
 <p>NEW YORK STATE Corrections and Community Supervision</p> <p>DIRECTIVE</p>	TITLE		NO. 4500
	Family Reunion Program		DATE 01/05/2016
SUPERSEDES DIR #4500 Dtd. 4/21/2011	DISTRIBUTION A B	PAGES PAGE 1 OF 14	DATE LAST REVISED
REFERENCES (Include but are not limited to): Americans with Disabilities Act; 7NYCRR Chapter V; Directives #2612, #2614, #4403	APPROVING AUTHORITY 		

- I. **DESCRIPTION:** The Family Reunion Program (FRP) is designed to provide approved incarcerated individuals and their families the opportunity to meet for an extended period of time in privacy. The goal of the program is to preserve, enhance, and strengthen family ties that have been disrupted as a result of incarceration.
- II. **RIGHT TO APPLY:** Any incarcerated individual has the right to submit an application for participation in the FRP if their current facility of residence offers the program. Eligibility for the FRP is to be determined during the processing of the incarcerated individual's application. The date the application is received and date stamped by the FRP Offender Rehabilitation Coordinator (ORC) will be considered the application date. The incarcerated individual is responsible for the accuracy of the information provided on the application. Incomplete or inaccurate applications will be returned to the incarcerated individual, and the incarcerated individual may then submit a new application with the complete and accurate information. Modifications or revisions to an application or appeal are not allowed. Multiple applications or appeals **will not** be accepted.
- III. **REASONABLE ACCOMMODATIONS:** Disabled incarcerated individuals and disabled visitors may request reasonable accommodations. Incarcerated individuals shall utilize Directive #2614, "Reasonable Accommodations for Incarcerated Individuals with Disabilities," or Directive #2612, "Incarcerated Individuals with Sensorial Disabilities." A written request from the visitor for reasonable accommodations must be forwarded to the FRP ORC. Such a request will be reviewed by the Superintendent and the Americans with Disabilities Act Coordinator. The reviews will be conducted in accordance with Titles II and III of the Americans with Disabilities Act. The FRP decision will be determined after the reasonable accommodation request is complete. Reasonable accommodation approval does not imply approval for participation in the FRP.
- IV. **INCARCERATED INDIVIDUAL ELIGIBILITY**
 - A. **Preconditions:** An incarcerated individual must meet the following preconditions to be eligible to participate in the FRP:
 1. Time
 - a. New Incarcerated Individual: The incarcerated individual has been in the Department's custody for at least six months, excluding initial reception, and is, at the time of application, a resident of a facility that offers the program.
 - b. Transferred Incarcerated Individual: An incarcerated individual who has successfully participated in the FRP at one facility, and is transferred to another facility where the program is offered, may apply immediately for participation. An incarcerated individual who has not participated at his or her previous facility must wait 30 days to apply for the program. This will give the incarcerated individual time to have an assessment at the new facility.

- c. An incarcerated individual who is within 90 days to Earliest Release Date (ERD) will no longer be eligible for participation.
2. Adjustment: The incarcerated individual has exhibited a pattern of good institutional adjustment and has not had any MAJOR, SEVERE, CHRONIC, or EXCESSIVE disciplinary problems. Any incarcerated individual serving disciplinary sanctions, to include loss of privileges, that run concurrent with a scheduled FRP visit, will have that visit cancelled. Upon completion of disciplinary sanctions, the visit may be rescheduled.
 - a. Major Disciplinary Problem: Shall be defined as any Tier II or Tier III disciplinary disposition, in the eight weeks prior to the application, resulting in confinement to cell, room, or dorm continuously, on certain days or during certain hours, for 15 days or more; or any loss of good time. Reapplication may be made eight weeks from the confinement release date. Satisfactory behavior must be maintained throughout the duration of the application and or appeal. Any major disciplinary problems incurred during the application/appeal process will result in a denial or termination of the application/appeal. The incarcerated individual will become ineligible to reapply for eight weeks, as defined above.
 - b. Chronic Disciplinary Problem: Shall be defined as three or more Tier II or III disciplinary dispositions in the six months prior to the application, or an accumulation of 45 days or more Keeplock/SHU in the six months prior to the application.
 - c. Severe Disciplinary Problem: Shall be defined as a conviction for a Federal or State crime while incarcerated or any Tier II or III disciplinary report which includes:
 - (1) A Penal Law offense;
 - (2) Rioting;
 - (3) Escape;
 - (4) Use or possession of drugs or alcohol;
 - (5) Unauthorized group activities;
 - (6) Gangs;
 - (7) Assault on incarcerated individual;
 - (8) Assault on staff;
 - (9) Assault on other;
 - (10) Sex offense;
 - (11) Forcible touching;
 - (12) Lewd exposure;
 - (13) Lewd conduct;
 - (14) Explosives; or
 - (15) Arson.

A conviction or disciplinary finding for any of these severe infractions will result in a suspension from the FRP: Tier II imposes a six month suspension, Tier III imposes a 12 month suspension. Suspensions begin after any disciplinary confinement is served.

Applications will not be accepted until suspension is completed. A Federal or State crime conviction while incarcerated will require immediate suspension and full cycle review for any possible future participation.

- d. Excessive Disciplinary Problems: Shall be defined as having 20 percent, or more, of the past 36 months prior to the application spent in disciplinary confinement. If at the time of the application, the incarcerated individual has been incarcerated less than 36 months, the standard will be 20 percent of that time of incarceration. The incarcerated individual may reapply for FRP consideration once their discipline is in compliance.
- e. Program Participation: The incarcerated individual applicant must have participated in, or pursued, required programs as identified on his or her Program/Earned Eligibility Plan. Program/Earned Eligibility Plan refusals, negative removals, or regressions make an applicant ineligible until that need is addressed. Any disciplinary behavior which has been exhibited in the incarcerated individual's social, criminal, or institutional history will be factored into the option of participating in therapeutic services. Formal therapeutic programs sanctioned by DOCCS, such as Alcohol and Substance Abuse Treatment (ASAT), Comprehensive Alcohol and Substance Abuse Treatment (CASAT), Driving While Intoxicated (DWI), or other approved specialized substance abuse treatment programs, and the Aggression Replacement Training (ART) Program for aggression/violence, are the standards that must be met. Additionally, approved therapeutic self-help services such as Alcoholics Anonymous (AA) and Narcotics Anonymous (NA) may be considered. Participation in self-help services is voluntary and is seen as a supplement to, and not a substitute for, a formalized substance abuse treatment need. Incarcerated individuals who have actively pursued their plan, yet who have not completed programs and satisfied their needs, will be evaluated according to their entire record. However, dependent on his or her criminal, disciplinary, and programming history, active participation or actual completion of a specific therapeutic or treatment program may be required to satisfy this precondition. When directed to complete a program, incarcerated individuals must wait until that program is completed prior to reapplication to FRP. Satisfactory completion of any program does not imply FRP approval.

B. Disqualifying Conditions: An incarcerated individual is not eligible to participate in the Family Reunion Program if any of the following conditions exist:

- 1. The incarcerated individual is eligible for the Temporary Release Program (unless that incarcerated individual's application for temporary release has been denied);
- 2. The incarcerated individual has a higher security designation than permitted at the program site;
- 3. The incarcerated individual is assigned to a Special Housing Unit (SHU) for disciplinary reasons, or is in administrative segregation, or in a Mental Health Unit (MHU) with concurrent SHU time (Behavioral Health Unit (BHU), Therapeutic Behavioral Unit (TBU), or Regional Mental Health Unit(RMHU));
- 4. The incarcerated individual had not been in general population for the required period of time;
- 5. The incarcerated individual had not been in current facility for the required period of time;

6. The application is submitted prior to meeting conditions set in previous denial;
7. An incarcerated individual participant found in violation of the FRP regulations/standards will have his or her eligibility suspended. Tier II violations impose a six month suspension; Tier III violations impose a 12 month suspension. A new application must be reviewed and approved by Central Office prior to the incarcerated individual's future FRP participation. Prior approval does not guarantee readmission;
8. The incarcerated individual or requested visitor is serving any suspension, restriction, or modification to visitation related to Directive #4403, "Incarcerated Individual Visitor Program." This includes non-contact visit sanctions; and
9. If it is determined that a visitor commits or attempts to commit to introduce the following contraband into a correctional facility, they will be permanently restricted from participation in the FRP:
 - a. Cell phones or any electronic device that can be used/modified for contact outside of the Department/correctional facility (e.g., I-pad, Laptop, electronic charging devices, pagers, etc.);
 - b. Drugs or intoxicants;
 - c. Weapons, including explosives and/or incendiary material/devices;
 - d. Maps; and
 - e. Tools.

Note: If any event in 1-9 above occurs, the incarcerated individual is considered ineligible at the facility level. The application should not be processed. The FRP ORC will notify the incarcerated individual via [Form #4500G](#), "Family Reunion Program Ineligible Facility Level," as to the reason for the ineligibility and any applicable corrective action and/or reapply date. A copy of this notice will be placed in the incarcerated individual's facility FRP file.

- C. Special Review/Incarcerated Individual: A special review will be conducted by Central Office staff that will include consideration of the specifics of the crime, the age of the incarcerated individual at the time of the offense, progress in programs, custodial adjustment, victim impact, and the entire case record to determine eligibility, if an incarcerated individual:
1. Has been designated a Central Monitoring Case (CMC);
 2. Has any outstanding warrants, Show Cause Order (e.g., Bureau of Immigration & Customs Enforcement);
 3. Has been convicted of a heinous or unusual crime;
 4. Has been convicted of a sex offense, including a sexually motivated felony, or any other offense where behavior of a sexual nature occurred during the commission of the crime;
 5. Has been convicted of a violent crime against an elderly person, family member, or a child;
 6. Has been convicted of escape or attempted escape;
 7. Has a history of domestic violence or Order of Protection;
 8. Is a returned parole violator;
 9. Is in or has a history of protective custody;

10. Applicant is a minor step-child where parental relationship was not in existence prior to incarceration;
11. Prior participation has been suspended/terminated;
12. Is in a special program such as Assessment and Program Participation Unit (APPU) or assigned to a Mental Health Unit; or
Note: Review must include consideration of evaluation by psychiatric staff.
13. Is diagnosed as having a communicable disease.

Note: Such special review shall be conducted only for those incarcerated individuals who have been otherwise approved in accordance with the process set forth in Section V-A below. Facility Health Services staff will notify the facility FRP ORC of any incarcerated individual approved for the FRP who is diagnosed as having a communicable disease that may pose a health risk to the visitor. A Family Reunion visit will not be denied solely on the basis of the HIV status of the incarcerated individual/applicant.

V. FAMILY PARTICIPATION

- A. Eligible Relations: Applications for participation in the FRP may be made for the following family members, all of whom must have established a recent and consistent visiting pattern. A recent and consistent visiting pattern is defined as three visits, not including Family Reunion Visits, within the past 12 months. Discretion may be used in situations where a family member is elderly, a minor, infirmed, or resides more than 300 miles (in or out of state) from the FRP visit site. A prolonged (one year or more) disruption in a visit pattern will require a written explanation as to the reason for the disruption. In such cases, reestablishment of a consistent visit pattern may be required before being reconsidered for the FRP. The number of allowed participants, to include the incarcerated individual, will be limited to the occupancy capacity of the FRP Unit (trailer or modular). This will be defined by the Fire and Safety Officer.
 1. Legal Spouses: The husband or wife of the incarcerated individual to whom he or she has been married for at least six months, prior to submitting an application; and who is not himself or herself a resident of a New York State Correctional Facility. Spouses must possess documentation of a valid marriage certificate or a declaratory judgment stating the validity of an out of state common-law marriage.
 2. Children of the incarcerated individual, 18 years of age and older.
 3. Minor children of the incarcerated individual (under 18 years of age) may participate:
 - a. When accompanied by the incarcerated individual's spouse, parents, or grandparents provided:
 - (1) The accompanying adult is otherwise eligible for the FRP; and
 - (2) Written notarized permission has been received from the child's legal guardian, if that person is not the accompanying adult.
 - b. Unaccompanied:
 - (1) If written permission is received from the child's non-incarcerated parent or legal guardian; and
 - (2) Subject to special review and the approval of the Superintendent; and

- (3) Provided the child will be escorted to and from the facility by their non-incarcerated parent or legal guardian, another adult designated by the non-incarcerated parent or legal guardian, or an adult in an official capacity with proper identification, and such escort will remain available via telephone for the duration of the visit; or
 - (4) If married, and proof of age and marriage have been provided.
4. Parents or Step-Parents (one parent must be biological): Long term relationship with step-parent must have been established and documented prior to incarceration if biological parent is not participating.
 5. Grandparents.
 6. Foster Parents/Guardian: When legal documentation is provided and verification can be assured.
- B. Special Review/Family: The following family members, all of whom must have established a recent visiting pattern, may be considered for participation after a special review:
1. Nieces and Nephews: 18 years of age and under when accompanied by an approved parent or legal guardian. Individual cases may receive special consideration in the review process of nieces and nephews over age 18, who have a history of prior FRP participation.
 2. Ancestral Aunts and Uncles: An adult may be accompanied by his or her spouse.
 3. Siblings: Full or half, must have at least one biological parent in common. Adult siblings may be accompanied by their legal spouses.
 4. Cousins are not allowed.
 5. Step Children: Notarized, written permission from noncustodial, biological parent; if the custodial parent claims that they no longer have contact with the noncustodial parent, they must provide a notarized letter explaining why the noncustodial biological parent cannot/will not provide permission, and that the custodial parent is assuming responsibility for the visit. Step children must be accompanied by their biological parent if they are alive. Those over 18 years of age must have a history of prior FRP participation.
 6. Grandchildren and step grandchildren of the incarcerated individual when accompanied by an approved parent or legal guardian.
 7. In-Laws: In-Law relationships that MAY BE CONSIDERED: Mother-In-Law/Father-In-Law; Son-In-Law/Daughter-In-Law; Brother-In-Law/Sister-In-Law. Brother-In-Law and Sister-In-Law are defined as the legal spouse/partner to the sibling of the incarcerated individual. All In-Law relationships require special review and DO NOT imply approval.
- Note: For relationships/situations requiring notarized letters, those letters must be updated for every visit.
- C. Suspension of Eligibility: A visitor participant found in violation of the FRP regulations/standards may have his or her eligibility suspended. Suspension will be levied according to the severity of the violation and in accordance with Directive #4403. Any suspension of FRP visitation will include a reapply date. Upon reapplication, the restoration of FRP or continuation of the suspension will be decided.

VI. APPLICATION PROCESSING/FULL CYCLE: The following full-cycle procedures are to be used in processing applications of:

- incarcerated individuals who have not successfully participated in the program.
- FRP cancellations/no calls, no shows.
- Prior participants who now have received a disapproval recommendation at the facility level.
- Current participant who requests to add new family members.
- Two or more, documented, consecutive FRP visit cancellation/no-shows by the incarcerated individual or the requested visitor. Reapplication will require a notarized written statement from the visitor explaining the reason for the cancellation and their desire/commitment to re-establish FRP visitation. Excessive cancellations/no-shows may lead to program suspension.

A. Processing of Application: The facility level process may take up to five weeks to conduct. The FRP ORC is responsible for tracking the application's progress.

1. Incarcerated Individual

- a. Submits written request to the FRP ORC for [Form #4201E](#), "Family Reunion Program (FRP) Application;"
- b. Completes Sections 1 and 2; application must be completed in entirety and be legible;
- c. Returns completed application to the FRP ORC; and
- d. If a marriage occurred prior to incarceration, the incarcerated individual must provide the FRP ORC with a valid copy of the marriage certificate.

2. Facility FRP ORC

- a. Receives [Form #4201E](#), "Family Reunion Program (FRP)Application," from the incarcerated individual and date stamps it; logs receipt of application and assigns a log number on [Form #4211](#), "Family Reunion Program Log of Applications;" enters log number on [Form #4201E](#). **Only individuals listed on a specific application will be considered for the corresponding visit;**
- b. Reviews application for completeness and accuracy; incomplete or illegible applications will be returned to the incarcerated individual;
- c. Ensures the total number of requested FRP participants, to include the incarcerated individual, does not exceed the occupancy capacity of the FRP unit (trailer/modular). Applications requesting participants exceeding this limit will be returned to the incarcerated individual;
- d. Reviews for disqualifying conditions set forth in Section IV-B, 1 through 9. Proceeds as warranted;
- e. Obtains NYS Department of Health (DOH) Form #5032, "Authorization for Release of Health Information (Including Alcohol/Drug Treatment and Mental Health Information) and Confidential HIV/AIDS-related Information," (can be found at <http://www.health.ny.gov/forms/doh>) from every applicant who is applying for a Family Reunion Visit with his or her spouse. This authorization needs to be completed only once for a particular spouse at the current facility:

- (1) Reads and/or explains the "Notice of Authorization for the Release of Medical Information for Family Reunion Applicants," [Form #4500A](#), to the applicant if the applicant cannot read, cannot understand, or has questions concerning the authorization;
 - (2) Explains that this authorization in no way implies that the applicant is HIV positive or has AIDS; and
 - (3) Files the notice of authorization in the incarcerated individual's Family Reunion folder.
- f. Returns incarcerated individual copy of the application with the log number to the incarcerated individual; and
- g. If all above conditions are satisfied, forwards the application to the incarcerated individual's designated ORC.
3. ORC
- a. Confirms temporary release eligibility;
 - b. Reviews incarcerated individual's institutional program participation and adjustment (as in Section IV-A) which includes verifying current program status and any previous refusals and negative removals. This also includes verification of participation in any therapeutic self-help service (i.e., AA/NA/AVP) along with participation in any contract agency programs;
 - c. Verifies that all requested visitors are on incarcerated individual's approved visiting list; notes any Order of Protection known to exist;
 - d. Recommends approval or disapproval; including reasons for recommendation; and
 - e. Returns application to facility FRP ORC, who forwards it to the Deputy Superintendent for Security Services (DSS).
4. DSS or designee (not below the rank of Captain)
- a. Checks incarcerated individual's security file for major, chronic, severe, or excessive disciplinary problems and reviews for unusual incidents;
 - b. Checks for outstanding warrants; indicates if incarcerated individual is an escape risk;
 - c. Recommends approval or disapproval, including reasons for recommendation;
 - d. Forwards application to facility FRP ORC.
5. Facility FRP ORC
- a. Reviews incarcerated individual's Guidance Unit records;
 - b. Reviews family data from probation report and checks for psychiatric evaluation;
 - c. Attaches pertinent supplemental data for Superintendent's evaluation and review;
 - d. Recommends approval or disapproval; including reasons for recommendation; and
 - e. Forwards application to Superintendent.
6. Facility Superintendent (or designee: specifically Assistant Deputy Superintendent for Program Services (ADSP) and above)

- a. Reviews application in its entirety;
 - b. Recommends approval or disapproval. If recommending disapproval, must state reason(s);
 - c. Returns application to facility FRP ORC who forwards it to Central Office.
7. Director of Ministerial, Family and Volunteer Services (MFVS) or designee
- a. Date stamps and logs the application;
 - b. Reviews the application to ensure completeness; incomplete and/or illegible applications will be returned to the facility FRP ORC with an explanation as to the deficiency. The FRP ORC will advise the incarcerated individual of the inaccuracy with direction to submit a new legible application. This will restart the whole process;
 - c. All FRP eligibility criteria must be established prior to the submission of the application;
 - d. The approval or disapproval shall specify the reason(s) supporting the decision. In addition, any disapproval, in full or in part, must contain any corrective action the incarcerated individual must make in order to reapply for reconsideration.
 - e. MFVS will log out the application; and
 - f. Returns the application to the FRP ORC with the appropriate information.

Note: An incarcerated individual may rescind an application prior to the Central Office decision. In order to do so, the incarcerated individual must submit their request in writing to the FRP ORC. The request must include the incarcerated individual's name, identification number, date, application number, and explanation as to why he or she is rescinding the application. Any incomplete requests will be returned. The FRP ORC will forward the request to Central Office for determination. Central Office will return the decision to the FRP ORC who will notify the incarcerated individual of the decision and file it in the FRP folder.

At no time will family members be given information related to the status of an application/appeal. Completion of suggested corrective action does not imply future approval. Compliance only affords the incarcerated individual eligibility to reapply.

8. Facility FRP Offender Rehabilitation Coordinator: Upon approval of the Director of MFVS (or designee) or the Superintendent, transmits the names of approved applicants to the Facility Health Services Unit. Approved spousal visit applicants shall be clearly highlighted. For initial spousal visits, NYSDOH Form #5032 (can be found at <http://www.health.ny.gov/forms/doh>) shall be provided to the Health Services Unit. A copy of this form shall be retained on file in the incarcerated individual's Guidance Unit record.
9. Facility Health Services Unit: Upon receiving the name of a spousal visit applicant, verifies the existence of the signed NYSDOH Form #5032 (can be found at <http://www.health.ny.gov/forms/doh>) and reviews the incarcerated individual's medical record, and:
- a. Health Services staff (e.g., MD, PA, NP, RN) will review the incarcerated individual's medical record and screen for communicable diseases. A determination of the incarcerated individual's medical clearance will be documented in the medical record for each FRP visit.

For initial visits and or any confirmed changes in communicable disease status, Health Services staff will document in the medical record the completion of the notification letter, [Form #4500B](#), "Sample Letter for Family Reunion Program for Known Chronic Communicable Diseases," or [Form #4500C](#), " Sample Letter for Family Reunion Program for No Known Chronic Communicable Diseases," to the incarcerated individual's spouse.

The notification letter will include educational materials and shall be placed in a sealed envelope with the spouse's name written on the envelope. The envelope is returned to the FRP ORC who will forward it with the seal unbroken to the spouse in an interview prior to the visit.

(1) If an incarcerated individual is HIV positive or known to have HIV disease, chronic hepatitis B, or chronic hepatitis C disease, [Form #4500B](#) will be utilized.

(2) If an incarcerated individual has no known communicable diseases, [Form #4500C](#) will be utilized.

- b. The incarcerated individual may have a medical condition other than HIV infection, chronic hepatitis B, or chronic hepatitis C disease that is communicable, or otherwise prevents a Family Reunion visit. The Health Services staff (e.g., MD, PA, NP, RN) shall notify the FRP ORC that the Family Reunion visit is denied "for medical reasons," but that the incarcerated individual may reapply at a later date.

B. Processing Approval for Incarcerated Individual to Participate: The facility FRP ORC shall:

1. Notify the incarcerated individual of their approved application using [Form #FRPIAD](#), "Family Reunion Program Incarcerated Individual Application Decision Notification."

C. Processing Approvals of Family Members to Visit: NOTE: ALL VISITORS ARE REQUIRED TO SUBMIT TWO FORMS OF IDENTIFICATION. (ONE MUST BE A PHOTO I.D.) IN ADDITION, A BIRTH CERTIFICATE WILL BE REQUIRED TO ESTABLISH PROOF OF RELATIONSHIP AND REMAIN ON FILE IN ORDER TO PARTICIPATE.

1. First Time Visitors: The Family Reunion Program Offender Rehabilitation Coordinator shall: Forward a notification packet to each adult that has been approved for participation in the FRP. Family members will be informed of the need for a photo identification interview and verification of documents by the facility FRP ORC.

The notification packet should consist of the following forms:

- [Form #4500D](#), "Family Reunion Program Approval"
- [Form #4500E](#), "Family Reunion Program Document Verification Form"
- [Form #4500F](#), "Guidelines – Family Reunion Program"

2. Upon receipt of the required documents, schedule a photo identification interview, described below for each first time visitor age 13 or older and for previously approved children at the time they become 13.

Note: Approved relatives from out of state may be scheduled for this identification interview on the first day of an approved visit.

- a. Visitors shall be advised to bring with them two forms of identification (see Directive #4403 Facility Visiting Program Guidelines) to be presented during the interview. Spouses must bring marriage licenses, and brothers and sisters their birth certificates. Other relatives (aunt, uncle, etc.) must bring proof of relationship.
 - b. Visitors shall be informed that a full front face photograph will be taken, which will be signed and dated by the visitor, and countersigned and dated by the facility FRP ORC or assistant.
 - c. Visitors shall be informed that the photograph will be retained in the incarcerated individual's Family Reunion file and will be utilized only for identification purposes at the time of the visit.
 - d. If a photograph is lost or destroyed, or if the facility's Superintendent, DSS or FRP ORC determines that there is a demonstrably essential need for an additional photograph, it shall be taken.
3. Processing for Interview/Photo Identification Interview: The FRP ORC shall:
- a. On the scheduled day, meet family members, collect and review all of the hard-copy documents requested for verification. Interview family members and address all concerns, and conduct a review of [Form #4500F](#), "Guidelines – Family Reunion Program."
 - b. Ensure that a full front face photograph is taken for the photo identification that is required for each of the approved family members. The identification shall be signed and dated by the family member visitor, and countersigned and dated by the FRP ORC or designee.
 - c. Schedule the visit for the first available date. Issue completed [Form #FRPVCL](#), "Family Reunion Program-Visitor Contact Letter," to visitor with a copy to the incarcerated individual and the FRP file.
4. Prior to the FRP Visit: The FRP ORC shall:
- a. Complete [Form #4210](#), "Security Card-Family Reunion Program," no later than one week before visit and distribute it to appropriate areas.
 - b. Place communicable disease educational material in unaddressed envelope and give it to an adult visitor that is not the incarcerated individual's spouse. Give each visiting spouse the addressed envelope prepared by Health Services containing communicable disease educational material (which will be distributed at the commencement of the scheduled FRP visit).
 - c. For the initial visit, if the FRP visit begins on a weekday, the FRP ORC will greet family members, upon their arrival in order to provide orientation which will include, but is not limited to, FRP policy and procedures, consequences of FRP violations (for incarcerated individual and family members), prepared envelope, and the Prison Rape Elimination Act (PREA).
 - d. Provide support and referral to family members who request assistance.
- D. Processing Disapproval of Incarcerated Individual to Participate: Appeal Process
1. The FRP ORC shall:
 - a. Inform the incarcerated individual of the disapproval and the reason(s) for the disapproval using [Form #FRPIAD](#).

- b. Inform the incarcerated individual what steps they may take to remedy the reason(s) for disapproval.
- c. Inform the incarcerated individual of their option to appeal and the rules of appeal:
 - (1) FRP ORC will provide [Form #4500J](#), "Appeals Process – Family Reunion Program Denials." Appeals must be submitted in accordance with [Form #4500J](#).
 - (2) From the date of receiving the notice of disapproval, the incarcerated individual has 30 days to submit an appeal.
 - (3) The appeal must contain: copy of the incarcerated individual's copy of the application, copy of the disapproval notice issued by the FRP ORC and the incarcerated individual's appeal statement. Incomplete appeal packets will not be considered.

Note: An incarcerated individual may rescind an appeal prior to the Director of MFVS's review. In order to do so, the incarcerated individual must submit their request in writing to the FRP ORC. The request must include the incarcerated individual's name, identification number, date, application number, and explanation as to why he or she is rescinding the appeal. Any incomplete requests will be returned. The FRP ORC will forward the request to Central Office for a determination. Central Office will return a decision to the FRP ORC who will notify the incarcerated individual of the decision and file it in the FRP folder.

E. Appeal Process: Director of Ministerial, Family and Volunteer Services (or designee):

1. Review the appeal packet to ensure timeliness and completeness; untimely and incomplete appeals will not be considered eligible for review;
2. Ensure that FRP criteria was met prior to the date of application;
3. Forward a written decision to the incarcerated individual, with a copy to the FRP ORC. If the appeal is denied, the notice will inform the incarcerated individual as to his or her ability to reapply. If approved, the notice will give direction to the FRP ORC as how to proceed;
4. Satisfactory completion of recommended programs does not imply approval for the FRP; and
5. The Director of Ministerial, Family and Volunteer Services will respond within six weeks of receipt of the letter of appeal stating the reason(s) for sustaining or reversing the decision. Appeal decisions are final and cannot be appealed.

VII. PROCESSING SUBSEQUENT APPLICATIONS: Once an incarcerated individual has successfully participated in the program, subsequent applications may be processed and approved at the facility level. This includes when an incarcerated individual is transferred from one Family Reunion Program site to another and continues to meet the basic eligibility criteria and has maintained satisfactory program and disciplinary behavior:

A. Full Cycle Review is Required

1. Whenever the facility FRP ORC or Superintendent recommends disapproval. (The incarcerated individual's application must be reviewed by the Director of Ministerial, Family and Volunteer Services.)

2. When new family participants are added. (The incarcerated individual's application must be processed completely as set forth in Section V above, with new visitors being subject to the completion of the document verification report and photo interview.)

B. Scheduling Subsequent Visits

1. If a full cycle review is not required the FRP application will be reviewed. If approved, and all the conditions regarding photographs and documents are completed then:
 - a. The FRP ORC will contact the family contact member to schedule the FRP date.
 - b. Once the date is established, the FRP ORC will send a FRP confirmation letter to the family contact with a copy to the incarcerated individual and the FRP file.

VIII. SANCTIONS FOR USE OF DRUGS/INTOXICANTS

- A. A urine sample will be obtained from a participating incarcerated individual at the following times:
1. Between two to ten days prior to a FRP visit;
 2. Immediately prior to a FRP visit; and
 3. Immediately after a FRP visit.

Urinalysis samples taken at points (1) and (3) will be tested at their respective draw times or shortly thereafter; the sample drawn at point (2) may be analyzed immediately or if the incarcerated individual tests positive at point (3).

- B. If the incarcerated individual tests positive for drugs or intoxicants at point (1), the FRP visit will be cancelled. Security will inform the FRP ORC, who will be responsible for advising the incarcerated individual's family of the cancellation. If the incarcerated individual is found guilty at the time of the disciplinary hearing, he or she, in addition to being subject to penalties under the Standards of Incarcerated Individual Behavior, 7 NYCRR Chapter V, will also be suspended from the FRP for one year. As a condition of reapplication, the incarcerated individual must have completed the ASAT program or equivalent in the interim, and must present documentation of same at the time of reapplication. If the incarcerated individual is found not guilty, the FRP visit will be rescheduled for a date that is acceptable to both the family and the facility.
- C. If the incarcerated individual tests negative at point (1) and positive at point (3), the urine sample taken at point (2) will be tested to determine if the incarcerated individual ingested drugs between points (1) and (2). If the (2) sample is positive, the family cannot be implicated. However, if the (2) sample is negative, it can be concluded that the drugs were ingested during the Family Reunion visit; this implicates the visitor(s). In this situation, the incarcerated individual will be subject to the sanctions outlined in B (above); additionally, the visitor(s) will be permanently restricted from the FRP.

- IX. TERMINATION OF VISIT:** An orderly, humane, and dignified procedure for the departure of families and for the return of incarcerated individuals to the facility is expected at the cessation of all visits. The initial time and closing time for visitation should be clearly understood by incarcerated individuals and family participants. It is the responsibility of the Officer in Charge to notify all visiting families one hour before the time of the visit's termination via telephone.

- A. Normal Termination: It is the responsibility of the family and incarcerated individual participant to abide by the rules and regulations governing the termination of the visit.
- B. Unusual Termination: A visit may be terminated before the designated time upon the request of the participants. It may also be terminated by the judgment of the FRP ORC with the Officer of the Day (for example, if there is a family disturbance or a weather emergency). The visit will be terminated immediately if any participants are found to be under the influence of alcohol or drugs.¹
- C. Emergency Termination: Illness, deaths, immediate family problems, or a facility emergency.¹
- D. Visitation Denial: Family can be denied entrance if found in the possession of drugs, alcohol, dangerous and lethal weapons, or any other contraband.¹

¹In all cases, thorough documentation is required with an Unusual Incident Report filed with local institution, Family Reunion Office, and Director of Ministerial, Family and Volunteer Services.

X. REPORTS

- A. Accident Report: Should any participant in the FRP be injured while participating in FRP, minimally, an accident report will be completed and forwarded to the Ministerial, Family and Volunteer Services Central Office **within two days of the incident**, whether the facility deems it necessary to complete an Unusual Incident Report. This information is also to be included in the FRP Monthly Report.
- B. Monthly Report: The FRP ORC is responsible for maintaining FRP files, collecting and completing a FRP Monthly Report. The FRP Monthly Report is due no later than the Monday of the last full week of each month. The report must be completed in its entirety and forwarded via Outlook e-mail to Central Office.

- XI. **FILE RETENTION**: Ensuring accurate recordkeeping procedures are in place is essential to maintaining the integrity of the FRP. Therefore, whenever an incarcerated individual transfers to a facility that has the Family Reunion Program, the FRP ORC at the sending facility will forward the FRP file to the FRP ORC at the receiving facility. In maintaining this chain of custody, the sending FRP ORC will confirm this transaction via a chronological entry in the Guidance and Counseling folder. The receiving FRP ORC will acknowledge receipt of the file via a chronological entry in the Guidance and Counseling folder.

If the incarcerated individual is transferred to a facility that does not have the Family Reunion Program the FRP file will be maintained at the participating FRP site for seven years from the date of the last FRP visit.