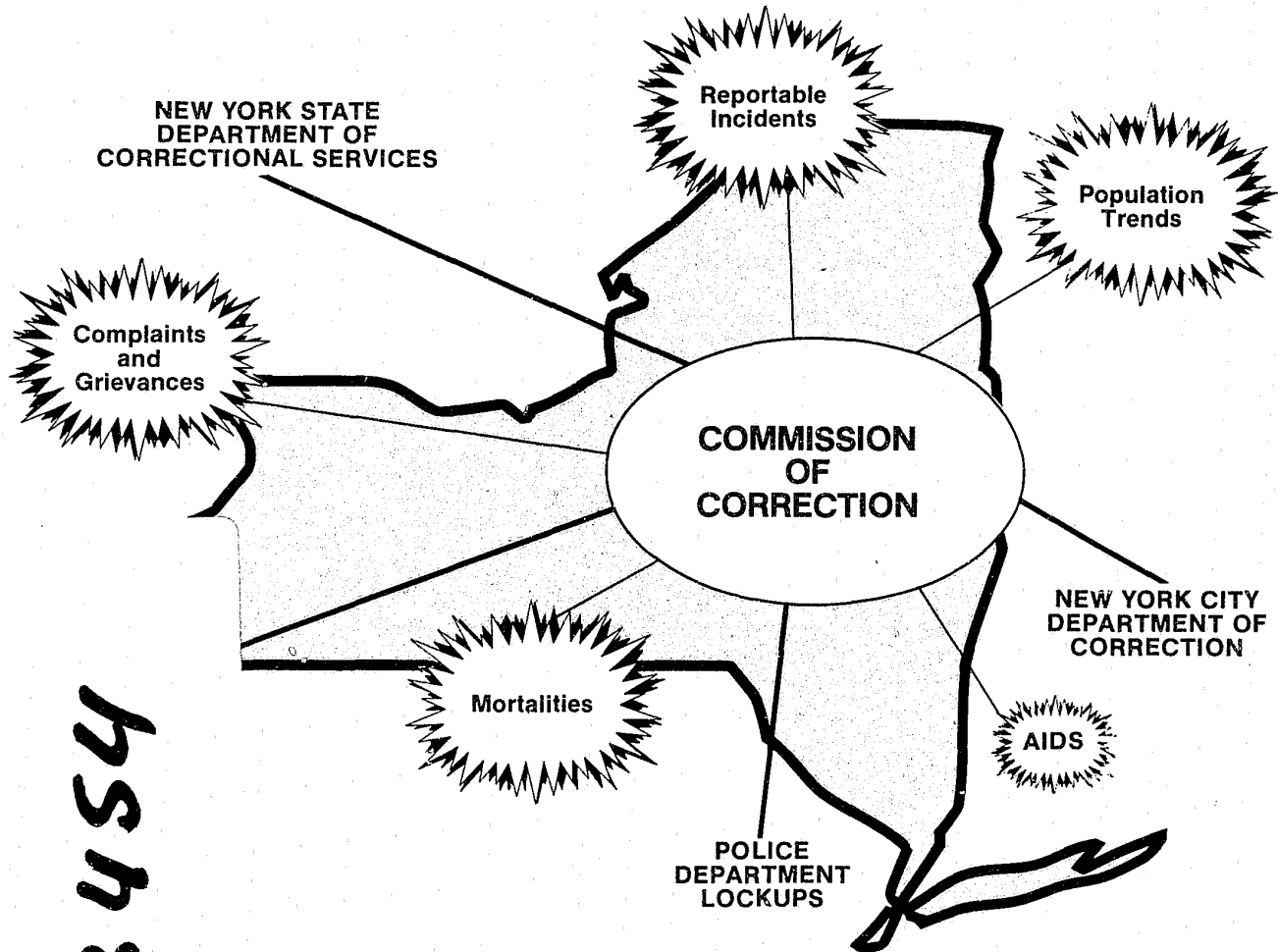


STATE COMMISSION OF CORRECTION
A REPORT
ON CORRECTIONS IN
NEW YORK STATE—1989



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JULY 1990

William G. McMahon, Chairman
Deborah A. Reyes, Commissioner

U.S. Department of Justice
National Institute of Justice

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NEW YORK STATE
COMMISSION OF CORRECTION
A REPORT ON CORRECTIONS
IN NEW YORK STATE - 1989



Prepared by:
Office of Program and Policy Analysis

NCJRS

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Author

*Thomas H. Slater
Director*

Office of Program and Policy Analysis

PROJECT SUPPORT

*Jane L. Meissner
Senior Administrative Analyst*

*Anna Valenti
Senior Stenographer*

*Jean Prendergast
Graphics Production*

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INTRODUCTION AND PURPOSE

WHAT IS THE REPORT ON CORRECTIONS AND ITS PURPOSE?

Since 1985, one of the major objectives of the New York State Commission of Correction has been the development of an automated Dynamic Alert System (DAS). The system has two specific applications: 1) The provision of automated data to the Commission's operational units for ongoing feedback on critical aspects of the correctional environment monitored by the agency, and; 2) the analysis of the data derived from the Dynamic Alert System to identify specific problem areas and broad correctional trends to the Commission, agency bureau heads, operational field staff, and the criminal justice community.

It is the second application that is the focus of the Office of Program and Policy Analysis in preparing this, A Report on Corrections in New York State - 1989. The Report is intended to be an information base for policymakers in addressing and prioritizing key issues and to assist the Commission in planning agency operations. The primary goal is to provide accurate and factual information for ongoing dialog and proactive decision making. This year marks the third year of production of this report, formerly entitled the Data Compendium.

WHAT IS ANALYZED IN THE 1989 REPORT?

The 1989 Report on Corrections draws on information extracted from the Dynamic Alert System (reportable incidents, complaints and grievances), and other computerized files (mortalities). In addition, the Jails Daily Population Reporting System and compilations and trend data from a variety of internal manual information collection systems are utilized. Where appropriate, national and state policy and statistical reports have been reviewed for comparison of state to national trends.

The specific information bases include:

1. Jails Daily Population Reporting System (JDPRS)

"Downloaded" data from the JDPRS system for 1986, 1987, 1988, and 1989 provide key systemwide and specific local correctional facility trends in:

- o inmate status (proportions of inmates in sentenced, unsentenced, state ready, parole violator and other key statuses relevant to facility overcrowding and usage)
- o capacity
- o admissions
- o average daily population
- o numbers boarded in/boarded out

The New York City information included in this document comes from paper reports filed by the New York City Department of Correction with the Commission.

2. Sheriffs' Annual Report Compilations, National, State and Commission Reports

In order to assess and compare current New York State jail inmate population and overcrowding patterns, a variety of national and state reports have been reviewed. These include Sheriffs' Annual Report Compilations and state and Commission policy reports on jail issues. Pages 122 and 123 lists these specific sources as well as national reports on profiles of local jail inmates and facilities.

3. The Reportable Incidents System (RIPS)

Completed in 1987, this automated system is designed to aid the processing, tracking and study of reportable incident information. Thus far, only county jail reportable incidents are part of the system.

Two distinct computer files, incident specific and inmate specific, were drawn upon for this analysis. The computer application, Query, was used to sort and cross-tabulate inmate and incident related factors - for example, inmate role in an RI by detention status, age, and sex.

The previous year, 1988, represented the first complete year of standardized reportable incident reporting for all counties. The 1988 data will be utilized as the baseline for future reportable incident trends.

4. Complaints and Grievances (CPS and SGIS)

Two automated systems, The Complaints Processing System and The State Grievance Information System, were put into operation in 1987.

For this report, manual data on three years of local and DOCS complaints and local correctional facility grievances were combined with the 1987, 1988, and 1989 automated data to six years of trend data.

Similarly, eight years of state grievance information were combined with this 1987, 1988, and 1989 automated data to form an 11-year profile.

Queries were run to produce 1989 category and facility tables. Information regarding the grievance process in the New York City Department of Correction was obtained from the NYCDOC Management Evaluation Division.

5. Mortalities Data

Two sources of information were used: 1) Aggregate monthly and annual death statistics collected and stored on microcomputer by the Bureau of Health Systems Evaluation going back to 1978; and, 2) The System 36 Mortalities File of current deaths, organized by name, age, race, sex and manner of death.

Computer files were queried to produce demographic statistics. Trend data were extracted from the microcomputer files.

REPORT ORGANIZATION

Each topical section of the 1989 Report on Corrections is organized around a discussion of: 1) Major trends; 2) 1989 statistics; 3) summary of major findings, 4) Commission in Review - 1989, and 5) focus questions.

For each topic, an effort has been made to consolidate manually collected statistics with currently automated data sets. This process is guided by procedures which the Office of Program and Policy Analysis has gradually been implementing to ensure consistency of definitions, consolidate old and new data collection categories, standardize definitions and computational formulas and, where possible, verify data. The result is topical baseline statistical information which can be used for assessing trends.

For each issue, Commission, state or national trend data form a backdrop for evaluating 1989 statistics. The results of the analyses are then summarized for each section.

The most important application of the Report findings is to be found in the focus questions. For each topic, a list of focus questions has been formulated as a guide to further discussion. It is intended that the questions will be utilized by the Commission, Bureau Heads, and field staff in bureau and agency operational and strategic planning, policy setting, and early identification of potential problems.

PROFILE OF JAIL INMATES

INTRODUCTION

Nationally, it is estimated that about 9.7 million individuals were admitted to local jails in 1988. * In New York State, county jails and penitentiaries outside of New York City reported an estimated 143,098 admissions** in 1989. The New York City admission figures for 1989 are not yet available, however, in 1988 the city admitted 131,479 inmates. The population of jails is diverse and includes: 1) individuals awaiting examination and awaiting or standing trial; 2) persons convicted and awaiting or serving sentence; 3) probationers, parolees and others who had been released on bail but returned to custody to await further action for violations of their terms of release; and, 4) those being held for other authority, pending transfer to another jurisdiction or institution.

The most recently published national statistics on jails show growth in jail capacity being outstripped by far greater increases in the number of individuals being held or sentenced to local correctional facilities. The spillover from overcrowded state prison systems and increases of mentally ill and intoxicated people and drug related commitments account in part for the population growth. Four hundred twelve large jails were cited in 1988 for deficiencies due to crowding, inadequate recreation, poor medical services, and other reasons. Three hundred twenty of those were ordered to limit population. (U.S. Department of Justice, December, 1988).

New York State's system of local correctional facilities mirrors the problems of county correctional facilities and penitentiaries nationwide. Information on the typical characteristics of individuals housed and processed through local correctional facilities is provided here as background for examining the major issues and trends affecting New York jails -- overcrowding, mortality rates and system disturbances (as indicated by trends in reportable incidents, complaints and grievances).

National data on local jails and local jail inmates from the Bureau of Justice Statistics, Jail Inmate Survey, Survey of Jails and National Jail Census are compared to New York State local correctional facility and New York City DOC (NYCDOC) statistics from compilations of the Sheriffs' Annual Report and Jails Daily Population Reporting System.

* Census of Local Jails 1988 - U.S. Department of Justice: Bureau of Justice Statistics. February 1990.

** These admissions statistics are based on the standardized reporting definition of admission of the Jails Daily Population Reporting System. The number of 1989 admissions is slightly underreported (1%). There is the additional caveat that Suffolk, Hamilton and Warren facilities do not report admission counts on the JDPRS System. Numbers of admissions for these counties were obtained from the Sheriffs' Annual Report. The number of admissions for these counties, 15,062, was added to the 128,036 JDPRS reported admissions to obtain the estimate.

DEMOGRAPHIC TRENDS

Table 1 compares the demographic characteristics of New York State jail inmates with those of the national jail profile for 1988. It should be noted that the national percentages are based on inmates in custody for a given day while the New York jail profile is based on admissions, those booked into local correctional facilities over the year. The national surveys, therefore, are likely to profile more serious offenders than the New York data based on bookings.

Table 1: NATIONAL AND NEW YORK STATE JAIL INMATE DEMOGRAPHICS, 1988

Characteristics	National <u>% Inmates**</u>	New York State-% Admissions** <u>LCF</u>	<u>NYCDOC</u>
SEX			
Male	91	88	91
Female	9	12	9
RACE			
White	43	54	9
Male	NA	48	8
Female	NA	6	1
Black	41	38	58
Male	NA	32	52
Female	NA	6	6
Hispanic	15	7	33
Male	NA	6	30
Female	NA	1	3
Other	1	1	0
Male	NA	1	-
Female	NA	0	-

** National data are based on June 30 of each year. The New York State percentages are based on admissions reported from each local county jail/penitentiary, and New York City.

SOURCES: Census of Local Jails 1988. U.S. Department of Justice: Bureau of Justice Statistics. February, 1990.
Statewide Compilation of Data from 1988 Sheriffs' Annual Reports. N.Y.S. Commission of Correction. October, 1989.
1988 Sheriff's Annual Report for the Counties of Bronx, Kings, New York, Queens and Richmond. NYS Commission of Correction, 1990.

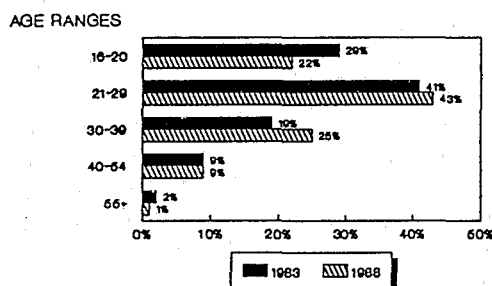
In both national jails and New York State local correctional facilities, the majority of jail inmates are white and male. In New York City the majority of jail admissions are black and male. While the majority of local jail inmates are white, the proportion of blacks and Hispanics has increased in recent years. In 1988 blacks made up 41 percent of national inmates, 58 percent of the New York City DOC admissions and 38 percent of local correctional facility inmates. Hispanic inmates comprised 15, 33 and 7 percent of these populations respectively.

Age and Education

Figure 1

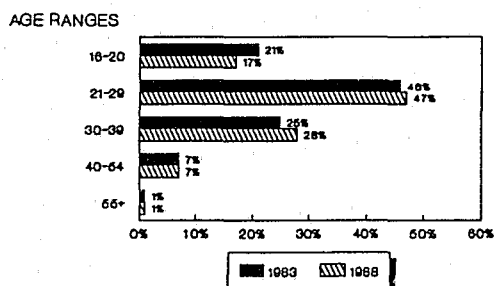
New York State Age Profile

Local Correctional Facilities 1983 and 1988



SOURCE: Sheriff's Annual Report

New York City DOC 1983 and 1988

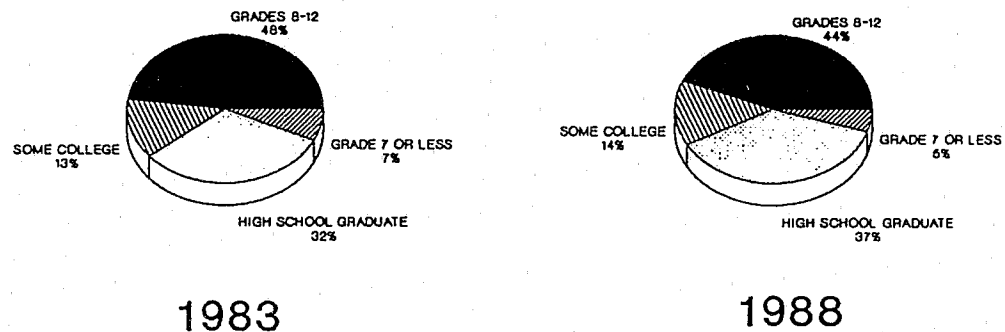


SOURCE: Sheriff's Annual Report

Figure 1 shows the age breakdown of New York State local correctional facility and NYCDOC admissions in 1983 and 1988. Over the five years, a slight decrease in the percent of admittees, aged 16-20, is paralleled by a comparable increase in the percent between 21 and 39 years of age. The aging of the post-War baby-boom generation is also reflected in decreases in the percent of inmates aged 18 to 24 in national jail surveys.

Figure 2

NEW YORK STATE LOCAL CORRECTIONAL FACILITIES LEVEL OF EDUCATION



SOURCE: Sheriffs' Annual Report

The level of education of individuals admitted to New York jails and penitentiaries in 1983 and 1988 is illustrated in Figure 2. Comparable data for NYCDOC are not available. The largest percentage of 1988 admissions, 44 percent, had completed 8 to 12 years of education (but not graduated). Seven percent were high school graduates, while 14 percent reported some college education. The proportion of individuals with 7 years of education or less has decreased since 1983, from seven to five percent, and there is an accompanying decrease in the number of non-diploma jail admittees with 8 to 12 years of schooling. The percentage of those entering with a high school diploma has increased. The ratio of high school completions actually increased by five percent, 32 percent to 37 percent, between 1983 and 1988.

Nationally, the last jail inmate survey in 1983 found only 2 in 5 had completed 12 or more years of school. The median grade level for the jail inmate sample was 11 years.

POPULATION GROWTH IN NEW YORK'S CORRECTIONAL SYSTEM

INTRODUCTION

New York's correctional system is comprised of three major components: police department lockups, local correctional facilities and the New York State Department of Correctional Services. Police department lockups generally house pre-arraigned offenders for 48 hours or less. Local correctional facilities house offenders who have been arraigned but are awaiting subsequent court action and offenders who have been sentenced to a period of incarceration less than one year. Offenders sentenced to a period of incarceration that exceeds one year are the responsibility of the New York State Department of Correctional Services. All of these correctional system components have experienced considerable population increases over the last few years.

POLICE DEPARTMENT LOCKUP POPULATION TRENDS

The manner in which police lockups function makes population flow through them very unpredictable. Lockup admissions and length of stay vary greatly by time of day, day of week, and geographic location. Major functional differences between lockups and the other system components make population comparisons between lockup populations and the other component populations of little practical value. For this reason lock-up population will be considered alone.

Each year the Commission of Correction surveys police department lockups to determine the availability of lockup cells and the number of admissions to those cells. This information is available for upstate police lockups for 1983 through 1989 and for New York City lockups from 1985 through 1989.

Table 2 Police Lockups - Admissions and Cells

Year	<u>Upstate Police Departments</u>				<u>New York Police Department</u>		
	Admissions	Avail. Cells	# of Lockups	Ratio Adm/Cells	Admissions	Avail. Cells	Ratio Adm/Cells
1983	118,958	1218	178	98	---	---	---
1984	126,227	1205	178	105	---	---	---
1985	132,279	1272	176	104	114,913	621	185
1986	138,001	1267	181	109	164,980	563	293
1987	146,623	1247	182	118	262,627	599	438
1988	162,485	1245	182	131	266,838	625	427
1989	185,806	1257	184	148	322,981	625	517

Admissions to upstate police department lockups increased 56 percent from 1983 to 1989 with lockup cell space increasing 3 percent during the same period. Although overcrowding cannot be assessed from this data, a rate of use can be determined for comparison purposes by dividing the number of admissions by the number of cells available. The rate of use of upstate police department lockups increased from 98 admissions per cell in 1983 to 148 admissions per cell in 1989. The New York City Police Department showed a 181 percent increase in admissions from 1985 to 1989 with a one percent increase in available lockup cell space. The rate of use of New York City's Lockup cells went from 185 admissions per cell in 1985 to 517 in 1989. Considerable pressure is being placed on lockup facilities across the state with the greatest pressure being experienced in New York City.

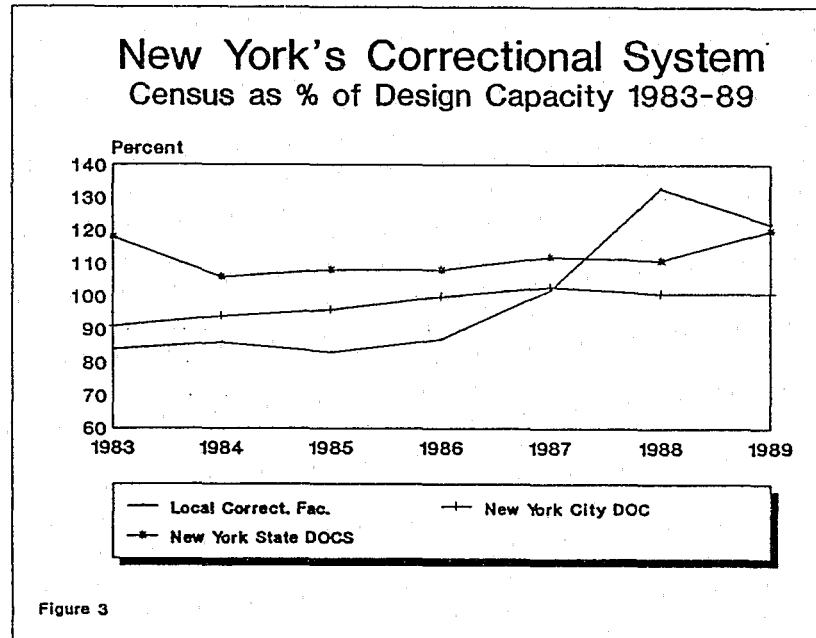
NYS DEPARTMENT OF CORRECTIONAL SERVICES AND LOCAL CORRECTIONAL FACILITY POPULATION TRENDS

The rate of growth of New York's inmate population and the state's capacity to house these inmates is an issue of primary importance. This section will present a trend analysis of design capacity and census for the period 1983 to 1989, as well as a more in-depth analysis of how New York's Correctional System has attempted to meet the challenge of expanding populations during 1989. Design capacity is the number of inmates a given facility or system is built to hold and census is the number of inmates a jurisdiction is legally responsible for. For example, an overcrowded facility may choose to board out inmates to help alleviate the overcrowding problem. Although the inmates are in a different location, the facility that boarded out the inmates is still legally responsible for them. For purposes of analysis the New York City Department of Correction (hereafter NYCDOC) is separated from the rest of the local correctional facilities. Hence, the term 'local correctional facility' will apply to all those facilities excluding the New York City Department of Correction.

To obtain the information to do this analysis across the various systems, it was necessary to utilize one day figures for design capacity and census. For New York State Department of Correctional Services (hereafter NYSDOCS) and NYS Local Correctional Facilities, December figures were utilized. For New York City Department of Correction, figures were utilized from a single day in May of each year. It should be noted that single day figures are subject to more variation than averages, however, they are sufficient for our purposes.

In 1983 local correctional facilities were in the best shape of the three systems regarding population. The inmates for which they were responsible made up 84 percent of the design capacity. Both design capacity and census remained stable from 1983 to 1986 (figure 3). However, by the end of 1987, census had increased sharply

with relatively no increase in design capacity. Between 1987 and 1988 census increased 36 percent while design capacity increased only 4 percent. A slight decline (-4%) in census was experienced from 1988 to 1989 in conjunction with a 4 percent increase in design capacity. Local correctional facilities were in the worst shape of the three systems by year end 1988 and remained there in 1989 with census making up 122 percent of the design capacity.

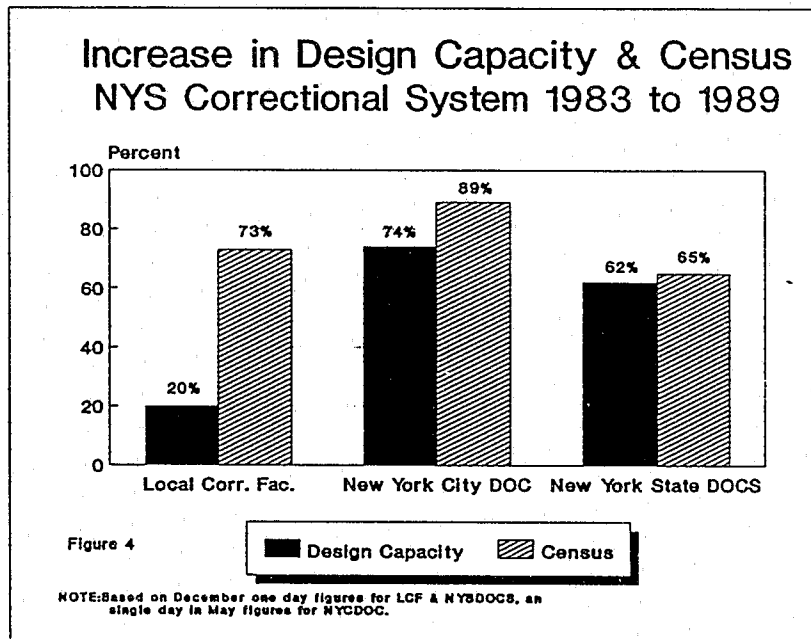


New York State DOCS was under the most pressure regarding population in 1983 when their census made up 118 percent of their design capacity. From 1983 to the present DOCS has never had a period when design capacity was greater than the census. During the 1983-1988 time frame DOCS increased design capacity at a greater rate than the census increase, which lowered the percent capacity seven percentage points from the 1983 level. This trend was reversed in 1989 when an increase in census far outstripped capacity construction. By year end 1989 DOCS census was 120 percent of capacity, the worst situation DOCS has seen in the last seven years.

New York City DOC was at 91 percent capacity in 1983. Although this figure steadily increased through 1987, NYCDOC was able to keep beds at standard* ahead of census until 1986. While 1983 through 1985 was relatively stable in terms of beds at standard and census, 1986 through 1989 saw dramatic increases in both figures. By year-end 1989, NYCDOC census was 101 percent of beds at standard.

* In this analysis beds at standard is utilized as the measure of design capacity for New York City. Beds at standard is design capacity plus added beds that meet minimum standards. Since they meet minimum standards they can be used indefinitely.

Over the period 1983 to 1988 NYSDOCS has had the largest percent increase in design capacity (53%) and the smallest percent increase in census (44%) (Figure 4). NYCDOC expanded its design capacity so much in 1989, that by year end, it had the largest percent increase in design capacity (74%) of the three systems from 1983 to 1989. NYCDOC also has the largest increase in census (89%) of all three systems from 1983 to 1989, while NYSDOCS had the lowest percent increase (65%). Local correctional facilities had the lowest increase in design capacity (20%) from 1983 to 1989 at a time when census increased 73 percent.



Population vs. Capacity in 1989

Regardless of design capacity, correctional systems must deal with inmates that are committed to their custody. On any given day a portion of the inmates committed to a correctional system may not actually be housed in that system. For example, some inmates may be out to a hospital, out to court, on some form of temporary release, out to a mental hygiene facility or boarded out. The actual number of inmates in a system on a given day is the daily population for that day. It is essential that correctional systems have enough space to house their daily population.

How did New York's Correctional System fare in 1989? To examine this question census and daily population (ADP) figures for NYSDOCS and NYCDOC were obtained for the first Wednesday of each month. For local correctional facilities monthly averages were used. These figures were compared with monthly design and total capacity figures for each system component. Total capacity is the optimum number of spaces available to house inmates and includes design capacity plus any other temporary variance housing. For NYSDOCS, infirmary and special housing unit (SHU) beds were not included in capacity figures and

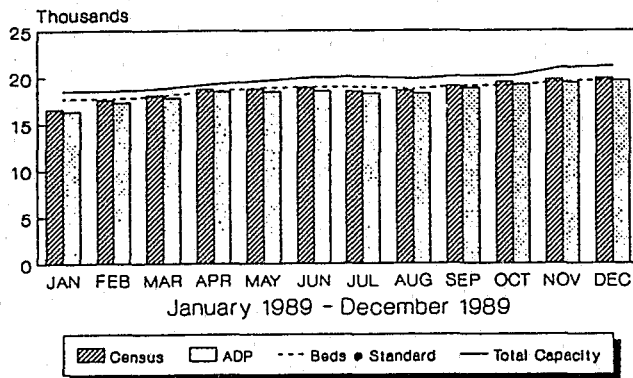
infirmatory inmates and SHU inmates were not included in the daily population figures. For NYCDOC, infirmatory and hospital beds were not included in capacity figures and inmates in the infirmatory or in hospital wards were not included in the daily population figures.

NYCDOC fared the best of the three components during 1989. Throughout the year beds at standard were greater than the average daily population (figure 5). In six out of 12 months beds at standard were higher than the census. Compared to 1988 (Figure 5A) NYCDOC lost ground in 1989. During 1988 beds at standard exceeded capacity in all twelve months. New York City's daily population during 1989 was 98 percent of the census.

The City was able to increase bed space beyond beds at standard through variances granted by the Commission. At the outset of 1989, New York City had 819 variance beds. During March, April and May variance beds decreased to 763. In June, 300 additional variance beds were added bringing the total to 1,063 where it remained until November. Four hundred variance beds were added in November bringing the year end total to 1,463 variance beds. Daily population as a percent of total capacity ranged from 88 percent to 96 percent through the months of 1989 for an average of 93 percent. This average is two percent higher than the 1988 average. In light of conventional wisdom which suggests 80 percent capacity as the optimum operating capacity, NYCDOC has a serious and growing overcrowding problem.

Figure 5

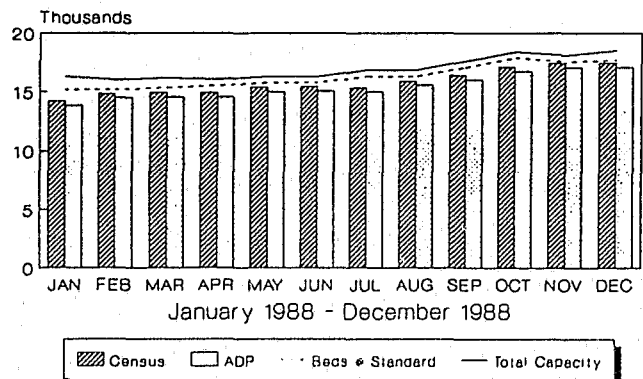
New York City DOC Population vs. Capacity



SOURCE:NYCDOC Census and Capacity Report

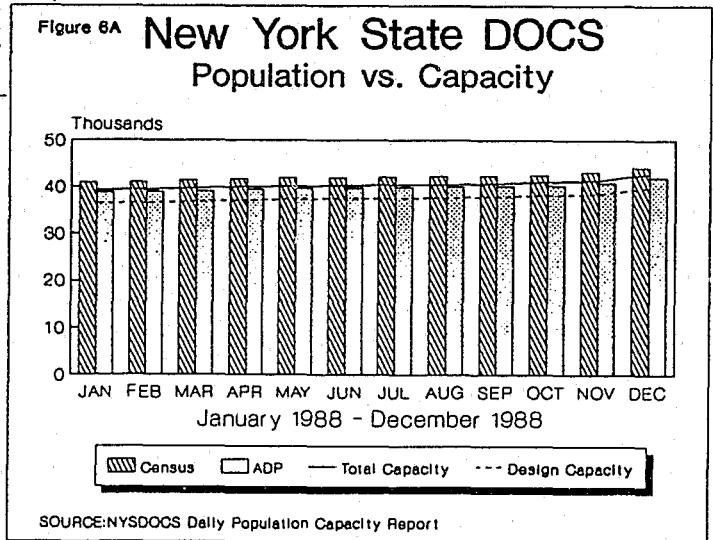
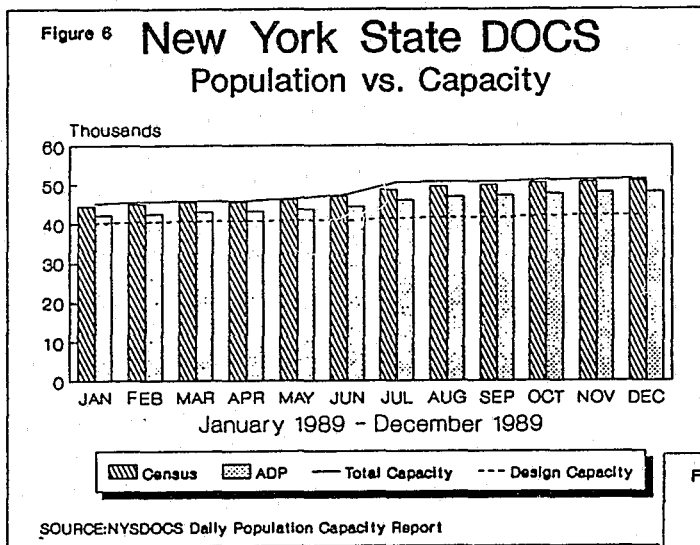
Figure 5A

New York City DOC Population vs. Capacity



SOURCE:NYCDOC Census and Capacity Report

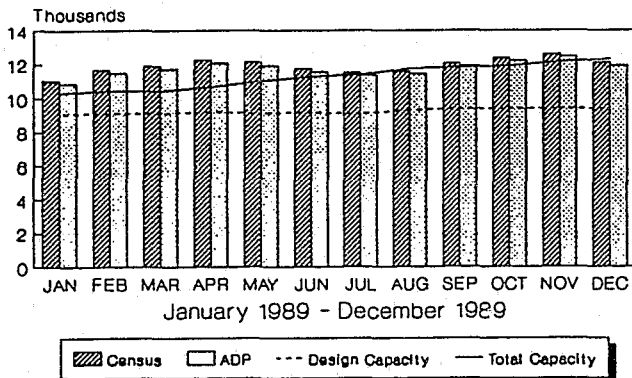
During 1989 NYSDOCS daily population averaged 95 percent of its census. While design capacity was consistently below daily population, DOCS was able to maintain a total capacity above the census (Figure 6). This is an improvement over 1988 when DOCS was barely able to maintain a total capacity above the daily population (Figure 6A). To accomplish this DOCS expanded its housing capacity through the use of temporary variance capacity. The number of variance beds started at 2,924 in January and rose to 6,942 by December. The daily population averaged 93 percent of total capacity in 1989. While this is an improvement over the 99 percent level in 1988 it was achieved through the use of a large number of temporary spaces that do not comport with promulgated Commission standards.



The daily population of local correctional facilities averaged 99 percent of the census during 1989. The design capacity of local correctional facilities increased by about 316 beds from January to December 1989 while the census increased by 1,053 inmates (Figure 7). Daily population was below total capacity in only two months in 1989.

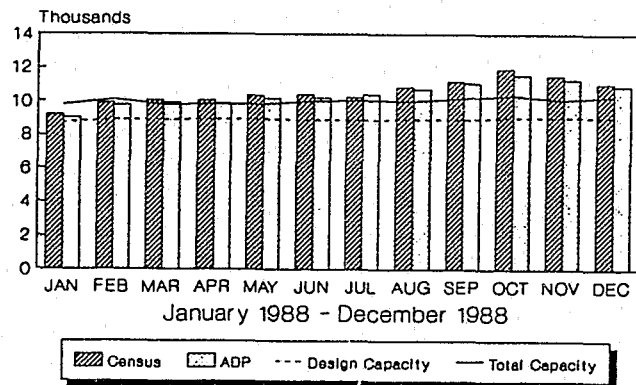
In comparing 1988 with 1989, it becomes evident that the difference between design capacity and total capacity is becoming larger over time. This difference is made up by variance beds. In January of 1989 local correctional facilities had 1,260 variance beds which represented about 12 percent of total capacity. By December of 1989 the number of variance beds rose to 2,900 or 24 percent of the total capacity.

Figure 7 Local Correctional Facilities Population vs. Capacity



SOURCE: JDPRS and SCOC Capacity Listings

Figure 7A Local Correctional Facilities Population vs. Capacity



SOURCE: JDPRS and SCOC Capacity Listings

A comparison of January with December figures for design capacity, temporary variance space and total capacity provides a good overall picture of how each system adapted to handle the burgeoning inmate population. These figures were calculated for both 1988 and 1989 (Table 3). In both 1988 and 1989, NYCDOC had the highest percent increase in design capacity of the three components. NYSDOCS was second and local correctional facilities third. None of the three systems had as high a percent increase in design capacity in 1989 as they did in 1988.

The major growth in capacity came in the form of temporary variance space. This is a dramatic difference from 1988. NYSDOCS increased their variance space 137.4 percent in 1989, local correctional facility variance space increased 130.2 percent, and NYCDOC variance beds increased 78.6 percent. All three systems showed a higher percent total capacity increase in 1989 than in 1988. Local correctional facility total capacity increased 18.9 percent in 1989 while NYCDOC experienced a 14.1 percent increase, and NYSDOCS experienced a 13.6 percent increase.

Table 3

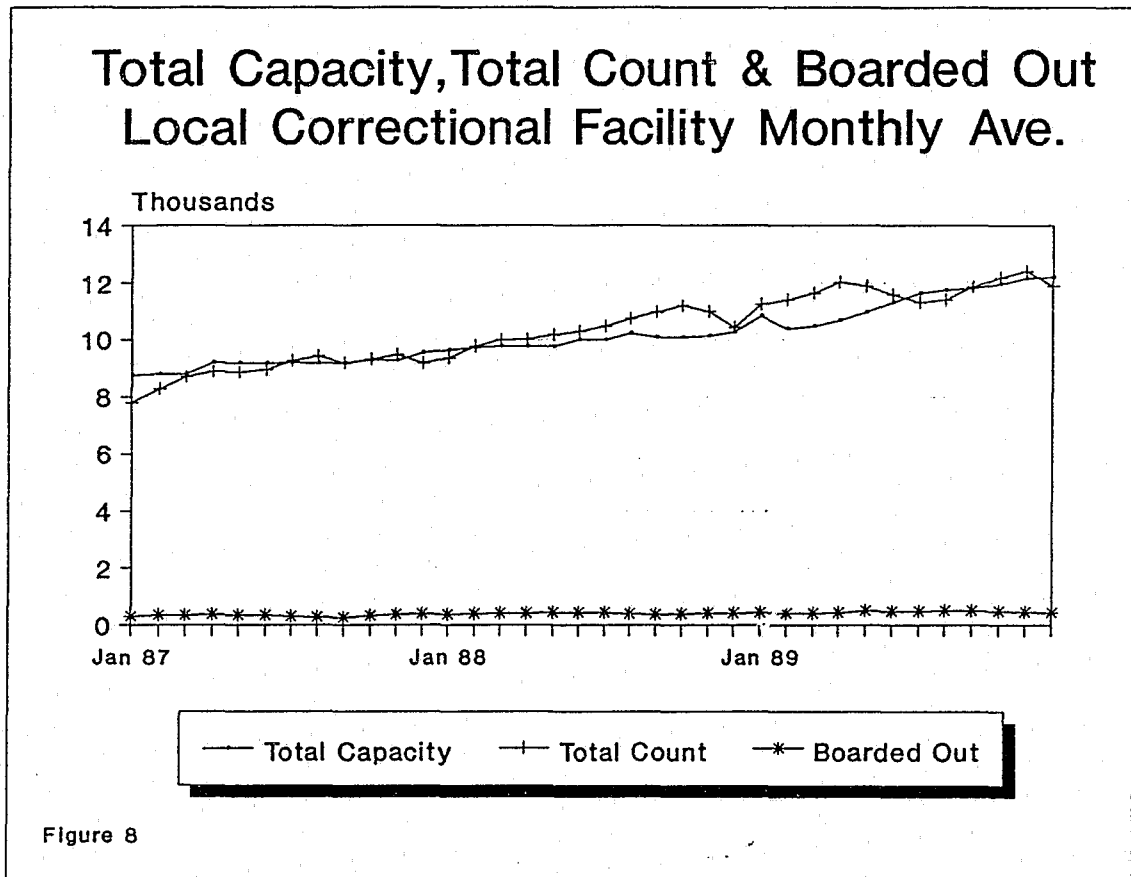
Capacity Changes January Through December Comparison

	NYSDOCS		NYCDOC		LCF	
	1988	1989	1988	1989	1988	1989
Design Capacity						
Actual Increase	3,435	2,131	2,517	1,980	316	316
Percent Increase	9.4%	5.3%	16.5%	11.2%	3.6%	3.5%
Temporary Variance Space						
Actual Increase	49	4,018	-291	644	235	1,640
Percent Increase	1.7	137.4%	-26.2%	78.6%	23.8%	130.2%
Total Capacity						
Actual Increase	3,484	6,149	2,226	2,624	551	1,956
Percent Increase	8.9%	13.6%	13.6%	14.1%	5.6%	18.9%

LOCAL CORRECTIONAL FACILITY POPULATION TRENDS 1987-1989

In the previous one day figure analysis general trends for all three correctional systems in New York State were examined on a year by year basis. The following is a more in-depth analysis of the local correctional facility population (excluding NYCDOC) from January 1987 through December 1989. This section is intended to provide a greater understanding of the variable composition of the local correctional facility population. The Jails Daily Population Reporting System (page 1) is the source of this information.

Over the past three years, the total capacity and total inmate count of the local correctional system have trended upward even though there is unsystematic positive and negative variation by month. (Figure 8) From January of 1987 to December 1989, total capacity has exceeded total count in only 11 of 36 months. These space constraints limit the elasticity of the system, i.e. the boarding of inmates between jails. During this three year period the average number of inmates boarded out per month across the system has remained virtually the same.



Who is responsible for the incarceration of local correctional facility inmates? Figure 9 shows that the vast percentage (over 85%) of inmates in local correctional facilities are being housed for the local criminal justice network. The remaining segment of the population is either awaiting transfer to state DOCS (state readies), being held for the parole violation process (parole violator held on parole warrant only) or being held for federal authorities. The amount of state ready inmates in the local correctional system has fluctuated

Local vs. Other Inmates Percent of Total Count

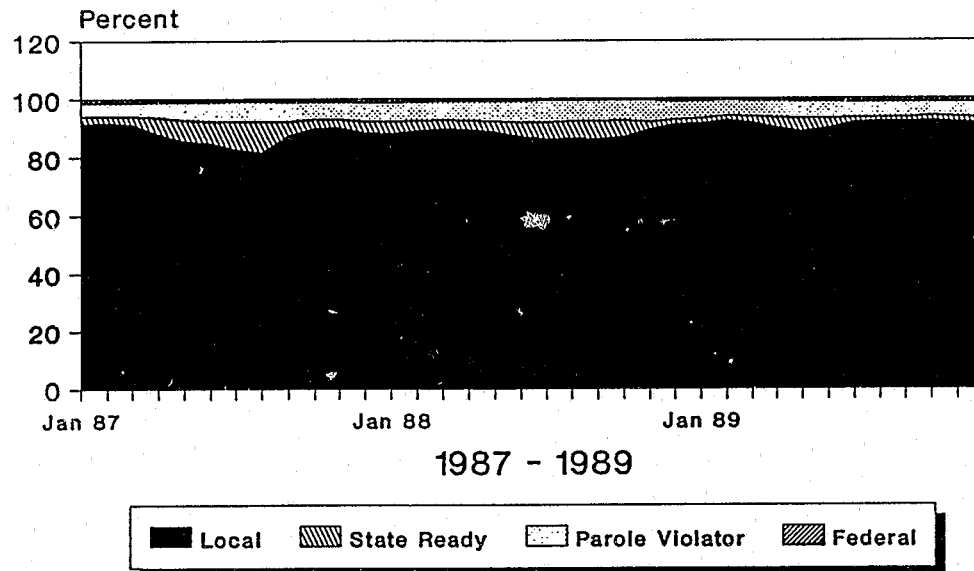
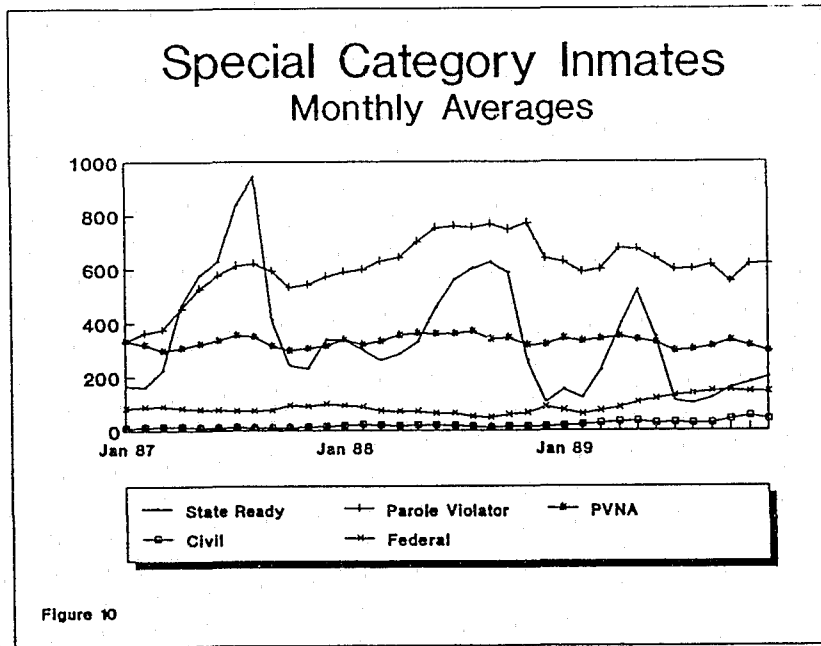


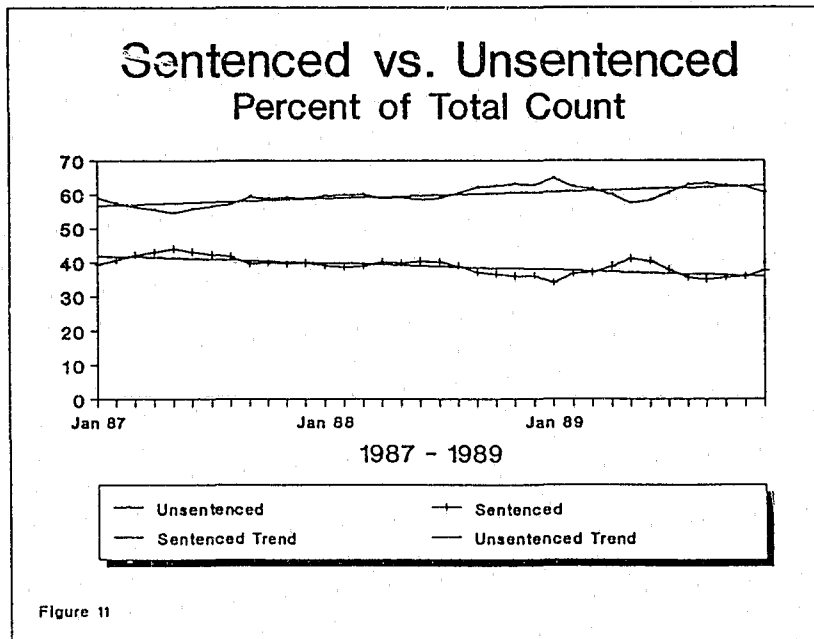
Figure 9

considerably over the past three years. There are three distinct periods, one in each year, when state ready inmates swelled in the population. These periods coincide with severe overcrowding in the state correctional system. By year end 1989, due to court orders and alternative population management strategies, state ready inmates made up less than two percent of the total local correctional facility population. The percentage of parole violators in the population has remained fairly constant over time, generally staying in the five to six percent range. Federal inmates comprise about one percent of the total inmate count.

Examining the actual number of bed spaces utilized by special category inmates provides interesting results (Figure 10). The number of civil inmates housed across the system per day ranged from the low teens in early 1987 to the low forties by the end of 1989. Federal inmates ranged from the low eighties in 1987 to over 140 per day in December of 1989. Parole violators with new arrests (PVNA) ranged between 295 and 368 per day during the same period. State ready and parole violator inmates (held on parole warrant only) have fluctuated the most during this time period, and in doing so, provided the greatest uncertainty for jail administrators. State ready inmates ranged from a low of 101 per day to a high of 945 and parole violators ranged from 333 per day to 770 per day. At the end of 1989 there were an average of 198 state readies and 619 parole violators in the local correctional system per day.



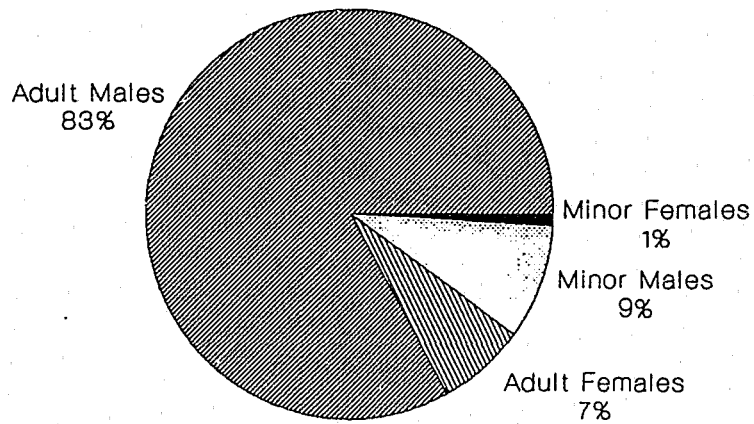
Four categories comprise total inmate count: sentenced, unsentenced, civil and federal. Civil and federal inmates do not account for significant portions of the total population on a daily basis, .3 percent and 1 percent respectively. An examination of the sentenced and unsentenced categories over time discloses an interesting pattern. Since these two categories account for nearly all of the housed inmates it is not surprising that their respective percentages vary inversely. As one goes up, the other goes down. Graphically this creates a mirror image effect (Figure 11).



A trend line was plotted using the average level of growth or decline over time. Figure 11 shows a cyclical pattern of rise and fall combined with a general trend upward for the unsentenced population and a general trend downward for the sentenced population. Over the past three years the unsentenced inmate population has been increasing as a percent of the total population. Additionally, in each of the past three years the sentenced portion of the population swelled in the first six months of the year and the unsentenced portion swelled in the second half of the year.

The composition of the unsentenced and sentenced populations were very similar and both remained stable over the three year period. About 83 percent of both the sentenced and the unsentenced populations were adult males. Adult inmates are 19 years old or older and minor inmates are ages 16 to 18. Seven percent were adult females, nine percent were minor males and one percent were minor females (Figure 12).

County Jail Population Composition Sentenced and Unsented Categories

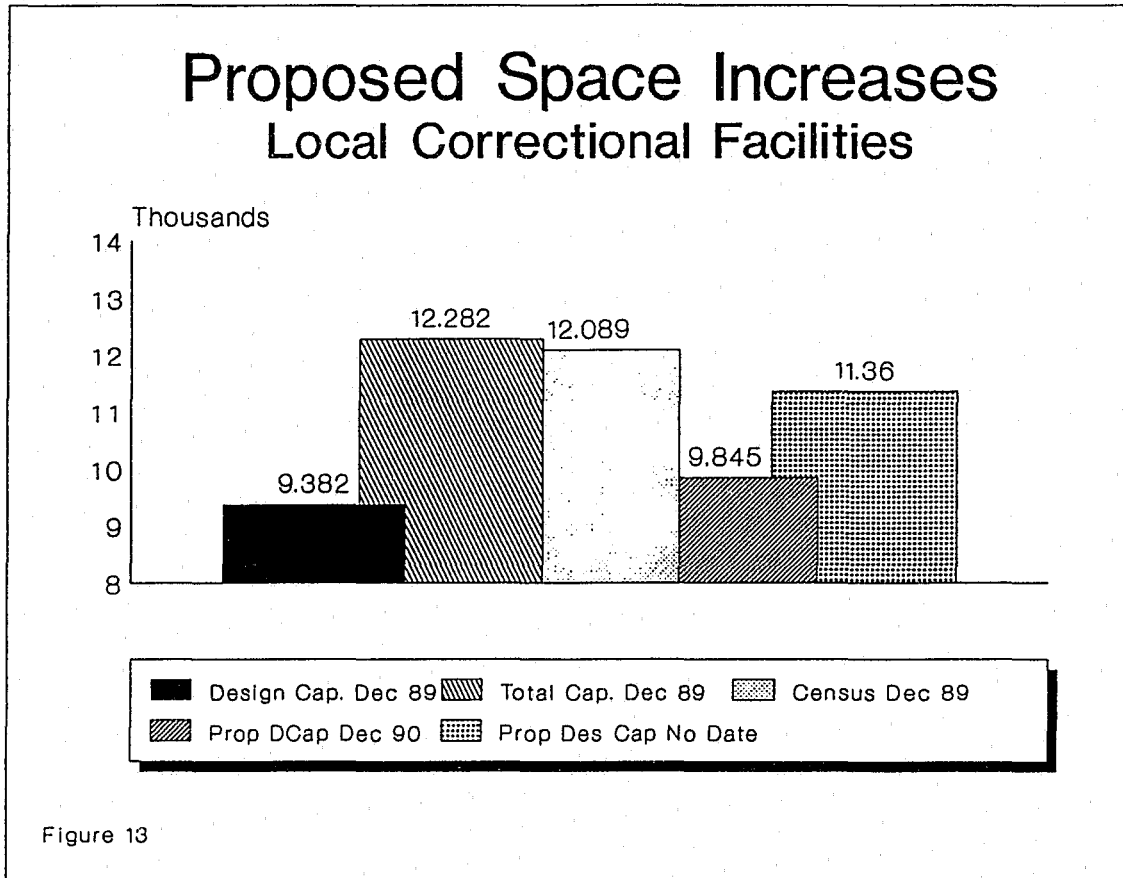


1987 - 1989

Figure 12

LOCAL CORRECTIONAL FACILITY EXPANSION

In December of 1989 the average daily census was 12,089 inmates. At that time the design capacity of the local correctional facility system was 9,382 beds, which was increased to a total capacity of 12,282 beds with the use of variance space. Construction planned to be completed by December of 1990 would increase the design capacity of the local correctional system 5 percent to 9,845 beds. When all planned construction is included regardless of completion date, the design capacity of the local correctional system will be increased 21 percent over its December 1989 figure for a total of 11,360 beds. These statistics are reflected in Figure 13.



SUMMARY OF FINDINGS

INTRODUCTION

- o New York's correctional system is comprised of three major components: police department lockups, local correctional facilities and the New York State Department of Correctional Services.
- o All of these correctional system components have experienced considerable population increases over the last few years.

POLICE DEPARTMENT LOCKUP POPULATION TRENDS

- o The manner in which police lockups function makes population flow through them very unpredictable.
- o Admissions to upstate police department lockups increased 56 percent from 1983 to 1989 with lockup cell space increasing 3 percent during the same period.
- o The rate of use of upstate police department lockups increased from 98 admissions per cell in 1983 to 148 admissions per cell in 1989.
- o The New York City Police Department showed a 181 percent increase in admissions from 1985 to 1989 with a one percent increase in available lockup cell space.
- o The rate of use of New York City's lockup cells went from 185 admissions per cell in 1985 to 517 in 1989.

NYS DEPARTMENT OF CORRECTIONAL SERVICES AND LOCAL CORRECTIONAL FACILITY POPULATION TRENDS

- o In 1983 local correctional facilities (excluding NYC) were in the best shape of the three systems regarding population with census making up 84 percent of the design capacity. By year-end 1988 local correctional facilities were in the worst shape of the three systems and remained there in 1989 with census making up 122 percent of the design capacity.
- o NYSDOCS census was 118 percent of design capacity in 1983 and decreased to 111 percent by 1988. During 1989 the census increase far outstripped the capacity increase leaving DOCS at 120 percent of capacity by year end.
- o NYCDOC was at 91 percent capacity in 1983. By year-end 1989, NYCDOC census was 101 percent of beds at standard.
- o Over the period 1983 to 1988 NYSDOCS has had the largest percent increase in design capacity (53%) and the smallest percent increase in census (44%). This changed in 1989 when NYCDOC

expanded its design capacity so much that by year end it had the largest percent increase in design capacity (74%) of the three systems.

- o NYCDOC experienced the largest increase in census (89%) of all three systems from 1983 to 1989.
- o Local correctional facilities experienced the smallest percent increase in design capacity (20%) between 1983 and 1989, a time when census increased 73 percent.

POPULATION VS. CAPACITY IN 1989

- o Throughout 1989, the number of beds at standard was greater than the average daily population in NYCDOC.
- o New York City's daily population during 1989 was 98 percent of the census.
- o New York City was able to increase bed space beyond beds at standard through variances granted by the Commission.
- o New York City's daily population as a percent of total capacity ranged from 88 percent to 96 percent through the months of 1989 for an average of 93 percent.
- o During 1989 NYSDOCS daily population averaged 95 percent of its census.
- o NYSDOCS expanded its housing capability through the use of temporary capacity.
- o NYSDOCS daily population averaged 93 percent of total capacity in 1989.
- o The daily population of local correctional facilities averaged 99 percent of the census during 1989.
- o Local correctional facilities increased their total capacity through the use of temporary variance space.
- o For NYCDOC in 1989, an 11.2 percent increase in beds at standard along with a 78.6 percent increase in variance space resulted in a 14.1 percent increase in total capacity by year end.
- o During 1989 NYSDOCS design capacity increased 5.3 percent while temporary space increased 137.4 percent. The net result was a 13.6 percent increase in total capacity by year end.
- o Local correctional facilities increased temporary variance space 130.2 percent, while design capacity increased only 3.5 percent. Overall the total capacity of local correctional facilities increased 18.9 percent.

LOCAL CORRECTIONAL FACILITY POPULATION TRENDS 1987-1989

- o From January of 1987 to December 1989, total capacity exceeded total count in only 11 of 36 months.
- o The average number of inmates boarded out per month across the system has remained virtually the same from 1983 through 1989.
- o Over 85 percent of inmates in local correctional facilities are being housed for the local criminal justice network.
- o The percent of state ready inmates in the local jail population has been variable over the past three years. By year end 1989, state readies made up less than two percent of the total local correctional facility population.
- o The percentage of parole violators in the population has remained fairly constant over time, generally staying in the five to six percent range.
- o Federal inmates comprise about one percent of the total inmate count.
- o The number of civil inmates housed across the system per day ranged from the low teens in early 1987 to the low forties by the end of 1989.
- o The number of federal inmates ranged from the low eighties in 1987 to over 140 per day in December of 1989.
- o The number of parole violators with new arrests (PVNA) ranged between 295 and 368 per day during the 1987-89 period.
- o The number of state ready inmates ranged from a low of 101 per day to a high of 945 and parole violators ranged from 333 per day to 770 per day.
- o At the end of 1989 there were an average of 198 state readies and 619 parole violators in the local correctional system per day.
- o The unsentenced and sentenced inmate population categories make up the majority of the local correctional facility population. The other two categories, civil and federal, together comprise less than two percent of the total population.
- o From 1987 to 1989, unsentenced inmates as a percentage of the total population increased, while the percentage of sentenced inmates decreased.
- o In each of the past three years the sentenced portion of the population swelled in the first six months of the year and the unsentenced portion swelled in the second half of the year.

- o The composition of the unsentenced and sentenced populations were very similar and both remained stable over the three-year period.
- o 83 percent of both the sentenced and unsentenced populations were adult males, seven percent were adult females, nine percent were minor males and one percent were minor females.

LOCAL CORRECTIONAL FACILITY EXPANSION

- o Construction planned to be completed by December of 1989 would increase the design capacity of the local correctional system 5 percent to 9,845 beds.
- o When all planned construction is included regardless of completion date, the design capacity of the local correctional system will be increased 21 percent over its December 1989 figure for a total of 11,360 beds.

POPULATION GROWTH IN NEW YORK'S CORRECTIONAL SYSTEM-COMMISSION IN REVIEW - 1989

- o During 1989 the Commission identified numerous counties which suffered from serious overcrowding and which gave indication that serious overcrowding was affecting the counties' ability to properly operate and manage their respective correctional facilities. A team of Commission specialists was assembled to conduct intensive evaluations of the operations of the county facilities and to provide on-site technical assistance to assist local officials in improving the operation and management of the facilities. Special evaluations were conducted in Sullivan County, Albany County, Allegany County, Chautauqua County, Genesee County, Putnam County, Montgomery County and Monroe County. The impact of these evaluations varied by facility with the following being a sample of results obtained in some jails: development of new administrative position, formulation of written policies and procedures previously non-existent, establishment of new security posts in housing areas, updating of disciplinary system, immediate reduction in jail population and improvements in physical plant.
- o Alternate Correctional Facilities: Riverview and Cape Vincent - In September 1989 the Commission of Correction granted a variance to the Department of Correctional Services which permitted the Department to house up to 200 inmates in the gymnasiums at both Cape Vincent and Ogdensburg. The variance was granted because of severe overcrowding conditions in New York City Correctional Facilities. As conditions of the variance, the Department of Correctional Services agreed to construct additional indoor recreation space, provide additional bath facilities, employ additional security and civilian staff and convert other space to be used for supplementary recreation. FEIB staff monitored conditions of confinement in both gyms as well as checked to

insure that the Department complied with all necessary conditions of the variance. This review was conducted in December 1989 and verified the Department's compliance with the conditions of the variance. It also found that the confinement conditions in the two gyms were acceptable and exceeded constitutional norms.

- o Variances - Pursuant to Correction Law, the Commission has the function, power and duty to "promulgate rules and regulations establishing minimum standards for the care, custody, correction treatment, supervision, discipline, and other correctional programs for all persons confined in correctional facilities." The Commission may grant a variance from these minimum standards "only upon a determination that (1) full compliance ... would create extreme practical difficulties or excessive hardships as a result of circumstances which are unique to a particular local correctional facility, or (2) compliance is to be achieved in an alternative manner sufficient to meet the intent of such rule or regulation. The Commission granted 88 variances in 1989, the majority of which arose out of local correctional facility efforts to cope with inmate overcrowding.
- o Directives - The Commission has authority pursuant to Correction Law section 46(4) to issue a directive "in any case where any rule or regulation promulgated by the Commission ... or the laws relating to the construction, management and affairs of any correctional facility or the care, treatment and discipline of its inmates, are being or are about to be violated." The directive is issued to "the person in charge or control of the facility," and it is designed to "notify ... the person of such violation, recommend remedial action, and direct such person to comply with the rule, regulation or law, as the case may be." If the person fails to comply, "the Commission may apply to the supreme court for an order directed to such person requiring compliance with such rule, regulation or law." Failure to comply with the court's order is punishable as contempt of court. In 1989, the Commission issued three directives only one of which dealt with maximum facility capacity.
- o During 1989, the Facilities Planning and Improvement Unit reviewed formal plan submittals on 24 Department of Correctional Services projects, 37 county correctional facility projects, 12 New York City Department of Correction projects and 5 municipal police department projects. These projects included the following:
 - Continued construction of new 855-bed Nursery-Beacon Facility on Rikers Island.
 - Completed construction of new 85 bed Clinton County Correctional Facility.
 - Completed construction of new 116 bed Columbia County Public Safety Building.

- Continued construction of new 50 bed Cortland Correctional Facility.
- Continued construction of new 258-bed Monroe County Community Correctional Center.
- Completed construction of new 160 bed Rockland County Correctional Facility.
- Completed construction to provide 100 bed capacity expansion at Suffolk County Correctional Facility at Riverhead.
- Completed construction to provide 130-bed capacity expansion at Suffolk County Correctional Facility at Yaphank.
- Continued construction of 122 bed capacity expansion at Westchester County Correctional Complex.
- Completed construction of new 80-bed dormitory addition at Schenectady County Correctional Facility.
- Completed construction of 36-bed addition to Sullivan County Correctional Facility.
- Completed construction of a 64-bed capacity expansion at Albany County Correctional Facility.
- Completed construction of a 96-bed capacity expansion at Albany County Correctional Facility.
- Beginning construction of a 20-bed capacity expansion at Jefferson County Correctional Facility.
- Beginning construction of a new 40-bed Lewis County Correctional Facility.
- Completed construction of a new 30-bed capacity expansion at Montgomery County Correctional Facility.
- Completed construction of a new 450-bed capacity expansion at Nassau County Correctional Center.
- Completed construction of a 56-bed capacity expansion at Oneida County Correctional Facility.
- Beginning construction of renovation/expansion to Schuyler County Correctional Facility.
- Completed construction of a 24-bed capacity expansion at Ulster County Correctional Facility.
- Completed construction of 100-bed capacity expansion at Westchester County Correctional Complex.

- o In its advisory capacity, the Facilities Planning and Improvement Unit provided planning assistance on 48 county correctional facility projects, 6 New York City Department of Correction projects, 6 Department of Correctional Services projects, and 4 municipal police department projects. In addition, staff appeared before 24 county legislative sessions/committee meetings to advise and assist in their capital project planning efforts.
- o Substitute Jail Orders - The Commission may authorize the transfer of inmates from overcrowded, unsafe or unsuitable facilities to more appropriate places of confinement. During 1988, the Facilities Planning and Improvement Unit handled 536 new requests and 123 renewals.

FOCUS QUESTIONS

1. Should New York City expand lockup cell space as a result of the rapid rise in admissions?
2. Could a long term centralized planning process improve the ability of local correctional facilities to respond to overcrowding pressures?
3. Could overcrowding pressure be relieved across the local system by focusing population reduction strategies on the counties responsible for the majority of the local correctional facility census increase?
4. What programmatic options could local correctional facilities institute that might help alleviate overcrowding?
5. What programmatic options could county criminal justice networks adopt to help alleviate overcrowding?
6. Since the unsentenced portion of the total local correctional facility population is increasing, should overcrowding relief efforts and/or alternative programming be targeted for that population?
7. Will projected local correctional facility expansion be enough to handle future incarceration needs?

REPORTABLE INCIDENTS IN NEW YORK'S LOCAL CORRECTIONAL FACILITIES

Introduction

During 1986 and 1987, the Commission developed a standardized system for reporting unusual incidents to the Commission of Correction by county correctional facilities. As part of the standardization process incidents were clearly defined, incident reporting forms were standardized and codified for data entry, the reportable incident system was automated within the Commission, county correctional personnel were trained, Commission minimum standards for reporting incidents were promulgated, and on-site monitoring of compliance with the reporting guidelines was conducted.

The standardized Reportable Incident System replaced a previously inconsistent system whereby facility administrators determined what incidents were or were not reportable. Beginning in 1986, several county jails agreed to pilot the new reporting system in their facilities. By the end of 1986, a total of 18 county correctional facilities were reporting incidents following standardized definitions. Upon completion of the pilot phase, the final Reportable Incident Guidelines Manual was ready for statewide implementation. Regional training for county personnel was conducted in May and June of 1987. Full county implementation of the new definitions and guidelines became effective June 15, 1987. (Suffolk County began reporting on September 1, 1987.)

The first complete year of standardized reportable incident reporting for all counties was 1988. The Commission regards 1986 and 1987 as transition years for reporting incidents, and will utilize 1988 data as the baseline for future reportable incident trends. With the closure of 1989 the Commission now has two complete years of standardized data.

Reportable Incidents in 1988 and 1989

Local correctional facilities reported 937 incidents in 1988 and 923 in 1989. Incidents were reported in 28 out of a possible 46 categories in 1988 and in 31 in 1989. Four categories, inmate/inmate assault, inmate attempted suicide, individual inmate disturbance, and inmate/personnel assault, account for about three-quarters of all incidents in both years. Inmate/inmate assaults alone, account for over one-third of all incidents. Nearly half of all incidents in both years were reported by four facilities which account for about one-third of the total average daily population of all the local correctional facilities. Table 4 ranks the incident types by frequency of reporting and gives the number reported and percent contribution to the total number of RI's.

TABLE 4 INCIDENTS REPORTED BY COUNTY CORRECTIONAL FACILITIES
1988 vs. 1989

Type of Incident	1988		1989	
	# Reported	% of Total	# Reported	% of Total
Inmate/Inmate Assault	313	33%	388	42%
Inmate Attempted Suicide	183	19%	131	14%
Inmate/Personnel Assault	102	11%	84	9%
Ind. Inmate Disturbance	110	12%	74	8%
Inmate Introduced				
Contraband	56	6%	57	6%
Inmate Self-Inflicted Injury	32	3%	30	3%
Inmate Accidental Injury	19	2%	27	3%
Contraband-Unknown Source	17	2%	26	3%
Contraband-Visitor Introduced	6	1%	15	2%
Escape-County Supervision	16	2%	12	1%
Inmate Suicide Death	2	*	10	1%
Minor Disturbance	12	1%	9	1%
Inmate Natural Death	7	1%	8	1%
Fire/Arson	6	1%	7	1%
Attempted Escape/County				
Supervision	18	2%	6	**
Inmate AIDS Death	4	*	5	**
Inmate Contagious Illness	4	*	5	**
Inmate/Inmate Sexual				
Assault	8	1%	4	**
Miscellaneous	2	*	4	**
Personnel Accidental				
Injury	4	*	3	**
Fire Unknown Source	3	*	3	**
Escape/Other Agency				
Supervision	0	0	3	**
Abscondence	0	0	3	**
Fire/Non-Arson	1	*	2	**
Natural/Civil Emergency	3	*	1	**
Major Maintenance/Service				
Disruption	1	*	1	**
Major Disturbance	1	*	1	**
Inmate/Visitor Sexual				
Assault	0	0	1	**
Inmate Homicide Death	0	0	1	**
Personnel Contagious Illness	0	0	1	**
Other Inmate Death	0	0	1	**
Inmate Group Action	3	*	0	0
Group Contagious Illness	2	*	0	0
Personnel Death	2	*	0	0
	937	100%	923	100%

*Sums to 3 percent

**Sums to 5 percent

Demographics of Inmates Involved in Incidents - 1988 vs. 1989

For the year 1988, there were 1,349 inmates with inmate files as a result of being involved in incidents, 18 of whom were witnesses to an incident. In 1989 the number of inmates involved in incidents increased six percent to 1,432, 36 of whom were witnesses to an incident. The witnesses are excluded from this analysis, as our purpose is to examine cases where inmates are directly involved in incidents. The following analysis is based on the 1,331 inmates involved in the 937 incidents reported in 1988 and the 1,396 inmates involved in the 923 incidents reported in 1989. On occasion data will be missing in a category. Missing data will be subtracted from the total and percentages will be based only on cases for which data are available.

		Adult	Minor	Subtotal	Total
SENTENCED	1988 Male	242(18%)	68(5%)	310(23%)	336(25%)
	1988 Female	24(2%)	1(0%)	25(2%)	
	1989 Male	257(19%)	52(4%)	309(23%)	323(24%)
	1989 Female	14(1%)	0(0%)	14(1%)	
UNSENTENCED	1988 Male	781(59%)	153(12%)	934(71%)	986(75%)
	1988 Female	48(4%)	4(0%)	52(4%)	
	1989 Male	789(58%)	195(14%)	984(72%)	1037(76%)
	1989 Female	48(4%)	5(0%)	53(4%)	

Table 5 shows the breakdown of reportable incident participants by classification type for 1988 and 1989, while Table 6 provides comparable demographic data on the total housed population for the same two years. There is almost no change in either table between the two years. A comparison of demographics of inmates involved in incidents (Table 5) with demographic data on all inmates, (Table 6) reveals that nearly the same percentage of males and females that are in the total population are also involved in incidents. However, there are differences in the sentenced/unsentenced and adult/minor ratios when comparing the general population to inmates involved in

Table 6		Demographic Characteristics of Total Inmate Population 1988 & 1989							
		Sentenced				Unsentenced			
		Male		Female		Male		Female	
		1988	1989	1988	1989	1988	1989	1988	1989
Adult		32%	31%	3%	4%	51%	51%	5%	5%
Minor		3%	3%	0%	0%	6%	6%	0%	0%
Subtotal		35%	34%	3%	4%	57%	57%	5%	5%
Total		1988 38%		1989 38%		1988 62%		1989 62%	

incidents. A greater percentage of unsentenced inmates are involved in incidents than are in the population as a whole (13 percent more in 1988 and 14 percent in 1989). Likewise, the percentage of minors involved in incidents was 8 percent greater than the percentage of minors in the general population in 1988 and 9 percent greater in 1989. Unsentenced males, both adult and minor, are involved in incidents at a higher rate than their ratio in the general population.

Of the inmates who participated in RI's in 1988, half (51%) were black, while the other half included mostly whites (45%). The remainder involved other racial categories. Eight percent of the inmates involved in incidents were of Hispanic ethnicity. This pattern remained the same in 1989 with 53 percent black, 43 percent white and eight percent of Hispanic ethnicity. In both 1988 and 1989 nearly two-thirds (61% and 63% respectively) of the inmates involved in incidents were being held for felonies, with almost half of these being held for violent felonies. Again in both years, about one-quarter (26%) of the RI participants were being held for misdemeanors and the remaining percentages were held for violations.

One change from 1988 was the reduction in the percentage of parole violators involved in incidents. In 1988 parole violators were over-represented in incidents as they comprised 11 percent of the inmates involved in incidents while accounting for 7 percent of the general population. Parole violators comprised 5 percent of the general population in 1989 and accounted for an equivalent 5 percent of incidents. Three percent of all inmates involved in incidents in 1988 were state readies, which was slightly under their proportion in the general population which was four percent. The percentage of state readies in the general jail population decreased to two percent in 1989, however, they were still responsible for three percent of the incidents reported. Other special category information is presented in Table 7.

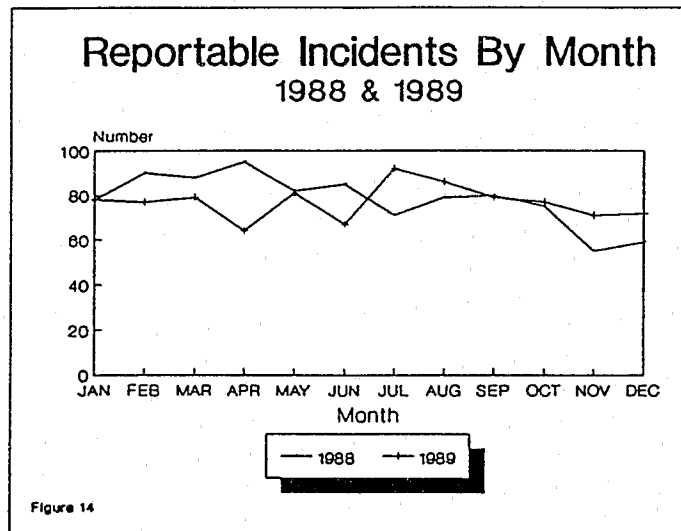
SPECIAL CATEGORY	NUMBER						PERCENT OF INMATES INVOLVED IN RIs	
	MALE		FEMALE		TOTAL		1988	1989
	1988	1989	1988	1989	1988	1989		
INTERMITTENTS	30	64	4	4	34	68	3%	5%
PROBATION VIOLATORS	51	28	6	1	57	29	4%	2%
JAIL/PROBATION SENTENCE	91	72	12	17	103	89	8%	6%
CIVIL	4	5	0	1	4	6	0%	0%
FEDERAL	3	3	0	0	3	3	0%	0%

Incident Demographics

Does the overcrowded jail environment encourage incidents? A previous analysis of 1988 data suggested that an overcrowded environment does encourage incidents. A similar analysis for 1989 reveals a similar finding. To examine this issue the percent of occupancy was determined for each county facility by dividing the 1989 average daily population by the December 1989 design capacity. The percent capacity was divided into four categories as reflected in Table 8 and the average daily population (ADP) and RI's accounted for by each category was determined. Four facilities were on average under 80 percent capacity during 1989. These facilities accounted for one percent of the total local correctional facility ADP and one percent of RI's. The thirteen facilities that were between 81 and 90 percent capacity accounted for nine percent of the total ADP and six percent of all RI's. The nine facilities that were between 91 and 100 percent capacity showed a similar pattern accounting for eight percent of total ADP and only six percent of the total RI's. Local correctional facilities 101 percent of capacity and over exhibit a higher rate of incidents than would be expected. While accounting for 82 percent of the ADP, these 35 overcapacity jails had 87 percent of all RI's.

PERCENT CAPACITY	NUMBER OF FACILITIES	AVE. DAILY POP.		INCIDENTS	
		#	% TOTAL	#	% TOTAL
< 80%	4	116	1%	8	1%
81-90%	13	1,128	9%	55	6%
91-100%	9	922	8%	54	6%
101+%	35	9,592	82%	806	87%
TOTALS	61	11,758	100%	923	100%

The occurrence of the majority of incidents was about equally divided between the 8:01 a.m. to 4:00 p.m. shift and the 4:01 p.m. to 12:00 midnight shift for both 1988 and 1989. In 1988, the 8:01 a.m. to 4:00 p.m. shift and the 4:01 p.m. to 12:00 midnight shift accounted for 41 percent and 45 percent of incidents respectively, while they each accounted for 44 percent in 1989. Only 14 percent of the incidents in 1988 and 12 percent in 1989 occurred between 12:01 a.m. and 8:00 a.m. The month of year does not appear to be an important factor in the occurrence of RI's in general (Figure 14).



INMATE/INMATE ASSAULTS - THE LEADING RI CATEGORY

Inmate Demographics

There were 805 inmates involved in 388 reported inmate/inmate assaults in 1989. While the total number of reportable incidents declined from 1988 to 1989 the number of inmate/inmate assaults increased. Inmate/inmate assaults represented 33 percent of all reported incidents in 1988, increasing to 42 percent of all incidents in 1989. In addition, 58 percent of all inmates involved in 1989 incidents were involved in inmate/inmate assaults, an increase from 49 percent in 1988.

The vast majority of inmates involved in assault incidents are male, 96 percent and 98 percent in 1988 and 1989, respectively. This compares with 92 percent and 91 percent males in the total inmate population for these two years. Unsentenced inmates are more likely to be involved in assaults than their percentage in the general population would suggest. Of the inmates involved in assaults, 74 percent were unsentenced for both 1988 and 1989, whereas unsentenced inmates constituted 62 percent of the total inmate population in each year.

Parole violators were over-represented in the assault category in 1988. While accounting for 11 percent of assaults they comprised only 7 percent of the total inmate population. In 1989 the reverse is true. Four percent of all inmates involved in assaults were parole

violators, which is less than their percentage in the total inmate population (5%). Parole violators were more frequently perpetrators when involved in assaults in 1989 than in 1988, 70 percent and 63 percent respectively. State ready inmates were under-represented in assaults in 1989. They accounted for four percent of the total population and one percent of the assaults. In 1988 they accounted for four percent of assaults and four percent of the population. Unlike parole violators, state ready inmates in 1989 were more likely to be victims than perpetrators. This represents a change from 1988.

One common issue that arises regarding inmate/inmate assaults is whether or not there are any racial factors involved. In examining this issue it becomes evident that many combinations of race and inmate role exist. An inmate's role in an inmate/inmate assault may be as the victim, perpetrator, witness, or none of the above (not applicable). There are cases where only one inmate is identified as the victim, but no perpetrator. In the reverse, there are cases with a perpetrator, but no victim. There was one case with one perpetrator and five victims. In the multiple perpetrator or victim incidents, the racial categories can be mixed. Table 9 shows the frequency of occurrence of incidents with a specified number of inmates involved. This table reveals the complexity of a victim/perpetrator analysis.

Table 9 Inmate/Inmate Assaults by Number of
Inmates Involved in Incidents* - 1989

<u># of Inmates Involved</u>	<u># of Incidents</u>	
	<u>1988</u>	<u>1989</u>
1	44	65
2	223	264
3	22	31
4	16	16
5	6	6
6	2	1
>6	0	5

* Includes witnesses. There were 15 witnesses in a total of 7 incidents.

To investigate the victim/perpetrator relationship we chose to examine those assault incidents where two inmates were involved, one of which was identified as the perpetrator and one which was identified as the victim. Sixty-one percent of the 1988 incidents and 57 percent of the 1989 incidents met this criteria. The race of the perpetrator was cross tabulated with the race of the victim. The results can be found in Table 10.

TABLE 10 INMATE/INMATE ASSAULTS
ONE VICTIM AND ONE PERPETRATOR

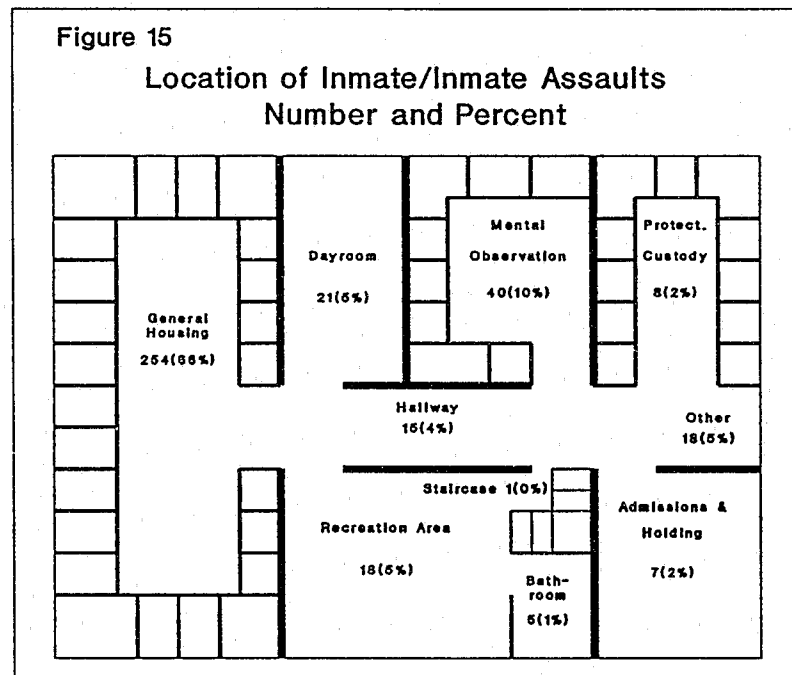
V I C T I M	PERPETRATOR							
	WHITE #(%)		BLACK #(%)		OTHER #(%)		TOTAL #(%)	
	1988	1989	1988	1989	1988	1989	1988	1989
WHITE	32(67%)	47(76%)	68(52%)	66(46%)	7(70%)	10(50%)	107(56%)	123(54%)
BLACK	18(33%)	12(19%)	60(46%)	74(51%)	3(30%)	6(30%)	79(42%)	92(41%)
OTHER	0(0%)	3(5%)	4(3%)	4(3%)	0(0%)	4(20%)	4(2%)	11(5%)
TOTAL	48(100%)	62(100%)	132(100%)	144(100%)	10(100%)	20(100%)	190(100%)	226(100%)

In 1989 one on one inmate assaults, black inmates are perpetrators 64 percent of the time and victims 41 percent of the time. White inmates are perpetrators 27 percent of the time and victims 54 percent of the time. When examined more specifically by incident, one finds that white perpetrators are four times as likely to victimize a white inmate than a black inmate. Fifty-one percent of the victims of black perpetrators are black inmates, with white victims following closely behind (46%). Perpetrators of the 'other' racial category victimize whites 50 percent of the time, blacks 30 percent of the time and other racial categories 20 percent of the time. Table 10 shows the 1988 comparison data along with the 1989 data. Some noticeable changes between 1988 and 1989 in one on one assaults are: the increase in whites victimizing whites, black inmates victimizing black inmates more often than they victimize white inmates in 1989, and the growth in other racial categories as both perpetrators and victims. Future analysis will address multiple victims and perpetrators.

Incident Demographics

The most frequent location of inmate/inmate assaults in 1989 was the general housing unit, followed by mental observation unit and the day room. With the exception of the mental observation unit, this is not surprising as these are the locations in which the majority of inmates spend the majority of their time. These three locations account for 81 percent of the assaults. Assaults occurring in mental observation units increased from 5 percent of total assaults in 1988 to 10 percent in 1989. Likewise the percentage of assaults occurring in

general housing units increased from 57 percent of the total in 1988 to 66 percent in 1989. Decreases occurred in both dayrooms and recreation areas. In 1988 ten percent of assaults occurred in day rooms and 11 percent occurred in recreation areas. Assaults in each of these areas decreased to 5 percent of the total in 1989. A more complete list of locations along with number of inmate/inmate assaults and percent of total is provided in Figure 15.



These 1989 assaults occurred mainly between the hours of 8 a.m. and 12 midnight. Only 11 percent (41) occurred between 12 midnight and 8 a.m. Assaults between 8 a.m. and 12 midnight were divided fairly evenly between the 8 a.m. to 4 p.m. shift (43%) and the 4 p.m. to 12 midnight shift (46%). Force was used to quell 10 percent (38) of inmate on inmate assaults. Medical attention was required by 56 percent of the inmates involved in assaults and of this group, 65 percent received treatment in an emergency room, 26 percent were treated in the facility and 9 percent were admitted to a hospital. Only 20 percent of the perpetrators required medical attention and only two were admitted to a hospital. Ninety-eight percent of the victims required treatment, of which 68 percent were treated in an emergency room, 11 percent were admitted to a hospital, and 21 percent received treatment in the facility. These findings parallel those from the 1988 assaults.

Incident Specifics and Administrative Action

Local correctional facilities are required by Commission standards to send in a thirty day follow-up report on incidents. Out of 388 inmate assaults in 1989, 323 thirty day follow-up reports were filed.

These reports contain more detailed information regarding the incident and administrative action taken as a result of the incident. In the vast majority of the assaults (87%) the only instruments used were hands and feet. Other identifiable instruments utilized were broom/mop handle (2%), teeth (<1%), chemicals (<1%) and bedsheets (<1%). Felony charges were lodged against 49 inmates and misdemeanor charges against 16 as a result of their involvement in an assault. The most common administrative responses to inmate/inmate assault in 1988 were punitive segregation and administrative segregation. In 1989 jail officials utilized punitive segregation and loss of program/privileges most frequently. None of the administrative action categories are exclusive as counties often respond with more than one action and are asked to report all responses. Other common responses are transfer to another general housing unit, transfer to another facility, medical/mental health observation and constant supervision. Table 11 lists the actions taken and their frequency of use.

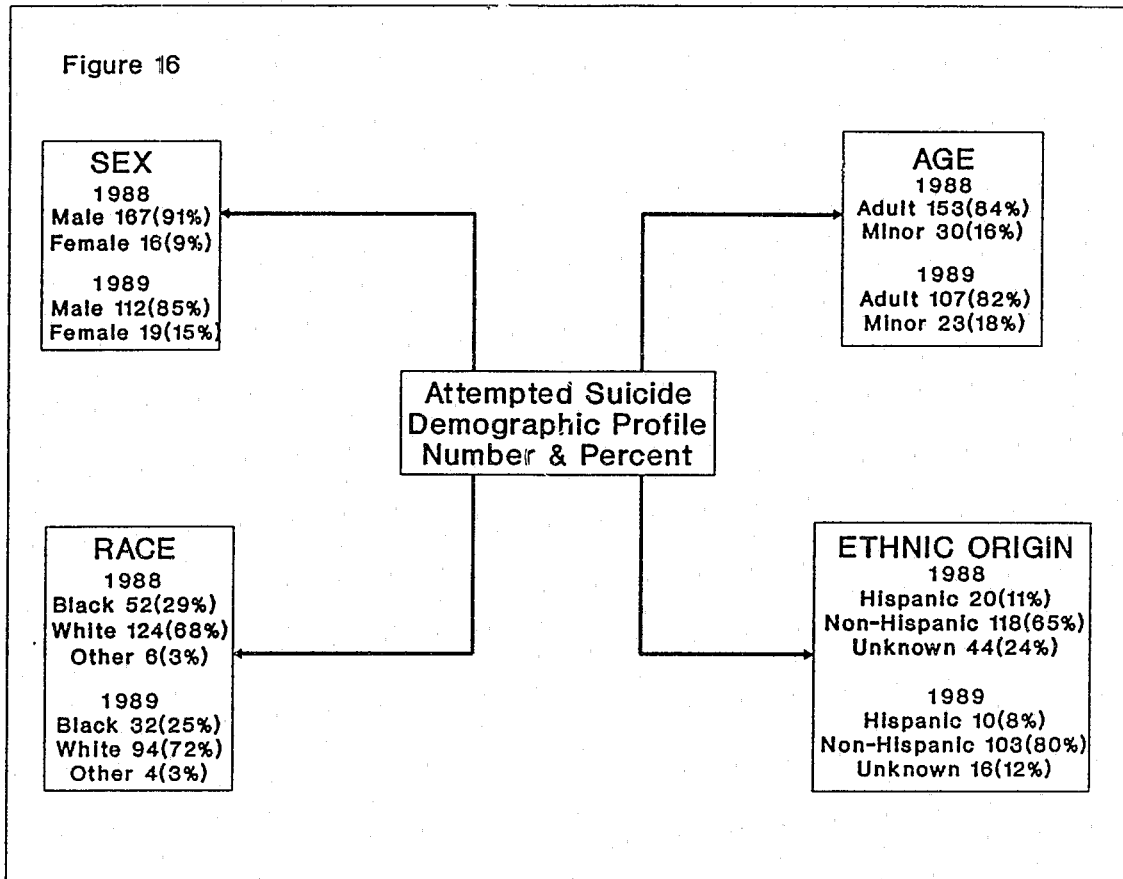
Table 11 Frequency of Administrative Action Taken in
Inmate/Inmate Assaults

<u>Action*</u>	<u>Frequency of Use</u>	
	<u>1988</u>	<u>1989</u>
Punitive Segregation	153	228
Administrative Segregation	101	80
Transfer to Another General Housing Unit	75	70
Loss of Program/Privileges	68	177
Transfer to Another Facility	18	15
Medical/Mental Health Observation	12	34
Constant Supervision	3	8
Other	24	42

* Categories are not mutually exclusive. Counties report all categories that apply.

ATTEMPTED SUICIDE

Attempted suicide is the second most frequently reported incident. Suicide attempts declined significantly from 1988 to 1989 at a time when the inmate population grew rapidly. There were 183 reported inmate attempted suicides in 1988 which accounted for 19 percent of all incidents. The actual number of attempts decreased to 131 in 1989 making up 14 percent of all incidents. Suicide was attempted most often by adult white males of non-Hispanic origin (Figure 16). When compared with the makeup of the total inmate jail population in both 1988 and 1989, unsentenced inmates and minor inmates appear more likely than their counterparts to attempt suicide. Unsentenced inmates comprised 62 percent of the total inmate population in both years, however, they represented 81 percent of the attempted suicides in 1988 and 88 percent in 1989. Minors made up 9 percent of the total population in each year but accounted for 16 and 18 percent of suicide attempts, respectively.

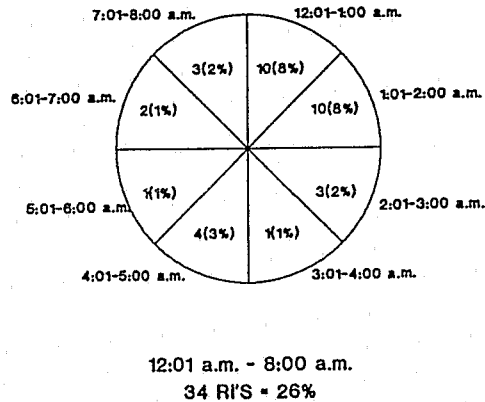
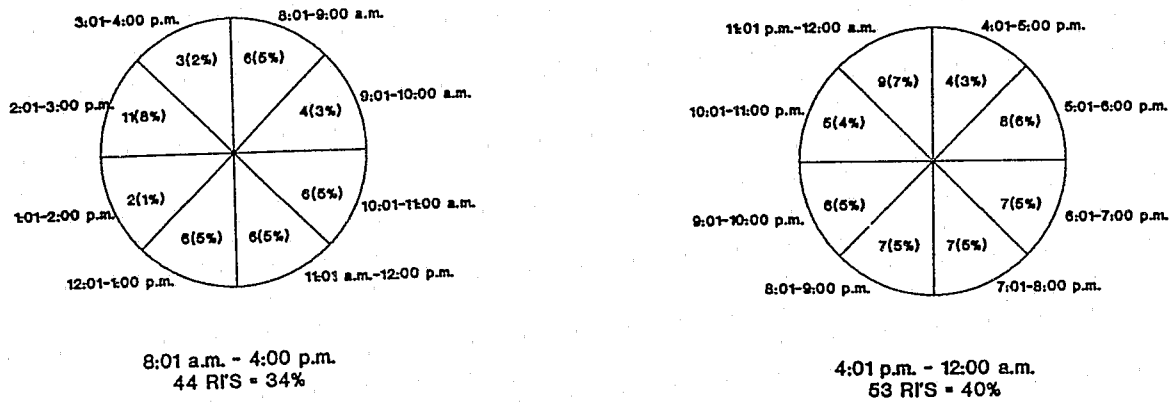


Attempted Suicide Incident Demographics

One of the major concerns of jail administrators and correction officers is the prevention of suicide. A theme commonly expressed in the discussions centering around suicide is whether or not there are any discernible patterns in when suicide attempts might occur. To examine this question the time of day, month of year and length of time in facility were examined for 1989.

The 4 p.m. to 12 midnight shift experienced 40 percent of the attempted suicides. One-third (34%) of the attempts occurred on the 8 a.m. to 4 p.m. shift and the remaining 26 percent occurred on the 12 midnight to 8 a.m. shift. Broken down by the hour of the day (Figure 17), 55 percent of the attempts occurred between the hours of 5:00 p.m. and 3:00 a.m. This was the same basic pattern that occurred in 1988.

FIGURE 17
INMATES INVOLVED IN ATTEMPTED SUICIDES
BY SHIFT AND HOUR OF THE DAY - 1989
NUMBER AND PERCENT



Racial demographics for 1988 and 1989 attempted suicides were compared with 1988 jail admissions demographics (1989 figures are not yet available.) Table 12 indicates that white and Hispanic males attempt suicide at higher rates than their proportion of all jail admissions. Black males and white females appear to be underrepresented in attempted suicides.

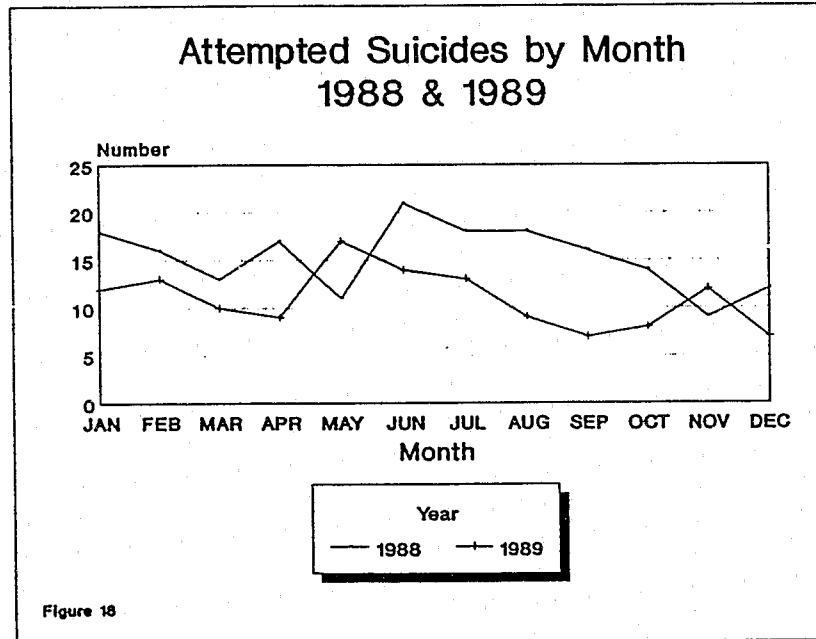
Table 12 ATTEMPTED SUICIDE BY SEX AND RACE					
		BLACK	WHITE	HISPANIC	OTHER
M A L E	# OF ATT. SUICIDES 1988	36	107	20	3
	% OF ATT. SUICIDES 1988	20%	59%	11%	1%
	# OF ATT. SUICIDES 1989	24	78	10	0
	% OF ATT. SUICIDES 1989	18	60%	8%	0%
% OF 1988 JAIL ADMISSIONS		32%	48%	7%	1%
F E M A L E	# OF ATT. SUICIDES 1988	11	5	0	0
	% OF ATT. SUICIDES 1988	8%	3%	0%	0%
	# OF ATT. SUICIDES 1989	7	12	0	0
	% OF ATT. SUICIDES 1989	5%	9%	0%	0%
% OF 1988 JAIL ADMISSIONS		8%	5%	1%	0%

During 1989 over two-thirds (68%) of those who attempted suicide were being held for felonies. This represents a proportional increase from 55 percent in 1988. Another quarter (25%) were being held for misdemeanors and 7 percent were held for violations.

While the average age at which male inmates attempted suicide was 25 years in both 1988 and 1989, the average age of females that attempted suicide rose from 25 in 1988 to 30 in 1989. The category with the highest frequency of attempted suicides was the 19-21 year olds for both years (Table 13).

Table 13 Attempted Suicide By Sex and Age												
Age	Male				Female				Total			
	1988		1989		1988		1989		1988		1989	
	#	%	#	%	#	%	#	%	#	%	#	%
16-18	26	15.5%	11	13%	4	25%	1	8%	30	16%	12	12%
19-21	40	24%	26	31%	4	25%	1	8%	44	24%	27	27%
22-24	31	18.5%	15	17%	1	6%	2	14%	32	17%	17	17%
25-27	22	13%	8	9%	2	13%	1	8%	24	13%	9	9%
28-30	16	10%	11	13%	1	6%	1	8%	17	9%	12	12%
31-33	11	7%	8	9%	1	6%	3	23%	12	7%	11	11%
34-36	9	5%	3	3%	2	13%	0	0%	11	6%	3	3%
37-40	5	3%	3	3%	0	0%	3	23%	5	3%	6	6%
41-43	3	2%	1	1%	0	0%	0	0%	3	2%	1	1%
>44	4	2%	1	1%	1	6%	1	8%	5	3%	2	2%
Totals	167	100%	87	100%	16	100%	13	100%	183	100%	100	100%

During 1988 most suicide attempts occurred in the months of June, July, August and January. The peak months for 1989 were similar: May, June, July and February. The least number of suicide attempts occurred during the month of November in 1988 and the months of September and December in 1989.



An examination of the length of time inmates spend in jail prior to attempting suicide revealed that over half (57%) of the 1988 attempts and about half (46%) of the 1989 attempts occur within the first month of stay (Table 14). Only 13 percent of the 1988 attempts and 15 percent of the 1989 attempts occurred during the first 24-48 hours. It is reasonable that a large number of attempts occur within the first 30 days since 81 percent of the admissions in 1988 stayed in jail 30 days or less.

**Table 14
Attempted Suicide By Time In Facility**

Days In Facility	1988			1989		
	#	%	Cumulative %	#	%	Cumulative %
1	12	7%	7%	3	3%	3%
2	10	6%	13%	12	12%	15%
3-7	26	14%	27%	8	8%	23%
8-14	22	12%	39%	10	10%	34%
15-30	32	18%	57%	12	12%	46%
30+	78	43%	100%	53	55%	100%

The Attempted Suicide Event and Administrative Action

As previously stated, the Commission requires facilities to file a 30 day follow-up report on attempted suicide incidents. Complete information was filed with the Commission on 100 out of 131 of these 1989 incidents. The instrument used in 51 of 100 attempts was the bed sheet. Shoelaces were used in another 8 incidents, a razor in 7 attempts, medicine in 7, clothing in 7, hands/feet in 3, a spoon in 1 and illegal drugs in 1. In sixteen cases other various instruments were used.

Medical and/or psychiatric attention was required in all but 18 percent of the total 131 cases. Forty-six inmates (35%) required emergency room treatment, 41 (31%) received treatment that was limited to the facility and 26 (20%) were admitted to a hospital. The 1989 patterns do not represent any major changes from the 1988 pattern.

Administrative action was taken in 67 of the 100 cases for which 30 day follow-up reports were filed. Administrative action categories are not mutually exclusive as counties often apply more than one type of action. The two most prevalent actions taken by jail administrators is medical/mental health observation and/or constant supervision. Other actions taken include transfer to another facility, administrative segregation, punitive segregation, and transfer to another general housing unit. Table 15 lists the actions taken and their frequency of use for both 1988 and 1989.

Table 15 Frequency of Administrative Action Taken
in Inmate Attempted Suicides

<u>Action</u>	<u>Frequency of Use</u>	
	<u>1988</u>	<u>1989</u>
Medical/Mental Health Observation	74	36
Constant Supervision	56	24
Transfer to Another Facility	31	16
Administrative Segregation	11	9
Punitive Segregation	4	1
Transfer to Another General Housing Unit	4	2
Other	15	13

* Categories are not mutually exclusive. Counties report all categories that apply.

NEW YORK CITY DEPARTMENT OF CORRECTION - UNUSUAL INCIDENTS
AND USE OF FORCE

UNUSUAL INCIDENTS

NYCDOC Three Year Comparison

NYCDOC reports on five major unusual incident types in its monthly Use of Force and Violence Report. The following is a summary of some of the information contained in that report. The five major incident types are: stabbing, slashing, inmate/inmate assault, contraband weapons and contraband drugs. Over the four year period 1986 through 1989 stabbing and slashing have been the two leading categories combining for 63 percent of the total incidents in 1986, 67 percent in 1987, 69 percent in 1988, and 74 percent in 1989. Contraband drugs is the next most frequent unusual incident accounting for 13 to 18 percent of the total. In 1986, 1987 and 1989 contraband weapons was the fourth ranking category with inmate/inmate assaults being last. This rank order was reversed in 1988 with assaults being fourth and contraband weapons being last. Table 16 reflects the number of incidents and percent of total for 1986 through 1989.

Table 16 NYCDOC - Specific Unusual Incidents 1986-89

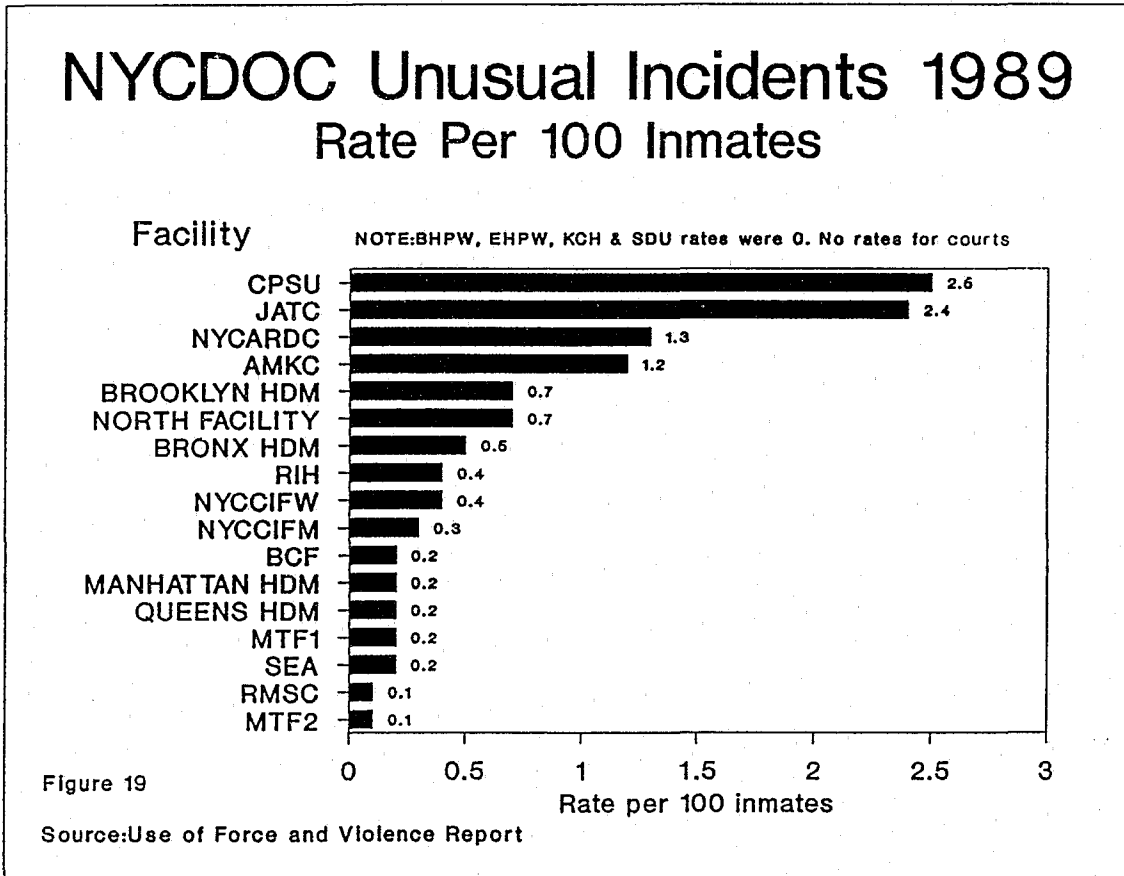
Number and Percent

<u>Incident Category</u>	<u>1986</u>		<u>1987</u>		<u>1988</u>		<u>1989</u>	
	#	%	#	%	#	%	#	%
Stabbing	290	36%	369	34%	341	30%	524	33%
Slashing	220	27%	361	33%	449	39%	654	41%
Inmate/Inmate Assault	58	7%	71	6%	121	10%	89	6%
Contraband Weapons	98	12%	110	10%	73	6%	123	8%
Contraband Drugs	143	18%	184	17%	174	15%	207	13%
TOTAL:	809	100%	1095	100%	1158	100%	1597	100%

Incident Rates by Facility - 1989

To facilitate comparison of incidents across the various institutions in the NYCDOC system, NYCDOC standardized the number of incidents occurring in a given facility by the population base of that facility. (Appendix 2 lists the New York City Facilities.) The rates for the five categories stabbing, slashing, inmate/inmate assault, contraband weapons and contraband drugs were summed for each facility to determine the total number of incidents occurring per hundred inmates in each facility. Figure 19 compares the incident rates of the NYCDOC facilities. JATC and CPSU have the largest rates at 2.4 and 2.5 incidents per hundred respectively. These rates are nearly double the next closest facility. NYC ARDC and AMKC each have a rate of over one incident per hundred inmates. Brooklyn HDM and North Facility

follow closely behind with .7 incidents per hundred inmates. The rates for BHPW, EHPW, KCH and SDU were zero and no rates were available for the court facilities.



Types of Incidents By Facility - 1989

The types of incidents most prevalent vary by facility or unit. Out of 15 facilities/units, slashing was the most frequent incident in 7, contraband drugs in 5, stabbing in 2 and contraband weapons in 1. Three facilities, MTF1, MTFII and Sea, had less than 10 incidents each. BHPW, EHPW, KCH and SDU all had zero incidents. Stabbing and slashing together made up the majority of incidents in 10 facilities. Contraband drugs appear to be a larger problem in those facilities with a low number of incidents with the exception of North Facility. North Facility had a large number of incidents and the leading category was contraband drugs. Figure 20 provides the detailed breakdown of incident type by facility.

NYCDOC Unusual Incidents 1989

Percent of Incident Type By Facility

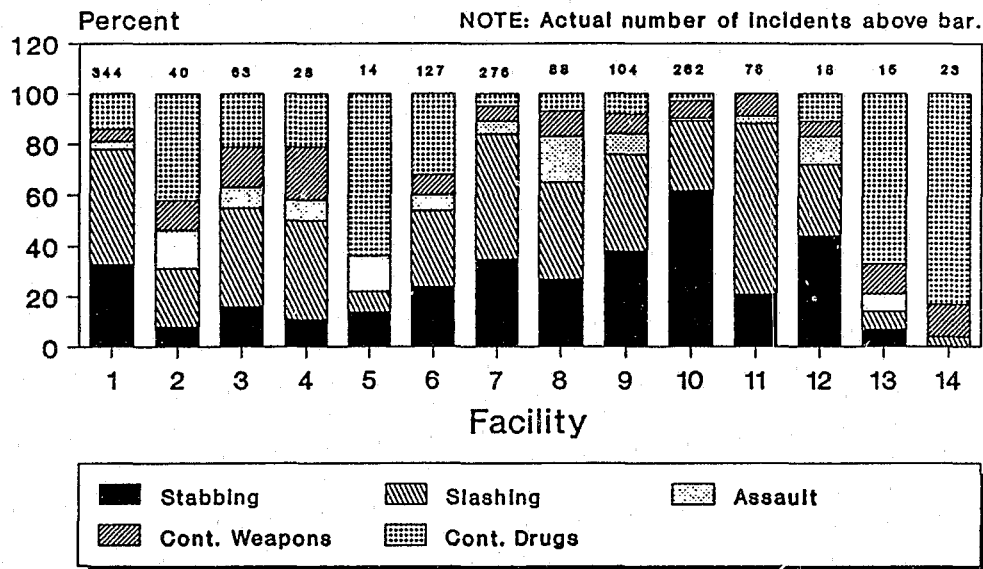


Figure 20

Source: Use of Force and Violence Report

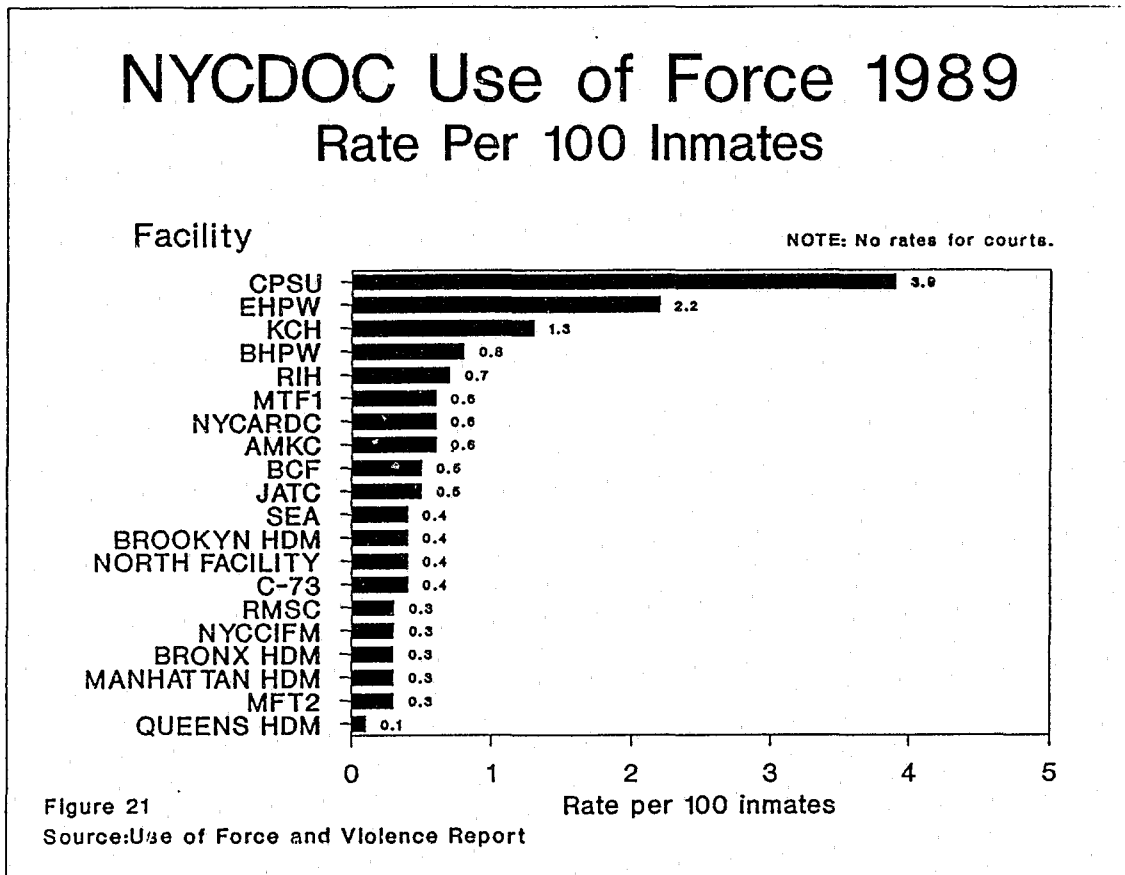
FACILITY KEY

1	AMKC	8	NYCCIFM
2	BCF	9	NYCCIFW
3	BROOKLYN HDM	10	JATC
4	BRONX HDM	11	CPSU
5	MANHATTAN HDM	12	QUEENS HDM
6	NORTH FACILITY	13	RIH
7	NYCARD	14	RMSC

NYCDOC Use of Force 1989

The New York City Department of Correction has a directive (5002R) which details department policy regarding the appropriate use of force by its employees. This policy provides for job applicant screening, academy training programs, in-service training programs, incident monitoring, employee record review, and discipline. The basic use of force principle is that force should only be used when absolutely essential and only to the extent necessary. All alternatives to the use of force should be exhausted before force is used and force must cease when resistance has ceased.

In 1986 there were 1,165 instances where force was used in the NYCDOC system. This number rose to 1,224 in 1987, declined to 1,030 in 1988 and rose again to 1,111 in 1989. When examined by facility, hospital wards and the Central Punitive Segregation Unit (CPSU) have the highest rates of use of force. CPSU had a rate of 3.9 incidents per hundred inmates, followed by EHPW, KCH and BHPW with 2.2, 1.3 and .8 incidents per hundred inmates respectively. Use of force data is reflected in figure 21.

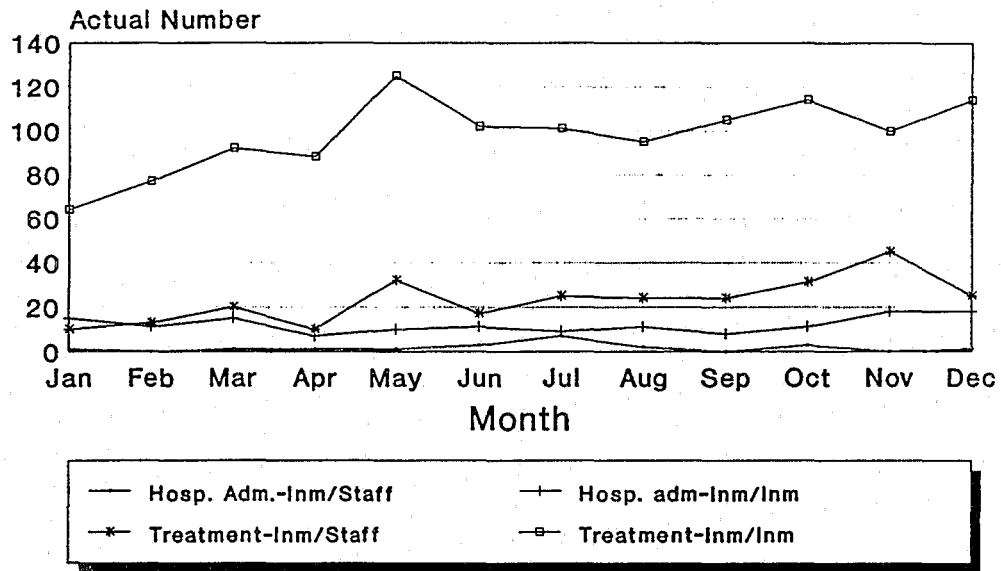


NYCDOC - Inmate Injuries 1988

In 1989 there were a total of 1,617 inmates that required medical treatment as a result of staff/inmate and inmate/inmate encounters. This represents a 28 percent increase over 1988 figures. The majority (1,453 or 90%) were treated without a hospital admission. Ten percent (164) required admission to a hospital. On average there were about 2 hospital admissions a month as a result of inmate/staff encounters and 12 hospital admissions as a result of inmate/inmate encounters. Treatment without a hospital admission was required by an average of 23 inmates a month as a result of inmate/staff encounters and by 98 inmates a month as a result of inmate/inmate encounters. When tracked over the year by month this general pattern seems very consistent (figure 22).

Figure 22

New York City DOC Inmate Injuries 1989



SOURCE: Use of Force and Violence Report

SUMMARY OF FINDINGS

Introduction

- o 1988 represents the first complete year of standardized reportable incident reporting for all counties.
- o 1988 is regarded as the baseline for RI trend analysis.

Reportable Incidents in 1988 and 1989

- o 1,331 inmates were involved in 937 incidents in 1988. During 1989 there were 1,396 inmates involved in the 923 incidents.
- o Four of 46 possible incident categories accounted for about three-quarters of all incidents in both years. They were inmate/inmate assaults, inmate attempted suicides, individual inmate disturbances, and inmate/personnel assaults.
- o Inmate/inmate assaults alone, account for over one-third of all incidents.
- o Nearly half of all incidents in both years were reported by four facilities.

Demographics of Inmates Involved in Incidents

- o Nearly the same percentage of males and females in the total inmate population are also involved in incidents.
- o There are more unsentenced inmates involved in incidents than are in the inmate population as a whole. There were 13 percent more in 1988 and 14 percent more in 1989.
- o There are more minors involved in incidents than are in the total population. There were 8 percent more in 1988 and 9 percent more in 1989.
- o Nearly two-thirds of all inmates involved in incidents were being held for felonies.
- o Parole violators represented 11 percent of inmates involved in incidents while accounting for 7 percent of the general inmate population in 1988. This changed in 1989 with parole violators comprising 5 percent of the general population and accounting for an equivalent 5 percent of incidents.
- o State readies represented 3 percent of inmates involved in incidents while accounting for 4 percent of the inmate population in 1988. The percentage of state readies in the general jail population decreased to two percent in 1989, however, they were still responsible for three percent of the incidents reported.

Incident Demographics

- o Local correctional facilities operating in excess of 100 percent occupancy have a higher rate of incidents than those operating below full occupancy.
- o The majority of incidents occur equally between the 8:01 a.m. to 4:00 pm. shift and the 4:01 p.m. to midnight shift.

Inmate/Inmate Assaults - Inmate Demographics

- o There were 656 inmates involved in 313 inmate on inmate assaults in 1988. This increased to 805 inmates in 388 assaults in 1989.
- o Forty-nine percent of all inmates involved in 1988 incidents were involved in inmate/inmate assaults. This increased to 58 percent in 1989.
- o In 1989 in one on one assaults white perpetrators were four times as likely to victimize a white inmate than a black inmate.
- o Fifty-one percent of one on one assault victims of black perpetrators are black inmates, with white victims following closely behind (46%).

- o Some noticeable changes between 1988 and 1989 in one on one assaults are: the increase in whites victimizing whites, black inmates victimizing black inmates more often than they victimize white inmates, and the growth in other racial categories as both perpetrators and victims.

Inmate/Inmate Assaults - Incident Demographics

- o 81 percent of all inmate on inmate assaults in 1989 occurred in three facility locations -- general housing unit, mental observation unit and day room.
- o Force was used to quell 38 (10 percent) of all 1989 inmate on inmate assaults.
- o Medical attention was required by 56 percent of the inmates involved in 1989 assaults.
- o Of those inmates requiring medical attention, 65 percent received treatment in an emergency room, 26 percent were treated in the facility and 9 percent were admitted to a hospital.
- o Ninety-eight percent of all inmate on inmate assault victims required medical treatment.
- o These findings parallel those from the 1988 assaults.

Inmate/Inmate Assaults-Incident Specifics and Administrative Action

- o Follow-up reports indicate that hands and feet are used in the vast majority of inmate on inmate assaults.
- o The most common administrative responses to inmate/inmate assaults are punitive or administrative segregation.

Attempted Suicides

- o There were 183 inmate attempted suicides reported in 1988. Attempted suicides decreased to 131 in 1989.
- o Suicide was attempted most often by adult white males of non-Hispanic origin.
- o Comparing the racial breakdown of inmates who attempt suicide to jail admissions reveals that white and Hispanic males attempt suicide at higher rates than their proportion in all jail admissions.
- o Unsentenced inmates and minor inmates appear more likely than their counterparts to attempt suicide.

- o The average age at which male inmates attempt suicide is 25 years. For females the average age was 25 in 1988 and 30 in 1989. However, the greatest number of attempts occur between the ages of 19 and 21.

Attempted Suicides - Incident Demographics

- o Examining attempted suicides by specific hour of the day, over half of attempted suicides occur between the hours of 5:00 p.m. and 3:00 a.m.
- o During 1988, most attempted suicides occurred during the months of June, July, August and January. The peak months for 1989 were similar: May, June, July and February.
- o The least number of suicide attempts occurred during the month of November in 1988 and the months of September and December in 1989.
- o Only 13 percent of the 1988 attempts and 15 percent of the 1989 attempts occurred during the first 48 hours of incarceration.
- o About half of all attempts occur within the first 30 days of incarceration. This is not surprising as over three-quarters of all jail admissions stay in jail 30 days or less.

Attempted Suicide - Administrative Action

- o Follow-up reports indicate that the majority of attempts at suicide were made using a bedsheet.
- o 35 percent of all inmates attempting suicide in 1989 required emergency room treatment, another 31 percent received treatment within the facility, and 20 percent were admitted to a hospital.
- o Thirty-day follow-up reports indicate that jail administrators most often authorize medical/mental health observation or constant supervision for inmates who have made attempts on their lives.
- o The 1989 attempted suicide patterns do not represent any major changes from the 1988 pattern.

SUMMARY OF FINDINGS - NEW YORK CITY DEPARTMENT OF CORRECTION

Unusual Incidents and Use of Force - NYCDC Three Year Comparison

- o New York City maintains their own statistics on use of force and violence for Department of Correction facilities.
- o The five major NYCDC incident types are: stabbing, slashing, inmate/inmate assaults, contraband weapons, and contraband drugs.
- o Over the four year period, 1986 through 1989, stabbing and slashing incidents have been the two leading incident categories recorded.

Incident Rates and Types of Incidents by Facility - 1989

- o The Central Punitive Segregation Unit has the greatest rate of incidents at 2.5 per hundred inmates than any other New York City Unit.
- o Excluding hospital prison wards, the Rosemary M. Singer Center and the Maritime Facility 2 have the lowest rate of .1 incidents per 100 inmates in the population.
- o Out of 15 NYCDC facilities, slashing was the leading incident in 7 facilities, contraband drugs in 5, stabbing in 2 and contraband weapons in 1.

NYCDC Use of Force 1989

- o Directive 5002R details New York City's department policy regarding the appropriate use of force by its employees.
- o In 1989, there were 1,111 incidents where force was used.
- o When examined by facility, hospital prison wards and the Central Punitive Segregation Unit (CPSU) have the highest rates of use of force. CPSU had a rate of 3.9 incidents per hundred inmates, followed by EHPW, KGH and BHPW with 2.2, 1.3 and .8 incidents per hundred inmates respectively.

NYCDC - Inmate Injuries 1989

- o In 1989, there was a total of 1,617 inmates that required medical treatment as a result of staff/inmate and inmate/inmate encounters. This represents a 28 percent increase over 1988 figures.
- o Ten percent of these inmates required hospital admission.

REPORTABLE INCIDENTS - COMMISSION IN REVIEW - 1989

- o The Reportable Incident System was designed as an outgrowth of the Assaultive Behavior Project which was a three year grant sponsored by the Division of Criminal Justice Services through funding from the Juvenile Justice Delinquency and Prevention Act. The grant terminated in September of 1988 and at that time the Reportable Incident System became institutionalized in the Bureau of Field Operations. On March 1, 1988 the review and investigation of reportable incidents became the responsibility of the Office of Field Investigation within the Bureau of Field Operations. However, incidents of a medical nature such as deaths and attempted suicides, continued to be the responsibility of the Office of Health Systems Evaluation.

- o The Field Investigation and Evaluation Bureau examined reportable incident reporting in selected counties through its intensive evaluation project during 1989.
- o During 1989 the Office of Field Investigation evaluated 764 local correctional cases. The closure process requires a review of the initial incident report, generally a telephone call to the facility, and a review of the 30-day follow-up report. When it has been determined that the cause of the incident is not systemic and that all proper procedures were followed by the facility involved, the case is closed.

FOCUS QUESTIONS

1. Should the qualities of and the circumstances surrounding the four major reportable incident types be examined in greater detail?
2. Since four facilities account for half of the reportable incidents, is there something of a systemic nature that can be accomplished to reduce RI's in these facilities?
3. Should the Commission conduct an assaultive behavior program pilot project in the four counties that account for the majority of assaults?
4. Is there any relationship between type of housing facility (i.e., Dorm vs. Cell) and the occurrence of incidents?
5. Should the relationship between overcrowding and the occurrence of incidents be examined in greater detail?
6. Are Minimum Standard violations connected with the occurrence of incidents? If so, what violations with what incidents?
7. In this second full year of data collection from all counties, has the reportable incident system proven useful in identifying systemic issues or problems?
8. Has the system proven useful in investigating and following up on incidents as they occur?
9. Should the Reportable Incident Standard be included in future compliance monitoring?
10. Should the racial factor in RI's be investigated further?
11. Are boarded in inmates likely to be involved in RI's?
12. Do RI participants have a history of participation in similar incidents?

TRAINING IN LOCAL CORRECTIONS

COMMISSION OF CORRECTION TRAINING UNIT - HISTORY AND ORGANIZATION

The Commission's Training Unit began providing basic training to local correction officers in June of 1973. In August of that year the Correctional Training Academy opened and has since operated as the Training Unit's home base. The Unit expanded its program offerings the following year to include management and in-service courses. Since those modest beginnings, a number of specialized courses were added to the curriculum including Train-Trainer programs in Chemical Agents, Fire Safety, Legal Issues and Inter-Personal Communications.

A major impediment the Unit experienced from the beginning was its inability to expand staff to meet the increased demand for training. Many financially lean years since the mid-1970's kept the training staff to no more than five persons at any given time. With over 5,000 local correction officers working for upstate counties, coupled with a turnover rate as high as 50 percent in many areas, it was never possible for the Commission to meet the training needs of all county staff. In addition, a number of "failure to train" lawsuits went against jail administrators in other states during the 1980's, increasing pressure to provide training for everyone.

In 1986, as the backlog of applicants for training continued to grow, it became clear that the Commission did not have enough staff trainers, training space or enough time to run programs for all those who required basic training. A reasonable alternative was to develop senior staff in local facilities as trainers, and they could provide the necessary training. To accomplish this the training unit needed to alter its traditional role as being strictly "providers of training" to becoming "facilitators of training" as well. Commission staff could no longer be just trainers, they had to become trainers of trainers. The first step in implementation was to create a regional structure that would support the concept.

The regional structure was first developed in 1973 and was used primarily as an effective way to communicate with counties. In 1986 the regional structure was adapted to accommodate the train-trainer concept. The state was divided into three major regions: west, central, and east with a Commission trainer assigned to each region as a full-time manager. By the fall of 1986 Instructor Development courses were being offered in the regions, and much of the instruction was provided by staff from county jails. Since that time fifteen Instructor Courses have been delivered in several areas of the state, providing greater opportunities for local staff to attend.

As more local staff became involved in training, and as they began to meet and work with trainers from nearby counties a more formal structure became necessary to support and extend the professional development of local trainers. In May and June of 1988 local trainers

from all parts of the state met to create a professional association for local correctional trainers. This organization is known as the Empire State Local Correctional Instructors Association (ESLCIA). This organization has already sponsored a number of training programs and it publishes a quarterly Newsletter, Perspectives. In October of 1990 ESLCIA will co-sponsor a national correctional trainers conference which will be held in Albany.

TRAINING COURSES FOR LOCAL CORRECTIONS

The following section provides brief summaries of the course content and the frequency of offerings of courses sponsored through the Commission regional training structure.

Basic Training - This 70 hour two-week course is designed to introduce the newly hired correction officer to basic information and skills needed to work safely and effectively within the facility. This mandated program is not intended to provide all the information and skills an officer needs, but rather to provide a foundation on which the officer can develop through experience on the job and additional training in higher level programs. Some of the modules included in this program are: The Correction Officer's Role and Stress, Legal Issues, Report Writing, Managing Special Inmates, Interpersonal Communications, Fire Prevention Overview, Standard First Aid, Security Skills, Transportation of Inmates, Hostage Survival, Crime Scene Preservation, and Essential Services. This course is offered ten (10) times per year at the training academy, and on an "as needed" basis by trainers in county departments. In 1989 more than 80% of basic training was delivered by staff from county departments.

Instructor Development - This one week course is designed to familiarize participants with basic training skills. Participants completing this course learn the basic elements of developing lesson plans. They are able to design learning aids, and do a complete training presentation. Course modules include an introduction to adult learning, writing performance objectives, and practicing teaching techniques such as lecture, group discussion, and brainstorming. They are also introduced to other areas such as managing troublesome participants, developing training aids, and giving training performance feedback. This course is offered twice per year at the training academy. It is offered in the regions on an "as needed" basis. At regional programs much of this course is taught by county training staff.

Suicide Prevention (Train-Trainer) - This three day course is run twice per year at the training academy. It is designed to prepare county training staff to train all newly hired officers in suicide prevention techniques. The course covers all the material in the one-day suicide prevention course including: Pre-testing, Suicide: Why, When, How, Signs of Suicide, Suicide: Myths and Misconceptions. Also covered is: substance abuse, mental illness, screening guidelines, communication skills, and the suicidal inmate on the tier.

Inter-Personal Communication (Train-Trainer) - One of the most effective means of managing a correctional facility is good communication between officers and inmates. Inter-Personal Communication (IPC) has proven to be a successful approach in providing the officer with those skills. This one-week course is offered twice per year at the academy. Modules in this course include, The Basics: Sizing Up the Situation - Positioning, Posturing, Observing and Listening; Second, the Add-Ons: Communicating with Inmates - Responding to Content, Responding to Feeling, and Asking Questions; Third: The Applications: Controlling Behavior - Handling Requests, Making Requests, Reinforcing Behavior.

Correctional Supervision - This one week course is designed to provide first line supervisors and facility managers with information and skills appropriate to their positions. Modules include Stress Awareness, Dealing Effectively with Employees, Inter-Personal Communications, EEO Requirements, Civil Liabilities for Correctional Supervisors, Discipline and Grievances, and Time Management. Typically this course is run in the regions. During 1989 the Empire State Local Correctional Instructors Association administered two-one-week offerings in the eastern region.

HIV/AIDS (Train-Trainer) - This three day course is being developed at this time under a grant from the AIDS Institute. When it is developed it will be offered to trainers in local police departments as well as sheriff's departments.

TRENDS IN TRAINING: 1985-1989

Data is available on the number of correctional personnel trained through the Commission's training unit over the past five years (Table 17). There has been a 194 percent increase in the number of local correction officers receiving basic training from 1985 to 1989. This increase can largely be attributed to the regional approach which was introduced in the middle of 1986. A major increase occurred between 1986 and 1987 with a slight decrease the following year. The number rebounded to 1,066 in 1989, its highest point ever.

In 1985 the SCOC unit offered one Instructor Development course at the academy and one in the regions, both taught completely by SCOC staff. The number of 1986 trainees are similar to 1985, the difference being that two of the three instructor courses offered that year were co-taught by county staff. By 1987 the course was being offered more widely in the regions. The very large numbers in 1987 and 1989 are unusual because the New York City Department of Correction had been included in this part of the regional process. The 1988 numbers accurately reflect the activity in upstate counties where the regional approach was concentrated.

Table 17

**Commission of Correction
Number of Correctional Staff Trained
1985 - 1989**

	1985	1986	1987	1988	1989
Basic Training	362	370	828	612	1066
Instructor Development	37	40	317	85	374
Suicide Prev. Train-Trainer	--	184	76	17	85
Suicide Prev.	--	--	60	605	1787
Correctional Supervision	48	36	73	59	71

The Suicide Prevention Train-Trainer course is an example of a grant funded course that was effectively absorbed into the regional process. In 1984 the Commission of Correction (SCOC), the Division of Criminal Justice Services (DCJS) and the Office of Mental Health (OMH), obtained a grant to produce a training program for police, correction, and mental health workers in an attempt to reduce the number of suicides in local police lockups and jails. By 1987 the grant project ended, but it was possible to continue to offer the course through regional training. Twice each year a Suicide Prevention Train-Trainer is offered at the academy. In 1989 it became possible to expand the Train-Trainer course to the Department of Correctional Services (DOCS). The number of trainers trained each year reflect the grant activity and the expanded training for DOCS. The first year 184 trainers were trained. This declined to 76 in 1987 and 17 in 1988. With the addition of DOCS trainers in 1989 the number trained came back up to 85.

The Commission Training Unit assumed responsibility for the Suicide Prevention Course (for officers) in 1987, after a successful grant program had trained most of the local staff. As a result there was little demand for the training in 1987 and only 60 people were trained. By 1988, with staff turnover taking its usual toll the number increased to 605. With the addition of DOCS in 1989, 1,787 people were trained.

The National Institute of Corrections sponsored Correctional Supervision course was first offered at the academy in 1985. Thereafter it has been offered exclusively in the regions, and most of the instructors have been managers from the county facilities. There has been a gradual increase in the number taking the course from 48 in 1985 to 71 in 1989. This course will provide the foundation for other supervisory and management courses at a later time.

CONCLUSION

The regional training program has fostered a number of positive results. As a direct consequence of the regional structure the amount of training has increased substantially over the past five years. The number of local staff being trained as instructors has also significantly increased during this period. Since the institution of the Instructor Development course in 1986, a number of counties have developed staff to the point where they are able to teach most of this course with minimal support from Commission staff. Among these counties are: Chemung, Dutchess, Erie County Sheriff's Department, Erie County Correctional Facility and the Onondaga County Sheriff's Department. These gains in training are attributable to the commitment of sheriff department managers and staff who made it possible for more local staff to develop through training and to work as instructors.

SUMMARY OF FINDINGS

COMMISSION OF CORRECTION TRAINING UNIT-HISTORY AND ORGANIZATION

- o The Commission's Training Unit began providing basic training to local correction officers in June of 1973.
- o Since its inception the Training Unit, due to its size, has been unable to meet the training needs of all county staff.
- o The coupling of a regional structure with train-the-trainer courses has enabled the Commission to increase the number of correctional personnel trained and to broaden the scope of training.
- o In 1988 a professional association for local trainers was created-Empire State Local Correctional Instructors Association (ESLCIA).

TRAINING COURSES FOR LOCAL CORRECTIONS

- o The following courses are sponsored through the Commission regional training structure:
 - Basic Training
 - Instructor Development
 - Suicide Prevention (Train-Trainer)
 - Inter-Personal Communication (Train-Trainer)
 - Correctional Supervision
- o A new course, HIV/AIDS (Train-Trainer), is being developed for 1991.

TRENDS IN TRAINING: 1985-1989

- o There has been a 194 percent increase in the number of local correction officers receiving basic training for 1985 to 1989.
- o The number of participants taking the Instructor Development Course has increased considerably over the five year period with large increases in 1987 and 1989 due to New York City Department of Correction participation.
- o The Suicide Prevention Train-Trainer course has been taken by nearly all the local correctional facility trainers. In 1989 some NYSDOCS trainers took the course.
- o Including NYSDOCS trainers, 1,787 people were trained in Suicide Prevention during 1989.
- o There has been a gradual increase in the number of correction personnel taking the correctional supervision course from 48 in 1985 to 71 in 1989.

TRAINING IN LOCAL CORRECTIONS - COMMISSION IN REVIEW 1989

- o In 1989, 1,066 officers received basic training, 374 received Instructor Development training, 85 received train-trainer training in Suicide Prevention, 1,787 officers were trained in suicide prevention and 71 managers were trained in correctional supervision.
- o During 1989 the ground work was laid to expand the train-trainer capacity. In December a program on recognizing and managing the developmentally disabled offender was piloted in Buffalo.
- o The Commission received a grant from the AIDS Institute to develop a train-trainer program on HIV/AIDS in 1990.
- o A Behavior Management Institute jointly developed by the Commission and the Rensselaer County Sheriff's Department was offered during 1989.

- o A structure for the Empire State Local Correctional Instructors Association (ESLCIA) was developed and agreed upon. The organization will have four separate components, one for each region and one at the state level that represents the interests of the correctional training professionals in the legislative arena.
- o The ESLCIA is co-sponsoring a national correctional trainers conference in Albany in October of 1990.

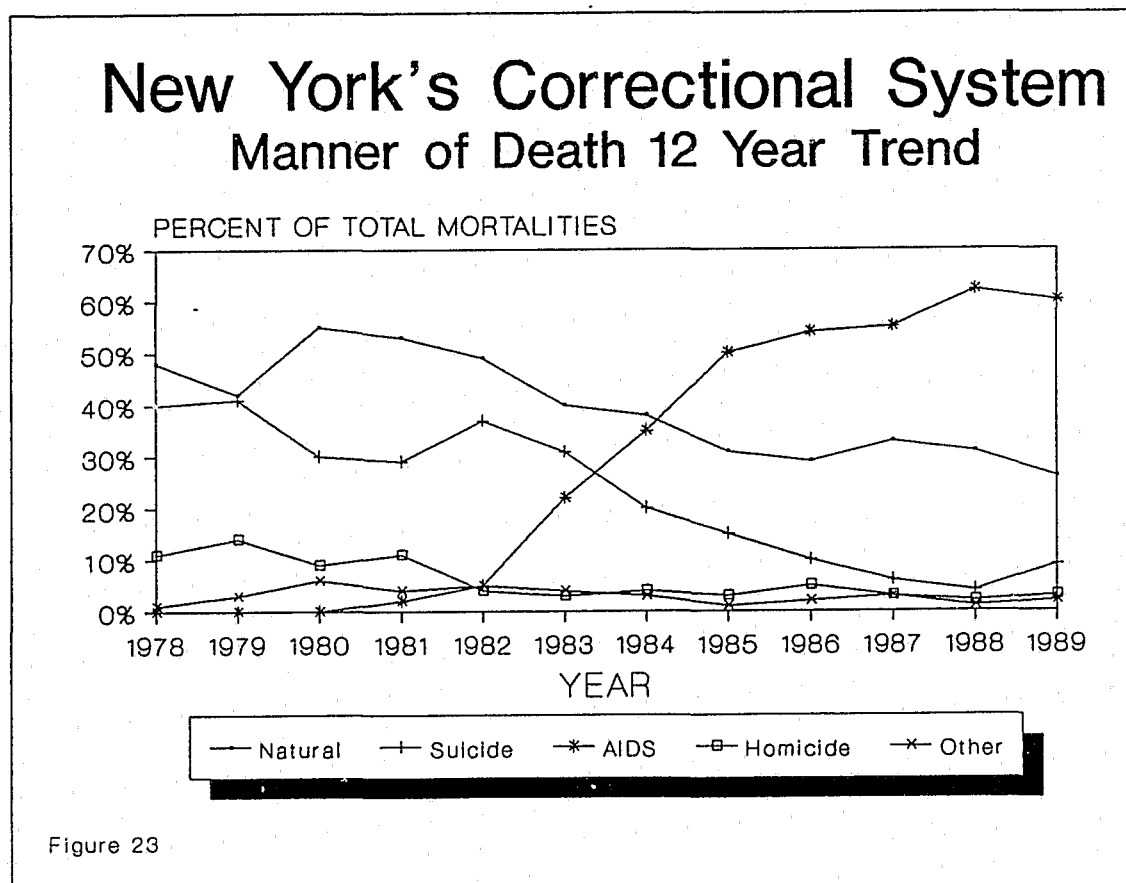
FOCUS QUESTIONS

1. What role will training play in correctional agencies in the future?
2. How is training related to the structure and effective functioning of correctional organizations?
3. Will the regional structure continue to be a viable tool for training in the near future?
4. Are there any pressing issues or training areas which could be addressed through new course development that would enhance the performance and/or job satisfaction of correction officers or managers?
5. Is training keeping pace with need in both quantity and substance?

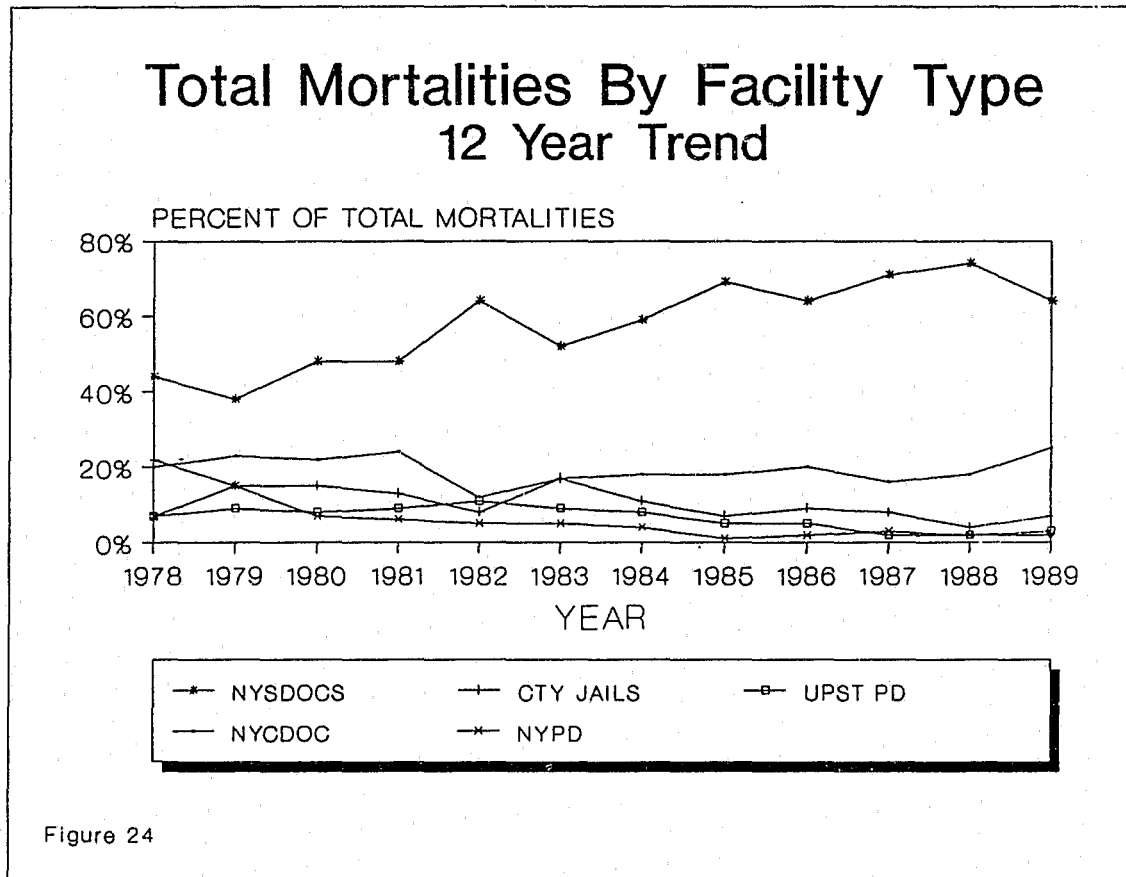
MORTALITIES IN NEW YORK STATE'S CORRECTIONAL SYSTEM

TRENDS IN MORTALITIES

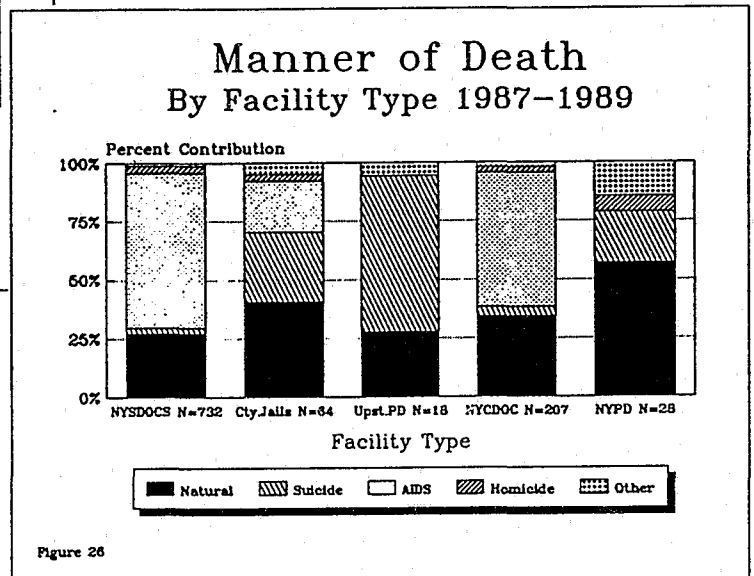
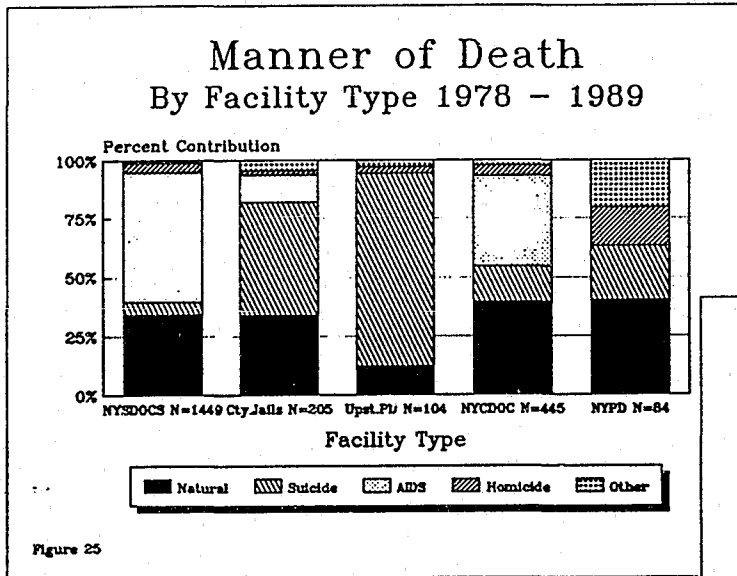
Over the past twelve years (1978-1989), there have been a total of 2,286 mortalities in New York's Correctional System. Within this twelve year period, the mortality picture has changed radically (Figure 23). Since the first AIDS death in 1981, AIDS mortalities have increased so rapidly that by the end of 1988 they comprised 62 percent of all mortalities becoming the leading cause of death. While the number of AIDS deaths is larger in 1989 than in 1988, AIDS deaths as a percentage of total mortalities declined to 60% in 1989. Death due to natural causes other than AIDS has declined from 48 percent of the total mortality picture in 1978 to 26 percent of all cases in 1989. Suicides as a percentage of total mortalities declined steadily from 1982 through 1988. In 1978, 40 percent of the mortalities were suicides, while in 1988 only 4 percent of the mortalities were suicides. This figure doubled to 9 percent of total mortalities in 1989. Mortalities due to homicide and other causes have remained at comparatively low levels over the last twelve years.



An examination of the percentage of mortalities occurring in each facility type over the past twelve years indicates a significant rise in the percentage of deaths occurring in New York State Department of Correction (NYSDOCS) facilities (Figure 24). In 1978, 44 percent of all deaths occurred in NYSDOCS facilities. In comparison, 74 percent of all deaths occurred in NYSDOCS facilities in 1988. This figure declined to 64 percent in 1989. The percentage of mortalities in county jails has declined steadily except for a significant jump in 1983, and a slight increase in 1989. The percentage of mortalities in New York City Department of Correction has remained fairly stable with a significant decrease in 1982 and a slight increase in 1989. The percentage of mortalities in New York City Police Department peaked in 1979 and has declined since, while the percentage of mortalities in upstate police departments peaked in 1982 and has since declined.



New York's Correctional System is composed of several different facility types. Police Department lockups house inmates for short periods of time while they are awaiting their first court appearance or transfer to a jail. County jails and the New York City Department of Correction house unsentenced inmates awaiting court processing and inmates who have been sentenced to less than a year of incarceration. The New York State Department of Correctional Services houses inmates who have received sentences of more than one year of incarceration. The variable contribution of mortality types in the different types of facilities is clearly evident in Figures 25 and 26.



These charts show the Manner of Death by Facility Type for two different time periods. Over the past twelve years (Figure 25) mortalities due to AIDS and natural causes made up the vast majority of NYSDOCS deaths. Suicide is the leading cause of death in county jails and upstate police departments while natural causes are the leading cause of death in both New York City DOC and NYPD. A similar analysis for a more recent time frame 1987-89 shows the increasing role of AIDS mortalities for NYSDOCS, County Jails and NYCDOC, and the decreasing role of suicide across all jurisdictions. (Figure 26). Suicide continues to be the leading cause of death in upstate police lockups while natural causes play an increasing role in NYPD lockups.

SUICIDE TRENDS

Suicide, a leading cause of death among inmates in county jails and local police department lockups, began to increase in these facilities in 1983 and 1984. To improve crisis intervention practices and services by jail and lockup personnel, the Commission engaged in a cooperative effort with the New York State Office of Mental Health and Ulster County Community Mental Health Services. By December of 1984, model crisis intervention procedures for local correctional and mental health staff were developed. A screening instrument to assist staff in identifying potentially suicidal or ill inmates and a training program for officers and mental health practitioners were also developed.

In 1985, several small, medium and large rural and urban jails participated in the demonstration project with positive results. Based on these results, the project was implemented statewide and by the end of 1986 nearly all county jails, NYCDOC and 110 police department lockups were participating in the project. Although the number of suicides increased from 1988 to 1989 in county jails and upstate police departments, the rate of suicide in these facilities is substantially lower in 1989 than in 1984 (Table 18). The actual number of suicides in local police lockups decreased from 14 in 1984 to 4 in 1989, while suicides in county jails decreased from 12 to 10. While it is still early to draw firm conclusions, the suicide prevention/crisis service project appears to be having a very positive impact.

Number of Suicides and (Rate per Thousand Inmates)

Year	Facility Type				
	NYSDOCS	Cty. Jails	Upst. PD*	NYCDOC	NYPD*
1978	5(0.2)	13(3.2)	5(18.7)	5(0.7)	1
1979	6(0.3)	10(2.2)	5(17.7)	8(1.2)	4
1980	5(0.2)	8(1.6)	6(20.9)	5(0.6)	1
1981	3(0.1)	6(0.9)	5(17.7)	9(1.0)	1
1982	16(0.6)	3(0.4)	9(26.9)	6(0.6)	3
1983	10(0.3)	10(1.4)	7(21.5)	4(0.4)	1
1984	5(0.2)	12(1.7)	14(40.5)	5(0.5)	1
1985	6(0.2)	8(1.1)	10(27.6)	11(1.0)	1(3.2)
1986	5(0.1)	9(1.1)	12(31.7)	4(0.3)	0(0.0)
1987	3(0.1)	7(0.8)	5(12.7)	1(0.1)	2(2.8)
1988	4(0.1)	2(0.2)	3(7.0)	3(0.2)	0(0.0)
1989	11(0.2)	10(0.8)	4(8.1)	4(0.2)	4(5.4)

* Rate based on estimated population figure.

TABLE 18

Systemwide Suicide Rates 1985 - 1989

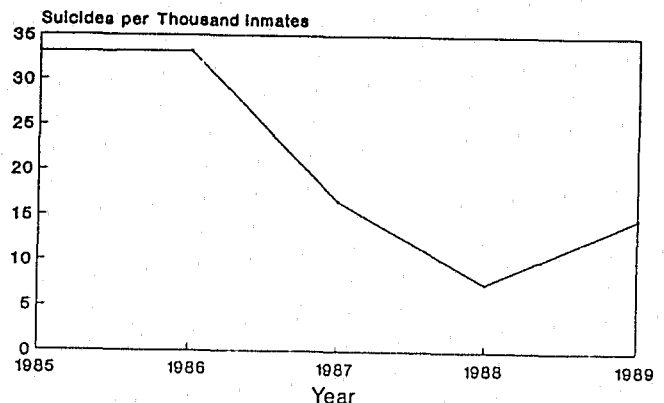


Figure 27

The number and rate of suicides in New York State Department of Correctional Services facilities peaked in 1982-83 and has since declined and stabilized at a low level. Due to the rapid influx of a large number of inmates into the DOCS system in 1989, the actual number of suicides has risen, however, the rate has remained constant. Suicide in NYCDOC facilities is a variable phenomenon with 1987 and 1989 showing the lowest number and rate of suicides in the last 12 years. Rates for NYPD lockups could not be computed for the years 1978 to 1984 due to the inavailability of population data. The number of suicides for NYPD lockups from 1978-89 is low, however the rates for 1985-1989 are substantial due to the low population base. There were 4 suicides in New York City Police lockups in 1989, the largest number since 1979.

SUICIDE IN 1989

There were 33 suicides reported to the Commission in 1989. Eleven of these were NYSDOCS inmates, 10 were county inmates, and there were four each in local police department lockups, New York City Police Department lockups and NYCDOC. All of the suicides were male and 20 were white, 9 were black and 4 were Hispanic. Their ages ranged from 16 to 61 and averaged 29. The age category with the largest number of suicides was 21 to 25 years (Table 19). The most frequent commitment charges of suicides were robbery (7), burglary (6), controlled substance offenses (4), assault (4) and murder (4).

Table 19

Age Categories of 1989 Suicides

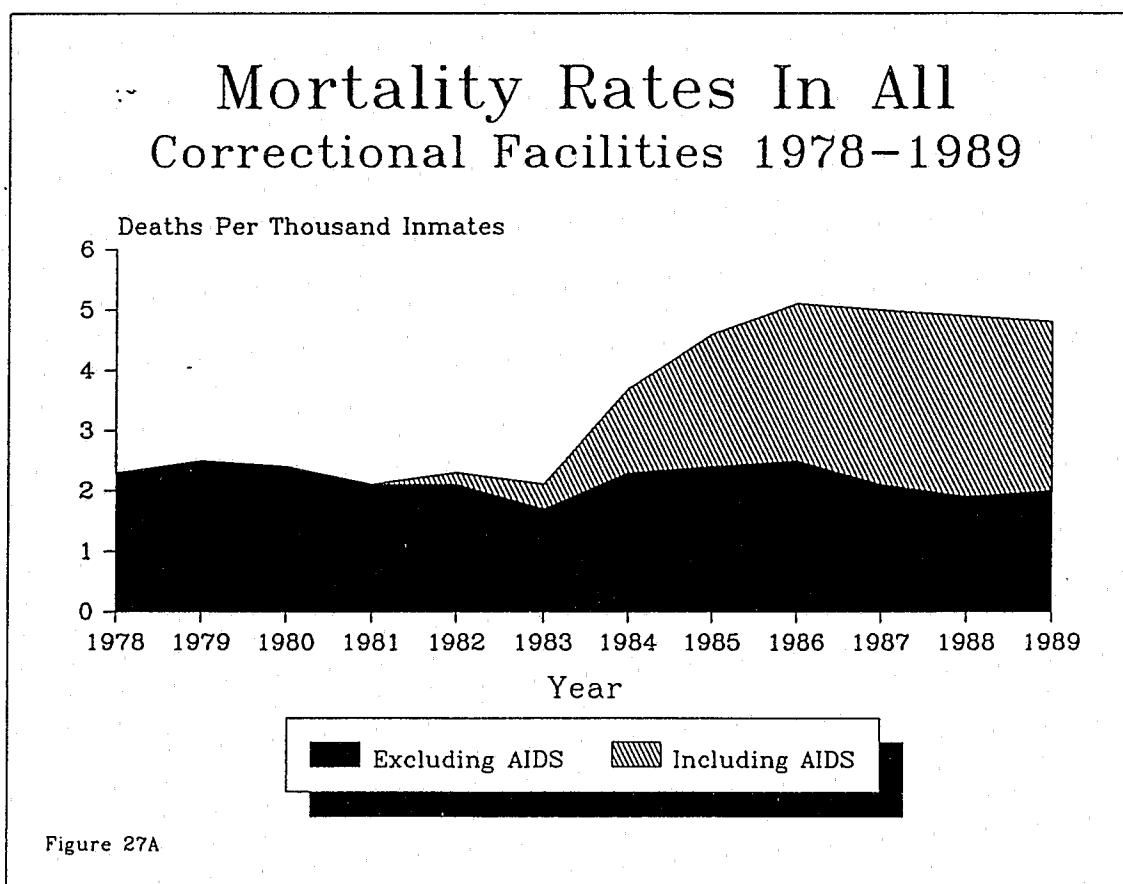
<u>CATEGORY</u>	<u>NUMBER OF SUICIDES</u>
16-20	4
21-25	11
26-30	5
31-35	4
36-40	7
40+	2

Eighteen of the 33 suicides occurred between the hours of midnight and 6 a.m. The remaining fifteen were spread across the hours of 10 a.m. through 9 p.m. Twenty-seven inmates committed suicide by hanging themselves. Other methods utilized were burning, strangulation, suffocation and shooting. At least 17 of the suicides had a history of drug or alcohol abuse and at least 13 were currently under medical or psychiatric treatment. Six inmates were in a hospital at the time they committed suicide. The supervision level at the time of death was reported to the Commission in 29 of the 33 cases. In 20 of the cases the inmates were under general supervision which means that security staff is required to make supervisory visits at 30 minute intervals.

The supervision level was constant in 5 cases which indicates there should be uninterrupted personal visual observation of prisoners by facility staff. Four of the cases were under active supervision during which supervisory visits are to be made at 15 minute intervals or where there is to be an uninterrupted ability to communicate orally with each prisoner.

ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) TRENDS

AIDS is the most significant health problem New York State's Correctional System has experienced in history. The impact of AIDS on inmate mortality is clearly evident in Figure 27A. Since it was first determined as a cause of death in 1981, AIDS mortalities have increased significantly. Excluding AIDS, the mortality rate has remained fairly constant over the last 12 years. Including AIDS, mortalities have increased from about 2 deaths per thousand inmates in 1978 to about 5 per thousand in 1989 (Figure 27A).



No AIDS mortalities have been reported for any police department lockups. Table 20 and Figure 28 show the number of AIDS deaths and rates for the other facility types. The AIDS mortality rate for NYSDOCS increased substantially from .1 per thousand inmates in 1981 to 4.2 per thousand in 1988 and then decreased to 3.3 in 1989. The rate for county jails increased from 1985 to 1987 and then decreased in 1988 where it remained in 1989. The NYCDOC AIDS mortality rate appears to have stabilized at about 2 deaths per thousand inmates from 1986 through 1988 and then increased to 3.3 in 1989.

Number of AIDS Deaths and (Rate per Thousand Inmates)

Year	Facility Type		
	NYSDOCS	Cty. Jails	NYCDOC
1981	2(0.1)	0(0.0)	0(0.0)
1982	4(0.1)	0(0.0)	1(0.1)
1983	18(0.6)	1(0.1)	3(0.3)
1984	57(1.8)	0(0.0)	10(1.0)
1985	104(3.0)	2(0.3)	13(1.2)
1986	123(3.3)	6(0.7)	24(2.0)
1987	152(3.8)	6(0.8)	27(1.7)
1988	174(4.2)	3(0.4)	30(2.0)
1989	160(3.3)	5(0.4)	62(3.3)

Note: No AIDS deaths reported in any PD lockups.

Table 20

AIDS Death Rates 1981-1989

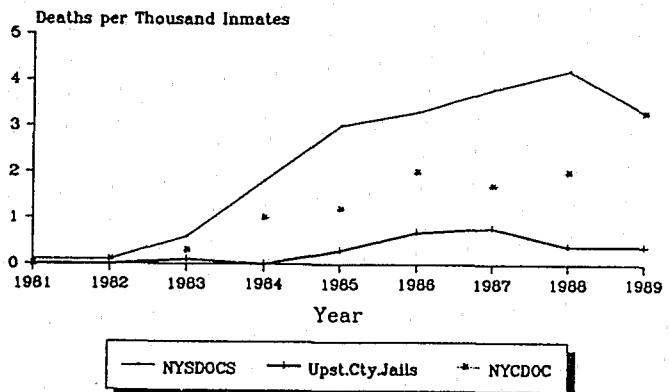


Figure 28

AIDS IN 1989

There were 5 deaths of county correctional facility inmates in 1989 as a result of AIDS. All five were male with an average age of 37. Three had definite prior drug or alcohol abuse histories (unknown in the other two cases). The racial composition of these deaths were 3 black and 2 white. All died in a hospital, 2 from cardiac arrest, 1 from meningitis, 1 from pneumonia, and 1 from an unknown cause. Two of these five AIDS victims were in jail on petit larceny charges, one on assault charges, one for violation of parole, and the remaining one had been indicted on unknown charges.

Sixty-two New York City DOC inmates died of AIDS in 1989. Thirty were Hispanic, 28 were black, 2 were white and for the remaining 2 race was unknown. Fifty-nine were male with an average age of 36. The remaining three were female with an average age of 29. At least 27 of these inmates had prior drug and/or alcohol problems. Seven reported no prior history and the remaining 28 were unknown. The jail admission charges of this group are listed in Table 21. About one-third of the group were admitted for drug related charges which was the most frequent charge. Other charges represented were robbery, larceny and theft, burglary, parole violator, murder/manslaughter, arson and fugitive warrant.

Table 21

NYCDOC 1989 AIDS DEATHS

ADMISSION CHARGE

<u>CHARGE</u>	<u># OF INMATES</u>
Drug-related	20
Robbery	10
Parole Violator	8
Larceny & Theft	7
Burglary	6
Unknown	6
Murder/Manslaughter	3
Arson	1
Fugitive Warrant	1
	62

The largest number of inmate AIDS deaths in the New York correctional environment occurred among inmates under the custody of the New York State Department of Correctional Services. The larger number is representative of a larger average daily population. The actual rate of AIDS deaths is equivalent to that of NYCDOC. Table 22 displays demographics of DOCS AIDS mortalities. Only 7 of these inmate mortalities were female. The vast majority (96%) were male.

Table 22 Demographics of NYSDOCS
AIDS Mortalities

RACE AND SEX	# OF AIDS DEATHS	AVERAGE AGE
White Male	19	38
White Female	0	0
Black Male	58	37
Black Female	3	30
Hispanic Male	68	35
Hispanic Female	4	28
Other Male	6	35
Other Female	0	0
Unknown Male	2	36
Overall		
Total Deaths	160	Average Age 36

Hispanics are over-represented as they made up 45 percent of the mortalities, but only 32 percent of the DOCS under custody population. The most frequent immediate cause of death of NYSDOCS AIDS cases is cardiac arrest; the second most frequent is respiratory failure. Other causes and their proportions are shown in Figure 29.

NYSDOCS AIDS MORTALITIES
Immediate Cause of Death - 1989 Cases

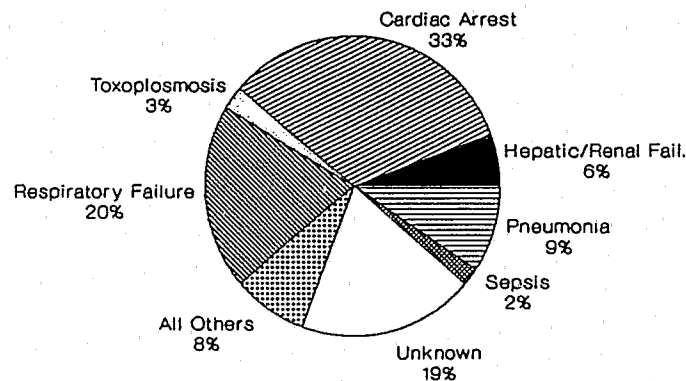


Figure 29

N=160

* Source of racial composition of NYSDOCS population is NYSDOCS monthly report 'Ethnic Distribution of Inmates Under Custody in New York State Correctional Facilities As Of 6/5/89.

Forty-three percent of the AIDS mortalities were in prison on robbery or burglary charges, while one-third (33%) were in for drug related offenses. Other conviction charges represented among DOCS AIDS deaths were murder/manslaughter (12%), sex offenses (4%), weapons charges (3%) and all others (5%).

HOMICIDE TRENDS

Number of Homicide Deaths and (Rate per Thousand Inmates)

Year	Facility Type				
	NYSDOCS	Cty. Jails	Upst. PD*	NYCDOC	NYPD*
1978	4(0.2)	0(0.0)	0(0.0)	2(0.3)	2
1979	3(0.1)	0(0.0)	0(0.0)	4(0.6)	4
1980	3(0.1)	1(0.2)	0(0.0)	2(0.3)	1
1981	6(0.2)	0(0.0)	1(3.5)	1(0.1)	1
1982	2(0.1)	0(0.0)	0(0.0)	1(0.1)	1
1983	3(0.1)	0(0.0)	0(0.0)	0(0.0)	0
1984	7(0.2)	0(0.0)	0(0.0)	0(0.0)	1
1985	4(0.1)	1(0.1)	0(0.0)	2(0.2)	1(3.2)
1986	7(0.2)	0(0.0)	2(5.3)	4(0.3)	1(2.2)
1987	6(0.2)	1(0.1)	0(0.0)	1(0.1)	1(1.4)
1988	5(0.1)	0(0.0)	0(0.0)	2(0.1)	1(0.9)
1989	10(0.2)	1(0.1)	0(0.0)	2(0.1)	0(0.0)

Table 23 *Rate based on estimated population figure.

Death in New York State's correctional system as a result of homicide is an infrequent occurrence (Table 23). In 1986 the rate of homicide in the correctional system (0.2 per 1,000 inmates) was close to the rate in New York's general population (0.1 per 1,000 population). ** Over the past 12 years there have been 4 homicides in county jails and 3 in upstate police department lockups. The rate of homicides in New York State Department of Correctional Services facilities has remained constant from 1978 to 1989. The actual number has ranged from 2 to 7 per year for an average of 5. The number of homicides in NYCDOC facilities varied from 0 to 4 in the last 12 years with two homicides in 1989. The number of homicides in NYPD lockups also ranged from 0 to 4 in the last 12 years, however, there has not been more than one homicide per year since 1980.

** The Nelson A. Rockefeller Institute of Government, 1987-88 New York State Statistical Yearbook, Albany, New York: State University of New York, April, 1989, p.419.

HOMICIDE IN 1989

There were 13 homicide deaths in New York's correctional system in 1989, all of which involved male victims. One death occurred in a county facility, two in NYCDOC and 10 in NYSDOCS. Five of the homicide victims were Hispanic, four were black, three were white, and race was unknown in one case. They ranged in age from 19 to 54 for an average of 33. The majority (8) of the deaths were the result of stab wounds, 3 were caused by gun shot, and the causes of two are unknown. The three deaths due to gunshot wounds were NYSDOCS inmates participating in programming outside of secure facilities. The most frequent admission charge of these homicide victims were drug related (4), followed by murder/manslaughter (3) and robbery/burglary (3). Other charges represented were criminal mischief (1), petit larceny (1) and unknown (1).

Summary of Mortalities in 1989

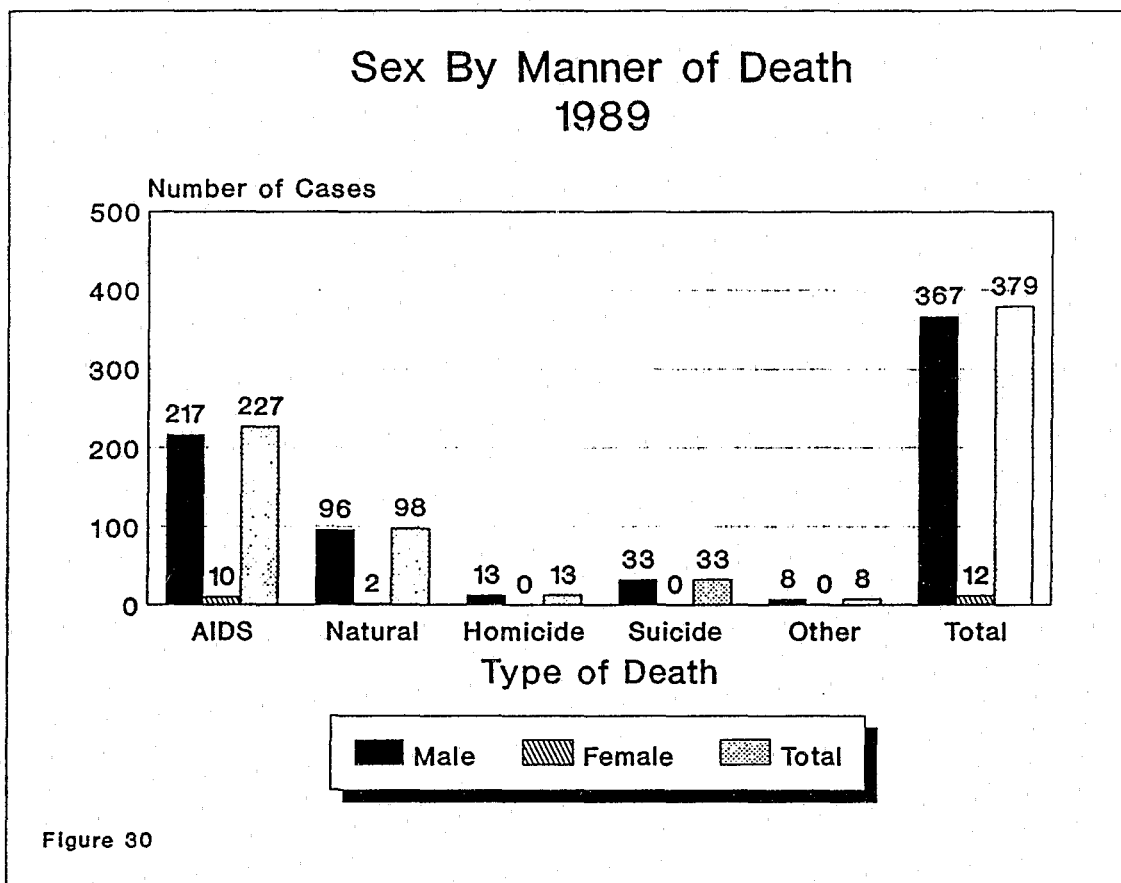
In 1989, there were 379 mortalities in New York State's Correctional System. Blacks made up the largest percentage of deaths at 42 percent with Hispanics accounting for 33 percent, and whites for 20 percent. The remaining 5 percent of the mortalities were of other races. The vast majority (97%) of mortalities were male. Death occurred as early as age 16 and ranged upward to 77 with the average being 37.

The New York State Correctional System has a mortality rate about half that of New York State in general. In 1986 the mortality rate for New York State was 9.6 per 1,000 population while the rate for New York's Correctional System was 4.9 per 1,000 population. *

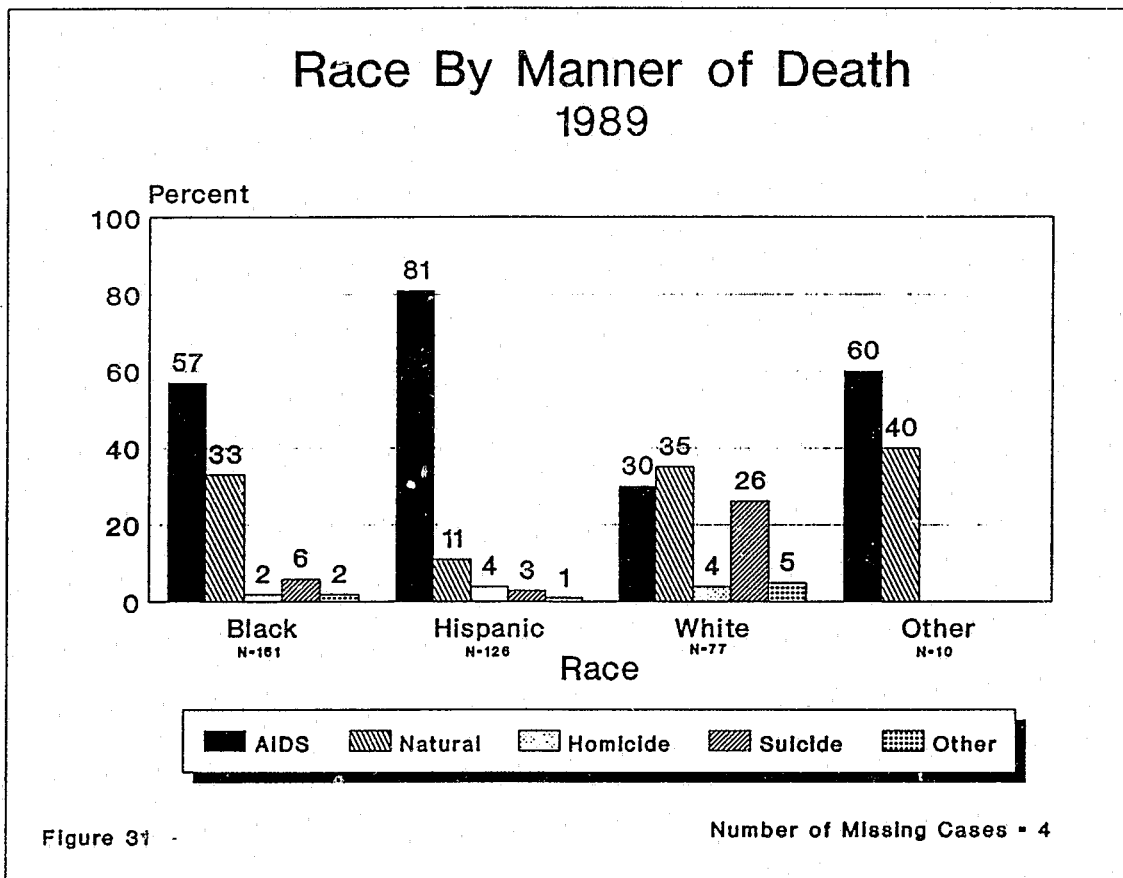
AIDS was the leading cause of death in New York's Correctional System in 1989 making up 60 percent of all mortalities. Death due to natural causes other than AIDS was the second (26%) leading cause of death. Suicide deaths made up nine percent of the total with homicide and "other" together making up the remaining five percent.

The relationships between age, sex, race and manner of death were examined for 1989 mortalities. The average age of those who committed suicide was 29, while the average age for those who died as a result of homicide was 33. The average age of AIDS mortalities was 36, and as might be expected, the average age of those who died of natural causes was the highest at 45. There were no females in New York's Correctional System who died from homicide or suicide in 1989. Of the 12 female deaths in 1989, ten died from AIDS and two from natural causes. Nearly two-thirds (59%) of the 1989 male deaths died as a result of AIDS, while an additional 26 percent died of natural causes. Suicide was the cause of nine percent, homicide four percent and 'other' two percent of the 1989 male deaths (Figure 30).

* The Nelson A. Rockefeller Institute of Government, 1987-88 New York State Statistical Yearbook, Albany, New York: State University of New York, April 1989, p. 417.



An examination of race and manner of death reveals slightly different mortality patterns between racial groups. Over four-fifths (81%) of the hispanics who died in 1989, did so as a result of AIDS. Only 11 percent died of other natural causes. Slightly over half of the blacks (57%) died as a result of AIDS with 33 percent dying of other natural causes. Death among white inmates was about equally likely to be the result of AIDS (30%) or other natural causes (35%). Whites also showed a greater tendency toward suicide than blacks or hispanics. These findings are reflected in Figure 31.



For 1989, AIDS was the most pressing mortality problem for NYSDOCS and NYCDOC. Suicide and AIDS were the most pressing problems for County Jails and suicide remains the most pressing problem for Upstate Police Departments. New York City Police Department had a relatively quiet year with no homicide or AIDS deaths. Suicides, however, went from zero in 1988 to 4 in 1989. The following table presents the number and rate of suicide, AIDS and homicide for each type of facility for 1989.

Table 24
Mortalities - Number (Rate)

Facility Type	Suicide	AIDS	Homicide
NYSDOCS	11(0.2)	160(3.3)	10(0.2)
County Jails	10(0.8)	5(0.4)	1(0.1)
Upstate Pol. Dept.*	4(8.1)	0(0.0)	0(0.0)
NYCDOC	4(0.2)	62(3.3)	2(0.1)
NYCPD*	4(5.4)	0(0.0)	0(0.0)

* Rates based on estimated population figures.

SUMMARY OF FINDINGS

MORTALITIES IN NEW YORK STATE'S CORRECTIONAL SYSTEM

TRENDS IN MORTALITIES

- o The AIDS epidemic has radically changed the mortality picture in the last twelve years. Mortalities have increased from about 2 deaths per thousand inmates in 1978 to about 5 per thousand in 1989.
- o In 1989, 60 percent of all mortalities were due to AIDS.
- o In 1978, 40 percent of the mortalities were suicides, while in 1989 only 9 percent of the mortalities were suicides.
- o Mortalities due to homicide and 'other' causes have remained at comparatively low levels over the last twelve years.
- o An examination of the percentage of mortalities occurring in each facility type over the past twelve years indicates a significant rise in the percentage of deaths occurring in New York State Department of Correction facilities.
- o An analysis of the manner of death by facility type shows the increasing role of AIDS mortalities for NYSDOCS, county jails and NYCDOC, as well as the decreasing role of suicide across all jurisdictions.

SUICIDE TRENDS

- o Suicide rates have been generally declining since 1984.
- o The actual number of suicides in local police lockups decreased from 14 in 1984 to 4 in 1989.
- o Suicides in county jails decreased from 12 in 1984 to 10 in 1989.

SUICIDE IN 1989

- o There were 33 suicides reported to the Commission in 1989.
- o Eleven suicides occurred in NYSDOCS, 10 in county jails, and 4 each in local police department lockups, NYCPD lockups and NYCDOC.
- o All of the suicides were male with an average age of 29.
- o 20 of the suicides were white, 9 were black and 4 were Hispanic.
- o The most frequent commitment charge of suicides were robbery and burglary.

ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) TRENDS

- o AIDS is the most significant health problem New York State's correctional system has experienced in history.
- o Mortalities have increased from about 2 deaths per thousand inmates in 1978 to about 5 per thousand in 1989 as a result of AIDS.
- o No AIDS mortalities have been reported for any police department lockups.

AIDS IN 1989

- o There were 5 AIDS deaths in local correctional facilities, 62 in NYCDOC and 160 in NYSDOCS in 1989.
- o 45 percent were Hispanic and 41 percent were black.
- o The majority of AIDS mortalities were male.
- o Average age of AIDS mortalities was 36.
- o The most frequent admissions charge of AIDS mortalities was burglary/robbery.

HOMICIDE TRENDS

- o Death in New York's correctional system as a result of homicide is an infrequent occurrence.

- o Over the past twelve years there have been 4 homicides in county jails and 3 in upstate police department lockups.
- o The rate of homicides in NYSDOCS facilities has remained constant from 1978 to 1989.
- o The number of homicides in NYCDOC facilities and NYPD lockups varied from 0 to 4 in the last twelve years.

HOMICIDE IN 1989

- o There were 13 homicide deaths in New York's correctional system in 1989, all of which were male.
- o One death occurred in a county facility, 2 in NYCDOC and 10 in NYSDOCS.
- o 5 of the victims were Hispanic, 4 were black, 3 were white and race was unknown in one case.
- o They averaged 33 years of age.
- o The most frequent method utilized was stabbing.
- o The most frequent admission charges of the victims were drug related.

HEALTH CARE ISSUES - COMMISSION IN REVIEW - 1989

- o Reported inmate mortality cases are selected for field investigation according to established criteria. Suspicious or unusual deaths, deaths from unknown causes, most reported suicides and deaths likely to illustrate health services delivery problems are investigated in the field. This involves visiting and inspecting the correctional facility reviewing and obtaining all records of arrest, incarceration and medical and mental health treatment; interview of all correctional and health services personnel who had contact with the deceased; interview of the medical examiner and review of his report; interview of all witnesses, and securing of all community hospital records. During 1989, a total of 50 such investigations were conducted by the Medical Review Bureau.
- o During 1989 Medical Review Bureau staff reviewed, evaluated, and reported on previously investigated inmate mortality cases which were ready for Medical Review Board consideration. Presentation and closure of these cases involves drafting and finalizing the investigative report, review and collation of the documentary evidence, formulation of findings and recommendations and oral presentation of the case before the Board. The Commission publishes a final report in each case. A total of 72 cases were prepared, presented, closed and published in 1989.

- o During 1989 the Medical Review Board made substantive recommendations to remedy inadequate responses to medical emergencies at Rose Singer Center and the New York Police Department.
- o Detainees with significant mental disorder, drug abuse behaviors and alcoholism present a particularly high risk for death in custody. During 1989 the Board made recommendations designed to improve management of high risk detainees as follows: Suffolk County Police Department, Westchester County Jail, James A. Thomas Center, Beacon Police Department, New York City Police Department, Attica Correctional Facility, Lake Placid Police Department, Adirondack Correctional Facility, New York City Housing Police, Ossining Police Department, Kingston Police Department, New York City Anna M. Kross Center, New York City Correctional Institution for Men, and Northport Police Department.
- o Appropriate assessment and continuing medical management of inmates with chronic disease was found deficient in several cases reviewed by the Medical Review Board in 1989. Among those facilities cited in this regard were: Nassau County Correctional Center, Sing Sing Correctional Facility, Attica Correctional Facility, Green Haven Correctional Facility, New York City Correctional Institution for Women, Bedford Hills Correctional Facility, Elmira Correctional Facility and Wende Correctional Facility.
- o Fatal intoxication with illicit drugs while in custody was a source of increasing concern to the Medical Review Board in 1989. Reduction of illicit drug traffic in custody was the subject of recommendations to the New York City Police Department, Clinton CF, NYC James A. Thomas Center and Camp Beacon CF in 1989.
- o Adequacy of mental health services in state and local correctional facilities was reviewed and found lacking in several jurisdictions in 1989. The Board made recommendations for improvement of the quality of mental health treatment as follows in 1989: Office of Mental Health at Auburn Correctional Facility, Clinton Correctional Facility, Kings County Hospital, Albany County Mental Health, Nassau County Correctional Center and Office of Mental Health at Attica Correctional Facility.
- o As in previous years, the Board found continued evidence of serious medical mismanagement of inmate AIDS patients in state and local facilities, whose health care delivery systems are often unable to meet the complex care needs of this sub-population. In 1989 the Medical Review Board cited the following facilities as deficient in this regard and made substantive recommendations for improvement: Fishkill Correctional Facility, Bedford Hills Correctional Facility, Eastern Correctional Facility, Auburn Correctional Facility,

Camp Pharsalia Correctional Facility, Sing Sing Correctional Facility, Sullivan Correctional Facility, Wallkill Correctional Facility and Orange County Jail.

- o Ten community hospitals were referred to hospital regulatory authorities in 1989 for investigation and enforcement as a result of Medical Review Board Action in regard to critical care issues. These hospitals were: Westchester Medical Center, Horton Memorial Hospital, Arden Hill Hospital, Mercy Hospital, Elmhurst Hospital, Northern Westchester Hospital, Chenango Memorial Hospital, Alice Hyde Hospital, Woodhull Hospital and Kings County Hospital.
- o Governor's Interagency Task Force on AIDS - The Commission is a charter member of Governor Cuomo's Interagency Task Force to address HIV/AIDS and its associated problems across New York State. Commission staff attended monthly meetings of the Task Force in 1989. This year saw the formation of several specialized subcommittees to deal with special populations and their problems. The Commission representative was appointed to serve on the Prevention, Strategic Planning and Criminal Justice subcommittees. Each subcommittee held eight meetings in 1989. The major focus of the Task Force in 1989 was revision and finalization of the state's 5-Year Plan for AIDS to which the Commission was a major contributor, and development and implementation of rules and regulations pursuant to new HIV/AIDS legislation passed in 1988.
- o NYS Division for Women-Women and AIDS Project - The Commission provides ongoing technical assistance to this Division for Women project. Commission staff attended four project meetings and provided assistance and criminal justice input on issues including African-American women at risk and HIV/AIDS and nutrition.
- o Epidemiology and Demographics of HIV/AIDS - During 1989 MRB staff in cooperation with the Commission's Office of Program and Policy Analysis designed and conducted two surveys of the epidemiology and demographics of HIV/AIDS. Each of the nation's 50 state prison systems were surveyed and a comprehensive survey of the 57 upstate New York county correctional facilities was completed.
- o During 1989 the Commission completed the data collection and analysis phases of its fourth annual study of the epidemiology and demographics of inmate AIDS mortalities. A total of 239 new cases were analyzed for each of 19 variables. These will be added to the 506 cases represented in the first three editions.
- o HIV/AIDS in Local Correctional Facilities - During 1989 MRB staff, in cooperation with OPPA and Counsel's Office researched and developed a comprehensive HIV/AIDS management resource manual

for local correctional administrators and health care providers. This represents the state of the art in technical assistance in the management of inmates with HIV in the local correctional setting.

- o AIDS Advisory Council - During 1989 MRB staff researched, prepared and delivered testimony on management of HIV/AIDS in state correctional facilities to the Criminal Justice Subcommittee of the AIDS Advisory Council.
- o Technical Assistance - During 1989 MRB staff provided technical assistance in the management of HIV/AIDS and its associated problems as follows: Albany County Jail, Commission of Correction EAP, Northeastern New York HSA, St. Clare's Hospital (Schenectady), Rockefeller College, Albany Medical Center Hospital, Commission of Correction CPCRC, Schenectady County Jail, NYS Division of Parole, Wayne County Jail, California DOC, Missouri DOC, New York State Office of Employee Relations, St. Rose College, and Colorado DOC.
- o During 1989 the Commission completed and circulated its draft of comprehensive rules and regulations establishing minimum standards for health care services in state correctional facilities. This standard, which is the result of five years of research and development, addresses all aspects of health care delivery for the more than 50,000 inmates incarcerated in more than 60 DOCS facilities throughout New York State. The draft is currently in the discussion stages at DOCS and within the Commission's External Review Committee.
- o During 1989 Commission staff working in cooperation with the NYS Office of Mental Health and the Division of Criminal Justice Services, assisted in the completion of two major initiatives to improve mental health service response in law enforcement and corrections. Working throughout the year with an expert committee on Police/Mental Health Services, a comprehensive training program with Officer Guide was developed and published. This program develops skills necessary for police officers to effectively and safely manage mentally disturbed persons encountered in the community. This program has been endorsed by the NYS Municipal Police Training Council and will be integrated in police recruit basic training throughout New York State.
- o Medical Review Board member Phyllis Harrison-Ross and other staff were appointed to serve on the Forensic Task Force sponsored by OMH Bureau of Forensic Services to review the current status of forensic mental health services in New York State, the barriers to services and to plan strategies for future improvement and expansion of services. The Task Force's work will continue

through 1990 and will include development by the Commission of a comprehensive forensic services needs assessment for all local correctional facilities in New York.

- o MRB staff continued to provide technical assistance to state and local facilities in the implementation of the Crisis Service Program, a joint SCOC/OMH program which has been in operation since 1987. During 1989 assistance was provided to Oneida CJ, Westchester County Police Department and Elmira CF.
- o Assistance to the Legislature - In 1989 the Commission was requested to assist the Assembly Committees on Corrections and Health in the technical aspects of scheduling hearings on health care services in correctional facilities. MRB staff assisted in the planning, then researched and developed comprehensive testimony on all aspects of the current status of health care in state and local corrections. This testimony was orally delivered to the joint committees by Chairman McMahon in New York City on December 12, 1989 and in Albany on January 17, 1990. Additional assistance was provided to the Assembly Committee on Corrections, the Assembly Committee on Mental Health and Senator Howard Nolan's office in the form of complete briefings on controversial inmate mortality cases investigated by MRB staff.
- o As part of a two year project to evaluate and improve health services for women in the Department of Correctional Services, MRB staff in 1989 completed the site visit and data collection phases of a comprehensive evaluation of health services at Bedford Hills CF. Information from site visits conducted at BHCF during 1988 was analyzed and collated. An extensive site visit to the facility was conducted in November 1989 during which all aspects of health care delivery were again examined and evaluated. An outline of a comprehensive evaluation report was completed in December 1989.
- o Comprehensive evaluations in health care, and/or mental health care were conducted in the following local correctional facilities in 1989: Sullivan County Jail, Schenectady County Jail, Montgomery County Jail, Monroe County Jail, Jefferson County Jail and Westchester County Correctional Facility Women's Unit.
- o As part of Governor Cuomo's 1989 NYC Criminal Justice Agenda, an MRB staff evaluation team planned and conducted a comprehensive evaluation of the quality and timeliness of reception health appraisals at nine NYC reception/classification centers operated by the NYC Department of Correction. During June 1989 the team reviewed and analyzed Commission Minimum Standards as applied to reception/classification, reception health appraisal policy and procedures from Prison Health Services and Montefiore-Rikers Island Health Services, computerized NYCDOC reception tracking data and recent inmate mortalities involving the reception

process. During July-August 1989 the evaluation team conducted site audits of six reception facilities as follows: Bronx House of Detention for Men, Queens House of Detention for Men, North Facility, Manhattan House of Detention for Men, NYCARDC and Brooklyn House of Detention for Men. Complete desk audits of reception tracking data and selected reception health appraisal records were conducted for NYC Correctional Institution for Men, Rose M. Singer Center and Anna M. Kross Center. A comprehensive report was prepared and submitted to the Commission.

- o In 1988 MRB and Office of Field Operations staff conducted a field survey of health service minimum standards compliance and basic health care delivery resources in 60 upstate and Long Island county correctional facilities. In 1989 the results of this survey were used to form a health services delivery electronic database for county corrections. Analysis of the database forms the basis for a report to the Commission which will provide a systemwide perspective on the current state of health services capacity in the county system and provide a foundation for technical assistance and minimum standards development.

FOCUS QUESTIONS

1. What factors might account for the apparent leveling off of AIDS mortalities in the correctional environment?
2. Given the increase in suicides from 1988 to 1989, what follow-up efforts are needed to support the initial efforts undertaken in the suicide prevention/crisis service project?
3. Should the expense of drugs administered to inmates for treatment of AIDS be covered by the AIDS Drug Assistance Program?
4. Since blacks and Hispanics are more prone to die in a correctional setting from AIDS above any other cause, should culturally relevant programming be developed within the correctional setting to help prevent the spread of AIDS?
5. Have any of the Commission's health related activities uncovered problems that could be addressed in a systemic fashion in the upcoming year?
6. What types of health related training could New York's correctional environment benefit from?

COMPLAINTS AND GRIEVANCES
IN NEW YORK'S CORRECTIONAL SYSTEM

INTRODUCTION

NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES GRIEVANCE PROGRAM

A complaint is the informal expression of discontent with the substance or application of any written or unwritten policy, regulation, procedure or rule; it may also be an informal expression of dissatisfaction about the lack of a policy, regulation, procedure or rule. A grievance is a complaint that has flowed through a formal problem resolution system. The Commission of Correction encourages inmates to resolve problems at the lowest possible level either informally or by utilizing formal problem resolution procedures where they exist.

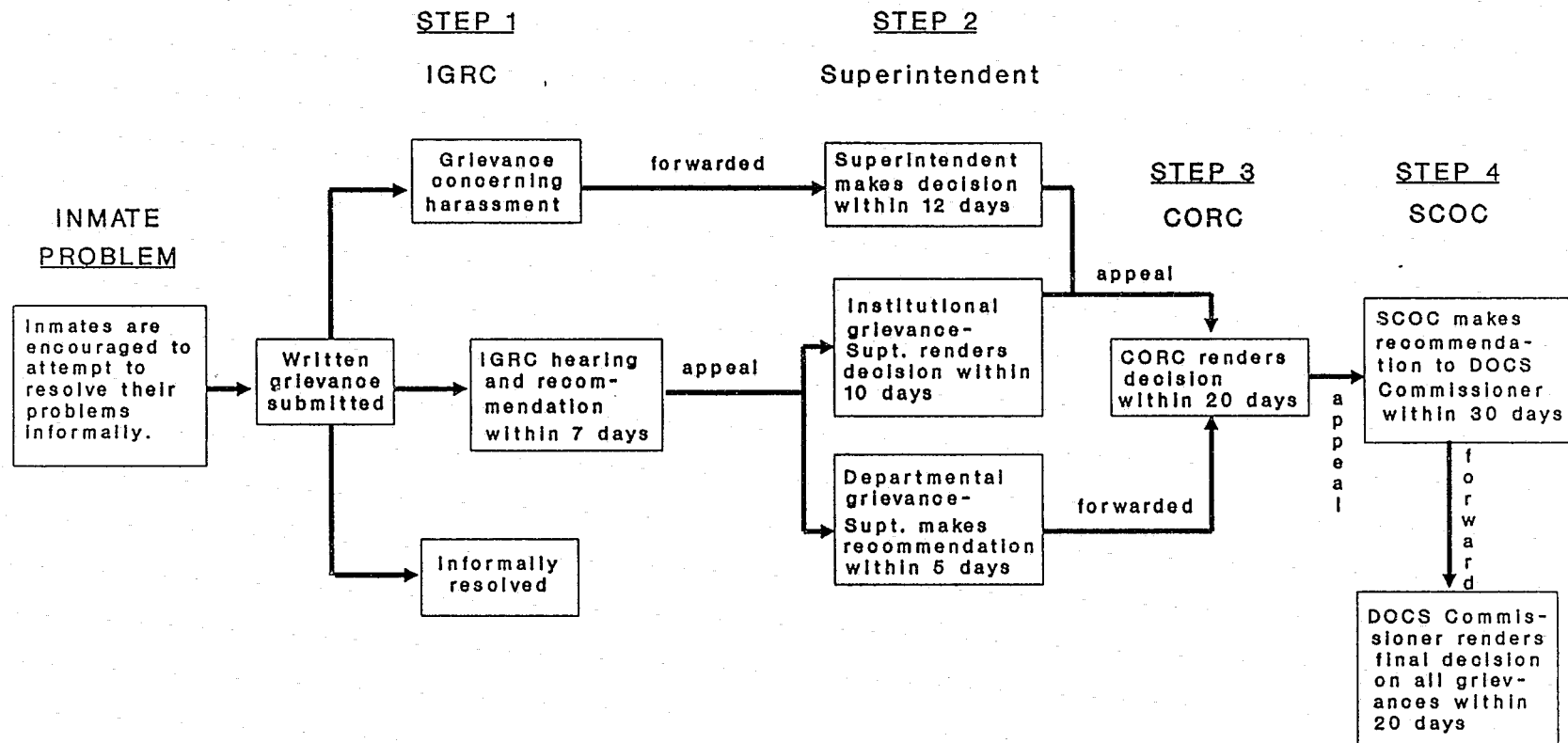
New York State DOCS has developed a four step grievance process (Figure 32). Prior to July of 1988, the DOCS grievance procedure required inmates to seek assistance in resolving their problems informally. Written grievances would not be accepted until this attempt at informal resolution had been made. This requirement was changed in July of 1988. Although inmates are still encouraged to resolve their problems informally, attempt at informal resolution is no longer a requirement prior to the filing of a grievance. If an inmate is unable or unwilling to resolve a problem informally, he/she submits a written grievance to the Inmate Grievance Review Committee (IGRC) which is composed of two elected inmate representatives, two correction officers and one non-voting chairman. The non-voting chairman may be an inmate, staff member, or a volunteer; however, the chairman is usually an inmate. A slightly different procedure is utilized for grievances concerning harassment. Harassment grievances bypass the IGRC and go directly to the superintendent. The IGRC holds a hearing on the grievance and recommends a disposition. If unsatisfied with the IGRC disposition, the inmate may move to the second step of the procedure, which is an appeal to the superintendent of the facility.

Grievances that are concerned with department issues are forwarded by the superintendent with a recommended disposition to the Central Office Review Committee of DOCS (CORC). When the subject of a grievance is an institutional issue, the superintendent renders a decision. An inmate may appeal the superintendent's decision to the CORC if unsatisfied. The CORC consists of five voting members which are Deputy Commissioners, Assistant Commissioners, counsel members or their designees. After the CORC renders a decision, an unsatisfied inmate may appeal his/her grievance to the Commission of Correction.

The Commission reviews the grievance and makes a recommendation directly to the Commissioner of the Department of Correctional Services. Commission recommendations are not binding on DOCS. Upon

Figure 32

OVERVIEW OF THE STATE INMATE GRIEVANCE PROCESS



IGRC-Inmate Grievance Review Committee
CORC-Central Office Review Committee
SCOC-State Commission of Correction

NOTE: All references to days are working days, with the exception of the Commission's time frame in step 4, which is calendar days.

receipt of the Commission's findings, the Commissioner of DOCS renders a final determination. An inmate has the right to pursue his/her issue in the court system.

LOCAL CORRECTIONAL FACILITY GRIEVANCE PROGRAM

Prior to January 3, 1990, the complaint/grievance program in local correctional facilities was not required by Commission Minimum Standards. Rather, the Commission encouraged and offered technical assistance in establishing local grievance programs in each local facility. Where local facilities had grievance mechanisms, the Commission referred complaints back to the inmate recommending he/she use the facility's local mechanism. Exceptions include life threatening situations or situations where potential for bodily harm is great. This type of complaint is handled expeditiously by Commission staff.

A trend analysis of complaints and grievances received by the Commission from state and local inmates suggests that a formal grievance program drastically reduces the number of complaints referred to the Commission of Correction. Figures 33 and 34 show that in the

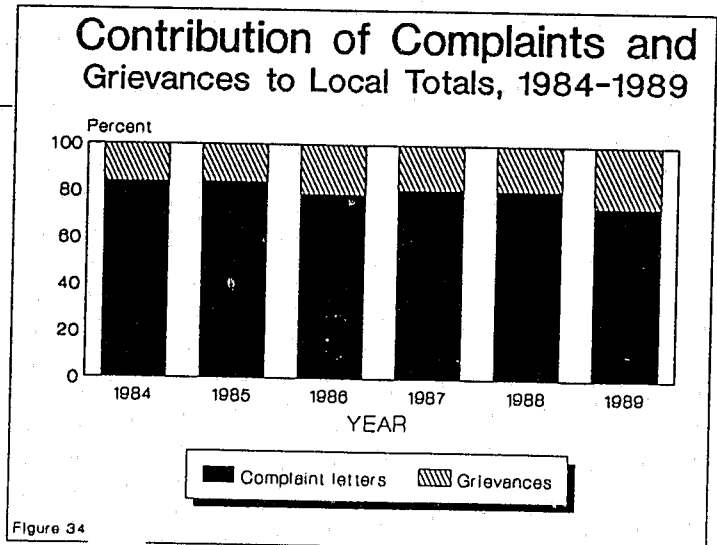
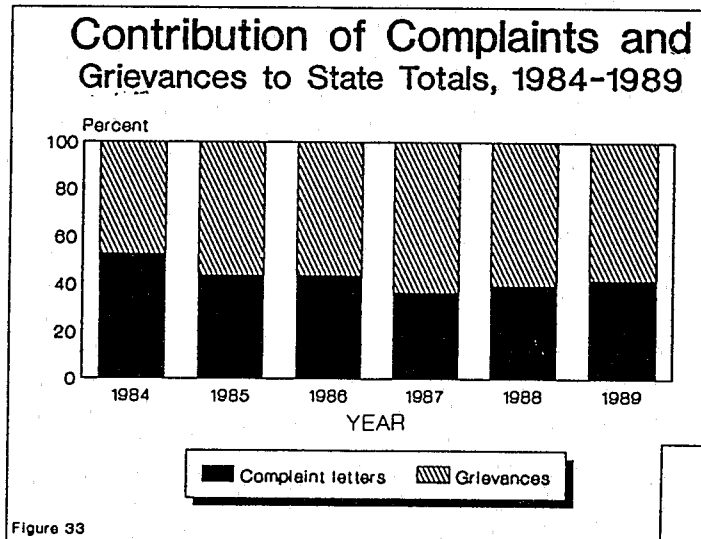
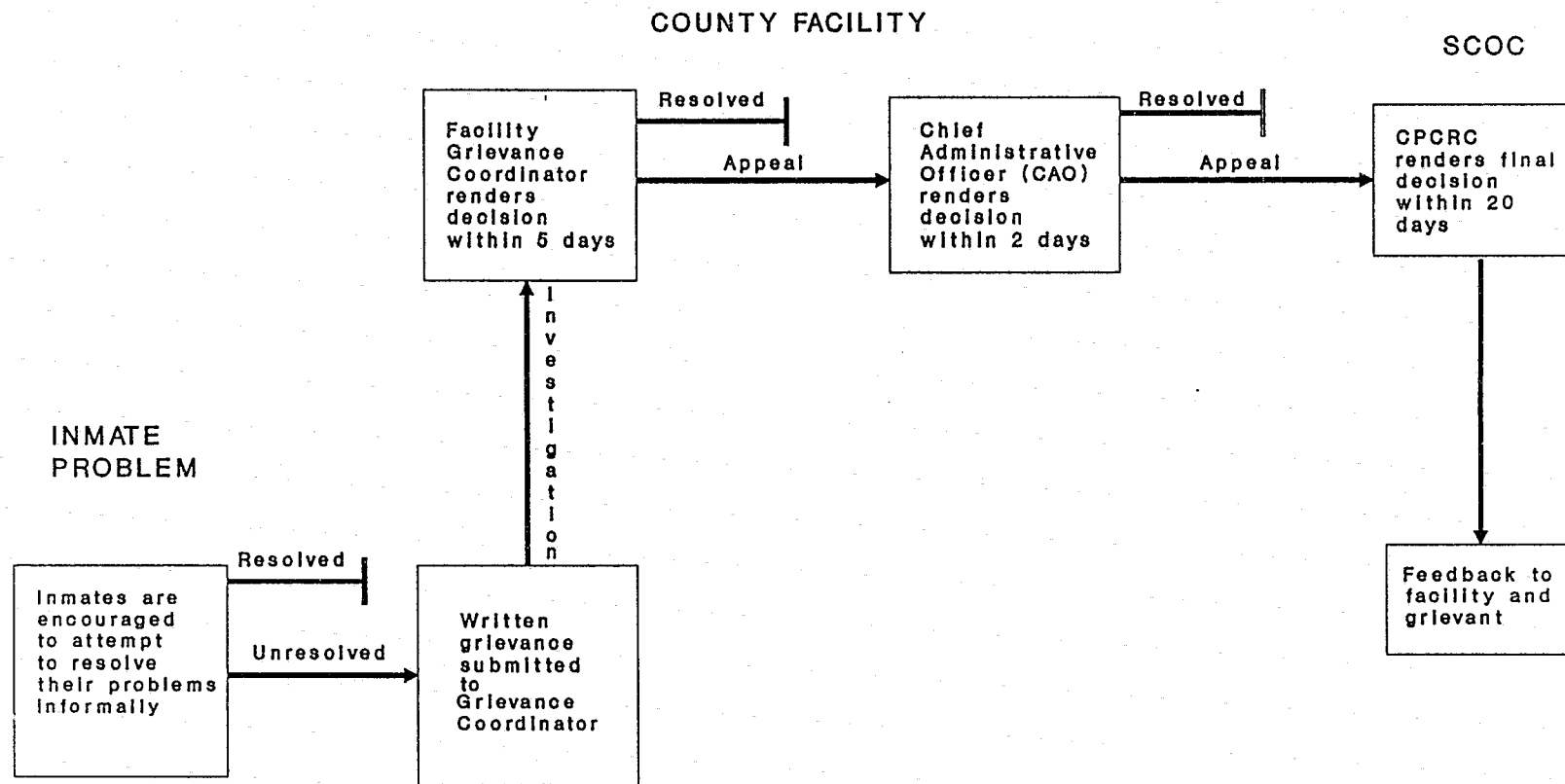


Figure 35 LOCAL CORRECTIONAL FACILITY GRIEVANCE PROCESS
Effective January 3, 1990



SCOC - State Commission of Correction
CPCRC - Citizens' Policy & Complaint Review Council

Note: All references to days are working days.

state system, which has a formal grievance mechanism, only 40 percent of the complaints/grievances received by the Commission are in the form of complaints. In the local correctional facility system, where no grievance mechanism was mandated prior to 1990, about 80 percent of the complaints/grievances received by the Commission are in the form of complaints. As most complaints are referred back to the inmate to resolve at the facility level, the current local process uses up resources without productive result.

To make the complaint/grievance process more efficient and productive at the local level the Commission adopted a standard, effective January 3, 1990, which requires all local correctional facilities to develop a formal grievance procedure. The development of grievance procedures will benefit operations at the local level as it will afford inmates a formal problem resolution system through which they may air their complaints and it will provide local correction officials greater opportunity to resolve problems within their facilities prior to outside intervention. The new grievance framework required by the standard is outlined in Figure 35.

Inmates are still encouraged under the new system to attempt to resolve problems informally. However, an attempt at informal resolution is not a prerequisite for filing a grievance. Reprisals are not to be taken against inmates as a result of their filing a grievance. Once an inmate has filed a formal written grievance with the facility grievance coordinator, the coordinator has 5 working days to render a decision. During this 5 day period a complete investigation of the grievance must be conducted by the chief administrative officer or his/her designee.

Upon receiving the coordinator's decision an inmate has two working days to appeal to the chief administrative officer if not satisfied. The chief administrative officer has two working days to make a decision on the appeal. After receiving the chief administrative officer's decision the inmate has 3 working days to file a written appeal to the Commission of Correction's Citizen Policy and Complaint Review Committee (CPCRC). This appeal must be filed with the inmate grievance coordinator who has three days to forward it to the Commission (CPCRC). The CPCRC has 20 working days after receipt of the appeal to render a decision. The decision is sent to the chief administrative officer with copies to the inmate and the inmate grievance coordinator.

If the CPCRC determination is in favor of the grievant as a matter of law, the chief administrative officer must comply with the determination and provide an appropriate remedy. The chief administrative officer must also provide the CPCRC with verification of compliance in such cases. Where the CPCRC determination is not a matter of law, it in effect is a recommendation, with which the chief administrative officer may or may not choose to comply.

In the upcoming year Commission staff will be conducting training on the new grievance standard for local correctional facility staff. Since the standard was not effective until 1990, the data reported here is reflective of the old process.

During 1989, when the Commission received a local grievance or a complaint from an inmate housed in a local correctional facility, the nature of the complaint/grievance was assessed and medical complaints/grievances were referred to the Bureau of Health Systems Evaluation; all other complaints/grievances remained in the Field Evaluation and Investigation Bureau. Dispositions on grievances were recommended to the Citizens Policy and Complaint Review Council (CPCRC) by these respective units. The CPCRC made final determinations and forwarded them to the facility administrators. Determinations may or may not have been binding, depending on whether or not standards were involved. Figure 36 outlines the local correctional facility complaint/grievance procedure in effect in 1989.

THE NEW YORK CITY DEPARTMENT OF CORRECTION GRIEVANCE PROCESS*

In 1975, the New York State Legislature enacted Section 139 of Correction Law which mandated the establishment of a formal grievance mechanism for inmates in state correctional facilities. The successful implementation of a grievance procedure in New York State stimulated the interest of New York City authorities for the establishment of a similar mechanism in the New York City correctional facilities.

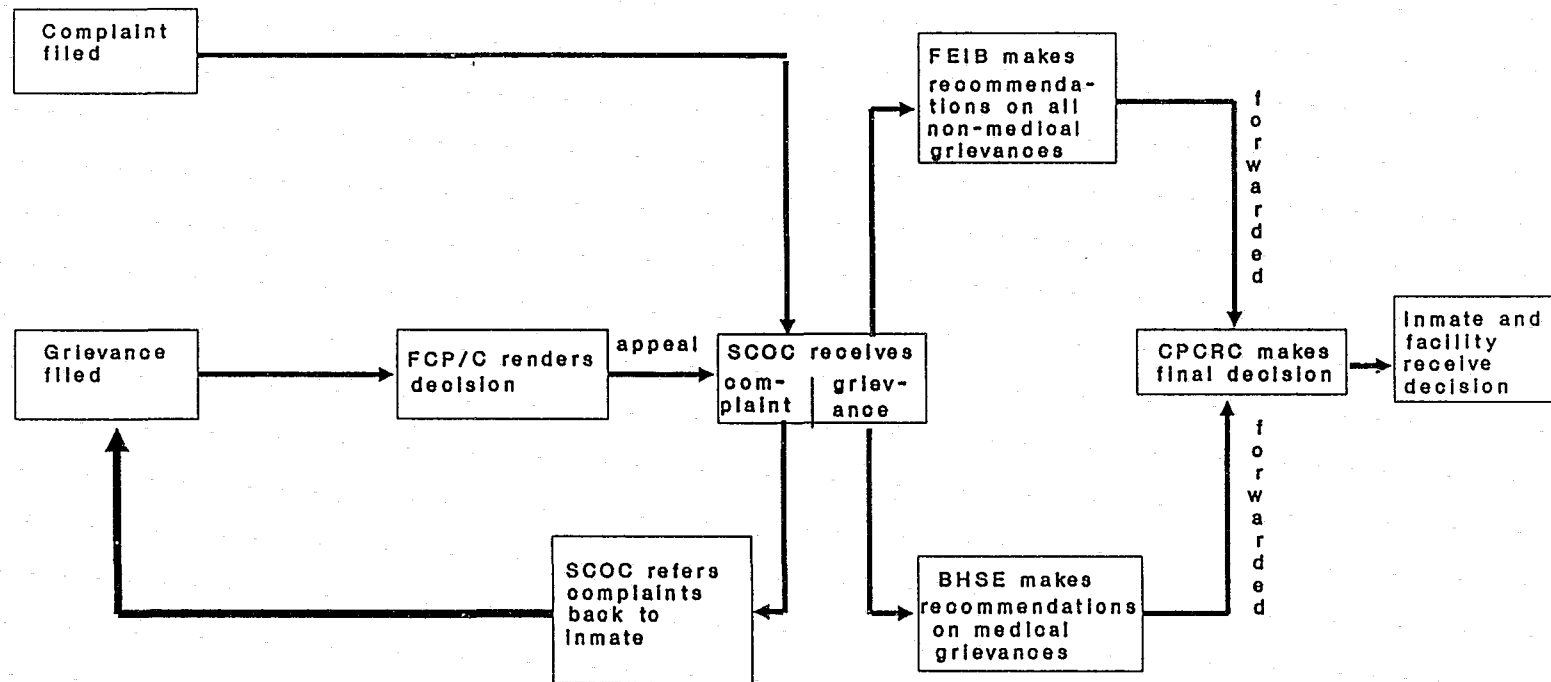
Prior to the establishment of the Inmate Grievance Resolution Program (IGRP) in the NYC Department of Correction, inmates in the correctional facilities relied primarily on outside agencies, including the NYC Board of Correction, for the resolution of their grievances. In the late 1970's, the volume of complaints received by the Board of Correction led to a demand for the development of a formal grievance structure and process. Section 626(f) was included to mandate that the Board establish a formal grievance mechanism in the city correctional system.

In 1977, the Department of Correction and the Board of Correction applied for federal funds to develop a grievance program on an experimental basis in two correctional facilities. The NYC Criminal Justice Coordinating Council approved the grant request in January, 1979 and the pilot programs were initiated in April, 1980. Since the inception of the program, the IGRP has become an integral part of the correctional system and has expanded to all major correctional facilities.

* Information on the NYCDOC grievance process, history and number of grievances comes from the management Evaluation Division of NYCDOC.

Figure 36

OVERVIEW OF THE LOCAL INMATE COMPLAINT/GRIEVANCE PROCESS



FCP/C-Facility Complaint Procedure/Coordinator
SCOC-State Commission of Correction
FEIB-Field Evaluation and Investigation Bureau
BHSE-Bureau of Health Systems Evaluation
CPCRC-Citizens' Policy and Complaint Review Council

The policies and procedures of the NYCDOC grievance program are outlined in directive number 3375R. The grievance process which is not an adversary process, is designed to provide inmates with a formal process to redress their complaints, decrease litigation in the courts, ease facility tension, and improve conditions of confinement. In addition, the grievance process provides information to all levels of management regarding the overall operation of the Department.

Within the NYCDOC grievance program a grievance is defined as any of the following:

- o a complaint pertaining to any written or unwritten policy of the Department of Correction, or any of its service units, or the manner in which these policies are carried out;
- o a complaint pertaining to the absence of a policy, regulation or rule;
- o a complaint pertaining to any behavior or action directed toward an inmate that is not a matter within the jurisdiction of the Inspector General.

Non-grievable issues include matters under investigation by the Inspector General; complaints pertaining to an alleged assault or verbal harassment; complaints pertaining to matters in litigation; complaints where there is already an existing appeal mechanism within the Department of Correction, i.e., determinations of disciplinary hearings and classification; matters outside the jurisdiction of the Department of Correction; and complaints which do not directly affect the inmate.

If an inmate has a complaint, he or she files a grievance with the Inmate Grievance Resolution Committee (IGRC). The IGRC is a five member body consisting of two voting inmates, two voting uniformed staff members and a volunteer non-voting chairperson. The non-voting chairperson may be a uniformed or civilian staff member associated with the institution, who is trained by grievance staff. The Committee attempts to resolve the grievance informally within five working days. When necessary and appropriate, inmate representatives accompany staff representatives during the fact finding process. If the grievance is not informally resolved, the inmate may request a formal hearing where witnesses may be called to appear before the Committee. The Committee is required to make a recommendation within three working days.

If an inmate is not satisfied with the formal IGRC decision he/she may appeal the decision to the warden who is required to render a decision within five working days. Upon receiving the warden's decision an inmate may again appeal if not happy with the decision. This time the appeal goes to the Central Office Review Committee (CORC) which is composed of the Deputy Commissioner for Capital Development and Support Services, Deputy Commissioner for Management and Budget,

Special Counsel, Chief of Operations, the Deputy Commissioner for Programs, and Assistant Commissioner for Compliance and Field Audits. The CORC is required to render a decision on the appeal within fifteen working days.

The CORC decision may be appealed to the New York City Board of Correction which issues, or has an independent arbitrator issue, an advisory recommendation to the Commissioner of NYCDOC. The Board of Correction has twenty working days to issue a recommendation to the Commissioner. The Commissioner is required to issue a final decision within ten working days of the receipt of the Board of Correction's recommendation. The New York City grievance process is outlined in Figure 37. Grievance committees that operate on a part-time basis (less than 5 days per week) are allowed to modify some of the procedures outlined above.

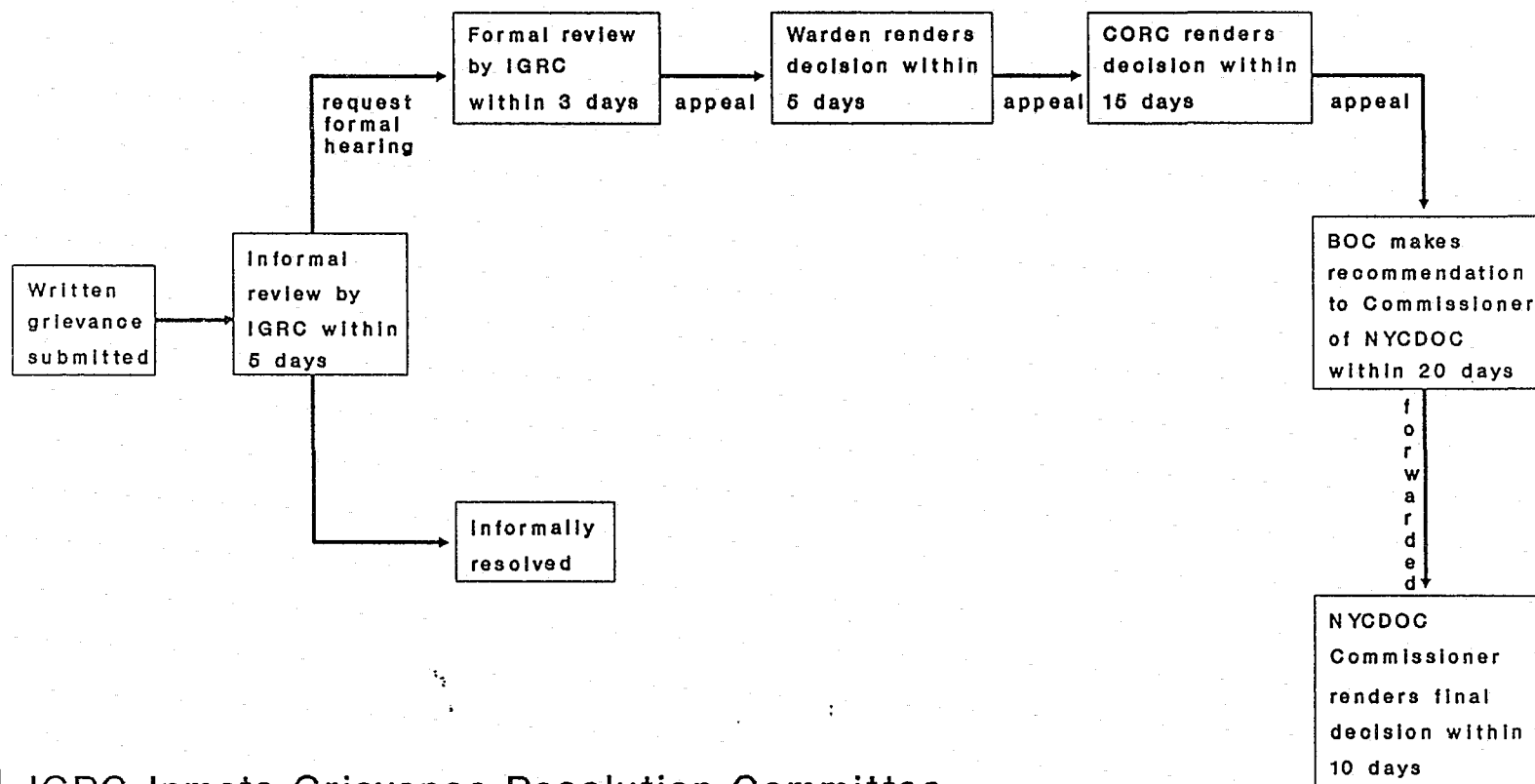
During 1989 NYCDOC worked in conjunction with the New York City Board of Correction to develop a new Departmental Directive on inmate grievance procedures. The intent of the new draft Directive is to strengthen the IGRP's procedural safeguards necessary to maintain and ensure the integrity and effectiveness of the program. In addition, the new Directive should improve IGRP efficiency, clarify program procedures and restrict any opportunities for arbitrariness in the delivery of IGRP services. Several of these new provisions established in the draft Directive include:

- o Provisions regarding program orientation for inmates and correctional staff,
- o Provisions for ensuring program access to non-English speaking inmates and inmates with physical and emotional impairments,
- o Provisions to require at each appellate level, responses that include reasons for the decision rendered,
- o Provisions for expedited responses in cases of emergency grievances (ie., matters that pose an immediate threat to institutional safety and security),
- o Provisions for handling of grievances pertaining to allegations of reprisal for utilization of the grievance mechanism,
- o Provisions for a due process hearing in the transfer of elected Inmate Representatives, and
- o Provisions for IGRP staff access to pertinent records and documents necessary for the resolution of grievances.

The operative date of the new draft grievance procedures has not as yet been established.

Figure 37

OVERVIEW OF THE NYCDOC INMATE GRIEVANCE PROCESS



IGRC-Inmate Grievance Resolution Committee
CORC-Central Office Review Committee
BOC-New York City Board of Correction

Note: Days refer to working days.
Harassment complaints are non-grievable.

TRENDS IN COMPLAINTS AND GRIEVANCES

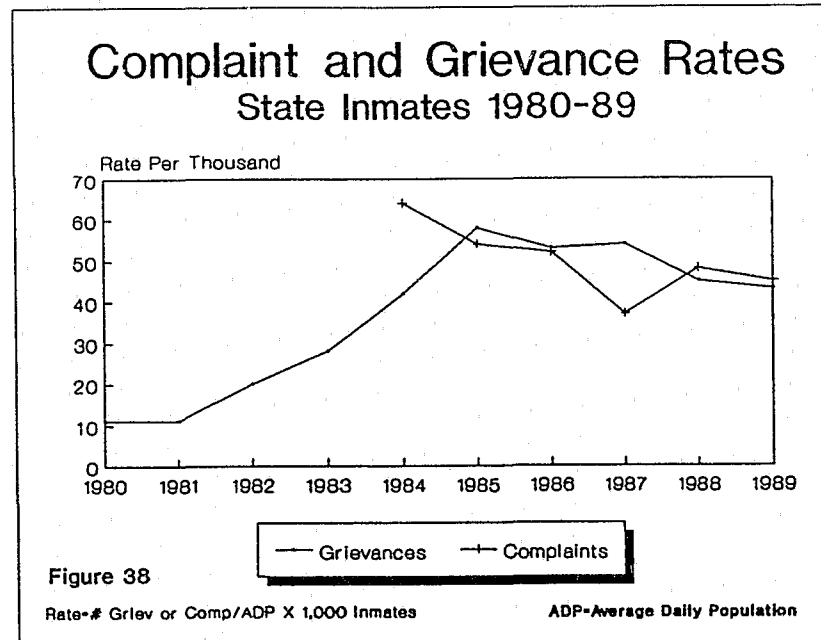
State and Local Complaints and Grievances

There is a qualitative difference between complaints and grievances aside from how they flow through the system. In nearly all cases there is only one issue identified in a grievance. However, a complaint letter often has multiple issues. During 1988, the Commission, through its Office of Field Investigation, strengthened its efforts to better classify complaints previously falling into the 'other' category (most of which were unclassified complaints). In 1987 there were 312 complaints from state inmates and 160 from local inmates that fell into the 'other' category. These complaints could have had multiple issues. These 'other' complaints from state inmates were reduced to 59 in 1988 and 3 in 1989, while the 'other' complaints from county inmates were reduced to 51 and 0 respectively. With multiple issues per complaint, it is likely that an increase in number of issues would accompany this process to better identify complaint issues. This appears to have occurred. State inmates filed virtually the same number of complaint letters in 1988 as in 1987; however, there was a 38 percent increase in the number of complaint issues identified. At the local level there was a 20 percent increase in the number of complaint letters from 1987 to 1988, with a 60 percent increase in the number of complaint issues identified. As only a small number of complaints were left unclassified at year end 1988, there was only a moderate increase in the number of complaint issues in 1989 as would be expected.

State Correctional Facility Complaints and Grievances

Data are maintained on complaints and grievances received from inmates by the Commission. Since many complaints and grievances are resolved at lower facility levels, the Commission's data do not provide a total picture of the complaints and grievances situation. However, the monitoring of complaints and grievances received by the Commission can provide valuable information to operations regarding possible administrative changes or the identification of potential problem areas within a facility.

Over the period 1980-1985, the number of grievances received by the Commission from state inmates has steadily increased. The number of grievances appear to be going through a leveling off process since 1985 as they decreased in 1986, rose to their highest point in 1987, decreased again in 1988 and rose slightly in 1989. When standardized by average daily population, the number of grievances per 1,000 inmates increased from about 11 in 1980 to 58 in 1985, and have fluctuated between 43 and 54 from 1986 on (Figure 38).



Complaint trends for DOCS and complaint and grievance trends for local correctional facilities are based on six years of data - 1984 through 1989. Changes in the categorization of issues in 1984 make prior data incomparable. The number of complaint issues received by the Commission from DOCS inmates declined from 1984 to 1987, rose sharply in 1988 and increased slightly in 1989. Much of the 1988 increase can be attributed to the strengthened issue identification procedure. The figures standardized by average daily population show a decline from 64 complaints per 1,000 inmates in 1984 to 37 complaints per 1,000 inmates in 1987, a rise to 48 complaints per 1,000 inmates in 1988, and a decrease to 45 in 1989 (Figure 38).

Historically, the Commission has received the largest number of complaints and grievances from inmates housed at Attica, Auburn, Clinton, Green Haven, Great Meadow and more recently Shawangunk, Sullivan and Fishkill. There were some significant changes in the complaint and grievance picture from 1988 to 1989. The number of complaint letters received by the Commission increased 19 percent from 1988 to 1989. While the number of complaint letters remained fairly constant for most facilities during this period, there was a 180 percent increase in complaint letters from Fishkill inmates. The number of grievances appealed to the Commission increased ten percent from 1988 to 1989. The number of grievances appealed by Attica inmates has continued to decline since 1986. There were some other significant decreases from 1988 to 1989: Green Haven - 54% decrease; Fishkill - 60% decrease; and Great Meadow - 68% decrease. Significant increases occurred at Clinton (53%), Shawangunk (63%), Auburn (81%), Sullivan (135%) and Wende (294%). Upon closer examination it is evident that these increases were caused by large numbers of grievances being appealed by a small number of inmates. For example, 1 Clinton inmate accounted for 49 percent of grievance issues; 6 inmates accounted for 54 percent of grievances at Shawangunk; 2 Auburn inmates accounted for 25 percent; 1 Sullivan inmate accounted for 55 percent; and 2 Wende inmates accounted for 38 percent.

No complaints were received by the Commission during the 1984 to 1989 period from inmates housed at Rochester. During the same period, no grievances were received from inmates housed at Fulton, Camp Gabriels, Camp Georgetown and Camp Summit. Twenty-nine DOCS facilities, accounting for approximately 20 percent of the inmate population, had 25 or less combined complaints and grievances in 1989. Table 25 shows the number of grievances received by the Commission from inmates at each state facility for the years 1980 through 1989 and the number of complaint issues received 1984-1989.

The Commission classifies complaints and grievances into twenty-three categories (Table 26). The issues for which the Commission has received the most DOCS inmate grievances from 1980 to 1989 are property and package room, staff conduct, medical services, correspondence and telephone, work programs/job assignment/pay grade and discipline procedures and special housing unit. Issues least likely to be grieved to the Commission involved inmate organizations, personal safety and inmate housing. Staff conduct has been the most frequent issue identified in state inmate complaints received by the Commission from 1984 to 1989. Staff conduct includes such issues as: personnel on inmate physical assault, inappropriate use of force by staff, harassment and verbal threats by staff, racial prejudice and discrimination, staff misconduct and inadequate staff training. Medical services, facility transfer/classification designation and discipline procedures and special housing unit are other categories frequently identified in inmate complaints. Issues revolving around inmate organizations, inmate housing and commissary were the least likely to be identified in DOCS inmate complaints.

Local Correctional Facility Complaints and Grievances

As previously stated, six years of comparable complaint/grievance data are available for local correctional facilities. It should be noted that local correctional facility complaint/grievance data do not include information from the New York City Department of Correction, which is considered separately. The number of complaint and grievance issues from local inmates increased from 1984 to 1986, declined in 1987, and increased again in 1988. In 1989 complaints decreased while grievances increased. When standardized by average daily population, grievances went from 16 per 1,000 inmates in 1984 to 27 per thousand in 1986, declined to 18 per thousand in 1987, and rose slightly to 20 in 1989 (Figure 39). Complaints show a slightly different pattern. Complaint issues rose from 131 per thousand inmates in 1984 to a high of 140 per thousand in 1985 and decreased to 98 per thousand by 1987. In 1988 they rose to 127 per thousand inmates and again declined to 93 in 1989.

TABLE 25 - STATE INMATE GRIEVANCES/COMPLAINT ISSUES
RECEIVED BY FACILITY 1980-1989

State Facility	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1980		1981		1982		1983		1984		1985		1986		1987		1988		1989	
	# Griev	# Griev	# Griev	# Griev	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp
Attica	52	60	152	227	359	404	214	403	312	381	242	193	153	246	142	183														
Auburn	6	2	11	22	32	170	73	143	255	155	171	123	68	91	123	118														
Clinton	49	88	215	308	515	517	655	265	510	257	488	229	211	370	322	244														
Clinton Annex	-	-	6	7	3	1	40	1	14	0	8	2	10	2	27	1														
Coxsackie	2	5	6	3	1	10	1	25	10	38	24	38	23	41	56	41														
Downstate	16	4	8	9	0	46	50	34	15	35	9	11	18	32	20	9														
Eastern	33	30	20	29	22	47	22	47	93	44	63	27	74	59	103	89														
Elmira	0	0	0	1	1	54	5	114	23	61	34	57	26	92	11	108														
Great Meadow	15	8	31	84	115	181	148	206	104	160	127	136	342	205	110	207														
Green Haven	24	28	26	29	49	207	108	188	155	112	227	95	182	133	83	143														
Shawangunk	-	-	-	-	-	-	-	0*	60*	169	40	139	65	227	47															
Sing Sing	3	2	2	7	5	41	20	48	66	64	87	57	59	36	70	56														
Southport	-	-	-	-	-	-	-	-	-	-	-	-	*	22*	6	55														
Sullivan	-	-	-	-	-	-	0*	14*	23	45	80	22	81	41	190	50														
Wende	-	-	-	0*	0	32	0	13	2	29	19	37	18	85	71	90														
Adirondack	0	0	7	3	7	27	1	9	26	7	11	5	12	9	18	10														
Albion - Male	0	1	5	8	0	2	9	1	2	2	-	-	-	-	-	0														
Albion - Female	0	5	1	13	10	2	4	11	6	24	7	4	16	17	20	8														
Altona	-	-	-	0*	1	5	8	3	5	14	2	6	3	16	0	13														
Arthurkill	20	8	5	9	18	4	39	18	16	13	11	11	9	7	24	16														
Bare Hill	-	-	-	-	-	-	-	-	-	-	-	-	*	2*	6	21														
Cayuga	-	-	-	-	-	-	-	-	-	-	-	-	*	1*	18	16														
Collins	-	-	-	4*	7	13	10	10	20	35	26	16	30	15	11	26														
Fishkill	3	0	9	4	14	33	25	65	51	91	59	49	114	54	46	136														
Franklin	-	-	-	-	-	-	-	-	11*	2*	44	17	6	36	17	29														
Greene	-	-	-	-	-	1	4*	17	18	13	23	29	9	16	16	26														
Groveland - Male	-	-	-	16*	40	6	59	24	43	41	48	20	6	12	8	38														
Groveland - Female	-	-	-	-	-	-	-	-	-	-	-	-	1*	5*	3	0														
Hudson	0	0	0	2	2	1	4	10	9	9	3	0	0	1	0	1														
Long Island	-	-	2*	5	6	19	**	3	-	**	-	**	**	**	**	0														
Marcy	-	-	-	-	-	-	-	-	-	-	-	-	0*	0*	21	19														
Mid-Orange	0	0	3	6	7	9	12	2	8	4	8	5	8	9	11	15														
Mid-State	-	-	-	-	8*	10	247	39	56	20	44	41	62	47	40	60														
Mt. McGregor	-	-	9	14	14	9	13	30	4	5	8	19	11	13	3	10														
Ogdensburg	-	-	0*	32	68	10	44	14	14	13	18	5	16	24	5	18														
Oneida	-	-	-	-	-	-	-	-	-	-	-	-	4*	19*	32	28														
Orleans	-	-	-	-	-	-	60*	20*	16	22	19	17	26	34	22	30														

Table 25 (Continued)

State Facility	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989						
	# Griev	# Griev	# Griev	# Griev	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp
Otisville	3	1	1	1	5	9	15	6	27	20	9	4	4	4	27	19
Taconic	1	2	0	2	4	13	16	1	4	12	8	14	7	7	-	11
Wallkill	3	2	0	9	9	13	24	14	4	5	4	3	33	12	16	20
Washington	-	-	-	-	-	-	2*	15*	10	54	16	47	15	54	16	24
Watertown	-	-	0*	6	5	17	60	13	30	9	15	1	11	9	13	4
Woodbourne	3	4	1	3	4	20	2	13	1	18	3	23	41	10	70	38
Wyoming	-	-	-	-	-	-	10*	9*	20	18	19	20	10	39	7	43
Edgecombe	0	0	0	0	0	1	0	0	0	0	1	4	0	0	0	0
Fulton	0	0	0	0	0	0	0	1	0	0	0	3	0	0	0	1
Lincoln	0	0	0	0	0	3	1	0	0	0	0	0	0	0	0	0
Lyon Mountain	-	-	-	-	0*	0	0	0	0	1	0	0	0	1	0	0
Monterey (Camp)	0	0	0	0	1	3	0	0	0	0	0	0	0	0	0	0
Queensboro	3	3	0	2	1	7	0	0	0	14	0	10	0	0	0	1
Rochester	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Camp Beacon	-	-	0*	0	1	0	0	0	0	1	2	5	1	3	2	0
Camp Gabriels	-	-	0*	0	0	6	0	3	0	6	0	4	0	5	0	0
Camp Georgetown	0	0	0	0	0	3	0	0	0	7	0	1	0	2	0	8
Camp Mt. McGregor	0	3	3	0	1	0	0	0	0	0	4	0	6	0	0	0
Camp Pharsalia	0	0	0	0	0	5	2	0	0	1	0	0	0	2	0	4
Summit (Camp) - Male	0	0	0	0	0	0	0	0	0	6	0	1	0	0	0	0
Summit (Camp) - Fem.	-	-	-	-	-	-	-	-	-	-	-	-	0*	0*	0	0
Bayview- Fem.	0	6	9	7	0	4	0	4	3	3	2	0	1	0	0	0
Bedford Hills - Fem.	2	24	18	8	24	106	30	40	22	18	9	18	12	11	11	13
Parkside - Fem.	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0
Camp Vincent - NYC	-	-	-	-	-	-	-	-	-	-	-	-	5	0*	8	5
Riverview - NYC	-	-	-	-	-	-	-	-	-	-	-	-	0	0*	1	0
Butler	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0*	0
Lakeview	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0*	0
Mohawk	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0*	1
Moriah	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0*	0
Groveland (Camp) - F	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0*	0
Taconic - F	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2*	0
TOTAL Issues	238	286	550	880	1359	2071	2037	1896	1978	1949	2171	1469	1884	2022	2056	2153
Total Letters						1559		1577		1582		1263		1258		1498

* New Facility
 ** Facility Closed
 - Facilities not in operation.

TABLE 26 - STATE INMATE COMPLAINTS AND GRIEVANCES
RECEIVED BY TYPE OF ISSUE 1980 - 1989

Category	1980		1981		1982		1983		1984		1985		1986		1987		1988		1989	
	# Griev	# Griev	# Griev	# Griev	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp
Medical Services	14	23	63	98	88	314	192	354	212	349	229	176	257	210	373	263				
Discipline Procedures and Special Housing Unit	15	14	27	74	90	221	134	122	98	108	113	102	79	151	105	141				
Staff Conduct	10	10	24	40	146	504	210	411	266	429	310	447	258	828	307	933				
Property and Package Room	45	55	101	117	194	154	302	58	292	55	297	47	260	70	243	67				
Facility Transfer/ Classification Designation	0	4	11	27	27	166	17	152	22	170	25	82	40	160	31	182				
Recreation Activities	2	7	10	33	57	11	40	11	58	24	58	9	60	6	52	17				
Legal Services and Parole	10	16	17	42	57	80	86	67	83	63	110	40	83	47	79	82				
Food Services	8	5	7	23	56	36	97	27	91	34	101	24	78	40	96	37				
Security/Supervision	13	25	43	77	95	38	98	22	90	34	67	17	59	39	91	31				
Correspondence and Telephone	19	21	43	75	91	65	212	54	167	35	171	30	120	54	135	35				
Religion	4	8	19	28	31	18	42	10	61	7	54	6	49	11	37	10				
Work Programs/Job Assignment/Pay Grade	29	38	47	59	106	41	156	18	107	23	156	15	126	44	98	31				
Personal Hygiene/ Grooming/Showers	3	2	17	37	68	23	60	15	63	11	59	9	49	18	52	9				
Visiting/Family Reunion Prog./Family Day Events	4	12	29	26	52	40	43	16	56	22	63	16	66	27	31	26				
Commissary	5	3	9	17	25	12	35	3	45	5	50	7	41	3	41	2				
Physical Jail Conditions	2	13	18	38	49	30	70	16	62	16	91	21	82	29	54	51				
Personal Safety	0	1	1	3	1	80	11	60	5	56	6	26	10	50	9	43				
Inmate Housing	0	2	2	16	12	3	6	1	5	4	5	0	5	8	7	6				

Table 26 (Continued)

Category	1980		1981		1982		1983		1984		1985		1986		1987		1988		1989	
	# Griev	# Griev	# Griev	# Griev	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp	# Griev	# Comp
Programs & Cnslling	29	9	21	23	43	29	52	31	26	32	27	26	39	36	35	50				
Inmate Records	6	13	20	13	35	23	63	5	57	30	69	7	44	22	71	24				
Inmate Liaison																				
Committee Grievance																				
Program	3	4	21	12	35	47	103	24	67	31	48	23	38	62	55	55				
Inmate Organizations	0	1	0	0	0	2	1	0	1	0	4	2	0	1	1	1				
Too Vague to Classify	17	0	0	2	1	48	7	38	44	24	58	25	41	47	52	54				
Other	--	--	--	--	--	86	--	381	--	387	--	312	--	59	0	3				
Totals Issues	238	286	550	880	1359	2071	2037	1896	1978	1949	2171	1469	1884	2022	2055	2153				
Total Letters						1559		1577		1582		1263		1258		1498				

Complaint and Grievance Rates Local Inmates 1984-89

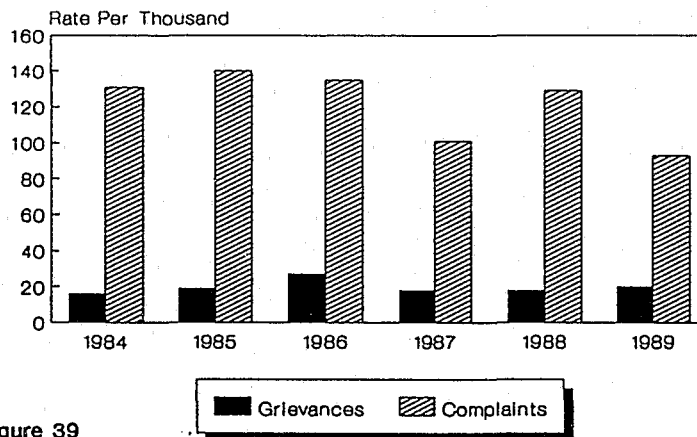


Figure 39

Rate=# comp or grlev/ADP X 1,000 Inmates

ADP-Average Daily Population

The largest number of grievances received by the Commission from 1984 to 1989 were from inmates housed at Albany County Jail and Niagara County Jail (Table 27). Grievances from the Albany County Jail increased from 1988 to 1989, however, they are still significantly below their 1986 level. After showing a steady increase from 1984 to 1987, grievances from Niagara County Jail decreased in 1988 and went to 2 in 1989. Two counties, Cortland and Tioga, showed significant decreases in the number of grievances filed by inmates housed in their facilities from 1988 to 1989. Orange County showed the largest increase going from 4 in 1988 to 54 in 1989. Fifty-three percent of these grievances were from one inmate.

The largest number of complaints over the six year period, 1984-1989, were from inmates housed at Albany County Jail, Erie Holding Center and Oneida County Jail. Complaint issues and complaint letters increased slightly at Erie and declined in the other two facilities from 1988 to 1989. In addition, complaint issues and complaint letters from twelve other facilities decreased substantially from 1988 to 1989. Major increases occurred at: Allegany County Jail, Chemung County Jail and Onondaga County Penitentiary. In Allegany County one inmate filed one-third of all complaints, two inmates in Chemung County filed 64 percent of complaints; and one Onondaga County Penitentiary inmate filed one-half of all complaints. Hamilton County Jail is the only local correctional facility that did not generate any complaints or grievances to the Commission from 1984 through 1989; however, 13 facilities, excluding Hamilton, did not generate any grievances that reached the Commission during that six year period.

From 1984 through 1988 the issue of most concern at the local level in both complaints and grievances received by the Commission was Medical Services (Table 28)). In 1989 staff conduct was the leading complaint, while medical services remained the leading grievance. Other issues generating the most concern are legal services and parole, food services, property and package room, and correspondence and telephone. Issues least likely to be cited deal with inmate organizations and inmate housing.

TABLE 27 - LOCAL INMATE GRIEVANCES/COMPLAINTS RECEIVED BY FACILITY 1984-1989

COUNTY FACILITY	1984		1985		1986		1987		1988		1989		6 Yr. Total	
	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.
Albany	31	86	35	98	72	108	14	89	25	113	30	86	207	580
Allegany	1	7	4	4	0	13	2	7	1	5	12	29	20	65
Broome	1	25	1	17	1	78	1	24	0	27	0	13	4	184
Broome Barracks	0	1	0	0	0	0	0	0	0	0	1	5	1	6
Cattaraugus	0	6	0	10	1	7	2	18	4	12	0	15	7	68
Cayuga	0	5	0	2	0	11	0	3	0	2	0	8	0	31
Chautauqua	3	14	1	25	2	21	1	2	12	59	8	20	27	141
Chemung	2	11	1	14	0	19	1	5	0	15	1	42	5	106
Chenango	7	8	6	7	8	19	7	9	1	16	1	0	30	59
Clinton	0	2	0	0	0	10	0	1	0	7	0	8	0	28
Columbia	2	14	2	36	0	21	0	7	3	21	5	26	12	125
Cortland	10	2	13	2	5	8	6	1	25	11	15	0	74	24
Delaware	0	3	0	2	0	9	1	0	0	4	1	8	2	26
Dutchess	0	33	4	28	2	13	0	15	0	12	2	22	8	123
Erie H.C.	8	70	7	91	6	88	1	36	3	45	7	47	32	377
Erie Pen.	0	8	0	3	0	7	0	9	4	43	11	18	15	88
Essex	0	1	0	2	0	5	0	3	0	6	0	11	0	28
Franklin	1	8	0	9	1	7	1	14	1	4	0	1	4	43
Fulton	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Genesee	0	6	3	12	3	2	0	2	2	0	0	1	8	23
Greene	0	14	0	3	0	4	0	13	0	13	0	8	0	55
Hamilton	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Herkimer	0	17	1	1	0	0	0	0	0	6	0	15	1	39
Jefferson	0	7	0	8	0	0	0	17	0	27	1	29	1	88
Lewis	0	0	1	0	0	1	0	0	0	1	1	1	2	3
Livingston	0	7	0	11	0	1	0	3	0	0	0	6	0	28
Madison	0	0	0	13	0	10	3	1	3	9	12	12	18	45
Monroe	0	30	0	19	1	21	0	21	0	42	1	38	2	171
Montgomery	0	7	2	33	1	20	0	48	6	46	9	27	18	181
Nassau	0	23	0	73	0	43	1	41	0	53	0	63	1	296
Nassau Medium	0	0	0	0	0	0	0	5	0	0	0	0	0	5
Niagara	16	28	19	33	35	31	39	31	24	30	2	8	135	161
Oneida	13	51	3	48	4	46	7	65	3	92	8	59	38	361

Table 27 (Continued)

COUNTY FACILITY	1984		1985		1986		1987		1988		1989		6 Yr. Total	
	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.
Onondaga Jail	2	42	1	58	11	76	5	14	2	10	3	15	24	215
Onondaga Pen.	0	6	0	0	0	0	0	4	0	4	0	21	0	35
Ontario	0	38	1	25	1	34	1	16	1	5	3	20	7	138
Orange	2	43	8	47	15	28	24	61	4	92	54	66	107	337
Orleans	1	6	2	22	0	6	0	5	0	11	0	15	3	65
Oswego	0	29	0	20	0	16	0	13	2	8	0	3	2	89
Otsego	0	0	0	7	0	21	0	51	5	15	1	16	6	110
Putnam	0	2	0	3	3	5	2	11	1	22	6	19	12	62
Rensselaer	2	21	2	28	3	51	10	27	2	21	5	35	24	183
Rockland	2	8	9	13	10	17	21	15	19	41	14	20	75	114
St. Lawrence	1	8	0	6	0	7	0	5	0	13	0	4	1	43
Saratoga	0	16	6	10	0	9	2	5	2	22	3	14	13	76
Schenectady	4	13	1	14	12	39	1	22	4	36	3	41	25	165
Schoharie	0	6	0	11	0	14	0	16	1	33	1	22	2	102
Schuyler	2	22	0	8	0	4	0	5	0	7	0	5	2	51
Seneca	0	2	0	11	0	0	0	9	1	21	1	13	2	56
Steuben	0	15	4	42	6	10	1	14	0	16	1	0	12	97
Suffolk	0	14	0	19	0	11	0	19	0	36	0	15	0	114
Sullivan	0	3	0	5	0	17	0	26	2	48	13	50	15	149
Tioga	2	26	1	2	1	16	0	16	17	19	1	11	22	90
Tompkins	3	10	4	0	2	1	0	4	0	10	1	5	10	30
Ulster	0	69	0	36	0	34	0	13	0	61	0	42	0	255
Warren	0	10	0	5	0	11	0	13	0	7	0	5	0	51
Washington	0	10	4	14	5	5	2	4	0	1	0	4	11	38
Wayne	1	14	1	3	4	16	3	6	4	4	0	3	13	46
West. Jail	0	24	1	75	5	29	0	13	0	28	0	6	6	175
West. Pen.	0	9	0	0	0	0	0	0	0	16	1	3	1	28
West. W. U.	0	0	0	0	0	0	0	5	0	4	0	3	0	12
Wyoming	0	0	0	0	0	13	0	1	0	2	0	0	0	16
Yates	1	16	3	12	2	1	1	9	0	6	1	12	8	56
Total Issues	118	976	151	1100	222	1114	160	912	184	1340	240	1114	1075	6556
Total Letters	--	620	--	822	--	826	--	669	--	805	--	687	--	4429

TABLE 28 - LOCAL INMATE COMPLAINTS AND GRIEVANCES RECEIVED BY TYPE OF ISSUE 1984-1989

CATEGORY	1984		1985		1986		1987		1988		1989		6 Yr. Total	
	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	Griev.	Comp.	# Griev.	# Comp.
Medical Services	21	141	22	195	46	254	46	149	43	218	35	196	213	1153
Discipline Procedures and Special Housing Unit	8	56	19	50	17	44	6	49	6	72	18	53	74	324
Staff Conduct	13	113	14	117	11	126	13	97	35	202	32	200	118	855
Property and Package Room	12	44	16	34	9	31	14	23	15	57	16	42	82	231
Facility Transfer/ Classification Designation	2	39	4	32	7	36	3	36	3	49	3	35	22	227
Recreation Activities	5	52	4	58	5	35	6	26	6	39	12	34	38	244
Legal Services and Parole	9	99	10	99	17	88	14	81	11	142	19	97	80	606
Food Services	6	59	9	58	21	44	14	42	12	60	20	57	82	320
Security/Supervision	2	18	9	14	6	13	6	12	2	21	8	28	33	106
Correspondence and Telephone	12	42	8	32	20	40	7	30	16	42	13	33	76	219
Religion	1	14	4	10	4	9	1	13	1	12	1	16	12	74
Work Programs/Job Assignment/Pay Grade	3	7	3	15	3	7	2	9	1	13	2	5	14	56
Personal Hygiene/ Grooming/Showers	6	36	5	24	9	20	3	14	4	32	6	38	33	164
Visiting/Family Reunion Prog./Family Day Events	6	30	3	14	14	25	4	23	8	49	9	26	44	167
Commissary	2	16	6	8	6	12	2	5	3	9	5	11	24	61
Physical Jail Conditions	5	55	6	31	7	31	10	44	3	91	15	84	46	336
Personal Safety	0	21	2	21	4	13	3	16	7	31	5	26	21	128
Inmate Housing	0	3	0	2	2	8	0	0	0	11	4	6	6	30
Programs & Counselling	0	24	4	8	1	14	1	16	1	26	2	17	9	105

Table 28 (Continued)

CATEGORY	1984		1985		1986		1987		1988		1989		6 Yr. Total	
	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.	# Griev.	# Comp.
Inmate Records	0	12	1	2	4	4	0	5	0	6	0	12	5	41
Inmate Liaison Committee & Grievance Program	5	25	1	19	3	19	1	14	1	75	3	51	14	203
Inmate Organizations	0	0	0	0	0	2	0	0	0	1	0	0	0	3
Too Vague to Classify	0	26	1	22	6	22	4	48	6	31	12	47	29	196
Other	--	44	--	235	--	217	--	160	--	51	0	0	--	707
Totals	118	976	151	1100	222	1114	160	912	184	1340	240	1114	1075	6556

New York City DOC Grievances

As previously stated the New York City DOC grievance program is operated by the Department with appeals going through the New York City Board of Correction. As a result, the Commission of Correction does not handle NYCDOC inmate complaints or grievances. However, the Commission is concerned with systemic issues in NYCDOC and therefore reviews New York City data with an eye toward systemic improvement.

Year-end figures were not available for trend analysis across facilities. However, December figures were available for the years 1985 through 1989. The number of grievances and the rate per 100 inmates by facility are reflected in Table 29. Brooklyn Correctional Facility and North Infirmery Command have comparatively higher grievance rates than the other facilities for December of the past five years. The grievance rate at the James A. Thomas Center has been steadily increasing since 1985. High grievance rates were also reported in 1989 at both the Queens HDM and Maritime Facility II (Bibby Resolution).

Table 29 Number and Rate* of Grievances for December of Each Year
By NYCDOC Facilities 1985-89

	1985		1986		1987		1988		1989	
	NUMBER	RATE*	NUMBER	RATE*	NUMBER	RATE*	NUMBER	RATE*	NUMBER	RATE*
AMKC	51	2	63	3	112	5	80	3	131	5
NYCARDC	74	6	73	5	95	5	62	3	78	4
BKLYN HDM	30	4	44	6	37	5	35	4	28	4
BCF	49	13	130	15	108	9	131	12	118	10
BRONX HDM	12	3	23	6	20	5	17	4	20	5
NYC CIFM	101	4	90	4	93	3	82	4	85	4
GMDC	41	6	86	6	156	9	73	4	97	5
RMSC	NA	NA	NA	NA	NA	NA	57	4	70	4
MAN. HDM	25	6	16	4	29	7	17	4	30	8
OBCC	30	3	55	4	64	5	67	8	83	6
JATC	46	4	67	6	105	9	112	10	125	11
QUEENS HDM	14	3	35	7	31	7	14	3	54	12
NIC	13	11	30	16	26	13	21	10	57	13
MTF (Venture)	--	--	--	--	--	--	--	--	17	6
MTF II (Resolution)	--	--	--	--	--	--	--	--	44	12

* Rate Per 100 inmates.

NYCDOC has thirty-two grievance categories which includes a miscellaneous category called 'other'. The definitions for these categories are located in Appendix 1. In 1988, there was a total of 10,434 grievances. The top five grievances, inmate accounts, employment, property, correspondence and jail time, accounted for 81 percent of all grievances. Inmate account grievances alone comprised

33 percent of the total. The number of grievances increased in 1989 to 12,273. This represents an increase of 18 percent at a time when the population increased 18 percent. In 1989 the top five grievances were the same as in 1988 and, not unlike 1988, they made up 82 percent of the total number of grievances. Overall there were significant increases in grievances related to inmate accounts and clothing. A significant decrease occurred in grievances regarding jail time.

COMPLAINTS AND GRIEVANCES IN 1989

DOCS Complaints and Grievances in 1989

The leading grievance from state inmates in 1989 was Medical Services. There were 373 such grievances constituting 18 percent of all grievances. Grievances regarding staff conduct were not far behind totaling 307 and comprising 15 percent of all grievances. The third ranking grievance issue was property and package room with 243 grievances or 12 percent of the total. Together these three categories accounted for 45 percent of all grievances. The leading complaint issue is staff conduct which comprises 43 percent of the total complaint issues identified. Out of 46 facilities which generated complaints, staff conduct was the leading complaint category in 35. The next ranking complaint categories are medical services and facility transfer/classification designation. Table 34 at the end of this section identifies the leading complaint and grievance categories for each DOCS facility, along with the number and percent of total. The issues least grieved or identified in a complaint in 1989 were those dealing with inmate organizations. The following table ranks inmate grievances and complaints received from state correctional facilities in 1989.

The number of grievances reaching the Commission remained the same or decreased in 30 out of 58 DOCS facilities (52%) from 1988 to 1989. The Commission did not receive any grievances from inmates housed in 32 of DOCS' facilities. As with previous years, Clinton, Shawangunk and Attica produced the largest number of grievances. Sullivan, Auburn and Eastern also produced large numbers of grievances while grievances from Green Haven declined. The scenario for complaints is similar to that of grievances; Clinton, Attica, Green Haven and Great Meadow produced the most complaints. Table 25 reflects this information.

TABLE 30 - RANK ORDER OF INMATE GRIEVANCES & COMPLAINTS
RECEIVED FROM STATE CORRECTIONAL FACILITIES 1989

Category	Grievances		Complaints	
	Rank	Number	Rank	Number
Medical Services	1	373	2	263
Staff Conduct	2	307	1	933
Property & Package Room	3	243	6	67
Correspondence & Telephone Calls	4	135	11	35
Discipline Procedures & Special Housing Unit	5	105	4	141
Work Programs, Job Assignment & Pay Grade	6	98	15	31
Food Services	7	96	13	37
Security and Supervision	8	91	14	31
Legal Services and Parole	9	79	5	82
Inmate Records	10	71	17	24
Inmate Liaison Committee & Grievance Program	11	55	7	55
Physical Jail Conditions	12	54	12	51
Personal Hygiene, Grooming and Showers	13	52	20	9
Recreation Activities	14	52	18	17
Too Vague to Classify	15	52	8	54
Commissary	16	41	22	2
Religion	17	37	19	10
Programs and Counseling	18	35	9	50
Facility Transfer/ Classification Designation	19	31	3	182
Visiting/Family Reunion Program/Family Day	20	31	16	26
Personal Safety	21	9	10	43
Inmate Housing	22	7	21	6
Inmate Organizations	23	1	23	1
Other	24	0	24	3
Total Issues Identified		2,055		2,153
Total Complaint Letters Received				1,498

Local Correctional Facility Complaints and Grievances in 1989

Medical Services and Staff Conduct were the categories most cited in grievances and complaints from local inmates in 1989. These issues comprised 36 percent of all complaints and 28 percent of all grievances received by the Commission. Medical services was the leading grievance in 8 facilities and staff conduct was the leading grievance in another 9 facilities, out of a total of 36 facilities from which grievances were filed. Likewise, medical services was the leading complaint in 17 facilities, and staff conduct in 21 facilities. The Commission received complaints from a total of 55 facilities, up from 31 in 1988. Table 35 at the end of the chapter identifies the leading grievance and complaint category for each county facility along with the number and percent of total.

TABLE 31 - RANK ORDER OF INMATE GRIEVANCES & COMPLAINTS
RECEIVED FROM LOCAL CORRECTIONAL FACILITIES 1989

Category	Grievances		Complaints	
	Rank	Number	Rank	Number
Medical Services	1	35	2	196
Staff Conduct	2	32	1	200
Food Services	3	20	5	57
Legal Services and Parole	4	19	3	97
Discipline Procedures & Special Housing Unit	5	18	6	53
Property & Package Room	6	16	9	42
Physical Jail Conditions	7	15	4	84
Correspondence and Telephone Calls	8	13	13	33
Too Vague to Classify	9	12	8	47
Recreation Activities	10	12	12	34
Visiting, Family Reunion Program, Family Day Events	11	9	16	26
Security & Supervision	12	8	14	28
Personal Hygiene, Grooming and Showers	13	6	10	38
Commissary	14	5	20	11
Personal Safety	15	5	15	26
Inmate Housing	16	4	21	6
Inmate Liaison Committee & Grievance Program	17	3	7	51
Facility Transfer/Classification Designation	18	3	11	35
Programs and Counseling	19	2	17	17
Work Programs, Job Assignment and Pay Grade	20	2	22	5
Religion	21	1	18	16
Inmate Records	22	0	19	12
Inmate Organizations	23	0	23	0
Other	24	0	24	0
Total Issues Identified		240		1,114
Total Complaint Letters Received				687

The largest number of 1989 grievances were received from inmates housed at Orange and Albany County Jails. Grievances in these counties increased over 1988 levels. The largest number of complaints the Commission received in 1989 were from Albany County, Oneida County and Orange County. In all three of these counties, complaints declined from 1988 levels. This information is reflected in Table 27.

New York City DOC Grievances in 1989

There were a total of 12,273 grievances filed by New York City DOC inmates in 1989. Grievances were filed in all 16 NYCDOC facilities that operated in 1989 with inmate account grievances being the leading category in 12 of them. Employment was the leading category in two facilities, jail time in one, and clothing in another (Table 32). The rate of grievances per 100 inmates ranged from 4 to 14. In ten of the facilities over 80 percent of all grievances were resolved informally. A total of 9,807 grievances were resolved informally. An additional 2,198 grievances (or 18%) were withdrawn or transferred to another appropriate mechanism. One-hundred-fourteen grievances were heard by the IGRC and resulted in a recommendation favorable to the grievant. There were 14 grievances heard by the IGRC that resulted in a recommendation unfavorable to the grievant.

TABLE 32 NEW YORK CITY DOC GRIEVANCES 1989

<u>Facility</u>	<u>Number of Grievances</u>	<u>Rate Per 100 Inmates</u>	<u>Monthly Avg. Percent Informally Resolved</u>	<u>Top Grievance</u>	<u>Top Grievance As % Of Total</u>
AMKC	1209	4	91	Inmate Accounts	52%
ARDC	1067	5	61	Inmate Accounts	50%
BCF	1345	10	83	Inmate Accounts	47%
BKHDM	375	4	83	Inmate Accounts	36%
BXHDM	308	6	87	Inmate Accounts	41%
CIFM	1198	4	64	Jail Time	31%
GMDC	1403	7	41	Inmate Accounts	46%
MHDM	293	7	87	Clothing	53%
OBCC	1170	8	57	Inmate Accounts	54%
JATC	1485	11	53	Inmate Accounts	48%
QHDM	495	9	88	Inmate Accounts	23%
NIC	491	14	93	Inmate Accounts	55%
RMSC	769	4	95	Employment	22%
MTFI*	178	8	84	Employment	42%
MTFII**	199	9	94	Inmate Accounts	42%
Marine Annex***	288	13	71	Inmate Accounts	47%

* Operated in 10 months of the year.

** Operated in 6 months of the year.

*** Operated in 8 months of the year.

Table 33 New York City Department of Correction
Grievances 1988-1989

CATEGORY	1988		1989	
	NUMBER	PERCENT	NUMBER	PERCENT
Inmate Accounts	3458	33%	5209	42%
Employment	1801	17%	1826	15%
Property	1244	12%	1447	12%
Correspondence	998	10%	1158	9%
Jail Time	925	9%	551	4%
Equipment	295	3%	181	1%
Packages	266	3%	378	3%
Medical	198	2%	140	1%
Other	176	2%	90	1%
Commissary	156	1%	170	1%
Food	100	1%	140	1%
Rules & Regulations	91	1%	85	**
Visiting	86	1%	89	**
Physical Plant	80	1%	53	**
Clothing	76	*	220	2%
Phone Calls	71	*	44	**
Social Services	55	*	36	**
Personal Hygiene	51	*	53	**
Search	50	*	38	**
Recreation	45	*	51	**
Disciplinary Process	45	*	43	**
Transfers	42	*	46	**
Environmental	28	*	52	**
Religion	23	*	31	**
Laundry	20	*	27	**
Law Library	19	*	37	**
Classification	17	*	40	**
Transportation	9	*	12	**
Grievance Mechanism	3	*	6	**
Mental Health	3	*	3	**
School	3	*	15	**
Noise	0	*	2	**
	<u>10,434</u>	<u>100%</u>	<u>12,273</u>	<u>100%</u>

* = Sum to 4 percent

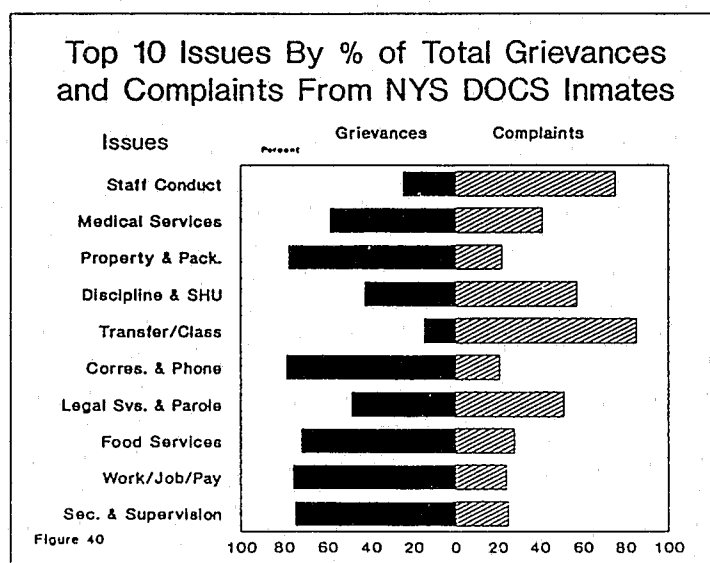
** = Sum to 8 percent

Review of the IGRC recommendation by the Warden resulted in acceptance in 15 cases and modification in three cases. There were no cases appealed to the warden level. There were 6 grievances answered by the Central Office Review Committee and the New York City Board of Correction. At year-end 1989, there were a total of 105 unresolved grievances. One-hundred-four were pending informal action, and one was pending a formal IGRC hearing.

Systemic Problems With Complaints and Grievances

In examining complaints and grievances from a systemic perspective, the key issue is how the system is handling the myriad problems that arise. As stated in the beginning of this section, there were no standards in effect in 1989 that regulated or required grievance procedures at local correctional facilities. The resulting effect was that the vast majority of all complaints and grievances came to the Commission in the form of complaints. For local correctional facilities, there was not a single issue category in which grievances outnumbered complaints. The new local grievance process required as of January 1990 should make the resolution of problems quicker and more efficient.

An examination of the complaint and grievance figures for DOCS reveals that the formal grievance system works better for some types of issues than for others. In 15 out of 21* issue categories, the number of grievances outnumber complaints often by about 2 or 3 to 1. The six categories in which complaints outnumber grievances are: staff conduct; discipline procedures and special housing unit; facility transfer/classification designation; legal services and parole; personal safety; and programs and counseling. The reasons for this variation should be the subject of further investigation. Figure 40 shows the ten categories that have created the most discontent among inmates in 1989 and the percentage of the total issues filed attributable to complaints or grievances.



* The category Inmate Organizations was dropped for this analysis as there were no grievances or complaints.

TABLE 34 - LEADING INMATE GRIEVANCES & COMPLAINTS
RECEIVED FROM STATE CORRECTIONAL FACILITIES 1989
NUMBER AND PERCENT OF TOTAL

FACILITY	Leading Grievance		% of Total Issues for that Facility	Leading Complaint		% of Total Issues for that Facility
	Category	Number		Category	Number	
Attica	Medical Services	21	15%	Staff Conduct	84	46%
Auburn	Property and Pkg. Room	24	20%	Staff Conduct	35	30%
Clinton	Medical Services	67	21%	Staff Conduct	101	41%
Clinton Annex	Staff Conduct/ Legal Ser. & Parole	14	15%/15%	Property and Package	1	100%
Coxsackie	Staff Conduct	17	30%	Staff Conduct	14	34%
Downstate	Staff Conduct	4	20%	All Categories Equal	--	--
Eastern	Medical Services	18	17%	Staff Conduct	31	35%
Elmira	Staff Conduct	3	27%	Staff Conduct	42	39%
Great Meadow	Property and Pkg. Room	18	16%	Staff Conduct	99	48%
Green Haven	Medical Services	11	13%	Staff Conduct	57	40%
Shawangunk	Staff Conduct	36	16%	Staff Conduct	37	79%
Sing Sing	Medical Services	14	20%	Staff Conduct	17	30%
Southport	All Categories Equal	--	--	Staff Conduct	24	44%
Sullivan	Medical Services	58	31%	Staff Conduct	17	34%
Hende	Staff Conduct	20	28%	Staff Conduct	36	40%
Adirondack	Staff Conduct	5	28%	Staff Conduct	5	50%
Altona	---	--	--	Staff Conduct	8	62%
ArthurKill	Medical Services	6	25%	Medical Services	4	25%
Bare Hill	Medical/Staff Conduct	2/2	33%/33%	Staff Conduct	8	38%
Cayuga	Medical Services	7	39%	Medical Services	6	38%
Collins	Staff Conduct	3	27%	Staff Conduct	7	27%
Fallsburg Annex	---	--	--	---	--	--
Fishkill	Property and Pkg. Room	9	20%	Staff Conduct	70	51%
Franklin	Staff Conduct	8	47%	Staff Conduct	14	48%
Greene	Medical Services	6	38%	Staff Conduct	17	65%
Groveland (Male)	Medical Services	3	38%	Staff Conduct	23	61%
Hudson	---	--	--	Staff Conduct	1	100%
Long Island	---	--	--	---	7	--
Harcy	Grievances Corres. & Phone	3	14%	Staff Conduct	14	74%
Mid-Orange	Staff Conduct	3	27%	Staff Conduct	7	47%
Mid-State	Staff Conduct	10	25%	Staff Conduct	33	55%
Ht. McGregor	All Categories Equal	--	--	Staff Conduct	3	30%
Ogdensburg	Inmate Records	2	40%	Staff Conduct	11	61%
Oneida	Staff Conduct	8	25%	Staff Conduct	16	57%
Orleans	Medical/Staff Conduct	5/5	23%	Staff Conduct	13	43%
Otisville	Medical/Staff Conduct	4/4	15%	Staff Conduct	8	42%
Taconic	---	--	--	Medical Services	6	55%
Hallkill	Multiple Top Catg.	--	--	Staff Conduct	9	45%
Washington	Property and Pkg. Room	7	44%	Staff Conduct	9	38%
Watertown	Staff Conduct/ Prop. & Pkg. Room	4/4	31%	All Categories Equal	--	--
Hoodbourne	Medical Services	14	20%	Staff Conduct	18	47%
Hyoming	Medical Services	4	57%	Staff Conduct	22	51%
Edgecomb	---	--	--	---	--	--
Fulton	---	--	--	Food Services	1	100%
Lincoln	---	--	--	---	--	--
Lyon Mtn.	---	--	--	---	--	--
Monterey	---	--	--	---	--	--
Queensboro	---	--	--	Staff Conduct	1	100%
Rochester	---	--	--	---	--	--
Camp Beacon	Staff Conduct	1	50%	---	--	--
Camp Gabriel	---	--	--	---	--	--
Camp Georgetown	---	--	--	Staff Conduct	5	63%
Camp Groveland	---	--	--	---	--	--
Camp Mt. McGregor	---	--	--	---	--	--
Camp Pharsalia	---	--	--	---	--	--
Summit (Male)	---	--	--	Miscellaneous	3	75%
Albion-Female	Medical Services	6	30%	Medical Services	3	38%
Bayview	---	--	--	---	--	--
Bedford Hills	Staff Conduct	4	36%	Staff Conduct	9	69%
Groveland (Female)	All Categories Equal	--	--	---	--	--
Parkside	---	--	--	---	--	--
Summit (Female)	---	--	--	---	--	--
Taconic (Female)	Medical/Discipline	--	50%/50%	---	--	--
Butler	---	--	--	---	--	--
Lakeview	---	--	--	---	--	--
Mohawk	---	--	--	Legal Ser. & Parole	1	100%
Moriah	---	--	--	---	--	--

TABLE 35- LEADING INMATE GRIEVANCES & COMPLAINTS
RECEIVED FROM LOCAL CORRECTIONAL FACILITIES 1989
NUMBER AND PERCENT OF TOTAL

FACILITY	Leading Grievance Category	Number	% of Total Issues for that Facility	Leading Complaint Category	Number	% of Total Issues for that Facility
Albany Jail & Pen	Medical Services	6	20%	Medical Services	28	33%
Allegany	Multiple Top Categories	--	--	Staff Conduct	7	24%
Broome Jail	---	--	--	Recreation	4	31%
Broome Barracks	Inmate Housing	1	100%	Staff Conduct	4	80%
Cattaraugus	---	--	--	Food Services	3	20%
Cayuga	---	--	--	Medical Services	2	25%
Chautauqua	Staff Conduct/Personal Hygiene	2/2	25%/25%	Hyg./Griev. Program	3/3	15%/15%
Chemung	Property & Pkg. Room	1	100%	Staff Conduct	13	31%
Chenango	Correspondence & Phone	1	100%	---	--	--
Clinton	---	--	--	Staff Conduct	4	50%
Columbia	Security & Supervision	5	100%	Medical/Recreation	4/4	15%/15%
Cortland	Medical/Recreation	3/3	20%/20%	---	--	--
Delaware	Correspondence & Phone	1	100%	Staff Conduct	4	50%
Dutchess	Discipline/Sec. & Sup.	1/1	50%/50%	Staff Conduct	10	45%
Erie Holding Center	Discipline/Jail Conditions	2/2	29%/29%	Medical Services	9	19%
Erie Pen	Legal Ser. & Parole	4	36%	Medical Services	6	33%
Essex	---	--	--	Jail Conditions	3	27%
Franklin	---	--	--	Visiting	1	100%
Fulton	----- C L O S E D	---	---	C L O S E D	---	---
Genesee	---	--	--	Medical Services	1	100%
Greene	---	--	--	Medical Services	4	50%
Hamilton	---	--	--	---	--	--
Herkimer	---	--	--	Medical/Sec. & Sup.	3/3	20%/20%
Jefferson	Work, Job and Pay	1	100%	Physical Jail Cond.	7	24%
Lewis	Food Services	1	100%	Recreation	1	100%
Livingston	---	--	--	All Categories Equal	--	--
Madison	Food Services	3	25%	Too Vague To Classify	3	25%
Monroe	Property & Pkg. Room	1	100%	Staff Conduct	13	34%
Montgomery	Security & Supervision	3	33%	Medical Services	6	22%
Nassau	---	--	--	Staff Conduct	12	19%
Nassau Medium	---	--	--	---	--	--
Niagara	Staff/Property & Pkg.	1/1	50%/50%	Medical Services	5	63%
Oneida	Medical Services	3	38%	Staff Conduct	15	25%
Onondaga Jail	All Categories Equal	--	--	Legal Ser. & Parole/ Personal Safety	3/3	20%/20%
Onondaga Pen	---	--	--	Staff Conduct	8	38%
Ontario	All Categories Equal	--	--	Grievance Program	4	20%
Orange	Staff Conduct	12	22%	Staff Conduct	15	23%
Orleans	---	--	--	Grievance Program	3	20%
Oswego	---	--	--	Physical Jail Cond.	3	100%
Otsego	---	--	--	Physical Jail Cond.	4	25%
Putnam	All Categories Equal	--	--	Staff Conduct	8	42%
Rensselaer	Legal Ser. & Parole	2	40%	Discipline & SMU	9	26%
Rockland	Medical Services	6	43%	Staff Conduct	5	25%
St. Lawrence	---	--	--	Staff Conduct	3	75%
Saratoga	Food Services	2	67%	Multiple Top. Catg.	--	--
Schenectady	All Categories Equal	--	--	Medical Services	11	27%
Schoharie	Correspondence & Phone	1	100%	Medical/Legal Ser. and Parole	6/6	27%/27%
Schuyler	---	--	--	Medical Services	3	60%
Seneca	Staff Conduct	1	100%	Legal Ser. & Parole	3	23%
Steuben	Staff Conduct	1	100%	---	--	--
Suffolk	---	--	--	Staff Conduct	5	33%
Sullivan	Medical Services	4	31%	Medical Services	13	26%
Tioga	Medical Services	1	100%	Physical Jail Cond.	3	27%
Tompkins	Programs & Counseling	1	100%	Facility Transfer/ Personal Safety	2/2	40%/40%
Ulster	---	--	--	Medical Services	14	33%
Warren	---	--	--	Staff Conduct	3	60%
Washington	---	--	--	Legal Ser. & Parole	2	50%
Wayne	---	--	--	All Categories Equal	--	--
Westchester Jail	---	--	--	Staff Conduct	2	33%
Westchester Pen	Staff Conduct	1	100%	All Categories Equal	--	--
Westchester H.U.	---	--	--	Staff Conduct	2	66%
Wyoming	---	--	--	---	--	--
Yates	Staff Conduct	1	100%	Med./Staff Conduct	3/3	25%/25%

SUMMARY OF FINDINGS

COMPLAINTS AND GRIEVANCES IN NEW YORK'S CORRECTIONAL SYSTEM

INTRODUCTION

- o The Department of Correctional Services has a formal grievance mechanism for inmate redress.
- o The complaint/grievance procedure in county correctional facilities was recommended but not required by the Commission until January 3, 1990.
- o The New York City Department of Correction has a formal grievance mechanism in all of its major correctional facilities.
- o Commission data do not provide a complete picture of inmate complaints and grievances across facilities, since many issues are resolved at lower levels and therefore never reach the Commission.

TRENDS IN COMPLAINTS AND GRIEVANCES

State and Local Complaints and Grievances

- o There is a qualitative difference between grievances and complaints. Grievances focus on one issue while complaints may identify several issues.
- o During 1988 and 1989, the Commission, through the Bureau of Field Operations - Field Investigation Unit, strengthened its efforts to better classify complaints by reducing the number of unclassified complaints found in previous years.
- o State inmates submitted virtually the same number of complaint letters in 1988 as in 1987; however, there was a 38% increase in the number of complaint issues identified.
- o Comparing 1987 to 1988, there was a 20 percent increase in the number of complaint letters received from county inmates; however, there was a 60 percent increase in the number of complaint issues identified.
- o As only a small number of complaints were left unclassified at year end 1988, there was only a moderate increase in the number of complaint issues in 1989 as would be expected.
- o Of the total number of complaints/grievances received from state inmates in 1989, half are complaint letters and half are grievances.
- o In contrast, about 80-90 percent of the 1989 complaints/grievances received from county inmates are letters of complaint.

State Correctional Facility Complaints and Grievances - TRENDS

- o The number of grievances per 1,000 inmates increased from 11 in 1980 to 58 in 1985, and have fluctuated between 43 and 54 from 1986 on.
- o The number of complaint issues processed per 1,000 inmates decreased from 64 in 1984 to 37 in 1987, rose again in 1988 to 48 per 1,000 and decreased to 45 in 1989.
- o The number of complaint letters received by the Commission increased 19 percent from 1988 to 1989.
- o While the number of complaint letters remained fairly constant for most facilities during this period, there was a 180 percent increase in letters from Fishkill inmates.
- o The number of grievances appealed to the Commission increased ten percent from 1988 and 1989.
- o Significant decreases in grievances appealed occurred at Green Haven, Fishkill, and Great Meadow.
- o Significant increases in grievance appeals occurred at Clinton, Shawangunk, Auburn, Sullivan and Wende.
- o Upon closer examination it is evident that these increases are caused by large numbers of grievances being appealed by a small number of inmates.
- o The issues for which the Commission has received the most DOCS inmate grievances from 1980 to 1989 are property/package room, staff conduct, medical services, correspondence and telephone, work programs/job assignment/pay grade, and discipline and special housing unit.
- o Staff Conduct has remained the most frequent issue identified in state inmate complaints received by the Commission from 1984 to 1989.

Local Correctional Facility Complaints and Grievances - TRENDS

- o The number of grievances per 1,000 county inmates increased from 16 in 1984 to 27 in 1986, declined to 18 per 1,000 for both 1987 and 1988, and rose slightly to 20 in 1989.
- o County complaint issues processed per 1,000 inmates decreased from 140 in 1985 to 98 in 1987, rose again to 127 per 1,000 in 1988, and again declined to 93 in 1989.
- o The greatest number of grievances received by the Commission from 1984 to 1989 were from inmates housed at Albany and Niagara County Jails.

- o The greatest number of complaints over the six-year period 1984-1989 were from inmates housed at Albany, Erie, and Oneida County Jails.
- o Inmates from 13 county facilities did not submit any grievances over the entire six year period from 1984-1989.
- o The issue of most concern in both complaints and grievances from 1984 through 1988 was Medical Services. In 1989 staff conduct was the leading complaint, while medical services remained the leading grievance.

NYCDOC Grievances

- o NYCDOC has thirty-two grievance categories with definitions for each category (Appendix 1).
- o The number of grievances increased 18 percent from 1988 to 1989 at a time when the average daily population increased 18 percent.
- o The top five grievances, inmate accounts, employment, property, correspondence and jail time, accounted for over 80 percent of all grievances in 1988 and 1989.
- o Inmate account grievances alone comprised 33 percent of the 1988 total and 42 percent of the 1989 total.
- o Brooklyn Correctional Facility and North Infirmary Command have had comparatively higher grievance rates than other facilities for the past five years.

COMPLAINTS AND GRIEVANCES IN 1989

DOCS Complaints and Grievances in 1989

- o There were 2,056 grievances received from state inmates in 1989.
- o There were 1,498 letters of complaint received from which 2,153 complaint issues were identified.
- o The most frequently grieved issue in 1989 was medical services. Grievances regarding staff conduct and the property and package room were second and third. Together these three categories accounted for 45 percent of total grievances.
- o Staff conduct was a leading grievance category in 17 out of 42 facilities from which the Commission received grievances.
- o Staff Conduct was the leading complaint issue identified in 1989. Staff Conduct represents 43 percent of all complaint issues identified in 1989.

- o Staff Conduct was the leading complaint issue in 35 out of 46 facilities generating complaints.
- o In descending order, inmates from Clinton, Shawangunk, Sullivan, Attica and Auburn appealed the greatest number of grievances to the Commission in 1989.
- o The greatest number of complaint issues received in 1989 were generated by inmates from Clinton, Great Meadow, Attica, Green Haven and Fishkill.

Local Correctional Facility Complaints and Grievances - 1989

- o There were 240 grievances received from county inmates in 1989.
- o There were 687 letters of complaint received from which 1,114 complaint issues were identified.
- o Medical Services was the category most cited in grievances and staff conduct was the most frequent complaint from county inmates in 1989.
- o Medical Services comprised 18 percent of all complaints and 15 percent of all grievances received by the Commission.
- o Staff conduct comprised 18 percent of all complaints and 13 percent of all grievances received.
- o The greatest number of grievances were received from Albany and Orange Counties.
- o The greatest number of complaint issues received in 1989 were generated by inmates from Albany, Oneida, and Orange Counties.

NYCDOC Grievances in 1989

- o Grievances were filed in all 16 NYCDOC facilities that operated in 1989 with inmate account grievances being the leading category in 12 of them.
- o The rate of grievances per 100 inmates ranged from 4 to 14.
- o In 10 of the 16 facilities over 80 percent of all grievances were resolved informally. A total of 9,807 grievances were resolved informally.
- o 18 percent of grievances were withdrawn or transferred to another appropriate mechanism.

Systemic Problems with Complaints and Grievances

- o Effective problem resolution provides for solutions at the lowest possible level and/or through a formal mechanism which allows maximum input at the local level prior to outside intervention. For local correctional facilities, there was not a single issue category in which grievances outnumbered complaints. The new local grievance process required as of January 1990 should make the resolution of problems quicker and more efficient.
- o An examination of the complaint and grievance figures for DOCS reveals that the formal grievance system works better for some types of issues than for others. The six categories in which complaints outnumber grievances are: staff conduct; discipline procedures and special housing unit; facility transfer/classification designation; legal services and parole; personal safety; and programs and counseling.

COMPLAINTS AND GRIEVANCES IN NEW YORK'S CORRECTIONAL ENVIRONMENT - COMMISSION IN REVIEW - 1989

- o The Bureau of Health Systems Evaluation investigated 184 health related complaints and returned an additional 258 to the complainant with the recommendation that the issue be resolved through the facility grievance procedures. Staff closed 147 health complaints in 1989.
- o The Bureau of Health Systems Evaluation investigated and drafted opinions on 411 state and local inmate health care grievances in 1989.
- o The Field Investigation Unit assumed responsibility for processing non-medical inmate complaints March 1, 1988. At this time, the effectiveness of existing procedures was assessed. A sample of complaints received the year prior to March 1, 1988, indicated that the average response time for inmate complaints from receipt to closure was 25 calendar days. Based upon this review, written policies and procedures were developed to improve the complaint process within the Commission. By implementing the new policies and procedures, the average response time for complaints was reduced from 25 calendar days to five calendar days. These procedures were followed throughout 1989 maintaining the average response time of five calendar days.
- o The Bureau of Field Operations closed 1,810 non-health related complaints in 1989.
- o The Bureau of Field Operations closed 1,875 non-health related grievances in 1989.

- o Of the 164 local correctional facility grievances closed, 28 were accepted, 120 were denied, 8 were accepted in part and 8 were non-grievable issues.
- o Of the 2,074 state grievances closed, the Commission concurred with the CORC recommendation in 2,057 cases and did not concur in 17 cases.

FOCUS QUESTIONS

- 1) Are the data the Commission maintains comprehensive enough to assess the effectiveness of the Commission's role in the inmate complaint/grievance process across New York?
- 2) Does the NYSDOCS grievance procedure adequately fulfill its intended purpose?
- 3) Could the implementation of formal problem resolution procedures at the county level improve conditions for local inmates and facility staff?
- 4) What are the qualitative issues surrounding the leading grievance and complaint categories? (i.e., Staff Conduct and Medical Services).
- 5) What does the absence of grievances and complaints from a facility mean?
- 6) Is it appropriate to focus on facilities generating the greatest number of complaints and grievances?
- 7) Are systemic problems readily identified and rectified?
- 8) Could the number of NYCDOC inmate grievances regarding 'Inmate Accounts' be significantly reduced through systemic changes?
- 9) Will the new NYCDOC grievance procedure be evaluated once it becomes operational?
- 10) Given the fact that the Commission did not concur with the New York State DOCS CORC recommendation in only 17 out of 2,057, is it reasonable to continue utilizing resources in this manner?

APPENDIX 1

NEW YORK CITY DEPARTMENT OF CORRECTIONAL SERVICES

GRIEVANCE CATEGORY DEFINITIONS

Classification - grievances pertaining to an inmates location in the institution, as determined by security or the formal classification system.

Clothing - any grievance related to institutional dress, inmate uniforms, lack of clothing and the clothes box.

Commissary - any grievance related to commissary supplies, location, access, operation, general management, and prices. Allegations of Commissary overcharge would be categorized in this category.

Correspondence - grievances related to incoming or outgoing mail of the inmate. Also included is lack of sufficient supplies for correspondence such as stamps, envelopes, etc. for indigent inmates.

Disciplinary Process - any complaint about the rules and regulations governing the disciplinary procedure that affect the inmate. This includes, but is not limited to, complaints regarding the substance of due process procedures and compliance with due process procedures. This category would not include requests to amend or expunge disciplinary dispositions.

Employment - any complaint about job tasks, work load, scheduling, denial of job, inadequate, late or lost payment for a job that was or is held by the grievant.

Environmental - any complaint about the general sanitary condition in the institution such as roaches, rats, mice, water on the floor, garbage disposal, odors, dirty screens, lack of cleaning supplies, or any aspect of someone else's personal hygiene which affects the comfort of the grievant.

Equipment - any complaint about a movable item within the "physical plant" of the institution, i.e., shower curtains, light bulbs, telephones, tables, chairs, etc.

Food - any grievance about the taste, variety, quality, nutritional value, appearance, odor and manner of preparing and serving food in the institution. The latter issue would include the condition of eating utensils, plates, trays etc. Grievances regarding the preparation and serving of Kosher and Halal meals should also be categorized as Food grievances. A grievance regarding the operation of the mess hall itself, should be categorized according to the nature of the action requested (i.e., water on the mess hall floor should be categorized as Environmental.)

Grievance Mechanism - any complaint about the Inmate Grievance Resolution Program, including access, location, program design and adherence to operation guidelines.

Inmate Accounts - any complaint about the proper crediting of money to an inmate's account from any source except employment. Grievances regarding payroll funds should be categorized as Employment.

Jail Time - any complaint where the inmate alleges an inaccurate release date, an inaccurate recording of the amount of time spent incarcerated or failure to be informed of release date.

Laundry - any grievance about dirty or insufficient linen or damaged or missing items amongst the clothing sent out to be laundered. Also, complaints about the appearance or the condition of the laundered clothing.

Law Library - any complaint about access, location, scheduling, equipment and the services pertaining to the law library.

Mental Health - any complaint about access, location, equipment, scheduling and services pertaining to Mental Health services. This includes complaints regarding the Suicide Prevention Aide Program. Complaints regarding mental health diagnosis or treatment plan (including medication) should be filed with the Medical/Mental Health Second Opinion Policy.

Medical - any complaint about access, location, equipment, and scheduling pertaining to Medical Services. Complaints regarding medical diagnosis or treatment plan (including medication) should be filed with the Medical/Mental Health Second Opinion Policy.

Noise - any complaint about the noise level within the institution.

Packages - any property of the grievant brought (not mailed) into the institution by a visitor for the grievant. The distinguishing factor between Packages and Property grievances is that a package grievance includes property that has not yet been in the possession of the grievant. Complaints regarding packages sent through the mail by the grievant should be categorized as Correspondence.

Personal Hygiene - any complaint regarding the inability of a grievant to properly maintain his/her personal hygiene. This includes haircuts and toilet supplies for indigent inmates. Complaints regarding someone else's personal hygiene which affects the grievant should be categorized as Environmental.

Phone Calls - any complaint regarding inmate access to local and long distance telephones. Complaints about the quality or condition of the telephones are to be categorized as Equipment.

Physical Plant - any complaint about an unmovable item within the institution, such as toilets, heating units, windows etc. (see Equipment #8).

Property - any complaint about the disappearance or the changed condition of any item belonging to the inmate (see Packages #18).

Recreation - any grievance regarding access, location, scheduling, equipment, and services pertaining to recreational services.

Religion - any complaint regarding access, scheduling, staffing and equipment pertaining to religious services. Also included are complaints regarding the religious preference of the grievant. Requests for recognition of religions not recognized by the Department should be appealed pursuant to the Minimum Standards of the Board of Correction.

Rules & Regulations - any grievance regarding a desired change in facility or Departmental policy or violation of any existing policy by any staff person or persons which directly affects the grievant.

School - any grievance regarding access, location, scheduling, equipment or services as it pertains to the institutional school program.

Search - any grievance about the way a search was conducted and the items confiscated during the search. The rules and regulations which directly relate to searches should also be included in this category.

Social Services - any grievances regarding access, location, scheduling, equipment, or quality of services pertaining to the Social Services unit.

Transfers - any grievance pertaining to a transfer of an inmate within or between institutions of the Department. See following examples since this category can be ambiguous:

grievance: I was transferred from 2U to 3L, for no reason at all.
The officer states it is because of the infraction that I received, but I never had a due process hearing regarding this alleged infraction.

action requested: 1. To be moved back to 2U. (Transfer)

or 2. To be given a due process hearing regarding the alleged infraction (Disciplinary Process).

or 3. I feel that transfers should be proceeded by a Due Process hearing as a matter of standard procedure (Rules & Regulations).

Transportation - any complaint regarding transportation services provided to inmates by the Department. This includes equipment and scheduling issues and transportation delays.

Visiting - any grievance regarding the equipment, (i.e., registration cards and visit jumpsuits) scheduling, location, access and services pertaining to inmate visits.

Other - any complaint which is grievable pursuant to the IGRP Directive but is not characterized by the above grievance categories.

APPENDIX 2

NEW YORK CITY DEPARTMENT OF CORRECTION FACILITIES

<u>ABBREVIATION</u>	<u>FACILITY NAME</u>
AMKC	Anna M. Kross Correctional Center
BCF	Brooklyn Correctional Facility
BHPW	Bellevue Hospital Prison Ward
BROOKLYN HDM	Brooklyn House of Detention for Men
BRONX HDM	Bronx House of Detention for Men
CPSU	Central Punitive Segregation Unit
EHPW	Elmhurst Hospital Prison Ward
GMDC	George Motchan Detention Center
JATC	James A. Thomas Center
KCH	Kings County Hospital Prison Ward
MA	Marine Annex
MANHATTAN HDM	Manhattan House of Detention for Men
MTFI	Maritime Facility I (Bibby Venture)
MTFII	Maritime Facility II (Bibby Resolution)
NIC	North Infirmary Command
NYCARDC	Adolescent Reception and Detention Center
NYCCIFM	Correctional Institution for Men
OBCC	Otis Bantum Correctional Center
QUEENS HDM	Queens House of Detention for Men
RMSC	Rose M. Singer Center for Women
* * * * *	
SEA	Name Changed to Maritime Facility I
NORTH FACILITY RIH	The North Facility and Rikers Island Hospital were combined to become the North Infirmary Command.
NYC CIFW	Name changed to George Motchan Detention Center

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