



# New York State Correctional Officers & Police Benevolent Association, Inc.

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October 21, 2016

Deputy Commissioner Bellnier  
NYS DOCCS  
1220 Washington Ave; Building 9  
Albany, NY 12226

## **Re: Concerns with respect to Special Housing Unit (SHU) admissions duties in S200s**

Dear Deputy Commissioner Bellnier:

As you know, NYSCOPBA and DOCCS have had specific meetings and discussions surrounding the topic of Special Housing Units in recent years, including Labor Management Meetings designated to these topics. Recently we followed up with you, in a letter dated September 20, 2016, regarding outstanding topics and discussions from our Special Housing Unit Labor Management meeting. I am writing to you today to discuss a new, very troubling concern, regarding the duties expected of Sergeants who are handling the inmate admissions to a Special Housing Unit, particularly in an S200. These specific concerns were brought to our attention from members at Collins Correctional Facility, but the same concerns also exist with respect to the inmate admission process in all S200s.

As you also know, NYSCOPBA has continually raised concerns with respect to the increasing amount of duties our officers are expected and required to complete each and every shift. We have been clear that although we are supportive of changes which help to accomplish our mutual goal of increasing the safety and security of all facilities, we cannot allow the Department to set up or officers for failure by requiring adherence to a specific set of duties and policies that simply are not achievable. In reviewing the amount of tasks and paperwork required of an officer or sergeant for an inmate admission to a S200, it is clear that this task is cumbersome and time consuming, and cannot be properly accomplished while also expecting the staff to perform their other required duties. Simply put, if an inmate admission to an S200 is going to continue to require this amount of cumbersome, time consuming paperwork, then there must be more staff allocated to complete the task.

Furthermore, we are being advised that no training has been provided on many of the specific forms that have to be filled out by the Sergeant doing the admission. More importantly, some of the information requested in the forms is not information that is accessible to the Sergeants. With respect to information we have received from our members at Collins CF, we also have concerns regarding verbal direction continually being given by the Deputy Superintendent for Security (DSS) to staff regarding movement and double-celling in the S200. The staff have continually requested this direction in writing so that there is an accurate record of the DSS' decisions, but to date this request has not been followed. We believe a written record of such important decisions is necessary. On occasion, when a Supervisor makes these determinations and

the DSS ultimately overrides, the DSS similarly will not indicate this in writing, which we believe makes an incorrect paper trail.

We have enclosed the packet of paperwork that is required to be filled out by the Sergeant doing an admission at Collins CF. As you can see, this information is voluminous and it takes significant time to go through these forms for each admission. With respect to each of the documents, we have noted below our concerns, lack of information available to answer some of the questions, and noted specific documents which, at least at Collins CF, are not always readily available to be handed out to the inmate:


- Draft Receipt (form 4021-A): This form is a check-off indicating that inmates are required to receive certain pamphlets and/or other documentation. As noted on the attached, relative to Collins CF, some of these forms are not readily available to be handed out to inmates.
- Health Services Form regarding completion of PREA screening.
- Security Screening Form (Form 4021): This form asks a number of questions regarding topics the Sergeant does not have access to information to answer. Of note, on the attached form are notes regarding the following questions of concern: immigration hold, separates, history of sexual victimization, and history of sexual aggressive behavior. Furthermore, to the extent Sergeants are simply supposed to ask questions of the inmate to ascertain this information, there is little to no training in how to ask some of these sensitive questions, or more importantly, what signs and symptoms to notice in order to determine if there may be sexually aggressive behavior. Finally, the form indicates that there can be decisions made regarding alternative housing placement due to sexually aggressive tendencies, but there is no guidance whatsoever on who is making this determination or alternative housing arrangement.
- Suicide Prevention Screening form.
- SHU 200 Initial Interview.
- Meal Choice form.
- SHU double cell information sheet.
- PREA Risk Screening FOM #2069 and accompanying form: On page 2 of the FOM, there are questions required to be answered and information to be gathered that Sergeants do not have access to. Particularly, there are screens on DOCCS computer systems which contains this information, which are not accessible by sergeants. Furthermore, as noted above, there is no guidance and or training with respect to how a Sergeant doing an admission is supposed to determine if the inmate displays tendencies of acting out and being sexually aggressive.

NYSCOPBA appreciates that many of these forms and tasks are required by laws and regulations. But, our members are not being properly trained in all aspects of the admission forms, don't always have access to the information needed to answer all of the questions, and simply do not have the time to complete this level of work with respect to each admission – and still perform the rest of their duties. Simply put, in order to keep up with these tasks, more staff must be added. The Department holds employees to firm adherence to a specific set of duties and tasks, and failure to do so frequently results in disciplinary action. In the instant matter, the Department simply must provide its employees with the proper training, information, and staff to perform all of the required duties.

We request that the duties and obligations of officers and sergeants with respect to S200 admissions are thoroughly review by the Department and changes made to address the issues raised in this letter. As always, we are available to discuss this in more details.

We look forward to your response.

Sincerely,



Tammy Sawchuk  
Executive Vice President



## Corrections and Community Supervision

ANDREW M. CUOMO  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

November 10, 2016

Tammy Sawchuk  
Executive Vice President  
NYSCOPBA  
102 Hackett Blvd.  
Albany, NY 12209

RE: Concerns with respect to Special Housing Unit (SHU)  
Admissions Duties in S200's

Dear Ms. Sawchuk:

This is in response to your letter dated October 21, 2016, which was sent due to concerns with respect to admissions of inmates to SHU 200's and the duties expected of the area Sergeants. As you are aware, additional forms are now required to be completed by the SHU 200 Sergeant to ensure compliance with federal regulations that comprise the National Prison Rape Elimination Act Standards (PREA Standards). In particular, the PREA Standards impose new requirements for inmates to be assessed during intake into a Special Housing Unit. This risk assessment screening will be used to inform bed assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

In order to complete these forms, the Sergeant will gather the information from available records and from the interview with the inmate. If circumstances prevent the Sergeant from completing the form within 24 hours, the Watch Commander may approve the reassignment of the screening to a Sergeant on a later shift provided, however, that the screening forms shall be completed within 48 hours after the inmate's arrival.

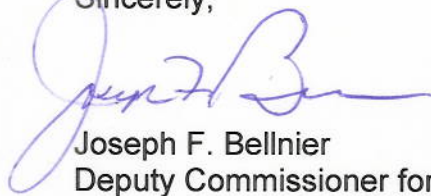
A survey was conducted with facilities that have SHU 200's. The only facility that indicated staff felt more time was needed to complete the paperwork was Collins Correctional Facility. A review of the paperwork you submitted with your letter was reviewed with the Deputy Superintendent for Security. Redundant or local forms will no longer be required. Correction Officers can complete the meal choice form. Also, be advised that inmates coming into the S-Block from General Population will not need to have the PREA risk screening form nor the Draft receipt form completed.

Tammy Sawchuk  
November 10, 2016

You also had concerns regarding the lack of training that Sergeants have been given in regards to completing the mandatory forms to include: Suicide Prevention Screening (Form 3152), Prison Rape Elimination Risk Screening (Form 115.41) and Draft Receipt (Form 4021-A). Instruction will be provided to all current security supervisors by their Deputy Superintendent for Security, at scheduled supervisors meetings. All newly appointed Sergeants will be given training at the Academy during their two weeks at Sergeant School.

I want to thank you for bringing these issues to my attention. The facility was receptive to making some changes that will alleviate some of the paperwork from the Sergeants assigned to the S-Block.

Sincerely,



Joseph F. Bellnier  
Deputy Commissioner for Correctional Facilities

cc: Daniel Martuscello, Deputy Commissioner for Administrative Services  
Mike Powers, President of NYSCOPBA