STATE OF NEW YORK

4695

2021-2022 Regular Sessions

IN ASSEMBLY

February 4, 2021

Introduced by M. of A. EPSTEIN -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to providing voice communication services to incarcerated people in local correctional facilities at no cost

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

Section 1. The correction law is amended by adding a new section 623-a to read as follows:

§ 623-a. Voice communication services for incarcerated people in local correctional facilities. 1. Agencies charged with the operation and management of local correctional facilities and juvenile detention facilities shall provide persons in their custody and confined in a correctional or detention facility with voice communication service at a minimum of ninety minutes per day and ensure sufficient infrastructure to meet this baseline. The commissioner may supplement voice communication service with other advanced communication services, including, but not limited to, video communication and electronic mail services. To the extent that the commissioner provides such voice communication service or any other advanced communication service, each such service shall be provided free of charge to the person initiating and the person receiving the communication.

2. No agency shall receive revenue from the provision of voice communication services or any other communication services to any person confined in a local correctional or detention facility.

3. Nothing in this section shall be construed to limit, replace or prevent in-person visitation between persons confined in a local correctional or detention facility and relatives, friends or any other persons approved to visit such person.

4. The department shall establish rules and regulations or departmental procedures to ensure that any voice communication services for

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

LBD07467-01-1

incarcerated people established by this section provides reasonable security measures to preserve the safety and security of each correctional facility, all staff and all persons outside a facility who may receive communications from incarcerated people.

§ 2. This act shall take effect April 1, 2022 and shall apply to any new or renewal contract for voice communications for incarcerated people or other advanced communication services entered into on or after such date and provided further that any new or renewal contract for voice communications for incarcerated people or other advanced communication services entered into prior to April 1, 2022 shall not run past March 31, 2022.