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NEWS

As summers get hotter, incarcerated people swelter inside NY prisons



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Jose Colon takes off his prison-issued mattress when it's hot. He sleeps on the metal frame instead.

The 40-year-old Bronx native lays a cotton sheet on the hard, flat surface and douses it in baby powder. When he inevitably tosses and turns in the overnight heat inside his cell at Sing Sing Correctional Facility, the powder allows his sweaty body not to stick to the sheet.

A small 7-inch plastic fan — bought in the commissary and limited to one per person — can't overpower sweltering conditions inside Sing Sing, the prison built in 1828 that overlooks the Hudson River.

The large industrial fans that blow at rows of cells, stacked in tiers, haven't worked for over two years, Colon said; the New York State Department of Corrections and Community Supervision (DOCCS), which oversees prisons, insists they're operable.

On hot days, especially in the midst of heat waves in July and August, it becomes unbearable.

"The ceilings and the hallways, they sweat," Colon said. "There's no air. There's no ventilation."

Interviews with people currently and formerly incarcerated, families, advocates and officials describe scorching conditions due to extreme heat in aging prisons throughout New York. They say it's only worsening each year.

Centuries-old prisons must now weather climate change's effects on people confined in small cells, often for hours at a time.

Experts say the heat mitigation problem could have far-reaching implications for living and working conditions in prisons nationwide. Due to climate change, global temperatures are increasing. Heat waves are becoming longer and more intense.

"With these extreme temperatures, it's not going away," said J. Carlee Purdum, a research assistant professor at Texas A&M University, who led a recent study on conditions in Texas prisons. "It's going to continue to become more and more of an issue with climate change. We can either pay for it in the front and reduce those exposures, or we're going to keep paying for it on the back end."

New York and much of the Northeast have largely avoided the scorching summers known well in Texas and other southern or western states. But Purdum is seeing the issue of extreme heat in prisons across the U.S. rise. Weather data indicates increasingly hot days across large swaths of New York.

Most living areas inside state prisons are not air conditioned, and have only fans to cool them, according to DOCCS. In written responses to the USA TODAY Network New York, DOCCS said air conditioning is provided in medical areas of New York's correctional facilities, along with the housing unit and nursery at Bedford Hills, a prison for women. Fans are used on prison galleries and personal fans are available in the commissary, the department said.

"DOCCS is committed to the safety, security and health of all those within our facilities," a statement said. "The Department is in constant compliance with national standards set by the American Correctional Association for ventilation, and goes to great lengths to ensure that incarcerated individuals and staff have options available so they can stay cool, hydrated and safe when extreme temperatures are forecast."

Meanwhile, the department said it was committed to Gov. Kathy Hochul's climate goals, including the state's landmark 2019 law that aims to substantially reduce emissions. DOCCS is also part of the state's extreme heat action plan working group, which issued interim recommendations in July. However, the report made little mention of people in prison, aside from heat alerts issued by staff.

Extreme heat is the leading cause of death among hazardous weather events in the U.S., according to the National Oceanic and Atmospheric Administration.

In 2021 and 2022 to date, DOCCS said there haven't been any deaths or hospitalizations of people incarcerated due to heat. Advocates are skeptical of state counts.

As temps rise, reports detail lack of heat mitigation

Last year, the Correctional Association of New York, the nonprofit with authority under state law to monitor prison conditions, visited Great Meadow Correctional Facility, just east of Lake George, in the heat of summer. Outside, it was 90 degrees.

Inside, people incarcerated reported that windows were closed and industrial fans weren't installed. Commissary-issued fans often weren't available, they said.

Responses in CANY's report raised concern about the lack of ventilation. They also indicated prison staff remained in air-conditioned offices on hot days, creating resentment among the incarcerated population.

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Jennifer Scaife, CANY's executive director, said one person reportedly started a fire in his cell during CANY's visit so staff could open his cellblock's windows due to the heat, as the Nation reported.

Meanwhile, climate change is driving projections that temperatures will continue to rise and heat waves will increase in intensity and frequency.

In New York, average temperatures have already increased almost 2.5 degrees since the beginning of the 20th century, NOAA data showed. Warming has accelerated more recently, with state average temperatures increasing by decade at a faster pace since the 1970s, according to a 2014 state report prepared by researchers from Columbia, Cornell and the City University of New York.

Temperatures have increased across all parts of the state. Days with highs above 90 degrees have also increased.

The 2014 state report projected the greatest warming will mostly occur in northern parts of New York.

That's also where prisons are overwhelmingly concentrated.

"Summertime is a nice time, but it's not nice inside," said Greg Mingo, 69, who spent more than 40 years in state prisons, including Great Meadow. "That's the big difference. It can get so hot, no matter what you do."

Over the decades, Mingo said he felt temperatures worsen. There were few remedies for people incarcerated or correctional officers, who have to wear uniforms inside sweltering prisons.

After former Gov. Andrew Cuomo granted Mingo clemency in September 2021 for a double-homicide Mingo maintains he never committed, he started construction work for Hudson Link, a nonprofit for higher education in state prisons, to build housing for formerly incarcerated people. He's since heard countless stories of people coping with heat in prisons.

One man in Elmira Correctional Facility, in the Southern Tier, told Mingo he had a panic attack in 2020 inside his upstairs cell during a lockdown after he became disoriented and couldn't cool himself by throwing water on his face. The man also

had three fans, which was not allowed, but that still didn't help.

At Sing Sing, CANY monitors have cited poor ventilation and high temperatures.

There was "evidence of deteriorating material conditions at Sing Sing," related to antiquated infrastructure and maintenance issues that haven't been addressed, CANY wrote in a report published in February.

"It's baking here in the summer," one incarcerated person told CANY. "One week last summer it didn't cool off overnight."

On July 19, 2022, Dr. Carol A. Moores, the chief medical officer for DOCCS, and Joseph H. Noeth, a deputy commissioner, issued a memo to superintendents, indicating "potentially dangerous heat conditions" for close to a week.

"Prolonged exposure to the heat can be harmful and potentially fatal," they wrote.

Along with staff and incarcerated people remaining hydrated, their memo instructed staff to look out for heat illness symptoms, such as headaches, light-headedness, muscle cramps, nausea and vomiting.

Superintendents needed to evaluate how necessary outside assignments for this period, Moores and Noeth said. Special attention should be given to vulnerable populations, including people receiving mental health medications, some of which make it hard for people to regulate temperature.

CANY would visit Coxsockie Correctional Facility, in the Hudson Valley, a day after state officials issued their memo. For five hours, monitors perspired inside the sweltering facility interviewing incarcerated people who had beads of sweat just standing, Scaife said.

"DOCCS is missing an opportunity to proactively lead on climate change issues by taking measures that are well within their control and resources, in order to sound the alarm for the need for additional infrastructure investments," she said. "It's only going to become a more prominent feature of our monitoring and reporting as extreme heat continues to affect the state."

After the Coxsockie visit, CANY has recommended distributing more fans; maintaining a list of incarcerated people and staff with medical conditions; wellness checks; greater access to ice, water and showers; and more shade on exercise yards, which are often barren and trap heat.

The nonprofit also called for monitoring temperatures in facilities, a step that's been taken on Rikers Island, New York City's infamous jail system.

Officials sound the alarm

On Aug. 9, temperatures in New York City hit the mid-90s — which feels hotter with humidity — during a heat wave. Inside an intake center on Rikers Island, state Assemblymember Eddie Gibbs, D-East Harlem, said it was easily a few degrees hotter. There was no air conditioning.

"A bunch of us, including detainees and staff, we all were sweating," Gibbs told the USA TODAY Network New York.

While it was his second visit touring New York City's historic jail system since taking office last January, Gibbs spent more than a year in Rikers as a 17-year-old. He's now the first formerly incarcerated person elected to the state Legislature.

On Rikers, he learned to sleep shirtless on the floor, so the ground cooled his body on hot days. He'd face the door, hoping a breeze would come through the crack underneath.

He'd take those lessons to prisons upstate, including Mid-State, Cayuga and Elmira.

While some facilities in Rikers can't install air conditioning because of aging infrastructure, Gibbs pointed to state bills that could indirectly address prison populations most impacted by heat issues. For example, one would tackle elder parole,

allowing some people over 55 the opportunity to have a parole hearing if they've served 15 years; another would guarantee parole release for those eligible for it, unless they're a current or unreasonable risk.

These, Gibbs said, can reduce the risk of serious illness or death for people in prison.

"People deserve second chances," Gibbs said, "not to be dehydrating or rotting in a cell."

'Try to breathe in the thickness of the sweltering heat'

In Jose Colon's cell building in Sing Sing, younger men help an elderly man, nicknamed "Mr. O," who has a guard's fan pointed at him.

Mr. O showers with garbage bags over his legs, since diabetes left him with sores on his skin, Colon said. Diabetes also puts people at increased risk from extreme heat — they become dehydrated more quickly. They also can't cool their body as easily because of damage to blood vessels and nerves for sweat glands.

"If you're outside, imagine being imprisoned where you can't go anywhere," said Jeannie Colon, who has helped advocate for her husband's release through clemency. "You just have to try to breathe in the thickness of the sweltering heat."

Prisons tend to have older infrastructure, and they often house an older, more medically vulnerable population, Purdum, the Texas A&M professor, said. Incarcerated people tend to have higher rates of hypertension, diabetes and asthma, among other chronic illnesses, as several studies have shown.

In July, Purdum and three other Texas A&M researchers from the Hazard Reduction and Recovery Center published a report based on surveys of more than 300 people in Texas prisons describing extreme heat. Texas has had several lawsuits related to people dying from heat in prison.

Responses indicated dying from heat was a common fear among incarcerated people. They also experienced symptoms such as heat rash, dizziness, nausea and breathing issues. Meanwhile, research indicates a relationship between summer heat and suicides, in addition to strong connections between heat and aggression.

Despite these factors, Purdum added, prisons are not addressing the root of the problem — prolonged heat exposure — but instead reducing an individual's risk from illness or death. This poses longer term consequences.

"You're not really stopping harm from happening," she said. "Maybe it's not a disaster today, but over time, their health is being degraded."

Like Texas, New York has no guaranteed right to air conditioning, a step experts say can reduce deaths. The question of whether air conditioning is a human right has been argued in states such as Arizona, Texas and Wisconsin.

Leading up to summer, Bryon Russ, 46, gets anxious about warm temperatures. He's currently at Sing Sing, though has been to upstate prisons.

He's seen numerous people pass out. Bryon Russ has experienced dizziness, vomiting and headaches due to the heat.

"The air is so stifling," he said. "I feel like I can't breathe. I feel like I'm suffocating."

Inside his cell, one more extreme measure he said he's taken to cool himself: Putting his feet in his toilet, then flushing when the water gets too warm.

"At what point is this cruel and unusual punishment?" his wife Jolene Russ said, referring to the Eighth Amendment.

"There's just no way you can treat humans this way and think they're better for it."

Amid recent waves, she's thought about getting an air conditioner for her home near Albany. But she thinks about what her husband endures.

She can rearrange the fans. Or shower. Or go outside. Or even roll around in the cool grass.

Her husband can't, she said. Nor can more than a thousand others in Sing Sing.

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