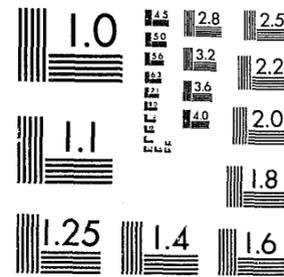


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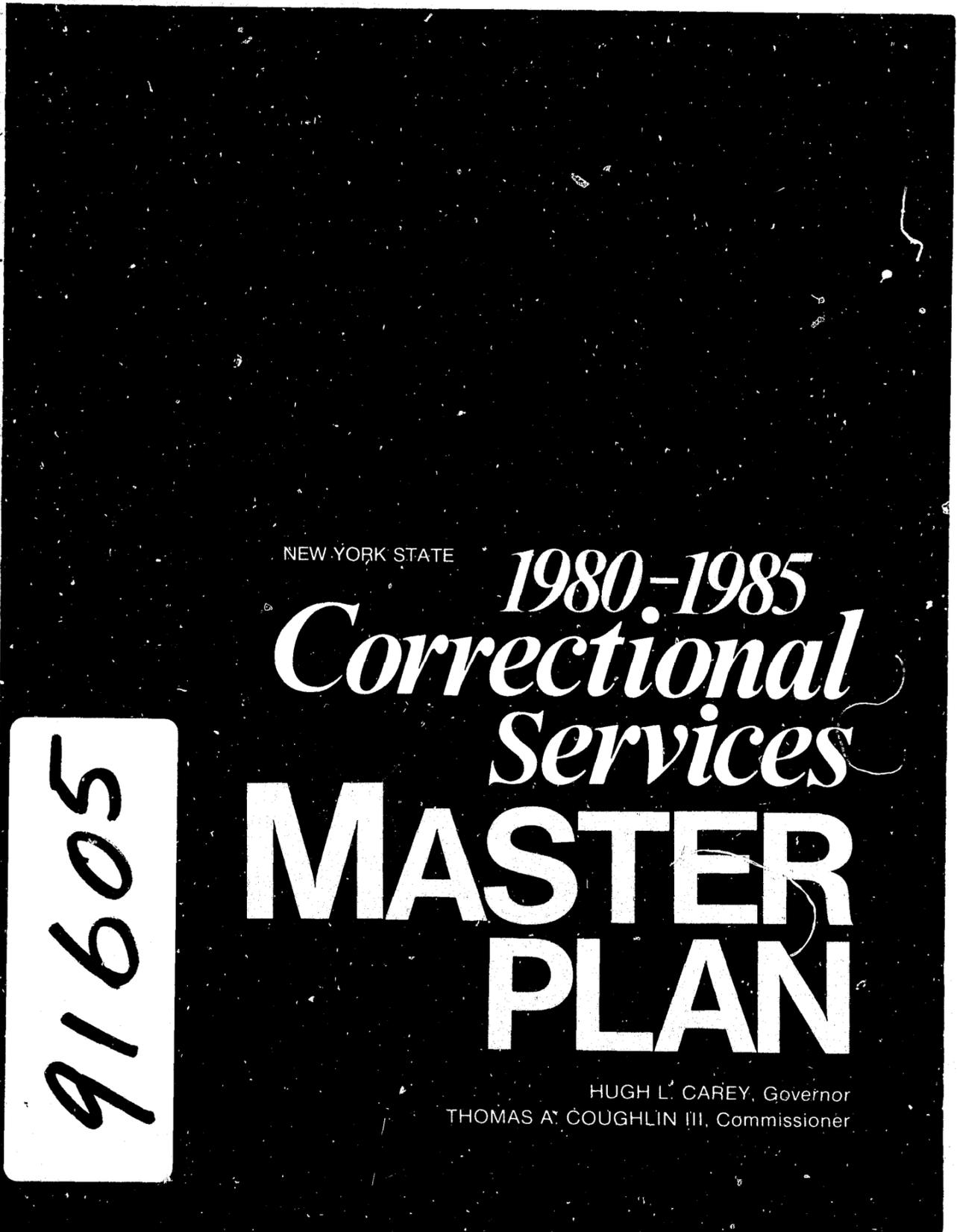
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2/29/84



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NEW YORK STATE
1980-1985
Correctional Services
MASTER PLAN

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STATE OF NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES

MASTER PLAN

1980-85

HUGH L. CAREY
Governor

THOMAS A. COUGHLIN, III
Commissioner

January, 1981

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Special recognition should also go to the inmates who contributed directly to the plan during interview sessions at the facilities and by submitting written proposals for consideration. This group included James Boynton, Felix Flores, Dollree Mapp and Edward Miller.

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This report was printed by the inmates in the correctional industries program at the Elmira Correctional Facility.

*Superintendent Czarnetzky passed away during this planning project. His contribution to corrections and this project were significant, and he will be missed by his friends and colleagues.

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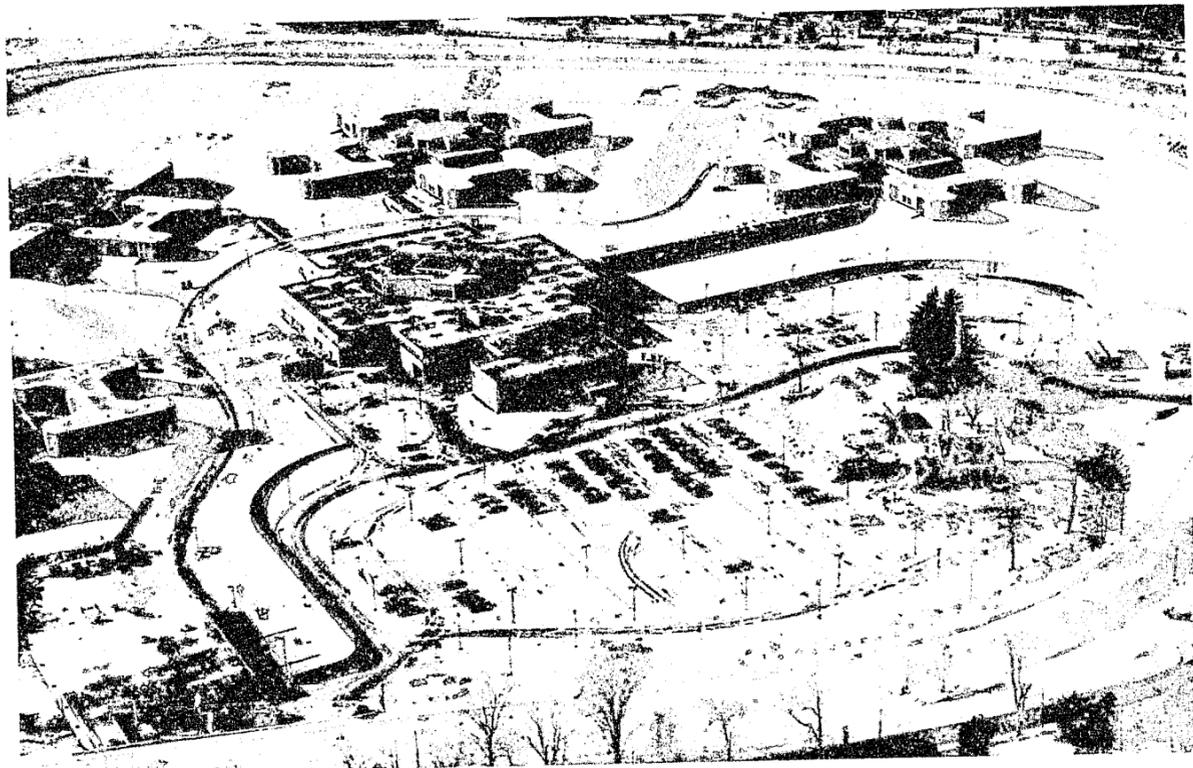
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1 Introduction: A STRATEGIC PLAN

THIS PLAN has two distinctive features. First, it is designed to be a *strategic* planning tool. Second, it is the result of an unusual and extensive *consultation* process within the Department.

As a strategic plan, it is not an exhaustive review of the agency. Instead, it focuses on those critical concerns that staff at all levels, and important constituents outside the Department, feel should guide program development, resource acquisition, and the public posture of the agency in the coming years.

The main body of the plan is divided into sections reflecting the agency's strategic concerns. Each section includes a narrative, performance standards, and recommended implementation guidelines. There are varying degrees of detail, depending on the stage of development of particular issues. Some can be acted on sooner than others. As a strategic plan, it seeks to initiate a process of more detailed operational planning that will produce concrete results, including specific legislative and budget requests where appropriate. The plan is intended to set broad directions for the agency and to be used and modified by those for whom it is written.

The mode chosen for developing the plan, an extensive consultation of departmental staff and other "parties at interest," sets it apart from similar efforts. The test of this plan and the consultative process that framed it will be the degree to which continuing discussions and concrete actions build on the discussions and recommendations contained here.

Executive Summary

CHANGES IN THE ADMINISTRATION of correctional facilities in New York State have been carried out in a time of increased accountability for public institutions and intensified competition for increasingly scarce resources. Correctional system management may be one of the most difficult areas in the public administration, due to the lack of public consensus as to what the correctional system should accomplish with what level of resources. The Department's inmates are perceived by the public and its selected representatives as the least deserving and the most to be feared. The public's need to be protected from this population often results in legislative actions which prevent correctional administrators from making optimum use of a variety of

techniques which could achieve more cost effective results with that population. Inconsistent sentencing, community resistance to the location of correctional facilities, and restrictions on the employment of offenders, are additional realities that present major constraints to correctional administrators.

The recommendations in the plan respond to nine goals that were suggested early in the planning process as appropriate guides for future policy and management initiatives. These goal statements do not express conclusions about the system but simply impressions of the system before the planning began. They appear as themes at the beginnings of the sections:

NINE PLANNING GOALS

- The Department must improve employees' pride and interest in their jobs.
- The Department must increase the ability of employees to perform their jobs well.
- The Department must reduce overcrowding.
- The Department must have real training and work for every able inmate.
- The Department must identify and deal with special inmate needs.
- The Department must effectively communicate its mission and needs outside the walls.
- The Department must establish linkages with post-incarceration services.
- The Department must develop and effectively apply standards to its operations.
- The Department must improve its information and evaluation systems.

The recommendations, presented here in summary form, are bound by the common principle of providing basic and essential services in an effective manner. They recognize the Department's need to be accountable in the administration of its resources and its rationale for service delivery.

The recommendations appear in four major sections:

I. IMPROVEMENT OF THE CORRECTIONAL SYSTEM

This section appears first because it provides a framework for many of the plan's subsequent recommendations. The section advocates reducing population density through:

- Active participation with others in the criminal justice community in seeking alternatives to incarceration, specifically advocating greater use of diversion programs and alternative methods of sentencing.
- The acquisition of necessary space and resources to accommodate the expanding population.
- Advocacy of legislation and cooperation with other agencies to better prepare inmates for a timely return to the community.

II. IMPROVEMENT OF INMATE SERVICES

This section has seven components which describe the inmate population, describe a system for placing and tracking that population, discuss the rules of the facility community, and identify those areas of service provision to inmates that require particular emphasis in meeting basic needs, improving employability and promoting stable facility environments.

A. Population Management

A system for defining, placing, evaluating and tracking inmates is an essential tool by which the Department can judge how well it is meeting its mandate toward its clients and how efficiently it is using its space and programs. This section recommends a series of steps for improving that system. They are:

- With the intention of placing each inmate as soon as possible in the least restrictive setting that his/her security classification will allow, establishing a movement policy that advocates movement for most inmates at predictable intervals during their incarceration, based on a flow pattern from higher to lower security levels and rural to urban areas and determined by release eligibility and security classification criteria alone.
- Exempting certain categories of inmates from the movement pattern and refining the inmate definitions and service delivery options within those categories.
- Centrally managing the identification as well as the approval and movement of transfer candidates.
- Perfecting information-gathering machinery that can enrich the basis for placement decisions.

B. Order and Discipline

To stabilize facility environments and restore staff's confidence about their role in the adjudicatory process, this section recommends:

- The thorough dissemination and institutionalization of the inmate rule book.
- Clear, ongoing communication to inmates and staff regarding disciplinary policy.
- Specific training to ensure consistent application of disciplinary procedures across institutions.

C. Inmate Needs and Services

This section recommends that facilities create "real work" environments, that academic and vocational programs provide realistic opportunities for skill development, and that programs concentrating on

EXECUTIVE SUMMARY

improving employability and preparing inmates for release should have major emphasis. Specifically, it recommends:

- The establishment of appropriate incentives for industrial jobs and other skilled positions.
- That industrial programs achieve self-sufficiency.
- The setting of minimum qualifications for all programs in industrial shops and all skilled jobs.
- The development of innovative approaches to making greater use of skilled inmates in appropriate job assignments.
- The expansion of inmate involvement in community service work.
- That all inmates reading below a fifth grade level be encouraged to participate in literacy education.
- That inmates who do not speak English be encouraged to participate in programs designed to provide English language skills.
- That the vocational education programs develop skills which can be directly linked to industry and skilled work.
- The provision of opportunities and incentives for participation in high school equivalency programs, with the understanding that such participation is voluntary.
- The provision of pre-release services to every inmate leaving the system.
- The continued encouragement of programs that strengthen family ties.
- The encouragement of community volunteers and outside agencies to assist in providing separation services.
- An active exploration of ways to broaden inmate participation in temporary release.

D. Inmate Special Needs and Services

Affirming that the Department has a particular obligation to meet the needs of its uniquely disabled inmates and to stabilize facility environments by placing certain of these inmates in special programs away from the general population, this section recommends:

- For the physically disabled, the provision of appropriate housing, medical care, and services, including separation services.
- For inmates with acute or chronically disabling psychiatric disturbances who have already received CNYPC hospitalization but cannot benefit from out-patient or in-patient care in a regular facility, in conjunction with the Office of Mental Health, providing intermediate care services in special program units and designing and implementing special separation links.

- For those in need of psychotherapy who do not require separate program placement, employing tools to accurately identify such inmates, and in cooperation with the Office of Mental Health, establishing joint treatment plans and designing and implementing special separation links.
- For inmates requiring protection, developing tools to identify such inmates, opening the Special Protection Unit in H Block at Clinton, and designing and implementing special separation links.
- For inmates considered "high risk," developing tools to identify such inmates, establishing special program units at maximum facilities for such inmates, and designing and implementing special separation links.
- For those requiring drug or alcohol counseling, since the affected population is so vast, embarking on a joint effort with the Divisions of Substance Abuse Services, Alcoholism and Alcohol Abuse and private providers to audit, evaluate, modify and monitor the current delivery of services toward establishing future policy.

E. Additional Priority Areas for Inmates who are Women

The needs of inmates who are women require additional services to those that have been specified for the male inmates. Principal recommendations are:

- The development of classification and placement criteria relevant to the needs of female inmates.
- The enhancement of counseling services to address employment and parenting problems particular to women.
- The expansion of training and educational programs to enhance the female inmate's employability in non-traditional career paths.

F. Standards for Essential Services

This section addresses the need for a comprehensive set of standards to guide the provision of essential services in facilities. Highlighted is a recommendation to provide quality health services to inmates and improve the effectiveness and efficiency of their delivery. It recommends:

- Establishment of standards for the provision of health services.
- Improvement of recruitment and retention of health care professionals.
- Development of an information system to evaluate service delivery.
- Strengthening of the overall management of the health services delivery system.

III. IMPROVEMENT OF STAFF SERVICES

Leading from a discussion of "work environments" that cites key issues which are perceived to be the basis for widespread employee dissatisfaction, this section recommends:

- Active pursuit of announced affirmative action strategies to broaden employment opportunities for minorities, women, the handicapped and other protected groups and vary the workforce to better reflect the composition of the outside community.
- In the area of recruitment and screening:
 - actively recruiting departmental employees, including a public relations effort to broaden the candidate pool
 - testing of basic competencies in new candidates
 - a department-run separate investigative unit which verifies qualifications of new and promotional candidates
 - psychological testing for new candidates seeking inmate contact positions
 - monitoring and evaluation of trainees and probationers
 - regular evaluation of the recruitment/screening process
- In the area of training:
 - the development and maintenance of total training packages for uniformed and non-uniformed employees at the pre-service and in-service levels, including special programs for facility and Central Office employees being promoted to supervisory positions
- In the area of performance evaluation:
 - central direction of departmental and facility managers and consistency of ratings
 - provision to each employee of a clear explanation of the basis for evaluation

—further refinement of criteria to reflect specific work settings

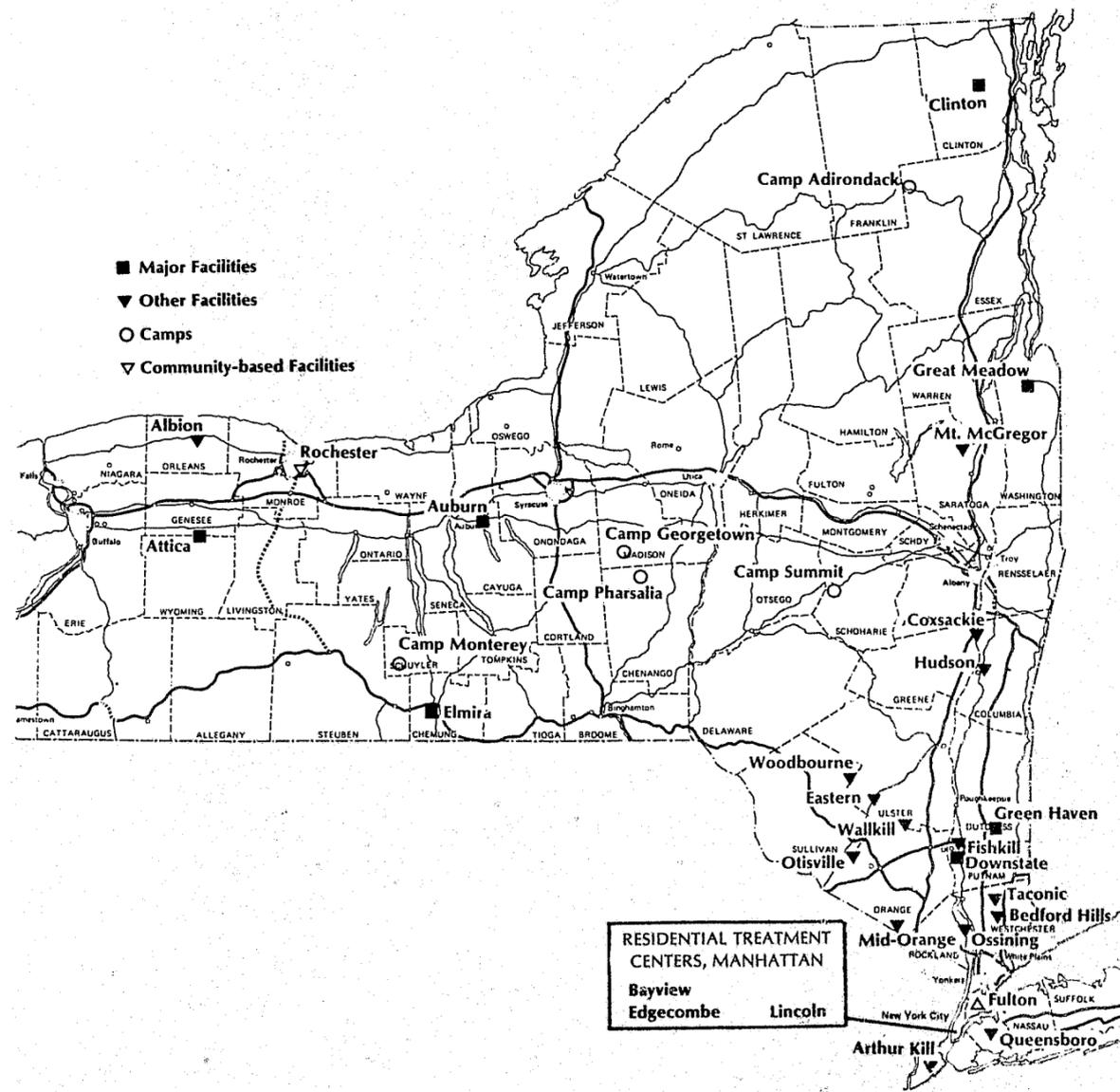
- Special focus on management development, including development of systems for identifying and "fast-tracking" especially talented employees.
- In the area of career opportunities/job enrichment:
 - the establishment of additional legitimate avenues for employees to vary their job experience and to advance in the Department
 - the reassessment of lower level positions to better establish levels of responsibility and appropriate pay grading and career paths

IV. IMPROVEMENT OF MANAGEMENT

This section recommends management improvements, revisions of categories of service delivery and reorganization of the Department along functional lines to better achieve the goals stated throughout the plan. Key recommendations include:

- Regionalizing Department administration and performance auditing functions, keeping policy formation and executive direction centrally controlled and strengthening those efforts by separating operational and analytical functions.
- Basing staff and resource deployment on delivery of core services to all inmates and additional services to some and making case and unit management the programmatic core for service delivery.
- Requiring of departmental and facility administrators the setting of objectives with performance criteria, carrying with it the establishment of cost centers to coincide with specific areas of responsibility.
- Instituting a correctional management decision-oriented evaluation system.

Background: A Decade of Change



IN THE DECADE of the 1970's, the Department of Correctional Services experienced major traumas which have had short-range and long-range effects on its operation:

- Its executive leadership changed five times.
- The Department was combined with the Division of Parole and then separated from the Division of Parole.
- It received national visibility and criticism as a result of the Auburn and Attica riots at the beginning of the decade.
- Its responsibilities increased from the management of a system of 17 correctional facilities for 13,000 inmates to a system of 32 facilities for 21,000 inmates. Its personnel increased from 6,500 to over 11,000 employees.
- The Department experienced a statewide job action by correction officers which lasted two weeks.

The investigation that followed the Attica riot pointed out a number of deficiencies in the operation of the Department's facilities, stimulating efforts to improve facility operations:

- to reduce overcrowding in large, congregate facilities;
- to develop standardized policies and procedures;
- to remove arbitrary restraints on inmate rights;
- to overcome inadequacies in the health, nutrition and sanitation services, and;
- to lessen the restraints on access to families, the community, the courts and the media.

The Department received considerable support from the public, the media, advocacy groups, elected officials, and other state agencies in its efforts to improve delivery of service to inmates. Increases in state budget allocations and federal funds (primarily from the Law Enforcement Assistance Administration) enabled the Department to improve levels of care, and to commence an overall program of reintegrative programming. The Department diversified its facilities and programs to provide more

opportunities for inmate self-improvement, in more humane and less restrictive correctional environments.

Safety and Security Enhancements

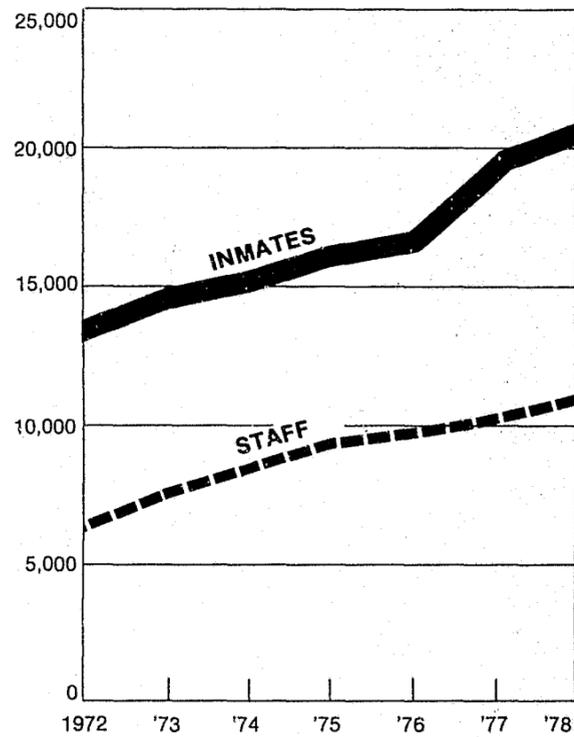
Based upon the findings and recommendations of the McKay Commission and the Jones Committee, the Department commenced a comprehensive and long-range program for improving safety and security procedures in its facilities. Before 1972, the Department had neither required nor provided any systematic training in this area. Each individual had to learn the requirements of the position from his or her supervisors and peers. A program to train recruits was initiated at a central training academy. An in-service training program was established at each of the facilities under the direction of the Department. Both existing and new personnel in correction officer positions acquired standardized training in self-defense tactics, interpersonal communications, culture awareness and departmental policies and procedures.

Telecommunications were improved. Telephone systems in the facilities were upgraded, a communications control center was established to ensure rapid, coordinated communications between the facilities and Central Office, and personal alarms, transceivers, and paging equipment were provided to the departmental and facility personnel.

A disturbance control program was launched. It included:

- Training of all security personnel in carrying out their duties and responsibilities as professionals;
- Establishment of inmate grievance programs and inmate liaison committees in all facilities for the ventilation and peaceful resolution of dispute between the inmates, staff, and management;
- Development and implementation of a system for correctional emergency response teams, tactical groups specially trained in carrying out missions to contain disturbances and execute carefully controlled offensive strategies, and;
- Development of a crisis intervention program for hostage negotiations and mediation during disturbances.

BACKGROUND: A DECADE OF CHANGE



The CERT teams and crisis intervention teams are composed of highly trained and skilled individuals. Since these programs were implemented, there has been no loss of life nor any litigation alleging brutality in disturbances or hostage-taking incidents.

Inmate Services Enhancements

Humanizing the correctional environment required new programs for building bridges between the inmate and his or her family and between the community and the correctional facility. The *Multi-Year Master Plan of the Department of Correctional Services*, published in 1973, laid out the programmatic goals for humanizing the



facility environments and improving service delivery. The reintegration of the inmate into the community was set as the long-term objective. Diversified programming along a continuum of secure settings was adopted as the manner in which program and security resources should be provided to meet the diverse needs of the inmate population.

Programs were initiated to improve the education, training and counseling services to the inmates. Religious programs were expanded to include a much more diversified denominational base and to assist the families of the inmates to strengthen their family ties. Volunteers and community-based organizations were encouraged to assist departmental staff in the broadening and enrichment of service delivery. Community advisory councils were established at some facilities to enhance communications between the facilities and the communities. A program for the temporary release of inmates eligible to participate in community-based programs was expanded, though later reduced because of incidents involving certain of its participants which led to more restrictive legislation.

Facility routines were modified to make it easier to expand program activities. Modifications and improvements in facility space utilization were made to accommodate increasing needs in the housing, recreational, visiting and dining areas. Outdated equipment and overtaxed service systems were refurbished or replaced. Additional personnel were hired to provide, supervise and manage the expansion of service delivery.

Administrative Enhancements

Policy formulation and executive direction were enhanced through the development of a policy and procedure manual, a revision of the employee's rule book, the expansion of the auditing and evaluation activities, and improvement of the computer-based information processing. Employee relations, personnel, affirmative action and training programs were expanded to provide the additional services required for departmental expansion and innovations. Budgeting and fiscal activities were revised to improve cost control procedures.



The Planning Process

Impetus for Further Departmental Planning

One development that the 1973 plan failed to anticipate was the dramatic increase in population. That plan placed heavy emphasis on capital construction which proved to be an understatement of the space needs that suddenly appeared. Other unanticipated effects of the plan's emphasis on inmate services and of the legislative and administrative policy that ensued during the decade were a lowering of staff morale in the system and a heightening of the debate over the purpose of the agency. People felt less clear about their role in the total scheme of things, and management itself fell behind the increasing complexity of the system.

In its past efforts to initiate policy and managerial changes, the Department did not provide for sufficient input from its various constituencies before it implemented those changes. Consequently, change efforts

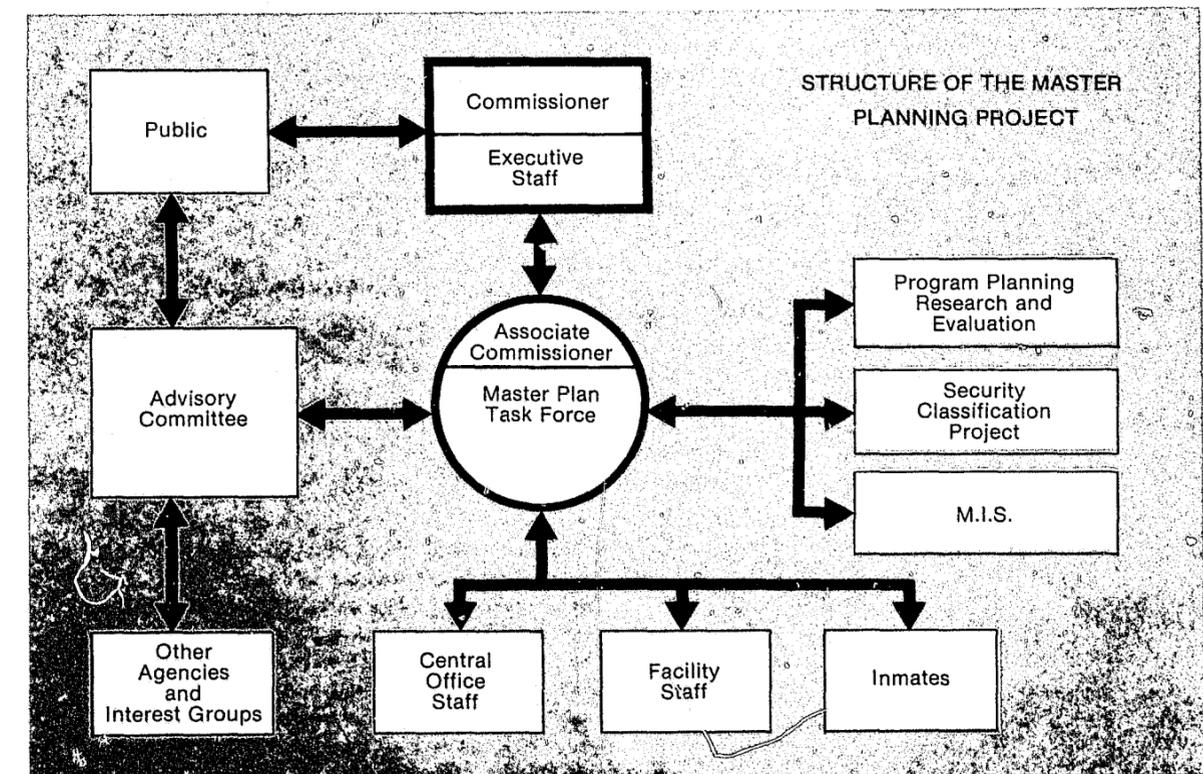
have not been as successful as they might have been. The consultation process introduced in this planning effort is an attempt to open discussion and debate to ensure that affected parties have ample opportunity to contribute to the decision-making process.

The master planning effort depended on an organized process for communicating ideas and points of view through all phases of the plan's development. To do so, the project was structured as shown below.

Following is a brief description of how each of the major participants was involved as the project proceeded.

The Commissioner's Involvement

Commissioner Coughlin initiated the planning project. He secured the necessary funds and publicly emphasized the need for such a plan to guide departmental decision-making. Once the project was underway,



THE PLANNING PROCESS

he continued to involve himself through periodic messages to the Advisory Committee, instructions to the planning staff, and communications with his executive staff. The Associate Commissioner, who directed the master planning project, provided the essential link between the project and the Commissioner's executive staff.

The Planning Team

Under the direction of the Associate Commissioner, the planning team included a project manager and assistant project manager selected from among the Central Office staff. The remaining four planning specialists were selected from applicants with varied expertise in the Department's programs and operations. Each of the persons selected had considerable facility experience.

A collegial relationship was established between the planning project and the Security Classification Research Project. The project director of the security classification project contributed substantial portions of the classification and population management components of the plan. His involvement also extended to the major planning activities undertaken within the planning staff and the Advisory Committee.

Professional assistance to the master plan staff in designing the system consultation process was provided by the Management and Behavioral Science Center of the Wharton School, University of Pennsylvania.

The Advisory Committee

The master planning project formally commenced with a convening of an Advisory Committee. This committee's purpose was to provide direction for the plan, reaction to the proposals of the master plan staff, and links to a wide range of contributions from all aspects of the correctional system and the larger criminal justice system. Members of the Advisory Committee represented several correctional facilities, the unions to which the Department's personnel belong, other state criminal justice and human services agencies, and private interest groups.

Though most members of the Advisory Committee expressed interest in and were involved with all areas of the master plan, they were divided for practical purposes into task groups corresponding to the main issue areas. One staff member acted as coordinator for each task group. These included:

- Inmate general needs
- Inmate special needs
- Staff needs and services
- System management

Early in the planning process, the Advisory Committee and the executive staff together formulated the set of nine goals for the planning staff to consider as they consulted the system.

Involvement of Central Office Staff

An initial round of interviews took place among the planning staff, the executive staff and division heads within Central Office. These helped the planning team clarify the universe to be addressed within the master plan. These broad issue areas were conveyed at the initial Advisory Committee meeting. While the initial interviews were inconclusive, they opened discussion within the Department and helped establish a working relationship between this specific planning process and the Department's ongoing operations. Despite the rigid time constraints imposed upon the project, this relationship was carefully maintained through a regular exchange of both written and verbal information relating to the plan. In some instances, Central Office division heads designated a staff member to be a liaison with the planning staff. More frequently, staff members were involved in series of *ad hoc* meetings and workshops centered around specific topics which were to become the basic thrusts of the plan.

While many members of the Central Office staff contributed significantly to the master planning effort, special mention must be made of assistance provided by staff within the Department's Division of Program Planning, Evaluation and Research, who proved to be a valuable resource of up-to-date and relevant material, and within the Management Information Services Unit, who provided data and analysis for specific sections of the report.

Consultations with Facility Staff

All too frequently, planning efforts are perceived, particularly by operations personnel, as being remote and irrelevant. This effort sought to avoid such connotations. Efforts to involve facility staff in this process began with the recruiting and selecting of the task group coordinators.

Facility staff were represented on the Advisory Committee by superintendents, deputy superintendents, and union officers. Facility staff members were included as frequently as possible in planning meetings and workshops. They were particularly well represented in workshops on inmate special needs and services. In fact, the five workshops which were conducted in relation to inmate special needs and services involved approximately 50 persons. Of that number, more than half came from the Department's facilities, including 12 uniformed officers and supervisors.

A major stage of the planning process involved field visits by the planning staff to the correctional facilities. The planning staff visited 18 facilities, including all the major facilities.

Although it was not practical to visit every facility or to discuss every issue at the facilities visited, these visits permitted a great deal of interaction between planning and facility staff. Each of the facility visits included an information exchange between the planning staff and the facility executive staff. Usually a workshop or group discussion involving several facility staff was coordinated around a specific topic of the master plan. More than 180 staff persons participated in these workshops and group discussions. Although the selection of the participants depended largely on the facility staff's availability, care was taken to ensure representation of security staff, administrative staff, and program staff, at every workshop. The planning staff normally spent some additional time at each facility reviewing specific programs, interviewing key staff or selected inmates, and making themselves available to persons expressing special interests.

Another aspect of the facility consultation was a regular transmittal of the materials generated at Advisory Committee meetings to facility superintendents.

The importance of the information gained from facility staff through the site visits, workshops, and planning sessions cannot be overstated. The master plan would not exist without the realistic information, recommendations, and guidance offered through this consultation process.

The Inmate Perspective

One of the most difficult areas of the correctional system for the planners to consult appropriately was the Department's inmate population. Because major components of the plan address the inmate's needs and the services provided them, inmates were involved in the planning process. Although it was determined to be inappropriate to involve inmates directly at the Advisory Committee level, care was taken to ensure that inmate interests would be represented. In workshop sessions designed around inmate needs and "special" inmate needs, some of the participants represented the inmate's perspective. During the field visits, the planning staff initiated interview sessions with individuals selected from among the inmate law clerks. The staff gave information about the planning process and listened to the inmates' views on specific topical areas of the plan.

CONSULTATION VISITS TO CORRECTIONAL FACILITIES

Dates	Facility
4/15	Albion
5/1	Arthur Kill
4/16-17	Attica
4/17	Auburn
4/30	Bayview
5/7	Bedford Hills
4/30	Clinton-Clinton Annex
4/1	Coxsackie
4/7	Eastern
4/15	Elmira
4/22	Fishkill
4/29	Great Meadow
4/23-24; 5/6	Green Haven
5/8	Mid-Orange
4/19	Mt. McGregor
4/29	Queensboro
3/31	Wallkill
4/21	Woodbourne

WORKSHOPS AT DOCS TRAINING ACADEMY

Dates	Topic
4/1-2	Mentally Retarded Inmates
4/16-17	Disruptive Inmates
4/29-30	Psychiatrically Disabled Inmates
5/7-8	Alcoholism and Substance Abuse
5/13-14	High Risk Inmates

Representation of Other Agencies and Groups

Among the purposes of the Advisory Committee was to provide a forum for the other interests in the criminal justice and human services community. This involvement was particularly valuable in broadening perspectives that shaped the plan. But the Advisory Committee meetings were not the only settings involving representatives from external agencies. Other criminal justice agencies and social service agencies were significantly represented at planning workshops, particularly those organized around the topics related to the special needs of inmates. The collective expertise supplied by these representatives was an exceptional resource for this project.

A Statement of Mission

ONE RESULT of the master planning effort has been a clearer sense of the overall purpose and direction of the Department as it enters the decade of the 80's. This has resulted in a broad statement of mission to guide thinking about individual issues.

THE DEPARTMENTAL MISSION

To provide for public protection by administering a network of correctional facilities that:

- Retain inmates in safe custody until released by law;
- Offer inmates an opportunity to improve their employment potential and their ability to function in a non-criminal fashion;
- Offer staff a variety of opportunities for career enrichment and advancement; and,
- Offer stable and humane "community" environments in which all participants, staff and inmates, can perform their required tasks with a sense of satisfaction.

A System of Institutions

In proposing such a mission, this plan addresses the Department of Correctional Services on two levels. It treats the agency, first, as a system of institutions that have a collective mission of providing all inmates opportunities for self-improvement and all staff with opportunities to use their skills productively, within a framework of policies that are centrally set but locally administered. In this view, individual institutions are seen less as unique entities with separate missions than as components of a *network of service delivery*. While these components have distinctive characteristics and programs, they are fitted together to offer clusters of program services relating to the commonly shared needs of the majority of inmates as they move through the system toward release.

There are some inmates in the system who require special treatment of their physical, emotional or developmental handicaps. The plan recommends specific programs in specific locations for such inmates.

As a general principle, the Department should not seek greater diversity within the current group of institutions but strive to ensure that resources are equitably shared, that basic, agreed-on programs which have evolved during the past few years are offered widely and effectively, and that the institutions themselves understand their roles as members of a service delivery network that is responsive to collective inmate and staff needs.

The Institution Environment: A "Community"

The second level on which this plan views the Department is the individual institution itself, describing that environment as a "community" whose members must be allowed to function in a way that promotes effective service delivery. Those environments must, therefore, be stable, safe and rewarding for both inmates and staff.

The community concept is appropriate to facility settings in that such settings contain most elements of the larger community: they provide housing; they offer employment, training and educational opportunities; they have police, courts and jails; they have doctors, health care facilities and other specialized service providers. Many of the larger facilities have the administrative problems one might expect in a town or small city: aging physical plants and outdated and overtaxed service systems, environmental health and safety concerns, and labor-management conflicts requiring resolution. Unlike the normal community, however, the rules and procedures relating to the interaction between inmates and staff within the inmate population itself must be highly controlled to ensure the safety of all parties, even though the degree of those controls varies with the security level of the institution and the classification status of the inmate.

The strengthening of facility *communities* in order to minimize stress and fulfill the agency's mission is an underlying concept in terms of which the various standards recommended in this plan must be understood.



2 SYSTEM NEEDS and SERVICES

Improvement of the Correctional System

THE DECADE OF THE 70's brought both change and improvement to the entire criminal justice system. The beginning of the decade saw a national focus on "law and order." Throughout the 70's, there was a steadily increasing rate of reported crimes which both increased the volume of transactions and taxed the capabilities of all criminal justice agencies. At times, the criminal justice system failed to keep pace with its expanded demands. One of the most recognizable effects of this failure is a nationwide problem of prison "overcrowding."

The Department began the decade by confronting a violent uprising at Attica in September 1971. The New York State Special Commission on Attica cited "overcrowding" as one of the major causes of the Attica uprising. The close of the decade found the Department faced with a major job action by its correction officers. Increased inmate idle time, an increase in the number of assaults on correction officers, and a rising in the tension level at the correctional facilities were among the reasons which precipitated this job action.

Defining the Problem

"Overcrowding" has become a cliché among persons involved with corrections. A precise definition of what "overcrowding" is, or a delineation of the point at which a system becomes overcrowded, is difficult to determine because of the variety of factors involved.

The simplest definition of overcrowding refers to the cubic feet of living area available to each inmate. "Overcrowded" can mean requiring inmates to share cells or dormitory spaces designed for single individuals. While states such as California and Texas have resorted to "double-celling" portions of their inmate populations, and nineteen state correctional systems are under court orders to correct conditions related to overcrowding, New York State has not been forced to "double-cell" its inmates even though its total population approaches 100% of its cell-space capacity. It has also received all persons committed to its custody from court and those returned to its custody for violating parole. On the dimension of "levels of occupancy" alone, therefore, the

Department is not overcrowded. For purposes of better managing facilities, however, the Department seeks to reduce the occupancy level of its facilities to between 90 and 95 percent of their capacity.

Population Density

This plan distinguishes between "overcrowding" and "population density." Population density refers to measures of personal and social interaction and the constraints upon one's personal space in a large, congregate living environment.¹ It refers to ratios of staff to inmates and to availability of "real" jobs, educational programs and recreational programs that provide the difference between meaningful involvement for inmates and forced idleness.

The complexity of the term "population density" as it pertains to the Department's correctional facilities is accentuated by the variety of the facilities' physical plants and the degree of mobility available to the inmates within the facilities. Despite the comparative advantages that this Department has over the correctional agencies of other states, the effects of its own population density are readily recognized and experienced by inmates and staff alike.

Inmates: In one facility, crowding may mean a full visiting room and consequently fewer private moments with family and friends. In another, crowding can mean that an inmate with a pressing concern is unable to meet with a counselor because that counselor's caseload has been expanded beyond his/her capacity. It can mean that an entire block will be disturbed when one inmate becomes disruptive. A full facility must cope with additional constraints on every activity, every day.

Staff: The impact of this problem upon inmates cannot adequately be addressed without addressing the concomitant problem of understaffing. It can be argued that the system becomes overcrowded when the needs of its

1. Stokols, Daniel. "On the Distinction Between Density and Crowding." *Psychological Review*, Vol. 79, 1972

clients surpass the system's capabilities to deliver the services. This definition of the problem would require a solution which achieves a reasonable relationship between the population needs and the Department's resources.

Idleness, tension and violence: Inmates and staff alike are equally affected by the levels of tension and violence at a facility. According to Edwin I. Megargee: "In a prison setting where crowded conditions are chronic rather than temporary, and where people prone to antisocial behavior are gathered together, there is a clear association between restrictions on personal space and the occurrence of disruptive and aggressive behavior."²

At least one study indicates a direct relationship between population density and inmate misconduct.³

The Department projects a gradual rise in its population to over 24,000 inmates by the end of 1986. Any planning effort must take these factors into consideration, as they directly affect the daily lives of every inmate and every employee.

RECOMMENDATION:

Because the problems associated with population density are of such immediate concern to the Department; because the Department projects a continued rise in its population over the next five years; and because state fiscal constraints have restricted the allocation of resources to the Department, it is recommended that:

The Department should support the efforts of criminal justice and community agencies to seek viable alternatives to imprisonment.

The Department must obtain the necessary space and resources to accommodate its expanding population.

The Department should work in conjunction with other criminal justice agencies and the communities to adequately prepare its inmates for an expeditious return to society.

2. Megargee, Edwin I., "Population Density and Disruptive Behavior in a Prison Setting," from Albert K. Cohen, George F. Cole, and Robert G. Bently (editors), *Prison Violence*, 1970

3. Nacci, Peter L., High E. Teitelbaum, and Jerry Prather, "Population Density and Inmate Misconduct Rates in the Federal Prison System," *Federal Probation*, 1977

Alternatives to Imprisonment

Aside from the death penalty, imprisonment is the most drastic penal sanction imposed in the United States. It is also a tremendously expensive enterprise. According to a recent study, the operating costs to the State of New York are \$15,050 per person to keep an inmate incarcerated in its state-operated correctional facilities. Of that sum \$13,090 (or 87%) "was spent simply to keep inmates alive, fed and under guard."⁴

The Department has always contended that if given the appropriate resources, it can provide appropriate custody and services for its population. But as a professional agency which fills a major role in New York's criminal justice system, the Department must take an active stance in directing the manner in which to impose sanctions on persons who present little threat to public safety. The court must have a wider range of alternatives available to it. Diversion programs should be more available to the courts and should be used to keep persons away from imprisonment. Effective programs to divert juveniles from court processing and institutionalization have demonstrated success in circumventing negative labelling and in avoiding prolonged contact with the criminal justice system. Diversion programs for the mentally retarded offender should be more fully explored as avenues for providing services in non-correctional settings. This group presents particular problems in prison settings both in terms of their needs for services and their need for protection from abuse of other inmates. (See also "Inmate Special Needs and Services.") Particular attention should be paid to diverting women, especially those caring for families, from prolonged incarceration.

A series of less drastic, less costly alternative sentences should also be available to and used by the courts. The Department can play a vital role in this process by supporting these programs and endorsing the courts' uses of such sanctions. Other sentencing alternatives which demand further exploration include a greater reliance on fines, particularly when the fines are used in conjunction with restitution to victims. Another series of alternatives may be achieved through sharing the responsibility for "corrections" with the localities, thereby reducing the reliance on state institutions. One particular program that has been demonstrated to be as effective as imprisonment for a specifically selected population is the Division of Probation's Intensive

4. McDonald, Douglas, *The Price of Punishment: Public Spending for Corrections in New York*, Westview Press, 1980.

NOTE: The official budget of the Department for fiscal year 1978-79 cites a per capita cost of \$11,963 of which \$9,878 went for security and support. However, when employee fringe benefits are included, these figures approximate those cited by Mr. McDonald.

Overview of Processes to Reduce Population Size and Density		
<p style="text-align: center;">DECREASE INCARCERATION</p> <p>DIVERSION</p> <ul style="list-style-type: none"> —Increase use of diversion for juveniles —Increase use of diversion for mentally retarded offenders and other special needs groups —Increase use of diversion for women <p>ALTERNATIVE SENTENCES</p> <ul style="list-style-type: none"> —Make greater use of fines and restitution —Provide special ed treatment in non-correctional settings —Expand intensive supervision probation programs —Move toward community correction centers 	<p style="text-align: center;">EXPAND SYSTEM CAPACITY</p> <ul style="list-style-type: none"> —Construct new facilities (Wallkill II and two similar facilities) —Renovate existing facilities (Ossining, in particular) —Make full use of existing minimum security space 	<p style="text-align: center;">INCREASE EX-CARCERATION</p> <p>SENTENCING</p> <ul style="list-style-type: none"> —Promote public debate around clarifying purposes making more consistent, and locating responsibility. —Reassess "Good Time" issue toward possible expansion of its use. <p>EARLIER RELEASES</p> <ul style="list-style-type: none"> —Expand pre-release services —Improve preparation for parole <p>SEPARATION SERVICES</p> <ul style="list-style-type: none"> —Provide upgraded separation services and aftercare services
<p>OVERALL STRATEGIES INCLUDE:</p> <p>Overall Strategies Include: Public information campaigns to increase understanding of the needs of the system</p>		<p>Coordinated planning efforts between correctional and related criminal justice, human service and community to strengthen influence on State policy. Legislative initiatives</p>

Supervision Program. One advantage is that this program is far less costly than imprisonment while it remains as effective.

An expanded use of pre-trial and post-conviction alternatives to imprisonment can affect the size of the population and alleviate tensions and idleness. Should such a comprehensive effort make a significant impact on New York's rate of incarceration, the Department shall review its population projections. As the opportunities permit, the Department's first objective will be to reduce the occupancy level of its facilities to between 90 and 95 percent of their capacity. Its next objective will be to phase down its larger and outdated facilities.

Acquisition of Space and Resources

The immediate concern of this Department is to provide the essentials of custody and care for each inmate. The most basic of these essentials is cell-space or bed-space. The Department summarized the need for capital expansion as follows:

"The most critical capital problem facing the Department can be simply defined as the lack of housing and associated support space for the anticipated sentenced population remanded to its custody. The projected increase in inmate population through 1985, coupled with the strain on existing

capacity, creates a difficult and substantial problem which must be resolved via capital expenditures. In 1979, substantial progress was made toward implementation of system expansion via new construction, rehabilitation of existing facilities for increased utilization, and acquisition of existing physical plants for alterations and improvements to accommodate use by the Department."

The expansion plan submitted by the Department to the Governor's Office stated that the system was operating at 98 percent of total system capacity of 21,132.* But it specified that the excess space that does exist is found in minimum security, specialized facilities which have historically proven difficult to fill. It also stated that the larger, older and potentially more volatile

maximum security facilities were at or above safe operating capacity.

Each facility requires some cell-space coverage simply to provide emergency maintenance of cells and critical relocation of inmates within the facility. Most facility managers agree that a facility should be reasonably maintained at a level between 85 and 90 percent of capacity. This level would give the facilities sufficient flexibility for administrative, security and program concerns.

Recognizing this demand, the State entered into a joint planning effort with the City of New York to lease the correctional complex on Riker's Island from the City. Active planning for the acquisition of these facilities

RECOMMENDATION: The Department should support the efforts of criminal justice and community agencies to seek viable alternatives to imprisonment.

STANDARDS

A. The Department's public policy will endorse efforts by the criminal justice community to divert appropriate offenders from imprisonment.

B. The Department's public policy will endorse efforts by the criminal justice community to promote alternative methods of sentencing.

IMPLEMENTATION GUIDELINES

1. The Department will continually assess its population to determine for which groups of its population imprisonment is least appropriate.
2. The Department will closely monitor its "special need" populations and, where appropriate, recommend which population groups can be better served by other agencies.
3. The Department will issue regular statements on its efforts to divert specific sub-populations.
4. The Department will publicly endorse and speak on behalf of diversion programs it has found to be successful.
5. The Department shall, when necessary, sponsor enabling legislation to foster diversion efforts.

1. The Department will regularly issue statements explaining the cost of imprisoning an offender.
2. The Department shall regularly issue statements explaining the potential impact of new legislation.
3. The Department shall support the efforts of the State Division of Probation to expand its Intensive Supervision Probation programs.

*Population as of 10:27 80 was 21,663

IMPROVEMENT OF THE CORRECTIONAL SYSTEM

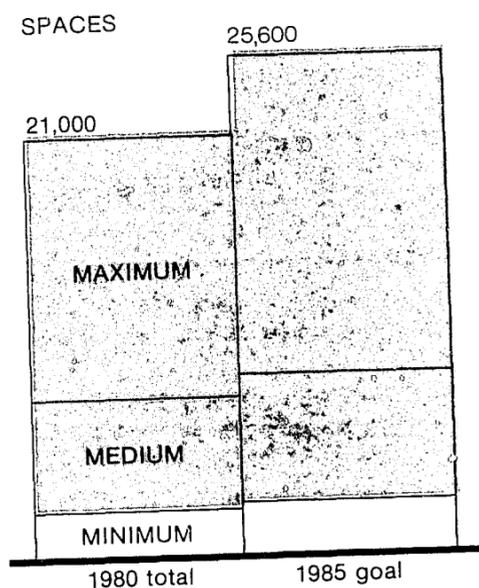
commenced in July of 1978. It was presumed that this acquisition would meet the need of the Department's increasing population. In May 1980, the City decided not to proceed with the plan, a decision which effectively set the Department's space planning efforts back two years.

The alternatives to the Riker's Island acquisition have been undertaken expeditiously. The newly constructed Downstate Correctional Facility is fully operational. Planning is underway for the construction of a new 512-bed general confinement facility in Wallkill. Preliminary analysis is underway for the construction of two comparably-sized facilities.

Major renovation projects are underway which will yield over 2,000 spaces by April of 1984, the most prominent project being the creation of 940 spaces at Ossining Correctional Facility.

The Department must also make the most effective use of the resources it has. This requires a fuller utilization of its minimum security facilities. The security classification improvements cited in the Population Management section of this report are already providing a more effective means of placing appropriate inmates directly from reception to medium and minimum security facilities.

The acquisition of additional space is a most costly remedy for this problem. It is expected that the construction and renovation plans will provide only the minimum amount of space necessary for the Department to house its inmates at safe levels. As such the Depart-



ment anticipates a densely-populated system for the immediate future. Unless viable alternatives to incarceration make a significant impact on the State's rate of incarceration, the Department can expect these conditions to continue throughout and beyond the decade.

Reintegration

With rare exceptions, each person who enters the Department is eventually returned to society. While the average length of time served before release is 23 months*, the lengths of sentences vary from one year to life. The process of correction or "rehabilitating an offender" is as complex as any problem associated with human behavior. But with release being a certainty, the Department's efforts should be concentrated on preparing the offender for his/her return to society. This process should begin at the moment an inmate is received by the Department.

Preparing an inmate for release means providing services such as remedial education to assist an inmate in overcoming his/her deficiencies and promoting opportunities for an inmate to assume progressively more responsibility. But the Department can not and should not attempt unilaterally to provide these services. It must work more closely with the Division of Parole which assumes primary responsibility for supervision of all inmates released via parole or conditional release. Also, it must work more closely with the entire criminal justice and social services community who should collectively undertake the responsibility for an inmate's successful return to society. Preparing an inmate for release should be a major goal for the Department. For most inmates, this process should be activated at the time they are received and classified.

The Department must continue to have the means to reinforce positive changes in inmate behavior. While wages and privileges are appropriate incentives for work performance, the most meaningful currency for inmates is the ability to affect the length of time they serve in prison. Consequently, "good time" constitutes an important concern for inmates as well as administrators.

In past years the Department has supported proposals to credit earned good time against the minimum sentence as well as the maximum and has gone as far as to propose legislation toward that end. More recently, changes in sentencing practice and parole policy have served to further complicate this already complex issue. In 1978 the Parole Board moved to a guidelines approach and the setting of "presumptive minima", raising questions as to the workability of good time off the minimum in such a system. Chapter 873 of the Laws of

*Time served within the Department's facilities, exclusive of jail time.

RECOMMENDATION: The Department must obtain the necessary space and resources to accommodate its expanding population.

STANDARDS

A. The Department should establish occupancy at 90-95 percent of capacity over a five year period.

B. The Department should expand the capacity of existing state correctional facilities.

C. The Department should expand its capacity by constructing new correctional facilities.

D. The Department should maximize the involvement of inmates in purposeful construction/renovation projects.

E. The Department should phase out its obsolete facilities.

IMPLEMENTATION GUIDELINES

1. The Department should establish the optimal capacity of each facility.

1. The Department must identify all possibilities for expansion through renovation of its existing facilities.

2. The Department must estimate the cost of renovation projects.

3. The Department should immediately proceed with funded renovation projects.

1. The Department must authorize the design of the new correctional facilities.

2. The Department in consultation with potentially affected communities must determine the sites on which the facilities will be constructed.

3. The Department will estimate costs of the construction projects.

4. The Department will undertake preliminary technical analyses such as environmental impact studies.

1. The Department will identify the sub-projects involved in construction and renovation which could involve inmates.

2. The Department will determine by security level the activities to which inmate workers can contribute.

3. The Department will provide supervision and training for the inmates working on appropriate construction and renovation projects.

1. If additional space becomes available, and rates of incarceration decrease, the Department must reduce its use of obsolete and costly facilities.

IMPROVEMENT OF THE CORRECTIONAL SYSTEM

1980, effective September 1, 1980, repealed the authority of the Parole Board to set an inmate's minimum period of imprisonment and requires such sentences to be set by the court and limits such minima to one-third (1/3) the maximum except where longer minima are permitted by law.

The report of the Governor's Executive Advisory Commission on Sentencing (the "Morgenthau Report") recommended that the State adopt a determinate sentencing model and that good time come only off the determinate maximum term at a rate of one day for every five served.

The Department believes that discussion of "good time" must now occur in the context of full public debate over restructuring of the existing "crazy quilt" of sentencing statutes. This debate must address the fundamental purposes of sentencing, the appropriateness of sentence lengths, and the locus of sentencing responsibility.

Due consideration must be given to the needs of the Department in administration of "good time" as an incentive for positive behavior by inmates. The legitimate concern of inmates in receiving recognition for accepting increased responsibility and conducting themselves in a

socially acceptable manner must be included in a meaningful way in any sentencing reform which may occur.

The Department will continue to support and participate in these discussions. It remains committed to a "good time" mechanism, consistent with the purpose and intent of the State's sentencing policies, which provides adequate and realistic incentives to inmates who have effected positive behavioral changes.

The Department can achieve advantages through effectively preparing an inmate for a successful return to society. In the short run, success can be measured by inmates' readiness to leave the system. In the long run, success can be demonstrated if it is found that those inmates are less likely to return. Upgrading the Department's separation services provides a substantial aid in reintegrating offenders into society. But, to affect overcrowding, the Department must also work toward broadening the avenues to release. Revising the State's sentencing laws and the judiciary's sentencing patterns are long term actions which can affect the size of the Department's population. In the interim, the Department can engage in research projects which accurately describe relationships between length of sentences and likelihood of a successful return to society.

RECOMMENDATION: The Department should work in conjunction with other criminal justice agencies and the communities to prepare its inmates for an expeditious return to society.

STANDARDS

A. The Department will place a major emphasis on preparing an inmate for his/her return to society.

B. The Department will work with and support the efforts of the Division of Parole to prepare inmates for their return to society.

C. The Department will endorse efforts by the criminal justice community to make sentencing policy more consistent and establish the locus of sentencing responsibility.

IMPLEMENTATION GUIDELINES

1. The Department will assure that all inmates receive accurate credit for jail time.
2. The Department will project accurate parole eligibility dates.
3. The Department's program services will emphasize preparing a person for release to society. (See Separation Services for details.)
4. The Department will evaluate inmates' participation in programs to ascertain readiness for release.

1. The Department and the Division of Parole will jointly set requirements for inmate program participation designed to prepare the inmate for release.
2. The Department will coordinate efforts with the Division of Parole to provide pre-release counseling services.
3. The Department will support efforts by the Division of Parole to provide additional services or early release programs for designated categories of offenders.
4. The Department will recommend early release of inmates who need special treatment to Parole-approved treatment programs.

1. The Department will study the impact of new legislation and release public statements as to the possible effects of such legislation.
2. The Department will promote discussions that focus on appropriateness of sentence length and the purpose of sentencing, giving a full airing to the issue of "good time" and its possible expansion as a behavior incentive to inmates.

Improvement of Inmate Services

1. Inmate Population Profile
2. Population Management
3. Order and Discipline
4. Inmate Needs and Services
5. Inmate Special Needs and Services
6. Classification and Programming for Women
7. Standards for Essential Services

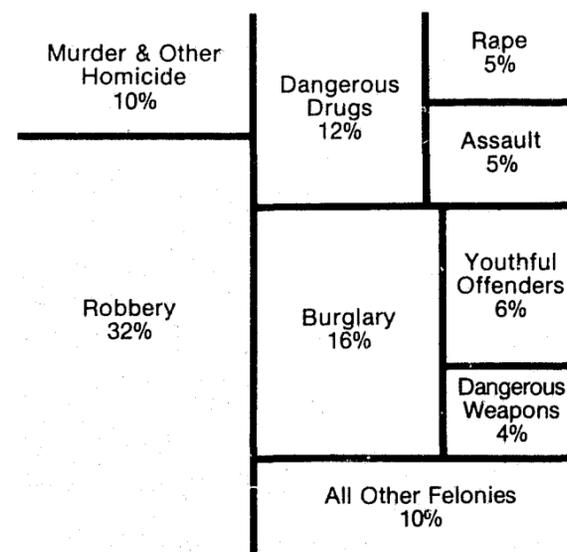
Inmate Population Profile

THIS SECTION presents a profile of the inmate population for the 1970's. Not only did the number of inmates increase but the character of the population also changed during this period. By the end of the decade we find a larger proportion of younger offenders committed for more serious crimes and a higher representation of minority ethnic groups.

Reason for Commitment

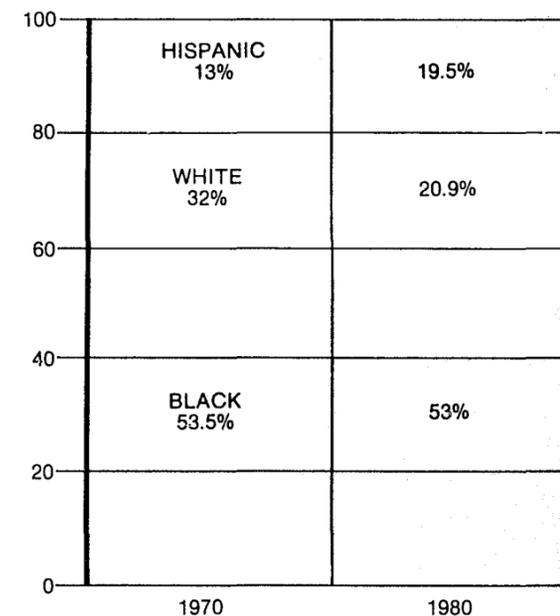
At the close of 1979 over 96% of the inmate population had been committed for felony offenses. This represents a shift to a more serious type of offender under custody than we find in 1970 where the proportion of

KINDS OF OFFENSE



felons was only 85.6% of the total population. Similarly, we find an increase in the proportion of offenses against persons, 65% of the population at the close of the decade compared to 56% in 1970.

Among individual offense categories we find substantial rises in all felonies except for larceny and forgery which declined. The number of murderers under custody jumped from 742 to 1,776, a rise of 139% in ten years. Robbery, manslaughter and burglary also registered increases. On the other hand misdemeanants, wayward minors, juvenile delinquents, and not convicted commitments disappeared completely from the DOCS facility count.



Ethnic Group

The proportion of inmates from minority ethnic groups increased during the decade from 67% in 1970 to 73.1% by the close of 1979. The greatest rate of growth was registered by the Hispanic group which rose from 13.0% of the population to 19.5%. All groups increased numerically with the Black group showing the greatest rise, 4,337 over the ten year to an under custody count of 11,074 at the close of 1979.

Prior Criminal Record

The proportion of inmates with prior commitments to state or federal facilities is about one out of three. Offenders with no prior history of penal institution confinement dropped from 43.6% in 1970 to 39.3% in 1979.

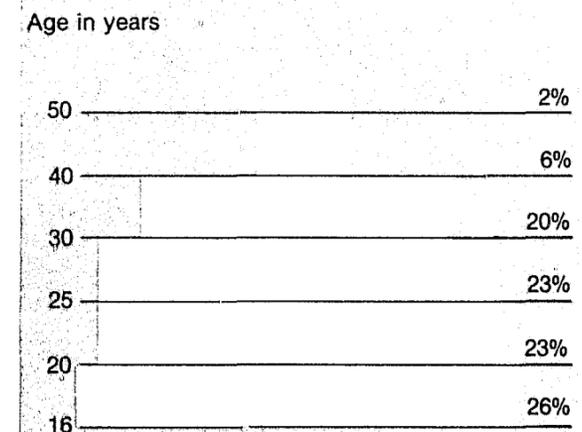
Age

The under custody population tends to be a youthful one with 60% under 30 years of age by the close of 1979. There has been a shift since 1970 toward a greater proportion of younger offenders. At the start of the decade 18.2% of the inmates were 40 years of age or more but this dropped to only 12.1% by 1979. In the 65 and over category we find the only numeric drop in any age group in the 1970's with 114 on December 31, 1970 compared to 84 at the close of 1979.

Minimum Sentence

Slightly over one-third (36.8%) of the 1979 inmate population had no court set minimum sentence. The fluctuations over time observed in this category reflect an extensive number of changes in the legislation which govern setting of the minimum term by the sentencing court. For court set minimums we find a higher proportion of short term sentences (one year through two and a half years) in 1970 (41.5%) than in 1979 (20.1%) and greater concentration of moderate length minimum terms (two and one-half years up to ten years) in 1979

AGE



(32.4%) than in 1970 (20.3%). At the beginning of the decade we find a slightly larger proportion of minimum terms of ten or more years (14.0%) than on December 31, 1979 (10.7%).

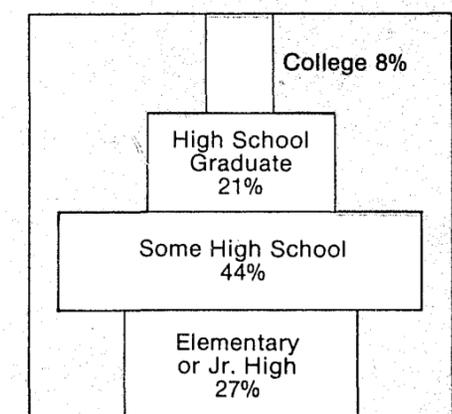
Maximum Sentence

The proportion of inmates with maximum terms of 4 years or less has declined from 34.6% of the population in 1970 to 29.9% in 1979. Moderate length (five year through ten year terms) have remained relatively constant, 30.6% in 1970 and 33.3% in 1979. Inmates with maximum terms in excess of ten years, however, constituted 20.4% of the population in 1979 compared to 15.2% in 1970. The proportion of life sentences more than doubled during the period from 6.9% in 1970 to 15.9% in 1979 reflecting to a large degree the number of persons sentenced as Class A dangerous drug offenders.

Education On Commitment

The level of inmate education appears somewhat higher in 1979 than in 1970. By the close of the decade we observe that one out of four inmates have a high school education including 5.8% with some college. In 1970 less than one out of five had completed high school and only 3.6% had attended college. The major portion of the inmate population, however, remain poorly educated with 45.5% with some high school and 26.1% at the elementary grade in 1979 compared to 48.1% with some high school and 28.6% elementary in 1970.

EDUCATION



Population Management

"The Department must improve its information and evaluation systems."

"The Department must identify and deal with special inmate needs."

POPULATION MANAGEMENT is a term which incorporates all aspects of placing inmates and tracking their experience through the system. It includes initial reception and classification, reclassification, movement between facilities, and analysis of space use. It seeks to define inmates and space with sophistication equal to the ability of the system to define and catalogue its resources, and suggests a reorganization of staff and consolidation of activities around case management as a function separate from service provision.

As a term, "population management" is a recent addition to the Department's official language, having been coined during a period of rapid growth in the inmate population when the objectives of filling space and appropriately placing inmates suddenly seemed incompatible. Prior to that, numerous plans had been offered which dealt with classification alone. The recommendations or goals of these plans may be summarized as follows:

- There should be a program plan for the inmate's entire term, developed at classification and based on careful identification of the inmate's needs.
- Classification should be standardized by a manual of policies and procedures.
- Classification should be integrated with the rest of the system. Classification should lead to a program for the inmate's entire term and his movement through the system should be tracked and evaluated.
- Positions should be created to assure the standardization of classification with the rest of the system and evaluation of classification.

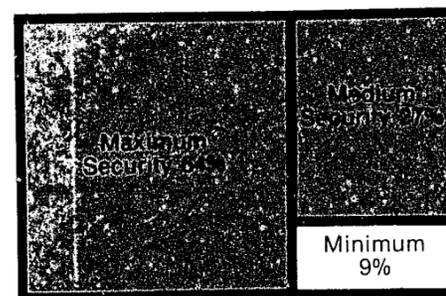
These plans paid insufficient attention to two overriding realities:

1. All space had to be filled and the space acquired was in the medium and minimum security categories, requiring staff to make riskier decisions than they did ten years ago. Currently 64% of departmental space is maximum security, 27% is medium and 9% is minimum security.
2. Programs within the system had not been defined in ways that matched the diagnostic measures given to inmates at classification, and measures for evaluating inmate performance in programs did not generally exist. Inmate security classifications or sanctions emanating from disciplinary actions have never been consistent

throughout the system. Basically, the appropriateness of inmate placement has continually been in dispute.

Resources are likely to remain as limited as they are at present. Since the proportion of space relative to the number of inmates is unlikely to increase, and since the mix of custody levels will probably remain the same, the construction of an effective classification system must reverse this practice. The belief has been that the Department can diagnose an inmate's needs, prescribe a program sequence to meet those needs, and place that inmate accordingly. As the system has become overcrowded and filling space has become a paramount concern, the result has been an ever-widening gap between classification and placement. Therefore, it is proposed that system-building first address placement and, in so doing, create a supportable base for honoring classification prescription.

SPACE AVAILABILITY



Movement

The plan is based on three general propositions:

- that there exists a movement flow from rural, high security facilities to lower security facilities in or near urban areas as inmates progress through their terms; inmates' program components should be provided around this normal movement pattern;
- that movement and classification are related, yet distinct issues that require separate, yet linked policies;
- that the movement policy should require predictable movement for most inmates at specific times or time ranges during their incarceration, if release eligibility and security classification criteria alone are met.

Collectively, facilities should provide inmates with a program sequence that matches the inmates' progress toward release which is tied to the flow of movement from maximum security to minimum security. Program links could be made between a number of institutions and would not depend on an inmate being in a particular location.

Movement policy should prescribe movement points that would be the same for most inmates, but three groups should be excluded from the normal movement pattern:

- Inmates with "special needs," as defined elsewhere in this plan, for whom special programs or parts of institutions might be designated;
- Inmates whose security classification might never allow their being placed below maximum security or whose negative behavior, according to the defined criteria, warrants their remaining at their current security level or returning to a higher level;
- Inmates at any security level above minimum who would qualify to move but whose retention is agreeable both to themselves, their current facilities, and the central authorities responsible for placement.

Actual movement will always include exceptions to any pattern of movement which is established. These exceptions need not undermine the movement pattern. A predictable movement system should allow a longer lead-time for planning inmate placements; consequently, the pool of transfer eligibles should always be large enough to honor exceptions based on individual case-management while providing sufficient numbers of inmates for the regular movement patterns.

The proposed movement system will provide central control over identifying as well as approving candidates for transfer. Under the new system, the total pool of movement-eligible inmates, based on the established criteria, will be known to both the central office and facility personnel, and it will be the responsibility of the individual, facility-level case manager to explain why a given inmate should be exempted from the movement flow.

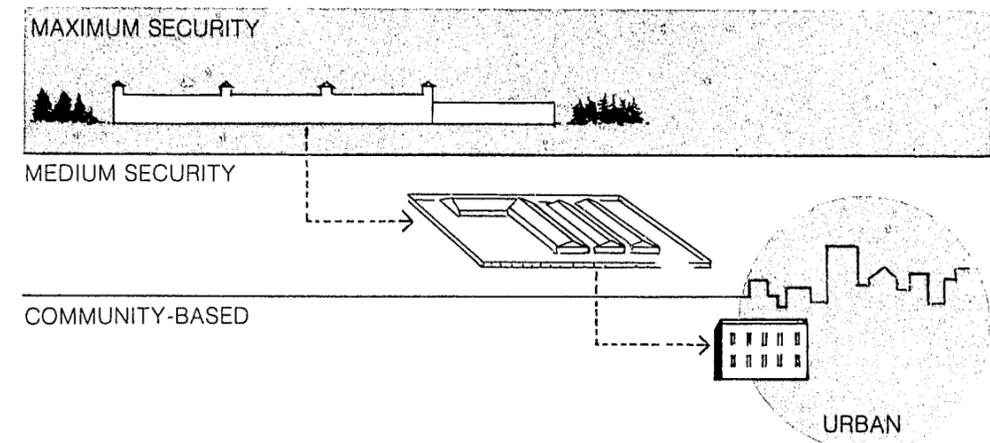
There are two stages to implementing this movement proposal. The first stage will establish a predictable

movement system. In the second stage, a model of population flow will be designed. The model will be based on the data gathered regarding inmate classification designations. This model will indicate what changes are necessary in the allocation of facility and program resources to fit the population flow. For example, the model may indicate that more medium security space is needed in the western part of the state. At that point, inmate security classification profiles will have become a basis to determine space requirements and program modifications.

The tasks necessary to achieve this movement pattern are outlined at the end of this section of the plan. Several of these tasks are already underway. The "cluster system" has provided the first step in establishing a system that stabilized movement by providing a fast/slow track method of moving inmates through the maximum institutions. The Security Classification Guideline Project has provided the first step in establishing explicit criteria for security classification.

There are many factors, in addition to time and security, which constitute the "mix" in determining an inmate's classification and placements. Nevertheless, a movement policy which is based on these two primary criteria provides stability to facilities by telling staff how long inmates will be with them. Further, it provides a basis for the rational allocation of program resources among facilities. Finally, it tests the inmate by gradually increasing his or her freedom and responsibility as the inmate approaches release. Whatever the other causes of the inmate's criminal behavior, his own belief in his ability to handle freedom is crucial to his rehabilitation. The gradual increase in freedom strengthens his and the Department's confidence in this ability to function in a non-criminal manner.

MOVEMENT FLOW



IMPROVEMENT OF INMATE SERVICES

Classification

What the plan does not propose in the area of classification is as important as what it does propose. The plan does not propose a more complicated diagnosis and prescription for most inmates. The current variety of program and job offerings for inmates is limited to specific categories of activities and the Department intends to define better and make more widely available across the system, rather than arbitrarily replace with new kinds of work and training opportunities. The comprehensiveness of initial classification prescriptions can only reflect the level of program definition the system can offer at any given time. What this plan does propose is a commitment to ensure that classification decisions are not made in a vacuum, but rather are integrated with the rest of the system.

- The Department should establish a valid and reliable information base for classification decisions. This standard includes two parts: a) information on the inmate prior to commitment and b) information on facility resource offerings in facilities to which inmates are being sent.

—At present little is known about inmate behavior from the time of arraignment to the time of commitment, and little is known about the accuracy of the facts presented in the Pre-sentence Investigation Report. These two gaps will be filled through the Pre-classification Improvement Project, which has been started and which this master plan proposes be completed.

—Classification staff are expected to base their decisions on their knowledge and experience. There should be a procedure for assuring direct and personal knowledge of the facilities and staff to whom they are sending inmates. The Classification and Program Services Manual should be revised and kept current.

- Professional resources should focus only on more difficult cases. Presently, professional staff are so consumed with what should be routine decisions that few resources are left for detailed casework and for analysis

and resolution of operational problems. The proposals in the *Movement* section and in this section of this plan will facilitate the routinization of much of the decision-making.

- An information system must be completed so that the consequences of classification decisions will be known to all the decisionmakers concerned. At present there is no feedback on the consequences of classification activity. Such a system must provide on an individual and aggregate basis the following categories of information: 1) the uses of information on inmates provided by classification to facilities; 2) the extent to which classification recommendations are carried out, and 3) the effectiveness of classification decisions and recommendations. The last category includes information on a) inmate adjustment at the facilities to which inmates have been sent, and b) post-testing at release to provide measures of initial and final performance.

- The Department should standardize its classification policies and procedures. The plan proposes that standards for Classification and Movement be written and that policies and procedures be completed. Those achievements will facilitate routinization and evaluation activities.

In addition, this plan makes the following proposals:

- The Department should provide a more comprehensive diagnosis and prescription for inmates with special needs. The rationale for this proposal appears in the Special Needs section of the Master Plan, and the steps to implement it appear there and in the Department's plan for an extended classification unit at Downstate Correctional Facility.
- Without jeopardizing security, the inmates should be informed of classification decisions concerning them and the reasons for the decision. Prison life should be as understandable as possible to inmates, beginning at reception.
- The Department should continue and complete its current project to improve the classification of females. Currently, the Department is surveying (with the assistance of a consultant) their needs and relevant Department resources.

RECOMMENDATION — Movement:**STANDARDS**

- A. Population placement shall be based on a flow from rural to urban facilities and from higher to lower security level facilities. Movement shall be predictable for most inmates and shall be based primarily on time to release and security criteria.

- B. Certain categories of inmates shall be exempt from the normal movement patterns; 1) inmates whose special needs require special placement, 2) inmates whose security classification disqualifies them for reduced security, and 3) inmates who can be shown to serve valid facility needs and prefer not to transfer.

- C. Transportation services shall be provided in the most effective and efficient possible manner.

IMPLEMENTATION GUIDELINES

1. The Department will develop a computerized roster of all inmates, listed by facility placement and release eligibility, to distribute to facility case managers to enable the process of purposive identification and placement.
2. The Department will establish security criteria for initial classification and reclassification.
3. The Department will establish the capacity to predict an inmate's length of stay.
4. The Department will establish policies and procedures for the reclassification of inmates at set intervals in their terms.
5. The Department will establish an inventory of inmates' security classification determination.
6. The Department will establish a procedure to identify in advance inmates eligible to move and available facility spaces.
7. The Department will simulate a model of the proposed movement pattern to identify and recommend necessary modifications in the allocation of facility and program resources.

1. The Department will identify inmates with special needs (see section on "Inmate Special Needs & Services")
 - a. The Department will implement its proposal for extended classification at Downstate.
 - b. The Department will apply agreed on measures for identifying inmates with special needs to the current population in the system.
2. The Department will establish a procedure for the placement of specially identified inmates.
3. The Department will develop criteria for determining when an inmate may be exempt from the movement pattern.
1. The Department will survey present transportation with particular attention to possible costs and benefits of a more highly centralized system and greater utilization of energy-sufficient equipment.

RECOMMENDATION — Classification:

STANDARDS

- A. Classification shall be based on the most complete information possible and on a realistic assessment of that information.
- B. The classification process from initial classification through intra-facility classification and reclassification shall be integrated.
- C. Without jeopardizing security, inmates shall be informed of classification decisions affecting them and the reasons for these decisions.
- D. Classification standards shall apply equally to males and females.

IMPLEMENTATION GUIDELINES

- 1. The Department will collect information on inmates' behavior and health prior to commitment.
- 2. The Department will assess the validity and reliability of Pre-Sentence Investigation information.
- 3. The Department will develop and implement procedures to increase and maintain classification staff's familiarity with facilities.
- 1. The Department will establish an information system that provides feedback on the outcome of classification decisions and recommendations.
 - a. The Department will establish a tracking system to report inmate assignments, disciplinary records, inmate performance levels achieved and services provided to inmates.
 - b. The Department will establish a system to compare inmate competencies at reception and release.
- 2. The process of assigning inmates to programs within a facility shall be strengthened to increase effective matching of inmate needs and Department resources.
- 1. The Department will establish written policies and procedures.
- 1. The Department will survey female inmates' needs, departmental resources and departmental capacity.
- 2. The Department will establish an improved classification and placement system based on this evaluation. (See Section "Classification and Programming for Women")

RECOMMENDATION — Evaluation:

STANDARDS

- A. The policies and procedures of population management shall be specified to make evaluation effective.

IMPLEMENTATION GUIDELINES

- 1. The Department will adopt standards to evaluate population management.
- 2. The Department will develop comprehensive policies and procedures for population management.

Order and Discipline

"The Department must develop and effectively apply standards to its operation."

"The Department must increase the ability of employees to perform their jobs well."

TO MAINTAIN ORDER in the correctional facility community, the economy includes a broad range of incentives for conforming and industrious behavior by inmates and an equally broad range of disciplinary sanctions for failure to function up to expectations. A modest program of time allowance against the maximum term of confinement for good behavior, incentive wages, placement in less than maximum security facilities or facilities closer to the inmate's home, temporary release, expanded social-recreational activities, expanded visiting and other services to the inmate's family, and increased opportunities for training have broadened the scope of incentives to inmates for socially productive activities while incarcerated. The withholding of privileges, the lowering of wages, the increasing of the amount of containment and structuring in an inmate's experience and, as a last option, the withholding of time allowances are existing negative sanctions that can be employed.

Within all of this, however, the issue of inmate discipline is a perennial concern of those living and working in the institutions. Many staff members have felt that their authority to administer discipline has diminished in the past few years and that inmate rights have been unduly emphasized.

Correction Law and departmental policies and procedures for the administration of discipline are quite

clear as to intent and guidelines for application. They reinforce the principles that discipline must be fair and must have the confidence of the staff and inmate population. Corporal punishment is forbidden, and physical force and mechanical means of physical restraint are constrained by the necessary and reasonable force doctrine.

Procedures exist for the conduct of disciplinary hearings and the Commissioner's review of dispositions and appeals. The multi-disciplinary Adjustment Committee and the Inmate Grievance Resolution Committee are the two formal mechanisms for the mediation and resolution of disputes which arise between inmates and staff, the first dealing with specific inmate behaviors and the second with interpretations of rules and policies. These committees have the authority to recommend remedial action. The superintendent also receives advice from the local labor-management committee and the Inmate Liaison Committee. Finally, considerable effort has been devoted to the development of a departmental inmate rule book which standardizes those rules which apply in all facilities and provides a means for promulgating additional rules where indicated at the individual facility.

The Department's objective should now be to make sure the inmate rule book is understood and institutionalized throughout the system and that facility staff receive clear, ongoing communication about the nature of their responsibilities in the exercise of discipline. This includes specific training to ensure consistent application of disciplinary procedures across institutions. In addition to providing a fair administering of sanctions, this would also improve morale by giving facility staff more confidence about their role in the adjudicatory process.

RECOMMENDATION — Order and Discipline

STANDARDS

- A. The Department should issue, explain and regularly update a system-wide inmate rule book.
- B. Inmate discipline should be consistent and fair throughout the system.
- C. All facility staff should receive training in the purpose of order and discipline within an institution and in the proper disciplinary procedures.

IMPLEMENTATION GUIDELINES

- 1. The Department should issue and distribute a system-wide inmate rule book.
- 2. The Department must ensure that all inmates receive and understand the rules.
- 3. Provisions should be made for facilities to adapt rules to meet the needs of the local environ.
- 1. The Department will regularly monitor and evaluate the disciplinary procedures and sanctions imposed.
- 1. The Department shall develop training for staff in all areas of the disciplinary process including the writing of infraction reports as well as the actual conduct of Adjustment Committee Proceedings and Superintendent's Proceedings.



Inmate Needs and Services

"The Department must have real training and work for every able inmate."

"The Department must establish linkages with post-incarceration services."

"The Department must develop and effectively apply standards to its operations."

Introduction

THE DEPARTMENT of Correctional Services is charged with the care, custody, humane treatment, and attempted rehabilitation of the State's sentenced felons. Within this broad mandate, the types of services provided are to some degree determined by the needs of this population. This section of the plan addresses those needs and services attributed to and provided for a major portion of the Department's population. The main thrust of this section's recommendations is for the Department to more effectively operate its facilities while providing inmates opportunities for personal development, for academic achievement, and for the attainment of marketable work skills and habits.

The Department currently supervises over 20,000 inmates within 32 correctional facilities. While each

individual represents a unique product of current society and the criminal justice system, there are some common characteristics that present a comprehensive challenge to the Department.

Most inmates arrive with severe educational deficiencies. Many are illiterate. Most inmates were unemployed at the time of their arrest. Many have never held a regular job. Despite this population's continued failures, society expects the Department to significantly change their behavior so they will not engage in further anti-social behavior when released.

The state has made precious few resources available to the Department to allow it to fulfill this mandate. While its operating budget is over \$252 million* the overwhelming percentage of that budget simply provides subsistence, security, and administration. And while the state faces severe budget limitations and the Department is specifically forced to cut back spending in the face of rising costs, that portion of its budget allocated to the "rehabilitative" goals of the Department is most acutely restricted.

Facilities perceive their task as continuing to provide additional services while being provided with fewer resources. In recent months, inmate idle time has increased. This has a disturbing effect on the inmates and employees.

In light of this recognition, the plan recommends that the Department maximize its use of resources in order to make the corrections process a positive intervention in an offender's life.

It is recognized that this effort presents a challenge to the Department's leadership. But it is also recognized that this effort demands a major commitment from every employee of the Department and the realization that the changes will not soon be achieved.

The time is now for the Department to direct its energies and to channel the resources available to it into the appropriate areas. With the understanding of the nature of the problems facing this Department as expressed by person after person throughout this planning process, this plan recommends that:

Correctional facilities should strive to create a real work environment designed to benefit inmates, the Department and the public.

The Department's academic and vocational education programs should provide realistic opportunities for inmates to develop skills which can benefit both the inmate and the Department.

The Department should provide opportunities and programs which are designed to prepare every inmate for his/her return to the community.

REAL WORK

This document uses the term "real work" to encompass a number of issues which relate to having the inmate work environment within a correctional facility simulate as nearly as possible a work setting in the external environment.

In the external environment, people work in order to support themselves and their families. They select their work depending on the opportunities available to them, the attractiveness of the job, and their own abilities. A correctional environment necessarily restricts this selection. However, steps can be taken to upgrade the correctional work setting to bring it closer to that in the external environments.

Historically, work has been a vital element of corrections. This is particularly true of New York State where the Auburn system promoted rehabilitation through hard labor and silence. While the aspect of silence proved impractical and counterproductive, the aspect of labor proved quite valuable to an industrializing society and the Auburn penal system became a model of advanced correction which was copied worldwide. Prison industries closely paralleled the development of industrial enterprises with one major exception — prisoners were not paid. As labor unions gained support and grew in power, they were able to secure for their membership a fairer price for their labor. Rising wages gave an unfair advantage to prison industries which was soon off-set by legal and administrative procedures to remove prison products from competition with the products marketed by free enterprise industries.

In New York today, prison industries produce goods for the exclusive consumption of state and local government. Most of the large, maximum security facilities have major industrial shops such as the license plate factory at Auburn Correctional Facility.

But industrial settings are not the only settings for inmates to engage in real work. Inmates built many of the Department's early facilities. Inmates have grown vegetables, raised livestock, prepared, cooked and served food, provided maintenance and cleaning services, taught school, and engaged in many similar "real work" activities.

Real work not only addresses the expanding of inmate involvement and training, but it must also address the rescheduling of the times for services such as commissary purchases, laundry, showers, etc. These interruptions contribute to the ineffectiveness of work activities, academic education, and vocational training for inmates. They also interrupt employees' duties and

*Appropriated FY 1979-80

frustrate service delivery. The Department must encourage each facility to look at these services and make necessary adjustments in order that they do not interrupt work and training activities.

Benefits of Real Work

The Department: By expanding the avenues through which inmates can actively participate in real work assignments, the Department can reap significant benefits. First, the Department will benefit through increased productivity of industries. Second, the Department will benefit through an avoidance of costs in instances where inmates are contributing positively to the maintenance and support of the facility operations or providing human services. Third, the Department can achieve a significant boost to its public image by reducing costs, publicizing its cost avoidance, and contributing labor to community service projects.

The Inmates: An inmate will benefit from working in settings which simulate the external work environment by learning work habits. A real work assignment will last a full day and require an inmate to produce. An inmate will also have the opportunity to learn a marketable skill which can be put to use when he or she returns to society. An inmate will also receive an incentive allowance commensurate with the skills used and labor provided. From a larger perspective, inmates as the clients of this system, can benefit from the real work of others (i.e., literacy tutors, pre-release counselors, etc.).

The Community: The community can and should benefit from the products of real work. The Department's inmates have frequently engaged in community service projects designed exactly for that purpose. A recent example is the use of inmate labor to construct the cross-country ski trails which were used for the 1980 Olympic Games held in Lake Placid, New York.

The Department can expand such opportunities. While expanding community service projects, the Department should investigate methods of receiving

reimbursement for the costs of inmate wages and supervision from the communities which benefit from the services.

SKILLED AND UNSKILLED WORKERS

One key aspect of the manner in which the master plan has addressed the area of real work focuses upon how the Department can make more effective use of the skills and abilities that inmates have or can develop. Most inmates come to the Department with major vocational and academic deficiencies. The Department must and will continue to provide remedial services for those inmates. The inmate job assignments that are most plentiful in the facilities do not require sophisticated skills. These jobs should be reserved for inmates who come to the Department with few or no work skills.

However, many inmates have achieved a level of competence and have the capability for being productive workers. The Department must make fuller use of this resource and provide a wider spectrum of opportunities for skilled inmates to contribute to the Department.

Skilled services are not only useful in maintenance areas as traditionally recognized, but they can also provide support to education, guidance, and pre-release programs. Skilled jobs are distinguished from unskilled jobs by the requirement to perform more complex tasks particular to the job. The Department must assess the jobs that inmates may perform, and establish the appropriate skills required in order to effectively fulfill the job. It must be emphasized that the utilization of skilled inmate workers is designed to assist staff, not replace them, and to enhance the delivery of services.

This plan recommends the development of a process by which the facilities will inventory the jobs available to inmates, determine the skills required to do the jobs, set job descriptions and minimum qualifications, and designate appropriate incentives. This process also exhorts facilities to create new "real work" opportunities for inmates.

RECOMMENDATION: Correctional facilities should strive to create a real work environment designed to benefit inmates, the department and the public.

STANDARDS

Industry:

- A. Industrial programs should achieve self-sufficiency.

IMPLEMENTATION GUIDELINES

- 1. The Department will undertake a basic review of its industrial programs for efficiency of operation and cost-effectiveness.

- B. Industrial programs should operate on a full workday.

- C. The Department will set minimum qualifications for all positions in industrial shops.

- D. The Department will reward effective industry workers.

- E. The Department should make greater use of inmate labor in order that it deliver services in a cost effective manner.

- 2. The Department will review its price lists to remain competitive yet keep pace with rising costs.
- 3. The Department will expand successful operations, phase out obsolete operations, and initiate new operations.
- 4. The Department will provide incentives for profitable operations.
- 5. The Department will provide incentives for facilities that support profitable industries.

- 1. The Department will undertake a study of the feasibility of expanding the workday of selected industry programs to at least a seven hour day.
- 2. This study should examine the possibility of adjusting meal schedules, changing employee shifts, providing box lunches, and adjusting count procedures.

- 1. The Department will inventory all job assignments in its industrial shops, and determine the skills required.
- 2. The Department will establish appropriate inmate wage grades.
- 3. The Department will establish specific tasks for each industrial job.
- 4. The Department, where possible, will continue to develop linkages between skills learned in vocational education and skills needed in industry.

- 1. The Department will establish appropriate wages as incentives for industrial workers.
- 2. The Department will develop additional incentives for industrial workers.
- 1. Each facility will inventory the inmate job assignments which provide the facility with support services, maintenance, or human services (e.g. pre-release, clerk, counselor aide).
- 2. Each facility will distinguish between those assignments requiring skilled labor and those requiring unskilled labor.
- 3. Each facility will set job descriptions and set minimum qualifications for those jobs.
 - a. Department will develop and set academic standards.

IMPROVEMENT OF INMATE SERVICES

RECOMMENDATION: Correctional facilities should strive to create a real work environment designed to benefit inmates, the Department and the public. (continued)

STANDARDS

IMPLEMENTATION GUIDELINES

F. The Department should develop innovative approaches to make greater use of skilled inmates in appropriate job assignments.

- b. Department will develop and set vocational standards.
 - 4. The Department will establish wage grades which are appropriate to the type of job and skills required.
 - 5. Each facility will establish minimum standards of job performance.
 - 6. The Department will provide appropriate incentives for service laborers.
 - 7. The Department will continually monitor the work experience and skills development of the inmate workers.
-
- 1. Each facility will identify areas of their operations in which skilled inmate workers can be involved.
 - 2. Each facility will particularly examine potential construction projects, maintenance jobs, and human service delivery assignments as areas to expand the use of skilled inmates.
 - 3. Each facility will determine the skills and qualifications required of inmates to be placed in such assignments.
 - 4. The Department, at classification, will assess the vocational skills and abilities of each inmate.
 - 5. The Department will attempt to assign skilled inmates to the facilities that most require their skills.
 - 6. The Department will provide direct linkages between its vocational education programs and job assignments which require skilled labor.
 - 7. Skilled inmate jobs should operate on a 7 hour work day.
 - 8. The Department will provide incentives which are adequate to attract inmates to these selected assignments. These incentives should be on with industry incentives.

G. The Department should expand inmates' involvement in community service work.

- 9. The Department will sponsor legislation which enables it to expand the scope of "real work" operations. (e.g., facility construction projects).
-
- 1. The Department will develop specific guidelines for facility involvement in community service projects.
 - 2. Each facility will assess its community, local government, and local unions for acceptance of an expansion of community services projects.
 - 3. Each facility will determine which types of community service projects it can currently undertake.
 - 4. The Department will provide incentives for facilities and inmates who are involved in community service projects.
 - 5. The Department will investigate the possibilities of involving inmates in providing services for other state agencies.
 - 6. The Department will investigate the possibility of receiving reimbursement for inmate wages and officer coverage from local governments, state agencies or organizations who benefit from community services project.
 - 7. The Department will sponsor enabling legislation as appropriate.

EDUCATION

This section of the plan addresses the education system of the Department in the context of more practical and realistic avenues for meeting inmates' needs and developing basic skills.

Most inmates coming to the system have fundamental deficiencies in education and many cannot speak English. It is difficult for these individuals to function within the correctional system and these deficiencies are compounded upon release. Participation in basic education programs should be strongly encouraged with other program opportunities contingent on an inmate's completion of a literacy program or English as a second language program. The Department must take steps to improve its literacy and English language programs in order for inmates to begin the development of basic skills. These steps are strongly supported by the Department personnel, the Division of Parole and the Department of Labor.

High School Equivalency programs should be seen as an opportunity for inmates to advance their employability. Participation should be voluntary. Incentives are self-fulfillment, enrichment and opportunity to achieve a preferred facility job. Bilingual and cultural educational opportunities should also be available throughout the system.

While the Department views the provision of "survival" education (reading and language skills) as an essential service and the opportunity for a high school equivalency diploma as a preferred program, it views college programs as exceptional opportunities in which some inmates may have the privilege to participate. College programs should be operated differently from other program assignments. Like other adults who wish to go to college, inmates can be expected to make sacrifices. The incentives for inmates' participation in college programs should be the education itself and the opportunities opened through it.

IMPROVEMENT OF INMATE SERVICES

Vocational education must provide an important bridge from unskilled jobs to skilled jobs in the system. It must also provide the opportunity for inmates to achieve the skill levels required to obtain jobs in industry. The Vocational Education Program has already taken steps to specify tasks in each shop and has the ability to monitor task completion. This program is presently

working in conjunction with Correctional Industries to expand opportunities through which inmates can acquire either vocational training or equivalent experience. Educational prerequisites will be set for entrance into vocational education programs. Such requirements should be specific to the particular vocational shop.

RECOMMENDATION: The Department's academic and vocational education programs should provide realistic opportunities for inmates to develop skills which can benefit both the inmate and the Department.

STANDARDS

- A. All inmates who read below the fifth grade level shall be encouraged to participate in a literacy education program.

- B. All inmates who do not speak English shall be encouraged to participate in a program designed to provide English language skills.

IMPLEMENTATION GUIDELINES

1. The Department must accurately assess inmates' literacy skills during classification.
2. The Department must accurately determine the extent of illiteracy among inmates.
3. The Department must provide a sufficient quantity and variety of education programs at each facility which are designed to meet the needs of adult non-readers.
4. Achievement of or advancement toward an acceptable reading level will be a prerequisite for any vocational education placement, industry assignment and most skilled work assignments. However, inmates will be required to participate in unskilled assignments.
5. The Department will regularly monitor inmates' literacy levels.
6. Persons who test below the fifth grade level at classification will be retested and reassessed periodically and prior to release.

1. The Department will set appropriate definition of an acceptable level of conversational English.
2. The Department will accurately assess the inmate's English language skills during classification.
3. The Department must accurately determine the number of persons requiring remedial language skills.
4. The Department will provide sufficient programs to meet the needs of non-English speaking inmates.

Inmate Needs and Services

5. In order to provide an incentive for non-English speaking inmates to learn English language skills, most vocational education programs, industry assignments and skilled work assignments will require English speaking ability.
6. The Department will enhance its bilingual education programs and its Hispanic language and culture programs.

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- C. The Department's vocational education programs will develop skills that can be realistically linked to industry and skilled work in the facilities.

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- D. The Department should provide opportunities for inmates to work toward a high school equivalency diploma.

1. The Department should assess during classification, vocational aptitudes and preferences of inmates and inventory their vocational experiences.
 2. The skills developed by inmates in the Department's vocational education programs should be linked to industry assignments.
 3. The facilities' needs for skilled workers should be met by the Department's vocational education programs.
 4. The Department should set the standards by which inmates qualify for industrial and skilled work assignments.
 5. The Department should determine the literacy and language skills required for entrance into vocational education programs. These will vary according to specific vocational education programs.
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1. Participation in high school equivalency programs will be voluntary.
 2. The Department will provide a full range of programs and opportunities for inmates to work towards a high school equivalency diploma.
 3. Certain jobs will require successful completion of a high school equivalency course.
 4. The Department will provide incentives for inmates to complete a high school equivalency course.
 5. A high school equivalency diploma will continue to be the prerequisite for enrollment in college programs.

IMPROVEMENT OF INMATE SERVICES

SEPARATION SERVICES

The Department releases approximately 750 persons each month from the custody of its 32 facilities. To many of the almost 9,000 inmates released last year, the only concrete evidence of a pre-release program was a suit of clothes, a bus ticket to their home city, and \$40. Most inmates enter the Department with severe social, academic, and vocational deficiencies. Unfortunately, most leave the Department with the same deficiencies. Preparing an inmate for adequate adjustment in a rapidly changing society must be a major undertaking of the Department in conjunction with the Division of Parole, the Department of Labor, the Department of Social Services, numerous other state agencies, and especially the communities into which inmates are released.

This document refers to separation services as all those services the agency provides which contribute to or assist in an inmate's successful return to his/her community. Among these services are: pre-release services, temporary release programs, education and guidance, family support programs, and programs designed to encourage community involvement.

Pre-release Services: Pre-release services are those services designed to assist in the transition period immediately prior to release. Pre-release was initiated as a program in 1972 by an inmate organization at Green Haven Correctional Facility. Currently there is not a clear focus to the Department's pre-release programs. While inmates are released from every facility, some facilities do not have a pre-release program. At other facilities, pre-release programs are managed exclusively by inmates. Pre-release services include such programs as PLAN (Pre-release Liaison Agency Network) which is a computerized referral system. With its central library at Downstate Correctional Facility, this program has the capability of giving referral assistance to inmates upon release for services ranging from food, clothing, housing, employment to recreation and cultural enhancement. This effort is being coordinated by the Department's library services unit and could provide valuable information to all inmates at facilities. Such an effort should be coordinated with all the Department's pre-release centers.

Temporary Release Programs: The Department's Temporary Release Program is another form of separation service. The Temporary Release Program's furloughs, work releases, education releases, leaves of

absence, and community service leaves all are ways that can assist an inmate in being assimilated into the community. In 1977, more stringent eligibility criteria were established for inmate applicants for temporary release. Consequently, the number of inmates involved in temporary release has dropped dramatically. The Department should take steps to enhance the Temporary Release Program while continuing to keep the risk to the safety of the community at its current low level.

Education and Guidance: Education and guidance programs are generally viewed as long-range programs which address a variety of inmate needs such as academic and vocational deficiencies or assisting an inmate in adjusting in a correctional setting. However, certain aspects of programs can and must be aligned to meet the immediate concerns of inmates about to be released. Specific short-term academic programs such as "life skills" and "survival education" must be made available. Moreover it is similarly important that opportunities for pre-parole counseling and family counseling for inmates be available.

Family Support Services: Included in the Department's efforts in providing separation services is the need for family support. The Office of Ministerial Services coordinates the Department's Family Visiting Program which provides bus transportation for inmates' families. In addition, the Department's Family Reunion Program continues to contribute to strengthening family ties and support. Efforts are underway for expansion of the Family Reunion Program.

Community Involvement: The Office of Volunteer Services coordinates the involvement of community volunteers, organizations, and agencies. There is a wide range of services that volunteers can and do provide. The involvement of the community can greatly enhance and expand the types of services and skills development inmates may need upon release to the community.

Now is a particularly appropriate time for the Department to move ahead with a concentrated effort to provide separation services. The uncertainty regarding the purpose of Downstate Correctional Facility has been settled. Separation services will not be the function of a single facility but must be provided at all facilities. The Department and the Division of Parole must share this responsibility, particularly in the critical transition period immediately before an inmate's release and directly after his/her return to the community.

RECOMMENDATION: The Department should provide opportunities and programs which are designed to prepare every inmate for his/her return to the community.

STANDARDS

A. The Department should make pre-release services available to every inmate exiting from the system.

B. The Department will continue to encourage programs which strengthen family ties such as the Family Visiting Program and Family Reunion Program.

C. The Department should encourage community involvement and the participation of outside agencies to assist in providing separation services.

D. The Department will continue to take steps to broaden the opportunities for inmates to participate in temporary release activities within limits that continue to ensure the safety of the community.

IMPLEMENTATION GUIDELINES

1. The Department will develop a consistent direction for pre-release services.
2. Each facility will offer pre-release services to inmates released from that facility.
3. The Department will provide more effective coordination for its diverse pre-release efforts.
4. The Department will standardize pre-release programs and procedures. It will specifically address:
 - a. Direction of pre-release programs
 - b. Supervision of pre-release programs
 - c. Qualifications of inmate counselors
 - d. Involvement by Division of Parole
 - e. Budget allocations.
5. The Department will work with Division of Parole on the development and enhancement of pre-release programs.
6. The Department will develop training programs for inmates and staff.

1. Each facility will encourage community volunteers to provide and enhance separation services.
2. The Department will encourage the involvement of other governmental and community agencies to provide and enhance separation services.

Inmate Special Needs and Services

"The Department must identify and deal with special inmate needs."

The Department must establish linkages with post-incarceration services."

"The Department must develop and apply standards to its operations."

Programming Rationale

IN ITS JUNE 1979 *Manual of Standards for the Administration of Correctional Agencies*, the ACA Commission on Accreditation for Corrections states as an essential policy that "there is documentation that the agency provides guidance and resources to establish and maintain special services and programs for persons with specific types of problems." The discussion accompanying this position clarifies the central issues in the following manner: "Nearly all correctional systems contain persons who present problems requiring special handling. These problems may be behavioral or medical, related to physical handicaps, substance abuse, senility, mental illness or retardation. Utilizing the resources of the entire agency, the administrator should see that special services and programs are provided whenever the nature and/or number of persons with these problems so warrant." While the final statement stops short of specific recommendations or guidelines, leaving the implementa-



tion of special programs to the discretion of the agency's leadership, the thrust of the position is clear, namely, that the agency will provide services which meet the special needs of uniquely disabled inmate sub-populations. In so doing, it will also bring more stability to facility environments by enabling their participants to better pursue normal routines.

The planning focus for special needs service delivery has evolved logically into consideration of inmate sub-populations. Although many behavior management issues pervade consideration of any sub-population categorization of inmates, sub-populations are generally conceived of for one of two reasons. Either, (1) the treatment and habilitative needs of the sub-population are so specialized that they require resources inappropriate to the needs of the general population, and maintenance within the general population allows a significant potential for victimization of the sub-population inmates by predatory members of the general inmate population. Or, (2) the behavior or notoriety of the members of the sub-population represents a threat to the maintenance of order within the general population, and the disruptive influence to normal programming is so great that such individuals must be removed from the general population until such time as their behavior warrants return to the general population, or depending upon need, to a special sub-population program.

In addition, within the general inmate population are offenders with significant and identifiable needs for clinical services, (i.e. sex offenders, alcoholics, etc.) who do not necessarily require specialized segregated programming. It is indeed impractical to define these offenders in terms of sub-populations because they exist in such substantial numbers and because it is possible to reasonably meet their needs within the context of general population housing and activities, provided that a systematic effort is made to identify them and match their needs with the services of appropriately qualified clinical service providers.

Bearing these issues in mind, the area of special services delivery divides into three more or less distinct groupings, although some overlapping is inevitable.

These groupings are:

1. Sub-populations based primarily upon inmate needs. Included within this group are the mentally retarded, the physically handicapped or disabled, and the acute or chronic psychiatrically disabled inmate.

2. Sub-populations based primarily upon system needs. Included within this group are inmates who exhibit assaultive institutional behavior, notorious inmates, inmates with significant histories of escape, inmates who promote terrorism during

confinement, homosexual inmates, and inmates who require protective custody.

3. General population clinical service needs.

Included within this group are inmates who exist in such substantial numbers that localized sub-population units are impractical and who have needs which are generally not so demanding as to preclude treatment within the context of general population. This group includes inmates with drug and alcohol abuse problems, inmates identified by the courts and/or by staff as requiring psychotherapy, and unique offender types in need of psychotherapy such as child abusers and sex offenders.

Based on the above groupings, a preliminary analysis established seven distinct sub-populations. Workshops were conducted which focused on five of the sub-populations. Material relating to the other two sub-

populations was primarily obtained through research and interviews.

Sub-population

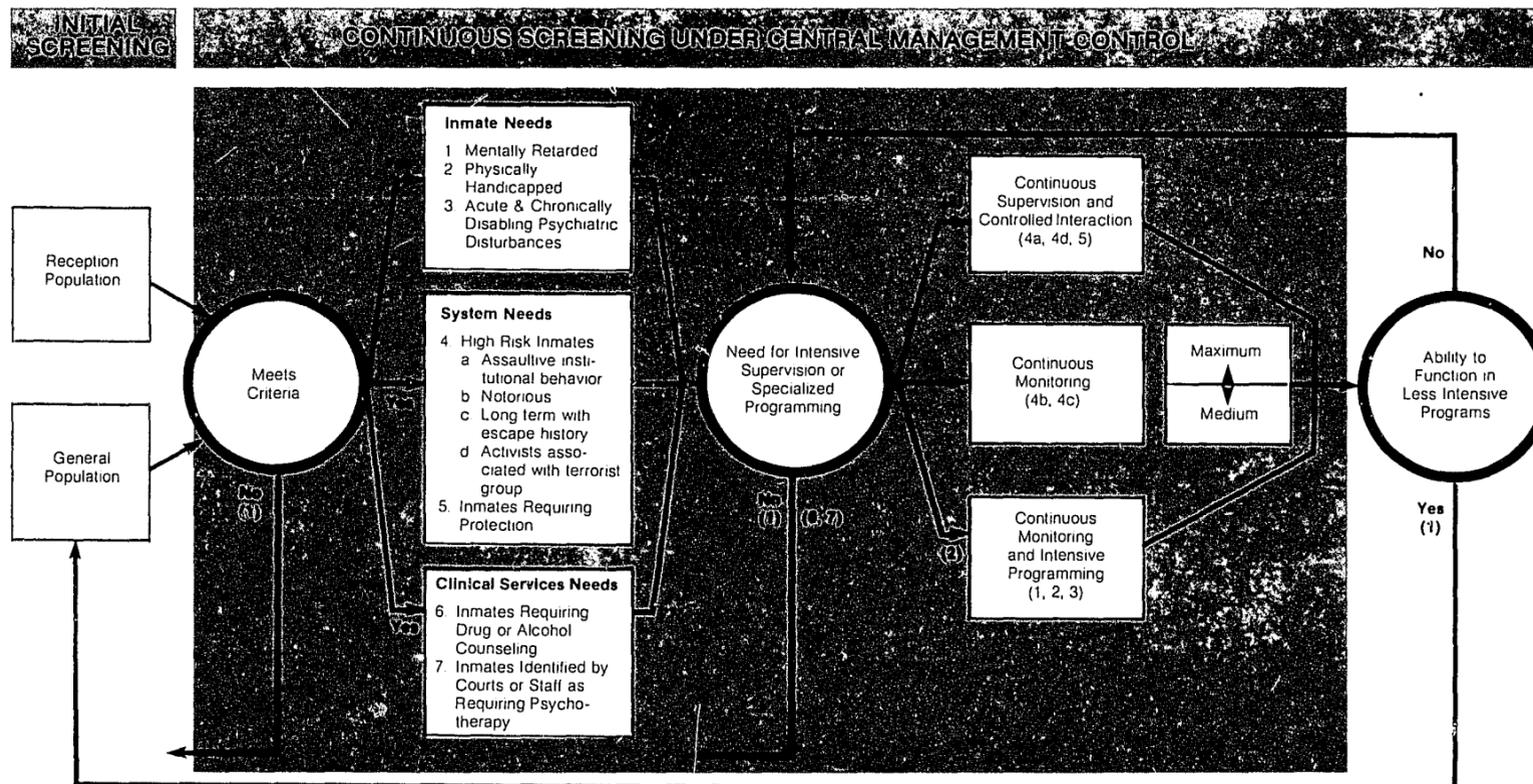
1. Physically Disabled
2. Mentally Retarded
3. Inmates with Acute or Chronically Disabling Psychiatric Disturbances
4. Inmates Requiring Psychotherapy
5. Inmates in Need of Protection
6. High Risk Inmates
7. Inmates in Need of Drug and Alcohol Counseling

The workshops followed a specific format for discussion and collection of material. Each workshop dealt with establishing standards for identification of their particular sub-population, standards for due process for selected inmates, standards for service delivery, staffing, administration and program separation. Each workshop discussed the options associated

Inmate Special Needs and Services

	CLASSIFICATION:	POSITION (GOAL):
	1. Mentally Retarded	Develop capacity to identify, habilitate and reintegrate retarded population
	2. Physically Handicapped	Develop capacity to identify, habilitate or maintain and reintegrate physically handicapped population
	3. Acute and Chronically Disabling Psychiatric Disturbances	Review OMH services and develop capacity to house and treat chronic cases — Establish ICP units.
	4. High Risk Inmates a. Assaultive institutional behavior b. Notorious c. Longterm with escape histories d. Activities associated with terrorist groups	Develop capacity to identify house and program "high risk" inmates so as to reduce their disruptive influence but afford them the opportunities to return to mainstream general population.
	5. Inmates disruptive to facility operations and inmates requiring protection.	The Department will establish and maintain a protection program.
	6. Offenders requiring drug or alcohol counseling	Develop capacity to provide and coordinate counseling system wide.
	7. Offenders identified by courts or staff as requiring psychotherapy a. Including but not limited to: bizarre offenses callous violence child abuse sexual offense	Develop capacity to provide and coordinate psychotherapeutic services system wide in joint effort with OMH.

EXTENDED CLASSIFICATION PROCESS FOR INMATES WITH SPECIAL NEEDS



1. Central Office Approval Required
 2. Functional Units with Special Staffing
 3. Maximum Security General Population with Enhanced Monitoring and Controls

Inmate Special Needs and Services

with centralizing treatment for each particular subgroup at a single facility. It was recommended that physically disabled inmates and those in need of protection could best be served in a single facility or special program. Others, because of their larger number, must be treated at more than one facility. While the workshops were able to establish many standards in each area, there were some standards which were either not developed or partially developed; however, in each area there was at least substantial support for the direction of efforts in the future.

For each of the identified sub-populations, a statement of need has been expressed, a description of existing means of treatment for this sub-population (if any) is provided, and proposals for establishing programs which were developed at these workshops are presented.

Prior to an elaboration of each sub-population, it is important to restate both the Advisory Committee's and workshop members' perception that inmates with special needs present a crucial management concern to the total system. Farther, the Department must make a priority commitment to habilitate inmates with special needs.

Assessment

The Advisory Committee listed the need to identify and deal with special inmate needs as a major planning goal for improving management of the system and for meeting inmate needs. The Advisory Committee and workshop members felt that by removing inmates with special needs from general population, the ability to manage the general population would be substantially enhanced. Some inmates would be removed for a portion or for the entire period of their incarceration while others would remain housed in general confinement but receive specialized services. Since quantitative data is incomplete for inmates with special needs, the Department will improve its classification system in order to identify special needs individually and system wide. This data will be compiled by the Department's management information system.

The Department is beginning to implement an extended classification unit (capacity 252) at Downstate Correctional Facility to further evaluate inmates who appear to have special needs. Moreover, classification will not be an initial "one-shot" affair but will involve continuous assessment and reassessment over time. Certain sub-groups requiring specialized programming will be identified at classification centers while other inmates will be reclassified into special subgroups, if the need should so develop, and removed from such a category and placed within the general population when they no longer have special needs.

The refined classification process will enable departmental and facility managers to deploy staff to best address certain needs of particular inmate sub-populations.

In order to implement this special assessment process and subsequent program development, special and ongoing staff training for Department employees associated with the special needs area will be required.

Physically Disabled

Inmates with severe physical disabilities and handicaps present particularly unique problems within a correctional setting. Most, if not all, present correctional facilities were built without consideration for the physically handicapped. Only in recent years have State and Federal contracts required specifications for making buildings and facilities accessible to and usable by physically handicapped people. Our present facilities are not barrier-free. In fact, as containment is a major function of a correctional facility, the Department's facilities impose several barriers such as walls, fences, gates, doors, and cells. While these barriers are meant to control movement, they virtually preclude movement (and therefore program participation) by the physically disabled inmate. It is recommended that we establish a unit that permits maximum opportunities for the physically disabled.

Historically, the Department has responded to this need by use of "invalid companies" and other individual approaches. The Elderly and Handicapped Unit was established at Fishkill Correctional Facility in 1973, but because of its security limitations, it did not provide a treatment center for the total Department population. Establishing a Unit for Physically Disabled (U.P.D.) will provide the Department with an approach to dealing with long and short term need of disabled inmates throughout the system. It is estimated that the Department requires such a special housing area for 100 inmates which would include inmates with both long term and short term needs. These needs are further defined as:

a. Long term Inmates whose chronic disabilities or health problems render them unable to function fully or freely with the general population of a correctional facility and require continuous care and/or medical supervision.

b. Short term Inmates experiencing a physical impairment which may respond to a prescribed rehabilitative process thereby rendering them capable of freely functioning within the general population of a correctional facility.

RECOMMENDATION: The Department should provide appropriate medical care and services and establish a specialized housing unit for the physically disabled inmates.

STANDARDS

A. The Department will identify its physically handicapped population.

B. The Department will design and implement a unit for the physically disabled.

C. The Department will design and implement separation links for its physically disabled population.

IMPLEMENTATION GUIDELINES

1. The Department will establish the criteria to determine which inmates are physically handicapped.
2. The Department will develop screening procedures to be implemented at its classification centers.
3. Classification centers will identify the physically handicapped inmates.
4. Every correctional facility will have the capability of identifying the physically handicapped inmates.
5. The Department will accurately determine the number of physically handicapped inmates in need of special treatment.
6. A physical handicap will not necessarily reduce the degree of security or supervision that is required for the inmate.
7. Information regarding this population will be collected at classification and coordinated with the Department's MIS.

1. The Department will determine which services, programs, and work opportunities should be made available to its physically disabled inmates.
2. The Department will select the location(s) where specialized units will be implemented.
3. The physical plant of this unit will be modified to remove unnecessary physical barriers.

1. The Department will work with the Division of Parole, the Office of Vocational Rehabilitation and other service agencies to provide continued service and treatment for inmates released from the custody of the Department.

Mentally Retarded Inmates

In recent years, the Department's policy has been to classify mentally retarded inmates for security purposes rather than for differentiated, goal directed habilitation programs. However, research papers done at the Department's Reception and Classification Center at Clinton Correctional Facility by departmental staff* and other research data strongly suggests a greater departmental attention to this need. A sheltered workshop for the retarded inmate is underway at Elmira Correctional Facility and the Department plans to implement a second program at Auburn Correctional Facility.

Using an IQ score of 69 or below on a standardized test as a measure of mental retardation, research suggests that as much as 9% of the national offender population is retarded (Brown and Courtless, 1967). This figure is

*James O'Connell 1977 and Phillip Welch 1979

astonishingly high in light of the estimated rate of 3% retardation within the general population. Limited material gathered at Clinton, Elmira and Downstate Reception and Classification Reception Units suggests that an estimated 2% of our present population is retarded and a substantial number, some 400, would need to be placed in a long term sheltered environment program. This research indicates that the vast majority of retarded inmates are mildly retarded (with IQ scores between 52-70). The Department does not presently enumerate its retarded inmates. And, as much research suggests, identification of this sub-population is not easy.

Most people can identify characteristics which describe mental retardation: deficient in vocabulary, slow to understand, unable to follow orders and poor memory. For many, the image of the retarded person

RECOMMENDATION: The Department should provide appropriate care and services for its mentally retarded inmates.

STANDARDS

A. The Department will accurately identify its mentally retarded population.

B. The Department will implement programs for its mentally retarded inmates.

C. The Department will design and implement separation links for its retarded population.

IMPLEMENTATION GUIDELINES

1. The Department will implement its extended classification unit at reception and classification to identify this sub-population.
2. The Department will implement procedures to identify retarded inmates in general population.
3. The Department will accurately determine the numbers of mentally retarded inmates in need of special treatment.
4. Information regarding this population will be collected at classification and coordinated with the Department's Management Information System.

1. The Department will join with the Office of Mental Retardation and Development Disabilities to provide quality treatment to this sub-population.

1. The Department will work with the Division of Parole to ensure continued service provision for inmates released to parole supervision.
2. The Department will work with other human service agencies to provide continued services, treatment and, when necessary, placement for the affected population.

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includes clumsiness, irresponsibility, sloppiness, nervousness, timidity, and physical or emotional abnormality. These impressions are often false, especially in the case of the retarded inmate who more often than not is mildly retarded and very clever at masking his her limitations. He is "street wise" and in some ways more sophisticated than the non-offending retarded person. This, therefore, makes the task of identification more difficult.

The workshop members agreed that the classification process must refine its diagnostic tools in this area so that inmates with need for treatment can be more accurately identified and tracked. It has been recommended by the workshop members that the Department in conjunction with the Office of Mental Retardation and Development Disabilities establish a long term sheltered environment program. This joint effort with enhanced funding would provide maximum delivery of services for the retarded inmate during incarceration and improve linkages at the time of separation.

This need which is crucial to the retarded inmate is also very important to the system because it removes one type of victim-prone inmate from population.

Inmates Who Have Acute or Chronically Disabling Psychiatric Disturbances

Many inmates enter the Department with long histories of mental illness. Others may never have been diagnosed as mentally ill, but do indeed have acute mental problems. Some develop problems as a result of their incarceration. The latter may be caused by separation from family or society; or, precipitated by facility experiences such as homosexual assault. Facility administrators spend considerable time dealing with the disruptive-to-normal facility operations caused by these individuals. Departmental and Office of Mental Health specialists concur that 11% (3200) of the inmate population require comprehensive psychiatric services. Since the present services provided by Central New York Psychiatric Center, facility satellite units, and the Department's professional staff have not been adequate to meet this need, it is recommended that Intermediate Care Programs be established.

Workshop members consisting of Department of Correctional Services and Office of Mental Health clinical and program staff generally agreed that an Intermediate Care Program (I.C.P.) would best satisfy this need. This special comprehensive program will provide treatment for those inmates who no longer require hospitalization in Central New York Psychiatric Center but have been unable to benefit significantly from out-patient services provided by Office of Mental Health satellite programs in general confinement facilities or by

available counseling services. The program will provide continuing supportive care and intervention services as a transitional bridge between Central New York Psychiatric Center and the general confinement environment in a regular correctional facility.

Each program unit will provide care for 50 inmates and will have two components: a short term, intensive, individualized habilitation program for inmates whose adaptive disabilities are no longer acute but who require special training in coping skills before they are capable of reintegrating into the normal facility environment; and, a longer term care and intervention program for inmates whose maladaptive behavior and disabilities have been unresponsive to intensive intervention modalities and who are unable to cope with the stresses of the normal correctional environment.

The Intermediate Care Program units will be jointly administered by the Department of Correctional Services and the Office of Mental Health. The Intermediate Care Program staff will be employees of both departments.

Only inmates who have been committed pursuant to Section 402 of the *Correction Law* to Central New York Psychiatric Center and who have been recommended by the Director of the Central New York Psychiatric Center to receive continual care and treatment in a controlled setting and whose institutional history indicates that they have been unable to adjust satisfactorily in a general confinement facility despite out-patient or in-patient psychiatric treatment services from mental health providers, will be admitted to the units.

Transfers to and from the program will be approved by the Commissioner of Correctional Services or his designee upon recommendations of the facility program committee. An inmate may be transferred to any other correctional facility consistent with the classification program plan recommendation.

An inmate's length of stay in the Intermediate Care Program will be determined by a periodic, comprehensive assessment of the inmate's stability and capacity for self-care and independent functioning in a general confinement facility. A written assessment will be made every three months. Retention in the program will be made by OMH/DOCS staff. Retention beyond one year will be approved by the designee of the Commissioner and reviewed every three months.

The Intermediate Care Program will be administered by an OMH/DOCS interdisciplinary team, functioning as a unit, to identify an individual inmate's needs, prescribe treatment modalities to achieve objectives to meet those needs, and provide the training and habilitation services to allow the re-entry of the inmate into general confinement.

RECOMMENDATION: The Department in conjunction with the Office of Mental Health should provide professional treatment for acute or chronically disabled inmates.

STANDARDS

- A. The Department will identify its population who no longer require hospitalization in Central New York Psychiatric Center but are unable to benefit from the present out-patient services.
- B. The Department will provide an intermediate care program.
- C. The Department will design and implement separation links for this population.

IMPLEMENTATION GUIDELINES

- 1. The Department will establish criteria which will accurately identify this population.
- 2. The Department will implement Intermediate Care Program Units.
 - 1. The Department will designate the facilities to have ICP units.
 - 2. The Department and the Office of Mental Health will staff the ICP units.
 - 3. The Department and OMH will conduct ongoing evaluations of the ICP units.
 - 4. The information regarding the ICP population will be maintained by the Department's Management Information System.
- 1. The Department and OMH will work with the Division of Parole to ensure continued services as the inmates are released.

Inmate Identified by Courts or Staff as Requiring Psychotherapy

Presently, inmates with acute and highly recognizable needs for psychotherapy are treated by the Office of Mental Health personnel at the Central New York Psychiatric Center and satellite units, and the departmental staff in the Merle Cooper Program. In addition to that subpopulation who is described in the earlier section, "Inmates Who Have Acute or Chronically Disabling Psychiatric Disturbances," there are a number of inmates in the system who would benefit from psychotherapeutic intervention but do not require a completely structured program which would require their removal from the general population. This group of inmates either does not meet prioritization criteria of the Office of Mental Health or does not express an interest in participating in the satellite program. Nevertheless, they are amenable to client-centered social treatment modalities and have a need or interest in participating in a formal counseling program.

The Merle Cooper Program has endeavored to provide services to this broad subpopulation. The satellite units also have endeavored to extend services to this subpopulation. The major constraints limiting the provision of services is the particular location of the Merle Cooper Unit and that of the satellites. They exist only in maximum security facilities.

It is the consensus of the workshop participants that the service delivery to this subpopulation could be improved through a redeployment of clinically trained correction counselors and the limited addition of psychologists to the facility staffing patterns (perhaps one psychologist at a larger facility and a consulting psychologist at the smaller facilities). This supplementation and redeployment would not only fill this gap in service delivery but would also enable the satellites and the Merle Cooper Program to provide an enhanced focus of service delivery to those inmates who require a more structured program.

The workshop participants, as their colleagues in

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other workshops, felt strongly that there must be improvement in the identification of needs in the reception and classification process if the Department is to identify those inmates in need of psychotherapy. Moreover, they felt strongly that there must be better coordination between classification and case manage-

ment staff employed by the Department and the Office of Mental Health. Through the closer coordination of the clinical staff of the two agencies and an ongoing evaluation of service delivery to this subpopulation, it was felt that the agencies would have a much more substantial impact on the unmet needs.

RECOMMENDATION: The Department and the Office of Mental Health should provide a comprehensive treatment program for inmates in need of psychotherapy.

STANDARDS

A. The Department will accurately identify inmates in need of psychotherapy.

B. The Department and the Office of Mental Health will establish a joint plan for treatment of inmates in need of psychotherapy.

C. The Department will design and implement separation links for its population in need of psychotherapy.

IMPLEMENTATION GUIDELINES

1. The Department will establish criteria which accurately defines inmates in need of psychotherapy.
2. The Department will select or develop measuring devices, tests, and screening procedures.
3. The Department will implement at classification centers screening, testing, and high lighted identification of inmates in need of psychotherapy.
4. The Department will establish identification and referral procedures at individual facilities.

1. The Department and the Office of Mental Health will develop a comprehensive set of treatment modalities appropriate to each facility's needs.
2. The Department will work with the Office of Mental Health to coordinate and monitor the delivery of services to those inmates in need of psychotherapy.

1. The Department and the Office of Mental Health will work with the Division of Parole and other human services agencies to provide continued services and treatment, when necessary, as well as placement for this population.

Inmate Special Needs and Services

Inmates in Need of Protection

The Department has responded to its long-standing need to provide protection for certain inmates by establishing a protection unit at Clinton Correctional Facility. This target group has presented a long-standing problem for correctional staff because of their vulnerability within the system.

As with the high risk inmate, this population must be accurately identified. Recent statistical information shows that the smaller, younger, weaker inmate is a primary target for sexual assault and extortion; however, some inmates in this category have sufficient "street sense" to function adequately in general confinement population. Therefore, all inmates must make their own determination of their need for placement in a special protection unit. Others, by means of court order or notoriety would be placed by administrative action in this special unit.

Although it is anticipated that the majority of inmates transferred to the program will initially come from the general population, an attempt will be made to shift the emphasis to selection at reception and classification. It is felt that the mere existence of this unit will affect classification in a positive way by highlighting this need. Newly arrived inmates identified as victim-prone could be assigned to the program to receive habilitative services and then moved to general population. The protection unit will be divided into two distinct components, one for long-term stay, and one for stays of short duration.

a. Long-term protection A housing unit will be identified and used for inmates who are in need of long-term protection. The majority of these inmates are expected to come from special housing units at other

facilities and are deemed to probably need protection for the duration of their incarceration. The estimated capacity of this unit should be 100-150.

b. Short-term protection A separate housing unit of equal size will be used to house inmates who, with adequate support, can be expected to move into general population. These inmates can be characterized as less sophisticated than the average inmate, less able to adapt to the general confinement population, and more apt to be victimized. Inmates will be expected to flow out of this program component on a fairly steady basis. When deemed ready by staff, small groups of inmates will be transferred into general population. Unlike previous protection units, this unit must have programs available to its population. Academic, vocational and cell study programs will be available along with group and individual counseling.

A vocational trade such as drafting should be available to the long-termers. A basic drafting program would take at least a year to complete and students could then spend as much time as they wished extending their skills into various specialized areas such as architecture or electronic drafting. Adult education programs should be available to both long and short-term inmates and should focus on literacy and functional competence needed for meeting the requirements of adult living.

A schedule of recreational activities should be established so that the recreation yard would be used as much as possible by as many inmates as possible. All inmates should have an opportunity to use the gymnasium facilities on a regular schedule.

When inmates leave this program, the transfer facility will be selected on the basis of its ability to provide continued support and protection to these inmates.

RECOMMENDATION: The Department should establish and maintain a unit to provide adequate protection for those inmates determined to have special need for protection.

STANDARDS

A. The Department will accurately identify its inmates in need of protection.

IMPLEMENTATION GUIDELINES

1. The Department will establish a screening procedure to accurately identify inmates in need of protection.
2. The Department will implement at classification centers the screening for inmates in need of protection.
3. The Department will accurately determine the number of inmates in need of protection.

RECOMMENDATION: *Continued*

- | | |
|---|---|
| <p>B. The Department will implement a special protection unit.</p> | <ol style="list-style-type: none"> 1. The Department will develop a comprehensive program for inmates in need of protection. 2. The Department will monitor the protection program and track all inmates who participate in this program. |
| <p>C. The Department will develop and implement separation links for its inmates in need of protection.</p> | <ol style="list-style-type: none"> 1. The Department will work with the Division of Parole to ensure adequate release services as required. |

High Risk Inmate

Within the total population of 21,000 inmates in New York State correctional facilities, there exists a relatively small number of intractable inmates who have histories of assaulting other inmates or staff or who actively promote disorder, plot takeovers, or incite other inmates to riot. These types of behavior, whether directly or indirectly violent, affect the safe and orderly management of the entire state correctional system.

This small but extremely significant group of inmates could be managed most efficiently and effectively within one unit, with anticipated positive impacts for both staff and inmates at a number of facilities in which they are now housed. Opportunities to disrupt operations, harm themselves or others will be severely limited within a highly structured unit, and it is anticipated that measurable benefits will accrue to the Department, the general inmate population, and the inmates in question through implementation of such a unit.

Historically, the high risk inmate has presented the most acute management problem for maximum security facilities. This problem was addressed in the *Multi-Year Master Plan of the Department of Correctional Services* published April 1, 1973. Identified as profile #18 "Offender in Need of Prescription Correctional and Control Program," it was recommended that a Prescription Program be established at Clinton Correctional Facility and ACTEC Correctional Facility and by means of behavior modification techniques, these inmates would be treated. Litigation by inmates and media reaction to the program contributed to the short life of that program.

The Department still recognizes the need to separate these inmates from general confinement population and

manage them in a separate unit or facility. Identification of this group is difficult, as is its definition. However, assaultive inmates, notorious inmates, inmates who pose escape threats, terrorists, and the like, comprise a population which presents a special risk to the Department.

The workshop sessions regarding this problem reached consensus on an acute need to identify and separate high risk inmates from general population. However, particular attention was paid to their rights and privileges, including administrative due process. The workshop members agreed that there exists sufficient protection under Chapters V and VI of the New York State *Codes, Rules and Regulations* (Title 7). It was suggested that, if by the nature of classification process, inmates were to be segregated, they be provided with due process. Historically, inmates have been placed in this type of unit as the result of disruptive behavior and that placement was done by either the Adjustment Committee or superintendent's proceedings.

Workshop participants agreed that if placement in a special unit was the result of disruptive behavior, program options should be minimal, thereby providing an incentive for the inmates in this unit to modify their behavior so they could return to general population and greater program opportunities. However, when a high risk inmate is placed in a special housing unit for other reasons, practical and relevant programs must be made available.

Staffing must consist of highly trained and motivated individuals who can work in these volatile units. Comprehensive and ongoing training and evaluation of personnel of this unit must be a priority.

A careful examination weighed establishing special program units in specific facilities against centralizing high risk inmates in one facility. Although certain outcomes such as improved staff morale and better program participation at "sending" facilities were

recognized as advantages of a central facility, there was consensus that a "high risk facility" would not be advisable and that the Department should develop the capacity to deal with this need in special housing units or special program units in various facilities.

RECOMMENDATION: The Department should establish special units for the high risk inmate at its maximum security facilities.

STANDARDS

- A. The Department will accurately identify its high risk population.

- B. The Department will establish special housing or special program units at its maximum security facilities for the high risk inmates.

- C. The Department will design and implement separation links for its high risk population.

IMPLEMENTATION GUIDELINES

1. The Department will establish classification criteria and procedural guidelines to define and provide for its high risk population.
2. The Department will implement at classification centers the screening of high risk inmates.
3. The Department will also provide designated facilities with the capabilities of screening and placing the high risk inmates.
4. The Department will accurately determine the numbers of high risk inmates in need of special housing units.
5. Information regarding this population will be collected and maintained by the Department's Management Information System.

1. The Department will design or develop a program for the high risk inmates.
2. The Department will designate the correctional facilities which will provide housing programs for the high risk inmates.
3. The Department will implement a pilot program and evaluate its efficiency.

1. The Department will work with the Division of Parole to ensure appropriate parole supervision.

IMPROVEMENT OF INMATE SERVICES

Inmates Requiring Drug or Alcohol Counseling

The Department's current information indicates that 60% of its inmates have a history of drug use and 24% have a history of excessive alcohol use.* The most conservative estimate of needs in this area indicates that thousands of inmates require some form of substance abuse counseling or treatment. Many may need long-term therapy.

The Department offers a variety of drug and alcohol counseling programs. Some have been conducted by departmental staff while others have been provided by the Division of Substance Abuse Services, the Division of Alcoholism and Alcohol Abuse, and private organizations with expertise in this area.

Program Services for Inmates with Substance Abuse Problems

Recognizing the extensive need for drug treatment services within the correctional system, the Department and the Division of Substance Abuse Services have developed a mix of responses to problems of substance abuse among inmate populations.

STAY'N OUT The Division of Substance Abuse Services and New York Therapeutic Communities, Inc., provide drug treatment services to male and female inmates at the Arthur Kill and Bayview facilities. The STAY'N OUT programs at Arthur Kill and Bayview are traditional therapeutic communities modified to fit into a correctional institution. The length of treatment is between six and nine months. Most program staff are graduates of community-based therapeutic communities as well as ex-offenders with prison experience who act as "role models" demonstrating successful rehabilitation. The course of treatment is viewed as a growth process with the inmate becoming an increasingly responsible member of society.

Tappan Substance Abuse Treatment Project This program helps prepare the inmate to reenter the community. The services provided include group, individual and family counseling, Adkin's Life Skills and high school equivalency classes. The program links the inmate with treatment and training programs in the community when he is released. The Tappan staff utilize a variety of treatment modalities. These include transactional analysis, reality therapy and rational authority.

*Preliminary results from a recent study by The Fellowship Center, Inc., indicate that a much greater number of inmates may have alcohol-related problems.

Taconic/Bedford Hills Standards Implementation Program (SIP) The Standards Implementation Program is designed to supplement basic institutional programs at Taconic and Bedford Hills by providing specialized services and counseling to inmates with a demonstrated history of substance abuse. SIP treatment services are divided into three phases:

- Intake — Selection of those inmates who volunteer and demonstrate the greatest need for drug treatment services.
- Treatment — Individual and group counseling sessions, including family counseling and the development of individual plans for achieving post-release goals.
- Continuity of Care — Identification of specific activities for each inmate which will assist his successful reentry into the community. Referrals will be made to community programs, counseling and vocational services to support him in maintaining those goals established during treatment.

Coxsackie Treatment and Rehabilitation for Addicted Prisoners Program (TRAP) A substance abuse treatment program has been operating at the Coxsackie Correctional Facility for selected inmates who have a substance abuse history. The TRAP Program is conducted by the New York State Division of Substance Abuse Services with the cooperation of the Department and the Division of Parole. The Coxsackie TRAP Program attempts to reduce illicit drug use and criminal activity associated with drug use through the provision of drug treatment services to selected inmates at Coxsackie and through aftercare services provided to these inmates while on parole.

Program Services for Inmates with Alcohol Abuse Problems

Alcoholism and problem drinking are problems of major magnitude among the 21,000 incarcerated offenders.

In 1977, the Department requested The Fellowship Center, an affiliate of the New York City Mission Society, to conduct an alcoholism sensitization training program for the senior counselors in its facilities, so that the Department could develop a cadre of staff who might begin programming for alcohol education and treatment in the facilities. With the aid of a grant from the New York State Division of Alcoholism and Alcohol Abuse, The Fellowship Center developed a curriculum for this training, and intensive five-day training sessions were begun. The training has been progressively refined and extended, as of June 15, 1980, to 822 uniformed and nonuniformed staff from all 32 facilities.

Inmate Special Needs and Services

As a result of this training, programming for alcoholism education and treatment has been developed at several facilities, and planning is currently underway to extend it as resources become available. A comprehensive program has been developed at Woodbourne Correctional Facility which has become a model for programs being initiated at other facilities.

With the assistance of the Division of Alcoholism and The Fellowship Center, the Department is developing similar models at five other facilities. The short-range plan is to have programs at all medium facilities and at the three facilities for female inmates.

In addition to the alcohol sensitization training, inmate Alcoholics Anonymous groups operate in 18 of the 32 facilities in the system.

Workshop Recommendations

In the workshop sessions on alcoholism and substance abuse that were held during the development of the plan, participants expressed a number of concerns about the present delivery system. Chief among these was the lack of standards and evaluative data for all programs. Particularly in the area of substance abuse programming, it was felt that the current variety of treatment modes had arrived in the Department independently, without a prior comparison made of their potential effectiveness.

The participants also raised these concerns:

- The need for better identification of inmates in need of drug or alcohol counseling during the reception process and in subsequent evaluations done by staff. Improved screening for inmates with alcohol problems is now underway at Downstate and Bedford Hills.

RECOMMENDATION: The Department should, in a joint effort with the Division of Substance Abuse Services, the Division of Alcoholism & Alcohol Abuse, and private providers, audit, evaluate, modify, and monitor the delivery of services to inmates with drug or alcohol problems.

STANDARDS

- A. The Department will accurately identify those inmates in need of drug or alcohol counseling.

IMPLEMENTATION GUIDELINES

1. The Department will establish criteria which accurately define its inmates in need of drug or alcohol counseling.
2. The Department will select or develop appropriate measuring devices, tests and screening procedures.

RECOMMENDATION: *Continued*

STANDARDS	IMPLEMENTATION GUIDELINES
B. The Department will coordinate the delivery of counseling services for this sub-population.	<ol style="list-style-type: none"> 1. The Department will design or develop a comprehensive delivery system of counseling services for those inmates in need of drug or alcohol counseling. 2. The Department's Research and Evaluation unit will audit, evaluate, monitor and provide periodic reports for possible modification of service delivery to this sub-population.
C. The Department will design and implement separation links for its population in need of drug or alcohol counseling.	<ol style="list-style-type: none"> 1. The Department will work with the Division of Parole and other appropriate state agencies, and private organizations to provide continuing services and treatment, when necessary, and placement for this sub-population.

CLASSIFICATION AND PROGRAMMING FOR WOMEN

MUCH CONCERN has been expressed in recent years about the status of women and their role in contemporary society, a concern mirrored within the criminal justice system as a whole and within corrections in particular by the increasing emphasis placed on incarcerated women. Within the Department, ongoing efforts have been made toward increasing program alternatives for incarcerated women. With an inmate ratio of approximately 600 women to more than 20,000 men, issues of parity of programming and the differential needs of women pose difficulties in the areas of program planning and facility management.

Emphasis regarding management of women is being placed primarily on the areas of classification, parity of programming, and special family-related needs. These efforts grow out of a recognition that women can benefit from a formal classification system which is comparable to that conducted for men, that women should have access to meaningful and diverse programming, and that

a majority of women committed to the Department experience stress due to separation from their children, for whom they were often the sole care provider.

Classification

Intake for Women The Department is proposing to revise its classification and reception process for women. This effort coincides with the Department's current effort to revamp its classification system for adult males which has accompanied the opening of the Downstate Reception and Classification Center.

Currently, all women committed to the Department are received at the Bedford Hills Correctional Facility in Bedford Hills, New York. From April 1978 to March 1979, the Department received 347 females at Bedford Hills.

Classification at Bedford Hills could generate a wealth of information necessary to rational program development for women. Further, the size of the female population, representing 3% of the Department's total inmate population of 21,000, provides a unique opportunity



within the Department to create viable program placement opportunities for women. Out of the Department's total complement of 32 correctional facilities, two are designated as facilities for women and one for men and women. Developing meaningful programs, while providing a continuum of services through various facilities and security levels, appears quite feasible within the institutional system for women, mainly on the basis of number of inmates, staff, and facilities involved.

Revision of Classification Process To ensure that the Department's efforts reflect the current state of knowledge in the area of classification of incarcerated women, the Department sought and received an award for technical assistance from the National Institute of Corrections. Efforts are now in progress to design and implement a classification system for women which will be comparable to classification for men, while still allowing flexibility to recognize and meet needs specific to incarcerated women.

The first stage in the development of a revised classification process for women has consisted of a review of the current classification and intake process, soliciting recommendations from involved staff, and a delineation of current program offerings for women. Programs available at Bedford Hills, Bayview and Albion are being inventoried, and the possible subgroups within the population are being identified.

In the second stage, current classification processes will be revised. Primary focus of the revised procedures will be programmatic, to complement current efforts which are security-centered. Emphasis will be on designing a system to identify subgroups within this population whose makeup is considered to have programmatic implications. Such groups include: mothers, long-termers, drug and/or alcohol abusers, victim-prone or aggressive persons, physically handicapped individuals, first offenders, persistent felons, and those needing supportive counseling to reduce anxieties generated by incarceration. Characteristics of these subgroups will be investigated with reference to the development of a classification system which relates to discrete, programmatic treatment categories.

The third stage will refine the classification system based on its actual operations. Both inmate and staff reaction will be sought with regard to the relevancy of the revised classification process as it relates to programmatic decision-making.

Parity of Programming

Guidance and Counseling Activities Expanded and more formal communication between facilities which house women will promote continuity in programming and allow the sharing of techniques that have been successful with incarcerated women. Joint case consultations preparatory to transfer or tri-annual meetings of key staff at involved facilities can lead to a more holistic approach to the treatment of women within the correctional system. Although the limited number of facilities for women hampers creation of a vast number of alternative programs, it does increase the Department's ability to coordinate and consolidate programmatic efforts. Planning and consistency can be built into the Department's system for women to an extent that would be hard to achieve over the broad range of facilities for men.

It is anticipated that revised classification procedures for women will generate much information necessary for program planning and staff development, particularly in the area of counseling needs. Although the Department currently recognizes the needs of incarcerated women with regard to parent/child relations, other specialized counseling needs remain unspecified and speculative. Data derived from classification should help to clarify the needs of incarcerated women with regard to requirements for supportive counseling, crisis intervention, career counseling, family counseling or pre-release counseling.

Occupational Training In an attempt to increase employability following release, the Department is placing an emphasis on expanding opportunities for training. The problems faced by women in the area of

occupational training differ both in degree and kind from those of men. In order to be effective, such programming must recognize that the prior work experience of most of these women has centered on service or clerical jobs, that those women typically have extremely low earning power yet are often a main source of support for small children, and that they often have histories of dependency, coupled with low self-images.

The Department will continue during the immediate future to make concerted efforts to improve its occupational training programs for women. Through funding from LEAA, the Department has been able to establish a non-traditional training program in building maintenance at Bedford Hills, and is now in the process of establishing training programs in commercial arts and drafting. Implementation of the commercial arts and drafting will bring the number of occupational training programs at Bedford Hills to seven.

In face of the progress made at Bedford Hills, attention is now being placed on developing a programmatic flow to the two release facilities for women, Bayview and Albion. Efforts will be made to develop continuity of programming from classification at reception through general confinement to release. Expansion of job counseling and job placement activities are being contemplated.

Parent/Child Services

Incarcerated Mothers Mothers appear to represent a significant proportion of the incarcerated women. Within the Department, a 1979 survey of women at Bedford Hills found that nearly 70% of women responding had children. A majority (61%) of the mothers were between the ages of 22 and 30. With regard to contacts with their children, 50% of the women indicated that they had seen their children within the past month. Two-thirds of the women (67%) had seen their children within two months.

These and similar findings across the nation have prompted women's rights groups, prisoner's rights groups, and children's rights groups to focus attention on the needs of the inmate mother and her children. Though there are no simple solutions, the increased scrutiny has generated growing interest in developing possible approaches to mitigating problems for inmate mothers and their children.

The opportunities for visits which are conducive to meaningful interactions between inmate mothers and their children are limited within the present setting of New York State's correctional facilities for women. Further, the formal structure of prison visiting rooms does not provide an opportunity for parenting or other physical contact between mother child in anything resembling a normal atmosphere.

The only relief from correctional constraints currently available to inmate mothers within New York State's maximum security facility at Bedford Hills occurs either through the Family Reunion Program or the Sesame Street Program. The Family Reunion Program provides, though on an infrequent basis, an atmosphere in which mothers and their children can interact in a relatively private setting. The Sesame Street Program, an adjunct of regular visitation, provides the opportunity for some parental activities within a play setting. The programming will soon be expanded to include Bayview and Albion, which will serve both men and women.

Programming for Inmates Who are Parents

Comprehensive programming for parents and their children is being developed to provide a community-based network for service delivery, particularly for mothers and their children as a family unit. In order to ensure necessary outside linkages, the program is being developed cooperatively by the Division of Parole and the Department, in consultation with community-based resources.

It is anticipated that parent/child programming will include:

1. a special visiting component which allows mothers and their children to interact in a setting conducive to strengthening family relationships and provides the mothers an opportunity to improve their functional abilities as parents;
2. a family counseling component which provides family counseling for inmate mothers, children, and related family members;
3. a staff training component to sensitize staff, both on program and security levels, to the stresses faced by inmate mothers;
4. an educational program centered on child and family developments;
5. supportive counseling for inmates which addresses issues surrounding placement options for parents with children, including foster care and adoption, as well as dealing with anxiety and guilt growing out of separation from children;
6. a counseling component which focuses on mothers who were child abusers;
7. an outreach component which provides liaison between inmate mothers and community agencies and schools which provide services to their children; and
8. a pre-release component which focuses on problems faced by a single working parent.

RECOMMENDATION: The Department must improve classification and programming for the incarcerated women.

STANDARDS

- A. The Department should develop a classification system for women which is comparable to the improved classification system for men.

- B. The Department should provide a range of program opportunities appropriate to the needs of women.

IMPLEMENTATION GUIDELINES

1. The Department must review current reception and classification procedures.
2. The Department must inventory current program offerings.
3. The classification process should identify sub-populations with special needs, particularly those sub-populations with needs unique to the women.
4. The Department will establish security criteria for classification.
5. The classification process must ensure appropriate matching of program needs and capacities.

1. The Department must provide educational and vocational programs for women which are equivalent to those it provides for men.
 2. The Department must adjust its counseling programs to the particular needs of women.
 3. The Department must improve occupational training programs in order to increase the employability of women upon release.
 4. The Department must upgrade its separation services and establish linkages with service organizations to provide an adequate transition for the women who are returning to the community.
-

RECOMMENDATION: Correctional Facilities should strive to provide meaningful parent/child programming.

STANDARDS

A. The Department should provide visiting room programs modeled after a successful program at Bedford Hills, specifically designed to enhance visitation by children.

B. The Department should provide parent effectiveness training as a routine part of program efforts.

C. The Department should provide specialized counseling for parents.

IMPLEMENTATION GUIDELINES

1. The Department will establish visiting room programs geared for children at selected facilities.
2. The Department will provide a day care setting to visting children to encourage visitation, provide a more natural atmosphere for interaction with parents, and provide an opportunity for adult conversation within the regular visiting room.
3. The Department will establish a training program for inmate aides in child care and parenting to assist with visiting room programming.
4. The Department will establish a staff training and sensitization program concerning the problems of incarcerated parents.

1. The Department will provide programming for women for whom parent effectiveness training would be appropriate and desirable.
2. The Department will survey its male population to generate data comparable to that which exists on females regarding their role as parents and need for specific types of parent/child programming.

1. The Department will establish a special visiting component which provides opportunity for parents and their children to interact in a family setting under the supervision of a child development specialist who can guide the parent toward improving interaction patterns.
2. The Department will establish a family counseling component to provide counseling for parents, children, and significant other family members.
3. The Department will provide counseling for child abusers.

RECOMMENDATION: Continued

D. The Department should provide educational programs regarding family relations.

E. The Department should provide supportive counseling for inmates concerning child placement issues.

1. The Department will establish an education program centered on child and family development.

1. The Department will provide supportive counseling for inmates involving issues surrounding placement options for parents with children such as foster care and adoption.
2. The Department will provide supportive counseling to inmates who experience severe anxiety due to separation from children.

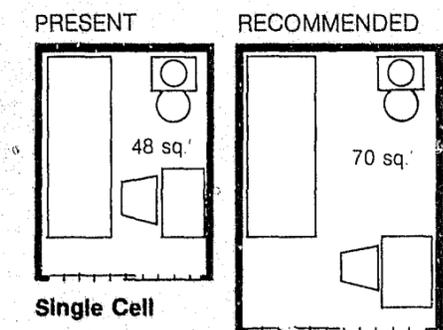
Standards for Essential Services

"The Department must develop and apply standards to its operations."

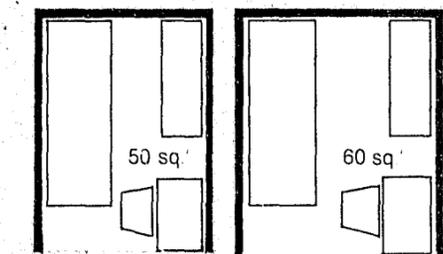
WITHIN THE LAST ten years, corrections has become an increasingly visible component of the criminal justice system. Because of this visibility, external sources have had significant impact upon the Department's policy and procedures. Prominent among these external sources have been court decisions which have affected conditions of confinement, disciplinary proceedings, access to the courts, and other critical aspects of facility life. During this same period of time, there has been a rapid proliferation of "minimum standards" which affect virtually every aspect of corrections. Professional organizations, "watchdog" agencies, lawyers, judges, health specialists, safety specialists, and others have entered into the arena of developing and setting standards for correctional agencies and institutions.

Well researched, meaningful standards are extremely important to the operation of correctional agencies. Prominent among standard setting groups is the Commission on Accreditation for Corrections which is sponsored by the American Correctional Association. However, even this group recognizes that in the past "corrections standards have remained as ideas to publish, not guidelines to apply to operating agencies." Standards must guide operations. Standards must also reflect that which is achievable.

CELL SPACE



Single Cell



Dormitory Space

In New York, the State Commission of Correction has the following responsibility: "Promulgate rules and regulations establishing minimum standards for the care, custody, treatment, supervision, discipline and other correctional programs for all persons confined in

correctional facilities." (*Correction Law*, Section 45 (6). The Commission has promulgated standards for local correctional facilities (county and city jails and penitentiaries) and presently is in the initial stages of developing standards to apply specifically to the Department's facilities.

This plan recommends that the Department work closely with the Commission during the developmental stages of its standards projects. It also recommends that the Department pursue the ACA's accreditation process, if not on a system-wide basis, at least on a "model facility" basis.

The plan proposes standards which are intended to reflect current and suggested policy directions in critical areas.

The Department's priority for future standards development and implementation will be in the area this plan refers to as "essential services." This term is used to encompass health services, food, housing, personal hygiene, and safety. The plan proposes the following minimum standards for essential services but recognizes that the Department must engage in a comprehensive effort to develop and implement appropriate standards to govern the entire operation of its correctional facilities.

Housing

- A. Individual cells should contain at least 70 square feet of floor space.
- B. Dormitory housing should contain at least 60 square feet of floor space per inmate exclusive of activity space.
- C. Each room or cell must have:
 1. A functioning toilet.
 2. A bed and mattress.
 3. Running water.
 4. Lighting which is sufficient to prevent eyestrain.
 5. Acoustics which ensure that noise levels do not interfere with normal human activities.
 6. Heating and ventilation which are sufficient to ensure health.

Food Services

- A. Each facility shall ensure that its food service provides each inmate with at least the minimum level of nutrients and calories stated in the Recommended Dietary Allowances, National Academy of Sciences.
- B. The Department shall ensure that any medical diet prescribed for an inmate by a physician be provided.
- C. The Department shall provide sufficient food items for inmates to observe reasonable dietary laws established by their religion.

Personal Hygiene

- A. Inmates shall be allowed hot showers at least three times per week.
- B. Inmates shall be permitted to shave daily.
- C. Inmates shall be issued clean linen weekly on an exchange basis.
- D. Each facility shall maintain a laundry service sufficient to provide clothing exchange for all inmates or allow inmates access to washing machines.

Safety

- A. Each facility should comply with state sanitation, safety, and health codes.
- B. Each facility should be thoroughly inspected on at least an annual basis.
- C. Each facility should have a qualified fire and safety officer.
- D. Each facility should have an emergency evacuation plan.
- E. Each facility should be equipped with necessary fire detection, control and protection equipment.
- F. All machinery should be operated within accepted safety guidelines.

Health Services

Health care for inmates has been an area of controversy for years. Despite concerted efforts to improve care and treatment, the quality of care and the management of the health service delivery system fall short of the Department's policy goal: the delivery of quality health care in the most cost-effective manner.

Prison health care delivery is complicated by a number of factors. Inmates' health needs generally exceed those in the community due to long term inattention to health care or involvement in a debilitating life style. Incarceration itself intensifies the inmates' awareness and interest in care, and the correctional environment with the ever-present attention to one's legal rights raises the level of expectation and posture of imminent litigation if there is a perception that the care or treatment is not complete.

The lead case in health care to inmates is *Estelle v. Gamble*. The U.S. Supreme Court affirmed that inmates have a right to adequate medical care and that "deliberate indifference" to the medical needs of inmates violates the Eighth Amendment to the U.S. Constitution. The Court pointed out that the inmates' rights were violated whether the "indifference" was manifested by an

intentional denial or delay in access to care or treatment once prescribed. In addition to the U.S. Supreme Court decision, there have been a number of other important federal court decisions like *Todaro v. Ward*, etc. Realizing that the only health care available to inmates is that which the correctional system provides, the courts have mandated that complete health care be provided. Litigation often has been helpful in calling attention to the need for more and better health care resources. An unfortunate side effect, however, has been the need to practice "defensive medicine" — a brand of medicine concerned less with health care needs of patients than with the needs of an adequate defense should a suit be filed. Defensive medicine is counter-productive for it requires that scarce manpower and resources be used in ways which are dictated by legal considerations rather than the best interest of the patient.

The Department will continue to work toward improving health care for inmates. The approach the Department has adopted points toward resolving the most critical problems of access, cost, and quality which in turn depends upon maximizing limited state resources. This section of the plan serves as a guide for resource allocation and emphasizes the need for short and long range strategies for implementation.

It is very difficult for the correctional system to keep pace with the rapid changes in the broader community's health care delivery system. Financing and technological advances have definitely altered the practice and delivery of health services. Due to the pressures of cost and quality, a pattern of health care has evolved within the Department over the past ten years which combines health services within each facility with those services available in the community in order to ensure complete health services for inmates with medical needs. Consequently, the correctional system is directly and sometimes severely affected by the changes in the delivery of community health services outside of corrections.

In the face of these and other pressures, the Department, however, will maintain a basic and solid program that will ensure that health services are made available for inmates with medical needs.

The structure of prison health services should differ very little from other health care systems:

Primary Care Services, including dental and psychiatric, must be provided efficiently and effectively.

Secondary and Tertiary Care Services and referrals to other medical specialists and hospital admission for acute care and needed diagnosis and evaluation must be integrated into the primary care program to ensure a comprehensive array of services. Furthermore, a system for follow-up care and re-evaluation is an adjunct to a well-organized primary care system. The difficulty is that

health care services generally fail to adhere to this construct.

In the face of changes in community health care practices and the flood of litigation which will continue to influence decisions on resource allocation, the Department is committed to:

- develop good ambulatory services within the correctional system, and
- improve coordination with the community.

It is expected that in achieving these objectives the Department will benefit by increasing services for inmates within the facility, accessing needed community resources, and improving the efficiency of its delivery system. It is in the interest of the Department to have healthy inmates; this reduces the drain on finite medical resources, allows inmates to be normally programmed, and is a better defense against litigation.

There are many complications in achieving these objectives, not the least of which is the recruitment and retention of qualified practitioners. This presents itself as one of the major barriers to providing health care within our correctional facilities. The fee schedule set by the state is not competitive with the salaries and fees in the community; other incentives such as continuing education are not readily available. Compounding this problem is the condition of equipment in our facilities. It is inadequate or is out of date with the newer technological changes available within the community, thereby further discouraging practitioners from working within our facilities.

The complications in the delivery of health care have given rise to the need for professional health care administrators. This is true for the broader community as well as for the correctional system. Having administrators in place will improve the management and flow of health services; resources will be better allocated through improved budgeting and planning; continuity of care will be ensured through better coordination with community resources.

One of the greatest sources of frustration and one of the most significant problems is an inadequate information system. A fully developed and implemented medical records system is critical for the following items:

- 1) Continuity of patient care
- 2) Communication among practitioners
- 3) Evaluation of quality care
- 4) Information for management purposes

Many of our inmates have chronic health problems: hypertension, diabetes, seizure disorders, asthma, cancer, kidney failure, all requiring continuous care.

IMPROVEMENT OF INMATE SERVICES

Inmates with these conditions absorb a disproportionate share of the Department's health care resources. Many can be maintained within the general population through chemotherapy and regular check-ups but others often are severely disabled by these conditions and require special attention. It is important that the Department develop a special service to deal with these more severely disabled inmates. It is anticipated that a special unit for the physically disabled will be created to serve both long term chronic cases and short term orthopedic cases.

Through improved management of its finite resources, the Department will continue to meet the health care needs of its inmates. A well-organized ambulatory care system within corrections and better coordination of community resources will benefit both the inmate and the Department by maintaining access and quality of health care services.

RECOMMENDATION: The Department must provide quality health services to inmates.

STANDARDS

- A. The Department should establish standards for the provision of health services.
- B. The Department should improve its recruitment and retention of health care professionals.
- C. The Department should develop an information system in order to evaluate its health care service delivery.

IMPLEMENTATION GUIDELINES

- 1. The Department will evaluate the standards of authoritative professional groups for applicability to the needs of inmates.
- 2. The Department will formulate specific standards and guidelines for health care and treatment.
- 1. The Department and control agencies must re-evaluate the salaries and fees for health care providers.
- 2. The Department must develop a continuing education program for its health care personnel.
- 1. The Department must completely implement its problem-oriented data base.
- 2. The Department must develop the evaluative criteria to monitor and evaluate the quality of care and service delivery.

RECOMMENDATION: The Department must improve the effectiveness and efficiency of its health services.

STANDARDS

- A. The Department should establish linkages with other governmental agencies and community general hospitals.
- B. The Department should strengthen its management of its health services delivery system.

IMPLEMENTATION GUIDELINES

- 1. The Department will complete its identification of service providers and formalize a network for service delivery.
- 2. The Department will establish agreements with other governmental agencies for the acquisition of sufficient resources for service delivery.
- 1. The Department will establish clear lines of authority and responsibility.
- 2. The Department will establish an information and evaluation system to determine the effectiveness and efficiency of its health services delivery system.

Improvement of Staff Services

"The Department must improve employee pride and interest in their jobs."

"The Department must increase the ability of employees to perform their jobs well."



Work Environment

OVER THE PAST ten years the Department has realized a massive expansion in the size of its inmate population, the number and types of its facilities and the scope of services and programs provided within those facilities. Concurrently, executive leadership of the Department has changed five times resulting in changes in the administrative policy direction of the Department. Moreover, legislative and judicial actions have placed new mandates upon corrections agencies concerning the rights of offenders and the conditions under which they

are incarcerated. Throughout this "decade of change," however, little attention has been paid to the impact of such changes upon the employees who carry out the various functions of the Department.

In developing the goals for the planning effort, the Advisory Committee recognized the need for the Department to increase employees' interest and pride in their jobs and to improve employees' ability to perform their jobs well. During the field consultation phase of the planning effort, a great deal of the discussion focused upon the "work environment" in order to assess employee attitudes toward their work and to survey

employee needs as perceived by line, supervisory and management level staff. At each of the facilities visited, the employees expressed frustration over their inability to perform their jobs and consistently identified the same basic issues as key factors affecting morale and performance. Briefly stated, the issues are as follows:

Communication

Internal: The Department has undergone a period of rapid change and expansion under a succession of commissioners. The result, as perceived by staff, has been an agency lacking any clear, consistent mission and objectives. Policy and procedural changes have been frequent and poorly communicated to the staff responsible for implementing those changes. Finally, there is a perceived lack of coordination among divisional policy makers and between staff at all levels, causing inefficiency of effort at the facility level.

External: Employees feel that the events of the past decade have caused a deterioration of the public image of the Department. Public attention has focused upon the Department's shortcomings, with little recognition of the problems faced or the advances made by the Department. As a result, the Department has no constituency to support its legislative and budgetary needs. Similarly, it is felt that the agency has failed to communicate its needs to other parts of the criminal justice system (i.e., courts, probation, parole) for assistance in carrying out its mission.

Staffing/Staff Performance

Existing staff shortages and mandates for further cuts in staffing were the major concerns raised in discussions of staff performance. With vacancies exceeding 20% in non-uniformed personnel and 5% in security staff, the proportional increases in work load have made it increasingly difficult for employees to meet the demands and expectations of the administration. Compounding this problem is a lack of clearly defined roles and responsibilities for the various positions causing inefficient deployment of staff. Additional responsibilities have been added in a crisis-reactive fashion, rather than as the result of planned change to meet both the short and long term needs of the agency.

In addition to the problems related to staff shortages and deployment, the employees cited problems related to their abilities to perform their jobs. It was felt that the Department is neither recruiting nor selecting the persons best suited to the jobs, especially the critical role of correction officer. Moreover, except in the case of correction officers, employees receive neither initial nor in-service training to acquaint them with departmental policy or to build the skills necessary to perform their roles and responsibilities. It was further believed that

supervisors and managers do not receive the training necessary to effectively perform those roles.

Employee Rights The issue of employee rights concerns both the legal and human rights of employees of the Department. There was a clear perception on the part of employees that their rights and needs have been given less attention than the rights and needs of inmates. Employees cited examples of unsafe, uncomfortable working conditions with inadequate locker rooms and lunch rooms while capital expenditures are made to provide expanded inmate visiting and program facilities. Similarly, while the Department has provided the inmate population with grievance mechanisms and has strengthened the due process of its disciplinary procedures, it has perpetuated a situation of poor labor management cooperation and a lack of speedy, equitable resolution to employees' disciplinary and grievance matters.

A concern which pervaded the whole work environment issue was that the Department has offered weak, reactive responses to pressure and litigation brought against it. The feeling was that the Department has "given away the store" in its failure to anticipate trends or plan for improved operation and its failure to assertively defend itself and its employees in court. Many of the Department's procedural changes, particularly in the area of inmate discipline, were seen as the result of inadequate legal assistance available to the Department. While the availability of legal assistance has increased for the inmate population, resulting in increased litigation against the Department, the Department has been unable to increase the capability of its own counsel's office. As judicial oversight of the Department increases, the Department's ability to plan and implement changes more appropriate to its capabilities is weakened.

Under its current leadership, the Department has begun to address some of the work environment problems. Focusing upon labor relations as a means to resolve employee problems, the Department has initiated labor-management training for its supervisors and joint labor-management seminars for facility administrators and union officials. Moreover, it has placed renewed emphasis upon problem solving through labor-management committees at both the facility and state-wide levels.

In an effort to maintain effective security coverage in the face of staffing cuts, the Department has undertaken a comprehensive evaluation of the deployment of its security personnel. Despite initial employee skepticism, the project has succeeded in improving the utilization of security staff at the facilities which have been reviewed.

Other programs currently underway which address work environment problems are:

Legal rights training: This training provides Department personnel with practical knowledge of criminal

IMPROVEMENT OF STAFF SERVICES

and corrections law and with the legal rights and responsibilities of employees in the performance of their duties.

Pilot employee assistance program: This program is designed to provide a referral service for troubled employees whose problems affect their job performance.

Crisis intervention team training: This effort is intended to minimize the possibility of personal injury to Department staff and inmates during crisis situations by providing a number of Department employees with special training in hostage negotiation. This project also aims at development of an "early warning" system to identify potential crisis situations within the facilities.

These efforts represent an initial step toward addressing system-wide needs for improving facility work environments. However, there are additional problems which require the immediate attention of the agency. Most pressing are staffing problems in other than uniformed positions. Vacancies in program services and administrative support areas have compromised the ability of facilities to operate effectively and have raised the total costs for operating the system. Forced overtime and pressures on higher paid personnel to perform lower level staff work are costly administrative practices. The Department has failed in the past to document its basic staffing requirements for service delivery and administrative support functions. The lack of substantiation of needs has created a communications gap between the facilities, the central office and control agencies.

It is strongly recommended that the Department begin an in-depth analysis of staffing needs generated by the program and service demands of each correctional facility. Such an analysis should establish the volume and types of work necessary to perform the various functions required of the facilities. Moreover, it should chart the functional responsibilities of each category of employee, both individually and in relationship to other categories of staff who are required for the same functions. Finally, it should establish efficient staffing patterns and ratios based upon these responsibilities. An analysis of this nature would serve not only to document the Department's current staffing needs but also to establish future staffing needs resulting from any program expansion.

Equal Employment Opportunity and Affirmative Action

The Department is committed to the goals of equal employment opportunity and affirmative action. The Department acknowledges its responsibility under state and federal law to pursue vigorously a program of

compliance and affirmative action designed to increase the representation of qualified minorities, females, the handicapped, and other protected persons.

In the past the Department has opened new opportunities for qualified minorities, females, and handicapped employees and efforts continue in an attempt to comply with federal and state mandates and to work toward a totally integrated work force which will measurably improve the delivery of service to its population of over 21,000 inmates.

The Department's major thrust in affirmative action began in January 1972 with the enabling mechanism of a federal grant and the establishment of the Minority Manpower Unit. At that time a survey showed only 250 Black and 23 Hispanic officers working throughout the state. Currently, there are 1380 Black male officers (17%), and 360 Hispanic male officers (4.8%) out of a total male officer complement of 7460. With sex decertification October of 1977, the number of females in the security forces began to increase. As of August 1, 1979 there were 481 female correction officers of which 305 were minority females. After eight years of intensive recruiting, 20% of the Department's work force of 12,747 are minority group members. These achievements have not gone unnoticed. The Department has been commended by the New York State Department of Civil Service, the Capital District (Albany) Chapter of American Society of Public Administrators and the State Human Rights Division.

Shortly after his confirmation by the New York State Senate in 1979, Commissioner Coughlin renewed efforts to implement a more viable and workable affirmation action program for the Department. In a memorandum dated November 15, 1979, Commissioner Coughlin outlined a new plan designed to:

Develop programmatic resolutions toward the elimination of all effects and practices of unjust exclusionary employment practices and policies.

Develop educational and training programs for all employees, with due emphasis on upgrading minorities, women and the disabled.

Develop personnel practices, policies and career ladders to assist and encourage upward mobility for employees restricted to lower levels.

Develop mechanisms for swift and judicious resolution of human rights problems consistent with our departmental policies, the Governor's executive orders and all other applicable legal requirements.

A significant feature of the plan is that it provides for central administration of policies and procedures while allowing sufficient flexibility for each facility to develop its own individual program tailored to its needs and the resources available in the surrounding community. Moreover, it encourages the cooperation of facility management, union representatives and minority staff in

monitoring implementation of the facility's affirmative action plan and in designing programs for improving the relations and understanding between races and sexes in the facility work force. Finally, it seeks to establish procedures for the full introduction of minority business involvement in all areas of spending and purchasing for the agency.

A basic problem in the implementation of an affirmative action program in any organization is the general fear of many that "affirmative action" means the taking of jobs or promotional opportunities away from the majority and giving them to the minority. A communications gap exists which must be eliminated if personnel are to realize that affirmative action means "fairness to all" and not necessarily an excuse to create quota systems. Affirmative action is not a synonym for hiring people with fewer qualifications or promoting people with less experience. Rather, affirmative action policy offers potential advantages to all persons. For example:

1. It encourages the substitution of specific paid or unpaid work experience for more restrictive educational requirements and the establishment of trainee levels for various job titles which broadens the pool of persons eligible for employment.

- It encourages the development of new careers and expands opportunities for advancement of non-professional personnel into professional positions.

3. The reduction of traditional prejudices among employees, supervisory and management level personnel will serve not only to minimize bias in employment practices (hiring, performance evaluation and promotion) but also to reduce tensions within the facilities stemming from perceptions of staff prejudice.

4. The development of a framework to cooperate and communicate with community organizations for recruiting will serve also to dissolve the traditional "isolationism" of the facilities from the community and improve the public image of and interest in the Department of Correctional Services.

The goal of the Department's affirmative action program is to employ qualified protected class individuals in numbers proportionate to their representation in the labor market surrounding the Department's facilities and offices. Moreover, it calls for career opportunities to increase the representation of these individuals at all levels of the agency. Achievement of this goal will require effective public relations and recruiting practices, as well as improved training programs, opportunities for career mobility and labor-management relations.

Recruitment and Screening

The basic premise of an effective recruitment and screening function is that the process should provide the employer with the best possible candidates for the positions offered. When this occurs, the employer can be reasonably assured that new employees, both entry level and promotional, will perform and progress at expected levels. Unfortunately, the Department falls short of this objective and must do much to improve its method of selecting prospective employees.

In order to improve the screening process, the Department must continually analyze the actual job functions performed by its employees and work with Civil Service to construct and administer the most appropriate selection devices for the various positions. The Department must also monitor recruiting and screening techniques to ensure their appropriateness and to initiate changes as they are required.

Currently, the Department of Civil Service is responsible for screening candidates for compliance with established prerequisites. For various reasons, however, a significant number of candidates are found to be lacking certain basic requirements after they are hired. This problem results in significant costs both in monetary and human terms, and also serves to weaken the overall character of the work force that is in direct contact with the inmate population. In order to resolve this problem, the Department should institute its own investigative unit for verification of educational, medical, and criminal history requirements. Also, there is much current support for using psychological testing to complement other screening techniques. The belief is that some form of psychological testing could reveal certain personality characteristics that could indicate potential behavior that may present a real danger to the employee, his co-workers and the inmate population.

The screening of candidates can be viewed from a legal as well as an economic perspective. There is an increasing body of case law that allows not only for injunctive relief but for damages to inmates where the agency knowingly fails to weed out incompetent applicants and where specific harm can be shown to result from such failure. As the legal capabilities and the availability of representation increase for the inmate population the threat of legal liabilities stemming from an inadequate selection process increases for the Department.

The hiring of an individual does not mean that the screening process is concluded. The Department must actively follow the new employee through his/her probationary period to ensure that performance is up to expected, described levels. If those levels are not

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maintained then a course of remediation or termination can be established. Also, during the probationary period, information should be gathered that can be used to modify training procedures, but also may indicate some necessary changes in the earlier stages of the hiring process.

Since effective screening serves to provide the best candidates from an existing pool of eligibles, the attraction of higher caliber applicants to that pool is an important function of any recruitment program. Therefore, as a complement to the screening initiatives, it is recommended that the Department consider the merits of establishing the correction officer position as the entry level for most higher level positions. Under such a system, modeled after the Federal Prison System, the Department would promote a "correction worker" concept in which all upper level employees are experienced security personnel whose work varies by function within the facility. The potential merit of this system is twofold:

1. The Department would increase the attractiveness of corrections as a career field by offering expanded opportunities for upward mobility based upon acquiring a minimum amount of correction officer experience and possessing prerequisite educational requirements.

2. Requirement of line security experience for promotion would force creation of career paths which

allow an employee to move upward within or across the security, program, and administration disciplines.

The wider range of career opportunities for new employees combined with new avenues provided to employees who take advantage of available education programs would greatly enhance the Department's image in the job market.

In addition to emphasizing career and educational opportunities within the Department, recruiting efforts should also emphasize the positive aspects of the Department and its employees. Employee accomplishments and contributions to the community should be publicized to counteract the negative image that is projected by the inappropriate actions of a few individuals. The agency should make every effort to project the Department as a "good place to work."

The Department has had relatively little trouble finding people to fill needed positions, especially in the security ranks. However, the philosophy of "survival of the fittest" as a method of screening has proven to cause numerous critical problems for the agency which cannot be resolved overnight. The following proposals for recruitment and screening standards are suggested as a start at providing a process that will build a personnel base that will give the Department the strength it needs.

C. The Department will assume direct responsibility for screening new and promotional candidates for compliance with established pre-requisites for various positions.

D. Psychological testing should be required of all new candidates seeking contact positions.

E. The Department will carefully monitor the performance of trainees and probationary employees.

F. The Department will monitor the effectiveness of its recruiting and screening.

1. The Department will set up an investigation unit that will be responsible for verification of established qualifications such as:
 a. Criminal history
 b. Academic requirements, i.e., H.S.E., H.S. diploma, college credits
 c. Medical and physical ability requirements
 d. Legal requirements

1. The Department must establish standards and methods for psychological testing.

1. The Department must establish standards and levels of performance required of trainees and probationers.
 2. Academy staff and facility managers should monitor and document performance of trainees and probationers, recommending remediation where possible and termination where appropriate.

1. The Department should gather information on rates of trainee and probationer failures toward modifying recruitment and screening techniques.
 2. The Department should regularly audit the training curricula and the staff's evaluation of employees toward enhancing the success of recruitment and screening policy.

RECOMMENDATION — Recruitment and Screening

STANDARDS

A. The Department will actively recruit its employees and promote the positive aspects of working for the agency.

B. New employees must demonstrate basic competencies relevant to positions being sought.

IMPLEMENTATION GUIDELINES

1. The Department will visit local communities, making special efforts to find qualified minority and protected class individuals.
 2. The Department should publish positive employee accomplishments and academic and career opportunities associated with working for the Department.

1. Job analysis and description of departmental positions must be completed.
 2. Selection qualifications must be established for departmental positions.
 3. Testing and screening methods should be established for new and promotional items.

Training

The Department recognizes the importance of training to improve the capabilities of its employees. The Department of Civil Service sponsors a wide variety of programs at numerous sites throughout the State. Contractual agreements between the State and the employee unions have provided tuition assistance for employees who wish to advance themselves academically, and the SUNY colleges and universities have responded to the needs of employees in their communities by offering programs appropriate to the work performed in nearby State offices and facilities. Through the efforts of the Higher Education Institute and the Management Education Program established in 1976, the number of Correctional Services employees involved in higher education has risen steadily in recent years to more than 1,500 at present.

In order to meet the specific needs of the agency and its employees, the Department established its own training academy in 1972. Over the years, the academy has developed an increasingly comprehensive program of pre-service training for new correction officers which currently includes 12 weeks of instruction, followed by on-the-job training at the facilities. Additionally, it has developed in-service training programs aimed at providing 32 hours of annual instruction for correction officers at each correctional facility. Its major shortcoming, however, lies in the limited scope of training programs for non-uniformed personnel and for supervisors, both uniformed and non-uniformed. At present, the Department provides no pre-service or specialized in-service training programs for nearly 40% of its total work force.

Failure to provide non-uniformed and supervisory personnel with job-specific training has had a serious

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negative impact upon the agency in terms of the performance capabilities of those employees. New employees are acquainted with their roles and responsibilities as time permits, some may never acquire the levels of technical skill necessary for effective performance of their duties, and employees promoted to supervisory levels find themselves unprepared for their new responsibilities. The net result to the agency is a work force frustrated by its inability to effectively perform the functions for which it was hired.

In group interviews and workshops conducted with departmental employees throughout this planning process, training emerged as one of the primary topics of concern. Employees at all levels of the agency consistently referred to the need for training in order to heighten awareness of departmental policy and procedures and to build the skills necessary for effective performance of jobs. Discussion of specific training needs with facility personnel and training staff focused upon three basic themes:

- A) It must be recognized that each facility employee contributes to the safety and security of the facility. Whether in an inmate contact position or not, failure of an employee to follow established security procedures could compromise the security of the facility and/or jeopardize the safety of an inmate or staff member. The Department, therefore, must respond to the need of every employee to recognize security policies and procedures in the context of his or her own functions and responsibilities.
- B) Many employees perform functions which require specialized skills and abilities. The

Department should provide these persons with training to build these required skills and/or abilities and to update them as necessary. Moreover, training must be provided to assist skilled employees in adapting their skills to the correctional environment.

- C) As line staff advance to supervisory levels, they require a new set of skills which relate less to their technical specialties and more to the management of people and resources. In order to ensure effective and consistent supervision throughout the agency, the Department must provide a transitional program of instruction in supervision, labor relations, personnel policies, and management practices.

Recognition of training needs is not seen as the problem preventing a fuller answering of those needs. Agency administrative and training personnel are well aware of employee training needs and the training programs that are available. What is sought is a commitment by the Department to improving, expanding and varying those programs to provide appropriate training for all Department staff.

Since the Department currently has sufficient physical space and equipment to conduct training centrally, it is felt that a moderate investment in additional training staff, coupled with more efficient scheduling of local and regional training programs, would permit the development of the training function into the comprehensive Department resource it should be.

RECOMMENDATION — Training

STANDARDS

- A. The DOCS Training Academy will expand its capability for curriculum development, needs assessment, program delivery and evaluation with regard to the training of all employees (uniformed & non-uniformed) at the pre-service and in-service levels.

IMPLEMENTATION GUIDELINES

- 1. The Department must have an assessment process which systematically gathers and evaluates data on training needs of each function and authority.
- 2. The Department must have a process to review the curricula of its training programs to ensure their relevance.
- 3. The Department must provide sufficient personnel and other resources for its training programs and develop new modes for delivering those programs.

- B. All facility-based, non-uniformed employees will receive a minimum of 40 hours of pre-service training.

- C. All facility-based, non-uniformed employees will receive a minimum of 20 hours of in-service training annually.

- D. All employees (uniformed and non-uniformed) will receive a minimum of 8 hours of orientation during their first week in their jobs.

- E. The Department will provide training for transition between titles or classifications and supervisory training at basic, intermediate and advanced levels.

- 4. The Department must assure that personnel to be trained are relieved of their normal duties.

- 1. The Department should develop training packages appropriate to the needs of broad categories of employees (i.e., professional, clerical).
- 2. The Department should test training packages by involving facility managers and union representatives.

- 1. The Department should develop training packages appropriate to the needs of broad categories of employees (i.e., professional, clerical).
- 2. The Department should test training packages by involving facility managers and union representatives.

- 1. The Department shall develop a standardized orientation package.
- 2. The Department shall train their training personnel in conducting the orientation program.

Performance Evaluation

The Department operates a performance evaluation system developed by the State through its Governor's Office of Employee Relations. In its 1979 contract negotiations with the three public employee unions (Council 82, CSEA, and PEF), the State introduced a new performance evaluation element which tied salary increases directly to employee performance and which provided the potential for accelerated increases for those employees who exhibit above average performance. Although the system that ensued is seen as superior to the previous system, the first round of evaluations failed to meet the expectations of both the State and its employees.

The difficulties in the new system are believed to stem from the historical focus of performance evaluation in New York State Civil Service and the changes brought about by the new format. The previous system which had

been in effect until 1979 was essentially a negative system which emphasized identification of unsatisfactory employees and documentation to substantiate the rating of those employees as "unsatisfactory." Satisfactory performance ratings required no documentation since salary increases essentially related to longevity rather than performance. Annual evaluations became almost a mechanical function in which only significantly deficient employees received any documentation of their performance.

With the implementation of the current system, supervisors were called upon to evaluate their subordinates on the basis of key job functions and to comment upon an individual's level of performance for each function. Moreover, the expanded range of performance categories mandated more specific consideration of degrees of competency or incompetency, which reflect individual strengths and weaknesses. But in

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the absence of any well-defined guidelines to delineate each of the categories, and without appropriate training and preparation for the task, supervisors were left to their own subjective judgements in preparing the evaluations. The result was inconsistency, precipitating numerous challenges by employees concerning their ratings.

Essentially, the current performance evaluation system has removed the supervisors from a relatively "safe" position, and has placed them in the uncomfortable position of having to identify weaknesses in and set performance objectives for even the satisfactory employees under their supervision. Similarly, employees have responded negatively to formal ratings which do not match their own perceptions of themselves or, more importantly, their perceptions of themselves in comparison to others.

A successful transition from the previous to the current performance evaluation system can be achieved only through the support of management. It will be a gradual learning experience for both employees and their supervisors. The Department has begun the process of analyzing the problems encountered in the first round of evaluations and providing feedback to its managers in an

effort to build greater consistency into the next round of evaluations. Moreover, it has developed and delivered training to its security supervisors in performance evaluation and supervisory practices. In order to ensure the future success of the system, however, the Department must extend such training to all supervisors and adapt future training programs to problems found in subsequent evaluation periods. Lastly, the Department must encourage a cooperative effort between supervisors and employees for development of performance objectives and standards for their units in general, and for each worker in particular.

In an effort to achieve an equitable and objective means of evaluating employee performance, the following plan of action is proposed:

- The agency must support employee performance evaluation as an important managerial concern.
- Agency managers and supervisors, with input from their subordinates, should begin to review and update job descriptions for positions under their control.
- Job descriptions must form the basis for measuring performance.

RECOMMENDATION — Performance Evaluation

STANDARDS

- A. Division heads will provide direction to maximize consistency of rating.
- B. Each employee will receive a clear description of the basis for evaluation and measurement units to be used.

IMPLEMENTATION GUIDELINES

- 1. Division heads will establish the basic criteria and guidelines in their respective specialty.
- 2. Facility and departmental managers and supervisors who evaluate will develop specific criteria and guidelines relevant to the work setting.
- 1. Supervisors should meet with subordinates to review job descriptions, identify the duties and activities to be evaluated, and explain the standards which will determine the various competency levels.
- 2. Supervisors should meet individually with each subordinate to establish a base line for satisfactory performance objectives for the next evaluation period.

Management Development

Management development, as a comprehensive process, entails the advancement of capable employees throughout an agency in a coordinated fashion. It incorporates formal training programs with particular job assignments to ensure the acquisition of requisite skills and abilities. As an important agency program, management development requires the identification of desirable skills and knowledge for each level of responsibility and the development of training programs and work experiences appropriate to the movement of employees from entry to management levels within the agency. Inherent in such a program is a process of ongoing evaluation of the employee's strengths and weaknesses in order to determine his, her potential for advancement.

Although the agency maintains an office of management development within its training academy, the concept of management development has not received the executive recognition required to achieve its full potential. Sparse funding and inadequate curriculum have limited its application. Moreover, the training gap which exists between the entry and management levels prevents planned development of employees who exhibit the interest and potential for progressing to management positions within the agency.

In order to serve the needs of both the agency and its employees, the program must assume a dual purpose: 1) advancing the capabilities of present managers; and, 2) developing future managers from the pool of talented employees presently at lower levels in the agency.

Advancing the Capabilities of Present Managers

The first objective, that of expanding the capabilities of present managers, is an important, immediate need of the agency. Unless present managers are functioning effectively, the administration of the agency is inhibited. Conversely, improvement of the managers' capabilities forms the foundation for greater efficiency and innovation within the agency. Management development, then, should be an ongoing program for improvement of managerial capabilities throughout the agency. Toward achievement of this objective, the following sequence is recommended:

- 1. **Conduct needs assessment research**, drawing upon prior agency needs assessment programs, research conducted outside the agency, and the insight and expertise of present agency managers, in order to identify the qualities and skills most appropriate to successful management in this Department.
- 2. **Develop the curricula** to meet the needs of present managers.

- 3. **Provide training** to all present managers, consisting of core course and specific programs to meet individual needs. Whenever possible, build in "pre" and "post" training indices to measure the results of the training.
- 4. **Evaluate the training** with respect to individual course effectiveness and improve managerial and organizational efficiency, making adjustments in program content as appropriate.

Developing Future Managers

The second function, that of developing future managers, is very important to the agency if it is to maintain a pool of qualified, career employees to replace its present managers. However, the success of this function hinges upon 1) a performance evaluation system which effectively identifies the strengths and weaknesses of its employees; and 2) a program of training which enhances the potential of employees by effectively dealing with the individual needs and weaknesses of those employees. The agency cannot expect to realize the full potential of this program until it provides the means for its employees to build basic skills in the early stages of their careers and, more importantly, until it provides the means for identification of its most talented and experienced employees.

First, the agency must undertake a process to improve the quality of employee performance evaluation to the point of producing reliable, objective assessments of the abilities and potential of its employees. As this is accomplished, the agency can begin to develop mechanisms for equitable referral of talented persons to a management development programs and may consider the merits of alternative methods of promotional testing. One such alternative, the assessment center concept, merits consideration as a more effective means of evaluating candidates for promotion to upper level management positions. The assessment center approach has an advantage over the oral testing method currently in use by providing for evaluation of candidates, over several days, in simulated, real-life situations appropriate to the position offered.

Career Opportunities/Job Enrichment

A point of major concern for most departmental employees is their lack of ability to advance within the system. After a few initial steps most individuals find their opportunities for advancement curtailed. The correctional employee also has limited ability to change career paths (crossover) to improve promotability. These are not new concerns, they have been previously

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addressed with little success, resulting in a demoralization of a significant segment of the work force. That demoralization, in turn, has had noted effects on productivity, employee turnover, quality of work and many other related factors.

There have been many reasons why career opportunities have not been expanded in all disciplines. Probably the most significant is that there are many costs involved in evaluating and describing positions and formulating additional career paths. In addition, there has been a traditional misunderstanding between the security and program disciplines which compounds the difficult task of formulating legitimate means by which experienced employees could move between the two functions. Another significant limitation to these transitions is the difference in retirement systems. Presently, an employee must decide on which career track he wishes to stay in relation to retirement benefits rather than the most desired or productive job. Further, the unions representing the disciplines have exerted more effort to protect the various career paths under their purview than to seek innovative ways to improve the career tracks of their membership. There has also been a lack of initiatives by departmental administrators to work with the Department of Civil Service to find

comparability between functions and titles. At present some job qualifications are written in a manner that narrowly limits competition for the positions which in turn, may serve to protect the provisional appointees.

Although these barriers exist, it appears that the Department and the unions could benefit significantly by jointly working to change some of the barriers into stepping stones. Employees become more effective and productive when they have experience in more facets of the system. When employees have a broader knowledge of the system and environment in which they work, there are fewer clashes between the disciplines and problem solving efforts can then center on substance rather than trivialities.

The Department could vastly improve employee morale and effectiveness by broadening various job descriptions to add more substance to the functions employees perform. The added responsibility and accountability would foster a sense of accomplishment and professionalism which would improve morale and stabilize the work force. Monetary incentives could constitute another means by which the Department could build in effective inducements for its employees.

The Department has a vast resource in the knowledge and skills of its work force. It should employ all means available to develop that resource.

RECOMMENDATION — Career Opportunities

STANDARDS

- A. The Department will seek to expand the means by which its employees can be promoted to higher level positions and vary their job experiences.

IMPLEMENTATION GUIDELINES

1. The Department will increase the use of transition exams such as the Public Administrative Trainee Transition.
2. The Department will develop valid means by which more credit can be given for positive departmental experience when employees are considered for promotion.
3. The Department will increase legitimate means by which employees can move laterally within the system.
4. The Department must make more promotional opportunities available to its personnel.
5. The Department should build in additional promotional steps within existing career paths, especially in positions that involve inmate contact.

-
6. The Department should build in additional promotional steps to recognize continual excellence of experienced personnel.
-

- B. The Department should reevaluate lower level positions to establish levels of responsibility and appropriate pay grading and career paths.
-

1. Positions, especially those in the clerical series, should be rated according to the work load and responsibility equated with the position. The grade level of clerical staff should not be tied to the grade level of the unit head to which that staff person is assigned.
-

Improvement of Management

"The Department must effectively communicate its mission and needs outside the walls."

"The Department must improve its information and evaluation systems."

Improvement of Departmental Organization

Structure and Functions of the Department

THE PROPOSED ORGANIZATION of the Department is through a system of regional administrative offices which would allow the decentralization of executive decision-making and the application of Department policy to local conditions. Under this system, the functions performed at the central, regional and facility levels would complement each other and promote better delivery of services.

The goal of the proposed structure and the functional groupings which compose it is a systems organization for departmental operations. Staff and other resource deployment would be based upon core services required by all inmates and additional services which may be required by particular inmates. Staff and other resources would be organized in such a manner as to optimize between the supply and demand characteristics of the system. The traditional security versus program dichotomy would be resolved toward a unified service delivery system. Facility management and departmental service delivery management would be an integrated, comprehensive service delivery system.

The central level of the Department would provide executive direction to the system. All administrative functions would emanate from the Division of Facility Operations. The rest of the activities on this level would consist of developing and disseminating policy, coordinating the provision of technical assistance through the Facility Operations Division and the regional offices, and performing staff functions for the Commissioner. The proposed grouping of functions on the central level seeks to strengthen executive direction by emphasizing policy management and operations analysis and internal audit activities, as well as standards development and evaluation procedures. It would enable the better integrating of planning, programming, budgeting and

evaluation systems and promote clearer understanding of how departmental programs relate to each other.

The regional level would provide technical assistance to local facilities and monitor and audit their delivery of services. Establishing this capability at regional levels will aid the analysis of local problems and the tailoring of decisions to that analysis, in concert with the Department's overall policy guidelines.

The facility level of the proposed organization would have the administrative control resting with the superintendents under the supervision of the Division of Facility Operations, and the structure of that administration reflecting the structure of central administration.

Proposed Functional Organization of the Department

A. CENTRAL OFFICE

Executive Direction: All activities pertaining to policy and procedure development and maintenance, in staff offices to Commissioner and in line administrative offices (Facility Operations Division); coordination with other agencies and the public.

1. Staff Functions to Commissioner — Areas of specialization:

a. **Program Services:** For the policy direction of all program services:

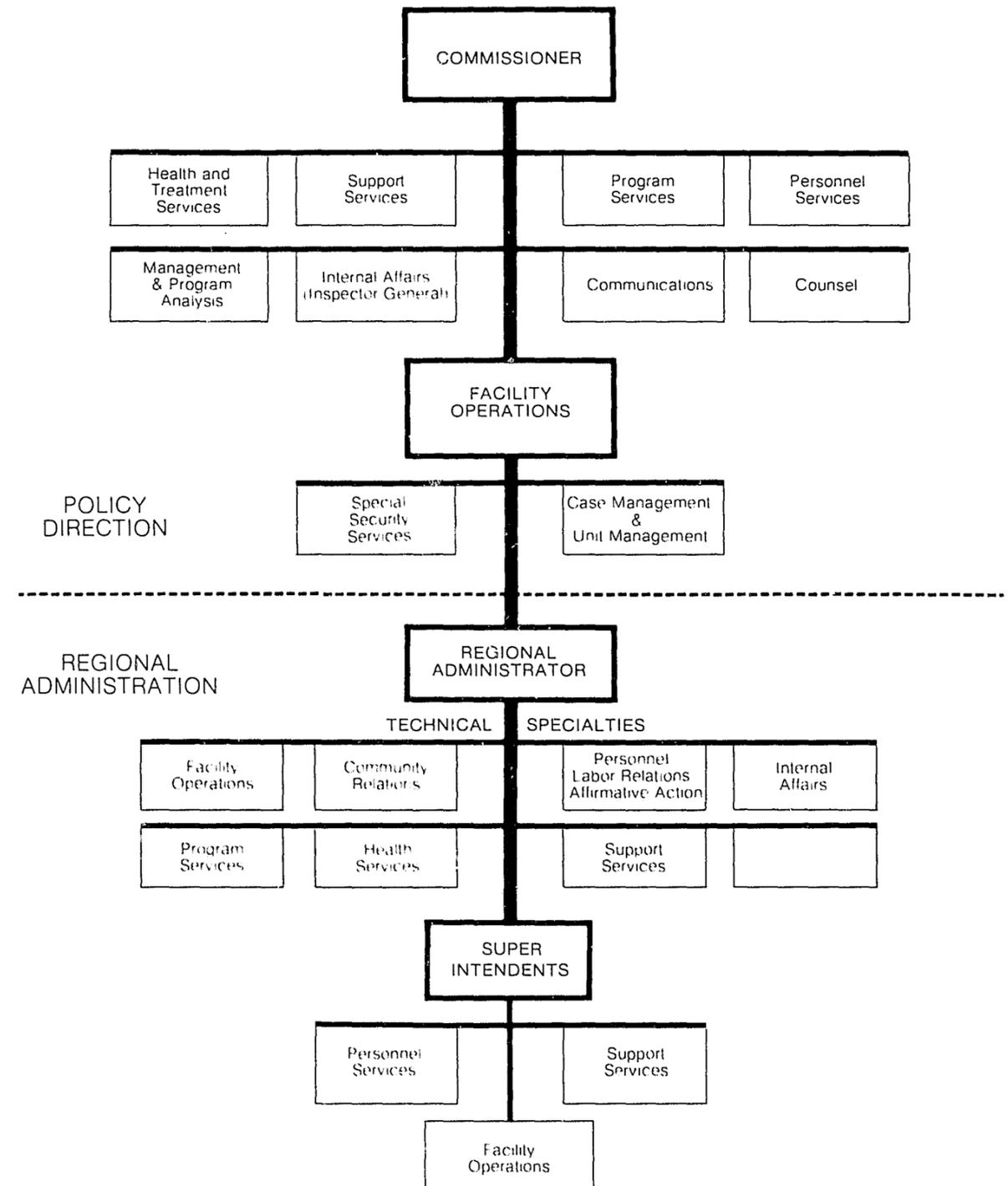
- Ministerial Services
- Counseling Services
- Education and Training Services
- Volunteer Services

b. **Health and Treatment Services:** For the policy direction of all health and treatment services.

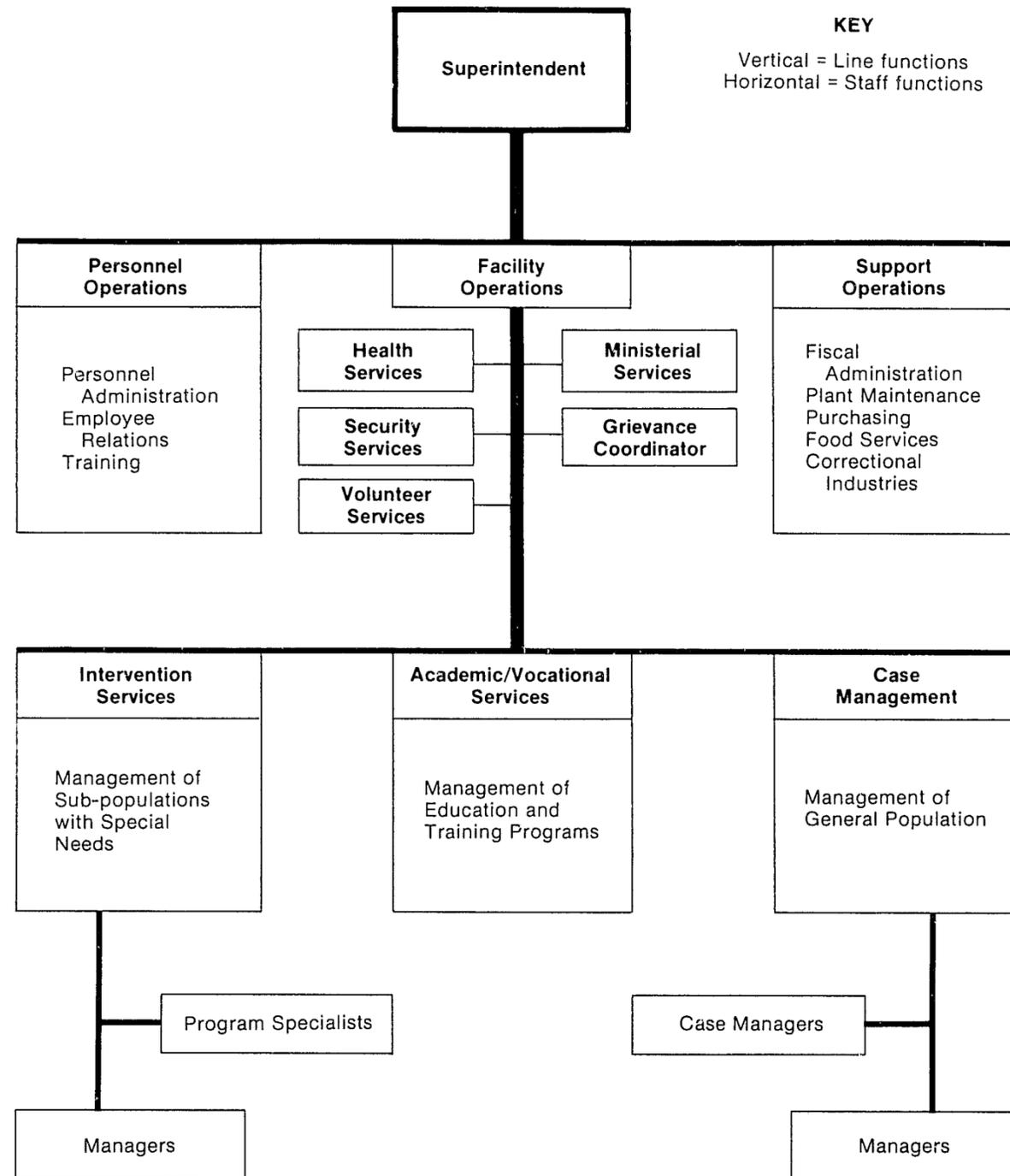
c. **Personnel Administration:** For the direction of all policies, programs and procedures for:

- Labor Relations
- Personnel Administration/ Manpower Management
- Affirmative Action
- Staff Development/Training

PROPOSED FUNCTIONAL ORGANIZATION OF DEPARTMENT



PROPOSED FUNCTIONAL ORGANIZATION OF FACILITIES



d. **Support Operations:** For the policy direction of all non-personnel service activities:

- Fiscal Administration
- Space Planning and Plant Maintenance
- Purchasing
- Correctional Industries

e. **Management and Operations Analysis:** For the development and evaluation of all departmental programmatic operations (a staff function to all executive personnel):

- Planning and Development
 - Policy, Program and Procedure Analysis and Development
- Operations Audit and Evaluation
 - Management and Administrative Analysis
 - Job Analysis and Staff Deployment
 - Standards Compliance
 - Central Office Review Committee of Inmate Grievance Program
- Budgeting and Expenditure Analysis
- Records Management and Information Processing

f. **Communications**

- Public Relations
- Public Information
- Community Relations

g. **Internal Affairs**

h. **Counsel**

2. Line Administrative Functions

a. **Facility Operations:** For the direction of correction facility administration, through regional administrative offices. Areas of specialization would include:

- Supervision of Regional Offices and Facilities
- Special Security Services (Central)
 - CERT and SITCON Direction
- Inmate Management (Central)
 - Administration of Population Placement System (General Confinement, Special Housing Units, and Special Program Units)
 - Review of Classification, Temporary Release, Disciplinary and Time Allowance Dispositions

B. REGIONAL ADMINISTRATION

For the application of central policy and the provision of technical assistance to local facilities, and the auditing of facility performance. Technical specialities would include:

- Program Services
- Health Services
- Personnel Labor Relations Affirmative Action Services
- Support Services- Budget and Finance Services
- Facility Operations Services
- Community Relations Services
- Internal Affairs Services

C. FACILITIES

Reorganize the duties and responsibilities of the facility executive staff to reflect more accurately the organization of central administration and the reality of facility operations. Activities pertaining to decision-making and supervision of inmates should be unified and separate from a system of maintenance activities necessary for facility administration. In the organization of facility management, facility operations would provide direction *both* for service delivery and the maintenance of a safe and secure facility. Coordination of service delivery to inmates would be provided through functional units within each facility. The size and staffing of units would depend upon the characteristics and concomitant type of control and services required for the management of the type of inmates in the unit.

Reorganize Inmate Management Activities

1. Within the framework of functional units, provide services to inmates through the coordination of case managers. Case managers should function as brokers of service provision, matching the resources available to inmate needs in a systematic and rational manner.

2. Service resources such as counseling, health care, education, etc., should be part of a resource pool upon which case managers can draw to meet individual inmate needs.

3. Routine decision-making concerning individual inmate program needs should be made within the program management structure in accordance with policy and procedure established departmentally and on a facility-wide basis where necessary.

4. The function of the temporary release, time allowance and program committees should be evaluated toward consolidating functions that overlap as well as

IMPROVEMENT OF MANAGEMENT

identifying duties which could be delegated to the case manager.

5. Case records management should be evaluated toward the improvement of the recording and processing of relevant information.

Improvement of Managerial Effectiveness

A. Clarify and Formalize Lines of Authority and Responsibility Within and Between Managerial Units

1. Undertake an administrative analysis, including a staffing analysis of departmental and facility operations to determine whether operational effectiveness and efficiency can be enhanced by consolidation of some activities and expansion of other activities; and, to determine whether positions are classified properly and the levels of compensation are commensurate with the amount of responsibility. (See Staff Services)

2. Establish performance objectives and evaluative criteria for each program and sub-program.

3. Establish cost centers to coincide with above.

B. Strengthen Internal and External Communications

Evaluate present policies and practices for the development and communication of departmental information to the public, the media, other agencies and organizations, departmental organization units, personnel, and inmates.

C. Strengthen the Counsel Function

1. Clarify the duties and responsibilities of counsel and staff with respect to:

- a. Policy analysis and formulation
- b. Administrative decision-making
- c. Representation of the Department and staff in executive, legislative and judicial proceedings
- d. Legal opinions to management and staff

D. Strengthen the Management Training Programs for Supervisors, Middle and Executive Management (See Staff Services Section)

1. Establish core competencies required for each position and special competencies required for each area of specialization.

2. Determine the knowledge, skills and abilities required for each of the above competencies.

3. Develop a personnel evaluation mechanism and a curriculum development mechanism coordinatively to ensure that resultant training programs are relevant and effective.

E. Strengthen the Personnel Administrative Function (See Staff Services Section)

1. Reorganize the personnel and labor relations functions to separate recruitment, selection, evaluation and benefits administration from contract negotiation and grievance administration.

2. Clarify personnel policies, administrative guidelines and procedures for affirmative action, employee performance evaluation, health and safety assurance, and labor management dispute resolution.

3. Evaluate the training programs to determine whether they are achieving the desired results and the priorities are having the maximum impact on departmental operations.

F. Strengthen the Information Base for Management Decision-Making

The Department, not unlike many other human service organizations, records almost all of its data and information on a case by case basis, and is unable to keep well-informed regarding its inmates, personnel, resource utilization and the overall results of its efforts. Despite the development of computer processed data storage and reporting capability, the Department has not developed as fully as desirable an information system to assist administrators and managers to carry out their duties and responsibilities in a more informed manner.

Although there has been considerable progress in the computerization of fiscal and purchasing record-keeping, the Department's efforts to develop information on its programmatic operations has been limited. Accordingly, management and operations analysis activities have been underdeveloped.

The inmate-based program, fiscal and personnel information systems must be complete. This will enable the Department to assess its service delivery system and manage its resources more efficiently.

1. Strengthen management and operations analysis capability

a. Reorganize policy and procedure manual and processes for updating manual to ensure that the policies and procedures are clear and are displayed in a manner to facilitate use.

b. Develop schema for inputting into NYCRR those policies and procedures which should be a public record.

c. Incorporate the staff work for the Central Office Review Committee of the Inmate Grievance Program into the management and operations analysis function to improve coordination and consistency in policy and procedure review.

d. Strengthen the internal audit and investigation capability.

2. Strengthen the manual and electronic information processing capability.

a. Incorporate and increase the administrative analysis capability in MIS to ensure that records management and information processing systems and procedures are strengthened and made efficient.

b. At the earliest possible time, complete the development of the systems in order to provide current and accurate information.

G. Strengthen the Budget Analysis Function

Budget analysis should include the capability and responsibility to synthesize input from management and operations analysis and research in order to coordinate resource allocation and to provide complete information for resource requests.

H. Strengthen the Evaluation and Research Functions

1. Evaluation

Reaching a desired level of accountability for resources and programs requires a strong evaluative capability in the Department. All departmental operations should be evaluated on a continuous basis. However, the nature and purpose of evaluation must be clear if the function is to be effective. The most useful evaluation method for this agency is "management decision-oriented" evaluation which describes and compares the results of program intervention toward enabling managers to decide on a future course.

The utility of the management decision-oriented evaluation process is:

- a. In justifying decisions regarding the level of funding of current projects.
- b. In determining what innovations should be tried.
- c. In assisting project managers to make most effective and efficient use of resources.
- d. In providing usable determinations of efficacy of innovations in field settings for replication elsewhere

without the artificiality of classical experimental methods.

While there are disadvantages to this method of evaluation, such as inability to provide *definitive* scientific answers regarding effectiveness of treatments they have been shown to be of little relevance to corrections, to most other human services except medicine, and to the statutory providers of funds.

The evaluation system proposed here is superior to traditional evaluation for field settings:

a. The proposed method is flexible. Projects can change objectives and activities without any harm to the evaluation.

b. The proposed method is non-experimental. There are no control groups required and no need for random assignment of persons to control groups and treatment groups.

c. The proposed method provides a stream of information to managers, enabling them to adjust the project operations to achieve maximum efficiency and effectiveness.

d. Findings from the application of the proposed method are presented to managers in a more usable form than is generally true of findings from the classical experimental evaluation method.

The scope of evaluation for the Department should consist of (1) program services, (2) security services, and (3) administrative services. In each area, broad objectives will be defined. When the evaluation system is implemented, these objectives will be given (1) weights, (2) prior probabilities of attainment and (3) measures of each objective's attainment.

2. Need for Fundamental Research

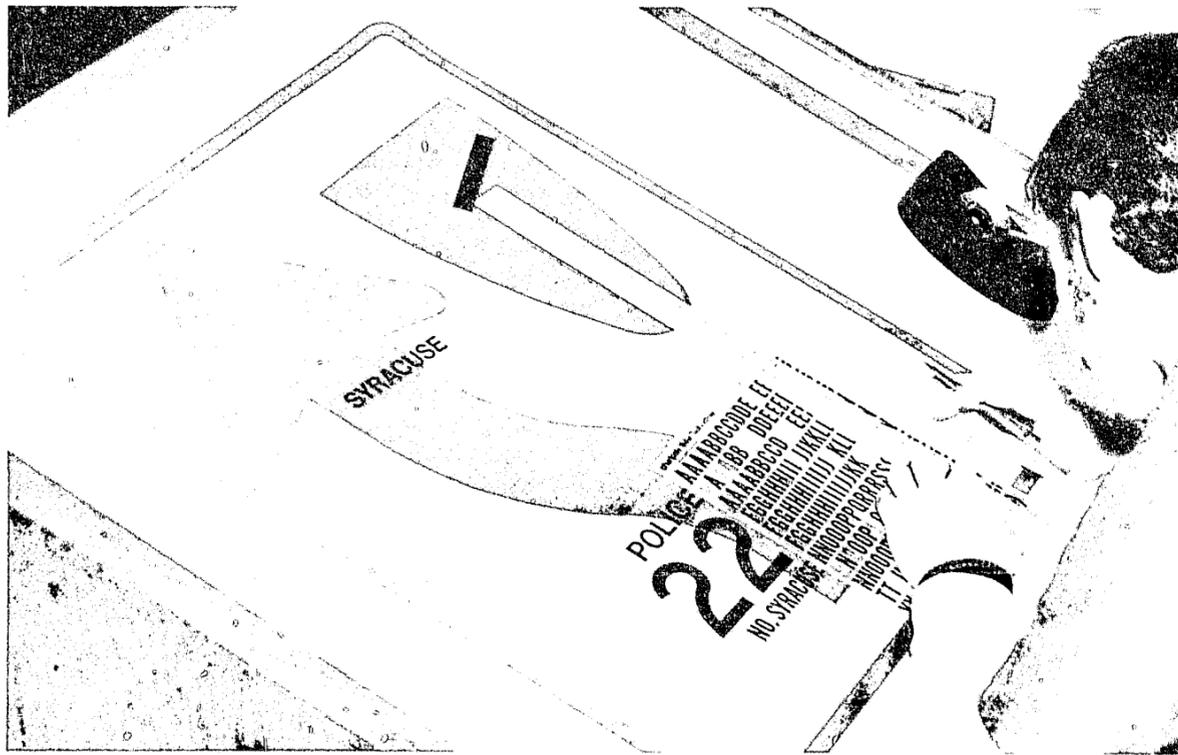
Occasionally, the Department will need to support fundamental research into some new problem affecting its operations. The evaluation system cannot be relied on to answer detailed questions about new phenomena.

The best strategy of the Department would be to encourage university scholars to become interested in issues about which the Department is concerned and support these scholars by seeking federal or other grant funds.

There are several advantages to fundamental research:

a. The Department can determine the nature of the problem researched and will be in a better position to develop means to cope with it.

b. The Department can estimate the dollar cost of the problem and determine if a means to cope with it is justified by the net benefit.



3 PRIORITIES for 1981-82

First Year Initiatives

WHEN THE PLAN had been completed in draft form, the appropriate divisions of the agency were asked to list those recommendations that they could implement or define major policy toward implementing in the coming year. These are the responses, by functional area of the plan.

Improving the Correctional System

- Continue active participation in the Governor's criminal justice sub-cabinet meetings, highlighting policy initiatives on sentencing and probation.
- Begin to provide data to the courts, legislative committees, Governor's office, and Division of Probation about inmates in or arriving in the system whose profiles indicate the appropriateness of alternative placements.
- Improve pre-release and separation services (see Inmate Needs and Services).
- Continue implementing the "Expansion Plan for the New York State Prison System" adopted by the Governor on June 5, 1980.

Population Management

- Complete the design and begin implementing an initial security classification guideline for young males and a security reclassification guideline for all males.
- Building on the Pre-classification Information Project, implement improved information flow on inmates transferred between county and state prisons.
- Develop the first phase of a management information system for classification and movement that will do the following:
 - mechanize routine recording and processing tasks
 - enable central control of identification of candidates for movement
 - make possible evaluation of initial classification decisions
- Develop an instrument that will predict, within certain boundaries, inmates' lengths of stay.
- Develop a policy of predictable movement.
- Develop procedures for focusing attention of professional classification staff on difficult case decisions and on evaluation of classification decision and uses made of classification information.

- Design and implement a classification system for women.
- Implement the Extended Classification Unit at Downstate Correctional Facility (see Inmate Special Needs).

Order and Discipline

- Distribute revised rulebook to all inmates in the system and begin codifying the penalty structure to remove disparities among facilities.
- Strengthen the central direction of the administration of discipline (see Staff Services and Improvement of Management).
- Continue training appropriate facility personnel in the conduct of superintendents proceedings.

Inmate Needs and Services

Real Work

- Initiate analyses of appropriate incentives for all categories of work performed by inmates.
- Building on the job validation process already underway through the Vocational Education Project, develop definitions of "real" jobs, skilled and unskilled, and incorporate those definitions in instruments for surveying the total number of such jobs in each facility.
- Continue initiatives already underway to identify funded capital projects that Correctional Industries could contract with the Department to undertake, using skilled inmates and training unskilled inmates in improving the physical environment.
- Continued development of industrial programming toward achieving sales of \$28 million, beginning pilot modifications in the inmate's working day, establishing minimum qualifications for industrial assignments, and strengthening the links with vocational programming.

Education

- Intensify literacy programming for the approximately 35% (7,000) of the inmate population that is illiterate.
- Intensify programming for the approximately 10% (2,000) of the population that requires English language instruction and appropriate Adult Basic Education curriculum.
- Pilot test new ABE curriculum containing "survival skills" component at one facility, then begin modifying ABE curriculum systemwide.

- Continue to standardize and modularize regular High School Equivalency curriculum to improve service delivery, modified as needed, for Spanish speaking inmates.
- Increase opportunities for qualified inmates to earn high school diplomas in alternate ways.
- Expand vocational programming for females to include graphics at Bayview and drafting and commercial arts at Bedford Hills.

Separation Services

- Emphasize "survival education" and "coping skills" programs; extend Network programs to four additional facilities.
- In cooperation with the Division of Parole, expand and manage Pre-release Centers under the supervision of local guidance staffs, with assistance from local volunteers.
- Continue work of pre-release liaison agency network to provide timely and relevant information for inmates on community agency resources; field test and evaluate already-collected data on New York City resources.
- Expand Family Reunion Program to seven additional facilities.
- Building on a successful visiting room program at Bedford Hills for mothers and children, expand children's Prison Project to Bayview, Albion and Arthur Kill.

Health Services

- Reorganize Health Services Division for better service delivery (see Improvement of Management).
- Intensify managerial initiatives for recruitment of qualified health personnel.
- Develop contractual arrangements with community-based health facilities to improve coordination with community resources.
- Develop and implement a Health Services management information system in order to improve continuity of care, communication among practitioners, evaluation and management of service delivery.

Standards for Essential Services

- Finish comprehensive standards statements for health services, food, housing, personal hygiene and safety.
- Share information with the Commission on Corrections on the development of comprehensive standards, minimizing duplication of effort between the agencies.
- Prepare for ACA accreditation process at Eastern Correctional Facility.

Inmate Special Needs and Services

In the area of special needs, expected accomplishments during fiscal year 1981-82 include:

For the Mentally Retarded

- Continue to implement the extended classification system at Downstate Correctional Facility which will enable the Department to more accurately test and more fully assess the capabilities of inmates who are suspected of being mentally retarded.
- Establish sheltered workshops for the mentally retarded offender at Attica and Elmira Correctional Facilities.
- Provide training for staff at selected facilities regarding the skills and techniques necessary to work with the mentally retarded offender.

For the Physically Disabled Inmates

- Establish a unit for the physically disabled (UPD) at Green Haven Correctional Facility which will provide intensive nursing and remedial, orthopedic and neurological care.
- Provide therapeutic aftercare at the UPD for those inmates receiving orthopedic treatment at the Helen Hayes Hospital.

For Inmates with Mental Illness

- Continue to implement the extended classification system at Downstate which will enable the Department to more accurately test and more fully assess the capabilities of inmates who are suspected of being mentally ill.
- Establish intermediate care programs (ICP) at six correctional facilities for inmates whose mental illnesses are not severe enough to demand civil commitment, yet who cannot function adequately in normal correctional environments.
- Provide rapid and effective diagnosis.
- In conjunction with the Office of Mental Health provide well-structured, habilitation services.
- Begin preparing inmates whose disabilities are no longer acute to reintegrate into a general prison population.

For Inmates in Need of Protective Custody

- Develop a screening procedure and identify at classification and in facility general populations inmates in need of protective custody.
- Establish a unit at Clinton Correctional Facility which provides housing and programs for inmates in need of both short-term and long-term protection.

For Inmates Requiring Treatment for Problems Related to Drug Abuse or Alcohol Abuse

- Develop consistent measures to identify at reception and classification and in general population persons in need of treatment and the extent of their needs.
- Develop a clear organization for the delivery of services.

PRIORITIES FOR 1981-82

- Closely monitor and evaluate the services.
- Provide a liaison with community treatment organizations for the aftercare of inmates released from custody.

For Inmates Who are Disruptive Within the Correctional Setting

- Establish a special monitoring unit (SMU) at Attica Correctional Facility which limits opportunities of such inmates to disrupt operations or to harm other inmates or themselves.
- Provide specialized services and a reward system within the unit designed to motivate appropriate behavior.

Improvement of Staff Services

Work Environment

- Continue to strengthen the local labor-management committee structures to improve the mechanism for local resolution of grievances and to improve general labor-management communications.
- Complete prescribed training of all uniformed and non-uniformed facility staff in areas of inter-personal communication skills, stress-management, labor relations and the pilot Employee Assistance Program.
- Complete prescribed labor-management seminars between all facility executive staffs and local uniformed and non-uniformed labor representatives.
- Continue the specialized "crisis intervention" training of selected Department employees in defusing potentially explosive situations within the facilities.
- Expand Correctional Emergency Response Teams' program to five additional facilities.
- Seek additional legal resources to assist facilities with their problems regarding inmate disciplinary procedures and inmates' legal actions; intensify central direction of inmate discipline administration (see Improvement of Management).
- Expand the Security Deployment and Utilization Project to all major facilities and initiate similar analyses of staffing needs in the program and administrative areas to achieve agreed-on staffing levels that can be honored.

Equal Employment Opportunity and Affirmative Action

- Rename the Office of Minority Manpower Recruitment the Office of Affirmative Action and broaden its mandate and resources to make it an integral part of policy and program development in the Department (see Improvement of Management).
- Establish procedures for and begin soliciting minority business involvement in all areas of spending and purchasing for the agency.

- Dispatch field review teams by region to supervise staff training and monitor compliance with federal rehabilitation, civil rights and affirmative action statutes in specific aspects of facility operation.
- Elect facility-level affirmative action committees.
- Initiate systemwide training of mid and upper management employees in affirmative action goals (see Training Staff Development).

Recruitment/Screening

- Appoint a special team from existing training staff to visit local communities in an intensive effort to recruit high quality candidates for officer positions placing particular emphasis on identifying minority and protected class individuals in order to increase the number and stability of such staff (see Equal Employment/Affirmative Action, Improvement of Management).
- Establish a unit in the Personnel office to verify qualifications of applicants for uniformed positions (see Improvement of Management).
- Establish firm standards and close monitoring of trainees' performance at the Academy for the purpose of screening.

Training/Staff Development

- Add training staff to allow deployment of field training teams, thereby enhancing the in-service training opportunities for both uniformed and non-uniformed staff (see Improvement of Staff Services).
- Develop curriculum and begin training special staffs for Intermediate Care Program units.
- Develop a program for supervisory training that can include the involvement of selected supervisors in training other supervisors.
- Add new courses on labor relations, legal issues and program management to the Management Education Program.
- Begin dialogue with the unions, the Governor's Office of Employee Relations, and the Department of Civil Service concerning new career tracks within the Department.

Improvement of Management

For Improved Administrative Organization

- Complete the staffing and implementation of the regionalization plan for Region I.
- Reorganize the health services division for the enhancement of service delivery and utilization review.
- Reorganize and enlarge the personnel division to handle required tasks more efficiently and provide

special resources for pre-employment investigations, performance evaluation programs, and time abuse control.

- Rename Office of Minority Manpower Recruitment the Office of Affirmative Action and broaden its mandate (see Improvement of Staff Services).

For Improved Administrative Performance

- Provide an organizational framework for and define the relationship between planning, evaluation, management and operations analysis, and management information services to better serve the management needs of the agency.
- Establish a management analysis unit.
- Establish an internal audit unit.
- Intensify central oversight and direction of inmate discipline administration (see Improvement of Staff Services).
- Complete staffing for the Office of the Inspector General.
- Continue the analysis and systems design and implementation of security information and staff deployment system.
- Develop the first phase of a classification information system that will mechanize routine recording and processing tasks, enable central control of identification of candidates for movement, and enable evaluation of initial classification decisions (see Population Management).
- Expand the data base for electronic data processing.
- Continue the microfilming of departmental records.

Appendices

APPENDIX 1: **DISSENTING OPINIONS**

DURING THE DEVELOPMENT of this plan, preliminary drafts of the positions were circulated among Advisory Committee members, materials were presented before the Advisory Committee and its subcommittees, and drafts were circulated among the Department's executive staff. This continuous feedback significantly shaped the content of the plan.

However, the material presented in the plan is comprehensive and the interests represented by the participants are diverse. Differences of opinion have been expressed about particular recommendations and, in the interest of maintaining the integrity of the planning process, these differences must be registered.

Reducing Population Density

As part of an overall strategy to reduce population density in the facilities, the plan recommends promotion of public debate around sentencing, toward possibly expanding the use of "good time" to shorten the amount of time that inmates serve in prison. The Division of Parole rejects this proposal as being politically unfeasible and contends that any expansion in the use of "good time" (particularly time off minimum sentences) would result in legislative action lengthening sentences and judicial action prescribing longer minimum sentences. The Division contends that these events would mitigate any expected benefit.

The New York State Coalition for Criminal Justice while endorsing the proposed alternatives to incarceration, opposes the Department's capital construction plan. The Coalition cites the high cost of new construction and the State's lack of attention to alternative sentences.

The Department of Correctional Services recognizes that the solutions to population density are not simple, nor are they always politically attractive. But it firmly believes that insufficient attention has been paid to this problem and that potential solutions have not been fully explored. It stands by its recommendations for a comprehensive attack on this problem, including reducing the rate at which persons are entering the system, providing essential space and services for those persons who must be incarcerated, attempting to release persons at the earliest point at which the risk to the public is minimized, and making every effort to ensure that the ex-offender will not return to prison.

Staffing by Functional Units

In the section on improving managerial effectiveness, the plan refers to organizing staff in facilities around functional units. The plan views this approach as a viable means to improve service delivery and the promotional opportunities available to staff, thereby improving the working environment. CSEA and Council 82 criticized the concept as a device which circumvents traditional promotional opportunities and violates seniority rules and job "bidding" procedures which have been won through labor negotiations. Council 82 points to the Department's recent attempt at unit management at Downstate Correctional Facility as evidence of its short comings.

The Department recognizes that it needs the support of the unions if it is to make unit management a successful mode of operation. The Department intends to proceed cautiously with the concept and expects that, over time, it will prove its worthiness to union leadership and line personnel.

Alcohol and Substance Abuse Program

The Advisory Committee members of both the alcohol and substance constituencies believe that the Department must collect data on the extent of need for their respective services as they feel strongly that the real need is much greater than acknowledged to date. The Mission Society, in particular, feels that some 60% of our population are alcoholics and that intervention programs would have a significant impact on recidivism.

Utilization of Inmates in Semi-skilled and Skilled Positions

All three unions are guarded in their reaction to the advocacy for the training and employment of inmates in semi-skilled and skilled maintenance and industrial jobs. CSEA and PEF are concerned that management may supplant employees with inmates. Council 82 is concerned that inmates could compromise the security of a facility if they are placed in sensitive positions.

Under-emphasis on Security

Two of the superintendents on the Advisory Committee feel that the plan does not sufficiently emphasize the importance of security in the operation of the Department and the need to reflect the state of the art in security hardware and software.

APPENDIX 2: **PARTICIPANTS IN PLANNING WORKSHOPS**

The following attended workshops at the Correctional Services Training Academy:

Michael Allard, *Classification Analyst, Clinton Corr'l Facility*
Wayne Barkely, *Director, Merle Cooper Program, Clinton Corr'l Facility*
Dr. David Barry, *President, The Fellowship Center, Inc., New York City*
Paul Bellnier, *Captain, Auburn Corr'l Facility*
Jack Birnbaum, *Executive Director, Commission of Correction*
Bruce Bradigan, *Satellite Chief, OMH, Elmira Corr'l Facility*
William Corlew, *Sergeant, Clinton Corr'l Facility*
Judy Cox, *Program Planner, Office of Mental Hygiene, Albany, NY*
Andrew Criscolo, *Lieutenant, Bedford Hills Corr'l Facility*
Robert Jones, *Captain, Coxsackie Corr'l Facility*
Edward Just, *Correction Counselor, Green Haven Corr'l Facility*
Jack Kemp, *Division of Substance Abuse Services, N.Y.C.*
Thomas Lawler, *Correction Officer, Green Haven Corr'l Facility*
Anthony Martin, *Lieutenant, Great Meadow Corr'l Facility*
Dennis McCarty, *Program Planner, Office of Mental Health, Albany, NY*
Robert J. McClellan, *Sergeant, Attica Corr'l Facility*
Patrick Minucci, *Correction Counselor, Woodbourne Corr'l Facility*
Charles Page, *Sergeant, Eastern Corr'l Facility*
John Parker, *Correction Officer, Auburn Corr'l Facility*
Buford Peterson, *The Fellowship Center, Inc., New York City*
Richard Ratajak, *Senior Correction Counselor, Central Office*
Greg Redmond, *Correction Officer, Auburn Corr'l Facility*
Thomas Roth, *Correction Officer, Green Haven Corr'l Facility*
Susan Russell, *Program Research Specialist, Central Office*
Gerald Schroeder, *Correction Counselor, Great Meadow Corr'l Facility*
Judy Stanley, *Program Coordinator, OMH, Central N.Y. Psychiatric Center*
Wayne Strack, *Lieutenant, Green Haven Corr'l Facility*
Richard VanZandt, *Asst. Deputy Commissioner for Facility Operations*
Arthur Webb, *Asst. Commissioner for Health Services*
Father Peter Young, *Chaplain, Mt. McGregor Corr'l Facility*

The following attended workshops at the correctional facilities:

Albion Correctional Facility

Jonathan Brooks, *Senior Counselor*
Robert Curtiss, *Deputy Superintendent-Security*
Ronald DiPiazza, *Industries*
Al Germain, *Head Supervisor*
Robert Halston, *Plant Superintendent*
Annie Lee, *Supervisor, Volunteer Services*
Leo Norton, *Captain*
Lillian Urbach, *Senior Counselor*
Arleane Wagner, *Deputy Superintendent-Administration*

Arthur Kill Correctional Facility

Martin Arum, *PEF Steward*
Ronald Bertrand, *Deputy Superintendent-Programs*
Shirley Cach, *CSEA Delegate*
Kenneth Dunham, *Superintendent*
Robert Flood, *Correction Counselor*
George Friedman, *Education Director*
Neil Harris, *Sergeant*
Charles Jacobsen, *Maintenance*
John H. Stack, *Program Coordinator*
Martha Stinchcomb, *Senior Counselor*
James A. Wohl, *Vocational Supervisor*

Attica Correctional Facility

Lorenzo Bradt, *Vocational Supervisor*
Edward Donnelly, *Sergeant*
Richard Donohue, *Training Lieutenant*
John Drier, *Correction Officer*
Mark Eckert, *Plant Superintendent*
Robert Fietz, *Deputy Superintendent-Programs*
Robert Hulshoff, *Correction Officer*
Charles James, *Deputy Superintendent-Security*
Joseph Laspro, *Industries*
William McAnulty, *Senior Correction Counselor*
Russell McClellan, *Lieutenant*
John L. Redfern, *Education Supervisor*
Richard Reynolds, *Senior Correction Counselor*
Thomas Sanders, *Asst. Industrial Superintendent*
Harold Smith, *Superintendent*
I.W. Snearly, *Supervisor Special Subject*
Hubert Speckard, *Deputy Superintendent-Administration*
Joyce Woika, *Senior Clerk-Purchase*

Auburn Correctional Facility

William Baker, Jr., *Senior Correction Counselor*
S. Byrne, *Senior Correction Counselor*
Louis Chomyk, *Institutional Steward*
Ronald Edgerton, *Lieutenant*
Robert Gibbs, *Head Director*
Robert A. Guzman, *Supervisor of Volunteer Services*
Mario Izzo, *Vocational Supervisor*
Thomas M. Mahon, *Plant Superintendent*
Helen Redmond, *CSEA Vice-President*
Robert E. Setto, *Industry Superintendent*
R. W. Smith, *PEF Executive Steward*
Abraham Taylor, *Deputy Superintendent-Administration*

Bayview Correctional Facility

M. Dailey, *Captain*
Frank Headley, *Superintendent*
Sally Johnson, *Acting Deputy Superintendent-Programs*

Clinton Correctional Facility

David Debyah, *Educational Supervisor-Vocational*
Charles E. Dufrain, *Senior Classification Analyst*
Alfred W. Forret, *Correction Officer*
Richard Giambruno, *Senior Counselor*
George Hoy, *Training Lieutenant*
Roy LaHart, *Educational Supervisor-General*
W. Lawless, *Industry Superintendent*
Rodney Moody, *Head Correction Clerk*

Steve Pageau, *Secretary, Local 1272*
 Maynard Pruett, *Senior Maintenance Supervisor*
 Robert L. Racette, *Correction Officer*

Coxsackie Correctional Facility

Jack Czarnetzky, *Superintendent*
 Joseph Early, *Senior Parole Officer*
 Richard Higgins, *Education Director*
 Father William Kennedy, *Senior Chaplain*
 Joseph Manzari, *Deputy Superintendent-Programs*
 William Martin, *Special Subject Supervisor*
 Donald Pierce, *Deputy Superintendent-Security*
 Frank Platt, *Senior Correction Counselor*
 Robert Price, *Senior Correction Counselor*
 Fred Shellogg, *Education Supervisor*
 Harold Smith, *Vocational Supervisor*

Eastern Correctional Facility

Roy E. Althouse, *Industrial Training Supervisor*
 August Artus, *Assistant Industrial Superintendent*
 Joseph Badstein, *Correction Officer*
 James Dennin, *Correction Officer*
 Ralph Fielitz, *Correction Officer*
 Barbara Greene, *Senior Account Clerk*
 Patricia M. Greene, *Acting Educational Supervisor*
 Evan Gorelick, *Correction Counselor*
 Frank McCray, Jr., *Supervisor of Correctional Volunteer Services*
 J. T. Mitchell, *Correction Officer*
 Jerald Percely, *Senior Correction Counselor/Program Coordinator*
 Charles W. Tysher, *Plant Superintendent*

Elmira Correctional Facility

Warren F. Betzler, *Master Teacher IV*
 Lester R. Brown, *Correction Sergeant*
 Joseph Calabucci, *Educational Supervisor*
 JoAnn Delany, *Senior Account Clerk-Budgeting*
 Lawrence Dunbar, *Maintenance Supervisor III*
 Ronald F. Eaton, *Correction Officer*
 David Grier, *Correction Classification Analyst*
 Ellis F. Havens, *Correction Officer*
 John Huffman, *Correction Sergeant*
 Sally Kellam, *Correction Counselor*
 Howard Novak, *Training Lieutenant*
 Merrill Winfield, *Industrial Superintendent*

Fishkill Correctional Facility

George Ashend, *Teacher*
 Nicholas Bruno, *Education Director*
 Lou Cariola, *Industrial Superintendent*
 David Darge, *Deputy Superintendent-Administration*
 James Farrell, *Grievance Supervisor*
 Karl Gerteise, *Senior Correctional Counselor*
 Bert Greene, *Program Coordinator*
 Paul Kimelman, *Deputy Superintendent-Programs*
 Arnold LaPlante, *Correction Sergeant*
 James Lynn, *Education Counselor*
 Broadus McBrayer, *Correctional Program Aide*
 Robert Montana, *Deputy Superintendent-Security*
 Theodore Reid, *Superintendent*
 John Schofield, *Correction Counselor*
 Stuart Scriber, *Maintenance Supervisor*

Green Haven Correctional Facility

B. Ashworth, *Training Secretary*
 Carl Berry, *Deputy Superintendent-Programs*
 Ronald DiPietro, *Senior Parole Officer*
 J. Duffany, *Sergeant*
 David Harris, *Superintendent*
 R. Holt, *Superintendent of Industries*
 G. Jones, *Vocational Instructor*
 Joseph Keenan, *Deputy Superintendent-Security*
 H. LaFountain, *Maintenance*
 Gordon Lord, *Senior Correction Counselor*
 T. Maile, *Education Supervisor*
 Chuck Rich, *Supervisor Volunteer Services*
 T. Roth, *Correction Officer*
 R. Schwartz, *Correction Counselor, PEF Representative*
 R. Seitz, *Training Lieutenant*
 Bernard Southward, *Senior Correction Counselor*
 W. Van Benschoten, *Education Supervisor-Academic*
 Wayne Vincent, *Supervisor Volunteer Services*

Mid-Orange Correctional Facility

Frank Benedetto, *Correction Officer*
 Leonard Black, *Deputy Superintendent-Programs*
 Robert Childs, *Captain*
 S. DelSanto, *Sergeant*
 W. F. Keenan, *Captain*
 Joseph Perrin, *Deputy Superintendent-Security*
 D. T. Trueman, *Education Supervisor*

Mt. McGregor Correctional Facility

Richard Brown, *Deputy Superintendent-Administration*
 Thomas Dean, *Acting Deputy Superintendent-Programs*
 Joseph Kennedy, *Superintendent*

Queensboro Correctional Facility

Raymond Bara, *Superintendent*
 N. Chambliss, *Senior Correction Counselor*
 John Clark, *Deputy Superintendent-Programs*
 T. Diaz, *Maintenance Supervisor*
 E. Dralle, *Vocational Supervisor*
 Bernard Kaufman, *Deputy Superintendent-Administration*
 M. MacAllister, *Sergeant*
 A. Panbianco, *Correction Officer*
 William Ritchie, *Captain*
 R. Rodriguez, *Vocational Instructor, PEF*
 L. Williams, *Steno., CSEA*
 T. Zeccola, *Education Supervisor*

Wallkill Correctional Facility

Ronald Besimer, *Correction Sergeant*
 Richard Bransfield, *Industry Supervisor*
 Louis Davis, *Correction Officer*
 Emmet Ducatte, *Correction Sergeant*
 Lawrence Malloy, *Deputy Superintendent-Programs*
 Rose Marcinkowski, *Account Clerk (CSEA)*
 Anthony Pezzulo, *Vocational Supervisor*
 Pat Poole, *Supervisor, Volunteer Services*
 Leonard Portuondo, *Education Director*
 William Quick, *Superintendent*
 Henry Sudol, *Maintenance*

Woodbourne Correctional Facility

Terrence Barton, *Senior Parole Officer*
 Al Cohen, *Steward*
 William Elberth, *Lieutenant*
 Len Findling, *Grievance Supervisor*
 Warren Frieling, *Program Coordinator*
 Peg Gladwin, *Supervisor Volunteer Services*
 Donald Halavin, *Deputy Superintendent-Administration*
 Thomas Hirsch, *Senior Correction Counselor*

Robert Kuhlman, *Superintendent*
 Paul Levine, *Senior Correction Counselor*
 Dominic Mantello, *Deputy Superintendent-Programs*
 Andrew Peters, *Captain*
 Fred Schink, *Education Director*
 Paul Sennett, *Correction Counselor*
 Herb Uriel, *Psychologist*
 John Wright, *Maintenance Supervisor*
 William Zimmerman, *Deputy Superintendent-Security*

APPENDIX 3: CHARACTERISTICS OF INMATES UNDER CUSTODY 1970-1979

Reason for Commitment	December 31, 1970		December 31, 1975		December 31, 1979*	
	Number	Percent	Number	Percent	Number	Percent
Total Under Custody	12,579	100.00	16,074	100.0	20,895	100.0
Felonies	10,771	85.6	15,270	95.0	20,080	96.1
Murder	742	5.9	1,036	6.4	1,776	8.5
Manslaughter	1,635	13.0	1,935	12.0	2,278	10.9
Robbery	3,258	28.0	5,653	35.2	7,271	34.8
Burglary	1,186	9.4	1,554	9.7	2,361	11.3
Felonious Assault	688	5.5	864	5.4	940	4.5
Grand Larceny (Not Auto)	589	4.7	385	2.4	397	1.9
Grand Larceny (Auto)	125	1.0	36	0.2	55	0.3
Rape	248	2.0	522	3.3	878	4.2
Other Sex Offenses	194	1.5	261	1.6	418	2.0
Dangerous Drugs	1,085	8.6	1,744	10.8	2,173	10.4
Forgery	184	1.5	173	1.1	167	0.8
Dangerous Weapons	288	2.3	625	3.9	669	3.2
Other Felonies	279	2.2	482	3.0	697	3.3
Misdemeanors and Violations	376	3.0	5	a	—	—
Youthful Offenders	812	6.4	779	4.9	815	3.9
Wayward Minor & Juv. Del.	45	0.4	20	0.1	—	—
Not Convicted	503	4.0	—	—	—	—
Data Not Available	72	0.6	—	—	—	—

a Less than 0.1 percent.
 * Preliminary data.

Ethnic Group	December 31, 1970		December 31, 1975		December 31, 1979*	
	Number	Percent	Number	Percent	Number	Percent
Total Under Custody	12,579	100.00	16,074	100.0	20,895	100.0
Black	6,737	53.5	9,100	56.6	11,074	53.0
White	4,147	33.0	4,291	26.7	5,621	26.9
Puerto Rican	1,639	13.0	2,616	16.3	4,075	19.5
Other	56	0.5	67	0.4	25	0.6

* Preliminary data.

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Prior Criminal Record

Prior Criminal Record	December 31, 1970		December 31, 1975		December 31, 1979*	
	Number	Percent	Number	Percent	Number	Percent
Total Under Custody	12,579	100.0	16,074	100.0	20,895	100.0
State Commitment	4,557	36.2	5,010	31.2	6,686	32.0
Local Commitment Only	2,462	19.6	4,245	26.4	5,997	28.7
No Institutional Commitment	5,488	43.6	6,818	42.4	8,212	39.3
Not Stated	72	0.6	1	a	—	—

a Less than 0.1 percent.
* Preliminary data.

Age at Close of Year

Age at Close of Year	December 31, 1970		December 31, 1975		December 31, 1979*	
	Number	Percent	Number	Percent	Number	Percent
Total Under Custody	12,579	100.00	16,074	100.00	20,895	100.0
16-18 Years	707	5.6	863	5.4	961	4.6
19-20 Years	1,222	9.7	1,512	9.4	2,006	9.6
21-29 Years	5,148	40.9	7,791	48.5	9,549	45.7
30-39 Years	3,219	25.6	3,910	24.3	5,850	28.0
40-49 Years	1,583	12.6	1,404	8.7	1,839	8.8
50-64 Years	586	4.7	534	3.3	606	2.9
65 Years and Over	114	0.9	60	0.4	84	0.4

* Preliminary figures.

Minimum Sentence

Minimum Sentence	December 31, 1970		December 31, 1975		December 31, 1979*	
	Number	Percent	Number	Percent	Number	Percent
Total Under Custody	12,579	100.0	16,074	100.0	20,895	100.0
No Court Set Minimum	2,918	23.2	8,879	55.2	7,689	36.8
One Day	43	0.4	11	0.1	—	—
12-29 Months	4,672	37.1	2,881	17.9	3,761	18.0
30 Months	547	4.4	212	1.3	439	2.1
31-59 Months	1,087	8.6	1,317	8.2	3,197	15.3
60-119 Months	1,466	11.7	1,412	8.8	3,573	17.1
120-239 Months	896	7.1	590	3.7	1,296	6.2
20 Years or More	659	5.2	612	3.8	940	4.5
Life or Death	219	1.7	160	1.0	—	—
Not Available	72	0.6	—	—	—	—

* Preliminary figures.

Maximum Sentence

Maximum Sentence	December 31, 1970		December 31, 1975		December 31, 1979*	
	Number	Percent	Number	Percent	Number	Percent
Total Under Custody	12,579	100.0	16,074	100.00	20,895	100.0
Indefinite	521	4.1	2	a	—	—
3 Years	2,120	16.9	2,923	18.2	3,113	14.9
37-47 Months	95	0.8	10	0.1	42	0.2
4 Years	3,114	24.8	3,230	20.6	3,092	14.8
49-59 Months	20	0.2	8	0.1	105	0.5
5 Years	1,537	12.2	1,322	8.4	1,379	6.6
61-120 Months	2,309	18.4	3,949	25.2	5,579	26.7
121-239 Months	972	7.7	1,590	10.2	2,779	13.3
20 or More Years	948	7.5	872	5.6	1,484	7.1
Life	871	6.9	1,828	11.7	3,322	15.9
Not Available	72	0.6	—	—	—	—

a Less than 0.1 percent.
* Preliminary data.

Education on Commitment

Education on Commitment	December 31, 1970		December 31, 1975		December 31, 1979*	
	Number	Percent	Number	Percent	Number	Percent
Total Under Custody	12,579	100.0	16,074	100.0	20,895	100.0
College	452	3.6	990	6.2	1,212	5.8
High School Graduate	1,598	12.7	2,475	15.4	4,492	21.5
High School Non-Graduate	6,050	48.1	7,423	46.2	9,507	45.5
Elementary Only	3,595	28.6	3,603	22.4	5,454	26.1
Other	884	7.0	1,587	9.8	230	1.1

* Preliminary data.

APPENDIX 4: STAFF AND INMATE POPULATION
BY FACILITY: 1971 AND 1979

Facility	1971					1979		
	Inmates	Total Staff	Uniformed Staff	Non-Uniformed Staff	Inmates*	Total Staff	Uniformed Staff	Non-Uniformed Staff
Major Facilities	8,505	3,354	2,658	696	11,127	5,509	3,705	1,804
Attica	1,104	517	422	95	1,841	837	563	274
Auburn	1,575	430	350	80	1,582	639	429	210
Clinton	1,383	955	748	207	2,501	1,291	878	413
Downstate	xxx	xxx	xxx	xxx	381	529	367	162
Elmira	1,290	466	335	131	1,532	690	427	263
Great Meadow	1,247	442	358	84	1,436	686	481	205
Green Haven	1,906	544	445	99	1,854	837	560	277
Other Facilities					8,212	5,832	3,646	2,186
Albion	xxx	xxx	xxx	xxx	303	246	124	122
Arthur Kill	xxx	xxx	xxx	xxx	715	466	316	150
Bedford Hills	315	299	166	133	407	391	217	174
Coxsackie	525	251	173	78	705	433	264	169
Eastern	xxx	xxx	xxx	xxx	845	494	311	183
Fishkill	914	683	496	187	1,164	948	702	246
Hudson	xxx	xxx	xxx	xxx	182	218	115	103
Mid-Orange	xxx	xxx	xxx	xxx	407	361	236	125
Mt. McGregor	xxx	xxx	xxx	xxx	131	202	55	147
Ossining	1,457	494	391	103	1,129	651	478	173
Otisville	xxx	xxx	xxx	xxx	464	334	217	117
Queensboro	xxx	xxx	xxx	xxx	292	202	110	92
Taconic	xxx	xxx	xxx	xxx	308	154	95	59
Wallkill	488	188	109	79	488	284	141	143
Woodbourne	xxx	xxx	xxx	xxx	672	448	265	183
Camps	321	122	86	36	553	348	185	163
Community Based	xxx	xxx	xxx	xxx	464	342	173	169

*1979 data excludes inmates in out to court state

APPENDIX 5: CORRECTIONAL FACILITY CHANGES: 1971-1979

Jun. 1971 **Albion** Ceased operation as a result of legislative action on the Governor's budget. Restored to operation November, 1972 as a community-based correctional facility.

Aug. 1972 **Eastern** Opened as maximum security correctional facility. Former DOCS facility that had been used for confinement of New York City inmates effective September 23, 1970.

Nov. 1972 **Rochester** Opened as a community-based correctional facility, formerly operated by Division for Youth.

Jan. 1974 **Taconic** Opened as minimum security facility for males. Formerly a DOCS reformatory for female offenders.

Jul. 1974 **Bayview** Opened as a community-based correctional facility, acquired from the Narcotic Addiction Control Commission (NACC)*. Originally the Seamans YMCA.

Aug. 1974 **Edgecombe** Opened as a community-based correctional facility, acquired from NACC. Originally the Mother Caprini Hospital, a nursing home.

Aug. 1974 **Parkside** Opened as a community-based correctional facility, acquired from NACC.

Aug. 1974 **Woodbourne** Opened as a medium security correctional facility. Although acquired from NACC, Woodbourne had been a DOCS facility until October 31, 1967.

Nov. 1975 **Fulton** Opened as a community-based correctional facility, acquired from NACC.

May 1976 **Arthur Kill** Opened as a medium security correctional facility, acquired from NACC.

Jul. 1976 **Lincoln** Opened as a community-based correctional facility. A former elementary school renovated for correctional use.

Aug. 1976 **Queensboro** Opened as a medium security correctional facility, acquired from NACC. Originally an industrial building used in fabrication of metal products.

Sep. 1976 **Camp Adirondack** Originally a correctional camp program on the grounds of the Clinton Correctional Facility. Starting November, 1972, it moved at the Raybrook site acquired from NACC in September, 1976. Originally a tuberculosis (TB) hospital.

Oct. 1976 **Mt. McGregor** Opened as a minimum security, camp type correctional facility. Acquired from Dept. of Mental Hygiene. Originally a TB hospital.

Oct. 1976 **Hudson** Opened as a minimum security correctional facility acquired from Division for Youth. Originally at state training school for girls of the Dept. of Social Welfare.

Dec. 1976 **Otisville** Opened as a medium security correctional facility acquired from NACC. Formerly operated by Division for Youth and originally a state training school for boys of the Dept. of Social Welfare.

Feb. 1977 **Mid-Orange** Opened as a medium security correctional facility acquired from Div. for Youth. Originally state training school for boys of the Dept. of Social Welfare.

Feb. 1979 **Downstate** New maximum security correctional facility constructed for DOCS.

*The official title of this agency has undergone several changes over the years. The initials NACC are used to provide a consistent reference within this listing.

APPENDIX 6: POPULATION PROJECTIONS

Inmates in State Facilities At the close of March 1980, there were 20,916 inmates under custody in DOCS facilities excluding 700 offenders held in New York City facilities and 173 inmates at the Mt. Marcy Central New York Psychiatric Center. In a span of about seven years, the inmate population has increased 68% (8,492 inmates) from a population low of 12,424, which occurred at the close of September 1972. Admissions to DOCS facilities have continued to exceed releases annually throughout this period. The projected inmate population is expected to exceed 24,000 by the close of FY1985-86. The rate of growth should moderate substantially after FY1982-83 but continue to expand at a declining rate through March 31, 1986.

Table 1 INMATE POPULATION For March 31, 1980 and Annual Projections Through March 31, 1986

Fiscal Year	Total*	Net Change
Ending March 31		
1980	20,916	+ 290
1981	21,962	+1,046
1982	22,618	+ 659
1983	23,164	+ 546
1984	23,606	+ 442
1985	23,912	+ 306
1986	24,057	+ 145

*The 1980 total of 20,916 excludes 412 sentenced inmates and 288 parole violators at Rikers Island. It is assumed that this backlog will be reduced to a total of 300 by the close of FY1980-81 and will remain at this level for the remainder of the projection period.

Admissions and Releases: Table 2 indicates projected admissions and releases by fiscal year through FY1985-86. Also shown is the inmate population under custody at the beginning and end of each fiscal period.

Table 2 INMATE POPULATION: PROJECTED ADMISSIONS AND RELEASES through FY1985-86

Fiscal Year	Under Custody		Under Custody	
	Start of Period	Admissions	Releases	End of Period
1980-81	20,916 ^a	10,077	9,031	21,962
1981-82	21,962	9,862	9,206	22,618
1982-83	22,618	9,937	9,391	23,164
1983-84	23,164	9,962	9,520	23,606
1984-85	23,606	9,928	9,622	23,912
1985-86	23,912	9,860	9,715	24,057

^aActual figure which excludes 412 sentenced inmates and 288 parole violators held at Rikers Island. It is assumed that 400 of this backlog will be admitted to DOCS custody during FY1980-81 leaving a 300 population at Rikers Island for the remainder of the projection period.

The chart which follows illustrates the basic movement of population into and out of DOCS system. The input into the system, admissions, is comprised of two major components, court commitments (82%) and violators returned from parole supervision (13%). The remaining 5% is made up of several lesser admission types including: offenders returned from court after affirmation of their sentence; returned escapees and absconders;

and transfers from the Department of Mental Hygiene (DMH).

Court commitments are expected to increase through FY 1982-83 reaching a plateau at that point at which they should remain through FY 1983-84. In subsequent years, a gradual decline in court commitments is expected. Estimates of court commitments are based on analysis of past experience linked with the projected growth patterns

of the "population at risk" in the total NYS population (i.e., youths between the ages of 15 and 34 as projected by the NYS Economic Development Board by region). An adjustment to reflect added commitments caused by the violent felony offender (VFO) laws during an initial two-year period has also been included. Admissions resulting from the return of violators from parole supervision are expected to rise throughout the projection period. These estimates are arrived at by applying observed rates of return over time to annual cohorts of releases to parole supervision and then apportioning these returns over the projection period.

Inmate Population Projections The inmate population projections are arrived at by estimating future admissions to and releases from DOCS custody. Starting with a known total of inmates under custody, we add the estimated inmate admissions for the projection period. From this sum, the estimated releases are deducted. The remainder constitutes the estimated inmate population at the end of the projection period.

Preliminary estimates are developed utilizing multiple regression analysis. A data base is carefully selected to reflect current trends in admissions and releases to support this analysis.

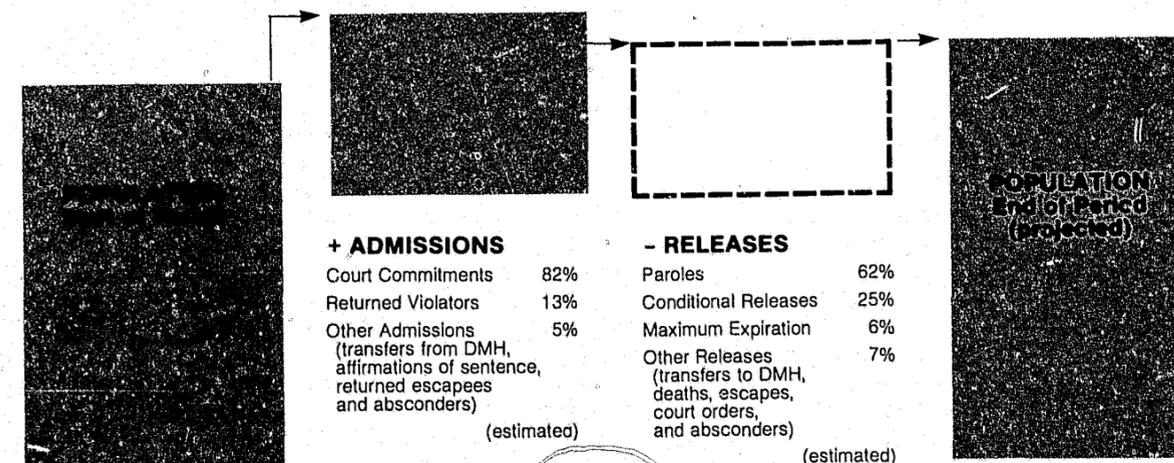
These preliminary estimates are then subsequently modified to reflect the expected impact of changes in legislation, new administrative policies, judicial decisions, and demographic trends.

The remaining admissions types should experience little change from existing rates over the projected period, barring changes in legislative, administrative or judicial policies over the coming years.

System output releases consist mainly (87%) of releases to parole supervision. These may be at the discretion of the Board of Parole once an inmate becomes eligible for parole consideration (i.e., has reached his minimum term set by the sentencing court or the minimum period of incarceration (MPI) set by the Board of Parole) or as a mandatory conditional release (CR) after successful completion of two third of the maximum sentence. Discharges from custody at maximum expiration of sentence (ME) account for an additional 6% of all releases. These ME cases have virtually all been previously released and returned to custody as violators. The remaining 7% is made up of several lesser release types including: deaths; court ordered discharges; absconders from temporary release programs; and escapes.

Release to parole supervision are expected to generally increase over the projection period. This increase is expected to be gradual reflecting the long MPI's being set by the Board of Parole. As the number of persons committed under the violent felony offender (VFO) legislation, effective September 1, 1978, increases, the proportion of cases with Board set MPI's will decrease due to mandatory sentencing provisions of this law. However, the number of long minimum terms

PROJECTING INMATE POPULATION



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among persons committed to DOCS custody will continue as the VFO law mandates severe sentences for persons committed for such felonies. Estimates of releases to parole supervision were based on an analysis of the proportion of prior under custody populations who were released over given time frames. The observed correlation has been applied to projected populations to arrive at our figures for future releases to parole supervision.

The proposed addition to the computerized inmate information file of adequate information relative to the parole eligibility status of each inmate as well as individual and summary data on decisions of the Board of Parole could greatly enhance our ability to prepare more precise projections for releases from Department custody.

The remaining release categories are not expected to vary greatly from existing levels barring major procedural changes over the coming years.

FACTORS INFLUENCING THE SIZE OF THE INMATE POPULATION

The following text highlights recent developments and trends observed in subject areas which influence the size of the inmate population:

1. Crime and Arrest Trends

FBI figures for the calendar year 1979 indicate a nationwide increase in various crime, especially in violent offenses. In New York State, the FBI report indicates that serious crime rose 8% and violent offenses were up 9% over reports for this period in 1978.

Felony arrest during the first half of 1979 registered increases in all regions of New York State, up 7.8% over January-June 1978 according to the latest NYS Felony Processing Report by the Division of Criminal Justice Services (DCJS). Non-drug arrests rose by about 7% while felony drug arrests jumped 19%.

As the average time required to process a felony case through to a commitment requires an excess of seven months, it is unlikely that this rise in crime and arrests could be reflected in admissions until late in 1979. While reliable correlations between crime/arrest and commitment rates have not been established, the fact that more serious offenders are being entered into the criminal justice processing system, increases the potential for a greater number of commitments to DOCS custody.

2. Indictments

The volume of indictments reported from New York City has shown a rise of about 5% during the first half of 1979. While Upstate indictments have declined, the rise in New York City is more significant as these five counties account for nearly 7 out of every 10 commitments to DOCS. The rise in New York City indictments for violent crime categories is nearly 9% higher than what was reported by the Division of Criminal Justice Services for the first six months of 1978.

While lack of reported detail by offense category for indictments and incomplete reporting of the final disposition of all indictments makes correlation of these reports to actual commitments unreliable, we still have a situation where greater volumes of offenders are being processed through the criminal justice system and for offenses where a conviction is likely to result in a DOCS commitment. This condition supports our projections of increased court commitments arrived at independently of the indictment rate.

3. Felony Dispositions

Reported felony dispositions by the courts show little change from 1978 levels although the actual number of persons committed to DOCS facilities is over 5% higher in 1979 than 1978. From data published by the Office of Court Administration (OCA), there appears to be build up of felony cases pending disposition before the courts. In New York City we observe a rise from 7,848 cases pending felony disposition at the close of August 1978 compared to 8,637 in 1979. A continued build up in pending cases is a possibility given the demands that will be placed upon the resources of the courts and district attorneys by the resentencing of up to 1,500 committed A-II and A-III drug offenders along with the potential for a greater proportion of trial cases which may be expected to occur given the more severe sentences provided under the violent offender law.

The impact of a build up in pending felony dispositions is to delay immediate commitments to DOCS and create the possibility of a surge of such commitments over a relatively short future time span when the backlog is reduced. The Office of Court Administration, in its program for the timely processing of criminal cases, managed to reduce a pending felony backlog of 12,038 at the close of 1975 to a figure below 8,000 mid-1978. This process contributed to all time high numbers of court commitments received at DOCS during 1976 and 1977. A remaining OCA goal is to provide that no felony case will be held in pending status for more than six months from the filing of an indictment. Should resources become available to permit the accomplishment of this goal we must again expect an additional rise in commitments not provided for in these projections.

Convictions continue to account for eight out of ten felony charge dispositions. Of the reported convictions, 38% receive sentences to DOCS. Felony convictions in New York City courts result in DOCS terms in 50% of the cases compared to between 25% and 28% in suburban New York City and Upstate counties.

4. Commitments and Institutional Population Trends

Court commitments make up the largest single group of admissions (over 80%) to DOCS custody. For reasons noted above, commitments hit a high of 8,437 during 1977 followed by a 14% decline in 1978. Commitments during calendar year 1979 resumed an upward trend, registering an increase of 6% over 1978 levels. This 12-month 1979 period has been used as a basis of much of our short term projection in order to exclude experience which reflected administrative practices of the courts and the Board of Parole which are no longer in operation. Commitment projections have been arrived at utilizing regression analysis with appropriate adjustments to reflect potential impact of new legislation.

Long term estimates are closely linked with projections of the population at risk as provided by the New York State Economic Development Board which are weighted to show differences between commitment rates for New York City and the rest of the state.

It may be noted that only limited data are available on 1979 commitments which confines the extent of analysis of some of the following factors. The proposed changes in the DOCS inmate reception/classification process plus continued improvements in the computerized inmate information file should greatly expand Department capabilities in this area in future years.

5. Population Trends: National and State

Population estimates and projections prepared by the United States Bureau of the Census indicate a continued rise in the 16 through 34 year old portion of the national male population. It is this age grouping which presently accounts for over 80 percent of commitments to the Department. During the period July 1, 1976 through July 1, 1981, the total population is expected to increase by 11,753,000 persons, up 7 percent. Projections prepared by the New York State Economic Development Board indicate that by 1984 the male population for this age group in New York State will increase by 300,000 persons over 1975 levels. This increase will occur primarily before 1981 with a much more gradual rise through 1984. At the same time the younger (under 15) male population is scheduled to decline. This decline is already being experienced in school districts across the state but will not be felt by the "population at risk" until the middle 1980's.

The current economic situation with its high levels of unemployment in sections of New York State often hits hardest at this youthful segment of the population. The material needs and frustrations generated by this economic condition could readily add to the expected increase in commitments expected solely from the increasing numbers of persons projected for the young adult portion of the population. These trends are even more pronounced in the disadvantaged urban population from which come over half the persons committed each year to Department custody.

6. Second Felony Offenders

On September 1, 1973 the second felony offender provisions of the Penal Law became effective. This legislation resulted in the mandatory commitment of convicted offenders to the Department who might formerly have been given alternate dispositions upon sentencing. The second felony offender provisions of the Penal Law set the minimum sentence at one-half the maximum and have the effect of increasing the minimum term (which cannot exceed one-third the maximum for court sentenced first felony cases). A result has been appreciably longer minimum terms of imprisonment for those sentenced as second felony offenders.

New commitments with second felony sentences have made up one-third of all DOCS commitments since 1975. As the number of felony convictions in New York State continues to increase, so does the pool of offenders with a potential for receiving a mandatory sentence to DOCS as second felony offenders.

The violent felony offender law has added more severe terms for second violent felony cases along with mandatory life maximum and long minimum terms for persistent (third) violent felony offenders.

The combined effect of these laws with long mandatory minimum terms has been to reduce the number of offenders annually released to custody and thereby contributing to the increase in the inmate population.

7. Controlled Substance Law

The Controlled Substance Act, which became effective September 1, 1973, created three Class A felony categories with life maximum sentences but different minimum sentences. Persons charged with any Class A drug felony were not permitted to plead to a crime of less than a Class A-III drug felony. Conviction for any of these Class A offenses resulted in a mandatory sentence to DOCS, except that upon recommendation of the prosecuting attorney, a person convicted of a Class A-III drug felony may receive life-time probation.

A major revision, effective September 1, 1979, has, in effect, reclassified the Class A-III drug offense down to Class B and at the same time has provided shorter

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minimum terms for Class A-II offenders. Offenders committed under the old law may appeal for resentencing to avail themselves of these potentially shorter terms. However, under the revision, both offenders convicted under the new Class B and under the new Class A-II provisions will be subject to the second felony offender law with mandatory minimum terms, something they were exempt from under the original "Rockefeller drug law." Offenders charged with A-I offenses may only plea bargain to a Class A-II charge. These more stringent conditions for more serious offenders will contribute to longer periods of incarceration which will tend to offset the reduced terms available for less serious offenders.

8. Violent Felony Offender Law

Legislation, effective September 1, 1978 provides severe plea bargaining restrictions and longer sentences for persons charged with 16 offenses now designated as "violent felonies." An analysis of data contained in the 1977 Felony Processing Reports of DCJS indicates that up to 20 percent of persons charged within the penal law articles which include the 16 specified violent felonies are subsequently convicted of "non-violent" felonies. Convictions under these "non-violent" articles result in sentences to DOCS in only 25 percent of the cases compared to a 55 percent rate of sentence to DOCS facilities under violent crime categories. The limitation of plea bargaining will result in additional commitments to DOCS who in prior years would have been eligible for other dispositions through the plea process. We estimate this figure of 230 commitments per year.

The longer sentences possible under the new legislation should extend the length of time served by persons committed to DOCS as violent felony offenders. Class B commitments will be faced with at least one additional year and Class C with one half an added year of time to serve. For second felony commitments, about one out of three cases, the increase in time is more severe with 1½ added years for Class B, one year for Class C, and one half year for Class D. The impact of the longer sentences will be substantial as almost half (48.6%) of all DOCS commitments are for violent felonies. As the current time served is now just two years, the actual impact of the longer sentence may not be felt in full until FY 1982-83.

The effect of this legislation could, however, be seriously mitigated if the plea bargaining restrictions are circumvented by any tendency to "under book" violent felony cases in the arrest/arraignment/indictment process. Similarly, if longer minimum sentences than those now being set by the court and Board of Parole are not imposed for persons convicted of violent felony offenses, then the projected build of inmate populations for FY 1982-83 will not take place.

9. Juvenile Offender Law

The Omnibus Crime Bill of 1978 makes juveniles 14 and 15 years of age criminally responsible for 14 felony offenses. Although such cases are to be originally committed to the Division for Youth, provision is made for their subsequent transfer to DOCS after their 16th birthday. Preliminary estimates of Division for Youth place the volume of such cases at less than 50 per year. We shall, however, have to monitor this potential source of additional population.

10. Minimum-Maximum Terms of Sentences

The sentencing provisions of the Penal Law and the sentencing practices of the courts in commitment of convicted felons to Department custody is a primary factor in determining the number of persons to be held under custody and the number who are eligible for parole. The sentence states the minimum period of incarceration as well as the maximum period that the offender may be held under custody or remain under parole supervision. While the court must assign the maximum term, the minimum may be set by the court or the court may leave this to the Board of Parole by assigning an unspecified minimum. The duration of both the minimum and maximum term must be set within a range according to the class of felony. For the court, the minimum term may not exceed one-third of the maximum sentence except for second felony offenders where the limit is one-half the maximum. The Board of Parole is not bound by these limits and tends to set longer minimum terms which tend to average at close to one-half the maximum, especially where the maximum term is three or four years.

There has been a shift during the last year toward longer minimum terms being set by both sentencing courts and by the Board of Parole. This reflects both the impact of mandatory severe court set minimum terms as well as Parole Board minimum period guidelines which call for longer terms for offenders involved in violent crime.

11. Activities of the Board of Parole

Actions of the Board of Parole influence the size of the inmate population both by determining the number of persons granted parole, an action which decreases the under custody population and by authorizing the return to custody of violators from parole supervision and by setting minimum periods of imprisonment, actions which may increase the number of inmates under custody. The number of persons released to parole supervision by action of the Board of Parole rose 7% during calendar year 1979 reflecting the larger proportion of parole eligible inmates in the inmate population.

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