

NEW YORK CITY DEPARTMENT OF CORRECTION



HANDBOOK FOR DETAINED AND SENTENCED INDIVIDUALS

Copies of New York City Board of Correction & State Commission
Minimum Standards are available in all Facility Law Libraries.

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INTRODUCTION

This handbook will inform you about many of the programs and services available to you while you are in DOC custody. The rules that you must follow are published in the Individual in Custody Rulebook, which you should have received along with this handbook. If you have not received a Rulebook you need to notify a staff member as soon as possible.

When you come into a Department of Correction (DOC, Department) facility, upon intake you will be given a DOC ID number, called a “book and case” number. You will be given an ID which you must have with you at all times, it must be easily seen any time you leave your housing area.

You have the right to be safe in jail. If you are the victim of any threats or actual violence, or you feel unsafe, or you think you may hurt yourself, the DOC has ways to help. For more information read the section entitled “**Safety & Victims’ Services.**”

Although safety and security always come first in DOC facilities, the Department does offer many valuable programs and services, including health, educational, vocational, work, and counseling programs, as well as work opportunities. Please note, not all programs are offered in every facility and not everyone qualifies for every program. If you are interested in a program, please notify a staff member.

This introduction is a brief overview of some of the programs and services the DOC offers. A more detailed explanation is included in the pages that follow. You can also learn more in the Programs Office of your facility. To go to the Programs Office, ask your Housing Area Officer for an interview slip, fill out the slip and return it to the Housing Area Officer.

DOC PROGRAMS AND SERVICES OVERVIEW

Education

If you are under 21 years old, educational services are available to you. Some facilities *also* have adult education programs for students over 21 years old. To learn more read the “**Educational Services**” section of this handbook.

Family Events

If there is an important event in your family (like a death or very serious illness), if you wish to get married, or if you want to visit with your children in foster care, you may contact the Counselor in your facility. To learn more read the “**Family Events**” section of this handbook. To learn more about the services the Counselors provide read the “**Counseling Services**” section.

Medical/Mental Health Services.

You can see a doctor or physician’s assistant, a mental health professional, or a dentist by signing up for sick call. In an emergency, ask your Housing Officer to help you get to a doctor immediately. If you are HIV positive or want to take a voluntary HIV test, your facility has a HIV Counselor who can help you arrange for a test or get medications. For more information, read the “**Health Services**” section of this handbook.

Religious Services

Chaplains from the Jewish, Muslim, Catholic, and Protestant faith work for the Department in each facility. Each facility has regular services for all four faiths. If your faith is not represented, ask to speak with your facility Chaplain and they will address any requests you may have. For more information read the “**Religious Rights**” section of this handbook.

Law Libraries

You have the opportunity to do legal research while in DOC custody. Every facility has a Law Library that you are entitled to use for a minimum of two hours a day, five days a week, Tuesday through Saturday. The Law Library also has copies of the rules and court orders that describe your rights in jail, including the New York City Board of Correction Minimum Standards, the New York State Commission on Correction Minimum Standards, and select DOC directives. Details about how to get to the Law Library, including how to get there and when you can go, are in the “**Law Library**” section of this handbook.

Grievance Process

If you have an issue that cannot be resolved after you have spoken with your Housing Officer, area Captain, Counselor, or Legal Coordinator, you may present a complaint in writing to the Grievance Coordinator in your facility who will guide you through the steps to a formal resolution. You may submit a complaint about things that directly affect you such as Department policies, how the policies are carried out or someone else’s actions, including an Officer. For more information see the “**Grievance Procedures**” section of this handbook.

Programs and Discharge Planning

The Department offers a verity of programing as well as one on one support to prepare you for your discharge from our custody. The goal is that these programs and supports will help you build new skills, explore new interests, and connect you with useful recourses within your community. You should have received a copy of the Reentry Brochure when you were admitted to the Department. This resource contains a list of organizations, listed by borough, which can assist you with employment, housing, benefits and other potential areas of need upon release. Upon discharge, you will also receive the Connections book, which is a helpful guide of community-based resources. If you did not receive the Reentry Brochure, ask your Correctional Counselor for a copy. To find out more see the “**Discharge Planning**” section of this handbook.

We hope this handbook will support you in connecting with the Department’s services and programs. We believe it contains valuable information, which will support your safety as well as the safety of those around you. Please read the handbook carefully and if you have any questions ask a uniformed staff member.

Frequently Asked Questions: Here are some questions that are often asked, and the page where to find the answers within the handbook.

1. How can my family or friends put money into my account? (10)
2. How often can I use the phone? (43)
3. What can I do if I don't feel safe? (38)
4. What clothes am I allowed to wear? What can't I wear? (31)
5. What items am I allowed to have with me? (31)
6. What kind of packages and mail am I allowed to receive? (24)
7. Does anyone read my mail before I open it? (25)
8. What help can I get and whom do I contact if I have a disability (14)
9. What do I do if I have a disability that prevents me from getting into the shower? (14)
10. Is there a program available to help me prepare for life after jail? (34)
11. How many visits can I have in a week? (43)
12. Am I locked into my cell the whole day? (24)
13. Can I work on my case while I'm in jail? (22)
14. Is smoking allowed in jail? (42)
15. What is considered contraband? (See Individual in custody Rule Book)
16. What happens if I get caught with contraband? (See Individual in custody Rule Book)
17. What happens if I get caught with a weapon? (15)
18. Why does someone get written up for an infraction (violating a Department rule)? (See Individual in custody Rule Book)
19. What happens if I receive an infraction? (See Individual in custody Rule Book)
20. Where and how often can I buy food or deodorant or other items? (9)
21. Is it possible to receive a special diet? (17)
22. What should I do if I feel sick? (21)
23. How often is outside recreation? (36)
24. Can my children visit me in jail? Can my children who are in Foster Care visit me while I'm in jail? (9)
25. How do I apply to get married while in jail? (27)
26. Can I attend a funeral of a family member or visit a very ill relative? (12)
27. Whom do I talk to if I have a complaint? (18)
28. What does my security classification mean? How does someone get classified as a "High Security" individual in custody? Is there any way to change this? (15)
29. After I get out, how do I pick up my money and property? (35)
30. Can I attend regular worship services while in jail? (37)
31. Can I work on getting my T.A.S.C. (G.E.D.) while I'm in jail? (15)
32. How do I apply for release before I complete my sentence? (11)
33. How can I vote? (45)
34. How do I sign up to work while I'm in jail? (15)

TABLE OF CONTENTS

	Page Number
ADDRESSES AND TELEPHONE NUMBERS	6
ATTORNEY VISITS	6
BAIL PAYMENT	7-8
CENTRALLY MONITORED CASES	8
CHILD CUSTODY AND FOSTER CARE	9
COMMISSARY AND ACCOUNT DEPOSIT SERVICES	9-11
CONDITIONAL RELEASE	11-12
COUNSELING SERVICES	12-13
DISABILITY RIGHTS	14
EDUCATIONAL SERVICES	15
EMPLOYMENT WHILE INCARCERATED	15
ENHANCED RESTRAINT AND RED ID STATUS	15-17
ENHANCED SUPERVISION HOUSING	17
FOOD SERVICES	17-18
GRIEVANCE PROCEDURE	18-21
HEALTH SERVICES	21-22
LAW LIBRARY: LEGAL REFERENCE MATERIAL AND SUPPLIES	22-24
LOCK-IN AND LOCKOUT	24
MAIL (CORRESPONDENCE)	24-27
MARRIAGES	27-28
MEDIA/PRESS CONTACTS	28-29
MENTAL HEALTH DISCHARGE PLANNING	29-30
NON-DISCRIMINATORY TREATMENT	30
NURSERY PROGRAM	30
PERMISSIBLE ITEMS	31-33
PERSONAL HYGIENE	33-34
PROGRAMS & DISCHARGE PLANNING	34-35
PROPERTY	35-36
PROTECTIVE CUSTODY	36
RADIO AND TELEVISION USE	36
RECREATION	36-37
RELIGIOUS RIGHTS	37-38
SAFETY & VICTIMS' SERVICES	38-41
SANITATION	42
SMOKING BAN	42
SUICIDE PREVENTION	42
TELEPHONE CALLS	43
VISITS	43- 45
VOTING	45

ADDRESSES AND TELEPHONE NUMBERS

Listed below are addresses and telephone numbers, Voice and TTY #s for agencies and persons that you may wish to contact during your incarceration.

- 311 NYC – (212) 639-9675
- Administration for Children’s Services (ACS) Office of Advocacy's Parents' and Children's Rights Helpline, 212-619-1309
- Disability Rights Coordinator (DRCI) 75-20 Astoria Boulevard, East Elmhurst, N.Y. 11370, (718) 255-6475
- Legal Aid Society Prisoner’s Rights Project, 199 Water Street, New York, NY 10038, (212) 577-3300
- New York City Board of Correction, 1 Centre Street, Room 2213, New York, NY 10007, (212) 669-7900
- New York City Department of Correction Investigations Anonymous Hotline (347) 669-4075
- New York City Department of Investigations (Inspector General) (212) 825-5959
- New York State Commission on Correction, Alfred E. Smith State Office Building, 80 South Swan Street, 12th Floor, Albany, NY 12210, (518) 485-2346
- Office of Compliance Consultants, 15 West 15th Street, High Impact Compound, Mercado Trailer, East Elmhurst, NY 11370, (718)728-6505
- PREA (sexual abuse and sexual harassment) hotline (347) 204-0378

ATTORNEY VISITS

Your attorney, a paralegal, or a social worker who works with your attorney, may visit you 7 days a week from 8 am to 8 pm in the facility where you are housed. Your attorney may also ask that you be produced in a courthouse for an attorney visit, or request a video-teleconference meeting with you. A video teleconference allows you to see and talk to your attorney on a television screen in a facility while your attorney is in a courthouse. If you wish to see your attorney in person, you must speak with them and request that they visit you. These visits do not count against the number of visits you are allowed.

Note: Attorney visits will not be conducted during the afternoon count, which occurs at 3 pm.

BAIL PAYMENT

How to Pay Bail

Bail will be accepted in any of the following forms, in the exact amount of the bail only:

- Cashier's/Tellers' check, in any amount not exceeding the bail figure;
- Bank money orders, up to \$1,000 per money order;
- Federal Express money orders, up to \$1,000 per money order;
- U.S. Postal money orders, up to \$1,000 per money order;
- Travelers Express Company money orders up to \$1,000 per money order;
- Western Union money orders, up to \$1,000 per money order;
- Checks issued by a DOC facility (e.g. from your account);
- Checks issued by NYC Department of Finance for a refund of bail;
- Checks issued by the Veteran's Administration, U.S. Government or NYS Government up to \$1,000 per check;
- Credit or Debit Card.

If you or someone else is paying bail at any Borough facility or on Rikers Island at the Rikers Island Central Cashier, make checks or money orders payable to "the New York City Department of Correction", regardless of where the individual is housed. The person posting bail must present personal identification and must provide the New York State Identification (NYSID) number of the person to be bailed.

If your case is permitted to be payable by credit card, you may self bail at your facility intake kiosk or someone on your behalf may pay your bail online through the Departments Lookup Service which can be accessed at the following URL: <HTTP://A073-ILS-WEB.NYC.GOV/INMATELOOKUP/PAGES/COMMON/FIND.JSF>.

Credit or Debit Card payments can also be made in person at all Borough facilities or the Rikers Island Central Cashier's Office via the company known as GovPay. A GovPay telephone can be found at each location next to the bail window. Upon accessing the telephone you will be automatically connected to a GovPay representative who will take your credit or debit card information and process your bail transaction. Upon completion return to the bail window to complete the bail process.

You or someone on your behalf may pay your bail with any needed number of money orders or cashier's/teller's checks as long as the total value of all money orders and acceptable checks and any cash totals the exact amount of your bail, and no single form of payment is for more than \$1,000. The Department does NOT give change in bail transactions. (See section on **Commissary and Account Deposit Services.**)

For example, if a bail amount is \$2,500, at least three (3) forms of payment would be necessary; two (2) forms for \$1,000 each and one (1) form for \$500, totaling \$2,500.

Please note: the Department will notify the individual in custody if they have a \$1 bail status. In addition, the individual in custody's attorney will also be notified, if there is an attorney on record with the court system.

Where to Pay Bail

Bail payments can be made at the Rikers Island Central Cashier's, the Brooklyn Detention Complex, the Manhattan Detention Complex, the Queens Detention Complex, the Vernon C. Bain Center, , and the Bronx County Criminal Court regardless of where the individual in custody is housed. If the person seeking to pay bail chooses to go to Rikers Island, the payer must go to the Rikers Island Central Cashier window in the Rikers Island Visit Building which can be accessed only by the MTA Q100 Bus. If your case allows for credit card payment, you may pay self-bail at your facility intake kiosk, or an online payment may be made on your behalf through the Department's Lookup Service which can be accessed at the following URL:

<HTTP://A073-ILS-WEB.NYC.GOV/INMATELOOKUP/PAGES/COMMON/FIND.JSF>.

The Department will NOT accept personal checks, whether certified or not, for any amount, and will not accept money orders for any amount over \$1,000.

Note: The information provided here is intended for general guidance and does not cover all the rules, regulations, laws, ordinances and standards relating to posting bail for a individual in custody. Please ask your attorney if you have questions that are not answered here.

CENTRALLY MONITORED CASES

If the Department believes that you should be watched carefully because of how the Department expects that you will act, or how others will act towards you, the Department may identify you as a Centrally Monitored Case (CMC) and closely watch your movements both in the facility and during transportation outside the facility. If you are identified as a CMC, you may also be placed in additional restraints when you move from one place to another inside or outside the facility.

When you are first identified as a CMC, the Department will inform you of that decision in writing within 72 hours. You will receive a "Notification of CMC Determination" form that will describe why you were identified as a CMC and what evidence was used to make that decision. The form will also explain how you can appeal that decision if you choose.

Your case will be automatically reviewed every 4 weeks.

You may appeal your CMC status, in writing to the Bureau Chief of Security. There is no form for this purpose. You will still be a CMC while you are appealing. You will receive a written decision within 15 days after your written appeal is received, not counting weekends and holidays. The decision will be on a "Notification of Appeal Review Decision" form.

CHILD CUSTODY AND FOSTER CARE

Child Custody Issues and Foster Care Visits

Even though you are incarcerated, it is still possible for you to actively plan for your child's future by being involved in his/her foster care case and remain in contact with the caseworker.

If your child is in foster care, you have the right to:

- Be notified of any upcoming Family Court dates
- Be produced for all Family Court proceedings
- Have an attorney assigned to represent you in Family Court proceedings involving your foster care case
- Have at least monthly visits with your child unless the Court has ordered otherwise. These visits are arranged weekly through the Administration for Children's Services and the Foster Care caseworker. Ask your Counselor to help you contact your caseworker.

If you have an upcoming Family Court date:

Family Court judges are supposed to issue an "Order to Produce" to the Department of Correction (DOC) to make sure that you can appear in court. Sometimes this doesn't happen – even if the court fails to issue an order to DOC, you can still take steps on your own to make sure you get to court.

As soon as possible, you can:

- Talk to your lawyer, your child's caseworker and your Counselor to request that you be produced.
- Write to your Family Court Judge to request that you be present at all court dates involving your child (you can ask your Counselor for a sample letter)
- Also, make sure that the *Order to Produce* gets sent to the Chief Clerk on Rikers Island (and the Inmate Records Office if you are in a State Facility), and **not** to YOU. If an order gets sent to you directly it is legally useless. You can give the original order to your Counselor who will give it to the Chief Clerk of your facility. Upon verification you will be taken to court.

If you want more information on Child Custody and Foster Care Issues:

- Call the ACS Office of Advocacy's Parents' and Children's Rights Helpline collect at: 212-619-1309

COMMISSARY AND ACCOUNT DEPOSIT SERVICES

Your facility has a service called a "commissary", where you may buy things like soap, toothpaste, deodorant, food, drinks, and stationery. You can see one sample of each product that you can buy, displayed in the commissary area. A commissary schedule is posted in your housing area, and a list of available products is posted in the commissary. If you are scheduled for court on your commissary day, you will be eligible for "recall," that is: another

time to go to the Commissary when your facility can arrange for you to go. Look at the posted schedule to find out the day and time your housing area goes to commissary.

If you are assigned to a special housing area, you may not be allowed to go to the commissary yourself. In that case you will fill out a commissary form in your housing area, and the products you order will be sent to your housing area.

In order to pay for these items, you will have a commissary account which consists of funds in your possession at the time you are booked into the facility, funds deposited by friends or family members and funds earned through working an assigned job within the facility. Your account is kept under your book and case number in the cashier's office at your facility. If you are transferred to another facility within the Department, your money will follow you to your new location. If your money is not in your account after your transfer, contact a member of the Counseling staff to follow up.

Your friends and family may deposit money into your commissary account, either when they come to visit, online through the Department's Lookup Service, or through the mail. A visitor may deposit cash to your account when they visit you and those funds will be available for your use the next day. Money sent to you through the mail must be a money order, mailed to **(YOUR NAME)**. All types of money orders are accepted in all denominations up to \$1,000. Upon delivery, your mail will be opened and will be inspected in your presence. The mail officer will give you a receipt as proof that you received money and it was deposited into your account. Money sent as a money order will be available 5 business days after its receipt.

During the time you are housed in a DOC facility, some services will be charged to your Commissary account, such as haircuts. If you do not have any funds in your account, you may still receive the service, however a charge will be noted on your account. When funds are deposited into your account, the charge for the prior services will be paid for first and deducted from your deposit. These charges will remain on your account until they are paid, even if you have been discharged from a DOC facility.

Deposit Services

The DOC has made arrangements with several money transfer agents to accept deposits for the accounts of those in DOC custody. Instead of going to one of the cashier offices, friends and family members can use these services. The two providers that provide these services are JPay and Western Union.

Methods of Deposit

Depending on the provider, deposits can be made online or by phone, at a walk-in location or by using a kiosk at one of the DOC cashier offices. Depositors must be able to provide the individual in custody's first and last name as well as their book and case number.

	<i>JPay</i>	<i>Western Union</i>
Online deposit: credit or debit card	Available	Available
Deposit by phone: credit or debit card	Available	Available
Walk-in locations: credit or debit card, cash	Available	Available
Cashier office kiosk: cash only	Available	TBD

Fees

There are fees for all deposit services. Fees vary from one provider to another.

Contact Information

The DOC does not recommend any one provider over another. If somebody wishes to deposit funding in your account using one of the two (2) providers, below is the contact information you can provide them.

	<i>JPay</i>	<i>Western Union</i>
Phone number	(800) 574-JPAY	(800) 634-3422
Website address	www.jpays.com	www.westernunion.com

CONDITIONAL RELEASE

If you are serving one (1), or more than one (1) definite sentence of imprisonment for a qualifying offense, with a term or an aggregate term in excess of ninety (90) days you may, upon request and after consideration and approval by the New York State Board of Parole be conditionally released to supervision within the community after service of at least sixty (60) days of that term. You must serve a minimum period of thirty (30) days before applying for a Local Conditional Release (LCR).

In order to be considered, you must fill out a written application for Local Conditional Release and submit the completed application to the New York State Department of Corrections and Community Supervision (NYS DOCCS). An application can be obtained in the Law Library at the correctional facility where you are housed. Read the application carefully to insure that you fully understand the conditions governing your release and your obligations under supervision after release.

Mail your application to:

New York State Department of Corrections and Community Supervision –
 Attention: Community Supervision Operations
 The Harriman State Campus Building #2
 1220 Washington Avenue
 Albany, NY 12206-2050

If you are eligible for consideration, an NYSDOCCS employee will interview you at your facility. Be prepared to fully participate in the interview with NYSDOCCS and provide court documentation, probation records, and criminal history information upon request. If the officer approves your LCR application, the application will be submitted for consideration to the New York State Board of Parole. You will be provided with a copy of the Parole Board's decision.

COUNSELING SERVICES

DOC Counselors can provide you with social service assistance, which includes help maintaining connections with your family, releasing your property that is in DOC custody to family and/or friends in the community, releasing funds from your DOC commissary account to family and/or friends in the community, completing an application form to be married, and providing counseling during times of crisis. Counselors can help you *request a* visit at the hospital with family members who are critically ill and expected to die, or attend the wake or funeral of family members.

If you or your family member is deaf, or has a speech impairment, is visually impaired or blind, or has a mobility impairment and must use a cane, crutches, walker or wheelchair, Counselors can assist you in completing the Reasonable Accommodation Request and help you access the TTY phones. (See section on **Disability Rights.**)

If you have children in foster care, a Counselor can communicate with your assigned caseworker regarding visits with your children. Counselors can also inform you and your caseworker on the steps required in order to attend family court dates. (See the section on **Family Events**)

They can also provide verification of incarceration letters, which you may need to give to rehabilitation programs, schools, and others who need proof of where you were when you missed an appointment.

Counselors will visit your housing area to provide individual and group counseling services as well as assist with your social service questions. Depending on your facility, you may also be able to sign-up to see a Counselor using a referral slip. Upon receiving the referral slip, a counselor will visit your housing unit and address your needs.

Counselors can provide you with referrals to community-based programs where you can get help after your release.

Significant Family Events

If you would like to attend either the funeral or wake of a family member or significant other (eligible family members include: parents, parents-in-law, grandparents, brothers, sisters, guardians and former guardians, children, grandchildren, children-in-law, ancestral aunt or ancestral uncle, spouses, including domestic partners if proof of relationship can be supplied) or to visit a seriously sick relative on that list, you may ask the Department to allow you an escorted visit. You must provide proof of your relationship to the sick or deceased relative.

The Chief of Department or his/her designee will review your request and make a determination based on security, medical, mental health, DOC resources, and other relevant circumstances.

The Counseling Unit in your jail can assist you with requesting to attend such events. You will wear civilian clothes when attending funerals or wakes or visiting sick relatives. If you do not have suitable clothing at the facility, you can make arrangements to receive clothing prior to the visit.

It is not permitted for you to attend both the funeral and wake of the same person. You must indicate your preference when submitting the request.

You may visit once with any of the above listed relatives in a hospital or similar institution when that person is very likely to die as a result of an illness or accident, and if there is no medical reason for you not to go. It will be up to the Chief of Department or his/her designee to decide if the circumstances justify your having a second visit.

You, a friend or relative, or the court that is preparing the orders to allow you to go to this event must give the Department the following information:

- Name of person who is sick, deceased, or to be visited
- That person's relationship to you and proof of the relationship (for example, a birth certificate, marriage license, and other legal documents verifying relationship)
- Verification of death, if applicable.
- Date and time of funeral, wake, or services, and address and telephone number of the funeral parlor, place of worship or other location.
- If your family cannot get the proof of your relationship to the sick or deceased relative to the jail where you are housed, they may take the proof to any jail's General Office or to the Samuel Perry Control Building on Rikers Island. The General Office will fax the documents to the Counseling Unit of your jail.

You will be allowed to spend a reasonable amount of time at the funeral service or hospital visit, but no more than 1 hour. If you are visiting a very sick person, the length of your visit may be limited by the treating physician or the rules of the hospital.

You will be provided with an explanation for denials of requests to make any of the visits described in this section.

If the visit is within the State of New York, all documentation is in order, and approval is provided by the Chief's Office, then you will be escorted according to DOC's policies. The facility staff assigned to supervise the visit shall monitor for any forbidden conduct during the visit, and if appropriate, advise the incarcerated person regarding the termination of the visit. Offenders are not allowed to obtain food, beverages, gifts, or money from their family member or any member of the public during the visit.

DISABILITY RIGHTS

If you have a disability, you may be entitled to assistance from the Department of Correction, including reasonable accommodations to assist in performing activities of daily living. In summary, the law provides that no individual with a disability shall be excluded from the participation in, be denied the benefits of, or be subjected to discrimination, under any service, program or activity.

For example, the New York City Department of Correction provides Text Telephone (TTY) or the Video Relay Service (VRS) to ensure that individuals with hearing impairments have equal access to telephone calls. Assistance is also available for visually impaired and blind individuals including written materials in large print or Braille, or audio tapes. Assistance is also available for individuals with other disabilities such as mobility impairments that may require the use of crutches, canes, wheelchairs or other assistive devices.

If you would like to learn more, and/or to request an accommodation for a disability, you may:

- Tell the Officers at Intake that you have a disability and/or are requesting an accommodation.
- Advise any Officer, Social Services or Grievance Counselor, or Program staff, who will then refer you to the Disability Rights Coordinator for Individual's in Custody (DRCI).
- Contact the DRCI directly by writing a letter to the DRCI at Health Affairs, 75-20 Astoria Boulevard, East Elmhurst, N.Y. 11370, Attn: Disability Rights Coordinator for Individual's in Custody, or by calling (718) 255-6475.
- Advise medical staff in the clinic that you may have a disability and need assistance while in DOC custody. Note, all medical information is protected for your privacy.
- Call 311 with a request or concerns regarding assistance with your disability.

Pursuant to Directive 3802R-A "Non-discrimination of Individuals in Custody with Disabilities", you will receive an acknowledgement of your request within 5 business days following the DRCI's receipt of your request or concern. Your request or concern will be reviewed by the DRCI and a determination in writing and/or person will be provided within 10 business days. If you are not in agreement with the determination, you may file an appeal to the Assistant Commissioner for Health Affairs or their designee.

For more information, please see Directive 3802R-A, or the Disability Rights posters with contact information posted throughout your facility. Copies of this Directive are available at the Law Library, and other areas throughout the facility.

Under the Prison Rape Elimination Act (PREA), you also will be afforded ways to understand all information necessary to prevent, detect and report sexual abuse and harassment

If you have any questions or concerns, please reach out to the DRCI directly.

EDUCATIONAL SERVICES

If you are 18-21 years old and do not have a high school diploma or a high school equivalency diploma (TASC/GED), and you have been in jail or expect to be in jail for 10 or more calendar days, you are entitled to educational services and you may attend school at a facility on Rikers Island.

If you want to go to school, fill out the “Request for Educational Services Form” which you should have received in the intake. You can also find this form at the “A” post in each housing area and at Counseling (Social Services), Law Library or Chaplains’ areas within your facility. When completed, submit the form to a Program Counselor or a Program staff member and they will process the form and deliver it to Department of Education staff.

The Department of Education (DOE) provides educational services for 18-24 year olds that can lead to a high school diploma, a high school equivalency diploma (TASC, formerly known as the GED), or a Regents diploma. The DOE also provides vocational training, counseling and discharge planning. Some facilities have adult education programs for students over 21 years old that could lead to a high school equivalency diploma. Tell your Housing Area Officer, Counselor, the Captain for Programs, or the Deputy Warden for Programs in your facility if you want to go to school, and they will get you appropriate forms and information on what is available. The forms are also available in your housing area and your facility’s Law Library and Program areas.

EMPLOYMENT WHILE INCARCERATED

If you are sentenced, you are required to work. Detainees who would like to work may be considered for employment. Job postings and application forms will be placed in your housing areas, libraries, social service offices, grievance offices, and where you receive orientation. You must complete “Section One” of the “Individual in Custody Job Application” and give the completed form to your Housing Area Officer if you are interested in working. Your application will be reviewed by the appropriate staff and if you are approved for assignment, you will receive a copy of the approved application form, and you will be called for work. You may not be eligible for a particular job you apply for, in this case a staff member will direct you to apply for a different job. You will be paid according to the *set* wage for your particular assignment, and the funds will be applied to your commissary account. You will be reassigned to different tasks on a rotating basis. If for any reason, such as safety or security concerns, it is determined that you are not suited to a particular assignment, you will be reassigned.

ENHANCED RESTRAINT AND/OR RED ID STATUS

Red ID Status

If you are caught with a weapon or you use a weapon while you are in custody, or you used a weapon and injured someone in a DOC facility within the past five years, you will be processed for placement in RED ID status, your ID will be changed to identify you as such and put in extra restraints when you travel outside the facility, for example, when you go to court. Extra restraints can include side or rear cuffs, mitts, a waist chain, and leg irons.

Enhanced Restraint Status

If you:

- assault or attack staff or another individual in custody,
- are violent in a way that does substantial property damage and that places any person at risk of harm, or
- exhibit violent behavior and try to assault or attack staff or another individual in custody, placing that person at imminent risk of harm, either during this incarceration or when you were in a Department jail in the past;

You will be placed into enhanced restraints when you are escorted from one place to another, while outside your unit.

The initial decision to place you in Red ID and/or Enhanced Restraint Status must be made by a supervising officer.

Notice: You must be given a written notice when you are first placed in either Red ID or Enhanced Restraint status. The notice should say very clearly why you were placed in that status, and tell you that you have a right to a hearing before an impartial Adjudication Captain within 72 hours, excluding weekends and holidays. The Adjudication Captain will decide if the evidence and witnesses you want are appropriate, that is, relevant and not repetitive of other evidence or witnesses. If you are placed in enhanced restraints, the notice will tell you what level of restraints are being applied. Levels of enhanced restraints may include waist chains or leg irons, and may include restraint during a program service.

If you believe the decision to keep you in Red ID and/or Enhanced Restraint status is wrong, you have a right to appeal that decision to the Deputy Warden of Security at your facility within 21 days after you get the decision, or at any time if you have a good reason and supporting facts, including new evidence or a change in circumstances.

Appeal forms are kept in the Law Library. If you want to appeal, you must fill out the Appeal form explaining why you think you should not be in Red ID or Enhanced Restraint status. You must file the completed and stapled form(s) in the locked box marked "Red ID/Enhanced Restraint Appeals" in the Law Library. Staff from the jail's Security Office will collect the contents of the locked box daily from Tuesday through Friday.

You may mention improved conduct on your part as a reason to remove you from Red ID or Enhanced Restraint status. The Deputy Warden of Security will review the specifics of your appeal as well as all documented information and the circumstances surrounding your placement. The Deputy Warden of Security has 7 days after receiving the appeal to render a written decision. Then you must receive the written decision within 24 hours excluding weekends and holidays. If you want to challenge the Deputy Warden's decision, you can bring an Article 78 proceeding in New York State Supreme Court.

Note: - An Article 78 (Article 78 of the Civil Practice Law and Rules (CPLR)) proceeding is the method by which you request judicial review of administrative actions. The Forms are located in the Law Library where a Legal Coordinator will assist you.

You must retain a copy of the appeal for your records, and you must send a copy of the appeal to:

The Office of Compliance Consultants (O.C.C.)
15 West 15th Street, High Impact Compound, Mercado Trailer
East Elmhurst, N.Y. 11370

You can make copies in the Law Library. If you are in the Central Punitive Segregation Unit (CPSU), you may get a copy of the appeal form from the CPSU Law Library officer. You must give the officer the completed form. The officer will put the form in the locked box in the law library. You will be given a copy of your appeal.

ENHANCED SUPERVISION HOUSING

Enhanced Supervision Housing (ESH) is a housing unit for persons in custody who, based on security screening data and verifiable information, pose a credible threat to the safety, security, and good working order of the facility. Persons in custody housed in ESH shall have access to programming aimed at facilitating rehabilitation, addressing root causes of violence, and minimizing idleness. This includes creating incentives for good behavior within ESH, rehabilitating individuals who are assigned to ESH, and providing access to appropriate programs and necessary treatment. See Section 1-16 (“Enhanced Supervision Housing”) of the BOC Minimum Standards for more information.

If you disagree with the decision to keep you in ESH, you have a right to appeal that decision to the Deputy Warden of ESH at your facility within 21 days after you get the decision. At any other time you may appeal if you have a good reason and supporting facts, including new evidence or a change in circumstances. Appeal forms can be obtained from the uniformed staff assigned to your ESH unit. If you want to appeal, you must fill out the Appeal form explaining why you think you should not remain in ESH. You must file the completed form in the locked box marked “ESH Appeals” located within the unit. Staff from the Deputy Warden of ESH office will collect the contents of the locked box daily Monday through Friday.

FOOD SERVICES

The DOC’s “Heart Healthy” menus are designed to meet the nutritional guidelines established by regulatory agencies. It also provides a variety of therapeutic diets; religious and vegan meals to meet persons in custody dietary and religious needs. If you believe your medical condition warrants a therapeutic diet, you should sign up for sick call to be evaluated by medical staff. Medical staff will determine whether or not to prescribe the therapeutic diet based on your medical condition. If you are vegan or vegetarian, sign up for sick call, inform Medical Staff and your request will be forwarded to Nutritional Services.

DOC will provide reasonable accommodation for the request of observing religious dietary laws or fasts in accordance with established DOC's Directives and Operational Orders. Ministerial Services will evaluate religious diet requests individually and if approved will forward the request to Nutritional Services to provide the appropriate religious meals as sanctioned by DOC.

GRIEVANCE PROCEDURE

The Department's Office of Constituent and Grievance Services (OCGS) is available to you if you have a complaint or concern about anything involving your incarceration. If you cannot resolve issues of concern by speaking with those involved, you may submit a complaint to the OCGS. The grievance procedure is an attempt to resolve disputes fairly and equitably within existing regulations. You may use the grievance procedures to resolve issues related to a specific incident or related to Department policies or how the policies are carried out, or the fact that there is no policy or rule about something affecting your incarceration.

How to Submit a Grievance

Complete a "Detainee/Sentenced Individual Grievance Form" (Form #7101), which are available through Grievance staff members and office, Housing Area Officers, Law Libraries and the Programs Office. You must sign the grievance form (s) to start an investigation into your complaint.

All Grievance categories are listed below. **You cannot file multiple issues on a grievance form or call to 311. Each grievance must be filed individually which will help provide you back a timely resolution.**

Then submit the grievance by giving it to a Grievance staff member during their visits to the housing area, dropping the grievance in the Grievance Box or bringing it to the Grievance Office.

In the event you cannot access the Grievance form (Form #7101) or Grievance staff, a grievance can be submitted by calling 311 and your complaint will be sent electronically to OCGS. If the issue is a grievable issue, as indicated on the Grievance form, then Grievance staff will follow up to discuss your concern. If the issue you called in is non-grievable then OCGS staff will forward your complaint directly to the appropriate unit for handling.

Retaliation

You have the right to file a grievance. If you believe Department staff is retaliating against you **because of a grievance you submitted**, you can file a staff complaint through the grievance process. There must be some connection between the previous grievance you filed and the staff complaint to claim retaliation.

Retaliation is any action or threat of action against an incarcerated individual who participates in the grievance process. Retaliation by Departmental staff against anyone for participating in the grievance process is strictly prohibited. Behaviors that may be considered

retaliatory include, but are not limited to: threats, reprimands, harassment, or denial of certain privileges.

Return of Grievance

Your grievance will be returned to you and not processed if it falls under the categories listed on the Return of Grievance form. This includes but is not limited to: refusing to sign the grievance form, submitting issues outside of DOC's jurisdiction, complaints about the disciplinary process etc. If your grievance is returned to you then you have five (5) business days to resubmit your grievance.

Time Deadline to Submit Grievance

You must submit your grievance within 10 days (excluding weekends and holidays) of the time the event or issue you are complaining about occurred, or when the issue came to your knowledge.

How the Grievance Process Works

Step 1: After you sign and submitted your grievance in the grievance box or to Grievance staff, the Grievance staff will sign, timestamp and provide you a copy of your statement form as a receipt within two business days. Next, Grievance staff will investigate and try to resolve your grievance. Grievance staff has seven (7) business days to investigate and provide you a formal resolution. If you are not satisfied with the formal resolution, or do not receive a response to your grievance from the Grievance staff within seven (7) days (excluding weekends and holidays), you may request an appeal to the Warden.

Step 2- Warden Level: If you are not satisfied with the resolution from the Grievance staff, you have two (2) business days to decide if you want to appeal to the Warden. If so, indicate your selection on the resolution form, sign and return to the Grievance staff. The Warden has five (5) business days to affirm or reject the Grievance staff's resolution and provide you the outcome of their decision.

Step 3 – Assistant Chief Level: If you are not satisfied with the resolution from the Warden, you have two (2) business days to decide if you want to appeal to the Assistant Chief. If so, indicate your selection on the resolution form from the Warden, sign and return to the Grievance staff. The Assistant Chief has five (5) business days to affirm or reject the Warden's resolution and provide you the outcome of their decision.

Step 4 – Central Office Review Committee (CORC): If you are not satisfied with the resolution from the Assistant Chief, you have two (2) business days to decide if you want to appeal to the CORC. If so, indicate your selection on the resolution form from the Assistant Chief, sign and return to the Grievance staff. The CORC has fifteen (15) business days to affirm or reject the Assistant Chief's resolution and provide you the outcome of their decision. The Board of Correction (BOC) will also be afforded the opportunity to issue a recommendation on the outcome of your grievance prior to the final decision made, from the CORC. The CORC has the final decision on individual in custody grievances

Additional Information about the Grievance Procedure in Directive 3376R-A

If you do not receive a response to your grievance at any *level* of the grievance *process* within the time period mentioned above, you may proceed to the next *level* of the grievance *process*.

More detailed information on the timeframes and process for all the steps in the procedure is included in Directive 3376R. Copies of this Directive are available at the Grievance Office and the Law Library.

Confidentially and Accessibility

Grievance files are confidential and are kept in a locked area for use by OCGS staff. Those who do not speak or write in English, and those with disabilities, will be provided with necessary assistance to use the grievance procedure.

Non-Grievance Complaints

OCGS processes all complaints received, however, some issues are non-grievable. This means OCGS will process these complaints and forward it to the appropriate unit for further investigation. For example non-grievance complaints include complaints about classification status or staff, which the OCGS will refer to the Warden for further investigation. If you are unsure whether an issue is grievable, then please refer to the individual in custody statement form or speak with the Grievance staff. **You cannot file a grievance about the disciplinary process or receiving an infraction. You can appeal an infraction through the appeal process.**

Grievance Categories **Please note you can only appeal grievable categories.*

Grievable categories:

1. SRG STATUS
2. CLOTHING
3. COMMISSARY
4. CORRESPONDENCE / MAIL
5. EMPLOYMENT
6. ENVIRONMENTAL
7. FOOD
8. INDIVIDUAL IN CUSTODY ACCOUNT
9. JAIL TIME
10. LAUNDRY
11. LAW LIBRARY
12. MEDICAL
13. MENTAL HEALTH
14. PERSONAL HYGIENE
15. PHONE
16. PROGRAMS
17. PROPERTY
18. RECREATION
19. RELIGION
20. RULES AND REGULATIONS

21. SCHOOL
22. SEARCH
23. SOCIAL SERVICES
24. TRANSPORTATION
25. VISIT
26. OTHER

Non- Grievable categories:

1. ASSAULT ALLEGATION
2. SEXUAL ABUSE/SEXUAL HARASSMENT (PREA)
3. HARASSMENT ALLEGATION
4. STAFF COMPLAINT
5. INDIVIDUAL IN CUSTODY ALTERCATION
6. INDIVIDUAL IN CUSTODY ON INDIVIDUAL IN CUSTODY SEXUAL ABUSE/SEXUAL HARASSMENT ALLEGATION (PREA)
7. INDIVIDUAL IN CUSTODY-ON-INDIVIDUAL IN CUSTODY VERBAL HARASSMENT ALLEGATION
8. STATUS AS AN INTENDED CONTRABAND RECIPIENT, ENHANCED RESTRAINT STATUS, RED ID OR CMC)
9. MEDICAL STAFF / MENTAL HEALTH STAFF
10. REQUEST FOR PROTECTIVE CUSTODY
11. REQUEST FOR ACCOMMODATION DUE TO DISABILITY
12. FREEDOM OF INFORMATION LAW REQUEST
13. HOUSING
14. INDIVIDUAL IN CUSTODY GRIEVANCE PROCESS
15. OTHER

HEALTH SERVICES

Medical, mental health and dental services, as well as specialty medicine and dental services which include Medication for Addiction Treatment (M.A.T.) – i.e. methadone maintenance and other detoxification medications and substance abuse services, are available to you while you are in the care of the New York City Department of Correction. These services are available Monday-Friday, however emergency services are available at any time, 24 hours, 7 days a week. These services are provided by New York City Health + Hospital (NYC H+H).

You can access any of these health services by signing the daily sick call sign-up sheet posted in your housing area. Should you need assistance in completing a request for health services, you may seek assistance from a DOC staff member. When you sign the daily sick call sheet, you will be brought to sick call the following business day. If you have not signed up for sick call, but at any time have a dental, medical or mental health emergency, tell the housing area Officer who will ensure that you obtain emergency care. Please note that sick call is provided Monday through Friday, however access to the clinic is available on

Saturday and Sunday as needed. If you require or wish to request HIV testing, please speak with a health care provider.

If your condition requires that you be hospitalized, you will be transferred to an appropriate hospital or facility.

HIV Testing and Discharge Planning

Individuals who have or may be at risk for HIV may contact the HIV counselor in his/her facility to talk about discharge planning by signing up for sick call. *Testing is voluntary*. An HIV counselor is available in all facilities. All sessions and results are completely confidential.

Reentry and Continuity Services (RCS)

NYC Health + Hospital-Correctional Health Services staff (care coordinators) are available to provide discharge planning for clients in City jails prior to release and reentry into the community.

RCS provides additional services to their visitors at the Central Visit Center, including condom distribution, overdose prevention education and treatment (NARCAN) as well as health education/information, health insurance assistance/information and resource guides. RCS staff provide outreach assistance in the community to link clients to primary care, HIV services and HCV medication adherence. RCS services can be accessed by reaching out to a clinic staff person or by asking a Correction Officer to make that contact for you.

Substance Use Reentry Enhancement Program (SURE)

Substance Use Reentry Enhancement (SURE) is a program that provides court services, harm, reduction counseling, jail based referrals, Medicaid applications, and reentry planning for patients with a likely substance use disorder who are not already receiving these services from another program in Correctional Health Services (CHS).

LAW LIBRARY: LEGAL REFERENCE MATERIALS AND SUPPLIES

An index of Law Library references will be provided to any individual in custody that is unable to go to the Law Library or access a kiosk. Unless you are in Elmhurst Hospital Prison Ward, your jail has a full law library that has updated research and reference materials, blank legal forms, a photocopy machine, paper, and typewriters. Elmhurst Hospital Prison Wards has a mini-law library. If you need material not contained in the mini law library before your return to a facility with a full law library, ask the mini law library officer for assistance. In addition, a Legal Coordinator from one of the full Law Libraries can be scheduled to assist you if you require such assistance.

In place of printed materials, the DOC has installed kiosks that provide electronic access to the same required legal materials from a computer drive maintained in the Law Library. An index of Law Library references will be provided to any detained or sentenced individual that is unable to go to the Law Library.

The law library is run by a trained civilian legal coordinator to help you find the legal materials you need. The Department will make every reasonable effort to provide a resource that is not available in the Law Library for any individual in custody who is representing themselves Pro Se.

You may go to the law library for at least two (2) hours each day that the law library is open (Tuesday through Saturday). You will be called to the law library when your housing area is scheduled. A copy of the law library schedule is always posted in each jail's law library and in all housing areas.

All Law Library services are provided to you free of charge. You have access to a variety of legal references, frequently used legal forms, electric typewriters to prepare legal documents, and to unlimited copies of legal materials. In addition, your attorney can now coordinate with the DOC Legal Division to have your electronically stored discovery materials made available to you in the Law Library. You will be permitted to access this information on a Law Library laptop computer provided to you during your Law Library session.

You may ask for extra law library time. If you ask, you will get as much extra law library time as space permits unless you did not pay attention to an earlier warning to stop misusing the law library. Those with an immediate need for additional time, such as a court deadline coming up, will get preference for extra law library time.

To ask to go to the law library, you must sign up during lockout periods. When you put your name on the Law Library sign-up sheet, you are signing up for law library the next day that the law library is open.

If you miss your regularly scheduled law library period due to a legitimate conflict with another institutional activity, medical or legal proceeding, you will be able to go to the law library for the required two (2) hours later that same day or at the next recall period.

The Correction Officer assigned to your housing area will alert you when it is time for law library. If you are there when the announcement is made and do not answer or choose not to attend, you will not be entitled to a recall.

If you return to your housing area from court after the law library sign-up sheets have been removed (i.e. after midnight), and you ask your housing area officer to go to law library the next day, you will be allowed to go the next day the law library is open, as if you had signed the sign-up sheet.

Each law library has a trained legal assistant and typist who are both individuals in custody that can help you prepare legal papers, some of which speak Spanish.

You may also join legal research classes when they are scheduled. You will be provided a legal research certificate upon successful completion.

If you do not follow the law library rules, you disrupt the orderly functioning of the law library, or you use the law library for some purpose other than legal work, you may be removed from the law library for the rest of your law library period. You may also be restricted from the law library for a longer period of time.

LOCK-IN AND LOCKOUT

(Times when you are permitted to be in or out of your assigned cell.)

If you are not in punitive segregation status, Secure, ESH, lock-in status, medical isolation, or any other enhanced security area where lock in periods extend beyond the duration for general population persons in custody, you will not be confined to your cell except during the following times:

- **Lock-ins at night will begin at 9pm and end at 5am.**
- **Lock-ins during the day will take place at 7am – 8am and at 3pm – 4pm.**
- **Please note: recounts will be taken whenever the institutional count cannot be verified which may prolong the lock-in time. This is necessary for the safety and security in any facility and within the entire Department.**

MAIL (CORRESPONDENCE)

You are allowed to send mail to anybody and to receive mail from anybody unless a court order limits your sending or receiving mail. You are allowed to send and receive as much mail as you want. You may write and receive mail in any language. If you have a visual impairment or are blind and need help reading or writing your mail, you may ask a volunteer or an assigned individual in custody to assist you, or ask the Housing Officer to assign a individual in custody to assist you.

Mail that you send out, and mail that is sent to you, may not be opened or read if you are not present, unless that is specifically allowed by a lawful search warrant. However, the Department will inspect, feel, or bend your mail without opening the envelope, even if you are not there.

If contraband (**items not allowed in a jail; check list of contraband in your rulebook**) is found in your mail, the Department will tell you what was found but will not allow you to have the item(s). As long as the item is not dangerous or illegal, you may decide if you want to: have the item destroyed, kept with your secured personal property, donated to an outside charity, or pay to have it returned to the person who sent it to you.

To send mail, you can buy stamps in the commissary and money will be deducted from your account.

If you have no money in your commissary account, the Department will provide you with free writing paper, envelopes, and regular first class stamps for all letters to attorneys, courts, and public officials, as well as supplies for an additional two letters each week. If money is deposited in your account within 7 days after you have received free stationery, the money will be recouped from your account.

You must pay to send certified mail. If you are required by a law or rule to send mail certified, but you have no money in your account, the Department will pay for it. A Correction Officer will collect and record your outgoing certified mail and then drop it in the outgoing safe, which will be picked up later for processing.

You must address and seal the mail you want to send out. You must include the following information on the upper left-hand corner of the envelope:

- Your name,
- Your book and case number, and
- Either your jail's street address or your home address. If you do not know the address of the facility you are housed in, ask your Housing Area Officer.

If you do not include the information listed above on your envelope, the Department will return it to you.

To mail a letter out, put it in one of the locked mailboxes in your jail. As mentioned above, you can buy stamps in the commissary.

Packages

These rules apply to all facilities except the hospital prison wards and outposts, where the quantities of packages may be limited.

Package Rules

You are allowed to receive packages from and send packages to any person, including other incarcerated persons in custody, but not including Department employees, or employees of any organization that works officially with the Department on the care, custody and control of persons in custody.

The Department will deliver your packages to you as soon as possible, but no longer than within 48 hours of receipt.

You must pay to send packages out. If you have a package you would like to send out, take it to the mailroom, the mailroom officer will put the package in a box, weigh it and you must give the Officer the needed stamps based on the weight of the package.

The Department will not accept or let you send packages C.O.D. (cash on delivery).

The Department will examine packages to make sure that nothing illegal or dangerous comes into or leaves a jail.

You are not allowed to send or receive any package whose contents are illegal or threaten the public safety or the security or welfare of the jail or anyone in it.

Package Specifications

No packages being sent or received may weigh more than 15 pounds. All packages must be less than 24" wide, 12" high and 24" deep (4 cubic feet).

If something is sent to you that is not allowed by Department rules, you may choose whether you want to donate it to a charity, have it destroyed, kept with your secured personal property, or pay to return it to the sender. This applies except in the cases when the possession of said item is illegal or deemed a threat to public safety or security of the facility. You must sign a dated log to confirm how you want the Department to handle the package.

The following are not permitted in packages to or from persons in custody:

- Food, baking and/or cooking ingredients
- Vitamins, pills, drugs or medication of any kind
- Can-type containers with metal parts
- Metal, ceramic or glass containers
- Aerosol type containers
- Trigger type apparatus
- Pinhole squeezable containers
- Any other items that the Department decides may by its contents or design threaten the safety of the jail or anyone in it

Incoming Packages

You may receive packages by U.S. Mail or delivery service, or by delivery by a visitor to your facility during regularly scheduled visiting hours. With permission from your jail, you may also receive packages at other hours. In this case, you would have to write a letter to your jail's Warden and request delivery of the package.

If you need clothes for a court appearance on the next day, clothing packages may be hand delivered at any time between 8 A.M. and 9 P.M. and during any additional hours that the Department decides are appropriate. Packages containing clothing needed for when you have to go back to court, or for other emergencies (e.g. a Significant Family Event) may be delivered to you as long as the package is received at the housing facility at least two (2) hours before the time you are scheduled to leave. If you need clothing for a court appearance, you may also ask your housing area officer to try to find you clothing. It is important that you ask at least two (2) days before your court appearance.

All packages received at the facility for you must have the sender's name, address and the recipient's name and book and case number clearly marked on the outside.

A separate receipt will be generated and provided for each personally delivered package received from a visitor.

If a package for you also includes mail, it will be delivered to you with the opened, inspected package. If the mail is sealed, it will be opened in your presence. However, including sealed or unsealed mail in packages sent by U.S. Mail is against U.S. Postal Service regulations, and may be reported to the postal authorities.

When any item found in an incoming package involves a criminal offense, it will be confiscated, identified and forwarded to the appropriate authority for possible criminal prosecution of the parties participating in the offense. These items will not be returned to you.

When a non-permissible item is discovered in any incoming package delivered by a visitor that does not constitute a criminal offense, the item(s) will be removed and returned to the visitor. When the package has been delivered by mail or delivery service, or the visitor is not present, you will be asked to choose whether the item(s) should be returned to the sender at your expense, kept with your secured personal property, donated to an outside charitable organization, or destroyed. A record of all such transactions will be entered into a permanent, dated log and verified by your signature.

When a package is received after your release, the package will not be accepted, or it will be returned to the sender. When a package is received and you have been transferred to another facility within the Department, the package will be time stamped and forwarded promptly to the facility to which you were transferred.

Appeal

If you wish to appeal the removal of any item(s) from a package, you should address the matter via the Individual in Custody Grievance Resolution Program (I.G.R.P.) For more information about how to use that program read the “**Grievance Procedure**” section of this handbook.

MARRIAGES

If you want to get married while you are incarcerated, you may get an application form from a Counselor in your facility. After you return the completed form to the Counseling staff, you will be scheduled to see the New York City Marriage Clerk to complete the Marriage License Application Form.

Once the Marriage License Application Form is submitted, your intended spouse needs to report to the Marriage Bureau, pay a license fee and sign the application. Your intended spouse will be responsible for securing a licensed officiant to perform the marriage ceremony. The licensed officiant will be required to provide three dates that they are available to perform the marriage ceremony. The marriage date is set-up with ministerial and facility staff upon receipt of the marriage license and licensed officiant’s name and

availability. You must make arrangements to pay the fee that is set by the minister or licensed officiant performing the marriage ceremony, *as DOC does not cover this fee*. You are permitted to release funds from your account for payment. The Counselor will also provide you with a form "Release of Funds Form" for you to complete with the amount that will be transferred to the minister for his services.

MEDIA/PRESS CONTACTS

You are allowed to talk to reporters or the media, that is, any printed or electronic means of conveying information to any portion of the public which shall include, but not be limited to, newspapers, periodicals, books or other publications, licensed radio and television stations, news agencies, wire services, Internet based news or journalistic organizations, and social media outlets.

You are allowed to be interviewed by a media representative who shows the Department the required media identification as noted below. Prior to any interview being conducted, you will be asked to sign a request and consent form, authorizing the interview. Media interviews shall not count against the number of visitors you are permitted to receive. If you consent to an interview, you must agree to the interview in writing and return your consent form to an officer in your Housing Unit for presentation to your facility's Warden.

"Media representative" shall be defined as:

Credentialed representatives of a bona fide media organization and any assistants, crew members, or associates who accompany them, and who present valid credentials of their affiliation with the media to the Deputy Commissioner for Public Information ("DCPI") in the Office of Public Information (OPI). Valid credentials may include those from NYPD, state law enforcement, or identification from the represented media organization.

Any detainee who requests an interview with a media representative, either filmed or oral, shall submit said request in writing to the Commanding Officer of the Facility and the Office of Public Information (OPI), along with the necessary signed statement of consent. Such consent shall also be signed by the detainee's attorney of record and/or parent or legal guardian, if required (see below). You have the right to decline any interview request from members of the media or to decline to participate in a media visit and shall also have the right to terminate the interview or participation in a media visit at any point during the interviewing session or media visit. Media interviews will be scheduled and authorized by the Office of Public Information and shall be conducted in the Visit Area or any other area designated by the Commanding Officer of the Facility and the OPI.

If you are a detainee and a court order requires you to be examined to decide if you are competent to stand trial, the Department will not schedule the media interview unless your attorney agrees.

Unless otherwise approved, interviews shall be held on non-visiting days (Mondays and Tuesdays) only, excluding holidays, and shall be no longer than one hour each between the hours of 9:00 a.m. and 5:00 p.m. There shall be no more than two (2) media interviews per detainee per week and no more than one (1) per day per detainee.

If the Department agrees to allow a media interview the Department will take into consideration any mandated appearances or services you must attend, and schedule your appointment so that you do not miss them.

Access may be denied, rescheduled or limited if the Department determines that the visit will unreasonably: compromise privacy, safety, security, good order, disrupt operations, burden staff, or adversely affect detainees. A detainee who has been interviewed by representatives of the news media shall not be subjected to Departmental discipline or any other adverse action for participation in the interview, or views expressed therein.

If your interview or request for an interview has been limited, denied, or revoked, you may appeal to the N.Y.C. Board of Correction. If you appeal, you must write to both the Board of Correction and the Warden of your Facility.

For additional detailed information regarding the Department's media access policy, please review the "New York City Department of Correction Media Access Policy" which is available on the Department's website: nyc.gov/doc.

MENTAL HEALTH DISCHARGE PLANNING

All persons in custody currently or formerly in receipt of mental health services during the course of a jail incarceration are offered social work and reentry services. If you are receiving mental health care while in the custody of the NYC Department of Correction, you are eligible for discharge planning services and benefits under the **Brad H** court settlement. As a Brad H class member you are eligible to a comprehensive treatment discharge plan.

As a Brad H class member, if you are released directly from court, you can visit the Community Re-Entry Assistance Network (CRAN) and Assistance Network Services (ANS) (formerly known as SPAN and Forensic Link) which is located within walking distance of each courthouse. The staff will help you complete your discharge plan, as well as provide you with any prescriptions or information you may need. This services is available up to 30 days from your release from DOC custody.

Office locations are:

- Brooklyn/Manhattan
175 Remsen Street, 5th & 11th Floor
Brooklyn, NY 11201
Telephone # (718) 975-0180 (Brooklyn) (718) 975-1180 (Manhattan)
Subway: 2/3/4/5/R

- Bronx
1020 Grand Concourse, North Professional Wing
Bronx, NY 10451
Telephone # (718) 538-7416
Subway: 4/B/D
- Queens
120-34 Queens Boulevard, Suite 225
Kew Gardens, NY 11415
Telephone # (718) 261-4202
Subway: E/F
- Staten Island (Call office in advance)
120 Stuyvesant Place, Suite 410
Staten Island, NY 10301
Telephone # (718) 727-9722
Ferry: St. George Terminal

The CRAN WALK IN OFFICES are open – Monday through Friday, between 9AM and 5PM

NON-DISCRIMINATORY TREATMENT

The Department will not discriminate against you based on your race, religion, nationality, sexual orientation, gender identity, perceived gender, age, disability, or political belief.

The Department will give you equal opportunity when it makes decisions including work assignments, classification, and discipline, and when you are considered for available programs. The Department will take into account reasonable operational and security concerns in making those decisions.

The Department will provide publications and newspapers printed in English and Spanish, have Spanish-language books and materials available in your jail's library, and make it possible for you to hear radio and television programs broadcast in Spanish. A copy of this Handbook is available in Spanish, Chinese, Russian, Bengali, Haitian Creole, Korean, Arabic, Urdu, French, Polish and Braille.

You may talk or write in any language to other people in custody and to those outside the facility, by mail, by telephone, or in person, and you may read and receive written materials in any language. Other rules about mail, telephone, and personal communications still apply.

NURSERY PROGRAM

If you are pregnant, give birth, or are a female individual in custody with a child under one year of age while incarcerated, you may apply to the RMSC nursery to keep your baby with you until the child is one year old. If you are accepted into the program, the baby will be allowed to remain with you in the nursery for up to one year. Ask your counselor for an application form.

PERMISSIBLE ITEMS

All persons in the Department's custody shall be provided with two sets of departmental clothing (i.e. two shirts and two pants) which shall be worn throughout their incarceration at the facility. Upon admission, each individual in custody shall be issued one (1) pair of Department issued footwear.

An individual in custody who is making on-trial and or jury selection court appearances or attending significant family events shall be permitted to wear civilian clothing. Civilian clothing for persons in custody shall be securely stored by the facility at all other times.

All those who are housed in a Mental Observation (M.O.) Unit or those who are considered suicide risks (as determined by Mental Health/Medical Staff) shall not be allowed belts, ties, shoelaces, or other items that Mental Health/Medical Staff determine would pose a risk to the individual's well-being.

Personal Items that are allowed in the housing area:

- 1 Bathrobe
- 2 Pairs of pajamas
- 4 Pairs of socks
- 1 Pair of shower slippers (*commissary purchase only*)
- 4 Sets of undergarments
- 1 Housecoat (Females only)
- 2 Nightgowns (Females only)
- 1 Pair of boots (Work Detail Assigned Only *Department issued only – limited those assigned to construction, mess hall, or special work cadres.)
- 1 Pair of prescription eyeglasses (must be verified by the clinic, must be generic, no designer frames, persons in custody housed in a metal observation unit may be restricted by medical personnel.)

Personal Items that will be secured in your property for on-trial court appearances or significant family events use only:

- 1 Belt (non-elastic, max 1 ½" wide, small buckle, 2 ¼" max) – Not allowed for Mental Observation individual in custody
- 4 Blouse/shirt (non-uniform type, not white, dark blue or camouflage)
- 1 Suit Jacket/Blazer (non-uniform type, not white, dark blue or camouflage)
- 4 Pairs of pants/slacks (no dark blue, camouflage or uniform type)
- 1 Pair of Shoes
- 1 Pair of sneakers
- 2 Pairs of shoelaces - Not allowed for Mental Observation individual in custody
- 1 Tie (not black) – Not allowed for Mental Observation individual in custody
- 4 Dresses
- 4 Skirts (no dark blue or uniform type)
- 4 Pairs stockings, pantyhose, or knee-hi's (or combination of the four)

Upon admission to DOC custody all other personal items will be secured in your property at the time of the new admission process and will only be returned to you after you have been discharged from DOC custody, unless you elect to send the item(s) home or discard them entirely.

Toilet Articles – Must be purchased in commissary. Permissible quantities are shown below:

- 10 cloraseptic lozenges
- 1 deodorant
- 1 unit depilatory
- 1 lotion
- 1 container of Shampoo
- 1 container of Conditioner
- 7 bars of soap (or department issue)
- 2 boxes of feminine hygienics (RMSC ONLY – or department issue)
- 1 denture adhesive
- 2 tubes of toothpaste (or department issue)
- 1 toothbrush (department issue only)

Linen, Bedding and other items issued by the Department

- 1 Fire retardant covered mattress.
- Blankets (quantity sufficient to provide comfort and warmth)
- 1 Pillow (with fire retardant cover)
- 1 Pillow case
- 2 Sheets)
- 2 Towels
- 1 Washcloth

Educational Items (may be sent in packages)

- 6 Charcoal sketch pencils
- 3 Composition books
- 2 Erasers (gum, rubber or ink)
- 6 pads (drawing, legal and writing)
- 6 Pencils (without erasers, no metal parts)
- 1 Ruler (no metal or metal edge)
- 1 Pack Writing Paper

Publications

You may have up to 1 cubic foot (12” X 12” X 12”) of non-legal printed materials including soft and hardcover books, magazines, newspapers, periodicals, pamphlets, advertisements and other printed articles, in any combination. These items must be neatly stored so as to avoid constituting a health or fire hazard. There is no limit to the quantity of legal materials you may have. Where the spacing in a cell is limited, an alternative method of safely storing legal materials elsewhere in the institution is required, provided that a individual in custody shall have regular access to theses materials.

Recreational Items

- 2 Board games (department issue only)
- 1 Box dominoes (department issue only)
- 1 deck of non-laminated playing cards (commissary or department issue only)

Photographs

Photographs may be placed on the tops of desks, provided they are not held up with toothpaste or any material that could attract insects or rodents. Nude photographs may not be displayed in an area that is visible to persons passing by your cell or living area. Instant photographs are prohibited (polaroid type).

Food Items

The only food you may keep in your housing area are those items bought at the commissary. All food must be stored in your Commissary bucket. Be very careful not to keep food items beyond their expiration date, or opened too long, so that they do not spoil or attract insects or rodents.

Miscellaneous Items

MAY BE SENT IN PACKAGES

1 Calendar

NOT ALLOWED IN PACKAGES:

1 Drinking cup (Department issue only)

10 Envelopes (commissary purchase only)

10 Greeting cards (commissary purchase only)

6 "AA" batteries (commissary purchase only)

1 Radio/Headset (commissary purchase only)

1 Sponge (Department issue only)

3 Utility Tub (2 storage, 1 cleaning, Department issue only)

Twine and laundry detergent shall be supplied by the Department for the purpose of washing and drying clothes. Twine shall not be made available to any individual in custody housed in Mental Observation Units or considered a suicide risk.

Religious Articles

You may wear and possess religious articles including clothing and hats as long as the articles do not threaten the safety or security of the institution. Such articles can include: Tefilin, Kufi, Yarmulke, Tsalot-Kob, Fez and other religious head coverings, religious beads/pendants and religious texts.

PERSONAL HYGIENE

Showers with hot and cold water will be made available to you daily. You may be required to shower periodically as consistent with institutional health requirements.

You will be provided with 1 drinking cup, 1 toothbrush and 1 toothpaste when you are first incarcerated. You can buy additional personal hygiene items from the Commissary. If you have no money in your Commissary account you will be provided DOC issued hygiene products for free at your assigned housing area.

You may shave daily in your housing area with Department-issued shaving items. You will not be allowed to use shaving items if the Department has decided that your using those items threatens your own safety or the safety or security of the institution.

Your facility provides barber and/or beautician services Monday through Friday, at a cost of \$2 per visit. You may buy a voucher for barber services at the Commissary. If you have no money in your Commissary account you may still obtain a haircut, but the cost of the haircut will be taken from your account when you get money in it.

Check the posted schedule to see which day and time your housing area receives these services. In addition to your regular schedule, you may request a haircut on the workday prior to any scheduled court appearance. Persons capable of using barber tools will cut your hair. Such persons include, but are not limited to licensed barbers, institution staff members, and individuals in custody, as consistent with the safety and security procedures of the institution. Barber tools will be maintained in a safe and sanitary condition.

PROGRAMS AND DISCHARGE PLANNING

The Department of Correction has various programs available to you while you are incarcerated. These include educational, vocational, recreational, counseling programs and enrichment activities. Below is a list of some of the main programs available in most facilities. Keep in mind that different programs have different criteria and not every program is open to every individual or available in every jail. To learn more about these and other programs, reach out to the Counselor or Programs staff in your facility.

- ***Counseling and Social Services:*** During your time in DOC custody, you will have an opportunity to meet with a counselor. Counselors can provide support with social services requests you may have. They will also offer the opportunity to participate in group and individualized counseling. Read the section on Counseling Services to learn more.
- ***Recreation:*** In addition to having access to 1 hour of daily recreation (see p. 37 for details), DOC recreation staff facilitate structured activities inside and outside of the housing areas, in the gym, and outside recreation areas. Recreation includes basketball tournaments, chess games, spades tournaments, Uno, and various exercises.
- ***Creative arts:*** DOC staff and community-based artists offer a variety of activities such as performances, art competitions, and more. Join these classes to pursue your interests and relieve stress.
- ***Interest-based services:*** DOC offers a variety of programs that enable individuals to pursue their unique interests. Depending on the facility, these programs include public library services, debate groups, yoga classes, creative writing workshops and more.
- ***Veteran's Services:*** If you are a veteran, you may be eligible to receive specialized services from the Veterans Administration and other organizations that support veterans. To learn more, please ask a DOC staff member.
- ***Reentry Services:*** Designed to support you during your incarceration and beyond, reentry programs offer a variety of workshops on job readiness, anger management,

health and wellness, parenting, and other topics. We also offer discharge planning services and connections to community-based organizations that can assist you with employment, housing, and other needs you may have upon release.

Additional Reentry Resources

There are also two resource guidebooks, available in DOC facilities, with listings of agencies that provide information to help people returning from jail to their communities. The “Beyond the Bridge” brochure, should have been given to you upon your admission. If you did not receive a copy, ask your Counselor for a copy, which you may take with you when you are either discharged or transferred. The Connections Guide, can be borrowed from the Law Library or the Counselor’s office. You will also receive a copy upon release.

If you have been released and did not receive discharge planning help while you were in jail, you may still get assistance by calling 311 and asking for “Jail Release Services.” You will be asked some questions to allow the operator to refer you to the appropriate service.

PROPERTY

When you first come into a jail, all non-permissible property will be taken from you. You are allowed to keep certain things, as listed in the “Permissible Items” section of this Handbook. You will get a receipt for property taken from you, and the Department will store it and return it to you when you are discharged.

If you want to retrieve an item from your property or want someone to pick up your property, ask the Counselor in your facility for a Property Release form and follow the instructions.

Tobacco or tobacco-related products will be destroyed if they are not preserved as evidence in a criminal proceeding. After you have been processed as a new admission, any money found will be taken away from you and will become the property of the City of New York. Whenever the Department takes your property from you, you will receive a Property Receipt form #111R B 92, which explains how you can appeal that removal.

If property is removed from an incoming package or piece of mail because you are not allowed to have it while you are in jail, and it does not involve a crime, it will be put in your stored property and you will be told about the removal within 24 hours. (More information about packages is provided above, in the “**Packages**” section.) If an incoming publication is censored or its delivery is held up because it contains prohibited material, you will be notified within 24 hours of that decision. If you have a complaint regarding the receipt of your package you may either file a grievance or lodge a written complaint with the Board of Correction. If you choose to contact the Board of Correction, you will no longer be able to file a grievance. For more information read the Section on “**Grievances**.”

Any personal property that you do not claim within **30 days** of your discharge from the Department is considered abandoned property and will be turned over to the Police Department or another agency for disposal. Upon your discharge from the department or

while in custody, you or someone you designate may return and claim your bulk property. If you are in our custody, then you will fill out a property release form provided by the facility's Social Services staff and they will process this to allow the person you designate to pick up your property. If you are discharged, then you must first call 311 to schedule an appointment to pick up your property. If you are transferred to another facility, *your* property will go along with you.

PROTECTIVE CUSTODY HOUSING

The Department maintains Protective Custody Housing Units to house people for their own protection, or for the safety and security of others.

Those who are housed in Protective Custody Units shall receive all services separate from other general population units. Protective Custody housing units are afforded the same services as general population housing units, for example one (1) hour outside recreation, law library, sick call, visits, religious services, medication, lock in/lock out times, etc. If you or the Department thinks you may need housing in protective custody, you will be transferred to a protective custody housing unit while the Department evaluates your housing needs. A decision will be made within 2 business days as to whether or not this placement should continue. If the Department decides that Protective Custody housing is necessary, you will be asked whether you consent to that housing. If you do not consent, you will have a hearing. Based on the results of this hearing you may be assigned to involuntary Protective Custody and housed accordingly.

If it is determined that your placement should continue, the Operations Security and Intelligence Unit (OSIU) will review your protective custody assignment 30 days after they initially determined to assign you to protective custody, and then every 60 days thereafter.

RADIO AND TELEVISION USE

The Department is required to maintain an environment where the typical noise level does not interfere with normal human activities or present a threat to health or hearing. You may be asked to lower the volume of a radio or television.

Televisions are accessible in the dayroom during all lockout periods. If you are watching television in the day room, you will decide among yourselves what programs to watch. If you cannot decide and there is a problem, the Officer will make the decision.

RECREATION

You will be permitted to have 1 hour of recreation daily. Recreation is available 7 days per week. You will have recreation outdoors except in extremely bad weather. When necessary

for the safety and security of the institution, you may be given recreation by yourself and not with other persons in custody.

Your exercise period may be limited when it is determined that letting you exercise would cause a threat to the safety, security, or the good order of the jail, or any person's safety, security or health.

Any decision to limit your exercise period will be made by the Warden in writing, and will state the specific facts and reasons underlying such decision. A copy of this determination will be provided to you.

You will receive a copy of the written determination and a copy will be forwarded to the Board of Correction within 24 hours.

RELIGIOUS RIGHTS

You are allowed to hold any religious belief and to be a member of any religious group or organization. You are not allowed to:

1. Try to compel another individual in custody to become part of a religious group or organization;
2. Try to convince another individual in custody not to exercise his/her religious beliefs;
3. Influence another individual in custody to stop being a member of any religious group or organization.

During lockout, you are permitted to meet with facility chaplains in accordance with institutional procedures. Chaplains in your facility represent the four main faith groups: Catholicism, Judaism, Islam, and Protestantism. If your particular faith is not listed, speak to a Chaplain who will assist you. Chaplains are available for religious instruction, spiritual counseling, referrals to transitional services and discharge planning. A posting with the times of each *religious* service is available in your housing area.

When you first come into the Department, you will be asked what religion you belong to so the Department can make it easier for you to observe your religion. Once you have identified yourself as belonging to a particular religion, you will only be allowed to attend religious services for that specific religion. If you want to change or establish a religious affiliation, you must submit an interview slip or have the housing area Officer contact the Chaplain of the desired faith. The Chaplain will interview you and either approve or disapprove the request. If the request is disapproved, you will be given the reason for the denial in writing.

In the event your religious preference is not represented by the four main faith groups; Catholicism, Judaism, Islam, and Protestantism, make a request to the Administrative Chaplain in your facility to receive a pastoral counsel visit with the clergy of your faith and the Administrative Chaplain will obtain the necessary approval. All clergy visits shall last one hour in duration. You will be permitted to attend religious services with persons housed in general population units unless you are found to pose a threat to the safety and security of the jail, including the likelihood that you will disrupt the service. If you did not indicate your faith group when you were admitted, you will not be allowed to attend religious services until you establish a religious through the above mentioned process.

If the Department decides that you may not attend religious services with general population persons in custody, you will be told the reason at least 48 hours before the scheduled service.

If the Department learns information that causes it to decide that you may not attend a religious service less than 48 hours before the scheduled service, you will receive the notice less than 48 hours before the service. You may appeal the decision to the Board of Correction.

You have the right to request reconsideration each week and to submit a written statement in support of your position. Your request will be considered by the Warden and you will receive a written reply.

SAFETY & VICTIMS' SERVICES

General Safety Issues

You have the right to be safe in jail. When you came in to the Department's custody you were asked whether you knew any reason why you may be at risk or need special security or protection from the general population, such as:

- Having been assaulted, harassed, or coerced, sexually or otherwise, while in custody or during prior jail time
- Having been perceived as being gay, transgender, a cross dresser, or visibly feminine (if housed in the male population)
- Any other reason.

Even if you did not say anything when you first came into custody, it is never too late to ask for help. If you feel unsafe for any reason at any time, be sure to tell your housing officer. You can also tell a chaplain, counselor, or any other staff.

The Department has many different ways to address your safety needs in general population. This can include separating you from a specific person or persons who are threatening you, or moving you to a different housing area or facility. In these areas, *i.e. protective custody*, people are escorted whenever they leave their housing area. Except for the escorts, these units are just like regular general population housing areas.

Help keep yourself safe by:

- Carrying yourself in a confident manner
- Never accepting gifts or favors from others including food, drugs, tobacco or other contraband
- NEVER accepting offers from another individual in custody who suggests they will be your protector
- Finding a counselor, member of the clergy or medical or mental health staff with whom you feel comfortable discussing your fears and concerns
- Being direct and firm if others ask you to do something you don't want to do
- Staying in assigned areas of the facility
- Trusting your instincts. If you sense that a situation may be dangerous, it probably is

Housing by Gender Identity

The Department shall consider on a case-by-case basis housing by gender identity for those who identify as transgender, intersex, gender non-conforming and/or gender non-binary, whether such placement would ensure their health and safety, and whether such placement would present management or security concerns. You will be asked to complete a Form, and provide information regarding housing and search preferences. You can request housing in General Population, Protective Custody or the unit for our transgender, intersex, and gender non-binary population.

The DOC has instituted a unit to accommodate transgender, intersex, and gender non-binary persons who choose to live in a separate housing unit. This unit is located in the Department's female facility. A housing form, requesting this unit, will also be made available upon request at any time during the individual's incarceration from the facility PREA Team or a housing area supervisor.

Additional information can be found in our LGBTI-GNC-GBC Directive. This directive and the 5011R-A. PREA Directive can be accessed in the Law Library.

Sexual Abuse

In compliance with the Prison Rape Elimination Act (PREA) guidelines, The Department has established policies and procedures to assist those in our custody who may be particularly vulnerable to sexual abuse and to supervise those who may be sexually aggressive. PREA requires the Department to take affirmative steps to prevent, detect, respond to, report and investigate sexual abuse and harassment and retaliation against anyone who reports sexual abuse or sexual harassment.

The Department has zero-tolerance for all sexual encounters, even that of a consensual nature, while you are in custody. Any type of sexual conduct or behavior is against the Department's rules.

What Is Sexual Abuse?

- Sexual abuse is defined as any type of unwanted sexual contact. This includes contact or penetration of the anus or vagina with the penis, finger or other object.
- Sexual abuse also includes any unwanted intentional touching of the genitals, breasts, inner thigh or buttocks, either directly or through clothing.
- Sex with a staff person (even if you agree to it) is considered sexual abuse.
- Such contact excludes contact incidental to a physical altercation. For example, if two individuals are involved in a fight, their physical contact may not constitute sexual abuse.

What Is Sexual Harassment?

- Repeated sexual advances, request for sexual favors, verbal comments or gestures of a sexual nature to an individual in custody by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.
- Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one individual in custody directed towards another.

What Is Staff Sexual Misconduct?

- Any solicitation from a staff member to engage an individual in custody in any type of behavior or act of a sexual nature. This includes sexual touching and attempted, threatened, or requested sexual acts and voyeurism.
- Voyeurism by a staff member, contractor, or volunteer means an invasion of an individual in custody's privacy by staff for reasons unrelated to their official duties, such as peering at an individual in custody as he or she is using the toilet in their cell to perform bodily functions; requiring an individual in custody to expose his or her buttocks, genitals, or breast; or taking images of all or part of an individual in custody's naked body or of an individual in custody performing bodily functions.

How To Prevent Sexual Abuse:

- If you see someone being sexually harassed or assaulted report it immediately to a staff member. All staff members are mandatory reporters.
- Anyone offering you favors, lending you things, or providing you protection may be setting you up for an assault or targeting you as a potential victim.
Be aware of situations that make you feel uncomfortable. Trust your instincts. If it feels wrong, leave or call out for a staff member. It's your right to say **"NO"** **"STOP IT"**, or **"DON'T TOUCH ME!"**
- If you or someone else is being pressured for sex, tell a staff member immediately. You don't need to wait for an assault to happen to ask for help.
- Be aware of areas where it may be hard to be seen by staff or where you would have trouble getting help if you needed it.
- Avoid going into other peoples' cells and having others enter your cell.
- Be alert – contraband such as drugs and alcohol will make it hard for you to stay alert, make decisions, or seek help.

What to do if you are the Victim of Sexual Abuse

If you have been or are being sexually abused or harassed in any way, by other people in custody or a staff member, there are a number of ways you can receive help:

- Tell your housing area officer, medical or mental health service provider, a chaplain, counselor, or any other staff;
- File a grievance;
- Contact the Department's Investigation Division at 212-266-1900;
- Call the confidential PREA hotline at 718-204-0378;
- Contact a victim crisis counselor at Safe Horizon by calling 212-227-3000 or write to: Safe Horizon Inc., Brooklyn Community Program, 50 Court Street, 9th Floor, Brooklyn, NY 11201. ALL CALLS ARE FREE;
- Your family or friends can report the abuse or harassment to 311. They can also make a report online at the DOC website.

All allegations of sexual abuse are reported to appropriate law enforcement officials and will be thoroughly investigated. People who perpetrate sexual harassment or sexual assault will be disciplined and prosecuted.

You may report sexual abuse or sexual harassment in person or in writing, and at any time after it occurs, no matter how much time has passed. However, the sooner you report the incident the easier it will be to investigate. Although you do not have to name your abuser(s) the more information you provide the easier it will be for staff to help. If you would like, a qualified victim advocate can accompany and support you through the forensic medical examination process and investigatory interviews.

If you report that you have been sexually assaulted, you will be offered immediate protection and referred for a forensic medical examination and mental health services. Medical staff, with your consent, will check you for the presence of physical injuries and evidence of sexual assault. The examination will be conducted privately and professionally. All precautions will be made to prevent sexually transmittal infections. **You can access all of these services even if you do not make a report of sexual abuse or identify your abuser.**

Please remember, although you may want to wash or clean your body after the assault, it is important to see medical staff **BEFORE** you shower, wash, drink, eat, change clothing or use the bathroom. Do not shower, wash, destroy or discard the clothes and underwear you had on at the time of the assault, as these items may be used to collect evidence.

Report immediately if you have seen or heard about staff engaging in sexual acts with a individual's in custody or if you have seen or heard about someone else being sexually assaulted or threatened by another individual in custody or staff.

Counseling for Victims of Sexual Abuse:

If you are a victim of sexual abuse while in jail, or if you were victimized in the past, professional medical and mental health staff, trained counselors, as well as chaplains are available to provide support. If you are interested in any of these supports ask your facility PREA team, or program counselor for a referral.

SANITATION

You must keep your cell and housing area clean. The Department will provide each housing area with enough brooms, mops, general cleaner and disinfectant, and other materials to clean and maintain the housing area, as long as providing those materials does not threaten the safety and security of the jail. Everyone in the housing area is expected to participate in keeping it clean.

SMOKING BAN

Smoking and tobacco related products including electronic nicotine delivery devices are prohibited in all Department of Correction facilities. If you are found with any tobacco or nicotine -related products you will be subject to discipline and possible arrest.

Tobacco related products include items like cigarettes, cigars, loose tobacco, chewing tobacco, and lighting materials such as matches or lighters.

If you experience nicotine withdrawal (sickness or discomfort because you are not able to smoke cigarettes), you can sign the daily sick call sheet in your housing area for medical services and/or counseling. You may be able to receive a nicotine patch from medical staff, which can help you with your nicotine withdrawal.

SUICIDE PREVENTION

If you feel like hurting yourself, or you're feeling very depressed, or you are thinking about committing suicide, ask to see Mental Health Services immediately.

If you believe that another individual in custody is thinking about killing or injuring themselves, tell your housing area officer or any Department or medical staff member immediately.

Here are some ways that you can tell that someone might be thinking about committing suicide. He/She may:

- Begin giving things away or saying goodbye
- Try to hurt themselves
- Make threats to kill themselves
- Become depressed
- Have recently experienced the loss of someone close
- Had a romantic relationship end
- Received bad news through a visit or a telephone call.

People who may be at risk for suicide often show these signs after a visit, after court, after mail call, during the holidays, after phone calls, during a change of tour, on the midnight tour, or as a new admission. While signs that someone is considering committing suicide may also appear at other times, it is particularly important to pay close attention at these times.

TELEPHONE CALLS

You may make telephone calls during all periods when you are not locked in your cell. Emergency calls may be made at any reasonable time. If you must make an emergency call to a number outside the United States, you may arrange with the facility's counseling staff to make that call collect. If those staff are not available, you may arrange the call through the facility chaplain.

If you receive an emergency telephone call, you will be allowed to take the call or a message will be taken for you and you will be permitted to return the call as soon as possible.

You are permitted to receive incoming calls from your attorney(s) of record regarding pending civil or criminal proceedings (including court-ordered telephone calls) or a message will be taken for you and you will be permitted to return the call as soon as possible.

All individuals in custody shall be permitted at the Department's expense, a total of twenty-one (21) minutes of calling time, every three (3) hours during lock-out periods while in custody. Once you have exhausted all twenty-one (21) minutes of calling time, the three (3) hour clock shall commence temporarily prohibiting telephone usage. All calls to 311 receive a (6) minute calling time.

Individuals in custody housed in Punitive Segregation are allowed to make one (1) call daily for a maximum of fifteen (15) minutes in duration, excluding calls to your attorney or your attorney's office. Your telephone rights may be limited if the Department decides that your using the telephone is a threat to the safety or security of the institution, or if you are abusing written telephone regulations. If the Department decides to limit your telephone rights you will receive a written decision that states specific facts and reasons underlying that decision.

If you receive a decision limiting your telephone rights you may appeal that decision to the N.Y.C. Board of Correction. You must write to the Board of Correction and the Warden or Commanding Officer of the facility to tell them of your intent to appeal the determination. Note that you may first file a grievance, but if you appeal to the Board of Correction, your grievance request will not be considered.

All calls, except for calls with your attorney or other privileged calls, may be monitored and/or recorded by the Department for security purposes. In order for your attorney and other privileged calls not to be monitored you must provide the Department with the phone numbers to which calls should not be monitored, and the Department will check that those numbers belong to attorneys or other persons with privileged contact with you. Your use of the telephone in a Department facility constitutes your implied consent to such monitoring.

VISITS

If you are a detainee, you are entitled to three (3) visits per "visit week" (Wednesday through Sunday) including at least one (1) visit on an evening or weekend. If you are sentenced, you are entitled to two (2) visits per "visit week", including at least 1 visit on an evening or weekend. Visits will last up to one hour. Additional visits for detainees and sentenced persons in custody will be provided in cases involving special circumstances, including but not limited to emergency situations and/or visits involving lengthy travel time.

Detainees and sentenced individuals are allowed to visit with up to three (3) visitors at the same time, without getting the facility's approval, but the number can be limited by the

facility for reasons such as lack of space. If there is a need, you may make a written request to the Warden to visit with more than three (3) visitors during one visit.

Any person that has been properly identified by the Visit Officer by showing valid identification, and who is 16 years of age or older will, with your consent, be permitted to visit.

Children 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. In addition, a visitor under 18 years of age must provide the name, address and telephone number of his/her parents or legal guardian. A person 16 or 17 years old may visit, but cannot act as an adult to accompany visitors under the age of 16 unless they are the parent of the child, and the individual in custody being visited is also the parent of the same child. Visitors with children may receive expedited security screening at the Control Building. There are coloring books and crayons available for children visitors in facility waiting areas upon request.

Everyone in DOC custody is entitled to receive a visit within 24 hours after his/her initial admission to the Department's custody.

Visit schedules are posted in the visit rooms of each institution. Information is also available on the web at WWW.NYC.GOV/BOLDEST. Your family can also call 311 for more information. The Department offers free round-trip transportation for visitors visiting Rikers Island. The current bus locations are in Harlem and Downtown Brooklyn. Your family can also visit the Department's website for the bus schedules. Visitors with disabilities will be provided with reasonable accommodations to support their visit. Para-Transit vehicles are available to transport your visitors from the Control Building to your facility. The Department operates free Visitor Shuttle Buses for visitors from two locations in the community to Rikers Island. The shuttle buses provide free transportation to and from Rikers Island from one location at 125th Street and 3rd Avenue in Manhattan and a second location on Jay Street between Fulton Street and Willoughby Street in Brooklyn during all visit times.

Your right to visit with a particular person may be denied, revoked or limited if the Department determines that your visiting with that person is a threat to the safety or security of visitors or the institution. This determination will be made by the Deputy Warden for Programs who will provide written notification and specific charges to you and your visitor.

Visitors are not permitted to bring into a jail any contraband, including illegal drugs, weapons, tobacco, and anything else that you are not permitted to have in the jail. Your visitors will be searched when they come to visit you, and they will be arrested if they are found with contraband. In addition they may not bring beepers, cell phones, cameras, recording devices, or any other electronic devices, or chewing gum. Lockers are available in front of the main Visit House where visitors can store these items before entering a departmental facility. In the Borough facilities, there are also lockers available at the facility's front gate where visitors can store the items listed above.

Your right to a contact visit may be denied, revoked, or limited when it has been determined that such visits constitute a serious threat to the safety or security of the jail. If the Department decides to deny, revoke, or limit your right to contact visits, you will have the opportunity to have the same number of visits in some other way, including but not limited to non-contact visits. Before that decision is final, you will be provided with written notification of the specific charges and be afforded an opportunity to respond.

Contact visits between you and all of your visitors throughout the visiting period include holding hands, holding young children and kissing. For non-contact visits, you will speak with your visitor from a booth.

If either your privileges or your visitor's privileges have been denied, revoked or limited, you may appeal to the N.Y.C Board of Correction. Any person doing so must give notice in writing to the Board of Correction and to the Warden of the facility. You may first file a grievance, but if you appeal to the Board of Correction as your first choice then you cannot go back and file a grievance.

VOTING

1. **YOU MAY VOTE while you are in jail unless:**
 - a. You are now serving time for a felony conviction*;
 - b. You are now on parole for a felony conviction and you have not received a pardon from the Governor of New York

*Your right to vote will be returned automatically when you finish your maximum prison sentence or are discharged from parole. If you are on parole, you may check the status of your pardon by phone at 518-473-9400.

2. **TO VOTE** while you are in jail, you must register to vote during the required time period that will be announced on Posters in your housing areas.
3. **TO REGISTER TO VOTE:**
Voter Registration Forms are provided during the primary, general and special elections. They are also available in the law library. Fill out a Voter Registration form.
4. You should put your permanent home address on the registration form, not the address of a correction facility. After you fill out the form, put it in the Outgoing Mailbox or return the form to a law library coordinator or program staff for submission. This form does not need a stamp.
5. **All voting in jail is by absentee ballot.** Absentee Ballot Applications are provided to all facilities prior to each primary and general election. They *are* also available in the law library. You must complete and mail applications to the Board of Elections by the due date. You may also submit this form to a law library coordinator or program staff for submission. The Board of Elections will review their records and determine if you are eligible to vote. If you are eligible, they will issue an absentee ballot that will be delivered to you at the facility. You must complete the ballot and mail it back to the Board of Elections *before* the deadline. You may also submit this form to a law library coordinator or program staff for submission.

Signs are posted in the above areas to let you know when there is an election and the date when voter registration forms, absentee ballot applications and voting ballots must be returned.