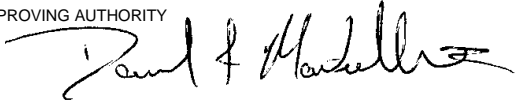
 Department of Corrections and Community Supervision DIRECTIVE	TITLE Office of Government Affairs		NO. 0415
			DATE 02/09/2024
SUPERSEDES DIR #0415 Dtd. 06/02/23	DISTRIBUTION A B	PAGES PAGE 1 OF 4	DATE LAST REVISED
REFERENCES (Include but are not limited to) Correction Law Section § 146; ACA Expected Practice 5-ACI-1A-21; Directives #0401, #2917, #4900, #4935, #9710	APPROVING AUTHORITY 		

- I. **PURPOSE:** This directive sets forth the purpose and functions of the Department of Corrections and Community Supervision (DOCCS) Office of Government Affairs. This directive establishes a formal procedure by which all legislative inquiries, including requests for information from any federal, state, or local elected official or their staff, are processed and reviewed by Central Office to ensure that the Department’s responses accurately reflect DOCCS policies, are responded to promptly and properly, and are reported centrally. This directive further establishes the policy and procedures to accomplish this goal.
- II. **ORGANIZATION:** The Assistant Commissioner for Government Affairs oversees the daily operations of the Office of Government Affairs and reports directly to the Commissioner. Government Affairs staff report to the Assistant Commissioner.
- III. **POLICY:** It is the policy of the Department that any inquiries, either written or verbal, from any federal, state, or local elected official or their staff, shall be referred to the Office of Government Affairs at (518) 457-0434 or by email, except as noted in subsection V-A.
- IV. **FUNCTIONS:** The DOCCS Office of Government Affairs performs the following functions:
 - A. Serves as the central point of contact and liaison to federal, state, and local elected officials and their staff on matters pertaining to the Department.
 - B. Receives and responds to legislative inquiries, ensuring that the response is reflective of Department policy, in consultation with the applicable program area(s) as needed.
 - C. Tracks all legislative inquiries received by the Department, including the collection and reporting of relevant data relating to legislative inquiries.
 - D. Tracks all visits to DOCCS facilities and area offices by persons not employed by the Department, including the collection and reporting of relevant data relating to facility and area office visits.
 - E. Tracks the implementation of legislation and policy initiatives that impact the Department.
 - F. Maintains positive working relationships between the Department and federal, state, and local elected officials and their staff.
 - G. Coordinates meetings and calls with federal, state, and local elected officials on pertinent topics.
 - H. Assists in the preparation for legislative, budget, and other public hearings.
 - I. Maintains briefing information on the state legislature, including contact lists for members of the legislature and their staff.
 - J. Advises the Department on policy and legislative matters, as needed.

V. LEGISLATIVE INQUIRIES

- A. Rudimentary inquiries or requests for factual information about the particular facility or area office, such as the days and hours that the visiting room or area office is open, can be answered by the facility/area office itself, without any need to involve or report to Central Office.
- B. When referring any inquiries pursuant to this policy to the Office of Government Affairs, all pertinent information should be included to ensure that the Department responds accurately and in a timely manner. This information should include, at a minimum, the following:
 - 1. The name of the person who made the inquiry.
 - 2. The individual's title and office (e.g., who they are representing).
 - 3. A means to contact the person (telephone number, email address, etc.).
 - 4. A detailed description of the inquiry.
 - 5. If practicable and relevant, a proposed response to the inquiry.
- C. Staff shall follow instructions from the Office of Government Affairs regarding follow up and handling of the inquiry. Any follow-up action taken by a Department employee in response to such an inquiry shall also be sent to the Office of Government Affairs.

VI. VISITS

- A. In accordance with Correction Law § 146 (1), members of the state legislature are permitted to conduct visits to a correctional facility, area office, or other Department office, which may include an unannounced visit. Legislators are authorized to request to be accompanied by their staff and any Department employee during a tour, which may include a union representative, provided that such request does not impact upon the Department's ability to supervise, manage, and control its facilities, as determined by the Commissioner. For example, if an employee is suspended, they would not be approved to be part of a tour. In addition, if the number of employees being requested to be part of the tour is too large and could negatively impact facility operations, then the number might have to be reduced to be approved. The Deputy Commissioner for Correctional Facilities must be contacted whenever a Department employee is requested to be part of a pre-arranged tour.
- B. Consistent with Department policy (see Directive #2917, "Cellular Telephones and Pagers"), cellular phones, wireless phones, laptop computers, personal digital assistants, any devices with global positioning (GPS) capabilities, any device with audio or video recording capabilities, radios, cameras, or other similar electronic devices are prohibited for all visitors to a DOCCS correctional facility. In the absence of exigent circumstances, members of the legislature and their aides should neither be processed through the walk-through metal detector, nor scanned with a handheld metal detector at the front gate (see Directive #4900, "Security in Gate Areas/Secure Posts," Directive #4935, "Applying to Visit Correctional Facilities," and Directive #9710, "Magnetometers (Metal Detectors) Community Supervision").

- C. Any DOCCS correctional facility, upon contact by a federal, state, or local elected official or their staff, in connection with a visit request or upon arrival by a member of the legislature for an unscheduled visit, shall immediately notify the Commissioner, Deputy Commissioner for Correctional Facilities, and Assistant Commissioner for Government Affairs via email, or the Communications Control Center during non-business hours.
- D. Any DOCCS area office, upon contact by a federal, state, or local elected official or their staff, in connection with a visit request or upon arrival by a member of the legislature for an unscheduled visit, shall immediately notify the Commissioner, Deputy Commissioner for Community Supervision, and Assistant Commissioner for Government Affairs via email, or the Communications Control Center during non-business hours.
- E. When the Office of Government Affairs first receives notice of a visit, they shall notify the Superintendent or Regional Director/Bureau Chief, copying the Commissioner and Deputy Commissioner for Correctional Facilities or Deputy Commissioner for Community Supervision. When the Office of Government Affairs first receives notice of a visit during non-business hours, they shall notify the Communications Control Center, who will be instructed to notify the Superintendent and Officer of the Day or Regional Director/Bureau Chief.
- F. During a visit, no media representatives shall be permitted. Any requests for media representatives shall be referred to the DOCCS Public Information Office in accordance with Directive #0401, "Release of Information to the News Media and Others."
- G. The Superintendent, Regional Director/Bureau Chief, or designee should escort the visitors at all times while they are in the facility or area office. If a significant number of officials visit at one time, they may be broken into groups. Each group must be escorted by an Executive staff member.
- H. Members of the state legislature and their aides may, upon request, visit Special Housing Units (SHU), Residential Rehabilitation Units (RRU), and all other areas of the facility.
- I. Visitors shall be permitted to talk with incarcerated individuals, but only in the presence of the Superintendent or the Executive team member conducting the tour.
- J. If a group discussion is requested, the visitors should be encouraged to speak with the Incarcerated Liaison Committee (ILC), Incarcerated Grievance Resolution Committee (IGRC), or other existing approved organization. The Superintendent or Executive staff member conducting the tour should be present at all such meetings with an appropriate number of uniformed staff to maintain a controlled and safe environment.

If a specific request is made to meet with the ILC, IGRC, or other approved organization without the Superintendent or any member of the Executive team or staff being present, the request should be accommodated, but appropriate security safeguards shall be in place and a visual line of sight shall be maintained (e.g., observation through windows, etc.).
- K. Meetings with groups other than the ILC and IGRC may be limited to no more than 15 minutes in the interest of safety and security.
- L. Visitors are prohibited from reviewing incarcerated individual or releasee records, or other business records, without prior written approval from the Deputy Commissioner responsible for the type of record sought for review.

- M. Within one business day of completion of a visit to a correctional facility, the Superintendent shall complete and submit Form #4935A, "Visits to Correctional Facilities," to the Assistant Commissioner for Government Affairs via email, copying the Commissioner, Deputy Commissioner for Correctional Facilities, and the facility's assigned Assistant Commissioner for Correctional Facilities and Supervising Superintendent. Form #4935A must be submitted when any of the following officials visit a DOCCS correctional facility:
1. Certain officials listed in Correction Law § 146 (1) and their representatives: the Governor, Lieutenant Governor, Commissioner of General Services, Secretary of State, Comptroller, Attorney General, members of the State Commission of Correction, members of the state legislature and their staff, judges of the court of appeals, supreme court and county judges, and district attorneys.
 2. Any federal or local elected official and their staff.
 3. Any official representing the Correctional Association of New York, subject to the parameters set forth in Correction Law § 146 (3).
 4. Any official representing the Office of the New York State Inspector General.
 5. Any official or delegation representing a foreign government.
 6. Any official representing an external regulatory or monitoring organization (e.g., Prisoners' Legal Services of New York, New York Civil Liberties Union, Disability Rights New York, Justice Center for the Protection of People with Special Needs, etc.).
- N. Within one business day of completion of a visit to an area office by a federal, state, or local elected official or their staff, the Bureau Chief shall complete and submit Form #4935B, "Visits to Community Supervision Offices," to the Assistant Commissioner for Government Affairs via email, copying the Commissioner, Deputy Commissioner for Community Supervision, and the area office's assigned Assistant Commissioner for Community Supervision and Regional Director. If a federal, state, or local elected official or their staff attend a Community Supervision Friends and Family Open House event, Form #4935B must be submitted in accordance with this directive.

VII. INVITATIONS TO TOUR CORRECTIONAL FACILITIES AND AREA OFFICES

- A. The Commissioner, Deputy Commissioner for Correctional Facilities, Deputy Commissioner for Community Supervision, or Assistant Commissioner for Government Affairs must pre-approve all prospective invitations to any federal, state, or local elected official and their staff to visit a correctional facility or area office.
- B. Requests by employees to extend invitations to federal, state, or local elected officials or their staff to visit correctional facilities or area offices must be submitted for approval at least one week prior to the prospective visit. Requests must include the name(s) and title(s) of the person(s) requesting such approval, the facility or area office to be visited, the purpose of the visit, name(s) of the invitees and their titles, the group or organization they represent, and the date and time of the requested visit.
- C. Upon completion of the visit, notifications shall be made in accordance with subsections VI-M and VI-N of this directive.