

June 2023

A New Look at CANY:

Oversight, Transparency, Discourse, and Accountability



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Demonstrating What's Possible

During this past legislative session in New York, a number of bills were introduced – and, in some cases, passed – to strengthen the mechanisms for ensuring transparency and accountability in correctional facilities across the state. At least nine pieces of legislation would build on existing efforts to shine a light on what happens inside the walls of our state's most insular institutions.

A quick scan of the headlines demonstrates the urgent need for action. In May of this year, New York's Inspector General released a report detailing workers' compensation fraud among state corrections personnel, who represent 15% of the state's employees, but 44% of the total fraud cases. The Marshall Project and the New York Times reported on the state's failure, in hundreds of cases, to hold rogue prison officers accountable for brutal assaults on incarcerated people. The New York City corrections commissioner decided to stop notifying the public when someone dies in the famously troubled jails, even as the federal monitor alleges obfuscation. A staffer at a Bronx juvenile detention facility was arrested and fired for sexually abusing an 18-year-old detainee. And the list continues.

These are some of the stories that make the news. Every day, in prisons, jails and juvenile lockups throughout New York, countless stories of suffering and dysfunction are unfolding. The

secrecy and isolation that characterize these institutions prevent all but the most egregious issues from reaching public awareness. By the same token, this culture of silence can also prevent the transmission of positive stories about everyday acts of heroism, like reversing an overdose or preventing a suicide, for example, and successful programs that build skills and create opportunities for a brighter future.

The Correctional Association of New York, which under state law has authority to conduct oversight of prisons, documents living and working conditions inside a system that costs taxpayers more than \$3 billion each year. CANY's power lies in our ability to open up our society's most closed public institutions. We speak directly to people housed in cellblocks and dormitories across the state, and with representatives of employee unions and other people who work inside prisons. We walk through housing areas, program spaces, infirmaries and mental health crisis units observing physical conditions, seeking to understand in a nuanced way what the key challenges are and how they might be addressed in the near term. We engage those in positions of power – from the Governor's office to the Legislature to advocacy organizations fighting for change on the front lines.

We have documented appallingly pervasive allegations of physical abuse and racial animus,

unchecked by internal control mechanisms like the grievance system or the Office of Special Investigations. We have also observed genuinely transformational initiatives, like the Senior Living program at Ulster Correctional Facility, where older adults are housed together in a dorm that has been retrofitted to include classrooms, a gym, and space for community meetings. Indoor plants bask in light pouring through the windows; artwork on the walls adds color and inspiration.

Undoubtedly, independent oversight entities can serve the important function of sounding the alarm when bad things happen inside correctional facilities. We can identify harmful policies and practices and point to solutions that make prisons safer for staff and incarcerated people alike. We can also call attention to the examples of best practices that already exist, shining a spotlight on the programs and people making a real difference, demonstrating what's possible.

As our country moves away from incarceration as the default response to social problems and a tool for the oppression of Black and Brown and marginalized people, CANY is focused on those necessary changes for people housed in prisons in New York today, right now. We keep them present in our minds as we do this challenging and essential work. Thank you for standing with us.

David Bell
Chair, Board of Directors

Jennifer Scaife
Executive Director





► **Prisons, Place, & Power**

In September 2022, CANY convened key allies and influential guests to explore the complex interactions of identity, geography, personal history, and politics in New York's prison landscape.

Key Facts and Figures

CANY was founded in 1844, and granted authority by the legislature in 1846, to conduct oversight of New York's prisons. In 2021, that unique and historic authority was codified in New York State Correction Law Section 146.3, conferring upon CANY

72 hours

The ability to conduct onsite monitoring visits with 72 hours' notice to the Dept. of Corrections and Community Supervision.



44
state
prisons

To monitor all 44 state prisons within a 5-year period.



To report on our findings and provide DOCCS a 60-day period for review and response.

CANY at a Glance

31,310

people incarcerated

26,694

people employed by DOCCS

To hold confidential conversations with the 31,310 people incarcerated and 26,694 people employed by DOCCS.



\$1.9M

CANY BUDGET

In the 18 months covered by this report, CANY conducted 1,405 interviews with incarcerated people, monitored 14 prisons, and published 10 reports. CANY's budget in FY23 is \$1.9M. DOCCS' budget in FY23 was \$3.19B.



\$1.9M

CANY BUDGET



\$3.19B

DOCCS' BUDGET



Mission, Vision and Values

Mission

CANY provides independent oversight of prisons in New York State to promote transparency and accountability; safeguard the human and civil rights of incarcerated people; identify and provoke a response to harmful practices and policies; promulgate information that supports reform and the decreased use of incarceration in New York.

Vision

CANY envisions a future in which our criminal justice system uses an entirely different approach to responding to violence and social concerns. In this vision, prisons look nothing like they do today: far fewer people are held for much shorter sentences in transformed conditions that promote health, safety, and justice for incarcerated individuals, communities, and society at large.

Values

RESPECT

We uphold the dignity and worth of all people.

JUSTICE

We call for justice and fairness in all systems.

ANTI-RACISM

Racial equity is central to our shared humanity.

TRANSFORMATION

We embrace creativity and bold ideas for change.

Strategic Direction: 5 Goals

CANY adopted a new strategic plan in January 2023, which will guide our work throughout the coming three-year period. Our plan is anchored in the following goals:

AMPLIFY and scale monitoring to leverage the full extent of CANY's legislative authority and access to prisons

STRENGTHEN oversight and apply greater pressure upon the state to implement recommendations

FOSTER partnerships with state officials and other key stakeholders to build a collaborative practice for system change

BUILD internal data capacity to increase transparency and strengthen CANY's monitoring and oversight

ELEVATE CANY's positioning to promote the value of oversight with target audiences



▶ Weeksville Heritage Center: CANY's favorite retreat

CANY held a gathering of staff, former staff, interns, and friends in March 2023 at Weeksville in Brooklyn.

► **Weeksville Heritage Center:
CANY's favorite retreat**

In November 2022, CANY held a staff retreat at Weeksville, facilitated in part by our friends at Bennett Midland.

How We Work

What we are seeking to change

- **Lack of transparency and accountability**
- **Mistreatment and abuse of incarcerated people**
- **Poor conditions and lack of programming and resources**
- **Overuse of prisons**

What we do

- **Oversight and Monitoring**
 - Prison visits
 - Surveys of incarcerated people
 - Interviews with staff and incarcerated people
- **Promote transparency**
 - Produce reports
 - Share data and information with decision-makers
 - Make data accessible through publicly available website
- **Awareness building**
 - Cultivate relationships with legislators, public officials, and advocates
 - Disseminate information to the public through social media, press releases, and op-eds.

How we know it is working

- **Systems-level change**
 - New policies and practices to improve conditions
- **Increased resource allocation**
 - Use of data or information to advance an investigation into prison conditions and treatment
- **Legislative change**
 - Introduction and enactment of new legislation to advance system reform
- **Increased Awareness**
 - Engagement and interest of external stakeholders

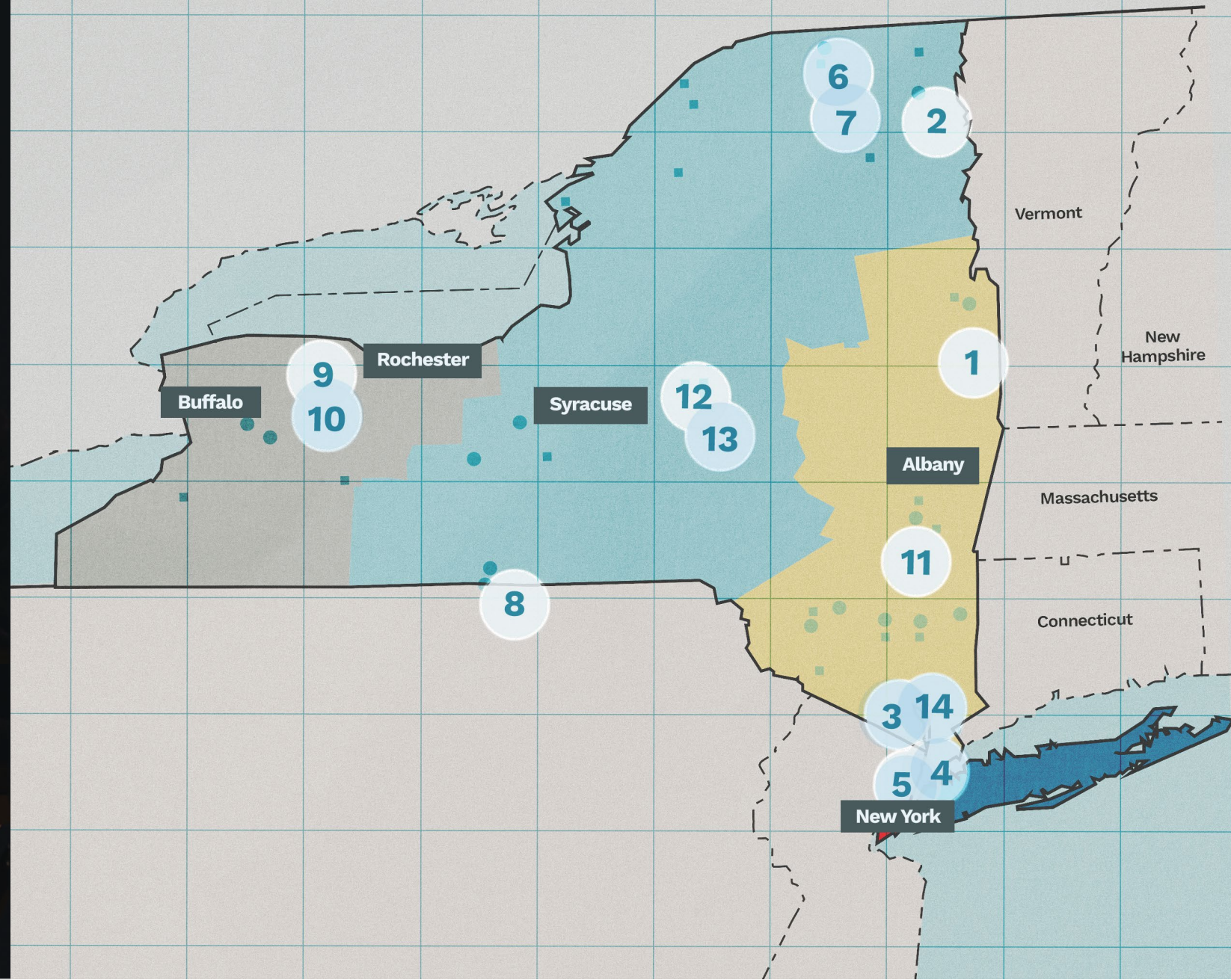
What the impact is

- **Accountability & Transparency**
 - An accountable, humane, and contracted prison system that upholds the civil rights of incarcerated people and operates transparently.
- **Awareness & Public Interest**
 - Public interest in creating a humane and fair justice system.

e, and Power

► Prisons, Place, & Power

The event featured a dialogue between Breea Willingham, Ph.D., and Clarence Jefferson Hall, Jr., Ph.D., facilitated by Andre Ward, Associate Vice President of the David Rothenberg Center for Public Policy at the Fortune Society.



Oversight: Monitoring Prisons Across Three Centuries

Prisons monitored June 2021-December 2022

- | | | |
|---|---|--|
| 1 Great Meadow Correctional Facility
JUNE 2021 | 5 Sing Sing Correctional Facility
FEBRUARY 2022 | 10 Orleans Correctional Facility
JUNE 2022 |
| 2 Clinton Correctional Facility
JULY 2021 | 6 Bare Hill Correctional Facility
MARCH 2022 | 11 Cossackie Correctional Facility
JULY 2022 |
| 3 Downstate Correctional Facility
OCTOBER 2021 | 7 Upstate Correctional Facility
MARCH & NOVEMBER 2022 | 12 Marcy Correctional Facility
OCTOBER 2022 |
| 4 Bedford Hills Correctional Facility
NOVEMBER 2021 | 8 Elmira Correctional Facility
APRIL 2022 | 13 Mid-State Correctional Facility
OCTOBER 2022 |
| | 9 Albion Correctional Facility
JUNE 2022 | 14 Green Haven Correctional Facility
DECEMBER 2022 |

Albion Correctional Facility

ALBION, NY

FROM LEFT: Scott Paltrowitz, Steve Hart, Anisah Sabur, Tyrrell Muhammad, Alicia Kuang, Mehrdad Dariush, Felicia Henry, Emily Bogdan, and Sumeet Sharma



Preserving & Modernizing CANY's Long History

In partnership with the Correctional Association of New York (CANY), and the Center for Community Engaged Learning at Fordham University, The M.E. Grenander Department of Special Collections and Archives at SUNY Albany has recently digitized their [collection of annual reports from the Correctional Association of New York Records](#) (1844-1988), making the entire collection available online as searchable PDF files. These documents, released every year since the organization was founded in 1844, capture first-person reporting on prison conditions, descriptions of policy campaigns and aims, analysis of city and state politics, records of national and international networks of penal reform, and debates around abolitionist ideas and reform proposals over almost two centuries. The reports also include photographs picturing prison construction, interiors, and scenes from daily life, and hand-drawn graphs visualizing statistics on population and issues like medical care. The newly digitized collection is an invaluable trove of information for scholars in a wide variety of fields or activists invested in tracing the history of prison advocacy.



Elmira Correctional Facility

ELMIRA, NY

FROM LEFT: Sumeet Sharma, Emily Bogdan, Aidan King, Martha King, Tyrrell Muhammad, Steve Hart, Emily Singletary, and Jennifer Scaife



Green Haven Correctional Facility

STORMVILLE, NY

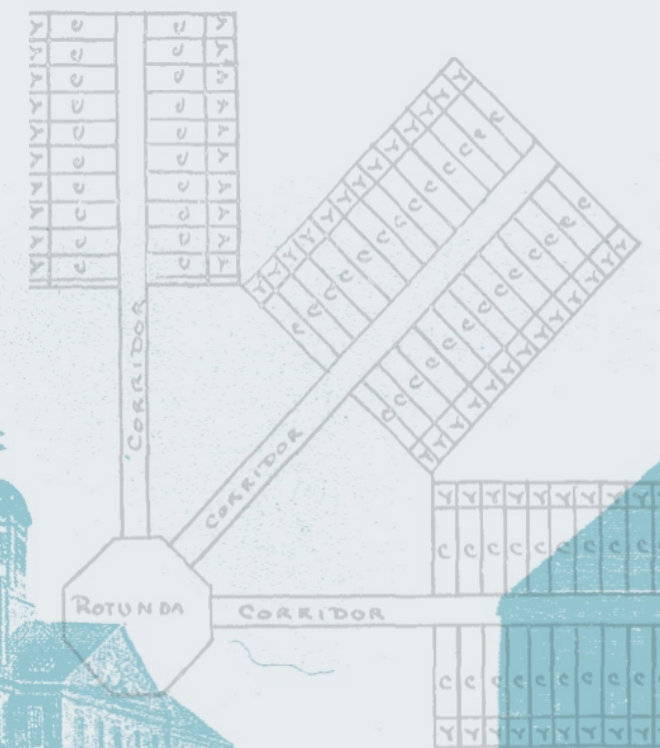
FROM LEFT: Sumeet Sharma, Laura Miller, Bill Snipes, Andrew Epstein, Assembly Member Emily Gallagher, John Paraskevopoulos, and Jennifer Scaife



Marcy Correctional Facility

MARCY, NY

FROM LEFT: Sumeet Sharma, Kelly Briem, Caitlin Sikes, Laura Miller, Aidan King, Scott Paltrowitz, Jennifer Parish, and Jared Chausow



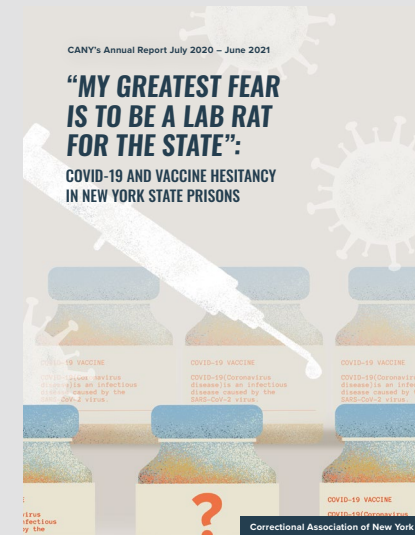
► Prisons, Place, & Power

Board member Michelle Daniel Jones and Tyrrell Muhammad have a laugh



Transparency: Shining a Bright Light

Monitoring During the Pandemic



COVID-19 and Vaccine Hesitancy in NYS Prisons

As of December 23, 2021, only 52% of the prison population had accepted at least one dose of a vaccine (compared to roughly 85% of the general population in New York State). Our findings reveal that vaccine hesitancy among incarcerated people is rooted in prior negative experiences with prison healthcare, a lack of trust in DOCCS staff, and the history of medical experimentation on incarcerated populations. One person put it this way: “As an incarcerated individual, my greatest fear is to be a lab rat for the state.”



Comparing COVID response in prisons across NY, IL, and PA

Across multiple components of the COVID-19 crisis and response, the prison system in New York performed worse than in Illinois or Pennsylvania. Pennsylvania’s \$25 vaccination incentive for people in custody was linked to a vaccine uptake rate of 87% in August 2021, compared to a rate of 46% in New York in the same month. Illinois distributed KN95 masks to each incarcerated person on a weekly basis, while New York distributed cloth masks and only sporadically provided new surgical masks. The underlying lack of trust in healthcare providers working in prisons was demonstrated vividly in New York. Only 9.7% of incarcerated people interviewed trust doctors in prison, while 45.5% trust doctors in general.

Post-Visit Briefings: CANY's Signature Monitoring Reports

CANY's post-visit briefings published from June 2021 through December 2022 drew on visual observations of correctional facilities, interviews with incarcerated people and staff, and analysis of administrative data. These reports are available on our website and contain findings and recommendations pertaining to the following prisons:

NO. 22-01 | JUNE 28-29, 2021

Monitoring Visit to Great Meadow Correctional Facility

[LINK TO REPORT](#)

NO. 22-02 | JULY 21-22, 2021

Monitoring Visit to Clinton Correctional Facility

[LINK TO REPORT](#)

NO. 22-03 | OCTOBER 22, 2021

Monitoring Visit to Downstate Correctional Facility

[LINK TO REPORT](#)

NO. 22-04 | NOVEMBER 22, 2021

Monitoring Visit to Bedford Hills Correctional Facility

[LINK TO REPORT](#)

NO. 22-05 | FEBRUARY 9, 2022

Monitoring Visit to Sing Sing Correctional Facility

[LINK TO REPORT](#)

NO. 22-06 | MARCH 8-9, 2022

Monitoring Visit to Bare Hill Correctional Facility

[LINK TO REPORT](#)

NO. 22-07 | APRIL 26-27, 2022

Monitoring Visit to Elmira Correctional Facility

[LINK TO REPORT](#)

NO. 22-08 | JUNE 22-23, 2022

Monitoring Visit to Albion Correctional Facility

[LINK TO REPORT](#)

NO. 22-09 | JULY 20-21, 2022

Monitoring Visit to Coxsackie Correctional Facility

[LINK TO REPORT](#)

KEY FINDINGS JUNE 2021-DECEMBER 2022

Programs

64%

of respondents across seven prisons (Great Meadow, Clinton, Bare Hill, Upstate, Elmira, Albion, and Orleans) reported having access to the academic and vocational programs that they needed (n=413). Sing Sing stands out as the prison with the most favorable programming offerings in the eyes of incarcerated people.

Medical services

55%

of respondents across three prisons (Elmira, Albion, and Orleans) reported having experienced or witnessed an emergency medical or mental health situation at their respective prisons (n=112). In many instances, incarcerated people described delayed, harsh, or inadequate treatment for those suffering the crisis.

58%

of respondents across three prisons (Bare Hill, Upstate, and Elmira) reported that the level of medical care received was adequate (n=117). At Great Meadow, 32% of respondents reported considering the quality of general healthcare to be adequate (n=78).

Mental Health Services and Needs

52%

of respondents across four prisons (Great Meadow, Clinton, Bedford Hills, and Elmira) reported receiving services from OMH (n=357).

23%

of respondents between Great Meadow and Clinton reported having attempted to hurt themselves in prison (n=195).

13%

of respondents at Bedford Hills reported having attempted to hurt themselves at Bedford Hills specifically (n=40).

Post-Visit Briefings: CANY's Signature Monitoring Reports

KEY FINDINGS JUNE 2021-DECEMBER 2022

Physical, verbal, and sexual abuse

45%

of respondents across five prisons (Bedford Hills, Bare Hill, Upstate, Elmira, and Orleans) reported having witnessed or been personally subject to verbal, physical, or sexual abuse by staff (n=219). Bare Hill had the most pervasive reports of abuse among these prisons, with a rate of 58%. At Albion, 50% of respondents there reported having been subject to physical and verbal abuse (n=64). Problems with staff behavior constituted prominent themes at Great Meadow and Clinton as well, and interpersonal relationships with staff emerged as one of the most prominent negative themes at Sing Sing.

36%

of respondents across four prisons (Bedford Hills, Bare Hill, Upstate, and Elmira) reported having witnessed or experienced racialized abuse by staff, including but not limited to slurs, stereotyping, and discrimination (n=199). 43% of respondents between Albion and Orleans reported having seen or experienced racialized abuse by staff (n=68).

Temperature

28%

of respondents across three prisons (Elmira, Albion, and Orleans) reported that, during the summer, it was adequately cool inside (n=99). Other incarcerated people across DOCCS facilities reported experiencing summer temperatures without proper ventilation, heat left turned on, no air conditioning, and insufficient access to ice supply.

KEY FINDINGS JUNE 2021-DECEMBER 2022

Grievance

17%

of respondents across seven prisons (Clinton, Bedford Hills, Bare Hill, Upstate, Elmira, Albion, and Orleans) reported feeling that the grievance process was fair (n=242). Incarcerated people reported filing grievances for a variety of issues, including but not limited to medical, mental health, discipline, staff abuse, property, material conditions, basic services, and programs.

Commissary

30%

of respondents across five prisons (Bare Hill, Upstate, Elmira, Albion, and Orleans) reported that the commissary was adequately stocked with items on a regular basis (n=204). Other respondents highlighted inconsistent and insufficient availability of products, unhealthy food options, and often unaffordable prices.



For her extraordinary contributions to transparency, accountability, and justice

Presented on September 13, 2022 by the Correctional Association of New York with gratitude and appreciation.

► **Prisons, Place, & Power**

New York State Assembly Member David Weprin, New York State Senator Julia Salazar, Candida Brooks-Harrison, LCSW, Director of The Village Enrichment Associates, and Keri Blakinger, award-winning journalist and author of *Corrections in Ink*, in conversation.

Discourse: Informing the Debate

A Dialogue Through Reporting

Regular, non-adversarial dialogue between prison administrators and monitoring teams is an essential component of effective independent correctional oversight. Correction Law 146 (3) requires that CANY submit draft reports to DOCCS 60 days prior to publication so that the agency has an opportunity to respond in writing to findings and recommendations. Through 2021 and 2022, DOCCS responded in writing to each of CANY's published reports, providing significant and often timely information in response to CANY's findings and recommendations. For instance, after CANY's monitoring visit to Bare Hill in 2022, CANY recommended that DOCCS's Office of Special Investigation (OSI) and the State Inspector General investigate allegations of assault and abuse reported to CANY during its visit. In its written response, DOCCS confirmed, "The Department's Office of Special Investigations (OSI) has reviewed CANY's post visit report on Bare Hill Correctional Facility and has opened an investigation into the alleged abuse of incarcerated individuals there. OSI has assigned a team of investigators to conduct an investigation into the reported misconduct at Bare Hill Correctional Facility."

Similarly, following CANY's monitoring visit to Elmira Correctional Facility in 2022, CANY recommended that DOCCS and the Office of Mental Health release complete findings and recommendations from a Joint Suicide Prevention Working Group convened by both agencies. Some of the working group findings were subsequently published in DOCCS's response to the report, which were otherwise not available to the public

before CANY's recommendation. DOCCS's responses to other CANY reports share detail about a variety of issues and concerns raised in monitoring including access to food, water, and basic goods, access to communication and visiting, gender identity, safety in prisons, material and environmental conditions, and the status of capital projects related to the use and installation of stationary cameras in prisons.

Through these responses, CANY and DOCCS have engaged in a dialogue through reporting, allowing CANY to achieve a best practice in independent oversight as per American Bar Association guidance: to communicate collaboratively and constructively with administrators, legislators, and others to improve facility operations and conditions. CANY's efforts in developing this dialogue have shown a demonstrable impact on the ground by allowing stakeholders to access information about policies and procedures in a clear, transparent, and accessible way.

Reflections on Joining CANY's Monitoring Visits

In October 2022 I was approached by CANY and invited to tour a prison facility with their accompaniment. This suggestion came at a welcome time since I had recently been working with a constituent who was frustrated with Green Haven Prison's treatment of her son, who is currently incarcerated there. It was difficult to verify or understand exactly what was happening at Green Haven with my constituent, given that I had not seen the facility and the conversations I had had with prison staff contradicted the experiences that were shared with me by my constituent. We arranged for a visit to the facility in December 2022. While I have the right to visit any prison at my behest, without an adequate understanding of the facility the idea was overwhelming. I would not have known how to facilitate the visit without the expert guidance of CANY, and I felt secure knowing

that the members who attended with us had experience and knowledge that would help me get to the bottom of my concern. They were able to organize a meeting with the Inmate Liaison Committee as well as staff and incarcerated individuals. When I met with the ILS, I heard many of the same grievances that came from my constituent, and it offered me guidance on how to proceed. I simply could not have understood what was happening in the prison and how it was impacting my constituents without visiting Green Haven, and the visit generated many ideas for legislation as well as a pathway to advocate for the individuals I met. CANY makes it much easier to conduct due diligence when it comes to our prison system, a vital component of any responsible legislator's work."

Assembly Member Emily Gallagher
REPRESENTING DISTRICT 50
(Greenpoint, Williamsburg, and Clinton Hill)

Despite spending the past decade working first as a prosecutor and then as a criminal defense attorney, visiting Marcy Correctional showed me a side of the criminal justice system that I had never seen before. I often see the beginning of a legal case: an arrest, indictment, or court appearance. I've spent uncountable hours in holding facilities visiting clients, often hearing complaints about the accommodation, and doing whatever I can to assist. However, I had never been given the chance to see what post-sentencing life looks like for incarcerated individuals. I was prepared for the tours of the buildings, to see the chains, the cells, and the dogs. I was even prepared, to a certain extent, for the many hours of interviewing incarcerated individuals. But the hopelessness, the broken spirits, and the fear emanating from the incarcerated individuals – that I was not prepared for. One of the shortcomings of the legal profession is that the job is focused on the legal outcome, and not necessarily on the human impact on those outcomes. My visit to Marcy Correctional was a naked observation of the human impact of long-term incarceration. It was a difficult week and one that I wish I could have experienced earlier in my legal career, especially during my time as a prosecutor. I'm so glad CANY allowed me to join the monitoring visit, and it's one that I will never forget."

Caitlin Sikes
ASSOCIATE
STROOCK

Looking back on the opportunity I had to attend two prison monitoring visits, I am extremely grateful to have had that experience. I remember feeling apprehensive about traveling across the country to meet a team I had never met before, but everyone immediately made me feel comfortable, heard, and valued. On the visit, we were able to go to a women's prison, Albion, and a men's prison, Orleans. Being able to connect and be an advocate for incarcerated people on that personal level is a unique privilege that many don't get.

It was shocking to hear about egregious violations of basic human rights and frustrating to communicate that to the prison's executive staff. Through these meetings, I learned a lot about being open, finding balance, and creating an environment where both sides feel respected. While each day was packed and carried a heavy emotional toll, those days came with an equally great reward—being part of an initiative that gives weight to the voices of those incarcerated."

Alicia Kuang
FORMER INTERN
University of California, Berkeley

CANY in the News

Since its founding, CANY has called attention to conditions in correctional facilities, treatment of incarcerated people, and the need for comprehensive reform. CANY's work shedding light on prison conditions provides crucial context to news outlets covering issues in corrections, which is one way that independent prison oversight plays an important role in shaping public opinion and influencing policy discussions. In the past year, CANY's monitoring has been noted in reference to critical issues, including sexual abuse and assault in prisons, correctional healthcare, and extreme heat.

DAILY NEWS LOG IN

Former NY women's prison detainees pursue lawsuit over sex assault and abuse by guards at closed Manhattan lockup

By Graham Rayman
New York Daily News
Sep 18, 2022 at 8:00 am

"FORMER NY WOMEN'S PRISON DETAINEES PURSUE LAWSUIT OVER SEX ASSAULT AND ABUSE BY GUARDS AT CLOSED MANHATTAN LOCKUP" IN THE [NEW YORK DAILY NEWS](#)

News SUBSCRIBE

New Package Restrictions at NY State Prisons Create Financial and Emotional Hardships

The Department of Corrections and Community Supervision (DOCCS), New York's state prison agency, defends the policy as a necessary security measure to address issues associated with contraband.

By Andrea Wang
Published on 8/15/2022 at 2:49 PM

Credit: Getty Images

"NEW PACKAGE RESTRICTIONS AT NY STATE PRISONS CREATE FINANCIAL AND EMOTIONAL HARDSHIPS" IN [NOWTHIS](#)

NEW YORK FOCUS WHO RUNS NEW YORK? CLIMATE CAPITOL JUSTICE About Newsletter Donate

Solitary by Another Name: How State Prisons Are Using 'Therapeutic' Units to Evade Reforms

A landmark solitary confinement reform law created a new, "rehabilitative" type of isolation unit. In practice, they're often little different from the solitary units they were meant to replace.

CHRIS GELARDI · OCTOBER 5, 2022

"SOLITARY BY ANOTHER NAME: HOW STATE PRISONS ARE USING 'THERAPEUTIC' UNITS TO EVADE REFORMS" IN [NEW YORK FOCUS](#)

ESSENCE SUBSCRIBE

America is Still Locking People Up for Their Activism, Including Black Women

"DO BLACK WOMEN POLITICAL PRISONERS MATTER TOO?" ASKS JOYCE POWELL. THE ACTIVIST SPOKE TO ESSENCE FROM THE BEDFORD HILLS CORRECTIONAL FACILITY ABOUT HER LIFE IN PRISON AND BEING A TARGET OF THE STATE.

COURTESY OF JOYCE POWELL

BY TAMAR SARAI · UPDATED AUGUST 26, 2021

"AMERICA IS STILL LOCKING PEOPLE UP FOR THEIR ACTIVISM, INCLUDING BLACK WOMEN" IN [ESSENCE](#)

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As summers get hotter, incarcerated people swelter inside NY prisons

Eduardo Cuevas
New York State Team

Published 5:01 a.m. ET Aug. 31, 2022 | Updated 4:38 p.m. ET Jan. 11, 2023

"AS SUMMERS GET HOTTER, INCARCERATED PEOPLE SWELTER INSIDE NY PRISONS" IN THE [ROCHESTER DEMOCRAT & CHRONICLE](#)

THE NATION. JAILS AND PRISONS HEALTH CARE NEW YORK STATE

An Overhaul of Prison Health Care Is Long Overdue

Attempts to improve care for a wide range of chronic conditions have stalled, leaving incarcerated people to suffer.

By Victoria Law

MARCH 17, 2022

"AN OVERHAUL OF PRISON HEALTHCARE IS LONG OVERDUE" IN [THE NATION](#)



► **Prisons, Place, & Power**

Caitlin Sikes, Associate at Stroock who was honored for her pro bono service to CANY, catches up with Board Member Bill Snipes.

Accountability: Promoting Change

Confronting Abuse Across Decades: Adult Survivors Act

CANY's reports aim to provide an accurate depiction of life in prisons and have been recognized as a resource by legal professionals seeking to characterize the treatment of incarcerated individuals and hold the state responsible for such mistreatment. Recently, CANY's reports from 1985 and 2023, have been noted in litigation on behalf of survivors of sexual assault under the Adult Survivors Act. This law, signed by Governor Kathy Hochul in May 2022, allows survivors to initiate civil litigation for abuse regardless of when it occurred. Several lawsuits have been filed against the Department of Corrections and Community Supervision under the Adult Survivors Act. One such suit cites a report published by CANY nearly 40 years ago, entitled "A Neglected Population: Women Prisoners at Bayview." This report highlights the ongoing problem of sexual abuse and harassment at the now-closed facility and forms part of the basis for the suit alleging that 750 individuals were sexually assaulted while incarcerated in state prisons, demonstrating a "continuing problem of sexual abuse and harassment."

Another suit referenced CANY's recent reporting, specifically CANY's Post-Visit Briefing and Recommendations Report No.22-08: Monitoring Visit to Albion Correctional Facility, where CANY documented numerous reports

indicating an abusive environment at the prison: 25.8% of incarcerated individuals interviewed on the monitoring visit reporting having seen or been personally subjected to sexual abuse or sexual harassment by staff and 43.3% reporting having seen or experienced racialized abuse by staff.

CANY neither represents individuals in litigation against the department nor leverages its access to prisons to support litigation. However, findings from our reporting across decades have led to accountability by giving insight into life at women's prisons across the state and detailing widespread reports of abuse at women's prisons through public reporting. Hundreds of formerly and currently incarcerated individuals will have a chance to hold the state accountable under the state's Adult Survivors Act.

At Bayview, sexual abuse seems to manifest itself in a variety of ways -- from verbal harassment to coerced sexual contact. For example, women inmates stated that male guards have threatened prisoners with disciplinary action or removal from a program if they refused to engage in sexual conduct. On other occasions the women were "bribed" with alcohol or drugs. It must be recognized that "the prison officer who solicits sexual conduct is 'not just a person making a request,'...when an inmate faces a guard in uniform, her ability to choose between yes and no is greatly diminished."****

Given the serious nature of the sexual harassment problem, the Department must take active steps to overcome the staffing restrictions that result from the current bidding procedures. First, the Department should assign as many women guards as possible to Bayview during their probationary periods. In addition, a task force should be convened consisting of representatives from DOCS, the correctional employees' union, the state's Office of Labor Relations and the state's Division for Women to determine why so few women guards "bid" for posts at Bayview. Based upon its findings, the task force should set up a system which would result in attracting more women to work at Bayview. Sensitivity training should be given to all officers assigned to Bayview. Continuous monitoring of guards by COC and the Inspector General of DOCS should be instituted.

Excerpt from "A Neglected Population: Women Prisoners at Bayview," Correctional Association of New York, 1984

Legislative Testimony

As part of CANY's mission to provide oversight, promote transparency and accountability, safeguard the human and civil rights of incarcerated people and eliminate harmful practices and policies, CANY offers testimony to the State Legislature, providing elected officials with crucial and evidence-informed data for policymaking related to state prisons.

In March 2022, CANY submitted oral and written testimony to the Senate Standing Committee on Crime Victims, Crime, and Corrections and the Senate Standing Committee on Ethics and Internal Governance on The Impact of Sexual Assault in the Prison System, which provided a high-level overview of the prevalence of sexual assault and abuse in state prisons as well as how poor conditions of confinement and institutional culture creates an environment that facilitates sexual assault.

During the testimony, CANY pointed out that a monitoring visit to Albion revealed that a greater number of incarcerated women at Albion expressed concerns regarding sexual misconduct compared to women at other prisons they have visited. Additionally, CANY highlighted challenges faced by transgender people within the criminal justice system, noting a higher risk of experiencing sexual assault, harm, and coercive sexual relationships associated with gender identity.

In December 2022, CANY also submitted written testimony to the Senate Standing Committee on Crime Victims, Crime, and Corrections Senate Standing Judiciary Committee in support of legislation to increase access to parole for people 55+ who have already served lengthy prison sentences.

Based off a CANY survey on parole distributed to incarcerated individuals who had been denied parole at least once before, the testimony highlighted negative experiences with the parole board, including feelings of discrimination and little consideration for progress made during incarceration, and suggested improvements such as a focus on personal growth during parole hearings and greater transparency in decision-making processes.

By providing testimony to the New York State Legislature, CANY calls attention to the prevalence and severity of a wide range of concerns within NYS prisons to better shed light on the root causes of these issues and advocate for policy changes that prioritize the safety and well-being of incarcerated people and staff from an evidenced-based perspective. CANY's testimony assists policymakers in holding state agencies responsible for what happens inside prisons.



New York State Senate Joint Public Hearing

NYS Domestic and Sexual Violence Hotline 1-800-942-6906
Suicide Prevention Hotline 1(800) 273-8255 or text 844-997-2121
Incarcerated individuals dial 777 on any state facility phone
to be connected to the hotline



► **Prisons, Place, & Power**

Jennifer Scaife, Executive Director, and Andre Ward, Advisory Council Member, express appreciation for Senator Julia Salazar and Assembly Member David Weprin



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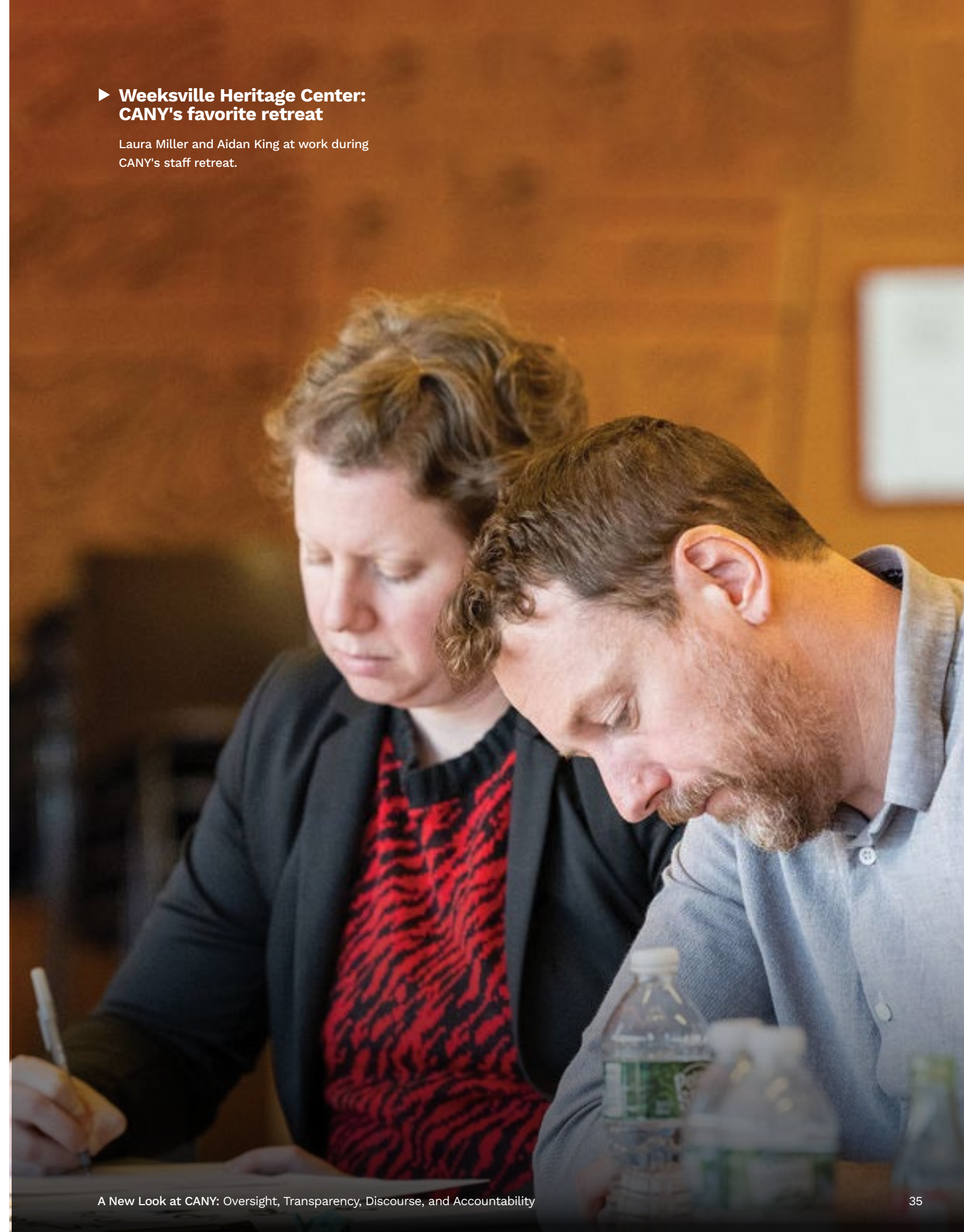
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► Weeksville Heritage Center: CANY's favorite retreat

Laura Miller and Aidan King at work during
CANY's staff retreat.



► Tyrrell Muhammad receives a Citation from the New York State Assembly. Photo credit: Tanya Krupat



Afterword

A Reflection from Tyrrell Muhammad

The Correctional Association of New York for almost 200 years has been the premier/leading criminal justice Non-profit organization in America and particularly in New York State where the organization is part of New York State Constitutional Charter.

My 10 years of working at CANY have been a journey of a lifetime. Working with some of the leading criminal justice advocates and organizations throughout New York State and America was afforded to me because of my connection to CANY.

For me the importance of CANY cannot be overstated!!! Oversight, monitoring, ombudsman, transparency is some of the words which describe the importance of CANY's work in New York State. The Department of Corrections in New York State vigorously fight against transparency, however, CANY has throughout the years found ways to report its finding on the conditions and treatment of incarcerated people to the legislators, the Governor and the public at large.

In the decade I have spent at CANY I was able to help bring forth information which gave credence to the many complaints CANY receives on a

weekly basis either by phone, letters or email. This is done through building trust with the incarcerated population and their families, going to the prisons ourselves to see and speak to correctional officers, medical personal, mental health providers, teachers, administrators of the prison as well as the incarcerated population. At times surveys are used in order to glean data and information that's not forthcoming through personal interaction. So, the range of ways CANY ascertain information and data is wide ranging and innovative!

I have been immensely blessed to have worked at CANY for a decade and be a part of creating groundbreaking and historical change within the New York State Department of Corrections and Community Services. The many present and former employees at CANY are a who's who in the criminal justice arena and it has been an honor and joy to have learned from and worked along with them on many criminal justice issues.

Tyrrell Muhammad resigned from his position at CANY after 10 years in January 2023. He now works at the Alliance of Families for Justice.

Take Action

- ▶ **Request** a briefing from a recent prison monitoring visit by CANY staff.
- ▶ **Volunteer** to join a prison monitoring visit or respond to correspondence from incarcerated people.
- ▶ **Share** this report with someone who might not know about our work.
- ▶ **Donate** to support CANY's work.

Correctional Association of New York

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We accept collect calls

EMAIL

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MEDIA

correctionalassociation.org
[@cany_1844](https://twitter.com/cany_1844)

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Correctional Association of New York A New Look at CANY

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