Franklin Correctional Facility
Humane Alternatives to Long-Term Solitary Confinement (HALT)
Final Compliance and Quality of Care Review
JC#: 77010180436

On October 23, 2025, the Justice Center for the Protection of People with Special Needs (the Justice Center) conducted a site visit at the Franklin Correctional Facility (CF) to review the programs, treatment, and conditions of confinement for incarcerated individuals placed in segregated confinement in that facility. The Justice Center also assessed compliance with the implementation of the Humane Alternatives to Long-Term Solitary Confinement (HALT) Act.[1]

The Justice Center reviewed policies and practices concerning:

a) Placement of persons in segregated confinement and residential rehabilitation units (RRU).
b) Placement and treatment of persons meeting the "special population" definition in the HALT Act.[2]
c) Length of time spent in segregated confinement or residential rehabilitation units.
d) Hearings and procedures.
e) Assessments and rehabilitation plans, procedures, and discharge determinations.

The Justice Center toured the Special Housing Unit (SHU) and General Confinement-Restricted (GC-R) Unit and spoke with 13 incarcerated individuals in the SHU and seven individuals in the GC-R. Justice Center staff offered private interviews, and 11 total individuals from the SHU and GC-R accepted. The Justice Center also distributed 20 surveys to solicit information about programming, recreation, and tablet use in segregated confinement.

In addition to reviewing Office of Mental Health (OMH) clinical case records, Department of Corrections and Community Supervision (DOCCS) SHU folders, DOCCS guidance records, and the DOCCS Sign-In logbook and Unit Activity logbook, the Justice Center also requested any Exceptional Circumstances documentation for a time-period of six months. [3] The Justice Center's review found that there were no individuals placed on exceptional circumstances during this review period. The Justice Center's findings, recommendations and requests follow below.

[1] Correction Law §§137(6)(d)(e) (h), (i), (j), (k), (l), (m), (n), and (o) and §§138 (7), 401.
[2] Section 2 of the Correction Law, subdivision 33 defines Special Population as any person twenty-one years of age or younger; fifty-five years or older; with a disability; pregnant, in the first 8 weeks of post-partum recovery or caring for a child in a correctional facility.
[3] April 23, 2025, to October 23, 2025

Justice Center Findings

Treatment and Conditions:

1. **There were no incarcerated individuals attending out-of-cell programming in the GC-R or the SHU.**

   The GC-R and the SHU are comprised of three galleries, A, B and C. The programming areas consisted of rows of Reduced Security Therapy and Recreation Tables (RESTART) within each gallery. The A gallery is the GC-R, and the B and C gallery contain the SHU individuals. The A and B gallery each has six RESTART chairs in a row for programming, and the C gallery contains a row of four RESTART chairs. Although it would be considered a private area, the RESTART chairs are bolted to the floor and do not extend the opportunity for face-to-face contact, group discussion or offer opportunities for classroom collaboration. According to security staff, individuals in GC-R start getting ready for programming at 7:45 am and programming goes on "all day", however they could not provide designated times. The GC-R program schedule provided indicated that programming occurs from 7:45 a.m. through 10:45 a.m. A program schedule was not provided for the SHU.

   The Justice Center requested the program schedule for the SHU and GC-R, which was provided by DOCCS. Classes such as Cognitive Behavioral Therapy, Stress Management, and Life Skills are offered to individuals.

AM	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
7:45 AM-9:15 AM (**1.5 hrs**)	Cognitive Behavioral Therapy-ORC	Cognitive Behavioral Therapy-ORC	Cognitive Behavioral Therapy-ORC	Cognitive Behavioral Therapy-ORC	Cognitive Behavioral Therapy-ORC	Recreational Activities RPL1/Security	Recreational Activities RPL1/Security
9:15 AM-10:45 AM (**1.5 hours**)	Health/Bio-Psycho-Social-Psych II	Stress Management Physical/Spiritual - Teacher	Current Events/Community-Sr. Librarian	Soft Skills/Life Skills – Teacher	General Interest-Teacher	Recreational Activities RPL1/Security	Recreational Activities RPL1/Security
PM							
11:45 AM – 3:45 PM (**4 Hours**)	Recreation	Recreation	Recreation	Recreation	Recreation	Recreational Activities RPL1/Security	Recreational Activities RPL1/Security
PM							
***Under 21 Population with Academic Need**							
11:45 AM – 2:45 PM (3 Hours)	Academic instruction-Teacher	Academic instruction-Teacher	Academic instruction-Teacher	Academic instruction-Teacher	Academic instruction-Teacher	Recreational Activities RPL1/Security	Recreational Activities RPL1/Security

*Under 21 participating I/Is with an unmet academic need will be provided academic programming in addition to their holistic programming, for a combined total not less than 5.5 hours daily. In compliance with ESEA and IDEA, three (3) of those hours must be academic programming combined with a minimum of 2.5 hours related programming.

The Justice Center also requested that Franklin CF provide attendance records for May 2026. Per documentation, individuals are offered the opportunity to attend programming daily. Following a review of the attendance records for the SHU and GC-R from April 26, 2026 to May 30, 2026, only one individual attended program in the SHU on May 4, 2026, and zero individuals attended program in the GC-R. [4]

Recommendation and Request:

Given that this is the third review that the Justice Center has found no individuals programming at the Franklin CF, the Justice Center requests DOCCS Central Office complete an analysis of the programming offered, why individuals are refusing, what they are choosing to do instead, and the conduciveness of the location of the programming to determine why no one accepts programming at the Franklin CF.[5] In addition, DOCCS should consider increasing and expanding incentives to encourage program attendance and offer the opportunity for classroom programming to foster engagement. Out of cell programming can help develop coping skills and assist in behavioral modification to avoid future disciplinary sanctions.

2. **The Justice Center was informed that congregate recreation occurs at the Franklin CF.**

Recreation in the GC-R occurs in two recreation pens and one individual is allowed in a recreation pen at a time. Security staff reported that recreation begins at 8:00 a.m. and may last until lunchtime depending on how many individuals sign up for recreation. There was no one from the GC-R attending recreation during the Justice Center's visit.

For the SHU, both B and C Galleries each have two recreation pens, and one individual is allowed in a recreation pen at a time. There was no one attending recreation in B Gallery and two individuals were attending recreation from the C Gallery during the Justice Center's visit. Designated recreation times were not provided.

The Justice Center had the opportunity to review recreation attendance records from August 3, 2025, to November 1, 2025. While everyone was offered the opportunity to attend recreation, as documented by security staff, in that two-month period, no one accepted recreation.

[4] It should be noted that on May 4, 2026, and May 12, 2026, to May 30, 2026, no one was residing in the GC-R.
[5] Justice Center site visits May 24, 2023, and October 2, 2024.

The Justice Center requested the recreation schedule and attendance records for the SHU and GC-R for May 2026, which were provided by DOCCS. [6] Per documentation, individuals were offered the opportunity to attend recreation daily, however, no one accepted the opportunity to attend recreation during May 2026. [7]

3. **The Justice Center received five surveys out of the 20 that were distributed to incarcerated individuals at the Franklin CF.**

   According to the survey responses received, none of the individuals reported being offered programming. Only one individual reported that programming was not occurring due to staffing, while all others said there were no programs offered. All individuals indicated that they receive a tablet daily for two to four hours. There were mixed responses related to recreation. Two individuals stated that it was provided daily, two responded never, and another reported two to three days per week. Individuals indicated that they do not attend recreation because they are outside alone, and all individuals, except two, stated they would only attend if offered congregate recreation.

4. **Justice Center staff conducted private interviews with 11 incarcerated individuals.**

   During their private interviews, all incarcerated individuals interviewed reported that programming is not being offered at the Franklin CF. When asked what a typical day looked like, eight individuals reported using their tablet for at least three to four hours per day and six individuals indicated that they are offered recreation daily. Of the six that were offered recreation, only three individuals stated that they chose to accept recreation, and one described they like recreation for the “fresh air” and “moving around”.

   During their interviews, three individuals noted that the Franklin CF environment is not therapeutic or rehabilitative. They notably described it as “run it how they want to run it”, “more difficult”, “hard to rehabilitate when taking more things away”, and “you are in your cell all day”. Lastly, none of the individuals that accepted a private interview were able to describe what incentives were available on the unit.

Recommendation and Request:

To encourage programming attendance and record commendable attitudes or compliance with program plans, the Justice Center recommends the use of

[6] Please see schedule above, which demonstrates that recreation is offered daily from 11:45 a.m. to 3:45 p.m. and throughout the day on Saturdays and Sundays.
[7] As stated previously, It should be noted that on May 4, 2026, and May 12, 2026, to May 30, 2026, no one was residing in the GC-R.

incentives, which may entice individuals to consider attending programming to learn concrete skills and improve post-confinement outcomes.

5. **Incarcerated individuals have access to the static tablet, but the law library tablet is not available.**

   Justice Center staff were informed by security staff that static tablets are provided daily on A Gallery in the GC-R and B and C Gallery in the SHU. Tablets are provided in the mid-morning (11:00 a.m. to 3:00 p.m.) or evening (7:00 p.m. to 11:00 p.m.). A review of logbooks from May 5, 2025, to May 20, 2025, demonstrated that law library rounds were conducted once during a two-week period, on May 20, 2025.

   Request:

   It is the Justice Center's understanding that DOCCS has begun discontinuing the practice of confiscating general population tablets when an individual is moved to restricted housing and instead placing the appropriate restrictions to the individual's tablet, allowing access to the Law Library application.[8] Please confirm if the Franklin CF has begun this practice for individuals housed in the SHU and GC-R, and if yes, the protocols for the usage and what restrictions are in place.

Special Populations:

6. **At the time of the Justice Center's visit, there were two individuals under the age of 21 in the GC-R and two individuals who were just 21 years old in the GC-R, and no individuals over the age of 55, pregnant or with a disability in the SHU or GC-R. There were seven incarcerated individuals in the SHU on the mental health caseload.**

   - Incarcerated individual 1, a mental health service level (MHSL) 4, is diagnosed with adjustment disorder with anxiety and depressed mood.[9] They transferred to Franklin CF on December 31, 2024, and was a MHSL 3 at that time. Their MHSL was downgraded to a 4 on July 10, 2025, because they were not prescribed psychiatric medication and they were ultimately discharged from mental health services on October 14, 2025. They were transferred to the SHU on October 21, 2025, for a "pending" violent conduct charge. On October 23, 2025, they were screened following a referral from the Justice Center and admitted to mental health services as a MHSL 4 as they were requesting psychiatric medication for stress and depression.

[8] DOCCS December 11, 2025, response to the Justice Center's November 3, 2025, Washington CF Draft Report.
[9] [redacted] (DIN: [redacted]) is hereinafter referred to as incarcerated individual 1.

- Incarcerated individual 2, a MHSL 3, is diagnosed with adjustment disorder with mixed anxiety and depressed mood.[10] They transferred to Franklin CF in January 2025. The individual attended all clinical call outs and was compliant with psychiatric medications, noting that it was "beneficial". They denied significant depression and anxiety, and reported their mood was good. They were admitted to the Franklin CF SHU on October 12, 2025, after they assaulted another individual which required the individual to go to an outside hospital for medical treatment.

- Incarcerated individual 3, a MHSL 3, is diagnosed with adjustment disorder with mixed anxiety and depressed mood, other specified stimulant use disorder severe, cocaine use disorder severe, and cannabis use disorder severe.[11] They transferred to Franklin CF in February 2025. During their call outs they reported spending their time drawing, reading, and talking to peers. Although they reported compliance with medications, in early October it was noted that they were only 50% compliant and psychoeducation was provided regarding daily compliance for efficacy. They were admitted to the Franklin CF SHU for a "pending tier III" on October 21, 2025.

- Incarcerated individual 4, a MHSL 4AS (active screen), is documented as "illness, unspecified R69".[12] They transferred from the Upstate RRU to the Franklin CF on August 4, 2025, as a MHSL 6. During their time at the Upstate RRU and following their transfer they did not require OMH services. They were transferred to the Franklin CF SHU on October 21, 2025, after receiving a Tier III ticket for Alcohol/Intoxicant Use and Weapon. The individual had been "observed in cube appearing to be intoxicated." Upon conducting a pat frisk, security staff discovered a "1 ½ inch long by 5/8 inch with black manufactured razor blade wrapped in plastic on one end as a handle with a plastic cover on the other end as a sheath." Their disciplinary hearing began on October 24, 2025, and concluded on October 27, 2025. The Alcohol/Intoxicant Use charge was dismissed, and they were found guilty of the weapon charge. On October 23, 2025, the individual reported depression and poor adjustment to the SHU at the Franklin CF. Their service level designation was changed to a MHSL 4AS so that OMH could further assess their mental health needs.

- Incarcerated individual 5, a MHSL 3, is diagnosed with anti-social personality disorder and intermittent explosive disorder. They transferred to Franklin CF in February 2025.[13] During mental health call outs, they discussed wanting to control their anger so that they would not lose an

[10] [redacted] (DIN: [redacted]) is hereinafter referred to as incarcerated individual 2.
[11] [redacted] (DIN: [redacted]) is hereinafter referred to as incarcerated individual 3.
[12] [redacted] (DIN #[redacted]) is hereinafter referred to as incarcerated individual 4.
[13] [redacted] (DIN #[redacted]) is hereinafter referred to as incarcerated individual 5.

earlier parole date. The individual would discuss depression intermittently. They were medication compliant and was able to advocate for themselves when they wanted a medication change "to improve his mood". They reported no concerns with their dorm or the facility. They were transferred to the Franklin CF SHU after receiving a tier III ticket for threats on October 20, 2025.

- Incarcerated individual 6, a MHSL 3, is diagnosed with adjustment disorder with mixed anxiety and depression, cannabis use disorder severe, and cocaine use disorder severe.[14] They transferred into DOCCS custody at the Elmira Reception Center in September 2025 and transferred to the Franklin CF on October 14, 2025. The individual reported that although they were adjusting well to the facility, they discussed concerns related to anxiety. They were transferred to the Franklin CF SHU on October 22, 2025, after receiving a tier III ticket for threats.

- Incarcerated individual 7, MHSL 4, is diagnosed with adjustment disorder with mixed anxiety and depressed mood and cannabis use disorder severe.[15] They were admitted to DOCCS custody in 2024 as an MHSL 3 because they were prescribed psychotropic medication for anxiety and depression. In early 2025 the individual requested not to be on medications anymore, noting they would like to continue with therapy and described themselves as stable. Following their transfer to the Franklin CF on October 9, 2025, they received a tier III ticket on October 13, 2025, for assaulting another individual with a weapon. They were evaluated by OMH on October 16, 2025, and expressed no mental health concerns.

Recommendations and Request:

Segregated confinement poses serious risks to a person's mental health. The Justice Center recommends that those with ongoing mental health needs be diverted as soon as possible from segregated confinement and placed in programs that have ongoing therapeutic and beneficial programming.

Please provide the Justice Center with an update regarding incarcerated individual's 1-7 listed above. This update should include the individual's MHSL, housing status, current confinement sanctions, any additional misbehavior reports or tickets, and the number of times the individuals were transferred to the RCTP.

[14] [redacted] (DIN # [redacted]) is hereinafter referred to as incarcerated individual 6.
[15] [redacted] (DIN # [redacted]) is hereinafter referred to as incarcerated individual 7.

Length of time spent in segregated confinement:

7. **Eight incarcerated individuals were pending their disciplinary hearing and/or transfer to an RRU at the time of the Justice Center's visit.**

    - Incarcerated individual 1 was transferred to the SHU on October 21, 2025, for a "pending" disciplinary infraction of violent conduct. The Justice Center was not provided with the disciplinary hearing packet.

    - Incarcerated individual 3 was transferred to the SHU on October 21, 2025, for a "pending tier III". The Justice Center was not provided with the disciplinary hearing packet.

    - Incarcerated individual 4 was transferred to the SHU on October 21, 2025, after appearing to be intoxicated and found with a "1 ½ inch long by 5/8 inch with black manufactured razor blade wrapped in plastic on one end as a handle with a plastic cover on the other end as a sheath" weapon. Their disciplinary hearing began on October 24, 2025, and concluded on October 27, 2025, and they were found guilty of having a weapon. They received 224 days of disciplinary sanctions.

    - Incarcerated individual 5 was transferred to the SHU on October 20, 2025, for a "pending" disciplinary infraction of threats. The Justice Center was not provided with the disciplinary hearing packet.

    - Incarcerated individual 8 was transferred to the SHU on October 22, 2025, after they were found in possession of a 9 3/8" X 1/8" metal rod sharpened at one end with a U-shaped handle.[16] Their disciplinary hearing began and concluded on October 24, 2025, and they were found guilty of having a weapon. They received 73 days of disciplinary sanctions.

    - Incarcerated individual 9 was transferred to the SHU on October 17, 2025, after they were found to be in possession of a 3/4" X 5/16" black ceramic blade with a melted plastic handle.[17] The Justice Center was not provided with the disciplinary hearing packet.

[16] [redacted] (DIN #[redacted]) is hereinafter referred to as incarcerated individual 8

[17] [redacted] (DIN #[redacted]) is hereinafter referred to as incarcerated individual 9

- Incarcerated individual 10 was transferred to the SHU on October 22, 2025, for a "pending" disciplinary infraction of assault on staff.[18] The Justice Center was not provided with the disciplinary hearing packet.

- Incarcerated individual 11 was transferred to the SHU on October 18, 2025, for a "pending" disciplinary infraction of violent conduct and threats.[19] The Justice Center was not provided with the disciplinary hearing packet.

Request:

To ensure a thorough review, the Justice Center requests all disciplinary hearing documentation be forwarded to ensure that the tickets received meet the criteria for a Tier III ticket, to ensure a disciplinary hearing was held within five days, and to ensure the individual was transferred, if required, within the 15-day period per HALT. In addition, please provide the date, facility and program in which each above-named individual from the SHU transferred.

Hearings and procedures:

8. **The Justice Center received documentation demonstrating that Franklin CF security staff were up to date on the Tier III Hearing Officer Training. There were 11 staff who are trained as of October 31, 2025.**

Assessments, rehabilitation plans and discharge procedures:

9. **According to the documentation provided, incarcerated individual 14 was not accessed by psychiatric staff between their admission to OMH services in May 2025 and the Justice Center's site visit on October 23, 2025. [20]**

   Incarcerated individual 14, a MHSL 3, was readmitted to mental health services at the Washington CF on May 22, 2025, and diagnosed with adjustment disorder with mixed anxiety and depressed mood. They transferred to the Franklin CF on May 27, 2025, and met with mental health staff on June 3, 2025. The individual reported stressors in the prison environment, as well as symptoms of depression. They expressed their "current desire for evaluation by primary MD psychiatrist for possible medication therapy to assist with psychiatric symptom management".

[18] [redacted] (DIN #[redacted]) is hereinafter referred to as incarcerated individual 10
[19] [redacted] (DIN #[redacted]) is hereinafter referred to as incarcerated individual 11
[20] [redacted] (DIN #[redacted]) is hereinafter referred to as incarcerated individual 14.

When they met with mental health staff again on August 4, 2025, they again "reported continued desire for evaluation by primary MD psychiatrist for possible medication therapy to assist with psychiatric symptom management". The following month, on September 10, 2025, the individual reported they were "still okay" and adjusting to Franklin CF. However, they reported continued symptoms of "stress, depression, primarily related to prison peer/environmental stressors" and "reported continued desire for evaluation by primary MD psychiatrist for possible medication therapy to assist with psychiatric symptom management".

Recommendation and Request:

To ensure that individuals are seen by psychiatric staff upon admission to mental health services, when they transfer to a new facility and when they are making multiple requests via their assigned clinicians, it is imperative that timelines regarding psychiatric treatment are adhered to. The Justice Center requests an explanation as to why this individual was not seen per policy, and any documentation to support that the clinician completed a referral for this individual to be seen as per their request.

Lastly, please ensure psychiatric staff who provide psychiatric services at Franklin CF are retrained on OMH CBO Policy #5.0- Psychiatric Progress Notes to ensure timely completion of psychiatric contacts and provide documentation demonstrating they were retrained.

10. Incarcerated individual 15 was removed from the mental health caseload two months after arriving at DOCCS reception with an active medication order for Vistaril. [21]

When the individual arrived in state custody on August 18, 2025, they were designated a MHSL 3 after endorsing symptoms of depression and anxiety. It was also noted they were prescribed Vistaril for their mental health symptoms. Mental health staff met with them again on August 19, 2025; they reported that their mental health was "good" and that they did not have any immediate concerns.

Per the individual's OMH Core History, dated September 24, 2025, "patient was prescribed Vistaril only and that was discontinued by reception. Patient states that he continues to have anxiety and depression and would benefit from medication". During a clinical call out that same day, it was noted that they reported "having anxiety and depression", however it was "discussed with patient that his previous medication he was prescribed is not allowed to be the only

[21] [redacted] (DIN # [redacted]) is hereinafter referred to as incarcerated individual 15.

psychiatric medication prescribed. Discussed with patient that he would be placed on the list to be scheduled with a provider for an evaluation". In addition, a new Service Level Designation form was filed on September 24, 2025, changing the individual to a MHSL 4, as they were "not prescribed psychotropic medications".

On October 3, 2025, during their intake SHU Mental Health Assessment, it was documented, "patient declined to speak with this writer. Patient was asked multiple times if he needed to speak to mental health staff, he said no. Patient was asked if he wanted his case to be closed and state yes. Patient denies SI. Patient's mental health case will be closed. Patient has no mental health concerns". That same day the individual was designated a MHSL 6.

Request:

Given that this individual entered DOCCS custody endorsing symptoms of depression and anxiety, in addition to having been prescribed psychiatric medication that was removed upon their entrance into reception, the Justice Center requests that the OMH Clinical Director complete a comprehensive review of the evidence provided, including that the individuals MHSL was lowered because they were no longer on medication after not having access to a psychiatrist to discuss medication management, and then being removed from the mental health caseload while serving a disciplinary sanction. In addition, the Justice Center would like justification from both OMH and DOCCS supporting the decision to discontinue the Vistaril the I/I was on at admission for depression and anxiety.

Please provide the Justice Center with an update regarding the incarcerated individual listed above. If applicable, this update should include the individual's current MHSL, housing status, current confinement sanctions, any additional misbehavior reports or tickets, the number of times the individual was transferred to RCTP, and if they met with psychiatric staff to discuss medication options.

Review conducted by: _____
Angelina LoCascio
Supervising Facility Review Specialist

NEW YORK STATE | Office of Mental Health
Central New York Psychiatric Center

KATHY HOCHUL
Governor
ANN MARIE T. SULLIVAN, M.D.
Commissioner

July 13, 2026

Jody Signoracci
Deputy Director of Outreach, Prevention and Support
Justice Center for the Protection of People with Special Needs
161 Delaware Avenue
Delmar, New York 12054

Dear Ms. Signoracci:

We received your letter dated 6/23/26, in response to the Justice Center's 10/23/25 site visit of the Franklin Correctional Facility (CF) Special Housing Unit (SHU) and General Constricted Unit (GC-R) to review the quality of mental health care provided to incarcerated individuals and determine compliance with the Humane Alternatives to Long-Term Solitary Confinement (HALT) legislation, the Office of Mental Health's (OMH) policies, and the Department of Corrections and Community Supervision's (DOCCS) directives.

OMH responses were not requested or required for the recommendations associated with Findings #1-5 and 7-9. Below are OMH's responses to the pertinent findings.

Recommendation and Request for Finding #6:
"…Please provide the Justice Center with an update regarding incarcerated individual's 1-7 listed above. This update should include the individual's MHSL [Mental Health Service Level], housing status, current confinement sanctions, any additional misbehavior reports or tickets, and the number of times the individuals were transferred to the RCTP [Residential Crisis Treatment Program]."

OMH Response:
OMH continues to work with DOCCS to ensure all incarcerated individuals on the mental health caseload are appropriately housed not only in accordance with their diagnoses and MHSL, but also in accordance with their assessed treatment needs. Pursuant to policy, OMH offers callouts to individuals who remain in SHU for 15 days or less. If needed, OMH offers additional callouts beyond those required by policy. All individuals, regardless of caseload status, are also assessed cell-side during regular rounds.

At his request, incarcerated individual 1 was discharged from the mental health caseload on 3/3/26 after a period of stability. He has resided in the Cayuga CF Residential Rehabilitation Unit (RRU) since 6/8/26. He has not required RCTP admission during his incarceration.

Incarcerated individual 2 remains a MHSL 3. He has resided in the Mohawk CF General Population (GP) since 12/29/25. He has not required RCTP admission during his incarceration.

Incarcerated individual 3 was made a MHSL 4 on 12/12/25 after a period of stability and no longer requiring or wanting psychiatric medication. He was released from DOCCS custody on 4/21/26. He did not require RCTP admission at any point in his incarceration.

Incarcerated individual 4 was opened to the mental health caseload and made a MHSL 3 on 10/29/25. He has resided in the Mohawk CF GP since 4/28/26. He has not required RCTP admission since 2016.

Incarcerated individual 5 was discharged from the mental health caseload on 1/20/26 after a period of stability without the need for psychiatric medication. He was discharged from the Franklin CF SHU to the GP on 11/4/25, where he continues to reside. He has not required RCTP admission during his incarceration.

Incarcerated individual 6 remained a MHSL 3. He was residing in the Adirondack CF GP as of 12/2/25 and was released from DOCCS custody on 3/12/26. He did not require RCTP admission at any point in his incarceration.

Incarcerated individual 7 remains a MHSL 4. He transferred to the Upstate CF RRU on 10/28/25, where he continues to reside. He has not required RCTP admission during his incarceration.

OMH defers to DOCCS regarding information on any additional misbehavior reports these individuals may have received.

Request and Recommendation for Finding #10:
"To ensure that individuals are seen by psychiatric staff upon admission to mental health services, when they transfer to a new facility and when they are making multiple requests via their assigned clinicians, it is imperative that timelines regarding psychiatric treatment are adhered to. The Justice Center requests an explanation as to why this individual was not seen per policy, and any documentation to support that the clinician completed a referral for this individual to be seen as per their request.

Lastly, please ensure psychiatric staff who provide psychiatric services at Franklin CF are retrained on OMH CBO Policy #5.0- Psychiatric Progress Notes to ensure timely completion of psychiatric contacts and provide documentation demonstrating they were retrained."

OMH Response:
At this time, Franklin CF was experiencing numerous staff shortages. This required them to triage psychiatric coverage for incarcerated individuals who were on medication and required continuity of care orders. Those who were not currently on medication, such as incarcerated individual 14, were put on a waitlist to meet with a prescriber as soon as one was available. This matter has since been resolved and incarcerated individuals are able to be assessed by psychiatric staff in accordance with policy.

Request for Finding #11:
"Given that this individual entered DOCCS custody endorsing symptoms of depression and anxiety, in addition to having been prescribed psychiatric medication that was removed upon their entrance into reception, the Justice Center requests that the OMH Clinical Director complete a comprehensive review of the evidence provided, including that the individuals MHSL was lowered because they were no longer on medication after not having access to a psychiatrist to discuss medication management, and then being removed from the mental health caseload while serving a disciplinary sanction. In addition, the Justice Center would like justification from both OMH and

DOCCS supporting the decision to discontinue the Vistaril the I/I was on at admission for depression and anxiety.

Please provide the Justice Center with an update regarding the incarcerated individual listed above. If applicable, this update should include the individual's current MHSL, housing status, current confinement sanctions, any additional misbehavior reports or tickets, the number of times the individual was transferred to RCTP, and if they met with psychiatric staff to discuss medication options."

OMH Response:
Vistaril is not recommended for long-term use and is not considered an antidepressant medication. We have found that Vistaril prescribed only at night on many patients entering prison has been inappropriately used in some settings as a sleep aid. This is outside of CNYPC prescribing guidelines. It is also noteworthy that when incarcerated individual 15 was assessed after he was no longer prescribed Vistaril, he directly denied having any mental health concerns.

Given the limited documentation surrounding the decisions to lower incarcerated individual 15's MHSL and ultimately discharge him from the mental health caseload, this case was reviewed with the treatment team. The review served as a reminder of the importance of staff thoroughly documenting their treatment decisions and ensuring each note is consistent from beginning to end.

Incarcerated individual 15 remains a MHSL 6, and he has not self-requested or been referred for OMH services. He is currently housed in Wyoming CF's GP. He has not required RCTP admission throughout his incarceration. OMH defers to DOCCS regarding information on any additional misbehavior reports this individual may have received.

Sincerely,

Li-Wen Lee, M.D.
Associate Commissioner
Division of Forensic Services

cc: Danielle Dill, Psy.D., Executive Director, CNYPC
William Vertoske, Deputy Director, Corrections Based Operations, CNYPC
File

NEW YORK STATE | Department of Corrections and Community Supervision

KATHY HOCHUL
Governor

DANIEL F. MARTUSCELLO III
Commissioner

July 27, 2026

Jody Signoracci
Deputy Director, Office of Outreach, Prevention & Support
NYS Justice Center for the Protection of People with Special Needs
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Delmar, NY 12054

Franklin Correctional Facility
Humane Alternatives to Long-Term Solitary Confinement (HALT)
Draft Compliance and Quality of Care Review
JC#: 77010180436

Dear Deputy Director Signoracci:

This is in response to the New York State Justice Center's visit to the Franklin Correctional Facility on October 23, 2025, to review the quality of corrections-based mental health programs, treatment, and conditions of confinement for incarcerated individuals placed in Special Housing Unit (SHU) and General Constricted (GC-R) Unit in accordance with the HALT Legislation, OMH policies, and DOCCS Directives.

1. Recommendation and Request:

Given that this is the third review that the Justice Center has found no individuals programming at the Franklin Correctional Facility, the Justice Center requests DOCCS Central Office complete an analysis of the programming offered, why individuals are refusing, what they are choosing to do instead, and the conduciveness of the location of the programming to determine why no one accepts programming at the Franklin Correctional Facility. In addition, DOCCS should consider increasing and expanding incentives to encourage program attendance and offer the opportunity for classroom programming to foster engagement. Out-of-cell programming can help develop coping skills and assist in behavioral modification to avoid future disciplinary sanctions.

Lastly, please also provide the SHU and GC-R program schedule and attendance records for the month of May 2026.

Response:

DOCCS continues to recognize the benefits of therapeutic programming for all individuals in SHU and GC-R and is constantly looking at ways to engage the incarcerated population in participating in daily out-of-cell programming. Incarcerated individuals in SHU and GC-R at Franklin Correctional Facility are encouraged by both civilian and security staff during the morning Go-Rounds to participate daily in out-of-cell programming and work on identifying the behaviors that led to their disciplinary confinement and take steps to engage in behavior modification. Programming is offered daily in both housing units, but attendance is not mandatory, and incarcerated individuals can refuse and are not obligated to provide a reason.

On May 5, 2026, our administration at Franklin Correctional Facility decided to move two (2) Reduced Security Therapy and Recreation Tables (RESTART) to a private room in the SHU to allow for privacy and provide a more conducive learning environment. Our staff continue to encourage the incarcerated population during rounds to attend daily programming. We are starting to see a slight increase in out-of-cell programming since March 2026.

In June 2026 a General Confinement Restricted Unit (GCRU) Operations Manual and Incarcerated Individual Orientation Manual were developed, approved and distributed to every individual admitted to that unit to inform them about what programs are offered.

All the incentives provided are standardized and approved by Central Office to provide consistency in all therapeutic programs statewide.

We have attached for your review the SHU and GC-R program schedule and attendance records for the month of May 2026.

2. Request:

The Justice Center requests a recreation schedule for both the GC-R and SHU, detailing the hours and times that recreation is offered to individuals. In addition, please provide attendance records for recreation for both the SHU and GC-R for the month of May 2026.

Response:

We have attached for your review the SHU and GC-R recreation schedule and attendance records for the month of May 2026.

3. The Justice Center received five (5) surveys out of the 20 that were distributed to incarcerated individuals at the Franklin Correctional Facility.

4. Recommendation and Request:

To encourage programming attendance and record commendable attitudes or compliance with program plans, the Justice Center recommends the use of incentives, which may entice individuals to consider attending programming to learn concrete skills and improve post-confinement outcomes.

Response:

Therapeutic programing in confinement sanctions units is geared to offer incarcerated individuals an opportunity to look at the behaviors that led to their placement in that unit and engage in steps to make some positive changes.

Behavior modification through the use of incentives relies on the concept that incentives are used to reinforce the desired behavior. Providing an incarcerated individual with an incentive beforehand just to “entice” them in attending program without any observable efforts or positive behaviors goes against the intended purpose of therapeutic programming in a prison setting.

5. Request:

It is the Justice Center’s understanding that DOCCS has begun discontinuing the practice of confiscating general population tablets when an individual is moved to restricted housing and instead placing the appropriate restrictions to the individual’s tablet, allowing access to the Law Library application. Please confirm if the Franklin Correctional Facility has begun this practice for individuals housed in the SHU and GC-R, and if yes, the protocols for the usage and what restrictions are in place.

Response:

In regard to your inquiry about incarcerated individuals using their personal tablets in the disciplinary housing units, this is still being piloted in a few facilities but has not yet been implemented at Franklin Correctional Facility.

6. Recommendations and Request:

Segregated confinement poses serious risks to a person's mental health. The Justice Center recommends that those with ongoing mental health needs be diverted as soon as possible from segregated confinement and placed in programs that have ongoing therapeutic and beneficial programming.

Please provide the Justice Center with an update regarding incarcerated individual's 1-7 listed above. This update should include the individual's MHSL, housing status, current confinement sanctions, any additional misbehavior reports or tickets, and the number of times the individuals were transferred to the RCTP.

Response:

DOCCS continues to divert every individual that is considered Special Population to a facility with access to therapeutic programming in accordance with the HALT Legislation. Not all individuals on the OMH caseload meet the definition of Special Population, therefore, can be placed in the SHU for a timeframe not to exceed 15 days as per the HALT Legislation.

Furthermore, Senate Bill S4269 that was introduced to expand the definition of special populations to include all individuals active on the OMH caseload was vetoed by the Governor.

Incarcerated individual 1 ([redacted]) has been assigned a Mental Health Service Level 6 since March 3, 2026, and is currently programming in RRU at Cayuga Correctional Facility. Their confinement sanctions expire on September 19, 2026, and since the Justice Center's visit, they have received four (4) additional Tier II and one (1) Tier III misbehavior reports. They did not have any RCTP admissions.

Incarcerated individual 2 ([redacted]) is assigned a Mental Health Service Level 3 and is currently housed in general population at Mohawk Correctional Facility. Their confinement sanctions expired on December 26, 2025, and since the Justice Center's visit, they did not receive any additional misbehavior reports. They did not have any RCTP admissions.

Incarcerated individual 3 ([redacted]) was assigned a Mental Health Service Level 4 and their confinement sanctions expired on November 14, 2025. Since the Justice Center's visit, they received three (3) additional Tier II's and no additional confinement sanctions. They did not have any RCTP admissions and were released from DOCCS custody on April 21, 2026, from Franklin Correctional Facility.

Incarcerated individual 4 ([redacted]) is assigned a Mental Health Service Level 3 since October 29, 2025, and currently housed in general population at Mohawk Correctional Facility. Their confinement sanctions expired on April 26, 2026, and since the Justice Center's visit, they have received two (2) additional Tier II misbehavior reports. They did not have any RCTP admissions.

Incarcerated individual 5 ([redacted]) is assigned a Mental Health Service Level 6 since January 27, 2026, and currently on IPC status at Franklin Correctional Facility since July 13, 2026. Their confinement sanctions

expired on April 26, 2026, and since the Justice Center's visit, they have received four (4) additional Tier II misbehavior reports. They did not have any RCTP admissions.

Incarcerated individual 6 ([redacted]) is assigned a Mental Health Service Level 3 and their confinement sanctions expired on November 21, 2025. Since the Justice Center's visit, they have not received any additional misbehavior reports and did not have any RCTP admissions. They were discharged from DOCCS custody on March 12, 2026, from Adirondack Correctional Facility.

Incarcerated individual 7 ([redacted]) is assigned a Mental Health Service Level 4 and currently programming in RRU at Upstate Correctional Facility since October 28, 2025. Their confinement sanctions expire on September 6, 2026, and since the Justice Center's visit, they have received three (3) additional Tier II misbehavior reports. They did not have any RCTP admissions.

7. Request:

To ensure a thorough review, the Justice Center requests all disciplinary hearing documentation be forwarded to ensure that the tickets received meet the criteria for a Tier III ticket, to ensure a disciplinary hearing was held within five (5) days, and to ensure the individual was transferred, if required, within the 15-day period per HALT. In addition, please provide the date, facility and program in which each above named individual from the SHU transferred.

Response:

We have attached the disciplinary hearing packets for the eight (8) individuals listed below who were pending their disciplinary hearing and /or transfer to an RRU at the time of the Justice Center's visit.

Incarcerated individual 1 ([redacted]) was transferred from Franklin Correctional Facility to Upstate Correctional Facility Residential Rehabilitation Unit (RRU) on November 4, 2025.

Incarcerated individual 3 ([redacted]) was transferred from Franklin Correctional Facility to Upstate Correctional Facility Residential Rehabilitation Unit (RRU) on November 4, 2025.

Incarcerated individual 4 ([redacted]) was transferred from Franklin Correctional Facility to Greene Correctional Facility Residential Rehabilitation Unit (RRU) on November 6, 2025.

Incarcerated individual 5 ([redacted]) received 15 days of confinement sanctions including 10 days of prehearing confinement time and remained at Franklin Correctional Facility. They were discharged to general population after the 15-day sanction was completed.

Incarcerated individual 8 ([redacted]) was transferred from Franklin Correctional Facility to Orleans Correctional Facility Residential Rehabilitation Unit (RRU) on November 6, 2025.

Incarcerated individual 9 ([redacted]) was transferred from Franklin Correctional Facility to Cayuga Correctional Facility RRU for programming purposes on October 31, 2025.

Incarcerated individual 10 ([redacted]) was transferred from Franklin Correctional Facility to Collins Correctional Facility RRU for programming purposes on November 6, 2025.

Incarcerated individual 11 ([redacted]) remained at Franklin Correctional Facility after their misbehavior report that led to placement in SHU on October 18, 2025, was expunged.

8. The Justice Center received documentation demonstrating that Franklin Correctional Facility security staff were up to date on the Tier III Hearing Officer Training. There were 11 staff who are trained as of October 31, 2025.

9. Request:

Please provide the disciplinary packets for the above-named individuals, as the Justice Center is required to ensure that the tickets received meet the criteria for a Tier III ticket, to ensure a disciplinary hearing was held within five (5) days, and to ensure the individual was transferred, if required, within the 15-day period per HALT.

Response:

We have attached for your review the disciplinary hearing packets for incarcerated individual 12 ([redacted]) and incarcerated individual 13 ([redacted]).

10. Recommendation and Request:

To ensure that individuals are seen by psychiatric staff upon admission to mental health services, when they transfer to a new facility and when they are making multiple requests via their assigned clinicians, it is imperative that timelines regarding psychiatric treatment are adhered to. The Justice Center requests an explanation as to why this individual was not seen per policy, and any documentation to support that the clinician completed a referral for this individual to be seen as per their request. Lastly, please ensure psychiatric staff who provide psychiatric services at Franklin Correctional Facility are retrained on OMH CBO Policy #5.0- Psychiatric Progress Notes to ensure timely completion of psychiatric contacts and provide documentation demonstrating they were retrained.

Response:

DOCCS will defer to OMH on this recommendation and request.

11. Request:

Given that this individual entered DOCCS custody endorsing symptoms of depression and anxiety, in addition to having been prescribed psychiatric medication that was removed upon their entrance into reception, the Justice Center requests that the OMH Clinical Director complete a comprehensive review of the evidence provided, including that the individuals MHSL was lowered because they were no longer on medication after not having access to a psychiatrist to discuss medication management, and then being removed from the mental health caseload while serving a disciplinary sanction. In addition, the Justice Center would like justification from both OMH and DOCCS supporting the decision to discontinue the Vistaril the incarcerated individual was on at admission for depression and anxiety.

Please provide the Justice Center with an update regarding the incarcerated individual listed above. If applicable, this update should include the individual's current MHSL, housing status, current confinement sanctions, any additional misbehavior reports or tickets, the number of times the individual was transferred to RCTP, and if they met with psychiatric staff to discuss medication options.

Response:

Franklin Correctional Facility is an OMH Level 3 facility, therefore, they do not have any OMH nursing staff. All medication prescribed by OMH providers (Psychiatrists and Nurses Practitioners) are dispensed by DOCCS nursing staff. OMH providers are responsible for the prescription or discontinuation of all psychiatric medications. DOCCS will defer to OMH to elaborate on why this individual had their medication discontinued upon arrival at reception.

Incarcerated individual 15 ([redacted]) was assigned a Mental Health Service Level 6 since October 6, 2025, and is currently housing in general population at Wyoming Correctional Facility. Their confinement sanctions expired on October 23, 2025, and since the Justice Center's visit, they have received seven (7) additional Tier II misbehavior reports none of which resulted in additional confinement sanctions. They did not have any RCTP admissions. DOCCS will defer to OMH to clarify if this individual met with psychiatric staff to discuss medication options.

Thank you for the opportunity to comment on your report. I look forward to continuing to work productively with the Justice Center to improve the services for our population.

Sincerely,

James Donahue
Associate Commissioner

cc: Tanya Demers-Louie, Superintendent - Franklin Correctional Facility
Angelina LoCascio, Supervising Facility Review Specialist, NYS Justice Center