

**COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK**

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE July 30, 2024	EFFECTIVE DATE July 30, 2024	No. 014-24
SUBJECT: GENERAL ORDER LAW LIBRARY		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: Part 7031 of Title 9 of the Official Compilation of Codes, Rules & Regulations of the State of New York (NYCRR Part 7031)			RESCINDS 014-21

Purpose: To establish and maintain procedures within the Monroe County Jail (MCJ) and the Andrew P. Meloni STAR Academy (MSA) that ensure incarcerated individuals (II's) access to mandated legal reference materials, equipment and assistance in addition to familiarizing members and employees with such procedures.

Policy: It is the policy of the Monroe County Sheriff's Office (MCSO) to provide all IIs with access to the law library and requisite legal materials and services in accordance with Part 7031 of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (9NYCRR Part 7031).

I. Law Library Staff

- A. Daily distribution (Monday through Friday, excluding legal holidays) of legal reference material will be provided by a staff member knowledgeable in the methods of legal research and will be referred to as the Law Library Clerk.
- B. The law library clerk will provide IIs with appropriate aid in the area of legal research and reference information only. Such information may include identification and instruction in the use of legal resource materials. The law library clerk will not offer any advice or interpretation of legal material, conduct legal research or engage in any direct case preparation activity for IIs.
- C. In the absence of the law library clerk, a staff member designated by the Superintendent will be responsible for the operation of law library in accordance with this order.
- * D. The law library clerk will check the legal mail request sheets and tablet requests daily.
- E. All requests for material and notary services will be logged into IJ5 (or its successor) by the Law Library Clerk or staff designee.

II. Legal Reference Material and Equipment

- A. The law library clerk will provide, at a minimum, copies of select legal reference material required by State law, as specified by the State Commission of Correction Minimum Standards, and will provide this service(s) for IIs residing at MCJ or MSA. Fastcase will complete all of the updating on the site providing the information.
- B. All MCJ and MSA II's will be provided with access to black pens / paper, for the purpose of preparing legal documents. IIs will submit the request through Commissary. If an II is indigent,

the request will be processed based on the indigent standards through Keefe Commissary.

III. Request for legal reference material, services and or equipment

- A. Except as provided in Section V of this order, all IIs residing at MCJ or MSA are entitled to legal services, which will include, but not be limited to, copies of select legal reference materials not located in Fastcase, for the purpose of conducting legal research and preparing legal documents. Legal reference material requested shall be made available within three business days of the request.
- B. To ensure equitable access to law library reference materials, IIs must submit a request for legal materials with the law library clerk. IIs may request copies of law library reference materials by submitting a JB-003 Request for Law Library Material which is available on the II tablets or a paper request if the II is on tablet restriction. The law library clerk will complete all requests in chronological order as they are received after clearly specifying all information required on form.

IV. Mutual Incarcerated Individual Legal Assistance

- A. IIs will be permitted to meet for the purpose of discussing and preparing legal matters at times not unduly disruptive of facility routine, only when previously approved by the Superintendent of their designee.
- B. To arrange such assistance, both IIs must write a JB-235 Incarcerated Individual Internal Communication Form to the Superintendent stating their shared need for aid. The Superintendent may require IIs to consent in writing to the exchange of personal legal documents.
- C. No II will receive payment, benefit or consideration in any form from another II for providing legal assistance. Any II found to be in violation of the provisions of this subdivision may be subject to disciplinary action.

V. Law Library Restrictions

- A. Except as provided in Subdivision B of this section, access to copies of legal reference materials will not be denied, revoked or limited solely as a result of disciplinary action, including those situations when an II is:
 - 1. Confined in an individual housing unit for disciplinary reasons.
 - 2. Confined in administrative or punitive segregation.
- B. The Superintendent may deny use of legal reference materials to an II when it is determined that the II poses a threat to the safety, security or good order to the facility.
- C. If no tablet is available, IIs housed in punitive or administrative segregation may request legal reference material for use in his/her cell by completing a JB-003 Request for Law Library Material and forwarding the form directly to the law library clerk with the requested material clearly specified on the form.

VI. Notary Public

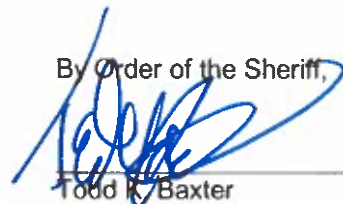
- A. The law library clerk will maintain a current list of all sworn and civilian Notary Publics employed within the MCJ or MSA. Services of a Notary Public will be made available to IIs within a reasonable amount of time, but no later than one business day following receipt of request.
- B. IIs may request the services of a Notary Public for the notarization or attestation of signature on

their II tablet by completing a JB-003 Request for Law Library Material and forwarding it to the law librarian.

VII. Photocopying and Legal Privileged Photocopies

- A. Photocopying will be handled in the following manner:
1. The II makes a request via a tablet on a JB-003 Request for Law Library Material form.
 2. No legal material shall be printed if available on Fastcase with exceptions to Pro-se IIs.
 3. Photocopies are forwarded to the II within three (3) business day of request.
 4. With respect to legal reference material requested, the Superintendent may establish reasonable limitations on the amount of legal reference material prisoners may request at any one time; and the number of request for legal reference material a prisoner may make each week.
 5. Legal privileged copies are to be supplied by the II's Attorney.

By Order of the Sheriff,



Todd K. Baxter