



# CHAIRMAN'S MEMORANDUM

## NO. 8-2007                      August 10, 2007

**TO:    SHERIFFS, CHIEF ADMINISTRATIVE OFFICERS, 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**

Recent audits of correctional facility policy and procedures by Commission Field Operations staff have revealed many facilities have a “blanket policy” regarding the use of suicide prevention smocks for inmates who have been placed on constant observation, or ‘suicide watch.’ The Commission believes it is important to clarify that such blanket policies violate 9 NYCRR Part 7005, Prisoner Personal Hygiene, and Part 7003, Security and Supervision.

Inmates who are placed on constant observation due to suicidal ideations or attempts need not necessarily be deprived of their clothing and issued a suicide smock. Inmates are entitled to wear clothes under *Minimum Standards* 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. Pursuant to the definition of constant observation in §7003.2(d), an inmate must be directly observed by correctional staff who are able to “immediately and directly intervene in response to situations or behavior observed”, such as in an attempt at self-harm. When inmates are placed under the constant supervision of correctional staff that can immediately intervene, the *need* to deprive *every* such inmate of their clothing, thus overriding Part 7005, is not warranted.

Each inmate placed on suicide watch should be evaluated on an individual basis by medical or mental health personnel 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 facility-issued clothing. The written policy should include, but not be limited to, the following items:

1.            the reason for clothing substitution by an alternative garment (smock);
2.            the name of the medical/mental health person ordering the use of the smock;
3.            the duration of time that the individual will wear the smock;
4.            the evaluation of inmates on a daily basis when wearing the smock;
5.            a list of who may order the use of, or discontinuance of, a smock.

There shall not be a *blanket policy* requiring that all inmates who are placed on a suicide watch are to be given a suicide prevention smock to wear. Inmates who are placed on suicide watch or suicide precautions shall not be deprived of clothes required to be issued or permitted pursuant to Part 7005,

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**Daniel L. Stewart, Chairman  
  
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Frances T. Sullivan, Commissioner**

Prisoner Personal Hygiene, unless the clothes in question themselves represent a clear and present threat to the safety, security of the facility, staff, or inmates.

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 a suicide attempt. All such inmates shall be placed under *constant supervision* for such a period of time as determined by the appropriate clinical staff, and endorsed by ranking security staff. 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, Supervisor, Forensic Medical Unit, Christopher Ost, Forensic Medical Unit, or to the Field Supervisor in charge of the region serving your facility.

**Daniel L. Stewart, Chairman**

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