

# Going Upstate:



## Frequently Asked Questions About the Transfer to NY State Prisons

Do you have questions about being sentenced to state prison? If so, we are here to help. This document provides answers to commonly asked questions. Talk to a Programs staff member if you need additional assistance or resources.

### Preparing for Your Transfer

#### **What can I do now to prepare for the transfer?**

You can begin by sending your property home or asking a loved one to pick it up. To get help with property, ask your Social Services Counselor for assistance. You can also ask your Group Facilitator to give you a summary of the courses you completed while in NYC DOC custody. DOC staff will also place a copy of this transcript in your Legal Folder, which will travel with you upstate. Your Offender Rehabilitation Coordinator (ORC) at the State facility will be able to see this summary, which could help inform your program assignment.



#### **What can I bring with me?**

You can bring your books (legal/religious), certain religious articles, and legal documents. Personal clothing is not allowed to be taken. NYC DOC will transfer your legal folder directly to the State facility. As mentioned above, you can also ask a Programs staff member to place a summary of the courses you completed in a NYC DOC facility into your guidance folder.

#### **What happens to my medical records and my medication?**

Medical records, prescription lists, and all other information in your legal folder will follow you to State prison. Medications will be prescribed by DOCCS medical staff.

#### **What can I do if I have been sentenced but the paperwork hasn't been finalized?**

You can follow up with your Attorney to ensure the Court provided DOC with the necessary paperwork.

**What about my commissary funds?** Your commissary funds will follow you to State prison though it will take approximately 5-10 days to see the funds in your account. If you don't see it on your account after 10 days, ask your Offender Rehabilitation Coordinator.

## Programs and Services

### **What programs are available in State prisons?**

State facilities offer a variety of programming opportunities, though they vary by facility. Programs include Pre/High School Equivalency classes, college programs, vocational programs in up to 28 different trades, substance abuse programs, anger management programs, sex offender programs, cognitive behavior programs, and transitional reentry programs. Also, NYS DOCCS offers numerous volunteer-led programs like the Parenting Program, Puppies Behind Bars, Rehabilitation Through the Arts, etc. Hispanic and cultural services support those with limited English proficiency upon request. Recreation programs and other organizations offer opportunities for individuals to participate in community groups, fine arts, wellness programs, in addition to building meaningful and structured times that support the re-entry process.

You will also be assigned an Offender Rehabilitation Coordinator who you will meet with quarterly. This staff member will be your point of contact for time computation, classification status update, correspondence requests, program referrals and other requests. The ORC will work with other staff to assign you to programming. Keep in mind that some programming is mandated, and you will be required to participate to meet your parole requirements.

### **Do the programs I attended in NYC DOC count upstate?**

Attending programs while inside NYC DOC facilities can help you down the road in several ways. Your educational achievements through the NYC Department of Education will be recognized at DOCCS facilities. Certain certificates such as Food Handlers may open opportunities for employment at DOCCS facilities. You can share with your ORC the classes you attended while inside DOC facility, so that this information can help inform your program assignment in State prison. You can also discuss your program attendance as part of your parole board presentations.



Keep in mind that DOCCS' programming requirements and offerings are different from those offered in NYC DOC facilities. This means that if you are required to attend specific programming in State prison, such requirement may not change depending on the programming you attended while in NYC DOC's care.

### **Why should I attend programs at NYC DOC?**

Participating in programming gives you an opportunity to access resources and set yourself up for long-term success. Take advantage of NYC DOC's programming to create healthy habits, prepare for the next steps, and connect with a reentry provider. Program attendance is also taken into consideration when you appear before the parole board. By attending programming, you will also earn incentives such as access to enhanced recreation. If you are sentenced to prison, ask your Group Facilitator to give you a transcript summarizing which programs you completed while in NYC DOC custody. Your Offender Rehabilitation Coordinator in DOCCS will be able to see this summary, which could help inform your program assignment in State prison.

### **Can you tell me about religious services?**

DOCCS facilities have Chaplains who work closely with incarcerated individuals and provide religious counseling. There are weekly services in most facilities for the major faith groups and there are a variety of other religious activities as well. Ministerial Services is also responsible for meeting the religious needs of individuals who ascribe to less well-known religious faiths. Notably, individuals can request a waiver from the haircut requirement based on their religious beliefs/tenets.

## **Transfer to State Prison**

### **What happens on the day of the transfer?**

On the day of transfer, all individuals scheduled to be transferred to DOCCS custody are required to have a negative Covid test result, along with a temperature check. Males are transported by NYC DOC bus or Rally Wagon to the Green Haven Correctional Facility or Ulster Correctional Facility, whereas females are transported to Bedford Hills Correctional Facility. Upon your arrival, you will be searched, fingerprinted, medically screened, have your photo taken and ID issued. You are then afforded a shower and issued state clothing. You will receive a haircut (females and individuals from certain religious groups are exempt) during the intake process. A DOCCS ORC will inform you of phone and visit policy at your Intake/ Reception Center. Upon completion of the Reception / Classification process, you will be transferred to a General Confinement Facility where you may begin programming.

### **How can I bring family members' contact info with me?**

Practice memorizing the top 3 phone numbers! Some people also write them down in their religious texts.

## Staying in Touch with Family

### **How can I receive mail?**

Remember to notify your loved ones to include the following on any mail they send: Facility Address, Name, DIN and return address. Letters and appropriate photographs can be sent.

NYS DOCCS has instituted a vendor package policy, meaning packages must be mailed directly from an independent vendor with limited packages accepted directly from loved ones. Family members should consult the DOCCS website for detailed information. Ask a Programs staff member for a sample envelope with an address.

### **How will I make calls?**

In order for your loved ones to be able to accept your calls, please have them create an account with Securus. They can create an account by visiting [securustech.net](http://securustech.net). You will need to create a contact list for your loved ones. To update your phone list, you can reach out to your assigned counselor.

### **Can I send emails?**

NYS DOCCS facilities use the independent vendor, JPAY, to send secure emails, including pictures. You will be issued a loaner tablet during reception processing. Have your loved ones set up an account at [jpay.com](http://jpay.com). They must add you to their account to exchange secure messages.

### **How can my family visit?**

DOCCS facilities generally allow visitors to spend more time with their loved ones. Visiting days and times are different for each facility and are posted on the DOCCS website. With few exceptions, anyone can visit a person in custody, as long as it is during visiting hours, the visitor has proper identification, and the incarcerated person agrees to the visit.

If your visitor has been previously incarcerated, they must obtain permission to visit you from the Superintendent of the facility you are in. Please tell them to write a letter, detailing their former incarceration, the full name and DIN number of who they will be visiting. They must wait for a reply from the facility.



### **If I currently have CHIPP visits, will I continue to see my children?**

Yes. CHIPPS visits take place in DOCCS facilities. Contact your ORC to learn more.

### **How can my family send money?**

Visitors can leave cash, money orders and checks in the conventional visitor deposit lockbox located at each DOCCS facility. Money orders and checks, which are limited to \$999.00 or less, require the use of a facility provided JPay deposit slip, and will be sent by DOCCS directly to JPay for processing. Cash deposits are limited to \$50 and are processed by DOCCS facility staff. Money can also be deposited through DOCCS contracted vendor JPay, a national correctional services provider, by mail, telephone, online, mobile app and MoneyGram. There are no fees associated with depositing funds through the conventional visitor deposit lockbox located at each DOCCS facility, or by money order or check mailed to the JPay Lockbox address. There are fees associated with depositing money through JPay by telephone, online, mobile app and MoneyGram. Family and friends should visit the NYS DOCCS website for more information on deposit options.

### **What Health, Dental and Mental Health Care Will be Available to Me?**

All facilities have medical staff on site. Please follow the sick call procedure at your specific facility. Dental checkups are provided periodically, and follow-up/emergency services are provided as needed. DOCCS partners with the NYS Office of Mental health (OMH) to provide a continuum of care for individuals with a mental illness. Referrals occur upon intake and assessment into the facility, or at any time a need occurs.

### **Are There Services for Veterans?**

DOCCS offers specialized services for incarcerated Veterans, which vary by facility. All facilities enable Veterans to connect with a representative from the VA. Some facilities have a Veterans Organization or Veterans Education group that meets on a regular basis. Some facilities have a Veterans Residential Therapeutic program, a 6-month program that addresses readjustment issues with a focus on continuing recovery from substance misuse, PTSD, and contact with community providers. As individuals near the date of their release, DOCCS staff make referrals through the VA for appropriate levels of care.



### **Discharge Planning**

#### **When I'm released, how can I get back to the City?**

All individuals are released with at least \$40. These funds are collected from your incarcerated individual account throughout your incarceration via payroll lag and a gate money encumbrance. If your account does not collect the full \$40 at the time of release, you will be provided these funds by DOCCS. DOCCS provides transportation back to your county of conviction or the county of an approved release address. If your county of commitment is a NYC borough you will be provided

transportation to Grand Central Station. Additional transportation may be purchased using your \$40 release funds. In addition, several reentry providers assist with transportation. Reach out to your Offender Rehabilitation Coordinator for more information.

### **How can I get in touch with a reentry organization?**

We encourage you to stay in touch with the reentry provider that you worked with while in NYC DOC's care. You may do so via phone or email. While in DOCCS facilities, there are also different transitional service programs, including support with goal planning and gaining access to your personal documents, i.e., State ID, Birth Certificate, etc. The Osborne Association staff meet with individuals 4 months prior their release in specific facilities to assist with the discharge planning process and assist with benefits, clothing, housing, employment, substance misuse, transportation, and other areas.

## **Good Time and Other Forms of Early Release**

### **How does good time work?**

Section 70.40 of the New York State Penal Law states that incarcerated individuals may earn time allowances (good time) off their maximum term of imprisonment for good institutional behavior and completion of required programs. Individuals may earn 1/3 off their sentence for Indeterminate terms and 1/7 off for Determinate terms.

### **What is Earned Eligibility?**

The concept of the Earned Eligibility Program is based upon the premise that incarcerated individuals successfully participating in assigned programs will be more likely to make a successful transition to their family and the community upon release. Incarcerated individuals granted Certificates of Earned Eligibility prior to their Parole Board appearance shall be granted parole release at the expiration of the minimum term or successful participation in the Shock Incarceration Program<sup>1</sup>, unless the Board of Parole determines that there is a reasonable probability that if such individual is released, they will not live and remain at liberty without violating the law, and that their release is not compatible with the welfare of society. Eligibility criteria is defined in Directive #4793, "Earned Eligibility" which is available in the DOCCS facility Law Library.

### **What is Merit Time?**

Incarcerated individuals serving sentences for certain non-violent crimes may receive Merit Time allowance against their sentences provided they have achieved certain significant programmatic objectives defined in Directive #4790 "Merit Time" and maintained an acceptable disciplinary

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<sup>1</sup> Shock Incarceration is a 6-month military-style program that prepares eligible incarcerated individuals for early release consideration.



record. To earn Merit time, an eligible individual must successfully pursue their Program Plan /Earned Eligibility Program Plan in addition to meeting specific Merit Time program criteria.

Supplemental Merit Time allows eligible incarcerated individuals serving indeterminate sentences for Class A-II through Class E drug felony offenses to qualify for an additional one-Sixth reduction off their minimum sentence in addition to the conventional one-sixth Merit Time benefit. To earn Supplemental Merit time an eligible individual must successfully pursue their Program Plan /Earned Eligibility Program Plan in addition to meeting specific Supplemental Merit Time program criteria defined in Directive #4790 "Merit Time" which is available in the DOCCS facility Law Library.

### **What is Presumptive Release?**

Presumptive Release allows for eligible incarcerated individual serving nonviolent indeterminate sentences the possibility of release to Community Supervision without the necessity of an appearance before the Board of Parole. An eligible incarcerated individual must satisfy all specific criteria listed in Directive #4791 "Presumptive Release" which is available in the DOCCS facility Law Library.

### **What is Limited Credit Time Allowance?**

Incarcerated individuals serving certain violent offenses for either a determinate or indeterminate sentence may be eligible to earn a six-month Limited Credit Time Allowance (LCTA) against their sentences, provided they have achieved certain significant programmatic accomplishments, have not committed a serious disciplinary infraction or maintained an overall poor institutional record as defined in Directive #4792 " Limited Credit Time Allowances" which is available in the DOCCS facility Law Library.

## **Hope, Support and Other Resources**

### **I'm feeling overwhelmed about this transition. What can I do?**

It is understandable to feel overwhelmed about the upcoming change. Talk to your Counselor or Group Facilitator for guidance. Ask for resources on dealing with stress. You can also request to see a clinician.

### **What else can I do to learn more?**

Take time to review the *DOCCS Handbook for the Families and Friends of New York State DOCCS Inmates*. It has a wealth of information about each element of the process. This guide is available on your tablet at DOC. In addition, you can ask your Group Facilitator or Counselor for a copy of the *Beyond the Bridge* brochure or the *Connections Handbook*, both of which list NYC-based organizations that assist incarcerated and formerly incarcerated individuals.

Division of Programs and Community Partnerships

