



## Greene Correctional Facility: 2012-2014

Greene Correctional Facility is a medium security prison located in Coxsackie, NY, a two hour drive north of New York City. Greene incarcerates men committed to the New York State Department of Corrections and Community Supervision (DOCCS), has a total capacity of 1,813, and incarcerated 1,768 people at the time of our visit. In addition to general confinement, where incarcerated persons live in dormitories, Greene has a 15-bed capacity Special Housing Unit (SHU) and a 200-bed S-block where people are held in isolated confinement. At the time of our visit, Greene offered academic, vocational, transitional services, industries, and volunteer programs, substance abuse treatment (ASAT and RSAT), and Aggression Replacement Training (ART). Greene is also designated as an under 21 years of age facility, such that there are additional special educational services provided to people in that age group. Greene is also an Office of Mental Health (OMH) Level 3 facility. The Visiting Committee of the Prison Visiting Project (PVP) of the Correctional Association of New York (CA) visited Greene on November 8 and 9, 2012. The Visiting Committee subsequently had additional correspondence with people incarcerated at Greene in 2014, conducted additional interviews at Greene in May 2014, and received additional information from Greene administrators in October 2014. The purpose of our visit and follow-up information gathering was to assess programs, physical facilities, and conditions for both incarcerated persons and staff within the prison.

### METHODOLOGY

In order to accurately assess the services and conditions of the prison, in November 2012 the CA originally obtained information from the facility and DOCCS, talked with staff, and obtained surveys from people incarcerated at Greene. Specifically, the CA received surveys from 174 people incarcerated at Greene about general prison conditions, 108 surveys specifically regarding the treatment of 16- and 17-year-olds at Greene, 36 surveys from people in the ASAT or RSAT program regarding substance abuse treatment, two surveys from people in the SHU, and 28 surveys from people in the S-block regarding conditions in isolated confinement.<sup>1</sup>

In addition to the prison visit in November 2012, the CA conducted follow-up correspondence and in-person interviews with incarcerated persons in the spring of 2014 in order to update our understanding of conditions at Greene. Specifically, in March 2014 the CA sent additional short surveys to people who had been incarcerated at Greene in November 2012 and either still remained at that facility or had recently left. The CA received responses back from 27 incarcerated persons and conducted in-person interviews with 10 people at Greene in May 2014.

---

<sup>1</sup> To obtain survey participants, the Visiting Committee visits every housing area and program area during our two-day visits, asks individuals if they would like to participate in this voluntary process, and then sends surveys through privileged legal mail to those who choose to participate.

The purpose of these additional surveys and interviews was to obtain updated information about the current conditions at Greene and any changes that had taken place between November 2012 and May 2014. Moreover, after providing a draft of this report to DOCCS and Greene officials, on October 15, 2014, the CA had a conference call with the Superintendent and members of the facility Executive Team to discuss our findings and recommendations, and received updated information about conditions. Also, as discussed in detail below, there were several recent developments that have the potential to impact the treatment of young people at Greene, namely:

- a) national adoption of the federal Prison Rape Elimination Act (PREA) standards;
- b) an interim stipulation of a lawsuit that impacts the general housing and solitary confinement of 16- and 17-year-olds;
- c) the creation by Governor Cuomo of a NY Commission on Youth, Public Safety, and Justice tasked with issuing recommendations regarding raising the age of criminal responsibility in New York State; and
- d) increased attention by the Greene administration regarding the treatment of 16- and 17-year-olds.

Overall, this report is based on findings collected from a variety of sources, including:

- data supplied by the facility and DOCCS prior to our November 2012 visit;
- conversations during our November 2012 visit with incarcerated people, the executive team, superintendent, program staff, union representatives, and members of the Inmate Liaison Committee (ILC) and the Inmate Grievance Resolution Committee (IGRC);
- survey responses from people incarcerated at Greene following our November 2012 visit and prior to our May 2014 interviews;
- interviews with people incarcerated at Greene in May 2014; and
- information provided by Greene officials in October 2014.

We appreciate the cooperation of the facility's administration during our visit and the extensive information staff provided to us during and after our visit. We would also like to sincerely thank all the individuals confined at Greene who spoke with us during our visit and/or participated in our surveys and/or interviews.

## **SUMMARY OF FINDINGS AND KEY RECOMMENDATIONS**

During our two-day visit and through information gathered from DOCCS, the facility, and people incarcerated there, the CA was pleased to find a relatively large number of programs at the facility, including academic programs that met a larger percentage of incarcerated persons' educational needs than most CA-visited prisons. The CA was also pleased to find relatively positively rated vocational programs, fewer reported delays in accessing medical care, and dedicated Marist College staff going above and beyond to provide opportunities for students.

At the same time that the CA found these positive aspects, our analysis of information obtained from the facility and incarcerated persons raised substantial concerns about unacceptable staff abuse of incarcerated persons, particularly young people in their teens up to

their mid-twenties,<sup>2</sup> including physical abuse, verbal and racial harassment, and threats, intimidation, and retaliation. While this staff abuse was by far the most disturbing aspect of Greene, the CA also had concerns, amongst other items, about insufficient program capacity, including large waitlists for substance abuse treatment, poorly rated medical care quality, and the closing of the Marist College program, which was subsequently replaced.

Our principal recommendations to relevant state, DOCCS, and prison officials include:

- Immediately stop all staff excessive use of force, particularly against young people
- Implement a no tolerance policy for abuse, and remove abusive officers.
- Remove all 16- and 17-year-olds from Greene and from all adult jails and prisons, moving them into youth justice facilities where their unique developmental needs can better be met.
- Fundamentally transform the culture of Greene to provide a supportive, developmentally-appropriate environment for all people, and particularly young people into their mid-20s.
- Reduce the use of isolation, and remove all young people from SHU and S-block.
- Expand college opportunities to ensure access to higher education for all eligible people.
- Fill academic and vocational instructor vacancies and ensure access to education.
- Increase the rate of pay of incarcerated persons at Greene and at all DOCCS facilities.
- Expand ASAT, and ensure a therapeutic environment in ASAT programs.
- Review the quality of care of all medical providers, particularly nurses.
- Explore opportunities for expanded individual and group mental health therapy.
- Expand visiting room capacity and ensure that visits are not ended prematurely.
- Reevaluate the checkpoint policy for people going to the mess hall and allow people to stand inside or under a covered area while waiting for the mess hall.
- Explore mechanisms for expanding library capacity, particularly in the evenings.
- Ensure consistency in package items approval and investigate missing or destroyed items.
- Reassess Parole Board practices to ensure fair release consideration based on each applicant's risk assessment, readiness for reentry, and rehabilitation and growth in prison.

## **GENERAL PRISON POPULATION AND CORRECTIONAL STAFF DATA**

According to the information provided by the facility, and as seen in **Table A- Basic Demographic Data at Greene and in DOCCS Prisons System-Wide**, Greene had a total capacity of 1,813 people and confined 1,685 people as of October 2014, and 1,768 people at the time of our visit, including 1,570 in general population, 185 in isolated confinement in the Special Housing Unit (SHU) 200 (“S-block”), and 11 in isolated confinement in a regular SHU.

Greene has one of the highest concentrations of young people, including 16- and 17-year-olds, of any DOCCS prison, and a very young population overall. As seen in **Table A**, over two thirds of the people incarcerated at Greene were under the age of 30, almost two and a half times

---

<sup>22</sup> Throughout this report, the use of the term “young people” will apply to people aged in their teens and up to their mid-twenties.

the system-wide percentage. Also, the median age at Greene was 22 compared to a much higher system-wide median of 37. Specifically related to 16- and 17-year-olds, as of a snapshot of the DOCCS system on January 1, 2012, there were a total of 181 teenagers aged 16 or 17 in all DOCCS prisons.<sup>3</sup> Children under 18 are spread throughout the system, but are concentrated in a small number of prisons, with Greene having one of the largest concentrations.<sup>4</sup> At the time of our visit, the administration reported that there were 33 teenagers who were 16- or 17-years-old at Greene, and that this number had been fairly consistent over many years. As of October 2014, Greene incarcerated 43 children aged 16 or 17. Also of note, Greene incarcerates a slightly lower percentage of white people and a slightly higher percentage of black and Latino people than the already vastly disproportionate numbers across DOCCS facilities.

**Table A-Basic Demographic Data at Greene and in DOCCS Prisons System-Wide**

**Greene General Population**

- 1,768 people incarcerated; capacity 1,813
- 54% black; 28% Latino; 18% white
- 68% under 30; 4% over 55
- Median age: 22
- Median Minimum Sentence: 36 months
- 58% convicted of violent felony
- 13% convicted of drug offense
- Median time to earliest release: 13 months

**System-Wide DOCCS data (Jan. 2013)**

- 54,865 people incarcerated; capacity 61,331
- 49.5% black; 24% Latino; 23.8% white
- 27.5% under 30; 16.9% 50+; 3.8% 60+
- Median age: 37
- Median minimum sentence 62 months
- 64.3% convicted of violent felony
- 12.9% convicted of drug offense
- Median time to earliest release: 18 months

**Greene's S-Block Population**

- 185 people in S-block; capacity 200
- 57% black; 25% Latino; 14% white
- 70% under 30; 2% over 55
- Median age: 24
- Median Minimum Sentence: 41 months
- 62% convicted of violent felony
- 11% convicted of drug offense

<sup>3</sup> See Human Rights Watch/American Civil Liberties Union, *Growing Up Locked Down: Youth in Solitary Confinement in Jails and Prisons Across the United States*, 2012 (“*Growing Up Locked Down*”), p. 131, available at: <https://www.aclu.org/files/assets/us1012webwcover.pdf>

<sup>4</sup> DOCCS does not publically report the number of 16- and 17-year-olds incarcerated in its facilities. According to the latest available DOCCS data, there were 2,390 young people aged 16-20 in DOCCS custody as of January 1, 2013. See NYS DOCCS, Under Custody Report: Profile of Inmate Population Under Custody on January 1, 2013. For the 43,453 arrests of 16- and 17-year-olds in New York State in 2010 that were disposed of as of October 2012, there were 813 prison sentences imposed. See *Criminal Justice Case Processing of 16-17 Year Olds*, New York State Division of Criminal Justice Services, Office of Justice Research and Performance, p. 2, Jan. 4, 2013. Based on data obtained through a FOIL request, the CA was able to ascertain the number of people aged 16 or 17 in DOCCS custody at a snapshot in time whose records are publically available because the individuals are not classified as Youth Offenders (YOs). In April 2013, there were a total of 78 of these non-YO children in the DOCCS system under the age of 18. Out of those 78, there were 32 people or 41% incarcerated at Greene. Other relatively large concentrations of youth were found at Washington, Coxsackie, and Wyoming CFs.

Overseeing the people incarcerated, Greene had a total of 436 correction officers at the time of our visit. With respect to non-security staff, the facility reported that the support services budget fill level had been reduced between 2009 and 2012 from 64 to 59, and the program services budget fill level had been reduced from 86.5 to 79.5 over the same time period. These reductions raise concerns about the ability of the facility to provide the appropriate programs and services to meet the needs of people incarcerated.

## **SAFETY**

During our visit and in survey responses in November 2012, and from additional correspondence and in-person interviews in 2014, people incarcerated at Greene reported some of the worst levels of alleged physical abuse by staff, and in turn fear and intimidation, of all CA-visited prisons. In addition, people incarcerated at Greene reported racial and verbal harassment, aggressive pat frisks, and retaliation for raising complaints. Particularly disturbing were reports that such abuse was most targeted at young people at the facility. As one survey respondent summarized the situation at Greene:

*[People incarcerated] here at Greene get violated and mistreated by COs every day. The most things that usually occur are: staff misconduct, physical abuse, harassment, abusive-sexual pat frisks, being set-up with narcotics or weapons, retaliation for people putting in grievances. They use a lot of scare tactics and physical force to get what they want, because most of the jail are adolescents that don't know no better or what to do.*

### ***Relations Between Staff and Incarcerated Persons in General***

As seen in **Table B- Survey Responses Regarding Feelings of Safety, Physical Assault, Sexual Abuse**, Greene ranks as one of the worst CA-visited prisons on almost all indicators of safety and alleged physical abuse of incarcerated persons by security staff. Although it is a medium security prison, the reported levels of abuse and intimidation by staff ranked Greene among the worst of maximum security prisons as well, rivalling notorious prisons like Attica. With regard to physical abuse by staff, nearly 90% of survey respondents reported that they hear about physical confrontations between staff and incarcerated persons frequently, ranking Greene as the worst CA-visited prison. More than 55% of survey respondents reported that they themselves had been involved in a physical confrontation with staff at Greene, again ranking Greene as one of the worst CA-visited prisons. Similarly, when asked to compare the level of physical confrontations with staff at Greene compared to other prisons, over 70% of survey respondents reported that confrontations were *much* worse at Greene and 87% reported that confrontations were at least somewhat worse at Greene, ranking the prison as one of the worst CA-visited prisons. Consistent with these survey responses, Greene had one of the few highest rates among medium security prisons of Unusual Incident Reports (UIRs) from September 2010

*I have never seen COs physically abuse [incarcerated persons] with such frequency as they do here. --Anonymous*

*[COs] are hurting [people] for no reason. --Anonymous*

through October 2013 for assaults on staff, indicating relatively high numbers of physical confrontations between staff and incarcerated persons. Also consistent with these survey responses and UIR data, numerous comments in the surveys reported physical abuse by staff. Numerous survey respondents referred to Greene as a “hands on facility.” People reported physical brutality including slaps, kicks, punches, being thrown against the wall, and other forms of physical violence. As one survey respondent reported, “[Officer] brutality is outrageous . . . they beat [incarcerated persons] up for any reason.”

**Table B- Survey Responses Regarding Feelings of Safety, Physical Assault, Sexual Abuse**

<b>GREENE 2012</b>	<b>Very Frequently</b>	<b>Frequently</b>	<b>Once in a while</b>	<b>Once</b>	<b>Never</b>	<b>Rank*</b>
<b>How often you feel unsafe</b>	41%	22%	24%	1%	11%	<b>40</b>
<b>How often you experience a physical confrontation here</b>	6%	10%	19%	20%	45%	<b>40</b>
<b>How often you hear about physical confrontation</b>	68.4%	21.3%	7.5%	.6%	2.3%	<b>41</b>
<b>How often you hear about sexual abuse</b>	5.6%	6.5%	18.5%	8%	61%	<b>26</b>
<b>How often you experience abusive pat frisks</b>	16%	15%	27%	15%	29%	<b>34</b>
<b>How often you hear about abusive pat frisks</b>	44%	24%	17%	2%	14%	<b>36</b>
<b>How often you hear of sexual abuse other than pat frisk</b>	4%	5%	18%	9%	64%	<b>7/13</b>
	<b>Very unsafe</b>	<b>Somewhat unsafe</b>	<b>Only a little</b>			
<b>How unsafe you feel</b>	56%	32%	13%			<b>38</b>
	<b>Most common</b>	<b>Common</b>	<b>Not common</b>			
<b>How common are physical assaults</b>	77%	17.5%	5%			<b>41</b>
<b>How common is sexual abuse</b>	8.2%	13.2%	78.6%			<b>33</b>
<b>How common are abusive pat frisks</b>	53%	27%	20%			<b>37</b>

\* CA-visited facilities are ranked from best to worst with one as the best and 41 the worst, unless noted otherwise.

One disturbing pattern of abuse was repeatedly reported by incarcerated persons. According to surveys, correspondence, and in-person interviews, very often if there was a fight between two incarcerated persons, an officer would push a “red dot” in order to contact three or four other officers and a sergeant to come to the area. Once the fight was stopped and the involved incarcerated persons were already subdued and handcuffed, it was repeatedly alleged that the COs would bring them to another area – such as between the doors at the entry way to the dorm, the bathroom, the telephone area, the sergeant’s office, or on the way to the SHU – and the COs would beat them up. After being punched, kicked, slapped, or otherwise physically beaten, the incarcerated persons would be given disciplinary tickets and sent to the SHU. Numerous incarcerated persons reported separate specific incidents that matched this same scenario where COs were physically beating incarcerated persons after they had already been

handcuffed and restrained. Also, many incarcerated persons claimed that the ways in which COs acted made it seem as if many COs treat beating up incarcerated persons as simple recreation for themselves. Variations on this same practice involved COs engaging in the same physical abuses, but without there actually having been a fight, and then writing up a false ticket for fighting, including writing up so-called “one-person fights.” As one incarcerated person reported, “just recently I have witnessed a guard severely physically abuse two [incarcerated persons] so bad that their faces were bruised and bloody and they had trouble walking/moving extremities. Those two . . . then got a ticket for getting into a fight and sent to S-Block.”

*They do what they want. It's their house. Certain officers can't control themselves – beating on guys is their rec. --Anonymous*

Related to general physical abuse, numerous survey respondents complained about aggressive and abusive pat frisks. As seen in **Table B**, the frequency with which people personally experience and hear about abusive pat frisks, ranked Greene in the bottom sixth and eighth respectively of CA-visited prisons. Many survey respondents complained that pat frisks were regularly aggressive and violent, and that abusive pat frisks were a regular part of life at Greene. Numerous incarcerated persons reported that staff at times require incarcerated persons to put their hands against the wall with their feet spread for long periods of time, in uncomfortably hot or cold weather conditions, and/or kick out incarcerated persons' feet while they are up against the wall. As one survey respondent reported, “you almost NEVER get pat and frisked without an officer kicking your legs apart and trying to make you stretch further and being aggressive.”

*The pat and frisks to get in the south side yard are so aggressive and degrading every night that I don't even go to the yard. --Anonymous*

Not surprisingly with this level of reported physical abuse, the degree to which people reported feeling unsafe again ranked Greene as one of the worst CA-visited prisons. Specifically, as seen in **Table B**, over 63% of survey respondents at Greene reported frequently feeling unsafe, ranking the facility as one of the few worst of all CA-visited prisons. Moreover, when asked how unsafe they feel when they feel unsafe, 56% of survey respondents reported that they feel very unsafe and an additional 32% reported feeling somewhat unsafe, again ranking Greene as one of the few worst CA-visited prisons. Many survey respondents commented about their feelings of unsafety and their fear of CO abuse. As one survey respondent reported, “I'm very afraid that something might happen to me here, and it won't be an [incarcerated person] that hurts me; it will be a CO.”

In addition to physical abuse by staff, incarcerated persons reported an overall environment of fear and intimidation, including high levels of racial tension, threats and other forms of verbal harassment, destruction of property, false tickets, and retaliation. As seen in **Table C**, Greene ranked in the worst eighth of CA-visited prisons on a variety of indicators of verbal and racial harassment. Survey comments described racist attitudes by COs and threats and other verbal abuse. Incarcerated persons reported that verbal harassment was intense and frequent, and that COs often used expletives and other demeaning language in their interactions with incarcerated persons. In addition, as seen in **Table C**, 96% of survey respondents reported

that threats and intimidation were at least common, ranking Greene as the worst CA-visited prison. Incarcerated persons reported that staff will at times threaten certain incarcerated persons not to leave the dorm to go to the mess hall or recreation, thereby preventing those incarcerated persons from participating in these activities. Adding to the environment of intimidation, 90% of survey respondents reported that destruction of property was at least common and nearly two-thirds reported that they personally had experienced staff destroying their property while at Greene, both indicators ranking the facility as one of the worst CA-visited prisons.

**Table C-Harassment, Threats, Discipline, and Retaliation at Greene**

Greene 2012	Very Frequently	Frequently	Once in a while	Once	Never	Rank
How often you personally experience verbal harassment	35%	23%	26%	2%	14%	33
How often you hear about verbal harassment	70%	17%	10%	0%	2%	36
How common is racial tension*	40%	27%	18.5%	10%	5%	37
How much racial tension contributes to abuse**	53%	32%	13%	2%		37
How often your property is destroyed	13%	18%	19%	17%	34%	39
	Most Common	Common	Not Common			Rank
How common is verbal harassment?	77%	19%	4%			39
How common is racial harassment?	56%	31%	14%			40
How common are threats and intimidation?	83%	13%	5%			41
How common is turning off lights or water?	26%	31%	43%			34
How common is retaliation for complaints?	71%	20%	9%			41
How common are false tickets?	58%	30%	12%			38
How common is the destruction of property?	52%	38%	10%			41
Other	58%	25%	17%			37

\*The responses to this question are: widespread, fairly common, some, very little, not at all

\*\* The responses to this question are: a lot, somewhat, very little, not at all

Further, with regard to retaliation and false tickets, as seen in **Table C**, over 90% of survey respondents reported that retaliation was at least common, ranking Greene as the worst of all CA-visited prisons, and 88% of survey respondents reported that false tickets were at least common,

*Officers tend to abuse [incarcerated persons] in this jail and most [people] like myself stay quiet for fear of further abuse and retaliation. --Anonymous*

ranking Greene as one of the worst CA-visited prisons. Many survey respondents reported that COs will plant knives or other fake weapons as a form of retaliation. As one survey respondent reported, “during my incarceration here I have seen officers plant knives on other [incarcerated persons] with my own eyes. Often this can result in a new bid and extend a person’s stay

*What type of officer who’s here for our ‘security’ and ‘safety’ would plant a weapon on an [incarcerated person]? --Anonymous*

anywhere from 1-2 years.” Several other survey respondents specifically stated that if one attempts to file a grievance, officers will threaten or beat that person until he signs off on the grievance. As a result, incarcerated persons reported that they did not report staff abuse out of fear of retaliation. As one survey respondent reported about an incident a few months prior to our visit, a specified person “was beaten unmercifully by officers of this facility for nothing . . . I wanted to report it, but was afraid for my life.”

Responses to various survey questions also indicated that the abuses were widespread across the facility and not committed by only a few bad officers. Specifically, when asked how many security staff members engage in serious misconduct, the *median* response was 80% of officers engage in misconduct, compared to a median of 50% across CA-visited prisons, indicating a widespread culture of abuse at Greene. In addition, when asked whether physical confrontations occur throughout the prison or on certain shifts, certain locations, or by certain security staff, most survey respondents reported that the confrontations occur throughout the prison, although some incarcerated persons reported that more abuses take place in the north side of the facility, where there are reportedly more young people, and during the 3-11 pm shift when the administration is no longer at the facility. When people were asked in the survey to name specific security officers who engage in serious misconduct, while some survey respondents reported that they were too scared to name specific officers, many others did list specific officers. Overall, 256 total names were listed as officers committing serious misconduct, and 86 different names were provided, again indicating widespread abuse. Incarcerated persons mentioned that there are some well-meaning, supportive officers, but that the majority of officers engage in abuse or fail to report abuse perpetrated by their colleagues.

Compounding issues of abuse, survey respondents reported a lack of accountability for officer abuse by administrative staff or otherwise. Specifically, 87% of survey respondents reported that the prison administration does very little or nothing at all to prevent staff abuse of incarcerated persons, ranking Greene in the worst seventh of CA-visited prisons. According to one survey respondent, “the administration is incompetent and apparently don’t care. The number of assaults by staff is way high and the sergeants are the worst and often threaten and assault [incarcerated persons].” As one way of increasing officer accountability, nearly two-thirds of survey respondents reported that they thought that video cameras had the potential to reduce staff abuse a lot, and over three-quarters reported that cameras would at least reduce staff abuse somewhat. This weight placed on the value of video cameras reducing abuse was higher than 80% of CA-visited prisons. Some incarcerated persons specifically reported the need for cameras in the holding area before people are taken to the SHU, the SHU itself, the sergeant’s office, the double door entry way to the dorms, and outside the bathrooms. Greene

*Staff here feel they are invincible and immune to certain repercussions. --Anonymous*

administrators reported in October 2014 that they continued to follow the same DOCCS procedures they had always followed with respect to allegations of abuse, namely that they address allegations at the facility level and report substantiated claims to the Inspector General's (IG) office. Administrators reported that in 2014 two officers had been suspended because of abuses, and that other allegations were pending with the IG, indicating that there is some, though limited, accountability.

Overall, when asked to compare the overall level of security staff abuse of incarcerated persons at Greene with other prisons, more than 70% of survey respondents reported that the level of staff abuse was much worse at Greene and nearly 84% reported that the level of abuse was at least somewhat worse at Greene, ranking Greene as one of the worst few CA-visited prisons. Similarly, more than three-quarters of survey respondents reported that relations between security staff and incarcerated persons were at least somewhat bad, ranking Greene in the bottom seventh of CA-visited prisons. When asked to compare staff relations at Greene with other prisons, 73% of survey respondents reported that relations between security staff and incarcerated persons were much worse at Greene than other prisons, and 87% reported that such relations were at least somewhat worse, ranking Greene as one of the worst few CA-visited prisons. All of these various indicators consistently show that people incarcerated at Greene view the facility as worse than other prisons in which they have been incarcerated. As one incarcerated person wrote, "I have been at mediums all over and by far this is the worst one . . . There are way too many staff here that get away with hitting [incarcerated persons] . . . Something needs to be done or one day there could either be a death or someone getting hurt really badly." Another reported, "this is by far the worst prison in the state." Moreover, there does not appear to be any meaningful positive change in the ways in which staff treat incarcerated persons. Almost all people who wrote to the CA or who were interviewed in 2014 reported that the level of physical abuse by staff had remained the same and continued to be unacceptably violent.

### ***Relations between Staff and Incarcerated Young People***

Particularly disturbing were reports that the physical violence, threats, retaliation, and other abuses by staff described above were most targeted against young people at the facility, including 16- and 17-year-olds. During our visit, in survey responses from November 2012, and from other correspondence and in-person interviews in 2014, numerous incarcerated persons, both young and old, complained that security staff was particularly abusive toward young people at the facility. According to surveys asking specifically about the treatment of young people aged 16- and 17-years-old, 97% of respondents reported these youth face greater abuse than adults. Also, a number of people incarcerated at Greene reported that more frequent staff abuses occur on the north side of Greene in part because there are many more young people on that side of the prison.

*I have witnessed multiple beatings [ ] on the young kids. --Anonymous*

Most disturbing about staff abuse of young people were reports of physical abuse by staff. Numerous survey respondents reported that COs were beating up young people at the facility, both in comments and in response to specific survey questions. Overall, 89% of survey respondents reported that young people were more likely to experience physical abuse than

adults, and nearly two-thirds reported that young people experienced higher rates of sexual abuse. As one survey respondent reported, "I have witnessed multiple beatings . . . on the young kids." Another reported that "I have seen COs beat the blood out of the youth or set them up with a weapon or give a new bid for nothing." Some young people reported to the Visiting Committee that they feared for their safety and even their life.

*Every one of these surveys will have something about these COs beating up and breaking bones, kicking teeth out of these young children. --Anonymous*

Although, as discussed below, many young people were too fearful to participate in our survey, many others did participate and reported being physically abused by staff. Specifically, 86% of the young people at Greene who entered prison at age 16 or 17 self-reported in survey responses that they had personally experienced a physical confrontation with staff, more than three times the average of 26% of survey respondents at all CA-visited prisons. Numerous young persons who were 16 or 17 when they were incarcerated reported specific incidents involving being punched, kicked, hit in the ribs, slapped, smacked, thrown against the wall, beaten up, pushed to the ground, subjected to abusive pat frisks, or otherwise physically abused by security staff. As one young person stated, "COs come here and take out their problems on us, but they do it to [people] that are 17 to 21 years old."

*COs are beating kids up, it's got to stop. --Anonymous*

Survey responses indicated that even among young people, the most targeted were the youngest. According to one survey respondent, "I see a lot of young guys 16, 17, 18. I used to be one of them. I came up at 18. COs look for the young guys to pick on . . . being a younger guy in here is not good." Another reported that "I have seen some younger guys being targeted by officers because they are young and behave like teenagers or young people do. If they are acting their age it's no reason for them to be treated like an animal that escaped from the zoo and attacked 10 people." The level of alleged abuse of young people was so bad that throughout our visit and in survey responses and subsequent interactions with the population, numerous older people who had been incarcerated for long periods of time reported to us the abuses. As one long-term incarcerated person stated:

*The officers feel they can beat on these young kids and get away with it. --Anonymous*

*I have never been to a facility in all of my years where the officers put their hands on [incarcerated persons] as much as they do here at Greene. When I first arrived I was appalled at what was going on here. It sickens me because these officers are getting away with abuse, brutality, and criminal intent. It isn't the adults they are doing it to, it is these young teenage boys they are violating. In the free world, it is criminal and illegal for someone as old as these men to put their hands on someone else's child. These young boys are only 16, 17, 18 the ones they are doing it to.*

Moreover, young people incarcerated at Greene indicated that many of the abuses occurred because of negative staff perceptions of them. As one survey respondent reported, "the

COs don't see me as a young man. They see us as young criminals." In addition, a number of incarcerated persons during the CA's 2012 and 2014 communications suggested that the security staff focuses on the younger people in order to intimidate them, and because the young people are easier targets because they do not know their rights. According to one survey respondent, "I came to jail at 16 and COs take out their anger on the youth like it is their recreation because they know young people know less about their rights." As another young person stated, "yeah this is crazy. They don't care what we think about. They just put hands on us [be]cause we are young and dumb and don't know about anything." Another reflected that "when you tend to be young in prison [COs] target you more because they know you don't know any better. It was a hard experience but it comes with the territory."

In conjunction with the physical abuse, incarcerated persons reported verbal harassment, threats, intimidation, and retaliation particularly targeted at young people as well. Specifically, 93% of young people aged 16 or 17 when they entered prison reported experiencing verbal harassment by staff, higher than Greene's general population and higher than nearly all CA-visited general populations. In addition, some survey respondents and interviewees reported specific instances of retaliation for raising complaints. As one survey respondent related, "when I got to Greene I seen with own eyes a CO put a weapon in my cube and had me put on the wall because I said I see what you did and while I was on the wall two COs were hitting me, kicking me and telling me not to fall." In turn, survey respondents reported that young people, in particular, were afraid to raise complaints. For example, according to one survey respondent, "a lot of young guys are fearful of writing grievance complaints because of the stage of retaliation from serious weapon possessions, physical abuse, and mail and package tampering."

The CA itself witnessed the level of intimidation and fear at Greene, and especially of the young people incarcerated there. More than at any other CA-visited prison, young people at the facility visibly demonstrated their fear to even speak with the Visiting Committee, and told members of the Visiting Committee not to speak to them. Other incarcerated persons told us that people were afraid to sign up for the CA survey, especially the younger people at the facility. As one incarcerated person stated, "people are intimidated; they're not going to tell you [anything]" while another reported that "after you leave, just like they did before you came, [COs wi]ll just kick [people's behinds] . . . [young people a]re scared to speak."

People incarcerated at Greene, both young and old, recognized the potentially devastating short- and long-term negative impacts of such abuse on young people. Specifically, 86% of supplemental survey respondents report that young people in DOCCS prisons experience higher rates of mental trauma than adults. As one survey respondent noted, "youth need mental support and guidance. They will not receive that at this level." In addition, 89% reported that young people are more negatively impacted than adults by being in a DOCCS prison. As one survey respondent reported, "from what I've seen for a young person, this experience is emotionally, physically and mentally devastating." Another survey respondent recognized how this abuse can cause greater problems in the prison and once a young person returns to the community: "It's not good to leave youth in this facility, cause it builds the heart up with hate. Then the youth turn to gangs and the adults use them as pawns." One 19-year-old survey respondent wrote about another person incarcerated at Greene who "has been in DOCCS custody since the tender age of

16. His experience is definitely life changing, and I know that he will be scarred for life from the mental and physical abuse that he's endured. The pain will never go away."

In turn, many people incarcerated at Greene have recognized the failures of placing young people in adult prisons. Specifically, 88% of respondents reported that youth should not be in adult prisons. As one person reported, "these prisons are not for youth. They should not put us here until we are 18 years old and then they gave me six years and I was only 16 years old and they should put me in a juvenile detention center." Another reflected: "first and foremost, I want you to know that it's very hard for a young teen to grow up in an adult prison. The things we experience and witness are just unbelievable. No matter the nature of his/her crime we shouldn't have to go through this. If you aren't old enough to do some things on the outside you shouldn't have to go through this when you do something wrong." In addition, 87% of supplemental survey respondents reported that DOCCS prisons do not rehabilitate youth or allow them to effectively return to their communities. Instead, survey respondents suggested that young people should be in more supportive, rehabilitative environments. As one survey respondent argued, "Being 17 years of age and under, I don't think the courts should send these kids up here with men my age, 36 years olds. They should be in a program, a camp that can show them how life should be lived." A young person himself similarly stated, "I believe adolescents like myself would benefit more from rehabilitation centers and programs instead of retributive prison sentences. The trauma is irreversible and leads to a feeling of hopelessness for the future."

*If this is the best the state can offer youth, it's a shame. --Anonymous*

In addition to calling for young people to no longer be placed in prisons, people incarcerated at Greene, young and older, called for investigations and an end to the abuses. As one person wrote, "the [Department] needs to find other means to stop abuse on these young men here because they have families who would not want their kids harmed that might place them in the hospital. . . . How would you like it if your family member was locked up and beaten or your daughter or son going through some of the same?"

*I am screaming for an investigation on staff physically abusing [incarcerated persons]. Please!--Anonymous*

Overall, the level of reported abuse of young people by staff at Greene is deeply disturbing. As one 20-year-old young person poignantly and devastatingly summarized the full experience of abuse at Greene:

*[We] been condemned, to a charge we did, and now we are living in the NY State Greene C.F. getting violated with no one to tell. It sort of feels like modern day slavery. If we slip up we get verbally or physically assaulted. Sixty-five percent of this jail population are adolescent, including myself. We are going to do immature things sometimes. That doesn't give the staff a right to verbally assault us, and say things like 'well his mother smoked crack so he don't know any better that's why he's here.' The staff always tries to dehumanize us here. The staff are very abusive. They will put you on the wall, make you stretch and spread your legs so wide apart it's very easy to fall. Once the officer kicks out your feet and you fall on the floor, the officers will get on top of you and beat you. When you fall to the floor the officers call it a sign of aggression. . . .*

*When we report that a staff hits us, nothing is done and we always lose. When you get sent to the SHU, the officers, including the sergeant will physically abuse you. Sometimes the officers wouldn't stop until they see blood. I know because I have been to the SHU and S-block twice, and every time I went there I was physically and verbally assaulted. The SHU doesn't have any cameras so it's easy for them to assault you, and throw you inside a secluded cell until your wounds mend themselves. If you write a letter to your loved ones, they will never receive. . . . These assaults usually occur upon entering the SHU when you come from the sergeant's office. There are two officers waiting behind the door. When the staff opens that door, that's when the beatings start. When staff feel they have released their aggression out, they start the strip search procedure. If you make a mistake they will beat and stomp on you again." The officer's actions here are inexplicable. . . . There are some staff that work the housing area that will force you to fight another [incarcerated person] because they don't want you in their housing unit. This jail is ridiculous. 85% of the COs are white. 81% of the [incarcerated persons] are Spanish and black and we're the ones that go through it the worst. . . . The majority of [incarcerated persons] don't use the IGRC for staff misconduct or anything regarding prison security because we will get set up and sent to the box. . . . Once you go to the sergeant's office and agree with sending out the grievance, the sergeant will tell you 'you wanna go home or stay in jail' which means that if you don't choose to sign off on the grievance they're going to set you up with a weapon, drugs, or anything that's a tier III ticket that can put you in solitary with good time lost. . . . It's like the staff come to work and cause devastation to our living habitat . . . Just because we're [incarcerated] doesn't mean we're not human . . . They're needs to be a full investigation on this facility. If not, the officers will continue to feel predominantly and act as tyrants, knowing [incarcerated persons] don't have any rights and were enslaved. Staff feel they need to physically or verbally abuse [incarcerated persons] for the sake of discipline, not knowing they're messing our mind up mentally.*

### ***Relations Among Incarcerated Individuals***

Also of concern is the level of violence between incarcerated persons at Greene. As seen in **Table D- Survey Responses in Regards to Conflict Among Incarcerated Persons**, Greene rated relatively poorly among CA-visited prisons for the amount of reported fights between incarcerated persons. Specifically, 57% of survey respondents reported that such fights occur frequently at the prison, ranking Greene in the bottom quarter of CA-visited prisons, as did responses comparing the level of peer conflicts at Greene to other DOCCS prisons. Similarly, although less than 8% of survey respondents reported that they frequently were involved in fights with other incarcerated persons, such responses ranked Greene as one of the worst CA-visited prisons. Consistent with this data, Greene had one of the highest rates for medium security prisons of UIR assaults on incarcerated persons between 2007 and 2011.

Of serious concern, almost a third of survey respondents reported that staff members were frequently involved in encouraging or permitting peer conflicts, ranking Greene as one of the worst CA-visited prisons. Several incarcerated persons reported specific incidents in which staff used certain incarcerated persons to beat up other incarcerated persons. Following those fights, the incarcerated persons who were beaten would receive disciplinary tickets for fighting and be sent to the SHU, while there would be no disciplinary action taken against the

incarcerated persons who were connected to staff and carried out the physical abuse. On some occasions, staff would even ask those allied incarcerated persons who carried out the physical abuse to identify another incarcerated person to be a scapegoat and be given a false ticket for alleged involvement in the fight. Particularly in an environment with a large number of young people, it is essential for staff to play a positive role in de-escalating conflict and working with young people in a developmentally appropriate manner that recognizes the possibility that young people may at times act in a more confrontational manner. It is very concerning that staff are, or are perceived to be, instigating conflict among peers.

**Table D- Survey Responses in Regards to Conflict Among Incarcerated Persons**

	<b>Very Frequently</b>	<b>Frequently</b>	<b>Once in a while</b>	<b>Once</b>	<b>Never</b>	<b>Rank</b>
<b>How often are fights amongst peers</b>	15%	42%	34%	2%	6%	<b>31</b>
<b>How often you were in fight w/ peer</b>	2%	5%	17.5%	14%	61%	<b>40</b>
<b>How often are staff involved</b>	11%	21%	27%	4%	37%	<b>37</b>
<b>How often non-consensual sexual contact among peers</b>	2%	0%	41%	10%	47%	<b>10/18</b>
	<b>Much Worse</b>	<b>Somewhat Worse</b>	<b>Average</b>	<b>Somewhat Better</b>	<b>Much Better</b>	
<b>Compare peer fights to other prisons</b>	20%	15%	43%	13%	10%	<b>35</b>
<b>Compare drug use to other prisons</b>	14%	9%	43%	17%	17%	<b>29</b>
<b>Compare gangs to other prisons</b>	31%	9%	45%	9%	6%	<b>38</b>
<i><b>Factors Contributing to Peer Conflict</b></i>	<b>Most Common</b>	<b>Common</b>	<b>Not Common</b>			
<b>Personal Conflicts</b>	52%	44%	4%			<b>41</b>
<b>Gangs</b>	42%	44%	14%			<b>38</b>
<b>Drugs</b>	12%	35%	53%			<b>17</b>
<b>Theft of property</b>	46%	45%	9%			<b>41</b>
<b>Gambling</b>	28%	48%	24%			<b>38</b>
<b>Stress of being in prison</b>	47%	40%	14%			<b>38</b>
<b>Other</b>	70%	22%	9%			<b>21</b>
	<b>Very Common</b>	<b>Somewhat Common</b>	<b>Somewhat Rare</b>	<b>Very Rare</b>	<b>None</b>	
<b>Contraband Drug Use</b>	23%	44%	27%	13%	4%	<b>17</b>
<b>Gang Activity</b>	61%	30%	5%	4%	1%	<b>33</b>
	<b>A Lot</b>	<b>Somewhat</b>	<b>Very Little</b>	<b>Not at All</b>		
<b>Drugs as source of violence</b>	8%	21%	32%	39%		<b>18</b>
<b>Gangs as source of violence</b>	39%	39%	20%	3%		<b>30</b>

Survey responses indicate that various factors may be contributing to the peer conflict at Greene. Many incarcerated persons reported that minor disagreements, harsh words, or petty disputes were often the reasons leading to peer fights. As seen in **Table D**, personal conflicts and theft of property were reported as the most common contributing factors to peer conflict, with gangs, gambling, and stress of being in prison also cited as substantial factors. With respect to gangs, many incarcerated persons reported that the lack of constructive programs and engagement at the prison, as well as a lack of staff, facility, or family support led people to join gangs as a source of support and affiliation. Overall, more than 90% of survey respondents reported that gang activity was somewhat common, ranking Greene in the bottom fifth of CA-visited prisons. Similarly, 45% of survey respondents reported that the level of gang activity at Greene was average for CA-visited prisons, while 40% reported that gangs were at least somewhat worse at Greene, ranking the facility as one of the worst few CA-visited prisons. More positively, various indicators about the level of reported drug use ranked Greene as better than average for CA-visited prisons.

Looking at the level of reported gang activity and conflict among peers raises serious concerns about the ability of the prison to create a safe and supportive environment. Such concerns are particularly heightened when survey respondents report such a high level of involvement of staff in encouraging or permitting peer conflict. Also, although staff may point to peer conflict to attempt to justify the levels of physical and other staff abuse described above, peer conflict can not be an excuse for staff misconduct and the high levels of peer conflict are reflective of the overall violent environment at Greene. Moreover, many people incarcerated at Greene reported that although there are a large number of peer fights at Greene, almost all of the fights are fist fights that do not involve weapons or pose a high threat of someone getting seriously hurt, while the responses by staff to fights were reportedly much more violent in nature and posed a greater threat of harm. As one incarcerated person reported, "I would rather get jumped by a gang than by COs." Again while the level of peer conflict is of great concern, these fights do not justify physical abuse by staff, particularly if such physical abuse reportedly happens after a fight has been resolved and the people involved restrained and in handcuffs.

### **ISOLATED CONFINEMENT**

Because of Greene's SHU and S-block, a large number of people are held in isolated confinement at Greene. Similar to the rest of DOCCS, roughly 95% of people charged with a Tier III ticket at Greene over the three years prior to our visit were found guilty, demonstrating a disciplinary system that, like most across the state, yields unreasonably high rates of guilty determinations. As across the state, people held in Greene's SHU and S-block are subjected to inhumane and counterproductive conditions, held in their cell for 23 or 24 hours per day, without meaningful human contact or programs. The median length of SHU sentence for the latest year of available data, 2011,<sup>5</sup> was between 90 and 120 days at Greene, similar to the system-wide median. Overall, Greene's S-block was rated similarly to other isolated confinement units across the state, while the CA did not receive enough information about the SHU for a full assessment.

---

<sup>5</sup> The DOCCS data provided for lengths of sentences did not separate between the general SHU and S-block confinement.

### *S-Block*

Greene's S-block – built in 1998 – is one of eight free-standing isolated confinement units comprised of 100 double bunk cells across the state. Greene's S-block has a capacity of 200 people and confined 185 people at the time of our visit. Greene administrators reported there were 158 people in the S-block at the time of our call in October 2014, although they reported the S-block is generally full and some of Greene's S-block cells were out of service because of a project replacing the windows in some of the S-block cell doors. Although many people in Greene's S-block come from other DOCCS prisons, some people in the S-block had come from general population at Greene and were serving SHU or keeplock time in the S-block. Staff reported that 38 beds in the S-block are reserved for Greene's SHU and keeplock population.

Like other isolated confinement across the state, the conditions in the S-block – confining someone in isolation for 23 to 24 hours a day – can have devastating psychological effects. Of substantial concern, like all of Greene, people incarcerated in the S-block are disproportionately young people, even more disproportionate than is typical in isolated confinement. Specifically, at the time of our visit, 70% of people held in Greene's S-block were under the age of 30 and the median age in the S-block was 24, compared to 49% of people and a median age in the 30s in Special Housing Units across the state, and only 32% and a median age of 37 for the whole DOCCS population. The disproportionate number of young people in the S-block raises serious concerns about subjecting young people to isolated confinement that can have even more devastating effects because young people's brains and social skills are at an earlier stage of development.<sup>6</sup> In addition, some people in the S-block during the CA visit to the unit reported that they were under the age of 18 at the time, and in October 2014 the administration reported that there were four 16- or 17-year-olds in the prison's S-block. The administration reported at that time that these children did not receive any additional out-of-cell time, programs, or services, and were held in the same conditions as the rest of the people in the S-block. Administrators indicated that they attempt to move 16- and 17-year-olds to the A2 gallery, where there are TV monitors that, as discussed below, play videos related to substance abuse treatment.

Somewhat positively, the S-block offered a pre-treatment workbook program, and 20 people were doing the workbook at the time of our visit. In October 2014, DOCCS reported they also started an in-cell ASAT program in the S-block with TV monitors playing videos in the 26-person A2 gallery, and had an ASAT ORC specifically assigned to the S-block. At the time of the call, the program was not operating, other than videos playing in the gallery, but the facility had recently hired a new staff member to operate the program. Also, almost two-thirds of survey respondents in the S-block reported they frequently access recreation, relatively high among CA-visited facilities. However,

*[Recreation's] like being in a small animal cage. --Anonymous*

---

<sup>6</sup> Young people have been shown to both have less decision-making ability to allow them to avoid the actions that, in the current system, often lead to the imposition of isolated confinement, and suffer greater physical, emotional, and psychological harm from being placed in isolation. *See, e.g., Growing Up Locked Down*, p. 15-16, 20-32. *See also* New York State Bar Assoc, Committee on Civil Rights, Report to the House of Delegates Solitary Confinement in New York State, 2013, p. 8-9, available at: <https://www.nysba.org/solitaryreport/>.

even for those who participate in the workbook and ASAT program do so alone in their cells and those who access recreation do so alone in cage in a small area in the back of their cell.

Separate from the effects of isolation itself in the S-block, survey respondents' complaints about additional staff abuse in the S-block were at levels somewhat similar to, or slightly better than, other CA-visited SHU and S-block units. Overall, more than half of survey respondents reported that relations with staff were somewhat or very bad, whereas only 15% reported that such relations were somewhat or very good. Despite this negative assessment, compared to other isolated confinement units, these ratings ranked Greene's S-block near the top third of CA-visited prisons. Also indicative of system-wide problems and a marginally better situation at Greene, its S-block ranked relatively well compared to other SHU and S-blocks in terms of how frequently people feel unsafe in the S-block. Still, 32% of survey respondents reported feeling unsafe at least frequently and an additional 36% reported feeling unsafe at least once in a while. Survey respondents also had relatively better ratings of how unsafe they felt in the S-block, ranking Greene in the best 20% of CA-visited SHU and S-blocks, although 25% reported feeling very unsafe and an additional 55% reported feeling somewhat unsafe. For physical conflict with staff, Greene's S-block ranked slightly above the middle of CA-visited prisons. Somewhat similarly, with respect to access to, and quality of, medical care, Greene's S-block ranked in the top half of CA-visited SHU and S-blocks. Some survey comments did complain about delays in seeing medical providers while in the S-block, including concerns about the inability to effectively notify staff in the case of an emergency situation requiring immediate medical attention. For mental health services, around 21% of survey respondents rated mental health care as good, 14% as poor, and 64% as fair. Around 63% of survey respondents reported that they had received mental health services in the past, raising concerns about the placement of people with pre-existing mental health needs in isolation, although only a few people in the S-block had ever been on the OMH caseload. Positively, no survey respondents reported that they had committed self-harm while in Greene's S-block.

Despite the relatively positive ratings compared to other SHU and S-blocks on some of these indicators, for the staff abuses that do occur, survey respondents reported that retaliation, false tickets, racial harassment, threats, and physical assault were the relatively most common forms of abuses. Literally 100% of survey respondents reported that threats were at least common at Greene's S-block and 95% reported false tickets were at least common. Some survey comments also complained about physical and other abuse by staff in the S-block and/or prior to being sent to the S-block. For example, one individual in the S-block reported a specific incident of abuse in which "I was punched and kicked in my face, head, body (ribs) and private areas. I was beaten while I was in restraints. My head was pushed through a door causing me to bleed." After the incident, he was threatened with additional violence and a new charge if he was uncooperative with the investigation of the incident, which was subsequently "covered up."

### *Special Housing Unit (SHU)*

In addition to the S-block, Greene also holds people in isolated confinement in a 15-bed capacity SHU that held 11 people at the time of our visit. As in the S-block, people in SHU are held 23 or 24 hours a day in their cell, without meaningful human contact or programming. No

one in SHU was enrolled in either cell study or a pre-treatment workbook, so these individuals were left with no meaningful activities. Unfortunately, we did not receive many surveys from people in the SHU and so are not able to give a thorough assessment of the unit. We did receive some complaints in survey responses and interviews that people get beaten by security staff on the way to the SHU and that such beatings often occur in the receiving area in the SHU. As one survey respondent wrote, “when you go to the box they handcuff you and beat you up.”

**GRIEVANCE PROGRAM**

As with many DOCCS facilities system wide, the Grievance Program at Greene was rated poorly by survey respondents, with complaints about both the lack of effectiveness of the grievance system and retaliation for filing grievances. According to staff and facility data, and as seen in **Table E-Most Grievated Issues at Greene**, staff conduct and medical care are the most commonly grievated issues at Greene. At the time of our visit, the grievance office was staffed by two grievance clerks and one acting civilian grievance supervisor.<sup>7</sup> Staff indicated that they first attempt to resolve grievances informally, and as seen in **Table F-Total number of complaints and formally resolved grievances at Greene**, the vast majority of complaints at Greene are informally resolved (80% of 1,665 complaints in 2011-12) and do not become formally filed grievances.

*I wrote one grievance here and I will never write another one. --Anonymous*

**Table E-Most Grievated Issues at Greene**

Grievance Category	2011 Formally Filed	As % of Total Grievances	2012 Formally Filed	As % of Total Grievances	% Change of # of Grievances
Medical	34	19%	28	18.4%	-17.6%
Staff Conduct	54	30%	45	29.6%	-16.7%

**Table F-Total number of complaints and formally resolved grievances at Greene**

	2011 Total Complaints	2012 Total Complaints	2010 Formally Filed	2011 Formally Filed	2012 Formally Filed	% Change 2011-12
General Pop			101	117	90	-23.1%
S-Block			125	62	62	0.0%
<b>Total</b>	833	832	226	179	152	-15.1%

For formally filed grievances that go to a hearing, the Inmate Grievance Resolution Committee (IGRC) at Greene was composed of two incarcerated person IGRC representatives, a correction officer who works in the grievance office, and a sergeant. The fact that, unlike at some CA-visited prisons, the non-incarcerated members of the IGRC do not rotate and are exclusively security staff, rather than any program or services staff, raises concerns about the real and perceived impartiality of grievance processes. Overwhelmingly, 82% of survey respondents rated the effectiveness of the grievance system as poor, and only 4.5 % said that it was good, ranking

<sup>7</sup> Greene administrators reported in October 2014 that they hired a new civilian grievance officer in January 2014.

Greene in the bottom fifth of all CA-visited facilities. Similarly, 79% of respondents claimed that the grievance system at Greene was at least somewhat worse than at other facilities, ranking Greene’s grievance program as the lowest comparative rating across all CA-visited facilities.

Potentially a positive indicator, as seen in **Table F**, the number of formally filed grievances decreased dramatically from 226 in 2010 to 179 in 2011 to 152 in 2012. Given that the total number of complaints remained constant between 2011 and 2012, the large decrease in formally filed grievances could indicate that the informal resolution process is being utilized more to address complaints. While this increased ability to resolve complaints informally could indicate something positive, it on the other hand raises potential concerns about the use of intimidation against grievants to get them to drop their complaints prior to a formal filing. Some survey respondents and interviewees specifically reported incidents where staff threatened to use force against them if they did not sign off to say that a complaint was resolved. For example, as one survey respondent noted: “They told me if I didn't sign off on the grievance that they were going to beat me up and put [me] in the box for threats against the staff.” Similarly, only one-third of survey respondents reported that they ever used the grievance system, one of the fewest of CA-visited prisons. This utilization could indicate a lack of complaints, but especially in light of the levels of intimidation described above, also could indicate a lack of confidence in the grievance system’s utility and/or a level of intimidation and fear of using the grievance system.

This concern about intimidation is consistent with serious complaints by respondents and interviewed persons about staff retaliation for filing grievances. Specifically, over a third of respondents reported that retaliation for using the grievance system occurred frequently, ranking Greene in the worst quarter of CA-visited prisons. Complaints regarding retaliation included reports of physical abuse, verbal harassment, false tickets and misbehavior reports, destruction of property, mail and package interference, and extended SHU and sentence durations. As one survey respondent reported: “I never filed a grievance in fear of retaliation for what [they] might do to me or my belongings” Yet another claimed that after he tried to file a grievance: staff “wrote a false misbehavior report, beat me physically and sent me to S-block.” Overall complaints about effectiveness and retaliation, like at many other CA-visited prisons, raise concerns that the grievance program works in contradiction to its intended purpose as an institutional mechanism of checks and balances to give voice to incarcerated persons and resolve their concerns.

*I was told that I would not make it home if I continued the grievance. --Anonymous*

**PROGRAMS**

**Table G – Program Satisfaction by Greene Survey Respondents**

<b>Overall Program</b>	<b>Satisfied</b>	<b>Somewhat</b>	<b>Not Satisfied</b>	<b>Rank</b>
Jobs	47%	23%	30%	<b>26/41</b>
Academic	22%	49%	29%	<b>24/41</b>
Vocational	61%	14%	26%	<b>3/41</b>
<b>Most Recent Class</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>	<b>Rank</b>
Academic	47.5%	33.8%	18.8%	<b>11/17</b>
Vocational	65.7%	20%	14.3%	<b>3/17</b>

Greene offered a relatively large number of general programs compared to other CA-visited prisons, and had mixed reviews of the quality of the programs, with high ratings of vocational programs.

***General Academic Programs***

Greene has a large number of people in need of academic programming, a relatively large academic program and high capacity compared to other DOCCS prisons (though still not sufficient to meet the large need), and mixed reviews of the quality of the academic programs.

With respect to need, as seen in **Table H – Greene Population Academic Status**, nearly 55% of the people incarcerated at Greene did not have a GED and thus were in need of general academic programming, compared to only 42% of all people under DOCCS custody. This relatively high need is not surprising given the large number of young people incarcerated at the facility. Of note, 75% of the people incarcerated at Greene without a GED were already above a fifth grade reading level.

**Table H – Greene Population Academic Status**

<b>Main Academic Achievement</b>	<b># of People</b>	<b>% of Population</b>
GED or Equivalent	805	45.5%
Total Without GED	963	54.5%
W/o GED At or Below 5 <sup>th</sup> Grade	242	13.7%
W/o GED Above 5 <sup>th</sup> Grade	721	40.8%

In order to meet the large academic need, at the time of our visit, Greene operated ABE, Pre-GED, GED, ESL, and Special Education classes. Additionally, because of the high numbers of those incarcerated at Greene under the age of 21, the facility receives Title I funding for additional classes for those 21 and younger. People who are in the Title I program can be spread throughout ABE, pre-GED, GED, ESL, and special education classes.<sup>8</sup> As seen in **Table I – Greene’s Academic Program Capacity, Enrollment and Waiting List**, Greene’s academic programs have a relatively high capacity to meet the needs of people incarcerated at the facility. Specifically, 68.6% of the people incarcerated at Greene without a GED were enrolled in an academic class. An additional 6% of people without a GED were at least enrolled in the very limited cell study, in which people in the SHU or S-block are given materials to learn alone in their cells. These total enrollment percentages are among the highest for all CA-visited facilities for people without a GED. In October 2014, Greene administrators reported that there were 555 total students enrolled in a general academic class, along with 40 people in cell study. Although this number represents a lower percentage of people in need of academic program enrolled than at the time of our visit, it still ranks Greene among the best quarter of CA-visited prisons. Also positively, related to capacity as well as quality of academic programming, 17.45% of people without a GED took a GED test in the latest year of available data, and 12.67% of persons without a GED passed the GED in the latest year of available data. These indicators of both

---

<sup>8</sup> While the facility provided us with the total capacity, enrollment and wait list of Title I, they did not provide us with the breakdown of types of classes in which the Title I students are enrolled.

access to taking the test and how well students do on the test ranked Greene in the top third of CA-visited facilities.

**Table I – Greene’s Academic Program Capacity, Enrollment and Waiting List**

<b>Courses</b>	<b>Capacity</b>	<b>Enrolled</b>	<b>Wait List</b>	<b>Enrolled as % of Total Pop</b>	<b>Enrolled as % of ppl w/o GED</b>	<b>Enrolled as % of enrolled + wait list</b>
ABE	102	102	86	5.8%	10.6%	54.3%
Pre-GED	102	102	71	5.8%	10.6%	59.0%
GED	68	68	17	3.8%	7.1%	80.0%
ESL	34	34	19	1.9%	3.5%	64.2%
Spec Ed	180	149	24	8.4%	15.5%	86.1%
Title I	210	206	25	11.7%	21.4%	89.2%
<b>Total</b>	<b>696</b>	<b>661</b>	<b>242</b>	<b>37.4%</b>	<b>68.6%</b>	<b>73.2%</b>

<b>Other Courses</b>	<b>Capacity</b>	<b>Enrolled</b>	<b>Wait List</b>	<b>Enrolled as % of Population</b>	<b>Enrolled as % of ppl w/o GED</b>	<b>Enrolled as % of enrolled + wait list</b>
Cell Study	60	58	20	3.3%	6.0%	74.4%
Marist College	62	60	44	3.4%	6.2%	57.7%

Although Greene does have a relatively high capacity to meet incarcerated persons’ academic needs, the facility would still benefit from enhanced capacity, given that almost a third of the people in need of general academic programming were not enrolled in a class. According to information provided by the facility, at the time of our visit there were three vacancies among the facility’s 25 academic staff, with those vacancies having existed at the facility for respectively more than a year, 10 months, and two months prior to our visit. In addition to these vacancies, the number of authorized staff for academic programs had decreased from 26 at the time of our visit in 2008 to 25 at the time of our visit in 2012. Overall then, at the time of our visit in 2008, there were two staff vacancies out of the 26 authorized positions, leaving 24 teachers actually working at the time of our visit, compared to three staff vacancies out of 25 authorized positions, leaving 22 teachers actually working at the time of our 2012 visit. This drop in teacher positions does raise some concerns about the potential impact on the capacity and quality of a program required to serve a large population with academic needs. Even accounting for the fact that there were a larger number of people incarcerated at Greene still in need of general academic programming in 2008 (1085) compared to 2012 (963) (although still a large waitlist of students in both years), the potential student to teacher ratio had slightly decreased from 2008 to 2012. Also of concern, the facility did not have any Spanish-speaking teachers at the time of our visit, and reportedly had one Spanish-speaking ESL instructor in October 2014, although the facility employed two Spanish-speaking teachers in 2008. In October 2014, Greene continued to employ 22 full-time teachers and continued to have 25 authorized positions. Greene administrators reported that for one of the teacher vacancies they had received a waiver for hiring a special education teacher and for the other two teacher vacancies they had authorization

to hire two teachers to work in an anticipated separate program unit for 16- and 17-year-olds, discussed below, if and when the program became operational.

Turning from capacity to quality, academic programs received mixed reviews from survey respondents. As seen above in **Table G – Program Satisfaction by Greene Survey Respondents**, survey responses ranked the facility near the bottom third of all CA-visited facilities with regard to overall academic programming. Somewhat more positively, when asked to specifically rate their most recent class, almost 48% of survey respondents rated the class as good and an additional 34% rated it as fair, though such responses still ranked the facility in the bottom half of CA-visited facilities for which we have comparable data. Consistent with these ratings, survey comments highlighted mixed feedback about teacher performance. On the positive side, some respondents described positive experiences with teaching staff including comments such as, “they treat you as a student not an ‘inmate.’ They teach you things that not only . . . will [get you] credit but that are essential for life.” On the other hand, several survey respondents expressed concerns about teacher quality, including comments such as, “I dislike that the teachers hand out papers and tell you to do them. I feel like they are not teaching but just passing time.” In addition to teacher quality, some survey respondents expressed the need for increased opportunities specifically for people over age 21, and some others reported excessive amounts of closed or shortened classes.

Overall, in comparison to CA-visited facilities across the state, Greene has a relatively strong capacity and provides several classes particularly for young people due to the extra Title I funding, although vacancies and decreased staff authorization raise some concerns. Also, survey respondents expressed mixed reviews on the quality of academic programming.

### *College Program*

In addition to the basic education programs, Greene offered classes from Marist College at the time of our visit. Very dishearteningly, while the college program appeared to be the one program at Greene to receive the most amount of praise, staff informed us the program had lost funding and the program closed that very semester in December 2012. Positively, in January 2014 after a year without a college program, Hudson Link began providing college preparation and college courses, through Sienna College, to about 50 students at Greene.<sup>9</sup> Greene administrators reported in October 2014 that there were 40 students enrolled in college courses, an additional 18 students participating in the college preparation program, and that there was at that time no waitlist for the college courses as all eligible and interested students were enrolled.

Information from staff and incarcerated persons indicated that, prior to its closure, the Marist College program was well-liked, with staff dedicated to making the program as beneficial as possible to students. Staff informed us that for the fall 2012 semester, courses

*The best thing at Greene is the college program. --Anonymous*

<sup>9</sup> See Greene Correctional Facility, *Hudson Link*, available at: <http://www.hudsonlink.org/programs-partners/partners/correctional-facilities/greene-correctional-facility>; College Programs: Educating those who are incarcerated to reduce recidivism, *DOCCS*, Dec. 19, 2013, available at: [http://www.doccs.ny.gov/DoccsNews/2013/College\\_Programs.pdf](http://www.doccs.ny.gov/DoccsNews/2013/College_Programs.pdf);

were offered by three Marist professors in College Writing, Psychology, Counseling and Social Work, with classes being held Monday through Friday in both morning and afternoon modules. Apart from the classes, the program allowed for a study hall and tutoring, as well as various six-to ten-week workshops to help people who are in the college program and other persons to prepare to participate in the college courses. In addition to the traditional educational component, college staff emphasized that the Marist program had a workforce development component, offered financial aid workshops, and tried to connect students to college programs in New York City and other community programs related to employment, certificates of relief, and other support. Because of the impending closure, staff reported that they were focusing on making a smooth transition and helping students to figure out what is next for them and how to connect those being released to community resources, such as attending Columbia-Greene Community College. Also, staff reported that Marist stresses that students give back to their community, and staff emphasized that participation in the program not only reduces the likelihood that students will commit a crime upon release but also gives additional pride to their family and community and makes the transition home much easier. The knowledge and dedication of the staff with whom the CA met was consistent with the positive assessments of the limited number of college students with whom we spoke and/or received surveys. As one survey respondent reported, “college students enjoyed the program at Greene and we should find a way to extend the program to as many individuals who wish to attend.”

For the new Sienna College program, given that the program just began its first semester in the spring of 2014 and the CA did not have an opportunity to do an extensive investigation into how it is operating, the CA is not able to report on the program. However, based on limited information obtained from people incarcerated at Greene, students again are happy with this college program and view it as something very positive if able to enroll.

Given the success of the Marist program, the dedication of the staff, the seemingly positive assessment of the new Sienna program, and the great need for college level courses in prison, the college courses at Greene needed to be expanded, replicated, and improved. With respect to expansion, at the time of our visit, as seen in **Table I**, there were 60 people enrolled in the program and information from DOCCS indicated that the Sienna program offered classes for 50 students and had 40 people enrolled in October 2014. While this number of students is substantial, it still represented only around 7.5% of people at Greene who have a GED and could benefit from college courses. The fact that Greene administrators indicated that there were no students on the waitlist for the college courses in October 2014 raises some questions about why other students with their GED are not eligible for or interested in the program. For replication, it is essential that New York State reinstate Tuition Assistance Program (TAP) grants to allow more students to take college courses, or at the very least, foster more and more individual colleges to offer programs.

With regard to improvement, some incarcerated persons expressed concern that neither the Marist nor Sienna college courses were degree-granting programs. Although individuals could potentially apply their coursework to a future program – such as upon release from prison – unlike at some prison college programs, students could not earn an associate’s or bachelor’s degree at Greene. Also, Marist staff strongly emphasized the need to enhance the technology

used in the college program. At the most basic level, staff suggested that the computers be replaced so that students no longer had to use floppy disks to save their work, which too often led to lost work. Green administrators reported that Hudson Link offered to provide new computers for the college program, which was under review by DOCCS Central Office as of October 2014. Also, staff recommended that computers, or at least books, be placed in the dorms, so that students could do additional work in their housing areas. More importantly, staff strongly suggested the need to create an intranet system that would allow students to do research. Staff believed that, especially since universities have put whole web courses with materials on the intranet, the technology would easily allow such a program to be used by DOCCS, and that DOCCS could simply approve the contents of the materials that are placed on the intranet, just as it currently approves the content of the materials that go into the physical library. Given that the instructors in the present system have to print out and physically distribute all research materials, an intranet system would not only logistically make running the course much easier for staff and students, but it would also allow access to greater materials and teach students essential research skills. Staff reported that allowing such an intranet system was essential for any future college courses at Greene or other DOCCS prisons because the colleges offering the courses have to maintain their academic integrity and ensure that the courses inside the prisons are equivalent to the courses on campus.

Overall, it is very positive that Greene has provided the opportunities for college courses, previously through Marist College and now through Sienna College as part of Hudson Link. The closing of the Marist College program and the opening of the Hudson Link, Sienna College program indicates the precariousness of college programs dependent on outside independent funding. It also shows the need to more effectively systematize the provision of college education at Greene and other NYS prisons through the restoration of TAP and Pell grants or otherwise. It is quite positive that Hudson Link and Sienna College were able to begin providing college prep and college courses at Greene, and hopefully, this and other college programs will be able to continue, improve, and expand at Greene and other prisons across the state.

### ***Vocational Programs***

The visiting committee toured the vocational building at Greene, spoke with the director of vocational programs, instructors and participants of the classes, and received feedback about vocational programs from survey responses. Vocational programs at Greene received relatively positive reviews from survey respondents, and the facility provides a large number of programs, although staff vacancies and closed programs have led to an insufficient capacity to meet the vocational needs of people incarcerated at Greene. Many individuals claimed that their courses were hands-on and effective, and that they were impressed by the relative variety of the vocational programs offered at this facility. There were some concerns, however, regarding accessibility of the programs; citing frequent closures and cancellations, and long waitlists as impediments to enrollment. As one individual summarized: “[There] are a lot of vocational programs but you have to get on the waiting list for most of them and it takes months.” Positively, more than three-quarters of all survey respondents reported that they were

*If you want to learn something they'll actually take the time out to teach you. --Anonymous*

at least somewhat satisfied with the vocational program, ranking Greene in the top 10% of all CA-visited prisons. Similarly, 86% of survey respondents rated their specific vocational course as good or fair, again ranking Greene in the top 10% of CA-visited prisons. Survey respondents had somewhat mixed but overall generally positive assessments of vocational instructors. As one survey respondent reported, “My teacher...has shown me that I can be better and still have a chance to make something of myself.” In addition, several survey respondents noted that they enjoyed those aspects of the vocational programs that were hands on and taught them skills that could be useful upon returning home, while some lamented that they were not learning skills that would be useful in the community. For example, one individual in paint shop, which was covered with beautiful paintings at the time of our visit, commented: “I like the paint shop program because it showed me a job I can do when I get out.”

**Table J – Greene’s Vocational Program Capacity, Enrollment and Waitlist at the Time of the CA’s visit in 2012**

<b>Title</b>	<b>Capacity</b>	<b>Enrolled</b>	<b>Waitlist</b>	<b>Enrolled+ Waitlist(RPL)</b>	<b>Enrolled as % of Population</b>	<b>Enrolled as % of RPL</b>
<b>Air Conditioning</b>	32	22	100	122	1.24%	18.03%
<b>Building Maintenance</b>	24 (evening program closed 8/12)	24	128	152	1.36%	15.79%
<b>Commercial Arts</b>	68	68	10	78	3.85%	87.18%
<b>Computer Operator</b>	36	35	27	62	1.98%	56.45%
<b>Computer Repair</b>	CLOSED 9/08					
<b>Custodial Maintenance</b>	30	30	117	147	1.70%	20.41%
<b>Drafting</b>	CLOSED 10/11					
<b>Electrical Trades</b>	60	59	163	222	3.34%	26.58%
<b>Hort/Agriculture</b>	52	49	4	53	2.77%	92.45%
<b>Masonry</b>	26	26	82	108	1.47%	24.07%
<b>Printing</b>	28	27	12	39	1.53%	69.23%
<b>Small Engine Repair</b>	CLOSED 10/12		58	58		0.00%
<b>Paint Shop</b>	30	28	34	62	1.58%	45.16%
<b>Food Services Training</b>	39	39	125	164	2.21%	23.78%
<b>Total</b>	425	407	860	1,267	23.02%	32.12%

Along with these generally positive assessments of the vocational programs, there were concerns about the capacity of the facility to meet the vocational needs of the people incarcerated at Greene. According to data provided by the facility and as seen in **Table J – Greene’s Vocational Program Capacity, Enrollment and Waitlist at the Time of the CA’s visit in 2012**, Greene offered 11 different vocational courses that serviced over 400 people, including a variety of programs that ranged from horticulture to painting to electrical trades. Despite this relatively large number and variety of courses, the vocational program was insufficient to meet the vocational needs of people incarcerated at the facility. Specifically, the waiting list for vocational programs (860) was more than double the size of the number of people enrolled, meaning that less than a third of all people in need of a vocational program were actually enrolled, ranking the facility in the worst fifth of prisons visited by the CA since 2009. Given that the median time to earliest release for people incarcerated at Greene is around 13 months and given that the vocational programs typically take at least six months to one year to complete, the large waitlists at Greene meant that some people would not complete a mandatory vocational program before their release. The lack of capacity was due in part to staff vacancies, closed programs, and decreased staffing authorization. At the time of our visit, Greene had three vocational instructor vacancies, out of a total of 16 authorized staff, and had three full courses plus one evening module closed in the previous four years. Staff expressed the hope that at least two of the vacancies would be filled in order to allow the reopening of the small engine repair and building maintenance courses, although prison administrators did not provide any specific timeframe for the possibility of filling those vacancies. Moreover, the number of authorized staff positions had declined from 18 at the time of our visit in 2008 to 16 at the time of our 2012 visit, and the number of actual staff working at the facility at the time of our visits declined from 15 in 2008 to 13 in November 2012. Consistently, several survey comments expressed concerns regarding accessibility of programs, noting the closures and citing long waitlists. Furthermore, the staffing capacity and size of the vocational programs decreased even further between November 2012 and October 2014. Specifically, as of October 2014, there were only 10 full-time vocational instructors actually working at the facility. Greene administrators reported that the facility had authorization to fill three of those instructor positions, two of whom would work in the separate program unit for 16- and 17-year-olds if and when it began operating. In the meantime, the 30% drop in instructors from November 2012 to October 2014 meant that the number of participants in the vocational programs was down to 324 people in October 2014, a decline of over 20% in the prior two years.

Connected to capacity issues was Greene’s inability to provide meaningful opportunities for people to complete vocational certification programs because of the length of time – namely more than two years – people would have to remain in a vocational course in order to obtain certification. Although eight of the vocational courses at Greene offered Department of Labor (DOL) apprenticeships – building maintenance, horticulture, electrical trades, printing, small engines, paint shop, and masonry – only three people total in the four years prior to our visit had received their DOL certification. In addition, Greene did not offer any National Center for Construction Education and Research (NCCER) apprenticeships. Also connected to capacity, staff and incarcerated persons lamented the limited space and supplies in the vocational programs. While both staff and incarcerated persons emphasized the importance of trying to make the work meaningful for participants, the limited space and supplies, coupled with the

inability to remain in a program for the length of time necessary to obtain marketable skills in the types of trades being offered, made this goal more difficult.

Overall, Greene provided a relatively large number of vocational programs that were recognized by both staff and participants as being valuable, and such opportunities need to be expanded in order to meet the needs of the large number of people waiting to enroll in this mandatory program.

***Transitional Services***

Transitional Services (TS) at Greene – Phase I, Thinking for a Change (T4C), Phase III and Aggression Replacement Training (ART) – had relatively higher capacity, though still with under-enrollment, than other CA-visited prisons, and relatively high ratings of Phase III and ART. Staff reported that Phase I operates as an orientation program and lasts approximately one week. T4C at Greene is a three-month program that is entirely staff-run and follows a collective behavioral therapy model that utilizes PowerPoint, audio visual equipment, and workbooks. Survey respondents’ ratings of T4C were relatively average for CA-visited prisons. For Phase III, a seven-week program at Greene, staff reported that they provide assistance for participants to create and send resumes, and obtain social security numbers, birth certificates, and Department of Motor Vehicle (DMV) abstracts. Nearly two-thirds of survey respondents reported that they were satisfied with Phase III, ranking Greene as one of the best CA-visited prisons. The level of reported satisfaction was substantially higher than our 2008 visit to Greene, when only 25% of survey respondents reported that they were satisfied with Phase III.

**Table K – Greene’s Transitional Services at the Time of the CA’s visit in 2012**

Program	Capacity	Enrollment	Waiting List	Completed 2009	Completed 2010	Completed 2011	Completed by Nov 2012
Phase I	62	41	14	1500	1860	1440	1320
T4C	63	26	1570	0	57	52	64
Phase III	88	29	1594	180	300	350	150
ART	139	54	1020	240	343	402	388
IPA	44	21	101	N/A	N/A	N/A	N/A
<b>Total</b>	396	171	4299				

With regard to the eight- to nine-week ART program, survey responses ranked Greene near the top third of CA-visited prisons for satisfaction with ART, with 45% reporting they were satisfied and an additional 35% that they were at least somewhat satisfied. Consistent with these relatively positive ratings, during the CA’s visit, the Visiting Committee observed an ART class being run by “Inmate Program Associates” (IPAs), who were in the midst of role-playing when we entered. The classroom was well-lit, had windows, and looked similar to a classroom in a community setting. In addition, many survey respondents expressed their appreciation for the dedication of the ART coordinator and the IPAs running the program. Although some survey

*[ART] taught me how to use the triggers to handle my anger and make better choices. --Anonymous*

respondents raised concerns with the program, others noted that the program helped them to be better able to cope with anger that arises and respond more effectively.

### ***Jobs***

Jobs at Greene had some positive aspects, including industry programs, and some areas of concern, including relatively poor ratings by survey participants. On the more positive side, Greene has both a small waste management recycling program employing four people, and a unique DMV calling center program that has a capacity of 40 and employed 37 people at the time of our visit. The DMV program is run by the New York State Department of Motor Vehicles and is generally an all-day shift running from morning until 4 pm. Incarcerated persons working in this program are responsible for answering calls to the DMV from the downstate area as well as out of state calls. Individuals answer general questions and, according to staff, each person answers approximately 110 calls per day. While we did not receive many comments about the DMV program from survey respondents, at least one person enrolled in the program stated that it “has good instructors and staff. It’s a challenge and keeps me busy.” In addition, incarcerated individuals can earn up to \$1.14 an hour, still much lower than minimum wage levels, but higher than other positions with pay low as less as 20 cents an hour. As such, staff indicated there is a large waitlist and DMV is one of the “most coveted positions at the facility.”

Separate from the DMV program, overall survey respondents had mixed reviews of jobs at Greene. While approximately 71% of survey participants currently held a job at the facility, 23% of respondents were sometimes or somewhat satisfied with their job and 30% of respondents indicated they were not satisfied with their current job, ranking Greene just above the bottom third of all CA-visited facilities. One of the main concerns raised by survey respondents, as across the DOCCS system, is the ridiculously low pay scales. Another main concern raised by participants was the lack of challenging, useful, or satisfying work. Indeed, 42% of survey respondents held porter positions, which often involve menial tasks with little opportunities for learning new skills. This percentage of porter positions was higher than the 34% during our 2008 visit to Greene and higher than many CA-visited prisons.

### **SUBSTANCE ABUSE TREATMENT PROGRAM**

Greene had a relatively large substance abuse treatment program that had long waitlists, appeared to incorporate the core elements of a typical ASAT program, had relatively committed staff, and received average ratings from survey respondents on a number of different elements, including staff support, the program environment, and the therapeutic nature of the program.

#### ***Program Opportunities v. Treatment Needs***

As seen in **Table L – Capacity, Enrollment, and Waitlist for Greene’s ASAT Programs**, Greene operated a relatively large ASAT and RSAT residential program at the time

of our visit,<sup>10</sup> with four total substance abuse treatment dorms. At the time of our visit, ASAT and RSAT had one vacant program assistant (PA) position, but otherwise were relatively well-staffed for the size of the program, with four Offender Rehabilitation Coordinators (ORCs) and two PAs. Greene administrators reported that the RSAT staffing items were converted to ASAT items in 2014 after a decline in RSAT funding and reallocations across the state. The change from RSAT to ASAT did not lead to any major substantive changes operationally, as the facility continued to have the same staffing allocations and around the same number of enrollments. As of October 2014, there were three ASAT ORCs, one of whom was assigned to the S-block, and four ASAT PAs. The facility continued to operate substance abuse treatment in four general population dorms, with 207 people enrolled. Despite this relatively large program, Greene did not have sufficient capacity to meet the larger need for substance abuse treatment at Greene. As seen in **Table L**, the number of people on the waitlist for treatment at Greene was more than three and a half times the total number of people enrolled in ASAT or RSAT at Greene.

**Table L – Capacity, Enrollment, and Waitlist for Greene’s ASAT Programs**

<i>Program</i>	<b>Capacity</b>	<b>Enrolled</b>	<b>Program on their recommended list</b>
ASAT	120	116	786
RSAT	108	104	(above)
Total	228	220	786

*Treatment Staff*

Survey respondents had mixed to relatively negative reviews of treatment staff. Compiling responses to a series of questions about staff and the treatment program, Greene ranked near the worst third of CA-visited prisons.<sup>11</sup> Assessments of questions specifically about how much staff support participants’ goals or are sincere in wanting to help participants ranked Greene closer to the average of CA-visited prisons. On the other hand, questions about how well participants work with staff or how satisfied participants are with their treatment ranked Greene closer to the bottom third of CA-visited prisons. These rankings are consistent with information gathered from survey comments and from staff and observation, in the sense that staff seem to have a commitment to wanting to help participants, but that due to limitations of the program and the style of interactions, participants do not believe they are benefiting from the program as much as they could. Several survey respondents expressed concerns that they were not learning in the ASAT program. As one survey respondent noted, “the class wasn’t run properly to be able to better myself.” Staff themselves expressed a desire to work with people and help them deal with their addiction issues. However, staff acknowledged limitations in their ability to do their job based on: (1) the large number of people in group meetings compared to programs in the community; (2) having all program activities in the dorm setting where there are many

<sup>10</sup> According to staff, the only difference between ASAT and RSAT is the source of funding, with RSAT being a federally funded program. The design, content, and running of the programs, according to staff, are the same.

<sup>11</sup> This ranking is based on a composite score after asking survey respondents to assess the following statements: a) the substance abuse treatment staff supports my goals; b) the substance abuse treatment staff is sincere in wanting to help me; c) I work well with my substance abuse treatment staff; d) I am satisfied with my treatment; and e) this treatment meets or exceeds expectations.

distractions and not having a space to have meaningful confidential conversations with participants about serious issues; and (3) not having enough time to provide effective individual counseling in light of all of the paperwork as well as the additional parole responsibilities following the DOCCS merger.

### ***Treatment Modality and Techniques***

While Greene's substance abuse treatment programs operate under a Therapeutic Community (TC) model and utilized many of the formal elements of a TC model, there are concerns about the degree to which those techniques are being used in a therapeutic manner. Specifically, staff and participants reported, and the CA observed, that Greene utilized many of the TC techniques, including a hierarchy and participant roles, push-ups and pull-ups, small and large group discussions, and community meetings. Yet, the ways in which those techniques were implemented in practice did not seem to necessarily serve a therapeutic purpose. For example, for the hierarchy, participants reported that the COs and/or the counselors will choose the role that participants play in the hierarchy, and participants will stay in their same role until they leave the program, as opposed to having participants have the opportunity to play different roles and earn their way up the hierarchy. Similarly there were mixed reviews of pull-ups and push-ups, with some participants saying they had some value while other participants reported that a CO will read aloud the pull-up information to the group and that the practice did not cause people to change their behavior.

Overall, taking a compilation of responses to questions about the importance of individual TC components to the program, Greene ranked in the bottom third of CA-visited prisons.<sup>12</sup> Greene also ranked in the bottom third of CA-visited prisons for participants' satisfaction with the TC techniques. In addition, survey respondents reported that there was relatively limited use of cognitive behavioral therapy (CBT) techniques in the ASAT and RSAT programs. Specifically, using a compilation of responses to questions about various components of CBT, Greene ranked in the bottom quarter of CA-visited prisons for the degree to which CBT is utilized effectively.<sup>13</sup>

### ***Program Environment***

Observing group sessions, speaking with staff and participants, and analyzing survey responses provided mixed reviews of the group sessions and the overall ASAT and RSAT

---

<sup>12</sup> The rankings derive from a compilation of responses to questions asking participants to indicate how important each of the following techniques were to their ASAT/RSAT program: (a) staff members confront unacceptable behavior outside of individual and group counseling; (b) participants frequently help each other; (c) participants who violate the program norms receive a penalty or punishment; (d) work is used as part of the therapeutic program; (e) DOCCS substance abuse treatment staff serve as role models for the participants; (f) senior participants serve as role models for newer participants; and (g) the program involves increasing privileges as participants advance.

<sup>13</sup> The rankings derive from a compilation of responses to questions asking participants to indicate how important each of the following techniques were to their ASAT or RSAT program: (a) helps participants to identify 'trigger' situations for taking drugs; (b) encourages participants to find pleasure in other things besides drugs or alcohol; (c) encourages participants to communicate with others in an assertive, but polite way; (d) emphasizes problem solving techniques to deal with frustration; and (e) helps participants to recognize errors in thinking.

program environment. On the more positive side, participants reported that the group sessions involve a variety of different activities, with the counselors sometimes running groups, and participants sometimes running groups; and with group sessions involving a mixture of videos, activity sheets, and discussions. Also positively, during our visit, the CA observed some group sessions in which it seemed that the counselor and the participants were very engaged.

On the other hand, even during the sessions the CA observed, staff appeared to be using overly confrontational styles. Similarly, some participants during our visit and in survey responses reported that the program environment was overall quite disciplinary in nature, rather than therapeutic, and that staff were focused on the breaking people down part of the program as opposed to building people back up and supporting them. Other participants and survey respondents noted abuse by security staff in the ASAT and RSAT programs. Related to this concern about discipline, participants described a practice called “the bag” that is reportedly often utilized in the program. According to participants, if someone allegedly violates minor rules of the program, such as having a locker unlocked or talking back to a staff member, security staff will require them to put all of their personal belongings into a potato sack for up to seven days, and sometimes longer, including at times putting wet clothes in the bag. Participants also reported that staff will sometimes extend this practice for longer periods when people accumulate bag time when they allegedly violate a rule while they already have their belongings in a bag. While it is positive that the facility is using mechanisms other than disciplinary tickets or kicking people out of the program to respond to alleged misconduct, the potential minor nature of the conduct resulting in the use of the bag, the overly disciplinary nature of the response, the potential unsanitary nature of the practice, and the potential for abuse of the bag all raise some concerns. Greene administrators reported in October 2014 that the bag is intended as an alternative to giving someone a disciplinary ticket and kicking the participant out of the program, and that they monitor the use of the bag, such that after someone is given the bag, an executive team member can assign the person what they described as a therapeutic intervention, such as a writing assignment or a cleaning project. Again, while it is positive that the facility is utilizing alternatives to disciplinary tickets and program removals and is monitoring the use of the bag, other more therapeutic alternatives would be a preferable response without the use of the bag. Also of concern was whether Spanish language dominant students were able to fully participate in the program. Positively, at least one of the instructors in the program was Spanish-speaking and able to translate portions of the group sessions, but as observed during our visit and as stated by some participants, that instructor only translated some parts of the questions and discussion points, while the rest of the session is conducted in English.

*This program was about putting down [incarcerated persons]. - Anonymous*

Overall, consistent with these mixed assessments, when asked questions about the degree to which the program created an environment that fostered communication and an opportunity for growth, survey responses ranked Greene about average for CA-visited facilities.<sup>14</sup>

---

<sup>14</sup> More specifically, this ranking was based on a compilation of answers to statements such as, “We have open and frank discussions about our differences,” “Disagreements are generally resolved fairly,” “Participants are divided into small groups or cliques that do not communicate well,” “Most viewpoints are given serious consideration.”

**MEDICAL CARE**

In comparison to other prisons visited by the CA, medical care at Greene was marked by low utilization, average or better-than-average access to care, below-average assessments of overall quality of care, average ratings of the quality of clinic provider care, and very poor ratings of the quality of sick call. As seen in **Table M – Summary of Greene Survey Responses about Prison Medical Care**, nearly 93% of survey respondents rated overall medical care at Greene as fair or poor, with more than 50% rating it as poor, ranking Greene in the worst quarter of CA-visited prisons.

**Table M – Summary of Greene Survey Responses about Prison Medical Care**

Medical Service	Yes	Sometimes	No	Good	Fair	Poor	Rank**
Rate overall healthcare				7%	41.5%	51%	<b>30</b>
Can you access sick call when needed	50%	38%	12%				<b>23</b>
Rate sick call nursing care				7.5%	28%	65%	<b>37</b>
Do you experience delays in seeing a clinic provider?*	30.7%	33%	26.4%				<b>14</b>
Rate physician care				17.4%	35.5%	47%	<b>17</b>
Experience delays in specialty care	30%	20%	50%				<b>8</b>
See specialist in last 2 years	22%		78%				
Good follow-up to specialists	45%		55%				<b>13</b>
Problems getting medication	32.5%	20%	48%				<b>17</b>
Rate dental care				34%	43%	23%	<b>9/26</b>

\* The three categories for this variable are: Yes=Frequently; Sometimes=Once or once in a while; and No=Never.

\*\* Ranking is from best (1) to worst (41) out of 41 prisons surveyed.

***Utilization and Access to Medical Care***

Not surprisingly, given that Greene has such a young population, survey respondents reported less frequent attempts to obtain medical care, at all levels, than at most CA-visited prisons. Specifically, survey respondents reported less frequent usage of sick call than almost 80% of CA-visited prisons, with only 10% of survey respondents reporting that they frequently requested sick call, although an additional 58% reported that they request sick call once in a while. Similarly, survey respondents reported less frequent clinic provider appointments than 70% of CA-visited prisons, with 15% reporting they saw a doctor frequently in the last year. Even starker, 78% of survey respondents reported that they had not seen a medical specialist in the last two years, one of the few lowest utilization rates of CA-visited prisons.

Potentially related to this seemingly lower level of need for medical care at Greene compared to other CA-visited prisons, Greene had generally better than average assessments of access to physician care and specialty care. With respect to clinical providers, at the time of our visit, the facility reported that they were authorized for, and employed, two part-time doctors,

one full time doctor, and one nurse practitioner. Clinic providers see patients four days a week in the general population and two days a week in the S-block, and the facility estimated that clinic providers see an average of 300 general population patients and 40 S-block patients per month. The 1:590 provider-to-patient ratio is substantially worse than the system-wide ratio of 1:450. Moreover, Greene administrators reported in October 2014 that the clinical provider capacity had decreased further, as they had a part-time physician vacancy and had only one and a half doctors and one nurse practitioner. Still, again perhaps because of the lower need for medical care, survey respondents reported fewer issues with delays in seeing clinic providers than at almost two-thirds of CA-visited prisons. The median time reported by survey respondents to see a doctor at Greene was 30 days, equal to the median time for all CA-visited prisons. Greene also ranked better – in the top fifth for CA-visited prisons – for reported delays in specialty care, with 50% of survey respondents reporting that they did not experience delays in seeing a specialist.

Greene did face more problems with access to nursing care, likely in part due to a large number of nursing vacancies. Sick call is conducted four days a week in general population, typically in the morning from 6:30 am – 8:00 am, and is conducted seven days a week in the S-block. The facility estimated that nurses see approximately 400 general population patients and 150 S-block patients per month. The facility also estimated that it sees approximately 120 patients per month for emergency sick call. Although Greene had authorization for 14 full-time equivalent nurses, it had six nursing vacancies at the time of our visit and employed only seven full-time nurses, two half-time nurses, and two per diem nurses. Staff indicated that the two per diem nurses each work part time to fill a full time slot and that the facility was looking to hire an additional two per diem nurses. Also, staff reported that they utilized four agency nurses, and that the facility had received authorization to fill two of the nursing vacancies. Still, with more than 40% of its nursing positions vacant, even assuming that all four agency nurses continued to be utilized and worked full time, Greene had a patient to non-per diem nurse ratio of 147:1, substantially higher than the 100:1 DOCCS average ratio. Not surprisingly, given the high patient to provider ratio, even with the lower demand for medical services by the young population at Greene, survey responses ranked Greene in the bottom half of CA-visited prisons for whether survey respondents experience delays in accessing sick call. Positively, some of the nursing capacity shortages had been filled as of October 2014, when there were 10.5 full-time equivalent nurses working at Greene.

### *Quality of Medical Care*

Separate from questions of access to care, survey respondents gave mixed reviews of the quality of medical care received, with relatively average ratings of physician care, positive ratings of follow-up to specialty care, and poor ratings of sick call. Specifically, as seen in **Table M**, assessments of the quality of clinical provider care ranked Greene in the top half of CA-visited prisons, though with still nearly half of survey respondents rating such care as poor. Survey comments gave mixed reviews of physician care, with some praising doctors as providing quality care, while others reported concerns about competency and staff attitudes toward patients. Also, more than half of survey respondents reported that interactions with medical staff were not always confidential. Slightly better in comparison to other prisons, 45% of survey respondents reported that they received good follow-up to specialists' recommendations,

which was still less than half of survey respondents but ranked Greene in the top third of CA-visited prisons.

In contrast to these comparatively positive rankings, almost two-thirds of survey respondents rated sick call as poor and only 7.5% rated it as good, ranking Greene among the worst of CA-visited prisons. Many survey respondents complained about attitudes of nursing staff, reporting that many nurses are often disrespectful toward patients, talk to patients in a degrading manner, do not care about treating patients, often do not believe patients' ailments, and provide the same basic pain medication regardless of patients' condition. As one survey respondent reported with respect to nurses, "because they don't care, they are disrespectful and never do their job right; they misdiagnose people and don't tend to the needs of their patients." Similarly, another stated that the medical "staff treats you less than human. We are in prison, but we are still human beings."

*The nurses are the worst; they don't care about us at all. --Anonymous*

### ***Medications***

Greene does not have its own onsite pharmacy and staff reported that general medications are distributed from Kinney Drugs while psychotropic medications – which represent about half of the medications distributed – are delivered from Coxsackie C.F. The facility provides four medication runs per day, and all medication distribution takes place in the medical area, meaning that – somewhat problematically – people from the other side of the prison have to walk there to obtain their medications. Similarly problematic, patients must come to the medical area to drop off their medication refill requests. Overall, as seen in **Table M**, Greene ranked slightly better than average among CA-visited prisons concerning medication services, with almost half of survey respondents reporting that they did not have problems receiving their medications.

### ***Care for Patients with Chronic Medical Problems***

Not surprisingly given Greene's young population, 33% of survey respondents reported they suffer from a serious or chronic medical problem, one of the lowest rates among CA-visited prisons. **Table N – Summary of Individuals at Greene with Chronic Medical Conditions** details the prevalence of chronic medical conditions, number of infected patients, percentage of the prison population with the condition, the number of patients receiving treatment at the time of our visit, and the percentage of the affected population receiving treatment for their condition.

**Table N – Summary of Individuals at Greene with Chronic Medical Conditions**

	<b>HIV</b>	<b>AIDS</b>	<b>HCV</b>	<b>HIV &amp; HCV</b>	<b>Asthma</b>	<b>Diabetes</b>	<b>Hypertension</b>
<b>Infected</b>	36	15	78	15	364	65	128
<b>% Infected</b>	2.04%	0.85%	4.41%	0.85%	20.59%	3.68%	7.24%
<b>Treated</b>	32		0	0	364	65	119
<b>% Treated</b>	88.89%		0%	0%	100.00%	100.00%	92.97%

As seen in **Table N**, the facility has a relatively low number of identified people infected with HIV, HCV, and diabetes, and a relatively high percentage of people with asthma.

Positively, the facility reported high percentages of people with asthma, diabetes, and hypertension receiving treatment. Of concern, the percentage of people at Greene identified as infected with HIV – 2.04% – is substantially lower than the 5% to 6% of the entire DOCCS population believed to be infected with HIV. More positively, 89% of those infected with HIV were receiving treatment at the time of our visit. For hepatitis C, again the small percentage of people identified as being infected with HCV – 4.41% – is substantially lower than the DOCCS-wide average of 8.0%, although the low percentage could in part be attributable to the young population at Greene. Of concern, staff reported that not one person was receiving hepatitis C treatment at the time of our visit. The facility reported that one person had received hepatitis C treatment in 2010, four people in 2011, and two people in 2012.

### *Dental Care*

At the time of our visit, Greene employed two full-time dentists, one full-time dental hygienist, and two full-time dental assistants. Staff estimated there are more than 200 patient visits to the dental office per month, with approximately 10% as emergency visits, 30-40% cleanings, and 30% restorative care. Staff reported that oral surgeons come to Greene one to two times per month to do extractions. Overall, general survey responses rated Greene in the top third for an assessment of the quality of dental care, with 77% of survey respondents rating such care as either good or fair. In addition, the S-block has its own dental area that provides services three or four times per week and dental staff see an estimated 50-60 patients per month. Dental care in the S-block at Greene was rated more poorly, with only 55% of survey respondents rating dental care as good or fair, ranking Greene's S-block in the bottom half of CA-visited SHU units.

### **MENTAL HEALTH**

Greene is an Office of Mental Health (OMH) level 3 facility, meaning there are part-time OMH staff who are tasked to provide treatment and prescribe medication to incarcerated people who have moderate mental health needs. As of October 2014, there were two OMH staff assigned to Greene, one for general population and one for S-block, in addition to a Unit Chief who is based at another facility and a psychiatrist who comes to Greene once a week. As of May 2012, there were 112 people incarcerated at Greene who were on the OMH caseload, as of April 2013, there were 135 people on the OMH caseload, and as of October 2014 there were 151 people on the OMH caseload, thereby representing between six and nine percent of the total prison population at Greene, and indicating a steady increase in people with mental health needs of more than one-third in two years. A large number of survey respondents reported that they had received mental health services in the past but were not on the OMH caseload at Greene, raising some concerns about whether OMH is failing to identify and diagnose a number of people with mental health needs. Specifically, 49 survey respondents, or roughly one-third of respondents who answered the question, reported that they had ever received, been recommended for, or attempted to use mental health services since being incarcerated, while only 17 of those individuals, or 35%, were on the OMH caseload at Greene. In fact, 11 survey respondents had reported being removed from the OMH caseload while at Greene in 2011 or 2012. Similarly, as noted above, in the S-block, while around 63% of survey respondents reported they had received, been recommended for, or attempted to use mental health services in the past, only a couple

people were currently on the OMH caseload and two people had been removed from the OMH caseload in 2011 or 2012.

As across all DOCCS prisons, given that Greene does not have any residential mental health units, there is also a concern about facility's ability to provide mental health care to people in general population. At the time of our visit, there was no group therapy or other services other than medications and brief encounters with individual therapists. Also of concern, Greene administrators reported in October 2014 that many one-on-one mental health encounters occur via teleconference. Positively, Greene administrators reported that OMH began providing some group therapy in September 2013, a relatively unique opportunity across DOCCS prisons for people in general population. Specifically, as of October 2014, there were four to six group sessions held weekly, lasting approximately one hour, with roughly 10 participants in each session. According to Greene administrators, every person on the OMH caseload participates in at least one group session per month. It is very positive that OMH has begun implementing group therapy opportunities, and such opportunities should be expanded to allow for more frequent sessions. Overall, only 15% of survey respondents rated mental health care at Greene as good, 59% rated it as fair and 27% as poor, ranking Greene just below average for CA-visited prisons. Filtering to just those who had been on the OMH caseload at Greene, assessments were slightly more positive though still about average for CA-visited prisons, with 22% rating care as good, 49% as fair, and 29% as poor. These slightly improved ratings potentially indicate that some negative ratings were partly due to insufficient access to mental health care.

Almost 80% of survey respondents reported that self-harm never occurs at Greene, ranking Greene in the top third of CA-visited prisons. However, 7% of respondents reported they themselves had attempted self-harm at Greene at least once. Of concern, only 10% of survey respondents who reported having attempted to harm themselves reported that they were sent to the RCTP after such attempts and none reported being sent to CNYPC, while 15% reported being sent to the SHU and half stated that the facility did nothing in response. Also, when asked about the facility's response to incidents of self-harm in general, similar to the average CA-visited prison for which we have comparable data, around 71% of survey respondents reported that the facility did not discuss such incidents at all, whether in programs, special meetings, individual meetings, or even through the provision of educational materials. In October 2014, Greene administrators indicated that they had developed a new lesson plan about suicide prevention in 2014 and conducted a three-hour training with IPAs, who were supposed to bring the knowledge learned to their Community Lifestyles meetings. Such efforts are positive, and more trainings, discussions, and other preventive measures should be utilized and expanded.

## **ADDITIONAL PROGRAMS AND SERVICES**

### ***Community Lifestyles***

Greene is one of two facilities in New York State that has a Community Lifestyles program. According to DOCCS, Community Lifestyles is a dorm based, "residential self-help program" that operates facility-wide and is intended to create "positive, participatory

communities where [incarcerated persons] enhance and practice their social living skills.”<sup>15</sup> The main component of this program consists of participant-run groups in the dorm that take place at different times throughout the facility and involve introducing new members, sharing general feelings, and discussing negative feelings, challenges or issues that arise. During our visit, participants in the program reported that the quality of the meetings varied considerably by dorm, with several incarcerated persons expressing dissatisfaction with the meetings as being a “waste of time” or “non-existent.” Staff also indicated that whether the program is successful strongly depends on the Correctional Officers assigned to the unit and to those in the dormitory. In October 2014, Greene administrators reported that in early 2014 they had developed a curriculum related to pro-social life skills and trained IPAs on those skills. In turn, the IPAs – roughly 89-100, with a goal of having four IPAs per dorm – were intended to present some of the lessons learned to their dorm through the Community Lifestyles meetings. Although the Visiting Committee did not extensively investigate the program, based on our interactions with staff and participants, it did not appear that overall Community Lifestyles had a major impact, positive or negative, on daily living at Greene, although it could at times provide an opportunity for participants to share ideas and/or address issues in the dorm.

### ***Visiting Room***

The general visiting room is open at Greene from 8:30 am to 3:00 pm on Saturdays and holidays, and 8:30 am to 3:00 pm and 5:00 pm to 9:30 pm on Sundays. At the time of our visit, there were 76 tables in the visiting room, each with four chairs, and the total capacity of the room itself was 450 people. In addition, there is a non-contact visiting area used for S-block visiting hours, which run from 5:00 pm to 9:30 pm on Saturdays. The visiting room also had a children’s area that had a large Disney mural on the wall. Positively, staff reported that, unlike at some facilities, incarcerated persons were allowed to be with their children in the children’s area. The visiting area had 10 vending machines, two microwaves, and two change machines.

Overall, 62% of survey respondents said that they were at least somewhat satisfied with the visiting services at Greene, ranking the facility in the top 40% of CA-visited prisons, and providing much higher ratings than at the time of the CA’s 2008 visit when only 44% reported being somewhat satisfied. Some incarcerated persons interviewed during our visit reported the treatment of visitors was relatively good at Greene, though some complained that there are times when visitors are kicked out early, even as early as 11 am because of a lack of capacity.

### ***Commissary***

The commissary employs two civilian workers and four or five incarcerated men. The hours of the commissary are Monday through Friday from 8:00 am- 2:00 pm. The commissary had three windows, two of which are typically open during business hours. Each housing area is called down to commissary once every two weeks. Staff indicated that the size of the commissary was small compared to other prisons of its size, noting that Greene was originally built to accommodate only 500 incarcerated persons and when the number of people incarcerated

---

<sup>15</sup> Community Lifestyles, Transitional Services Programs, DOCCS available at: <http://www.doccs.ny.gov/ProgramServices/transitional.html#cl>.

increased to triple that number, some spaces and services, such as commissary, were not able to expand accordingly. As a result, storage space was limited in the commissary and goods had to be brought in more frequently. Staff reported that items in the commissary include, amongst other items, frozen chickens, cakes, bread, snack food, drinks, spices, cosmetic items, and tobacco. People incarcerated at Greene are limited to \$55 for food and cosmetics. Items such as utensils (i.e. hot pots), cigarettes and stamps may be purchased on top of that \$55 limit. Staff estimated that an average cost of one trip to the commissary ranged between \$26 and \$28. Staff estimated that around 40% of the items in the commissary were locally purchased.

Overall, around 47% of survey respondents reported that they were at least somewhat satisfied with commissary, ranking Greene in the middle of CA-visited facilities. This level of satisfaction gave a much better ranking than when the CA last visited Greene at which time more than three-quarters of survey respondents reported being dissatisfied with commissary and the facility was one of the worst ranked CA-visited prisons. Some incarcerated people did complain that delays in receiving money orders could lead to people missing their commissary buys.

### ***Mess Hall***

Food services at Greene received poor ratings on par with average negative ratings of food services across DOCCS. Greene does provide a large number of meals, as staff estimated that between around 1,000 to as high as 1,500 incarcerated persons could attend a given meal. Overall, only 6.2% of survey respondents reported that they were satisfied with food services, while 68% reported they were not satisfied. These ratings ranked Greene in the middle of CA-visited prisons, indicating both that incarcerated persons are dissatisfied with food services across the DOCCS system and that Greene is about average for DOCCS food service. Looking more closely at the reasons for the ratings, more positively survey respondents rated the nutritional content of the food relatively well compared to other CA-visited prisons, while Greene ranked relatively poorly with respect to food quality, food temperature, tray/utensil cleanliness, and the amount of time to eat.

Indeed, one major complaint about the mess hall raised by survey respondents was the difficulties getting to the mess hall and in turn the short amount of time provided for eating. Individuals incarcerated at Greene are called to the mess hall in order of their housing groups, rotating between the three mess halls available at Greene. Just prior to our visit, the facility had implemented a new system of eight checkpoints, approximately 30 feet apart, along the way to the mess hall. Additionally, as we reported in 2008, people on their way to mess hall are required to stand outside in an uncovered area that is open to the elements, as they wait for the housing area to gain entrance into the mess hall. Between the checkpoints and the waiting outside, in the end, staff estimated that people have approximately 15 minutes to eat in the mess hall, although some incarcerated persons reported that people sometimes have as little as five minutes to eat. Nearly 77% of survey respondents reported they were not satisfied with the amount of time to eat, ranking Greene as the worst among the CA-visited facilities for which we have comparable data. Ultimately, some incarcerated people reported that the new checkpoints, the waiting outside in the elements, and the short time to eat prevented some people from even coming to meals.

### ***Volunteer and Other Programs***

Greene operates several volunteer and other programs at the facility. With respect to volunteer programs, Greene has some programs often seen at other DOCCS facilities, such as Alcoholics Anonymous, Narcotics Anonymous, and various religion-based programs, such as Catholic Bible Study, Jehovah Witnesses, Orthodox Jewish Studies, Residents Encounter Christ, and Kairos Prison Ministry. Also, Greene has some additional positive volunteer programs, including Alternatives to Violence Project (AVP), creative writing, speech pathology, and Getting Out/Staying Out. In addition to these volunteer programs, Greene offers a fatherhood program with a capacity of 20 and 13 participants at the time of our visit.

### ***Yard and Gym***

Greene has two gyms on two sides of the facility that are open all year round and a yard that is open when the weather is appropriate. Sometimes people are able to engage in open recreation in the yard or gym, while there are also opportunities for people to sign up for specific classes, including a wellness program and a weight fitness program. People are also able to participate in a number of different organized leagues, including softball, basketball, outdoor soccer, handball, weight training, indoor volleyball, and chess tournaments.

### ***Library***

The Visit Committee toured the General Library and spoke with the librarian. Compared to other CA-visited prisons, Greene's library was relatively well staffed, provided decent access to incarcerated persons, and received average ratings by survey respondents. At the time of our visit, Greene had a full-time librarian and a part-time civilian clerk. The library utilizes four incarcerated persons as clerks. With one and a half civilian staff positions, the library was open Mondays through Saturdays, for a total of 31 hours per week. The library's capacity is 40 persons, and, according to staff, it usually fills to capacity on most evenings. While reaching capacity is a positive in that persons who are incarcerated are utilizing the library, it also indicates there may not be enough room for all persons seeking library services. There was one computer with an online card catalog and three computers for limited vocational use such as simulating job applications and transitional career planning. According to staff, the library has 15,000 books and 268 books in Spanish. Incarcerated persons can check out two books every two weeks. The librarian sends a cart to the S-block every 60 days, with 400 books (non-fiction, fiction and Spanish) and magazines that are rotated. The SHU receives 60 books every 60 days, and people are allowed to request materials. Staff in the college program indicated that the librarian has been very supportive of students who are given some limited opportunities to use the library for research. Overall, more than 70% of survey respondents were at least somewhat satisfied with the library, ranking Greene just above the average of all CA-visited facilities.

### ***Law Library***

The Visiting Committee also toured the law library, which is staffed by two COs, one of whom is a notary public, one inventory clerk, and four incarcerated clerks. According to staff,

the law library hours are from 1:00 to 3:00 p.m. and from 5:30 to 8:45 p.m., seven days a week. The law library at Greene had some relatively positive aspects and some small areas of concern. Positively, every six months, Greene provides legal research training for people to become law clerks, a training that takes two to three months to complete. Also positively, some incarcerated persons reported that the law library typically does not reach capacity and that incarcerated persons can typically visit the library 24 hours after a request is made. Additionally, if an incarcerated person has a large project, he can gain access to the law library on continuous days. The law library was switched over to the computer-based system in 2010, although it still had hard copies of some books, and there were almost 20 work stations equipped with computers. In addition to these positive aspects, one concern was that there were no bilingual law clerks at the time of our visit, raising questions about the ability of non-English-dominant speakers to get the legal assistance they might need. Also, incarcerated persons expressed frustration about the inability to save documents, and as a result, having to retype documents each time they are needed or modified. Overall, over two-thirds of survey respondents reported being at least somewhat satisfied with the law library, ranking Greene in the top quarter of CA-visited prisons.

### ***Mail and Package Rooms***

Individuals at Greene expressed some frustrations with mail and package room services. Staff reported that there are four staff members in the mail room, as well as a correction officer who works in the package room full-time, five days a week, plus an additional officer who works in the package room two days a week. For the package room, staff indicated that when a package comes in, the correction officer working in the package room will search the package and decide if the package or any part of it is not able to be brought into the facility, and if something is not allowed in, then the intended recipient can decide whether to donate (staff reported that all donations go to U.S. soldiers in Iraq and Afghanistan), return, or destroy the package or prohibited item. Staff indicated that items that tend to be barred from entering the facility include clothes (such as those in orange, black, gray, and blue colors), food (including noodles and pasta), and pictures (that involve prohibited items such as nude pictures or alcohol images). Greene administrators reported in October 2014 that they had taken some steps in the last year to try to address concerns in the package room. Specifically, the facility began to review package issues in the fall of 2013, and then approximately six months later, Greene assigned one captain to select two packages per week at random and stays with the package throughout its processing until it is received by the recipient. In addition, two captains were assigned at that time to respond to complaints in the package room.

Overall, nearly 64% of respondents expressed dissatisfaction with the mail and package rooms, ranking Greene in the middle of CA-visited facilities. Looking at specific reasons for the ratings, as seen in **Table O – Mail and Package Rooms**, the areas of relatively *least* concern to survey respondents included censoring of mail, delays in outgoing mail, having legal mail opened outside of recipients' presence, and having packages destroyed. On the other hand, the areas of *most* concern related to delays and non-delivery of mail and packages and most substantially having missing package items. Specifically of most concern, 85% of survey respondents reported

*Some officers send your mail back and your packages 80% of the time are tampered with. --Anonymous*

they had experienced having missing items in a package, ranking Greene as one of the worst of the limited CA-visited facilities with comparable data. Also, several survey respondents indicated that there is a lack of consistency in the process of determining what items are approved. One survey respondent wrote that there are “different COs in the package room all the time. The rules and regulations change and there is no consistency on what you can or can’t have.”

**Table O – Mail and Package Rooms**

	Yes	No	Rank out of 13
<b>Outgoing mail delayed or not received</b>	48%	52%	<b>2</b>
<b>Incoming mail delayed or not received</b>	82%	18%	<b>7</b>
<b>Mail inappropriately censored</b>	12%	88%	<b>1</b>
<b>Legal mail opened outside of presence</b>	19%	81%	<b>3</b>
<b>Package delayed</b>	56%	43%	<b>8</b>
<b>Package not delivered</b>	20%	80%	<b>8</b>
<b>Items in package were missing</b>	85%	15%	<b>13</b>
<b>Items in package were destroyed</b>	48%	52%	<b>4</b>

**PAROLE**

Greene had relatively low parole release rates, even worse than the very low system-wide averages for medium security prisons. According to data received from DOCCS Central Office through a FOIL request, only 17% of those who went to the Parole Board at Greene for the first time between April 2011 and March 2012 were released, similar to the very low average approval rate for medium security prisons of 18%. Aggregating all types of parole decisions over the same period (including initial appearances, merit time decisions, reappearances, and technical parole violators/conditional release cases that have approval rates as high as 90%), data shows that only 25% of applicants at Greene were released. This approval rate was substantially lower than the system-wide average for medium security prisons of 34%. Moreover, the low approval rates become even more acute when looking solely at general appearances before the Board – not including conditional release and parole violator cases that typically have over 90% approval rates system-wide – in which the Board is giving full consideration to the case. As seen in **Table P – Parole Release Rates at Greene**, according to data received from Greene, less than 17% of parole applicants were granted parole for the period from 2010 to 2012.

**Table P – Parole Release Rates at Greene**

<b>Parole Release at Greene</b>	<b>2010</b>	<b>2011</b>	<b>2012 (as of Nov 8 2012)</b>	<b>Total: 2010-2012</b>
# Board Appearances	598	536	550	1684
# Granted	102	76	103	281
<b>% Granted</b>	<b>17%</b>	<b>14%</b>	<b>19%</b>	<b>16.7%</b>

Compared to some prisons, the low denial rates did not impact as much of the population at Greene. Given the young demographics and relatively short sentences of the prison population

at Greene, it may not be surprising that only a quarter of survey respondents reported that they had been denied parole in the past. Of concern, however, 37% of these individuals had been denied multiple times, with two people reporting that they had been denied parole eight times as of the time of our visit. Also of concern, the two main reasons reported for denials, as across the DOCCS system, were the seriousness of the crime of conviction and prior criminal history. As one survey respondent reported, “the day I saw the Board, about 50 people went too. No one made it. No disciplinary record, no refused programs . . .” As at other prisons, denying people parole based on the nature of their crime of conviction or past criminal history – two factors that can never change – raises concerns about whether the Board is fulfilling its proper role of evaluating a person’s current risk to the community, degree of rehabilitation and growth, and readiness for return to the community. Also of concern related to the basis for parole denials, more than at most CA-visited prisons, failure to complete a program was the third most cited reason for denial, raising concerns about the impact of the lack of sufficient programming opportunities described above. Indeed, a number of people incarcerated at Greene raised the issue that they are not given access to all their required programs in time for their parole hearing.

*Parole needs to release [people] who are not a threat to society . . . and stop discriminating [against a person] based on an individual’s past history. --Anonymous*

Separate from Parole Board decisions themselves, information provided by staff and incarcerated persons raised some concerns about the process of the merger of DOCS and Parole into DOCCS at Greene, and the ways in which the implementation of the use of COMPAS has taken place. With respect to the merger, at the time of our visit in November 2012, Greene had almost completed the merger process. All of the former correction counselors who were now Offender Rehabilitation Coordinators (ORCs) had undergone training in how to perform parole functions and were starting to undertake a small number of parole cases, with the full merger and thus fully merged caseloads anticipated to be completed by December 2012. Like at many facilities across the DOCCS system, former facility parole officers (POs) who were now ORCs expressed great unhappiness at the merger process. Two of the four former POs had left Greene to work in a field office, leaving the remaining former POs to take on the caseloads of those who had departed until the merger had fully taken place. Specifically, staff reported that caseloads had doubled from 22 cases per month in February 2010 to 45 cases per month at the time of our visit because the former correction counselors only each had one or two cases. This doubling of caseloads raises serious concerns about staff’s ability to carry out their functions properly and in turn about whether parole applicants during the transition period were able to have their documents properly before the Board. Hopefully, once the merger was fully completed, caseloads would have returned to previous levels. Also of concern, staff reported that as of the time of our visit, there had not yet been any training for former POs on the guidance functions of the merged ORC positions, and that there was scheduled just one afternoon of training prior to the full implementation of the merger in December 2012, raising concerns about whether DOCCS has under-prioritized the importance of the guidance functions. Greene administrators reported in October 2014 that the merger process had been fully completed, and that there was only one former PO currently working at Greene. On a relatively positive note, the administration indicated that one of the ORCs at Greene was Spanish-speaking.

In addition, the discussion of the COMPAS by staff raised concerns about whether staff were potentially undermining the implementation of the COMPAS. Staff at Greene complained that COMPAS took away their ability to exercise their own judgment, that people convicted of serious offenses could come out with low risk scores, and that 16- and 17-year-olds were almost always coming out with high risk scores regardless of other factors. On the one hand, the statement about young people always being given higher risk scores could raise a legitimate question of whether COMPAS is as effective as it could be in assessing risk, and particularly for young people, whether COMPAS adequately assesses young people's accomplishments while incarcerated or their comparison to other young people who are not incarcerated. On the other hand, such comments also indicate potential misunderstanding, confusion, or bias about objective, evidence-based risk assessments, and provide justification for exactly why COMPAS or other risk assessment tools should be used – in order to not have decisions about parole release made based on subjective hunches and rather have them be based on objective, evidence-based criteria. Specifically, skepticism around low risk scores for people convicted of serious crimes indicate that some staff could improperly view a person to be a high risk simply based on the nature of the person's crime of conviction, when objective evidence-based factors in fact indicate a low risk. Such skepticism of COMPAS, and particularly questioning of the very purpose of using risk assessments to make decisions more objective and evidence-based, raises concerns about whether staff could be undermining the implementation of COMPAS either through overrides or simply through the manner in which they complete COMPAS answers, submit other parole paper work, or interact with Parole Board Commissioners. Additionally of concern, like at most DOCCS prisons, all parole hearings at Greene are taking place via video-conference, denying people the opportunity to meet face-to-face with the parole commissioners who will decide whether they will obtain their freedom or remain incarcerated.

### **RECENT DEVELOPMENTS AFFECTING 16 & 17 YEAR-OLDS AT GREENE**

As noted above, there have been some recent developments directly impacting 16- and 17-year-olds incarcerated at Greene C.F.:

- a) national adoption of the federal Prison Rape Elimination Act (PREA) standards;
- b) an interim stipulation of a lawsuit that impacts the general housing and solitary confinement of 16- and 17-year-olds;
- c) the creation by Governor Cuomo of a NY Commission on Youth, Public Safety, and Justice tasked with issuing recommendations with regard to raising the age of criminal responsibility in New York State; and
- d) increased attention by the Greene administration regarding the treatment of 16- and 17-year-olds.

With regard to PREA, this federal law passed in 2003, and had implementing standards that were adopted in June 2012 and became effective in August 2012. PREA requires states to have at least one third of their facilities audited by August 20, 2014 to be in compliance. Most relevant to the treatment of 16- and 17-year-olds at Greene, PREA requires that 16- and 17-year-olds be housed in completely separate housing units from other older incarcerated persons, including that there be no shared day room or other common space, shower area, or sleeping

quarters. In addition, PREA requires that in areas outside of housing units, there either be complete “sight and sound” separation between 16- and 17-year-olds and adults or there be direct staff supervision. Finally, PREA calls upon states to avoid placing 16- and 17-year-olds in isolated confinement as a means of implementing PREA compliance.<sup>16</sup> While the PREA requirements are not mandatory for states to implement, states that are not in compliance with the PREA standards will lose federal funding.<sup>17</sup>

In a related manner, with respect to the lawsuit stipulation, on February 19, 2014, DOCCS agreed to an interim stipulation with the New York Civil Liberties Union, other attorneys, and their incarcerated person clients in a potential class-action lawsuit about the use of solitary confinement in New York State prisons.<sup>18</sup> The two main aspects of the stipulation that directly impact Greene include: 1) the mandatory creation of separate housing units for 16- and 17-year-olds in general population and 2) new requirements related to disciplinary confinement of 16- and 17-year-olds. Specifically, with respect to the first, in line with the PREA requirement of separate housing units: the stipulation requires DOCCS to provide separate general population housing for 16- and 17-year-olds, including in a 50-bed dormitory at Greene for 16- and 17-year-olds who have a medium security classification.<sup>19</sup> Second, the stipulation requires that, other than in exceptional circumstances, 16- and 17-year-olds sent to disciplinary confinement be offered five hours of out-of-cell time, five days a week, and that there be separate disciplinary confinement units for 16- and 17-year-olds, including an eight-bed separation unit at Greene.<sup>20</sup> The stipulation calls upon DOCCS to implement these provisions “as soon as practicable” and no later than 18 months from the signing of the stipulation.

According to information gathered from people incarcerated at Greene, as of May 2014, the facility had not yet implemented the policy changes agreed to in the lawsuit stipulation and in line with the PREA regulations, but had begun to take steps toward implementation. Specifically, the facility had designated parts of two dorm buildings, F and G, as the residential units for the 16- and 17-year-olds at Greene, and had begun construction in the academic program area in order to have additional classrooms for 16- and 17-year-olds. In October 2014, the Greene administrators also reported that implementation had still not yet occurred. As discussed further below, 16- and 17-year-olds in general population at Greene continue to reside and program with adults and people of all ages. Also, as noted above, DOCCS continues to hold 16- and 17-year-olds in isolated confinement in the S-block in the same unit as others held in isolation, and these

---

<sup>16</sup> *Youthful Inmates*, National PREA Resource Center, available at: <http://www.prearesourcecenter.org/node/1067>.

<sup>17</sup> PREA requires that each state either be in compliance with the PREA standards, utilize at least five percent of its Department of Justice (DOJ) funding to become in compliance with those standards, or otherwise receive a five percent reduction in its DOJ funding. See *Frequently Asked Questions: Governor’s Certification*, National PREA Resource Center, available at: <http://www.prearesourcecenter.org/faq#n2233>.

<sup>18</sup> *Leroy Peoples, et. al.v. Brian Fischer, et. al.*, Docket Number 11-CV-2964 (SAS), Stipulation for a Stay with Conditions, available at: [http://www.nyclu.org/files/releases/Solitary\\_Stipulation.pdf](http://www.nyclu.org/files/releases/Solitary_Stipulation.pdf).

<sup>19</sup> The stipulation also requires Woodbourne C.F. to designate a 30-cell general population housing unit for 16- and 17-year-olds with a medium security classification and Coxsackie C.F. to designate a 22-cell general population housing unit for 16- and 17-year-olds who have a maximum security designation.

<sup>20</sup> The stipulation requires that any 16- or 17-year-olds with disciplinary confinement sanctions of less than 30 days be held in separate units at Woodbourne or at Greene, and that 16 or 17 years with more than 30 days of disciplinary confinement sanctions be held in a 22-cell separate housing unit at Coxsackie.

children are not receiving any additional out-of-cell time, programs, or services, let alone the five hours a day, five days a week agreed to in the stipulation.<sup>21</sup> Greene administrators reported in October 2014 that they were still in the early stages of construction, which involves modification of existing structures, of: 1) the eight-person separation unit; 2) two recreation pens for the separation unit for congregate recreation of up to four people in each pen; 3) and the 50-person general population dorm and program areas.<sup>22</sup> In addition, Greene was authorized to hire some academic, vocational, ASAT, library, recreation, and social worker staff for the separate general population area for 16- and 17-year-olds, if and when those facilities become operational.

With respect to the new Commission, in January 2014 NYS Governor Andrew Cuomo proposed the establishment of the Commission on Youth, Public Safety and Justice, and in April 2014 he announced the members of the Commission. The Commission is tasked with proposing concrete recommendations for how New York State can raise the age of criminal responsibility to address the fact that New York remains one of only two states in the country where 16- and 17-year-olds are automatically prosecuted as adults in adult criminal courts and sent to adult jails and prisons.<sup>23</sup> The Commission is also tasked with making “specific recommendations as to how New York’s juvenile and criminal justice systems can better serve youth, improve outcomes, and protect communities.”<sup>24</sup> Given the large number of 16- and 17-year-olds incarcerated at Greene, the Commission’s recommendations will likely have an impact on the facility.

Finally, with regard to increased attention by the Greene administration, incarcerated persons at Greene reported to the CA during interviews conducted in the spring of 2014 that the administration had taken three concrete steps as of that time related to 16- and 17-year olds: 1) the Superintendent and other members of the administration held meetings with 16- and 17-year-olds incarcerated at Greene to discuss with them any concerns they raised; 2) Greene created a separate recreation league for 16- and 17-year-olds; and 3) two positions were created for the ILC to be held by 16- or 17-year-olds. In October 2014 Greene administrators also reported that some steps had been taken in 2014 to work better with children and young people at Greene. First, administrators reported they developed a lesson plan to provide information to new officers on how to work better with young people 21- and younger.<sup>25</sup> Also, Greene began doing some residential grouping of 16- and 17-year-olds in three of the dorms at Greene. As of October 2014, the 43 children aged 16 or 17 at Greene were divided into groups of 12-15 in each of these three dorms, although the rest of the people in those three 60-person dorms were adults or people of any age. All of the 16- and 17-year-olds were also assigned to one ORC for counseling and parole purposes. In addition, Greene administrators reported attempting to place 16- and 17-year-olds into ASAT programs at the beginning of their prison sentence, and two of the three dorms in

---

<sup>21</sup> As noted above, DOCCS is required to fully implement the stipulation provisions as soon as practicable and no later than 18 months from February 2014. Eight months after the stipulation, none of the provisions related to 16- and 17-year-olds have been implemented at Greene.

<sup>22</sup> Greene administrators indicated that the program area is connected to the dorm area.

<sup>23</sup> See *Building on Success: 2014 State of the State*, NYS Governor Andrew Cuomo, p. 140-141, Jan. 8, 2014, available at: <http://www.governor.ny.gov/assets/documents/2014-SOS-Book.pdf>.

<sup>24</sup> *Ibid.* at 141-142.

<sup>25</sup> The lesson plan was derived from a task force consisting of officers and civilian staff to come up with ideas for how to work better with young people. Administrators also reported that DOCCS Central Office was in the process of developing a lesson plan for working with 16- and 17-year-olds.

which 16- and 17-year-olds were residing in October 2014 were ASAT dorms. As another step, Greene administrators reported holding meetings once a month, to which 16- and 17-year-olds were required to attend. These meetings sometimes involved Greene administrators meeting with these children to hear any concerns they had; at other times outside community volunteers, such as Mothers Against Guns, local basketball coaches, or reentry organizations, came to do some form of presentation. When the outside volunteers came in, sometimes the sessions were limited to 16- and 17-year-olds, and other times people of any age were invited to attend. Finally, Greene had a separate recreation league for 16- and 17-year-olds, which took place once a week during the weekend. This recreation league was not a substitute for general recreation, for which 16- and 17-year-olds continued to participate in recreation with adults and people of any age.

While increased attention being paid to the treatment of 16- and 17-year-olds is positive, these limited measures are inadequate to address the very serious concerns detailed in this report. Administrators reported they believed these measures had reduced some disciplinary issues for 16- and 17-year-olds. However, these children continue to reside and program with adults, in a prison environment reported to be laden with staff violence and abuse. Holding a once-a-month meeting and providing some lessons to new officers during their orientation seem insufficient to address the widespread culture of violence, abuse, and impunity documented in this report.

### **Recommendations**

In order to address the various issues raised throughout this report, multiple stakeholders will need to undertake a variety of measures. There are some measures that the facility and DOCCS central office administrators primarily need to undertake on their own (at times in collaboration with OMH), other measures that require both DOCCS and other state policy-makers to take action toward implementation, and finally measures that other state policy-makers need to address. We recommend that state policy-makers work with DOCCS Central Office administrators and facility officials to implement all of the following measures, with the noted stakeholders taking the primary responsibility for the measures identified for each.

**We recommend that *the facility and DOCCS central office administrators* (at times in collaboration with OMH) implement the following measures:**

#### **Safety and Grievance Program**

- Stop all staff excessive use of force, and remove abusive officers. Particular attention should be made to the targeting of young people in the use of force.
- Implement a no-tolerance policy for abuse that is forcefully conveyed by top administration and DOCCS officials.
- Further encourage line staff to engage incarcerated persons in more positive interactions, and vigorously investigate any allegations of harassment, threats, retaliation, false tickets, and excessive use of force, and implement prompt responsive action if substantiated.
- Develop a plan to reduce racial tension and racial and verbal harassment, including greater recruitment of minority staff and additional diversity and race relations training for staff.
- Strengthen the grievance process, and address allegations of retaliation for filing grievances.

### **Special Housing Unit**

- Reduce the frequent imposition of SHU sentences and the lengthy amounts of time people are subjected to isolated confinement in SHU and keeplock.
- Stop placing young people, including those into their mid-twenties, in SHU or keeplock.
- Expand programming opportunities, out-of-cell time, and meaningful human interaction for persons in the SHU and keeplock, and consider adding additional recreation equipment and allowing congregate recreation for people in the SHU.

### **Programs**

- Allow an intranet college research system in the facility and across the DOCCS system.
- Fill academic teacher vacancies as quickly as possible to ensure that all people without a GED are enrolled in an academic class.
- Prioritize the hiring of Spanish-language speaking academic teachers.
- Fill vocational instructor vacancies as soon as possible to meet incarcerated persons' needs.
- Ensure that the vocational program provide the most meaningful opportunities to participants, including by expanding DOL and NCCER certificates, using a workforce development model, and matching the programs to market-based needs in the community.
- Replace porter positions with more meaningful job opportunities where people can learn skills useful in obtaining employment in the community.

### **Substance Abuse Treatment Programs**

- Ensure sufficient staffing to allow treatment staff to have enough time to provide meaningful therapeutic treatment.
- Review all treatment staff to ensure each staff member is providing appropriate support and empathetic intervention with participants.
- Transform the disciplinary environment of the ASAT program and ensure that all elements of the ASAT program are conducted in a therapeutic manner supportive of people addressing their addiction issues.
- Utilize the TC hierarchy in a manner that supports growth and incentivizes all participants to take on leadership roles.
- Re-evaluate the use of “the bag” as a therapeutic intervention.

### **Medical and Dental Care**

- Fill all nursing vacancies as quickly as possible to decrease the patient-to-nurse ratio to at least be more in line with the average ratio across DOCCS prisons.
- Review the quality of care of medical providers, particularly nurses, to ensure that medical conditions are properly diagnosed and promptly treated, and that all medical staff treat patients with respectful and caring attitudes.
- Reassess the HCV patient population to determine if any patients are appropriate candidates for treatment, and provide such treatment to identified patients.

**Mental Health Care (in collaboration with OMH)**

- Expand and explore additional opportunities for group therapy, peer support programs, and other treatment and programs for people in general population on the OMH caseload.
- Review policies and practices in response to people who harm themselves, and stop placing individuals who harm themselves in the SHU.

**Other Programs and Services**

- Further enhance the Community Lifestyles program as an opportunity to provide meaningful group discussions and create a positive and supportive environment in the dorm areas.
- Explore mechanisms to ensure that visits are not ended prematurely.
- Reevaluate the checkpoint policy for people walking to the mess hall, allow people to wait for the mess hall in an inside or covered area, and ensure people have enough time to eat.
- Seek greater involvement in volunteer programs by outside community agencies.
- Explore ways to increase the capacity of the library, particularly in the evenings, by adding more hours or additional space for library use.
- Provide Spanish-language legal research training to allow predominantly Spanish-speaking individuals to become law clerks.
- Further investigate any allegations or patterns of missing or destroyed package items, and ensure consistency in the distribution or denial of items.

**Parole**

- Ensure that there are enough ORCs to handle the caseload for parole and counseling assignments, and that all ORCs have had sufficient training on guidance activities and on the purposes and goals of the COMPAS risk assessment tool to ensure proper implementation.

**We recommend that *state policy-makers and DOCCS Central Office administrators* work together to implement the following measures:**

**Safety and Grievance Program**

- Install more video cameras throughout the prison, and improve systems of preserving recordings for subsequent investigations.
- Provide particular care in monitoring prison areas where incidents of violence allegedly occur more frequently and implement a process to identify, track, and monitor any areas that currently or in the future appear to be the location of more frequent violence.
- Fundamentally transform the culture of Greene from one of control by force to a supportive environment encouraging of growth. To create this transformation, perform staff training, replace abusive staff, and create developmentally appropriate environments and programs.

- Conduct additional staff trainings centered specifically on youth development, dispute resolution, diffusing difficult situations, non-confrontational interventions, interpersonal and communication skills, positive interactions, and trauma-informed care.
- Use therapeutic interventions and restorative justice mechanisms to address peer conflict, and expand ART, AVP, and other programs that aim to address underlying causes of violence.
- Develop and implement therapeutic harm reduction, peer-led interventions, and peer mentors to diminish conflicts, including those that result from drug use and gang participation.

### **Programs**

- Update college program computers and create and allow an intranet college research system.
- Fill academic teacher vacancies, reinstate lost academic teacher items, and otherwise expand capacity to ensure that all people without a GED are enrolled in an academic class.
- Fill vocational instructor vacancies, reinstate lost vocational instructor items, and otherwise increase the capacity of the vocational program to meet the needs of incarcerated persons.
- Increase the rate of pay for persons incarcerated at Greene and all DOCCS facilities.
- Expand industry programs and otherwise replace porter positions with more meaningful job opportunities where people can learn skills useful in obtaining community employment.

### **Substance Abuse Treatment Programs**

- Expand the ASAT program in order to decrease waitlists and meet the substance abuse treatment needs of people incarcerated at Greene.

### **Medical and Dental Care**

- Fill remaining physician and nursing vacancies to ensure that all patients have timely access to a provider and that the patient-to-nurse ratio is at least in line with the average ratio across DOCCS prisons.
- Further replace agency and per diem staff with permanent staff, and consider increasing permanent staff pay rates in order to find enough qualified candidates.
- Expand HCV treatment opportunities for patients at this facility and across DOCCS.

### **Mental Health Care**

- Provide greater resources and staff for group therapy, peer support programs, and other treatment and programs for people in general population on the OMH caseload.

### **Other Programs and Services**

- Expand visiting room capacity to ensure that visits are not ended prematurely.
- Expand volunteer program capacity and greater involvement by outside community agencies.
- Obtain word processors, and provide the ability to electronically copy and paste from documents researched in the law library.

**We recommend that *the Governor, the legislature, and other state policy-makers* take action to implement the following measures:**

**Safety**

- Call for a no-tolerance policy for abuse in all state institutions, including all prisons, that is forcefully conveyed by top state officials.
- Remove all 16- and 17-year-olds from Greene and from all adult jails and prisons, moving them into youth justice facilities where their unique developmental needs can better be met.

**Special Housing Unit**

- Stop placing young people, including those into their mid-twenties, in SHU or keeplock for any period of time, and stop subjecting any person to isolated confinement beyond 15 days.

**Programs**

- Maintain and expand the newly created Hudson Link program, and otherwise ensure that people with a GED have access to higher education at this prison and across the system.

**Parole**

- Reassess policies and practices of the Parole Board to ensure the Board is giving fair release consideration to each individual applicant and that decisions are made based on applicants' readiness for reentry, rehabilitation and growth while incarcerated, and COMPAS risk assessment score, rather than the nature of their original crime or criminal history.

**Broader CA Perspective**

The situation at Greene raises a number of related major themes and policy prescriptions regarding the treatment of young people and all people who are incarcerated that DOCCS, the public, and the Governor, legislature, and other policy-makers need to consider and address. Most pressing, the levels of reported abuse of young people at Greene are unacceptable, and immediate action needs to be taken to stop all abuses taking place. There should be an absolute no-tolerance policy for such abuse by DOCCS and other state officials. Furthermore, all 16- and 17-year-olds should be removed from Greene and from all adult prisons and jails, and instead moved into youth justice facilities where their unique developmental needs can better be met.

In addition to 16- and 17-year-olds, all young people, including those into their mid-twenties, need a more supportive and developmentally appropriate environment. A strong body of scientific research recognizes that young people continue to develop mentally, emotionally, and socially into their mid-twenties, and beyond.<sup>26</sup> These young people also should never be

---

<sup>26</sup> See, e.g., Vincent Schiraldi, Commissioner, NYC Department of Probation, *What about Older Adolescents?*, p. 3-5, Nov. 19, 2013, available at: [http://johnjayresearch.org/pri/files/2014/01/Vincent-Schiraldi-speech\\_11.19.13.pdf](http://johnjayresearch.org/pri/files/2014/01/Vincent-Schiraldi-speech_11.19.13.pdf).

subjected to the kinds of abuse reported at Greene, and all young people should be in an environment with age- and developmentally-appropriate support, therapeutic intervention, and de-escalation techniques. At a minimum, DOCCS should enhance and expand already-existing programs that have proven effective at helping young people, including academic and vocational training, degree-granting college programs, and anti-violence programs such as ART and AVP. DOCCS, with budgetary and other support from the legislature and other state officials, should also explore new additional programs that involve a restorative and therapeutic youth development approach, aim to support young people to grow and attain their potential, and help address underlying issues facing these youth.<sup>27</sup> Moreover, DOCCS, with support of state officials, should better incorporate smaller group settings, sufficiently trained and specialized staff, greater connections to family and community, and a supportive non-punitive environment.<sup>28</sup> There is an opportunity to transform the environment at Greene in order for Greene to become a model for other prisons, jails, and facilities across the state on how to effectively work with young people, including those into their mid-twenties.

Finally, DOCCS and state policy-makers must strive to create such an environment not just for young people, but for *all* people incarcerated at Greene, and indeed across the DOCCS system. All people in prison must be treated humanely, with dignity and respect. Moving away from a system marked by excessive punishment and abuse toward a model focused more on providing opportunities for growth, accountability, and transformation for all incarcerated persons will help better prepare people to return to their communities, improve individual life outcomes, and in turn make New York State prisons and communities safer and more enriched.

---

<sup>27</sup> See, e.g., *OCFS: New York Model* (endorsing a least restrictive setting approach, aiming to best prepare young people to return to the community, providing a trauma sensitive culture, and utilizing “three fundamental principles to provide strength-focused services, supports and interventions”: 1) Safety (“safe, predictable and nurturing environment”), 2) Engagement (adopting concepts from the Missouri Youth Services Institute to help staff and youth work together in therapeutic communities), and 3) Skillful Behavior (“Dialectical Behavior Therapy (DBT) as a skills-focused, behaviorally-based treatment program to assist staff and youth in acquiring and using interpersonal and emotional and behavioral self-regulation skills”); *The Missouri Model: Reinventing the Practice of Rehabilitating Youthful Offenders*, The Annie E. Casey Foundation, p. 13-14, 2010, available at: [http://www.aecf.org/~media/Pubs/Initiatives/Juvenile%20Detention%20Alternatives%20Initiative/MOModel/MO-Fullreport\\_webfinal.pdf](http://www.aecf.org/~media/Pubs/Initiatives/Juvenile%20Detention%20Alternatives%20Initiative/MOModel/MO-Fullreport_webfinal.pdf) (outlining six core characteristics of the Missouri Model: 1) placing youth in smaller facilities closer to home; 2) using supervised small groups with a rigorous treatment process and individual attention; 3) emphasizing keeping youth safe from physical and emotional abuse through constant staff supervision and supportive peer relationships; 4) developing academic and communication skills, as well as insights into themselves and their behavior; 5) involving family members as partners in the treatment process and allies for aftercare transition; and 6) providing considerable support for youth transitioning home).

<sup>28</sup> See, e.g., *Ibid*; see also *Sentencing and Prison Practices in Germany and the Netherlands: Implications for the United States*, Vera Institute of Justice, Oct. 2013, available at: <http://www.vera.org/sites/default/files/resources/downloads/european-american-prison-report-v3.pdf>.