



Corrections and Community Supervision

ANDREW M. CUOMO
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

MEMORANDUM

To: All Superintendents

From: James A. O'Gorman, Deputy Commissioner for Correctional Facilities

Date: March 25, 2020

Subject: COVID 19-Directive #4910, "Control of & Search for Contraband"

Due to the recent public health emergency created by the spread of COVID-19, Directive #4910, "Control of & Search for Contraband", Section V-B-3-Routine Cell Searches, is temporarily suspended. Additionally, pat frisks will only be conducted when there is an articulable basis to suspect that an inmate may be in possession of contraband and/or as directed by supervisory staff. Routine cell searches and random pat frisks will not be conducted until further notice. **The exception being; inmates assigned to work in an Industry Program as they may be pat frisked enroute to/from program areas, as is normal practice.**

Futhermore, as set forth in Directive #4910, "Control of & Search for Contraband", Section V-C-4, an unscheduled cell search of the living quarters of an inmate shall be conducted only when there is reasonable suspicion that contraband is contained in the housing unit. Such search must be authorized by a supervisor except that when there are reasonable grounds to believe that a search is immediately necessary to prevent death, injury, or the destruction of contraband. This provision will remain in effect, as the presence of contraband within our Departmental facilities threatens the security of the facility and endangers the safety of employees and the incarcerated population.

Please disseminate appropriately to all staff. Questions regarding this matter may be addressed to your assigned Assistant Commissioner for Correctional Facilities.