

OCO Inspection of Bayside State Prison Inspection

April 11, 2022 – Housing Unit A Unit 1st Floor (A1)

Conducted by: Assistant Ombudspersons Anissa Jett, Kristin King & Amy Southwick

INTRODUCTION

Bayside State Prison (BSP) is located in Leesburg, New Jersey. The facility is comprised of general population units. Per the DOC website the facility had a population of 879 as of January 12, 2021. On April 11, 2022 the Office of the Corrections Ombudsperson (OCO) conducted an announced inspection of Bayside State Prison Unit A first floor, A1. The inspection was conducted by two Assistant Ombudspersons with the assistance of the assigned Assistant Ombudsperson for the facility. Five main areas were reviewed: living quarters, communications, recreation, programming, and food service. The inspection consisted of observation, data collection, and interviews with staff and the incarcerated persons. A Unit has a total capacity of 168 persons. The first floor capacity is 85 with a count of 82 incarcerated persons on the day of the inspection. The weather was pleasant with a reported high of 55 degrees Fahrenheit and a low of 48 degrees, sunny with no precipitation.

The inspection began at approximately 8:10 am. To gain access to A1 the Assistant Ombudspersons completed the required security checks at the main building. After the security checks we walked through an outdoor compound. The compound was clean of trash and the grass was cared for, but one had to watch their step, as geese found the compound to be their home. Their feces and feathers littered the walkways and grounds (Photographs #1 & #2). When inquired about this, the Administration advised a program to deter the geese was halted. However, they hoped to bring the program back in the future. Once through the outdoor compound the OCO reached their destination. At first impressions, the unit appeared clean and well-lit with all lighting fixtures functioning. Fire extinguishers with updated inspection tags are available on the unit. Security cameras were seen throughout the first floor and custody staff adorned body cameras.

SECTION I: LIVING QUARTERS

Observations

A1 is designed as a square with one corner being designated as a day room with an officer's station, incarcerated person's telephones, JPay kiosks, and tables with attached stools and a small television. The day space was cool at 65 degrees Fahrenheit during the morning. Each side of the unit comprises of a long hallway lined with double bunked cells on one side and the other with windows. Many windows appeared hazy and some were cracked and in need of repair or replacement. The OCO did not observe any evidence of rodents; however, many incarcerated persons reported the presence of ants and water bugs. Small birds were also seen flying through the hallways. The housing unit has heat, but no air conditioning units. The cells checked by the OCO were warmer than the day space measuring 66 degrees. While the thermometer measured lower temperatures, the cell and day room felt comfortable. Custody staff advised the Assistant Ombudspersons that additional ice or blankets will be provided if needed in extreme temperatures. During the interviews with a sample of the population when asked if the institution provides alternatives in these circumstances the OCO received a split response with half of

those interviewed stating they do receive an alternative, such as ice or an extra blanket, and the other half indicated they do not. Due to this response, the OCO will continue to monitor this matter as the weather becomes warmer. Additionally, a leak from the ceiling was observed near the officer's desk in the day room. The OCO saw no signs to caution people of the water puddling on the ground underneath it nor, was there a bucket to catch the water. As such, this could be a potential hazard with the risk of someone slipping or falling.

The OCO was advised by custody staff the day room and unit are cleaned at a minimum of four times a day. A utility closet holding cleaning supplies is maintained in the day room (Photograph #3). Additional supplies are locked in outdoor cages in the outdoor courtyard. Both custody staff and incarcerated persons confirmed that cleaning supplies are afforded to the population as requested. Unfortunately, many flyers and posters, including the PREA (Prison Rape Elimination Act), were observed to be torn or faded and in of replacement (Photograph #4).

A1 Unit offers two sets of showers. The first shower is one room with two shower heads and a utility faucet. The second shower room included three shower heads and a utility faucet. The showers heads are separated with curtains hung by ropes in both locations (Photograph #5). The OCO took notice the shared shower space provides limited privacy for those bathing. All showers are operational, but appeared to be in poor condition. Outside the shower rooms the walls are cracked and in desperate need of spackling and paint (Photograph #6 and #7). The first shower room's entrance curtain, which acts as a door to enter, is not secure and is hanging by one corner (Photograph #8). Inside discarded trash and soap were viewed scattered on the floor (Photograph #9). The walls and floors had missing and cracked tiles (Photograph #10 & #11). The first shower room's soap dishes are broken. The soap dishes were not replaced nor the wall repaired, leaving it rough and unfinished (Photograph #12). Discoloration was observed throughout the rooms and the pipes were possibly covered with a mildew like substance and other water damage (Photographs #13 & 14).

Additionally, the OCO viewed each cell and spoke with every available incarcerated person during the inspection. The cells consisted of bunk beds, sink, toilet, small shelf above the sink, and two metal chests for personal items (Photograph #15). During these interviews many individuals voiced complaints about the mattresses, requesting replacements stating their condition as thin and some torn (Photograph #16 & #17). The metal bed frames were also worn down and in need of repair or replacement. The repainting of the cells is needed as the paint is chipping in areas. The OCO received maintenance requests for a leaking ceiling and toilet, stuck window, sink light replacement and other minor repairs during these inquiries. These concerns were submitted to the Administration for review and appropriate follow up. It was also brought to the Assistant Ombudspersons' attention that three incarcerated persons were without pillows. This was immediately remedied by custody. All incarcerated persons reported they had blankets and sheets.

Recommendations

- Use of buckets in areas where leaks occur. Suggest proper signage to warn individuals and reduce the risk of slip and fall accidents.
- The OCO recommends increasing the regular scheduling of an exterminator to help reduce the presence of insects on the unit.
- Rehabilitation to the structure to prevent birds from dwelling indoors.

- Thorough cleaning and maintenance of the shower stalls to restore the tiles and fixtures, and re-secure the shower curtains.
- Include an additional curtain perpendicular to existing curtains to provide additional privacy for those bathing at the first shower head.
- Implement an effective method to hang the shower curtains.
- Replacement of mattresses and refurbish metal bed frames if possible or replace them as needed.
- Repainting of cells.

SECTION II: COMMUNICATIONS

Observations

The OCO reviewed the three main methods of communication for the incarcerated persons; JPay, telephone, and mail. The unit offers ten telephones and two JPay kiosks, all in working order (Photographs # 18 & 19). The population has access during their recreation, but otherwise there is no set schedule for their use. During the sample interview with the population some individuals expressed the need for additional telephones and kiosk. In more detailed discussion with the Administration the OCO was advised of a plan to incorporate additional telephones. The additional telephones would be added to the outside courtyard. Both custody and the incarcerated persons requested a third JPay kiosk, however, the OCO did not observe a line for the device during the recreational movement. Moreover, one kiosk was available for extensive period of time. If this was a chance occurrence or the kiosks become higher in demand, the OCO would support the additional kiosk due to the unit's capacity.

All institutional forms were available on the unit made available by shelves behind the officer's station (Photograph #20). The unit offers one mailbox for postage letters. The other departmental mailboxes are located outside the facility's center control unit (Photograph #21). This does not offer the incarcerated person anonymity as they would need to request to drop off mail or would have to wait until they had an opportunity to leave the unit for a program and/or appointment.

Recommendations

- To support anonymity incorporate departmental mailboxes, if at least Medical and OCO, within the housing unit or compound and relocate the shelving for the forms to a higher traffic area.
- As indicated by the Administration the addition of outdoor telephones.

SECTION III: RECREATION

Observations

An amended recreation schedule was newly implemented on the day of the inspection. The updated schedule provides the housing unit two hours of tier recreation a day and gymnasium recreation for an additional one hour period four days a week. During the tier recreation the incarcerated person may utilize the telephones, JPay kiosk, and the shower subject to availability. The incarcerated persons are afforded the opportunity to take advantage of the outdoor courtyard located in the middle of the housing unit during this time. The courtyard is comprised of picnic tables and power tower for pull ups, dips, and leg raises (Photographs #22). Unfortunately, those incarcerated persons interviewed stated they are not

allowed to congregate at the tables in the dayroom. Therefore, in inclement weather there is no place for the incarcerated persons to engage in an indoor passive recreation unless it is a scheduled gym day. The OCO was able to observe this during recreation as the telephones and kiosks were in use no other I/P's were congregating in the day room space, but were waiting their turn in line on the unit stairs. This was discussed with the Administration who advised due to COVID19 mitigation tactics socializing in the day room is temporality paused. However, the Administration has submitted orders to improve the space with larger televisions for the population.

The OCO was able to tour the gymnasium. The gymnasium is large and in overall good condition with multiple basketball courts and a weightlifting area with numerous weight machines (Photograph #23). There are two leaks in the ceiling, one in the main gymnasium and the second near the officer's station. Buckets were set up to catch the trickling water (Photograph #24). The gymnasium also has a separate smaller weight room which includes machines and free-weights (Photograph #25). The space is temporarily closed due to COVID19 mitigation tactics. The OCO was advised the gym and equipment to include the basketballs are wiped down and cleaned after every use.

Due to the recreation schedule being implemented on the day of the inspection, the OCO will ensure to monitor and make recommendations as necessary.

Recommendations

- With proper guidance from the Health Services Unit incorporate indoor passive recreation period which allows the incarcerated persons congregation time.
- Complete maintenance on leaks in the ceilings and provide proper signage near the leak locations.

SECTION IV: PROGRAMMING

Observations

The OCO was provided a tour of the educational and social services classrooms and offices. The hallways in the building appear to be freshly painted and bright white in color. The available classroom that was toured was in average condition, but could benefit from simple renovations (Photograph #26). There appeared to be a rust like substance and peeling paint on the ceiling (Photograph #27). Regular maintenance of these rooms would make a great improvement to the institution's atmosphere. The law library is expansive with book shelves, computers and typewriters made available to the population (Photograph #28 & #29). The library is divided into two sections, a side for leisure reading and the other for legal services.

BSP offers a variety of programming through its Education and Social Services Departments. Social Services offers six different programs which include from FRAT (Family Reunification and Transition), STARS (Successful Transition and Re-Entry Program), SEALL (Successful Employment and Lawful Living), T4C (Thinking for a Change), CYR (Cage your Rage) and HOPE (Helping Offenders Parent Effectively). Unfortunately, the waiting lists for each program appears to be extensive. For example, an audit of FRAT's current wait list is at 131 and STARS is 181. As this is disappointing, this could be attributed to the limited number of participants permitted to participate and reduced group cycles due to COVID mitigation tactics. Future reviews of the waiting list by the Assistant Ombudsperson assigned to BSP will be completed.

Most impressively, the Education Department has a wide arrange of vocational and educational courses. The incarcerated persons are provided Adult Basic Education classes that range from elementary to high school learning. The department offers masonry, plumbing, horticulture, OSHA, and heating ventilation and air. These courses are offered on a rotational basis to the population. The OCO commends all of the trades that are made available to the population.

Recommendations

- Organization of disarrayed book shelves.
- With the appropriate guidance from the Health Services Unit, it is recommended for an increase in the number group participants or an addition of groups to allow more individuals to participate in the offered courses and/or programs.
- Regular maintenance of the classrooms to include painting of the rooms.

SECTION V: FOOD SERVICE

Observations

The OCO observed the lunch mess that is distributed on the tier. The food was brought to the unit at 11:10 am. The food is set up in a small room off the day space that offers a warming table, ice machine and a window for service. The workers afforded the Assistant Ombudspersons the opportunity to watch them prep for service and to have conversation. The OCO did not observe any refrigeration in the mess room. As the steam table was being prepared it gave an opportunity to inquire about refrigeration for cold meals. The workers confirmed they did not believe any mechanism was utilized to keep the food cold. Due to this response the OCO will look further into how cold food is maintained as the days become warmer. During the meal distribution the food service workers moved as a well-practiced assembly line placing the meal on plastic trays and passing them forward through the window to the population. The incarcerated person food service workers were observed wearing gloves and hair coverings. Unfortunately, not all persons were appropriately wearing a face mask nor did the OCO view any guidance of correction to these individuals during mess. It should also be reported the DOC mask mandate was not in complete compliance with staff as well. The Assistant Ombudspersons took notice of many staff members who covered their mouth only.

The meal was distributed at 12 pm and consisted of chicken hotdogs, baked beans, cooked carrots, white bread, pineapple, and lemonade from a shared dispenser (Photographs #30 & #31). The food was adequate in portion and at the end of the mess there was ample leftover. The chicken hotdog was not hot, but tasted fine. The cooked carrots were well done and sweet. The pineapple was served cold and worked as a nice palate cleanser. The bread was fresh as it is baked on premises. The lemonade was found to be refreshing. The OCO did receive many complaints concerning the quality of food provided during the sample interviews, but overall, the meal was adequate in taste and quantity.

Recommendations

- The OCO recommends the enforcement of the DOC mask mandate through reminders and for continued noncompliance appropriate disciplinary action.

CONCLUSION

The inspection concluded at approximately 1pm. The OCO appreciates the professionalism of all the staff who assisted in the process. As well as the compliance and input from the population. In summary, BSP is in need of structural rehabilitation and thorough cleaning. Minor updates within the building would make a huge difference to the overall esthetic of the institution to include the replacement of faded torn posters and the application of fresh paint. The inclusion of the outdoor telephones will also make a huge difference to the unit. That being said the indoor recreation should not be forgotten and the population should be afforded the opportunity to engage in indoor congregate time daily as soon as guidance is received from the Health Services Unit. Due to these concerns, the OCO will be following up with the incarcerated persons and staff to inquire on the progress of the new recreation schedule.

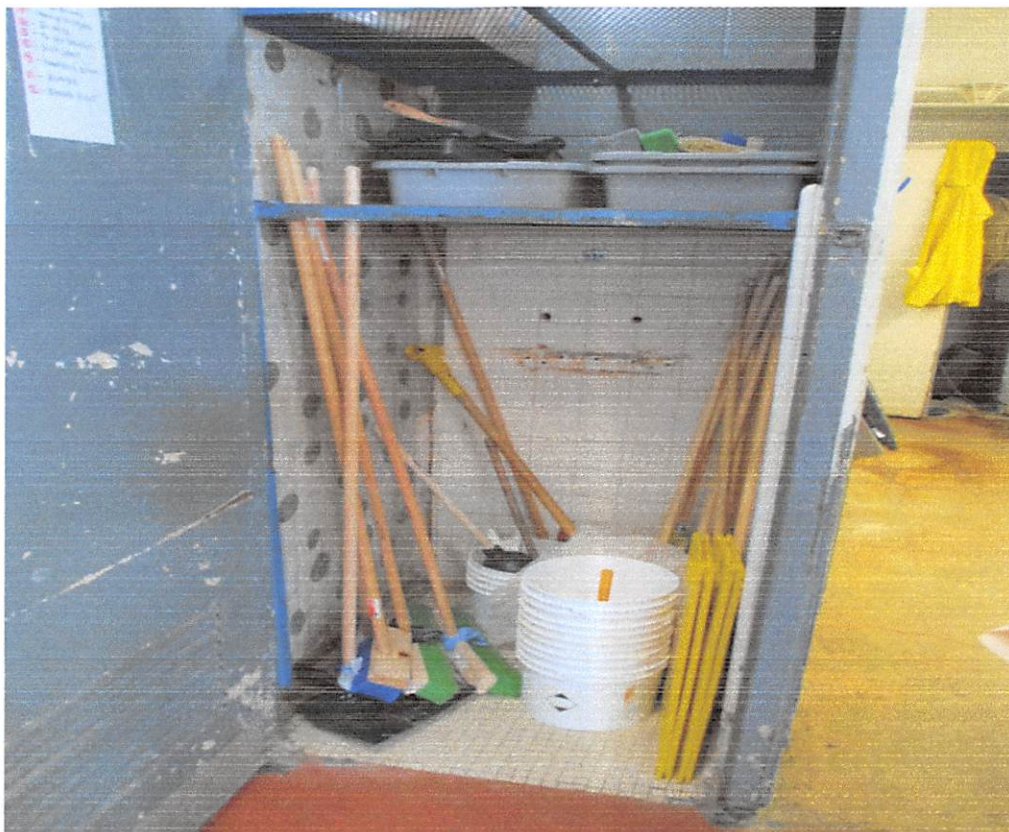
Addendum



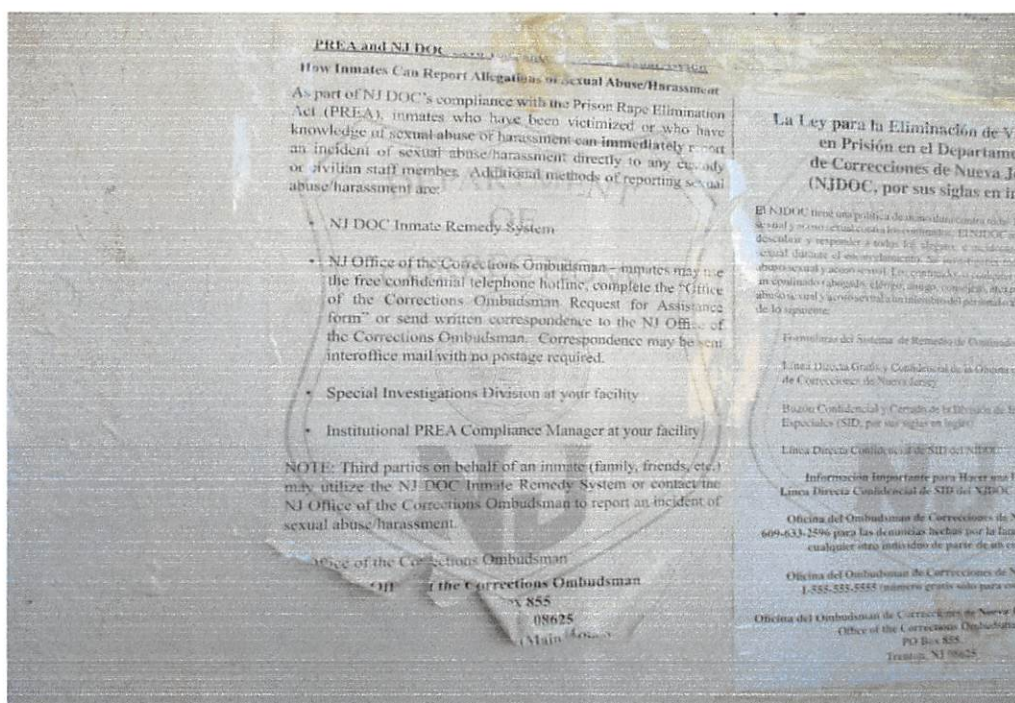
Photograph #1 Geese on Compound



Photograph #2 Droppings from geese



Photograph #3 Utility Closet



Photograph #4 PREA poster with SID and OCO Contact Numbers torn off.



Photograph #5 Ropes hanging shower curtains



Photograph #6 Entrance to shower



Photograph #7 Entrance to shower



Photograph #8 Entrance shower curtain



Photograph #9 Floor of shower stall - Discarded trash and soap



Photograph #10 Shower wall



Photograph #11 Shower floor



Photograph #12 Missing soap dish



Photograph #13 Discoloration and water damage



Photograph #14 Utility faucet



Photograph #15 Cell



Photograph#16 Mattress



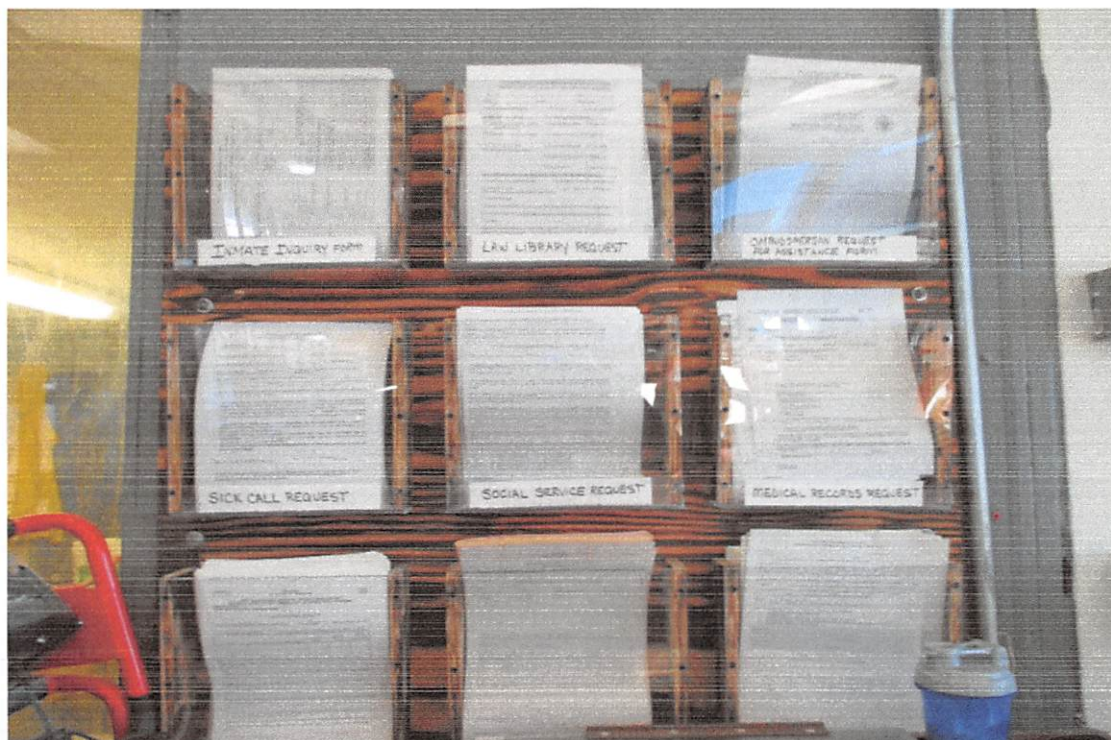
Photograph #17 Mattress and Bed Frame



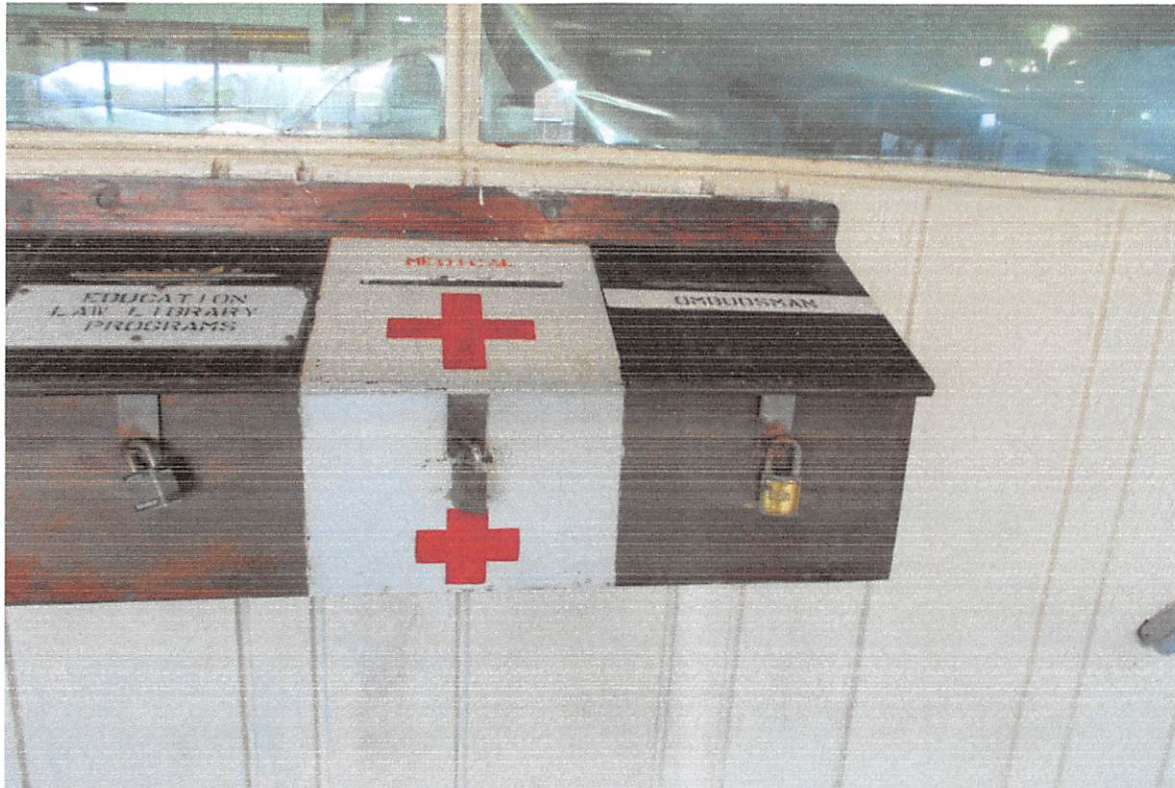
Photograph #18 JPay kiosks



Photograph #19 Telephones



Photograph #20 Forms



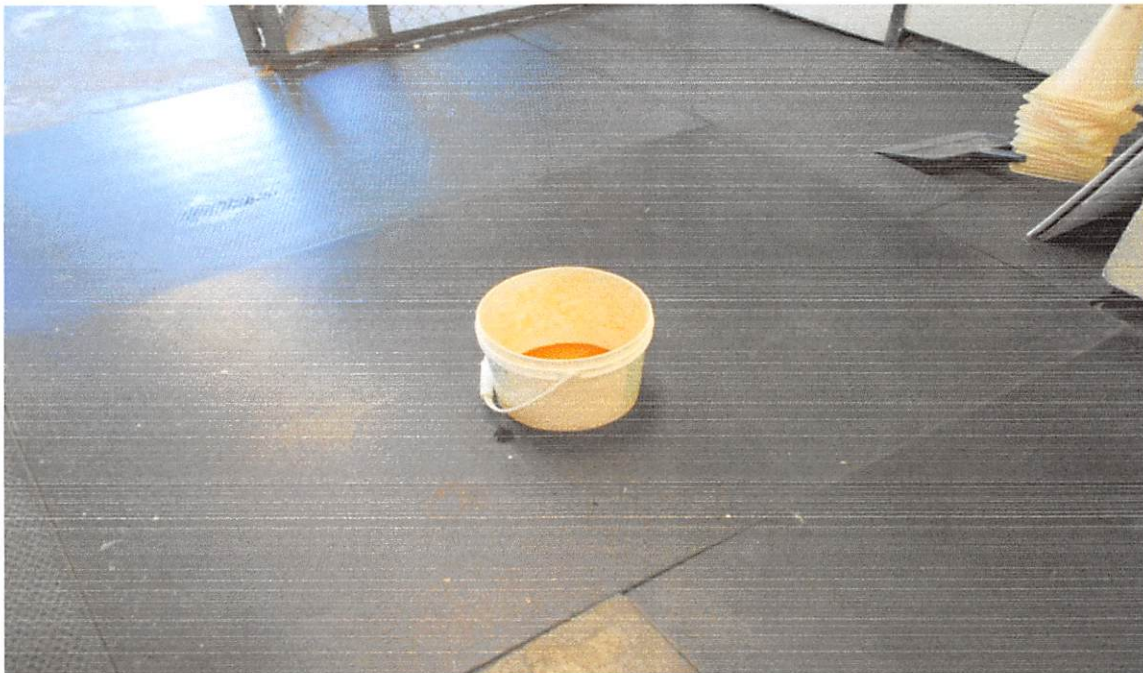
Photograph #21 Sampling of mailboxes



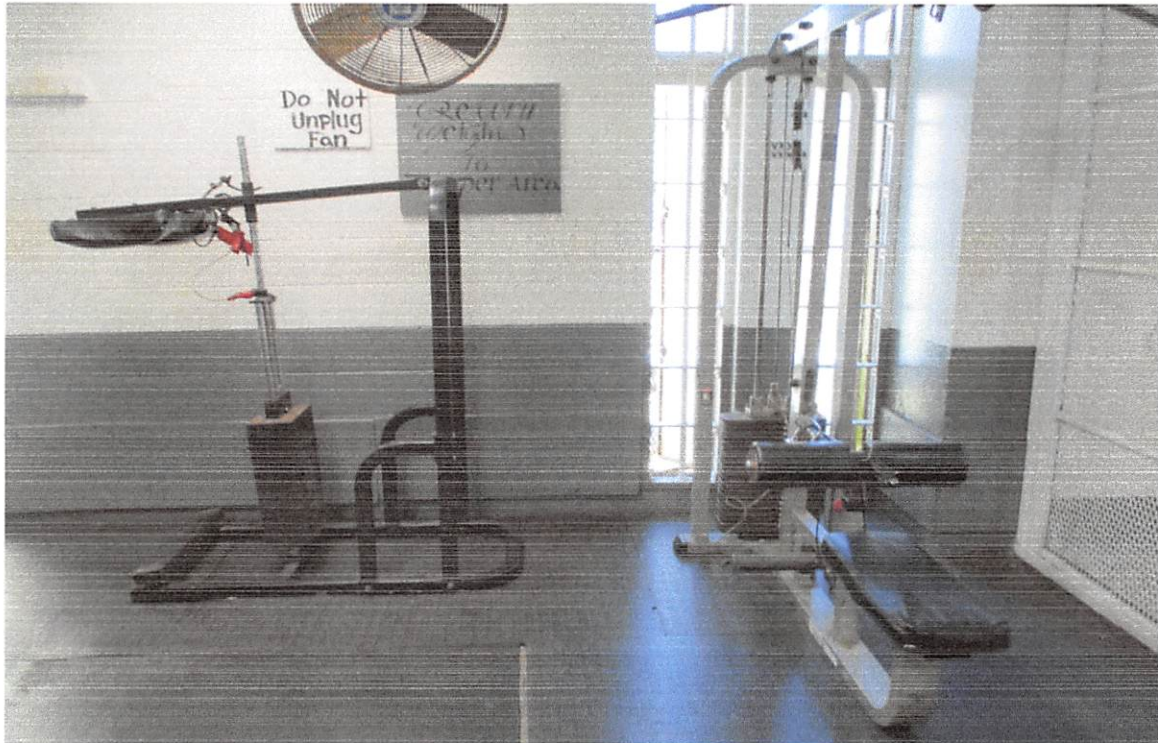
Photograph # 22 Outdoor Recreation Courtyard



Photograph #23 Gymnasium



Photograph #24 Bucket catching leak from ceiling near officer's desk.



Photograph #25 Weight machines



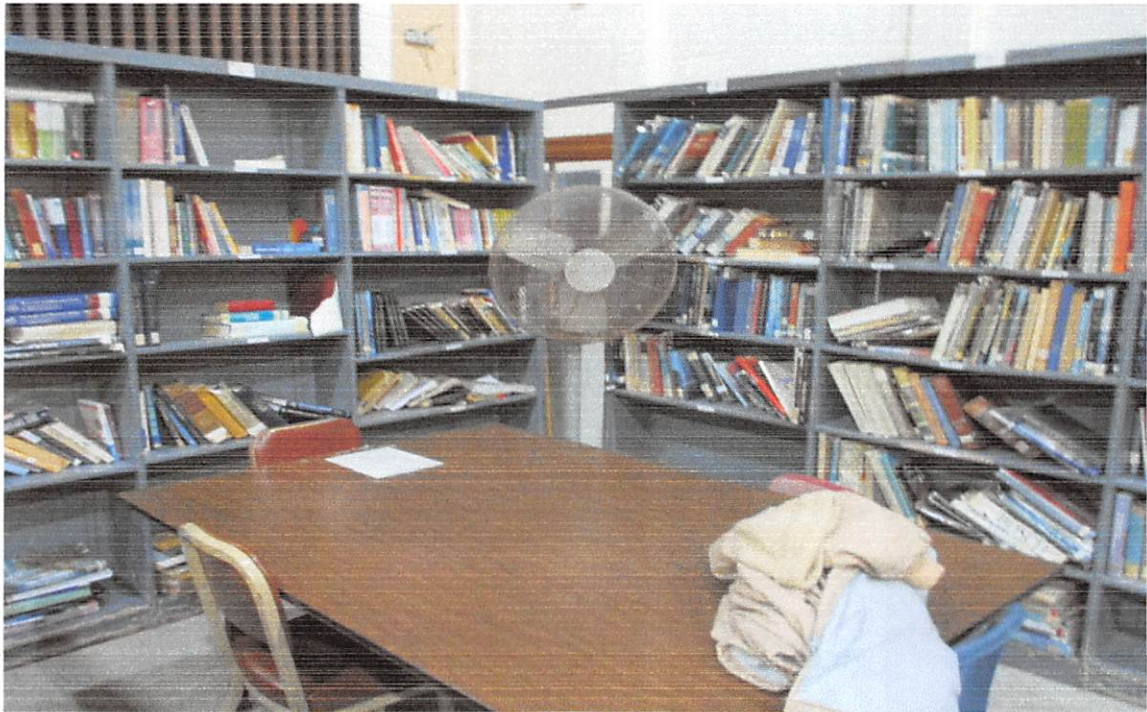
Photograph #26 Classroom



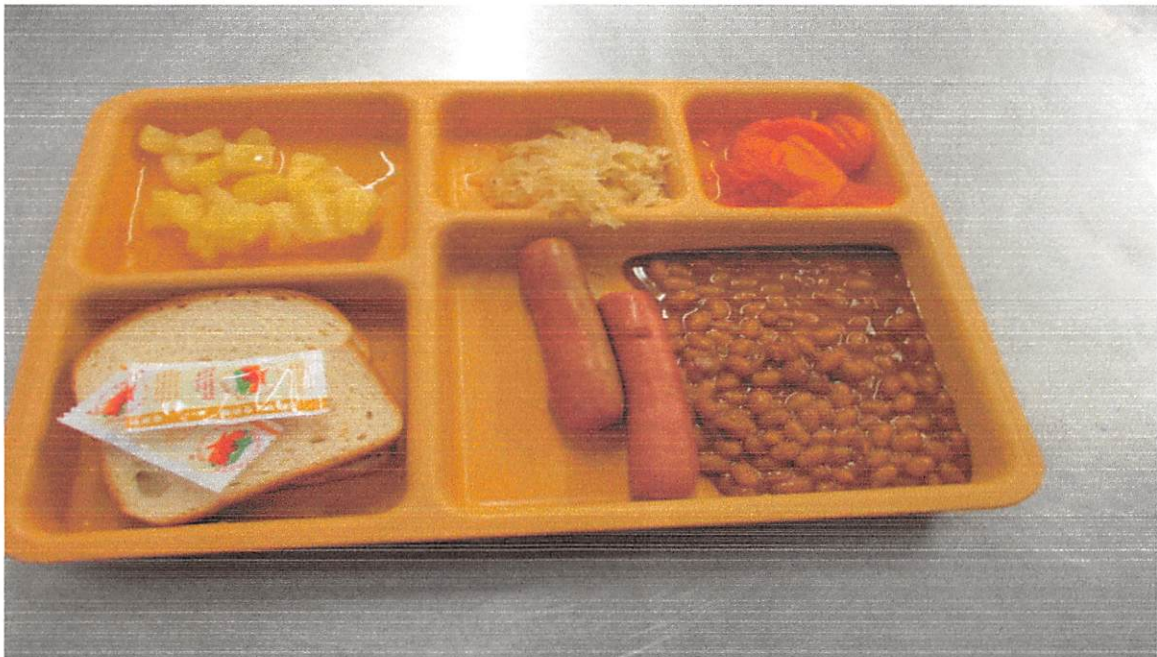
Photograph #27 Classroom Ceiling



Photograph #28 Legal portion of library



Photograph #29 Library



Photograph #30 Lunch tray



Photograph #31 Beverage Dispenser

The OCO forwarded our findings and recommendations to the Administration at Bayside State Prison on April 22, 2022 for their review and feedback. Their final response was received on April 27, 2022 and is included below. The OCO will continue to examine the newly implemented recreation schedule and monitor the progress of the rehabilitation of the facility to include the replacement of mattresses and PREA posters.

OCO Inspection of Bayside State Prison

Corrective Action Plan

April 26, 2022

1. **Deficiency** - Presence of Canadian Geese to include their feathers and feces on the compound

Correction – A deterrent spray, approved by USDA, has been ordered and will be applied to the compound and areas where there is regular foot traffic. This spray is non-toxic to both humans and animal. It makes the grass unpalatable to the geese thereby encouraging them to feed in other areas.

2. **Deficiency** – Hazy and cracked windows

Correction – New plexi-glass is on order to repair broken windows. The replacement of all windows is a Capital project with an estimated cost to exceed \$350,000.

3. **Deficiency** - Presence of ants and water bugs

Correction – The exterminator makes weekly visits and problem areas will be addressed more thoroughly.

4. **Deficiency** – Leak above the officers' area

Correction – A work order has been submitted and proper signage has been placed in all areas that may have a leak.

5. **Deficiency** - PREA flyers and posters were ripped

Correction - New posters were obtained from Central Office on 4/26/22 and are currently being posted throughout the facility per specified guidelines

6. **Deficiency** – The condition of the showers, to include broken tiles, peeling paint, inefficient barriers, and discoloration

Correction – Maintenance is working in concert with Administration to formulate a plan to systematically replace /repair all the showers. A more effective barrier system is being implemented immediately.

7. **Deficiency** – Cells are in need of repair and paint. This include the repair of sinks, toilets, shelves, and foot lockers

Correction – A paint and maintenance detail is being assembled to address all deficiencies. Work orders have been submitted for all repairs that are needed.

8. **Deficiency** – Lack of anonymity for the inmates to submit medical and OCO forms. Also, shelving for institutional forms not in a high traffic area

Correction – Boxes are being made for and secured on every unit for medical and OCO forms. Additionally, shelving will be placed on every unit to allow for free access to all forms.

9. **Deficiency** – Classrooms had rust like discoloration and books needed to be organized

Correction – A paint detail is being assembled and will be assigned to the area. The books will be organized by Law Library staff.

10. Deficiency – A number of mattresses are worn and thin

Correction – A mattress audit was conducted on 4/26/2022 throughout the entire facility. Any mattress in poor condition will be replaced immediately.