

# The Correctional Association of New York

FOUNDED 1844

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## HUDSON CORRECTIONAL FACILITY

The Correctional Association visited Hudson Correctional Facility on November 14<sup>th</sup> and 15<sup>th</sup>, 2007. Hudson is a medium security prison located in Hudson, New York. It was built in 1887 as a reformatory for young women and retains its historical architecture. The prison also contains a minimum security annex area, separate from the main complex of buildings, which housed 56 inmates in the Work Release program and 41 inmates in the Industrial Training program. At the time of our visit, there were 415 inmates residing in the main complex's "cottages," where inmates either share dorm rooms of a few to eight men or occupy single rooms. Cottages have shared communal spaces such as television rooms and laundry facilities, and inmates have keys to their rooms. The prison offers a variety of treatment, vocational and educational programs in its general confinement area.

When we spoke with facility staff in a November 2008 follow up conference call, the general population had dropped to 330 inmates. In response to mandated state budget cuts and the state's decreased prison population, DOCS plans to consolidate housing units at 10 prisons throughout the system, including Hudson. The facility reported that it expects to cut its general population to 282 inmates in the near future.

Members of the Correctional Association's Prison Visiting Committee conducted surveys about general prison conditions, both in-person and through the mail, with 30 Hudson inmates in general confinement and six inmates in the Temporary Release program. We have based this letter on findings from these surveys; conversations with the Superintendent, the executive team, program staff and inmates; observations during our visit; correspondence with inmates; and meetings with the staff union representatives and members of the Inmate Liaison Committee.

The following report presents a summary of our observations and recommendations. Our findings concerning the Temporary Release program are included in a separate section.

### **Summary of Findings and Recommendations**

The Visiting Committee was impressed with many areas at Hudson. The Superintendent and his executive staff seemed committed to creating an environment that requires significant inmate responsibility while offering more autonomy and the opportunity for personal development. Many of the vocational and academic instructors whom we met struck us as dedicated and energetic teachers concerned with helping inmates learn, develop skills and prepare for their return to the community. We were pleased that overall, the level of violence

seems to be lower at Hudson than at other facilities we have visited. We found the facility very clean and orderly and the library especially impressive.

We also noted some problems. Particularly: the inadequate programming at the facility; the lack of instruction in Spanish; inmates' perceptions that the grievance system functions poorly; and the placement of DWI offenders in the Industrial Training program instead of Work Release.

Our recommendations include that the Department and facility, with additional resources provided by the state:

- Hire Spanish-speaking staff;
- Initiate vocation programs that more closely reflect job opportunities in the community;
- Expand the capacity of the academic program, including a postsecondary education program and increase the classroom space available to participants;
- Institute a training program for staff to increase sensitivity, with an emphasis on working effectively with people from diverse backgrounds;
- Meet with the ILC and IGRC to discuss ways to improve the effectiveness and credibility among inmates of the grievance system;
- Review the quality of medical clinic encounters;
- Improve the follow-up to specialty care recommendations.

### **Hudson's General Inmate Population**

Similar to state-wide averages, 22% of inmates in Hudson's general population identify as white, 53% identify as African-American and 22% identify as Hispanic.<sup>1</sup> The median age of the population is 34 and 67% are from New York City and its surrounding suburbs. Like at other medium security prisons, most inmates face the possibility of release within two years. Forty-seven percent of the population was convicted of a violent crime and 22% had a drug conviction, compared with 58% and 21% statewide, respectively, in the state prison system. Seventy-four percent of the prisoners have their high school diploma or GED, compared to 54% throughout the state prisons. Three percent of the inmate population is Spanish-speaking with limited or no ability to speak English, lower than the system-wide average (5%). Eighty-four percent of Hudson's population was identified as having a substance abuse history by the Department of Correctional Services (DOCS), consistent with the system-wide rate.

### **Programs**

According to data we received from the facility, only 9 inmates – under 2% of Hudson's population – are idle, or without any program or job assignment. A total of 212 inmates were in programs or jobs for the whole day, and the remainder of the population was occupied for half the day.

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<sup>1</sup> According to DOCS' 2008 Profile of the Inmate Population, system-wide averages are: White (20.8%); African-American (51.3%); and Hispanic (25.9%).

When inmates are not in programs, they are considered to be on “dead count,” during which time they must leave the housing areas and access the gym, yard, library or auditorium; however, these areas are not always available. According to prison officials, there were 387 and 388 inmates participating in programs during the morning and afternoon sessions, respectively, resulting in approximately 55 inmates who would have to go to one of the “dead count” areas during either the morning or afternoon. Staff explained that the “dead count” policy exists in part to model healthy life-skills wherein the inmate can participate in activities such as getting a haircut or going to the gym or auditorium instead of staying indoors and sleeping. However, several inmates complained of having insufficient activities while on “dead count,” reporting that the gym was only recently opened after being closed for many months. Inmates added that at times, a very large number of inmates are crowded into a “dead count” area with little or nothing to do. The apparent lack of additional programs at Hudson contributed to this problem at the time of our visit. We are also concerned that inmates who might not feel well physically, though not be sick enough to go to the infirmary, would have to leave the housing area.

Consistent with prisons throughout the state, Hudson inmates receive limited wages for paid modules. This rate of pay has remained unchanged for approximately 20 years, although the cost of items in the commissary has increased with inflation, and commissary prices are comparable to charges for goods purchased outside of prison. Prisoners at Hudson and throughout the state consistently complain about their growing inability to afford commissary goods.

Staff reported that there are typically few monolingual non-English speaking inmates at the facility. While there are limited materials in Spanish, instruction is in English only. In speaking with inmates, we learned that the language barrier can sometimes pose challenges, particularly in academic and vocational settings. In our follow up conversation with staff in November 2008, we were pleased to learn that the facility had hired two Spanish-speaking staff (one Senior Corrections Counselor and one Corrections Counselor).

### ***Academic Program***

At the time of our visit, Hudson’s academic courses included Adult Basic Education (ABE), Pre-General Equivalency Diploma (Pre-GED), and GED. There was one part-time vacancy among Hudson’s academic staff of three instructors. One hundred and eight inmates were enrolled in the academic program, and all classes, while not at capacity, were nearly full. At the time of our visit, the facility had only 39 inmates with academic programs on their recommended program list.

We toured several classrooms, including the computer lab, where students have weekly classes, and found the environment to be bright and engaging. The computers were new and in working order. Historically, Hudson has had a slightly older inmate population than other prisons in the state. Staff reported to us that many older inmates who arrive with little time left on their sentence prefer to focus on vocational skills development instead of academic education. While a counselor assessment and the program committee determine programs for inmates, an inmate may ask for an exemption from the education requirement that mandates an inmate be assigned to an educational module if he does not have a high school diploma or his GED.

There is no higher education offered at the facility. Since 74% of Hudson's inmates have earned their high school diploma or GED, an opportunity for them to gain higher education would be particularly beneficial, especially given that postsecondary education creates a more manageable prison environment and is proven to reduce recidivism. Facility staff said they were not opposed to having a higher education program at the facility, though they expressed concern about the short amount of time most inmates are at the facility, which could impede their ability to complete such a program.

Staff seemed very committed to placing students at the appropriate academic level, and working with students to encourage success in learning. In 2006, 22 Hudson inmates obtained their GED, representing a 56% GED passing rate which is lower than the statewide average of 71%. Sixty percent of the inmates we surveyed were satisfied with the academic program at Hudson.

### ***Vocational Program***

At the time of our visit, Horticulture was the only vocational program operating at Hudson for inmates without clearance to participate in the community work program, with a total of 58 inmates enrolled. The Executive Team reported that it was in the process of hiring instructors for the Barbershop and Small Engine Repair classes, and had received approval to begin new Building Maintenance and Floor Covering classes.

Sixty percent of the inmates we surveyed were dissatisfied with the vocational program; many complaining about limited opportunities. They also expressed concern that the skills learned in the Horticulture program would not translate into gainful employment once they were released. While Hudson offers an asbestos removal training program, enrollment was limited to only about ten inmates, and the program had a long waiting list. Similarly, community work crews are small, limited to groups of eight to ten men to work, for example, in the Thruway program or on repair projects in government buildings. However, staff reported that many of these work crews are seasonal, only operating in the summertime.

When we spoke with staff in November 2008, they reported that the facility hired two vocational instructors. In addition to two Horticulture classes, the facility now offers Building Maintenance and Small Engine Repair classes. Staff explained that the Floor Covering class was not reopened because the four classes were sufficient to meet the needs of the decreased population and that the Barbershop class was replaced by the Building Maintenance class.

### **Libraries**

Members of the Visiting Committee inspected the library and spoke with the facility's one full-time librarian, who struck us as dedicated and proud of his work. In addition to staffing the library, he voluntarily handles informal grievances. We were impressed with the library's very welcoming environment with well-displayed books lining the shelves, plants and decorations covering the walls, and classical music playing. There were computers as well as flat screen televisions with news channels showing silently.

Ninety-six percent of the inmates we surveyed were satisfied with the general library at least some of the time and inmates confirmed that they can usually access the reading material

they want. The library participates in an interlibrary loan (ILL) system. The librarian told us that checked-out books are generally returned and individuals bring back books when they find them in the general population. We were pleased to note that most of the collection resides on stacks that are accessible to inmates browsing the library.

Members of the Visiting Committee also visited the law library, which is overseen by the same librarian as the general library. The law library was smaller than the general library, but the setting was similar, with accessible tables and attractive decorations. The collection seemed up to date and easily accessible. Seventy-seven percent of respondents were satisfied, at least somewhat, with the law library.

## **Safety and Violence**

### ***Inmate-Staff Relations***

The inmates we surveyed described relations with staff more positively than at other prisons we have visited. Forty percent rated relations with staff as good, a rate significantly higher than we have found at most prisons we have visited, and 40% percent rated them as equally good and bad. Only 20% of the survey participants rated relations as bad. Sixty-seven percent rated inmate-officer relations at Hudson as better than other facilities.

Twenty percent of Hudson inmates who responded to our survey said they had experienced a physical confrontation at least once with a staff person. Seventeen percent said physical confrontations with staff occur frequently throughout the prison, a rate much lower than at other prisons. When inmates compared the level of inmate-staff physical confrontations at Hudson with other facilities, 75% said that the situation at Hudson was better than at other facilities. Sixty-three percent of Hudson survey respondents said they had experienced verbal harassment, a rate that is lower than we found at many other prisons. Moreover, only 30% said it is frequent throughout the prison, a rate much lower than other prisons. Seventy percent of survey respondents said that there are COs who act professionally and do a good job and 52% said that there are COs who engage in serious misconduct. Inmates estimated that 60% of COs do a good job and that 29% of COs engage in misconduct. Inmates and staff told us that most conflicts occur on the 3pm-11pm shift. The overall perception of safety among inmates we surveyed is much better than other prisons, with only 10% stating that they frequently felt unsafe, a rate that is significantly lower than we have found at most other prisons.

### ***Inmate-Inmate Relations***

According to both staff and inmates, tension among inmates appears to be very low at Hudson. Only 17% of the inmates we interviewed reported personally being involved in a physical confrontation with another inmate, and only 7% said that such confrontations were frequent throughout the facility, a rate lower than at many facilities we have visited. The staff agreed that although inmate fights occur, they are not common. While over 50% of inmates we surveyed said that gang activity was very common at the facility, most said that it did not contribute to violence and 40% said that it is much less common than at other facilities. Sixteen percent of the inmates we surveyed said that contraband drug use was common, at least somewhat, but 83% said that drug use at Hudson was much less than at other prisons.

Some inmates and staff attributed the low level of tension among inmates to the fact that many prisoners are close to their parole board dates and are focused on avoiding or preventing behavior that might jeopardize their release. Others credited the experienced security staff and their ability to resolve conflicts in a professional and non-violent manner. Both factors seem to result in less violence and reduced tension in the prison.

### **Grievance Program**

Compared to other prisons, Hudson has a very low number of grievances. Inmates filed a total of 30 grievances in 2006, representing a decrease from the 45 in 2005. The most highly grieved area in 2006 was staff conduct, with 18 grievances, down from 34 the previous year. According to DOCS, these grievances involved unprofessional conduct, racial slurs, verbal abuse, and threats.

There is no formal Inmate Grievance Resolution Committee, though staff explained that the Superintendent may appoint two staff people and two inmate representatives as needed. As mentioned above, the head librarian addresses informal grievances. While a system that handles inmates' complaints informally can serve a useful purpose, inmates raised several concerns about the grievance system at Hudson. Sixty-two percent of the inmates we surveyed who had filed a grievance said they had been retaliated against for making a formal complaint. Seventy-seven percent of these inmates rated the grievance system as poor. Fifty percent said that the grievance system was worse at Hudson than at other prisons, with only 20% saying it was relatively better at Hudson.

### **Other Programs: Visiting, Mail/Package, Showers and Food Services**

The visiting program at Hudson operates on weekends and holidays. At the time we toured the facility, the visiting room was being renovated to create more space, including a children's play area, a project that had been completed when we spoke with staff in November 2008. Fifty-six percent of the inmates we surveyed were dissatisfied with the visiting program. Some inmates complained that it took an hour to process visitors and others told us that at times, the area is overcrowded. During our November 2008 conversation, staff told us the renovation was completed, but the capacity of the visiting room had not increased. Inmates were positive about the mail and package programs, with 73% of the inmates we surveyed stating they were satisfied at least some of the time. Similarly, 82% said they were satisfied at least some of the time with food services.

### **Transitional Services**

We met with the prison staff and Inmate Program Assistants (IPAs) for the Transitional Services activities at the prison. We were impressed with both the professional staff and IPAs. Hudson conducts all three phases of Transitional Services. Phase One is a one week orientation program, during which inmates receive information about how to access services within the prison and in DOCS and are encouraged to write for their social security card and birth certificate. Phase Two at Hudson is a three month program designed to deal with most of the issues important to reentry. Unlike most Phase Two programs, Hudson inmates in Phase Two also learn resume writing and get assistance in seeking documentation they will need for reentry.

Phase Three is a three week program for inmates about to be discharged that is designed to assist them in planning for housing, jobs and other services. Inmates in Phase Three finalize their resumes, learn skills to succeed in interviews and obtain their social security and birth certificates, if these documents have not been received prior to starting the program. The Corrections Counselors reported that they provide many Phase Three inmates with help in identifying housing and community-based services, and frequently write to programs to obtain a letter of reasonable assurance needed for parole. Staff people said they could use more up-to-date materials about programs in the community and would like internet access to help them identify resources in the community available to formerly incarcerated individuals. It appears that the inmate and professional staff in Transitional Services are highly motivated to assist inmates in planning for their release.

### **Temporary Release Program**

In contrast to Hudson's general population, only 19% of inmates in the Temporary Release program are from New York City and its surrounding suburbs. Forty-nine percent identify as Caucasian, 40% as African-American, and 9% as Hispanic. Eighteen percent were convicted of a violent felony and 41% of drug offenses. Higher than the state-wide rate, 71% of Hudson's inmates in the Temporary Release program have a high school diploma, GED or higher degree, and only two Spanish-speaking inmates were identified by DOCS as having no or limited English skills. Eighty-eight percent were identified as having a substance abuse history.

Hudson's Temporary Release facility is comprised of two programs: Work Release and Industrial Training. In the Work Release program, the facility requires inmates to maintain employment in the community during the week and permits inmates to go home on weekends. The Industrial Training program has more structure than the Work Release program in that inmates do not work in the community but rather on DOCS projects. Staff explained to us that technically, the criteria for both programs are the same, and that the facility's staff make the decision about which program most inmates will enter. Staff base this decision in part on an inmate's time to release because in the Industrial Training program inmates participate in Core Craft, which takes at least six months to complete. Staff informed us that state legislation requires that inmates with Driving While Intoxicated (DWI) convictions are assigned to the Industrial Training program. All but one of the inmates we surveyed in the Industrial Training program stated they would prefer to be in the Work Release program.

Once inmates are placed in a program, they attend orientation, which typically lasts two weeks or more, depending on the individual. At the time of our visit, the Department contracted with three outside agencies to provide outpatient substance abuse treatment services, and staff assisted inmates in finding employment in the community. Staff people reported close relationships with employers and no problems locating jobs for the inmates. Some inmates stated that while finding employment was not a challenge, they were concerned that the jobs they obtained provided little room for professional development or advancement.

### **Medical Care**

The Visiting Committee met with the Nurse Administrator, who was very cooperative in providing information about the prison healthcare system, and we toured the medical area. Overall, we had a favorable impression of the medical services. Hudson survey respondents

were more favorable about medical care at Hudson than inmates at other prisons: 19% of the survey participants rated healthcare as good; 59% reported it as fair; and only 22% stated that it was poor. Only three grievances about medical care were filed by Hudson inmates in 2006.

The prison's medical staff consists of a part-time physician, working at 60% of a full-time equivalent rate, five registered nurses and a nurse administrator. There were no vacancies at the time of our visit. The medical staff reported that the prison does not use nursing contract services or routine per diem nurses. However, it has been approved to use extra service nurses from other prisons or per diem nurses to cover for permanent nursing staff when they are on vacation. It appears that the prison has a stable medical staff and limited need for additional nursing coverage.

The prison conducts sick call twice per day, at 6:00 am for the regular prison population and at 4:00 pm for inmates who work outside the facility. Typically, ten inmates attend the morning session and four to five inmates are seen at afternoon sick call. A majority of the inmates responding to our survey reported no problems with access to sick call; 23% said they sometimes have access difficulties and 15% stated that they could not get access when they needed it. These rates are somewhat better than figures at other facilities. When asked to assess the quality of the sick call nurses, 21% of the respondents said the nurses were good; 48% stated they were fair; and, 31% rated them as poor. These ratings are also somewhat better than at most of the prisons we have visited.

The part-time physician examines inmates in the clinic who are referred for evaluation by the sick call nurse. Seventeen percent of survey respondents reported that they experienced frequent delays in access to the doctor; 38% said they experienced delays in access once or once in a while; and 45% reported never experiencing problems with access to the physician. These rates are better than comparable rates at most of the prisons we have visited. In evaluating the quality of the care they received by the physician, the survey respondents were more critical: only 7% reported the care as good; 52% said it was fair; and 41% rated it as poor. These rates are about average for the prisons we visit.

Concerning Hudson inmates with chronic conditions, the prison reported: 14 inmates infected with HIV, of whom 11 were on therapy; 43 inmates infected with Hepatitis C, of whom two were on treatment; 68 inmates had asthma, of whom 43 were on treatment; 68 inmates had hypertension, of whom 54 were on therapy; and, 12 inmates had diabetes, of whom 11 were taking daily medication.

Concerning HIV care, we were pleased to learn that the prison physician, Dr. Enu, is recognized by DOCS as an HIV specialist. In the most recent DOCS HIV Continuous Quality Improvement audit of the prison, ten charts of HIV-infected inmates were reviewed by the audit team; of these, five Hudson inmates were diagnosed with AIDS, eight of the patients were considered stable and no HIV-positive inmates were rated as unstable.

At the time of our visit, we were informed that two patients with Hepatitis C (HCV) were receiving treatment. The Nurse Administrator said that since she arrived at the prison in May 2007, no inmates had been started on HCV therapy. She reported that the prison refers HCV-infected inmates to a gastroenterologist at the Coxsackie Regional Medical Unit (RMU) for evaluation, but she could not report on the utilization of these services. When we spoke with

staff in November 2008, they reported that since our visit, there were four inmates on HCV therapy, though there were none on treatment at the time of our conversation. While not all inmates will qualify for treatment, the low number of HCV patients on treatment at Hudson is some cause for concern; the prison medical staff should review its HCV population to determine whether any patients are appropriate candidates for therapy.

The Nurse Administrator reported that most specialty care services are obtained from the Coxsackie RMU and that the prison is not experiencing difficulties in accessing any particular specialty service. Thirty-one percent of the inmate-respondents reported experiencing delays in specialty care, a rate somewhat better than most prisons we have visited. However, 64% of the respondents said that there was not sufficient follow-up to the specialists' recommendations, a high rate comparable to other prisons. We urge the prison medical staff to speak with the ILC to determine why a majority of the population was dissatisfied with the follow-up to specialty care.

The prison has no pharmacy and obtains its medication from the regional pharmacy at Coxsackie. The Nurse Administrator reported that the prison can receive medications the same day for requests made in the morning. Most inmates on medication responding to our survey said they did not have problems receiving their prescriptions.

The medical staff reported that the prison holds monthly Continuous Quality Improvement (CQI) meetings and that, on a quarterly basis, prison staff conduct chart reviews for several quality improvement instruments provided by DOCS' Division of Health Services. This level of CQI is impressive and represents more frequent audits than occur at other prisons we have visited. We were informed that the Regional Medical Director comes quarterly to the prison. We were also told that the prison has had no recent contact with DOCS' Central Office CQI committee.

Overall, it appears the healthcare system at the prison is functioning somewhat better than at other prisons and that the medical staff is generally able to meet the needs of the inmate population.

### **Meeting with Staff**

Visiting Committee members met with representatives of each staff union, and we appreciated the informative conversation. They described a pleasant work environment where they generally feel safe and where there is a good rapport among security and civilian staff. They also noted that they have generally positive relations with the administration and appreciated the open-door policy of the executive team.

Hudson's security staff is very experienced, which, they reported, helps to maintain safety in the prison. There was concern among some staff that many senior correction officers would retire upon reaching 25 years with the Department, since their existing pension plan offers no incentive for them to remain on the job longer. Staff is worried that the stabilizing influence of experienced COs will be lost and that the inexperienced staff will no longer have the advantage of learning from seasoned officers.

## **Final Meeting with Executive Team**

At the end of our visit, the Visiting Committee met with the Executive Team to discuss our initial observations. We mentioned our positive impressions of inmate-staff relations and the apparent lack of violence. We noted the dedication of the academic staff, particularly the vigilance in trying to keep inmates enrolled. We also remarked on the impressive Horticulture program, the cleanliness of the facility, and the knowledgeable and dedicated substance abuse treatment staff.

We discussed our concern about the level of idleness at the prison. We shared our view that the vocational programs may not be the most useful for the older inmate population typically housed at the facility. We noted the importance of making higher education available to inmates who have earned their GED or high school diploma. The Executive team did not share our concern about the level of idleness at the facility and suggested that with the opening of new classes their vocational programs were effective for the Hudson population. They agreed that higher education would be valuable at Hudson.

## **Recommendations**

### ***Programs – General***

- Increase the wages for inmates' paid modules.
- Hire Spanish-speaking staff.

### ***Vocational Program***

- Initiate vocational programs that more closely reflect job opportunities in the community.

### ***Education***

- Institute a state-funded postsecondary education program at Hudson.

### ***Medical Care***

- Review the quality of the medical encounters between Hudson inmates and the clinic provider.
- Increase educational and other outreach efforts concerning Hepatitis C (HCV), including more peer education programs, to encourage inmates to test for HCV; for inmates who are identified as HCV-infected, review their medical status to determine if any may be appropriate candidates for treatment.
- Review the timeliness of specialty care appointments and initiate a review of completed consultations to determine whether there has been adequate follow-up to the recommendations made by the specialists.

### ***Safety and Violence***

- Institute a training program for staff to increase sensitivity, with an emphasis on working effectively with people of diverse backgrounds.

- Meet with the ILC and IGRC to discuss ways to improve the effectiveness and credibility among inmates of the grievance system.

*Staff Concerns*

- The Executive and the Legislature should institute system-wide incentives for security staff to remain on the job for longer than 25 years.