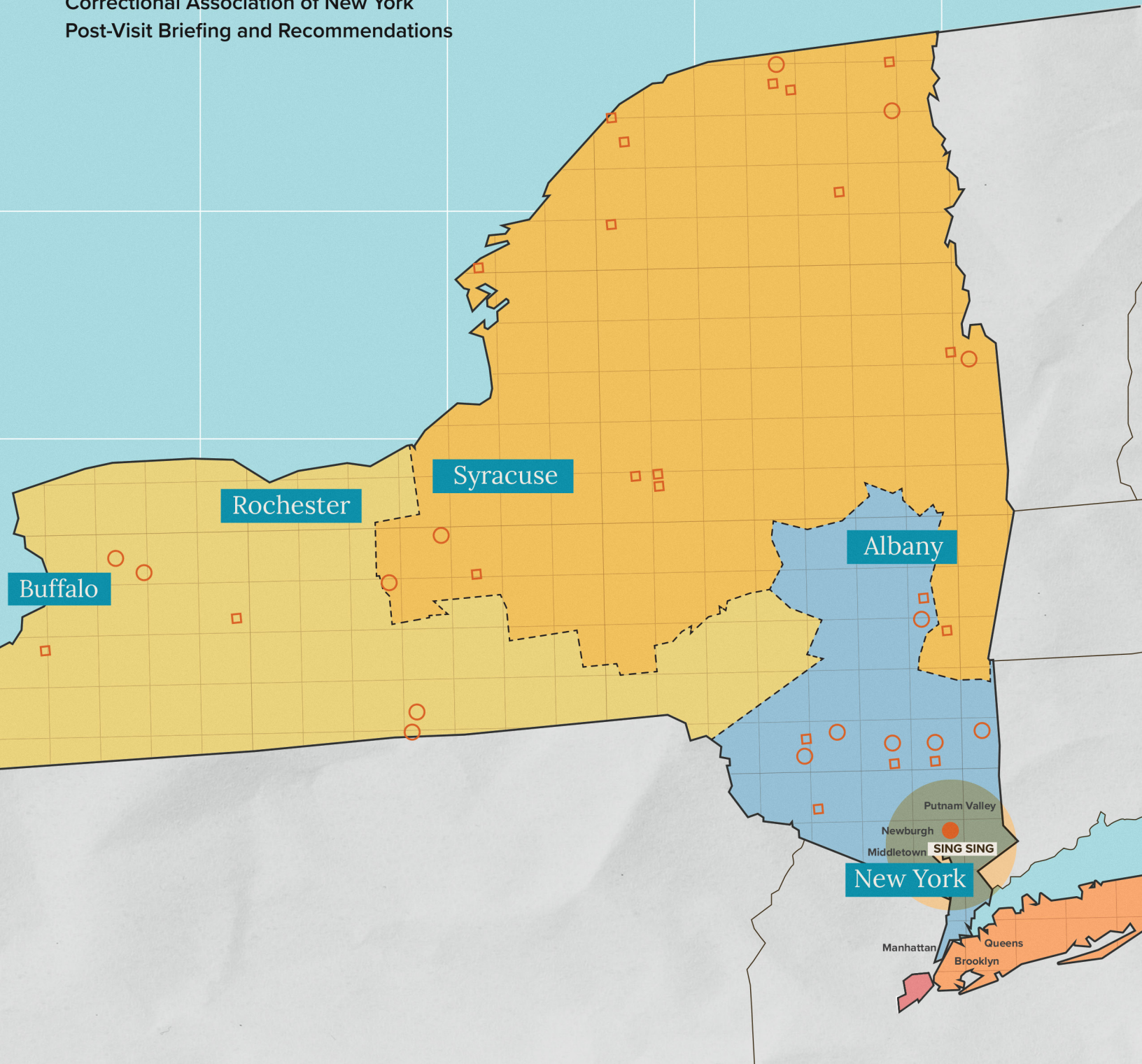


No. 22-05 February 7 - 9, 2022

Monitoring Visit to Sing Sing Correctional Facility

Correctional Association of New York
Post-Visit Briefing and Recommendations



Background

On February 7, 8, and 9, 2022, the Correctional Association of New York (CANY) conducted a monitoring visit to Sing Sing Correctional Facility in Ossining, NY. The CANY visiting party included nine representatives, who carried out a total of 118 interviews with incarcerated individuals: 91 individuals incarcerated in general population housing areas, two individuals incarcerated in an Intermediate Care Program (ICP) unit, one individual incarcerated in a Transitional Intermediate Care Program (TRICP) unit, four individuals incarcerated in a Protective Custody (PC) unit, and 19 individuals incarcerated in a Special Housing Unit (SHU). CANY representatives held meetings with the DOCCS Executive Team, Health Services Director, Nurse Administrator, and with the Office of Mental Health (OMH) Unit Chief. Additionally, CANY held meetings with union representatives based at the prison including members of the NYS Correctional Officers and Police Benevolent Association (NYSCOPBA) and Civil Service Employees Association (CSEA). CANY also met with members of the Inmate Liaison Committee (ILC), Inmate Grievance Resolution Committee (IGRC), and incarcerated people participating in extracurricular groups. CANY conducted visual observations of housing units, the infirmary, school building, recreational areas, and Residential Crisis Treatment Program Units (RCTP).

The monitoring visit concentrated on the living conditions for incarcerated people in the prison, quality of medical, dental, and mental health care, the accessibility of educational and vocational programming, and other factors. During the monitoring visit, CANY representatives employed a variety of data collection methods. One such method was the use of a 79-question survey instrument, designed in the United Kingdom and adapted for use in the US, which aims to Measure the Quality of Prison Life (MQPL)¹. In addition to 29 demographic questions, the MQPL survey contains a 45-item Likert scale questionnaire . The response choices are “Strongly agree,” “Agree,” “Neither agree nor disagree,” “Disagree,” and “Strongly disagree.” The Likert scale data were analyzed by calculating the averages for each item on a 1-5 scale, with 3 being the neutral mark. Each item was then grouped into a specific dimension, or feature of prison life, along with other associated items, for which a combined dimension average was calculated. These dimension averages are drawn on as a quantitative data source below. Alongside the demographic questions, the data addendum contains visualizations of the MQPL dimensions. The purpose of these visualizations is to compare across dimensions at Sing Sing in order to determine the relative quality of different aspects of prison life. CANY also implemented the corresponding Staff Quality of Life survey, which was completed by staff outside working hours and returned to CANY by mail. All individual respondents in general population housing were interviewed using the MQPL survey. Individuals housed in Special Housing Unit (SHU) were interviewed using a 35-question unit-specific protocol. Meetings with staff and the incarcerated groups followed a semi-structured interview guide.

1 “MQPL +: Analyses of quality, culture, and values in individual prisons” Prisons Research Centre, University of Cambridge. <https://www.prc.crim.cam.ac.uk/research-projects/current-research-projects/mqpl>

Overview of Findings and Recommendations

Findings from the monitoring visit indicated positive perceptions of Sing Sing's proximity to New York City for individuals with family or loved ones nearby and of the extensive availability of programming. Because the prison is the closest maximum or medium-security men's prison to New York City, incarcerated people have more frequent visits due to easier access from the Downstate region. Several incarcerated people described Sing Sing as a "program" prison where incarcerated people benefit from an array of educational and vocational programs, including academic study up to master's degree level. Sing Sing's geographic location and expansive programming options are the two most positive aspects of incarcerated people's experience as measured by the MQPL survey.

CANY's monitoring visit to Sing Sing found many significant concerns with the prison's antiquated physical structure, lack of stationary surveillance cameras, and organizational processes that impede Sing Sing's ability to provide a rehabilitative environment. The issues of specific concern at Sing Sing and corresponding recommendations are numbered below. Recommendations on issues for which a system-wide response is required are framed and given a reference number. These system-wide recommendations will be referenced in future reporting as and when these issues are observed across other prisons and the level of uptake of all recommendations will be tracked and documented over time. The recommendations identified below would allow for some improvement but not address fundamental issues related to the physical conditions of incarceration at Sing Sing.

Key Findings and Recommendations

- 1** DOCCS should replicate the scale and quality of programming available at Sing Sing across prisons statewide.

Incarcerated people at Sing Sing benefit from an extensive offering of educational programs, which they note as having a positive impact on their quality of life. When asked to list the most positive aspects of their experience at Sing Sing, the highest-frequency response regarded educational opportunities offered there (34 instances). Incarcerated respondents reported that "school is good" and "extensive" at Sing Sing, and many cited how they benefit from access to collegiate training (12 instances). One incarcerated person said that Sing Sing is "the only facility where you can go from illiterate to masters." Others positively mentioned their experience with vocational programming at Sing Sing (17 instances), describing the programs as high quality. This data demonstrates the value of vocational training and education, which DOCCS should rightly take pride in, and the desire among incarcerated people for engaging far-reaching program offerings in their facilities. A few individuals specifically mentioned their positive experience with programs (two instances) when discussing their satisfaction with opportunities for rehabilitation and growth at Sing Sing (10 instances).

A small number of incarcerated respondents described their experiences with programs in negative terms (six instances), with most specifically mentioning poor access as the reason. Relationships with staff also affect incarcerated people's ability to benefit fully from programming at Sing Sing. Some incarcerated individuals reported that certain correctional staff have negative attitudes toward people rehabilitating themselves through education and programs. Others highlighted that this is a subjective opinion and that some staff do support and respect people taking advantage of the program and schooling offerings. One individual told CANY representatives that he tries to spend as much time as possible in the school, where the staff is positive and he can stimulate his mind, whilst avoiding the difficulties of the main cellblocks.

System-Wide Recommendation R7:22

DOCCS should act on the extensive data showing the value placed on programs by the incarcerated population at Sing Sing and take all possible measures to replicate the scale and quality of programming across all other facilities.

At Sing Sing the breadth of comments of appreciation for the scale of programming, and the fact that most widely cited complaints related to programming focused on a lack of access to programs, reinforce the understanding that programming is an essential right. These conclusions are further supported by comments received by CANY at facilities in which no such programming is available, where incarcerated people express frustration from the feelings of boredom, negativity, and wasted potential that result. The overall conclusion is that incarcerated people want to learn and use their time in a productive way to improve their prospects on release. A further conclusion is that extensive and purposeful programming improves the atmosphere and reduces tension within facilities, thereby improving the quality of life for staff and incarcerated people alike.

While CANY understands that many of the programs provided at Sing Sing are run by outside providers who are more easily able to work at Sing Sing due to its proximity to New York City, CANY recommends that DOCCS takes steps to leverage existing relationships with program providers and introduce financial incentives to expand into facilities across the state to allow incarcerated people across all facilities the same level of opportunity.

Additionally, when making decisions around future closures of facilities, DOCCS should take the value placed on programming by incarcerated people into account and prioritize the closure of facilities in which programming is insufficient.

2 DOCCS should take into account the importance that many incarcerated people at Sing Sing place on being close to New York City.

The second most frequent positive aspect of life reported by incarcerated people at Sing Sing was proximity to home (27 instances). In the open-ended data, incarcerated people reported appreciating the relatively close distance between Sing Sing and their home areas. At Sing Sing, 65.5% of the incarcerated population is from the downstate counties in New York City, Long Island, or Westchester. Proximity to the family is a clear value for incarcerated people, as they spoke passionately about the emotional significance of family visits and contact with the outside. When discussing family visits, members of the ILC and IGRC linked the frequency and quality of family visits to feelings of humanity for incarcerated people, as well as a core element of morale among the Sing Sing population.

System-Wide Recommendation R8:22

When making decisions on prison closures, DOCCS should take into account extensive evidence demonstrating the immense value many incarcerated people and their families place on proximity to New York City.

Over the course of CANY's visits, the importance of proximity to their families in New York City for a large number of incarcerated people emerges as a central theme. Approximately 42.9% of incarcerated people in New York State are from the downstate counties in New York City, Long Island, or Westchester. Many people from the New York City region held in prisons to the far north and west of the state express distress that they are unable to see their families regularly, and often explain that they tell their families not to visit because of the financial stress it causes and the amount of time a visit requires.

While CANY understands that the "Proximity Law"² alleviates some of this burden for incarcerated people with children, many people at facilities far away from New York City are currently unable to transfer to a prison close by due to waiting lists for transfers and lack of space.

To address this issue over the long-term CANY recommends that DOCCS prioritizes proximity to New York City when making decisions over future closures to ensure that all incarcerated people are held in the closest appropriate facility that meets their security level, program, and health needs.

Additionally, CANY recommends that DOCCS prioritizes the fulfillment of the Proximity Law by issuing a system-wide public-facing directive articulating how it will implement the law.

2 Velmanette Montgomery "Governor Cuomo Signs Proximity Legislation into Law Bringing Parents and Children Closer Together" New York State Senate, December 25, 2020, <https://www.nysenate.gov/newsroom/press-releases/velmanette-montgomery/governor-cuomo-signs-proximity-legislation-law>

3 DOCCS should take concrete steps to address gaps in communication by making rules and procedures specific to Sing Sing clear to incarcerated people and staff.

The most prominent finding in CANY's monitoring at Sing Sing was the widespread perception of inconsistent application of rules and procedures. Interviews with incarcerated individuals revealed a theme: "The only consistency is inconsistency." Open-ended data revealed 30 instances of incarcerated people referring to inconsistency and lack of structure as a negative aspect of their incarceration at Sing Sing, among many other instances thematically linked to the problem. One incarcerated individual said it is "discombobulating how they run things"; another said, "today there is one rule, another tomorrow." The MQPL dimensions data strongly reinforces this anecdotal perception of inconsistency. The dimension measuring "Organization and consistency" recorded the mean score at 2.01, making it the dimension with the second-highest variance from 3, the neutral mark. The dimension with the highest variance from the neutral mark was "Distress," recorded at 4.29. The third highest variance mean score was for the dimension "Bureaucratic legitimacy," which stood at 2.58.

The reported arbitrariness of rule implementation by staff seems to impede incarcerated people's ability to navigate prison, in turn contributing to distress. As one incarcerated person said, "It's a good day if things are ran the way they are supposed to be."

Specific examples of communication lapses include one incarcerated person's complaint that one officer allowed him to hang a screen in front of the toilet in his cell while another disciplined him for doing so. In the ICP, where indoor recreation known as "gallery rec" had been discontinued, it was unclear to numerous people interviewed whether this was the result of a decision made by OMH or by DOCCS, how long the schedule interruption would last, and why gallery rec had been discontinued. The lack of communication seemed to have led to confusion and resentment.

While the executive team expressed a belief during the debrief at the end of the monitoring visit that rules were widely known and that the prison did not suffer from failures in communication, this assertion was not borne out by the data presented above. To address this issue, CANY recommends that the executive team improve communication in the identified areas at Sing Sing by:

- Ensuring that incarcerated people are given explicit instructions on rules and procedures across the facility where these are not outlined in detail within DOCCS' directives. When changes to existing procedures are made, the nature of the change, the rationale behind it, and the individual or office responsible for the decision must be made clear. This clarification should be given both verbally and in writing.
- Canvassing incarcerated people to understand which specific procedures and rules remain unclear to the incarcerated population and ensure that a written response clarifies such rules.

Across multiple monitoring visits, CANY has witnessed an underlying trend whereby incarcerated people express frustration that the rules and their rationale are not consistently communicated to them by staff. To address the lack of clarity in both the documentation of rules and their communication by staff, CANY makes the following system-wide recommendation:

System-Wide Recommendation R9:22

DOCCS should disseminate Facility Operations Manuals (FOM) to all incarcerated people and provide training to staff to ensure that rules are communicated and applied consistently.

Incarcerated people frequently emphasize how important it is for them to have a clear understanding of the rules of the prison in which they are housed to address the initial confusion that comes from moving from one prison to another. CANY has documented across different prisons that access to written copies of the facility-specific rules and regulations is difficult to access and occasionally prohibited outright.

Additionally, incarcerated people have alleged that management fails to hold staff accountable for the inconsistent communication and implementation of rules. The impact of these failures creates confusion and perceptions of injustice, increases tension, and contributes to the perception of the illegitimacy of disciplinary systems in DOCCS facilities. To address this, CANY recommends the following steps:

Firstly, DOCCS should provide a copy of the Facility Operations Manual to every incarcerated person in every facility at reception. In the case that the FOM contains information that cannot be viewed by incarcerated people (e.g., security-related content), these sections may be removed before dissemination.

Secondly, DOCCS should ensure that staff are given training that reinforces the need for consistent application of the rules within each facility and the positive benefit of clearly explaining the rules and the rationale behind them to incarcerated people in line with the FOM.

4 DOCCS should improve internal communication methods to ensure that notifications to incarcerated people are always received.

Several incarcerated people identified problems with the public address system in the housing units at Sing Sing. These problems included difficulty hearing the announcements over the ambient noises. A few CANY representatives conducting interviews in the housing units while these announcements were made were unable to understand what was being announced due to background noise, poor acoustics, and distorted speech. Other problems were related to difficulties incarcerated people had when trying to alert correctional officers to let them out of their cells when their names were announced for call-outs (e.g., visits, appointments). In one instance, an incarcerated individual said that his family had arrived at the prison at 9 o'clock but he did not arrive in the visiting room until 11 o'clock because staff did not allow him out of his cell in a timely manner.

Another incarcerated person's experience highlighted the unwillingness of staff to provide information even when they had the explicit opportunity to communicate it. An individual interviewed in his cell reported having waited in the law library for several hours in hopes of getting a document notarized within the timeframe specified by the court. He said he was sent away with the assurance that a notary would come to his cell, but he was neither told when that individual would come nor given any other information about what to expect, which led him to feel disempowered, frustrated, and fearful that he would miss a critical deadline.

CANY recommends that the executive team at Sing Sing improve communication and signal a commitment to transparency by:

- Assessing and defining more effective means to address the incarcerated population. In addition to announcements made through the PA system, DOCCS could implement communication of information through visual means such as digital notice boards.
- Providing information about how to access essential services and privileges (e.g., notary services and visits).

More generally DOCCS should identify ways to improve communication measures through a system-wide approach to communication outlined below:

System-Wide Recommendation R10:22	
<p>DOCCS should take steps to modernize communication procedures with the incarcerated population across all facilities.</p>	<p>Across multiple visits, CANY has observed the use of outdated means of communication. These include systems whereby incarcerated people in noisy environments must listen out for key announcements, and written communications are carried out using outdated means such as correspondence on grievances through documents written on typewriters.</p> <p>DOCCS should modernize methods of communication by assessing and learning from methods used in parts of the private sector that face comparable challenges in notifying the public. This approach could result in methods such as the expansion of access and scope of use for tablets so that announcements are accompanied by digital notifications or the use of digital notice boards system-wide. The expanded use of tablets in this way should be prioritized in the renegotiation of a contract with a tablet provider better able to transmit notifications of these kinds than through the models currently in use.</p>

5 DOCCS should expedite the installation of fixed cameras, introduce body cameras at Sing Sing, and ensure that footage from cameras is readily accessible to oversight bodies and the public.

The second-most prominent theme revealed during CANY’s visit to Sing Sing was that of poor relationships between incarcerated people and staff. In the MQPL open-ended data, there were 19 instances referring to poor interpersonal relationships with staff, and five instances referring to experiences of assault and abuse by staff. Incarcerated individuals reported experiences of disrespectful staff behavior – including toward visitors – as well as a lack of professionalism. There were 10 instances of incarcerated people reporting experiences of disrespectful conduct, abuse of power, and lack of professionalism from the staff. “This facility is the worst because they demand respect but they don’t respect you,” said one person. Another incarcerated person said that some staff talk to them in an infantilizing manner: “This is not a children’s facility.” One incarcerated person said: “Nothing I can do. Staff put their hands on you for no reason.” Another explained that “the COs jump on people. No bodycams like in Attica.” There were seven instances of incarcerated people reporting confiscation of their property by correctional staff in general population housing and SHU.

The MQPL dimension for “Staff professionalism” recorded one of the lower mean scores at 2.59. The mean score for the dimension “Staff-prisoner relationships” was closer to the neutral mark but still lower at 2.77.

Incarcerated individuals in the SHU spoke of their experiences with arbitrary and unfair disciplinary measures resulting in their placement in solitary confinement. They alleged staff provocations through assault or accusations of assault on staff (six instances) and the planting of weapons in their cells or on their person (seven instances). One person in the SHU said: “I was set up and had a weapon planted in my cell. I contacted OSI because I had my cell searched several times a month, but they have no record of those searches.” Another person alleged retaliation for refusing to operate as a confidential informant, which he said resulted in the planting of a weapon in his cell, his placement in the SHU, and loss of his credit time. Among the six instances of alleged staff assault or accusations of assault on staff, one person alleged that while walking to the mess hall, he was put on the wall, patted down, then turned around and struck by a correctional officer. The individual reported striking back, which resulted in an assault by several correctional officers. Afterward, he alleged that the correctional staff made him sign a statement saying he fell down the stairs and then charged him with assault on staff.

Although fixed cameras are present at Sing Sing, their positioning is limited to the SHU and the visiting areas, leaving the general population housing blocks and other areas not surveilled. In six instances, individuals interviewed in general population housing suggested that the installation of cameras would improve safety and interpersonal relationships. As the view that cameras reduce incidents of violence has been widely expressed by staff and incarcerated people across numerous prisons, CANY makes the following system-wide recommendation regarding the installation of cameras across all facilities:

System-Wide Recommendation R11:22

DOCCS should expedite the installation of fixed cameras throughout all DOCCS facilities, expand the use of body cameras and their operating times, and make footage readily available to oversight bodies and the public.

Comments made by both incarcerated people and staff during CANY visits to numerous prisons suggest that the installation of cameras can contribute to a reduction in violence and tension. Based on the consistency of these findings, and the importance of increasing safety, reducing tension, and improving the culture across facilities, CANY recommends that DOCCS expedite the installation of cameras across all facilities at the scale required to substantially eliminate all blind spots.

Installation of cameras at this scale is necessary to allow DOCCS facilities to conform to Prison Rape Elimination Act National Standard § 115.13 Supervision and Monitoring No. 5, which states that “In calculating adequate staffing levels and determining the need for video monitoring, facilities shall take into consideration... All components of the facility’s physical plant (including “blind-spots” or areas where staff or inmates may be isolated).”³

Furthermore, DOCCS should expand the use of body cameras across all facilities and ensure that they are worn by all security staff and subject to strictly enforced directives for the cameras to remain switched on at all times when there are interactions between correctional officers and the incarcerated population.

Finally, to maintain an adequate level of transparency and promote accountability, CANY recommends that DOCCS make footage from cameras available as part of any grievance process in which footage is requested and that DOCCS ensures that footage from specific incidents is available to oversight agencies and the public upon request.

6 DOCCS should allow phone calls to be made through tablets by incarcerated people in all housing areas, in addition to ensuring that there is an adequate number of phones available in recreational areas.

CANY learned from the executive team that the installation of additional phones in the recreational yard had been approved several years previously, but that this installation had not yet occurred. Incarcerated individuals reported that there are only nine phones per block for the main cellblocks. If this reported estimation is true, there would be

3 “National Standards to Prevent, Detect and Respond to Prison Rape; Final Rule” Federal Register, Vol.77 No.119, June 20, 2012, Department of Justice, p.37117, <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/PREA-Final-Rule.pdf>

approximately 66 incarcerated people on each of the main cellblocks reliant on each of those nine phones, making it impossible for each of them to get the minimum time allowed per call.

DOCCS directive #4423, “Inmate Telephone Calls,” (Section VIII.B.6) states that at times “when other inmates are waiting to place calls, a ten-minute limit may be imposed” and cites a maximum duration of 30 minutes per phone call.⁴ It is apparent from speaking with incarcerated people that even this 10-minute minimum is frequently not being met due to the insufficient quantity of phones and time allocated for their use.

Furthermore, several individuals reported that for those in the general population, program participation and recreational time are scheduled at the same time, leaving them to choose between vocational and academic training and the opportunity to call their families on the already scarce recreational yard phones. The problem does not extend to the SHU, where 95% of the incarcerated respondents reported that they can access phone calls, either through the tablet or other means (n=19).

One incarcerated person referenced the problem of potential deprivation from contact with loved ones because of the overlap between phone access and programming time as an indication of a core issue at Sing Sing and system-wide: “The system is not built on rehabilitation; it’s built on restriction and punishment. They make you choose between programs and the yard. There is no incentive [to better oneself] when you have to make these choices.”

To allow people the basic right to phone calls and to address the increased tension that a shortage of telephones creates, DOCCS must take steps to increase access to phones by both increasing the number of phones available in recreational areas and expanding the means through which phone calls can be made.

4 “Inmate Telephone Calls” NYDOCCS Directive #4423, New York Department of Corrections and Community Supervision <https://doccs.ny.gov/system/files/documents/2020/11/4423.pdf>

System-Wide Recommendation R12:22

DOCCS should ensure that there are enough telephones in recreational and other communal areas and that sufficient windows of time are allocated for every incarcerated person to make a phone call of at least 10 minutes every day.

In numerous prisons, incarcerated people have expressed that the number of telephones available in recreational and communal areas is insufficient for the number of people present in the yard and that the amount of time allocated for recreation frequently does not allow everybody who wishes to make a phone call to do so. Incarcerated people frequently cite the rush to make a phone call as a source of interpersonal tension, creating a more difficult environment for everyone.

Furthermore, across both medium and maximum level prisons, incarcerated people assigned to work or programs express that limitations on the periods when phone calls are permitted make access to telephones more difficult still. DOCCS Directive #4423 “Inmate Telephone Calls” stipulates that incarcerated people have a right to receive telephone calls for a maximum of 30 minutes and at times “when other inmates are waiting to places call, a 10-minute limit may be imposed.” Many incarcerated people across the system are frequently unable to make phone calls for 10 minutes if at all.

DOCCS should install enough telephones and allocate hours for permitted calls, based on a calculation that will allow this 10-minute minimum duration to be met for all incarcerated people across all facilities.

Multiple people at Sing Sing highlighted the perception of injustice that derives from people in the SHU having access to phone calls through tablets, while the use of tablets for phone calls remains prohibited for those in the general population. The same observation has been cited by incarcerated people across multiple prisons. In discussions with the executive team at Sing Sing on this issue, CANY received the response from a senior agency official that telephone calls should not be permitted on tablets because incarcerated people need to be encouraged to leave their cells and engage in programs and with other individuals. While CANY encourages DOCCS to provide meaningful opportunities for programming and interpersonal engagement, incarcerated people’s right to communicate with their families is a distinct issue that should not be limited in an effort to promote other kinds of behavior. For these reasons, CANY makes the following system-wide recommendation:

System-Wide Recommendation R13:22	
<p>DOCCS should allow free telephone calls to be made through tablets for incarcerated people in every housing area in all facilities to address the frequently observed scarcity of phones and permitted time for calls in recreational areas.</p>	<p>Many incarcerated people have regularly explained to CANY that they do not take the opportunity for recreation either because of a fear of violence, physical mobility issues, or inclement weather – meaning that their access to calls can be extremely limited.</p> <p>While CANY supports all measures taken to encourage people to maintain an active lifestyle, including facilitating phone calls in recreational areas, such measures should not be directly tied to the provision of basic rights. Telephones must be made available in sufficient numbers in recreational areas in addition to being permitted and available through tablets.</p>

7 DOCCS must take steps to address inadequate material conditions at Sing Sing and failures to carry out adequate maintenance of aging infrastructure.

CANY’s monitoring visit yielded evidence of deteriorating material conditions at Sing Sing. Certain environmental conditions owe to the antiquated infrastructure of Sing Sing Correctional Facility, while others are indicative of maintenance issues that have not been adequately addressed. In the MQPL open-ended data, incarcerated people spoke of Sing Sing as a “filthy old facility” whose “infrastructure is shot” and speculated that it may negatively affect health and quality of life outcomes. Speaking of the effects of poor ventilation and high temperatures, one incarcerated person said: “We need bigger fans. It’s baking in here in the summer. One week last summer it didn’t cool off overnight.” This individual recommended the placement of more fans throughout the cellblocks to aid air circulation, along with the installation of industrial air conditioning units, which he said were available at Auburn Correctional Facility.

Others described Sing Sing as dirty, dusty, and poorly ventilated and complained of peeling floors, rust, mold, birds, and bird droppings present in units. Several others reported leaking plumbing in the cells, which some said they clogged using whatever supplies were available to them, including toothpaste. Four out of seven members of the recognized groups said that there is at least one leaking cell on their gallery. One incarcerated person in general population housing pointed out to CANY representatives the rust spots from the toilet in the cell above. Several individuals expressed a willingness and ability to perform basic maintenance functions to address some of these issues but cited logistical and organizational issues related to accessing the plumbing from the catwalk behind the cells.

The Sing Sing executive team explained that no capital projects were currently underway,

but the administration was awaiting the installation of a range, tower project, HVAC system, and a bridge replacement within the next five years. To improve the environmental conditions and maintenance procedures CANY recommends that:

- The executive team at Sing Sing identify ways to improve the environmental conditions at Sing Sing by taking simple steps to address issues cited by incarcerated people, including the removal of mold and bird droppings, the regular cleaning of windows and surfaces in elevated areas, and the immediate repair of leaks within cells.
- DOCCS canvass incarcerated people and staff at Sing Sing to understand what are believed to be the most serious issues requiring repair or maintenance, and in which cells there are existing leaks.
- DOCCS conduct a thorough assessment of the air quality, temperature, and water quality and rapidly makes a decision, either to expedite the installation of an HVAC system or to close down units for which there is no possibility of providing adequate conditions in the long-term.

8 DOCCS should take urgent steps to address staff shortages.

General observations and conversations with members of the Sing Sing administration indicated that negative factors, such as inconsistent application of rules and poor material conditions, among others, may be heightened by the large number of staffing shortages. The Sing Sing executive team reported that openings for security positions were to be filled as of February 16, but that 25 out of 71 program staff positions remained vacant. They also reported that four out of seven positions on the administrative staff remained vacant. The executive team attributed the staffing shortages to a lack of consistent approval from Albany, as well as a lack of candidates, possibly due to the high cost of living in or near the Hudson Valley. At Sing Sing, the most frequently reported source of job stress for correctional officers surveyed using the SQL was overwork and underpayment linked to staffing shortages. Correctional staff reported being forced to work mandatory overtime or double shifts because of understaffing.

According to the Sing Sing executive team and medical staff, at least four medical and dental positions were unfilled. Healthcare concerns were the second most frequent primary concern among incarcerated people within the MPQL open-ended data (nine instances). Incarcerated individuals complained of long delays in receiving care. One individual said he had not seen the dentist in three to four years. Another incarcerated person reported experiencing a three-week wait for urgent dental care, and that he was still awaiting medication for a split tooth. One person said of the waitlists for medical: “I think they need a list for the list.” OMH reported a nearly full staffing complement: two of 33 positions were unfilled.

Staff shortages are a system-wide challenge observed across multiple facilities. CANY repeats the same recommendation to DOCCS to address this that was previously made after visits to Great Meadow in June 2021 (PVB 22-02) Downstate in October 2021 (PVB 22-03) and Bedford Hills in November 2021 (PVB 22-04).

System-Wide Recommendation R3:22	
<p>DOCCS should publicize statistics on the number of civilian and security staff vacancies across all DOCCS facilities, and detail and implement initiatives to improve recruitment for vacant posts.</p>	<p>As the shortage of medical, dental, and mental health staff has demonstrably resulted in failures to provide routine care across DOCCS facilities, and shortages in program and vocational staff limit the number of incarcerated people who can access programs, CANY recommends that DOCCS begin a systemic review across all facilities. The review should result in public reporting on strategies to address the findings of that review.</p> <p>To meet this recommendation, DOCCS should publish on its website the number of staff positions that are currently unfilled at each facility across all facilities and a detailed list of initiatives and incentives intended to increase recruitment at facilities where vacancies are high.</p>

9 DOCCS should allow and frequently distribute KN95 masks to all incarcerated people.

CANY’s visit to Sing Sing revealed missed opportunities to prevent the spread of COVID by improving masking procedures. Several individuals expressed concern about the perceived ineffectiveness and infrequent supply of the cloth masks given to incarcerated people by DOCCS. The ILC and IGRC’s concern over the COVID-19 spread owes in large part to the reported lax mask-wearing by correctional staff, which they believe led to the winter 2021-2022 outbreak at the facility. The ILC reported having asked the administration at Sing Sing for KN95 masks for the incarcerated population, but they were rejected. According to members of the ILC and IGRC, the administration originally denied them because of cost. When the ILC offered to pay for the masks themselves, the administration pivoted to citing security concerns.

Policies about the distribution of masks are made centrally by the DOCCS administration in Albany, but the executive team at Sing Sing expressed the belief that respirator masks like KN95 or N95 would make use of chemical agents like pepper spray less effective on incarcerated people. By contrast, CANY’s three state monitoring work alongside the John Howard Association of Illinois revealed that as early as May 2020, the Illinois Department

of Corrections began providing a KN95 mask to each incarcerated person every week. This policy reduced the frequency of complaints about mask availability.⁵ DOCCS central office has stated that they have not received guidance from the state Department of Health that directs them to distribute KN95s to incarcerated people. In light of this, CANY makes the following system-wide recommendation about the use of high-quality masks by incarcerated people.⁶

System-Wide Recommendation R14:22	
<p>DOCCS should permit and regularly supply KN95 masks to all incarcerated people.</p>	<p>During multiple visits over the course of the COVID-19 pandemic, CANY has met with incarcerated people who have complained about the infrequent distribution of poor-quality cloth masks. As evidence increasingly demonstrates the quality of mask has a significant bearing on the likelihood of transmission of COVID-19, and especially the Omicron and subsequent variants, the necessity for KN95 masks has become clear in settings with high rates of transmissibility and vulnerable population such as prisons.⁶</p> <p>DOCCS should recognize that the lifesaving potential of N95 or KN95 masks outweigh any supposed security concerns that arise from effective masking. DOCCS should take steps to immediately end the prohibition of KN95 masks for the incarcerated population and to actively supply N95 or KN95 masks to the population.</p>

10 DOCCS should take steps to implement the HALT Act, which limits the use of solitary confinement in New York, to alleviate the physical, mental, and emotional impact of SHU.

Interviews with incarcerated people in the SHU at Sing Sing further confirmed the harmful impact of solitary confinement on the health and quality of life of incarcerated people. Almost half of the respondents in the SHU (47.4%) reported that they lacked access to their basic needs, such as food, water, and human engagement (n=19). In open-ended data, people in the SHU reported issues with water quality and accessibility (13 instances), such

5 See “Three State Prison Oversight During the COVID-19 Pandemic.” https://static1.squarespace.com/static/5b2c07e2a9e02851fb387477/t/61c20cecc1536ae4d2d76f5cc/1640107246909/ThreeStatePrisonOversightReport_2021_F-122121.pdf

6 Lena H Sun and Rachel Roubein “CDC weighs recommending better masks against omicron variant” The Washington Post, January 10, 2022, <https://www.washingtonpost.com/health/2022/01/10/cdc-weighs-n95-kn95-masks-guidance-omicron/>

as: “The food and water are horrible. We only get two cups of water every meal (total water each day).” Several people expressed fear of contamination of the water in sinks, and they were told not to drink it. Further, some individuals expressed that they were prohibited from buying bottled water from the commissary. These problems cause incarcerated people in the SHU to rely on the provision of six small Styrofoam cups of water per day. Incarcerated people in the SHU also mentioned issues with food quality, describing meals as cold and unappetizing (five instances). Additional punishments in the SHU may also contribute to the deprivation of basic needs. One person reported water deprivation as an additional punishment in his SHU sanction, and two described food deprivation in such terms. Others reported restrictions on recreation (four instances) and removal of tablet access (four instances) as additional punishments administered in the SHU.

People in the SHU reported numerous instances of feelings of depression (11 instances) and anxiety (14 instances), sensitivity to sights and sounds (12 instances), weight loss (15 instances), adverse impact on sleeping (15 instances), and muscle atrophy (10 instances). Several people in the SHU spoke about feeling tired, hungry, bored, trapped, and a lack of purpose. On the impact of the SHU, one person said: “The SHU is the worst thing that’s ever happened to me.” Many spoke about the effect of the SHU on their mental well-being: “This is one of the most dehumanizing places to be while incarcerated. I am constantly locked in my cell and constantly bored. My mind is constantly wandering,” one person said. “Sometimes I feel like I’m losing myself, I feel like I’m a caged animal. Really hard to find something to cope with. I wake up and have to scream, yell, shake the bars,” said another. The majority of incarcerated people (78.9%) do appear to receive suicide prevention screenings from OMH staff upon reception in the SHU (n=15), and more than half (57.8%) reported receiving mental health assessments within one day of arrival (n=11).

Many of the damaging characteristics of solitary confinement will persist following the implementation of the HALT Solitary Confinement Act. DOCCS must reinforce the expectation that basic needs are met during the 15 days in which people will remain in SHU as well as in any subsequent Regional Rehabilitation Unit (RRU). To approach a humane standard at Sing Sing, CANY recommends that the executive team:

- Allow unlimited quantities of fresh drinking water to people in the SHU in the short term. In the long-term DOCCS should conduct an assessment of the water quality available from sinks in the SHU and take steps to ensure that the quality of water is drinkable.
- Ensure that the quality and quantity of food distributed to people in the SHU is the same as that distributed to incarcerated people in the mess hall.
- Ensure that the spirit of the law on the implementation of HALT is followed so the documented long-term impact of solitary confinement is alleviated. This will necessitate strictly ensuring that the minimum of 4 hours out of cell time per day is fulfilled without exception.

11 DOCCS must take immediate steps to provide adequate and factually correct information on the HALT Act to incarcerated people.

Incarcerated people in the SHU reported not receiving information on the changes that the HALT legislation would bring, even though at the time of the visit, the legislation would be taking effect by the end of the following month (March 2022). Of 19 respondents, not a single incarcerated person in SHU said the administration had distributed any information regarding HALT, even though 68.4% of respondents in the SHU said that they had heard of HALT (n=19). Incarcerated individuals reported being confused about the start date of HALT, the precise restrictions on solitary confinement to be enacted, and the impact on the current SHU sanctions. The Sing Sing executive team told CANY representatives that the facility is in the process of making changes to comply with HALT, such as providing two hours of out-of-cell time and three hours of therapeutic programming. The executive team also reported making physical changes in SHU: decreasing it by 15 cells and increasing the number of RESTART chairs to 12. As of February 8, incarcerated people in SHU did not report witnessing extensive changes in anticipation of HALT.

As adequate communication around the implementation of HALT requires a centralized approach, CANY makes the following system-wide recommendation:

System-Wide Recommendation R15:22	
<p>DOCCS should proactively and repeatedly provide incarcerated people with comprehensive information on the HALT act and their rights under the law through written materials and verbal briefings including questions and answer sessions.</p>	<p>To fulfill this recommendation a copy of the HALT Act must be posted and prominently displayed in every living area in state prison. At least one verbal presentation of the act and its details should be provided by a member of the respective prison's executive team to small groups of incarcerated people. During this session, questions from incarcerated people should be addressed to ensure that incarcerated people are informed of their rights under the law.</p>



Corrections and Community Supervision

KATHY HOCHUL
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

In response to the Correctional Association of New York's visit to Sing Sing Correctional Facility on February 7, 8, and 9, 2022. The Department discusses below the programmatic and operational functions raised in their post visit report.

Programing

Sing Sing Correctional Facility is an example of the efforts being undertaken state-wide in our facilities to fulfill the Department's mission of ensuring public safety by operating safe and secure facilities as well as preparing individuals for release to be successful when they return home. The life-changing academic, vocational, and rehabilitative programs available at Sing Sing illuminate the opportunities that are not often seen behind prison walls outside of New York State. All facilities are continuously examined for programming opportunities in order to maximize the rehabilitative measures implemented throughout the State based on demand and available resources. An overview of the rehabilitative programming currently available to individuals at Sing Sing include:

- Counseling - The Department's philosophy embodies a commitment to the development of the whole person. Comprehensive programming is made available to the incarcerated individuals so they may become aware of alternatives, choose to take charge of, and assume responsibility for their own lives.
 - Aggression Replacement Training (ART) programming is a cognitive behavioral intervention program designed to assist individuals in improving social skills, moral reasoning, and coping with and reducing aggressive behavior by utilizing self-regulating exercises and mindfulness. Participants learn to understand what causes them to feel angry and act aggressively, as well as techniques to reduce anger/aggressive behavior, to self-regulate for ending "automatic" aggression, and to build skills that help make better choices.
 - Alcohol and Substance Abuse Treatment (ASAT) comprises intensive, structured substance abuse treatment employing elements of the Therapeutic Community model. Programming offers progress through the early stages of recovery with the potential for continued treatment upon release. Additionally, substance abuse services are available to address mental health needs of the participant with treatment planning, in conjunction with mental health education.

- Education – The Adult Basic Education Program is offered to provide individualized instruction. The goal of this program is to provide individuals with skills or competencies necessary to function successfully in contemporary society and to enable the participant to function at the sixth grade reading and mathematics level. Sing Sing Correctional Facility offers an Associate, Bachelors, and Master’s Degrees. Degrees are granted by Mercy College and New York Theological Seminary (NYTS).
 - Hudson Link Mercy College – Provides college level credited courses to qualified incarcerated individuals in humanities and liberal arts course work leading to Associates and Bachelor’s degrees. The program uses community and peer support to help people transition from criminal justice involvement to college and beyond. Transitional Services participants are provided with information as to the influence higher education has on recidivism rates. The goal is to educate the incarcerated individuals about the importance of college level education and re-entry. Information is also provided for programs available upon release.
 - Osborne Association Re-Entry Acceleration Program - The Re-Entry Acceleration Program (REAP), at Columbia Business School, trains MBA students to deliver business training to incarcerated individuals, develop tools for potential employers, and creates forums for new relationships to shape a solutions-focused dialog around post-incarceration employment.
- Family Reunion Program – Sing Sing offers the Family Reunion Program, allowing incarcerated individuals the opportunity for extended, limited supervised visits with approved family members in a homelike setting. Sites are designed to strengthen, enhance, and preserve family ties that have been disrupted as a result of incarceration.
- Mental Health Programs – The Department partners with the New York State Office of Mental Health (OMH) in providing special programs along a continuum of care for incarcerated individuals with a mental illness. Incarcerated Individuals diagnosed with a mental health illness have access to several rehabilitative programs at Sing Sing Correctional Facility including:
 - Intermediate Care Program (ICP) and Transitional Intermediate Care Program (Tri ICP) provide rehabilitative services to incarcerated patients who are unable to function in general population because of their mental illness. The goal of the program is to improve the individual’s ability to function through programming and treatment so that they may return to general population.
 - Residential Crisis Treatment Program (RCTP) evaluates and treats incarcerated patients in need of short-term crisis mental health care. This unit has both observation

cells and a dorm area for incarcerated patients in crisis and in need of intensive treatment and monitoring.

- Community Orientation and Re-Entry Program (CORP) is a 31-bed unit that provides intensive mental health discharge planning services to incarcerated individuals diagnosed with Serious Mental Illness who are returning to New York City.
- Recreation – Sing Sing Correctional Facility physical layout allows incarcerated individuals to access an outside yard and inside gymnasiums. The facility utilizes these areas to offer organized sports and activities.
- Religious services – Sing Sing Correctional Facility provides incarcerated individuals with the resources to practice any of the 54 religions that the state has authorized in the interest of helping them spiritually and to apply religious principles in their daily lives. Religious services for access to chaplains, spiritual counseling, education including a certificate in Ministry, congregational worship, study of scripture, Holy Day celebrations.
- Transitional Services - Through discussions, the agency assists incarcerated individuals participating in Phase III of Transitional Services with adjusting to community life by addressing crucial areas of reentry such as employment readiness, housing, education, health, relationships, and other supportive services. The agency presents the services offered upon release.
- Vocational Programs – Several vocational titles are available including Electrical, Plumbing, and Welding shops. Additionally, Sing Sing Correctional Facility offers training for Computer repair related work.
- Volunteer Programs – Sing Sing Correctional Facility offers significant opportunities for programming through the assistance of community volunteers. These programs include:
 - Alcoholics Anonymous (AA) A fellowship that shares their experience, strength, and hope with each other that they may solve their common problems and help others to recover from alcoholism by following the AA 12-step traditions and principles.
 - Alternatives to Violence Project (AVP) offers three-day workshops on non-violence conflict resolution. Weekly group meetings provide support and reassurance for incarcerated individuals attempting to embody the transforming power principles and practices of AVP in their daily lives as they choose how to react to conflict.
 - Carnegie Hall Musicambia is a program through musical connections that provides outreach to different communities like prisons sending educators and musicians to provide lessons on musical instruments and song writing. The program pays and

invites guest musicians to help teach and facilitate lessons. Often the incarcerated individuals will perform with musical Carnegie Hall professionals at two to three concerts. On June 24, 2022, a live music concert that featured Grammy-, Emmy-, Oscar-winner Common, was held in the auditorium at Sing Sing.

- Community Orientation Project Renewal is a contracted program that assists incarcerated individuals in the CORP program with benefits. Program connects incarcerated individuals with housing, medical, and food benefits. Project Renewal can even, if necessary, continue work with the individuals after they leave the facility.
- Council for Unity is an Anti-Gang group that works with incarcerated individuals to educate and persuade them to separate their ties to gangs.
- Narcotics Anonymous (NA) teaches and follows the NA 12-step program, provides fellowship, support, encouragement, and hope to focus on continued abstinence from all mood-altering substances, as well as, to carry the message of recovery to the addict who still suffers.
- Osborne Association provides several programs including:
 - Family Works provides basic/advanced parenting skills classes, healthy relationships classes, and individual counseling services. This program assists incarcerated individuals reuniting or enhancing the relationships between themselves and their children with the goal of returning to the community with improved family ties. This is an opportunity to become an active member in their children's lives and be more productive members of society.
 - Children's Center provides educational experiences with incarcerated individuals and their children during visits in the Visiting Room. The program oversees the operations of the Children's Center, including supervision of incarcerated caregivers and provides oversight of the center during operation. The program fosters positive contact between father and child, while also supporting and enhancing the family unit.
 - The Long Termer's workshop helps create a community for incarcerated persons who are serving long sentences.
 - Prison AIDS Counseling Education, in conjunction with the Criminal Justice Institute, provides incarcerated individuals diagnosed with AIDS counseling and education. Additionally, incarcerated individuals are trained to become sexual health education facilitators.

- Prison Fellowship programs introduces religious fellows to facilitate Bible studies and seminars that help incarcerated individuals make important discoveries that will draw them closer to God and renew their perspective of the world and themselves. Reentry topics are covered during seminars.
- Rehabilitation through the Arts (RTA) – Creative arts and drama therapy program. The use of theater arts as a rehabilitative tool encourages participants to constructively express their thoughts, feelings, and emotions in an environment that supports and contributes to human growth and development, while redirecting thinking along positive lines. Both television and print publications, such as the New York Times, have provided extensive media coverage about RTA's positive impact at Sing Sing and elsewhere.
- Voices from Within – Incarcerated Individuals at Sing Sing, who wished to take proactive measures to thwart gun violence, and while aided by an NBC producer, made a video recording of themselves discussing the lifelong regrets they now carry because they were the instruments of gun violence that resulted in a loss of life. The video, which is powerful, moving and very emotional, is now used by the NYPD and City Probation Departments with at-risk youth. It is also available on U-Tube.
- Sing Sing Ted Talks – two Ted-x events have been conducted at Sing Sing in recent years, which included moving presentations by incarcerated individuals, as well as outside speakers. These Ted recordings, which can be accessed by members of the general public, will provide the viewer with unique insights into and an appreciation for the many innovative and progressive events that take place at Sing Sing.
- A National NBC Special “AND JUSTICE FOR ALL” – this television special, which aired nationally on MSNBC, for the first time depicted a Town Hall meeting within a maximum security correctional facility. Moderated by news anchor Lester Holt, among other guests, it included civil rights activist Bryan Stevenson, former US Attorney General Loretta Lynch and singer John Legend, and also included participation by numerous incarcerated individuals.

Proximity

In determining the placement of incarcerated individuals, the Department thoroughly reviews and balances several factors to identify a suitable and appropriate Correctional Facility. These factors include the individual's security classification, health care and mental health treatment requirements, programming, capacity, and proximity to the incarcerated individual's area of preference. Additionally, the primary residence of an incarcerated individual's minor child is weighed to increase access to their minor child and assist with the strain of separation.

In reviewing operations and logistics to close a facility, it is vital to safely absorb the incarcerated population into vacant beds available at other institutions that meet the aforementioned factors for all incarcerated individuals, as well as considering the impact upon staff. The location of a facility is a factor that is weighed during the comprehensive and multi-faceted proximity to child review process. In order to provide additional beds in close proximity to New York City, new prisons would need to be constructed, which is a concept that is not supported, based on the declining population.

Communication

Sing Sing Correctional Facility staff communicate with the incarcerated population on a daily basis to provide information and access to services. The Department's policies are administered in a fair, equitable, and consistent manner. To ensure compliance and quality, and to spot issues, facility executive staff walk through (rounds) the facility on a daily basis to engage with the population and address concerns. In addition to those rounds, information is disseminated to the population in several different ways, including broadcasts on the population's television. Local facility channel 22 provides incarcerated individuals with important information and memorandums. This includes information related to COVID-19, visiting protocols, commissary, and special events. Additionally, an Incarcerated Liaison Committee (ILC) routinely confers with the facility executive staff to promote the accurate distribution and exchange of information. This committee is made up of a group of incarcerated individuals who are elected by the general population to convey their interests. In their meetings, the administration provides information to the committee to share with the population to confirm current information and ensure that the correct direction is being conveyed. If an incarcerated individual has concerns regarding their treatment, access to services, or the application of policies, the Department has a well-established grievance process that examines specific complaints. Facility policies and rules are provided to incarcerated individuals upon their arrival during the orientation process and memorialized in their orientation manual. Facility operating manuals are disseminated to the incarcerated population, ILC, and Incarcerated Grievance Resolution Committee (IGRC) when updated. To note, the incarcerated population is not prohibited from writing to the facility administration and central office with specific questions or concerns. Such letters are free of charge. Sing Sing Correction Facility operates a well-established system to manage callouts for several different purposes including the nature of the request and destination. This system is set up to identify and notify the incarcerated individual of their specific medical, mental health, education, vocation, and special event appointments. Additionally, incarcerated individuals may request call outs to access law library, religious, and notary services. The facility layout does not allow for establishing access to digital notice boards for all incarcerated individuals in an equitable manner.

Sing Sing Correctional Facility provides opportunities for incarcerated individuals to communicate with their families and communities, including a telephone system with over 100 physical phones that allow calls every day between the hours of 7:00a.m and 11:00p.m, including holidays. This allows incarcerated individuals to make phone calls to maintain ties with their communities, family, and friends while incarcerated. Each incarcerated individual receives one (1) free call per week, up to 15 minutes. Additionally, the Department provides incarcerated individuals with electronic tablets free of charge.

These tablets provide a suite of communication, education and entertainment applications that help incarcerated users remain connected to their communities and learn skills that will help them succeed after their release. The Department does not have the technological infrastructure that would allow for general population tablets to have telephone calling capabilities at this time. The Secure Messaging Program allows for communication between incarcerated individuals and their families and friends by receiving messages, e-cards, photos, and VideoGrams. Recognizing the importance of incarcerated individuals' communications with their communities, in addition to the free weekly phone call, the Department reduced the price of stamps, provided each incarcerated individual with access to a general confinement tablet and kiosk, as well as four free stamps to use for secure messaging per month. Sing Sing allows for daily in person visitation from the community with safety protocols in place. Pre COVID-19, Sing Sing averaged in excess of 2,500 visits per month and is currently experiencing approximately 1,650 visits per month, allowing the incarcerated population to stay connected with their families and communities. Incarcerated individuals also have access to their attorneys and authorized legal representatives through privileged correspondence, legal phone calls, and confidential legal visits.

Projects

Sing Sing Correctional Facility currently has 320 body worn cameras on order. Upon receipt, body worn cameras will be deployed to staff in accordance with the Department's policies. This tool provides an opportunity to oversee interactions between staff and the incarcerated population that fixed cameras cannot and are expected to improve safety and security for all. A capital project for fixed camera installation at Sing Sing Correctional Facility has been initiated and is anticipated to result in the installation of more than 2,000 units. Cameras will be installed to provide overview monitoring of areas of the facility to help staff detect abnormal conditions warranting further attention. In accordance with Article 11 of the New York State Finance Law, the Department follows well-established and defined procurement processes to obtain commodities such as cameras, the installation services, and technology required to operate the systems. Capital projects are planned and solicited through fair business models in order to obtain the most suitable contractors in the most efficient means practical to protect the interests of the taxpayers. Sing Sing Correctional Facility currently has 9 priority capital projects in design at OGS worth approximately \$136 Million.

Sing Sing Correctional Facility currently employs 26 full time staff in the plant maintenance and operations departments, including 2 dedicated plumbers, to address leaks and aging plumbing fixtures. Additionally, 95 porters are assigned to assist in the cleaning and disinfecting efforts throughout the facility. Cell blocks A and B have both natural and mechanical ventilation systems. Each building has 4 stories of operable windows for natural ventilation, and large supply (100% outside air), as well as exhaust fans on the roof for mechanical. Temperature and ventilation are compliant with American Correctional Association standards, which Sing Sing consistently meets. Specifically, circulation is to be at least 10-cubic feet of fresh or recirculated filtered air per minute per occupant for incarcerated individual rooms/cells, officer stations, and dining areas. Temperature experienced at Sing Sing Correctional Facility indoor living and work areas are appropriate to the summer and winter comfort zones. Contrary to CANY's post-visit briefing and recommendations, there are no industrial size air conditioning units at Auburn CF.

COVID-19

Every facet of the state's response to COVID-19 outbreak has been guided by facts, scientific data, and guidance of public health experts at the (DOH) and the Center for Disease Control (CDC). Each action taken in response to the spread of COVID-19 is done in the best interests of those who work within, or are incarcerated in our facilities, including Sing Sing Correctional Facility. With each confirmed case, DOCCS works to identify any potentially exposed individuals to provide notifications and to stop the spread of the COVID-19 virus. The testing process is currently the same for those in prison as it is for those in the community.

Each action we take in response to the spread of COVID-19 is done in the best interest of those who work and are incarcerated in our facilities. The Department will continue to evaluate all options as this situation unfolds. Measures taken to ensure the safety and well-being of staff and incarcerated individuals include mandating all staff to wear face masks while on duty, supplying all incarcerated individuals with masks and supplying incarcerated individuals subject to isolation and quarantine with surgical-type masks.

Our physicians, nurse practitioners and physician assistants, working with our nurses, are following the guidance of DOH and incarcerated individuals are tested when exhibiting symptoms and after a medical evaluation is conducted. Our process identifies those patients who are ill, requiring special monitoring and care, and isolates those who exhibit any symptoms or have a positive test. Additionally, anyone exposed to a patient who has a positive test is placed into quarantine and is subsequently administered a COVID test. A nurse will swab the individual and that swab is then be sent to an authorized lab. If an individual's test result is positive, that person is placed in isolation for a minimum of 10 days. For those in quarantine who receive a negative test, they remain in quarantine for the 10-day period. For individuals who need enhanced levels of care, we access our network of outside hospitals to ensure the population receives the necessary treatment and services.

Asymptomatic patients who wear a mask and follow social distancing and hand hygiene guidelines have minimal risk to others. However, to be proactive, DOCCS, in consultation with DOH, developed a statewide asymptomatic surveillance program to randomly test the population in every facility on a daily basis. This program began in December 2020 and continues today.

In consultation with DOH, DOCCS has been vaccinating those staff and incarcerated individuals who wish to be vaccinated, since February 5, 2021. As vaccination efforts continue, the Department is also focused on ensuring staff thwart the spread of COVID-19 by enforcing the most efficient and mitigating efforts available at the time.

A staffing challenge has been the recruitment of certain titles. As the Department is an Executive Agency, Sing Sing Correctional Facility became subject to a Statewide Hiring Freeze pursuant to New York State Budget Bulletin B-1182. The Hiring Freeze was a prohibition on promotions, transfers and new hires unless individually justified in the most extraordinary circumstances and authorized by the

Division of the Budget. This included all permanent and temporary positions, regardless of funding source. Nevertheless, staff continued to come to work, when appropriate, to fulfill the Department's mission. Under Governor Hochul's leadership, the Statewide Hiring Freeze were suspended, and the Department is aggressively recruiting for a number of titles, specifically medical personnel. The correctional system is not immune to the crisis the community medical field is facing with staff shortages. DOCCS, by consulting with DOH as well as Albany Medical Center, took similar measures as community hospitals undertook during the pandemic; namely, a priority was accorded to the most critical services. For example, all sick calls are reviewed and triaged from the more serious to the less serious, which, as one might expect, has caused longer delays in addressing the less serious complaints. Our protocols for addressing staff shortages are compliant with CDC COVID-19 guidelines. DOCCS has expanded its recruitment efforts with utilizing Indeed, Targeted Digital Marketing campaigns as well as going to college job fairs. DOCCS has established a position that is fully dedicated to recruiting qualified medical and dental staff. Facility administrators utilized the resources available to them and creatively filled in cracks as needed. An example of which is utilizing agency nurses to staff medical personnel safely and adequately when required. Regarding non-medical staffing, DOCCS is also experiencing the effects of the ongoing national and local economic trends impacted labor markets. The rising cost of living in the surrounding Westchester County area, COVID-19 concerns, and the market desire to work for employers with remote-working policies, factor into the effectiveness of DOCCS recruitment efforts.

The Department takes the continued spread of this global health emergency seriously and shares the same concerns as staff, incarcerated individuals, and their loved ones. Our focus is ensuring that the hardworking men and women of this Department, as well as our incarcerated and formerly incarcerated populations, are healthy and safe. Just as we have successfully managed infectious outbreaks in the past, we have emergency protocols in place and have proactively made adjustments in our facilities and Community Supervision offices in an attempt to limit any outbreaks.

DOCCS made robust efforts to educate the incarcerated population on the COVID-19 virus and the importance of vaccination through educational material, videos, medical staff speaking one-on-one to the population, facility Executive Team members talking to incarcerated individuals on rounds and educating the ILC. Several times DOCCS medical staff went around to every housing unit and provided educational material and answered any questions cell by cell. DOCCS provides vaccines when they are available and made strong efforts to educate the population on the importance of booster shots. DOCCS offered incentives to encourage interest in the vaccine in the form of a special Christmas meal, a meal purchase food from a local vendor, and a commissary care package not to exceed \$75. Staff actively continues to poll the incarcerated population to see who is interested in either the vaccine or the booster shot. When vaccine supplies are received, vaccines are sent out immediately.

One of many risk-reduction measures taken by the facility to thwart the spread of COVID-19 included physical social distancing plans to protect the incarcerated population and staff from the spread of COVID-19. Due to the facility lay out and infrastructure limitations, programming and movement was modified for the safety of all. As a result, policy was crafted to provide access to all incarcerated individuals in an equitable manner. For example, to provide incarcerated individuals that are housed

in different settings with the same recreation access, a rotating schedule for access was determined to be the most equitable option. A rotation for the incarcerated individuals to come out of their cells to use amenities for up to five hours a day in addition to utilizing the yard was the narrowly tailored solution available. With correctional security and staffing interest evaluated, a modification of those hours to allow earlier access to amenities such as phones would create a disproportional administrative and security burden. Additionally, as previously noted, the Department provides incarcerated individuals with electronic tablets free of charge, which provide a suite of communication, educational, and entertainment applications that help incarcerated users remain connected to their communities and learn skills that will help them succeed after their release.

HALT

The Correctional Association of New York's visit to Sing Sing Correctional Facility in February of 2022 was in advance of the implementation of the Humane Alternatives to Long-Term Solitary Confinement Act (HALT). As of March 31, 2022, the use of Special Housing Units (SHU) is limited to 15 days for incarcerated individuals, while special populations are excluded from placement therein. The HALT Act was posted and prominently displayed in every living area within Sing Sing Correctional Facility. Executive staff provided several verbal presentations of the act and its details to small groups of incarcerated people. During these sessions, questions, comments, and concerns from incarcerated people were addressed to ensure that the incarcerated individuals were informed of their rights under the law. Executive staff continue to make daily rounds throughout the facility, including SHU where the population has the chance to inquire. Incarcerated individuals who are served with disciplinary misbehavior reports are provided with due process to have the opportunity to be heard, with access to outside representation, to challenge evidence, and ensuring just outcomes. If an incarcerated individual is found guilty after a hearing of an eligible offense, potential sanctions to a special housing unit are limited to 15 days, during which time they receive mandatory of out of cell programming. The individuals receive rehabilitative programming during this period in a group setting and may be diverted to residential rehabilitative units after the 15-day limit has been reached. There is full access to receiving mental health and medical treatment, food, clothing, and water. Individuals in SHU are receiving basic necessities. Drinking water can be accessed from each cell any time they want, and all meals are the same as distributed to the general population.

In conclusion, Sing Sing Correctional Facility is a maximum-security Correctional Facility classified as a Mental Health Service Level 1. Precautionary measures are taken by the Department to protect the life and safety of all incarcerated individuals and staff in response to the COVID-19 pandemic. In the Spring of 2022, Sing Sing Correctional Facility received accreditation from the American Correctional Association, signifying compliance with fundamental correctional practices pertaining to all aspects of day-to-day prison operations.

In April of 2022, an examination completed by an independent auditor determined Sing Sing Correctional Facility to be in compliance with the Prison Rape Elimination Act standards.

Despite the challenges presented with navigating through a global pandemic, Sing Sing Correctional Facility staff continually demonstrates the ability to maintain care, custody, and the well-being of the individuals sentenced to State imprisonment.

Addendum Part 1: Closed-Ended Data

Each monitoring visit protocols form yields close-ended responses. This data comes from close-ended questions employed as part of the Measuring the Quality of Prison Life (MQPL) survey protocols form and the SHU/KL protocols form. This data is directly recorded from oral responses. Close-ended questions on the protocols forms help gauge incarcerated people's views and experiences on various aspects of imprisonment, in both general and specific terms. Moreover, close-ended questions provide the basis for quantitative, generalizable findings about experiences of incarceration across a prison, as well as across the DOCCS facilities. Upon reception of this data, close-ended responses are tabulated by question, question type, form, and facility (in succeeding order of organization). Close-ended responses are aggregated, and thus not based on any individual interviewee's responses. Close-ended questions are usually expressed in the form of "Yes/No" binaries, sometimes with a "Not applicable" option. Other types of close-ended questions are tabulated by categorical counts and numeric measurements of time or of instances.

At Sing Sing, CANY deployed the MQPL survey for the first time, which uses "Yes/No" binary questions, categorical counts, and numeric measurements of time and numeric measurements of time or instances in addition to an extensive set of Likert questions. The Likert scale measures incarcerated people's views on aspects of prison life by offering them a prompt, such as "I feel like I am treated with respect by staff in this facility." It gauges their responses to the prompt with five options: "Strongly agree," "Agree," "Neither agree nor disagree," "Disagree," and "Strongly Disagree." The Likert scale data was analyzed by calculating the averages for each of the prompts, or items, on 1-5 scale, with 3 being the neutral mark. Each item was then grouped into a specific dimension, or feature of prison life, along with other associated items, for which a combined dimension mean was calculated. The attached MQPL addendum includes these dimension mean scores as well as various other visualized applications of Likert data.

Demographic Data

Question		Number of incarcerated people	% of total sample
Age	18-25 years	0	0.0%
	26-30 years	6	6.1%
	31-40 years	26	26.3%
	41-50 years	40	40.4%
	51 years or over	27	27.3%
	No response	0	
Length of time in 'this' facility	Less than one month	0	0.0%
	1-6 months	21	21.9%
	7-12 months	10	10.4%
	More than a year	65	67.7%
Number of times in prison before	Once before	19	35.8%
	2-5 times before	25	47.2%
	6-9 times before	3	5.7%
	10 or more times before	6	11.3%
	No response	46	
Length of sentence	Less than one year	0	0.0%
	1-2 years	0	0.0%
	3-5 years	5	5.2%
	6-10 years	4	4.1%
	11-15 years	14	14.4%
	More than 15 years	73	75.3%
	Don't know	1	1.0%
	No response	2	

Question		Number of incarcerated people	% of total sample
Age of first conviction	10-12	3	3.1%
	13-15	9	9.4%
	16-18	25	26.0%
	19-21	16	16.7%
	Adult	43	44.8%
	No response	3	
Total length of time spent in prison over lifetime	Less than 1 year	0	0.0%
	1-2 years	0	0.0%
	3-5 years	5	5.2%
	6-10 years	13	13.4%
	More than 10 years	79	81.4%
	No response	2	
Main daytime activity	Education only	9	10.6%
	ASAT	1	1.2%
	Education and work	16	18.8%
	Sick (no work)	0	0.0%
	Work only	28	32.9%
	Other	31	36.5%
	No response	14	
Ethnicity	Hispanic	33	36.3%
	Non-Hispanic	54	59.3%
	Other	4	4.4%
	No response	8	

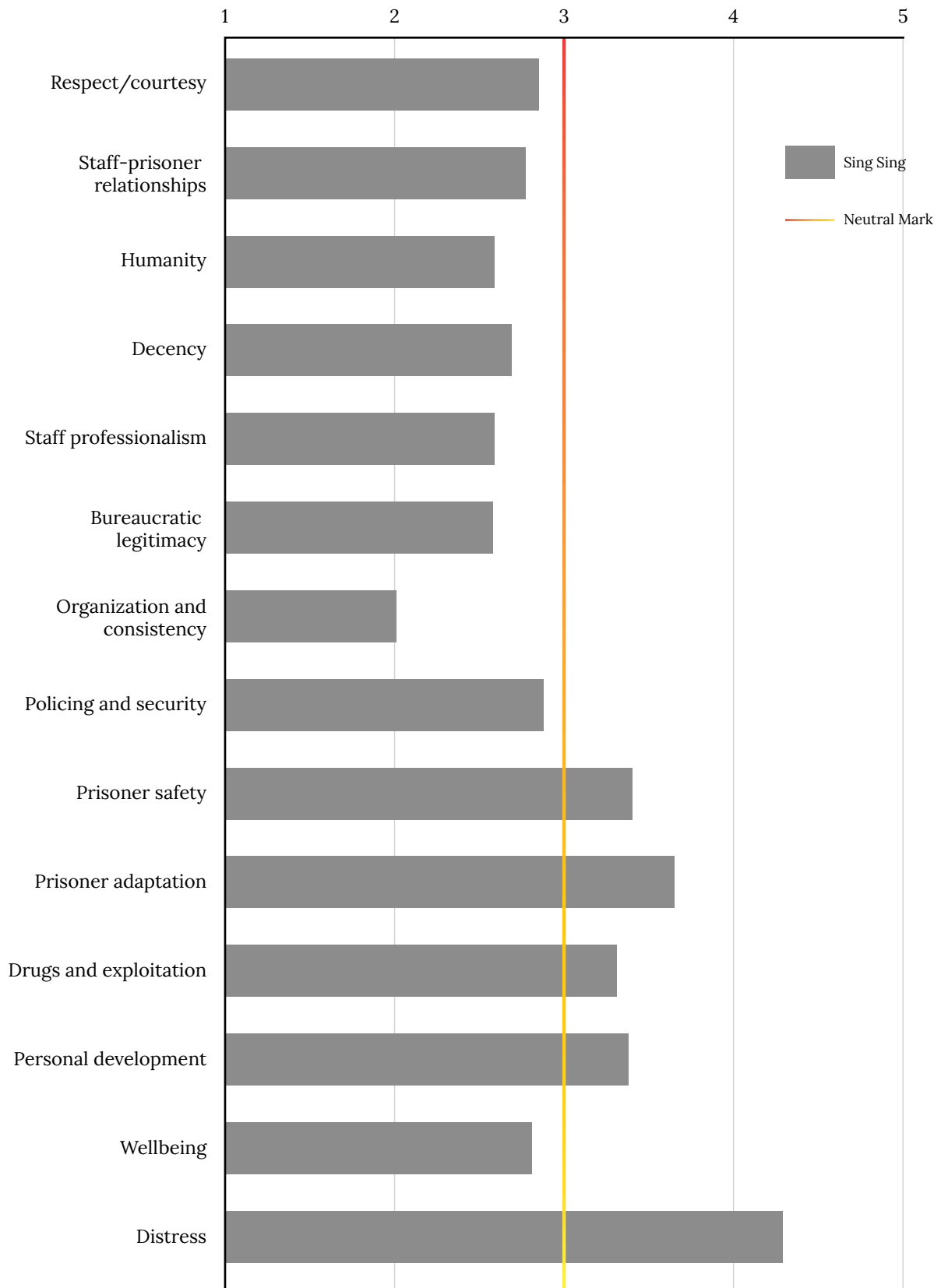
Question		Number of incarcerated people	% of total sample
Race	White	20	21.3%
	Black	49	52.1%
	Asian	1	1.1%
	Indian	3	3.2%
	Other	15	16.0%
	Prefer Not to Say	6	6.4%
	No response	5	
Religion	No religion	22	23.3%
	Christian	35	36.8%
	Buddhist	1	1.1%
	Hindu	0	0.0%
	Jewish	0	0.0%
	Muslim	13	13.7%
	Other religion	24	25.3%
	No response	4	
Ability to practice religion	Yes	68	81.9%
	No	7	8.4%
	Don't know/don't want to	8	9.6%
	No response	16	
Ever self-harmed	No, never self-harmed	84	88.4%
	Yes, outside of facility only	3	3.2%
	Yes, in facility only	5	5.3%
	Yes, outside and in facility	3	3.2%
	No response	4	
Ever attempted suicide	No, never attempted suicide	82	85.4%
	Yes, outside of facility only	2	2.1%
	Yes, in facility only	7	7.3%
	Yes, outside and in facility	5	5.2%
	No response	3	

Question		Number of incarcerated people	% of total sample
Problem with drug or alcohol misuse before incarceration	No problem with either	72	80.9%
	Yes, only with alcohol	3	3.4%
	Yes, only with drugs	7	7.9%
	Yes, with both drugs & alcohol	7	7.9%
	No response	10	
Need help to detox from drugs or alcohol on arrival in prison	No, didn't need any detox	78	98.7%
	Yes, needed drug detox only	1	1.3%
	Yes, needed alcohol detox only	0	0.0%
	Yes, needed drug & alcohol detox	0	0.0%
	No response	20	
Rating overall quality of life of incarcerated people in terms of general treatment	0 to 1	10	11.8%
	1 to 2	4	4.7%
	2 to 3	7	8.2%
	3 to 4	11	12.9%
	4 to 5	12	14.1%
	5 to 6	15	17.6%
	6 to 7	13	15.3%
	7 to 8	9	10.6%
	8 to 9	4	4.7%
	9 to 10	0	0.0%
	No response	14	

Measuring the Quality of Prison Life Dimensions – Overall

Question	Reliability (α)	N=100
Harmony Dimensions		
Respect/courtesy	0.726	2.85
Staff-prisoner relationships	0.768	2.77
Humanity	0.735	2.59
Decency	-0.796	2.69
Professionalism Dimensions		
Staff professionalism	0.692	2.59
Bureaucratic legitimacy	0.680	2.58
Organization and consistency	0.699	2.01
Security Dimensions		
Policing and security	0.607	2.88
Prisoner safety	N/A	3.4
Prisoner adaptation	0.388	3.65
Drugs and exploitation	0.251	3.31
Wellbeing and Development Dimensions		
Personal development	0.534	3.38
Wellbeing	0.633	2.81
Distress	N/A	4.29

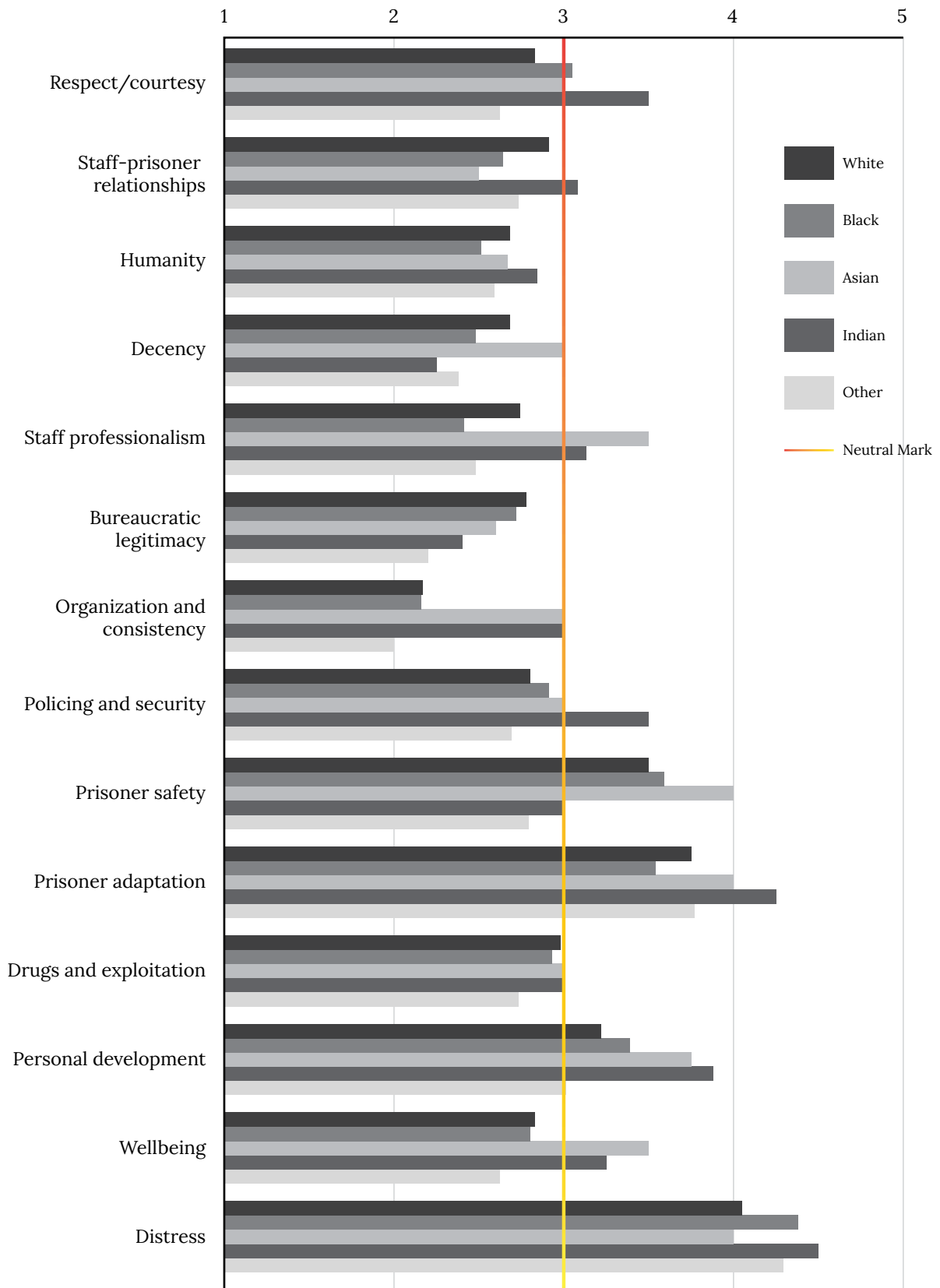
Score (2022) MQPL Dimension Means



Measuring the Quality of Prison Life Dimensions – by Race

Dimension	Race				
	White	Black	Asian	Indian	Other
Respect/courtesy	2.84	3.05	3.00	3.50	2.62
Staff-prisoner relationships	2.91	2.64	2.50	3.08	2.73
Humanity	2.68	2.51	2.67	2.84	2.59
Decency	2.68	2.48	3.00	2.25	2.38
Staff professionalism	2.74	2.41	3.50	3.13	2.48
Bureaucratic legitimacy	2.78	2.72	2.60	2.40	2.20
Organization and consistency	2.17	2.16	3.00	3.00	2.00
Policing and security	2.80	2.91	3.00	3.50	2.69
Prisoner safety	3.50	3.59	4.00	3.00	2.79
Prisoner adaptation	3.75	3.54	4.00	4.25	3.77
Drugs and exploitation	2.98	2.93	3.00	3.00	2.73
Personal development	3.22	3.39	3.75	3.88	3.01
Wellbeing	2.83	2.80	3.50	3.25	2.62
Distress	4.05	4.38	4.00	4.50	4.29

Score (2022) MQPL Dimension Means by Race



Special Housing Unit (SHU) Closed-Ended Data

Question	Yes (#)	Yes (%)	No (#)	No (%)	N/A (#)	N/A (%)	Total Count
Are you in this unit because of a sentence to SHU/KL?	16	84.21	3	15.79	0	0.00	19
Do you have access to your basic needs (e.g., food, water, human engagement, etc.) in SHU/KL?	10	52.63	9	47.37	0	0.00	19
Is it (Recreation) in the same space with other people?	3	15.79	9	47.37	7	36.84	19
Did you go to recreation yesterday?	6	31.58	10	52.63	3	15.79	19
Are you able to access phone calls, either through the tablet or other means while in SHU/KL?	18	94.74	0	0.00	1	5.26	19
Can you access all applications on the tablet (i.e., no restrictions)?	10	52.63	6	31.58	3	15.79	19
Have you received additional disciplinary tickets while in SHU/KL?	6	31.58	13	68.42	0	0.00	19
Are you offered any out-of-cell programs in SHU/KL?	0	0.00	19	100.00	0	0.00	19
Have you ever been denied access to the program(s)?	3	15.79	1	5.26	15	78.95	19
Have you ever refused to participate in program(s)?	1	5.26	4	21.05	14	73.68	19
Have you heard about the HALT Solitary Confinement Act?	13	68.42	5	26.32	1	5.26	19
Has the administration distributed any information regarding the HALT law?	0	0.00	17	89.47	2	10.53	19
Citations of additional punishment in the SHU							Count
Visit restrictions							2
Removing tablet access							4
Removal from programming							2
Food deprivation							2
Water deprivation							1
Restriction on recreation							4
Other							3

Citations of Adverse Effects of the SHU	Count
Depression	11
Anxiety	14
Hallucinations	6
Panic Attacks	7
Sensitivity to sights/sounds	12
Feelings of Paranoia	9
Weight Loss	15
Adverse Impact on Sleeping	15
Difficulty Interacting with People	6
Social Withdrawal	6
Muscle Atrophy	10
Feeling Disoriented	8
Oral/Physical Outbursts	5
Other	7

Addendum Part 2: Open-Ended Data

Each monitoring visit protocols form yields open-ended responses. This data comes from open-ended questions employed as part of the Measuring the Quality of Prison Life (MQPL) survey protocols form and the SHU/KL protocols form. This data is either directly quoted or paraphrased in the third person from oral responses. Open-ended questions on the protocols forms help gauge incarcerated people’s views and experiences on various aspects of imprisonment, in both general and specific terms. Moreover, open-ended questions provide incarcerated respondents the ability to describe the nuances of their experiences in ways valuable to data collection and analysis. Upon reception of this data, open-ended responses are tabulated by question, form, and facility (in succeeding order of organization). Responses are then coded using emergent inductive and open coding approaches: a list of themes are developed based on the responses to questions asked of all interviewees, and not based on any individual interviewee’s responses. Thus, the open-ended responses are inherently aggregated. All this data is coded by hand. Each question has been coded into an overarching list of themes, and for the SHU data, into subthemes. Within this document, the numbers next to each theme and subtheme refer to the number of responses coded within them.

Measuring Quality of Prison Life Open-Ended Data

Positive Aspects	192 Total
1. Education	34
2. Distance from family/hometown	27
3. Recreation/Other privileges (e.g., library)	18
4. Vocational programming	17
5. Communication with family/friends	11
6. Other	11
7. Opportunity for rehabilitation/change/growth	10
8. Interpersonal relationships with correctional staff	7
9. Access to communication services (e.g., tablets)	6
10. Faith-based programming	6
11. Mindset	6
12. Nothing positive	5
13. Employment	4
14. Interpersonal relationships with civilians	4
15. Being alive	3
16. Clean environment	3
17. Facility operations	3
18. General interpersonal relationships	3

19. Housing unit/privileged housing	3
20. Therapeutic programming	3
21. Peer work/Facilitation	3
22. Staying out of trouble	2
23. General atmosphere	2
24. Interpersonal relationships with OMH staff	1

Negative Aspects **143 Total**

1. Facility environment	30
2. Interpersonal relationships with staff	19
3. Issues with operations	16
4. Experience of prison	9
5. Material conditions	9
6. Food/Water	8
7. Other	7
8. Issues with programming	6
9. Disconnection from family/loved ones	6
10. Issues with medical and dental care	6
11. Nothing negative	5
12. Staff assault and abuse	5
13. Issues with employment	4
14. Impacts from COVID-19	4
15. Interpersonal relationships with incarcerated people	3
16. Issues with mental health	3
17. Issues with communication services (e.g., tablets)	2
18. Issues with discipline	1

Primary Concern **78 Total**

1. Facility operations	13
2. Medical and dental care	9
3. Facility environment/culture	8
4. Staffing concerns	8
5. Material conditions	8
6. Programming	7
7. Other	5
8. Impact of COVID-19	4
9. Experience with prison	4

10. None	3
11. Communication services	2
12. Mental healthcare	2
13. Staff mistreatment/assault/abuse	2
14. Facility interactions with loved ones	1

Suggestions for Improvement

75 Total

1. Communication	4
2. Connection with family	2
3. COVID-19 measures	3
4. Facility environment/culture	15
5. Impact of incarceration	1
6. Material conditions	3
7. Medical and dental care	3
8. Mental healthcare	3
9. None	1
10. Operations/privileges	4
11. Other	10
12. Programming	9
13. Staff culture/behavior	14
14. Visits	3

Additional Comments

94 Total

1. COVID-19 measures	2
2. Educational programming	3
3. Employment	1
4. Experience of incarceration	5
5. Facility environment	10
6. Family concerns	1
7. Food	2
8. Gender-based violence	1
9. HALT/SHU/Discipline considerations	3
10. Material conditions	8
11. Meaning of a good day	5
12. Medical and dental care	5
13. Mental healthcare	4
14. None	1

15. Operations/Privileges	7
16. Other	16
17. Positive experience	3
18. Programming	2
19. Showers	2
20. Staff culture/behavior	8
21. Visits	4
22. Vocational training/programming	1

SHU/Keeplock Open-Ended Data

1. Use of solitary confinement	57 Total
a. Understanding of HALT	17
b. (Assumed) Impact of HALT	13
c. Emotional, physical, and mental impact of SHU	27
2. Issues with conditions of confinement	22 Total
a. Inadequate prison conditions	3
b. Inadequate provision of basic services:	2
i. Issues with showers	1
c. Adequate experience	4
d. Issues with water quality and accessibility	5
e. Dehumanizing experience/Mental anguish	7
3. Issues with disciplinary process	20 Total
a. Use of SHU/Keeplock for:	
i. Physical behavior, general disciplinary issues, or (alleged) contraband	13
ii. Alleged assault against officers/Self-defense against officers	3
iii. Other	3
iv. Retaliation	1
4. Issues with food	6 Total
a. Issues with food quality	5
b. Issues with food accessibility	1
5. Issues with programming	4 Total
a. Restrictions because of unit or status	2
b. Dissatisfaction/Failure to meet programming needs	2
6. Issues with medical and dental healthcare	3 Total
a. Substandard quality of care	2
b. Variety of medical and dental issues and needs	1

7. Issues with mental health	2 Total
a. Substandard quality of mental healthcare	1
b. Adequate experience	1
8. Staff behavior and exposure to violence	2 Total
a. Pattern of violence and abuse by prison staff	1
b. Use/Misuse of cameras	1
9. Issues with grievance system	2 Total
a. Reason for filing grievance	1
b. Long waits for response, if at all	1

CANY Post-Visting Briefing and Recommendations

Monitoring Visit To Sing Sing Correctional Facility

No.22-05: February 7-9, 2021

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