



Justice Center for the Protection of People with Special Needs

ANDREW M. CUOMO
Governor

DENISE M. MIRANDA
Executive Director

June 9, 2021

Dr. Li-Wen Lee
Associate Commissioner
Division of Forensic Services
NYS Office of Mental Health
44 Holland Avenue
Albany, NY 12229

Anthony J. Annucci
Acting Commissioner
NYS Department of Corrections
And Community Supervision
The Harriman State Campus-Building 2
1220 Washington Avenue
Albany, NY 12226-2050

Re: [REDACTED] Justice Center Oversight Action

Dear Dr. Lee and Acting Commissioner Annucci:

The Justice Center for the Protection of People with Special Needs (the Justice Center) is required to oversee compliance with the Special Housing Unit (SHU) Exclusion Law and monitor the quality of corrections-based mental health care for inmate/patients (Chapter 1 of the Laws of 2008). To meet this mandate, we are conducting ongoing quality of mental health care reviews as well as SHU Exclusion Law compliance reviews to assess if the Office of Mental Health (OMH) programs within the Department of Corrections and Community Supervision (DOCCS) facilities conform to the requirements of the SHU Exclusion Law.

On December 7, 2020, the Justice Center's Forensic Unit initiated a remote review of the Sing Sing Correctional Facility's Special Housing Unit (SHU) to review the quality of mental health care provided to inmate/patients in accordance with the SHU Exclusion Law, OMH policies, and DOCCS directives. The attached review details the Justice Center's findings.

The Justice Center looks forward to your response to the attached findings by July 9, 2021. Please direct any correspondence or concerns related to this review to me at denise.miranda@justicecenter.ny.gov. Thank you for your continued cooperation.

Sincerely,



Denise M. Miranda, Esq.
Executive Director

Cc: Davin Robinson, Deputy Director, Outreach, Prevention & Support
Melissa Finn, Unit Director, Forensics
Dr. Anne Sullivan, M.D., Commissioner, OMH
Danielle Dill, Executive Director, CNYPC
William Vertoske, Deputy Director Psychiatric Center 2, OMH
Laurie Turnbull, OMH
Maureen Morrison, OMH
Meaghan Bernstein, Director of CBO Risk Management OMH
Bryan Hilton, Associate Commissioner, DOCCS

NOTE: All correspondence related to this matter will be available for public inspection under Article 6 of the Public Officers Law. Material which will be required to be kept confidential or which is protected from disclosure under the Public Officers Law or other laws will be redacted prior to such disclosure.



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Review of Justice Center Oversight Action Sing Sing Correctional Facility – Special Housing Unit (SHU) Compliance/ Quality of Care JC#: [REDACTED]

The Justice Center for the Protection of People with Special Needs (the Justice Center) initiated a remote review of the Sing Sing Correctional Facility (CF) in December 2020 to review the quality of mental health care provided to inmates, and determine compliance with the SHU Exclusion Law, Office of Mental Health (OMH) policies, and Department of Corrections and Community Supervision (DOCCS) directives.¹ The census of the SHU at the time of the review was 11 inmates and only four inmates were on the mental health caseload. There were no inmate-patients in the Sing Sing CF SHU that met the SHU Exclusion Law criteria for the definition of serious mental illness during our review.

In addition to reviewing the OMH clinical case record, DOCCS SHU folders, and the DOCCS guidance records, the Justice Center also requested any exceptional circumstances documentation for the current census for a time-period of six months.

Compliance Determination:

To assess compliance, the Forensic Unit reviewed the records of 11 inmates and/or patients to determine whether the facility was in compliance with the conditions of the SHU Exclusion Law:

- 1. Upon placement of an inmate into segregated confinement at a level one or level two facility, a Suicide Prevention Screening Instrument shall be administered by staff from the Department or the Office of Mental Health who has been trained for that purpose;*
- 2. Within one business day of the placement of such an inmate into segregated confinement at a level one or level two facility, the inmate shall be assessed by a mental health clinician;*
- 3. If an inmate with a serious mental illness is not diverted or removed to a residential mental health treatment unit, such inmate shall be reassessed by a mental health clinician within fourteen days of the initial assessment and at least once every fourteen days thereafter;*
- 4. Inmates with serious mental illness who are not diverted or removed from segregated confinement shall not be placed on a restricted diet, unless there has been a written determination that the restricted diet is necessary for reasons of safety and security. If a restricted diet is imposed, it shall be limited to seven days, except in the exceptional circumstances where the joint case management committee determines that limiting the restricted diet to seven days would pose an unacceptable risk to the safety and security of inmates or staff. In such case, the need for a restricted diet shall be reassessed by the joint case management committee every seven days; and,*

¹ Correction Law §§137(6)(d) and (e), 401. Due to COVID, the Justice Center did not visit the CF.

5. *All inmates in segregated confinement in a level one or level two facility who are not assessed with a serious mental illness at the initial assessment shall be offered at least one interview with a mental health clinician within fourteen days of their initial mental health assessment, and additional interviews at least every thirty days thereafter, unless the mental health clinician at the most recent interview recommends an earlier interview or assessment.*

The Justice Center's review found there were no inmate-patients on exceptional circumstances during the review period.² Based upon our review, the Justice Center has made a determination that the Sing Sing CF is in compliance with the SHU Exclusion Law.

Quality of Mental Health Care

The Justice Center also reviewed the quality of corrections-based mental health care provided to 11 individuals in the SHU. To complete a thorough evaluation, Forensic Unit staff requested private interviews and two individuals chose to speak with the Justice Center. The interview was conducted remotely via a private telephone call. In addition, we examined clinical documentation, DOCCS SHU folders, Guidance Records, and reviewed the DOCCS Sign-In Logbook and Unit Activity Logbook.

The Justice Center found no issues of concerns related to the quality of mental health care provided to the inmates and/or patients at the Sing Sing CF.

Review conducted by:

A handwritten signature in blue ink that reads "Melissa Finn". The signature is written in a cursive, flowing style.

Melissa Finn, Forensic Unit Director

² Justice Center's review period: June 7, 2020 – December 8, 2020.