taken in Executive Session regarding MRB and Construction items, seconded by Commissioner Harrison-Ross, M.D. and approved.

Commissioner Harrison-Ross, M.D. made a motion to adjourn at 11:36am which was seconded by Commissioner Loughren.

Respectfully submitted,

Tricia Amati
Assistant to Chairman/Commissioners



Commission of Correction

THOMAS A. BEILEIN
Chairman

PHYLLIS HARRISON-ROSS, M.D.
Commissioner

THOMAS J. LOUGHREN
Commissioner

MINUTES

LOCATIONS:

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Christine Mozzone, Office Assistant 2
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Respectfully submitted,

Tricia Amati
Assistant to Chairman/Commissioners



Commission of Correction

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Chairman

PHYLLIS HARRISON-ROSS, M.D.
Commissioner

THOMAS J. LOUGHREN
Commissioner

CITIZENS' POLICY AND COMPLAINT REVIEW COUNCIL

August 13, 2015

NYS Commission of Correction
at
Alfred E. Smith Office Building
80 South Swan Street, 12th Floor
Albany, NY 12210
and
Adam Clayton Powell State Office Building
163 W 125th Street, 5th Floor, Suite 506
New York, NY 10027
and
Williamsville, NY 14221

PRESENT:

Commissioner Thomas J. Loughren

Council Members:

Albany:

Tom Cross
Doug Landon
Charles Burkes
Nick LaBella, Jr.
Don Nadler

Williamsville

Julie Scalione

NYC Office

Hernan Carvente

Also Present:

Deborah Slack-Bean
Terry Moran
Chris Ost
Tricia Amati
Christine Mozzone
Deane McGeary
Steve Savoy

Commissioner Loughren opened the meeting at 10:34 a.m.

Commissioner Loughren asked for a motion to approve the minutes of the July 9, 2015 meeting. Doug Landon made a motion to approve the minutes and Tom Cross seconded. Carried.

Doug Landon reviewed 29 Expedited with Comment grievances for the month of August 2015 and made a motion to deny all. Seconded by Don Nadler and unanimously passed.

Don Nadler, Charles Burkes, Julie Scalione, Hernan Carvente, and Nick Labela Jr., as the grievance sub-committee, reviewed the Sharepoint expedited grievances. Don reviewed Allegany – Delaware #62099 (48), Charles reviewed Delaware #61485 - Montgomery (47), Julie reviewed Nassau – Rensselaer (47), Hernan reviewed Rockland – Warren #61217 (47) and Nick reviewed Warren # 61218 – Yates (44). Motions were made respectively to deny all of the expedited grievances. The motions were seconded by Doug Landon, Tom Cross, Tom Cross, Charles Burkes, and Don Nadler, respectively and unanimously passed.

The Council reviewed the remaining grievances.

ACCEPT IN PART

61153 Franklin CJ	Unanimous
61972 61981 61983 61491 61494 62373 Madison CJ	Unanimous
61976 Monroe CJ	Unanimous
59985 Ontario CJ	Unanimous
61402 61403 Putnam CJ	Unanimous
61558 Warren CJ	Unanimous
61461 61443 61446 61464 62027 Westchester DOC	Unanimous

ACCEPTED

61966
Delaware CJ

Unanimous

62012
Oswego CJ

Unanimous

62015
St. Lawrence CJ

Unanimous

DENY

62513
Delaware CJ

Unanimous

59501
Sullivan CJ

Unanimous

DENY WITH COMMENT

61492
Madison CJ

Unanimous

61574
61468
Westchester DOC

Unanimous

ADMINISTRATIVE CLOSURES

DENY

61139
61474
Allegany CJ

Unanimous

62506
62507
62508
Cattaraugus CJ

Unanimous

60487
62036
62032
60402
56519
60423
60488
60501
60503
60417

57557
60403
60502
60400
60401
57556
60420
Cayuga CJ Unanimous

61476
61477
61478
61480
Chemung CJ Unanimous

62080
62364
Chenango CJ Unanimous

58484
58477
60442
Clinton CJ Unanimous

61149
61164
61165
61166
61150
61151
61152
61500
61501
61965
62081
62082
61168
61169
61952
61502
62099
61485
62100
61486
61487
62365
62524
Delaware CJ Unanimous

48190
Erie Pen. Unanimous

62188
62177
62178
Essex CJ

Unanimous

58499
61505
61489
Franklin CJ

Unanimous

61219
61506
Fulton CJ

Unanimous

62189
62370
62371
Lewis CJ

Unanimous

61968
61969
61957
61970
61974
62102
61980
62083
62084
61508
61493
62372
Madison CJ

Unanimous

59061
62191
61510
61522
61523
61524
61525
61526
62192
61521
61385
59062
59077
59078
61387
61364
Monroe CJ

Unanimous

56499
Montgomery CJ

7 yea/1 abstention

62241
58160
58135
58144
61977
58136
61389
61528
58140
58142
61529
58139
58134

Nassau CF

Unanimous

60002
59103
59121
Niagara CJ

Unanimous

60486
Oneida CJ

Unanimous

60496
60414
Onondaga JC

Unanimous

62000
62001
62375
Onondaga DOC

Unanimous

61496
61531
61532
61533
61534
61536
62006
61988
62098
Ontario CJ

Unanimous

61498
Orange CJ

Unanimous

62386 61539 Oswego CJ	Unanimous
62387 Otsego CJ	Unanimous
59988 61398 61419 61420 61404 61405 61406 61408 61563 Putnam CJ	Unanimous
61421 61565 61422 Rensselaer CJ	Unanimous
46504 Rockland CJ	Unanimous
62183 Schenectady CJ	Unanimous
60476 62030 62050 62031 60421 62691 60479 Seneca CJ	Unanimous
61545 Steuben CJ	Unanimous
62388 61990 62193 Suffolk CJ	Unanimous
61546 61998 62039 Sullivan CJ	Unanimous

61430
62595
62596
61431
61432
61567
61568
60006
60017
Tompkins CJ

Unanimous

60018
Ulster CJ

Unanimous

62042
62112
61176
62614
62120
61569
61570
61555
62226
61214
61215
61177
61182
61183
61556
62122
61184
61557
62198
61217
61218
61571
Warren CJ

Unanimous

60591
50611
Washington CJ

Unanimous

57542
57562
57561
Wayne CJ

Unanimous

61572
61573
61462
61444

61445
61579
61447
61580
61463
61465
61466
61467
61448
61449
61581
61470
61575
61471
62227
62026
62046
62047
62028
Westchester DOC

Unanimous

62912
Wyoming CJ

Unanimous

58486
62184
62499
58446
60454
60484
60500
60485
62181
60483
62053
57560
62034
Yates CJ

Unanimous

DENY WITH COMMENT ADMINISTRATIVE CLOSURES

62366
62367
62368
Franklin CJ

Unanimous

61195
Fulton CJ

Unanimous

61971
61975

61979	
61982	
91984	
61507	
Madison CJ	Unanimous
61397	
59989	
59990	
61407	
61409	
Putnam CJ	Unanimous
62016	
62017	
St. Lawrence CJ	Unanimous
61547	
61424	
61425	
61548	
61566	
61426	
61549	
61550	
61427	
61428	
61429	
Sullivan CJ	Unanimous
61582	
Westchester DOC	Unanimous
<u>TABLED</u>	
57559	
Schenectady CJ	Unanimous

The next CPCRC meeting will be held on Thursday, September 10, 2015 at 11:00 a.m. at SCOC, AESOB 80 S. Swan St. 12th Floor Albany, NY, and at Williamsville, NY 14221.

Commissioner Loughren requested a motion to adjourn the meeting which was made by Tom Cross, seconded by Don Nadler and carried. The meeting adjourned at 12:05 pm.

Respectfully submitted,

Deborah Slack-Bear
Senior Attorney

Name of Facility: Erie County CF

Variance #13-V-04

New: Renewal:

Relief from Standard: 7040.3

Application by: Superintendent Thomas Diina

Date Request Rec: 8-4-15

Last Approved: 5-19-15

Length of Approval: 3 Months

Expiration: 9-1-15

Write-up Prepared by: Terrence Moran

Recommendation by Field Staff: Approve for 3 months

Recommendation at Briefing:

Final Recommendation:

SUMMARY OF VARIANCE REQUEST

The facility is requesting continued authorization for 8 variance beds in the Joliet Dorm (female housing) at the Erie County Correctional Facility. The Erie County Holding Center continues to hold City of Buffalo Police Department female arrestees. These variance beds will provide the county sufficient space to transfer arraigned Erie County Sheriff's Office female inmates to the Correctional Facility, thus allowing for the housing of City of Buffalo Police Department arrestees at the Holding Center. The City of Buffalo and Erie County have agreed to continue the above-referenced housing arrangement at least until September 1, 2015. The City of Buffalo Police Department has completed construction on its new female lockup. It is anticipated that the new lockup will be operational by early September 2015. However, the hiring of staff for the lockup continues.

RECOMMENDED CONDITIONS

Commission staff recommends that the following conditions be included in the approval letter regarding this variance, if the variance is approved.

1. The county is authorized to house eight (8) additional inmates in the Joliet Dormitory at the Erie County Correctional Facility, for a maximum of 56 inmates in that dormitory.
2. Inmates who are housed in the above-noted area **must** be provided with a bunk, cot, or at a minimum a boat to be used as a bed.
3. Active Supervision must be provided on a 24-hour basis, pursuant to 9NYCRR Section 7003.2(c).
4. Inmates housed in the above-noted areas receive the same services and programs as the general population.
5. The county shall not exceed the rated MFC for the purpose of boarding inmates. The Commission does not approve variances for the purpose of generating revenue.
6. The county shall report the number of unarraigned prisoners to the Commission on a daily basis via the daily download.
7. If at any time during this approval period Erie County discontinues its housing of Buffalo Police Department female arrestees, the variance approval shall be considered null and void.

VARIANCE HISTORY

2015	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at Meeting 5/19/15 3 Months
2014	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at Meeting 11/18/14 6 Months
2014	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at Meeting 5/20/14 6 Months
2013	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at Meeting 11/19/2013 6 Months
2013	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at Meeting 5/21/2013 6 Months

CONSTRUCTION/RENOVATION PLANS

Not Applicable.

OTHER VARIANCES IN EFFECT

Not Applicable

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

Staff visited the facility on August 20, 2015. All conditions of the variance are being observed.

DATE OF LAST CYCLE VISIT THAT STANDARD VIOLATIONS WERE IDENTIFIED:

July 2014 – No violations noted

ANY OPEN MINIMUM STANDARD VIOLATIONS:

ANY VIOLATIONS WHICH PERTAIN TO THE VARIANCE'S CONDITIONS:

None

JUSTIFICATION FOR WHY VARIANCE SHOULD OR SHOULD NOT BE EXTENDED:

The variance should be extended to allow the City of Buffalo Police Department additional time to hire female Cell Block Attendants.

HISTORY

For several years, the Erie County Sheriff's Office (ECSO) agreed to hold Buffalo Police Department arrestees at the Holding Center. With the opening of the new City of Buffalo Police Department lockup (for males) in 2011, the ECSO ceased holding City of Buffalo Police Department male arrestees. The ECSO continues to hold Buffalo Police Department female arrestees.

2015

The City of Buffalo and Erie County have agreed to continue the above-referenced housing arrangement until June 1, 2015. The City of Buffalo Police Department has completed construction on its new female lockup. However, the department is experiencing difficulties hiring female Cell Block Attendants.

2014

The City of Buffalo and Erie County have agreed to continue the above-referenced housing arrangement through March 2015. Construction on the new female detention area in the Buffalo Police Department lockup commenced in September and completion is tentatively scheduled for February or March 2015.

2013

1. In early 2013, Erie County notified the City of Buffalo that effective June 1, 2013, the ECSO would not longer house Buffalo Police Department female arrestees. Subsequently, Buffalo Police Department requested the assistance of SCOC staff in discussing available options to house unarraigned females. SCOC staff met with Buffalo Police Department officials in March. One less-than-desirable option would have the Buffalo Police Department take over the Court detention cells on the 3rd floor of the City Court Building. This would result in the expulsion of the ECSO, which currently utilizes the cells for City Court appearances – this could jeopardize public safety. One long-term option would be the construction of a detention area for Buffalo Police Department females in the basement of the City Court Building, close to the current Buffalo Police Department lockup. The City of Buffalo and Erie County have agreed to continue the housing arrangement at least until January 1, 2014.
2. The variance should become null and void any time during the approval period Erie County discontinues housing Buffalo Police Department female arrestees.

REVIEWED BY REGIONAL SUPERVISOR:

DATE:

Thy
PA 8/6/15
8/10/15

OFFICIAL USE ONLY:

NOTES OF MEETING: _____

TIMOTHY B. HOWARD
SHERIFF

MARK N. WIPPERMAN
UNDERSHERIFF



SHERIFF OF ERIE COUNTY

ADMINISTRATIVE OFFICES

TEN DELAWARE AVENUE
BUFFALO, NEW YORK 14202-3913
(716) 858-7618
FAX: (716) 858-7680

POLICE SERVICES

ONE SHERIFF'S DRIVE
ORCHARD PARK, NEW YORK 14127-3700
(716) 662-5554
FAX: (716) 662-8477
WEBSITE: <http://www.erie.gov/sheriff>

August 4, 2015

Chairman Thomas A. Beilein
Alfred E. Smith State Office Building
80 South Swan Street, 12th Floor
Albany, New York 12210

RE: Extension Request – Variance #13-V-04

Chairman Beilein:

Please allow this letter to serve as ECSO's official request for an extension of the above referenced variance. At this time, Erie County has agreed to continue processing pre-arraigned female arrestees from the City of Buffalo through September 1, 2015; however, that deadline could be extended should the City of Buffalo not be ready to accept pre-arraigned female arrestees. Please note that the City of Buffalo has completed construction of additional space in their Lock-Up for the housing of female arrestees, and is now in the process of hiring additional staff. As a result, I am respectfully requesting that Variance #13-V-04 be extended for an additional six (6) months, or until such time as ECSO is no longer handling pre-arraigned female arrestees from the City of Buffalo.

Sincerely,

Thomas Diina
Superintendent

Cc: Sheriff Timothy B. Howard
Undersheriff Mark Wipperman

Erie County Sheriff's Office Variance Request: Section B

Should this variance extension request be approved, the Erie County Sheriff's Office would maintain the additional eight (8) variance beds to the Joliet Housing Unit at ECCF. This will provide us with enough capacity to continue to house Buffalo Police Department pre-arraigned female arrestees, until such time as BPD has the capacity to house them at their Buffalo City Court Lock-Up. Absent this variance extension, the ECSO will be in danger of violating the above referenced standard, as well as potentially violating Part 7013, Classification.

If approved, the added capacity in Joliet Unit will allow ECSO to continue to house an additional eight (8) properly classified, arraigned female inmates at ECCF. This in turn will dramatically improve our ability to house the aforementioned BPD pre-arraigned female arrestees at ECHC pending their arraignment.

Erie County Sheriff's Office Variance Request: Section C

Due to the fact that the Buffalo Police Department Lock-Up does not have any facilities for housing pre-arraigned female detainees, the Erie County Sheriff's Office is continuing to house them. This was unanticipated, and will continue to be an issue as throughout the summer, as our average daily population increases. While not ideal, this is the only viable option for both the ECSO and BPD, as all other alternatives which have been discussed would compromise the safe and secure operation of ECSO's City Court Lock-Up, located on the third floor of Buffalo City Court.

It should also be noted that the Erie County has recently negotiated an extension agreement with the City of Buffalo whereby ECSO will continue to house pre-arraigned female arrestees until 9/1/15, at minimum.

Erie County Sheriff's Office Variance Request: Section E

While the ECSO has not been provided with an estimated time in which the Buffalo Police Department will begin housing pre-arraigned female arrestees, we have received notice that a project to add additional space for females at their Lock-Up has been initiated. During this time, the ECSO is committed to working collaboratively with BPD in maintaining the safe and secure of housing of BPD female arrestees, and we request the assistance of the NYSCOC in procuring safe and secure housing options.

Name of Facility: **Onondaga County Justice Center** Variance # **13-V-03**

New: Renewal: X Number of renewals: 17

Relief from Standard #7040.3 Application by: Chief Esteban Gonzalez Date rec.: 07/02/15

Beds at standard: 671 Current Population: 610 (8/11/15) 90.9%

Beds Requested This Variance: 36 Variance Beds This Facility: 36

Last Approved: 2/18/15 Length of Variance: 6 months

Recommendation: Approval Length Recommended: 6 Months By: Todd D'Alessandro

SUMMARY OF VARIANCE REQUEST

Chief Esteban Gonzalez is requesting to renew this variance which authorizes the facility to double-cell inmates in each of the 100 sq. ft. cells on the upper level of the following areas: Pods 2A, 2B, 2C, 3A, 3B, 3C, 4A, 4B and 4C. This would allow the justice center to house an additional 36 inmates.

RECOMMENDED CONDITIONS

At the August 25, 2015 Commission Meeting this variance will be presented before the Commission. The following conditions were included in the previous approval letter regarding this variance.

- 1) The county is authorized to double-cell in each of the 100 sq. ft. cells on the upper level of the following areas:

<u>Pods</u>	<u>MFC</u>	<u>Increase</u>	<u>Total</u>
2A	60	4	64
2B	60	4	64
2C	60	4	64
3A	60	4	64
3B	60	4	64
3C	60	4	64
4A	60	4	64
4B	60	4	64
4C	60	4	64

TOTAL = 36

- 2) Inmates housed in the above-noted areas **must** be provided with a bunk to be used as a bed.
- 3) Active supervision must be provided on a 24-hour basis, pursuant to 9NYCRR Section 7003.2(c) when inmates are housed in any of the above-noted areas.
- 4) Inmates housed in these areas receive the same services and programs as the general population.
- 5) Commission staff must monitor the effects of the double-celling program on staff and inmates as well as the general operation of the facility.

6) The facility must maintain information on all double-celled inmates which shall include, but is not limited to: (a) name and location of the inmate; (b) date of entrance into and release from double-celling; and (c) reason for release. These records shall be made available to Commission staff upon request.

7) The facility will monitor its double-celling plan by tracking rates of incidents, grievances, and complaints directly related to double-celling. This summary documentation will be made available to Commission staff upon request.

8) The county shall continue its double-celling according to the double-celling plan submitted and approved by the Commission. The county shall advise the Commission of any substantive changes to the double-celling plan.

9) The county **must** comply with the temporary rated capacity of **713** for the Onondaga County Justice Center. When the county experiences an overflow, inmates **must** be boarded-out to other counties.

10) One (1) additional officer shall be assigned in each of the above-noted pods on the 8:00 a.m.- 4:00p.m. and 4:00 p.m. – 12:00 a.m. tours, for a total of two (2) staff on these tours when the population exceeds sixty (60) inmates. Further, the facility shall observe the current staffing requirement of one (1) officer assigned to each pod on the 12:00 a.m. – 8:00 a.m. tour.

11) That the facility maintains within the respective housing area logbooks/automated systems an ongoing total count of inmates and staff present within the area.

12) When the total population of any housing unit exceeds 60 inmates, the department shall submit to the Commission on a weekly basis, a report which states the population of the housing area and the names of the officers assigned to supervise those areas.

13) When an inmate requires the use of a handicapped cell based on a physical handicap, the inmate shall be provided a 100 sq. ft. cell and this cell will **not** be double-celled.

14) All inmate assigned to a double-cell should be the same security classification.

15) Commission staff will make periodic **unannounced** site visits to the Onondaga County Justice Center in order to ascertain compliance with the above noted conditions.

HISTORY

2015- Recommendation Approval
Action Taken Approved at 02/18 Meeting
Length of Variance 6 months
Conditions, if changed

2014- Recommendation Approval
Action Taken Approved at 8/26 Meeting
Length of Variance 6 months
Conditions, if changed

2014-	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 2/17 Meeting 6 months
2013-	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 12/17 Meeting 2 months
2013-	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 3/19 Meeting 6 months
2009-	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 12/15 Meeting 1 year
2008-	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 12/16 Meeting 1 year
2008-	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 11/18 Meeting 30 days
2008-	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 10/22 Meeting 30 days
2008-	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 9/16 Meeting 30 days
2007-	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 9/07 Meeting 1 year
2006-	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 9/06 Meeting 1 year
2005-	Recommendation Action Taken Length of Variance Conditions, if changed	Approval Approved at 9/05 Meeting
2005-	Recommendation Action Taken Length of Variance Conditions, if changed from original variance	Approval Approved a 6/21/05 Meeting 3 months
2004-	Recommendation Action Taken Length of Variance Conditions, if changed from first variance	Approval Approved at 07/13/04 Meeting 6 months SAME
2003-	Recommendation Action Taken Length of Variance Conditions, if changed from first variance	Approval Approved at October 28, 2003 6 months SAME
2002-	Recommendation Action Taken Length of Variance Conditions, if changed from first variance	Deny Denied at the 12/17/02 Meeting N/A SAME
2002-	Recommendation	Approval

Action Taken Approved at 09/16/02 Meeting
Length of Variance 3 months

FACILITY SITE VISIT

Last reviewed for this variance on: March 13, 2015 **By:** Todd D'Alessandro

Outstanding issues: Over-population

Open violations that relate to the variance request: Over-population

CONSTRUCTION/RENOVATION PLANS

Construction progress, if building additional capacity: In planning stages to build an additional level/housing area on existing structure.

OTHER VARIANCES IN EFFECT

Variance # 95-V-21 (Perm.): This variance allows the justice center to sell Rx in the commissary.

Variance # 96-V-31 (Perm.): This variance allows inmates at the justice center to possess Rx.

MISCELLANEOUS

This variance should be extended for six (6) months in order to give the facility the opportunity to comply with the classification standard. (This was previously Variance # 02-V-06)



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: Onondaga County Sheriff's Office Justice Center

Person requesting: Esteban Gonzalez
(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: 7040 Section: 3 Subdivision: N/A

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)

Modification not requested. This request is to seek and obtain continued approval of original variance number 02-V-06, now 13-V003 first filed in September 2002.

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

Approval to continue the variance would give the facility immediate options for housing unsentenced inmates ~~and~~ keep within the minimum standards for programs, services, education-vocation training, mental health and medical concerns and protective custody inmates all while maintaining a safe and secure environment for staff, inmates, civilian employees and visitors.

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

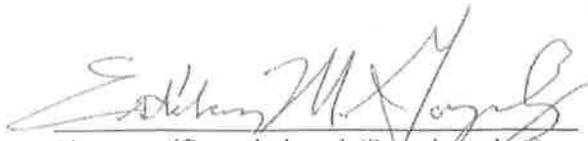
Days _____ Weeks _____ Months ⁶ _____

- 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).

Classification and compliance unit staff work daily with the courts to ensure follow-up on court appearances ~~and~~ grand jury proceedings within the time frames of the NYS CPL. Staff also work with Jail Ministry, Community Alternatives, Probation, Parole and the District Attorney's Office on case review.

G. Has this variance been previously approved?

Yes If yes, include the variance number 13-V-03 No


Signature (Commissioner) (Superintendent)

7/20/15
Date

Additional copies of this form can be obtained by contacting the Commission, or online at www.seoc.ny.gov. Click on table of contents, Commission Forms, Request for a Variance (Formal application statement).

New York State Commission of Correction
DAILY POPULATION COUNT REPORTING SYSTEM
AVERAGE DAILY COUNTS / HIGHS / LOWS

Facility: Onondaga County Jail

DATE RANGE: 1/1/15 thru 8/11/15

	Unsentenced	Sentenced	Unarraigned	Civil	Federal	Totals
Adult Male	AVG: 489.19	AVG: 22.06	AVG: 8.81	AVG: 1.45	AVG: 0.61	AVG: 522.12
	HI: 525.00 04/05/15	HI: 45.00 01/21/15	HI: 22.00 03/04/15	HI: 6.00 02/12/15	HI: 2.00 06/18/15	HI: 555.00 08/02/15
	LOW: 449.00 01/16/15	LOW: 10.00 00/00/00	LOW: 0.00 04/02/15	LOW: 0.00 06/09/15	LOW: 0.00 04/29/15	LOW: 494.00 06/12/15
Adult Female	AVG: 65.49	AVG: 1.22	AVG: 2.47	AVG: 0.60	AVG: 0.03	AVG: 69.81
	HI: 88.00 07/05/15	HI: 6.00 05/10/15	HI: 9.00 07/08/15	HI: 4.00 04/07/15	HI: 1.00 05/17/15	HI: 91.00 07/05/15
	LOW: 53.00 02/11/15	LOW: 0.00 08/04/15	LOW: 0.00 06/30/15	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00	LOW: 56.00 02/20/15
Minor Male	AVG: 0.73	AVG: 0.00	AVG: 0.62	AVG: 0.00	AVG: 0.00	AVG: 1.35
	HI: 6.00 02/16/15	HI: 1.00 02/26/15	HI: 4.00 06/10/15	HI: 0.00 00/00/00	HI: 0.00 00/00/00	HI: 6.00 02/16/15
	LOW: 0.00 08/07/15	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00	LOW: 0.00 08/06/15
Minor Female	AVG: 1.33	AVG: 0.03	AVG: 0.14	AVG: 0.03	AVG: 0.00	AVG: 1.53
	HI: 6.00 01/03/15	HI: 1.00 01/11/15	HI: 2.00 01/09/15	HI: 1.00 04/06/15	HI: 0.00 00/00/00	HI: 6.00 01/03/15
	LOW: 0.00 08/09/15	LOW: 0.00 00/00/00	LOW: 0.00 08/09/15	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00	LOW: 0.00 08/09/15
Total	AVG: 556.74	AVG: 23.31	AVG: 12.04	AVG: 2.08	AVG: 0.64	AVG: 594.81
	HI: 611.00 07/05/15	HI: 47.00 01/21/15	HI: 29.00 07/08/15	HI: 7.00 04/02/15	HI: 3.00 05/17/15	HI: 642.00 07/05/15
	LOW: 510.00 01/16/15	LOW: 11.00 00/00/00	LOW: 0.00 04/02/15	LOW: 0.00 06/09/15	LOW: 0.00 04/29/15	LOW: 558.00 06/12/15

New York State Commission of Correction
DAILY POPULATION COUNT REPORTING SYSTEM
AVERAGE DAILY COUNTS / HIGHS / LOWS

Facility: Onondaga County Jail

DATE RANGE: 1/1/15 thru 8/11/15

	Coram Nobis	D and E Felons	State Readies	Convicted Felons	Parole Violators	New Arrests w/Parole Warrant
Adult Male	AVG: 1.83	AVG: 11.02	AVG: 12.12	AVG: 4.33	AVG: 2.09	AVG: 77.86
	HI: 6.00 08/02/15	HI: 20.00 02/27/15	HI: 30.00 01/21/15	HI: 7.00 06/04/15	HI: 9.00 03/22/15	HI: 92.00 08/10/15
	LOW: 0.00 00/00/00	LOW: 4.00 06/08/15	LOW: 2.00 03/31/15	LOW: 1.00 00/00/00	LOW: 0.00 00/00/00	LOW: 68.00 04/07/15
Adult Female	AVG: 0.05	AVG: 0.68	AVG: 1.17	AVG: 0.00	AVG: 0.36	AVG: 3.92
	HI: 1.00 07/26/15	HI: 3.00 06/07/15	HI: 6.00 05/10/15	HI: 0.00 00/00/00	HI: 2.00 01/05/15	HI: 6.00 06/15/15
	LOW: 0.00 00/00/00	LOW: 0.00 08/04/15	LOW: 0.00 08/04/15	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00	LOW: 2.00 02/23/15
Minor Male	AVG: 0.06	AVG: 0.00	AVG: 0.84	AVG: 0.03	AVG: 0.00	AVG: 0.00
	HI: 1.00 02/18/15	HI: 0.00 00/00/00	HI: 4.00 05/17/15	HI: 1.00 01/14/15	HI: 0.00 00/00/00	HI: 0.00 00/00/00
	LOW: 0.00 00/00/00					
Minor Female	AVG: 0.00	AVG: 0.00	AVG: 0.03	AVG: 0.00	AVG: 0.00	AVG: 0.00
	HI: 0.00 00/00/00	HI: 0.00 00/00/00	HI: 1.00 01/11/15	HI: 0.00 00/00/00	HI: 0.00 00/00/00	HI: 0.00 00/00/00
	LOW: 0.00 00/00/00					
Total	AVG: 1.95	AVG: 11.71	AVG: 14.15	AVG: 4.36	AVG: 2.45	AVG: 81.77
	HI: 6.00 08/02/15	HI: 21.00 02/27/15	HI: 32.00 01/28/15	HI: 7.00 06/04/15	HI: 9.00 03/22/15	HI: 96.00 08/10/15
	LOW: 0.00 00/00/00	LOW: 4.00 06/08/15	LOW: 2.00 03/31/15	LOW: 1.00 00/00/00	LOW: 0.00 00/00/00	LOW: 71.00 04/07/15

New York State Commission of Correction
DAILY POPULATION COUNT REPORTING SYSTEM
AVERAGE DAILY COUNTS / HIGHS / LOWS

Facility: Onondaga County Jail

DATE RANGE: 1/1/15 thru 8/11/15

	Intermittents	Boarded In	Boardrd Out	Out To Hospital	Out To Mental Hygiene	Out To Other
Adult Male	AVG: 0.00	AVG: 5.13	AVG: 28.54	AVG: 0.54	AVG: 0.22	AVG: 0.00
	HI: 0.00 00/00/00	HI: 13.00 03/26/15	HI: 47.00 08/04/15	HI: 3.00 07/29/15	HI: 1.00 04/12/15	HI: 0.00 00/00/00
	LOW: 0.00 00/00/00	LOW: 1.00 08/09/15	LOW: 16.00 03/17/15	LOW: 0.00 08/07/15	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00
Adult Female	AVG: 0.00	AVG: 1.31	AVG: 6.06	AVG: 0.10	AVG: 0.00	AVG: 0.00
	HI: 0.00 00/00/00	HI: 6.00 01/26/15	HI: 11.00 03/25/15	HI: 2.00 02/17/15	HI: 0.00 00/00/00	HI: 0.00 00/00/00
	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00	LOW: 3.00 07/06/15	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00
Minor Male	AVG: 0.00	AVG: 0.03	AVG: 26.69	AVG: 0.00	AVG: 0.00	AVG: 0.00
	HI: 0.00 00/00/00	HI: 1.00 07/08/15	HI: 34.00 02/22/15	HI: 0.00 00/00/00	HI: 0.00 00/00/00	HI: 0.00 00/00/00
	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00	LOW: 21.00 03/25/15	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00
Minor Female	AVG: 0.03	AVG: 0.00	AVG: 0.01	AVG: 0.00	AVG: 0.00	AVG: 0.00
	HI: 6.00 02/05/15	HI: 0.00 00/00/00	HI: 1.00 06/27/15	HI: 0.00 00/00/00	HI: 0.00 00/00/00	HI: 0.00 00/00/00
	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00
Total	AVG: 0.03	AVG: 6.46	AVG: 61.30	AVG: 0.64	AVG: 0.22	AVG: 0.00
	HI: 6.00 02/05/15	HI: 17.00 01/27/15	HI: 84.00 07/28/15	HI: 3.00 07/29/15	HI: 1.00 04/12/15	HI: 0.00 00/00/00
	LOW: 0.00 00/00/00	LOW: 1.00 08/09/15	LOW: 44.00 03/10/15	LOW: 0.00 08/07/15	LOW: 0.00 00/00/00	LOW: 0.00 00/00/00