



CHAIRMAN'S MEMORANDUM

NO. 12-2007 October 31, 2007

TO: SHERIFFS, JAIL ADMINISTRATORS, POLICE CHIEFS, COMMISSIONERS OF CORRECTION, TRAINING COORDINATORS, DIRECTORS OF COMMUNITY SERVICES, FACILITY MEDICAL DIRECTORS, FACILITY MENTAL HEALTH PROGRAM DIRECTORS

RE: Blanket Policies for Use of Suicide Prevention Smocks

THIS CHAIRMAN'S MEMORANDUM REPLACES NO. 8-2007 ISSUED AUGUST 10, 2007

Recent audits of correctional facility policy and procedures by Commission Field Operations staff have revealed institutions that have a "blanket policy" regarding the use of suicide prevention smocks for inmates who have been placed on constant supervision or 'suicide watch.' The Commission believes it is important to clarify that such blanket policies violate *Minimum Standards* Part 7005, Prisoner Personal Hygiene and Part 7003, Security and Supervision.

Inmates who are placed on 'suicide' or constant watch need not necessarily be deprived of their clothing and issued a suicide smock. Pursuant to §7003.2 (d) "constant supervision," an inmate must be directly observed by correctional staff who are able to intervene expeditiously in any attempt at self-harm. Inmates are entitled to wear clothes under Part 7005 Prisoner Personal Hygiene, unless clothes, in and of themselves, present a threat to the safety and security of the facility, staff or inmates. When inmates are placed under the constant supervision of correction officers who can immediately intervene, the *need* to deprive *every* such inmate of their clothing, overriding Part 7005, is not valid.

Each inmate placed on suicide watch should be evaluated on an individual basis to determine if in fact removal of clothing and placement in a smock is necessary. Consistent with the requirements of 9 NYCRR Part 7005 pertaining to inmate clothing, facilities should develop a policy and procedure detailing the specific criteria for issuance of suicide prevention smocks in place of street or standard issue clothing. The written policy should include, but not be limited to, the following items:

- 1 person(s) authorized to evaluate and place an inmate in a smock
- 2 the reason(s) that may necessitate placement in a smock
- 3 the duration of time that the individual will wear the smock, and
- 4 an evaluation process of the inmates wearing the smock on a daily basis by the ranking facility authority and/or medical and mental health staff where applicable.

Persons making these determinations shall include providers in authority from the medical or mental health staffs or the ranking facility authority. Identified inmates shall be placed under *constant supervision* for a period of time determined by the appropriate medical or mental health providers or by ranking facility

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authority. Determinations made by medical or mental health providers to apply or remove these precautions should be made subject to the endorsement of the ranking facility authority.

The Commission also stresses that placement of inmates in a suicide prevention smock in no way reduces supervision requirements while they are at risk for suicide attempt. No garment issue shall substitute for constant supervision of suicidal inmates as required by 7003.3(h) Additional supervision.

Questions and comments may be directed to Peggy Loffredo, Field Supervisor Forensic Medical Unit, Christopher Ost, Forensic Medical Unit or to the Field Supervisor in charge of the Regional Unit serving your facility.

Daniel L. Stewart, Chairman

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