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THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION

DIRECTIVE

[ ] NEW [ ] INTERIM [X] REVISED			SUBJECT **INMATE VISIT PROCEDURES**		
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RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER CAROLYN THOMAS, CHIEF OF DEPARTMENT SIGNATURE			AUTHORIZED BY THE COMMISSIONER MARTIN F. HORN SIGNATURE		

I. PURPOSE

To standardize the policy, guidelines, and procedures for the New York City Department of Correction's (DOC) Visit Program.

II. POLICY

A. It is the Department's policy to encourage inmates to maintain ties with their families and friends through regular visits. Consequently, all approved inmate visitors shall be allowed access to the Department's facilities in an efficient and courteous manner during established visiting hours.

B. Visits shall be provided in areas that allow for the ease and informality of communication, and free from as much custodial constraints as possible. Visits shall not be listened to or monitored unless a lawful warrant is obtained. However, visual supervision of visits shall be maintained at all times to ensure that the safety and security of each facility is maintained.

C. Visiting rights may be limited or denied when it is determined that the exercise of those rights constitutes a serious threat to the safety and security of the facility concerned.

D. The Department shall provide information to visitors, by telephone or internet, about the visiting program. This information shall include the facility where an inmate is incarcerated, the visit schedule, and directions to the facility and/or Rikers Island.

II. POLICY (cont.)

E. Within the visit schedule, inmates are permitted to have additional visits and have the length of a visit extended provided that space and time in the visiting facility permits.

F. Staff shall make every effort to conduct a minimum of administrative processing in registering and searching visitors, and shall not conduct duplicative processing. Visitors shall be permitted to go promptly to their visits. Whenever visits are scheduled to begin at a specific time, visitors shall not be required to arrive and register more than one-half hour prior to that time.

G. Individual visits shall begin as soon as the visitor and the inmate are present at the visit room and seating is available. Visiting will be conducted on a flexible, rolling schedule to permit continuous turnover of visitors during visiting hours and to maximize the seating capacity of the visit room. There shall be no fixed time for the beginning or end of visit sessions (e.g., every hour on the hour). The Department shall make every effort to minimize waiting time prior to a visit.

H. Upon the proper registration of a visitor, the inmate being visited shall be promptly located and permitted to go to the visiting area. Prior to entering the visiting room, the inmate shall be informed of the identity of the prospective visitor, and consent to the visit.

I. During visit hours, all facilities shall assign a Captain to supervise the visit process. The Special Operations Division (SOD) shall have an assigned Visit Captain for the Riker's Island Visit Control Building.

III. INMATE AND VISITOR ENTITLEMENTS, LIMITATIONS AND DENIALS

A. APPROVED VISITORS

1. Any properly identified person sixteen (16) years of age or older will, with the inmate's consent, be permitted to visit. Children under the age of sixteen (16) may visit, provided they are accompanied by a properly identified adult at least eighteen (18) years of age, who must remain with them for the duration of the visit. A person sixteen (16) or seventeen (17) years of age may visit but cannot act as an adult to accompany visitors under the age of sixteen (16) unless they are the parent of the child and the inmate being visited is also the parent of the same child.

III. INMATE AND VISITOR ENTITLEMENTS, LIMITATIONS AND DENIALS (cont.)

2. Prior to entering the visiting room, the inmate shall be informed of the identity of the prospective visitor, and consent to the visit. A refusal by an inmate to meet with a particular visitor shall not affect the inmate's right to meet with any other visitor during that period, nor the inmate's right to meet with the refused visitor on a subsequent visit.

B. NUMBER OF VISITORS

1. Inmates are permitted to visit with at least three (3) visitors at the same time, with the maximum number to be determined by conditions set forth in each facility, i.e., availability of space, volume of visitors/inmates, etc.

2. Visitors shall be permitted to visit with at least two (2) inmates at the same time.

3. If there is a lack of space, a facility may limit the total number of persons for any group of visitors and inmates to four (4). Such a limitation shall be waived in cases involving special necessity, including but not limited to emergency situations and situations involving lengthy travel time, or other circumstances as determined by the respective Commanding Officer.

C. VISITING SCHEDULES (DETAINEES AND SENTENCED INMATES)

1. Each detainee is entitled to receive a visit within twenty-four (24) hours after his or her initial admission to any detention facility. If an established visiting period is not scheduled within that time, arrangements shall be made to ensure that the initial visit required by this section is made available.

2. Visiting hours and days will be the same at all facilities. The schedule of visiting will be as follows:

   a. Weekdays and evenings: On Wednesdays and Thursdays, weekday registration hours will be opened from 1300 hours until 2000 hours. Daytime visit hours will be from 1400 hours until the last visitor registered has visited or until 1700 hours, whichever is later. Evening visit hours will be from 1800 hours until the last visitor registered has visited or until 2100 hours, whichever is later.

      i. On Wednesdays and Thursdays, the Riker's Island Visit Control Building will be opened to process arriving and departing visitors from 1230 hours until the last visitor departs or 2200 hours, whichever is later.

III. INMATE AND VISITOR ENTITLEMENTS, LIMITATIONS AND DENIALS (cont.)

b. Weekends: On Fridays, Saturdays, and Sundays, weekend registration hours will be from 0700 hours until 1400 hours. Weekend visit hours will be from 0700 hours until the last visitor registered has visited or until 1600 hours, whichever is later.

i. On Fridays, Saturdays and Sundays, the Riker's Island Visit Control Building will be opened to process arriving and departing visitors from 0700 hours until the last visitor departs or 1700 hours, whichever is later.

D. INMATES SCHEDULED TO VISIT

1. Inmates whose last name begin with letters A through L visit on the first and third (and, when it occurs, fifth) Wednesday and Saturday of the month and on the second and fourth Sunday and Thursday of the month.

2. Inmates whose last name begin with letters M through Z will visit on the first and third (and, when it occurs, fifth) Sunday and Thursday of the month and on the second and fourth Wednesday and Saturday of the month.

3. On Fridays, all inmates may receive visits.

4. Visits shall last at least one (1) hour. This time period shall not begin until the inmate and visitor meet in the Visit Room. If space and time permits, visits may be extended by up to one (1) hour.

E. FREQUENCY OF VISITS

1. Detainees may receive visits at least three (3) times per week, with at least one (1) on an evening or the weekend, according to the schedule.

2. Sentenced inmates may receive visits at least two (2) times per week, with at least one (1) on an evening or the weekend, according to the schedule.

3. Under ordinary circumstances visits for detainee and sentenced inmates are limited to one (1) per day. Such limitation may be waived in cases involving special necessity, including but not limited to emergency situations and situations involving lengthy travel time, or other circumstances as determined by the respective facility's Commanding Officer.

4. Official visits of properly identified persons providing services or assistance, including attorneys, doctors, religious advisors, public officials, therapists, counselors, and media representatives shall not count against this number.

5. There shall be no limit to the frequency of visits by a particular visitor.

III. INMATE AND VISITOR ENTITLEMENTS, LIMITATIONS AND DENIALS (cont.)

F. RULES AND PROCEDURES RELATIVE TO LIMITING OR DENYING VISITS

1. Limitation or Denial of Current Visit

a. Any visitor, at any stage of the visit process, who appears to be under the influence of alcohol or drugs, refuses to comply with Department rules, is found to be in possession of contraband or fails to clear a security device, may be denied a visit. Such incidents shall be brought to the attention of the area supervisor. If the supervisor determines that a denial of visit is warranted, he/she shall direct the officer to complete the "NOTICE TO INMATE / VISITOR OF LIMITATION / DENIAL OF VISITING PRIVILEGES" (Form #143R, Attachment A). This form shall contain the following information:

- Date of Visit
- Inmate's Complete Name
- Inmate's Book and Case and NYSID Numbers
- Inmate's Facility and Housing Area
- Visitor's Complete Name
- Visitor's Relationship to Inmate
- Reason for Denial / Limitation

b. The supervisor authorizing the denial shall then review the information to ensure its completeness and accuracy and then sign the denial. Copies of the form shall be made and given to the Commanding Officer of the Special Operations Division (SOD), Deputy Warden for Programs (inmate's facility), the inmate, and visitor. The original shall be filed in the inmate's folder.

c. The Commanding Officer or designee shall ensure that the "NOTICE TO INMATE / VISITOR OF LIMITATION / DENIAL OF VISITING PRIVILEGES" (Form #143R) is faxed to the Board of Correction (212-788-7860) within twenty-four (24) hours regardless of the day of the week, weekends and holidays included.

III. INMATE AND VISITOR ENTITLEMENTS, LIMITATIONS AND DENIALS (cont.)

2. Inmate or Visitor Appeal Process

   a. The visitation rights of an inmate with a particular visitor may be limited or denied only when it has been determined that the exercise of those rights constitutes a threat to the safety or security of visitors or the institution. This may happen only if denying the right to contact visits alone would not reduce this threat. This determination must be based on specific acts committed by the visitor during a prior visit that demonstrates his/her threat to the safety or security of a particular facility, or on specific information received and verified that the visitor plans to engage in acts during the next visit that will be a threat to the safety or security of the facility.

   b. This determination shall be made by the Deputy Warden for Programs, who will provide written notification and specific charges, including the names and the statements of the charging parties, to both the intended visitor and the inmate. The visitor who is affected shall have the opportunity to be heard on the charges face-to-face with the Deputy Warden for Programs, or the Warden of the Special Operations Division (SOD), if applicable. At the visitor's request, this determination shall be reviewed by the Deputy Warden for Programs every thirty (30) days. The name of an informant may be withheld if necessary to protect his/her safety.

   c. Visitors and inmates whose visiting privileges have been limited or denied, may appeal to the New York City Board of Correction (BOC). Any person doing so shall give notice in writing to the BOC and to the Commanding Officer. The facility and any person affected by the determination may submit to the BOC, for its consideration, any evidence or relevant material concerning the determination. The BOC, or its designee, shall issue a written decision upon the appeal within five (5) business days after it has received notice of the requested review.

   d. All visiting rules, regulations (including procedures relative to limiting, denying, or terminating visits, rights throughout the process, rights to a prior hearing, rights to an adverse determination appeal, and periodic review), and hours shall be clearly posted in English and Spanish in the waiting and visiting areas of each institution.

   e. The following guidelines are to be utilized when it has been determined that a visitor shall have their visiting rights restricted.

III. INMATE AND VISITOR ENTITLEMENTS, LIMITATIONS AND DENIALS (cont.)

VISIT LIMITATION OR DENIAL GRID

	Offense	1st Offense	2nd Offense	3rd Offense
1.	Promoting Prison Contraband - (Weapons, Narcotics or controlled substance) When a visitor is found to be in possession of dangerous contraband that visitor's right to visit any inmate in any facility shall be denied;	1 year *		
2.	Possession of Contraband - (Electronic Devices & Prohibited Items) When a visitor is found to be in possession of this type of contraband, specifically, cell phones, cameras, pagers, tobacco related products, matches/lighters, etc. that visitor's right to visit any inmate in any facility shall be denied;	180 days	1 year *	
3.	When a visitor assaults staff, an inmate or another visitor, that visitor's right to visit any inmate in any facility shall be denied;	180 days	1 year *	
4.	When a visitor threatens or verbally abuses staff or another visitor or causes a disturbance that would put staff in imminent danger, that visitor's right to visit any inmate in any facility shall be denied;	45 days	90 days	1 year *
5.	Any visitor who fails to follow the instructions of staff (i.e. refusal to submit to security procedures, refusal to participate in an Ion Scan Search, refusal to be photographed after a positive ION Scan Search) that results in the disruption of the process shall have his/her right to visit any inmate in any facility denied.	45 days	90 days	1 year *
6.	Visitors who are found to have stolen property or who have committed the act of vandalism while on Department of Correction property; shall have his/her right to visit any inmate in any facility denied.	90 days	180 days	1 year *
7.	Visitors who are found to be in possession of any item(s) that is considered contraband, (e.g., food, beverages) shall have his/her right to a contact visit with any inmate in any facility limited.	LOSS OF CONTACT VISIT 30 days	LOSS OF CONTACT VISIT 60 days	1 year *

III. INMATE AND VISITOR ENTITLEMENTS, LIMITATIONS AND DENIALS (cont.)

*Note : Upon the inmate's or visitor's written request, all determinations shall be reviewed by the Deputy Warden for Programs every thirty (30) days.

3. Inmates Privileges and Appeal Process

   a. An inmate's right to a contact visit may be limited or denied only when it has been determined that such visits constitute a serious threat to the safety or security of a facility. Should a determination be made to limit or deny an inmate's right to contact visits, alternative arrangements for affording the inmate the requisite number of visits shall be made, including but not limited to non-contact visits. This determination must be based on specific acts committed by the inmate while in custody under the present charge or sentence that demonstrates his/her threat to the safety and security of an institution, or on specific information received and verified that the inmate plans to engage in acts during the next visit that will be a threat to the safety and security of a facility. Prior to any determination, the inmate shall be provided with written notification of the specific charges and the names and statements of the charging parties, and be afforded an opportunity to respond. At the inmate's request, this determination shall be reviewed by the Deputy Warden for Programs every thirty (30) days. The name of an informant may be withheld if necessary to protect his/her safety.

   b. This determination shall be made via "NOTICE TO INMATE / VISITOR OF LIMITATION / DENIAL OF VISITING PRIVILEGES" (Form #143R, Attachment A).

IV. THE VISIT PROCESS

A. INMATE VISITOR FACILITY ACCESS

1. Prospective visitors to all Rikers Island facilities shall first report to the Rikers Island Visit Control Building. Visitors arriving in private vehicles are required to park at the Queens Abutment, and then use public transportation to the Visit Control Building. Prospective visitors to all borough facilities shall first report to the visit entrance.

2. Prior to the preliminary search, visitors to Riker's Island or borough facilities shall be afforded the opportunity to dispose of any contraband into a secured Amnesty Box pursuant to Directive #4525, entitled "Amnesty Boxes."

IV. THE VISIT PROCESS (cont.)

B. SEARCH OF VISITORS – RIKERS ISLAND VISIT CONTROL BUILDING/BOROUGH FACILITY VISIT ENTRANCE

Visitors will be subject to search at any time within a correctional facility, which commences at their arrival to the Riker's Island Visit Control Building or borough facility visit entrance. The Department shall include the visit search procedures and any other visit rules and regulations in an informational poster for visitors. These procedures shall also be prominently posted in all visit search areas.

1. Each visitor entrance shall be equipped with the following electronic security devices:

   a. Walk-Through Metal Detector – The location of the walk-through metal detector must be carefully selected and any nearby metal objects must be stationary.

   b. Fluoroscope Machine – This device, also known as an X-ray or Line Scan machine, should be stationed in close proximity to the walk-through metal detector.

   c. Hand Held Metal Detector – This detector shall be used when the walk-through metal detector indicates the presence of metal; the walk-through metal detector is not functioning; or at the discretion of the search officer.

   Note: When passing the hand-held metal detector over a visitor's clothing, it must be held not more than one-half (1/2) inch from the clothing of the person tested.

   d. It shall be the responsibility of the area supervisor to ensure that all electronic security devices are properly functioning.

   e. Staff assigned to any facility entrance/access (front gate, visits, etc.) shall search and inspect the bathrooms, lobby and any other area where inmate details may have access to at least twice per tour and document such in the area logbook. Such searches shall also be conducted prior to any inmate work detail entering the area.

2. Each visitor shall be subject to an electronic search involving a walk-through metal detector.

   a. Visitors shall be asked to remove all metal items from their clothing prior to participating in a walk-through metal detector search.

IV. THE VISIT PROCESS (cont.)

b. Metal items, which are removed, shall be placed in a container where they shall be observed and inspected by the search officer.

c. Handbags, briefcases, containers and packages shall be physically searched as well as inspected via the fluoroscope machine.

d. Items other than electronic devices which are not permitted in the facility, but the possession of which does not constitute a criminal act, shall be returned to the visitor who shall be directed to place such items in a locker. Under no circumstances will visitors be permitted to enter DOC facilities with electronic devices. A visitor arriving with such items will be given the opportunity to secure them in the designated area or deposit them in the amnesty box and continue with the visit process or depart the facility.

e. Items, the possession of which constitutes a crime, will not be returned and shall be transferred to the proper authorities. Upon the discovery of such items, existing Department procedures relating to the detention and subsequent arrest of the visitor shall be followed and the visit denied in accordance with Section III.F. of this Directive.

C. Pat Frisk Searches of Visitors

If a visitor has been checked with a metal detector and staff reasonably believes further inspection is necessary to preclude the introduction of contraband (i.e., the triggering of the metal detector, a suspicious bulge in the visitor's clothing, confidential information, or visitor's documented history of attempting to bring in contraband), the following actions shall be taken:

1. The staff member shall immediately notify the area supervisor, who shall evaluate the situation to determine if further inspection for contraband is warranted. If the cause for further inspection is a suspicious item on the visitor's person, the visitor should be given an opportunity to remove it or forego the visit, prior to further action.

2. If the Area Supervisor determines that further inspection is warranted, he/she shall notify the Commanding Officer (or his/her designee) and, if given approval by the Commanding Officer, shall give the visitor a copy of a Search Consent Report (Form #439, Attachment B). The reason for the pat frisk shall be entered on the Search Consent Report by the Area Supervisor who shall also verbally inform the visitor:

IV. THE VISIT PROCESS (cont.)

a. that a Pat Frisk Search will be required prior to the visitor having a contact visit with the inmate and the reason for the search;

b. of the nature of a Pat Frisk Search (a description of the search procedure is also printed on the back of form #439);

c. that he/she may refuse to be pat frisked and may be denied a contact visit for that day and offered a non-contact visit instead. If the visit Captain determines, in accordance with the Minimum Standards of the Board of Correction, that a non-contact visit would still constitute a serious threat to the safety and security of the institution, the visitor may be denied a visit entirely in accordance with Section III.F. of this Directive; and

d. that if the visitor refuses a Pat Frisk Search, the visitor will be given a non-contact visit unless:

i. The Commanding Officer or designee, deems it necessary for security reasons, based on reliable confidential information or the presence of a suspicious bulge in the visitor's clothing, that the visit be denied entirely; or

ii. If a Metal Detector Search indicates the presence of a metallic object on the visitor and the visitor does not consent to the Pat Frisk, the visit will be denied entirely in accordance with Section III.F. of this Directive. Visitors shall be informed of this policy prior to being asked to consent to the Pat Frisk.

3. If the visitor consents to a Pat Frisk Search, the area supervisor shall check the appropriate box on the Search Consent Report Form and obtain the visitor's signature on the form prior to conducting the Pat Frisk Search.

a. If a Pat Frisk of a visitor under sixteen (16) years of age is necessary, the signatures of the adult accompanying the minor and the minor (if able to write) should be obtained. The results of the Pat Frisk Search shall then be entered on the form, the form signed by the Area Supervisor and a copy of the form given to the visitor. The original copy of the form shall be placed in a file maintained by the Deputy Warden for Programs. A copy of this form shall also be placed in the inmate's institutional folder. (If contraband is found, a copy of the form shall also be forwarded to the Deputy Warden for Security.)

4. Before a pat frisk is conducted, the visitor shall be informed by the visit supervisor that, if s/he consents to the pat frisk and the search finds dangerous contraband, such as illegal drugs or weapons, the visitor will be arrested.

IV. THE VISIT PROCESS (cont.)

5. Prior to any search, the visitor will be provided with a written, up-to-date list of what the Department considers to be dangerous contraband. If the visitor cannot read, the list will be explained orally to the visitor by the visit supervisor, with the assistance of a translator if needed. The visitor will then be given the choice of:

   a. agreeing to the search; or

   b. not being allowed a contact visit and having a non-contact booth visit instead; or

   c. not visiting at all and exiting the facility.

6. If the visitor chooses not to visit, he/she will be permitted to leave freely, without further searches or questioning. Alternatively, the visitor may voluntarily surrender any items in her/his possession and may be permitted to visit after passing a pat frisk, provided the possession of any voluntarily surrendered item(s) does not constitute a criminal offense.

7. If the "pat frisk" results in the discovery of contraband, the Tour Commander shall be notified. If the Tour Commander determines that an arrest is warranted, he/she shall notify the Department Officer of the Day (OD), via the Central Operations Desk (COD) for authorization.

   a. In all cases where contraband is discovered, whether an arrest is made or not, the contact visit shall be terminated in accordance with Section III.F of this Directive, and copies of the "NOTICE TO INMATE / VISITOR OF LIMITATION / DENIAL OF VISITING PRIVILEGES" (Form #143R, Attachment A) shall be prepared and distributed as follows:

      - Original to Inmate's Folder
      - Copy to Commanding Officer of Special Operations Division (SOD)
      - Copy to Deputy Warden for Programs (inmate's facility)
      - Copy to Inmate
      - Copy to Visitor
      - Copy to Deputy Warden for Security (only if contraband found)

   b. If an arrest is not made, and the visit is not denied pursuant to Section III. F. of this Directive, the visit supervisor shall secure the contraband and a non-contact booth visit shall be arranged instead of a contact visit.

IV. THE VISIT PROCESS (cont.)

8. The Pat Frisk Search shall be conducted as follows:

   "Pat Frisk" of the visitor will be conducted in a dignified manner under the supervision of the visit supervisor, by another officer other than the regular search officer who shall be a member of the same gender as the visitor utilizing an area away from public view. The remaining visitors will continue to be processed simultaneously while the pat frisk is being done so as not to interrupt the processing of other visitors.

   a. The search is conducted by patting the outer clothing over the entire length of the visitor's body and examining the seams and pockets of the visitor's clothing. During the Pat Frisk Search, the visitor may be required to remove his/her outer garments, coat, hat, shoes and no other items. Except as provided for in paragraph (b) of this section, the visitors skin shall be touched only at the shirt-sleeves and collar. The search shall require the visitor to run his/her fingers through his/her hair under the observation of a Correction Officer in order to ensure that weapons or other contraband are not secreted in the hair. At the discretion of the officer, a transfrisker may be used to check for contraband in a visitor's hair.

   b. To perform a pat frisk, the Correction Officer stands behind the visitor and asks the visitor to raise his/her arms. Then, the officer runs his/her thumbs under the visitor's collar, runs his/her hands across the top of the visitor's arms, comes back under the visitor's arms to the armpits and down the visitor's sides to the waist. The officer then runs his/her finger around the visitor's waistband, runs his/her hands down the outside of the visitor's legs and up the inside of the visitor's legs to and including the crotch. The officer then reaches around and pats the visitor's chest and back and checks any remaining pockets. In conducting a pat frisk, officers shall strive to preserve the dignity of the visitor being searched.

Note: Should a female visitor wearing a skirt consent to a pat frisk, but because of the nature of the skirt an effective pat frisk is impossible, the visitor shall be afforded the option of moving to an area providing privacy and lifting the skirt in the presence of a female officer. Should the visitor decline to do so, the visitor shall be given a non-contact visit unless the visit is denied entirely for other reasons in accordance with departmental policy.

9. If the Pat Frisk Search does not adequately resolve the Area Supervisor's concerns about the possible introduction of contraband, a contact visit may still be denied, in accordance with Section III.F. of this Directive, and a non-contact visit substituted, provided however, that:

IV. THE VISIT PROCESS (cont.)

a. the Area Supervisor explains his/her reasons for the decision in the "remarks" section of the Search Consent Report form; and in Section III of the "NOTICE TO INMATE / VISITOR OF LIMITATION / DENIAL OF VISITING PRIVILEGES" (Form #143R).

b. the Tour Commander concurs with the decision and signs the Search Consent Report (Form #439) and the "NOTICE TO INMATE / VISITOR OF LIMITATION / DENIAL OF VISITING PRIVILEGES" (Form #143R).

10. If the visitor refuses to consent to a Pat Frisk Search, the Area Supervisor shall check the appropriate box on the Search Consent Report form and obtain the visitor's signature. The Area Supervisor will then sign the form and give a copy of the form to the visitor. The original of the form shall be forwarded to the office of the Deputy Warden for Programs who shall maintain a centralized file for such forms. A copy of the form shall also be placed in the inmate's institutional folder. The visitor will then be provided a non-contact visit with the inmate, unless the visit is denied entirely pursuant to the preceding paragraph.

Note: If a non-contact visit is denied, the reason for the denial shall be entered in the "remarks" section of the Search Consent Report. If a Metal Detector Search has not indicated the presence of a metallic object, but a non-contact visit has still been denied, the Commanding Officer or his/her designee shall sign the Search Consent Report.

11. Searching of headwear of religious significance worn by females of the Islamic faith.

a. In cases where a visitor is wearing headwear of religious significance, the headwear shall undergo a security inspection by passing a hand-held metal detector over the garment while it is being worn. The headwear may also be subject to an ION Scan Search with prior consent from the visitor. If the hand held metal detector indicates the presence of metal or a positive ION Scan is noted, or if there is a reasonable belief that further inspection is necessary to preclude the presence of contraband, a physical search of the headwear may be conducted pursuant to the following procedures:

i. A Search Consent Report (form #439) must be completed.

ii. If the visitor signs the consent form, the visitor shall be escorted by a female officer to a private area and asked to remove the headwear, at which time the officer will inspect the headwear for contraband. At the conclusion of the inspection, the visitor shall be given reasonable time to replace the headwear before leaving the private area;

IV. THE VISIT PROCESS (cont.)

iii. If the visitor refuses to sign the consent form, facility access will be denied.

D. Ion Scan Searches

An Ion Scan search is a search in which a drug and explosives detection device is passed over, and may come into contact with, an individual's hand, area of clothing, footwear, personal items, purses/handbags, packages, correspondence or any other articles that may retain traces of illicit substances. Each visitor entering a DOC building may be subjected to an Ion Scan search in addition to the routine visitor processing.

1. All visitors are subject to undergo an Ion Scan search.

2. Ion scan searches shall be performed in a manner as to not impede the administrative processing of visitors. In order to achieve this objective, all procedures delineated in Directive #4530, entitled Ion Scan Searches, shall be followed.

3. In any instance where a visitor's headwear of religious significance (i.e., kufi, yarmulke) is to be the subject of an ION Scan search the area supervisor shall note the reason for the ION Scan Search on the Search Consent Form and "NOTICE TO INMATE / VISITOR OF LIMITATION / DENIAL OF VISITING PRIVILEGES" (Form #143R). Copies of the Search Consent form and Form #143R, "NOTICE TO INMATE / VISITOR OF LIMITATION / DENIAL OF VISITING PRIVILEGES", shall be disseminated and filed accordingly.

E. PRE-REGISTRATION PROCESS

Upon entry into the Riker's Island Visit Control Building or borough facility visit entrance, all visitors (whether this is their first or subsequent visit) will form a line at the appropriate facility's reception/registration desk for the purpose of pre-registration.

Note: At the Riker's Island Visit Control Building each registration desk will be clearly marked by facility name. If the visitor requires further information or an interpreter, he/she shall be directed to the "General Information" (GI) desk.

1. At the borough facilities, visitors will line up in front of the registration desk. At Rikers Island, visitors will line up in front of the registration desk designated for the intended facility. The reception officer will time-stamp and issue the sequentially numbered Visit Processing Form.

IV. THE VISIT PROCESS (cont.)

2. Visitors may take this form to the provided writing surface to complete or fill it out while waiting on line, as the visitor chooses. The upper portion of the Visit Processing Form will then be completed by the visitors (name, address, relationship, inmate's name and location, if known). Visitors requiring assistance in preparation of this form shall be assisted by the reception officer.

3. Upon completion of the forms, visitors will return to the end of the line. Since the time needed to complete this form will not vary greatly among all visitors, the reception officer shall pre-register visitors in the numerical sequence in which the visit processing form was issued. The reception officer will verify the inmate's presence in the facility by checking the Department's Inmate Information System (IIS) computer terminal at the facility registration desk. If the inmate does not appear on the IIS computer terminal, the visitor shall be directed to the General Information (GI) window. (Borough facility visitors shall be directed to the General Office [GO] window).

4. The officer assigned to the desk shall initiate a trace of the inmate's location. The desk officer shall make sure that all identifying information (name, aliases, book and case number, date of birth, etc.) provided by the visitor is accurate and correctly entered into the IIS computer system. If the IIS computer cannot locate the inmate in the computer record, the desk officer will call the General Office of the last facility where the inmate was housed and obtain the information from the inmate's custody records.

5. The desk officer shall obtain and provide to the visitor the current location and custody status of the inmate, including the name of the facility to which the inmate has been transferred, the address location of the facility and directions on how to get there; or if the inmate has been discharged, the date of the inmate's release and the place from which the inmate was released (e.g., AMKC, Bronx Supreme Court, etc.). This verified information shall be provided to the visitor to assist the visitor to find the inmate.

Note: If the inmate is still in custody on Rikers Island, the GI desk officer shall direct the visitor to the correct visit reception desk in the Visit Control Building.

6. The reception officer shall examine the form for accuracy and completeness and return the copy to the visitor. This copy will remain in possession of the visitor throughout the visit process, and will serve as a reference to identify the visitor at any given time. The inmate visitors to Riker's Island will then await transportation to the appropriate facility.

IV. THE VISIT PROCESS (cont.)

F. NOTIFICATION PROCESS

1. After giving the visitor the copy of the visit processing form, the reception officer shall immediately notify, by telephone or computer, the appropriate facility's assigned notification officer. Batching of visiting processing forms will delay the notification process and must be avoided. The reception officer must supply the notification officer with the inmate's name, NYSID number, book and case number, location and the visitor name(s) as indicated on the visit processing form. The notification officer will record the information on the visit notification form.

2. The assigned notification officer will notify the appropriate housing officer by telephone that the inmate has visitors. The notification officer shall verify the presence of the inmate and shall record on a visit notification form the time of notification to housing area and the housing location. If the inmate cannot be immediately located, the next inmate will be notified to avoid unnecessary delays.

3. In order to locate inmates promptly, the housing area officer shall refer to his/her out-count list. The housing area officer shall notify the officer assigned to the appropriate area of the inmate's waiting visitor. The area officer will immediately notify the inmate of the waiting visitor. The officer will ask the inmate whether or not the inmate chooses to interrupt his/her activity to go to the visit immediately, or if not, whether the inmate chooses to begin the visit after the activity is over.

4. The officer will promptly notify the housing officer of the inmate's decision.

5. When the inmate has been located, the housing officer shall notify the notification officer who will notify the visitor of the delay and the approximate length of the delay before the inmate will reach the visit floor.

6. Once notified, the inmate will then proceed to the designated visit clothing exchange room.

7. The notification officer must immediately be notified by the visit house inmate search officer when the inmate arrives at the visit house and shall record the arrival time on the Visit Notification Form. If the inmate does not arrive for the visit within thirty (30) minutes, the visit supervisor shall be notified by the notification officer and initiate a follow-up procedure. The visitor shall be kept informed of efforts to locate delayed inmates and be told the reasons for delay by the visit supervisor.

IV. THE VISIT PROCESS (cont.)

8. The visit supervisor shall ensure that the notification officer again contacts the housing officer to determine the reason for the delay of the inmate's arrival at the visit house.

9. All inmates will be required to change into a jumpsuit and slippers prior to participating in a visit. Inmates shall not be permitted to wear any article of personal clothing under the jumpsuit (except for underclothing).

   a. In an effort to distinguish and closely monitor Red ID and Intended Contraband Recipients (ICR), inmates so designated shall be issued neon/lime green jumpsuits to be worn during their visit. Under no circumstances shall a Red ID Card or ICR inmate be permitted on the visit floor without a neon/lime green jumpsuit.

   b. Inmates shall deposit their clothing and personal effects in a mesh basket issued by the clothing exchange officer who shall issue a numbered tag corresponding with the number on the basket. These items shall be retrieved at the conclusion of the visit by using the issued tag to identify the proper inmate. The inmate's identification card will be stored in numbered slots provided in sequence with the tags issued for the clothing baskets.

G. VISITOR TRANSPORTATION TO RIKER'S ISLAND FACILITIES

1. Each Rikers Island facility shall have its own visit shuttle bus(es) and driver(s) operating between the Visit Control Building and the facility's visit house. When the visit bus arrives at the Visit Control Building, the reception officer, without delay, shall announce over the public address system the arrival of the bus and call visitors sequentially by form number and direct them to the appropriate bus (for example: "Visitors for the Anna M. Kross Center (C-95) with forms numbering 0500 to 0525 please walk out to the bus with the sign AMKC)." The bus driver shall inspect the visitor's copy of the visit processing form to ensure that the visitor is on the right bus.

2. The reception officer shall give the bus driver the original of the visitor processing form for delivery to the visiting facility.

3. Upon arrival at the facility, the bus driver shall supervise the visitor's exit from the bus and ensure that all visitors enter into the visit house entrance. As the visitors enter the facility, the facility code of the day (in invisible ink) shall be stamped on the back of each visitor's left hand. The bus driver shall deliver to the entrance officer copies of the visit processing forms. The entrance officer shall time-stamp each visit processing form to indicate the time of arrival to the facility and shall deliver the forms to the registration officer.

IV. THE VISIT PROCESS (cont.)

4. The facility visit processing officer shall announce the bus' departure for the return trip to the Visit Control Building, board all departing visitors and return immediately and directly to the Visit Control Building. At the Visit Control Building, the bus driver shall discharge all departing visitors.

5. The bus driver shall then repeat the process of delivering arriving visitors to the facility visit house and returning departing visitors to the Visit Control Building.

H. VISIT REGISTRATION

1. The registration officer will call the visitors in numerical order (e.g., 0500, 0501, 0502, etc.). Visitors will be allowed to register only if the inmate is present in the facility.

   a. Riker's Island Visitors: If the visitor has arrived at the wrong facility, the correct facility shall be noted on the form, and arrangements shall be made for transportation to the Riker's Island Visit Control Building for re-processing.

2. For each visit, every adult must present one (1) form of valid identification that contains a distinguishable photograph and signature. Valid identification shall be any one (1) of the following and be unexpired, verifiable personal identification:

   a. Drivers License with photo and signature (not limited to New York State);
   b. Alien photo I.D. card;
   c. Passport;
   d. School identification;
   e. Employment identification card;
   f. NYS Benefits Identification Card (Medicaid/food stamp photo ID.);
   g. U.S. Armed Services identification card; or
   h. New York State Department of Motor Vehicles Non-Drivers License Identification card.

3. Visitors must sign their name on a visit registration card in invisible ink. These cards are to be kept confidential and information therein is not to be communicated to non-departmental persons. Visitors under the age sixteen (16) must have the card completed by their guardian.

4. After the visitor is registered, the registration officer shall forward the visit processing forms to the visit observation officer.

IV. THE VISIT PROCESS (cont.)

I. MONEY AND PACKAGES

1. Persons who are not visiting but who have money or packages for inmates must deposit the money or packages at the windows dedicated for receipt of these items.

   Note: For Riker's Island visitors, these windows are located at the Rikers Island Visit Control Building.

2. Visitors with money or packages for an inmate will deposit these at the facility itself prior to visiting.

3. To avoid delay and the necessity of visitors having to wait on two (2) different lines, each visit area will have at least one (1) line dedicated for funds and packages, and at least one (1) line for funds only. These lines shall be clearly marked in English and Spanish, to minimize confusion and delays.

4. Money: Visitors may deposit cash, teller's checks or money orders for inmates. Personal checks will not be accepted. The employee designated to receive funds shall record all monies in the appropriate receipt book and ensure that one (1) receipt is issued to the visitor, and one (1) receipt remains in the receipt book. The visitor will give the receipt to the inmate during their visit. The inmate will retain the receipt as his/her record.

5. Packages: Visitors may deposit packages for inmates during visiting hours. Clothing for a court appearance on the following day may be delivered to the facility's main entrance during non-visiting hours between 0800 hours and 2100 hours and at any additional hours deemed appropriate. Handout leaflets with the listing of permissible items specified in Directive #4508R-D, entitled "Control of and Search for Contraband" (or it's successor), shall be made available to all visitors.

6. Package Inspection

   a. The package room officer receiving packages shall remove all items from their original container and search all items for contraband. He/she shall then fluoroscope items, and place all articles in a new paper bag. He/she shall then complete the Clothing Receipt and give one (1) copy to the visitor and attach two (2) receipts to the bag. The searched package is then brought by the staff member assigned to the Package Room to the inmate at the conclusion of the visit.

IV. THE VISIT PROCESS (cont.)

b. The Package Receipt forms shall be signed in duplicate by the inmate who shall keep the original. The duplicate shall be maintained in a separate file in the Package Room.

c. Persons delivering packages who choose not to visit shall deposit packages at the package receipt area of the Facility (Borough Inmate Visitors) or Visit Control Building (Riker's Island Inmate Visitors). The package room officer shall deliver these packages to the facility package room for delivery to inmate at the conclusion of the registration period. All packages shall be delivered to the inmate on the same day of its delivery to the facility, unless a lawful warrant is obtained. Packages for inmates who have a court appearance on the following day shall be delivered as soon as possible, on the same day received.

d. In the course of inspection of such clothing for contraband, the clothing may be ripped, torn or cut only as a last resort after all alternate means for inspection have been exhausted and such alternate means of inspection disclose a reasonable suspicion that contraband has been concealed in the clothing. Ripping, tearing, cutting or otherwise damaging clothing must first be authorized in writing in advance by the visit supervisor or higher ranking officer based on his/her personal inspection of the clothing and assessment, explained in writing, that there is reasonable suspicion to believe contraband is concealed in the article of clothing. Where ripping, tearing or cutting of clothing is authorized, said clothing shall be taken apart in the least destructive manner required to accomplish the inspection found to be necessary.

e. In each case, where clothing is ripped, torn or cut and not lawfully retained, the visit supervisor shall ensure that all items are repaired and promptly delivered together with a copy of the written authorization which permitted the item to be ripped, torn or cut, to the intended inmate.

f. A written record shall be kept of each search that describes:

   i. the property that was searched;
   ii. the specific reasons or suspicions for doing a search;
   iii. how the search was accomplished and by whom;
   iv. the alternate means of searching which were exhausted before permission to rip, tear or cut clothing was granted;
   v. any items found in the search;
   vi. the final disposition of the clothing and all items found; and
   vii. A copy of this record shall be given to the inmate whose property was searched.

IV. THE VISIT PROCESS (cont.)

7. Outgoing Packages: Inmates who wish to send clothes home via the visit process, may do so by bringing clothing item(s) with them when called for a visit. The visit search officer shall search the items for contraband (City property, etc.) Approved items shall be placed in a paper bag by the visit search officer, with the inmate's name, and book and case number on the bag. The package room officer will issue outgoing packages to the visitor after the visit and prior to exit from the visit house, and ensure that the visitor signs for the package left by the inmate.

J. SEARCH OF VISITORS / FACILITY VISIT AREA

Visitor searches will be conducted in a manner consistent with the following procedures:

1. Upon entering the visiting area (s) prior to registration, all visitors shall be hand stamped with a non-reversible character, utilizing fluorescent ink, on the back of the left hand. This hand stamping shall be performed whether or not the visit actually takes place.

2. After each visitor has registered, they will be directed to place their personal items (coats, sweaters, purses, etc.) in lockers provided for that purpose. They will retain the locker key. Upon completion of the visit, she/he will retrieve their personal property from the locker.

3. Prior to the visitor(s) entering the Contact Visit Room, search procedures outlined in Section IV.A. – D shall be adhered to.

K. THE VISIT

1. Upon completion of the search process, visitors will enter the visit waiting area. Visitors may sit in the visit room itself, if space allows. When both visitor and inmate are seated together, the observation officer will time-stamp both copies of the processing form.

2. Visits shall be conducted on a "rolling" schedule. This procedure permits visits to begin on an on-going basis, rather than in group session. This method will avoid delays and reduce waiting time.

3. Visitors may embrace inmates and inmates may hold their children throughout the visits.

4. During visits, inmates and visitors shall be required to abide by the following rules:

   a. Inmates and visitors shall remain seated with hands above the tables.

IV. THE VISIT PROCESS (cont.)

b. Inmates and visitors are permitted to kiss, embrace and hold hands.

c. No exchange of items are permitted without prior approval.

d. At the completion of the visit, the visitor(s) shall remain seated until the inmate has departed the area.

5. The contact visit observation officers shall patrol the Visit Room to ensure that the rules are enforced and that no contraband is introduced into the facility or given to any inmate. At the completion of the visit, the observation officers shall direct the inmates to the appropriate area for search and clothing change. Visitors shall be directed to the proper exit, and required to display the stamp of the day on their left hand prior to exiting the contact area.

6. Non-contact visits shall take place in the Visit Booth Area of each facility, during the regularly established visiting hours. Both inmates and visitors shall undergo the same registration and search procedures as prescribed for contact visits.

L. VISITOR EXIT PROCEDURES

1. Prior to visitors exiting from the visit house, the officer assigned to the visit house entrance gate shall inspect the hand stamp code of each visitor with the use of the ultraviolet light. If an exiting visitor displays a hand stamp with a wrong code or a code that is smudged or distorted, or no stamp at all, the individual in question shall be detained and immediate notification shall be made to the visit supervisor who shall conduct an immediate investigation to determine the proper identity of the individual (if the individual has been identified as an inmate, the Tour Commander shall be notified and take appropriate action).

   a. At all Rikers Island facilities, after visiting, visitors shall await the arrival of the bus in the designated facility waiting area.

2. The entrance officer will then time-stamp the original and the copy of the processing form for the last time. The copy is given to the visitor, and the original is attached to the appropriate inmate visit notification form, and filed in the facility visit record file.

3. In addition, all Riker's Island facility visit buses shall be equipped with a portable black light. The visit bus driver shall check the hand stamp with the black light as each visitor boards the bus, and again when exiting the bus at the Visit Control Building.

IV. THE VISIT PROCESS (cont.)

M. INMATE SEARCH

Upon completion of a visit, the inmate will be directed to the inmate Visit Search Room, where he/she will be required to undergo a "Strip Search Without A Visual Body Cavity Search". Strip Search Without A Visual Body Cavity Search means a visual inspection of the armpits, oral cavity, ears, nose, navel, and hair while the inmate is undressed. This search shall not involve visual inspection of an inmate's anal or genital cavity, or require the inmate to spread his/her buttocks, or lift his/her genitals or breasts. This inspection may involve directing the inmate to perform a deep knee bend in order to expel any contraband that may be secreted in the anal or genital cavity. This procedure may also include conducting a search of the inmate's wearing apparel after clothing has been removed, including the ripping, tearing, and/or cutting of the clothing. (For additional information refer to Directive #4508R-D, Control of and Search for Contraband, Section V.F.)

N. THE CONTROL BUILDING AND FACILITY OBLIGATIONS

1. Each facility shall make every effort to minimize waiting time prior to a visit.

   Visitors shall not be required to wait outside a facility or the Visit Control Building. All waiting and visiting areas shall provide:

   - Adequate seating for each visitor to accommodate the highest peak demand for visits that the facility normally has.

   - Access to bathroom facilities and drinking water. Facilities are responsible to see that bathrooms shall be inspected and cleaned every two (2) hours during visiting and at the beginning and end of each visit day and are kept clean and sanitary at all times.

   - Access to vending machines for beverages and foodstuffs.

   - Access to Spanish speaking employee(s) or volunteer(s).

   - All visiting rules, regulations and hours shall be clearly posted, in English and Spanish, in the waiting and visiting areas at each facility.

2. At all Riker's Island Facilities: to deter the introduction of contraband by visitors, all buses will be searched at the onset of each visit day. The visit bus driver will also inspect the passenger compartment for contraband before loading visitors at the Visit Control Building and after discharging visitors at the facility.

3. The following signs in both English and Spanish shall be conspicuously posted in all waiting and visiting areas of each facility:

IV. THE VISIT PROCESS (cont.)

- Information;
- Search;
- Cash drop off; and
- Cash and package drop off.

4. The following materials in both English and Spanish shall be conspicuously posted in all waiting and visiting access of each facility:

   - Penal Law relative to promoting prison contraband;
   - Visit Area procedures;
   - Registration Procedures;
   - Locker Instructions;
   - Rules of conduct;
   - Visit Schedule; and
   - Age and Identification Requirements.

5. In addition, for Riker's Island visitors, the following signs and materials in both English and Spanish shall be conspicuously posted in the Visit Control Building:

   - Penal law relative to promoting prison contraband;
   - Pre-registration procedures;
   - Age and identification requirements - importance of knowing inmates correct location;
   - Rules of conduct; and
   - Visit schedules.

6. The following printed hand out materials must be available:

   - Visit Schedules;
   - Information Brochures; and
   - Permissible Package Items (Listing) - Public and private transportation schedules.

V. REFERENCES

A. Directive #4508R-D, entitled "Control of and Search for Contraband", dated12/14/07.

B. Directive #4512, entitled "Visit Security Procedures", dated 6/23/82 (as amended.)

C. Board of Correction, Minimum Standards - Section 10.

D. Directive #1500R-A, entitled "Standard Operating Procedures for Receipt, Disbursement and Accounting of Inmate Cash Funds", dated 11/10/97 (as amended).

V. REFERENCES (cont.)

E. Directive #1504, entitled "Safeguarding of US Currency", dated 9/19/96.

F. Directive #4002R-A, entitled "Receiving and Sending Inmate Packages", dated 06/21/05 (as amended).

G. Directive #4525, entitled "Amnesty Boxes", dated 3/29/05.

H. Directive #4530, entitled "Ion Scan Searches", dated 07/10/03.

I. Operations Order #23/07, entitled "Transporting Inmates With Disabilities", dated 12/21/07.

j. Operations Order #24/07, entitled "Transporting Visitors With Disabilities", dated 12/21/07.

VI. ATTACHMENTS

A. Form #143R, NOTICE TO INMATE/VISITOR OF LIMITATION/DENIAL OF VISITING PRIVILEGES.

B. Form #439, Search Consent Report.

VII. SUPERSEDES

Directive #2007R-A, "Inmate Visit Procedures", dated 02/11/08 (as amended).

CORRECTION DEPARTMENT
CITY OF NEW YORK

FORM: #143R
EFF.: 02/11/08
REF.: DIR. #2007R-A

NOTICE TO INMATE/VISITOR
OF LIMITATION / DENIAL OF VISITING PRIVILEGES

SECTION I – INMATE'S INFORMATION

Inmate's Name (Last, First):	Facility:	Housing Area:	Gender: M ☐ F ☐
NYSID #: ☐☐☐☐☐☐☐☐-☐	Book & Case/Sentence #:		

SECTION II – VISITOR'S INFORMATION

Visitor's Name (Last, First):	Relationship to Inmate:	Gender: M ☐ F ☐
Street Address:		Date and Time of Requested Visit:
City:	State:	Zip: ☐☐☐☐☐

SECTION III – INMATE AND/OR VISITOR LIMITATION/DENIAL

☐ **LIMITATION** — It is the recommendation of the visit supervisor that the above mentioned visitor be limited to non-contact visits with:
☐ All inmates ☐ The above named inmate
For a period of _____ days, commencing:_____ ending:_____

☐ **DENIAL** — It is the recommendation of the visit supervisor that the above mentioned visitor be denied all visits with:
☐ All inmates ☐ The above named inmate
For a period of _____ days, commencing:_____ ending:_____

The recommendation to limit / deny the above inmate's or visitor's visitation rights is based on the following:

☐ Actions by the Inmate ☐ Actions by the Visitor ☐ Both

☐ Inmate/visitor observed passing contraband
☐ Inmate/visitor in possession of contraband
☐ Other - Details _____

This limitation / denial conforms to the Visit Limitation or Denial Grid (below), based on the Visitor's Restriction History (Section V), or is based solely on the extenuating circumstances noted, if applicable.

Recommended by: _____ Approved by: _____
Visit Supervisor (Print Name, Rank, Shield/Signature) — Tour Commander/Deputy Warden of Programs(Print Name, Rank, Shield/Signature)

SECTION IV – VISITOR LIMITATION OR DENIAL GRID (Circle One)

	Offense	1st Offense	2nd Offense	3rd Offense
1.	Promoting Prison Contraband - (Weapons, Narcotics or controlled substance) When a visitor is found to be in possession of dangerous contraband that visitor's right to visit any inmate in any facility shall be denied;	1 year *		
2.	Possession of Contraband - (Electronic Devices & Prohibited Items) When a visitor is found to be in possession of this type of contraband, specifically, cell phones, cameras, pagers, tobacco related products, matches/lighters, etc. that visitor's right to visit any inmate in any facility shall be denied;	180 days	1 year *	
3.	When a visitor assaults staff, an inmate or another visitor, that visitor's right to visit any inmate in any facility shall be denied;	180 days	1 year *	
4.	When a visitor threatens or verbally abuses staff or another visitor or causes a disturbance that would put staff in imminent danger, that visitor's right to visit any inmate in any facility shall be denied;	45 days	90 days	1 year *
5.	Any visitor who fails to follow the instructions of staff (i.e. refusal to submit to security procedures, refusal to participate in an Ion Scan Search, refusal to be photographed after a positive ION Scan Search) that results in the disruption of the process shall have his/her right to visit any inmate in any facility denied.	45 days	90 days	1 year *
6.	Visitors who are found to have stolen property or who have committed the act of vandalism while on Department of Correction property; shall have his/her right to visit any inmate in any facility denied.	90 days	180 days	1 year *
7.	Visitors/inmates who are found to be in possession of any item(s) that is considered contraband, (i.e. food, beverages); shall have his/her right to a contact visit with any inmate in any facility limited.	LOSS OF CONTACT VISIT 30 days	LOSS OF CONTACT VISIT 60 days	1 year *

Distribution: Original – Inmate's Folder Copy - Commanding Officer of SOD Copy - Deputy Warden for Programs (Inmate's facility)
Copy – Inmate Copy – Visitor Copy – Deputy Warden for Security (ONLY IF CONTRABAND FOUND)
Copy – Board of Correction (via fax 212 788-7860)

ATTACHMENT A

LIMITATION OF VISITING PRIVILEGES

SECTION V – VISITOR RESTRICTION HISTORY

	Date	Facility	Offense	# of Penalty Days Imposed
1st Offense				
2nd Offense				

SECTION VI – VISITOR/INMATE APPEAL PROCEDURE AND RECEIPT

Note:
The visitation rights of an inmate with a particular visitor may be limited or denied only when it has been determined that the exercise of those rights constitutes a threat to the safety or security of visitors or the institution. This may happen only if denying the right to contact visits alone would not reduce this threat. This determination must be based on specific acts committed by the visitor during a prior visit that demonstrates his/her threat to the safety or security of a particular facility, or on specific information received and verified that the visitor plans to engage in acts during the next visit that will be a threat to the safety or security of the facility.

This determination shall be made by the Deputy Warden for Programs, who will provide written notification and specific charges, including the names and the statements of the charging parties, to both the intended visitor and the inmate. The visitor who is affected shall have the opportunity to be heard on the charges face-to-face with the Deputy Warden for Programs, or the Tour Commander if the Deputy Warden for Programs is absent prior to the determination. At the visitor's request, this determination may be reviewed by the Deputy Warden for Programs every thirty (30) days. The name of an informant may be withheld if necessary to protect his/her safety.

Visitors and inmates whose visiting privileges have been limited or denied may appeal to the New York City Board of Correction (BOC). Any person doing so shall give notice in writing to the BOC and to the Commanding Officer. The facility and any person affected by the determination may submit to the BOC, for its consideration, any evidence or relative material concerning the determination. The BOC, or its designee, shall issue a written decision upon the appeal within five (5) business days after it has received notice of the requested review.

This is to certify that I have received a copy of the B.O.C. Minimum Standards of Appeal and Complaint form (see Section VII below).

Signature of Visitor/Inmate: _____ Witnessed by: _____ Date: _____

SECTION VII – APPEAL AND COMPLAINT FORM

BOARD OF CORRECTION
51 CHAMBERS STREET
ROOM 923
NEW YORK, NEW YORK 10007
(212) 788-7840

BOARD OF CORRECTION
MINIMUM STANDARDS APPEAL AND COMPLAINT FORM

This form should be promptly completed by any prisoner or other person appealing a determination of the Department of Correction relating to a minimum standard. The form should be given to a staff member of the Board of Correction at the institution or to an employee of the Department for daily forwarding to the Board. It may also be mailed directly to the Board. This form should also be utilized for the purpose of making any complaint or comment regarding the minimum standards.

INSTITUTION AND HOUSING AREA _____

APPLICABLE STANDARD, INCLUDING SECTION NUMBER _____

NAME/NUMBER OF PRISONER _____

NAME AND ADDRESS OF APPELLANT OTHER THAN PRISONER: _____

_____

NATURE OF DECISION BEING APPEALED (Attach copy of any written determination provided): _____

_____

DATE DECISION BEING APPEALED WAS MADE: _____

NAME/IDENTIFICATION OF PERSON(S) MAKING DECISION ON APPEAL:

_____

_____

REASON FOR APPEALING DECISION OR MAKING COMPLAINT (Attach any applicable written or other materials to be considered in the appeal):

_____ Signature _____ Date

(Please attach additional sheets if more information needs to be provided)

Distribution: Original – Inmate's Folder Copy - Commanding Officer of SOD Copy - Deputy Warden for Programs (inmate's facility)
Copy – Inmate Copy – Visitor Copy – Deputy Warden for Security (ONLY IF CONTRABAND FOUND)
Copy – Board of Correction (via fax 212 788-7860)

ATTACHMENT A

CORRECTION DEPARTMENT
CITY OF NEW YORK

SEARCH CONSENT REPORT

Form: #439
Rev.: 02/11/08
Ref. Directives
#2007R-A and
#4508R-D

Facility:	Date:	Time:	Housing Area:

Inmate's Name:	Book & Case #:	NYSID #:	Cell or Bed #:

Visitor's Name:

1. Before you will be permitted to have your visit, it is necessary for you to undergo a Pat Frisk Search. You have the right to refuse this search. If you do refuse the search, contact visit privileges will be denied and a "Non-Contact or Booth" visit will be provided in place thereof. Please note, however, that if a Metal Detector Search has indicated the presence of a metallic object on your person and you do not consent to a Pat Frisk, the visit will be denied entirely.
2. A description of the Pat Frisk procedures is printed on the reverse side of this form.
3. I understand that I may refuse to submit to a Pat Frisk Search and if I refuse to be searched my visiting privileges will be restricted or denied as outlined in #1 above.

☐ I consent to a Pat Frisk Search

☐ I DO NOT consent to a Pat Frisk Search

☐ I consent to an ION Scan Search of my headwear of religious significance

☐ I DO NOT consent to an ION Scan Search of my headwear of religious significance

Signature of visitor:	Date:
Signature of adult accompanying visitor (If visitor is under 16 years of age):	Date:

Signature of Officer:	Rank:	Shield #:
Signature of Supervisory Officer:	Rank:	Shield #:

Reason for Pat Frisk Search:	Reason for ION Scan Search of my headwear of religious significance:
Results of Pat Frisk Search:	Results of ION Scan Search of my headwear of religious significance:

Additional remarks:

Distribution: Original – Inmate's Folder Copy - Commanding Officer of SOD Copy - Deputy Warden for Programs (inmate's facility)
Copy – Inmate Copy – Visitor Copy – Deputy Warden for Security (ONLY IF CONTRABAND FOUND)

ATTACHMENT B

A PAT FRISK SEARCH OF A VISITOR SHALL ONLY BE PERFORMED IN A PRIVATE AREAOF THE FACILITY BY AN INDIVIDUAL OF THE SAME GENDER AS THE VISITOR; AND SHALL BE CONDUCTED AS FOLLOWS:

A. THE SEARCH IS CONDUCTED BY PATTING THE OUTER CLOTHING OVER THE ENTIRE LENGTH OF THE VISITOR'S BODY, TOUCHING THE SKIN ONLY AT THE SHIRT SLEEVES AND THE COLLAR AND EXAMINING THE SEAMS AND POCKETS OF THE VISITOR'S CLOTHING. THE SEARCH SHALL INCLUDE TOUCHING THE HAIR OF THOSE INDIVIDUALS WHOSE HAIR STYLE OR QUANTITY WOULD MAKE THE SECRETION OF WEAPONS OR CONTRABAND POSSIBLE.

B. TO PERFORM A PATFRISK THE CORRECTION OFFICER STANDS BEHIND THE INDIVIDUAL AND ASKS THE INDIVIDUAL TO RAISE HIS/HER ARMS. THEN THE OFFICER RUNS HIS/HER THUMBS UNDER THE INDIVIDUAL'S COLLAR, RUNS HIS/HER HANDS ACROSS THE TOP OF THE INDIVIDUAL'S ARMS, COMES BACK UNDER THE INDIVIDUAL'S ARMS TO THE ARMPITS AND DOWN THE INDIVDUAL'S SIDES TO THE WAIST. THE OFFICER THEN RUNS HIS/HER FINGER AROUND THEINDIVIDUAL'S WAISTBAND, RUNS HIS/HER HANDS DOWN THE OUTSIDE OF THE INDIVIDUAL'S LEGS AND UP THE INSIDE OF THEINDIVIDUAL'S LEGS TO AND INCLUDING THE CROTCH. THE OFFICER THEN REACHES' AROUND AND PATS THE INDIVIDUAL'S CHEST AND BACK AND CHECKS ANY REMAINING POCKETS. IN CONDUCTING A PATFRISK OFFICERS SHALL STRIVE TO PRESERVE THE DIGNITY OF THE INDIVIDUAL BEING SEARCHED.

NOTE: PAT FRISKING OF FEMALES WEARING SKIRTS

SHOULD A FEMALE VISITOR WEARING A SKIRT CONSENT TO A PATFRISK BUT BECAUSE OF THE NATURE OF THE SKIRT AN EFFECTIVE PAT FRISK IS IMPOSSIBLE, THE VISITOR SHALL BE AFFORDED THE OPTION OFMOVING TO AN AREA PROVIDING PRIVACY AND LIFTING THE SKIRT IN THE PRESENCE OF A FEMALE OFFICER. SHOULD THE VISITOR DECLINE TO DO SO THE VISITOR SHALL BE GIVEN A NON-CONTACT VISIT UNLESS THE VISIT IS DENIED ENTIRELY FOR OTHER REASONS IN ACCORDANCE WITH DEPARTMENTAL POLICY.

C. DURING THE PATFRISK, THE VISITOR MAYBE REQUIRED TO REMOVE HIS/HER OUTER GARMENTS, COAT, HAT, SHOES AND NO OTHER ITEMS.

FROM: CHIEF'S ORDER MSG#: 2010-008330
TO : SENT: 12/02/10 1808 HRS
SUBJ:

TELETYPE ORDER NO. HQ -02814-0

DATE DECEMBER 02, 2010

TO COMMANDING OFFICERS, FACILITIES AND DIVISIONS

FROM DORA B. SCHRIRO, COMMISSIONER

SUBJECT DIRECTIVE # 2007R-B, "INMATE VISIT PROCEDURES" (REVISION NOTICE)

1. PENDING THE REVISION OF DIRECTIVE 2007R-B, “INMATE VISIT PROCEDURES,” DATED SEPTEMBER 29, 2008, **THE FOLLOWING CHANGES WILL BE EFFECTIVE ON DECEMBER 15, 2010:**

2. ON PAGE 2, REMOVE AND REPLACE SECTION III.A.1 WITH THE FOLLOWING:

A. APPROVED VISITORS

1. ANY PROPERLY IDENTIFIED PERSON 16 YEARS OF AGE OR OLDER WILL, WITH THE INMATE'S CONSENT, BE PERMITTED TO VISIT. INDIVIDUALS UNDER THE AGE OF 16 MAY VISIT, PROVIDED THEY ARE ACCOMPANIED BY A PROPERLY IDENTIFIED ADULT AT LEAST 18 YEARS OF AGE, WHO MUST REMAIN WITH THEM FOR THE DURATION OF THE VISIT. A PERSON 16 OR 17 YEARS OF AGE MAY VISIT BUT CANNOT ACT AS AN ADULT TO ACCOMPANY VISITORS UNDER THE AGE OF 16 UNLESS HE OR SHE IS THE PARENT OF THE CHILD AND THE INMATE BEING VISITED IS ALSO THE PARENT OF THE SAME CHILD. (FOR VISITOR IDENTIFICATION REQUIREMENTS SEE SECTION IV.H.2 OF THIS DIRECTIVE.)

3. ON PAGE 19, REMOVE AND REPLACE SECTION IV.H.2 WITH THE FOLLOWING:

2. IDENTIFICATION

A. FOR EACH VISIT, EVERY PERSON 16 YEARS OF AGE OR OLDER MUST PRESENT ONE FORM OF VALID IDENTIFICATION THAT CONTAINS A DISTINGUISHABLE PHOTOGRAPH AND SIGNATURE. INDIVIDUALS UNDER THE AGE OF 16 MAY VISIT, PROVIDED THEY ARE ACCOMPANIED BY A PROPERLY IDENTIFIED ADULT AT LEAST 18 YEARS OF AGE. THE ADULT ACCOMPANYING AN INDIVIDUAL UNDER THE AGE OF 16 SHALL PROVIDE THE VISIT REGISTRATION OFFICER THE NAME, DATE OF BIRTH AND GENDER OF THE CHILD.

B. AS PROMPTED, THE VISIT REGISTRATION OFFICER SHALL ENTER

EACH VISITOR'S IDENTIFYING INFORMATION INTO THE VISITOR EXPRESS APPLICATION AND ENROLL THE VISITOR IN THE VISITOR EXPRESS COMPUTER SYSTEM. THE ENROLLMENT WILL INCLUDE: COMPUTER SCANNING OF THE VISITOR'S IDENTIFICATION, PHOTOGRAPHING THE VISITOR, AND COLLECTING THE VISITOR'S FINGERPRINTS USING THE BIOMETRIC READER DEVICE. THE REGISTRATION OFFICER IS REQUIRED TO ATTEMPT BIOMETRIC REGISTRATION AND THE OFFICER SHALL EXPLAIN TO THE VISITOR THAT SUBMITTING TO FINGERPRINTING WILL RESULT IN SPEEDY REGISTRATION FOR FUTURE VISITS. IF THE VISITOR REFUSES TO BE FINGERPRINTED THE REGISTRATION OFFICER SHALL IMMEDIATELY NOTIFY THE VISIT CAPTAIN. THE VISIT CAPTAIN SHALL ATTEMPT TO PERSUADE THE VISITOR TO PROVIDE FINGERPRINTS. IF ALL ATTEMPTS TO OBTAIN THE FINGERPRINTS FAIL, THE VISIT CAPTAIN SHALL OVERRIDE THE FINGERPRINT REQUIREMENT IN THE VISITOR EXPRESS APPLICATION, NOTING THAT THE VISITOR REFUSED TO BE FINGERPRINTED AND THEN ENROLLMENT SHALL PROCEED. IN ADDITION, IF THE BIOMETRIC READER IS INOPERABLE, THE VISIT SUPERVISOR SHALL OVERRIDE THE FINGERPRINT REQUIREMENT IN THE VISITOR EXPRESS APPLICATION, NOTING THAT THE EQUIPMENT IS INOPERABLE.

C. RETURNING VISITORS WILL ONLY HAVE TO PRESS THEIR FINGERS ON THE BIOMETRIC FINGERPRINT READER. ONCE THE FINGERPRINTS ARE READ AND IDENTIFIED, THE COMPUTER WILL DISPLAY THE VISITOR'S NECESSARY INFORMATION. IF THE VISITOR REFUSES TO PROVIDE HIS OR HER FINGERPRINTS, IT WILL BE NECESSARY FOR THE OFFICER TO SCAN THE RETURNING VISITOR'S ID CARD TO LOCATE THE VISITOR'S INFORMATION.

NOTE: IF VISITOR EXPRESS IS NOT WORKING, STAFF SHALL IMMEDIATELY NOTIFY THE HELP DESK AND OBTAIN A TICKET NUMBER FOR ASSISTANCE AND THEN REVERT TO MANUAL PROCEDURES.

D. VALID IDENTIFICATION MUST BE UNEXPIRED, VERIFIABLE, AND UNALTERED, INCLUDE A DISTINGUISHABLE PHOTOGRAPH AND SIGNATURE, AND CONSIST OF ONE OF THE FOLLOWING:

I. DRIVERS LICENSE (FROM ANY STATE OR TERRITORY IN THE UNITED STATES);
II. RESIDENT ALIEN CARD OR PERMANENT RESIDENT CARD ISSUED BY THE U.S. DEPARTMENT OF JUSTICE (E.G., "GREEN CARD");
III. PASSPORT FROM ANY NATION;
IV. SCHOOL IDENTIFICATION (FROM ANY STATE OR TERRITORY IN THE UNITED STATES);
V. EMPLOYMENT IDENTIFICATION CARD (FROM ANY STATE OR TERRITORY IN THE UNITED STATES);

VI. NEW YORK STATE BENEFITS IDENTIFICATION CARD (E.G., MEDICAID/FOOD STAMP PHOTOGRAPHIC IDENTIFICATION);
VII. U.S. ARMED SERVICES IDENTIFICATION CARD;
VIII. DEPARTMENT OF MOTOR VEHICLES NON-DRIVERS LICENSE IDENTIFICATION CARD (FROM ANY STATE OR TERRITORY IN THE UNITED STATES); OR
IX. CONSULATE-ISSUED IDENTIFICATION OR DIPLOMATIC IDENTIFICATION.

E. A 16-YEAR OLD OR 17-YEAR OLD WITH VALID IDENTIFICATION MAY ACCOMPANY A CHILD UNDER THE AGE OF 16 IF HE OR SHE IS THE PARENT OF THAT CHILD AND THE INMATE BEING VISITED IS ALSO THE PARENT OF THE SAME CHILD. IN THIS CASE, THE 16-YEAR OLD OR 17-YEAR OLD MUST PRODUCE A BIRTH CERTIFICATE FOR THE CHILD UNDER THE AGE OF 16.

F. THE REGISTRATION OFFICER SHALL CONSULT WITH THE VISIT CAPTAIN REGARDING ANY ISSUES INVOLVING A VISITOR'S AGE OR IDENTIFICATION.

4. ALL OTHER PROVISIONS OF DIRECTIVE #2007R-B SHALL REMAIN IN FULL FORCE AND EFFECT.

5. COMMANDING OFFICERS OF FACILITIES AND DIVISIONS ARE DIRECTED TO ENSURE THAT:

A. THE APPROPRIATE PERSONNEL ARE APPRISED OF THE CONTENTS OF THIS TELETYPE ORDER AND INSTRUCTED ACCORDINGLY;

B. THIS TELETYPE ORDER IS POSTED IN ALL APPROPRIATE AREAS AND STRICTLY COMPLIED WITH; AND

C. ALL RELATED COMMAND-LEVEL ORDERS ARE REVIEWED AND REVISED.

AUTHORITY:
COMMISSIONER
AB/BJ

FROM: CHIEF'S ORDER MSG#: 2011-000100
TO : SENT: 01/11/11 1640 HRS
SUBJ: **CORRECTED DATA**

TELETYPE ORDER NO. HQ -00063-1

DATE JANUARY 11, 2011

TO COMMANDING OFFICERS, FACILITIES AND DIVISIONS

FROM DORA B. SCHRIRO, COMMISSIONER

SUBJECT DIRECTIVE # 2007R-B, "INMATE VISIT PROCEDURES" (REVISION NOTICE)

1. PENDING THE REVISION OF DIRECTIVE 2007R-B, “INMATE VISIT PROCEDURES,” DATED SEPTEMBER 29, 2008; THE FOLLOWING CHANGES WILL BE EFFECTIVE ON MARCH 2, 2011, AS INDICATED BELOW:

2. ON PAGES 2 THROUGH 8, REPLACE SECTION III CAPTION WITH THE FOLLOWING NEW CAPTION:

III. INMATE AND VISITOR ENTITLEMENTS: VISIT RULES AND CANCELLATIONS, LIMITATIONS, AND DENIALS OF VISIT PRIVILEGES

3. ON PAGE 6, REPLACE SECTION III.F.2.e. with:

e. THE FOLLOWING GUIDELINES ARE TO BE UTILIZED WHEN IT HAS BEEN DETERMINED THAT A VISITOR SHALL HAVE HIS/HER VISITING RIGHTS RESTRICTED. WHEN A VISITOR COMMITS MORE THAN ONE OFFENSE, AS DESCRIBED BELOW, THE CANCELLATION, LIMITATION, OR DENIAL OF VISITING PRIVILEGES SHOULD BE BASED UPON THE MOST SERIOUS OFFENSE AND PENALTY AVAILABLE. WHEN THE VISITOR HAS COMMITTED MULTIPLE OFFENSES, THE TOTAL AMOUNT OF PENALTY DAYS SHALL NOT EXCEED THE AMOUNT AUTHORIZED FOR THE MOST SERIOUS OFFENSE.

4. ON PAGE 8, UNDER SECTION III ADD NEW SUBSECTIONS G., H., and I.

G. VISITORS – ITEMS NOT PERMITTED IN ANY FACILITY, INCLUDING THE RIKERS ISLAND VISIT CONTROL BUILDING

1. TO ENSURE THE SAFETY AND WELL-BEING OF DEPARTMENT STAFF, THE INMATE POPULATION, AND VISITORS, BOTH ILLEGAL ITEMS AND DEPARTMENT-DESIGNATED CONTRABAND ARE EXPRESSLY PROHIBITED. NONE OF THE FOLLOWING ITEMS MAY BE BROUGHT INTO THE RIKERS ISLAND VISIT CONTROL BUILDING, JAILS ON RIKERS ISLAND AND BOROUGH FACILITIES, OR ANY OTHER FACILITY INCLUDING THE HOSPITAL PRISON WARDS:

A. GUNS (INCLUDING STUN GUNS AND ZIP GUNS), BULLETS, AND IMITATION GUNS AND BULLETS;
B. ILLEGAL DRUGS;
C. SYRINGES;
D. KNIVES, IMITATION KNIVES, BOX CUTTERS, NEEDLES, RAZORS, HOBBY BLADES, SCALPELS, SCISSORS, ANY OTHER SHARP OBJECTS, BRASS KNUCKLES, AND ANY OTHER WEAPONS;
E. TOOLS;
F. METAL OR GLASS OBJECTS;
G. PADLOCKS;
H. NAIL CLIPPERS AND FINGERNAIL FILES;
I. TOBACCO PRODUCTS AND RELATED PARAPHERNALIA INCLUDING CIGARETTES, CIGARS, ROLLING PAPER, CHEWING TOBACCO, AND PIPES;
J. TAPE AND OTHER ADHESIVES OF ANY KIND;
K. EXPLOSIVE DEVICES;
L. MATCHES AND LIGHTERS;
M. ELECTRONIC DEVICES INCLUDING CELLULAR TELEPHONES, CELLULAR TELEPHONE ACCESSORIES, PERSONAL DIGITAL ASSISTANTS, PORTABLE MEDIA PLAYERS (INCLUDING BUT NOT LIMITED TO IPODS, MP3 PLAYERS, IPADS, AND E-READERS), PAGERS, BEEPERS, LAPTOPS, CAMERAS, RECORDING DEVICES, AND RADIOS;
N. LAW ENFORCEMENT BADGES AND EQUIPMENT AND FACSIMILES;
O. LIQUIDS AND BEVERAGES, INCLUDING ALCOHOLIC BEVERAGES BUT EXCLUDING TWO CLEAR PLASTIC BABY BOTTLES;
P. GELS;
Q. METAL HAIRCLIPS AND HAIRPINS;
R. NON-PRESCRIPTION MEDICATION;
S. NON-PRESCRIPTION SUNGLASSES;
T. NO MORE THAN A TOTAL OF THREE BOOKS, NEWSPAPERS AND/OR MAGAZINES (EXCEPT WHEN INCLUDED IN AN INMATE PACKAGE);
U. DIGITAL MEDIA (INCLUDING BUT NOT LIMITED TO CDS AND DVDS);
V. PHOTOGRAPHS (EXCEPT WHEN INCLUDED IN AN INMATE PACKAGE, ALTHOUGH POLAROID PHOTOGRAPHS AND PHOTOGRAPHS THAT INCLUDE PICTURES OF THE INMATE ARE NOT PERMITTED IN AN INMATE PACKAGE); AND
W. CHEWING GUM.

2. VISITORS MAY BRING PRESCRIPTION MEDICATION IN ITS ORIGINAL CONTAINER TO THE FACILITY WHICH, EXCEPT FOR LIFE-SAVING PRESCRIPTION MEDICATION (SEE SECTION III.I.3 BELOW), MUST BE STORED IN A FACILITY LOCKER AND MAY NOT BE BROUGHT TO THE FACILITY VISIT FLOOR.

H. VISITORS – DRESS CODE

1. THE DEPARTMENT ENCOURAGES INMATE FAMILY MEMBERS AND FRIENDS, INCLUDING CHILDREN AND THE ELDERLY, TO VISIT INMATES. TO PROVIDE FOR THE SAFETY AND SECURITY OF DEPARTMENT STAFF, INMATES, AND VISITORS, AND TO MAINTAIN A FAMILY-FRIENDLY ENVIRONMENT, VISITORS MUST WEAR APPROPRIATE CLOTHING TO VISIT INMATES. OVERLY SUGGESTIVE CLOTHING AND CLOTHING IN WHICH CONTRABAND AND NON-PERMISSIBLE ITEMS CAN BE SECRETED ARE NOT PERMITTED. WHEN MEETING WITH THE INMATE, VISITORS MAY ONLY WEAR A SINGLE LAYER OF CLOTHING (EXCEPT THOSE VISITORS REQUIRED TO WEAR A COVER-UP GARMENT (SEE SECTION III.H.3)) AND NO ACCESSORIES. VISITORS WILL NOT BE PERMITTED ONTO THE FACILITY VISIT FLOOR WEARING ANY OF THE FOLLOWING:

   A. CLOTHING WITH HOLES OR RIPS THAT ARE LOCATED MORE THAN THREE INCHES ABOVE THE KNEE;
   B. HOODED GARMENTS;
   C. HATS AND HEAD COVERINGS (EXCLUDING RELIGIOUS HEAD COVERINGS);
   D. CLOTHING IDENTIFYING A SPECIFIC GANG BY NAME OR LOGO;
   E. CLOTHING THAT MAKES EXPLICIT REFERENCE TO OBSCENE LANGUAGE, DRUGS, SEX, OR VIOLENCE;
   F. SWIMMING ATTIRE;
   G. SEE-THROUGH GARMENTS;
   H. UNIFORMS;
   I. JEWELRY (EXCLUDING A WEDDING RING AND ONE RELIGIOUS MEDAL NO MORE THAN TWO INCHES IN DIAMETER HUNG ON A CHAIN OF A QUARTER INCH OR LESS IN DIAMETER AND NO LONGER THAN TWO FEET);
   J. TOPS, INCLUDING DRESSES, EXPOSING THE CHEST, STOMACH, OR BACK;
   K. SHORTS, SKIRTS, OR DRESSES THE HEM OF WHICH IS MORE THAN THREE INCHES ABOVE THE KNEE;
   L. SPANDEX LEGGINGS UNLESS COVERED BY TOPS, SHORTS, SKIRTS OR DRESSES THE HEM OF WHICH IS NO MORE THAN THREE INCHES ABOVE THE KNEE; AND
   M. OUTER GARMENTS INCLUDING COATS, SHAWLS, PONCHOS, JACKETS, VESTS, GLOVES, OR OVER BOOTS OR OVERSHOES (OUTER BOOTS OR SHOES THAT SLIP OVER OTHER SHOES).

2. VISITORS MUST WEAR UNDERGARMENTS.

3. VISITORS WHOSE ATTIRE VIOLATES THE DRESS CODE WILL BE PERMITTED A CONTACT VISIT IF THEY AGREE TO WEAR A COVER-UP GARMENT PROVIDED BY THE DEPARTMENT. DEPARTMENT STAFF OF THE RANK OF CAPTAIN OR HIGHER WILL BE RESPONSIBLE FOR DETERMINING WHETHER A VISITOR IS IN VIOLATION OF THE DRESS

CODE. VISITORS WHO REFUSE TO WEAR A COVER-UP GARMENT PROVIDED BY THE DEPARTMENT WILL BE DENIED A VISIT. THE PROCEDURES SET FORTH IN SECTION III.F OF DIRECTIVE 2007R-B SHALL APPLY TO ANY SUCH DENIAL.

a. THE VISIT CAPTAIN SHALL ENSURE THAT AT ALL TIMES THERE ARE A SUFFICIENT NUMBER OF CLEAN COVER-UP GARMENTS AVAILABLE FOR VISITORS.
b. THE VISIT CAPTAIN SHALL ENSURE THAT THE FACILITY'S STOCK OF COVER-UP GARMENTS IS STORED WITHIN THE FACILITY'S VISIT AREA.
c. THE VISIT CAPTAIN SHALL MAKE ARRANGEMENTS WITH THE FACILITY'S CLOTHES BOX OFFICER OR OTHER DESIGNATED OFFICER TO ENSURE THAT AFTER EACH USAGE ALL COVER-UP GARMENTS ARE LAUNDERED AND RETURNED BACK TO THE VISIT AREA.
d. IF THE VISIT CAPTAIN ANTICIPATES A SHORTAGE OF COVER-UP GARMENTS, THE VISIT CAPTAIN SHALL MAKE EFFORTS TO OBTAIN ADDITIONAL COVER-UP GARMENTS FROM THE CENTRAL STOREHOUSE.

I. VISITORS – ADDITIONAL ITEMS NOT PERMITTED ON FACILITY VISIT FLOOR

1. TO ENSURE SAFETY AND SECURITY AND TO EXPEDITE ACCESS TO THE FACILITY VISIT FLOOR, UNLESS SPECIFIED ABOVE, VISITORS ARE NOT PERMITTED TO POSSESS OR WEAR ANY PERSONAL BELONGINGS, OTHER THAN A SINGLE LAYER OF CLOTHING, WHEN MEETING WITH INMATES. SECURE STORAGE LOCKERS WILL BE PROVIDED AT THE FACILITY. HOWEVER, AT RIKERS ISLAND, COINS TO OPERATE LOCKERS CAN ONLY BE OBTAINED AT THE VISIT CONTROL BUILDING. VISITORS MAY NOT ACCESS THE FACILITY VISIT FLOOR POSSESSING ANY OF THE FOLLOWING:

A. POCKETBOOKS, PURSES, BACKPACKS, **KNAPSACKS**, WAIST POUCHES, DIAPER BAGS OR WALLETS;
B. MONEY AND METROCARDS;
C. IDENTIFICATION;
D. KEYS, EXCEPT A FACILITY LOCKER KEY;
E. READING MATERIALS;
F. TOYS;
G. STROLLERS;
H. DIAPERS (EXCLUDING THE DIAPER WORN BY THE BABY);
I. FOOD AND CANDY; AND
J. BEVERAGES (EXCLUDING ONE CLEAR PLASTIC BOTTLE FOR THE BABY).

2. VISITORS ARE PERMITTED TO BRING ON TO THE FACILITY VISIT

FLOOR ONE BABY BLANKET, ONE CLEAR PLASTIC BABY BOTTLE CONTAINING A NON-ALCOHOLIC BEVERAGE AND ONE BABY BIB FOR THE BABY.

3. VISITORS ARE PERMITTED TO BRING TO THE FACILITY VISIT FLOOR ONLY LIFE-SAVING PRESCRIPTION MEDICATION SUCH AS AN ASTHMA PUMP OR NITROGLYCERIN. VISIT FLOOR STAFF WILL SECURE ALL SUCH LIFE-SAVING PRESCRIPTION MEDICATION FOR THE DURATION OF THE VISIT, GIVE BACK THE MEDICATION TO THE VISITOR AS REQUESTED BY THE VISITOR FOR MEDICAL REASONS,AND RETURN THE REMAINDER OF THE MEDICATION TO THE VISITOR AT THE CONCLUSION OF THE VISIT. OTHER PRESCRIPTION MEDICATION MAY BE BROUGHT TO THE FACILITY BUT MUST BE STORED IN A FACILITY LOCKER AND MAY NOT BE BROUGHT TO THE FACILITY VISIT FLOOR.

4. VISITORS ARE PERMITTED TO BRING MOBILITY AIDS SUCH AS WALKERS, WHEELCHAIRS, CANES, AND CRUTCHES TO THE FACILITY VISIT FLOOR. OTHER THAN WHEELCHAIRS, VISIT FLOOR STAFF WILL SECURE MOBILITY AIDS, FOR THE DURATION OF THE VISIT AND RETURN THE AID TO THE VISITOR AT THE CONCLUSION OF THE VISIT. CONSISTENT WITH OPERATIONS ORDER 24/07 ENTITLED TRANSPORTING VISITORS WITH DISABILITIES, SECTION III, VISITORS IN WHEELCHAIRS WILL BE PERMITTED TO USE THE WHEELCHAIR FOR THE DURATION OF THE VISIT.

5. ALL OTHER PROVISIONS OF DIRECTIVE #2007R-B SHALL REMAIN IN FULL FORCE AND EFFECT.

6. COMMANDING OFFICERS OF FACILITIES AND DIVISIONS ARE DIRECTED TO ENSURE THAT:

A. THE APPROPRIATE PERSONNEL ARE APPRISED OF THE CONTENTS OF THIS TELETYPE ORDER AND INSTRUCTED ACCORDINGLY;

B. THIS TELETYPE ORDER IS POSTED IN ALL APPROPRIATE AREAS AND STRICTLY COMPLIED WITH; AND

C. ALL RELATED COMMAND-LEVEL ORDERS ARE REVIEWED AND REVISED.

AUTHORITY:
COMMISSIONER
AB/CR

FROM: CHIEF'S ORDER MSG#: 2011-000232
TO : SENT: 01/10/11 1611 HRS
SUBJ:

TELETYPE ORDER NO. HQ -00071-0

DATE JANUARY 10, 2011

TO COMMANDING OFFICERS, FACILITIES AND DIVISIONS

FROM MICHAEL HOURIHANE, DEPUTY CHIEF OF DEPARTMENT

SUBJECT PRISON CONTRABAND: DISCOVERY OF TOBACCO AND/OR CURRENCY

1. THERE APPEARS TO BE SOME CONFUSION ON THE PART OF STAFF AS TO WHETHER A DISCOVERY OF A SMALL AMOUNT OF TOBACCO AND/OR CURRENCY WILL RESULT IN THE ARREST OF A VISITOR.

2. ALL MEMBERS OF SERVICE ARE REMINDED THAT THERE HAS BEEN NO CHANGE IN POLICY. ANY VISITOR FOUND IN POSSESSION OF TOBACCO OR CURRENCY REGARDLESS OF THE AMOUNT WILL BE PROCESSED FOR ARREST. WE CANNOT TOLERATE NOR CONDONE THE INTRODUCTION OF ANY PRISON CONTRABAND IN OUR SYSTEM.

3. ANY QUESTIONS REGARDING THIS TELETYPE ORDER MAY BE DIRECTED TO THE OFFICE OF THE WARDEN OF SPECIAL OPERATIONS AT 718-546-1560.

4. COMMANDING OFFICERS OF FACILITIES AND DIVISIONS SHALL ENSURE THAT ALL STAFF ARE ADVISED OF THE AFOREMENTIONED, AND THAT THIS TELETYPE ORDER IS READ AT TWENTY-ONE (21) CONSECUTIVE ROLL CALLS AND POSTED IN APPROPRIATE EMPLOYEE AREAS. FURTHERMORE, ALL FACILITIES SHALL ENSURE STRICT ENFORCEMENT OF THIS POLICY AND SHALL CONFER WITH THE INTELLIGENCE UNIT ON ALL ARRESTS.

AUTHORITY:
OFFICE OF THE CHIEF OF DEPARTMENT
AB/BJ

FROM: CHIEF'S ORDER MSG#: 2011-002356
TO : SENT: 04/12/11 1339 HRS
SUBJ:

TELETYPE ORDER NO. HQ -00863-0

DATE APRIL 12, 2011

TO COMMANDING OFFICERS, FACILITIES AND DIVISIONS

FROM LARRY W. DAVIS SR., CHIEF OF DEPARTMENT

SUBJECT LIMITING INMATES TO NON-CONTACT (BOOTH) VISITS AND BANNING VISITORS FOR PROMOTING PRISON CONTRABAND

1. UNDER THE CASE LAW AND APPLICABLE REGULATIONS, AN INMATE'S VISITATION RIGHTS MAY BE DENIED, REVOKED OR LIMITED ONLY WHEN IT IS DETERMINED THAT THE EXERCISE OF THOSE RIGHTS CONSTITUTES A SERIOUS THREAT TO THE SAFETY AND SECURITY OF A FACILITY.

2. DIRECTIVE #2007R-B, ENTITLED "INMATE VISIT PROCEDURES" DATED SEPTEMBER 29, 2008, APPROPRIATELY FOLLOWS THE CASE LAW AND REGULATIONS BY EXPLICITLY PROVIDING THAT, "VISITING RIGHTS MAY BE LIMITED OR DENIED WHEN IT IS DETERMINED THAT THE EXERCISE OF THOSE RIGHTS CONSTITUTES A SERIOUS THREAT TO THE SAFETY AND SECURITY OF THE FACILITY CONCERNED". THE DIRECTIVE FURTHER STATES THAT ANY DETERMINATION TO LIMIT OR DENY AN INMATE'S RIGHT TO CONTACT VISITS "MUST BE BASED ON SPECIFIC ACTS COMMITTED BY THE INMATE WHILE IN CUSTODY UNDER THE PRESENT CHARGE OR SENTENCE THAT DEMONSTRATES HIS/HER THREAT TO THE SAFETY AND SECURITY OF AN INSTITUTION, OR ON SPECIFIC INFORMATION RECEIVED AND VERIFIED THAT THE INMATE PLANS TO ENGAGE IN ACTS DURING THE NEXT VISIT THAT WILL BE A THREAT TO THE SAFETY AND SECURITY OF A FACILITY".

3. EFFECTIVE IMMEDIATELY AND UNTIL SUCH TIME AS DIRECTIVE #2007R-B IS REVISED, AN INMATE SHALL BE DENIED CONTACT VISITS FOR A PERIOD OF SIX (6) MONTHS WHEN:

I. CONTRABAND IS PASSED OR ATTEMPTED TO BE PASSED BETWEEN AN INMATE AND A VISITOR; OR

II. A VISITOR WHO HAS REGISTERED TO VISIT THAT INMATE IS ARRESTED FOR PROMOTING CONTRABAND PRIOR TO THE COMMENCEMENT OF THE VISIT.

4. ALL VISITS CONDUCTED FOR THE AFFECTED INMATE DURING THIS PERIOD SHALL BE NON-CONTACT (BOOTH) VISITS.

5. FURTHER, VISITORS ARRESTED FOR PROMOTING PRISON CONTRABAND SHALL BE DENIED VISITS IN ACCORDANCE WITH DIRECTIVE #2007R-B.

6. THE APPLICABLE STATE AND LOCAL REGULATIONS PROVIDE THAT ANY DETERMINATION TO DENY, REVOKE OR LIMIT AN INMATE'S VISITING RIGHTS MUST BE IN WRITING AND MUST STATE THE SPECIFIC FACTS AND REASONS UNDERLYING SUCH DETERMINATION. ACCORDINGLY, WHENEVER A DETERMINATION IS MADE AS SPECIFIED ABOVE TO LIMIT AN INMATE TO NON-CONTACT (BOOTH) VISITS, WRITTEN NOTICE USING FORM #143R MUST BE SERVED ON THE INMATE IMMEDIATELY, AND SUCH NOTICE SHALL INCLUDE AN EXPLANATION FOR THE DETERMINATION AND THE LENGTH OF THE LIMITATION. LIKEWISE, VISITORS WHO ARE BARRED FROM CONDUCTING ANY VISITS BASED ON THEIR ARRESTS FOR PROMOTING PRISON CONTRABAND SHALL BE PROVIDED WRITTEN NOTICE OF SUCH PROHIBITION USING FORM #143R. ALL DENIALS OF VISITS OR CONTACT VISITS MUST BE PROMPTLY FAXED TO THE BOARD OF CORRECTION (212) 788-7860, WITH COPIES SENT TO THE COMMANDING OFFICER OF THE SPECIAL OPERATIONS DIVISION.

7. THE ABOVE SETS FORTH THE DEPARTMENT'S POLICIES AND PROCEDURES REGARDING THE DENIAL OR LIMITATION OF VISITS BASED ON VISITOR ARRESTS FOR PROMOTING PRISON CONTRABAND, AND IS IN NO WAY INTENDED TO PREVENT THE DEPARTMENT FROM DENYING OR LIMITING VISITS IN ACCORDANCE WITH DIRECTIVE 2007R-B BASED ON OTHER INAPPROPRIATE CONDUCT, INCLUDING, WITHOUT LIMITATION, UNACCEPTABLE PHYSICAL CONTACT BETWEEN AN INMATE AND A VISITOR (WHICH INCLUDES SEXUAL ACTIVITIES OR ASSAULTIVE BEHAVIOR).

8. ANY QUESTIONS CONCERNING WHETHER A PARTICULAR INCIDENT WARRANTS LIMITING AN INMATE TO NON-CONTACT (BOOTH) VISITS OR THE APPROPRIATE PROCESS TO BE FOLLOWED IN DENYING AN INMATE CONTACT VISITS ARE TO BE DIRECTED TO ASSISTANT GENERAL COUNSEL AMY DAVIDOFF, LEGAL DIVISION AT (718) 546-0957 OR AMY.DAVIDOFF@DOC.NYC.GOV.

AUTHORITY:
OFFICE OF THE CHIEF OF DEPARTMENT
AB/BJ

FROM: CHIEF'S ORDER MSG#: 2011-003695
TO : SENT: 06/08/11 1517 HRS
SUBJ:

TELETYPE ORDER NO. HQ -01358-0

DATE JUNE 08, 2011

TO COMMANDING OFFICERS, FACILITIES AND DIVISIONS

FROM LARRY W. DAVIS SR., CHIEF OF DEPARTMENT

SUBJECT LIMITING INMATES TO NON-CONTACT (BOOTH) VISITS AND BANNING VISITORS FOR PROMOTING PRISON CONTRABAND

1. UNDER THE CASE LAW AND APPLICABLE REGULATIONS, AN INMATE'S VISITATION RIGHTS MAY BE DENIED, REVOKED OR LIMITED WHEN IT IS DETERMINED THAT THE EXERCISE OF THOSE RIGHTS CONSTITUTES A SERIOUS THREAT TO THE SAFETY AND SECURITY OF A FACILITY.

2. DIRECTIVE #2007R-B, ENTITLED "INMATE VISIT PROCEDURES," AND DATED SEPTEMBER 29, 2008, IS CONSISTENT WITH THE CASE LAW AND APPLICABLE REGULATIONS EXPLICITLY PROVIDING THAT, "VISITING RIGHTS MAY BE LIMITED OR DENIED WHEN IT IS DETERMINED THAT THE EXERCISE OF THOSE RIGHTS CONSTITUTES A SERIOUS THREAT TO THE SAFETY AND SECURITY OF THE FACILITY CONCERNED." THE DIRECTIVE FURTHER STATES THAT ANY DETERMINATION TO LIMIT OR DENY AN INMATE'S RIGHT TO CONTACT VISITS, "MUST BE BASED ON SPECIFIC ACTS COMMITTED BY THE INMATE WHILE IN CUSTODY UNDER THE PRESENT CHARGE OR SENTENCE THAT DEMONSTRATES HIS/HER THREAT TO THE SAFETY AND SECURITY OF AN INSTITUTION, OR ON SPECIFIC INFORMATION RECEIVED AND VERIFIED THAT THE INMATE PLANS TO ENGAGE IN ACTS DURING THE NEXT VISIT THAT WILL BE A THREAT TO THE SAFETY AND SECURITY OF A FACILITY."

3. EFFECTIVE IMMEDIATELY AND UNTIL SUCH TIME AS DIRECTIVE #2007R-B IS REVISED, AN INMATE SHALL BE DENIED CONTACT VISITS FOR A PERIOD OF **ONE HUNDRED EIGHTY** (180) DAYS WHEN:

I. CONTRABAND IS PASSED OR ATTEMPTED TO BE PASSED BETWEEN AN INMATE AND A VISITOR; OR

II. A VISITOR WHO HAS REGISTERED TO VISIT THAT INMATE IS ARRESTED FOR PROMOTING CONTRABAND PRIOR TO THE COMMENCEMENT OF THE VISIT.

4. ALL VISITS CONDUCTED FOR THE AFFECTED INMATE DURING THIS PERIOD SHALL BE NON-CONTACT (BOOTH) VISITS.

5. FURTHER, VISITORS ARRESTED FOR PROMOTING PRISON CONTRABAND SHALL BE DENIED VISITS IN ACCORDANCE WITH DIRECTIVE #2007R-B.

6. THE APPLICABLE STATE AND LOCAL REGULATIONS PROVIDE THAT ANY DETERMINATION TO DENY, REVOKE OR LIMIT AN INMATE'S VISITING RIGHTS MUST BE IN WRITING AND MUST STATE THE SPECIFIC FACTS AND REASONS UNDERLYING SUCH DETERMINATION. ACCORDINGLY, WHENEVER A DETERMINATION IS MADE AS SPECIFIED ABOVE TO LIMIT AN INMATE TO NON-CONTACT (BOOTH) VISITS, WRITTEN NOTICE USING FORM #143R MUST BE SERVED ON THE INMATE IMMEDIATELY, AND SUCH NOTICE SHALL INCLUDE AN EXPLANATION FOR THE DETERMINATION AND THE LENGTH OF THE LIMITATION. LIKEWISE, A VISITOR WHO IS BARRED FROM CONDUCTING ANY VISITS BASED ON THEIR ARREST FOR PROMOTING PRISON CONTRABAND SHALL BE PROVIDED WRITTEN NOTICE OF SUCH PROHIBITION USING FORM #143R. ALL DENIALS OF VISITS OR CONTACT VISITS MUST BE PROMPTLY FAXED TO THE BOARD OF CORRECTION AT (212) 788-7860, WITH COPIES SENT TO THE COMMANDING OFFICER OF THE SPECIAL OPERATIONS DIVISION AND DEPUTY WARDEN OF THE HEADQUARTERS/PROGRAMS UNIT.

7. THESE POLICIES AND PROCEDURES REGARDING THE DENIAL OR LIMITATION OF VISITS BASED ON VISITOR ARRESTS FOR PROMOTING PRISON CONTRABAND ARE IN NO WAY INTENDED TO PREVENT THE DEPARTMENT FROM DENYING OR LIMITING VISITS IN ACCORDANCE WITH DIRECTIVE #2007R-B BASED ON OTHER INAPPROPRIATE CONDUCT INCLUDING, WITHOUT LIMITATION, UNACCEPTABLE PHYSICAL CONTACT BETWEEN AN INMATE AND A VISITOR (WHICH INCLUDES SEXUAL ACTIVITIES OR ASSAULTIVE BEHAVIOR).

8. ANY QUESTIONS CONCERNING WHETHER A PARTICULAR INCIDENT WARRANTS LIMITING AN INMATE TO NON-CONTACT (BOOTH) VISITS OR THE APPROPRIATE PROCESS TO BE FOLLOWED IN DENYING AN INMATE CONTACT VISITS ARE TO BE DIRECTED TO ASSISTANT GENERAL COUNSEL AMY DAVIDOFF, LEGAL DIVISION, AT (718) 546-0957 OR AMY.DAVIDOFF@DOC.NYC.GOV.

AUTHORITY:
OFFICE OF THE CHIEF OF DEPARTMENT
AB/BJ

FROM: CHIEF'S ORDER MSG#: 2012-002446
TO : SENT: 04/19/12 1553 HRS
SUBJ:

TELETYPE ORDER NO. HQ -00941-0

DATE APRIL 19, 2012

TO COMMANDING OFFICERS, FACILITIES AND DIVISIONS

FROM MICHAEL HOURIHANE, CHIEF OF DEPARTMENT

SUBJECT LIMITING INMATES TO NON-CONTACT (BOOTH) VISITS AND BANNING VISITORS FOR PROMOTING PRISON CONTRABAND

1. THE FOLLOWING INFORMATION IS BEING RE-ISSUED FOR GUIDANCE AND STRICT COMPLIANCE.

2. UNDER THE CASE LAW AND APPLICABLE REGULATIONS, AN INMATE'S VISITATION RIGHTS MAY BE DENIED, REVOKED OR LIMITED WHEN IT IS DETERMINED THAT THE EXERCISE OF THOSE RIGHTS CONSTITUTES A SERIOUS THREAT TO THE SAFETY AND SECURITY OF A FACILITY.

3. DIRECTIVE #2007R-B, ENTITLED "INMATE VISIT PROCEDURES," AND DATED SEPTEMBER 29, 2008, IS CONSISTENT WITH THE CASE LAW AND APPLICABLE REGULATIONS EXPLICITLY PROVIDING THAT, "VISITING RIGHTS MAY BE LIMITED OR DENIED WHEN IT IS DETERMINED THAT THE EXERCISE OF THOSE RIGHTS CONSTITUTES A SERIOUS THREAT TO THE SAFETY AND SECURITY OF THE FACILITY CONCERNED." THE DIRECTIVE FURTHER STATES THAT ANY DETERMINATION TO LIMIT OR DENY AN INMATE'S RIGHT TO CONTACT VISITS, "MUST BE BASED ON SPECIFIC ACTS COMMITTED BY THE INMATE WHILE IN CUSTODY UNDER THE PRESENT CHARGE OR SENTENCE THAT DEMONSTRATES HIS/HER THREAT TO THE SAFETY AND SECURITY OF AN INSTITUTION, OR ON SPECIFIC INFORMATION RECEIVED AND VERIFIED THAT THE INMATE PLANS TO ENGAGE IN ACTS DURING THE NEXT VISIT THAT WILL BE A THREAT TO THE SAFETY AND SECURITY OF A FACILITY."

4. EFFECTIVE IMMEDIATELY AND UNTIL SUCH TIME AS DIRECTIVE #2007R-B IS REVISED, AN INMATE SHALL BE DENIED CONTACT VISITS FOR A PERIOD OF **ONE HUNDRED EIGHTY (180) DAYS** WHEN:

I. CONTRABAND IS PASSED OR ATTEMPTED TO BE PASSED BETWEEN AN INMATE AND A VISITOR; OR

II. A VISITOR WHO HAS REGISTERED TO VISIT THAT INMATE IS ARRESTED FOR PROMOTING CONTRABAND PRIOR TO THE COMMENCEMENT OF THE VISIT.

5. ALL VISITS CONDUCTED FOR THE AFFECTED INMATE DURING THIS PERIOD SHALL BE NON-CONTACT (BOOTH) VISITS.

6. FURTHER, VISITORS ARRESTED FOR PROMOTING PRISON CONTRABAND SHALL BE DENIED VISITS IN ACCORDANCE WITH DIRECTIVE #2007R-B.

7. THE APPLICABLE STATE AND LOCAL REGULATIONS PROVIDE THAT ANY DETERMINATION TO DENY, REVOKE OR LIMIT AN INMATE'S VISITING RIGHTS MUST BE IN WRITING AND MUST STATE THE SPECIFIC FACTS AND REASONS UNDERLYING SUCH DETERMINATION. ACCORDINGLY, WHENEVER A DETERMINATION IS MADE AS SPECIFIED ABOVE TO LIMIT AN INMATE TO NON-CONTACT (BOOTH) VISITS, WRITTEN NOTICE USING FORM #143R MUST BE SERVED ON THE INMATE IMMEDIATELY, AND SUCH NOTICE SHALL INCLUDE AN EXPLANATION FOR THE DETERMINATION AND THE LENGTH OF THE LIMITATION. LIKEWISE, A VISITOR WHO IS BARRED FROM CONDUCTING ANY VISITS BASED ON THEIR ARREST FOR PROMOTING PRISON CONTRABAND SHALL BE PROVIDED WRITTEN NOTICE OF SUCH PROHIBITION USING FORM #143R. ALL DENIALS OF VISITS OR CONTACT VISITS MUST BE PROMPTLY FAXED TO THE BOARD OF CORRECTION AT (212) 788-7860, WITH COPIES SENT TO THE COMMANDING OFFICER OF THE SPECIAL OPERATIONS DIVISION AND DEPUTY WARDEN OF THE HEADQUARTERS/PROGRAMS UNIT.

8. THESE POLICIES AND PROCEDURES REGARDING THE DENIAL OR LIMITATION OF VISITS BASED ON VISITOR ARRESTS FOR PROMOTING PRISON CONTRABAND ARE IN NO WAY INTENDED TO PREVENT THE DEPARTMENT FROM DENYING OR LIMITING VISITS IN ACCORDANCE WITH DIRECTIVE #2007R-B BASED ON OTHER INAPPROPRIATE CONDUCT INCLUDING, WITHOUT LIMITATION, UNACCEPTABLE PHYSICAL CONTACT BETWEEN AN INMATE AND A VISITOR (WHICH INCLUDES SEXUAL ACTIVITIES OR ASSAULTIVE BEHAVIOR).

9. ANY QUESTIONS CONCERNING WHETHER A PARTICULAR INCIDENT WARRANTS LIMITING AN INMATE TO NON-CONTACT (BOOTH) VISITS OR THE APPROPRIATE PROCESS TO BE FOLLOWED IN DENYING AN INMATE CONTACT VISITS ARE TO BE DIRECTED TO AGENCY ATTORNEY FAYE YELARDY OF THE LEGAL DIVISION, AT (718) 546-0953 OR FAYE.YELARDY@DOC.NYC.GOV.

10. COMMANDING OFFICERS OF FACILITIES AND DIVISIONS SHALL ENSURE THAT A COPY OF THIS TELETYPE ORDER IS PROVIDED TO ALL UNIFORMED SUPERVISORS ASSIGNED TO THEIR COMMANDS WITH A SIGNED MANIFEST DENOTING SUCH RECEIPT PROVIDED TO THE RESPECTIVE SUPERVISING WARDEN OR ASSISTANT CHIEF WITHIN TEN (10) CALENDAR DAYS OF THE PUBLISHING OF THIS TELETYPE ORDER.

AUTHORITY:
OFFICE OF THE CHIEF OF DEPARTMENT
MM/CR

FROM: CHIEF'S ORDER MSG#: 2013-007155
TO : SENT: 12/06/13 1423 HRS
SUBJ:

TELETYPE ORDER NO. HQ -02613-0

DATE DECEMBER 06, 2013

TO COMMANDING OFFICERS, FACILITIES AND DIVISIONS

FROM EVELYN A. MIRABAL, CHIEF OF DEPARTMENT

SUBJECT PERIODIC REVIEW OF INMATE VISIT LIMITATION STATUS

1. PURSUANT TO APPLICABLE STANDARDS OF THE NEW YORK CITY BOARD OF CORRECTION, AN INMATE'S VISITING RIGHTS MAY BE DENIED, REVOKED, OR LIMITED BASED ONLY UPON HIS OR HER OWN "SPECIFIC ACTS COMMITTED BY THE INMATE WHILE IN CUSTODY UNDER THE PRESENT CHARGE OR SENTENCE THAT DEMONSTRATE HIS OR HER THREAT TO THE SAFETY AND SECURITY OF A FACILITY OR ON SPECIFIC INFORMATION RECEIVED AND VERIFIED THAT THE PRISONER PLANS TO ENGAGE IN ACTS DURING THAT NEXT VISIT THAT WILL BE A THREAT TO THE SAFETY AND SECURITY OF THE FACILITY."

2. DIRECTIVE 2007R-B, ENTITLED, "INMATE VISIT PROCEDURES" DATED SEPTEMBER 29, 2008, SPECIFIES THE PERIODS OF TIME DURING WHICH AN INMATE MAY BE SO LIMITED FOLLOWING APPROPRIATE DUE PROCESS NOTICE AND REVIEW. DIRECTIVE 4518R-B, ENTITLED, "RED ID STATUS AND ENHANCED RESTRAINT STATUS DUE PROCESS" DATED MARCH 11, 2013, FURTHER PROVIDES THAT, IN ORDER TO PROTECT ALL INMATES AND STAFF FROM SERIOUS ASSAULT, AN INMATE FOUND TO BE IN POSSESSION OF A SCALPEL, RAZOR BLADE OR LIKE BLADE SHALL BE PROCESSED PURSUANT TO THE PROCEDURES IN DIRECTIVE 2007R-B FOR RESTRICTION TO NON-CONTACT VISITS FOR THE REMAINDER OF HIS OR HER INCARCERATION UNDER THE PRESENT CHARGE. PENDING FORMAL REVISION OF DIRECTIVE 2007R-B, TELETYPE ORDER NO. HQ –00863-0, DATED APRIL 11, 2011, FURTHER PRESCRIBES THAT AN INMATE SHALL BE DENIED, CONTACT VISITS IF CONTRABAND IS PASSED OR ATTEMPTED TO BE PASSED BETWEEN THE INMATE AND A VISITOR, OR IF A VISITOR WHO HAS REGISTERED TO VISIT THAT INMATE IS ARRESTED FOR PROMOTING CONTRABAND PRIOR TO THE COMMENCEMENT OF THE VISIT.

3. PENDING THE FORMAL REVISION OF DIRECTIVE 2007R-B, IT IS THE POLICY OF THE DEPARTMENT OF CORRECTION THAT ALL LIMITATIONS TO NON-CONTACT VISITS WHICH ARE BASED UPON THE INMATE'S POSSESSION OR INTENDED RECEIPT FROM A VISITOR OF A SCALPEL, RAZOR BLADE OR LIKE INSTRUMENT SHALL EXTEND THROUGHOUT THE REMAINDER OF THE INMATE'S INCARCERATION ON THE PRESENT CHARGE, SUBJECT TO PERIODIC REVIEW.

4. IT IS FURTHER THE POLICY OF THE DEPARTMENT THAT ALL INMATES WHO HAVE BEEN RESTRICTED TO NON-CONTACT VISITS, FOR ANY REASON OR FOR A

COMBINATION OF REASONS, FOR A PERIOD GREATER THAN SIX MONTHS SHOULD ALSO RECEIVE PERIODIC REVIEW OF SUCH STATUS.

5. THE PERIODIC REVIEW OF SUCH RESTRICTIONS SHALL BE CONDUCTED BY THE ASSISTANT CHIEF OF SECURITY NOT LESS THAN ONCE EVERY SIX (6) MONTHS TO DETERMINE WHETHER THE RESTRICTIONS REMAIN APPROPRIATE UNDER ALL KNOWN CIRCUMSTANCES.

6. THE PROCEDURE FOR SUCH REVIEW BY THE ASSISTANT CHIEF OF SECURITY SHALL BE AS FOLLOWS:

A. THE OFFICE OF THE ASSISTANT CHIEF OF CUSTODY MANAGEMENT SHALL MAINTAIN AN ON-GOING LIST OF INMATES WHO HAVE BEEN PLACED INTO NON-CONTACT VISIT STATUS FOR ANY REASON. SUCH LISTING SHALL INCLUDE THE DATE THE LIMITATION WAS IMPOSED AND THE BASIS FOR SUCH DISPOSITION. THIS REPORT SHALL BE PROVIDED TO THE DEPUTY CHIEF OF SECURITY ON THE FIRST BUSINESS DAY OF EACH WEEK.

B. WHENEVER ANY INMATE HAS BEEN DENIED CONTACT VISITS FOR A PERIOD OF SIX MONTHS OR MORE, THE ASSISTANT CHIEF OF SECURITY SHALL NOTIFY THE APPLICABLE DEPUTY WARDEN FOR SECURITY AT THE APPROPRIATE FACILITY WHO SHALL SUBMIT A REPORT WITHIN FIVE BUSINESS DAYS SUMMARIZING KNOWN INFORMATION REGARDING THE INMATE’S BEHAVIOR DURING THIS PERIOD OR ANY PRIOR PERIOD OF INCARCERATION WHICH WOULD INDICATE A CONTINUED THREAT TO THE SECURITY OF A FACILITY RESULTING FROM CONTACT VISITS. SUCH REPORT SHALL INCLUDE, AT A MINIMUM, WHETHER THE INMATE HAS BEEN FOUND GUILTY OF ANY INFRACTIONS, BEEN INVOLVED IN ANY INMATE FIGHTS OR OTHER ACTS OF VIOLENCE DURING THE PREVIOUS SIX MONTHS, OR OTHERWISE BEEN IMPLICATED IN ANY SYSTEMIC ACTIVITY DURING ANY PERIOD OF INCARCERATION, SUCH AS LEADERSHIP IN A SECURITY RISK GROUP, OR ACTIVE PROMOTION OF DANGEROUS CONTRABAND, WHICH WOULD THREATEN THE SAFETY AND SECURITY OF A FACILITY. THE REPORT SHOULD ALSO INCLUDE A COPY OF THE COMPLETED FORM 143R (NOTICE TO INMATE/VISITOR OF LIMITATION/DENIAL OF VISITING PRIVILEGES), WHICH WAS GENERATED AT THE TIME THE LIMITATION WAS IMPOSED.

C. BASED UPON THE SUCH REPORT AND INFORMATION, THE ASSISTANT CHIEF OF SECURITY SHALL DETERMINE WHETHER THE INMATE’S RESTRICTION TO NON-CONTACT VISITS SHOULD BE CONTINUED. AS A GENERAL MATTER, LIMITATIONS TO NON-CONTACT VISITS SHOULD NOT BE CONTINUED BEYOND SIX MONTHS UNLESS THE INMATE HAS ENGAGED IN FURTHER INFRACTIONS OR VIOLENT ACTIVITY DURING THE PREVIOUS SIX MONTH PERIOD, OR UNLESS THERE IS EVIDENCE OF PRIOR SYSTEMIC ACTIVITY WHICH WOULD SUPPORT CONTINUED LIMITATION.

D. THE RESULTS OF THE REVIEW AND DETERMINATION BY THE DEPUTY CHIEF OF SECURITY SHALL BE PROVIDED TO THE WARDEN OF THE APPLICABLE FACILITY AND MAINTAINED IN THE INMATE'S FILE.

7. NOTHING IN THIS ORDER SHALL BE INTERPRETED TO ALTER THE PROCEDURES FOR THE INITIAL IMPOSITION AND DUE PROCESS REVIEW OF VISIT RESTRICTIONS AS SET FORTH IN DIRECTIVE 2007R-B.

8. COMMANDING OFFICERS OF FACILITIES AND DIVISIONS SHALL ENSURE THAT THIS TELETYPE ORDER IS READ AT TWENTY-ONE (21) CONSECUTIVE ROLL CALLS AND POSTED IN APPROPRIATE EMPLOYEE AREAS.

AUTHORITY:
OFFICE OF THE CHIEF OF DEPARTMENT
MM/CR

416R

THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION

DIRECTIVE

[ ] NEW [ ] INTERIM [X] REVISED			SUBJECT **INMATE VISIT PROCEDURES**		
EFFECTIVE DATE **7/15/16**	*TERMINATION DATE / /				
CLASSIFICATION # **2007R-B**	SUPERSEDES **2007R-A**	DATED **9/29/08**	APPROVED FOR WEB POSTING [X] YES [ ] NO	DISTRIBUTION **A**	PAGE 1 OF 1 PAGES
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER MARTIN J. MURPHY, CHIEF OF DEPARTMENT SIGNATURE			AUTHORIZED BY THE COMMISSIONER JOSEPH PONTE SIGNATURE		

REVISION NOTICE

Directive 2007R-B, "Inmate Visit Procedures," dated 9/29/08 is hereby revised to reflect the following amendment:

Section IV.H. on page 19 is amended as follows:

2. For each visit, every adult must present one (1) form of valid identification that contains a distinguishable photograph and signature. Valid identification shall be any one (1) of the following and be unexpired, verifiable personal identification:

   a. Drivers License with photo and signature (not limited to New York State);
   b. Alien photo I.D. card;
   c. Passport;
   d. Employment identification card;
   e. NYS Benefits Identification Card (Medicaid/food stamp photo ID.);
   f. U.S. Armed Services identification card;
   g. New York State Department of Motor Vehicles Non-Drivers Licenseldentification card; or
   h. **New York City Identification Card (IDNYC).**

NEW MATERIAL BOLDED AND UNDERLINED