

The Correctional Association of New York

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LAKEVIEW CORRECTIONAL FACILITY

The Correctional Association (CA) visited Lakeview Correctional Facility, in Brocton, NY, on October 23 and 24, 2007. Lakeview is a prison with minimum, medium and maximum security areas. At the time of our visit, the facility had a population of approximately 1,035 male inmates and 87 female inmates housed in three separate areas: Lakeview Shock Incarceration (men and women), Lakeview Annex and Lakeview S-Block. These areas are distinct in operations, programs, goals and inmate population.

At the time of our visit, 420 men and 76 women were in Lakeview's Shock Incarceration program, a "boot-camp" style intensive incarceration program that offers eligible inmates to reduce their sentence to six months. According to the DOCS' 2007 Nineteenth Annual Shock Legislative Report, the Shock program results in its graduates serving on average more than 11 months less time in Department custody than if they were not in the program, resulting in a significant savings for the state. The facility has a capacity to house 540 men and 109 women. Lakeview also held 82 inmates in its 160-bed reception dorms reserved for inmates waiting to be screened for Shock eligibility; in addition, there were 108 inmates who had been screened and were waiting to begin the Shock program, filling to capacity the areas designated for "Shock Ready" inmates.

Lakeview's Annex, which holds male inmates who declined admission to Shock or who were screened but not admitted to the program, can house 250 men. At the time of our visit approximately 100 men were temporarily placed in the Annex awaiting transfer to another facility. Lakeview's S-Block, a 200-bed disciplinary confinement unit for male inmates sent to Lakeview primarily from other facilities for disciplinary reasons with a 32-cell section of Lakeview disciplinary inmates, held 188 inmates.

In addition to operating academic, vocational, Alcohol and Substance Abuse Treatment, and other treatment programs, the facility screens all inmates for eligibility for the four state prison Shock programs – Lakeview, Monterey, Moriah and Summit – and trains all Shock Incarceration facility personnel for the state's Shock programs.

The Correctional Association obtained surveys about general prison conditions from 64 Lakeview Shock male inmates, 27 Shock female inmates, 11 Annex inmates and 33 S-Block inmates. We base this report on findings from these surveys; conversations with the Superintendent, the executive team, program staff and inmates; written correspondence with

inmates; meetings with staff union representatives, staff of the substance abuse treatment programs, and security staff; and observations during our visit. In addition, we had conversations with Dr. Cheryl Clark, Director of the Shock Incarceration Program for the state, whose presence at Lakeview provided us with a greater understanding of the program.

The CA's Visiting Committee last visited Lakeview in 1995 as part of a study, published in 1996, of New York State's Shock Incarceration program.¹ We have not visited any of New York's other Shock facilities since then, and therefore, in this report we make observations and recommendations specific only to Lakeview. Because of the uniqueness of each area of Lakeview, we divided our findings into sections discussing Shock, Annex and S-Block separately. The primary objectives of our visit to Lakeview included an assessment of facilities and programs for men, as well as substance abuse treatment programs for both men and women. However, during our visit, many women with whom we spoke raised important issues. For this reason, in addition to the discussion of the male Shock, Annex and S-Block programs, we address separately matters concerning the Shock women.

Summary of Findings and Recommendations

The Visiting Committee was impressed with many areas at Lakeview. Its Shock program's academic and substance abuse treatment programs struck us as effective and well-run, and our impressions were confirmed by inmates' opinions. We were also impressed with the level of coordination between civilian and security staff, as well as Shock staff's dedication to working with inmates in their programs. Most Shock inmates expressed very positive opinions of the various treatment programs and seemed engaged in their therapeutic aspects. Overall, 75% of the Shock inmates surveyed by the CA expressed satisfaction with the program, a rate much higher than other prisons we have visited. Similarly, most S-Block inmates praised the cell study program.

We also noted some problems, particularly: we are concerned about: the apparent high level of tension and physician and verbal confrontations between inmates and staff and among inmates; inmates' concerns about medical care; and the lack of programming and lengthy stay for inmates in the Annex. While this report does not assess the aftercare Parole program for Shock inmates, another issue of concern is the difficulty inmates may face in transitioning to the community from the very structured environment that Shock provides.

Our recommendations include:

- Expanding eligibility for the Lakeview Shock program by changing the statutory eligibility to include inmates serving more than three years and by reducing the number of inmates rejected from the program for "risk to society";
- Expanding Shock Aftercare programs to areas outside New York City;
- Expanding vocational programs for women;
- Evaluating the level and causes of tension and confrontations between inmates and staff and among inmates at the prison;

¹ Correctional Association of New York. (1996). Rehabilitation that Works: Improving and Expanding Shock Incarceration and Similar Programs in New York State.

- Developing a plan to reduce tension and confrontations between inmates and staff and among inmates;
- Recruiting and hiring more African-American, Hispanic and female staff;
- Installing cameras in the prison where most confrontations occur;
- Reducing length of stay for inmates in the Annex;
- Increasing the number of programs for Annex inmates;
- Increasing medical staffing;
- Improving access to, and the quality of, sick call and clinic encounters;
- Enhancing patient education and outreach efforts to identify more inmates with HIV and Hepatitis C;
- Improving the timeliness and follow-up for specialty care appointments, including gynecological care for women.

Shock Program Overview

New York's Shock Incarceration program is the largest in the country, and Lakeview is the largest Shock Incarceration facility in the state. Shock Incarceration is an intensive treatment program that emphasizes substance abuse treatment, decision-making, discipline, and education in the context of a therapeutic community and military environment. It is a voluntary program, giving inmates the option to reduce their sentences to six months.

Male and female inmates are first screened at one of the state's reception prisons for Shock eligibility based upon the statutory requirements for the program. To qualify for Shock, an inmate must have been between 16 and 39 years of age at the time of his or her crime; must have no prior felony convictions for which a prison sentence was ordered; must be sentenced to a prison term for which he or she will become eligible for parole within three years; and must not be convicted of a violent crime. Since the inception of New York's Shock Incarceration program in 1987, the legislature has broadened the eligibility criteria to include older inmates. The program originally accepted only inmates aged 23 or younger; in 1988 inmates up to 25 were included. In 1989 the age limit was raised to 29, in 1992 to 34, and in 1999 to 39.

After initial reception screening, the Department sends all Shock-eligible inmates to Lakeview, where they are placed in Shock reception dorms and screened a second time. This second screening includes a medical exam to see if inmates are appropriate for the physical aspects of Shock, a mental health evaluation and a review of inmates' backgrounds for any history of violence or pending charges. Lakeview screening staff explained that they determine eligibility on a case-by-case basis, reviewing criminal and disciplinary records and the pre-sentence report, with particular focus on the circumstances of the crime, for violence, "predatory behavior" or a highly "sophisticated" crime. If inmates pass these assessments, they go to Shock orientation, where they may volunteer for the program. The Department transfers inmates who are screened out or decline Shock to another facility for permanent placement. While they await this transfer, women are held at Lakeview's female reception dorm and men are sent to the facility's Annex.

Since Shock's inception in 1987, the overall rejection rate during the Lakeview screening process has remained consistent, with screeners disqualifying between 35% and 42% of those

sent to Lakeview Shock. Although the factors used to assess an inmate's suitability for the program have remained the same, the percentages each factor has accounted for in the number of inmates rejected have changed significantly over the years. There has been a substantial decline in the number of inmates disqualified for medical reasons, falling from 33% of disqualified inmates in 1999 to 6% of disqualifications in 2006. At the same time, somewhat more inmates have been disqualified for mental health reasons, from 15% in 1999 to 23% in 2006. The percentage of inmates disqualified because they are determined to pose a risk to society has increased from 13% in 1999 to 35% in 2006.² Rates for disqualification based on criminal history have remained constant at 13%.

DOCS' data demonstrate that younger inmates are more likely to qualify for Shock and older inmates are more likely to be disqualified for medical, mental health or public risk reasons. Women are twice as likely as men to be disqualified for mental health reasons. When we asked Lakeview staff about the "public risk" category, they referred to their review of inmates' criminal and disciplinary records and pre-sentence reports for violence, "predatory behavior" or a highly "sophisticated" crime. Regarding the increase in disqualifications in this category, staff explained that while screening criteria and practices have remained consistent, sentencing laws have changed such that the facility is receiving a population with more incidents in their backgrounds that would disqualify them from the program.

In its 2007 Shock Legislative Report, the Department notes a decrease in the number of inmates screened for, sent to, and graduating from Shock programs, representing annual reductions of 20% to 30% from the average for each of these categories over the last two decades. DOCS attributes the declines to the development of alternatives to prison programs for non-violent offenders, the Willard Drug Treatment Campus alternative to Shock and, beginning in 2005, the introduction of determinate drug sentences.

Between 1987 and 2006, 15,775 men and 3,646 women were admitted into Lakeview's Shock program. During this period, 10,334 men and 2,131 women graduated from Lakeview, representing a graduation rate of 65% for men and 58% for women. Of all men and women admitted to Lakeview Shock during these years, 1,423 were removed from the program. Reasons for removal include disciplinary issues, representing 38% of inmates removed; medical reasons (16%); unsatisfactory program adjustment (15%); and reevaluation removals (17%). These rates are consistent with overall removal rates in New York's Shock Incarceration program, which have remained constant since the program's inception, with the exception of an increase in disciplinary removals.

For the first three years following release from DOCS custody, recidivism rates of Shock graduates are lower than those for inmates who were eligible for Shock but did not participate in the program and for inmates removed from the Shock program to serve their sentence at another facility.³ The following table compares return rates among these categories of inmates.

² When we asked Lakeview staff about the "public risk" category, they referred to their review of inmates' criminal and disciplinary records and pre-sentence reports for violence, "predatory behavior" or a highly "sophisticated" crime.

³ The recidivism data presented in this report is derived from data for inmates released from DOCS custody between 1988 and 2003 as summarized in DOCS' Nineteenth Annual Shock Legislative Report, 2007. DOCS uses the term "Eligible But Not Sent" for inmates who were eligible for the Shock program but did not participate.

Percentage of Formerly Incarcerated Individuals Who Returned to DOCS Custody

	One year out	Two years out	Three years out
Shock Graduates	8%	22%	31%
Eligible But Not Sent	16%	32%	40%
Removed	19%	39%	47%

Inmates who qualify for Shock and agree to participate are designated “Shock ready” and remain at Lakeview or are transferred to one of New York’s three other Shock facilities. The inmates must often wait a period of time to be transferred to another Shock facility where they will serve their sentence or, if they are to remain at Lakeview, until enough inmates enter the facility to form a “platoon” of 10 to 15 women or 50 to 60 men. The Department transfers “Shock ready” inmates to each of the other Shock facilities once a month. Lakeview staff reported to us that platoons of men who remain at Lakeview are formed every three weeks, but confirmed that men could have waits of up to six weeks before they begin the Shock program. Many men with whom we spoke reported waits up to five weeks before being assigned a platoon. There are few programs for inmates during this time. Women who enter the Shock program are either assigned to an existing platoon or form a new one.

Once formed, the platoon enters “Zero weeks,” a two-week period that focuses on the basic elements of Shock, in particular physical training and discipline. During this time, inmates cannot receive visitors and while they can write and receive mail, there is very limited time to do so. The program is designed to isolate inmates from outside “distractions” so that they might concentrate on treatment. For the entirety of the program, Shock inmates are not permitted to receive packages or printed materials from outside organizations, and have limited access to print and electronic media. Staff explained to us that another purpose of the Shock program, particularly during “zero weeks,” is to induce stress in the inmates, “breaking down” old behaviors so that they may be replaced with healthier ones. Once “Zero weeks” are completed, the platoon begins the regular Shock program.

Shock Staff and Training

The Shock program is unique among the state’s prisons, in that every facility staff person participates in a month-long training program that simulates the Shock inmate’s experience, including physical training and program sessions that mirror those for inmates. Staff explained that the training curriculum also includes more in-depth discussion of the importance of sensitivity to different cultures and backgrounds. We believe the intense training for both civilian and security staff is valuable in educating staff about Shock’s structure and programs, encouraging greater cooperation between security and civilian staff, and sensitizing staff to the challenges that Shock inmates will face while in the program. During our visit we observed greater commitment of the entire staff to the program’s mission than at other prisons and better collaboration between security and civilian staff in implementing the program.

The Shock program also has the unique staff position of “Drill Instructors” (DIs), who are Corrections Officers specially trained for the program and assigned to a specific platoon from the beginning of enrollment until graduation. Drill Instructors have the most frequent interaction with inmates, because they are present for every part of the inmate’s day. At Lakeview, there is a particularly high level of coordination between Drill Instructors, teachers and counselors.

Male Shock Program

Overall, the men in the Shock program were engaged in their activities and seemed very committed to completing the program. Seventy-five percent of respondents were satisfied with the Shock program.

Shock Program Schedule

The Shock inmates’ day begins at 5:30am with reveille and physical training. The physical training program at Lakeview Shock includes one hour of calisthenics and jogging. Inmates line up in formation outside on a large asphalt area nearly every day throughout the year, notwithstanding hot, cold or wet weather, and perform a demanding physical work-out directed by Drill Instructors who ensure all inmates participate. Inmates spoke highly of the physical training program; with 88% of male inmates we surveyed reporting that they were at least somewhat satisfied with the program. At the same time, there were several complaints from inmates about inadequate clothing for exercising on the ground in inclement weather.

Following physical training and breakfast, inmates are engaged in program sessions in the morning, afternoon and evening until 9:00pm each weekday. The fully programmed day ends with mandatory lights-out at 9:30pm. The Shock inmates generally have one full six-hour day of education per week, one six hour program day per week, in which they attend ASAT or other treatment programs, three full days per week of work or vocational training, and five evening programs during which they participate in evening educational classes, ASAT, pre-release program, Network classes or Confrontation program.

Throughout all parts of the program, emphasis is placed on inmates working together. If officers perceive one inmate disobeying an order, they may discipline the entire platoon. This policy’s aim is to develop team-work skills. Many inmates with whom we spoke and surveyed were dissatisfied with this aspect of the Shock system.

Description Male Shock Population

The CA obtained DOCS’ computer listing of the demographics and criminal convictions of all inmates at Lakeview as of September 30, 2007. There were 413 male Shock inmates. The median age of this population was 25 years; 49 inmates (12%) were less than 20; and, 96 inmates (23%) were 30 or older. Forty-seven percent were African American; 25% were Caucasian; and, 25% were Hispanic. Sixty-eight percent of the inmates were convicted of a substance abuse offense, compared to the Department-wide average of 23%.

Shock Community Work and Vocational Program

Inmates who qualify to participate in the Community Work Program leave the facility in groups during the day. Of the inmates we surveyed, 88% were satisfied, at least somewhat, with their jobs. If inmates do not qualify to leave the facility, typically for security reasons, they participate in Shock's vocational program. Unlike many prisons, Lakeview has no program committee and inmates are assigned a vocational program following a screening process during "Zero weeks." Inmates have no input into which vocational program they will be assigned. A total of 152 male Shock inmates are enrolled in one of five vocational programs, which include custodial maintenance, building maintenance, floor covering, horticulture and upholstery. We were pleased to learn the facility is planning a new vocational computer program, which we believe vital to preparing inmates for working in the community.

There were no vacancies among Lakeview Shock's vocational staff of five. The Vocational Supervisor with whom we spoke reported that there is significant coordination between academic and vocational staff, who exchange lesson plans. There are no vocational teachers who speak Spanish; however rules and regulations are in Spanish. Vocational staff reported to us that materials are up-to-date and that the budget seems sufficient to meet their needs. Lakeview's vocational program has no Inmate Program Assistants (IPAs) because, as the Vocational Supervisor explained to us, inmates are not in the facility long enough to develop the required expertise in any vocational area.

We toured the vocational classrooms, which were well-equipped, and spoke with staff who seemed dedicated. The inmate population we surveyed had a mixed view of Shock's vocational program, with 53% of respondents reporting that they were satisfied, at least some of the time, and 46% reporting they were dissatisfied.

Shock Academic Program

Lakeview Shock's academic courses include Pre-General Equivalency Diploma (GED), GED, Post-GED, and English as a Second Language. The GED class is also offered in Spanish. All Shock inmates are enrolled in academic classes, attending class 12 hours per week, usually one six-hour day and two evenings per week. The facility has a computer lab with 20 computers. Academic teachers reported that they would like computers in their classrooms; while inmates may sign up for the computer lab, they often do not have time to use the equipment.

Lakeview Shock had an impressive GED passage rate, 83% in 2006, when 136 inmates earned their diploma. As of the dates of our visit in October, 161 students, or 89% of test takers, received their GEDs during 2007. Many staff reported that this high passing rate was due to the heavy emphasis that the program placed on educational achievement.

At the time of our visit, there were no vacancies in Lakeview's academic staff of eighteen. We were impressed by the level of dedication exhibited by the staff; a few instructors mentioned that they bring materials from home to augment their curricula. The classrooms we toured were bright and engaging. Inmate reports of the academic program were positive, with 75% of survey respondents indicating they were satisfied, at least some of the time. Inmates

were especially pleased with the quality of instruction and the opportunity to complete their GED.

Shock Law Library

Members of the Visiting Committee inspected the law library, which seemed in immaculate condition, with updated volumes and one typewriter. While it appears that it receives limited use, perhaps due in part to inmates' relatively short sentences and full daily schedule, 48% of the inmates we surveyed were satisfied or somewhat satisfied with the law library.

Network

The ASAT program at Lakeview, which we will discuss in more detail in a subsequent report, is closely intertwined with the Network treatment program. Network is designed to improve decision-making skills and self-esteem, and is comprised of several components, all of which are mandatory for Lakeview Shock inmates. As part of Network, inmates attend daily community meetings and classes on anger management and a confrontation program intended to resolve issues among program participants and to focus on inmates who are not progressing in the program. The Visiting Committee was generally impressed by the treatment staff and the inmates appeared engaged in the programs' activities. Of the inmates we surveyed, 86% were satisfied with the overall Network program, the highest satisfaction rate among Lakeview Shock inmates of the facility's programs and one that is higher than the satisfaction rates for programs at other prisons we have visited.

The Visiting Committee toured each component of the Network program. The daily community meetings are inmate-led. In the class, inmates take turns stating the Shock mission statement by memory, and discuss in a very structured dialogue the progress and set-backs they and their peers have experienced. Civilian and security staff seemed engaged and dedicated to working with inmates to meet program goals. Security staff were involved in the meeting and interjected several times to correct or guide the discussion. Of the inmates we surveyed, 70% were satisfied, at least somewhat, with the community meetings.

In the anger management class we observed, the instructor and inmates appeared engaged in the topic. Most inmates participated in the discussion, and there was a more informal interaction between the inmates and instructor than we found in other parts of the program. Security staff was present and while they did not participate in the dialogue, several made clear to inmates that they should pay attention. The walls were decorated with colorful posters and, as in other parts of the prison, there were motivational sayings painted on the walls.

We observed a confrontation class in which inmates within a platoon are given an opportunity to address their peers who are not conforming to program rules or with whom they are experiencing problems. The facilitator engages the inmate being confronted in a discussion about his or her behavior and what measures the inmate will take to address the concerns raised by the platoon. Of the inmates we surveyed, 78% were satisfied, at least somewhat, with the confrontation classes.

Inmate and Staff Safety

Inmate-Staff Relations

Staff largely described relations with inmates as positive and open. Many Drill Instructors told us that inmates confide in them and see them as “parental figures.” When we asked male Shock inmates about their relations with their Drill Instructors, 48% described them as good and only 11% said they were bad. The Visiting Committee met with the DIs and was generally impressed by their commitment to the program and to the inmates they supervise.

While most inmates we surveyed expressed positive opinions of DIs, many described overall relations with Lakeview’s staff as poor and reported that staff are frequently abusive. Forty-four percent of Lakeview male Shock inmates rated relations with staff as poor, and only 18% said relations were good. While Lakeview inmates generally assessed relations with staff somewhat better than inmates at maximum security facilities we have visited, the Lakeview figures are worse than at many medium security facilities we have surveyed. Considering the short amount of time inmates spend at Lakeview, the number of Shock inmates who expressed concerns about the staff is striking. Ninety-six percent of respondents believed there are some Corrections Officers at Lakeview who do a good job; however, 52% of respondents stated that there are Corrections Officers who engage in serious misconduct. Nearly all Shock inmates acknowledged the efforts of many Lakeview staff; however, a majority of inmates also expressed serious concerns about the conduct of some staff members.

Although some respondents said that staff provide guidance in self-discipline, many described the relationship with staff as physically abusive. Fifty-five percent of the Shock inmates we surveyed reported that they had experienced a physical confrontation with staff at least once while at Lakeview. This rate is significantly higher than comparable data we have received from other prisons we have visited. In addition, 54% described physical confrontations as frequent throughout the prison, a rate that is higher than at many other prisons we have visited. In particular, inmates described Lakeview Shock’s Special Housing Unit as a place where physical confrontations often occur. Twenty-seven percent of Shock respondents stated they frequently felt unsafe at the facility, and 39% of these inmates said they felt very unsafe. While these rates are lower than those at many of the maximum security prisons we visited, many medium security prisons have lower rates for safety concerns.

We recognize that the Shock program, by its very nature, involves more intense interactions and potential verbal confrontations between the program staff and inmates and that some inmates might interpret these activities as harassment and might feel unsafe as a result. Moreover, it is also possible that the intended stress under which inmates are placed could result in more physical confrontation between staff and inmates or among inmates than in a prison setting with less stress. In any case, the Shock program should not tolerate significantly higher levels of physical violence or more complaints of staff misconduct.

Furthermore, while we would anticipate fewer complaints about staff abuse as inmates near graduation, both recently admitted and longer term participants we interviewed reported similar problems with staff. Both groups of inmates were similarly satisfied with the Shock program overall, though the more experienced inmates rated relations with staff worse than

recently admitted inmates. While both groups expressed a more favorable impression of their Drill Instructors, the more experienced inmates rated the relationship with DIs worse than the newer inmates.⁴

Of the male Shock inmates we surveyed, 35% said racial tension was widespread or common in the facility. Twenty-seven percent reported that racial discrimination significantly contributed to abuse. Moreover, there were consistent reports from inmates about Drill Instructors using racially charged insults. These rates are higher than the rates we have observed at some other medium security prisons, and consequently, we suggest that the prison take action to reduce the level of racial tension, including training on diversity issues for staff and inmates. In addition, reducing the racial disparity between inmates and staff through recruiting and hiring more African-American and Latino personnel might also lessen racial tensions in the facility. At the time of our visit, only 6% of Lakeview's security staff were African-American, 3% were Hispanic, and 8% were women.

Shock male inmates also described a high level of verbal harassment from staff, with 75% reporting they had experienced it at least once and 72% describing it as frequent throughout the prison. Several inmates told us that they had experienced or witnessed other Shock inmates who were denied meals and showers. Spanish-speaking inmates said that DIs met their limited ability to communicate in English with physically and verbally violent reactions. Approximately half the inmates said that their personal property was destroyed at least once. Few inmates told us that they had experienced abusive pat frisks.

We examined data on inmate misbehavior reports (infractions) from Lakeview for January 2003 through August 2006. Department-wide disciplinary data was provided by DOCS for every inmate who received a misbehavior report during this period using a coding method that restricted the CA from identifying specific inmates but permitted us to track their disciplinary record. This data also specified the inmate's location, and for Lakeview, the data divided the inmate population into six units: Lakeview male Shock; Lakeview male transit unit (male reception); Lakeview ASACTC (Annex); Lakeview SHU200 (S-block and SHU); Lakeview female Shock and Lakeview female transit unit (female reception). The total number of misbehavior reports listed for the male Shock program was low (657), but the number for the male transit unit was high (3640). In assessing the level of physical violence and confrontations between inmates and staff within the Shock program, we believe it is appropriate to evaluate the disciplinary records from both the transit unit and the Shock program because (1) both units make up the Lakeview Shock program, (2) most transit inmates become Shock inmates and (3) the records indicate one-third of the Shock inmates who received misbehavior reports also had an infraction designating them as transit unit inmates, including some Shock inmates who received a misbehavior report as transit unit inmates on a date after receiving an infraction in the Shock program. Consequently, for this analysis we combined data from these two male units.⁵

⁴ The more experienced survey respondents rated relations with overall security staff more poorly, with 46% reporting that relations were bad compared with 37% of the less experienced inmate's respondents. Concerning relations with Drill Instructors, only 32% of the experienced survey participants rated relations as good whereas 50% of the newer inmates reported good relations with their DI.

⁵ It is unclear on what basis misbehavior reports are assigned to the Shock program versus the Lakeview transit unit. In reviewing the Lakeview disciplinary records and the Unusual Incident Reports, we identified assault-on-staff UIR incidents that were reported for the Shock program but for which the apparent corresponding misbehavior report

Compared to other prisons, the number and rate of misbehavior reports at Lakeview were very high for assault-on-staff. Although the disciplinary data designated for Lakeview Shock contained no assault-on-staff infractions, the transit unit had 31 assaults-on-staff disciplinary reports. Combining these figures, Lakeview had a higher rate for its population than for all minimum and medium security prisons in the system and a rate higher than several maximum security prisons.

We also analyzed Unusual Incident Reports (UIR) during the same time period for assault-on-staff by male Shock and transit inmates. These figures also reflected a UIR rate higher than 90% of the state's medium and minimum security prisons. There were eight UIR assault-on-staff reports for the Shock program and seven such reports for the transit unit. These data confirm the inmates' assessment that there is a significant number of inmate-staff confrontations.

While the confrontational approach inherent in the "boot camp" style of the Shock program could account for higher rates of inmates who feel unsafe or verbally harassed than at other prisons, the frequent reports of inmate-staff physical confrontations and inmates' perceptions of their safety are problematic and require attention by the Department. Given the perceived tension between inmates and staff, and the general sense among inmates that there is a significant amount of physical and verbal abuse by the staff, the prison should work to improve inmate-staff relations. Increasing communication between staff and inmates, improving the grievance system and focusing staff training on nonviolent conflict resolution could reduce the levels of tension and violence.

Inmate-Inmate Relations

Staff described confrontations between inmates as fewer here than at other prisons. They remarked that as inmates remain in Shock longer, they are involved in fewer inmate-on-inmate confrontations.

In contrast to staff reports, 42% of male Shock respondents reported having been in a physical confrontation with another inmate at least once, a rate that is higher than at many other facilities we have visited. Similarly, 25% of male Shock survey participants reported frequent confrontations among inmates, a rate higher than at other medium security prisons we have visited. Inmates and staff report little drug activity, particularly compared to other facilities we have visited. While nearly half the inmates we surveyed reported that gang activity was common, a rate somewhat lower than other facilities, most inmates said that gang activity did not contribute to violence at the prison. Seventy-three percent of inmates thought cameras would reduce the level of violence in the prison.

We analyzed Lakeview's inmate misbehavior records for the period January 2003 through August 2006 concerning assault-on-inmate and fighting infractions. As with the assault-on-staff infractions, the combined rate of these misbehavior reports for male Lakeview Shock

were assigned to the Lakeview transit unit. Although there were eight assault-on-staff UIRs for the Shock program during the 2003-06 period, there were no misbehavior reports for assault-on-staff for Lakeview Shock.

and transit unit for assault-on-inmate reports was in the top one-third of the more than 50 medium and minimum security state prisons. Additionally, the rate for fighting infractions was the third highest of all medium and minimum security prisons. In contrast, Lakeview Shock and transit unit had only six Unusual Incident Reports for assault-on-inmate, yielding a rate for this UIR category that places the facility in the lower half of all medium and minimum security facilities. However, we have some concerns about the reporting of assault-on-inmate UIRs by the facility, given that there were more than twice as many misbehavior reports of assault-on-inmate than corresponding UIRs despite Department policy requiring a facility to issue a UIR when an inmate is charged with assault. Overall, the disciplinary and UIR data confirm inmates' reports to the CA that there is significant inmate-on-inmate violence. The low number of UIRs may signify that the inmate-on-inmate confrontations at the prison are of a less serious nature, but the discrepancy between the disciplinary and UIR data should be clarified. The prison should also carefully analyze its disciplinary and UIR data to ascertain the frequency and causes of inmate-on-inmate incidents and to determine whether measures can be taken to reduce tension and conflict among the inmates.

Shock Discipline

The discipline system is different at Lakeview Shock than at other prisons. Staff explained to us that they have options to guide compliance with the program other than writing misbehavior reports and in fact see misbehavior reports as a last resort. For example, any staff person, including counselors and instructors, can issue "instant corrective actions" such as push-ups or running laps. Staff can also issue "learning experiences," which might include the inmate wearing a sash or hat that says "attitude" or requiring an additional homework assignment.

The prison's Learning Experience Committee determines which "learning experience" will be issued and the duration of the sanction. Along with the learning experience, a compliance card is issued to the inmate, on which all staff interacting with the inmate evaluate the inmate's behavior during the period he is under a learning experience sanction. Non-compliance can result in removal from Shock or continued monitoring. Throughout the facility, staff seemed committed to keeping people in the program.

The Superintendent's Committee, a three-person panel that addresses more serious misbehavior, determines if an inmate will be removed from the program. An alternative to removal is the reevaluation program, where an inmate's stay at Lakeview Shock is extended by joining an existing platoon that has been in the program for less time. Lakeview Shock also uses 32 beds of the S-Block on the facility grounds as short-term disciplinary housing for Shock inmates. The Department transfers inmates with SHU sentences longer than 60 days to a SHU at another prison. Once an inmate has completed his SHU sentence, even if it is longer than 60 days, he may write a letter to the Superintendent requesting re-admission to the Shock program. Re-admission is determined on a case-by-case basis by the Superintendent and the director of New York's Shock program, Dr. Cheryl Clark. At the time of our visit, there were 28 Shock inmates in the SHU.

Inmates we surveyed who had received a "learning experience" were, perhaps unsurprisingly, somewhat less satisfied with the Shock program as a whole but still positive about the program, with 69% reporting satisfaction at least some of the time. Consistent with

trends in the overall survey population, these inmates also rated ASAT as the most useful part of Shock. They rated relations with Drill Instructors worse than other inmates though not as poorly as expected, with 30% rating relations as good, only 16% rating relations as poor, and 50% rating relations as good and bad.

Through October, 119 inmates, both men and women, participated in the reevaluation program at Lakeview in 2007. Of those, 40 were removed from the Shock program. Of the male inmates we surveyed who had been reevaluated and stayed in Shock, 58% expressed some satisfaction with the overall Shock program. These inmates identified the relationship with Drill Instructors as worse than most inmates but their rates were not as low as expected, with 33% rating relations as good and 17% rating relations as poor. This group of inmates found the physical training to be the most useful part of the Shock program.

For the period January 2003 through August 2006, Lakeview Shock and transit unit had a combined rate of all misbehavior reports that was in the lower half for all medium and minimum prisons. But the Shock and transit unit had high rates of infractions for “other disturbances” and threats, both with rates in the top 20% of all prisons, and refusing an order, with a rate in the top third of all prisons.⁶ Although few infractions are issued for Shock inmates, a high number of infractions are issued to transit unit inmates, according to the computer records we received. As we noted above, it is unclear whether this latter group is limited to inmates who are awaiting evaluation for placement in Shock and have not been in the Shock program. The disciplinary data suggests that some transit unit infractions may include inmates who have been in the Lakeview Shock program. Overall, it appears the prison is still relying on the formal disciplinary process for most infractions, and the learning experience and reevaluation programs address less serious misconduct or are employed following resolution of formal disciplinary action.

Grievance Program

While a grievance system is in place at Lakeview, the facility has no grievance committee. Shock inmates rarely, if ever, use the grievance system. Lakeview Shock inmates filed no grievances in 2004 and 2006, and only 13 grievances were filed in 2005. We did not receive any grievance data for 2007, but only two of our survey respondents stated they had filed a grievance. Survey respondents overall rated the system as poor. Given this impression, it is difficult to interpret the significance of the low number of grievances.

Visiting and Package Program

Inmates may not receive visitors during “zero weeks,” though they may receive visitors once every two weeks after this period. Most inmates we surveyed were positive about the visiting program, with 63% stating they were satisfied, at least some of the time. Phone calls are also limited in the Shock program, with inmates permitted to use the telephone for ten minutes once every two weeks. While Shock inmates cannot receive packages, they can receive letters.

⁶ According to the DOCS inmate rule book, “Other disturbances” might include loud talking or playing a radio or television too loudly.

Forty-one percent had experienced a problem with mail, and reports of mail arriving unnecessarily late were common.

Food and Showers

Because of the physical demands of Shock Incarceration, meals at Lakeview have a higher caloric content than those at other prisons. Sixty-seven percent of the inmates we surveyed reported they were satisfied with the food at the facility, at least some of the time. However, several inmates complained about undercooked food, in particular the rice. When we visited the mess hall it appeared clean. At mealtimes, inmates are not permitted to speak or look at each other. Many inmates told us that the time they are given to eat is insufficient. We also heard from many inmates that the time allowed for showers was insufficient, particularly considering the physical training aspect of the Shock program.

Transitional Services and Shock Aftercare

In preparation for release, Shock inmates attend pre-release classes once per week following "zero weeks." The curriculum includes topics such as job development, budgeting, communication skills, family planning, parenting, STD education, nutrition and health, and domestic violence. Staff reported that they encourage people to seek substance abuse treatment once they are released and compile lists of peer support meetings in the community. Staff also discuss with inmates the process of finding a sponsor as in Alcoholics Anonymous. Each inmate has a relapse prevention program as part of his or her ASAT program. Seventy percent of male inmates we surveyed in the Shock program reported they were satisfied with the discharge planning services at Lakeview.

Upon release from DOCS custody, all shock inmates are transferred to the Division of Parole Shock Supervision program that consists of more intense supervision through regular reporting, home visits, employment and program verification, curfew checks and frequent random urinalysis testing. Shock parole officers have a reduced caseload of 25 parolees for the first six months following their release.

Inmates returning to New York City are also enrolled in the "After Shock" Parole program, which provides specialized employment and vocation services and relapse prevention services. These services include employment training by the Center for Employment Opportunities, temporary, transitional employment by the Neighborhood Work Project, job placement, employment counseling and vocational assessment by the Vocational Development Program and relapse-prevention services provided by the Alcoholism Council of New York. Since 56% of Shock graduates come from the New York City area, a majority of Shock graduates will be offered these essential after care services. But the other 44% of Shock graduates do not have access to these crucial services, and we are not aware of any plans for expansion of After Shock to other areas in the state.

We note that DOCS and the Office of Alcoholism and Substance Abuse Services (OASAS) have recently signed a Memorandum of Understanding establishing a program to provide work release inmates in areas outside of New York City enhanced outpatient substance

abuse treatment in the community. The state should consider funding a comparable program for Shock graduates returning to areas outside New York City.

The Visiting Committee did not visit the After Shock program or observe pre-release classes at Lakeview. We note, however, as we did in our 1996 report on New York's Shock Incarceration program, that the very structured nature of Shock, with its emphasis on compliance with rigid order, does not reflect conditions most inmates will face in their communities. Therefore, it is crucial that newly released Shock inmates receive some community-based assistance in re-entering their communities to help them adjust to the more flexible environment and the lack of structure they will encounter when they return home.

Lakeview Shock Program for Women

The women's Shock program at Lakeview is identical to the men's, with early-morning calisthenics and meal times in the same place and time as men, but separate vocational, academic and treatment classes. Like the men, women's hair is cropped upon entering Shock, and their clothes are only slightly different than the men's. There is no commingling of men and women in any aspect of the program. Women who are not accepted into Shock following the screening at Lakeview remain in the women's Shock reception dorm.

An analysis of September 2007 DOCS demographic data for all female Lakeview Shock inmates reveals the median age to be 28 years old, slightly older than the male Shock inmates. Fifty-seven percent of the women were Caucasian, 31% were African American and only 10% were Hispanic. This distribution is significantly different than the system-wide data for female inmates, which is 30% Caucasian, 46% African American and 22% Hispanic. Sixty-eight percent of the women were convicted of a drug-related crime.

We received 27 surveys from women in Lakeview's Shock program. Overall, the women expressed a level of satisfaction equal to that of men in the program. Women's and men's opinions differed significantly regarding discharge planning services, with only 49% of the women satisfied, at least somewhat with the services (as compared to the 70% figure for men). Women rated relations with Drill Instructors better than men, with 76% saying that relations were good. Like the men, many women described the facility as "hands on," emphasizing that male inmates received more physical abuse than female inmates. Several women told us that they experience verbal abuse from Drill Instructors, who call them inappropriate names.

Women praised the ASAT program highly, with a higher percentage of women (78%) than men rating the program as the best part of Shock. In contrast, fewer women (15%) rated the physical training as the most useful part of the Shock program. They raised concerns about not having sufficient warm clothing for exercises outside in inclement weather. Women were also dissatisfied with the short length of showers, time to prepare in the morning, and time allowed to eat. In addition, they expressed concern about the poor quality of the food and the limited access to telephones, which is reportedly only twice per month for ten minutes at a time.

In comparison with these data, more women (80%) who received learning experiences⁷ were satisfied with the overall Shock program. Seventy percent of these women found ASAT the most useful program in Shock, and 20% found physical training the most useful. Few of the vocational programs are open to women, and many women complained that there were not more vocational opportunities. Of the women who received learning experiences, 66% rated relations with Drill Instructors as good.

Of the three women we surveyed who participated in the reevaluation program, two expressed dissatisfaction with Shock overall, with one saying she was satisfied. They rated physical training, ASAT, and Network as equally useful. Two rated relationships with Drill Instructors as good.

Shock Expansion

In the Correctional Association's 1996 report on Shock Incarceration, we recommended that the state expand Shock to accommodate additional inmates, including parole violators, repeat offenders, and inmates who have committed "violent" crimes as defined by statute. Consistent with these recommendations, and considering the continuing success rate of Shock in terms of recidivism and the positive experiences and reactions of inmates in the Lakeview program, we once again urge the governor, legislature and Department to consider a pilot program that would expand the Lakeview Shock program. One approach could be to include inmates currently serving a sentence at a DOCS facility who have less than three years until their earliest release and who meet all other Shock criteria.

We also urge the Department and the Lakeview Shock screening staff be more inclusive in assessing inmates who are disqualified because of public risk. We are concerned that the percentage of inmates disqualified from Shock for public risk has almost tripled since 1998. We urge the Department and Shock screeners to review this situation and determine the cause or causes for this increase. We recognize that public risk is a serious concern of the Department; however, we recommend it consider whether the current rate of rejections is necessary to the success of Shock and whether the public risk criteria could be broadened to include more inmates who have some undesirable past behavior without negatively impacting the success of the program.

We also urge the Department to consider implementing some aspects of the Lakeview Shock program, such as increased therapeutic programming, into other prisons. Our endorsement of the Lakeview Shock program should not be interpreted as suggesting that we believe this therapeutic model is the only effective means to reduce recidivism and improve successful outcomes for formerly incarcerated individuals. We urge the Department and other state officials to consider expansion of other therapeutic programs in the New York State prison system and to explore other alternative programs that could reduce violence and improve outcomes. In our prison visiting throughout the state, we have found that facilities such as Eastern that provide extensive programming for inmates and require greater responsibility and accountability have lower rates of tension and violence, high inmate and staff satisfaction rates

⁷ As described in the section on Shock discipline, "learning experiences" are disciplinary actions that might include the inmate wearing a sash or hat that says "attitude" or requiring an additional homework assignment.

of staff and inmates about their jobs and prison experience, and more success in changing behavior. We also note that while we found Lakeview inmates to be generally positive about Shock overall, the program undoubtedly will not work for everybody. In particular an authoritarian and militaristic atmosphere for therapy may not be the most successful method to effect personal change in inmates who are survivors of abuse.

Lakeview Annex

When male inmates are not accepted into or decline the Shock program after screening at Lakeview, they are housed in the prison's Annex until they are assigned to a more permanent facility. Staff reported to us that inmates are typically in the Annex for two to three months, but that sometimes their stay can be as long as four months. On our visit and in our surveys, several inmates reported waits up to four months. There are a limited number of programs at Lakeview's Annex, contributing to a high level of idleness among inmates. In addition, inmates who want to participate in programs to qualify for the Merit Program may be unable to meet the program requirements by the time they go to their Merit Board and therefore may miss an opportunity for early release. Considering that most inmates at Lakeview have very short sentences, it is important that inmates enroll in mandated programs as soon as possible.

The September 2007 DOCS demographic data for the 337 Lakeview transit inmates identified in the database reflect that the median age was 25 years old. Forty-nine percent were African American, 26% were Caucasian and 23% were Hispanic, rates very similar to the male Shock population. Sixty-one percent of the transit inmates were convicted of a drug-related crime. There were inmates in the transit unit who had been in DOCS custody for a substantial time. Fifty-seven inmates (17%) had been admitted to DOCS more than three months prior to the date of the summary. It is unclear how long they had been at Lakeview, but these data confirm the problem that some inmates will not arrive at their permanent facility until they have been in custody for four or more months.

The academic program at Lakeview's Annex is limited to the GED class, which is taught by the Annex's one teacher. Inmates who are under 21 years of age who do not have their GED or high school diploma are required to take this class. Most men older than 20 cannot enroll in the GED class; many of them expressed frustration with the restricted access to educational programs. Staff also told us the Annex would benefit from additional educational staff. Other programs at Lakeview's Annex include limited job assignments, such as porters and lawns and grounds workers.

The opportunity to participate in educational, vocational and job programs can help reduce inmate misconduct and enables inmates to use their time productively. At our meeting with the Superintendent and Executive team, staff reported sharing our concerns about the limited programs available to inmates at the Annex. We were pleased to hear that in May the Annex inmate population had dropped to 50.

The Visiting Committee inspected the general and law libraries at the Annex and spoke with the two inmate librarians who work in the libraries. The one staff librarian who oversees both libraries works primarily out of the Shock program and visits the Annex once per week. If an item is not available in the Annex, inmates can request that it be sent from Shock, but they

will generally experience at least a week's delay in receiving materials. We found the general library to be bright though not heavily used. The law library is very small, with only one desk where the inmate librarian was sitting. While there are no computers in either library, there are several typewriters in a separate room. Of the inmates we surveyed, most were dissatisfied with both libraries.

Over half the Annex inmates who participated in our survey rated relations with officers as poor. Forty-five percent of respondents had experienced a physical confrontation with staff, almost twice the rate we have found at other prisons we have visited. Forty-five percent of Annex inmate respondents also stated that physical confrontations with staff occur frequently in the Annex. Reports of physical abuse were most common concerning Annex inmates sent to the facility's disciplinary housing unit.

A large percentage of inmates (81%) told us they had experienced verbal harassment from staff, with almost 54% stating that it happened frequently throughout the facility. Most inmates who responded said they had not experienced abusive pat frisks or destruction of personal property. At a rate lower than other prisons we have visited, 36% reported they frequently felt unsafe. Considering inmates' relatively short stay at the Annex, reports of high levels of physical and verbal abuse by staff are particularly concerning.

Overall, inmate relations at Lakeview's Annex were reportedly somewhat less violent than other prisons we have visited, with 32% of respondents reporting having been in a physical confrontation with another inmate at least once and only 20% reporting that inmate fights occur frequently. An analysis of the DOCS disciplinary data for the Annex for the period January 2003 through August 2006 supports the conclusion that violence is less prevalent in this unit than in the Shock program. There were no misbehavior reports for staff or inmate assaults, but the frequency of infractions for inmate fights were somewhat high than other medium security prisons, but much less than in Shock. Similarly, the data on Unusual Incident Reports do not reveal high levels of violence. Seventy-seven percent of survey respondents stated that gang activity was common, though not a major source of violence. Most inmates who completed our survey stated that contraband drug use was rare and was not a source of violence.

There was an overall perception among the inmates we surveyed that the grievance system at Lakeview's Annex is ineffective. Of those who had filed a grievance, 80% rated the system as poor. There were reports from inmates that they had been retaliated against for filing grievances.

We heard consistent complaints from inmates about the mail and package program, with 90% of respondents stating they were dissatisfied with the program. While inmates throughout the Department often voice concerns about the package room, this level of discontent is higher than at many other prisons we have visited. A number of inmates described unnecessarily long delays in receiving packages. Some inmates suspect staff consume their food or steal their property. In addition, inmates complained that the rules for what could be given to inmates in packages were unclear. Only 40% of the inmates we surveyed were satisfied with the visiting program.

Only 30% of respondents were satisfied with the food at the facility and 90% of survey respondents were dissatisfied with the commissary program. Inmates reported that food was often undercooked or spoiled.

Idleness among inmates in the Annex is clearly a problem. While increasing academic and vocation programs there would provide opportunities for inmates to use their time productively and to qualify for the Merit Program, it is particularly crucial that the Department take steps to transfer inmates promptly from the facility. We also urge the Department to explore the possibility of including criteria used at Lakeview's Shock screening in the initial screening of Shock-eligible inmates at Reception centers. More rigorous screening of Shock eligibility at Reception centers could reduce the number of inmates who are likely to be disqualified at Lakeview's screening and thereafter sent to the Annex.

S-Block

The Visiting Committee toured Lakeview's S-Block 200, which at the time of our visit held 188 inmates. We received surveys from 33 inmates whose median time in the S-Block was four months. Several inmates complained of periodic denials of recreation, in apparent violation of DOCS regulations and state law which require the Department to offer daily exercise.

Sixty-eight inmates were enrolled in the academic cell study program, which is also offered in Spanish. Most inmates we surveyed were satisfied with the cell-study materials and praised the instructor for his interest in the curriculum, but some were dissatisfied with the frequency of the instructor's visits to the unit. While most respondents were satisfied with their access to reading materials, only 55% were satisfied, at least somewhat, with their access to law library materials, a rate lower than at other SHUs we have visited. A majority of inmates we surveyed were also dissatisfied with their access to mail, reporting that mail arrived after unnecessarily long delays.

Five inmates in the S-Block were on deprivation orders and three were on restricted diets. Consistent with other SHUs we have visited, only 16% of the surveyed inmates rated relations with staff as good. While 15% of respondents reported they had experienced a physical confrontation with staff, a rate lower than at other SHUs, 54% stated they frequently feel unsafe, a rate consistent with other SHUs. There were frequent complaints from inmates about verbal harassment from officers, with 61% saying this form of abuse was common, and 34% reporting they had experienced it at least once. There were several accounts of Corrections Officers tampering with inmates' food and knowingly continuing to hold inmates at risk of fighting with each other in the same cells.

S-Block inmates generally perceived the grievance process as ineffective, with 87% rating the system as poor. About half the surveyed inmates had filed a grievance while in Lakeview's S-Block, and most of these inmates stated they had experienced retaliation from staff for filing their complaint.

We were pleased to note the inmates' positive opinions of the cell study program. SHU inmates' reports of inmate-staff confrontations are fewer and their perception of safety is somewhat better than other SHUs we have visited. Still, concerns remain about poor inmate-

staff relations, verbal abuse and the frequency of physical confrontations between SHU inmates and staff. The reported denials of mandated services also raise questions and should be investigated. Increased training for staff and an improved grievance program could reduce the level of tension between inmates and staff.

Medical Care

During our visit, we met with the full-time Nurse Practitioner, Lawrence Wilcox, who provided comprehensive information about Lakeview's medical care system, and we toured the medical area. We appreciate the medical staff's cooperation in responding to our questions and in supplying detailed data about the prison's healthcare system. The medical department provides services for inmates in the Shock program, S-Block and Annex.

Lakeview is authorized to have one full-time physician, one full-time nurse practitioner, thirteen permanent nurses and one full-time per diem nurse. At the time of our visit, there was only a half-time physician working at the prison; the other half-time physician had recently resigned and had not been replaced. There were no other medical staff vacancies.

We received surveys about prison healthcare from inmates in all three male programs-- Shock, the Annex and S-Block. Although we were not conducting a general monitoring visit for the women, some women raised concerns about medical care, and therefore, we sent the female Shock inmates a survey that requested information about the issue. In assessing the medical program, we are relying on the information we received from DOCS, Lakeview's staff and the survey responses.

The medical staff did not identify any significant barriers to providing care and did not report any deficiencies in medical resources in the community, such as specialty care services. In contrast, the inmates we surveyed had a mixed review of healthcare in the prison. They were more critical of this aspect of Lakeview's operation than any other service at the prison. Thirty-one percent of the male Shock survey respondents rated the overall healthcare system as good; 35% said it was fair; and 35% reported it as poor. Fifteen percent of the women Shock inmates who participated in our survey rated healthcare as good; 35% said it was fair and 50% stated it was poor. Only four percent of the S-Block inmates rated healthcare as good; 32% reported it as fair and 64% said it was poor. Finally, 30% of the Annex respondents said the healthcare system was good; 40% found it fair; and 30% rated it as poor. The dissatisfaction expressed by the women and S-Block inmates is high in comparison to other prisons we have visited.

Sick call is conducted at 4:30 am for the Shock inmates and at 8:00 am for the Annex inmates. A nurse tours the S-Block each day to conduct sick call. Only 15 Shock inmates generally attend sick call daily. The men in Shock reported that they generally have access to sick call when needed; 58% of the survey respondents expressed no access problems, 24% said they sometimes had access problems and only 19% stated they could not get access when needed. The male Shock inmates also had a mostly favorable assessment of the sick call nurses; 26% rated them as good, 43% assessed them as fair and 31% said they were poor. The figures for the male Shock inmates are somewhat more favorable than inmate reports at most prisons.

The Shock women we surveyed were generally favorable about access to sick call, but were much more critical of the quality of the care they received from the sick call nurses. Only 12% of the women reported that they could not get access to sick call when needed, but 60% stated they sometimes experience problems getting access. Eighty percent of the women rated sick call nurses as poor and only 8% rated them as good. Their assessment of the nurses is significantly worse than the figures we receive from most other prisons.

The Annex inmates had positive assessments of sick call. Only 11% of the survey respondents reported they could not get access to sick call when needed, 56% stated they sometimes have access problems and 18% said they never have access problems. Forty-four percent of the Annex inmates rated the sick call nurses as good and only 22% stated they were poor.

The S-Block inmates we surveyed were more negative about sick call. Thirty-one percent reported consistent problems with access to sick call and 37% stated that sometimes they have access problems. More importantly, the S-Block inmates criticized the care they receive at sick call; 69% rated the sick call nurses as poor and only 7% rated them as good.

Patients who have been assessed by the sick call nurses as requiring additional care are seen in the clinic by the nurse practitioner or the doctor for a scheduled "clinic call-out." Medical staff informed us that inmates referred for a clinic call-out are generally seen within a few days. The inmates in Shock generally agreed; only 15% of the men and 9% of the women reported frequent delays in access to the clinic providers. The Shock inmates reported, however, periodic delays for clinic call-outs; 34% of the Shock men and 59% of the women stated they experienced delays once in a while. Overall, these figures represent better access to clinic providers than at most prisons we have visited.

In contrast, the S-Block and Annex inmates reported more difficulties in access to clinic call-outs. Forty-four percent of the S-Block inmates we surveyed and 33% of the Annex survey participants stated they frequently experience delays in clinic call-outs. We were told that the doctor goes to the Annex once a week for routine follow-up. Given the remoteness of these areas to the medical department, it seems likely that the inmates housed there would have greater difficulties getting to see a clinic provider.

The different inmate populations we surveyed were mixed in their assessment of the quality of the care they receive from the clinic providers, but the male population was generally more negative about the clinicians than they were about the sick call nurses. Thirty-eight percent of the male Shock inmates and 61% of the female inmates rated the clinic providers as poor; 29% of the Shock men and only 9% of the Shock women rated them as good. The S-Block inmates were also critical; 64% rated the clinicians as poor and only 4% said they were good. The Annex inmates expressed the most positive views of the clinic providers; 25% rated the clinicians as poor and 25% said they were good. Overall, these figures indicate a significant level of dissatisfaction with the clinicians, and we urge the medical staff to meet with the various inmate populations to ascertain the reasons for their dissatisfaction.

Lakeview has a smaller population of inmates with chronic conditions than most other prisons. We were informed that there are only six HIV-infected inmates, two of whom were receiving treatment, and 35 inmates with Hepatitis C (HCV), six of whom were receiving treatment. The HIV infection rate is very low. Approximately 6% of the DOCS male population reportedly is HIV-infected, as is 12% of the female population. If these infection rates existed in the Lakeview population, there would be almost 70 men and nine women who are HIV-infected. Although most Lakeview inmates are in DOCS custody only six months, there is still an opportunity to encourage them to learn their HIV status and initiate treatment. Given the extensive experience of Lakeview inmates with substance abuse, we expect that many more than six inmates are infected with HIV. We were pleased to learn that the prison conducts HIV Continuous Quality Improvement audits, and we were informed that the facility has had 100% compliance with the audit indicators. The nurse practitioner seemed very knowledgeable about HIV, and the prison has an HIV coordinator to facilitate medical appointments and perform patient education. We understand that Group Ministries, an outside contractor with the AIDS Institute's Criminal Justice Initiative, provides some HIV prevention education and transitional services for HIV-infected inmates, although the nurse practitioner did not appear aware of this program. Despite these measures, greater outreach efforts are needed by medical and non-medical personnel, including peer educators, to encourage inmates who are at risk for the disease to seek HIV testing to learn their HIV status.

We were pleased that six of the 35 HCV-infected inmates were receiving treatment. The nurse practitioner informed us that all the patients for whom he has initiated HCV therapy have cleared the HCV virus during the course of treatment. Based upon our discussion with medical personnel, it appears that they are aggressively seeking evaluation of HCV-infected inmates for possible therapy. Inmates favorably commented to us on the HCV care they receive. We commend Lakeview's medical staff for these efforts and urge the prison to continue this process as new inmates are constantly coming into the program. At the same time, the number of identified HCV-infected inmates is low compared to other prisons. The potential HCV population at the prison based upon system-wide HCV-infection rates is approximately 163 inmates. Most prisons have been able to identify 65-70% of their estimated HCV population. Given the short stay of Lakeview inmates, we understand that the prison is not able to reach this figure. But Lakeview has identified only one-fifth of the anticipated pool of HCV-infected population. We urge the medical staff to be vigilant in encouraging inmates who may be at risk for HCV to be tested.

The medical staff stated that it does not experience problems getting inmates to specialty care services. The inmates appeared to agree with this assessment. While few inmates reported having a specialty care appointment, approximately two-thirds of the inmates said they did not experience delays in access. In contrast, however, inmates were dissatisfied with the follow-up after the specialty care appointment. Seventy-three percent of the male Shock inmates and 64% of the female inmates reported that there was inadequate follow-up to the specialists' recommendations.

We asked the women about the gynecological (GYN) care at Lakeview. Ninety-one percent of the survey respondents said they did not receive GYN care and half of those who rated GYN care were very dissatisfied. It is our understanding that the nurse practitioner is providing most of the GYN care. There may be some confusion among the women about the nature of the

services he is providing. But given our survey results, we urge the Facility Health Services Director to meet with the women to discuss their concerns about GYN care.

Lakeview does not have a pharmacy and obtains its medications from Gowanda's regional pharmacy. Both the male and female Shock survey participants did not appear to have significant problems getting their medications; only 11% of the male Shock inmates and 12% of the women said they experienced difficulties. About half of the few Annex respondents on medications said they had a problem. Almost 90% of the S-Block respondents on medications reported that they regularly or sometimes had difficulties getting their medications. We urge the facility to investigate this situation.

Lakeview has a ten-bed infirmary that serves both the men in Shock and the Annex and the women. S-Block inmates requiring infirmary care must be sent elsewhere since the infirmary does not have a maximum security designation. Six beds are reserved for men and four are assigned to women. The average infirmary census is only one to two inmates.

Lakeview has a prison Quality Improvement Committee that meets monthly. The Committee's work includes reviewing medical charts and discussing progress on issues raised at prior meetings. It is commendable that the Committee meets monthly, but it is questionable whether it will be able to continue its work as effectively while the prison is missing a half-time physician.

Concerning medical screening for Shock inmates, we were informed that insulin-dependent inmates and inmates on psychotropic medications are medically excluded from the program, but no other absolute exclusion exists. Inmates with disabilities are evaluated and can participate with reasonable accommodations. Although the actual criteria on medical exclusion have not changed since the 1990s, the medical staff thought that the prior medical director was more stringent than the current personnel in determining who was medically ineligible for the program.

Meeting with Staff

Visiting Committee members met with representatives of each staff union, and we appreciated the informative conversation. They described a positive work environment in which they feel safe and where there is a good rapport and significant coordination between security and civilian staff. They also noted that they have a generally positive relationship with the administration and appreciated the open-door policy of the executive team. Overall, staff found their work at Lakeview Shock particularly rewarding as they see inmates' progress in the program.

Lakeview's security personnel are very experienced. There was a concern among some staff that many senior correction officers would retire upon reaching 25 years with the Department, since their existing pension plan offers no incentive for them to remain on the job longer.

Although security staff were pleased with the high level of involvement with the inmate's treatment, education and counseling programs, they expressed a desire to receive more training concerning inmate relations.

Recommendations

Expand Eligibility for the Shock Program

- Initiate a pilot program that expands Shock eligibility to include inmates currently serving a sentence at a DOCS facility who have less than three years until their earliest release and who meet all the other Shock criteria.
- Initiate a pilot program with more inclusive screening criteria, particularly concerning disqualifications on the basis of public risk.

Shock Aftercare Programs

- Create Shock Aftercare programs at large urban centers outside of New York City that provide employment and vocational services, temporary employment, job placement and substance abuse treatment.
- Establish community-based substance abuse treatment programs for Shock graduates returning to communities outside of New York City comparable to the recent initiative between DOCS and the Office of Alcohol and Substance Abuse Services providing work release inmates at other prisons with enhanced substance abuse treatment in the community.

Vocational Program

- Initiate additional vocational programs that more closely reflect job opportunities in the community, including those for women, and establish the planned computer program.

Packages and Mail

- Initiate monitoring measures to prevent delays in the delivery of mail to inmates and packages to the Annex and to reduce the destruction or loss of items contained in packages.

Inmate and Staff Safety

- Review Unusual Incident Reports, grievances and misbehavior reports to assess whether there are patterns of physical and verbal confrontations within the prison, whether specific staff members are more frequently involved in inmate-staff confrontations, and whether certain areas within the prison are more frequent locations for confrontations between inmate and staff or among inmates. Following this review, develop a plan, including additional staff training, to reduce these confrontations.
- Review the procedures for reporting misbehavior reports and UIRs to ensure that the description of the incident reflects the inmate's program assignment.

- Assess the level and causes for racial tension within the facility and develop a plan to reduce this tension and incidents of racial harassment, include diversity training for staff and inmates.
- Institute efforts to increase the diversity of Lakeview's staff by recruiting and hiring Spanish-speaking and African-American Corrections Officers and additional female Correction Officers.
- Install additional cameras that record activities in areas where conflicts are most common, particularly in the S-Block, and ensure that they are consistently turned on and utilized.

Annex

- Reduce the length of stay of inmates in the Annex.
- Increase the number of programs in the Annex to reduce idleness and permit inmates to initiate activities necessary for Merit Time release.
- Explore the possibility of including other criteria now used at Lakeview's screening in the initial screening of potential Shock-eligible inmates at reception centers to reduce the number of inmates sent to Shock who are determined to be ineligible.
- Install computers in the Annex general library and provide updated software.
- Increase the space available in the Annex law library for materials and inmate use.

Shock Special Housing Unit and S-Block

- Monitor the recreation program to ensure that SHU and S-Block inmates are not being denied or discouraged from attending recreation.
- Monitor the provision of meals and showers to ensure that all inmates have timely access to these services.
- Install cameras in the SHU and S-Block.
- Institute a system-wide policy to provide inmates in SHUs throughout the state with athletic equipment like balls or chin-up bars when they go to recreation.

Medical Care

- Fill the half-time physician vacancy and consider expanding clinic provider services for the prison.
- Review the quality of the sick call encounters to determine whether all sick call nurses are adequately addressing the inmates' medical needs.

- Review the quality of the medical encounters between all Lakeview inmates and the clinic providers and improve access to clinicians for inmates in the Annex and S-Block.
- Increase educational and other outreach efforts concerning HIV and Hepatitis C (HCV), including more peer education programs, to encourage inmates to be tested for HIV and HCV and for those who are infected with these illnesses to seek care from the medical staff.
- Review complaints concerning access to medications for S-Block inmates and develop a corrective plan if systemic deficiencies are identified.
- Improve the timeliness of specialty care appointments and initiate a review of completed consultations to determine whether there has been adequate follow-up to the recommendations made by the specialists.
- Review the gynecological care provided Shock women both in terms of timeliness and the quality of the care.

Staff Concerns

- The Executive and the Legislature should institute system-wide incentives for security staff to remain on the job for longer than 25 years.