

**DELAWARE COUNTY
CORRECTIONAL FACILITY**



**INCARCERATED INDIVIDUAL RULES
AND REGULATIONS**

**CRAIG S. DUMOND
SHERIFF**

**KIM S. SMITH
UNDERSHERIFF**

REVISED 5 July 2023

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INCARCERATED INDIVIDUAL RULE BOOK

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DELAWARE COUNTY JAIL

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DELAWARE COUNTY CORRECTIONAL FACILITY
280 Phoebe Lane
Suite 6
Delhi, New York 13753
(607) 832-5863

INTRODUCTION

FACILITY RULES AND INFORMATION

This booklet will help you understand the day to day operations and programs of the Delaware County Correctional facility. It contains information about some of the services available to you and what is expected of you. The term Incarcerated Individual shall be used for inmates, prisoners, detainees, and convicts, and may appear as II in the rule book provided.

It also contains important rules and disciplinary measures. These rules must be followed to ensure a smooth-running operation. Failure to follow facility rules may result in a loss of privileges, loss of "good time", disciplinary isolation, or a change of housing location.

You are being held in custody as a result of court action or arrest. Please keep in mind that the jail staff did not cause you to be incarcerated. You are expected to act in a courteous manner and we will do likewise as we fulfill our legal responsibility for your safekeeping.

Neither the Sheriff nor the members of the staff have the power to release you before the date arrived at by process of law.

The facility officials are responsible for safeguarding your confinement until you are released. They are responsible for maintaining sanitary and healthful living conditions, for giving fair and equal treatment, and for providing you with the opportunities, in as far as possible, for improving yourself while in this facility. You are expected to follow all orders from the staff to make this possible.

You are being provided a copy of the Incarcerated Individual (II) Rules and must return it upon your release. Any destruction or mutilation of this rule book may result in charges being filed against you. Remember, this as well as all county property does not belong to you.

Please read and attempt to understand these regulations. If you do not understand any part of it, the Corrections Officer in your housing unit will assist you.

This book was designed to help you understand what is expected of you but in no way limits the staff to its contents. **Anything you are told to do, or not to do is to be considered a lawful order and must be adhered to.** It does not have to be written in the II Rule Book. Noncompliance to any lawful order will be dealt with according to the policies and procedures of the Delaware County Jail and the laws of New York State.

No II in this facility will be subject to any form of discrimination based on charges, race, religion, national origin, sex or political belief. All program or Administrative decisions are made without prejudice or discrimination.

This book and its contents are the property of the Delaware County Sheriff's Office.

PLEASE READ THIS IMPORTANT INFORMATION

For

Family Members, Visitors & Incarcerated Individuals (IIs)

If an II informs you directly that he or she is thinking of self-harm, or suicide, in any letters, telephone calls, during a visit, during any conversation, or if you indirectly “overhear” an II talking of suicide, PLEASE notify jail staff immediately. Jail staff can have the II evaluated to determine what assistance is needed for him or her to deal with the specific problem.

YOUR INFORMATION CAN SAVE
SOMEONE’S LIFE

RULES, REGULATIONS, PROCEDURES FOR INCARCERATED INDIVIDUALS

IRB 7002.0 PERSONAL PROPERTY

REV 8 JUNE 2023

NYS Min. Std. 7002 Admissions

DCSO PPM 7002.0 Property Confiscation

Personal items such as wallets, ID cards, licenses, watches, money, necklaces, belts, jewelry (rings, bracelets, etc.) are not allowed in your possession while you are in jail. Plain metal wedding bands may be worn if you are married. We may require verification that you are married before you keep your wedding band. Upon admission, all personal items will be listed on the proper form, placed in a property envelope and stored in the personal storage area. This form will be jointly signed by you and the booking officer and you will receive a copy of it.

When you are released from jail (time served, bailed out, release order from the court, transferred to another facility, etc.) all personal property, clothing, and a check for funds remaining in your assigned account will be made out to you. If you anticipate receiving a state prison sentence all of your property must be released prior to your transfer. You must arrange to have someone pick up all your remaining property.

Upon your release or if transferred to another facility, you or your designee must claim and take possession of any of your property that was placed in storage during your incarceration at the Delaware County Jail. You must notify the designee to pick this property up within 30 calendar days, failure to pick up the property will be considered a refusal by the designee. Any of your property remaining after 30 calendar days of your release or transfer will be destroyed. You may release personal property that was in your possession at booking by filling out a property release form.

Religious medals may be kept in your cell after verification from your minister and/or the Jail Chaplain. A chain **IS NOT** a religious medal. If any item is considered to be of more than 1 ½ inches or worth more than \$20.00 it will not be allowed. Medals/talismans with stones are not allowed. Other religious articles allowed but not limited to are Prayer rug, Kofi, Bible, Quran.

The wearing of piercings is strictly prohibited. IIs who have piercing holes in their skin will not place any foreign objects in these orifices in order to prevent closure. IIs who insert foreign objects into their skin will be subject to disciplinary sanctions.

Authorized Personal property:

Each II is authorized to possess in their cell the following:

Soap	2 bars
Deodorant	1
Shampoo	1
Conditioner	1
Lotion	1
Hair Food	1
Pen, Blue	2
Pen, Black	2
Comb	1
Brush, hair	1
Bowl, food	1

Paper, drawing pad, white	1
Paper, writing, white, lined	1
Cards, playing, deck of 52	1
Cards, Pinochle, deck of 48	1
Torah, Bible, or Koran	1
Envelopes, postage paid	10
Photographs	Unlimited
Calendar	1 (non-spiral binding)
6 magazines, publications, newspapers and/or books (Not including Torah, Bible, or Koran)	
Legal mail	Unlimited
Personal mail	Unlimited
Food items purchased from commissary and marked with CHN (combined with above items, not to exceed \$60.00 in total value)	

Religious items are not included in the above quantities. IIs are limited to one each of any religious item they purchase through commissary.

NOTE: IIs are limited to no more than \$60.00 in total value of commissary items, (not including religious items), in their cell, including hygiene and food items.

Any item that exceeds the limits may be placed in the II's property and requested on the appropriate days. It is the II's responsibility to ensure that they are not in violation of facility limitations.

NOTE: Incoming bank checks and money orders will be deposited in the IIs account but will have a 10-day hold placed on each instrument deposited to ensure sufficient funds are available.

**IRB 7004.0 CORRESPONDENCE & MAIL
NYS Min. Std.7004.0**

REV 6 JULY 2022

Subject to the limitations of this policy, IIs are entitled to correspond with any person unless prohibited by an Order of Protection, or other instrument prohibiting contact with any person as specified by a court, judge or legal entity.

LIMITATIONS:

(a) There shall be no restriction upon incoming or outgoing II correspondence based upon:

- (1) the amount of correspondence sent or received; or
- (2) the language in which such correspondence is written.

(b) If an II is unable to read or write, they may receive assistance with their correspondence from other persons designated by the chief administrative officer, including but not limited to facility employees and IIs at times not unduly disruptive of the facility routine.

(c) Paper or correspondence written on paper other than white in color is considered contraband.

(d) Nothing contained in this Part shall be deemed to prevent the chief administrative officer from establishing a list of correspondents whom IIs shall be prohibited from corresponding with or receiving mail from.

7004.2 OUTGOING INCARCERATED INDIVIDUAL CORRESPONDENCE

(a) The Delaware County Jail shall make available to indigent IIs, at facility expense, four (4) sheets of white paper and two (2) envelopes for correspondence each week the II is on indigent status. Indigent IIs will be supplied a black pen for correspondence purposes. Postage for indigent IIs will be paid by the jail for a maximum of two 1-ounce letters per week. The indigent II is authorized to turn in a maximum of two (2) properly addressed and sealed indigent envelopes per week for mailing at county expense.

- i. Staff will mark Indigent envelopes on the front bottom left hand corner of the envelope with the indigent II's criminal history number, and date, in red ink, when envelopes are issued to the II.
- ii. Requests for indigent status must go in each Monday and will be reviewed by the Jail Administrator or his/her/X designee. See definitions in section 7004.2A.
- iii. Additional letters may be written at the II's expense by purchasing pads of paper, pens or pencils, prepaid envelopes through commissary once they receive funds.

(b) Outgoing II correspondence shall bear the following information of the sender on the upper left-hand corner of the envelope (The facility full address)

II's Name, CHN
Delaware County Correctional Facility
280 Phoebe Lane
Suite 6
Delhi, NY 13753

NOTE: If any other markings are on the envelope (i.e. writing, drawing, pictures...etc.) it will not be processed and will be returned to the II.

(c) Outgoing II correspondence shall be sealed by the II and immediately surrendered to the housing unit officer.

(d) All outgoing II correspondence shall be collected and forwarded to the United States Postal Service at least once each business day

(e) Outgoing II non-privileged correspondence shall not be opened or read except when the chief administrative officer or designee determines there is reasonable suspicion to believe that the

contents of such correspondence endanger or threaten the safety or security of the facility or the safety, security or health of another person.

(f) An II shall be notified in writing when their outgoing non-privileged correspondence is opened pursuant to this section.

(g) An II shall be present when their outgoing non-privileged correspondence is read pursuant to this section.

(h) The chief administrative officer or designee may delay notifying the II regarding the specific facts and reasons when such notification would endanger the safety, security and good order of the facility. As soon as the danger no longer exists, the chief administrative officer or designee shall immediately notify the II.

NOTE: There shall be further limitations on the facility's right to open and read mail when such mail is considered privileged correspondence. (7004.4 sub.2)

7004.2A DEFINITIONS & PROCEDURES PERTAINING TO INDIGENCE DESIGNATION AND MAIL

- a. Indigence: lacking food, clothing, and other necessities of life because of poverty; needy; poor; impoverished. (<http://www.dictionary.com/browse/indigent>)
- b. DCSO Jail considers II indigence to mean that the II has no money in their account, has no external financial support or means to purchase basic items such as postage and paper to maintain communication with their family.
- c. IIs that have money (equal to or greater than the amount needed to purchase a stamped envelope) in their commissary account will not be considered indigent and will not receive free envelopes and paper.
- d. If the II depletes the funds in their commissary account, it does not mean that the II will qualify for indigent status that week. Having no money in the IIs account at some given time does not automatically mean that the II is to be given an indigent designation.
- e. IIs will not be denied indigent designation solely because they at one time had funds in their account but do not now. The decision will be based on how long it has been since they had money in their account (21 days), how much and how often they receive money and whether or not they made an effort to purchase postage when they did have money.
- f. New IIs that do not have any money at booking and do not have money brought in to them may request indigent status and request indigent paper and pre-paid envelopes on the first Monday after their booking.

- g. Any IIs requesting and receiving a facility designation of indigence may be furnished with four (4) sheets of paper and up to two (2) envelopes, mailed at the facility expense) to write two (2) one-ounce letters per week. This benefit is not cumulative. Indigent IIs will be supplied a black pen for correspondence purposes. As long as the II meets the requirements as specified in section PPM 7004.2A sections b, d, e, and f. The II meeting the requirements of indigence must put in a request for such **each** Monday. If you do not put in the request you do not receive indigence status for that week. This designation may be lost when money is placed into your account.
- h. This facility designation of indigence may apply towards any other area of Minimum Standards where it dictates indigent IIs be provided something at facility expense. This status is not automatically applied to anyone; you must put in a request to receive it.

7004.3 INCOMING INCARCERATED INDIVIDUAL CORRESPONDENCE

a) Incoming II correspondence other than privileged correspondence may be opened and inspected outside the presence of the intended II recipient. Such correspondence may be opened and inspected solely to ensure the absence of contraband.

(1) A copy of any order made pursuant to this subdivision shall be forwarded by the chief administrative officer or designee to:

- (i) the intended II recipient; and
- (ii) the sender of the correspondence at issue.

NOTE: Any correspondence read per this section, must be done within 5 business days after receipt into the facility.

(2) A written record of correspondence read pursuant to this subdivision shall be maintained. Such record shall include:

- (i) the name of the sender;
- (ii) the name of the intended II recipient;
- (iii) the date the correspondence was read; and
- (iv) the name of the reader.

NOTES:

1. Incoming mail addressed to IIs must have a return address indicating the name of the sender, a complete address and zip code.
2. All incoming II mail is brought to Intake for inspection and logging in the mail log on the Sally Port System.
3. Incoming II mail is transferred to each unit, after processing, for distribution to the IIs.
4. All incoming II mail that is not considered contraband will be delivered to the IIs within 24 hours of its receipt

5. Paper or correspondence written on paper other than white in color is considered contraband.

7004.4 PRIVILEGED INCOMING AND OUTGOING CORRESPONDENCE

DEFINITIONS

1. **LEGAL PRIVILEGED CORRESPONDENCE** - shall mean correspondence to or from:
 - a) Attorneys and individuals under the direct supervision of attorneys;
 - b) Legal assistance agencies and individuals under direct supervision of legal supervision agencies;
 - c) and courts.

2. **GENERAL PRIVILEGED CORRESPONDENCE** - shall mean correspondence to and from:
 - a) State Commission of Correction;
 - b) Other Correctional officials;
 - c) Local, State and Federal law enforcement agencies;
 - d) and the media.

(a) As used in this Part, legal privileged correspondence shall mean correspondence to or from attorneys and individuals under the direct supervision of attorneys, legal assistance agencies and individuals under the direct supervision of legal assistance agencies, and courts. General privileged correspondence shall mean correspondence to and from the State Commission of Correction and other correctional officials, local, State and Federal law enforcement agencies, and the media.

(b) Incoming general and legal privileged correspondence shall not be opened and inspected for contraband except in the presence of the recipient II.

(c) Outgoing general and legal privileged correspondence shall not be opened and inspected for contraband except where the chief administrative officer determines there is reasonable suspicion to believe that the contents of such privileged correspondence threaten the safety or security of the facility or the safety and security of another person. An II shall be present when their outgoing general or legal privileged correspondence is opened pursuant to this subdivision.

(d) Incoming or outgoing II legal privileged correspondence shall not be read except pursuant to a lawful search warrant. Such warrant shall be obtained within twenty-four (24) hours of the facility's receipt of such correspondence and shall be enforced immediately after its issuance. An II shall be present when their privileged correspondence is read pursuant to this subdivision.

(e) Incoming and outgoing general privileged correspondence shall not be read except where the chief administrative officer determines there is reasonable suspicion to believe that the contents of such general privileged correspondence endanger or threaten the safety or security of the facility or the safety and security of another person. When the chief administrative officer or designee makes such a determination, he shall issue a written order which shall state the specific facts and reasons why such action is necessary to maintain the safety and security of the facility

or the safety and security of another person. The recipient II shall be present when his incoming and outgoing general privileged correspondence is read pursuant to this subdivision.

7004.5 RESTRICTIONS ON CORRESPONDENCE, PHYSICAL CONTENT

Nothing contained in this Part shall be deemed to prevent the chief administrative officer or designee from establishing a list of correspondents whom IIs shall be prohibited from corresponding with.

LIMITATIONS ON PHYSICAL CONTENTS/MATERIALS:

1. Photographs: Only commercially processed and printed photographs are authorized for II possession. If the photograph does not have a stamp from the store that printed it out, it must be accompanied by its original receipt.
2. Greeting cards: only commercially printed greeting cards **without** the following are authorized; appliques, glitter, ribbon, extensions, additions, multiple layers of paper, glued attachments or laminations, or aftermarket modifications.
3. Lipstick, foreign substances, chemicals, residues, crayon, stickers etc. may be restricted based on health, safety or medical conditions.
4. Perfumes or substances that emit any type of odor may be may restricted based on health, safety or medical conditions. The Shift Supervisor will forward any items emitting an odor to the Chief Administrative Officer for approval.
5. Correspondence, books, letters, paper items that have discoloration, obliterated writing, highlighting, smudges, stains, etc. on or in the paper are not allowed.

7004.6 CONTRABAND FOUND IN INCOMING INCARCERATED INDIVIDUAL CORRESPONDENCE

(a) As used in this Part, the term contraband shall include all items which constitute a threat to the safety, security or good order of a facility. Any foreign substance or anything not allowed by the facility is also considered contraband. Paper or correspondence written on paper other than white in color is considered contraband. Anything used for something other than it's intended purpose will be considered contraband.

(b) Incoming II correspondence that is found to contain contraband shall be forwarded to the chief administrative officer or designee for disposition.

(1) Contraband that may involve a criminal offense shall be forwarded by the chief administrative officer to the appropriate law enforcement authority.

(2) Contraband that does not involve a criminal offense shall be retained with the II's secured property for return upon the II's release depending on the CAO's decision. A photocopy of the correspondence (written portion) that has been deemed contraband shall be made for the II at no cost to the II.

(3) Contraband that presents a threat to facility sanitation or health may, upon order of the chief administrative officer, be destroyed.

(4) Cash shall be deposited in the intended II recipient's facility account or delivered to the chief administrative officer or designee for disposition in accordance with facility rules and regulations. The II shall be notified of all amounts received and the disposition of such.

(5) Incoming checks and money orders will be deposited in the IIs account but will have a 10-day hold placed on each instrument deposited to ensure sufficient funds are available. If no name, or address is listed on the money order, the money order may be returned to sender, or placed in property if no sender is listed. An incomplete document cannot be processed.

(c) The chief administrative officer or designee shall give written notice to the intended II recipient of any determination made pursuant to this section. This written notice shall include:

(1) the name and address of the sender;

(2) the nature of the contraband; and

(3) a statement of the specific facts and reasons underlying the determination.

(d) Subsequent to any determination made pursuant to this section, the chief administrative officer or designee shall, upon removal of the contraband contained in the correspondence, forward such correspondence to the intended II recipient, except when such action may interfere with any pending criminal investigation of the matter.

PROCEDURE FOR HANDLING CONTRABAND FOUND IN MAIL

1.) Incoming II correspondence that is found to contain contraband shall be forwarded to the chief administrative officer or designee for disposition. If after removal of the contraband, the correspondence no longer is considered a threat to the safety, security or good working order of the facility, the correspondence is to be forwarded to the II.

2.) Contraband that does not involve a criminal offense may be held in the II's property envelope until their release upon determination by the chief administrative officer.

a) The intended II recipient, who has had contraband returned, or placed in the II's property envelope is to be notified of such. Notification will be made using form CD-142 which contains the following information:

1. Name and address of sender
2. Nature of the contraband
3. Statement of the specific facts and reason underlying the determination.

If any correspondence that does not involve a criminal offense; i.e. letters, drawings, written messages is deemed contraband, one photocopy shall be made of the contraband and forwarded

to the II at no cost to the II. All steps of this process shall be scanned in to the sally port system for documentation purposes.

7004.7 PROCEDURE FOR HANDLING MONEY, CHECKS ETC. SENT TO INCARCERATED INDIVIDUAL & PRE-PAID ENVELOPS FROM GOVERNMENT AGENCIES

1. Cash, checks or money orders delivered to the local facility shall be deposited in the personal account of the intended II recipient. The II shall be notified of all amounts received and the disposition of such.

NOTE: Incoming checks and money orders will be deposited in the IIs account but will have a 10-day hold placed on each instrument deposited to ensure sufficient funds are available. (See IRB 7002.0, IRB 7004.0, IRB 7016.0 & IRB 7025. PPM 7002.0, PPM 7004.0, PPM 7016.0 and PPM 7025.0)

2. Any cash, money orders or checks delivered to this facility or sent in the mail is to be entered in the commissary computer and credited to the II's account. The receipt is to be clipped to the front of the money; or secured in an envelope with the amount, II's name and CHN; and placed in the secure property storage, B107, in the money box. The IIs must be notified of the amount received.
3. If an II receives a pre-paid envelope from a government agency, to be used to facilitate correspondence or the transmittal of official paperwork to that agency, the pre-paid envelope will be placed in the II's property until such time that the II has filled out the government form or letter and is ready to return said paperwork or correspondence to the agency that sent the pre-paid envelope. The II will fill out a request form to have the paperwork placed in the envelope and mailed. The IIs name, CHN and DCSO Correctional Facility address will be placed on the upper left-hand corner of the envelope. The envelope will be sealed by the II in the presence of the shift supervisor in intake.

7004.8 INCARCERATED INDIVIDUAL MAILING PROCEDURE

1. All outgoing mail is to be deposited in the mail receptacle in each housing unit and picked up by 2300 hours by the outgoing housing officer.

This mail will be brought to Intake for documentation and logging on the A-line shift. All outgoing mail is to be stamped "Inmate Correspondence". This mail will go out on the next business day.

CONTRABAND:

The term contraband shall mean any item in an incoming II package which constitutes a threat to the safety, security or good order of a facility, or the health of any individual, or any item not permitted or any item which may constitute a criminal offense or may be the fruits or instruments of a crime.

All IIs are allowed to send or receive packages from a company whose ordinary business includes the sale and shipping of such items (e.g. Amazon, Barnes & Noble, etc.). Incoming packages will be limited to the list below. Any other items that are allowed must be obtained through commissary.

Authorized items

Books- Soft cover or paper back (hardcover books are not allowed).

Magazines and Religious materials (Check with jail staff first)

Photographs: commercially produced photos only. No Polaroid or home-produced photos allowed.

INCOMING INCARCERATED INDIVIDUAL PACKAGES

The Jail Administrator requires that the contents of any incoming II package be purchased from, and mailed to the facility by, a company whose ordinary business includes the sale and shipping of such items.

The Delaware County Jail is not responsible for any personal property kept in the cell area or for damage to your personal clothes.

OUTGOING INCARCERATED INDIVIDUAL PACKAGES

Any items which an II sends from a facility shall be packaged in the presence of the II and under the supervision of facility staff.

The costs incurred in sending any outgoing II packages shall be the responsibility of the II.

INSPECTION OF INCOMING INCARCERATED INDIVIDUAL PACKAGES

All incoming II packages may be inspected solely to ensure that they contain no contraband. Any contraband found in an incoming II package shall be forwarded to the chief administrative officer for the following disposition:

If the contraband found may involve a criminal offense, it shall be forwarded to the appropriate law enforcement authority.

If the contraband does not involve a potential criminal offense, it shall be returned to the sender or retained with the II's secured property for return upon the II's departure.

Cash, certified bank checks or money orders delivered to the local facility shall be deposited in the personal cash account of the intended II recipient or delivered to the chief administrative officer for disposition in accordance with facility rules and regulations. The II shall be notified of all amounts received and the disposition of such. All certified bank checks and money orders must be completely filled out or it will not be accepted and will be returned to the sender

NOTE: Incoming checks and money orders will be deposited in the IIs account but will have a 10-day hold placed on each instrument deposited to ensure sufficient funds are available. (See IRB 7002.0, IRB 7004.0, IRB 7016.0 & IRB 7025. PPM 7002.0, PPM 7004.0, PPM 7016.0 and PPM 7025.0).

IRB 7005.0 HYGIENE**Effective 5 JULY 2023****NYS Min. Std.7005 INCARCERATED INDIVIDUAL PERSONAL HYGIENE**

All IIs are expected to keep themselves clean; this includes their clothing, linen and cell area. Showers are available for use on a daily basis, at the housing unit officer's discretion, once you have filled out a request form for a shower. Showers are to be utilized for personal hygiene; washing of the body, and hair only. No clothing is permitted to be washed in the shower area.

If you are in Classification Status or Administrative Segregation you will be let out to use the shower, at least three times per week, between the hours of 0800 and 2200. You will not be permitted to shower at any other time, unless circumstances prevent this, such as being out of the facility for court.

If you are in Punitive Segregation (Pun/Seg) you will be let out for 8 hours per day per Minimum Standards 7075, and 7076 during this time you are required to take your shower, you must shower at least every other day. You will not be permitted to shower at any other time, unless circumstances prevent this, such as being out of the facility for court.

Any II who by the act of refusing to shower, bathe or maintain reasonable standards of II personal hygiene may be ordered by the facility physician or their designee to shower in order to maintain such standard.

Shaving equipment, and all other hygiene articles, are available if request on a facility request form, the razors will be handed after morning cleanup. To obtain a replacement for an item that is completely used up, you must return the empty container, the toilet paper tube or the sliver of soap for exchange. If this procedure is not followed, then you can make the request the next morning. Emergency situations will be addressed as needed. All IIs are required to shower at least every other day.

Cells and day areas will be cleaned after each meal by sweeping, mopping, and vacuuming. Sinks and toilets will be cleaned every morning with equipment supplied by the Housing Unit Officer. All personal property will be stored in a neat and orderly manner.

Everything must come up from the floor during morning cleanup in order to sweep and mop.
NO EXCEPTIONS.

HAIRCUTS: The Delaware County Jail will provide electric hair clippers for II use.

Haircuts will be performed by an II approved by the Chief Jail Administrator or their designee, who has the necessary skills to perform this task or by the II on themselves, utilizing facility provided barber tools. Barber tools will be provided by the Jail. Disinfectant will be used to sanitize the clippers after each II uses clippers. Haircuts will be completed in the unit general day activities area unless on Pun/Seg status. Pun/Seg IIs will cut their own hair in their cell. Haircuts will be performed on the first Friday of the month between 1700-2200 hrs. IIs will be limited to a 10-minute period for the use of the clippers. IIs must request to use the hair clippers on a daily request form.

IIs are not allowed to braid or style or touch another II's hair except by the II using clippers to cut another II's hair.

FINGERNAILS: For safety reasons, II fingernails may not extend past the end of the fingertips at any time. IIs will request nail clippers in order to maintain the appropriate length of fingernails.

LAUNDRY AND PERSONAL CLOTHING

All IIs will be given facility issued clothing consisting of 2 jumpsuits, 1 jacket, 1 pair footwear, 3 underwear, 3 t-shirts, 3 pair of socks, and a winter hat. Female IIs will have three bras, white only, issued to them.

We do allow IIs to have one set of personal clothing, only for court appearances in front of a jury. All clothing must be easily washable and not obscene. We are not responsible for damage to personal clothing. All personal clothing will be kept in personal property storage.

All IIs in this facility will, initially, be issued the following clothing for classification:

- | | | |
|-------------------------|-------------------------------|----------------------|
| a) 1 pair of footwear | d) 2 classification jumpsuits | g) winter hat |
| b) 3 T-shirts | e) 3 pairs of socks | h) 3 bras, (females) |
| c) 3 pairs of underwear | f) jacket | |

Bedding: All IIs will be issued 2 sheets, and two blankets. Each cell is furnished with a mattress with pillow attached.

Laundry Exchange: IIs are required to exchange the following items on scheduled laundry days: Sheets, pillow cases, jump suits or shirts and trousers, underclothes and socks. IIs shall ensure that they turn in a minimum of 2 pairs of socks, 2 T shirts, 2 undershorts, 1 jump suit or shirt and pants, 1 set of sheets. Female IIs shall also turn in 2 bras.

IIs will be locked in during laundry and clothing exchange in order to maintain accountability of clothing and bedding.

Laundry will be done according to the schedule. All other clothing and linens get exchanged according to the schedule. Jumpsuits are washed on designated laundry days after they are inspected for damage.

IIs are responsible for inspecting all clothing items that they have received in exchange for dirty clothing/linen. Immediately report any discrepancies to the Housing Unit officer.

Female IIs will be issued the same clothing. Female IIs are allowed to have 2 brassieres sent in from a commercial source through the mail. i.e. Amazon, JC Penny, Kohl's etc. No items will be allowed to be dropped off. They will be limited to sports bras with no wires or stiffeners of any kind.

If an II requires special clothing for a work assignment, that clothing will be provided to the II by the facility at no cost to the II.

Laundry and clothing exchange schedule: (Socks, Underwear, T-Shirts, and Towels) – Morning
(Jumpsuits) - Afternoon

Housing Unit A	Monday and Thursday
Housing Unit B	Tuesday and Friday
Housing Unit C	Monday and Thursday
Housing Unit D	Tuesday and Friday

Linens: Sheets

Housing Unit A	Monday
Housing Unit B	Tuesday
Housing Unit C	Thursday
Housing Unit D	Friday

The Housing Officer will see that all IIs put their clothing in the laundry bin after inspecting it for damages. Only one jumpsuit can be exchanged at a time. If any Officer sees that any item is beyond use and needs replacement, the officer should see that it gets taken care of. When laundry comes back to the housing unit it is to be handed out by the Housing Unit Officer or Rover. The IIs are to go through it at that time and report any missing or damaged items immediately.

No II is to launder any items in their cell, showers or sinks. All II clothing items will be washed/dried in facility washing machines and dryers.

**IRB 7005.11 HOUSING, CELL INSPECTIONS,
MAINTENANCE**

Effective 7 JULY 2022

NYS Min. Std. §7005.11 Housing Area Maintenance

NYS Min. Std. §7013.8 Assignment to Facility Housing Areas

You will be assigned to a housing unit in accordance with our classification procedure.

CELL INSPECTIONS

You and a housing unit Officer, together, will inventory your assigned cell before you take occupancy of it for any defects of any facility property. When doing the pre-inventory,

take notice of any defects. Once the cell has been assigned to you, you will be responsible for the condition of the cell and must keep it clean and orderly. On the day you are released, or assigned to another cell, you and a housing unit Officer will take a post inventory before your release. If any facility property is either defaced or damaged during your occupancy of your assigned cell, you will be either charged criminally for defacing or damaging the property, or restitution for the damage and restoring or both. Each cell you are assigned to will be inspected upon your arrival and prior to your release for any damages to the cell or its furnishings. Any damage found may result in one or more of the following actions being taken:

1. Deduction of reported costs from your commissary account
2. Loss of good time
3. Restitution as part of Probation
4. Criminal charges filed against you.

The Officer's station in each housing unit has a red line around it. IIs will not cross that line in any way unless directed to do so by the housing unit officer.

Lights On	Approx.	0630
Cells Unlocked	Approx.	0700
Lock-In for head count	Approx.	1430
Lock up & Lights out	Approx.	2200

There are additionally various lock in times for facility functions such as laundry exchange, facility maintenance, medication pass, or other reasons. If you are told to lock in you must do so immediately for proper facility function.

All IIs will keep their clothing, bedding, cells and living area neat, and clean in accordance with facility policy. No articles of any kind shall be discarded on the day room or cell floors. Only food items purchased through commissary may be kept in the cell. You may not keep any food or drink items from a facility provided meal.

Beds will be neatly made by 0800 and stay made until 2100. All IIs will get up and out of their cells prior to morning cleanup. Your entire cell must be kept neat in the manner depicted in the photos posted in each housing unit program window.

Cleanup in the housing units on weekdays will be done after the breakfast and dinner meal. Everything must be picked up from the floor during cleanup so that the entire cell area can be swept and mopped. During cleanup, after breakfast, IIs will clean their own cells; there will be no bartering for this purpose. IIs will sweep and mop walkways, day areas and clean all showers and toilets. On weekends, housing unit cleanup is done after the evening meal.

Any II refusing to participate in cleanup will be locked in administratively until the end of that shift and will be subject to disciplinary action.

Nothing will be attached to the walls, fixtures, doors, windows, or anywhere by any means. Anything that may obstruct any Officer's view, including towels, mattress, bedding, clothing, or any other item, into the cell will be addressed immediately, and may result in disciplinary action.

There will be no limit on personal letters. If it is believed that the amount of correspondence is excessive you may be asked to place some of it in your personal property,

though it is not required, to reduce a risk of fire hazard. Any correspondence placed in property may be requested out of personals Monday – Friday.

All Housing Units will be cleaned on a daily basis. Other cleaning in the housing unit is to be done on a regular basis. Whenever any II requests cleaning supplies at a time other than scheduled cleanups, a reasonable effort should be made to make these supplies available. Cleaning any areas or cells at a time other than specified by the cleanup schedule does not exempt an II from conducting scheduled cleanups.

Monday-Friday

- **Morning Clean Up (after breakfast)** the entire unit gets cleaned: Mopping, Sweeping, Counter/Sink, Garbage, Table Tops, Water Fountain, Vacuuming, Kiosk, Phones, Hallways, TV Chairs, Table Chairs, Kiosks, General Bathroom, Stairs, Door Handles, Railings, Windows, Sally port, Recreation area, Showers, and All Cells.
- **Afternoon Clean Up (after lunch)**: Only Table Tops, Garbage, and Counter/Sink.
- **Evening Clean Up (after dinner)**: Mopping, Sweeping, Table Tops, Garbage, and Counter/Sink.

Saturday & Sunday

- **Morning Clean Up (after breakfast)**: Mopping, Sweeping, Table Tops, Garbage, and Counter/Sink.
- **Afternoon Clean Up (after lunch)**: Only Table Tops, Garbage, and Counter/Sink.
- **Evening Clean Up (after dinner)** the entire unit gets cleaned: Mopping, Sweeping, Counter/Sink, Garbage, Table Tops, Water Fountain, Vacuuming, Phones, Hallways, TV Chairs, Table Chairs, Kiosks, General Bathroom, Stairs, Door Handles, Railings, Windows, Sally port, Recreation area, Showers, and All Cells.

You must keep all of your personal items, items signed out to you, and commissary items in your assigned cells, with the exception of religious items for worship.

IRB 7006.0 DISCIPLINARY PROCEDURES, VIOLATIONS, SANCTIONS NYS Min. Std. 7006.0

Effective 7 JULY 2022

If you commit an act which violates jail rules, you may be charged with a violation. You may be locked in until the end of the current shift. You may also be immediately confined to your cell if the Officer has reasonable grounds to believe that your action represents a threat to the safety, security, or the good order of the facility. MIN STD 7006 describes in detail the disciplinary process. There is a copy of Minimum Standards in every housing unit for your use.

The officer will send a report to the shift supervisor and hearing officers who shall review the Incident Report, sign it, and turn it over to the Hearing Board. The Hearing Board Sergeant may assign an officer to investigate the incident further or assign a Hearing Officer to start the procedure. You may be immediately confined to your cell if the incident warrants such action and you may be kept in Administrative Segregation (Ad/Seg) throughout the hearing process. All

administrative segregation as well as punitive segregation shall be in compliance with section 7075, and 7076 of NYS minimum standards.

If you are placed in administrative segregation you have the right to appeal this decision. You may request an administrative segregation appeal form if you feel this decision to place you under these sanctions is not warranted, you will remain in administrative segregation pending the results of this review. This form must be submitted within 24 hours of receiving a copy of the administrative segregation order. Any time out of your cell and away from your sleeping area shall be credited towards your allotted 7 hours out of your cell per NYS minimum standards 7075, and 7076. You may not be entitled to 7 hours out of your cell and away from your sleeping area if it has been determined that a threat to the safety, security, and good order of the facility is standing.

Administrative segregation shall be used for the purpose of providing care and close supervision. Administrative segregation may be imposed for medical reasons, deviant behavior or if the officer has reasonable grounds to believe that the II represents a danger to themselves, to other IIs, to property or constitutes a threat to the safety, security, or good order of the jail, and will be reviewed approximately every 7 days by the Jail Administrator.

If you should be charged with a violation, you are entitled to a hearing concerning the charges. Within a reasonable amount of time, no sooner than 24 hours prior to the hearing, you will be presented with a written copy of the Incident Report listing the charges against you. You will also receive written notice of your rights to a hearing and the process will be explained fully.

You may, at this time, if appropriate come up with an agreeable plea bargain with the Hearing Officer and accept any sanctions discussed. If your incident goes directly to a hearing and you are found guilty, sanctions will be imposed by the Hearing Officer.

If you are offered a plea bargain but you choose to take the incident to a hearing, the Hearing Officer has the authority to impose sanctions. It will be the responsibility of the Hearing Officer to come up with a determination of guilt or innocence. If you are found guilty, you will no longer be able to negotiate with the Hearing Officer, a surcharge of up to \$25 will be deducted from your commissary account for any incident report resulting in a guilty verdict and sanctions will be imposed by the Hearing Officer.

The hearing will take place no sooner than 24 hours after you receive your notification, but as soon thereafter as possible. You have the right to waive, in writing, this time limit and/or any portion of the hearing process.

Whenever possible, the hearing will be conducted by an individual or a group of individuals, designated by the Jail Administrator, who were not involved in the incident. You have the right to call witnesses and present evidence in your defense to the charges placed against you. Any adverse decision or penalty imposed may be appealed to the Jail Administrator who will then respond in writing to any such appeal. Your appeal should contain facts and reasons for the appeal. Your appeal must be submitted within 2 business days from receipt of decision. You will remain locked in until the appeal is accepted. If you accept a plea bargain, the sanctions discussed and imposed cannot be appealed.

IIs have the right to remain silent and should an II exercise that right at a hearing, such silence will not be used against the II in making a determination. If you are found guilty of the charges brought against you, one or all of the following sanctions could be imposed based on your attitude, overall adjustment to the institution, and the facts and circumstances of the incident:

1. Reprimand (shall be made part of your Pre-Sentence Investigation (P.S.I.)) All disciplinary records per section 7210.7 shall be provided to any receiving facility. For example, if you are sentenced to state prison, they will receive a copy of your misbehavior reports for their classification purposes. If you misbehave here, it will affect you there.
2. Loss of one or more specified privileges for a specified period of time. Such privileges may include, but are not limited to: Commissary, attending extra programs or II worker status.
3. Loss of, or limitation of visitation.
4. Punitive Segregation confining you to your cell for a certain number of days or during certain hours for a specified period of time.
5. Confinement to a special housing unit for a specified period of time.
6. Restitution for damage to any property, public or private.
7. Loss of a specified portion of "good time." If you are un-sentenced, your "good time" may be taken contingent upon your sentence.
8. Loss of one hour of visitation per week.
9. All Punitive Segregation sanctions include the loss of all privileges and confiscation and storage in personal property of all commissary items in your cell except for hygiene items.

If you should lose commissary privileges as part of your sanctions that means that you are no longer allowed to purchase commissary items except for hygiene and writing articles. This also means that no one else is allowed to purchase items from commissary on your behalf. If you purchase items for any II that has lost privileges, you will be written up and charged. If you have lost privileges and accept commissary items from another II your cell will be stripped of all non-consumable commissary items to ensure that the sanctions imposed are enforced.

CLASS "A" VIOLATIONS

- Upon Guilty Verdict: Up to 3 consecutive days Punitive Segregation, but no more than 6 days of punitive segregation in a 30 day period, and loss of any or all listed privileges (Tablet usage, consumable commissary, e-mails restricted, program attendance, Loss of 1 hour of visitation per week, restitution for lost or damaged property, restitution for up to \$100.00 for facility medical expenses related to staff treatment, Loss of a specified period of "good time" credit on sentence) as well as a sanction fee not to exceed \$25.00. Any infraction that is a threat to the safety, security, or good working order of the facility shall be accompanied by an Administrative Segregation Order form CD-113. Alternative assignments may be issued at the discretion of the hearing officer in lieu of or in addition sanctions as part of an abeyance, or as part of a request for sanction suspension by the Chief Administrative Officer.

- Note: restitution for medical expenses shall only be implemented if facility staff seeks medical attention and provides documentation.

- A1 Assault, fighting or inciting others to fight.
- A2 Rioting or encouraging any riot or group demonstration
- A3 Escape, either attempting or planning

- A4 Starting, attempting to start, or threatening to start, a fire
- A5 Any violation of NYS law or penal code.
- A6 Threatening another with bodily harm or offenses against his person, family or property.
- A7 Possession of, or introduction of, dangerous contraband; i.e. weapon, chemicals, drugs, or other items that pose a threat to the safety and security of the jail, officers or IIs.
- A8 Engaging in or attempting to engage in sexual acts, sexual threats, or sexual propositions.
- A9 Tampering with, or obstruction of, any locking device
- A10 Extortion, blackmail, offering a bribe or accepting a bribe.
- A11 Harassment, bullying, intimidation, coercion of other IIs.
- A12 Destroying, altering or damaging any property of the facility.
- A13 Refusal to obey an order from any staff member
- A14 Possessing any facility keys or equipment
- A15 Absconding or attempting to abscond
- A16 Any misuse of medication or possession of same
- A17 Violation of Honor Line

CLASS "B" VIOLATIONS

- Incident Report, and upon Guilty Verdict: Loss of any listed privileges (Tablet usage, consumable commissary, e-mails restricted, program attendance, Loss of 1 hour of visitation per week, restitution for lost or damaged property, restitution for up to \$100.00 for facility medical expenses related to staff treatment, Loss of a specified period of "good time" credit on sentence) as well as a sanction fee not to exceed \$25.00. Alternative assignments may be issued at the discretion of the hearing officer in lieu of or in addition sanctions as part of an abeyance, or as part of a request for sanction suspension by the Chief Administrative Officer.

- Note restitution for medical expenses shall only be implemented if facility staff seeks medical attention and provides documentation.

- B1 Possession of, or introduction of, contraband
- B2 Improper conduct during visitation or use of telephone/kiosk/tablet
- B3 Improper conduct to, from or in exercise yard
- B4 Misuse of a Criminal History Number (CHN) or PIN
- B5 Disrespectful conduct or statements towards facility staff and or other IIs
- B6 Misuse of email/kiosk/tablet, sharing email/kiosk/tablet, or the use of email/kiosk/tablet to commit, or attempt to commit a crime.
- B7 Borrowing, trading of commissary or other personal items
- B8 Obliteration of Criminal History Number on commissary items
- B9 Possession of commissary items without a Criminal History Number marking
- B10 Possession of commissary items marked with a Criminal History Number not of

the II that possesses the items.

- B11 Misuse of any privilege, right, property or equipment
- B12 Disrupting the Facility Routine in any way
- B13 Disorderly cond. hindering good working order of facility
- B14 Creating any unnecessary expense to the County
- B15 Violation of any general health, hygiene or safety rule.
- B16 Faking any illness that creates expense to the county
- B17 Being disruptive or causing unrest to the housing unit.
- B18 Being disruptive after lights out.
- B19 Disrupting any program in any way
- B20 Any unauthorized contacts with the public

No II known by security, health, or mental health personnel to be 21 years of age or younger, 55 years of age or older, pregnant, within eight weeks of delivery or pregnancy outcome, having a mental or physical disability, or having a serious mental illness shall be confined in special housing, or may a special population be **sanctioned** to segregated confinement. If you believe you fall into this category you must notify the hearing officer of your diagnosis. You may be asked to sign a medical release for verification purposes. Though you may not be sanctioned to segregated confinement, you may be subject to Administrative Segregation if it is believed you pose a threat to the safety, security, or good order of the facility.

Any individual that is subject to administrative segregation must have a hearing within five (5) business days while they are on administrative segregation. Once released from administrative segregation the five (5) day time frame no longer applied.

POST RELEASE/RE-INCARCERATION, SANCTIONS/DEBT COLLECTION; INCARCERATED INDIVIDUAL OBLIGATIONS

Disciplinary Sanctions:

IIs who have accrued disciplinary sanctions that place them in Punitive Segregation (PUNSEG) status (locked in) will retain the remainder of any PUN/SEG disciplinary sanction remaining upon their release. If the II is re-incarcerated in the Delaware County Jail within 24 months of their release date from the Delaware County Jail, the remainder of their PUN/SEG sanction(s) will remain in effect and implemented during their new period of custody. Upon re-incarceration, the II will resume PUN/SEG status and will fulfill the remaining time of their sanctions.

Debts incurred during incarceration:

IIs who have incurred a debt for damages or fees to the Delaware County Jail have a financial obligation to pay their debts upon release from the Delaware County Jail. The Delaware County Jail will recoup any debts from the IIs account prior to the IIs discharge from the Delaware County Jail.

Any II debt to the Delaware County Jail that is not paid upon release due to lack of funds will remain as a negative balance in that IIs account. If the II is re-incarcerated in the Delaware County Jail, the II will be obligated to pay the balance of any debt from a previous period of

incarceration. The Delaware County Jail will recover any unpaid balance as soon as funds are available in the IIs account. There is no time limit to this obligation.

IRB 7006.3 CONDUCT
NYS Min. Std. 7006.0 Discipline

Effective 7 JULY 2022

All rules, regulations, and procedures concerning IIs committed to the custody of the Sheriff are in compliance with the standards of the N.Y. State Commission of Correction. All IIs will comply with these rules which have been set forth for the protection of all concerned. The Delaware County Sheriff's Office has developed a system of inmate discipline which was designed to encourage appropriate behavior, encourage self-control and accountability, and punish misbehavior fairly, impartially, and consistently.

Remember there are many individuals in this facility that are going through their own individual problems. These include legal issues, family problems, medical concerns, mental health issues, and behavioral disorders. You may not get along with everyone you are incarcerated with, do not take problems into your own hands. This will almost always result in further problems for you including disciplinary sanctions and/or additional criminal charges. Remember that if your behavior affects another person in a negative way, you should reevaluate how you are interacting with them.

All IIs will address officers by Officer Rank when appropriate: CO, Corporal, Sergeant, First Sergeant, Lieutenant and the officer's last name. IIs are expected to be on their best behavior at all times and address problems with the Housing unit officer. Officers are not here to be friends with IIs or become friends with IIs. Attempts to engage the officers in conversation, or distract them from their duties will result in disciplinary sanctions.

If you are unsure of facility rules ask the officer, do not do what you can get away with. Testing your limits will lead to disciplinary action.

Any II charged with a violation of these rules will be subject to the prescribed disciplinary procedures of the facility. In addition, acts which violate the laws of the State of New York may be prosecuted in Criminal Court as prescribed by law. Disruptive behavior in any housing unit will lead to disciplinary action and possible loss of privileges.

Security counts are taken at various times throughout the day. Cooperation with staff members is a MUST. The Corrections Officers must be able to visually see you at all times, and confirm signs of life; this includes designated times of rest. You must be visible at all times, not just the outline of your person. If you are completely covered with a blanket, or partially covered with a blanket and jacket the officer will not be able to confirm you are there and that you are presenting signs of life. The officer must still be able to see you, and that you are breathing.

At no time should an II completely cover themselves with blankets, sheets, or anything else. From 2100 until 0645 is the only time any II can be on their bunk under the covers. Even during that time no II can completely cover themselves so the staff cannot see them. Any violation of these rules may result in disciplinary action.

Formal head counts are taken at specified times. You will be required to be in your own cell, standing by the cell door facing the day area, while this is being done. Any interference or disruption in this process is a violation of facility rules and will be dealt with immediately.

Corrections Officers are in the housing units all day long. If you lift a hand toward, or put

a hand on, any Officer, it may be construed as an attempted assault and immediate action will be taken.

There is an Officer assigned to each housing unit every day. That is the Officer you are to direct all questions, concerns or problems to. While the Shift Supervisor is conducting their rounds, you must gain your Housing Unit Officer's permission to speak with the Shift Supervisor. The Shift Supervisor, will not address anything with you unless the Housing Unit Officer requests them to do so, nor will the Officer in charge overrule a decision made by the Housing Unit Officer because you do not like the decision. You cannot demand to see the Sergeant. We do not accept demands from any II. Do as directed and follow the orders of the housing unit Officer.

Any II purposely hiding from staff for any reason will be dealt with accordingly through our disciplinary procedures. This could result in a loss of good time.

When in the hallways IIs will walk in single file, and must follow the black line. IIs shall follow the black line with their right foot on the black line. When there is no black line on the floor IIs shall remain on the right side and in the approximate area the black line is normally found. There will be no talking in the hallway and hands must be at your side. There is a red line around the Officers station in all housing units. You will not cross that line.

In general, if you do as you are told, follow the facility rules, and do not cause any problems, you will not have any problems. All direct orders from the Correctional staff must be followed, you may not agree with the orders but compliance is required. You can bring up your complaints through requests of informal resolutions up to filing a grievance if you believe your rights are being compromised. You may not find all the rules printed in this book. If you are given a direct order, whether it is printed in this book or not, you must comply. If the order given does not appear in the rule book, the act of the failure to comply, or refusal of that order, is a violation of II rules.

TVs, Phones, and Kiosk will be turned off at approximately 2145. Any requests must be made on the daily request form which is provided to all IIs at 0600 hours each evening and handed back in at approximately 0700 hours. If you have questions that are not of immediate importance utilize the request form, do not distract the officers from performing their duties with requests that you have not placed on the request form. If it is something that cannot wait then ask the housing unit officer. When utilizing any area or service provided by the jail that area or service is to be used for its intended purpose only.

If you are given an order, follow it immediately. You may be immediately locked in for various reasons. When told to lock in, you will proceed immediately to your cell and sit on your bunk unless directed to do otherwise, waiting for staff to unlock the door. Do as you are told; we do not have to give any II a warning before they are locked in.

IIs will conduct themselves in a respectful manner at all times. Any language, writing, or other material of a profane, vulgar, obscene, disrespectful, insulting or inciting nature directed toward a fellow II or the jail staff will be dealt with accordingly and may result in disciplinary action.

Disorderly behavior, fighting, threatening, extortion, inciting and criminal conspiracy are violations of the law and are strictly forbidden. IIs who act alone or with others to conspire and/or incite a disruption among other IIs of the facility are in violation of the law and may face additional charges.

IIs acting in concert with one another to avoid having the staff get to the root of an incident, may all be charged with the violation, can all be found culpable at a hearing and can all

have sanctions imposed upon them. If the administration sees that this is occurring in any situation the Hearing Officer will be directed to hold all involved IIs found guilty accountable.

There are voice screens in some cell doors and between some subdivisions. There will be no communications of any kind between IIs in these areas. There will be no climbing on, leaning on or communicating through any subdivision fence, or partition. No II is allowed to enter another occupied cell unless both are assigned to the same cell under double bunking circumstances. IIs can clean an empty cell with only one individual allowed in the empty cell at a time.

Any attempt by an II to cause another II to perform or to participate in any sexual act is strictly forbidden. No II is allowed to enter another II's cell for the purpose of committing a sexual act or criminal act.

All orders from any staff member must be promptly obeyed. Cooperate with the staff at all times. Shouting, throwing any item, or communicating or attempting to communicate through the cell vents is not permitted.

All televisions and conversations within each housing unit will remain at a normal volume. Housing units will be kept at this level at all times. If the housing unit Officer can hear your conversations or the television from the officer station, you will be told to keep the volume level down. If you do not comply, you may be subject to disciplinary action. If at any time the level gets to a point where the housing unit Officer misses any radio transmission you will be locked in and disciplinary action will be taken. The housing unit will be kept at a quiet level at all times.

There will be no loitering on the mezzanine level or stairways for any purpose. All IIs are to have their jumpsuits completely on and snapped when out of the cell including when going to and from the shower. Shower shoes shall not be worn to and from the shower. Towels will be carried and not worn on the head going to and from the shower.

At no time are IIs allowed to place a hand or arm on anyone, go hand in hand, or have any type of physical contact with any other person, whether sitting, standing, walking around or any other time. Exceptions may be made such as when IIs cut each other's hair.

No commissary food or drinks are to be consumed outside of your cell.

Other prohibitions:

No gambling

No trading, passing or exchanging of meal items

The II Rule book: Defacing, destroying, modifying the rule book will subject you to disciplinary sanctions and charges.

IRB 7007.0 GOOD BEHAVIOR ALLOWANCES

REV 7 JULY 2022

NYS Min. Std. 7007 Good Behavior Allowances Against Definite Sentence and Certain Civil Commitments

Every person in the Delaware County Jail who is serving a definite sentence may receive “good time” as a discretionary reduction of their term of sentence as provided by law. In some civil cases where an II may purge themselves from the matter, good time laws do not apply. What this basically means is that if the Judge sentences you to a definite period of time OR until you fulfill an obligation, (such as paying any back monies to the Support Collection Unit), you do not receive any Good Time Allowances. Records are kept on all eligible IIs.

When IIs begin a definite sentence, they will receive a statement of allowances with their conditional release date and maximum release date. Individuals in custody of the Delaware County Sheriff will be held to standards of good behavior. This will be expected both in pre-sentence commitments as well as post-sentence. Good time is calculated but not awarded. IIs are given a time calculation sheet and can see what their earliest release date can be **IF** good time is awarded. You will be required to sign a copy for facility files and will receive a copy. Once an II is within three (3) weeks of their earliest release date they may submit a request for good time to be recalculated. Their request will be review by a shift supervisor.

The shift supervisor will look at and consider all of the requesting IIs disciplinary records for both pre-sentence and post sentence time on the current charge, any programs that the inmate has participated in to better themselves, Inmate worker status and the duration of that status. Corrections Officers involved in any incident may be contacted for input.

After the shift supervisor has done an evaluation they will decide if good time should be awarded to the requesting II, and if so, how much time they shall be credited. A recommendation will be submitted to the Chief Administrative Officer for review, and forwarded for a final approval by the Sheriff. Case Law supports this process for determining if good time should be awarded. (People ex rel Brown v. Stoddard, and People ex rel. McNeil v New York State Bd. of Parole) as well as grievances submitted to NYSCOC (Grievance #160022 Ronald Kurts v Livingston County).

Per Corrections Law 804 good time shall not exceed one third (1/3) of the term imposed by court. One third (1/3) of your term shall be the maximum amount of good time you may earn. This will not automatically be afforded to you, you are not entitled to this time, as good time is discretionary. You may earn this time with good behavior. Negative behavior on your part will prevent you from earning the maximum amount of good time available to be earned. Whether you get out on your minimum release date ultimately resides on you and your behavior. The Sheriff has developed rules to encourage good behavior and self-control, please take advantage of this by following the rules outline in the rulebook and treating others respectfully.

The term "month" is defined by General Construction Law section 31 to mean a calendar month, not necessarily meaning 30 days. For example, one month from April 15th would be May 14th per the guidelines set forth in the General Construction Law.

If good time is not granted, forfeited, canceled or restored, these changes will be noted on the II's good time record. Section 804 of the Correction Law, and sections 70.30, and 85.00 of NYS Penal law explains all this in detail.

Jail time is the time you spend in jail prior to sentencing. If you get sentenced and you

feel that the facility has not credited you with the proper amount of time, you must inform the Jail staff on a daily request form, who will forward the information to a Sergeant who will look into the matter and get back to you.

IRB 8006.0 INTERMITTENT INCARCERATED INDIVIDUALS **NYS Min. Std. NA**

All intermittent IIs are to show up at their scheduled time and they must be sober. If you are late, not sober, appear intoxicated, or violate any facility rules, a written report will be filed with the Court requesting your sentence be revoked and you be re sentenced to straight time as allowed in Penal Law 85.05(c). These requests from the administration are usually honored by the Courts.

Do not bring anything in with you. Commissary may be available to you if you have money. Buy what you want from commissary for the following week. These items will be given back to you when you come back in. If you bring in any money, the balance (if any) will be returned to you only the first week. From that point on, any money you bring in will be placed in the commissary account. Upon your written request, a check may be drawn in advance for you on your final day of incarceration. If not, it will be mailed to you.

PL 85.00 – 3. Duration of sentence. A sentence of intermittent imprisonment may be for any term that could be imposed as a definite sentence of imprisonment for the offense for which such sentence is imposed. The term of the sentence shall commence on the day it is imposed and shall be calculated upon the basis of the duration of its term, rather than upon the basis of the days spent in confinement, so that no person shall be subject to any such sentence for a period that is longer than a period that commences on the date the sentence is imposed and ends on the date the term of the longest definite sentence for the offense would have expired, after deducting the credit that would have been applicable to a definite sentence for jail time but without regard to any credit authorized to be allowed against the term of a definite sentence for good behavior. The provisions of section five hundred-1 of the correction law shall not be applicable to a sentence of intermittent imprisonment.

This means you shall receive jail time credit, but not good time credit on intermittent sentences.

IRB 8000.0 BOND AND BAIL **NYS Min. Std. NA**

A few Bond Agencies in the area are listed below. Keep in mind that if you do enter into an agreement with a Bondsman, that all paperwork is to go through the Court. We do not accept the bond or any related paperwork here. The Bondsman is to get a release order from the Judge.

Delaware County Sheriff's Office cannot endorse any business or recommend bond agencies. If you are looking for bail bond information request this on your daily request form.

You may pay your bail with cash or a credit card only nothing else. It can be paid here at any time. All paperwork for a Bond must go to the Judge.

IRB 8010.0 RELEASE TIMES
NYS Min. Std. NA

Normal release times for IIs whose sentence has expired will be after morning cleanup, at 0800, but keep in mind that you can be released at any time during the day. You must make prior arrangements to have someone come pick you up once you confirm your release date.

Note: An order of protection cannot be in place with the person receiving you.

IRB 8001.0 CONDITIONAL RELEASE PROGRAM
NYS Min. Std. NA

8 JULY 2022

Delaware County has a conditional release program. If you feel that you qualify, you are to put in a request for the forms. If you qualify, the forms will be given to you and explained at that time. If you put in a request and do not qualify, the reasons will be explained to you.

WHAT IS A CONDITIONAL RELEASE?

An II serving a definite sentence in a local facility can be released before serving the full sentence. This is called a Conditional Release. Anyone receiving a conditional release is under the legal custody of the Division of Parole and is supervised in the community by the Division of Parole.

WHO IS ELIGIBLE?

You are eligible if you have received a definite sentence of more than 90 days and have served a minimum period of 30 days. If you are granted a Conditional Release, you will be released only after you have served a minimum of 60 days. IIs committed to definite terms by the Family Court, those serving an intermittent sentence or those who have received a split sentence (jail and probation) are not eligible for consideration in the conditional release program. If you are eligible, put in a request for the forms to the housing unit officer.

During the time you are on conditional release in the community, you will be under immediate supervision of a Parole Officer. If you have any further questions that cannot be answered by the staff, direct them to:

NYS Division of Parole
97 Central Ave.
Albany, New York 12206
Attn: Conditional Release Commission

PERIOD OF SUPERVISION

Any individual who is conditionally released to the legal custody of the Local Conditional Release Commission shall be under probation supervision for a period of one year from the date of release.

IRB 7008.0 VISITATION
NYS Min. Std. 7008.0 Visitation

Effective 28 December 2022

All incarcerated individuals (II) confined in the Delaware County Jail are entitled to receive periodic visits. Consistent with the requirements of Section 7008 of the NYS Minimum Standards, visits shall be permitted upon the request of an II or a prospective visitor with the II's consent on the dates and times outlined in this section.

Visitation schedule will be on following days/times:

	Saturday	Sunday
Housing Unit "A"	0800 - 0900	1215 - 1315
Housing Unit "B"	1215 - 1315	0800- -0900
Housing Unit "C"	0930 - 1030	1400 – 1500
Housing Unit "D"	1400 - 1500	0930 – 1030

Consistent with the requirements of NYS Minimum Standards section 7008.5(c), any properly identified person shall, with the II's consent, be permitted to visit that II. As used in this section, the term properly identified person shall mean a person who presents adequate proof as to their identity. All visitors must provide a valid Driver's License, or state issued non-driver's ID card upon each visit. All visitors under the age of 18 must be accompanied by a parent or guardian and provide proof of identification and age; an original or certified copy of birth certificate, this birth certificate must match by name the parent who is present, who also provides photo ID, showing that their names match upon each visit. Any minor who is in the custody of a guardian will be allowed to visit provided they furnish court documents showing proof of custody and identification upon each visit. Any special circumstances outside the parameters of this section may be addressed by the Jail Administrator. A prospective visitor who is under 18 years of age may be restricted from visiting a II if they are not accompanied by a parent or legal guardian, the chief administrative officer requires a prospective visitor under 18 years of age, not accompanied by a parent or legal guardian, to provide written permission from a parent or legal guardian approving such visit. A prospective visitor under 18 years of age shall be required to provide the following information to facility staff, in addition to the information required by the following section:

1. his/her age; and
2. the name, address and telephone number of his/her parents or legal guardian.

Each visitor shall be required to provide the following information to facility staff:

1. their name;
2. their address;
3. the date;
4. the time of entry;
5. the name of the II or IIs to be visited; and
6. the time of exit.

The visiting area allows physical contact between IIs and their visitors at the beginning and end of each visit. This procedure outlines how the physical contact will be obtained and supervised.

1. All visitors are to be checked in half an hour before their actual designated visitation times and must remain in the visitation lobby, visitors cannot go back outside.
2. After everyone is checked in, the Shift Supervisor will call the unit and inform the officer which IIs have a visit and how to line them up coming into the visitation booth.
3. After the IIs are pat searched they are then brought out of their assigned housing unit to the visitation booth, they shall be held up in a line in the strip search area.
4. The Shift Supervisor will then run all the visitors through the metal detector and bring them into the facility holding them up in the hallway outside the visitation booth. All searches are voluntary, any visitor who does not wish to be subject to a search may leave at any time prior to going through the metal detector. Any person who is found to have any non-allowable items once inside the facility will be denied visit per section 7008.8 and may be subject to legal action.
5. At this point the B-Pod Rover is stationed inside the visitation booth where the IIs enter the booth by door B-131 and the A-Pod Rover where the visitors sit under the camera.
6. The Shift Supervisor will then communicate with the officers in the booth verifying which II is up for their initial embrace.
7. The shift supervisor will then check the visitor's mouth with a flash light, have them turn their pockets inside out, and open their hands, then send them in the booth to where the II is by the door for their initial embrace. If the visitor refuses a search they can either leave voluntarily, or have a non-contact visit per section 7008.8 of this policy.
8. After the kiss and hug the C-Pod Rover will then inform the II and visitor where to sit for their visit. All hands and other bodily parts will remain on each person's side of the booth.
9. No children or infants are to be passed over the partition. As with all visitors, children will be allowed only to kiss and embrace the II they are visiting at the designated time and location. There will be no prolonged contact at all between II and visitors.
10. This then gets done one person at a time until everyone has completed their initial embrace.
11. The same process is done in reverse at the end of the visit.

Our visiting area is designed to allow 2 visitors to visit an II at a time with the exception of one small child, per adult visitor, able to sit on the lap of the adult visitor. If the child is too large to sit on the lap of the adult visitor then they must split the visit as all other visitors are required to do.

After visitation has started the incarcerated individuals and the visitors must remain seated. All hands and body parts will remain on the proper side of the partition. The partition is approximately 8 inches high and runs the full length of the counter.

Physical contact at the beginning and end of each visit shall be permitted between an II and his/her visitors. A hug and a kiss are permitted. All kisses must be straight on, if the II or visitor turns their head and conceals their mouth from the guard's view, it may be cause for restricted visits in the future outlined in section 7008.8 of this policy. Nothing will be allowed to be passed between the visitor and the II.

IIs and their visitors are be required to conduct themselves in a manner consistent with reasonable standards of public decency. No foul, or obscene language will be tolerated.

Visitors will be provided lockers to secure any valuables or other items which are not allowed in the jail. A token to operate the lockers Will be provided by the visitation Officer to operate the locker. ALL property, (purse, money, wallets, watches, hair bands, and all contents of pockets) will be placed in the lockers prior to being searched, screened, or scanned with a metal detector wand for visitation. Visitors will not be allowed to access their locker once they have been cleared for the visit until after the visit has been completed.

No food or beverages of any kind including chewing gum or breath mints will be allowed into the visitation booth. This includes all baby items except a small infant blanket and pacifier after inspection by the officer. There will be no smoking or chewing of any substance by anyone. No E cigarettes, electronic vaporizing devices, no tobacco. ALL jewelry including piercings or objects attached to the body will be removed and placed in the locker. If jewelry cannot come off, the visitor will be restricted to non-contact visitation following section 7008.8(B) of NYS Minimum Standards. The exception will be a single wedding band with no stones.

No jackets, outerwear, gloves, scarfs or hats are allowed in the visitation booth. Visitors will be appropriately dressed including footwear. No bare feet allowed. Any clothing deemed to be inappropriate will disqualify that person from visiting following section 7008.8. Low cut shirts, bikini tops or bottoms, sleeveless shirts, see though clothing is not permitted. Visitors and IIs will go into the booth with no property and exit with no property. IIs will be fully dressed in a jumpsuit, t-shirt, underwear, socks, issued footwear. No shower shoes, thermal underwear, coats, sweatshirts or any other clothing items are allowed during visitation.

All property releases must be arranged with the staff PRIOR to visitation. These items can then be picked up by the visitor at the end of visiting when the visitors are exiting the building. If an II is moved from one housing unit to another it is their responsibility to inform their visitors. Any visitor showing up to visit an II at the wrong time will be turned away.

If there are more than two visitors waiting to visit an II, they must decide among themselves as to how long each will stay to visit. Once a visitor leaves the booth, he/she will not be allowed back in with the exception of a parent who breast feed an infant; upon request to a Visitation Officer, will be escorted to the jail lobby restroom in order to breast feed their infant in private. The officer will inspect the restroom prior to the individual that must breast feed the infant entering with the infant and after the individual and infant have vacated the restroom. Once the breastfeeding is complete, the visitor and infant will be re-screened as per procedure and return to the visitation area. Other than this exception if a visitor leaves the visitation booth, their visit is now over and they will be required to leave the facility. Regardless of the number of visitors the IIs visit remains 1 hour.

There will be no talking between IIs in the booth or any cross visiting between visitors and IIs the visitors have not been registered to see.

Consistent with the requirements of NYS Minimum Standards, the visitation of an II with a particular visitor may be denied, revoked or limited only when it is determined that such visitation would cause a threat to the safety, security or good order of the facility or the facility or the safety, security or health of the IIs. Contact visits as provided for in section 7008.6 of NYS Minimum Standards may be denied, revoked or limited only when it is determined that such visits constitute a threat to the safety, security or good order of a facility. Should a determination be made to deny, revoke or limit a II's contact visits, alternative arrangements for affording the II visits shall be made, including but not limited to noncontact visits. Any determination to deny, revoke or limit a II's visitation shall be made by the chief administrative officer in writing, and shall state the specific facts and reasons underlying such determination. A copy of this determination shall be given to any person affected by the determination.

Visitors who require medical devices; oxygen apparatus for breathing, wheelchair, prosthetic devices, or other medical devices or equipment that restrict them from going through a metal detector will require alternative screening. Generally, if someone has a medical excuse not to go through the metal detector they will need to provide a medical card showing their exemption. If the visitor is unable to go through the metal detector and subject themselves to a search, and an alternative visit cannot be made, then the Chief Administrative officer shall make a determination and follow section 7008.8(C) of NYS Minimum Standards.

IRB 7051.0 FUNERAL VISITS

8 JULY 2022

NYS Min. Std. 7051.0 Funeral and Death Bed Visits

Funeral Visit:

All IIs may request permission to attend either the funeral of, or to visit the death bed of family members as designated in Minimum Standards section 7051.4. Request the proper form on the Daily Request Form and return it promptly. This application must be legible. The final decision remains with the Sheriff. If you are boarded in you must request permission from your county or supervising agency.

Definitions:

For the purposes of this section, the term "Funeral" shall mean attendance at one or more of the following at the discretion of the Sheriff or his designee.

- a) The Wake;
- b) The Church or other appropriate memorial service held at the grave site or some other location;
- c) The Internment.

Facility policies and procedures

Any II that requests a Death Bed or a Funeral visit is to be given the proper form, CD-115D. The form will then be filled out and forwarded to the Sheriff.

The Sheriff has the final decision as to this request. His decisions will be based on the requirements of Minimum Standards and Correctional Law section 509, and any other information that may come to his knowledge.

Designated family members shall include:

- a) Mother;
- b) Father;
- c) Guardian/Former Guardian;
- d) Child;
- e) Brother;
- f) Sister;
- g) Husband;
- h) Wife;
- I) Grandparent;
- j) Grandchild;
- k) Ancestral Aunt/Uncle

IRB 7009.0 MEALS
NYS Min. Std. 7009
DCSO PPM 7009.9 Meal Serving Procedure

Rev 8 JULY 2022

7009.1 POLICY

The Delaware County Correctional Facility shall maintain a food service program sufficient to satisfy the daily nutritional needs of all IIs.

MEALS: Each II is served with 3 meals each day that meet dietary standards as to quantity and quality as set forth by the USDA and N.Y. State school lunch program.

MEAL TIMES

Times: meals will be served daily at approx. times as shown below.

Breakfast	approx.	0700
Lunch	approx.	1100
Dinner	approx.	1600

At least one meal in each scheduled 24-hour period will be served as a hot meal.

Once classified, and not subject to any sanctions, all IIs will sit at the tables. You will be called up for your meal, one table at a time, and must respond when called. At the completion of each meal, one table at a time, IIs are to clean off the trays of any excess into the garbage container or plastic bag provided in each housing unit one table at a time. No food will be taken away from the table or given to another II. All trays and items used during the meal must be returned to the Housing Unit Officer. Any violation of this rule may result in disciplinary action.

All meals are prepared from a menu that has been certified by a dietician. If you can not

eat certain foods prepared from the menu because of medical or religious reasons, request the proper form from the staff if you did not do so during the booking process. Before any diet or menu is changed for medical reasons all the information on your request must be verified. We will not make special diets for IIs because they just do not like certain foods or just want to choose what they do eat. If the information given cannot be verified in some way, you will be served the same meals as all the other IIs until it can be verified. This can be done through your family physician, a local hospital that you have gone to, or another facility that may have your medical records.

Any item that is served by the facility must be consumed during that specified meal time. No items are to be kept from the meal to be consumed at a later time or date. There will be no trading of any food items during meal time. IIs will remain seated until the meal is over. Conversations during meal time must be kept at a volume level that the Housing Unit Officer cannot hear from the Officer Station. IIs found to be in possession of any items that were served by the facility after a meal will be charged with a contraband charge and will be subject to disciplinary action.

7009.2 NUTRITIONAL ADEQUACY

- 1.) Each II is served with 3 meals each day that meet dietary standards as to quantity and quality as set forth by the USDA and N.Y. State school lunch program.
- 2.) Menus are to be prepared by the kitchen staff in advance and dated. These menus are reviewed at least annually by a certified dietician to ensure that all nutritional requirements are met.

7009.3 MEDICAL DIETS

- 1.) Any II that needs a special diet due to medical reasons will be seen by the facility Physician or designee and will verify the diet, and if it is needed. After verifying the diet, the Medical Department will inform the kitchen.
- 2.) Any such diet **MUST** be verified with the II's primary physician, or another correctional facility that the II may have been in. Without this verification, no special medical diet will be made without the authorization of the Jail Physician.
- 3.) An II may forfeit their right to their medical/food allergy diet if they are caught trading items from their medical/food allergy diet for any items not allowed by their medical/food allergy diet or giving away their food items to another II or receiving any food items from another II.

Example #1: an II who has a low sodium diet is caught trading their food for cookies that another II got from their meal.

Example #2: a diabetic II gives another II any portion of their diabetic meal.

Example #3; a diabetic II is observed eating any food from another II's food tray.

7009.4 RELIGIOUS DIETS

- 1.) N.Y.S. law dictates that as long as an II claims to sincerely believe in any particular religion that the II is to be considered a member of that religion and any diet pertinent to that religion be afforded the II. No verification is necessary.
- 2.) This section pertains to all religions, some of which are well known to staff. If at any time an II claims to be of a religion that is not well known to staff and makes claims for a special diet for that religion, an Officer will be assigned to research that religion, and its special needs or diets. Documentation of such research must be kept. No diet will be changed solely upon request in this situation until research and verification dictates the need for a special diet and is authorized by the Jail Administrator.
- 3.) An II shall forfeit their right to their religious diet if they are caught trading items from their religious diet for food items from a non-compliant meal II meal, or for items not allowed by their religious diet or giving away their food items to another II or receiving any food items from another II.

Example #1: an II who has a Kosher diet is caught trading his food for pork rinds that another II bought from commissary.

Example #2: a Kosher II gives another II any portion of their kosher meal.

Example #3; a Kosher II is observed eating any food from another II's food tray.

IRB 7016.0 COMMISSARY NYS Min. Std. 7016.0 Commissary

8 JULY 2022

Commissary orders can be done throughout the week on the kiosk in your unit. All orders must be in by 2145 on Monday evenings, unless it is on or around a holiday then you will be instructed by an Officer on what night to have it in. Deliveries will normally be handed out on Thursday evenings. Be sure to inspect your order for damages or shortages upon delivery. Anything reported after that will hold no merit and not be credited.

IIs that are locked in Punitive Segregation are permitted to use the kiosk to order their commissary, and check their account balances during their out of cell time. IIs locked in Punitive Segregation are not to use the kiosk to access emails.

Classification IIs may request access to the kiosk in order to check status/order commissary by utilizing a request form.

All money at the time of booking will be deposited in the commissary account. All incoming funds from any source will be deposited in that account. Funds can be sent to you several ways.

1. By telephone: have an outside source call 1-866-394-0490 (Live bilingual agents

- available)
2. By internet: have an outside source go to www.smartdeposit.com
 3. Have someone come to the jail and use the kiosk in our lobby.
 4. By mail: have an outside source purchase a money order and send it in filled out completely with your name and theirs.

If calling or using the internet they will need your name and your four (4) digit booking number. All deposits on the phone, internet, and by kiosk are subject to fee based on the deposit amount. (Not to exceed \$5.00)

A transfer or deposit of funds from one II to another will not be allowed.

A check will be issued to you upon your release for your remaining balance.

If you placed an order and are released you will have seven (7) days to pick it up upon release. If you placed an order and are transferred to a different facility you have seven (7) days to have someone pick your order up for you.

The commissary account will not be used for your personal finances. We do offer a one-time release to be used for whatever purpose. Your account may be placed on “hold” as a disciplinary sanction or as provided by law. See “Court Surcharges.”

Weekly orders are limited to \$45.00 per week. IIs on punitive segregation, administrative segregation, and classification will request to use the kiosk on a request form on Saturday morning. IIs will then be brought to the kiosk escorted by an officer to complete their weekly order. IIs will be given five (5) minutes to complete their weekly order.

IIs who are on punitive segregation will only be able to order hygiene or writing materials of no more than \$45.00 weekly. When an II is put on punitive segregation, any commissary items other than hygiene or writing materials may be removed from their cell immediately after the disciplinary sanctions are imposed.

IIs are allowed to order \$45.00 a week in commissary and are limited to retaining a total value \$60.00 of commissary (including hygiene, food etc.) in their cells (not including religious articles).

Commissary items, within reason, will fit neatly on the shelf in each II’s cell. All commissary items will be handed out to IIs on Thursday evenings between the hours of 1700 and 2200.

All commissary items must be marked with the IIs Criminal History Number (CHN). This will be done prior to it being given to you. If you receive an item that is not marked, notify the officer that issued it to you so that they may rectify the situation. If an item is found in your cell through cell inspections/searches that does not have a CHN number; or has another IIs CHN number you may be subject to disciplinary action.

If an II is found in possession of more than \$60.00 of commissary items, (not including religious items), the officer will remove as evidence, a sufficient quantity of food items that will reduce the II’s total possession of commissary to no more than \$60.00. It is the officer’s discretion as to what is removed. Any items removed will be handled as evidence to support promotion of prison contraband charges in the disciplinary process.

Quantity of allowed commissary items in an II’s cell:

Soap: 2 bars

Deodorant: 1

Shampoo: 1

Conditioner: 1
Lotion: 1
Hair food: 1
Pen, Blue: 2
Pencil: 2
Comb: 1
Brush, hair: 1
Brush, tooth: 1
Bowl, food: 1
Paper, drawing pad, white: 1
Paper, writing, white, lined: 1
Cards, playing, deck of 52: 1
Envelopes, with printed postage: 10
Religious items are not included in the above quantities. IIs are limited to one each of any religious item they purchase through commissary.
Food items purchased from commissary and marked with CHN (combined with above items, not to exceed \$60.00 in total value)

NOTE: Incoming bank checks and money orders will be deposited in the IIs account but will have a 10-day hold placed on each instrument deposited to ensure sufficient funds are available.

Commissary Restrictions:

IIs who are on medical, religious or, special diets will have limited commissary access.

Medical Diets: low sodium, gluten free, diabetic etc. IIs on these diets will be limited to nonfood commissary items only.

Any II on a special diet who is observed borrowing, trading, eating, trading any food items from any other source, including but not limited to IIs, commissary etc. will have their special diet revoked, in accordance with consultation with the facility physician, for the duration of their stay at the Delaware County Jail.

IIs who have declared a religious affiliation requiring special dietary restrictions; Kosher, Halal, Vegan etc. will be limited to only those items on the kiosk that the commissary contractor has designated as being allowed by the II's religious dietary restrictions.

Any II on a religious diet who is observed borrowing, trading, eating, trading any food items from any other source, including but not limited to IIs, commissary etc. will have their religious diet revoked for the duration of their stay at the Delaware County Jail.

Commissary Prohibitions/Restrictions

Any II who is on a dietary or medical restriction is limited to nonfood commissary item ordering only.

Any II who is on a religious diet (Kosher, Halal etc.) will be limited to non-kosher/Halal food items on commissary.

Any II caught violating these conditions will be removed from their religious diet.

IRB 8002.0 COURT SURCHARGES
NYS Min. Std. NA

8 JULY 2022

Section 60.35(5) of the N.Y. State Penal Law requires this facility to collect money from your commissary account to pay any outstanding surcharge that may have been imposed by the Court to the State Comptroller's office. In order to fulfill this mandate, your commissary account may be put on "Hold" until this matter has been rectified.

IRB 7010.0 HEALTH CARE
NYS Min. Std. 7010 Health Services General

8 JULY 2022

Health care is available to all IIs once your initial assessment and physical are completed. The nursing staff will ensure that any previous medical conditions continue to receive appropriate care during your stay, that any significant new medical problems which arise are dealt with and to see that the jail is kept free from contagious diseases. All IIs will be tested for Tuberculosis during their classification period. If at any time you need to see the Nurse or the Doctor, fill out a sick call slip and put it in the medical box at the Housing Unit Officer's station.

WHAT WE WILL DO:

1. Interview you upon booking to ascertain your medical needs, if any.
2. All IIs are subject to physical examination by the medical staff within the required period of time.
3. Be available to manage new conditions as they arise.

WHAT WE WILL NOT DO:

Begin extensive workups or start long term therapy for chronic conditions. However, we will treat conditions deemed medical emergencies.

If you are taking any medications, make this known to the Officers right away if you have not already done so at booking. Any II requiring medical attention will report their illness immediately to the Officer in charge of their housing unit.

All medications must be consumed in the presence of the nurse or the Officer distributing the medications. You must present yourself to the housing unit Officers station at the proper time. Bring a cup of water with you. You will not take the medication back to the cell to take it. You may have to sign for the medication given. If you do not respond after being called, it will be marked down as a refusal. Only medications prescribed or authorized by the medical staff will be given. Some medication may be crushed. If you show a pattern of refusing medications, they will be discontinued until your medical file and charts can be reviewed by the Jail Physician. All creams issued during med pass will be used immediately after being issued. No creams will be kept in your cell.

The Jail Physician will come to the jail weekly. We are sincerely interested in legitimate problems but not in manipulative attempts to obtain drugs, etc. Cuts, colds, etc. can be dealt with

by the nursing staff or Officers on duty.

If you wish to see your own physician, they may come here with the approval of the Jail Physician. You will not be taken to their office. They may consult with the Jail Physician, and remember that the Jail Physician has the final say in all treatment.

This facility may offer Medically Assisted Treatment (MAT) for IIs that the Jail Physician deems necessary. Keep in mind that a person must meet all of the requirements necessary, as well as sign an agreement of treatment. Verification for MAT does take time, and may be dependent upon other agencies getting the correct information back to our medical staff. We have no control over their response time. If you believe that you are eligible for MAT request to speak with medical staff on a sick call request form, and request to speak with the Alcohol and Drug Abuse Services (ADAS) Counselor who is available most Mondays on a ADAS request form.

IRB 7013.0 CLASSIFICATION
NYS Min. Std. 7013 Classification

7 JULY 2022

In order to provide for the effective management of II populations and facility housing units in a safe and secure correctional environment, the chief administrative officer of each correctional facility shall establish, implement and maintain a formal and objective system for the consistent classification of all IIs. Compliance with this Part shall ensure that each facility develops and implements a classification system that provides a mechanism for II screening, assessment and classification review to identify the special needs and security and supervision requirements of IIs in order to determine appropriate housing assignments.

9 CRR-NY 7013.1

All incoming IIs will be initially housed in the classification area where you will remain until our classification officers have reviewed your information, and completed your classification. No matter how many times you may have been booked into our facility, all IIs will be housed in classification prior to a housing unit/cell assignment by the Classification Officers. The booking process for your current incarceration must be complete to gain an accurate classification. An immediate decision concerning the disposition of each II shall be made on the basis of information gathered during initial screening and risk assessment. Such disposition may include, but is not limited to, referrals to outside medical and mental health service providers.

Classification will be based on information received during booking, subject to verifications, and all other available information we receive from other sources. This process will assist classification officers in determining the level of custody required, special handling, appropriate program activities and proper housing assignments while you are in custody. Prior incarceration does not exclude you from this classification process. This classification will be subject to change. You have the right to appeal your classification by placing a request with your housing unit officer. Classification pertains to your criminal history and all information received.

IIs will remain in Classification, locked in pending clearance. Placement in such housing areas shall be temporary pending completion of the classification process, including the determination of appropriate housing. This process shall be completed within five business days of each II's admission to the facility. The chief administrative officer may extend the time to complete the classification process for a particular II up to an additional 10 business days if he

concludes that additional time is necessary to make a determination of appropriate housing. 9 CRR-NY 7013.8 TB shots are mandatory and necessary to obtain that clearance, but are only part of the process. All stages of the classification process must be complete before you will be permitted out of your cell.

IIs will remain in Classification until a full background check can be obtained. Cell assignments are based on adjustment to incarceration, medical and mental health issues and protective custody needs. You will be assigned to a housing unit based on all the above and the availability of a cell. Although you can appeal your classification, you cannot appeal your cell assignment. You may request to be moved to another housing unit but not sooner than 7 days after your last assignment. Your request will be reviewed by a Classification Officer and a decision will be made based on your behavior, medical and mental health issues and protective custody needs. This may take up to 7 days to approve or disapprove.

Facility needs may cause you to be assigned to a different cell or housing unit, or to be double bunked. This facility has the final say in any housing unit or cell assignment and has the right to move any II at any time as we see fit.

IRB 7019.0 GIFTS AND GRATUITIES
NYS Min. Std. 7019 Gifts and Gratuities

08 JULY 2022

No Sheriff, Warden, Superintendent, officer in charge, or staff person shall receive a gift of any nature whatsoever from any II. Nor shall any person in charge or any employee be permitted to give anything whatsoever to an II, or to buy anything from or sell anything to an II, or to extend to an II any favor of diet, clothing or of any other nature not common to all. These same prohibitions apply to relatives or friends of IIs or to any other person acting on behalf of an II.

Any trading or bartering with IIs by any person associated with the operation of the County Jail or a county penitentiary is strictly prohibited.

IRB 7023.0 ACCESS TO MEDIA
NYS Min. Std. 7023 Access to Media

08 JULY 2022

As used in this Part, the term media shall mean any printed or electronic means of conveying information to any portion of the public, and shall include, but is not limited to, newspapers, magazines, books or other publications, and licensed radio and television stations.

Consistent with the requirements of this Part, IIs are entitled to present their views to the public through the media. All IIs have the right to write to any newspaper company, television station, publication company or any other form of the media.

The chief administrative officer may, in his discretion, restrict or prohibit the use of cameras and recording devices by the media.

Phone calls may be made to any of the above mentioned, but all calls are subject to our policies regarding such. The only phones available to IIs are those in the housing units. Only collect calls can be made.

No II will be taken out of the housing unit to use the phones in any other part of the building. Incoming messages from any media source will not be taken.

Visitation of the media with any II is subject to all rules set forth in section IRB 7008.0 of this manual. The "media" does not hold any special privileges in reference to interviews of IIs. Cameras and/or recording devices may be used ONLY with the direct authorization of the Sheriff or his designee. These devices will only be used with the consent of the II involved.

TELEVISION

Television is provided in all housing areas. Viewing will start at the Housing Unit Officer's discretion in each housing unit, and last until 2145. No II is to touch the television. Televisions are turned off for meals, shift change and incident calls or any other time deemed appropriate or necessary by the Housing Unit Officer. Access to media does not mean you have the right to watch TV.

IRB 7024.0 RELIGIOUS SERVICES

08 JULY 2022

NYS Min. Std. 7024.0 Religion

The jail has one head Chaplain who visits weekly as well as other volunteer religious advisors. Religious services for IIs are scheduled on Fridays. You may request a visit with your own religious advisor or with a religious advisor of your faith. Any religious advisor that has a member of their congregation in this facility may visit that II with the approval from our jail Chaplain. They must first contact the jail Chaplain (who will verify for the Administration their ecclesiastical credentials) and they must also address a short letter on their official letter head to the Administration stating who they would like to visit and that the II they wish to visit is a member of their congregation. The letter is to be given to the Jail Administrator. That letter will be placed in your file for future reference. This only has to be done the first time. After that, your religious advisor just has to call and make arrangements with the Jail Administrator. The term religious advisor used in this section is meant to cover and include the proper title of a religious advisor's counterpart in other religions.

DEFINITION OF MINISTER: A person who has received ecclesiastical endorsement from the appropriate religious authority. There are no restrictions placed on IIs concerning their religious beliefs and no person shall be permitted to attempt to convert another II without their consent.

CELEBRATION OF RELIGIOUS HOLIDAYS OR FESTIVALS

Consistent with the requirements of section 7024.1(b) of this Part, IIs shall be permitted to celebrate religious holidays or festivals on an individual or congregate basis.

NOTE: No religious service, holiday or festival shall interfere with the normal day to day operation of this facility including morning cleanup routine.

RELIGIOUS ARTICLES

Consistent with the requirements of section 7024.1(b) of this Part, IIs shall be entitled to wear and possess religious medals or other religious articles.

NOTE: Religious medals may be kept in the II's cell after verification from your minister and/or the Jail Chaplain. A chain IS NOT a religious medal. If any religious item, medallion or talisman that is more than 1 ½ inches in size will not be allowed. Medals/talismans with stones are not allowed. Other religious articles allowed but not limited to are: Prayer rug, Kufi, Bible, Quran. No head cover of any kind will be worn outside of your own cell without the approval of the jail administration

CHANGE OF RELIGION

The religion stated upon booking shall be noted as your religion of record and shall remain unless changed through the proper procedures. If at any time you wish to change your religion, you must contact a religious advisor, for the denomination for your desired change, as defined in Minimum standards section 7024.3. This religious advisor must decide whether you fulfill the obligations of belief required by them, and then contact the Jail Chaplain on their organization's official letterhead. This must relay whether the belief is deeply and sincerely held by the you per minimum standards 7024.10(b)(4). This shall be your obligation to facilitate your change in religion and provide supporting documentation.

IRB 7028.0 EXERCISE **NYS Min. Std. 7028.0 Exercise**

8 JULY 2022

Each housing unit has its own exercise yard. There will be no loud or boisterous noise or behavior. There will be no climbing on or jumping against the walls, windows or anything in the exercise yard at any time. This will be cause for being removed from the exercise area and disciplinary action may be taken. Exercise is normally conducted in the exercise yard.

Basketball will be limited to shooting games only. There will be no grabbing or hanging on to the basketball rim. There will be no running, one on one competition, no blocking, no contact games of any kind. Exercise times may be changed to an alternative time through disciplinary action. It is not this department's desire to take or to limit normal exercise times for any II, but that alternative is there.

All IIs will go to and from the exercise area in a quiet and orderly manner. Nothing is to be brought out into the exercise area including personal items such as books. No articles of clothing will be taken off and left on the exercise floor. If you are taken out of the exercise area for disrupting the program in any way either on the way to, during, or on the way from the area, you will be written up on an incident report.

Passive games inside the housing area such as Chess, Checkers, Scrabble, and Monopoly are provided. Some of these items are available upon request through the housing unit officer.

EXERCISE

- 1.) The Exercise period will be held in each housing unit exercise yard, except in inclement weather.
- 2.) All IIs will be entitled to participate in exercise except when restricted due to administrative sanctions. In this case the II must still be afforded two hours of exercise per day per section 7075 of minimum standards, out of their cell at a time determined by the Housing Unit Officer.
- 3.) Exercise will be Monday through Friday for the duration of one and a half hours with the times dependent on the housing unit officer. All IIs in disciplinary housing must be given an exercise period. Any II confined to their own cell (excluding classification cells) must be given the opportunity to have that exercise period two hours per day seven days a week in lieu of 1.5 hours per day five days a week. This will be done either individually, or with other exercise period times, at times designated by the housing unit officer.
- 4.) All exercise equipment is to be kept in good working order and is to be repaired or replaced when necessary. It is each Housing Unit Officer's responsibility to see that the IIs take care of all equipment and it is returned to its proper place at the end of the exercise period.
- 5.) Self termination of exercise period. IIs may request to return to their cells or housing unit prior to the end of the exercise period. IIs who self-terminate prior to the completion of the exercise period waive any further exercise period for that day.
- 6.) IIs on PUN/SEG or AD/SEG pending hearing who are offered an exercise period and decline the period of exercise when offered will not be given another opportunity that day for exercise.

IRB 7031.0 LEGAL SERVICES & REFERENCES
NYS Min. Std. 7031.0 LEGAL SERVICES

8 JULY 2022

You are entitled to legal services and access to legal counsel with respect to any civil or criminal action, at times not unduly disruptive to the facility routine.

Any request to speak to an investigator or a Deputy will be done in writing via United States Postal Service. We will not contact them for you. A notary public is available upon request.

If you are represented by a private attorney or an assigned attorney, you may call them when the phone is available. The phones are generally available from 0800 each day until 2145. They may be shut off during meals. Abuse of the phone in any way may be cause for disciplinary action.

If you have an assigned attorney, keep in mind that they are a private attorney that has been assigned to your case by the presiding Judge or through the public defender's office. This department has no control over their actions. If you have a complaint with your attorney, take it up with them or direct it in the form of a letter and send it to the Judge or public defender's office. We can do nothing for you in this matter.

All New York State Commission of Corrections mandated legal materials are made available through the use of the Lexis Nexus system on the kiosks.

A copy of the II rules and Regulations is located in each housing unit on the kiosk and is available during the kiosk hours of operation.

IIs are permitted to discuss and/or offer advice to each other regarding legal matters. Request for legal visits with other IIs must be submitted on Sundays. However, pursuant to section 7031.3(b) of the Minimum Standards, no II shall receive payment, benefit or

consideration in any form from a II for providing such II legal assistance. Any violation of the provisions of this section may result in disciplinary action.

Where the Minimum Standards talks about "copies", they are referring to copies of legal reference materials which we must supply to indigent IIs at no cost to them. These copies are available in digital format on the kiosks. No II is charged for copies of legal reference materials as they are available on the kiosks. We do not make photocopies of your papers you are sending back and forth to your lawyer and the courts. This service MAY be provided at your own expense. Any photocopies that the facility may make for you will be at the discretion of the Jail Administrator. You must be indigent, and Pro Se, verified through the courts, for the case(s) you are being incarcerated for; put in a request to have this done. We will not make indigent photocopies of "Legal Papers" for civil matters.

IRB 7032.0 GRIEVANCE PROCEDURE
NYS Min. Std. 7032.0 Grievance Program

8 JULY 2022

This system is not designed as a forum for you to air your displeasure at being incarcerated. It is designed to assist you with legitimate complaints. The grievance procedure is not to be used to obtain decisions that are available through other means. Grievance forms are available on the daily request forms. If you need a grievance, request a form and one will be provided to you. Forms are to be completed in the proper manner. Any crossing out, writing or defacing in any way on any part of the form or writing in any area designated for someone else's response will be cause for it to be invalidated.

Process for resolving grievances you can pursue in the jail.

1. Informal Grievance: you may, but are not obligated to, bring an issue to the attention of a CO and try to resolve it with the CO. If the CO is unable to resolve the issue, you may request a grievance form on a Daily Inmate Request Form within 5 business days of the occurrence of the issue giving rise to the grievance.
2. Formal Grievance: Request a grievance form on your Daily Inmate Request Form in the morning, upon receipt of your request for a grievance form, grievance form SCOC 7032-1 shall be issued to you to fill out with a black pen. You will receive the Formal Grievance form to fill out within a reasonable amount of time, no longer than 24 hours. The formal grievance will go to the Grievance Coordinator.

Facility staff shall make forms readily available so that an II may file a grievance. You may request a grievance form on the request forms provided to you each morning. An II must file a grievance within five days of the date of the act or occurrence giving rise to the grievance.

The chief administrative officer of each local correctional facility shall designate a staff member(s) to act as grievance coordinator(s).

The chief administrative officer or his designee shall ensure that each grievance is investigated to the fullest extent necessary by an impartial person who was not personally involved in the circumstances giving rise to the grievance; provided, however, that a grievance that is too vague to understand or fails to set forth supporting evidence or information may be returned to the II. Failure to supply sufficient information or evidence within two days shall be cause to deny the grievance.

At a minimum, each investigation of an II grievance shall include gathering and assessing the following information:

- (1) a description of the facts and issues underlying the circumstances of the grievance;
- (2) summaries of all interviews held with the grievant and with all parties involved in the grievance;
- (3) copies of pertinent documents; and
- (4) any additional relevant information.

Grievances regarding dispositions or sanctions from disciplinary hearings, administrative segregation housing decisions, issues that are outside the authority of the chief administrative officer's control, or complaints pertaining to an II other than the II actually filing the grievance are not grievable and may be returned to the II by the grievance coordinator. Such grievances may not be appealed to the chief administrative officer or the Citizens' Policy and Complaint Review Council.

Within five business days of the receipt of a grievance, the grievance coordinator shall issue a written determination. Such determination shall specify the facts and reasons underlying the coordinator's determination. A copy of such determination shall be provided to the grievant.

Within two business days after receipt of the grievance coordinator's written determination, the grievant may appeal to the chief administrative officer or his designee.

Within five business days after receipt of a grievance appeal, the chief administrative officer shall issue a determination on the grievance appeal and provide a copy of such determination to the grievant.

If the chief administrative officer finds merit in a grievance, he/she shall direct in writing that appropriate remedies or meaningful relief be provided to the grievant and for all others similarly situated.

Some examples of valid complaints are:

1. Any situation or condition that is a violation of II's rights.
2. Any unfair treatment of IIs by facility staff or by other IIs.
3. Any condition that jeopardizes the safety, security or good order of the jail.

It was never the intent of the law to allow IIs to flood the system with frivolous and unwarranted complaints or grievances. All complaints and/or grievance will be addressed in order so that IIs receive a timely response at all steps. This does not limit the number of grievances that an II may have in the process. There will be no reprisals against IIs for the filing of an informal or formal grievance.

**IRB 7006.8AP DAYS ALLOTTED TO PROCESS INCARCERATED
INDIVIDUAL PAPERWORK, GRIEVANCES, ETC.
NYS Min. Std.7006.0**

REV 7 JULY 2022

In order to clarify and standardize the definitions of "days to process" or "days to render a decision" and similar conditions pertaining to form submissions, the Delaware County Jail will establish clearly defined timelines to avoid confusion when processing forms, grievances, etc.

DEFINITIONS, STANDARDS, REQUIREMENTS

1. Business day: defined as Monday through Friday of the week, hours 9AM-5PM; excluding the following public holidays;

The term public holiday includes the following days in each year: the first day of January, known as New Year's day; the third Monday of January known as Dr. Martin Luther King, Jr. day; the twelfth day of February, known as Lincoln's birthday; the third Monday in February, known as Washington's birthday; the last Monday in May, known as Memorial day; the second Sunday in June, known as Flag day; the fourth day of July, known as Independence day; the first Monday in September, known as Labor day; the second Monday in October, known as Columbus day; the eleventh day of November, known as Veterans' day; the fourth Thursday in November, known as Thanksgiving day; and the twenty-fifth day of December, known as Christmas day, *and if any of such days except Flag day is Sunday, the next day thereafter*; each general election day, and each day appointed by the president of the United States or by the governor of this state as a day of general thanksgiving, general fasting and prayer, or other general religious observances.

(From General Construction Law § 24. Public holidays; half-holidays Current through L.2004, chapters 4 to 38, 40 to 49, 52,61 to 77, 79 to 93, 96, 98 to 101 and 104.)

2. Day of submission: considered a Zero (0) day.
3. The first business day after Zero Day starts the clock for processing

Example #1: II Jones submits a grievance on Saturday. That is his Zero Day. For processing a grievance, the Grievance Coordinator has 5 business days to render a decision. The first business day would be the Monday after the submission. Therefore, the grievance coordinator would have until close of business on the 5th business day; Friday of that week, to render a decision.

Example #2: Example: II Jones is appealing his disciplinary hearing decision. II Jones submits his appeal on Wed. (Zero Day) Friday is a contractual holiday. The Jail Administrator has 5 days to process the IIs appeal. The JA must render and return a decision by close of business on Thursday of the next week.

4. If an II is required/offered/authorized to respond to an administrative action, the day the II receives notification is considered a Zero Day.

Example: II Jones is notified of an Appeal decision on Wednesday and he is required to submit his response to the decision to the Jail administrator within 2 business days. The day he gets the notice is his Zero Day and he has until close of business the second business day after the Zero day to have the paperwork turned in. II Jones must submit his response by close of business on that Friday following his Zero Day.

Any person who willfully misuses any fire detection, control, and/or protection equipment, or uses such equipment in any manner contrary to law, may be subject to disciplinary action and criminal prosecution for such acts.

Housing Unit Evacuation

1. In case of an emergency evacuation, unless otherwise directed, you will immediately move to your cell to lock in for accountability.
 2. You will be given instructions from the Housing Unit Officer on the process and steps you will take in order to safely evacuate your housing unit.
 3. During an evacuation, you are to follow the Officer's directions explicitly. You are to bring nothing with you.
 4. You are to remain silent unless asked a question by an Officer.
 5. Do not engage in any behavior that will interfere with the safe and secure evacuation of the housing unit.
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IRB 7064.0 Human Immunodeficiency Virus and AIDS Related Information/Confidentiality HIV/AIDS

8 JULY 2022

NYS Min. Std. 7064.0 Human Immunodeficiency Virus and AIDS Related Information/Confidentiality

Recognizing that maximum confidentiality protection for information related to human immunodeficiency virus (HIV) infection and acquired immune deficiency syndrome (AIDS) is an essential public health measure. HIV infection and AIDS issues are of particular concern to correctional professionals, and in order to retain the full trust and confidence of persons at risk, each correctional facility shall ensure that HIV-related information is not improperly disclosed. The Jail shall establish clear and certain rules for the disclosure of such information, and provide safeguards to prevent discrimination, abuse, or other adverse actions directed toward protected individuals.

Any II who has any concerns, questions, issues or problems related to Human Immunodeficiency Virus (HIV) and AIDS or other blood borne diseases may request to speak with the Jail Nurse during Sick Call.

IRB 7070.0 EDUCATIONAL SERVICES NYS Min. Std. 7070.0 Educational Services for Youth

8 JULY 2022

Anyone under the age of 21 has the right to attend the Educational Services Program. If you have neither a high school diploma nor a GED, and are under the age of 21, you may request to attend the Educational Services Program offered in the jail. If you have not received the proper forms to apply, request them from the Housing Unit Officer.

Your attendance is required each day classes are scheduled unless you are sick or have another valid reason. You will not be able to attend just when you feel like it; you must attend all sessions. The teacher assigned to this facility will set the actual schedule of days and time. Instructional time will be scheduled for 3 hours a day.

Upon your release and upon your request, this facility will send a letter to your school district in reference to your desire to continue your education.

If you are attending these services and no longer wish to, make it known to the Housing Unit Officer. You will then be required to sign a statement to this effect. Once you have either

quit this program or have been pulled out due to unacceptable behavior, your return to the program will be at the discretion of the Administration.

IRB 8003.0 HOSTAGE POLICY
NYS Min. Std. NA

8 JULY 2022

This facility has a “No Hostage” policy. Under no circumstances shall an II be released from custody in exchange for the safety or release of hostages. Jail staff DO NOT carry keys that will allow you to reach outside the facility.

IRB 8004.0 HUMAN SERVICES
NYS Min. Std. NA

8 JULY 2022

While you are in the Delaware County Jail, there are groups that concern themselves with any unusual needs or problems you may have. If you want to meet with them and they do not accept collect calls, then you will have to write them a letter at the proper address. We do not make calls for you.

Department of Social Services
111 Main St.
Delhi, New York 13753
607 832-5300

These organizations will assist you during your stay concerning education, counseling, family problems, personal problems and may assist you prior to your release from jail if you have concerns of lack of clothing, a place to stay, work applications, etc. These organizations will not intercede in any dispute you may have with members of the jail staff, arrange for free telephone calls, make telephone calls on your behalf or pass messages into or out of the facility. If your problems involve alcohol, drugs, mental outlooks, or public assistance, write to the following agencies.

Delaware County Drug Abuse Services
Human Resources Building
Hamden, New York 13782
607-865-4213 or 607-832-5890
Delaware County Mental Health
Hospital Road
Walton, New York 13856
607-865-6522
Delaware County Alcohol Abuse
Human Resources Building
Hamden, New York 13782
607-865-7656

Delaware County Probation
280 Phoebe Lane Suite #2
Delhi, New York 13753

NY State Division of Parole
44 Hawley St.
Binghamton, New York 13901

State Commission of Correction
80 S. Swan Street, 12th Floor
Albany, New York 12210-8001

Southern Tier Aids Program
122 Baldwin Street
Johnson City, New York 13790
607-798-1706

Soldier On Program -
Mark Stupak
431-588-2081

A representative from Delaware County Mental Health contacts us weekly. If you wish to speak to someone, you must request a mental health slip on your daily request form. If you have any questions, ask your Housing Unit Officer. This facility has restricted A-A meetings. Check with 1500-2300 hr. staff as to days and times.

If you have a release date and do not have any living arrangements you may contact adult protective services for temporary living arrangements in Delaware County.

Write a letter explaining your circumstances to:

Department of Social Services
Attn: Adult Protective Services
111 Main Street
Delhi, New York 13753

Be sure to give enough time for the letter to reach the recipient and for the social workers to do something with your request. Typically, 2 weeks ahead of time should be sufficient.

In emergency situations where you are released unexpectedly and have no living arrangements, notify the shift supervisor. They may contact the on-call Social Worker on your behalf. This will not be done until after you are released and verified that you have no active warrants.

If you are interested in applying for employment or training (High School Equivalency Diploma) when you are released you may contact The Department of Labor's CDO Workforce:

CDO Workforce
1 Courthouse Square Suite 1
Delhi, New York 13753

You will need a copy of your Social Security Card, Birth Certificate, 4 References with addresses and phone numbers, and an expected address upon release. If unknown see above information. This will require some work on your part. After you gather this information you will need to fill out one of their resumes and a supplemental form.

If you need Alcohol and Drug Abuse Services, a Counselor will be coming in every week. As there is only one counselor, and potentially multiple requests, they will be prioritizing and

selecting who they see. You may request a referral form on your daily request form. You will need to fill out a new form every week. You may also write:

Delaware County Alcohol and Drug Abuse Services
243 Delaware St.
Walton, New York 13856

Friends of Recovery of Delaware and Otsego Counties (FORDO)
84 Main Street
Delhi, New York 13753

**IRB 8005.0 INCARCERATED INDIVIDUAL WORKER PROGRAM
NYS Min. Std. NA**

8 JULY 2022

The Delaware County Jail has an II Worker program. Activities in our II worker program may include but are not limited to laundry room, kitchen, general cleaning inside the facility and outside work details. If you are a sentenced II and classified general custody you will be assigned different jobs which may include working outside the facility. If you are non-sentenced or close custody II, you will not be assigned to the kitchen or any outside work details.

**IRB 8009.0 PROGRAMS, AA, BIBLE STUDY
NYS Min. Std. NA**

7 JULY 2022

PROCEDURE FOR ALCOHOLICS ANONYMOUS

- 1.) Any II wanting to participate in the program will be allowed to request to attend Alcoholics Anonymous on a daily request form. IIs in Classification or PUNSEG/ADSEG status are not allowed to attend AA.
- 2.) Alcoholics Anonymous meetings may be held once a week per housing unit. Days and times for meetings will be established and promulgated by the AA Officer.
- 3.) At the first sign of a behavior problem from any II in the program, the II will be removed from the program and will be prohibited from further attendance until reviewed by the Jail Administrator.
- 4.) No matter what an II's classification is, the facility reserves the right to deny attendance based upon an II's disciplinary record and/or their overall behavior and adjustment to incarceration. No one has the absolute right to attend Alcoholics Anonymous.
- 5.) The Courts and agencies; Probation or Parole, can recommend that Alcoholics

Anonymous, or other counseling if available. These directives DO NOT override our policies on attendance at the Alcoholics Anonymous meetings. The decision of the facility is final.

- 6) IIs will clean of the program area after each meeting.
- 7.) A Correction Officer will be present during AA meetings to observe behavior and ensure the safety of the presenter and IIs.
- 8.) AA Meetings will be held in the Visitation Room.

PROCEDURE FOR BIBLE STUDY

The Delaware County Correctional facility also offers a bible study program from time to time. If you are interested, talk with the Jail Chaplin about signing up.

Eligibility requirements are:

- 1. You must be medically cleared and classified.
- 2. You cannot be locked in **administrative segregation**. If you are Ad/Seg full restraints you must request an alternative attendance. We cannot safely put you in a room full of other individuals while you are restrained.
- 3. You must attend every session once you are signed up.

**IRB 8011.0 SEX OFFENDER REGISTRATION
NYS Min. Std. NA**

8 JULY 2022

If you have been convicted of a specified sex crime you are required by law to register your address with the local police agency. You are also required to register a change of address when you are committed to jail and again upon your release. Although a hearing to determine your level of classification may not take place until your incarceration period has ended, you are still required to comply with all aspects of Correction Law section 168. The Delaware County Sheriff's Department is the police agency that handles all sex offender issues within the jail. You may request to see an Officer in regards to the registration act via an II request form available from the housing unit Officer.

If you have been convicted of any DNA Designated Offenses as shown in section 995C of the NYS Executive Law, you are required by law to submit to DNA testing. Through your court proceedings and your attorney, you should already be aware of your legal obligation in this matter if it pertains to you, but if you are unsure place a request with your Housing Unit Officer to get a copy of that section of law or request to speak to a Sergeant.

Failure to comply with providing a DNA specimen as required by law shall result in notification to the New York State Division of Criminal Justice and the Court of Jurisdiction and further action will be taken. Further information is available and can be found in Executive Law section 49B and Correction Law section 168ce.

**IRB 8012.0 TELEPHONE SERVICES
NYS CoC Min. Std. NA**

8 JULY 2022

The only phones available to IIs are located in each housing unit. They are all "Collect

Only" systems. If your family or attorney does not accept this type of call, you will then be limited to written correspondence. No II will be permitted to use our office phones with the exception of one call upon admission.

If you have any problems with the phone company, have a family member or friend call the phone company Global Tel Link (GTL) to resolve your issue utilizing the phone company number listed in the housing unit. 1 (877) 650-4249

1. The phones are a privilege. Violations of the rules or abuse of the phones may result in the loss of phone privileges.
2. Phones can be used at any time they are on as long as it does not interfere with our daily routine. They are normally on from 0800 through 2145 but may be shut off at different times throughout the day based on operational requirements of the housing unit.
3. A time limit may be programmed into the system to ensure its availability to all IIs. If you call the same number too often within a 24-hour period, the phone company may block that number.
4. If it appears to the phone company that you make numerous calls to the same number, they may require the receiver to put down a certain amount of money towards the bill. If no money is put down, the number will be blocked until it is paid.
5. We do not supply phone directories nor are we here to look up phone numbers for you.
6. All calls on jail telephones are recorded and may be monitored. Attorney's known to us have this feature blocked so calls to them are not recorded. If you have an attorney that is not from the area you must let us know who the attorney is and their phone number so that the recording feature programmed into the system can be blocked for that number.
7. All phone calls will be terminated when the housing unit Officer calls IIs to the table for meals or any other time you are directed by any Officer.
8. Upon admission, indigent IIs will be allowed to make the number of calls, at facility expense, necessary to retain counsel for their criminal case.

NOTES:

If your attorney's office refuses your call, keep in mind that they may be busy or not even in the office. It would make no sense for their staff to accept calls at that time. Wait a while, then call back.

IRB 8025.0 Tablet Usage NYS Min. Std. NA

12 JULY 2022

1. No visiting party will engage in any lewd act or conduct of a sexual nature, verbally or physically, implied or simulated. No Visiting party will expose any intimate body parts of a sexual nature during visit. Violation of any part of these rules will cause for termination of the visitor's video chat privileges and may cause a visitor account to be suspended until reviewed by Jail Administrator or designee.

2 Any act that violates any NYS Penal Law, violates any order of protections or violates any facility rule/regulation will cause for termination of the visitor's video chat privileges and may cause a visitor account to be suspended until reviewed by Jail Administrator or designee.

3. Threatening and menacing behavior and language will be prohibited.
4. All conversations will be held at a level that is consistent with a normal volume and tone. If the conversation can be heard from outside the program room, it is too loud.
5. Video Chat times will not exceed twenty (20) minutes in length.
6. No sharing of any account or tablet use of any kind with another II.
7. IIs will be held responsible and accountable to full tablet reimbursement price for any damage caused to the tablet.
8. It is the II's responsibility to notify their visitor of these rules.
9. The tablet must be used either in the cell that has been assigned to you, or in the program room for video visits.
10. Any violation of these rules may result in tablet privilege loss and/or disciplinary action. It is the responsibility of the II to protect all of their pin numbers (Phone, Kiosk, and Tablet), failure to do so may result in others accessing the accounts and funds without account holder's permission and DCSSO will not be held responsible if this occurs.

IRB 8013.0 PREA (Prison Rape Elimination Act)

8 JULY 2022

NYS Min. Std. NA

An II may report any sexual misconduct or sexual harassment to any staff member. This may be done for yourself confidentially, verbally, in writing, or through a third party. You may also report any sexual misconduct or sexual harassment on behalf of another II confidentially, verbally, in writing, or through a third party. All reports will be investigated. There will be no retaliation for reporting an incident that has been made in good faith. If it is determined that a claim has been submitted with malicious intent; or in retaliation for, or in an attempt to negotiate a better outcome for an incident report issued, then disciplinary actions up to and including legal action may be utilized. Any investigation that determines that PREA guidelines, facility rules, or NYS law have been violated; by any involved individuals, will result in disciplinary action.

PREA BROCHURE (1 of 2)

Avoiding Sexual Abuse

Here are some things you can do to protect yourself against sexual abuse:

1. Do not permit your emotions (fear/ anxiety) to be obvious to others.
2. Do not accept gifts or favors from others. Most gifts or favors come with strings attached.
3. Do not accept an offer from another inmate to be your protector.
4. Find a staff member with whom you feel comfortable discussing your fears and concerns.
5. Be alert! Do not use contraband substances such as drugs or alcohol. These can weaken your ability to stay alert and make good judgments.
6. Be direct and firm if others ask you to do something you don't want to do. Do not give mixed messages to other inmates regarding your wishes for sexual activity.
7. Stay in assigned areas of the facility.
8. Choose your associates wisely.
9. Trust your instincts. If you sense that a situation is dangerous, it probably is. If you fear for your safety, report your concerns to staff.
10. Follow the inmate rules.

Confidentiality

Information concerning the identity of an inmate victim reporting a sexual assault or abuse and the facts of the report itself shall be limited to those involved in the reporting, investigation, discipline and treatment process or as otherwise required by law. All records associated with allegations of sexual abuse are confidential in accordance with Civil Rights Law § 50-b.

Office of the Delaware County Sheriff
280 Phoebe Lane
Delhi, New York 13753



Thomas Mills
Sheriff

Craig DuMund
Undersheriff

November 2016

The Prevention of Sexual Abuse in Jail

An Overview for Offenders



The Delaware County
Correctional Facility
has a
ZERO TOLERANCE
Policy for Sexual
Abuse

PREA BROCHURE (2 of 2)

Policy

The agency will not tolerate sexual abuse. **All sexual conduct, including sexual contact, is against the agency's rules.** All allegations of sexual abuse or of retaliation in connection with an incident of sexual abuse will be thoroughly investigated and any sexual predator will be disciplined and/or prosecuted.

Definitions

Inmate-on-inmate sexual abuse is when one or more inmates engage in sexual conduct, including sexual contact, with another inmate **against his or her will or by use of threats, intimidation or other coercive actions.**

Staff-on-inmate sexual abuse is when an employee, volunteer, intern or outside contractor engages in sexual conduct, including sexual contact with an inmate.

About Your Safety

You have the right to be safe from sexual abuse. No one has the right to pressure you to engage in sexual acts. You do not have to tolerate sexual abuse or pressure to engage in unwanted sexual behaviors. If you are being pressured, threatened, or extorted for sex, you should report this to staff. You should also report any retaliation you believe occurred due to reporting an incident of sexual abuse or for participating in an investigation of an allegation of sexual abuse.

What to do if you are assaulted. If you become a victim of sexual abuse, you should report it immediately to staff, who will offer you immediate protection from the assailant and will refer you for a medical examination and clinical assessment. Assistance will be provided regardless of whether or not you name the responsible inmates or staff members, however, specific information may make it easier for staff to help you.

Even though you may want to clean up after the assault, it is important to see medical staff **BEFORE** you shower, wash, drink, eat, change clothing or use the bathroom. Medical staff will examine you for injuries which may or may not be readily apparent to you. They can also check you for sexually transmitted diseases and gather physical evidence of assault.

The individual or individuals responsible for sexually abusing or assaulting inmates can only be disciplined and/or prosecuted if the abuse is reported.

Reporting

How do you report an incident of sexual abuse?

It is important that you begin by telling a staff member if you have been sexually abused. **You can tell any security staff member, counselor, medical practitioner or any other employee.** Staff are instructed to keep the reported information confidential and only discuss it with the appropriate officials on a need to know basis. You may

also discuss your concerns with Mental Health.

If you choose to first report the abuse or threats in writing, you may write to a member of the administrative staff, medical staff, or a security supervisor. Be aware that any delay in reporting an incident of sexual abuse will make investigating the incident far more difficult.

An inmate who feels that he or she has been the victim of sexual abuse should report such occurrence immediately. Reporting an incident of sexual abuse is not a substitute for filing an inmate grievance.

What happens when you report an incident of sexual abuse?

All allegations of sexual abuse and retaliation for reporting an incident of sexual abuse will be thoroughly investigated and may also be reported to appropriate law enforcement officials by the administrative staff. No reprisals of any kind shall be taken against an inmate for good faith reporting of sexual abuse or sexual threats.

However, if an investigation discloses that a person who knew that the information was false made the allegation intentionally or with malice, he or she may be disciplined or charged with falsely reporting an incident and/or may be subject to disciplinary action (Penal Law § 240.50).

Rights Under NYS Corrections Law 611

If you are a woman known to be pregnant by Corrections Personnel, or up to eight (8) weeks after delivery, or pregnancy outcome, absent extraordinary circumstances you have the following rights:

1. No restraints of any kind shall be used during transport of such woman;
2. No restraints of any kind shall be used when such woman is in labor, admitted to a hospital, institution or clinic for delivery, or recovering after giving birth;
3. The woman shall be permitted to have at least one support person, not in custody, of her choosing accompany her in the delivery room and when such woman is in labor and recovering after birth.
 - a. This request must be made in writing to the Chief Administrative Officer.
 - b. Any denial of a support person shall be made in writing and returned to the requestor within 5 business days.
4. A support person shall be immediately notified when such woman goes into labor or immediately after a caesarian or termination is scheduled.
5. A doula or midwife or other birthing support specialist may also assist during labor and delivery.
 - a. This birthing support specialist may be in addition to designated support person.
6. No correctional staff shall be present in the delivery room during the birth of a baby unless requested by the medical staff supervising such delivery or by the woman giving birth;

7. As soon after the birth of her child as the state of her health will permit as determined by the medical professional responsible for the care of such woman. If such woman is confined in a local correctional facility, the expense of such accommodation, maintenance and medical care shall be paid by such woman or her relatives or from any available funds of the local correctional facility and if not available from such sources, shall be a charge upon the county, city or town in which is located the court from which such inmate was committed to such local correctional facility;
8. A child so born may be returned with its mother to the correctional institution in which the mother is confined unless the chief medical officer of the correctional institution shall certify that the mother is physically unfit to care for the child, in which case the statement of the said medical officer shall be final. A child may remain in the correctional institution with its mother for such period as seems desirable for the welfare of such child, but not after it is one year of age;
9. If any woman, committed to any such correctional institution at the time of such commitment is the mother of a nursing child in her care under one year of age, such child may accompany her to such institution if she is physically fit to have the care of such child;
10. If a woman is pregnant or has a child under the age of 18 months while incarcerated at a local correctional facility shall be able to apply to any nursery program run by the department. (currently no program is run by DCSO)
11. If a woman is pregnant, said woman may participate in pregnancy counseling services, and also has the right to abortion services allowed by state law.

INCARCERATED INDIVIDUAL RULE BOOK

BACK

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