





THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION



DIRECTIVE

[X] NEW [] INTERIM [] REVISED			SUBJECT		
EFFECTIVE DATE 12/8/95		TERMINATION DATE / /	DAYROOM ACCESS/EATING OUT OF CELLS		
CLASSIFICATION #3248	SUPERSEDES	DATED	DISTRIBUTION A	PAGE 1 OF 2 PAGES	
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER			AUTHORIZED BY THE COMMISSIONER		
					
SIGNATURE			SIGNATURE		

I. PURPOSE

To establish policy and procedures for the feeding of inmates outside of cell areas and inmate access to dayroom areas.

II. POLICY



Dayroom access shall be provided during all lock-out periods to every inmate who is not in punitive segregation. Department facilities shall permit all detainees, except those in punitive segregation, to eat all meals communally in dayrooms or similar areas suitable for dining.

III. PROCEDURE

A. Inmates in Department facilities who are not in punitive segregation shall be afforded maximum access to all dayroom areas:

1. Access to dayrooms shall be afforded in accordance with the respective lock-out schedules of each institution.
2. Each institution shall maintain and make available to all inmates the lock-out schedule, as per Directive #4009, "Lock-in/Lock-out," section III.C.

B. Detainee inmates who are not in punitive segregation shall be permitted to eat their meals communally in dayroom areas, facility messhalls, or any other area designated as suitable for such purpose and which is devoid of visible dirt or dust, peeling or scaling paint, loose plaster, insufficient lighting or ventilation, vermin, and/or any other condition which indicates poor sanitation and/or maintenance.

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III. PROCEDURE (cont.)

C. In commands where meals are served in dayroom areas:

1. Inmates are not to be locked in their respective dayrooms during the course of the feeding;
2. Inmates shall be permitted to return to the corridor of the housing area at any time during the meal period, however they are not permitted to remove any food item or drink served during meal time from the feeding area.
3. Inmates who choose to return to their cells during meal periods shall be permitted to do so in accordance with the respective institution's lock-in/lock-out schedule.

D. Commanding Officers shall issue institutional orders to ensure compliance with the provisions of this Directive.

IV. REFERENCE

- A. Directive #4009, LOCK-IN/LOCK-OUT dated 7/1/79.
- B. Consent Decree, Benjamin v. Malcolm, 75 Civ. 3073 dated 11/29/79 at § M.1., "Dayroom Access"; and § N.1., "Eating Out of Cells."