S T A T E O F N E W Y O R K

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I N A S S E M B L Y

February 4, 2016

Introduced by M. of A. MOSLEY, SIMON, RICHARDSON, SEPULVEDA, PEOPLES-STOKES -- Multi-Sponsored by -- M. of A. BRENNAN -- read once and referred to the Committee on Correction -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the correction law, in relation to allowing telephone calls for inmates after transfer from correctional facilities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 1 of section 23 of the correction law, as amended by section 5 of subpart B of part C of chapter 62 of the laws of 2011, is amended to read as follows:

1. The commissioner shall have the power to transfer inmates from one correctional facility to another. Whenever the transfer of inmates from one correctional facility to another shall be ordered by the commissioner, the superintendent of the facility from which the inmates are transferred shall take immediate steps to make the transfer. The transfer shall be in accordance with rules and regulations promulgated by the department for the safe delivery of such inmates to the designated facility. WITHIN TWENTY-FOUR HOURS OF ARRIVING AT THE FACILITY TO WHICH AN INMATE IS TRANSFERRED, HE OR SHE SHALL BE ALLOWED TO MAKE AT LEAST ONE PERSONAL PHONE CALL, EXCEPT WHEN TO DO SO WOULD CREATE AN UNACCEPTABLE RISK TO THE SAFETY AND SECURITY OF INMATES OR STAFF. IF SECURITY PRECAUTIONS PREVENT THE INMATE FROM MAKING SUCH CALL, A STAFF MEMBER DESIGNATED BY THE SUPERINTENDENT OF THE FACILITY SHALL MAKE A CALL TO A PERSON OF THE INMATE'S CHOICE UNLESS THE INMATE DECLINES TO HAVE SUCH A CALL MADE.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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