



Commission of Correction

ALLEN RILEY
Chairman

THOMAS J. LOUGHREN
Commissioner

YOLANDA CANTY
Commissioner

MEMORANDUM

To: Governor Kathy Hochul
From: Allen Riley
Re: SCOC Transparency Initiative
Date: October 19, 2021

Pursuant to the September 20, 2021 memorandum of Secretary Karen Persichilli Keogh and Counsel Elizabeth Fine, the New York State Commission of Correction (SCOC) has undertaken an assessment of ways the agency can be more transparent. To increase the transparency of the agency's work, the Commission plans to implement or sustain the following practices relative to its policies and protocols:

Incarcerated Individual Mortality Reports – Following receipt of its Medical Review Board's (MRB) report of the cause and circumstances surrounding the death of an incarcerated individual, the Commission commonly delivers a final report to the correctional facility administration and other relevant officials, specifying recommendations and required action to prevent the recurrence of any such death. Often requested pursuant to the Freedom of Information Law (FOIL), it is the Commission's intent to prospectively publish every such report on its public webpage, with appropriate redactions to protect medical, mental health, and other confidential information.

COVID-19 Jail Status Report – On a weekly basis, SCOC compiles the reports of each county jail and the New York City Department of Correction (NYCDOC) facilities active and cumulative positive tests for COVID-19 infection, current quarantines and mortalities for both staff and the incarcerated population. SCOC intends to publish such report on its public webpage on a weekly basis.

HALT and MAT Annual Reports – Recent legislation requires SCOC to issue an annual public report to the Governor and the Legislature with respect to the compliance of local correctional facilities with the *Humane Alternatives to Long-Term Solitary Confinement (HALT) Act* and legislation requiring the provision of medication assisted treatment to the incarcerated population. SCOC intends to publish such annual reports on its public webpage.

Project Sunlight – SCOC will continue to enforce its policy and procedure to maintain compliance with the *Project Sunlight* law to ensure all substantive interactions/appearances are timely and accurately accounted for in the *Project Sunlight* database for public view.

FOIL requests – SCOC will continue to promptly respond to FOIL requests, received both directly by the agency or via the Open FOIL NY webpage. The agency's General Counsel will continue to conduct a bi-weekly review of all outstanding requests to prevent any occurring

backlogs. As set forth above, mortality reports, a frequent request, will be prospectively published on the agency's public webpage.

Open Meeting Requirements – In compliance with the Public Officers Law, SCOC agency meetings will continue to be webcast live and video recorded with links available on the agency's public webpage. Additionally, meeting agendas and relevant agency records will continue to be posted to the webpage in advance of any such meeting.

Subject Matter List/Retention Schedule – As required by the Public Officers Law, SCOC will continue to maintain, update annually, and publish on its website a reasonably detailed current list by subject matter, of all records in the possession of the agency, together with the length of time such records are retained.

Open Data NY – SCOC will continue to fully comply with Executive Order 8.95, "Using Technology to Promote Transparency, Improve Government Performance and Enhance Citizen Engagement," by providing relevant collected data, primarily with respect to the incarcerated populations of local correctional facilities, for inclusion in the State's initiative.