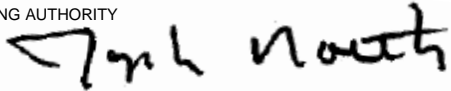
 <p>Corrections and Community Supervision</p> <p>DIRECTIVE</p>	<p>TITLE</p> <p>Fingerprinting Inmates</p>		<p>NO. 4037</p>
			<p>DATE 03/15/2021</p>
<p>SUPERSEDES</p> <p>DIR # 4037 Dtd. 01/10/2020</p>	<p>DISTRIBUTION</p> <p>A</p>	<p>PAGES</p> <p>PAGE 1 OF 3</p>	<p>DATE LAST REVISED</p>
<p>REFERENCES (Include but are not limited to)</p> <p>Correction Law, Sections 149 and 618; Directive #4038; IRC Manual</p>		<p>APPROVING AUTHORITY</p> 	

- I. **PURPOSE:** To delineate the responsibilities for the fingerprinting of inmates.
- II. **RESPONSIBILITY:** The Department of Corrections and Community Supervision (DOCCS) is to take fingerprints of all incarcerated inmates. The fingerprints shall be forwarded to the appropriate criminal justice agency as mandated by law.

When requested, the Employee Investigation Unit (EIU) will provide a certification/training program for staff taking fingerprints. This certification/training is available throughout the hubs.
- III. **FINGERPRINT REQUIREMENTS**
 - A. **New Admissions:** The Reception and Classification facilities maintain primary responsibility for fingerprinting any inmate admitted as a new commitment requiring a new Department Identification Number (DIN). In those instances where inmates are received at an intake facility (such as Clinton), and classified at a Reception facility (such as Downstate), it is the responsibility of the Classification facility to complete and distribute the fingerprints. It is not necessary to produce fingerprint cards at intake facilities.
 1. Admission fingerprint cards shall be created as follows:
 - a. DOCCS [Form #2034](#), "Notice of Release of Prisoners Pursuant to Correction Law 149," (preprinted fingerprint card used for ink prints) - three sets: Bedford Hills, Downstate, Elmira, and Ulster Reception Centers will use the Live Scan (electronic fingerprint) machine which will produce three completed fingerprint cards on Form #2034B (fingerprint card stock used for Live Scan). All three electronically produced fingerprint cards (Form #2034B) will be retained in the identification (ID) envelope.
 2. Admissions Reports shall be distributed as follows:
 - a. Accepted Report (LOC132H): Will be retained in the Inmate Record Coordinator's (IRC) Office.
 - b. Rejected Reports (LOC132G and LOC132I): Attach one FD249 Card (FBI Card) for each inmate listed and send to the Division of Criminal Justice Service (DCJS). Retain a copy of the report in the IRC Office.

- B. Transfer to Community-Based Facilities: Three DOCCS [Form #2034](#) fingerprint cards and/or Form #2034B fingerprint cards shall be available in the inmate's file prior to any transfer to the following facilities: Rochester or Collins Work Release, Hudson Work Release/Industrial Training Leave (ITL), Albion Work Release, Fishkill Work Release, Edgecombe Residential Treatment Facility, Queensboro General Confinement, or Queensboro Work Release. The cards shall be placed in the inmate's identification envelope and transferred with the inmate.
- C. Releases: In addition to the monthly release sheet, which the IRC prepares to notify the facility Department Heads of upcoming releases, the IRC shall notify the facility ID Officer of the upcoming release of any inmate. Up-to-date ID photographs shall be taken per Directive #4038, "Inmate Identification Photographs (Mugshots)," a Release ID card, and DOCCS [Form #2034](#) fingerprint card shall be made when necessary. The IRC must ensure that all information is complete and all data boxes filled in.
- Correction Law, Section 149 requires notification for the release of any inmate convicted of a felony. The Department forwards the fingerprints (using DOCCS [Form #2034](#) or Form #2034B) of any inmate who is being released to the Police of the city, town, or village in which the inmate resided at the time of his or her conviction, **and** in which the inmate proposes to reside, so that they will be received at least 48 hours prior to such release.
- If the inmate proposes to reside outside of a city, this notification shall also be sent to the Sheriff of the county in which the inmate proposes to reside. In the event that DOCCS is required to release the inmate with less than 48 hours notice, law enforcement officials shall be advised of the inmate's release by telephone, with written notice to follow within 48 hours.
- Photocopies of DOCCS [Form #2034](#) or Form #2034B card will be made to provide notification to law enforcement agencies as specified above.
- One original DOCCS [Form #2034](#) or Form #2034B is to be forwarded to the Guidance Office upon the inmate's release/discharge. At least one original is to be permanently retained in the ID envelope.
- See the IRC Manual, Chapter 6, for complete instructions; See Directive #4038 and Correction Law, Section 149, for further reference.
- D. Deceased Inmates: As soon as possible subsequent to the death of an inmate in DOCCS custody, the following information shall be reported to the New York State DCJS:
- Inmate Name
 - NYSID Number (an accurate number must be provided)
 - Date of Birth
 - Date of Death
 - Location of Death
 - Either a certified copy of a death certificate
- OR--

- A set of plain impression fingerprints (paw prints)

Forward this information to the following address:

NYS Division of Criminal Justice Services
Alfred E. Smith Building
80 South Swan Street
Albany, New York 12210

1. If an inmate dies when out of the facility (e.g., outside hospital, etc.), and was under direct supervision of NYS DOCCS security staff, photographs are required to confirm the inmate's identity.
 2. If an inmate dies when out of the facility and was **not** under direct supervision of NYS DOCCS security staff (e.g., AWOL, absconder, etc.), fingerprints and photographs are required to confirm the inmate's identity.
 3. In the rare case where an inmate dies and is buried prior to the facility being informed, a certified copy of the death certificate must be secured. It is incumbent on the facility to follow up with a supplemental report to the unusual incident report of death stating that a certified copy of the death certificate was secured by the facility.
- E. Returned Inmates: In order to positively identify an inmate returned to DOCCS custody by the Absconder or Warrant & Extradition Units a fingerprint inquiry must be submitted.
1. Except for facilities using the "DIGISCAN ID" machine, a returned inmate will be fingerprinted on a DCJS-6 Fingerprint Card (Detention Inquiry Fingerprint Submission). The facility ID Officer will fill in the card and submit it to DCJS. The card will have the Central Office Originating Agency Identifier pre-entered, and the DCJS response will be sent to Central Office. The Warrant & Extradition Unit will process the response.

NOTE: The Office of Special Investigations utilizes the Live Scan machine to fingerprint and photograph parolees who have had their parole supervision transferred to New York State. This information is forwarded to DCJS.
 2. If the "DIGISCAN ID" machine is used and results in a "Match" it is not necessary to submit a fingerprint card. If, however, the "DIGISCAN" results in a "No Record" or "No Match" the facility must submit the fingerprint card following the procedure set forth in Section E-1 above.