

## The Erie County Holding Center and Correctional Facility

Rachel Jones  
University at<sup>1</sup> Buffalo Law Student



### What is the Erie County Holding Center?

The Erie County Holding Center is a maximum security detention center. The Center is used to house inmates before their trials.<sup>i</sup> The Erie County Holding Center is located at 40 Delaware, Buffalo New York, 14202.<sup>ii</sup> The phone number is 858-7636.<sup>iii</sup>

### How many inmates can the Holding Center contain?

Currently, the Holding Center can house up to 680 inmates, making it the second largest detainment center in the State of New York, outside of New York City.<sup>iv</sup> When there is an inmate “over-flow”, they are housed at the Erie County Correctional Facility in the Holding Center annex.<sup>v</sup>

### Who operates the Holding Center and Correctional Facility?

Both the Holding Center and Correctional Facility are operated by the Erie County Sheriff's Office, Jail Management Division.<sup>vi</sup>



## Do members of the community have access to the Holding Center?

- In general, a one-hour visit can be set up Saturday through Wednesday from 7:00am to 2:30pm. At 2:00pm the Holding Center offers a half hour visit.<sup>vii</sup> The Holding Center does not allow for visitors on holidays.<sup>viii</sup>
- The Sheriff's office offers scheduled tours of the Holding Center. These tours include high school and college students, along with teen groups that are considered to be at risk.<sup>ix</sup>

## What is the Erie County Correctional Facility?

The Erie County Correctional Facility is a medium security facility, which can house 1,070 inmates.<sup>x</sup> It holds inmates who have committed a variety of different crimes.<sup>xi</sup> The Correction Facility also houses parole violators for the State of New York. These violators are held at the facility until they have had their final hearings for re-incarceration at different state facilities.<sup>xii</sup> Also, the facility steps in when the Holding Center is over-crowded.

The Correctional Facility is located at 11581 Walden Avenue, Alden, New York.<sup>xiii</sup> For general information about the facility, you can call (716) 937-9101.<sup>xiv</sup>

## Does the Correctional Facility provide any rehabilitation programs?

The facility provides a number of rehabilitation services. The Alden school district maintains a full-time school program for the inmates.<sup>xv</sup>

## How are the Holding Center and the Correctional Facility funded?

The Jail Management Division of the Erie County Sheriff's department is funded through the Erie County budget for the Sheriff's department and separate revenues. The Sheriff's office receives revenues from fees charged for civil process services. Also, they are reimbursed by DSS for all security services, serving of warrants for child support and welfare, and domestic violence law enforcement. They also receive revenues from jail services provided to other governments. State Aid is given to provide school lunches to the young inmates, and to support the snowmobile and marine patrol units of the Sheriff's office.<sup>xvi</sup> The 2009 adopted budget includes \$81,970,382 for the Sheriff's department.<sup>xvii</sup>



## Has there been any controversy surrounding the Holding Center or the Correctional Facility?

There have been concerns recently about the practices at the Holding Center and the Correctional Facility including:

- An internal issue that was recently settled by the Court of Appeals is the *Matter of County of Erie & Erie County Sheriff v State of New York Pub. Empl. Relations Bd.*<sup>xviii</sup> The CSEA and the Teamsters unions filed improper practice charges against Erie County and the Erie County Sheriff, alleging transfers of exclusive bargaining unit work to non-unit employees, in violation of Civil Service Law §209-a(1)(d).<sup>xix</sup> The Court of Appeals found for the County, holding

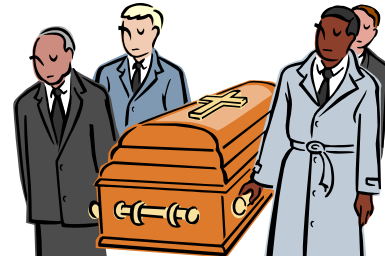


that a public employer's decisions are not bargainable as terms and conditions of employment where "they are inherently and fundamentally policy decisions relating to the primary mission of the . . . employer".<sup>xx</sup>

- A persistent concern for the Erie County Holding Facility has been overcrowding. In 2007, the Erie County Holding Center Task Force, funded by the Erie County Fiscal Stability Authority, commissioned a report by the Regional Institute at the University at Buffalo. The Institute found that the amount of incarcerated people has risen 18% since 2000. The capacity of each facility has remained the same.<sup>xxi</sup>
- Main factors contributing to overcrowding are a lack of mental health and substance abuse diversion programs and facilities, a lack of alternatives to incarceration, and data fragmentation. In 2007, 29% of the inmates housed had a drug abuse problem, a mental health issue, or a mental disorder.<sup>xxii</sup> The Institute made a number of suggestions, including allowing offenders with 30 to 60 day sentences to serve half of that time on electronic monitoring.<sup>xxiii</sup>
- Inadequate medical care in the Holding Center and the Correctional Facility has been alleged for quite some time.<sup>xxiv</sup> Nan Haynes, an attorney who has represented inmates in litigation, believes that the Holding Center is acting with an indifference to minimum basic health care needs.<sup>xxv</sup>
- There have been five inmate deaths since 2007 alone in the Erie County Holding Center and the Correctional Facility, three of which were suicides.<sup>xxvi</sup> There have also been other injuries that allegedly resulted from poor medical care.



a) Michael Bennett, age 28, died after an altercation with six Holding Center officers in 2002. His death was said to be caused by a shoe pressing into his back causing traumatic asphyxia. After the grand jury cleared the actors of criminal liability, the State Commissioner of Corrections released a statement saying that Mr. Bennett might have lived if there was better health screening in the Holding Center. A \$1 million settlement was given for the wrongful death of Mr. Bennett in 2008.<sup>xxvii</sup>



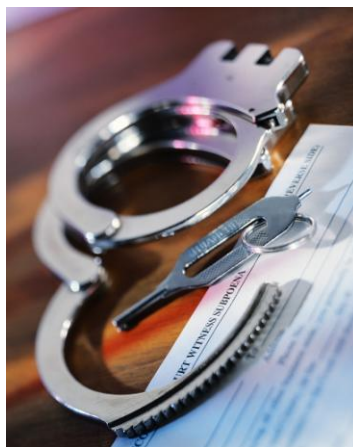
- b) Joann Jesse was found hanging in the Holding Center in March of 2008. It was found that she was going through heroin withdrawal and that she had pneumonia in both of her lungs. These medical issues should have sent Ms. Jesse to the hospital.<sup>xxviii</sup>
- c) Michael Roberts threw himself off of a railing. This occurred after he was found not to be a suicide risk.<sup>xxix</sup>

- d) In 2005, Craig Beatty slipped into a diabetic coma after the Holding Center refused to give him his insulin shots. Mr. Beatty's family is suing Erie County for \$250,000.<sup>xxx</sup>
- e) In 2007 Joseph Balbuzoski died at ECMC due to complications related to a stroke.<sup>xxx1</sup>
- f) In 2007 Robert J. Henchen died of pneumonia caused by starvation and dehydration.<sup>xxx2</sup>
- g) In 2008, John Reardon committed suicide by hanging himself from a vent in the Holding Center.<sup>xxx3</sup>

- Due to the multiple deaths and complaints surrounding the two facilities, the Department of Justice has attempted to launch an investigation.<sup>xxx4</sup> The federal inspectors want to go on a tour of the Holding Center and of the Correctional Facility to investigate the health care and mental health care that is provided.<sup>xxx5</sup>



In October of 2008, County Executive Chris Collins barred the DOJ from the facilities based on the Advice of the County attorney Cheryl Green. Green claims that if the DOJ are allowed to enter the facilities they will begin a "fishing expedition" that will most likely result in Erie County being forced to provide medical care for inmates that far outweighs the benefits that the county employees themselves receive.<sup>xxx6</sup> Green also says that the DOJ would spend most of their time interviewing inmates, who lack credibility because they are in prison.<sup>xxx7</sup> Finally, Green says that the counties who did not cooperate and were sued by the DOJ ended up in a much better position the counties that submitted for the review.<sup>xxx8</sup>



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- i [http://en.wikipedia.org/wiki/Erie\\_County\\_Holding\\_Center](http://en.wikipedia.org/wiki/Erie_County_Holding_Center)
- ii <http://www.erie.gov/sheriff/contact.asp>
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- xviii 2009 NY Slip Op 01243, Decided on February 19, 2009, Court of Appeals.  
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Partnership for the Public Good  
237 Main St., Suite 1200, Buffalo NY 14203  
[www.ppgbuffalo.org](http://www.ppgbuffalo.org)

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