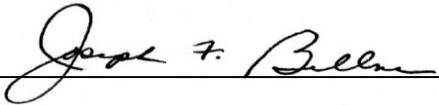


 <p>NEW YORK STATE Corrections and Community Supervision</p> <p>DIRECTIVE</p>	TITLE Guidelines for Assignment of Male and Female Correction Officers		NO. 2230
			DATE 03/13/2015
SUPERSEDES DIR# 2230 Dtd. 01/05/2015	DISTRIBUTION A	PAGES PAGE 1 OF 2	DATE LAST REVISED
REFERENCES (Include but are not limited to)	APPROVING AUTHORITY 		

I. INTRODUCTION: The purpose of this directive is to ensure that the Department's policies regarding the employment of Correction Officers are in full compliance with the Constitution and Statutes of the United States and the State of New York.*

In complying with the law, the Department is mindful of its duty to balance its various obligations under the law including:

- A. The Department's obligation to maintain the security and safety of its facilities and to provide a safe and secure place for its employees, inmates, and visitors to the Department's facilities.
- B. The Department's obligation to ensure to its employees equal rights to employment in any position in its facilities, regardless of gender, consistent with the provisions of this directive.
- C. The Department's obligation to its inmates consistent with the provisions of this directive. (The inmates' privacy will be protected to the extent the Department is able to do so. For instance, if the inmate wishes to take a shower in the yard, he or she must be prepared to be viewed by any employee who may be in or near the yard.)

*NOTE: The decision of the United States Circuit Court of Appeals in *Forts v. Ward* covers Bedford Hills; therefore, this directive is not applicable to Bedford Hills Correctional Facility.

II. POLICY

- A. All Correction Officers will perform the duties that are assigned to them, regardless of gender, provided however that the following assignments will not be made to Correction Officers who are not of the same gender as the inmates:
 - 1. Strip frisks or strip searches;
 - 2. Obtaining a urine specimen;
 - 3. Congregate shower facilities;
 - 4. Video taping of strip frisks or strip searches using hand-held video cameras;
 - 5. Special Watch (e.g., drug watch); or
 - 6. Suicide Watch.

NOTE: Cross-gender coverage of an inmate on a Suicide Watch is permissible if exigent circumstances exist.

- B. Where inmates are transported outside of the facility, at least one transporting Correction Officer shall be of the same gender as the inmate(s) being transported.

- C. Whenever two or more Correction Officers are assigned to an outside security detail, at least one must be of the same gender as the inmate. If only one Correction Officer is assigned to an outside security detail, that Correction Officer shall be of the same gender as the inmate. If, however, a "roving Correction Officer" is assigned to the hospital and is the same gender as the inmate, the gender of the Correction Officer assigned individual coverage is immaterial. The gender concern for staff does not apply for outside crew assignments (i.e., community crews).
 - D. Cross-gender pat frisks will only be performed in accordance with the procedures set forth in Directive #4910, "Control of & Search for Contraband."
 - E. Staff of the opposite gender shall verbally announce their arrival on a housing unit to avoid unnecessarily invading the privacy of inmates of the opposite gender, unless emergency conditions dictate otherwise. An announcement is required when the gender-supervision on a housing unit changes from exclusively same gender, to mixed or cross-gender supervision. The announcement(s) by staff must be accomplished in a manner that is easily heard and/or understood by all inmates on the unit.
 - F. Except for in-cell shower stalls at "S" blocks, and within the areas designated as special housing units in Upstate and Five Points Correctional Facilities, individual shower stalls will utilize the Corcraft manufactured PVC shower curtain that is designed as breakaway with Velcro straps for attaching, and is available in translucent for use with male inmates and green for use with female inmates. The bottom 12" of the shower curtains are constructed of clear PVC for viewing the lower legs and feet of the inmate occupying the shower. The shower curtain must be of sufficient length to cover the bodies of inmates and extend to the floor.
- III. EMERGENCIES:** During emergencies, Correction Officers, regardless of gender, may perform any necessary duties including those otherwise prohibited by reason of gender.