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Commission of Correction

THOMAS A. BEILEIN
Chairman

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Commissioner

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February 26, 2015

Hon. John A. DeFrancisco
Chairman
Senate Finance Committee

Hon. Herman D. Farrell, Jr.
Chairman
Assembly Ways and Means Committee

RE: New York State Commission of Correction Written Testimony:
2015-16 State Budget and Agency Operations

Greetings:

In response to your invitation to provide testimony at the above-entitled public hearing, the Chairman and Commissioners of the New York State Commission of Correction offer the following:

The New York State Commission of Correction is an autonomous Executive Department correctional oversight and technical services agency first established within the New York State Constitution (Article XVII) in 1895. Its organization, functions, powers and duties are set forth in Article 3 of the New York State Correction Law. The Commission's jurisdiction extends to every correctional facility throughout the state, including facilities of the Department of Corrections and Community Supervision (DOCCS), county jails and penitentiaries, the New York City Department of Correction, secure juvenile facilities of the Office of Children and Family Services (OCFS), and each and every municipal and county police lockup and court detention pen. The Commission advises the Governor on correctional policy, promulgates and enforces minimum standards for correctional facility management and operations, monitors, adjusts and enhances prison and jail population and capacity, oversees new correctional facility development, provides staffing services, assists in the implementation of new correctional technologies, investigates and reports on inmate mortality, and develops inmate health and mental health services. The agency's mission is to provide for a safe, stable and humane correctional system and for the delivery of essential services therein.

To this end, the Commission's yearly agency operations include:

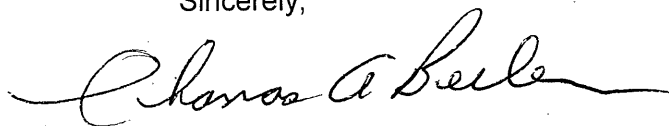
- An on-site inspection and evaluation of each county jail and penitentiary and New York City Department of Correction facility to ensure compliance with Commission regulations and applicable state statutes.

- The daily monitoring of county inmate populations and facility capacity. The Commission employs its statutory authority to set facility capacity limits and effectuate the legal transfer of inmates from crowded facilities to those with available capacity.
- The provision of technical planning, capital project development and construction plan review services for the development of new correctional facilities and the improvement, rehabilitation and renovation of existing structures.
- The determination and enforcement of minimum facility staffing levels for each county jail to provide for adequate inmate supervision and for staff and public safety.
- In conjunction with its Medical Review Board, the investigation, review and reporting of every inmate mortality, the investigation and review of systems for the delivery of inmate health services, and the operation of a statewide inmate suicide prevention program in conjunction with the Office of Mental Health (OMH).
- Participation in the state's juvenile justice system, including the oversight and regulation of juvenile secure facilities operated by the Office of Children and Family Services (OCFS), and federally required on-site inspection and monitoring of adult jails, lockups and juvenile detention facilities to ensure compliance with the requirements of the Juvenile Justice Delinquency Prevention Act (JJDP Act).
- In conjunction with its Citizen's Policy and Complaint Review Council, the review, deliberation and determination of 1,800 county jail and penitentiary inmate grievance appeals.
- The review and appropriate inquiry of approximately 4,000 reports of significant correctional facility incidents and events. Incidents of particular significance or concern are thoroughly investigated and reported.
- The review, response and necessary investigation of approximately 3,500 written letters of complaint from inmates, their families and other representatives.

The 2015-16 Executive Budget recommends appropriations in the amount of \$2.894 million and a workforce of 32 FTEs, both unchanged from 2014-15. Over the years, the Commission has retired all non-essential or non-core programs as cost saving measures, or merged them with the Division of Criminal Justice Services under "host agency" arrangements, now concentrating only on the exercise of its statutorily required functions, powers and duties.

Thank you for the opportunity to provide a contribution to this important discussion.

Sincerely,



Thomas A. Beilein,
Chairman