

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2015**

No. 85

Introduced by Council Members Dromm, King, Levine, Chin, Johnson, Palma, Cabrera, Rosenthal, Rose, Barron, Williams, Garodnick, Kallos and Lander.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to requiring the commissioner of the department of correction to post a quarterly report regarding the visitation of incarcerated individuals.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-140 to read as follows:

§ 9-140 Jail visitation statistics. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Borough jail facility. The term “borough jail facility” means any department facility in which inmates are housed by the department and that is located outside Rikers Island.

City jail. The term “city jail” means any department facility in which inmates are housed by the department.

Professional. The term “professional” means a person who is properly identified as providing services or assistance to inmates, including lawyers, doctors, religious advisors, public officials, therapists, counselors, and media representatives.

Visitor. The term “visitor” means any person who enters a city jail with the stated intention of visiting an inmate at any city jail, or any person who is screened by the department for visitation purposes, including but not limited to professionals and any person who registers to visit an inmate in the department’s visitor tracking system.

b. The commissioner shall post on the department website on a quarterly basis, within 30 days of the beginning of each quarter, a report containing information pertaining to the visitation of the inmate population in city jails for the prior quarter. Such quarterly report shall include the following information in total and disaggregated by whether the visitor is a professional, and also disaggregated by the type of services the professional provides:

1. The total number of visitors to city jails, the total number of visitors to borough jail facilities, and the total number of visitors to city jails on Rikers Island.

2. The total number of visitors that visited an inmate at city jails, the total number of visitors that visited an inmate at borough jail facilities, and the total number of visitors that visited an inmate at city jails on Rikers Island.

3. The number of visitors unable to visit an inmate at any city jail, in total and disaggregated by the reason such visit was not completed.

4. The inmate visitation rate, which shall be calculated by dividing the average daily number of visitors who visited inmates at city jails during the reporting period by the average daily inmate population of city jails during the reporting period.

5. The borough jail facility visitation rate, which shall be calculated by dividing the average daily number of visitors who visited inmates at borough jail facilities during the reporting period by the average daily inmate population of borough jail facilities during the reporting period.

6. The Rikers Island visitation rate, which shall be calculated by dividing the average daily number of visitors who visited inmates at city jails on Rikers Island during the reporting period by the average daily inmate population of city jails on Rikers Island during the reporting period.

c. The commissioner shall post a report containing the information in subdivision b of this section for the four quarters prior to January 1, 2016, to the extent that such information is available.

§2. This local law takes effect January 1, 2016, provided that the information required by paragraph 3 of subdivision b of section 9-140 of the administrative code of the city of New York, as added by section 1 of this local law, need not be included in a quarterly report until the quarterly report due within 30 days of the beginning of the quarter beginning July 1, 2016, and further provided that the information required by section 1 of this local law to be disaggregated by whether the visitor is a professional and also disaggregated by the type of services the professional provides need not be included in a quarterly report until the quarterly report due within 30 days of the beginning of the quarter beginning October 1, 2016.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on September 17, 2015 and approved by the Mayor on October 7, 2015.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 85 of 2015, Council Int. No. 706-A of 2015) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel.