



# ORANGE COUNTY SHERIFF'S OFFICE

110 WELLS FARM ROAD GOSHEN, NEW YORK 10924- 6740

845-291-4033

FAX: 845-294-1590

SHERIFF CARL E. DUBOIS



KENNETH T. JONES  
UNDERSHERIFF

ANTHONY J. WEED  
ASSISTANT UNDERSHERIFF

DENNIS D. BARRY  
CHIEF DEPUTY

ANTHONY M. MELE  
CORRECTIONS ADMINISTRATOR

[WWW.ORANGECOUNTYGOV.COM](http://WWW.ORANGECOUNTYGOV.COM)

## MEMORANDUM

TO: Sheriff Carl E. DuBois

FROM: Lieutenant Keith Kiszka 019 *Keith Kiszka*

DATE: December 16, 2022

RE: Inmate [REDACTED] / Commission of Corrections Complaint [REDACTED]

On December 16, 2022, I was ordered by Captain Lawrence Catletti to investigate a complaint brought forward from the Commission of Corrections Complaint [REDACTED]. Inmate [REDACTED] wrote a letter to the Governor of New York with concerns about his legal situation and drug habit. Inmate [REDACTED] has been incarcerated in the Orange County Correctional Facility since September 14, 2022. Inmate [REDACTED] is currently housed in [REDACTED]. I called Inmate [REDACTED] down to the Charlie Housing Center and spoke to him regarding his concerns of his drug history and mental health. After speaking with Inmate [REDACTED] he appeared to be in good spirits and was appreciative that I was trying to help him with his issues. I told Inmate [REDACTED] I will be submitting a request for him to speak with the MAT coordinator RN Adrienne Cupertino regarding his drug issues and I also told him I was submitting a mental health request to speak with a facility clinician. Inmate [REDACTED] then thanked me and returned to his unit. A mental health request was submitted, and an email was sent to the MAT coordinator RN Adrienne Cupertino. All copies of the requests were placed within the packet along with this memorandum.

cc:

Files

~ A C C R E D I T A T I O N S ~





## Commission of Correction

ALLEN RILEY  
Chairman

THOMAS J. LOUGHREN  
Commissioner

YOLANDA CANTY  
Commissioner

December 15, 2022

Colonel Anthony Mele  
Orange County Jail  
110 Wells Farm Road  
Goshen, New York 10924

Re: Complaint [REDACTED]

Dear Colonel Mele:

Enclosed please find a copy of a correspondence received at the Commission from [REDACTED]  
[REDACTED] Mr [REDACTED] appears to be concerned about his wellbeing. Please review and take  
any action you deem appropriate.

Your attention to matters of mutual concern is appreciated.

Sincerely,

Paul D. Annetts  
Correctional Facility Specialist II

cc: enclosure

Orange County Jail  
110 Wells Farm Rd.  
Goshen, NY 10924

WESTCHESTER NY 1

20 NOV 2022 PM 5 L



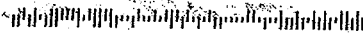
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Name

Attn: Governor Kathy Hochul  
110 State St.  
Albany, NY 12207

12207-203599



To: Ms. Hochul, 11/27/22  
Governor of the RECEIVED  
State of New York DEC 15 2022

SCOC

I am writing with profound hope that you will hear and sympathize about my legal predicament and realize how our New York State Justice System needs its unfair due process procedures and harsh laws remodeled.

Currently, I am a 41 year old incarcerated individual within Orange County Jail, New York, who is soon to be convicted and sentenced as a fourth time felon. I have been incarcerated for over two months now on Burglary in the 2nd degree and Possession of a Controlled Substance Crack Cocaine in the 5th degree. Prior to this incarceration, I had a home, a beautiful fiancée, a beautiful stepdaughter and a good job. Now, I will soon lose everything because of my drug abuse.

Crack Cocaine has always

been my downfall in life. My father died of a cocaine and heroin overdose (speedball) when I was around two years old. My earliest memory of crack cocaine use, was when I was 8 years old, watching my mother and her physically abusive boyfriend smoke it in the basement of our home. I'm witnessing her addiction for many years I finally became addicted to Crack Cocaine when I was 14 years old... this was also the beginning of my legal troubles.

My first time being incarcerated was when I was 14 years old at a Division for Youth facility (DYF) in Nassau County, New York. At 15 years old I got in trouble again trying to support my addiction. This time I was sent to a facility called Tryon in upstate New York. I was there for 7 months... a very tough time for me. I was

16 years old when I was released from Tryon. Immediately I started using crack cocaine again and got arrested on Burglary 2nd degree and was placed in Dutchess County Jail for 4 months including 8 years probation, without going into more detail this first time in real jail was by far the toughest time in my life. I had no experience. With this early tough experience, one would think a 16 year old adolescent would have learned from this and not use drugs again... if this were true, I would not be writing this now; however, Crack cocaine is tougher than any traumatic experience that I, endured while in Dutchess County Jail.

My first sentence to New York State Department of Corrections was when I was 17 years old. I was sentenced to 2 1/4 to 4 1/2 years. Upon my release, again I started using

crack and was rearrested when I was 19 years old and sentenced to 2 1/2 to 5 years in state prison. I was released when I was 22 years old. At this point in time of my life, I really wanted to try and stay off drugs and help my mother who was struggling with health issues and her crack addiction. Again however, my addiction was too strong to ignore, and I ended up in and out of prison on three parole violations in a three year time period before finally at 25 years old, I was arrested again and convicted then sentenced in Orange County Court to 13 years in State Prison. All three of my sentences were for burglary in the 2nd degree.

This was another traumatic time in my life not only because of the harsh sentence but because of my mother passing away at 53 years of age from ovarian cancer.

she passed away a little over a year into my incarceration.

Out of a 13 year sentence, I was awarded only 1 year and 11 months good time and was released in early 2017.

When I was released in 2017, I vowed to myself, my deceased mother, God and remaining family that I will not return to drugs and prison; I vowed vehemently. I worked, I got a home and found someone who I fell in love with and loved me in return.

Again, however, my crack addiction took hold of me with a vengeance. On September 13, 2022 I was arrested and charged again with Burglary in 2nd degree.

Now the logical question(s) one would ask is why do I keep committing these crimes? What is wrong with me? After being in and out of the system for years, the only definitive reason has to be, because of my addiction to crack and not having ex



taking the opportunity to get into some type of rehabilitation program to address my drug addiction. It is plain to see from my record that I have a drug problem but have never been given the opportunity to address my addiction. That clearly I am a non-violent individual, but because of the laws in New York State, I am viewed as a violent offender who faces anywhere from 7 to 15 years or life at the discretion of the prosecution and Judge of Orange County, Ny. Some type of reform needs to take effect concerning the laws and sentencing guides within the New York State Criminal Justice System today. Some changes that I feel need to be made are:

1) Having an evaluation from a counselor/behavior therapist in the beginning stages of an arrest before a plea or conviction; an evaluation from a professional(s)

will help address the needs of an individual to help the court determine more correctly what action that needs to be taken in order to prevent recurrence of criminal behavior in the future.

2) Due process should be more purposely investigative and impartial, not fast-paced, prejudicial, unfair and bullying towards an individual in taking an unfavorable plea because of his/her criminal history.

3) Some of the laws and sentencing guides of New York state should be revised. This will be my fourth felony and I will be sentenced and I will be sentenced as a violent felony offender with harsh sentencing guidelines when there is absolutely no violence at all in my record.

Also, according to the sentencing guidelines of New York state, I am considered a violent persistent felony offender which carries a term depending on degree.

of felony of 16 years to life.  
This harsh sentencing guideline  
also applies to an individual  
who is non-violent. This persistent  
felony offender law should be  
considered cruel and unusual  
punishment for non-violent  
offenders. The persistent  
felony offender guidelines should  
be completely revised to only  
apply to individuals who  
commit true violent acts in  
society, not the possibility  
of. Right now, this law is used  
as leverage for prosecutors and  
judges to frighten and coerce  
an incarcerated individual into  
an unfavorable plea deal and  
conviction.

4) More focus and funds should  
be put towards rehabilitation  
than incarceration. Rehabilitation  
for individuals suffering from drug  
addiction, social behavioral  
problems and mental health issues.  
As long as there is no indication of  
real violence on record, logical  
conclusion should be that the reasons

for deviant behavior in society has to be drug abuse or mental health issues that need to be address not through incarceration but through rehabilitation programs.

5) Bail reform is a positive step in the right direction towards a fair and unbrash justice system except bail reform should be for nonviolent crimes, nonviolent history, individuals who are not a threat to other individuals in society. As I said before, there is no violence whatsoever in my record, not I am being held on an excessive bail amount of \$1,500,000 bond, \$750,000 secure bond and \$250,000 cash. Why? Everyday I read the newspaper, people who are violent with much longer arrest records than mine are released on cashless bail. I should've been afforded affordable bail so I could be home with my family. In all my troubles I never had an opportunity to make bail. Now that I have some money

saved with my fiancé, I was denied to be at liberty during this case because for prior arrests of nonviolent crimes, because of this excessive and cruel bail amount set by the prosecutor and judge of Orange County Court.

In summary, I know these views seem biased because I am currently incarcerated. However, I know there are people who believe as I do that the New York State Criminal Justice System needs a definite revision(s) and remodeling of its laws and sentencing guidelines, especially for felony offenses. A more involved effort should be made in the form of a comprehensive and mental health evaluation for an arrested individual facing felony charges; due process should be correct and fair by law and not fast-paced and misleading to secure a plea and conviction quickly; the harsh laws of this state and sentencing criteria

desperately needs remodeling; the State should also concentrate more on rehabilitation than incarceration; finally, bail reform has to be for those individuals who has no violence within their current offense or history or nature of crime.

Right now, to my understanding, on November 30th, I've either have to plead guilty to burglary 2nd degree or go to trial. If I plead guilty I will get up to 10 years in state prison. If I don't plead guilty and I go to trial I face 10 years to life.

I am so distraught and depressed right now of my situation. I need help. Do I truly deserve this punishment?

Will going to prison again for 10 years help me? I will be over 50 years old when released.

I am about to lose my fiancé and stepdaughter. This hurts more than everything else. Crack has destroyed my life.

I truly hope and pray to God

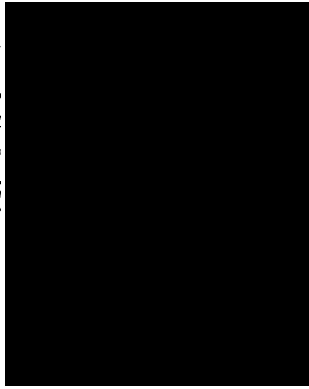
everyday, that I receive  
another chance at living life  
without drugs and incarceration.  
I pray to receive the help  
I need to better myself.

Thank you for your time  
in reading this letter and  
hopefully you will consider  
or change some of the faults  
within our justice system.  
Happy Holidays.

Sincerely

and

Respectfully,



**Kiszka, Keith**

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**From:** Kiszka, Keith  
**Sent:** Saturday, December 17, 2022 1:13 AM  
**To:** [REDACTED]  
**Cc:** Catletti, Lawrence  
**Subject:** MAT Program

Adrienne Cupertino RN BSN MPH,

Please see if you could interview [REDACTED] to see if he qualifies for the MAT Program. He entered the facility on 9/14/2022 and he may have slipped through the cracks due to the guidelines possibly changing. Thank you.

**Lieutenant Keith M. Kiszka 019**  
**Orange County Sheriff's Office**  
**110 Wells Farm Road**  
**Goshen, NY 10924**  
[REDACTED]



# SERVICES REQUEST FORM

## INMATE MENTAL HEALTH

INMATE NAME: \_\_\_\_\_

(R)LY)

DATE: 12-16-22

HOUSING UNIT: \_\_\_\_\_

BIRTHDATE: \_\_\_\_\_

TYPE OF SERVICE REQUESTED: MENTAL HEALTH (b)

DATE/TIME OF REQUEST: 12-16-22 / 1806  
(DATE) (TIME)

NAME OF OFFICER ON DUTY

REFERRED BY: SELF ( ) OFFICER ( ) OTHER (b)

Sgt Brent Lucier  
NAME/TITLE OF OTHER

### MENTAL HEALTH

MENTAL HEALTH PROBLEM: (BE SPECIFIC) Inmate states he is worried  
about his current charges

DATE/TIME GIVEN TO OFFICER: \_\_\_\_\_  
DATE / TIME

INMATE SIGNATURE

RECEIVED BY OFFICER: \_\_\_\_\_  
DATE / TIME

[Signature]  
OFFICER SIGNATURE

RECEIVED BY MENTAL HEALTH: \_\_\_\_\_  
DATE / TIME

MENTAL HEALTH PERSONNEL SIGNATURE

ACTION TAKEN: \_\_\_\_\_