

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF NEW YORK DEPARTMENT OF CORRECTION
AND
THE CITY OF NEW YORK DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES

This Memorandum of Understanding (“MOU”) effective on July 1, 2021 (the “Effective Date”) by and between the New York City Department of Correction (“DOC”), having offices located at 75-20 Astoria Blvd., E. Elmhurst, NY 11370, and the New York City Department of Citywide Administrative Services (“DCAS”) having offices at One Centre Street, New York, New York 10007, 20th Floor North (individually referred to as the “Party” and collectively referred to as the “Parties”).

WHEREAS, Chapter 2 of Title 4 of the Administrative Code of The City of New York has been amended by addition of Section 4-215 (hereafter, “Section 4-215”) by which the Mayor shall authorize the surrender of jurisdiction and management of every portion of real property (it is hereby acknowledged that any reference in this MOU to lands, property, parcels, real property, etc. shall also refer to any and all permanent improvements and structures situated thereon) on Rikers Island to DCAS between July 1, 2021 and August 31, 2027 not in active use for the housing of incarcerated persons or in active use for providing direct services to such persons, such as medical care, training, storage, employment training and services, re-entry services, educational services, visitation, legal services or administrative hearings;

WHEREAS, the Parties acknowledge that while the transfer of both jurisdiction and management may occur simultaneously, there will be instances when such transfers must occur in two phases;

WHEREAS, the Parties wish to establish a framework for the orderly and efficient surrender of jurisdiction and management pursuant to Section 4-215, the Parties desire to memorialize their understanding of this process by this MOU.

NOW, THEREFORE, the Parties mutually agree as follows:

ARTICLE 1. **TERM**

- 1.1 This MOU shall commence as of the Effective Date and shall terminate August 31, 2027; provided, however that it shall be automatically be extended if necessary and if permissible under Section 4-125, until DCAS has accepted management of all real property to be surrendered by DOC pursuant to Section 4-215.

ARTICLE 2. **DEFINITIONS**

- 2.1. “Parcel” shall mean any parcel on Rikers Island identified by the Parties for transfer of jurisdiction and management under this MOU.

ARTICLE 3. **DOC SURRENDER OF JURISDICTION**

- 3.1. Commencing July 1, 2021 and from time to time during the Term of this MOU, in DOC's discretion and upon authorization from the Mayor, by written notice to DCAS, DOC shall request the transfer of jurisdiction of Parcels contemplated for surrender pursuant to Section 4-215 ("Surrender of Jurisdiction Request Notice" or "SJR Notice"). The Parties acknowledge that pursuant to Section 4-215, Mayoral authorization is an essential prerequisite to delivery of a SJR Notice. The SJR Notice shall contain a diagram of the Parcel, any street address or other identifier(s) helpful to clearly delineate the Parcel from abutting properties, and a brief narrative describing the Parcel, including the approximate measurements if available, approximate square footage if available, height if the Parcel contains an improved structure, etc. Within thirty (30) days of receipt of such SJR Notice, DCAS shall deliver to DOC a notification that the transfer of jurisdiction has been accepted ("Transfer of Jurisdiction Confirmation Notice" or "TJC Notice"). In the event the SJR Notice is incomplete or defective for any reason, DCAS shall notify DOC of the defect in the notice and DOC shall revise accordingly until accepted by DCAS.
- 3.2. It is understood and acknowledged by the Parties that any and all management responsibilities shall continue uninterrupted to reside exclusively with and at the sole cost and within the sole discretion of DOC until such time as management of such property is formally transferred to and accepted by DCAS, as set forth in detail hereinafter. Examples of management responsibilities include but are not limited to maintenance, repair, command and control, security, access, and any and all liability and risk of loss responsibilities pertinent thereto.

ARTICLE 4. DCAS ACCEPTANCE OF MANAGEMENT

- 4.1. Commencing July 1, 2021 and from time to time during the Term of this MOU, in DOC's discretion by written notice to DCAS, DOC shall request the transfer of management contemporaneous with or following delivery of a SJR Notice, (hereinafter, the "Surrender of Management Request Notice" or "SMR Notice"). The SMR Notice shall contain: a) a diagram of the Parcel contemplated for transfer of management, any street address or other identifier(s) helpful to clearly delineate the Parcel from abutting properties, and a brief narrative describing the Parcel, approximate measurements if available, approximate square footage if available, height if the Parcel contains an improved structure, etc.. In addition, the SMR Notice shall contain or be accompanied by (a) a statement that confirms that the property is vacant and has been emptied of all personal property; (b) a list of known conditions in or on the Parcel, including the presence of hazardous materials such as friable asbestos ; (c) the disclosure of the existence of any open and outstanding violations issued by a Federal, state or local agency; and (d) a statement that all utilities are on for the purpose of inspection unless DOC determines that leaving them on is impractical or unsafe. The SMR Notice will state that the Parcel is available for inspection, setting forth any process in addition to the Rikers Island Access Protocol (as defined hereinafter) that will be required (such as the availability of keys or contact information to specific security personnel) to obtain access to the Parcel for a full inspection.

Within thirty (30) days of receipt of a SMR Notice from DOC, DCAS shall send representatives from its Construction and Technical Services unit (the "CTS Unit") to inspect the Parcel. In order to access Rikers Island to inspect the property, all CTS Unit personnel shall first obtain clearance to access Rikers Island in accordance with the Rikers Island Access Protocol set forth in Exhibit A and shall comply with the PREA requirements set forth in Exhibit B attached hereto. DCAS will

inspect a maximum of five (5) improved properties per month and a maximum of twenty (20) unimproved properties per month.

- 4.2. Provided that the CTS Unit does not identify any inconsistencies between representations set forth in the SMR Notice and conditions on the Parcel, within ten (10) days of such inspection DCAS will deliver to DOC a notification that DCAS has accepted management of the Parcel (the "Transfer of Management Acceptance Notice" or "TMA Notice"), after which DOC will have no further access to or management responsibility for the Parcel of any kind or nature.
- 4.3. In the event the CTS Unit determines that representations set forth in the SMR Notice are not fully accurate or complete, DCAS shall issue a notification setting forth with specificity what elements of the SMR Notice are defective or incomplete. DCAS shall have no obligation to accept management responsibility for any property contemplated by this MOU unless and until DCAS is fully satisfied that the SMR Notice is accurate and complete in all respects.

ARTICLE 5. AMENDMENTS

- 5.1. No amendment or waiver of any provision of this MOU shall be effective unless the same shall be in writing and signed by the Parties.

ARTICLE 6. NOTICES

- 6.1. Any notice to be sent pursuant to this MOU shall be sent by email or regular mail to the Parties as follows, unless a Party has notified the other Party in the manner set forth below of a change in the identity or address of a contract person. Notices sent by email are not effective until acknowledged by reply email.:

If to DOC:

New York City Department of Correction
Corey Forster
Director of Legislative Affairs | Intergovernmental Affairs Unit
75-20 Astoria Blvd., Suite 305
East Elmhurst, NY 11370

Email: Corey.Forster@doc.nyc.gov

With a copy to:

New York City Department of Correction
Patricia Lyons, Deputy Commissioner
Financial, Fleet and Facilities Administration Division
75-20 Astoria Blvd., Suite 160
East Elmhurst, NY 11370

Email: Patricia.Lyons@doc.nyc.gov

If to DCAS:

Laura Ringelheim, Deputy Commissioner
DCAS, Real Estate Services
1 Centre St, 20th floor North
New York, NY 10007

Email: lringelheim@dcas.nyc.gov

ARTICLE 7. **MISCELLANEOUS**

- 7.1. This MOU may be executed in one or more counterparts, by original signature or e-signature, all of which shall be considered one and the same instrument and an original. An electronic copy of a signature received in PDF format or a copy of a signature received via a fax machine shall be deemed to be of the same force and effect as an original signature on an original executed document.

ARTICLE 8. **ENTIRE AGREEMENT**

- 8.1. This MOU sets forth the entire agreement between DOC and DCAS as it relates to the matters set forth within the MOU, superseding all prior agreements, written or oral and may be modified only through the mutual, written agreement of both Parties.

[SIGNATURE PAGE FOLLOWS]

AGREED:

NEW YORK CITY DEPARTMENT OF CORRECTION



Patricia Lyons, Deputy Commissioner

DATE: 7/13/2021

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES



Laura Ringelheim, Deputy Commissioner

DATE: July 16, 2021

EXHIBIT A

SECURITY REQUIREMENTS FOR WORK ON RIKERS ISLAND



ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT-PRISON RAPE ELIMINATION ACT (PREA) CONTRACTOR NOTICE

This Notice applies only to Contractors and their employees who have "Inmate Contact". Inmate Contact is defined as material and intentional contact, such as engaging in conversations, work, programs, religious worship, presentations, health care, recreation, education, or any other similar contact with inmates, whether supervised or unsupervised. Inmate Contact does not mean incidental contact such as walking through a hall by an inmate or simply seeing an inmate in the course of duties.

A. Contractor Requirements

In the performance of services under any contract with DOC, contractors shall comply with all federal and state laws and Department policies regarding sexual misconduct including, but not limited to:

Federal Law:

- Prison Rape Elimination Act of 2003 (PREA)

City & State Law, New York:

- City of New York, Mayoral Executive Order No. 16
- New York City Equal Employment Opportunity Commission Laws and Regulations
- New York State Division of Human Rights Laws and Regulations

DOC Policy:

- Directive 5011, Elimination of Sexual Abuse and Sexual Harassment.

Contractors must comply with the following:

1. The DOC has a zero tolerance policy toward all forms of sexual abuse and sexual harassment. Any contractor working for DOC shall not engage in sexual abuse or harassment of any inmate;
2. All contractors shall report any knowledge, suspicion or involvement in inmate sexual abuse or harassment. To report abuse or harassment, contractors shall call: 212-266-1900
3. Contractors shall familiarize themselves with the federal PREA law, relevant New York State and City laws and DOC policies regarding PREA and sexual misconduct. A copy of the DOC's policy is available upon request, and available online at www.nyc.gov/doc.
4. The DOC will provide PREA basic training to contractors based on the degree of contact they have with inmates, which is described in more detail in the sections below.
5. Contractor employees who will have Inmate Contact must submit to a criminal records background check prior to working on DOC premises.
6. Contractors who engage in sexual abuse or harassment or fail to conform to the DOC's zero tolerance policy are subject to any of the following remedies at the sole discretion of DOC:
 - a. Removal from proximity to inmates;
 - b. Removal from contract work on DOC premises;
 - c. Contract termination;
 - d. Possible referral of offenses for criminal prosecution.

B. Contractor Background Checks



ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT-PRISON RAPE ELIMINATION ACT (PREA) CONTRACTOR NOTICE

1. All contractor employees who will have Inmate Contact must undergo a criminal records background check and be cleared by DOC prior to having contact with inmates. This clearance must be repeated at least once every five years thereafter.
2. Contractors with incidental contact shall not be required to undergo a background check, but must have direct staff supervision at all times while working within any Departmental facility with inmates.

c. Contractor Training

1. The Department will ensure that all Contractor employees who have Inmate Contact have been trained on their responsibilities under DOC sexual abuse and sexual harassment prevention, detection, and response policies and procedures. Contractor employees must be trained prior to having Inmate Contact.
2. The level and type of training provided to Contractors shall be based on the services they provide and level of Inmate Contact as determined by DOC. Contractor shall make employees available for training as directed by DOC. The three levels of Inmate Contact are as follows:
 - High contact: Direct contact on a daily or regular basis or any unsupervised direct contact with inmates will require the contractor be provided a four (4) hour PREA employee training class.
 - Medium contact: Direct contact on a recurring basis, but with supervised interaction at all times, will require the contractor be provided a four (4) hour PREA training class.
 - Low contact: One-time or very infrequent contact with inmates that is always supervised will require the contractor to read the *Elimination of Sexual Abuse and Sexual Harassment Prison Rape Elimination Act (PREA) Training and Education Package* and sign the Acknowledgment Form.

d. Employee Certifications

Contractor shall ensure that any of its employees who will have Inmate Contact shall sign the attached Certification form prior to entering DOC property.

Print Name

Signature

____/____/_____
Date



ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT- PRISON RAPE ELIMINATION ACT (PREA) CONTRACTOR CERTIFICATION

I acknowledge receipt and understanding of the Department of Correction's PREA policy and my responsibilities under the DOC's zero tolerance policy.

I hereby certify that I have not:

- Engaged in sexual misconduct in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution as defined in 42 U.S.C. 1997;

- Been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or

- Been civilly or administratively adjudicated to have engaged in the activity described above.
- I understand I have a continuing affirmative duty to report any conviction or adjudication of a violation of any of the offenses listed above.

Company Name

Print Employee Name

Employee Signature

Date



ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT-PRISON RAPE ELIMINATION ACT (PREA) TRAINING AND EDUCATION PACKAGE

PREA supports the elimination of sexual abuse in correctional settings. It covers more than prison and jail sexual abuse of inmates, but also includes retaliation for reporting and sexual harassment.

The New York City Department of Correction has a **zero-tolerance** policy toward all forms of sexual abuse and sexual harassment against any person confined in any of its facilities. The Department takes any allegation of sexual misconduct seriously and will respond to, investigate, and support the prosecution of any staff, vendor, contractor, service provider, or volunteer who engages in sexual misconduct within any of our facilities.

- **Zero tolerance** means that no sexual activity of any kind is permitted in a DOC facility. This includes forced or consensual activity between inmates and inmates, and staff/volunteers/contractors/service providers/vendors and inmates.
- All inmates have a right to be free from sexual abuse and harassment from other inmates, staff, volunteers, or contractors.
- Being in jail does not mean sexual abuse or harassment is a part of the punishment.
- Any sexual activity, *even consensual*, between a staff/volunteer/contractor/service provider/vendor and inmate is considered a **violation** of PREA and DOC's zero-tolerance policy and may lead to criminal prosecution.

The Department also has a zero-tolerance policy when it comes to retaliation.

- **Retaliation** occurs when an inmate, staff, or volunteer injures, harms, or intimidates a person who has reported sexual abuse and/or sexual harassment — or attempts to do so — in response to the report.
- Retaliation contributes to a "code of silence" by creating barriers to reporting through threats and intimidation.
- Each facility is required to protect inmates and staff members who report sexual abuse, sexual harassment, or cooperate with an investigation from retaliation.
- The PREA Compliance Manager (PCM) and Warden are responsible for the monitoring of retaliation. There is both a Warden and PCM assigned to each facility.
- No staff/volunteer/contractor/service provider/vendor may retaliate against any inmate or staff in any way if they report abuse or harassment and no staff/volunteer/contractor/service provider/vendor may be retaliated against for making a report.
- A code of silence is not acceptable. If it happens or you are told about it, report it.



ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT-PRISON RAPE ELIMINATION ACT (PREA) TRAINING AND EDUCATION PACKAGE

By law, inmates cannot consent to sex while in a confinement setting with staff, volunteers, service providers, vendors, or contractors. This is a violation because of the **imbalance of power** that exists in confinement settings and the inability of inmates to have the freedom to walk away or stay away from others. Staff/volunteers/contractors/service providers/vendors can sit in more powerful positions to inmates, may have access to items or services the inmates want, and due to this, can coerce a relationship an inmate would not otherwise have entered on the outside. Inmates may attempt to engage in sexual relationships with you that they would not engage in on the outside. They might do this to gain comfort, items, create instability, or gain friendship. No one thinks they will ever be in a relationship, sexual or otherwise, with an inmate but it happens. Don't risk your position or your freedom. It's not worth it.

Understanding Inmates in Confinement Settings

- Inmates can be at risk for unhealthy relationships with authority figures, especially female inmates.
- Inmates can be considered "vulnerable" by past sexual and physical abuse/molestation, inability to communicate well (e.g., limited English language skills, intellectual or developmental disability), age and size, prior trauma or mental health issues and might be easily taken advantage of.
- Inmates may try to manipulate others to gain items, comfort, or leverage of some kind. They may intentionally try to flirt with, gain the trust of or seek your help bringing in contraband to cope with their current status as an inmate and lack of freedom.
- Inmates sometimes have difficulty adjusting to coercive, restrictive environments and seek out comfort and ways to manage their confinement through relationships or leveraging others.
- Inmates may question their own sexual identity/preference and may engage in relationships they would not on the outside.

Setting clear boundaries

- Realize that you may have a lot in common with an inmate and may even easily form a friendship.
- Be aware of that possibility and avoid developing a personal relationship.
- Be approachable and respectful and use professional communication only.
- Understand your own personal vulnerabilities and how they might affect your time with inmates.
- Role model respectful behavior with inmates and refer them to appropriate staff when needed.
- Follow your agency policy and ask staff for help if you aren't sure what to do in a particular situation.



ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT-PRISON RAPE ELIMINATION ACT (PREA) TRAINING AND EDUCATION PACKAGE

Respectful communication with LGBTI (Lesbian, Gay, Bisexual, Transgender, Intersex) Inmates

As a DOC volunteer/vendor/contractor/service provider you do not have to change your own personal or religious views about LGBTI people, however, all inmates must be treated with respect, regardless of their sexual orientation or identity. Here are some definitions it will help to know:

Definitions:

Lesbian – Women attracted to women

Gay – Men attracted to men

Bisexual – People attracted to both sexes

Transgender – A person whose internal sense of being male or female does not match their gender at birth

Intersex – A person who has ambiguous chromosomal patterns or genitals; considered a disorder of sex development as a developing fetus

Pronoun Usage

- Transgender females (*persons who are anatomically male but who identify as female*) should be addressed as “she” and referred to as “her.”
- Transgender males (*persons who are anatomically female but who identify as male*) should be addressed as “he” and referred to as “him.”

Using appropriate pronouns and communicating professionally is a sign of respect. Intentionally referring to LGBTI inmates by derogatory names or pronouns can constitute sexual harassment and is a sign of disrespect. Everyone is responsible for ensuring that LGBTI inmates live in a safe, non-discriminatory and respectful environment within the facility.

Prevention and Detection of Sexual Abuse and Sexual Harassment

Prevention is the act or practice from stopping something bad from happening.

Detection is the act or process of discovering, finding, or noticing something.

Prevention Strategies

- Ensure respectful communication between you and the inmates and between yourself and staff.
- Daily remind yourself of the DOC’s zero tolerance policy.
- Follow the DOC’s reporting policy; if you see something or even have a suspicion, report it.



ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT-PRISON RAPE ELIMINATION ACT (PREA) TRAINING AND EDUCATION PACKAGE

- Don't spend so much time alone with one inmate that an inappropriate relationship could develop or appears to others to be developing; be aware of how you spend your time.
- Professionalism is a cornerstone to a respectful culture. Keep it professional at all times; language, dress, and behavior should reflect modesty and be appropriate for a correctional setting. No profanity or name-calling is ever permitted.
- Understand inmates and their behaviors and realize they are different from those who are not confined for a variety of reasons; do not become "friends" with an inmate.

Detection Strategies

- Be observant of inmate behaviors and patterns and report to the facility if an inmate's behavior becomes uncharacteristic or demonstrates signs they are being abused or harassed.
- If you see something, say something. Even a small interaction or verbal/nonverbal message from an inmate that seems concerning should be reported.
- Take note of staff or other contractor/vendor/volunteers' behaviors should they become concerning to you and report it to the facility.

Potential Physical Signs of sexual Abuse

- Sexually transmitted infections and/or diseases
- Unexplained pregnancies for female inmates
- Stomach or abdominal pain
- Difficulty in walking and sitting
- Unexplained injuries

Psychological Signs of Sexual Abuse

- Acting out
- Anger
- Anxiety
- Depression
- Disbelief
- Difficulty concentrating
- Suicidal thoughts
- Numbness



ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT-PRISON RAPE ELIMINATION ACT (PREA) TRAINING AND EDUCATION PACKAGE

If you are told about an allegation of sexual abuse, sexual harassment, and/or retaliation:

You must take any report from an inmate either verbally, in writing, anonymously, or from third parties. All verbal reports must be documented immediately. *This must be done even if you do not believe the inmate or if the allegation is against another volunteer/contractor/peer that you trust and work with.* Allow the Department's investigators to sort out the facts. **All allegations must be reported to the facility immediately.** If you are aware of a staff who neglects their responsibilities and sexual abuse occurs, you are also required to report that.

WAYS TO REPORT

- *Tell the Warden or Deputy Warden*
- *Tell the PREA Compliance Manager*
- *Call 311 (you don't have to give your name)*
- *Tell any supervisor, such as a Captain or Tour Commander*
- *Tell medical/mental health staff*
- *Tell a Chaplain*
- *Call the Investigations Division (ID) or Department of Investigations (DOI)*
- *Call any hotline number posted in the facility*
- *Document who you reported it to and exactly when with date and time*

Special reporting for Youthful Inmates (under the age of 18)

If a youthful inmate reports physical or sexual abuse to you of any kind, you may ask the staff to call or you may call yourself the New York State Child Abuse Hotline at 1-800-342-3720. It must be reported; it's the law.

Investigations

Once you report an allegation it will be sent to the following: facility leadership, the PREA compliance manager of the facility, and ID or DOI (who both handle investigations).

You may be asked or later contacted for additional information. All allegations will be followed by a prompt, thorough and objective investigation.

Conclusion

We thank you for working in or volunteering your time in the Department's facility. Only by working together can we eliminate sexual abuse and sexual harassment of inmates. If you have any questions about this or your responsibilities, you may contact the Department's PREA office at any time.



ELIMINATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT-PRISON RAPE ELIMINATION ACT (PREA) TRAINING AND EDUCATION PACKAGE

Acknowledgement of Receipt

I hereby acknowledge receipt of the Elimination of Sexual Abuse and Sexual Harassment-Prison Rape Elimination Act (PREA) Training and Education. I understand that I will be held accountable for acting in accordance with the policy laid out in this package.

Print Name

Signature

Date

EXHIBIT B

PRISON RAPE ELIMINATION ACT RIDER

SECURITY REQUIREMENTS FOR CONTRACTORS ON RIKERS ISLAND AND BOROUGH FACILITIES

All contractors and their employees including sub-contractors must comply with all security and traffic regulations instituted by the Department of Correction.

For the purpose of these security requirements, sub-contractors and their employees shall be considered employees of the contractor. Contractors are responsible for informing all subcontractors of these requirements. When the term contractor is used herein it shall mean contractor and sub-contractor.

S1: IDENTIFICATION OF EMPLOYEES

1. All contractors and their employees who have authorized business at a DOC facility are required to report for identification and approval at established security control points.
2. Each contractor shall furnish its employees with an identification (ID) card. The ID card shall be standard size (approximately 2 inches by 3 inches), laminated and furnished with either a clip or light chain so that it may be secured to the person wearing it. The ID cards shall be sequentially numbered and contain the following:
 - The company name;
 - A recognizable photo of the employee;
 - The employee's printed name and signature; and
 - Expiration date.
3. These ID cards are typically exchanged at a facility for an institutional pass when the employee enters the facility. ID cards/institutional passes must be prominently displayed and secured while the wearer is at a DOC facility. Additionally, identification must be produced upon demand of Department of Correction personnel assigned to various checkpoints, as well as security patrols.
4. The loss of any ID card or institutional pass must be reported immediately to the nearest officer on duty. The officer shall then promptly notify his/her supervisor who shall then take appropriate action.

S2: DELIVERING MATERIAL AND EQUIPMENT TO JOB SITES

1. Contractors must obtain clearance for all deliveries to and removals from Department facilities of material and equipment. All employees reporting for business (non-delivery staff) shall arrive at the main entrance of the respective facility and abide by that facility's security procedures.
2. All vehicles and material contained therein are subject to random searches and inspections. Searches may involve the use of the Canine Unit.

S3: CONTRACTOR'S VEHICLES

1. Drivers of contractor vehicles intending to drive to Rikers Island are directed to report to the security control point on the date and time of the scheduled delivery. The driver will be required to produce the following current and valid documents to the officer:
 - i. A drivers license;
 - ii. The vehicle's registration; and
 - iii. Vehicle Insurance Card.

Additionally, all occupants of the vehicle will be required to produce their employee ID cards and some form of government issued identification with photo (i.e., Driver's license) to the officer.

Upon producing the above noted documents to the officer's satisfaction, the officer will issue the driver a vehicle access pass and allow the driver and the occupants of the vehicle access to Rikers Island.

Note: Access to Rikers Island and/or any Department of Correction facility shall be limited to employees of the contractors (as described herein). Employees shall remain on Rikers Island and/or in the facility for only the time needed to carry out their business.

2. The vehicle access pass must be prominently displayed in the windshield inside the vehicle at all times.
3. Vehicles must be secured when not occupied. The vehicle must be turned off and the ignition key must be removed. Additionally, all windows must be closed and doors and trunks locked.
4. Vehicles are not permitted to be left at DOC facilities or on DOC Property at the conclusion of each workday.
5. Vehicle access passes and any issued DOC identification cards/tags must be turned in upon leaving Rikers Island.
6. All vehicles are subject to a search at any time while on Rikers Island or on the grounds of any DOC facility and also will be searched prior to departing Rikers Island and borough facilities. Searches will include a visual inspection of the vehicle's trunk, passenger and/or cargo compartment and the undercarriage. Additionally, all vehicle occupants will be required to produce their identification cards prior to departing Rikers Island or any DOC facility.

S4: TRAFFIC REGULATIONS

1. Drivers shall obey all posted traffic regulations and speed restrictions.
2. Passing vehicles on the Rikers Island Bridge is strictly prohibited.

3. Drivers and the occupants of their vehicles must produce their identification at all checkpoints.
4. Drivers must yield to all emergency vehicles.
5. The maximum weight limit on Rikers Island Bridge is 36 Tons.

S5: SECURITY PROCEDURES AND ISSUES

1. Contractors and their employees must remain within the physical limits of their work area. Contractors are forbidden to move into any other area on the Island. There is no walking permitted on Rikers Island outside of the respective work site or delivery destination.
2. Contractors, subcontractors, and their employees are forbidden to take or bring into a DOC facility, any articles for an inmate.
3. Contractors and their employees shall not contact, or communicate with or give anything to inmates.
4. Contractors and their employees shall not possess on their person any contraband as described in paragraph #7 of this section.
5. The personal vehicles of the contractor's employees are not permitted on Rikers Island or at Borough facility loading docks. No personal vehicles will be permitted to enter a DOC facility.
- 6.a. Food or lunch packages of the contractor's employees are subject to inspection by Department of Correction custodial personnel.
- b. No food services are available to contractor's employees at DOC facilities.
- 7.a. Arrest and prosecution will follow violations of Sections 205.00, 205.20 and 205.25 of the New York State Penal Law, which are summarized as follows:

SECTION 205.00.3 Contraband means any article or thing which a person confined in a detention facility is prohibited from obtaining or possessing by statute, rule, regulation or order.

SECTION 205.00.4 Dangerous contraband means contraband which is capable of such use as may endanger the safety or security of a detention facility or any person therein.

SECTION 205.20 A person is guilty of promoting prison contraband in the second degree when:

1. He knowingly and unlawfully introduces any contraband into a detention facility.

SECTION 205.25 A person is guilty of promoting prison contraband in the first degree when:

1. He knowingly and unlawfully introduces any dangerous contraband into a detention facility.
- b. Contraband is described as any article, the presence of which, within the prison may jeopardize safety, security and good order, or impair the moral and physical welfare of prisoners or employees, or which is prohibited by Rules and Regulations of any institution.
- c. Items that are considered contraband include but are not limited to: unauthorized clothing, unattended tools, loose or unattended vehicle keys, knives, and items to be considered as such, prescription and over the counter medicines, spices, alcoholic beverages, money in the possession of inmates, tobacco and tobacco related products (see Section S7), unauthorized written communications to and from inmates that were not processed through the institutional mail rooms, unauthorized packages and carrying cases, as well as unsafe conditions of articles which in the opinion of the Warden would affect the security of the institution.
8. The introduction of electronic/recording devices into any facility without the approval of the Commanding Officer of that facility is strictly prohibited. Electronic/recording devices are defined as any type of instrument, which is designed to transmit and/or receive telephonic, electronic, digital, cellular or radio communication as well as any type of instrument designed to have sound and/or image recording or capturing capabilities. Examples of electronic/recording devices include but are not limited to: cellular or digital phones, any type of pager, two-way radio, text messaging or modem devices, cameras (digital or film), video recorders and tape or digital recording devices.
9. Any violation of the polices and procedures described herein or of any law, Departmental rule and regulation or institutional policy or procedure may result in criminal prosecution (when applicable) and /or the violating individual being banned from future access to Rikers Island or any Departmental facility.

S6: CONDUCT OF CONTRACTORS AND THEIR EMPLOYEES

1. The New York City Department of Correction has a zero tolerance policy with regard to sexual abuse and sexual threats directed at inmates in its custody. **No one** is allowed to have sexual contact with any person who is incarcerated. Other inmates and staff are prohibited from asking, demanding, forcing or participating in a sexual act with an inmate. This applies to EVERYONE including contractors, vendors, volunteers and employees of other agencies who work in the jails

2. Rikers Island and all Department of Correction facilities are secure facilities. Any person working within secure areas shall exercise extreme caution at all times. Each contractor and its employees must comply with the following security regulations of the Department of Correction:
 - a. Personal identification must be produced on demand by the Department of Correction personnel assigned to checkpoints and security patrols.
 - b. Employees must remain in the area of their work assignment.
 - c. Employees shall not bring any article, letters, notes or messages on the premises for the purpose of giving them to an inmate.
 - d. Employees shall not take any article, letters, notes or messages from an inmate to any other person including another inmate.
 - e. Employees shall not bring alcoholic beverages (beer, wine or liquor) on the premises at any time. Nor shall employees bring drugs or medicines except those required to stock the first aid cabinets in the contractor's field offices.
 - f. Contractors and their employees are prohibited from burning and/or dumping any refuse, debris or rubble on Department property.
 - g. When one person engages in conduct, which constitutes a criminal offense, another person is criminally liable for such conduct when, acting with the culpability required for the commission thereof, he or she solicits requests, commands, importunes, or intentionally aids such person to engage in such conduct.

S7: SMOKING PROHIBITION

1. The Department of Correction maintains a smoke-free environment in accordance with Local Law 47 of 2002, the Smoke Free Air Act which prohibits smoking in public places and workplaces. The following restrictions and procedures apply to all contractors and their employees.
 - a. The use of tobacco related products within any Department facility, office, and vehicle is prohibited;
 - b. This prohibition applies to all persons, including staff, inmates, and visitors;
 - c. In addition to the smoking restrictions, contractors and their employees are prohibited from introducing any type of tobacco products and lighting agents into any department premises that houses or detains inmates, or utilize inmate work details, including the entire area of Rikers Island.

For the purpose of this document, tobacco products include but are not limited to cigarettes, cigars, pipes, loose tobacco and rolling paper. Lighting agents include cigarette lighters and matches.

2. a. Inmates are prohibited from smoking and possessing any form of tobacco products including but not limited to cigarettes, lighting agents, cigars, pipes, loose tobacco and rolling paper.
- b. Any contractor or employee providing an inmate tobacco related products shall be deemed as promoting prison contraband and shall be subject to arrest.



NEW YORK CITY DEPARTMENT OF CORRECTION

Cynthia Brann, Commissioner

Ava B. Rice, Assistant Commissioner

Contracts and Procurement

Agency Chief Contracting Officer

75-20 Astoria Boulevard, Suite 160

East Elmhurst, NY 11370

Office: 718 546-0690

Fax: 718 278-6205

Dated _____

RE: Security Requirements

Dear Vendor:

All current Department of Correction contractors are required to acknowledge receipt and full compliance of the Agency's current "Security Requirements", which is attached to this memorandum. You have ten (10) days from the date of receipt of this letter to return the signed acknowledgement page. Failure to do so may cause the Agency to commence contract termination procedures.

Please contact Ava B. Rice at 718-546-0690 if you have any questions. I may also be reached by email at docacco@doc.nyc.gov. In the interim, I thank you for your full cooperation and compliance.

Yours truly,

Ava B. Rice

I hereby acknowledge receipt of the "Security Requirements".

Vendor Name

Vendor Representative's Name (Print)

Vendor Representative's Signature

Date