

After seven-month search state can't find records detailing prison nursery program

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New York State correction officials don't maintain basic information on the state's own landmark prison nursery, including how many women have applied to the program or how long it took staff to review those applications.

After a "diligent" seven-month search conducted as the result of a Freedom of Information Law request filed by The New York World, the State Department of Corrections and Community Supervision (DOCCS) said in a letter dated Jan. 23 that the department could not locate records for most of the requested information.

The agency had earlier provided to another organization application and approval numbers for the nursery program at Bedford Hills Correctional Facility in Westchester.

In October, the World reported on high denial rates at the Bedford nursery using statistics provided by the Correctional Association of New York, a nonprofit that tracks prisoner issues and received its data from DOCCS. That data showed that of 25 applications in 2012, only 12 were approved.

The program allows inmates to stay with their infants behind bars. It has been operational for more than a century.

[You can read our series, "Access Denied," which chronicles the decline of the state-operated Bedford nursery and a city-operated jail nursery at Rikers Island, [here](#).]

A similar request made to the New York City Department of Correction, which runs a jail nursery at Rikers Island, was partially fulfilled in December. While that response did not cover the full decade of records requested, the city agency was able to provide much more information than the state on nursery participants.

[See our story on the city's response [here](#).]

The state provided partial answers to only three of the nine separate statistics requested. For example, the state's response included a single page summarizing the total annual average number of mothers and babies who participated in the program from 2010 to 2014.

That data are summarized in the chart below.

The program was once so popular that it had an additional facility at Taconic Correctional Facility, which was shuttered in 2011.

Robert J. Freeman, executive director of the Committee on Open Government, which advises government entities on compliance with open records law, said the lack of records for such a program was "hard to understand." Freeman noted that the department's response suggests that record keeping at the agency is "not up to par."

"Because the program continues to exist, certainly an agency should have the capacity to locate records that track both its successes and its failures," said Freeman. He called the agency's nearly seven-month response time "unjustifiable."