



THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION



DIRECTIVE

<input checked="" type="checkbox"/> NEW <input type="checkbox"/> * INTERIM <input type="checkbox"/> REVISED			SUBJECT		
EFFECTIVE DATE 03/29/05		* TERMINATION DATE / /		AMNESTY BOXES	
CLASSIFICATION # 4525	SUPERSEDES	DATED	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DISTRIBUTION A	PAGE 1 OF 7 PAGES
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER			AUTHORIZED BY THE COMMISSIONER		
ROBERT N. DAVOREN, CHIEF OF DEPARTMENT SIGNATURE			MARTIN F. HORN SIGNATURE		

I. PURPOSE

The purpose of this Directive is to establish policy and procedure for the processing of all items removed from Amnesty Boxes located at Departmental facilities.



II. POLICY

Promoting, introducing and possessing contraband in a correctional facility is a violation of sections 205.20 and 205.25 of the Penal Law of the State of New York. Use of Amnesty Boxes is one of many measures employed by the Department to reduce the incidence of contraband entering its correctional facilities. All items removed from Amnesty Boxes shall be properly receipted, documented and subjected to internal controls that ensure the chain of custody for these items is maintained. Weapons, suspected narcotics and valuables removed from Amnesty Boxes shall be processed and disposed of in accordance with applicable laws and Departmental policies and procedures.

III. DEFINITION

Amnesty Boxes are sealed containers that enable visitors to anonymously dispose of contraband/non-permissible items, without fear of detection or arrest, before entering areas of correctional facilities where there is contact with inmates. Amnesty Boxes are strategically located in areas where visitors are processed for visits.

IV. PROCEDURE FOR USE OF AMNESTY BOXES

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A. LOCATION OF AMNESTY BOXES AND AMNESTY BOX SIGNS



1. Amnesty Boxes shall be located outside of the entrances to the Special Operations Division (SOD) Visit Control Building, the Samuel E. Perry Center and the Donald Cranston Judicial Center (DCJC). In addition, Amnesty Boxes shall be located adjacent to the visitor entrance to each correctional facility in the Department. In the case of the James A. Thomas Center, however, the Amnesty Box shall be located adjacent to the facility's main entrance. All Amnesty Boxes shall be clearly labeled in English and in Spanish.
2. Signs shall be conspicuously posted on and/or in the immediate vicinity of each Amnesty Box, in English and Spanish, that:
 - a. Notify visitors that it is a violation of applicable laws to bring contraband into a correctional facility;
 - b. Inform visitors of examples of items that constitute contraband/non-permissible items; and
 - c. Instruct visitors to dispose of contraband/non-permissible items in the Amnesty Box.

B. SCHEDULES FOR OPENING AMNESTY BOXES

1. The Office of the Chief of Custody Management and Special Operations shall promulgate schedules for the opening of all Amnesty Boxes located at the correctional facilities (on and off Rikers Island), the DCJC, the SOD Visit House and the Samuel E. Perry Center, for the purpose of removing and processing their contents. Correctional facility and the DCJC Amnesty Boxes shall be opened once per month. Amnesty Boxes at the SOD Visit House and the Samuel E. Perry Center shall be opened once per week.

IV. PROCEDURE FOR USE OF AMNESTY BOXES (cont.)

C. DESIGNATION AND ASSIGNMENT OF AUTHORIZED STAFF

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1. The Deputy Warden for Security of each correctional facility and the Commanding Officer of the Criminal Justice Bureau (in the case of DCJC) shall designate uniformed staff responsible for the opening of their Amnesty Boxes. The Commanding Officer of SOD shall designate an officer and uniformed supervisor responsible for the opening of the SOD Amnesty Boxes. In addition, the Commanding Officer of SOD shall designate uniform staff to participate in the opening of Amnesty Boxes located at the correctional facilities and DCJC.

D. SECURING OF AMNESTY BOXES

1. All Amnesty Boxes shall be secured with two padlocks. Each of the two padlocks on an Amnesty Box must be opened with a separate key. The Office of the Security Deputy Warden shall be issued one of the two padlock keys in the case of the correctional facilities, and the Commanding Officer of the Criminal Justice Bureau shall be issued one of the two padlock keys in the case of DCJC. Staff assigned to SOD shall maintain the other key for each correctional facility and DCJC Amnesty Box.
2. No Amnesty Box shall be opened without the participation of both the SOD officer and facility officer in the case of the correctional facilities located on and off Rikers Island. In addition, the Amnesty Box located at DCJC shall not be opened without the participation of both the SOD officer and DCJC officer.
3. In the case of the Amnesty Boxes located at the SOD Visit House and the Samuel E. Perry Center, all padlock keys shall be maintained by SOD. The Commanding Officer of SOD shall ensure that the keys for both locks are stored and properly secured in separate locations. Only an SOD supervisor is authorized to issue these keys. In addition, these keys shall only be issued to the SOD staff designated to empty the Amnesty Boxes. No Amnesty Box located at the SOD Visit House and the Samuel E. Perry Center shall be opened without the participation of two SOD assigned staff.

IV. PROCEDURE FOR USE OF AMNESTY BOXES (cont.)

E. AMNESTY BOX KEY CONTROL

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1. All padlock keys, when not issued to assigned staff for the purpose of opening Amnesty Boxes in accordance with the schedule promulgated by Custody Management and Special Operations, shall be properly tagged and stored in designated key control areas. No staff shall be permitted to store Amnesty Box keys on their person.
2. Removal of keys to the Amnesty Boxes from key control areas shall be documented in accordance with Directive 4519R-A, Key Control, Section III, A (Issuing Keys), including recording the issuance and return of these keys in a logbook.

F. DOCUMENTATION OF ITEMS REMOVED FROM AMNESTY BOXES

1. All unused pre-numbered Amnesty Box Item Receipt Forms shall be retained and properly secured by SOD. The SOD officer shall be responsible for providing the Amnesty Box Item Receipt Forms for completion at the correctional facilities and DCJC.
2. Staff members assigned to empty the Amnesty Boxes shall immediately document all contents removed from Amnesty Boxes on the pre-numbered Amnesty Box Item Receipt Form. Pre-numbered Amnesty Box Item Receipt Forms shall be used in sequential order. If an Amnesty Box Item Receipt Form must be voided, SOD staff shall draw a diagonal line across the form, write the word "VOID," the reason for the void, the date of the void, and affix his signature and shield number on the form. SOD shall retain originals of all such voided Amnesty Box Item Receipt Forms on file.
3. Staff removing contents from the Amnesty Box shall indicate the following information on the appropriate sections of the Amnesty Box Item Receipt Form:
 - a. Date and Time;
 - b. Location of Amnesty Box;
 - c. Itemized listing of all weapons and suspected narcotics removed from Amnesty Box;
 - d. Itemized listing of all valuable items removed from Amnesty Box; and

IV. PROCEDURE FOR USE OF AMNESTY BOXES (cont.)

- e. Itemized listing of all non-valuable items removed from Amnesty Box.



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4. Upon completion of the above sections of the form, both of the above referenced staff shall attest in writing on the appropriate section on the form that the information recorded is accurate and complete, and shall print and sign their names, record their shield numbers and indicate the date. The original of the completed Amnesty Box Item Receipt Form shall be filed with SOD and a copy shall be filed in the Office of the Security Deputy Warden in the case of the correctional facility Amnesty Boxes, or in the Office of the Commanding Officer of the Criminal Justice Bureau in the case of the DCJC Amnesty Box. Copies of the form shall also be filed with the Inmate Property Unit under the circumstances described in Section IV. H.

G. PROCESSING OF WEAPONS AND SUSPECTED NARCOTICS

- Weapons and suspected narcotics removed from Amnesty Boxes shall be processed as follows: Weapons and suspected narcotics removed from the Amnesty Box shall be reported immediately to the Security Deputy Warden in the case of facility based Amnesty Boxes, to the Tour Commander in the case of SOD, or to the Executive Officer in the case of DCJC. After verifying the presence of all recorded weapons and/or suspected narcotics, the Security Deputy Warden, Tour Commander or Executive Officer shall print and sign his name and record his shield number and the date on the appropriate section of the Amnesty Box Item Receipt Form, acknowledging receipt of weapons and/or suspected narcotics. A copy of this signed form shall be retained and filed by the facility and DCJC. SOD shall retain and file the original.
- Weapons and suspected narcotics shall be issued a control number, logged in the evidence logbook, and stored in a locked safe until turned over to the Investigations Division in accordance with Directive 7001R, Investigation Division. In the case of suspected narcotics removed from an Amnesty Box, the Security Deputy Warden, Tour Commander or Executive Officer, as appropriate, shall also complete a Receipt of Narcotic Form (Form # I.G. 8 R 11-87) and submit it to the Investigations Division with suspected narcotics in accordance with Directive 2307R, Surrender and Safekeeping of Inmate Property.

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3. Commanding Officers shall report the presence of a firearm or explosive device in an Amnesty Box as an Unusual Incident, by notifying the Central Operation Desk (C.O.D.) in accordance with Directive 5000R-A, Reporting Unusual Incidents. C.O.D. will make all required notifications. The Commanding Officer of the facility where a firearm or explosive device was discovered in the Amnesty Box shall be responsible for reporting the Unusual Incident.



NOTE: In the event that a package believed to be an explosive device is discovered, the staff members emptying the Amnesty Box shall leave the box open and immediately evacuate the immediate area, and activate the Department's bomb threat procedures. The staff members shall refrain from conducting radio transmissions and using cell phones.

H. PROCESSING OF VALUABLE PROPERTY

1. The SOD officer shall immediately deliver valuable property removed from Amnesty Boxes to the Inmate Property Unit for processing and disposal in accordance with the NYC Administrative Code and Directive 2307R, Surrender and Safekeeping of Inmate Property. Correctional facility and DCJC staff shall remain at their parent command.
2. Section XIX, N.3.(e) of this Directive defines valuable property as:
 - All U.S. currency (bills and coins);
 - All foreign currency (bills and coins);
 - All tokens with monetary value;
 - All jewelry;
 - All electronic equipment;
 - All watches;
 - Other items as applicable.
3. After verifying the presence of all recorded valuable items, the officer assigned to the Inmate Property Unit shall print and sign his name and record his shield number and the date on the appropriate section of the Amnesty Box Item Receipt Form, acknowledging receipt of the valuable items. The Property Unit Officer shall retain a copy of the Amnesty Box Item Receipt Form with his signature affixed to the document, and shall process the delivered items in accordance with Directive 2307R. SOD staff that delivered the valuable items to the Property Unit shall retain the original signed form and file it with SOD.

IV. PROCEDURE FOR USE OF AMNESTY BOXES (cont.)

I. PROCESSING OF NON-VALUABLE PROPERTY

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1. The SOD, facility and DCJC staff assigned to remove contents from the Amnesty Boxes shall promptly dispose of all non-valuable items. Non-valuable items which consist of material that is subject to recycling laws shall be disposed of in accordance with Operations Order 01/98, Recycling.

J. REPORTING

1. The Office of Custody Management and Special Operations shall prepare and issue monthly reports documenting all weapons, suspected narcotics, valuables and non-valuables removed from each Amnesty Box. The report shall also document the manner in which all items were disposed.

V. REFERENCES

- A. Directive #2005, INMATE VISIT PROCEDURES RIKERS ISLAND, dated 06/18/04
- B. Directive #2307R, SURRENDER AND SAFEKEEPING OF INMATE PROPERTY, dated 09/11/98.
- C. Directive #4519R-A, KEY CONTROL, dated 07/10/03.
- D. Directive #5000R-A, REPORTING UNUSUAL INCIDENTS, dated 11/19/04.
- E. Directive #7001R, INVESTIGATION DIVISION, dated 09/28/92
- F. Operations Order #01/98, RECYCLING, dated 02/24/98.
- G. Sections 205.20 and 205.25 of the Penal Law of the State of New York.
- H. Section 14-140 of the Administrative Code of the City of New York.

VI. ATTACHMENTS

- A. AMNESTY BOX ITEM RECEIPT FORM (Form 4525).
- B. RECEIPT OF NARCOTICS FORM (Form # I.G. 8 R 11-87).