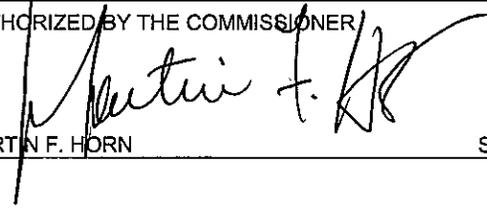




THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION



DIRECTIVE

<input type="checkbox"/> NEW <input type="checkbox"/> INTERIM <input checked="" type="checkbox"/> REVISED			SUBJECT		
EFFECTIVE DATE 05/01/07			*TERMINATION DATE / /		
BOARD OF CORRECTION AUTHORITY					
CLASSIFICATION # 1100R-A	SUPERSEDES 1100R	DATED 08/21/00	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DISTRIBUTION A	PAGE 1 OF 3 PAGES
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER			AUTHORIZED BY THE COMMISSIONER		
 CAROLYN THOMAS, CHIEF OF DEPARTMENT SIGNATURE			 MARTIN F. HORN SIGNATURE		

I. PURPOSE

To promulgate Departmental procedures pursuant to Section 626 of the New York City Charter which authorizes that access to all Departmental facilities, books, records, documents and papers be given to the New York City Board of Correction (BOC) members and staff.

II. POLICY

- A. It is the policy of the Department to cooperate with the Board of Correction in fulfilling its statutory obligations under the New York City Charter.
- B. The New York City Board of Correction members and staff have the following legal powers and duties under the New York City Charter:
 1. The inspection and visitation at any time of all institutions and facilities under the jurisdiction of the Department;
 2. The inspection of all books, records, documents and papers of the Department; and
 3. The holding of public or private hearings which would require the examination of witnesses as well as require the production of evidence, including books, papers or other evidence.

III. APPLICABILITY

This directive applies to all employees of the Department of Correction (DOC).

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IV. DEFINITION

The New York City Board of Correction and its responsibilities are established by the New York City Charter. The New York City Charter, as part of New York City law, mandates that the Board establish minimum standards for the care, custody, correction, treatment, supervision and discipline of inmates and evaluate the Department of Correction's performance. In addition, the Board submits reports to the Mayor, Commissioner and the City Council regarding the development of the Department's correctional program planning, and hears grievances and complaints on behalf of persons confined under the jurisdiction of the Department or by any employee of the Department. Studies or investigations of any matter within the jurisdiction of the Department may be conducted by the Board.

- A. Board of Correction members and staff shall have immediate and unrestricted access to all departmental facilities, including hospital prison wards and court pens, upon presenting their shields and identification cards.
- B. Except as delineated in Section V.3, Board of Correction members and staff shall be permitted to bring electronic equipment, including but not limited to cameras, into all Department facilities in order to document their inspections and to fulfill their obligations and responsibilities as established by the New York City Charter. Immediately upon entering a facility with electronic equipment, the Board members and staff will proceed directly to the office of the Commanding Officer or the highest ranking supervisor on duty and notify that supervisor that electronic equipment has been brought into the facility. That supervisor or his/her designee shall take whatever action is necessary to facilitate the work of the Board member or staff in carrying out their responsibilities.
- C. Board of Correction staff may view and photocopy departmental records. All requests by Board of Correction staff to view and photocopy departmental books, records, documents and papers are to be complied with promptly by Department staff.
- D. Requests that require the creation of new documents or requests that require a written response to questionnaires will be made by the Board of Correction through the Office of Policy and Compliance (OPC) to facilitate coordination, a prompt response, and the efficient utilization of the Department's resources.
- E. Board of Correction members and staff shall be permitted access to all crime scenes, while adhering to the following protocols:

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V. PROCEDURES

1. DOC will continue to promptly notify designated BOC staff whenever an unusual incident occurs at a DOC facility in accordance with Directive #5000R-A, REPORTING UNUSUAL INCIDENTS as well as any other Department guidelines regarding BOC notifications.
2. BOC representatives will respond to such incidents as BOC deems appropriate.
3. BOC representatives will be granted access to view a crime scene area under the accompaniment of a DOC staff member, and may remain at the crime scene for as long as is needed to accomplish their task. BOC representatives shall not be permitted to bring / utilize any video recording device, or still camera, into any crime scene area.
4. BOC representatives will observe all crime scene protocols upon entering the crime scene, while at the crime scene, and upon exiting the crime scene.
5. These protocols do not pertain to ongoing violent incidents in which DOC supervisory staff has determined that BOC representatives should not enter the immediate area because of an imminent threat to personnel safety and security. For example; during a ballistic search, DOC officials may require all non-essential personnel to remain outside the immediate area until DOC completes an initial search for a weapon and the imminent threat to personnel safety and security has been addressed. BOC representatives will be granted access at that time.
6. BOC representatives will cooperate with law enforcement authorities conducting criminal investigations as required by Mayoral Executive Order #16.

VI. REFERENCES

- A. New York City Charter, Chapter 25, Section 626
- B. Directive 5000R-A, Reporting Unusual Incidents, dated 11/19/04 (as amended)
- C. Mayoral Executive Order #16

VII. SUPERSEDES

- A. Directive #1100R, Board of Correction Authority, dated 08/21/00 (as amended).
- B. Teletype Order #HQ-4975-1, Directive #1100R- Board of Correction Authority, dated 12/06/00

VIII. SPECIAL INSTRUCTIONS

Commanding Officers shall prepare and promulgate institutional orders to ensure compliance with the provisions of this Directive.

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