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**New York State Office of the State Comptroller**  
Thomas P. DiNapoli

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Division of State Government Accountability

# **Facility Oversight and Timeliness of Response to Complaints and Inmate Grievances**

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## **State Commission of Correction**

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Report 2017-S-2

January 2018

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# Executive Summary

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## Purpose

To determine if the State Commission of Correction (Commission) is fulfilling its responsibilities for the oversight of correctional facilities and for responding timely to complaints and inmate grievances. Our audit scope covers the period January 1, 2014 through July 19, 2017.

## Background

The Commission is responsible for oversight of all 561 correctional facilities throughout the State including 54 State correctional facilities, four Office of Children and Family Services facilities, 74 local correctional facilities (county jails and New York City facilities), and 429 local lockups. The Commission is charged with both the periodic inspection of all correctional facilities throughout the State and the timely response to complaints and inmate grievances. The Commission receives more than 4,000 complaints and inmate grievances annually. The Commission employs three commissioners and 28 staff to support its oversight activities, including 14 dedicated to the inspection and review of facilities.

## Key Findings

- The Commission receives data, such as complaints and unusual incidents, regarding various aspects of the Department of Corrections and Community Supervision (DOCCS) facility operations, but does not analyze and track the information. As a result, the Commission may not identify patterns or trends, such as a significant increase in complaints at a specific facility or system-wide, in a timely manner.
- The Commission could improve the timeliness of its responses to complaints and inmate grievances by better monitoring the status of complaints and inmate grievances and by capturing and analyzing the resolution of complaints and inmate grievances.

## Key Recommendations

- Implement a system to retain and analyze information for DOCCS correctional facilities, such as incidents, complaints, and other issues, to identify patterns or trends that may warrant monitoring or targeted reviews.
- Using the analysis of complaint and inmate grievance data, identify ways to further improve the timeliness of responses.

## Other Related Audit/Report of Interest

[Department of Corrections and Community Supervision: Inmate Sentence Calculation and Release Practices \(2016-S-43\)](#)

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**State of New York  
Office of the State Comptroller**

**Division of State Government Accountability**

January 19, 2018

Mr. Thomas A. Beilein  
Chairman  
State Commission of Correction  
Alfred E. Smith Building  
12th Floor  
80 South Swan Street  
Albany, NY 12210

Dear Mr. Beilein:

The Office of the State Comptroller is committed to helping State agencies, public authorities, and local government agencies manage government resources efficiently and effectively. By doing so, it provides accountability for tax dollars spent to support government operations. The Comptroller oversees the fiscal affairs of State agencies, public authorities, and local government agencies, as well as their compliance with relevant statutes and their observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations. Audits can also identify strategies for reducing costs and strengthening controls that are intended to safeguard assets.

Following is a report of our audit entitled *Facility Oversight and Timeliness of Response to Complaints and Inmate Grievances*. The audit was performed pursuant to the State Comptroller's authority as set forth Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law.

This audit's results and recommendations are resources for you to use in effectively managing your operations and in meeting the expectations of taxpayers. If you have any questions about this report, please feel free to contact us.

Respectfully submitted,

*Office of the State Comptroller  
Division of State Government Accountability*

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This report is also available on our website at: [www.osc.state.ny.us](http://www.osc.state.ny.us)

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## Background

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The State Commission of Correction (Commission) was established by the Legislature as an independent agency in 1973 to investigate deaths in correctional facilities and to make recommendations for improving the delivery of health care to detainees and sentenced offenders. Its primary responsibilities are the oversight of correctional facilities and local lockups and the timely response to complaints and inmate grievances. The Commission is composed of three commissioners appointed by the Governor. One commissioner serves as Chair and Chief Executive Officer, while the other two each serve as Chair of either the Medical Review Board (Board) or the Citizen's Policy and Complaint Review Council (Council). The Council was established by the Legislature to address the need for increased public participation in the oversight of local correctional facilities, oversee the complaint and inmate grievance process, and advise the Commission. The Council comprises nine members appointed by the Governor with the advice and consent of the Senate. Complaints are generally processed by Commission staff. The Council meets once a month to review inmate grievances. The Commission has 28 staff and three commissioners.

The Commission's stated mission is to provide a safe, stable, and humane correctional system in the State. To this end, the Commission has promulgated regulations governing the operation and construction of correctional facilities and the treatment of inmates within those facilities. To ensure that correctional facilities are complying with these regulations, the Commission conducts periodic inspections of the facilities. These inspections are authorized by Article 3 of the State Correction Law, which states that the Commission is to visit, inspect, and appraise the management of correctional facilities with specific attention to matters such as safety, security, health of inmates, sanitary conditions, rehabilitative programs, disturbance and fire prevention and control preparedness, and adherence to laws and regulations governing the rights of inmates. The frequency of the inspections is to be determined by the Commission.

The 561 correctional facilities the Commission is responsible for overseeing include 54 facilities operated by the Department of Corrections and Community Supervision (DOCCS), four secure facilities operated by the Office of Children and Family Services (OCFS), and 503 local facilities, including 62 jails operated by counties, 12 jails operated by the New York City Department of Correction (NYCDOC), and 429 detention facilities operated by cities, towns, villages, and other municipal entities (local police lockups). Local lockups are used primarily for temporary detainment and their daily population is very fluid. Throughout calendar year 2016, approximately 467,867 different individuals were detained in local lockups. Since the populations at DOCCS, OCFS, and county jails and NYCDOC are relatively static, a snapshot of the total population during March 2017 showed these facilities housed approximately 75,373 people, as shown in the following table.

<b>Statewide Facility Population Count as of March 2017</b>	
<b>Facility Type</b>	<b>Population</b>
DOCCS Facilities	50,897
OCFS Secure Facilities	130
County Jails and NYCDOC Facilities	24,346
<b>Total</b>	<b>75,373</b>

Between 2012 and 2015, the Commission focused its inspections on facilities it deemed to be of a higher risk but not on a set inspection cycle. Beginning in 2016, the Commission changed its strategy to a four-year inspection schedule to annually review a portion of the 29 minimum standards in the regulations at every county and NYCDOC jail. The annual inspections address topics such as security and supervision of prisoners, facility capacity, fire safety, visitation, access to legal services, prisoner grievances, discipline of prisoners, prisoner correspondence, allowance for good behavior, exercise, personal hygiene, health services, and the non-discriminatory treatment of prisoners. Certain regulations identified as being essential to the jail's environmental health, safety, and secure operation, such as adequate lighting, water supply, plumbing, noise levels, temperature, and ventilation, are to be assessed on a more frequent basis, while regulations relating to funeral visits are addressed every four years.

Issues of non-compliance with a specific standard that cannot be satisfactorily resolved at the end of the calendar year are to be carried over to the schedule for the following year. Commission staff also plan to audit all 13 standards at every local lockup once every three years. If significant violations are identified, Commission staff are to follow up on the implementation of corrective action.

The Commission is also responsible for responding timely to complaints and inmate grievances. Anyone (e.g., inmates, inmates' family members or friends, or advocacy groups) can submit a complaint to the Commission about any type of facility at any time. By definition, "grievances" are a formal process for inmates to raise issues at the facilities in which they are housed. Once an inmate at a county facility has exhausted the local grievance process, he or she may appeal the grievance to the Commission for a final determination. Grievance processes at DOCCS, NYCDOC, and OCFS facilities are handled in house without an appeal process to the Commission. Local lockups are not required to have a grievance process.

Complaints and inmate grievances often pertain to issues of safety and operating conditions and medical care at State and local facilities. The Commission assigns its team of Forensic Investigators to investigate medical issues and complaints at local correctional facilities and inmate deaths at State and local correctional facilities as needed. Our audit excluded oversight responsibilities pertaining to medical investigations and inmate deaths. However, the timeliness of responding to complaints and grievances was included in our audit.

Once a complaint or inmate grievance has been received, the Commission has set time frames in which to respond. Commission regulations established 30 business days as its standard to respond to complaints and 45 business days to respond to inmate grievances.

The Commission received 6,519 complaints and 6,847 inmate grievances between January 1, 2014 and December 31, 2016. Of these complaints and inmate grievances, 1,319 complaints and 1,748 inmate grievances were related to medical issues.

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## Audit Findings and Recommendations

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The Commission largely devotes its resources toward oversight and inspection of local facilities because they are operated independently without centralized oversight. In contrast, the Commission generally does not inspect DOCCS facilities because of its limited resources and oversight by DOCCS' main office. Although the Commission receives data such as complaints and unusual incidents regarding various aspects of DOCCS facility operations, it does not analyze and track such information to identify any trends or patterns that may warrant monitoring or review by the Commission. As a result, the Commission may not identify patterns or trends, such as a significant increase in complaints at a specific facility or system-wide, in a timely manner.

Additionally, the Commission should improve its tracking of complaints and inmate grievances to better ensure they are responded to timely. We also found that the Commission's new management information system, which is in development, lacks the ability to produce reports on how complaints and inmate grievances are resolved and how long they have been in processing. The system also does not have the capability to track the status of each complaint between reception and resolution. Commission officials told us they plan to take steps to improve oversight of DOCCS and the complaint and inmate grievance process, including improvements to the management information system and utilizing DOCCS provided information that we identified during our audit.

### Oversight of Correctional Facilities

#### *DOCCS Correctional Facilities*

The Commission does not routinely inspect DOCCS correctional facilities, with the exception of investigating all inmate deaths. Commission officials stated that they do not have the resources to inspect DOCCS correctional facilities on a regular basis. However, the Commission also does not track and analyze available information on complaints and incidents to identify trends or patterns that may be indicative of a problem or concern. For example, the Commission receives daily reports, referred to as "24 Hour Reports," from DOCCS that include information about incidents that occurred at any DOCCS facilities during the prior 24 hours. The reports contain numerous types of incidents such as inmate-on-inmate assaults and other types of security and safety incidents. Commission staff review these reports daily, but do not record and analyze the data to determine if there are significant patterns or trends such as:

- A high or increasing number of incidents occurring at a certain facility or facilities;
- The timing of the incidents and other events at the facilities;
- The location where the incident occurred and type of incident;
- Facilities where force was used in the incident; and
- Facilities where staff and/or inmate injury occurred as a result of an incident.

The Commission is implementing a new management information system that will allow it to analyze the inputs (e.g., complaint type, date of the complaint, facility referenced in the complaint) related to all of the complaints that occur at DOCCS facilities. However, this system

neither tracks the interim status or final resolution of the complaint, nor includes DOCCS daily incident data. Other data available to the Commission that is not included in its management information system is information developed in the accreditation of DOCCS facilities from the American Correctional Association, which inspects and accredits each facility triennially. The accreditation process confirms that the operation, management, and administration of a facility meets or exceeds hundreds of nationally accepted standards. The accreditation process also includes capturing facility data such as escapes, disturbances, homicides, suicides, and significant court interventions. The ability to analyze this type of important information could provide the Commission with valuable insights into facility operations.

By capturing and analyzing data from complaints and daily incidents, along with issues identified from the accreditation process, the Commission could be better able to identify potential emerging matters and trends at DOCCS facilities individually and across the system. Doing so could help the Commission better fulfill its oversight function and mission.

### *County Correctional Facilities and OCFS Secure Centers*

We found that the Commission generally met its inspection cycle and ensured corrective action was taken to remedy issues of non-compliance identified through site inspections of county, NYCDOC, and OCFS secure center facilities. To determine whether the Commission met its inspection goals for these facilities, we reviewed all the county facility and OCFS inspection reports prepared by the Commission for the period January 1, 2016 through December 31, 2016. We found that the Commission generally met its inspection goals with two minor exceptions.

We also visited a local county jail (Warren County) and an OCFS secure facility (Brookwood Secure Center) to observe the operations and compare our observations with the Commission's most recent inspection. We reviewed several policies and procedures related to facility security, inmate discipline, facility food service, and facility sanitation, among others. We also toured the facilities to observe the overall condition as well as compliance with several of the policies and procedures. Our observations corroborated the Commission's inspection results and, for those items that the Commission had previously found to be out of compliance, we noted that they had been remedied between the Commission's inspections and our visits.

### *Local Lockups*

Our review of the Commission's records of lockup inspections found, in general, that the facilities were inspected as scheduled. The Commission's inspection cycle for the 429 local lockups is once every three years, covering all regulations. The Commission's regulations address topics such as admission procedures, supervision, food, and sanitation, among others. Of the 429 facilities, 60 either had closed, were scheduled to close, or were too new to have been scheduled for an inspection. Of the remaining 369, 346 (94 percent) were inspected within the three-year requirement. Of the 23 that were not scheduled or inspected timely, 22 had less than four years elapse between inspections, and one had just over six years elapse since the prior inspection.

We also judgmentally selected ten, out of 369, local lockup reports to determine whether or not the Commission reviewed all of the required standards. We found all ten reports reviewed covered all of the required regulations.

## **Timely Response to Complaints and Inmate Grievances**

We found the Commission improved its response time to complaints and inmate grievances despite a significant increase in the volume of both. The number of complaints received annually increased from 1,995 to 2,316 (16 percent) between 2014 and 2016. Similarly, the number of inmate grievances increased from 1,738 to 2,932 (69 percent) between 2014 and 2016. The Commission responded to 89 percent of complaints on time in 2014, which improved to 95 percent in 2016. Similarly, the Commission responded to 53 percent of inmate grievances on time in 2014 and 75 percent in 2016. The Commission attributed the improved timeliness to the implementation of an electronic system in 2014. The system captures information including who filed the complaint or grievance, the related facility, the dates of receipt and response, the category of complaint or grievance, and whether it is open or closed.

However, we also found the system does not capture a number of fields of important information, such as delays responding to complaints or grievances, status points between the receipt and response to the complaint or grievance, the determination of whether or not the complaint or grievance is found to be valid, and the outcome of the complaint or grievance. Therefore, the Commission cannot readily provide more extensive analytical data, such as the percentage of complaints and grievances that are found to be valid overall, by type of complaint such as medical complaints, or from year to year, without reviewing each file. For example, the system cannot provide individual case or summary data on whether complaints and grievances were found to be valid or not, or whether action was taken to address complaints or grievances that were found to be supported.

In some cases, important information was also not captured in the files. Our review of a judgmental sample of 25 out of 27 complaints and 25 out of 81 inmate grievances for which the Commission's response was at least twice as long as the established deadline (e.g., over 60 days for complaints and over 90 days for grievances) showed the files did not contain reasons for the delays. Commission officials stated their responses can be delayed for multiple reasons, such as awaiting completion of an investigation by law enforcement or by the Commission, complaints forwarded to other agencies, and/or Council meetings for inmate grievances being rescheduled. However, neither the Commission nor we can determine the extent of delays or appropriate reasons for the sampled cases or for all complaints and inmate grievances.

The Commission and the Office of Information Technology Services are developing an interface to the current system to enable analyses of complaint and inmate grievance data. Based on a demonstration of the system, we observed that it did not plan to include additional fields for the information we identified as needed. If such data were available, the Commission would be able to determine the interim status of inmate grievances and complaints, and conduct meaningful analyses of the data. By analyzing the data generated by inspections, along with data on complaints and grievances, the Commission may be better able to identify emerging matters and trends that it could address sooner, possibly preventing more serious conditions from developing.

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## Recommendations

1. Implement a system to retain and analyze information for DOCCS correctional facilities, such as incidents, complaints, and other issues, to identify patterns or trends that may warrant monitoring or targeted reviews.
2. Monitor the DOCCS accreditation results to identify relevant information for its own oversight.
3. Monitor the scheduling of local lockup inspections to ensure they are scheduled and completed within three years.
4. Capture and analyze the data generated from complaints and inmate grievances to identify emerging issues and trends that need to be addressed.
5. Using the analysis of complaint and inmate grievance data, identify ways to further improve the timeliness of responses.

## Audit Scope, Objective, and Methodology

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We audited the Commission's oversight of facilities and timeliness of response to complaints and inmate grievances to determine if the Commission is fulfilling its responsibilities. The audit covered the period January 1, 2014 through July 19, 2017.

To accomplish our objective, we reviewed relevant laws, regulations, and the Commission's policies and procedures related to its responsibilities for oversight and for responding to complaints and inmate grievances. We also became familiar with and assessed the Commission's internal controls as they relate to the fulfillment of these responsibilities. We reviewed the Commission's systems and records, and interviewed Commission officials to gain an understanding related to facility inspections and responding to complaints and inmate grievances. Finally, we reviewed the Commission's training materials and the associated attendance records related to facility inspections and response to complaints and inmate grievances.

To determine whether or not the Commission is fulfilling its duties related to facility inspections, we selected a judgmental sample of ten local lockup inspection reports based on geographic location and the time elapsed between inspections to determine if they were inspected in accordance with applicable laws and regulations. We selected the ten locations based on geographic location and the amount of time between inspections. For example, the Palisades Parkway lockup had over six years elapse between inspections, and per the schedule, the Buffalo lockup would have a four-year period between the last inspection and the next scheduled inspection. To review the Commission's response to complaints and inmate grievances, we obtained all the complaints and inmate grievances received by the Commission for the calendar years 2014, 2015, and 2016.

We analyzed the data provided to determine if the complaints and inmate grievances were responded to timely and if all of the information captured by the Commission was accurate and

appropriate. We also tested a judgmental sample of complaints and inmate grievances that were considered high risk and took longer than twice the established time to determine if they were processed in accordance with applicable laws and regulations. High-risk complaints and grievances pertain to instances where inmates fear for their safety, have health-related concerns, or cite a deficiency in or lack of a grievance program.

We conducted our audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. In addition, the Comptroller appoints members to certain boards, commissions, and public authorities, some of whom have minority voting rights. These duties may be considered management functions for purposes of evaluating organizational independence under generally accepted government auditing standards. In our opinion, these functions do not affect our ability to conduct independent audits of program performance.

## Authority

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The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law.

## Reporting Requirements

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A draft copy of this report was provided to Commission officials for their review and comment. We considered their comments in preparing this final report and have attached them in their entirety at the end of it. In their response, Commission officials generally agreed with our recommendations and have begun to take steps to implement them.

Within 90 days of the final release of this report, as required by Section 170 of the Executive Law, the Chairman of the State Commission of Correction shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising what steps were taken to implement the recommendations contained herein, and if the recommendations were not implemented, the reasons why.

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## Contributors to This Report

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### Vision

A team of accountability experts respected for providing information that decision makers value.

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To improve government operations by conducting independent audits, reviews, and evaluations of New York State and New York City taxpayer-financed programs.

# Agency Comments



## Commission of Correction

**THOMAS A. BEILEIN**  
Chairman

**THOMAS J. LOUGHREN**  
Commissioner

**ALLEN RILEY**  
Commissioner

November 25, 2017

Stephen Goss  
Audit Director  
Officer of the State Comptroller  
Division of State Government Accountability  
110 State Street – 11th Floor  
Albany, New York 12236-0001

Re: New York State Commission of Correction  
*Facility Oversight and Timeliness of Response to  
Complaints and Inmate Grievances (2017-S-2)*

Dear Mr. Goss:

The New York State Commission of Correction (“the Commission”) is in receipt of your correspondence, dated October 26, 2017, covering the draft audit report captioned above. It is understood that the Commission’s response to this draft will be included as an appendix to your final report. Please find the Commission’s response set forth below, which contains a compilation of the actions taken by the agency to implement the recommendations within the report, and/or the planned corrective action designed to address those recommendations not immediately implemented.

### **OSC Recommendation #1**

*Implement a system to retain and analyze information for DOCCS correctional facilities, such as incidents, complaints, and other issues to identify patterns or trends that may warrant monitoring or targeted reviews.*

### **SCOC Action**

As cited in the draft audit report, the Commission receives a daily “24 Hour Report” from the Department of Corrections and Community Supervision (DOCCS) that provides a list of incidents occurring at all DOCCS facilities during the previous 24 hour period. This report does not provide granular information such as the specific location where an incident occurred, the identity of involved inmates and staff, or a description of the incident itself. Consequently, the Commission sees little oversight and monitoring value in developing a system which uses the “24 Hour Report” as a basis for data. Nevertheless, the Commission is collaborating with DOCCS and the Office of Information Technology Services (ITS) to explore various options by which DOCCS could report significant facility incidents through the eJusticeNY Integrated Justice Portal. Since 2016, the Commission has utilized this system to receive incident reports from police lockups, county jails and the New York City Department of Corrections, which has

proven to be an effective means to receive, review, search and maintain such a quantity of records.

With regard to complaints, the Commission continues its collaborative efforts with ITS to incorporate complaint data (maintained in the eJusticeNY Integrated Justice Portal) into the Power BI Analytical Tool. As noted in the draft report, this system was "in development" at the time of the audit. Once completed, the Commission will have a greater ability to analyze complaint data for the purpose of identifying specific facilities, patterns or trends that may warrant further monitoring or review. Additionally, the Commission will have greater capability in tracking and analyzing the status of any complaint, including those referred to the Commission's Field/Forensic unit or another agency for investigation. The Commission anticipates full implementation of these system modifications by the end of 2017.

### **OSC Recommendation #2**

*Monitor the DOCCS accreditation results to identify relevant information for its own oversight.*

### **SCOC Action**

Although true that the "accreditation process also includes capturing facility data such as escapes, disturbances, homicides, suicides, and significant court interventions," it should be noted that such incidents are reported by DOCCS to the Commission no later than 24 hours after occurrence. Although the elements of the American Correctional Association's (ACA) standards do not wholly align with its oversight objectives, the Commission does agree that there may be value in reviewing the accreditation reports, and will coordinate with DOCCS to obtain the same.

### **OSC Recommendation #3**

*Monitor the scheduling of local lockup inspections to ensure they are scheduled and completed within three years.*

### **SCOC Action**

The Commission shall continue every effort to ensure that all police lockup inspections are completed on a triennial basis. As discussed with OSC auditors, clerical errors resulted in the delays of inspections for a relatively small number of police lockups. An electronic system is used to track the scheduling and completion of lockup inspections, and supervisors are automatically notified of the date by which lockup inspections must be completed. Further, the Commission has improved its system of tracking facility responses to ensure that cited violations are remedied.

**OSC Recommendation #4**

*Capture and analyze the data generated from complaints and inmate grievances to identify emerging issues and trends that need to be addressed.*

**SCOC Action**

As noted in the draft audit report, staff from ITS and the Commission conducted a demonstration to OSC auditors of an interface system (Power BI Analytical Tool) designed to enable the analysis of complaint and inmate grievance data. At the time of this demonstration, the system had only recently been presented to Commission staff by ITS, and had not been significantly tailored to meet the Commission's operational needs, thus resulting in the deficiencies noted in the draft audit report. As noted below, the Commission and ITS have since collaborated to design the interface system to more effectively monitor data generated from complaints and inmate grievances, and will continue to identify additional features that will improve the Commission's efficiency in tracking correctional facility trends and patterns.

With regard to inmate grievances, the interface system has been modified to support Commission surveillance of:

- Status of Grievance
- Gender of Grievant
- Category of Grievance
- Council determination (sustained, denied, etc.)
- Number of business days elapsed from receipt to determination

With regard to complaints, the Commission and ITS are currently in the process of modifying the interface system to allow tracking of:

- Status of complaint, to include:
  - a. Open
  - b. Closed
  - c. No response necessary
  - d. Response closed by the Commission
  - e. Closed and forwarded to the Commission field operations unit for investigation
  - f. Closed and forwarded to the Commission forensic unit for investigation
  - g. Closed and referred to outside agency
- Gender of individual to which complaint pertains
- Category of complaint
- Number of days elapsed from receipt to closure

Unlike inmate grievances, complaints are not presented before a review board for determination. Further, complaints are often referred to a correctional facility administrator or another law enforcement agency for investigation or disposition. Consequently, it should be noted that whether or not a complaint has been found to be "valid" is usually unknown to the Commission, if such a determination is even rendered.

**OSC Recommendation #5**

*Using the analysis of complaint and inmate grievance data, identify ways to further improve timeliness of responses.*

**SCOC Action**

Prior to the audit, the eJusticeNY Integrated Justice Portal did not capture occurrences in which grievance appeals were returned to a facility, nor the date of the Citizen's Policy and Complaint Review Council's (CPCRC) determination. Unable to take this information into account, data concerning the number of days taken to complete the grievance review process at the Commission appears to be skewed. Subsequent reviews of 2014-2017 data revealed that the review process was more consistently completed within the 45 business days required by Commission regulations.

Nevertheless, to improve the accuracy of grievance processing data, the Commission, working with ITS, created new fields within the eJusticeNY Integrated Justice Portal that:

- Added a *Returned to Facility* option to the *CPCRC Action* field. There are instances whereby a grievance is returned to a facility for a myriad of reasons, including a lack of facility determination, missing forms, raising non-grievable issues, etc.
- Once information is entered into the *CPCRC Action* and *CPCRC Decision Date* fields, the portal now automatically calculates and displays the number of business days that transpired from the date the Commission received a grievance to the date the CPCRC rendered its decision.

The above changes now provide a more accurate accounting of completion times associated with the processing of county jail grievances, and enables the Commission to identify related trends. Additionally, Commission staff are now issued a list of specific dates by which grievance write-ups must be submitted for review by the CPCRC. Such due dates, which are dependent on the date SCOC receives a grievance, and the scheduled monthly CPCRC meetings, help assure that grievances are processed by staff and reviewed by the CPCRC within 45 business days of receipt.

Should you require further clarification of any of the information contained in these responses, or if you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Thomas A. Beilein  
Chairman