

STATE OF NEW YORK

8966

IN SENATE

June 8, 2018

Introduced by Sen. HAMILTON -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the correction law, in relation to allowing a telephone call prior to an inmate's transfer

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Subdivision 1 of section 23 of the correction law, as
2 amended by chapter 254 of the laws of 2017, is amended to read as
3 follows:
- 4 1. The commissioner shall have the power to transfer inmates from one
5 correctional facility to another. Whenever the transfer of inmates from
6 one correctional facility to another shall be ordered by the commission-
7 er, the superintendent of the facility from which the inmates are trans-
8 ferred shall take immediate steps to make the transfer. The transfer
9 shall be in accordance with rules and regulations promulgated by the
10 department for the safe delivery of such inmates to the designated
11 facility. [~~Within~~] Immediately prior to the transfer, the department
12 shall electronically notify the inmate's next of kin or personal repre-
13 sentative of the transfer and the inmate shall be allowed to make at
14 least one personal phone call, except under exceptional circumstances
15 when to do so would create an unacceptable risk to the safety and secu-
16 rity of inmates or staff. Additionally, within twenty-four hours of
17 arriving at the facility to which an inmate is transferred, he or she
18 shall be allowed to make at least one personal phone call, except when
19 to do so would create an unacceptable risk to the safety and security of
20 inmates or staff. If security precautions prevent the inmate from making
21 such call, a staff member designated by the superintendent of the facil-
22 ity shall make a call to a person of the inmate's choice unless the
23 inmate declines to have such a call made.
- 24 § 2. This act shall take effect on the thirtieth day after it shall
25 have become a law.

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

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