



ATTICA CORRECTIONAL FACILITY: 2011 – BASIC FACTS, FINDINGS & RECOMMENDATIONS

The September 1971 Attica rebellion brought the plight of incarcerated individuals to the forefront of the nation's consciousness. No longer would these invisible people experience invisible injustice behind brick walls and barbed wire fences. The prisoners' demands included basic civil rights such as medical care, religious and political freedom, in addition to a living wage and opportunities for education and rehabilitation.

The Correctional Association (CA) of New York visited Attica Correctional Facility in April 2011 to assess the services and conditions at the prison.¹ Prison conditions throughout New York State have come a long way in the past 40 years— inmates are afforded better medical care, opportunities for religious expression, and mandatory educational programming for those without a high school diploma or equivalent; however, we have a significant way to go – many prisons are still not safe, adequacy of medical care varies from facility to facility and most inmates are paid equal to or less per hour than in 1971. Attica has changed significantly since 1971, although some severe problems do persist.

Basic Facts

- Attica is a 2,253-inmate capacity maximum security prison built in 1931 and located in Western New York.
- The facility's population as of April 12, 2011 was 2,152 inmates, with a median age of 38.4 years old.
- The median minimum sentence was 15 years, and 68% of inmates had a minimum sentence of 10 years or more.
- Eighty-four percent of the total population was convicted of a violent felony.
- Fifty-eight percent of Attica's population identified as African-American, 22% as Hispanic, and 20% White.
- Sixty-one percent of the inmate population had a high school diploma, GED, or higher education degree.
- Twenty-one percent of the population was diagnosed with some level of mental illness.
- Of the 582 correctional officers employed at Attica, 12 were female. The facility provided no staff racial data.

Findings & Recommendations:

Inmate-Staff Relations

- **Findings:**
 - Attica stands out among New York State prisons for its high level of violence among staff and inmates, particularly for allegations of sexual abuse both in general population and in disciplinary confinement units (Special Housing Unit and keeplock).
 - Attica ranked second among CA-visited prisons for rates of sexual abuse and racial harassment.
 - The CA perceived a noticeably high level of intimidation and fear throughout the facility both during our visit, where officers walked in the prison with batons in their hands, an uncommon practice in most New York State prisons, and after our visit when we received numerous letters describing threats and retaliation for participating in the CA survey.
 - The most common forms of abuse cited among survey respondents were verbal harassment, threats and intimidation, and physical abuse. In fact, Attica inmates had the highest ratings of all CA-visited prisons for frequency of physical assaults, verbal harassment, threats and intimidation, abusive pat frisks, turning off lights and water, and retaliation for complaints – inmates also complained that retaliation materialized in the form of some officers not letting inmates out of their cells for meals.
 - Inmates overwhelmingly described the 3:00 p.m. to 11:00 p.m. shift as problematic.
- **Recommendations:**
 - Assess the level and causes for tension between staff and inmates, and develop a plan to reduce perceived and actual incidents of verbal harassment, physical confrontations and sexual abuse by staff, including installation of camera in areas where such incidents more frequently occur.

¹ The CA visited Attica on April 12 and 13, 2011. We obtained surveys about general prison conditions from 269 inmates in general confinement, in addition to 63 program- or location-specific surveys from inmates in special programs and housing units. These findings are based on our visit, data supplied by the facility and DOCCS prior to our visit; inmate surveys; and conversations with the administration, program staff, and inmates. We have visited a total of 29 NYS prisons and have received 8,400 inmate surveys.

- Encourage line staff to engage inmates in more positive interactions and investigate any allegations of harassment, threats or excessive use of force and implement prompt disciplinary action if substantiated.
- Recruit a more diverse staff population and increase opportunities for diversity training and education about managing mentally ill individuals.
- Reconsider the policy of staff escorting inmates throughout the facility with their batons unsheathed.

Programs

Programs available to inmates include: academic and vocational programs; substance abuse treatment (ASAT); Transitional Services (Phase I, Thinking for a Change, Phase III); and Aggression Replacement Training

▪ **Findings:**

- Transitional Services programs received higher reviews than nearly all other CA-visited prisons.
- Attica's new college program with Genesee Community College received enthusiastic participant praise.
- Due its large population and limited staffing levels, Attica inmates had far less programming options than other prisons, and, accordingly, a larger proportion of inmates were idle with little or no programming.
- Attica had lower GED enrollment and passage rates than other similarly-sized prisons.

▪ **Recommendations:**

- Consider methods of increasing available programs for all inmates, including potentially hiring additional staff, changing program times, or modifying facility movement schedules and procedures.
- Provide more meaningful prison job opportunities that will permit inmates to develop skills and experiences that enhance their ability to find employment upon release.

Mental Health Care and Programming

Mental health programs available to inmates with mental health needs include: Intermediate Care Program; Transitional Intermediate Care Program; Residential Crisis Treatment Program; and Special Treatment Program.

▪ **Findings:**

- Inmates enrolled in the residential Intermediate Care Program appeared to feel safer than in the general population and felt programs and clinician interactions were beneficial.
- Inmates in mental health program areas complained of a lack of confidentiality between clinicians and inmates, with security staff misusing private information.
- Many disciplinary inmates with serious mental illness in the Special Treatment Program (STP) did not appear to be engaged or fully participating in therapeutic programming or individual therapy.

▪ **Recommendations:**

- Take steps to train all security staff working on a mental health unit on how to properly manage and interact with inmates with mental health care needs and remove from these units any staff who fail to perform their job duties properly.
- Review patient-clinician confidentiality protocols with OMH staff and DOCCS security staff and ensure that proper protocols are followed, investigating any complaints of confidentiality breaches or misuse of sensitive information.
- Review the services provided during STP group sessions and individual counseling to determine what additional measures can be taken to better engage the patient population.
- Reconsider the decision to convert Attica's STP to a residential mental health treatment unit.

Other Services

▪ Other services available to Attica inmates are: recreation; general and law library services; visiting room; mail and packages; commissary; and medical and dental care.

▪ **Findings:**

- Inmates had less access to general and law library services and were less satisfied with available services.
- Inmates were more satisfied with dental care than other CA-visited prisons and rated medical care as average, but complained that Attica conducts sick call on the housing blocks rather than the medical area.
- We received complaints that security staff harassed visitors, particularly in the Family Reunion Program.

▪ **Recommendations:**

- Improve access to the general library and the law library by expanding their hours of operation, potentially by hiring additional staff or inmate clerks.
- Review the quality of sick call encounters and clinic call-outs to ensure that all providers are properly diagnosing and treating each patient they see.
- Review visitor processing and treatment to ensure courteous and professional treatment by visiting staff.

The Correctional Association of NY is an independent, non-profit organization with unique legislative authority to inspect prisons and report its findings and recommendations to the legislature, the public and the press. Through monitoring, research, public education and policy recommendations, the CA strives to make the administration of justice in New York State more fair, efficient and humane.