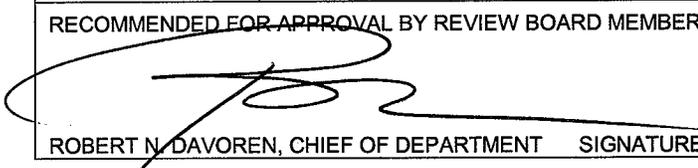
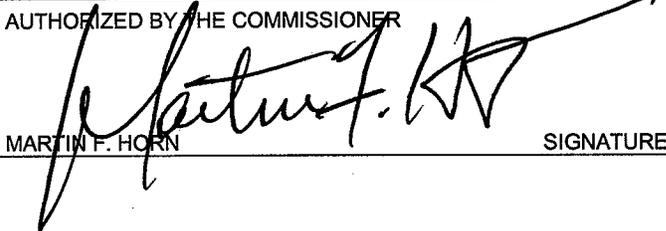




THE CITY OF NEW YORK  
DEPARTMENT OF CORRECTION



## DIRECTIVE

<input checked="" type="checkbox"/> NEW <input type="checkbox"/> INTERIM <input type="checkbox"/> REVISED			SUBJECT		
EFFECTIVE DATE <b>06/21/05</b>		*TERMINATION DATE / /		<b>RECEIVING AND SENDING INMATE PACKAGES</b>	
CLASSIFICATION # <b>4002R-A</b>	SUPERSEDES <b>4002R</b>	DATED <b>11/06/81</b>	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER			AUTHORIZED BY THE COMMISSIONER		
 ROBERT N. DAVOREN, CHIEF OF DEPARTMENT    SIGNATURE			 MARTIN F. HORN    SIGNATURE		

### I. PURPOSE

- A. To state the policy of the Department of Correction concerning the receipt of inmate packages and the mailing of packages by inmates.
- B. To provide procedures that indicate the manner and means by which inmates shall be permitted to receive and send packages.

### II. POLICY

- A. Inmates incarcerated within the jurisdiction of the Department shall be permitted to receive packages from and send packages to any person except an employee of the Department or an employee of any organization dealing with the Department in an official capacity directly related to the care, custody or control of inmates.
- B. Incarcerated inmates may send packages to other incarcerated inmates but under the conditions set forth in this Directive.
- C. The cost incurred in sending outgoing packages shall be borne by the inmate. Costs are defined as the price paid for the packaging materials and all other expenses necessary and directly incurred in the course of the operation and management of the outgoing package handling area.
- D. The Department may impose reasonable restrictions on the number, type, frequency and contents of packages sent or received. These restrictions may vary from facility to facility depending on institutional type and may be based on a number of factors, such as space, layout, equipment, personnel, manpower, procedures, etc. In any event, incoming or outgoing Cash on Delivery (C.O.D.) packages will not be accepted.

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## II. POLICY (cont.)

- E. The mode of delivery and receipt of packages may be regulated by the Department in order to prevent the introduction of explosives or other forms of dangerous contraband within the facility and/or administrative areas.
- F. The contents of packages shall be monitored, examined by the Department in order to prevent items of criminal and/or dangerous nature from entering or leaving the confines of a facility.
- G. The contents of any package, received or sent, shall not be in violation of federal, state or local laws and shall not endanger the public safety or the security or welfare of the facility, its employees, volunteers, visitors or inmates, or have the potential, alone or in combination, to do so.
- H. Receipts shall be provided for personally delivered packages.
- I. The guidelines and procedures set forth in this Directive apply to institutional facilities whose main purpose is the housing of detention and/or sentenced inmates.
- J. Special guidelines and procedures may apply to hospitals, hospital prison wards, and mental health facilities and may vary for detention inmates as compared to sentenced inmates.

## III. GUIDELINES

### A. Package Specifications

1. Any package mailed to an inmate is not to exceed fifteen (15) pounds and shall be less than twenty-four inches (24") wide, twelve inches (12") high and twenty-four inches (24") deep (four cubic feet). These limitations are required due to the necessity for fluoroscopy as well as to enable easy handling and the efficient use of available space in the various phases of operation.

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### III. GUIDELINES (cont.)

2. Any postal or delivery service packages, received or shipped, must be paper wrapped and/or tape sealed, corrugated or heavy cardboard boxes, and have proper and complete addressee and addressor information as well as any significant precautionary markings.
3. All packages, received from visitors, shall be properly paper bagged and bear complete addressee and addressor information to insure that the contents can be examined and delivered to the intended inmate in the best possible condition in a minimum amount of time.

#### B. Drug Contraband

In order to enhance the reduction and control of contraband drugs being concealed in inmate(s) incoming correspondence and packages, the following will be adhered to:

1. All incoming inmate correspondence and packages to Rikers Island shall be forwarded to Trailer "B" located at the Queens Abutment.
2. The Canine Unit will be deployed for a narcotics scent detection of all correspondence and packages prior to being released to the facilities and/or divisions.
3. Upon completion of the canine narcotics scent detection, SOD will notify the affected commands to retrieve their inmate correspondence and packages.
4. Under no circumstances will inmate correspondence or packages be retrieved directly from the U.S. Postal Service by the individual commands and divisions on Rikers Island.

#### C. General Rules on Incoming Package Contents

1. Non-permissible items shall be returned to the visitor or to the sender, or donated to an outside charitable organization or destroyed, as the inmate wishes. When returned to the sender, the expense shall be borne by the inmate. When returned, donated or destroyed as the inmate wishes, the inmate shall sign a dated log indicating and verifying the inmate's selection.
2. Packages may not contain items available in the commissary or items provided by D.O.C.
3. No foods, baking and/or cooking ingredients are permitted.

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### III. GUIDELINES (cont.)

4. No vitamins, pills, drugs or medication of any kind are permitted.
5. No can-type container having metallic parts, no metal, ceramic or glass containers or aerosol-type containers are permitted.
6. When an examination, fluoroscopic or otherwise, reveals the possible presence of an explosive device, the package shall not be opened, or the opening process shall be discontinued. The area shall be evacuated and any person delivering such a package shall be detained. The facility's bomb threat procedures shall be immediately put into effect.
7. The Department shall have the right to deny those items that are approved if by the design of the item's package or container, the general welfare of the facility, the employees or inmates may be threatened. (Example: trigger-type apparatus; pin-hole squeezable containers, etc.)

### IV. PROCEDURE

#### A. Outgoing Packages

1. Each housing facility shall establish an outgoing package handling area which shall be properly stocked with packaging and shipping materials and equipment, e.g., cardboard boxes, tape, wrapping paper, weight scales, labels, postage meters, etc. Each facility shall consider the use of mailing kits, which shall be purchasable and charged to the inmate's account.
2. Inmate packages shall be permitted to be sent through the U.S. Postal Service at the inmate's expense.
3. The package handling personnel shall be charged with the responsibility of properly enforcing the rules and procedures governing this area and with the accountability or the use of postage meters and other Departmental property used in this area.
4. The package handling personnel shall be responsible for sending out inmate packages and for activating the institutional procedure by which the packages are made available for pick-up by the addressee.
5. Based on a number of factors (space, equipment, personnel, procedures, etc.) in each respective housing facility, some limitations on the number and/or

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#### IV. PROCEDURE (cont.)

frequency of packages and/or shipments may have to be established.

6. Inmates sending out a package shall have the intended contents inspected, examined, wrapped, sealed and addressed in their presence. When necessary, each package shall be weighed and postage affixed. The inmate's account shall be debited for the entire cost of materials, packaging and shipping whether by mail or pick-up by the addressee.
7. The signature of the inmate will be affixed to the outgoing package logbook attesting that all contents were wrapped and sealed and that all procedures were performed satisfactorily. The logbook will also include the following: the date, the inmate's name and number, the contents of the package, the name and address of the recipient (number, if inmate), the cost for packaging and the cost for shipping and the name and I.D. number of employee handling the transaction.

#### C. Incoming Packages

1. Each facility shall establish an incoming package handling area where all inmate packages are to be delivered or received.
2. In the handling area, proper records shall be maintained showing the date and time of receipt of packages, and the name (and number, if inmate) and address of the sender and the recipient.
3. Inmates may receive packages via U.S. Postal Service or delivery service, or via delivery by a visitor to a facility during regularly scheduled visiting hours.
4. If necessary for a court appearance on the following day, clothing packages may be hand delivered at any time between 0800 and 2100 hours and during any additional hours deemed appropriate by the Department. Packages containing clothing needed for a recall court appearance or other emergency may be delivered for an inmate provided the package is received at the housing facility at least two (2) hours before the scheduled time of departure.
5. Visitors bringing a package may be required to have the package pre-inspected at a central reception point.
6. All inmate packages received at the facility must have the sender's name (and number, if inmate) and address and the recipient's name and number clearly marked on the outside.

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#### IV. PROCEDURE (cont.)

7. A receipt for a package and its contents shall be provided for each personally delivered package and for each package received from a visitor.
8. In all cases, a Correction Officer shall be present during all inspections. A search of each package shall first be made by means of the fluoroscope, but each package shall also be opened and the contents examined and inspected whether or not the fluoroscopic examination reveals the presence of contraband, or whether or not there is some question or suspicion as to the contents. The presence of the visitor is required when a package has been hand delivered and is opened for inspection. It is emphasized here that the fluoroscope is limited in its ability to reveal certain types of contents, and complete reliance on this equipment is not recommended.
9. Sealed correspondence, enclosed in packages opened for inspection, may not be opened except in the presence of the intended inmate or pursuant to a lawful search warrant. Any correspondence may not be read but may be manipulated or inspected without opening and subjected to any non-intrusive devices.
10. Correspondence, enclosed in packages received via U.S. Mail, shall be delivered to the inmate with the opened, inspected package. If the correspondence is sealed, it shall be opened in the inmate's presence. However, sealed or unsealed correspondence enclosed in packages shipped via U.S. Postal Service is in violation of U.S. Postal Regulations. A proper record of such proceedings may be maintained, the correspondents may be identified, and the Postal Authorities may be notified for proper disposition.
11. When any item found in an incoming package involves a criminal offense, it shall be confiscated, identified and forwarded to the appropriate authority for possible criminal prosecution of the parties participating in the offense. Appropriate chain of evidence procedures shall be followed in accordance with Operations Order #11/00, CRIME SCENE INCIDENT MANAGEMENT.
12. When a non-permissible item is discovered in any incoming visitor delivered package but it does not constitute a criminal offense, the item(s) shall be removed and returned to the visitor. When the package has been delivered by mail or delivery service, or the visitor is not present, the item(s) shall be returned to the sender at the inmate's expense, or donated to an outside charitable organization, or destroyed, as the inmate desires. A record of all such transactions shall be entered into a permanent, dated log and verified by the inmate's signature.

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#### IV. PROCEDURE (cont.)

13. The contents of all acceptable packages and all acceptable items shall be transferred to brown kraft bags which shall be properly marked and closed to ensure that each inmate received their respective goods without loss of permissible items.
14. All inmates shall receive their respective goods within forty-eight (48) hours after receipt by the facility. All inmates shall receive daily publications promptly when received separately and the facility shall make its best effort to do so within twenty-four (24) hours of receipt. Other publications shall be delivered within the forty-eight (48) hour limit.
15. When a package is received for a released inmate, the package shall not be accepted. When a package is received for a transferred inmate, the package shall be time stamped and dispatched promptly to the facility the inmate was transferred to.

#### D. Appeal

1. Within twenty-four (24) hours after the removal of any item(s) from an incoming mail package, the intended inmate, the Board of Correction and the General Counsel shall be given written notification of such removal. Such notice may be delayed, if necessary, to prevent interference with any ongoing criminal investigation. Form #420A (English), REMOVAL OF NON-PERMISSIBLE ITEMS, shall be prepared in quadruplicate for the following distribution:
  - a. original copy to the inmate's folder;
  - b. one (1) copy to the inmate;
  - c. one (1) copy to the Board of Correction;
  - d. one (1) copy to the General Counsel.
2. When it is necessary to use Form #420B (Spanish), the information entered shall be in Spanish and also prepared in quadruplicate. The corresponding Form #420A (English) shall also be prepared in quadruplicate and the information shall be in English. (See Attachment A & B) Distribution shall be made by the Office of the Commanding Officer.
3. The notice, REMOVAL OF NON-PERMISSIBLE ITEM(S), shall include the following information:

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#### IV. PROCEDURE (cont.)

- a. The name (and number, if inmate) and address of the sender;
- b. The inmate's name and number (sentenced - use sentence number; detention - use book and case number);
- c. The item(s) removed;
- d. The reason(s) for removal;
- e. The disposition of the item(s);
- f. The appeal procedure:
  - i. The removal of the item(s) from an incoming package may be appealed to the Board of Correction by the affected person;
  - ii. The affected person shall be advised that notice of the intent to appeal the removal must be given, in writing, to the facility, to the Department, and to the Board.
  - iii. After notice is filed, the appeal may be submitted, and the Department, the facility, and any affected person may submit to the Board for its consideration any additional relevant material.
  - iv. The Board of Correction, or its designee, shall issue a written response on the appeal within fourteen (14) business days after receiving notice of the appeal.

#### E. Unclaimed Packages

1. The use of the UNCLAIMED PACKAGE NOTICE, (Form #434, attachment C), is used to expedite the movement of unclaimed packages.
2. This form is prepared in order to notify an inmate or visitor of a package unclaimed by the intended inmate recipient.
3. The form is self-explanatory. It requires box checks and fill-ins, and a date and signature of the inmate or visitor to whom the form is addressed.

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#### IV. PROCEDURE (cont.)

4. The form shall be prepared in duplicate. One (1) copy, the original shall be sent to the inmate or the visitor, as the case may be, and one (1) copy, the duplicate shall be held in the file until disposition of the package. Upon disposition of the package, and depending on the situation, one (1) copy or both copies shall be held to verify the disposition proceedings.

#### V. PERMISSIBLE PACKAGE ITEMS AND THE MAXIMUM AMOUNTS ALLOWED

1. Permissible items shall include the articles listed below and the maximum amounts allowed. Any article received above the maximum allowance, shall be deemed excessive. Said articles shall be confiscated and processed according to the procedures outlined in this Directive.
2. All items of clothing (for the same sex as the inmate whom clothing is sent or brought) that are generally acceptable in public and that do not constitute a threat to the safety of the facility shall be allowed in packages. However, sentenced inmates shall be required to wear institutional clothing except when making an appearance for court or attending a permitted significant family event. Civilian clothing shall be stored in the civilian clothes box.
3. Items marked with an asterisk (\*) are not allowed for any sentenced inmate unless he/she is scheduled for court or is going to attend a significant family event.
  - A. Personal Items – no additional clothing, footwear or accessory is permitted in the SRG colors of red, yellow, and light blue.
    - \*One Coat (Non-uniform, No Blue or Camouflage, No leather, "Carhart" or Bubble Coats)
    - \*One Suit Jacket (Non-Uniform, No Blue or Camouflage, No leather or "Carhart")
    - \*One Pair of Gloves (For outdoor cold weather, October-April). No work gloves
    - \*One Hat/Cap (Non-uniform, no stocking type caps)
    - \*One Raincoat (Non-Uniform, no black or camouflage)
    - \*One pair of Galoshes
    - One pair of Shoes and Sneakers, (No hollow chambers or platform soles, No Converse All-Stars high tops, No New Balance and/or Nike sneakers), no Boots.
    - Two pairs of Shoelaces (Not allowed for inmates housed in mental observation)
    - Four sets of underclothing (In accordance with the inmate's gender)

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## V. PERMISSIBLE PACKAGE ITEMS AND THE MAXIMUM AMOUNTS ALLOWED (cont.)

- Four pairs of socks
- Four pairs of Stockings, Panty hose, Knee-hi's (Combination)—(female only)
- Two pairs of pajamas (men)
- Two nightgowns or two pairs of pajamas (female only)
- One bathrobe
- One Housecoat (female only))
- \*Two sweaters/sweatshirts (combination) (sweatshirts - no hoods or pockets)
- \*Two pairs of Shorts or Cut-off Long Pants
- \*Four pairs of pants (Non-uniform, no dark blue or camouflage)
- \*Four shirts/blouses (Non-uniform, no white, dark blue or camouflage)
- \*Four dresses (female only)
- \*Four skirts (female only)
- \*One Belt (Maximum 1 ½" wide, buckle maximum 2 ¼ " x 2", Non-elastic)
- \*One tie (No black) (male only) (Not allowed for inmates housed in mental health observation)
- Two handkerchiefs (white only)
- Two scrunches (ponytail holder) (female only)

### B. Printed Material

- An inmate may receive or send any amount of correspondence. There is no restriction as to the language in which the correspondence is written.
- There is no limit on the amount of legal material and law books or legal publications an inmate may receive, however storage of this material in living quarters must conform to one cubic foot. If legal material exceeds this limit alternate storage must be provided by the facility.
- Inmates may receive one cubic foot that is 12 inches X 12 inches X 12 inches of printed materials, including soft and hardcover books, magazines, newspaper, periodicals, pamphlets, advertisements and other printed articles, in any combination.

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## V. PERMISSIBLE PACKAGE ITEMS AND THE MAXIMUM AMOUNTS ALLOWED (cont.)

### C. Jewelry

Although we discourage inmates from receiving and possessing jewelry, inmates may receive the following items of jewelry.

- One watch (date, and time functions only – maximum value \$ 50)
- One wedding band (no stones or protrusions – maximum value \$ 150)
- One religious medal (no stones, pins, or protrusions) if worn around neck, a thin chain no longer than 26 inches may be worn (maximum value \$ 50)

### D. Miscellaneous

- One calendar
- Six pencils (No erasers, no metal parts)
- Six charcoal sketch pencils
- Two erasers (Gum, rubber, or ink)
- Three composition books
- Six pads
- One pack of writing paper
- Ten envelopes
- One ruler (No metal or metal edge)
- One portfolio (legal size, cardboard only)
- 1 pair of Prescription eyeglasses

- E. Photographs may only be hung on the inside of locker doors or placed on the top of desks, provided that they are not affixed with toothpaste or other vermin attracting material. Nude photographs may not be displayed in an area, which is visible to persons passing by the inmates cell or living area. Inmates may not possess or receive photographs that include pictures of themselves. Polaroid photographs are prohibited.

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**VI. REFERENCE**

Operations Order #11/00, CRIME SCENE INCIDENT MANAGEMENT, (as amended)

**VII. ATTACHMENTS**

- A. Form #420A, REMOVAL OF NON-PERMISSIBLE ITEMS (English),
- B. Form #420B, REMOVAL OF NON-PERMISSIBLE ITEMS (Spanish), and
- C. Form #434, UNCLAIMED PACKAGE NOTICE.

**VIII. SUPERSEDES**

Directive #4002R, RECEIVING AND SENDING INMATE PACKAGES, dated 11/06/81 (as amended).



**CITY OF NEW YORK  
DEPARTMENT OF CORRECTION**

Form : #420A



**REMOVAL OF NON-PERMISSIBLE ITEM(S)  
INCOMING CORRESPONDENCE/PACKAGE**

Rev. : 06/21/05

Ref. : 4002R-A

**FACILITY:**

**DATE:**

Check Where Applicable:  Correspondence  Package

**Inmate's Name:**

**Number:**

**Location:**

The following item(s) were found in your incoming  correspondence  package and are prohibited by Institutional and/or Department of Correction regulations:

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**These item(s) were sent to you by:**

**Sender's Name:**

**Sender's Address:**

These item(s) may be returned to the sender at your expense, donated to a charitable organization or destroyed. Please check your choice:

Return       Donate       Destroy

**Inmate's Signature:**

**Date:**

**Officer's Signature:**

**Date:**

- Appeal:**
1. You may give notice in writing to the Department of Correction (Facility Commanding Officer) and to the Board of Correction (51 Chambers Street, New York, N.Y. 10007), of your intention to appeal the removal of the item(s).
  2. You and the Department of Correction may submit to the Board of Correction any relevant material in addition to this written determination.
  3. The Board of Correction, or its designee, will issue a written response on your appeal within fourteen (14) days after receiving notice of your requested review.

**DISTRIBUTION:** Original copy to inmate's folder.  
One (1) copy to inmate.  
One (1) copy to Board of Correction.  
One (1) copy to General Counsel.

**INSTRUCTIONS:** Clearance and distribution shall be made by the Office of the Facility Commanding Officer.





**CITY OF NEW YORK  
DEPARTMENT OF CORRECTION  
UNCLAIMED PACKAGE NOTICE  
INMATE or VISTOR**

Form : #434

Rev. : 06/21/05

Ref. : 4002R-A



FACILITY:

DATE:

**INSTRUCTIONS: Complete All Applicable sections.**

**CHECK APPROPRIATE BOX: Inmate  See 1a      Visitor  See 1b**

Inmate's Name:

Number:

1a. Please be advised that a package was received for you on \_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Name of Sender)

Visitor's name

Address

1b. Please be advised that the package you left for \_\_\_\_\_  
(Name of Inmate)

\_\_\_\_\_ on \_\_\_\_\_ was undelivered because  
(Number of Inmate)                      (Date)

2. It may be claimed in the Facility Package Room, Monday through Friday, 8:00 AM to 9:00 PM and on Saturday and Sunday, from 8:00 AM to 4:00 PM.

3. **Please check the box** which describes the action you want taken in reference to the package. **Sign this form and return it** in a self-addressed stamped envelope enclosed. You have the option of disposing of the package in the following manner:

Will Pick Up       Donate       Destroy       or

4. Bring this notice with you as authorization to pick up the package.

5. You have thirty (30) days from the date of this notice to claim your package. If it is not claimed within thirty (30) days, it will be sent to the Police Property Clerk's Office, located at 1 Police Plaza in Manhattan.

SIGNATURE (Inmate or Visitor)

DATE: