

## NOTICE TO VISITORS

The New York City Board of Correction has adopted amendments to the *Minimum Standards for New York City Correctional Facilities*, which shall become effective on June 16, 2008. Four of the amendments affect inmate phone calls, inmate correspondence, packages and publications.

### MONITORING AND RECORDING OF PHONE CALLS

The NYC Board of Correction voted to amend Section 1-10, subdivision (h). The new amendments allow the NYC Department of Correction to listen to and monitor inmate telephone calls, except for telephone calls to the Board of Correction, Inspector General, other monitoring and investigative bodies, treating physicians and clinicians, attorneys and clergy.

Under the new system, inmates will hear the following recorded announcement in English or Spanish at the beginning of each call they place: *"This call may be recorded and monitored."* In addition, signs in English and Spanish will be posted near all inmate phones, stating: *"Inmate telephone conversations are subject to electronic monitoring and/or recording in accordance with Department policy. An inmate's use of institutional telephones constitutes consent to this monitoring and/or recording."*

**The Department shall maintain a "Do Not Record List" of calls that shall not be recorded or monitored.** The Do Not Record List will include calls to the following (please read below to see how inmates can request phone numbers for parties to be added to the list):

1. **Monitoring and Investigative Agencies:** The following agencies will provide the Department with a list of phone numbers to be included on the "Do Not Record List": NYC Board of Correction, NYC Department of Investigation, NYS Commission of Correction, New York County Defender Services, Brooklyn Defender Services, Bronx Defenders, Battiste, Aranowski & Suchow, Queens Law Associates, Legal Services for New York, Center for Family Representation, Appellate Advocates, Center for Appellate Litigation, Neighborhood Defender Services, the Office of the Appellate Defender and the Legal Aid Society, including the Prisoners' Rights Project. Inmates can call these numbers without being recorded or monitored.
2. **Inmates' Attorneys:** An inmate's attorney permitted to practice in New York State and registered with the NYS Office of Court Administration, will have his/her phone number placed on the Do Not Record List.
3. **Additional Attorneys When Necessary:** An inmate's attorney can write a request that additional attorney phone numbers, including phone numbers of those who work in states other than New York, be reviewed for inclusion on the Do Not Record List by the Department's Legal Division. These phone numbers will be added to the Do Not Record List, if approved. The attorney's written request must be on letterhead and may be faxed to the Department's Legal Division. The attorney must specify the phone number(s) he or she is requesting be added, and the inmate's full name and NYSID number. The attorney should fax the request to (212) 266-1596. The attorney may also access the Department's website at [www.nyc.gov/boldest](http://www.nyc.gov/boldest) for additional information.
4. **Inmates' Physicians and Clinicians:** The phone numbers of an inmate's treating physician(s) and/or clinician(s) can be added to the Do Not Record List. The inmate may ask his/her treating physician and/or clinician to submit a request on letterhead that will be reviewed for inclusion on the Do Not Record List by the Department's Health Affairs Division. The treating physician and/or clinician must specify his or her phone number, and the inmate's full name and NYSID number. The treating physician and/or clinician should fax the request to (718) 546-8179. The treating physician and/or clinician may also access the Department's website at [www.nyc.gov/boldest](http://www.nyc.gov/boldest) for additional information.
5. **Clergy:** If the inmate's clergy has an endorsement from the relevant religious authority, his/her phone number can be added to the Do Not Record List. The inmate may ask his/her clergyperson to fax a request on letterhead. The Department's Office of Ministerial Services will review the requested phone numbers for inclusion on the Do Not Record List. The inmate's clergyperson must specify his or her phone number, and the inmate's full name and NYSID number. The clergyperson should fax the request to (718) 546-8323. The clergyperson may also access the Department's website at [www.nyc.gov/boldest](http://www.nyc.gov/boldest) for additional information.

**NOTE: ANY PERSON WHO WILLFULLY AND KNOWINGLY SUBMITS OR CONTRIBUTES FALSE OR MISLEADING INFORMATION FOR THE PURPOSES NOTED IN 3 – 5 ABOVE, WILL BE PROSECUTED TO THE FULLEST EXTENT OF THE LAW.**

### MONITORING MAIL AND WRITTEN COMMUNICATION

The NYC Board of Correction voted to amend Section 1-11, subdivisions (a), (c), (d) and (e) regarding inmate correspondence. How these amendments may affect inmates and their mail are outlined below:

1. Inmates may have written communication with anyone except when there is a reasonable belief that limitation of their correspondence is necessary to protect public safety or maintain facility order and security. However, written communication shall not be considered a threat to safety and security of a facility solely because it criticizes a facility, its staff, or the correctional system, or supports or discusses unpopular ideas, including ideas that facility staff believes is unhelpful to rehabilitation or correctional treatment.
2. The Department may open and read inmate's incoming and outgoing non-privileged mail upon the issuance of a written order by the Warden. The Warden's written order must state a reasonable basis to believe that the communication threatens the safety or security of the facility, another person, or the public. When this action is authorized, the affected inmate will receive written notification of the determination and the specific facts and reasons supporting it. In the case of incoming non-privileged mail, the sender will also receive this notification. The Warden may delay notification only for so long as such notification would endanger the safety or security of the facility.
3. The Department will have up to 48 hours to deliver inmates' incoming mail.
4. The Department may only read privileged mail pursuant to a court order.

### MONITORING PACKAGES AND PUBLICATIONS

The NYC Board of Correction voted to amend Section 1-12, subdivision (a) and Section 1-13 (a), (c) (1) and (c) (3). How these amendments may affect inmates and their packages and publications are outlined below:

1. Inmates may receive packages from, and send packages to any person, except when there is reasonable belief that limitation is necessary to protect public safety or maintain facility order and security.
2. Inmates may receive new or used publications from any source, including family, friends and publishers, except when there is substantial belief that limitation is necessary to protect public safety or maintain facility order and security.
3. Inmates' incoming publications shall not be censored or delayed unless they contain specific instructions on the manufacture or use of dangerous weapons or explosives, plans for escape or other material that may compromise the safety and security of the facility.
4. The Department will have up to 48 hours to deliver inmates' incoming publications.