



NEW YORK CITY DEPARTMENT OF CORRECTION  
Cynthia Brann, Commissioner

Office of the Commissioner  
75-20 Astoria Blvd., Suite 305  
East Elmhurst, NY 11370

718 • 546 • 0890  
Fax 718 • 278 • 6022

March 8, 2018

Derrick D. Cephas, Acting-Chair & Vice-Chair  
NYC Board of Correction  
1 Centre Street, Room 2213  
New York, NY 10007

Re: Response to New York City Board of Correction Visit Directive and Practice Analysis

Dear Mr. Cephas:

The Department appreciates the Board's visit restriction analysis and evaluation of the Department's Visit Directive (Directive 2007R-C). The Department is continuing to review the Board's analyses and recommendations, and has made several revisions to the visit directive in order to ensure compliance with the Minimum Standards. The Department views the Board's findings as integral to our continued reform efforts. We are committed to investigating any ongoing issues that may arise to ensure full compliance with the revised visit directive policy. Further, the Department is reviewing various proposals to improve procedural justice principles as they relate to current visit restriction policy and practice.

Maintaining personal connections and establishing support systems is critical to improving an individual's success during and following their time in Department custody. The Department further encourages these connections for their demonstrated ability to improve violence reduction, re-entry outcomes, and community safety. The Department is undertaking several initiatives to improve the visit experience, visitor and inmate access to meaningful visits, and the procedural justice implications in exceptional circumstances when visitation restrictions are necessary to protect the safety of staff and individuals in our custody.

The Department must constantly balance our commitment to ensuring positive visit experiences to all individuals in our custody with our commitment to ensuring facility safety and security. Unfortunately, a small population of inmates and visitors utilize visits to smuggle dangerous and destructive contraband into our facilities, and the Department must have an option which interrupts the conduit for such items. Consequently, the Department only restricts an individual's contact visits in exceptional circumstances where a direct security or safety threat has been identified. Decisions to restrict contact visits are not taken lightly. As cited in the Board's analysis, during the fifteen (15) month reporting period from April 2016 through June 2017, approximately ninety-seven percent (97%) of people in custody were eligible for contact visits on a given visit day. In August 2017, only 0.2% of the 16,682 visits resulted in a restriction.<sup>1</sup> Further, the Department has created and continues to refine a review process by which individuals on the non-contact list may earn back their access to contact visits.

The New York City Department of Correction is committed to providing visits for all individuals in our custody in the safest manner possible, which includes utilizing non-contact visits in a very limited application to those who are found in possession of contraband, participate in the use of a weapon in

---

<sup>1</sup> A visit restriction is defined as any limitation on contact visits for more than one day.

violent acts, or otherwise render the visit floor an unsafe area. The Department appreciates the Board's contribution in identifying several areas for improvement. We reaffirm our commitment to addressing the Board's findings in a timely manner.

To date, we incorporated several of the Board's recommended revisions to the Visit Directive. For example, we integrated language directly from the Minimum Standards regarding the benefits and importance of visits for maintaining personal connections in custody and improving outcomes upon reentry. We included additional language from the Minimum Standards to ensure that the Department's zero-tolerance for any form of discrimination or bias based on the actual or perceived demographics or other characteristics of any visitor or individual in Department custody is expressed explicitly. Additionally, as requested by the Board, we removed language from the Visit Directive that could previously be misinterpreted as permitting the Department to impose restrictions on individuals based on their placement in ESH, rather than on criteria as set forth in Minimum Standards §1-09(h).

We plan to finalize the revised visit directive incorporating additional suggestions shortly. Once again, we thank the Board for its attention to the Department's visit policies and procedures, and look forward to continued discussion on this matter.

Sincerely,



Cynthia Brann  
Commissioner

cc: Martha King, Executive Director  
Michele M. Ovesey, Esq. 18