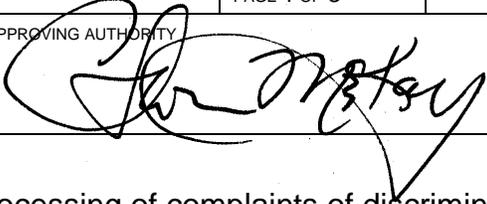


 NEW YORK STATE Corrections and Community Supervision DIRECTIVE	TITLE		NO. 2611
	Discriminatory Treatment Complaints-Procedures for Visitors		DATE 11/22/2016
SUPERSEDES DIR #2611 Dtd. 10/13/2011	DISTRIBUTION A B	PAGES PAGE 1 OF 3	DATE LAST REVISED
REFERENCES (Include but are not limited to) 9 NYCRR Part 7695	APPROVING AUTHORITY 		

- I. PURPOSE:** To establish a procedure for the processing of complaints of discriminatory treatment of visitors to any State correctional facility. This policy is based on the State Commission of Correction's regulation Title 9 NYCRR, Part 7695.
- II. DEFINITIONS:** "Unlawful discrimination" shall mean acts or policies which adversely affect individuals based on their membership in a protected class, which include: age, race, creed, color, national origin, sex (including pregnancy), disability, marital status, sexual orientation, military status, arrest and conviction record, domestic violence victim status, predisposing genetic characteristics or veteran status.
- An "individual with a disability" shall mean one who has a physical or mental impairment which substantially limits one or more of such person's major life activities. Such disability shall be based upon a medically documented record of impairment, and such person shall be regarded as having a disability.
- III. PROGRAM RESPONSIBILITY:** The Office of Diversity Management, under the direction of the Director of Diversity Management, shall be responsible for the implementation of policies and procedures designed to address complaints that allege unlawful discriminatory treatment of visitors. Such policies and procedures include, but are not limited to:
- A. Method of inquiry to be used when staff members or volunteers have allegedly engaged in discriminatory treatment, including but not limited to, racial and ethnic slurs/actions against visitors;
 - B. A process that provides a discriminatory treatment complaint procedure for visitors. (See Attachment A, this complaint procedure must be permanently posted in areas where visitors can read it).
- IV. PROCEDURE**
- A. Visitors: Visitors who wish to lodge a complaint of unlawful discriminatory treatment shall send a written description outlining the particulars of the incident, including date, time, place, name(s) of person(s) involved, if known, and/or any other documentation in support of the claim to:

Director, Office of Diversity Management
 New York State Department of Corrections and Community Supervision
 Harriman State Campus
 1220 Washington Avenue

Albany, New York 12226-2050

Telephone Number: (518) 485-5806

B. Office of Diversity Management

1. The Director of Diversity Management, or their designee, will review a written complaint to determine if unlawful discriminatory treatment may have occurred. Complaints that do not allege protected class-based discrimination may be referred elsewhere as appropriate.
2. The Affirmative Action Administrator or other Diversity Management staff will only investigate a written complaint that pertains to allegations of unlawful discriminatory treatment. The investigation will take into consideration the nature of the complaint and the location of the complaining party.
3. The Director of Diversity Management, or their designee, shall review and respond to any written complaint of unlawful discriminatory treatment of visitors.
4. The Director of Diversity Management, or their designee, may confer with the Office of Counsel, the appropriate Deputy Commissioner, and/or other pertinent staff if corrective action is recommended.

PERMANENT POSTING**Department of Corrections and Community Supervision
Discriminatory Treatment Complaints Procedure
For Visitors**

Any visitor who has a complaint of discrimination based upon race, religion, national origin, sex, sexual orientation, age, disability, or political belief in any program or facility within the Department of Corrections and Community Supervision may file a complaint of discrimination.

The complainant is advised to write or call the Office of Diversity Management as listed below and he or she will be advised of his or her rights and all avenues of redress.

Director, Office of Diversity Management
New York State Department of Corrections and Community Supervision
Harriman State Campus
1220 Washington Avenue
Albany, NY 12226-2050
Telephone number: (518) 485-5806
DiversityManagement@DOCCS.ny.gov

A FIJARSE PERMANENTEMENTE**Departamento de Correcciones y Supervisión de la Comunitaria
Procedimientos para Visitantes
Sobre Querellas de Tratamiento Discriminatorio**

Cualquier visitante que tenga una queja de discrimen basada en raza, religión, origen nacional, sexo, orientación sexual, edad, incapacidad o creencia política de cualquier programa o institución correccional del Departamento de Correcciones y Supervisión de la Comunitaria puede someter una querella por discrimen.

Al querellante se le aconseja que llame o escriba a la Oficina de Administración de la Diversidad a continuación y a él/ella se le notificará de sus derechos y todas las medidas para remedio.

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New York State Department of Corrections and Community Supervision
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