



Board of Correction

One Year Review:

Visit Restrictions,

March 2017 – February 2018

Since March 2016, the Board of Correction (“BOC” or “the Board”) has published a monthly report analyzing NYC Department of Correction and BOC visits, visit restriction, and visit appeals. In limited circumstances, as described in BOC Minimum Standard 1-09(h), the Department of Correction (“DOC” or “the Department”) may restrict an inmate’s right to visit with a particular visitor and/or right to contact visits with all visitors. The restriction must be in writing and a copy of each restriction must be sent to the person(s) affected by the restriction and to the Board within 24 hours of a determination.

This report reviews trends in visits and visit restrictions from March 1, 2017 through February 28, 2018. This report is divided into five sections: non-contact visit restrictions on people in custody, restrictions on visitors, one-day visit denials and cancellations, six-month reviews of non-contact restrictions, and visit appeals and complaints.

The Board’s monthly reports seek to reinforce the Board’s and the Department’s shared commitment to the importance of visits and improving the visiting process, as well as a shared commitment to safety and monitoring security mechanisms.

Over this one-year period, there were 253,803 visitors to the NYC jails. Visits per person in custody per month ranged from 1.5 in January 2018 to 1.8 in August 2017.



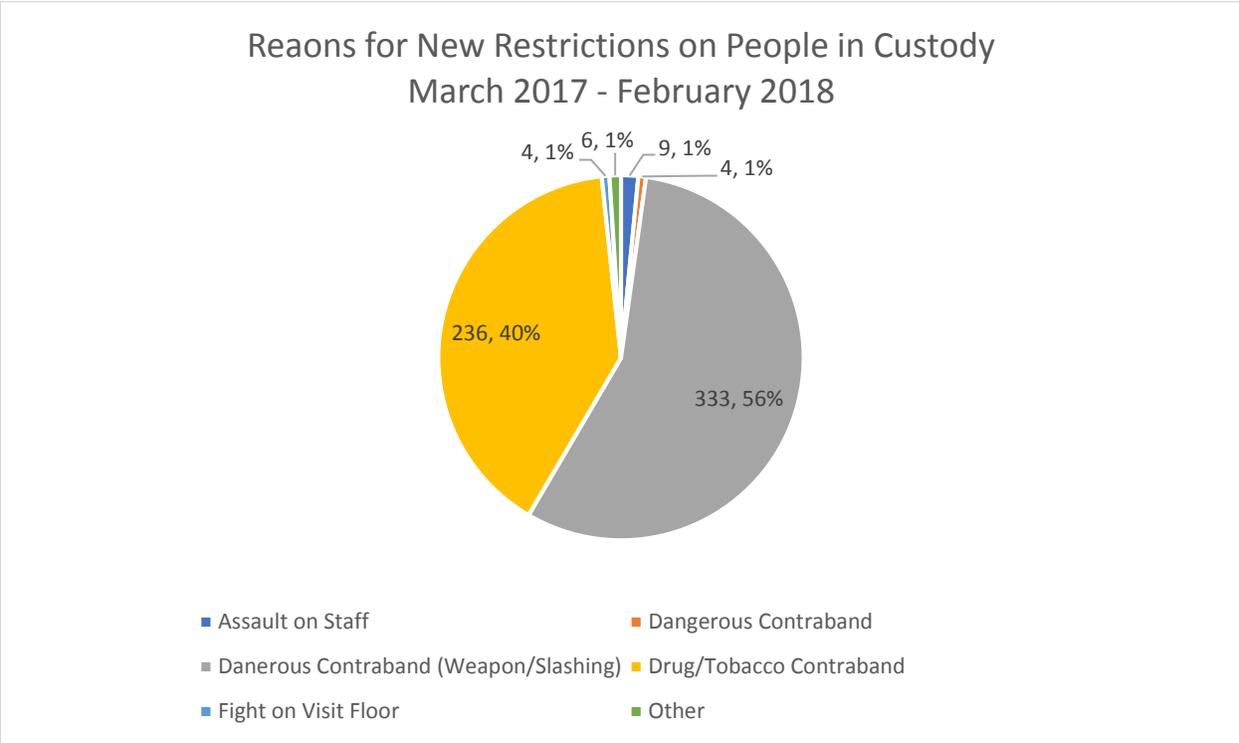
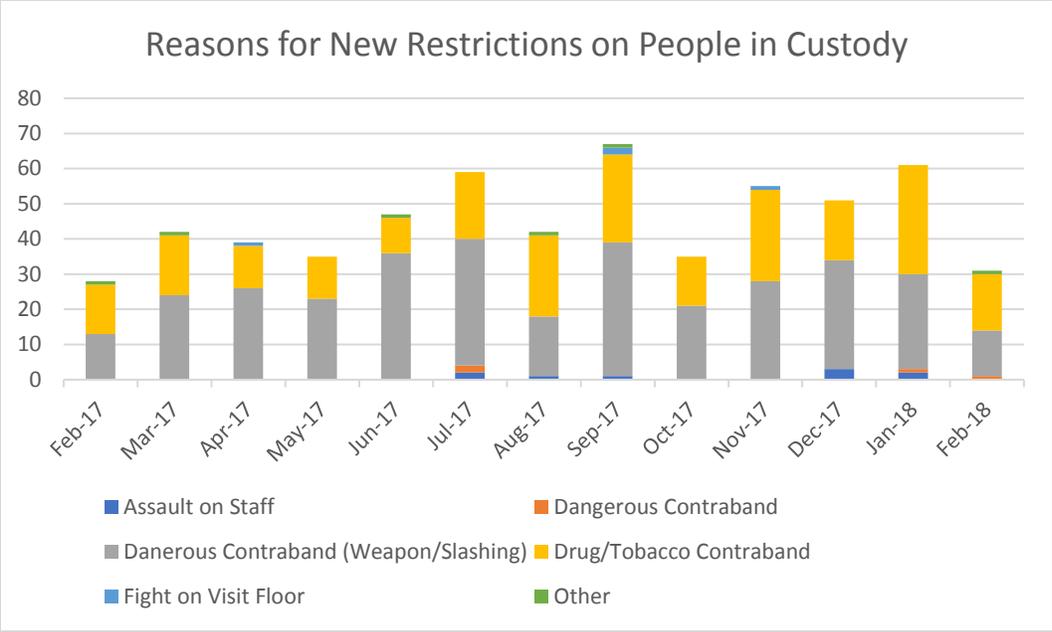
Non-Contact Visit Restrictions on People in Custody

During the twelve-month period, 567 visit restrictions were issued to people in custody. The average number of non-contact visit restrictions issued to people in custody each month was 47. The most restrictions issued in a month was 67 in September 2017 which was followed by the 12-month low 25 restrictions issued in October 2017.

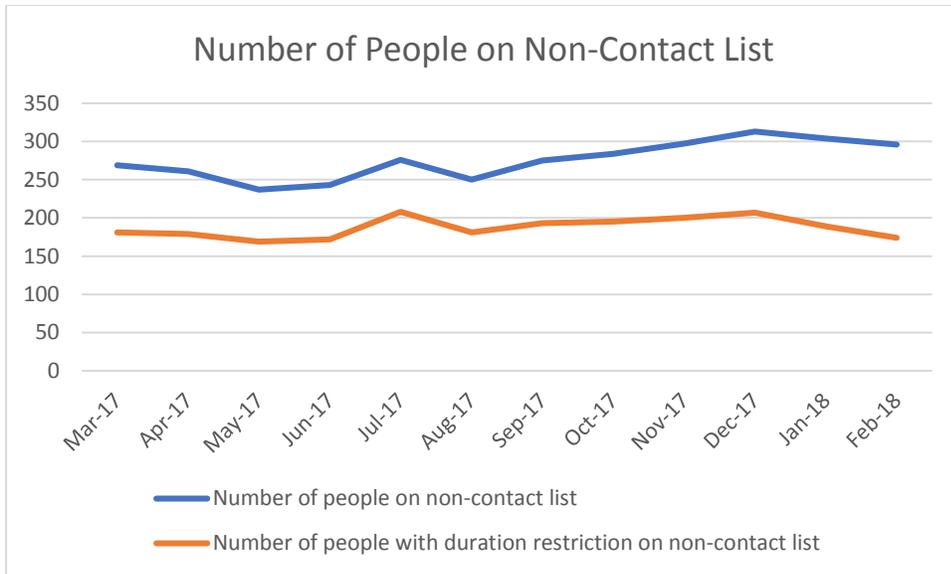
Whenever the Department restricts a person's visiting rights, the Minimum Standards require that the Department documents the restriction in writing and shares it with the Board. The Department sent the Board copies of 75% of the visit restrictions it administered to people in custody (416 of 567). In February 2018, the Department shared 94% of visit restriction administered while in June 2017, only 49% were shared.



People in custody can be restricted by the Department for a variety of reasons. During this period, dangerous contraband (weapon/slashing) was the top reason for restrictions issued to people in custody (n=333, 61%). This was followed by drug/tobacco contraband (n=236, 43%).

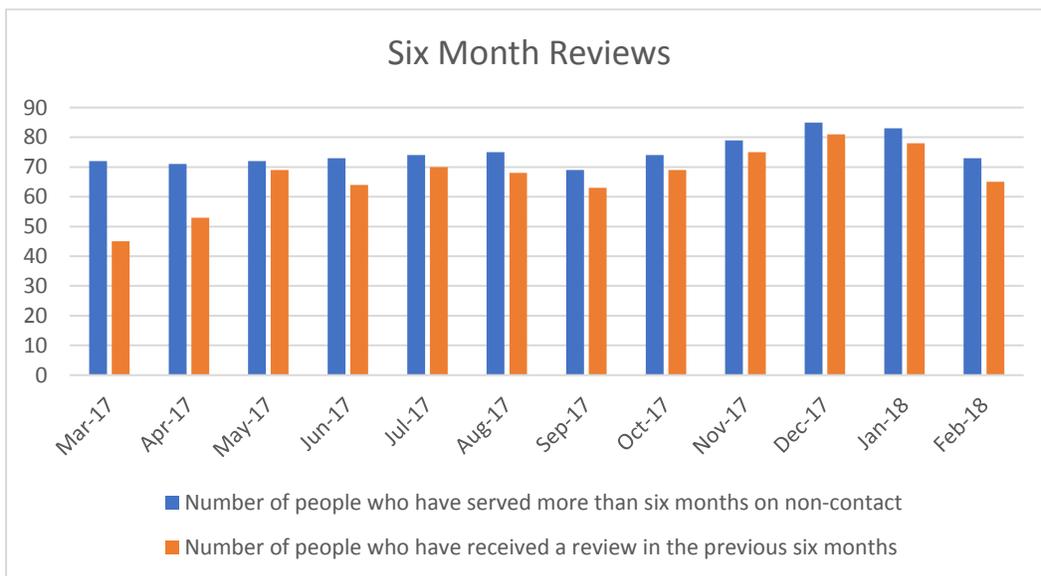


Over the course of the year, an average of 275 people in custody were on the non-contact list at a given time. An average of 68% of those people were given non-contact restrictions to last for the duration of their incarcerations and on average had served from 175 to 201 days without a contact visit.



SIX MONTH REVIEWS

Per DOC policy, if a person in custody has been restricted to non-contact visits for a period greater than six months, he should receive periodic review of such restriction. The review shall be conducted not less than once every six months.¹ At the beginning of this period, in March 2017, 63% of people eligible for review had actually received a review. By May 2017, 96% of eligible people had received their review and did not drop again below 89%.

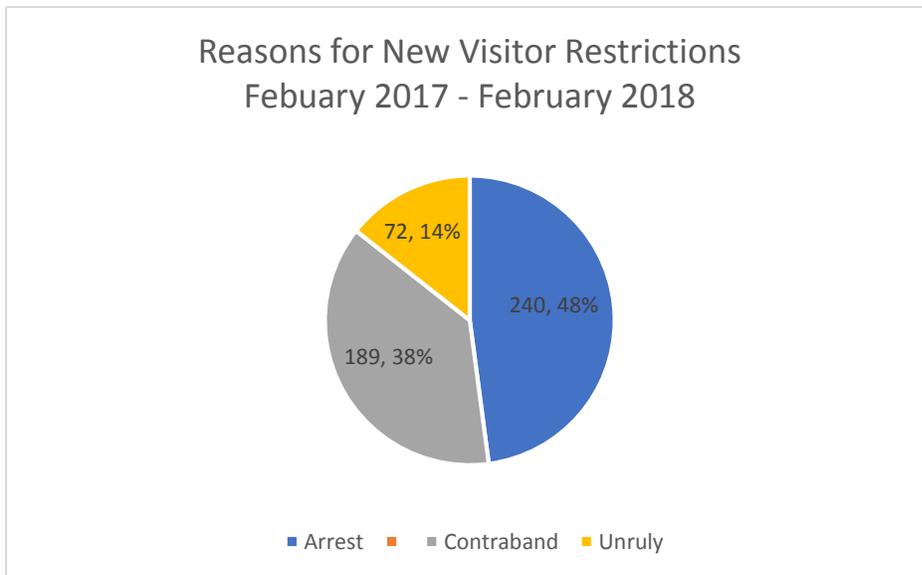
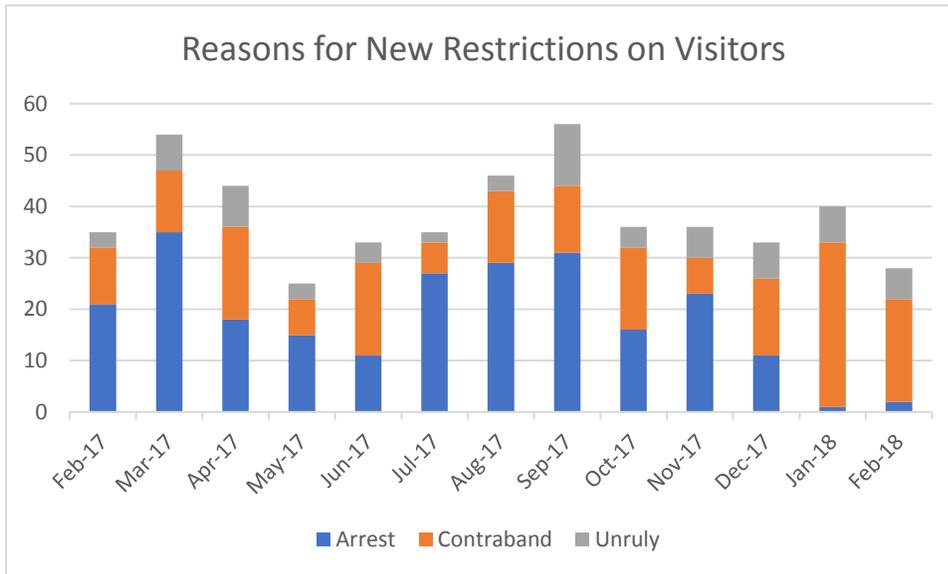


¹ DOC Inmate Visit Procedures, Directive #2007R-C, https://www1.nyc.gov/assets/doc/downloads/directives/Directive_2007R-C.pdf#page=7.

Non-Contact Visit Restrictions on Visitors

During the one-year period, the Department issued 466 restrictions on visitors, an average of 39 per month. The Board received 97% (n=454) of these restrictions.

During this period, “arrest” was the top reason for restrictions issued to visitors (n=240, 52%). This was followed by contraband (n=189, 41%).



Length of Visit Restrictions

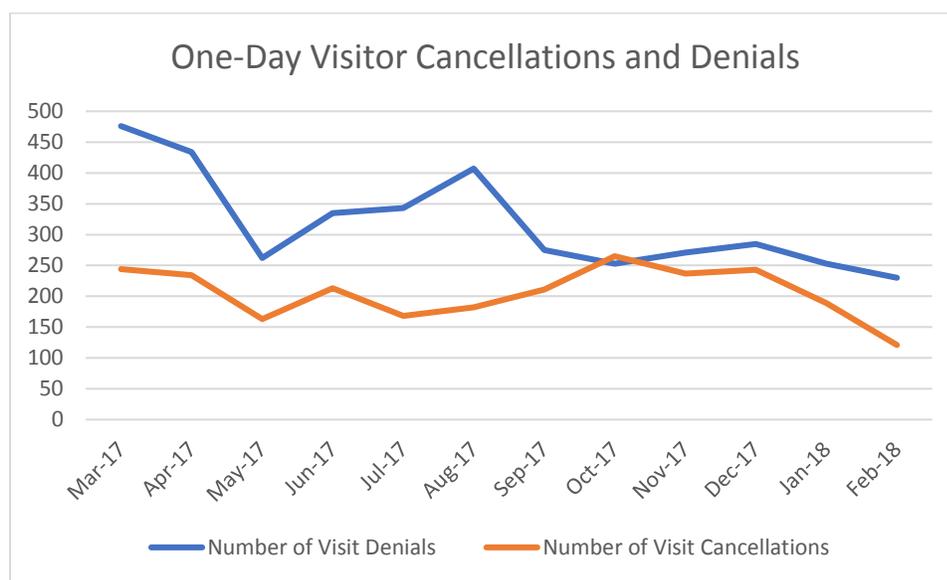
Over the one-year period, 57% of restrictions imposed on people in custody were for the duration of incarceration. 55% of restrictions imposed on visitors were for 365 days.

During this period, the Department began imposing “indefinite” restrictions on visitors. The Department administered the first indefinite restriction in August 2017 followed by three in October, six in November, one in December, and one in February 2018.

90 Days or Less		91-180 days		365 Days		Duration	Indefinite	Other	
Person in Custody	Visitor	Person in Custody	Visitor						
0	29	237 ²	159	6	254	324	12	0	12

One-Day Visit Cancellations and Denials

During the past year, BOC’s monthly report also monitored one-day denials and cancellations issued to visitors. Over this time, DOC issued 3,824 one-day denials (average of 319 per month) and 2,470 one-day cancellations (average of 206 per month).³



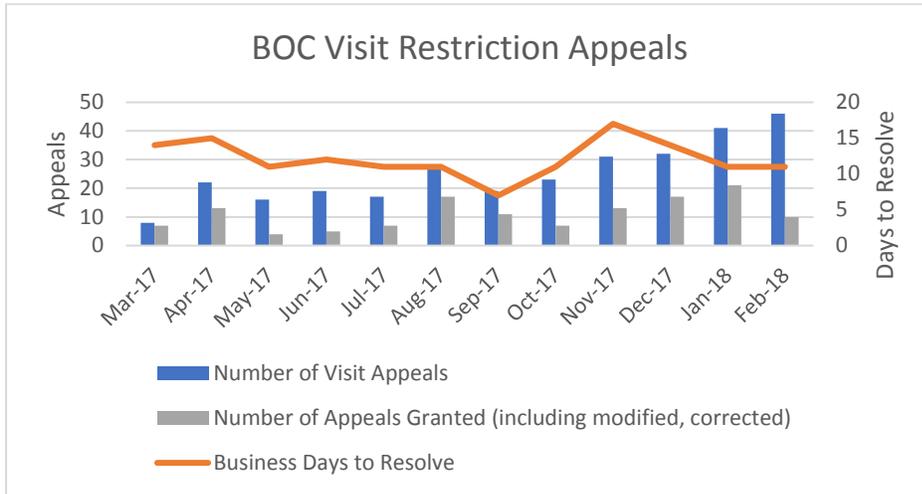
Visit Appeals and Complaints

Any person (visitor or person in custody) impacted by a DOC visit restriction may appeal that restriction to the Board of Correction. Over the one-year period, the Board received a total of 301 visit appeals, an

² All restrictions on people in custody in this category were for 180 days.

³ If the Department provides an individualized reason for a decision to not allow a visit on a certain day, the Board considers this a “denial.” If a visit does not occur because the visitor chooses not to visit or due to operational constraints (i.e. person is out to court).

average of 25 per month. The Board granted 44% (n=132) of the appeals.⁴ Month to month, Board decisions took an average of 7 to 17 business days to resolve.⁵



During this period, the Board also received 46 complaints related to the visiting process that were not appeals of restrictions.



⁴ Granting an appeal includes restoring contact visits, modifying the restriction, or correcting the restriction.

⁵ The Minimum Standards require the Board issue a decision on appeal within five business days of receiving notice of the appeal. Where there exists good cause to extend the period, the Board may issue a single extension not to exceed ten business days, 1-09(i)(1)(iv).