



Office of Children and Family Services

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Informational Letter

Transmittal:	16-OCFS-INF-03
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Strategic Planning and Policy Development
Date:	March 24, 2015
Subject:	Ashley's Law Relating to Notification of Rules and Regulations of Correctional Facilities Concerning Visitors
Suggested Distribution:	Directors of Social Services Adoption Supervisors Planning Coordinators Foster Care Supervisors
Contact Person(s):	Questions concerning this release should be directed to the appropriate regional office, Division of Child Welfare and Community Services: Buffalo Regional Office - Dana Whitcomb (716) 847-3145 Dana.Whitcomb@ocfs.ny.gov Rochester Regional Office - Karen Buck (585) 238-8201 Karen.Buck@ocfs.ny.gov Syracuse Regional Office - Sara Simon (315) 423-1200 Sara.Simon@ocfs.ny.gov Albany Regional Office - Kerri Barber (518) 486-7078 Kerri.Barber@ocfs.ny.gov Spring Valley Regional Office - Yolanda Désarmé (845) 708-2499 Yolanda.Desarme@ocfs.ny.gov New York City Regional Office - Raymond Toomer (212) 383-1808 Raymond.Toomer@ocfs.ny.gov Native American Services - Heather LaForme (716) 847-3123 Heather.LaForme@ocfs.ny.gov
Attachments:	None

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
11-OCFS-ADM-07			N.Y. Correc. Law §138-a Soc. Serv. Law § 384-b Chapter 286 of the Laws of 2014		

I. Purpose

The purpose of this Informational Letter (INF) is to inform local departments of social services (LDSSs) and voluntary agencies (VAs) of the enactment of Chapter 286 of the Laws of 2014 (“Ashley’s Law”), effective November 9, 2014. The law directs the commissioner of the New York State Department of Corrections and Community Supervision (DOCCS) to establish and maintain a public website that provides information concerning specific visitation rules, regulations, policies, schedules, and procedures for all DOCCS facilities. The New York State Office of Children and Family Services (OCFS) recommends that LDSS and VA caseworkers use the website as part of planning any visits for children with parents in DOCCS facilities.

II. Background

Section 384-b of the Social Services Law requires LDSS and VA caseworkers to make diligent efforts to encourage and strengthen the parental relationships of children whose parents are incarcerated. 11-OCFS-ADM-07, *Incarcerated Parents and Parents in Residential Substance Abuse Treatment with Children in Foster Care: Termination of Parental Rights and Other Issues*, requires LDSS and VA caseworkers to make suitable arrangements with correctional facilities for incarcerated parents to visit with their children within the facility or program unless such visiting would be harmful to the child.

Ashley’s Law was intended to make schedules, visiting rules, regulations, policies, and procedures at DOCCS facilities publicly accessible. The law is named after Ashley M., who was turned away from a visit to her parent for a minimal rule violation. Ashley’s Law amended Correction Law by adding a new section, 138-a, to require DOCCS to establish and maintain a website that provides information to the public concerning the visitation rules and regulations for all correctional facilities in New York State. The website must be regularly updated to confirm accuracy, and must designate a telephone number or numbers on the website that persons may call for information about the visiting rules at various correctional facilities.

III. Program Implications

On DOCCS’s public website, the commissioner of DOCCS must establish and maintain information concerning specific schedules, visitation rules, regulations, policies, and procedures for each correctional facility. The information must include, but not be limited to: visiting days and hours, length and number of allowable visits, maximum number of people per visit, dress code, and guidelines for people with medical and other special needs, including physical access and restrictions on medications while in the facility, infant care, and specific items that are restricted or prohibited by visitors. The commissioner must regularly update the information provided on the website so that such information is accurate and visitors are notified of any new or changed rules, regulations, policies, and procedures.

The commissioner must designate a telephone number at each correctional facility for persons to call for information about visiting rules, regulations, policies, and procedures.

The DOCCS visitation website can be accessed at this link:

http://www.doccs.ny.gov/Visitation/DOCCS_Visitation_By_facility.pdf

/s/ Thomas R. Brooks

Issued By:

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Division/Office: Strategic Planning and Policy Development