
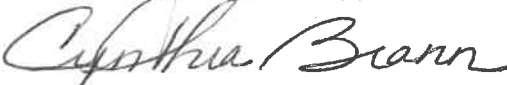




THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION



DIRECTIVE

<input type="checkbox"/> NEW <input type="checkbox"/> INTERIM <input checked="" type="checkbox"/> REVISED			SUBJECT VISIT PROCEDURES FOR INCARCERATED INDIVIDUALS		
EFFECTIVE DATE 3/1/21		TERMINATION DATE / /			
CLASSIFICATION # 2007R-E	SUPERSEDES 2007R-D	DATED 6/1/18	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DISTRIBUTION A	PAGE 1 OF 44 PAGES
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER  HAZEL JENNINGS, CHIEF OF DEPARTMENT SIGNATURE			AUTHORIZED BY THE COMMISSIONER  CYNTHIA BRANN SIGNATURE		

I. PURPOSE



The purpose of this Directive is to outline New York City Department of Correction (Department) policy, guidelines, and procedures for incarcerated individual visits.

Maintaining personal connections with social and family networks and support systems is critical to improving outcomes both during confinement and upon reentry. Visitation with friends and family plays an instrumental role in an incarcerated individual's ability to maintain these connections and should therefore be encouraged and facilitated by the Department.

II. POLICY



- A. All approved incarcerated individual visitors shall be allowed access to the Department's facilities in an efficient and courteous manner during established visiting hours.
- B. Access to visitation shall not be denied, revoked, limited or interfered with based on an incarcerated individual's or a prospective visitor's actual or perceived sex; sexual orientation; race; age, except as otherwise provided in this Directive; nationality; political beliefs; religion; criminal record; pending criminal or civil case; lack of family relationship; gender, including gender identity, self-image, appearance, behavior or expression; or disability.
- C. Visits shall be provided in areas that allow for easy and informal communication and shall be free from as much custodial constraint as possible.
- D. Visits shall not be listened to or monitored unless a lawful warrant is obtained. However, visual supervision of visits shall be maintained at all times to ensure that the safety and security of each facility is maintained.

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II. POLICY (Cont.)

- E. Visiting rights may be limited or denied when it is determined that the exercise of those rights constitutes a serious threat to the safety and security of the facility concerned.
- F. The Department shall provide information to visitors (by telephone or internet) about the visit program. This information shall include the facility where an individual is incarcerated, the visit schedule, and directions to the facility and/or Rikers Island.
- G. Within the visit schedule, an incarcerated individual may have additional visits and have the length of a visit extended provided that space and time in the visiting facility permits.
- H. Staff shall make every effort to conduct a minimum of administrative processing in registering and searching visitors and shall not conduct duplicative processing. Visitors shall be permitted to go promptly to their visits. Whenever visits are scheduled to begin at a specific time, visitors shall not be required to arrive and register more than one-half hour prior to that time.
- I. Individual visits shall begin as soon as the visitor and the incarcerated individual is present at the visit room and seating is available. Visiting shall be conducted on a flexible, "rolling" schedule to permit continuous turnover of visitors during visiting hours and to maximize the seating capacity of the visit room. There shall be no fixed time for the beginning or end of visit sessions (e.g., every hour on the hour). The Department shall make every effort to minimize waiting time prior to a visit.
- J. Upon the proper registration of a visitor, the incarcerated individual being visited shall be promptly located and permitted to go to the visiting area. Prior to entering the visiting room, the incarcerated individual shall be informed of the identity of the prospective visitor and consent to the visit.
- K. During visit hours, all facilities shall assign a Captain to supervise the visit process. The Special Operations Division (SOD) shall have an assigned Visit Captain for the Rikers Island Visit Control Building.
- L. **Failure to comply with any provisions of this Directive may result in disciplinary action up to and including termination from employment with the Department for Staff, and denial of access to Department Facilities for Non-DOC Staff.**

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III. INCARCERATED INDIVIDUAL AND VISITOR ENTITLEMENTS, LIMITATIONS, AND DENIALS

A. APPROVED VISITORS

- Any properly identified person, sixteen (16) years of age or older, shall be permitted to visit an incarcerated individual with the individual's consent. Individuals under the age of sixteen (16) may visit provided they are accompanied by a properly identified adult at least eighteen (18) years of age who must remain with them for the duration of the visit. A person sixteen (16) or seventeen (17) years of age may visit but cannot act as an adult to accompany visitors under the age of sixteen (16) unless he or she is the parent of the child and the incarcerated individual being visited is also the parent of the same child.



Note: For visitor identification requirements see Section IV.I.2 of this Directive.

- Prior to entering the visiting room, the incarcerated individual shall be informed of the identity of the prospective visitor and consent to the visit. A refusal by an incarcerated individual to meet with a particular visitor shall not affect the incarcerated individual's right to meet with any other visitor during that period nor the incarcerated individual's right to meet with the refused visitor on a subsequent visit.

B. NUMBER OF VISITORS

- Incarcerated individuals are permitted to visit with at least three (3) visitors at the same time with the maximum number to be determined by conditions set forth in each facility (e.g., availability of space, volume of visitors/incarcerated individuals, etc.).
- Visitors shall be permitted to visit with at most two (2) incarcerated individuals at the same time provided they are housed in the same facility.
- If there is a lack of space, a facility may limit the total number of persons for any group of visitors and incarcerated individuals to four (4). Such a limitation shall be waived in cases involving special necessity (such as emergency situations, situations involving lengthy travel time, or other circumstances as determined by the respective Commanding Officer).

C. VISITING SCHEDULES (DETAINEES AND SENTENCED INCARCERATED INDIVIDUALS)

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1. Each detainee is entitled to receive a visit within twenty-four (24) hours after his or her initial admission to any detention facility. If an established visiting period is not scheduled within that time, arrangements shall be made to ensure that this initial visit is made available.
2. Visiting hours and days shall be the same at all facilities. The visit schedule shall be as follows:
 - a. Weekdays and evenings: On Wednesdays and Thursdays, weekday registration hours will be open from 1300 hours until 2000 hours. Daytime visit hours will be from 1400 hours until the last visitor registered has visited or until 1700 hours, whichever is later. Evening visit hours will be from 1800 hours until the last visitor registered has visited or until 2100 hours, whichever is later.
 - i. On Wednesdays and Thursdays, the Rikers Island Visit Control Building will be open to process arriving and departing visitors from 1230 hours until the last visitor departs or 2200 hours, whichever is later.
 - b. Weekends: On Fridays, Saturdays, and Sundays, weekend registration hours will be from 0700 hours until 1400 hours. Weekend visit hours will be from 0700 hours until the last visitor registered has visited or until 1600 hours, whichever is later.
 - i. On Fridays, Saturdays, and Sundays, the Rikers Island Visit Control Building will be opened to process arriving and departing visitors from 0700 hours until the last visitor departs or 1700 hours, whichever is later.

D. INCARCERATED INDIVIDUALS SCHEDULED TO VISIT

1. Incarcerated individuals whose last name begin with letters "A" through "L" visit on the first and third (and, when it occurs, fifth) Wednesday and Saturday of the month and on the second and fourth Sunday and Thursday of the month.
2. Incarcerated individuals whose last name begin with letters "M" through "Z" will visit on the first and third (and, when it occurs, fifth) Sunday and Thursday of the month and on the second and fourth Wednesday and Saturday of the month.
3. All incarcerated individuals may receive visits on Fridays.

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4. Visits shall last at least one (1) hour. This time period shall not begin until the incarcerated individual and visitor meet in the Visit Room. If space and time permits, visits may be extended by up to one (1) hour.



E. FREQUENCY OF VISITS

1. Detainees may receive visits at least three (3) times per week, with at least one (1) during an evening or weekend, according to the schedule.
2. Sentenced incarcerated individuals may receive visits at least two (2) times per week, with at least one (1) during an evening or weekend, according to the schedule.
3. Under ordinary circumstances, visits for detainee and sentenced incarcerated individuals are limited to one (1) per day. Such limitation may be waived in cases involving special necessity (such as emergency situations, situations involving lengthy travel time, or other circumstances as determined by the respective facility's Commanding Officer).
4. Official visits of properly identified persons providing services or assistance, including attorneys, doctors, religious advisors, public officials, therapists, counselors, and media representatives shall not count against this number.
5. There shall be no limit to the frequency of visits by a particular visitor.

F. RULES AND PROCEDURES RELATIVE TO LIMITING OR DENYING VISITS

1. Limitation or Denial of Current Visit
 - a. As it pertains to visitors: any visitor, at any stage of the visit process, who appears to be under the influence of alcohol or drugs, refuses to comply with Department rules, is found to be in possession of contraband, or who fails to clear a security device, may be denied a visit. Such incidents shall be brought to the attention of the Tour Commander (or their designee). If the Tour Commander (or their designee) determines that a denial of visit is warranted, they shall direct the officer to complete Form 143R, "Notice to Incarcerated Individual/Visitor of Cancellation/Limitation/Denial of Visiting Access" (Attachment A). This form shall contain the following information:

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- i. Date of visit;
- ii. Incarcerated individual's complete name;
- iii. Incarcerated individual's book & case and NYSID numbers;
- iv. Incarcerated individual's facility and housing area;
- v. Visitor's complete name;
- vi. Visitor's relationship to incarcerated individual;
- vii. Reason for denial/limitation.



viii. **Whether the visitor cleared the metal detector, transfrisker, and/or any other metal detective device.**

The visitation rights of an incarcerated individual with a particular visitor may be limited or denied only when it has been determined that the exercise of those rights constitutes a threat to the safety or security of visitors or the institution. This may happen only if denying the right to contact visits alone would not reduce this threat. This determination must be based on specific acts committed by the visitor during a prior visit that demonstrates his/her threat to the safety or security of a particular facility, or on specific information received and verified that the visitor plans to engage in acts during the next visit that will be a threat to the safety or security of the facility.

- b. As it pertains to incarcerated individuals: any incarcerated individual, at any stage of the visit process, who appears to be under the influence of alcohol or drugs, refuses to comply with Department rules, is found to be in possession of contraband, or fails to clear a security device, may be denied a visit.

An incarcerated individual's right to contact visits may be denied, revoked, or limited only when it is determined that such visits constitute a serious threat to the safety or security of a facility. Should a determination be made to deny, revoke or limit an incarcerated individual's right to contact visits in the usual manner, the incarcerated individual shall be afforded non-contact visits. This determination must be based on specific acts committed by the incarcerated individual while in custody under the present charge or sentence that demonstrate his or her threat to the safety and security of a facility, or on specific information received and verified that the incarcerated individual plans to engage in acts during the next visit that will be a threat to the safety or security of the facility. Prior to any determination, the incarcerated individual shall be provided with written notification of the

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specific charges, the names of the charging parties, and their statements. This determination shall be made via Form 143R.

- c. This determination to restrict incarcerated individual and visitor restrictions shall be made by the Tour Commander (or their designee) who shall also provide written notification and specific charges, including the names and the statements of the charging parties, to both the intended visitor and the incarcerated individual.



The Tour Commander (or their designee) authorizing the denial shall then review the information to ensure its completeness and accuracy and then sign the denial. Copies of the form shall be made and given to the Commanding Officer of SOD, Deputy Warden for Programs (incarcerated individual's facility), the incarcerated individual, and the visitor. The original shall be filed in the incarcerated individual's folder, a signed copy should be kept by the Deputy Warden of Programs, OSIU, and the Visit Compliance Unit and added to a share drive.

- d. The Commanding Officer or designee shall ensure that the Form 143R is faxed to the Board of Correction (212)-669-7980 within twenty-four (24) hours, weekends and holidays included.

2. Periodic Review for Non-Contact Visit Restriction Imposed on an Incarcerated individual for a Period Greater than Six (6) Months.

- a. Whenever an incarcerated individual is subject to non-contact visit restrictions for a period greater than six (6) months, a periodic review shall be conducted.
- b. The periodic review of such restrictions shall be conducted by the Deputy Warden of Security not less than once every six (6) months to determine whether the restrictions remain appropriate under all known circumstances.
- c. The procedures for such review by the Deputy Warden of Security shall be as follows:
 - i. OSIU shall maintain an on-going list of incarcerated individuals who have been placed into non-contact visit status for any reason. This listing shall include the date the limitation was imposed and the basis

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for such disposition. This report shall be provided to the Bureau Chief of Security on the first business day of each week.

- ii. For each incarcerated individual that has been denied contact visits for six (6) months or more, every six (6) months from the date the restriction started, the Deputy Warden of Security at the appropriate facility shall submit a report within five (5) business days summarizing any known information regarding the incarcerated individual's behavior during their current incarceration (including the behavior during the non-contact visit period) which would indicate that restoring contact visits would result in a continued threat to the safety and security of the facility. Such report shall include, at a minimum:
 - A. Whether the incarcerated individual has been found guilty of any infractions during the previous six (6) months;
 - B. Whether the incarcerated individual has been involved in any incarcerated individual fights or other acts of violence during the previous six (6) months and during their current incarceration; or
 - C. Whether the incarcerated individual has otherwise been implicated as a participant in any promotion of dangerous contraband which would threaten the safety and security of a facility.
- iii. The report should also include a copy of the Form 143R which was generated at the time the limitation was imposed.
- iv. Based upon the report and information, the Deputy Warden of Security shall determine whether the incarcerated individual's restriction to non-contact visits should be continued. As a general matter, limitations to non-contact visits should not be continued beyond six (6) months unless the incarcerated individual has engaged in further infractions or violent activity during the previous six (6) months period or unless there is evidence of prior activity which would support continued limitation.
- v. The results of the review and determination by the Bureau Chief of Security shall be provided to the Commanding Officer of the

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applicable facility and maintained in the incarcerated individual's file, the Deputy Warden of Programs Office, OSIU, and the Visit Compliance Office.

3. Incarcerated individual and Visitor Appeal Process

- a. The visitor or incarcerated individual who is affected shall have the opportunity to be heard on the charges face-to-face with the Deputy Warden for Programs or the Warden of SOD, if applicable. At the visitor's or incarcerated individual's request, this determination shall be reviewed by the Deputy Warden for Programs every thirty (30) days. The name of an informant who provided information for the determination may be withheld if necessary to protect his/her safety.
- b. Visitors and incarcerated individuals whose access to visitation has been limited or denied may appeal to the New York City Board of Correction (BOC). Any

person doing so shall give notice in writing to the BOC and to the Commanding Officer. The facility and any person affected by the determination may submit to the BOC, for its consideration, any evidence or relevant material concerning the determination. The BOC, or its designee, shall issue a written decision upon the appeal within five (5) business days after it has received notice of the requested review. The BOC or designee may issue a single extension of up to ten (10) business days if extenuating circumstances prevent the rendering of a decision within the five (5) day timeframe. In such instances, the BOC shall immediately notify the Department and any persons affected by the extension. The decision letters must be forwarded to the Chief of Department or a designee. Non-contact visits will not be restored until the Chief of Department or a designee makes a final determination. If the BOC grants an appeal and the Chief of Department or their designee disagrees with BOC's recommendation or decides to modify the restriction, The Central Visit Supervisor shall ensure that the visitor and/or incarcerated individual be provided with notice via Form 143. Such notice must be mailed to the visitor unless the visitor provides an email address on Form 143, in which case it must be emailed.



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Note: Notification emails shall be sent from email address: DOCVisitDetermination@DOC.NYC.gov. This address is capable of outgoing email only.



- c. Once a decision is made by the Chief of Department's Office or a designee to lift a non-contact visit restriction or modify a restriction visitor express must be updated.
 - d. All visit rules, regulations (including procedures relative to limiting, denying, or terminating visits; rights throughout the process; rights to a prior hearing; rights to an adverse determination appeal; and periodic review), and hours shall be clearly posted in English and Spanish in the waiting and visiting areas of each institution.
4. The following guidelines are to be used when it has been determined that a visitor and/or incarcerated individual shall have their access to visitation restricted. When a visitor commits more than one offense, as described below, the cancellation, limitation, or denial of access to visitation should be based upon the most serious offense and penalty available. When the visitor has committed multiple offenses, the total amount of penalty days shall not exceed the amount authorized for the most serious offense.
 5. An incarcerated individual's access to visitation may be restricted under exceptional circumstances in which the Chief of Department has determined that an incarcerated individual's unrestricted access to the public on the visit floor may pose a serious threat to the safety and security of the facility. The Chief of Department must provide written justification of those instances, and an incarcerated individual must receive written notice of the restriction, which shall in turn be provided to the Board.
 6. The following guidelines are to be used when it has been determined that a visitor and/or incarcerated individual commit a qualifying offense.

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VISIT LIMITATION OR DENIAL GRID

	Offense	1 st Offense		2 nd Offense		3 rd Offense	
		Visitor	Incarcerated Individual	Visitor	Incarcerated Individual	Visitor	Incarcerated Individual
1	Promoting Prison Contraband – (Weapons) Specifically scalpels, razor blades, hobby blades, or similar type of instrument. This includes the use of contraband (weapons) in any assault on any person (staff, incarcerated individual, and/or visitor)	Visitor loss of visit access with any incarcerated individual indefinitely Incarcerated individual loss of contact visit for remainder of incarceration		Visitor loss of visit access with any incarcerated individual indefinitely Incarcerated individual loss of contact visit for remainder of incarceration		Visitor loss of visit access with any incarcerated individual indefinitely Incarcerated individual loss of contact visit for remainder of incarceration	
2	Promoting Prison Contraband – (Narcotics or controlled substance) When a visitor or incarcerated individual is found to be in possession and/or is promoting narcotics or controlled substances, that visitor's right to visit any incarcerated individual in any facility shall be denied*	180 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	365 days Non-contact visits with any visitor	Offending visitor's loss of visit access with any incarcerated individual indefinitely	Incarcerated individual loss of contact visits for remainder of incarceration
3	Possession of Contraband – (Electronic Devices & Prohibited Items) When a visitor is found to be in possession of this type of contraband, specifically, cell phones, cameras, pagers, tobacco related products, matches/lighters, etc. that visitor's right to visit any incarcerated individual in any facility shall be denied*	180 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	365 days Non-contact visits with any visitor	Offending visitor's loss of visit access with any incarcerated individual indefinitely	Incarcerated individual loss of contact visits for remainder of incarceration



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4	When a visitor or incarcerated individual, at any time during the visit process, assaults staff, an incarcerated individual, or another visitor, that person's right to visit shall be limited/denied	180 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	365 days Non-contact visits with any visitor	Offending visitor's loss of visit access with any incarcerated individual indefinitely	Incarcerated individual loss of contact visits for remainder of incarceration
5	When a visitor or incarcerated individual, at any time during the visit process, threatens or verbally abuses staff or another visitor or causes a disturbance that puts staff in imminent danger, that person's right to visit shall be limited/denied	45 days Visit cancellation with any incarcerated individual for the offending visitor	45 days Non-contact visits with any visitor	90 days Visit cancellation with any incarcerated individual for the offending visitor	90 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	365 days Non-contact visits with any visitor
6	Any visitor or incarcerated individual who, at any time during the visit process, presents false ID or attempts to impersonate another person	45 days Visit cancellation with any incarcerated individual for the offending visitor	45 days Non-contact visits with any visitor	90 days Visit cancellation with any incarcerated individual for the offending visitor	90 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	365 days Non-contact visits with any visitor
7	Any visitor or incarcerated individual, who, at any time during the visit process, fails to follow the instructions of staff (e.g., refusal to submit to security procedures) and thereby causes disruption of the visit process, shall have their right to visit limited/denied	45 days Visit cancellation with any incarcerated individual for the offending visitor	90 days Non-contact visits with any visitor	90 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	365 days Non-contact visits with any visitor

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8	Any visitor or incarcerated individual who, at any time during the visit process, is found to have stolen property, or who commits an act of vandalism while on Department of Correction property, shall have their right to visit any individual limited/denied	90 days Visit cancellation with any incarcerated individual for the offending visitor	90 days Non-contact visits with any visitor	180 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	365 days Non-contact visits with any visitor
9	Any visitor or incarcerated individual who, at any time during the visit process, is found to be in possession of any item(s) considered contraband that is not already addresses in Offenses 1-3 listed herein, (e.g., food, beverages, gum, metro card), shall have their right to a visit in any facility limited/denied	30 days Loss of contact visits	30 days Non-contact visits with any visitor	60 days Loss of contact visits	60 days Non-contact visits with any visitor	1 year Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor
10	Any visitor or incarcerated individual who is discovered, by means of credible intelligence, to plan or be planning to introduce prison contraband (weapons), specifically scalpels, razor blades, hobby blades, or similar type of instrument into a facility through the visit process shall have their right to a visit in any facility limited/denied	180 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	365 days Non-contact visits with any visitor	Offending visitor's loss of visit access with any incarcerated individual indefinitely	Incarcerated individual loss of contact visits for remainder of incarceration

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11	Any visitor or incarcerated individual who is discovered, by means of credible intelligence, to plan or be planning to introduce prison contraband (non-weapons), specifically narcotics or controlled substances into a facility through the visit process shall have their right to a visit in any facility limited/denied	90 days Visit cancellation with any incarcerated individual for the offending visitor	90 days Non-contact visits with any visitor	180 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	365 days Non-contact visits with any visitor
12	Any visitor or incarcerated individual who, at any time during the visit process, engages in sexual activity shall have their right to a visit in any facility limited/denied	180 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	365 days Non-contact visits with any visitor	Offending visitor's loss of visit access with any incarcerated individual indefinitely	Incarcerated individual loss of contact visits for remainder of incarceration



* When a visitor is found to be in possession and/or is promoting narcotics or controlled substances, that visitor's right to visit any incarcerated individual in any facility shall be denied. An incarcerated individual will receive 180 days of non-contact visits if contraband is passed or attempted to be passed by the visitor to the incarcerated individual, or a visitor who is registered to visit an incarcerated individual is arrested for promoting prison contraband prior to the commencement of the visit.

III. INCARCERATED INDIVIDUAL AND VISITOR ENTITLEMENTS, LIMITATIONS AND DENIALS (Cont.)

F. VISITORS - ITEMS NOT PERMITTED IN ANY FACILITY, INCLUDING THE RIKERS ISLAND VISIT CONTROL BUILDING

1. To ensure the safety and well-being of staff, the incarcerated individual population, and visitors, illegal items and department-designated contraband are expressly prohibited. None of the following items may be brought into the Rikers Island Visit Control Building, jails on Rikers Island or Borough facilities, or any other facility including the Hospital Prison Wards:
 - a. Guns (including stun guns and zip guns), bullets, and imitation guns and bullets;

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- b. Illegal drugs;
- c. Syringes;
- d. Knives, imitation knives, box cutters, needles, razors, hobby blades, scalpels, scissors, any other sharp objects, brass knuckles, and any other weapons;
- e. Tools;
- f. Metal or glass objects;
- g. Padlocks;
- h. Nail clippers and fingernail files;
- i. Tobacco products and related paraphernalia including cigarettes, cigars, rolling paper, chewing tobacco, e-cigarette kits or devices, and pipes;
- j. Tape and other adhesives of any kind;
- k. Explosive devices;
- l. Matches and lighters;
- m. Electronic devices including cellular telephones, cellular telephone accessories, personal digital assistants, portable media players (including but not limited to iPods, MP3 Players, iPads, and E-Readers), pagers, laptops, cameras, recording devices, and radios;
- n. Law enforcement badges, equipment, or replicas of said items;
- o. Liquids and beverages, except two clear baby bottles;
- p. Gels;
- q. Metal hairclips and hairpins;
- r. Non-prescription medications;
- s. Non-prescription sunglasses;
- No more than a total of three (3) books, newspapers, and/or magazines (except when included in an incarcerated individual package);
- t. Digital media (including, but not limited to, Compact Discs or DVDs);
- u. Photographs (except when included in an incarcerated individual package, although polaroid photographs and photographs that include pictures of the incarcerated individual are not permitted in an incarcerated individual package); and
- v. Chewing gum.

2. Visitors may bring prescription medication in its original container to the facility, which, except for life saving prescription medication (see Section III.H.3 below), must be stored in a facility locker and may not be brought to the facility visit floor.

G. DRESS CODE



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III. INCARCERATED INDIVIDUAL AND VISITOR ENTITLEMENTS, LIMITATIONS AND DENIALS (Cont.)

1. The Department encourages incarcerated individual family members and friends, including children and the elderly, to visit incarcerated individuals. To provide for the safety and security of staff, incarcerated individuals, and visitors and to maintain a family friendly environment, visitors must wear appropriate clothing to visit incarcerated individuals. Overly suggestive clothing and clothing in which contraband and non-permissible items can be secreted are not permitted. When meeting with the incarcerated individual, visitors may only wear a single layer of clothing (except those visitors required to wear a cover-up garment (see Section III.G.3 below)) and no accessories. Visitors shall not be permitted onto the facility visit floor wearing any of the following:
 - a. Clothing with holes or rips that are located more than three (3) inches above the knee;
 - b. Hooded garments;
 - c. Hats and head coverings (excluding religious head coverings);
 - d. Clothing identifying a specific gang by name or logo;
 - e. Clothing that makes explicit reference to obscene language, drugs, sex, or violence.
 - f. Swimming attire;
 - g. See-through garments;
 - h. Uniforms;
 - i. Jewelry (excluding a wedding ring, a religious bead necklace, or one (1) religious medal no more than two (2) inches in diameter hung on a chain of a quarter inch or less in diameter and no longer than twenty-four (24) inches)
 - j. Tops, including dresses, exposing the chest, stomach, or back;
 - k. Shorts, skirts, or dresses with a hem that is more than three (3) inches above the knee; and
 - l. Outer garments including coats, shawls, ponchos, jackets, vests, gloves, or over boots or overshoes (outer boots or shoes that slip over other shoes).
2. Visitors must wear undergarments;
3. Visitors whose attire violates the dress code will be permitted a contact visit if they agree to wear a cover-up garment provided by the Department. Department staff of the rank of Captain or above shall be responsible for determining whether a visitor is in violation of the dress code. Visitors who refuse to wear a cover-up garment provided by the Department shall be denied a visit. The procedures set

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III. INCARCERATED INDIVIDUAL AND VISITOR ENTITLEMENTS, LIMITATIONS AND DENIALS (Cont.)



forth in Section III.F of this policy shall apply to any such denial. The Visit Captain shall ensure:

- a. There are a sufficient number of clean cover-up garments available for visitors at all times.
- b. That the facility's stock of cover-up garments are stored within the facility's visit area.
- c. Arrangements are made with the facility's Clothes Box Officer or other designated officer to ensure that all cover-up garments are laundered and returned back to the Visit Area after each usage.
- d. An effort is made to obtain additional cover-up garments from the central storehouse if a shortage of cover-up garments is anticipated.

H. VISITORS - ADDITIONAL ITEMS NOT PERMITTED ON FACILITY VISIT FLOOR

1. To ensure safety and security and to expedite access to the facility visit floor, unless specified above, visitors are not permitted to possess or wear any personal belongings other than a single layer of clothing when meeting with incarcerated individuals. Secure storage lockers shall be provided at the facility. However, at Rikers Island Visit Control building, coin-operated lockers are available for visitors to secure items not allowed in the facility. Visitors may not access the facility visit floor possessing any of the following:
 - a. Pocketbooks, purses, backpacks, knapsacks, waist pouches, diaper bags, or wallets;
 - b. Money or Metrocards;
 - c. Identification;
 - d. Keys, except a facility locker key;
 - e. Reading materials;
 - f. Toys;
 - g. Strollers;
 - h. Diapers (excluding the diaper worn by a baby);
 - i. Food and Candy; or
 - j. Beverages (excluding one clear plastic bottle for the baby).

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III. INCARCERATED INDIVIDUAL AND VISITOR ENTITLEMENTS, LIMITATIONS AND DENIALS (Cont.)

2. Visitors are permitted to bring to the facility visit floor one baby blanket, one clear plastic baby bottle containing a non-alcoholic beverage, and one baby bib for the baby.
3. Visitors are permitted to bring to the facility visit floor only life-saving prescription medication such as an asthma pump or nitroglycerin. Visit floor staff shall secure all such life-saving prescription medication for the duration of the visit, give back the medication to the visitor as requested by the visitor for medical reasons, and return the remainder of the medication to the visitor at the conclusion of the visit. Other prescription medication may be brought to the facility but must be stored in the facility locker and may not be brought to the facility visit floor.
4. Visitors are permitted to bring mobility aids such as walkers, wheelchairs, canes, and crutches to the facility visit floor. Other than wheelchairs, visit floor staff shall secure mobility aids, for the duration of the visit and return the aid to the visitor at the conclusion of the visit. Consistent with Operations Order 24/07, "Transporting Visitors with Disabilities," visitors in wheelchairs shall be permitted to use the wheelchair for the duration of the visit.

IV. THE VISIT PROCESS

A. INCARCERATED INDIVIDUAL VISITOR FACILITY ACCESS

1. Prospective visitors to all Rikers Island facilities shall first report to the Rikers Island Visit Control Building. Visitors arriving in private vehicles are required to park at the Queens Abutment and then use public transportation to the Visit Control Building. Prospective visitors to all borough facilities shall first report to the visit entrance.
3. Prior to the preliminary search, visitors to Rikers Island or borough facilities shall be afforded the opportunity to dispose of any contraband into a secured Amnesty Box pursuant to Directive 4525, "Amnesty Boxes."

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IV. THE VISIT PROCESS (Cont.)

B. SEARCH OF VISITORS - RIKERS ISLAND VISIT CONTROL BUILDING/ BOROUGH FACILITY VISIT ENTRANCE

Visitors shall be subject to search at any time within a correctional facility. This commences at the time of arrival to the Rikers Island Visit Control Building or borough facility visit entrance. Visitors will be subject to canine searches once they arrive to the Benjamin Ward Central Visit Building in compliance with the procedures in Directive 4531R-B, "Canine Units (K-9)." The Department shall include the visit search procedures and any other visit rules and regulations in an informational poster for visitors. These procedures shall also be prominently posted in all visit search areas.

1. Each visitor entrance shall be equipped with the following electronic security devices:
 - a. Walk-Through Metal Detector: The location of the walk-through metal detector must be carefully selected and any nearby metal objects must be stationary.
 - b. Fluoroscope Machine: This device, also known as an X-ray or Line Scan machine, should be stationed in close proximity to the walk-through metal detector.
 - c. Hand Held Metal Detector (Transfrisker): This detector shall be used when the walk-through metal detector indicates the presence of metal; the walk-through metal detector is not functioning; or at the discretion of the search officer.

Note: When passing the hand-held metal detector over a visitor's clothing, it must be held no more than one-half (½) inch from the clothing of the person tested.
 - d. It shall be the responsibility of the area supervisor to ensure that all electronic security devices are properly functioning.
 - e. Staff assigned to any facility entrance/access (front gate, visits, etc.) shall search and inspect the bathrooms, lobby, and any other area where incarcerated individual details may have access to at least twice per tour and document such in the area logbook. Such searches shall also be conducted prior to any incarcerated individual work detail entering the area.
2. Each visitor shall be subject to an electronic search involving a walk-through metal detector.

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IV. THE VISIT PROCESS (Cont.)

- a. Visitors shall be asked to remove all metal items from their clothing prior to participating in a walk-through metal detector search.
- b. Removed metal items shall be placed in a container where they shall be observed and inspected by the search officer.
- c. Handbags, briefcases, containers, and packages shall be physically searched as well as inspected via the fluoroscope machine.
- d. Items (other than electronic devices) which are not permitted in the facility but the possession of which does not constitute a criminal act shall be returned to the visitor who shall be directed to place such items in a locker. Under no circumstances shall visitors be permitted to enter Department facilities with electronic devices. A visitor arriving with such items shall be given the opportunity to secure them in the designated area or, only if visiting a borough facility, deposit them in the amnesty box and continue with the visit process or, depart the facility.
- e. Items whose possession constitutes a crime shall not be returned and shall be transferred to the proper authorities. Upon the discovery of such items, existing Department procedures relating to the detention and subsequent arrest of the visitor shall be followed and the visit denied in accordance with Section III.F of this Directive.

C. Pat Frisk Searches of Visitors

If a visitor has been checked with a metal detector and staff reasonably believes further inspection is necessary to preclude the introduction of contraband (e.g., the triggering of the metal detector, a suspicious bulge in the visitor's clothing, confidential information, or visitor's documented history of attempting to bring in contraband), the following actions shall be taken:

1. The staff member shall immediately notify the area supervisor, who shall evaluate the situation to determine if further inspection for contraband is warranted. If the cause for further inspection is a suspicious item on the visitor's person, the visitor should be given an opportunity to remove it or forego the visit, prior to further action.



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IV. THE VISIT PROCESS (Cont.)

2. If the Area Supervisor determines that further inspection is warranted, he/she shall notify the Commanding Officer (or his/her designee) and, if given approval by the Commanding Officer, shall give the visitor a copy of Form 439, "**Visitor Pat Frisk Consent Form**" (Attachment B), **regardless of whether the visitor consents to the pat frisk search**. The reason for the visitor pat frisk shall be entered on Form 439 by the Area Supervisor who shall also verbally inform the visitor of the following:
 - a. A visitor pat frisk search shall be required prior to the visitor having a contact visit with the incarcerated individual and the reason for the search;
 - b. **This is not a strip search. You will not be asked to take off any of your clothing (except outer garments) or undergarments, and you will not be touched on your chest, genitals, or buttocks underneath your clothing;**
 - c. The nature of a pat frisk search (a description of the search procedure is also printed on the back of Form 439);
 - d. **That the pat frisk search will be videotaped by video surveillance;**
 - e. The visitor may refuse to be pat frisked, **or videotaped by video surveillance**, and may be denied a contact visit for that day and offered a non-contact visit instead. If the visit Captain determines, in accordance with BOC Minimum Standards, that a non-contact visit would still constitute a serious threat to the safety and security of the institution, the visitor may be denied a visit entirely in accordance with Section III.F of this Directive; and
 - f. That refusal of a visitor pat frisk search shall result in a non-contact visit unless:
 - i. The Commanding Officer (or designee) deems it that the visit be denied entirely for security reasons based on reliable confidential information or the presence of a suspicious bulge in the visitor's clothing; or
 - ii. A Metal Detector Search has indicated the presence of a metallic object on the visitor and the visitor does not consent to the pat frisk.

Note: In such cases the visit will be denied entirely in accordance with Section III.F of this Directive.

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IV. THE VISIT PROCESS (Cont.)

3. If the visitor consents to a pat frisk search, the visitor shall check the appropriate box on Form 439 and initial next to the appropriate box, and the Area Supervisor should obtain the visitor's signature on the form prior to conducting the pat frisk search. Form 439 must be filled out legibly and completely prior to conducting the pat frisk search.

- a. If a pat frisk search of a visitor under sixteen (16) years of age is necessary, the parent or guardian accompanying the minor shall check the appropriate box on Form 439, initial next to the appropriate box, and sign the pat frisk search form. The signature of the minor (if able to write) should also be obtained on the form prior to conducting the pat frisk search. For infants and small children wearing diapers, the Correction Officer shall instruct the accompanying parent or guardian to open the diaper to permit the Correction Officer to conduct a visual inspection of the diaper to ensure that there is no contraband secreted inside. The visual inspection will be conducted on the diaper itself, not the child. Upon removing the diaper, the adult may choose to cover the sensitive area of the child while the officer inspects the diaper. The results of the pat frisk search shall then be entered on the form and the form signed by the Area Supervisor. A copy of the form shall be given to the visitor. The original copy of the form shall be placed in a file maintained by the Deputy Warden for Programs. A copy of this form shall also be placed in the incarcerated individual's institutional folder.

Note: If contraband is found, a copy of the form shall also be forwarded to the Deputy Warden for Security.

- b. If the accompanying parent or guardian either refuses, or is unable, to perform the requirements set forth in paragraph (3)(a), or if the search does not adequately resolve the Area Supervisor's concerns about the possible introduction of contraband, a contact visit may still be denied in accordance with Section III.F of this Directive and a non-contact visit substituted, provided that:
- i. The Area Supervisor explains the reasons for the decision in the "remarks" section of Form 439 and in Section III of Form 143R; and
 - ii. The Tour Commander concurs with the decision and signs both Form 439 and Form 143R.

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IV. THE VISIT PROCESS (Cont.)

4. The Tour Commander, or his/her designee, shall scan and upload all completed copies of Form 439, " Visitor Pat Frisk Form" into the facility-specific folder on the shared network location. The Tour Commander shall ensure all completed copies of Form 439 are uploaded as soon as possible after the end of the day's visits, but no later than the completion of the tour of occurrence.

NOTE: The Tour Commander may have a designee upload the completed copies of Form 439. However, the Tour Commander shall still be held accountable should the designee fail to comply with these procedures.

5. Before the visitor pat frisk search is conducted, the visitor shall be informed by the visit supervisor that, if he/she consents to the visitor pat frisk search and the search finds dangerous contraband such as illegal drugs or weapons, the visitor shall be arrested.
6. Also, prior to the visitor pat frisk search, the visitor shall be **directed to** the up-to-date list of what the Department considers to be dangerous contraband. If the visitor cannot read, the list shall be explained verbally to the visitor by the visit supervisor with the assistance of a translator if needed. The visitor shall then be given the choice of:
- Agreeing to the visitor pat frisk search;
 - Not being allowed a contact visit and having a non-contact visit instead; or
 - Not visiting at all and exiting the facility.
7. Visitors choosing not to visit shall be permitted to leave freely without further searches or questioning. Alternatively, if the visitor voluntarily surrenders any contraband items in their possession, they may be permitted to visit after passing a visitor pat frisk search (provided the possession of any voluntarily surrendered item does not constitute a criminal offense).
8. If the visitor pat frisk search results in the discovery of contraband, the Tour Commander shall be notified. If the Tour Commander determines that an arrest is warranted, he/she shall notify the Department Officer of the Day (OD) via the Central Operations Desk (COD) for authorization.



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IV. THE VISIT PROCESS (Cont.)

- a. In all cases where contraband is discovered, whether an arrest is made or not, the contact visit shall be terminated in accordance with Section III.F of this Directive and copies of Form 143R shall be prepared and distributed as follows:
 - i. Original to Incarcerated individual's Folder;
 - ii. Copy to Commanding Officer of SOD;
 - iii. Copy to Deputy Warden for Programs (incarcerated individual's facility);
 - iv. Copy to Incarcerated individual;
 - v. Copy to Visitor;
 - vi. Copy to Deputy Warden for Security (only if contraband found).
 - b. If an arrest is not made and the visit is not denied pursuant to Section III.F of this Directive, the visit supervisor shall secure the contraband and a non-contact visit shall be arranged instead of a contact visit.
9. The pat frisk search of the visitor shall be conducted in a dignified manner, **and shall take place** in an area **within** public view, **unless the visitor requests, for privacy, medical, or religious reasons, to be searched in a separate private area. Under no circumstances is a pat frisk search permitted to take place inside of a bathroom. All pat frisk searches shall take place** under the supervision of the visit supervisor, by an officer other than the regular search officer, and by an officer who is of the same gender as the visitor. A visitor pat frisk search includes inspection of the visitor's head, neck, arms, torso, legs, and feet. This includes sensitive areas such as the chest, groin, and buttocks, and may also include head coverings. The officer conducting the visitor pat frisk search shall advise the visitor of each pat frisk search procedure when conducting the pat frisk search, giving verbal cues that aid the visitor's understanding of each action just before it occurs, minimizing surprise. Proper visitor pat frisk search procedures require sufficient pressure to ensure detection and areas may undergo a pat frisk search more than once in order to confirm no contraband items are detected. The remaining visitors shall continue to be processed simultaneously while the visitor pat frisk search is being done so as not to interrupt the processing of other visitors.



NOTE: Staff must not ask a visitor to take off any clothing or undergarments (except outer garments), and must not touch a visitor on the chest, genitals, or buttocks underneath their clothing.

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IV. THE VISIT PROCESS (Cont.)

- a. The visitor pat frisk search is conducted by patting the outer clothing over the entire length of the visitor's body and examining the seams and pockets of the visitor's clothing. During the search, the visitor may be required to remove their outer garments, coat, hat, shoes, and belt. The visitors skin shall be touched only at the shirt-sleeves and collar. The visitor may be required to lift, raise, or adjust their clothing for a visual inspection (e.g., lift pant legs to show ankles or unfurl a cuffed pant hem). The visitor will not be asked to remove or lift any article of clothing that would expose a sensitive area **such as the chest, genitals, and buttocks.** The visitor shall be required to run his/her fingers through his/her hair under the observation of a Correction Officer in order to ensure that weapons or other contraband are not secreted in the hair. At the discretion of the officer, a transfrisker may be used to check for contraband in the visitor's hair.
- b. Prior to beginning the visitor pat frisk search, the Correction Officer shall instruct the visitor to remove all contents from his/her pockets (turning and leaving the pockets inside out) and to untuck their shirt from their waistband, if necessary.
- c. To perform the visitor pat frisk search, the Correction Officer stands behind the visitor and instructs the visitor to raise their arms in a T-shape turning his/her palms upright. The Correction Officer then turns the visitor's collar upright and utilizes his/her index finger, middle finger, and thumb in a swiping motion across the outside of the collar, and fingers across the shoulder blades. The Correction Officer uses the back of his/her palms in a downward motion across the visitor's back area. Next, the Correction Officer runs his/her hands across the top of the visitor's arms, comes back under the visitor's arms to the armpits and down the visitor's sides to the waist. To pat frisk search the visitor's waist, the Correction Officer uses the index finger, middle finger, and thumb in a swiping motion around the outside of the visitor's waistband; and uses the back of the palms in a downward motion over the outside of pocket area. For the legs, the Correction Officer should use one hand in a bladed motion from the ankle up the inside of one leg to and including the crotch (or groin area) and in a downward motion from the crotch (or groin area) to the ankle of the other leg. Then the Correction Officer should use the palms of both hands in a downward parallel motion on the outsides of the visitor's legs.
- d. The Correction Officer moves and stands in front of the visitor and instructs the visitor to raise his/her arms in a T-shape turning their palms upright. The Correction Officer uses the sides of his/her hands in a tear drop motion along

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IV. THE VISIT PROCESS (Cont.)



the chest cavity. A search for foreign objects in the chest area may require a single downward motion using the back of the palm to the chest area. The Correction Officer may instruct a female visitor to grasp and lift the bottom seam of a bra away from the visitor's body from the outside of the visitor's outer garment. This action does not require the visitor to lift the outer garment in a manner that would expose the visitor's torso.

e. At no time during the visitor pat frisk search is the Correction Officer to:

- i. **Conduct a strip search on a visitor;**
- ii. Insert fingers into any body orifice, **including a visitor's anus or vagina;**
- iii. **Have any skin-to-skin or skin-to-gloved-hand contacts with a visitor's breasts, genitals, or buttocks;**
- iv. Have prolonged contact with a visitor's breasts, groin, or buttocks **over their clothing;**
- v. **Direct the visitor to expose their breasts, genitals, or buttocks; or**
- vi. **Direct the visitor to expose, remove, or display, any feminine hygiene products the visitor is wearing, including but not limited to, sanitary napkins, tampons, and other absorbent materials placed in the vicinity of the visitor's vagina or underwear.**

f. In conducting a visitor pat frisk search, officers shall strive to preserve the dignity of the visitor being searched.

Note: Should a female visitor wearing a skirt consent to a visitor pat frisk search, **the Correction Officer shall instruct the visitor to manipulate the garments so that it creates a barrier over the skin between the legs, similar to a pant leg. If the skirt or dress cannot be shaped to form a barrier similar to a pant leg,** the visitor shall be given a non-contact visit unless the visit is denied entirely for other reasons in accordance with departmental policy.

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IV. THE VISIT PROCESS (Cont.)

10. If the pat frisk search does not adequately resolve the Area Supervisor's concerns about the possible introduction of contraband, a contact visit may still be denied in accordance with Section III.F of this Directive and a non-contact visit substituted, provided that:



- a. The Area Supervisor explains the reasons for the decision in the "remarks" section of Form 439 and in Section III of Form 143R; and
- b. The Tour Commander concurs with the decision and signs both the Form 439 and the Form 143R.

11. If the visitor refuses to consent to a pat frisk search, the Area Supervisor shall check the appropriate box on Form 439 and obtain the visitor's signature. The Area Supervisor will then sign the form and give a copy of the form to the visitor. The original shall be forwarded to the office of the Deputy Warden for Programs who shall maintain a centralized file for such forms. A copy of the form shall also be placed in the incarcerated individual's institutional folder. The visitor will then be provided a non-contact visit with the incarcerated individual unless the visit is denied entirely pursuant to the preceding paragraph.

Note: If a non-contact visit is denied, the reason for the denial shall be entered in the "remarks" section of Form 439. If a metal detector search has not indicated the presence of a metallic object but a non-contact visit has still been denied, the Commanding Officer (or designee) shall sign the form.

12. Searching Headwear of Religious Significance or Religious Beaded Necklaces

- a. If a visitor is wearing headwear of religious significance and/or religious beaded necklaces, the headwear and/or religious beaded necklaces shall undergo a security inspection by passing a hand-held metal detector over the garment while it is being worn. After passing through the metal detector and the hand-held metal detector, a visitor wearing religious beaded necklaces may be asked to lift the necklaces without removing them, in order to show staff that there is no contraband stored in or around the necklaces. The headwear may also be subject to an ION Scan Search with prior consent from the visitor. If the hand held metal detector indicates the presence of metal, a positive ION Scan is noted, or there is a reasonable belief that further inspection is necessary to preclude the presence of contraband, the visitor will be required to consent to a pat frisk search by completing Form 439 or be subject to a booth visit. During the pat frisk

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IV. THE VISIT PROCESS (Cont.)

search of the individual's body in accordance with the procedures delineated in Section IV, a further inspection of the headwear or the religious beaded necklaces may be conducted as prescribed below.



- b. If an individual is subject to a consented pat frisk as described in Section IV.C.11.a., and the visitor is wearing either religious headwear or a religious beaded necklace, the following procedures will be followed.
 - i. If the visitor signs Form 439, the visitor shall be escorted by an officer of the same sex as the visitor to a pat search area and asked to remove the headwear at which time the officer will inspect the headwear for contraband without touching the headwear. If the visitor is wearing religious beaded necklaces, the visitor will not be required to remove the necklaces while an officer visually inspects the necklaces for contraband without touching. The visitor may be asked to manipulate the religious necklaces or headwear in a manner satisfying to the officer that there is no presence of contraband. At the conclusion of the inspection, if the visitor was asked to remove the headwear, the visitor shall be given reasonable time to replace the headwear before leaving the private area.
 - ii. If the visitor refuses to sign the consent form, the visitor can be provided with a booth visit. If the visitor declines a booth visit, facility access shall be denied.

D. Ion Scan Searches

An Ion Scan search is a search in which a drug and explosives detection device is passed over, and may come into contact with, an individual's hand, area of clothing, footwear, personal items, purses/handbags, packages, correspondence, or any other article that may retain traces of illicit substances. Each visitor entering a Department building may be subjected to an Ion Scan search in addition to the routine visitor processing.

1. All visitors are subject to undergo an Ion Scan search.
2. Ion scan searches shall be performed in accordance with Directive 4530, "Ion Scan Searches," to avoid impeding the administrative processing of visitors.

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IV. THE VISIT PROCESS (Cont.)



3. In any instance where a visitor's headwear of religious significance (e.g., kufi, yarmulke) is to be the subject of an Ion Scan search, the area supervisor shall note the reason for the Ion Scan Search on Form 439 and Form 143R. Copies of the forms shall be disseminated and filed accordingly.

E. VISITOR EXPRESS

1. All visitors to a Department facility shall have the option to enroll in the Visitor Express computer system. The enrollment shall include: computer scanning of the visitor's identification, photographing the visitor, and collecting the visitor's fingerprints using the biometric reader device. The Registration Officer shall attempt biometric registration and the officer shall explain to the visitor that submitting to fingerprinting will result in speedy registration for future visits. If the visitor refuses to be fingerprinted, the Registration Officer shall immediately notify the visit supervisor. The Visit Supervisor shall attempt to persuade the visitor to provide fingerprints.

Note: Returning visitors shall only have to press their fingers on the biometric fingerprint reader. Once the fingerprints are read and identified, the computer will display the visitor's necessary information. If the visitor refuses to provide fingerprints, it will be necessary for the officer to scan the returning visitor's Identification to locate the visitor's information.

2. If all attempts to obtain the fingerprints fail, the Visit Supervisor shall override the fingerprint requirement in the Visitor Express application, noting that the visitor refused to be fingerprinted and then enrollment shall proceed. In addition, if the biometric reader is inoperable, the Visit Supervisor shall override the fingerprint requirement in the Visitor Express application noting that the equipment is inoperable. In either instance, the visitor shall be processed manually.
3. Once the visitor has been properly registered, the Visitor Express shall create a Visitor Express Ticket which includes a photo of the visitor and a unique barcode. In such cases, the Visitor Express Ticket shall be scanned by Department staff in lieu of the Visit Process Form.
4. The Visitor Express Application shall also automatically make all required notifications in relation to the visit. No additional notification from staff is required.

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Note: If Visitor Express is not working, staff shall immediately notify the help desk and obtain a ticket number for assistance and then revert to manual procedures.

F. MANUAL PROCESS

Upon entry into the Rikers Island Visit Control Building or borough facility visit entrance, all visitors (whether this is their first or subsequent visit) shall be instructed to form a line at the appropriate facility's reception/registration desk for the purpose of pre-registration.

Note: At the Rikers Island Visit Control Building, each registration desk shall be clearly marked by facility name. If the visitor requires further information or an interpreter, he/she shall be directed to the "General Information" (GI) desk.

1. At the borough facilities, visitors shall line up in front of the registration desk. At Rikers Island, visitors shall line up in front of the registration desk designated for the intended facility. The reception officer shall time-stamp and issue the sequentially numbered Visit Processing Form (Digital Form).
2. Visitors may either take this form to the provided writing surface to complete or fill it out while waiting on line. Visitors shall then complete the upper portion of the Visit Processing Form (including name, address, relationship, incarcerated individual's name and location, if known). Visitors requiring assistance in the preparation of this form shall be assisted by the reception officer.
3. Upon completion of the forms, visitors shall return to the end of the line. Since the time needed to complete this form will not vary greatly among all visitors, the reception officer shall pre-register visitors in the order the Visit Processing Form was issued. The reception officer shall verify the incarcerated individual's presence in the facility by checking the Department's Incarcerated individual Information System (IIS) computer terminal at the facility registration desk. If the incarcerated individual does not appear on the IIS computer terminal, the visitor shall be directed to the GI window. Borough facility visitors shall be directed to the General Office (GO) window.
5. The officer assigned to the desk shall initiate a trace of the incarcerated individual's location. The desk officer shall make sure that all identifying information (name, aliases, book and case number, date of birth, etc.) provided by the visitor is accurate and correctly entered into the IIS computer system. If the IIS computer cannot locate

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the incarcerated individual in the computer record, the desk officer shall call the GO of the last facility where the incarcerated individual was housed and obtain the information from the incarcerated individual's custody records.

6. The desk officer shall obtain and provide to the visitor the current location and custody status of the incarcerated individual, including the name of the facility to which the incarcerated individual has been transferred, the address location of the facility, and directions on how to get there; or if the incarcerated individual has been discharged, the date of the incarcerated individual's release and the place from which the incarcerated individual was released (e.g., AMKC, Bronx Supreme Court, etc.). This verified information shall be provided to the visitor to assist the visitor in finding the incarcerated individual.



Note: If the incarcerated individual is still in custody on Rikers Island, the GI desk officer shall direct the visitor to the correct visit reception desk in the Visit Control Building.

6. The reception officer shall examine the Visit Processing Form for accuracy and completeness then return the copy to the visitor. This copy shall remain in possession of the visitor throughout the visit process and shall serve as a reference to identify the visitor at any given time. Visitors to Rikers Island shall then await transportation to the appropriate facility.

G. NOTIFICATION PROCESS

1. After giving the visitor the copy of the Visit Processing Form/Visit Express Ticket, the reception officer shall immediately notify by telephone the appropriate facility's assigned notification officer. Batching of visiting processing forms will delay the notification process and must be avoided. The reception officer shall supply the notification officer with the incarcerated individual's name, NYSID number, book and case number, location, and the visitor name(s) as indicated on the Visit Processing Form/Visit Express Ticket.
2. The assigned notification officer shall notify the appropriate housing officer by telephone that the incarcerated individual has visitors. If the incarcerated individual cannot be immediately located, the next incarcerated individual shall be notified to avoid unnecessary delays.



In order to locate incarcerated individuals promptly, the housing area officer shall refer to his/her out-count list. The housing area officer shall notify the officer assigned to the appropriate area of the incarcerated individual's waiting visitor. The area officer shall immediately notify the incarcerated individual of the waiting

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visitor. The officer shall ask the incarcerated individual whether or not the incarcerated individual chooses to interrupt his/her activity to go to the visit immediately, or if not, whether the incarcerated individual chooses to begin the visit after the activity is over.

3. The officer shall promptly notify the housing officer of the incarcerated individual's decision.
4. When the incarcerated individual has been located, the housing officer shall notify the notification officer who shall notify the visitor of the delay and the approximate length of the delay before the incarcerated individual will reach the visit floor.
5. Once the incarcerated individual has been notified and agreed to see the visitor, the incarcerated individual shall proceed to the designated visit clothing exchange room.
6. The Notification Officer must immediately be notified by the Visit House Incarcerated individual Search Officer when the incarcerated individual arrives at the visit house. If the incarcerated individual does not arrive for the visit within thirty (30) minutes, the visit supervisor shall be notified by the notification officer and initiate a follow-up procedure. The visitor shall be kept informed of efforts to locate delayed incarcerated individuals and be told the reasons for delay by the visit supervisor.
7. The visit supervisor shall ensure that the notification officer again contacts the housing officer to determine the reason for the delay of the incarcerated individual's arrival at the visit house.
8. All incarcerated individuals shall be required to change into a jumpsuit and slippers prior to participating in a visit. Incarcerated individuals shall not be permitted to wear any article of personal clothing under the jumpsuit (except for underclothing).
 - a. In an effort to distinguish and closely monitor Red ID and Intended Contraband Recipients (ICR), such incarcerated individuals shall be issued neon/lime green jumpsuits to be worn during their visit. Under no circumstances shall a Red ID Card or ICR incarcerated individual be permitted on the visit floor without a neon/lime green jumpsuit.



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- b. Incarcerated individuals shall deposit their clothing and personal effects in a mesh basket issued by the clothing exchange officer who shall issue a numbered tag corresponding with the number on the basket. These items shall be retrieved at the conclusion of the visit by using the issued tag to identify the proper incarcerated individual. The incarcerated individual's identification card shall be stored in numbered slots provided in sequence with the tags issued for the clothing baskets.

H. VISITOR TRANSPORTATION TO RIKERS ISLAND FACILITIES

1. Each Rikers Island facility shall have its own visit shuttle bus(es) and driver(s) operating between the Visit Control Building and the facility's visit house. When the visit bus arrives at the Visit Control Building, the Reception Officer, without delay, shall announce the arrival of the bus over the public address system and call visitors sequentially by form number and direct them to the appropriate bus (for example: "Visitors for the Anna M. Kross Center with forms numbering 0500 to 0525 please walk out to the bus with the sign AMKC."). The bus driver shall inspect the visitor's copy of the Visit Processing Form/Visit Express Ticket to ensure that the visitor is on the right bus.
2. The Reception Officer shall give the bus driver the original of the Visitor Processing Form/Visit Express Ticket for delivery to the visiting facility.
3. Upon arrival at the facility, the bus driver shall supervise the visitors' exit from the bus and ensure that all visitors enter into the visit house entrance. As the visitors enter the facility, the facility code of the day shall be stamped (in invisible ink) on the back of each visitor's left hand. The bus driver shall deliver to the Entrance Officer copies of the Visit Processing Forms/Visit Express Ticket. The entrance officer shall time-stamp/scan each Visit Processing Form/Visit Express Ticket to indicate the time of arrival to the facility and shall deliver the forms to the registration officer.
4. The Facility Visit Processing Officer shall announce the bus' departure for the return trip to the Visit Control Building, board all departing visitors, and return immediately and directly to the Visit Control Building. At the Visit Control Building, the bus driver shall discharge all departing visitors.
4. The bus driver shall then repeat the process of delivering arriving visitors to the facility visit house and returning departing visitors to the Visit Control Building.



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I. VISIT REGISTRATION

1. The Registration Officer shall call the visitors in numerical order (e.g., 0500, 0501, 0502, etc.). Visitors shall be allowed to register only if the incarcerated individual is present in the facility.
 - a. Rikers Island Visitors: If the visitor has arrived at the wrong facility, the correct facility shall be noted on the form and arrangements shall be made for transportation to the Rikers Island Visit Control Building for re-processing.
2. Identification
 - a. For each visit, every person sixteen (16) years of age or older must present one form of valid identification that contains a distinguishable photograph and signature. Individuals under the age of sixteen (16) may visit if accompanied by a properly identified adult at least eighteen (18) years of age. The adult accompanying an individual under the age of sixteen (16) shall provide the visit registration officer the name, date of birth, and gender of the child.
 - b. Valid identification must be unexpired, verifiable, unaltered, include a distinguishable photograph and signature, and be one of the following:
 - i. Drivers License with photo and signature (from any state or territory in the United States);
 - ii. Resident Alien Card or Permanent Resident Card issued by the United States Department of Justice (e.g., Green Card);
 - iii. Passport from any nation;
 - iv. School identification (from any state or territory in the United States);
 - v. Employment identification card (from any state or territory in the United States);
 - vi. New York State Benefits Identification Card (e.g., Medicaid/food stamp photographic identification);
 - vii. United States Armed Services identification card;

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- viii. New York State Department of Motor Vehicles Non-Drivers License Identification Card (from any state or territory in the United States); or
 - ix. Consulate-issued identification or Diplomatic identification;
 - x. New York City ID Card.
- c. A sixteen (16) or seventeen (17) year old with valid identification may accompany a child under the age of sixteen (16) if he or she is the parent of that child and the incarcerated individual being visited is also the parent of the same child. In this case, the sixteen (16) or seventeen (17) year old must produce
- a birth certificate for the child under the age of sixteen (16).
- d. The Registration Officer shall consult with the Visit Supervisor regarding any issues involving a visitor's age or identification.
3. Visitors must sign their name on a visit registration card in invisible ink. These cards are to be kept confidential and information therein is not to be communicated to non-departmental persons. Visitors under the age of sixteen (16) years must have the card completed by their guardian.
4. After the visitor is registered, the registration officer shall forward the Visit Processing Forms/Visit Express Tickets to the visit observation officer.

J. MONEY AND PACKAGES



1. Persons who are not visiting but who have money or packages for incarcerated individuals must deposit the money or packages at the windows dedicated for receipt of these items.
- Note: For Rikers Island visitors, these windows are located at the Rikers Island Visit Control Building.
2. Visitors with money or packages for an incarcerated individual shall deposit these at the facility itself prior to visiting.
3. To avoid delay and the necessity of visitors having to wait on two (2) different lines, each visit area shall have at least one (1) line dedicated for funds and packages and at least one (1) line for funds only. These lines shall be clearly marked in English and Spanish to minimize confusion and delays.

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4. Money: Visitors may deposit cash, teller's checks, or money orders for incarcerated individuals. Personal checks shall not be accepted. The employee designated to receive funds shall record all monies in the appropriate receipt book and ensure that one (1) receipt is issued to the visitor and one (1) receipt remains in the receipt book. The visitor shall give the receipt to the incarcerated individual during their visit. Incarcerated individuals must retain their own receipts for record purposes.
5. Packages: Visitors may deposit packages for incarcerated individuals during visiting hours. Clothing for a court appearance on the following day may be delivered to the facility's main entrance during non-visiting hours between 0800 hours and 2100 hours and at any additional hours deemed appropriate. Handout leaflets with the listing of permissible items specified in Directive 4508R-D, "Control of and Search for Contraband" (or its successor), shall be made available to all visitors.
6. Package Inspection
 - a. The package room officer receiving packages shall remove all items from their original containers and search all items for contraband. The package room officer shall then fluoroscope the items and place all articles in a new paper bag. Then they shall complete the Clothing Receipt and give one (1) copy to the visitor and attach two (2) receipts to the bag. The searched package shall then be brought by the staff member assigned to the Package Room to the incarcerated individual at the conclusion of the visit.
 - b. The Package Receipt forms shall be signed in duplicate by the incarcerated individual who shall keep the original. The duplicate shall be maintained in a separate file in the Package Room.
 - c. Persons delivering packages who choose not to visit shall deposit packages at the package receipt area of the Facility (Borough Incarcerated individual Visitors) or Visit Control Building (Rikers Island Incarcerated individual Visitors). The package room officer shall deliver these packages to the facility package room for delivery to incarcerated individual at the conclusion of the registration period. All packages shall be delivered to the incarcerated individual on the same day of its delivery to the facility unless a lawful warrant is obtained. Packages for incarcerated individuals who have a court appearance on the following day shall be delivered as soon as possible on the same day received.

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- d. In the course of inspection of such clothing for contraband, the clothing may be ripped, torn, or cut only as a last resort after all alternate means for inspection have been exhausted and such alternate means cause the officer to have reasonable suspicion that contraband has been concealed in the clothing. Ripping, tearing, cutting, or otherwise damaging clothing must first be authorized in writing in advance by the visit supervisor or higher ranking officer based on their personal inspection of the clothing and assessment (also explained in writing) that there is reasonable suspicion to believe contraband is concealed in the article of clothing. Where ripping, tearing, or cutting of clothing is authorized, said clothing shall be taken apart in the least destructive manner required to accomplish the inspection found to be necessary.
- e. In each case where clothing is ripped, torn, or cut and not lawfully retained, the visit supervisor shall ensure that all items are repaired and promptly delivered together with a copy of the written authorization which permitted the item to be ripped, torn, or cut to the intended incarcerated individual.
- f. A written record shall be kept of each search that describes:
 - i. The property that was searched;
 - ii. The specific reasons or suspicions for doing the search;
 - iii. How the search was accomplished and by whom;
 - iv. The alternate means of searching which were exhausted before permission to rip, tear, or cut clothing was granted;
 - v. Any items found in the search; and
 - vi. The final disposition of the clothing and all items found.
- g. A copy of this record shall be given to the incarcerated individual whose property was searched.
- h. Eyeglasses
 1. Visitors may bring eyeglasses for incarcerated individuals. The eyeglasses must be for reading or be prescribed; lenses cannot be tinted or transition; and frames must be generic – no designer frames (e.g., Gucci, Prada, Louis Vuitton, etc.).
 - A. However, Department Medical Staff may authorize an incarcerated individual's use of tinted or transition lenses.
 2. Visitors bringing eyeglasses for an incarcerated individual must surrender the eyeglasses to the package room officer receiving

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packages in its own package. Staff shall provide the visitor with a receipt for the eyeglasses.

3. For eyeglasses with clear lenses that reasonably appear to correct vision (e.g., they are blurry when someone with normal vision looks through them), the package room officer shall verify that the glasses are authorized in accordance with Directive 4508R-E, "Control of and Search for Contraband".
4. For tinted eyeglasses, the Visit Supervisor shall ensure the eyeglasses are promptly delivered to Medical for verification that they are prescription eyeglasses in accordance with Directive 4508R-E. This shall be done the same day, or if it is a weekend/holiday, on the next business day.
 - A. Additionally, Mental Observation incarcerated individuals shall require verification from Mental Health that it is safe for the incarcerated individual to possess eyewear.
5. Once the eyeglasses have been verified as prescription eyeglasses, the Department shall inspect them in accordance with Section IV.J.6 and ensure the incarcerated individual receives the eyeglasses provided the incarcerated individual is not already in possession of another pair.
6. If the incarcerated individual already has an authorized pair of eyeglasses or if the eyeglasses delivered by the visitor are not prescription eyeglasses, those eyeglasses shall be placed with the incarcerated individual's property and the incarcerated individual shall receive a receipt for such.

Note: If the eyeglasses delivered by the visitor are prescription eyeglasses but the incarcerated individual already has an authorized pair of eyeglasses, the incarcerated individual may choose which pair of eyeglasses to store with their property.

7. **Outgoing Packages:** Incarcerated individuals who wish to send clothes home via the visit process may do so by bringing clothing item(s) with them when called for a visit. The visit search officer shall search the items for contraband (City property, etc.). Approved items shall be placed in a paper bag by the visit search officer with the incarcerated individual's name and book and case number on the

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bag. The package room officer shall issue outgoing packages to the visitor after the visit but prior to exit from the visit house and ensure that the visitor signs for the package left by the incarcerated individual.



K. SEARCH OF VISITORS/FACILITY VISIT AREA

Visitor searches shall be conducted as follows:

1. Upon entering the Visit Area prior to registration, all visitors shall be stamped with a non-reversible character on the back of the left hand using fluorescent ink. This hand stamping shall be performed whether or not the visit actually takes place.
2. After registration, each visitor shall be directed to place any personal items (coats, sweaters, purses, etc.) in lockers provided for that purpose. Visitors shall retain the locker key. Upon completion of the visit, visitors shall retrieve their personal property from the locker.
3. Prior to the visitor(s) entering the Contact Visit Room, search procedures outlined in Section IV.A - D shall be adhered to.

L. THE VISIT

1. Upon completion of the search process, visitors shall enter the visit waiting area. Visitors may sit in the visit room if space allows. When both visitor and incarcerated individual are seated together, the observation officer shall time-stamp/scan both copies of the Visit Processing Form/Visit Express Ticket.
2. Physical contact shall be permitted between every incarcerated individual and all of the incarcerated individual's visitors. Permitted physical contact shall include a brief embrace and kiss between the incarcerated individual and visitor at both the beginning and end of the visitation period. Incarcerated individuals shall be permitted to hold children in the incarcerated individual's family who are ages fourteen (14) and younger throughout the visitation period. However, the Department may limit an incarcerated individual's holding of children to one child at a time. Additionally, incarcerated individuals shall be permitted to hold hands with their visitors throughout the visitation period, which the Department may limit to holding hands over a partition that is no greater than six (6) inches. These provisions are not applicable to incarcerated individuals housed in a contagious disease unit for medical reasons or for incarcerated individuals designated for non-contact visits.

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3. During visits, incarcerated individuals and visitors shall be required to abide by the following rules:
 - a. Incarcerated individuals and visitors shall remain seated with hands above the tables.
 - b. No exchange of items are permitted without prior approval.
 - c. At the completion of the visit, the visitor(s) shall remain seated until the incarcerated individual has departed the area.
4. The contact visit observation officers shall patrol the Visit Room to ensure that the rules are enforced and that no contraband is introduced into the facility or given to any incarcerated individual. At the completion of the visit, the observation officers shall direct the incarcerated individuals to the appropriate area for search and clothing change. Visitors shall be directed to the proper exit and required to display the stamp of the day on their left hand prior to exiting the contact area.
5. Non-contact visits shall take place in the Visit Booth Area of each facility during the regularly established visiting hours. Both incarcerated individuals and visitors shall undergo the same registration and search procedures as prescribed for contact visits.

M. VISITOR EXIT PROCEDURES

1. Prior to visitors exiting from the visit house, the officer assigned to the visit house entrance gate shall inspect the hand stamp code of each visitor with the use of the ultraviolet light. If an exiting visitor displays a hand stamp with a wrong code, a code that is smudged or distorted, or no stamp at all, the individual in question shall be detained and immediate notification shall be made to the visit supervisor who shall conduct an immediate investigation to determine the proper identity of the individual (if the individual has been identified as an incarcerated individual, the Tour Commander shall be notified and take appropriate action).
 - a. At all Rikers Island facilities, after visiting, visitors shall await the arrival of the bus in the designated facility waiting area.
2. The entrance officer shall then time-stamp/scan the original and the copy of the Visit Processing Form/Visit Express Ticket for the last time. The copy shall be given to the visitor and the original shall be filed in the facility visit record file.

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3. In addition, all Rikers Island facility visit buses shall be equipped with a portable black light. The visit bus driver shall check the hand stamp with the black light as each visitor boards the bus and again when exiting the bus at the Visit Control Building.



N. INCARCERATED INDIVIDUAL SEARCH

Upon completion of a visit, the incarcerated individual shall be directed to the incarcerated individual Visit Search Room where he/she shall be required to undergo a "Strip Search **without** a Visual Body Cavity Search." A Strip Search without a Visual Body Cavity Search is a visual inspection of the armpits, oral cavity, ears, nose, navel, and hair while the incarcerated individual is undressed. This search shall not involve visual inspection of an incarcerated individual's anal or genital cavity, require the incarcerated individual to spread his/her buttocks, or lift his/her genitals or breasts. This inspection may involve directing the incarcerated individual to perform a deep knee bend in order to expel any contraband that may be secreted in the anal or genital cavity. This may also include conducting a search of the incarcerated individual's worn apparel (possibly including the ripping, tearing, and/or cutting of the clothing) after clothing has been removed.

Note: For additional information refer to Directive 4508R-D, Section V.F.

O. CONTROL BUILDING AND FACILITY OBLIGATIONS



1. Visitors shall not be required to wait outside a facility or the Visit Control Building. All waiting and visiting areas shall provide:
 - a. Adequate seating for each visitor to accommodate the highest peak demand for visits that the facility normally has.
 - b. Access to bathroom facilities and drinking water. Facilities shall be responsible to see that bathrooms are inspected and cleaned every two (2) hours during visiting and at the beginning and end of each visit day; and are kept clean and sanitary at all times.
 - c. Access to vending machines for beverages and snacks.

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- d. Access to Spanish speaking employee(s) or volunteer(s).
 - e. All visiting rules, regulations, and hours clearly posted, in English and Spanish, in the waiting and visiting areas at each facility.
2. Each bus shall be searched at the onset of each visit day at all Rikers Island Facilities to deter the introduction of contraband by visitors. The visit bus driver shall also inspect the passenger compartment for contraband before loading visitors at the Visit Control Building and after discharging visitors at the facility.
3. The following signs shall be conspicuously posted in both English and Spanish in all waiting and visiting areas of each facility:
 - a. Information;
 - b. Search;
 - c. Cash drop off; and
 - d. Cash and package drop off.
4. The following materials shall be conspicuously posted in both English and Spanish in all waiting and visiting access areas of each facility:
 - a. Penal Law relative to promoting prison contraband;
 - b. Visit Area procedures;
 - c. Registration Procedures;
 - d. Locker Instructions;
 - e. Rules of conduct;
 - f. Visit Schedule; and
 - g. Age and Identification Requirements.
5. The following signs and materials shall be conspicuously posted in both English and Spanish in the Visit Control Building for Rikers Island visitors:
 - a. Penal law relative to promoting prison contraband;
 - b. Pre-registration procedures;
 - c. Age and identification requirements - importance of knowing incarcerated individuals correct location;
 - d. Rules of conduct; and
 - e. Visit schedules.
6. The following printed hand out materials must be available:
 - a. Visit Schedules;
 - b. Information Brochures;

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- c. Permissible Package Items (Listing); and
- d. Public and private transportation schedules.

V. REFERENCES

- B. [Directive 1500R-A, "Standard Operating Procedures for Receipt, Disbursement, and Accounting of Incarcerated individual Cash Funds," dated 11/10/97 \(as amended\).](#)
- C. [Directive 1504, "Safeguarding of US Currency," dated 9/19/96.](#)
- D. [Directive 4002R-C, "Receiving and Sending Incarcerated individual Packages," dated 7/26/16 \(as amended\).](#)
- E. [Directive 4508R-E, "Control of and Search for Contraband," dated 5/15/09 \(as amended\).](#)
- F. [Directive 4512, "Visit Security Procedures," dated 6/23/82 \(as amended\).](#)
- G. [Directive 4525, "Amnesty Boxes," dated 3/29/05.](#)
- H. [Directive 4530, "Ion Scan Searches," dated 7/10/03.](#)
- I. [Directive 4531R-B, "Canine Units \(K-9\)," dated 5/3/17.](#)
- J. [Operations Order 02/09, "Transporting Inmate with Disabilities," dated 3/9/09.](#)
- K. [Operations Order 24/07, "Transporting Visitors with Disabilities," dated 12/21/07.](#)
- L. [Board of Correction, Minimum Standards - Section 10.](#)

VI. ATTACHMENTS

- A. [143R, "Notice to Incarcerated Individual/Visitor of Limitation/Denial of Visiting Access," dated 3/1/21.](#)
- B. [Form 439, " Visitor Pat Frisk Consent Form," dated 3/1/21.](#)

	EFFECTIVE DATE 3/1/ 21	SUBJECT VISIT PROCEDURES FOR INCARCERATED INDIVIDUALS		
	CLASSIFICATION # 2007R-E			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="checked" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 44 OF 44 PAGES	

VII. SUPERSEDES

- A. Directive 2007R-D, "Inmate Visit Procedures," dated 6/1/18 (as amended).



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 NOTICE TO INCARCERATED INDIVIDUAL /VISITOR OF CANCELLATION /
 LIMITATION / DENIAL OF VISITING ACCESS

SECTION I - Incarcerated Individual's Information

Incarcerated Individual's Name (Last, First): _____ Facility: _____ Housing Area: _____ Gender: _____
 NYSID #: _____ Book and Case / Sentence #: _____

SECTION II - Visitor's Information

Date and Time: _____

Visitor's Name (Last, First): _____ Relationship to Incarcerated Individual: _____ Visitor's Birthday: _____ Gender: _____
 Street Address: _____ City: _____ State: _____ Zip: _____
 Email Address: _____

Note: If you appeal DOC's initial determination to the BOC, you may be notified of the final determination via the email address you provide here for a faster response. The DOC email address is: DOCVisitDetermination@DOC.NYC.Gov. Do not write to this address, it is for outgoing mail only.

SECTION III - Visitor Cancellation / Limitation / Denial

The Visit Supervisor's recommendation for above named visitor:

☐ CANCELLATION ☐ LIMITATION (non-contact) ☐ DENIAL
☐ Above named incar. individual ☐ All incarcerated individual
☐ 1-day ☐ 45 - days ☐ 60 - days ☐ 90 - days ☐ 180 - days ☐ _____ - days

SECTION IV - Incarcerated Individual Cancellation / Limitation / Denial

The Visit Supervisor's recommendation for above named incarcerated individual:

☐ CANCELLATION ☐ LIMITATION (non-contact) ☐ DENIAL
☐ Above named visitor ☐ All Visitors
☐ 1-day ☐ 45 - days ☐ 60 - days ☐ 90 - days ☐ 180 - days ☐ _____ - days

SECTION V - Justification of Incarcerated Individual and/or Visitor Cancellation / Limitation / Denial

The recommendation to cancel / limit / deny the above incarcerated individual's or visitor's visitation rights is based on the following:

☐ Actions by the Incarcerated Individual ☐ Actions by the Visitor ☐ Actions by the Incarcerated Individual and Visitor
☐ Incarcerated Individual/Visitor observed passing contraband ☐ Medical ☐ Incarcerated Individual/Visitor in possession of contraband ☐ Out to court
☐ Incarcerated Individual Transferred/Discharged ☐ Inappropriate attire ☐ Visitor refuse to wait ☐ Failed ion scan
☐ Pending investigation ☐ Disrespect Staff ☐ Incarcerated Individual refused visit ☐ Other
☐ Invalid/Expired ID ☐ Refuse to obey rules and regulations

Details: _____

This cancellation / limitation / denial conforms to the Cancellation / Limitation / Denial Grid (below), based on the circumstances noted above and, when applicable based on the visitor's restriction history (Section V) or based solely on the extenuating circumstances.

Recommended by: _____ Approved by: _____
 Visit Supervisor (Print Name, Rank, Shield / Signature) Tour Commander / Deputy Warden of Programs (Print Name, Rank, Shield / Signature)

ATTACHMENT - A

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NOTICE TO INCARCERATED INDIVIDUAL/VISITOR OF CANCELLATION / LIMITATION / DENIAL OF VISITING ACCESS

SECTION VI - Visitor Cancellation / Limitation / Denial Grid (Check One)

Sanction	1st Offense		2nd Offense		3rd Offense	
	Visitor	Individual	Visitor	Individual	Visitor	Individual
<input type="checkbox"/> Promoting Prison Contraband - (Weapons) Specifically scalpels, razor blades, hobby blades, or similar type of instrument. This includes the use of contraband (weapons) in any assault on any person (staff, incarcerated individual, and/or visitor).	Visitor loss of visit access with any incarcerated individual indefinitely Incarcerated individual loss of contact visit for the remainder of incarceration		Visitor loss of visit access with any incarcerated individual indefinitely Incarcerated individual loss of contact visit for the remainder of incarceration		Visitor loss of visit access with any incarcerated individual indefinitely Incarcerated individual loss of contact visit for the remainder of incarceration	
<input type="checkbox"/> Promoting Prison Contraband - (Narcotics or controlled substance) When a visitor or incarcerated individual is found to be in possession and/or is promoting narcotics or controlled substance that visitor's right to visit any incarcerated individual in any facility shall be denied	180 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days* Visit cancellation with any incarcerated individual for the offending visitor	365 days* Non-contact visits with any visitor	Offending visitor's loss of visit access with any incarcerated individual indefinitely	Incarcerated individual loss of contact visits for the remainder of incarceration
<input type="checkbox"/> Possession or Promotion of Prison Contraband - (Electronic Devices and Prohibited Items) When a visitor is found to be in possession of this type of contraband, specifically, cell phones, cameras, pagers, tobacco related products, matches/lighters, etc., that visitor's right to visit any incarcerated individual in any facility shall be denied.**	180 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days* Visit cancellation with any incarcerated individual for the offending visitor	365 days* Non-contact visits with any visitor	Offending visitor's loss of visit access with any incarcerated individual indefinitely	Incarcerated individual loss of contact visits for the remainder of incarceration
<input type="checkbox"/> When a visitor or incarcerated individual, at any time during the visit process assaults staff, an incarcerated individual, or another visitor that person's right to visit shall be limited/denied**.	180 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days* Visit cancellation with any incarcerated individual for the offending visitor	365 days* Non-contact visits with any visitor	Offending visitor's loss of visit access with any incarcerated individual indefinitely	Incarcerated individual loss of contact visits for the remainder of incarceration
<input type="checkbox"/> When a visitor or incarcerated individual, at any time during the visit process, threatens or verbally abuses staff or another visitor or causes a disturbance that puts staff in imminent danger, that person's right to visit shall be limited/denied.	45 days Visit cancellation with any incarcerated individual for the offending visitor	45 days Non-contact visits with any visitor	90 days Visit cancellation with any incarcerated individual for the offending visitor	90 days* Non-contact visits with any visitor	365 days* Visit cancellation with any incarcerated individual for the offending visitor	365 days* Non-contact visits with any visitor
<input type="checkbox"/> Any visitor or incarcerated individual who at any time during the visit process, presents false ID or attempts to impersonate another person, shall have his/her visit access limited/denied.	45 days Visit cancellation with any incarcerated individual for the offending visitor	45 days Non-contact visits with any visitor	90 days Visit cancellation with any incarcerated individual for the offending visitor	90 days* Non-contact visits with any visitor	365 days* Visit cancellation with any incarcerated individual for the offending visitor	365 days* Non-contact visits with any visitor
<input type="checkbox"/> Any visitor or incarcerated individual who, at any time during the visit process, fails to follow the instructions of staff (e.g., refusal to submit to security procedures) and thereby causes disruption of the visit process, shall have their right to visit limited/denied	45 days Visit cancellation with any incarcerated individual for the offending visitor	90 days Non-contact visits with any visitor	90 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	365 days Non-contact visits with any visitor
<input type="checkbox"/> Any visitor or incarcerated individual who, at any time during the visit process, is found to have stolen property, or who commits an act of vandalism while on Department of Correction property, shall have their right to visit any individual limited/denied	90 days Visit cancellation with any incarcerated individual for the offending visitor	90 days Non-contact visits with any visitor	180 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	365 days Non-contact visits with any visitor
<input type="checkbox"/> Any visitor or incarcerated individual who, at any time during the visit process, is found to be in possession of any item(s) considered contraband that is not already addressed in offenses 1-3 listed herein, (e.g., food, beverages, gum, metrocard), shall have their right to visit in any facility limited/denied	30 days Loss of contact visit	30 days Non-contact visits with any visitor	60 days Loss of contact visits	60 days Non-contact visits with any visitor	1 year Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor
<input type="checkbox"/> Any visitor or incarcerated individual who is discovered, by means of credible intelligence, to plan or be planning to introduce prison contraband (weapons) specifically scalpels, razor blades, hobby blades, or similar type of instruments into a facility through the visit process, shall have their right to visit in any facility limited/denied	180 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	365 days Non-contact visits with any visitor	Offending visitor's loss of visit access with any incarcerated individual indefinitely	Incarcerated individual loss of contact visits for the remainder of incarceration
<input type="checkbox"/> Any visitor or incarcerated individual who is discovered, by means of credible intelligence, to plan or be planning to introduce prison contraband (non-weapons), specifically narcotics or controlled substances into a facility through the visit process shall have their right to visit in any facility limited/denied	90 days Visit cancellation with any incarcerated individual for the offending visitor	90 days Non-contact visits with any visitor	180 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor
<input type="checkbox"/> Any visitor or incarcerated individual who, at any time during the visit process, engages in sexual activity, shall have their right to visit in any facility limited/denied	180 days Visit cancellation with any incarcerated individual for the offending visitor	180 days Non-contact visits with any visitor	365 days Visit cancellation with any incarcerated individual for the offending visitor	365 days Non-contact visits with any visitor	Offending visitor's loss of visit access with any incarcerated individual indefinitely	Incarcerated individual loss of contact visits for the remainder of incarceration

** When a visitor is found to be in possession and/or is promoting narcotics or controlled substances, that visitor's right to visit any incarcerated individual in any facility shall be denied. An incarcerated individual will receive 180 days of non-contact visits if contraband is passed or attempted to be passed by the visitor to the incarcerated individual, or a visitor who is registered to visit an incarcerated individual is arrested for promoting prior to the commencement of the visit.

SECTION VII - Visitor Restriction History



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 NOTICE TO INCARCERATED INDIVIDUAL/VISITOR
 OF CANCELLATION / LIMITATION / DENIAL OF VISITING ACCESS

SECTION VIII - VISITOR / INCARCERATED INDIVIDUAL APPEAL PROCEDURE AND RECEIPT

The visitation rights of an incarcerated individual with a particular visitor may be limited or denied only when it has been determined that the exercise of those rights constitutes a threat to the safety or security of visitors or the facility. This may happen only if denying the right to contact visits alone would not reduce this threat. This decision must be based on specific acts committed by the visitor during a prior visit that demonstrates his / her threat to the safety or security of a particular facility, or on specific information received and verified that the visitor plans to engage in acts during the next visit that will be a threat to the safety or security of the facility.

This decision to cancel, limit or deny visits shall be made by the Deputy Warden for Programs, who will provide written notification and specific charges, including the names and the statements of the charging parties, to both the intended visitor and the incarcerated individual. The visitor who is affected shall have the opportunity to be heard on the charges face-to-face with the Deputy Warden for Programs, or the Tour Commander if the Deputy Warden for Programs is absent prior to the determination. At the visitor's request, this decision may be reviewed by the Deputy Warden for Programs every thirty (30) days. The name of an informant may be withheld if necessary to protect his / her safety.

Visitors and incarcerated individuals whose visiting privileges have been canceled, limited or denied by the Department of Correction (DOC) may appeal to the New York City Board of Correction (BOC). Any person who appeals shall give notice in writing to the BOC and to the DOC Commanding Officer. The facility and any person affected by the decision may submit to the BOC, for its consideration, any evidence or relative material relevant to the cited offense and to the cancellation/limitation/denial. The BOC, or the designee, shall issue a written decision upon the appeal within five (5) business days after it has received notice of the requested review.

My signature certify that I have received a copy of the notice of cancellation/limitation/denial with the B.O.C Minimum Standards Appeal and Complaint form (see Section VII below).

Signature of Visitor / incarcerated individual: _____

Witnessed by: _____

Date: _____

SECTION IX - BOC APPEAL AND COMPLAINT FORM

 NYC BOARD OF CORRECTION
 1 CENTRE STREET Room 2213
 NEW YORK, NEW YORK 10007
 (212) - 669-7900

 BOARD OF CORRECTION
 MINIMUM STANDARDS APPEAL AND COMPLAINT FORM

This form should be promptly completed by any prisoner or other person appealing a determination to the Board of Correction relating to a minimum standard. This form should be given to a staff member of the Board of Correction at the facility or mailed to the address above or emailed to BOC@doc.nyc.gov. This form should also be utilized for the purpose of making any complaint or command involving the minimum standards.

DOC FACILITY AND HOUSING AREA: _____

APPLICABLE STANDARD, INCLUDING SECTION NUMBER: _____

NAME AND BOOK AND CASE NUMBER OF INCARCERATED INDIVIDUAL: _____

NAME, ADDRESS, PHONE NUMBER OF APPELLANT OTHER THAN

INCARCERATED INDIVIDUAL: _____

NATURE OF DECISION BEING APPEALED (Attach copy of any written notice or decision provided by DOC): _____

DATE DECISION BEING APPEALED WAS MADE BY DOC: _____

NAME / IDENTIFICATION OF PERSON(S) WHO MADE DECISION BEING APPEALED: _____

REASON FOR APPEALING DECISION OR MAKING COMPLAINT (Attach any applicable written or other materials to be considered in the appeal):

Signature_____
Date

(Please attach additional sheets if you need to provide more information needs to BOC for your appeal)

SECTION X - APPEAL DISPOSITION

You have appealed your non-contact visit restriction to the Board of Correction. The Board of Correction granted your appeal on ____/____/____ restoring your contact visits or modifying your restriction. Upon review of the Board of Correction's decision, the Department of Correction is issuing the following final determination:

☐ The Department of Correction will uphold the Board of Correction's non-contact Visit Appeal decision.

☐ The Department of Correction **will not** uphold the Board of Correction's non-contact Visit Appeal decision.



Bureau Chief's Signature: _____ Date: _____

 You acknowledge you have recieved a copy of the Final Appeal Disposition on _____
 Date

Incarcerated Individual's Signature _____

Book&Case: _____

Date: _____

	CORRECTION DEPARTMENT CITY OF NEW YORK		Form: 439 Rev.:3/1/21 Ref.: Dir.2007R-E Dir. 4508R-E	
	VISITOR PAT FRISK CONSENT FORM			
Facility:		Date:	Time:	Housing Area:
Incarcerated Individual's Name:		Book & Case #:	NYSID #:	Cell or Bed #:
Visitor's Name:				
<p>1. Before you will be permitted to have your visit, it is necessary for you to undergo a Visitor Pat Frisk Search. You have the right to refuse this search. If you do refuse the search, a contact visit will be denied and a "Non- Contact or Booth" visit will be provided in place thereof. Please note, however, that if a Metal Detector Search has indicated the presence of a metallic object on your person and your person and you do not consent to a Pat Frisk, the visit will be denied entirely. In addition, if the visit Captain determines, in accordance with BOC Minimum Standards, that a non- contact visit would still constitute a serious threat to the safety and security of the institution, you may be denied a visit entirely. Additionally, to protect your rights to be searched lawfully, all pat- frisk searches will be videotaped by video surveillance. If you do not wish the search to be videotaped by video surveillance, you may refuse the search, a contact visit will be denied and a " Non- Contact or Booth" visit will be provided in place thereof.</p> <p>2. A description of the Visitor Pat Frisk procedures are printed on the reverse side of this form.</p> <p>3. Did the visitor clear the metal detector, transfrisker, and or/ any other metal detective device: Yes ____ No ____</p> <p>4. I understand that I may refuse to submit to a Visitor Pat Frisk Search and I refused to be searched my visiting privilege will be restricted or denied as outlined in #1 above.</p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> I consent to a Pat Frisk Search ____ Visitor initials </div> <div> <input type="checkbox"/> I consent to a ION Scan Search on my headwear of religious significance ____ Visitor initials </div> </div> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> I DO NOT consent to a Pat Frisk Search ____ Visitor initials </div> <div> <input type="checkbox"/> I DO NOT consent to a ION Scan Search on my headwear of religious significance ____ Visitor initials </div> </div>				
Signature of visitor:			Date:	
Signature of adult accompanying visitor (If visitor is under 16 years of age):			Date:	
Signature of Officer:			Date:	
Signature of Supervisory Officer:		Rank:	Date:	
Reason for Pat Frisk Search:		Reason for ION Scan Search of my headwear of religious significance:		
Results of Pat Frisk Search:		Results of ION Scan Search of my headwear of religious significance:		
Additional Remarks:				
Distribution: Original - Incarcerated individual's Folder Copy - Commanding Officer of SOD Copy - Incarcerated individual Copy - Visitor Copy - Deputy Warden for Programs (Incarcerated individual's Facility) Copy - Deputy Warden for Security (ONLY IF CONTRABAND FOUND)				

A PAT FRISK SEARCH OF A VISITOR SHALL ONLY BE PERFORMED IN A AREA OF PUBLIC VIEW UNLESS SPECIFICALLY REQUESTED BY THE VISITOR TO BE CONDUCTED IN A PRIVATE AREA OF THE FACILITY BY AN INDIVIDUAL OF THE SAME GENDER AS THE VISITOR; WILL BE VIDEOTAPED BY VIDEO SURVEILLANCE, AND SHALL BE CONDUCTED AS FOLLOWS:

A. A VISITOR PAT FRISK SEARCH INCLUDES INSPECTION OF THE VISITOR'S HEAD, NECK, ARMS, TORSO, LEGS AND FEET. THIS INCLUDES AN INSPECTION OVER THE CLOTHES OF SENSITIVE AREAS SUCH AS THE CHEST, GROIN, AND BUTTOCKS, AND MAY ALSO INCLUDE HEAD COVERINGS.

B. A CORRECTION OFFICER CANNOT: A) STRIP SEARCH A VISITOR, B) INSERT FINGERS INTO ANY BODY ORIFICE, INCLUDING A VISITOR'S ANUS OR VAGINA, C) HAVE ANY SKIN-TO-SKIN OR GLOVED -HAND TO SKIN CONTACT WITH A VISITOR'S BREASTS, GENITALS, OR BUTTOCKS, D) HAVE PROLONGED CONTACT WITH A VISITOR'S BREASTS, GENITALS, OR BUTTOCKS OVER THEIR CLOTHING, E) DIRECT THE VISITOR TO EXPOSE THEIR BREASTS, GENITALS, OR BUTTOCKS AND F) DIRECT THE VISITOR TO EXPOSE, REMOVE, OR DISPLAY, ANY FEMININE HYGIENE PRODUCTS THE VISITOR IS WEARING, INCLUDING BUT NOT LIMITED TO: SANITARY NAPKINS, TAMPONS, AND OTHER ABSORBENT MATERIALS PLACED IN THE VICINITY OF THE VISITOR'S VAGINA OR UNDERWEAR;

C. THE PAT FRISK SEARCH IS CONDUCTED BY PATTING THE OUTER CLOTHING OVER ENTIRE LENGTH OF THE VISITOR'S BODY, AND EXAMINING THE SEAMS AND POCKETS OF THE VISITOR'S CLOTHING TOUCHING THE SKIN ONLY AT THE SHIRT SLEEVES AND THE COLLAR. DURING THE PAT FRISK, THE VISITOR MAY BE REQUIRED TO REMOVE HIS/HER OUTER GARMENTS, SUCH AS COAT, HAT, AND SHOES. VISITORS SHALL BE REQUIRED TO RUN THEIR FINGERS THROUGH THEIR HAIR UNDER THE OBSERVATION OF A CORRECTION OFFICER IN ORDER TO ENSURE THAT WEAPONS OR OTHER CONTRABAND ARE NOT SECRETED IN THE HAIR. AT THE DISCRETION OF THE OFFICER, A TRANSFISKER MAY BE USED TO CHECK FOR CONTRABAND IN A VISITOR'S HAIR. THE VISITOR MAY BE REQUIRED TO LIFT, RAISE, OR ADJUST THEIR CLOTHING FOR A VISUAL INSPECTION (E.G., LIFT PANT LEGS TO SHOW ANKLES OR UNFURL A CUFFED PANT HEM) BUT A VISITOR CANNOT BE REQUIRED TO EXPOSE THEIR BREASTS, GENITALS, OR BUTTOCKS.

D. TO PERFORM THE VISITOR PAT FRISK SEARCH, THE CORRECTION OFFICER TURNS THE VISITOR'S COLLAR UPRIGHT AND UTILIZES THEIR INDEX FINGER, MIDDLE FINGER, AND THUMB ACROSS THE OUTSIDE OF THE COLLAR, AND FINGERS ACROSS THE SHOULDER BLADES AND THE VISITOR'S BACK AREA. THE CORRECTION OFFICER WILL RUN THEIR HANDS ACROSS THE TOP OF THE VISITOR'S ARMS, COME BACK UNDER THE VISITOR'S ARMS TO THE ARMPITS AND DOWN THE VISITOR'S SIDE TO THE WAIST, TO PAT FRISK SEARCH THE VISITOR'S WAIST, THE CORRECTION OFFICER USES THE INDEX FINGER, MIDDLE FINGER, AND THUMB AROUND THE OUTSIDE OF THE VISITOR'S WAISTBAND, AND OVER THE OUTSIDE POCKET AREA. THE CORRECTION OFFICER THEN REACHES AROUND AND PATS THE VISITOR'S CHEST AND BACK AND CHECKS ANY REMAINING POCKETS. IN CONDUCTING A PAT FRISK, CORRECTION OFFICERS SHALL STRIVE TO PRESERVE THE DIGNITY OF THE VISITOR BEING SEARCHED.

NOTE: SHOULD A VISITOR WEARING A SKIRT CONSENT TO A VISITOR PAT FRISK, BUT BECAUSE OF THE NATURE OF THE SKIRT AN EFFECTIVE VISITOR PAT FRISK SEARCH IS IMPOSSIBLE, THE VISITOR SHALL BE GIVEN A NON- CONTACT VISIT UNLESS THE VISIT UNLESS THE VISIT IS DENIED ENTIRELY FOR OTHER REASONS IN ACCORDANCE WITH DEPARTMENTAL POLICY.

IF THE PAT FRISK SEARCH DOES NOT ADEQUATELY RESOLVE THE AREA SUPERVISOR'S CONCERNS ABOUT THE POSSIBLE INTRODUCTION OF CONTRABAND, A CONTACT VISIT MAY STILL BE DENIED AND A NON- CONTACT VISIT SUBSTITUTED.

IF YOU BELIEVE THAT YOU HAVE BEEN SUBJECTED TO AN IMPROPER PAT FRISK SEARCH, PLEASE CALL 311.