
 <p>NEW YORK STATE Corrections and Community Supervision</p> <p>DIRECTIVE</p>	TITLE Inmate Identification Photographs (Mugshots)		NO. 4038
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SUPERSEDES DIR# 4038 Dtd. 01/24/20	DISTRIBUTION A B	PAGES PAGE 1 OF 5	DATE LAST REVISED
REFERENCES (Include but are not limited to) Correction Law, Section 149; Directives. #4035, #4037, #4914; IRC Manual, Chapter 6; Temporary Release Manual of Rules and Regulations	APPROVING AUTHORITY 		

I. **DESCRIPTION:** This directive provides guidelines for the taking, using, retaining, and distribution of inmate identification photographs. For other types of inmate photographs, see Directive #4035, "Inmate Identification Cards."

II. **RECEPTION PHOTOGRAPHS**

- A. When an inmate enters the system, it is the responsibility of the Identification (ID) Officer at the receiving facility to take a good quality identification photograph. This standard photograph shall be a 2 ¼" x 2 ¾" black and white (use of color is permitted only where black and white digital system is unavailable) bust type and exhibit both a full front and profile view on a 4" x 6" size index (mugshot) card.
1. All inmate pictures must be taken with the standard white height chart background, **using an inch scale.**
 2. The camera will be level with the viewfinder centered on the inmate's face. The photo will encompass the upper torso and head. Inmates should stand approximately 12" from the chart for both images with the inch scale clearly visible above the shoulder line. Additionally, the camera will be positioned 8' from the inmate.
 3. The photo area will contain adequate lighting so that glare is not an issue on the digital output.
 4. The camera capture resolution will be 640 x 480 to ensure proper size and quality of the digital output.
 5. Inmates who wear eyeglasses for any purpose and/or approved religious headwear (i.e., a kufi or Tsalot Kob) will have four photos taken. One frontal and one profile with the item(s) on, and one frontal and one profile with the item(s) off. The inmate will wear a State-issued green shirt. If any undershirt is worn, it must be white. No personal clothing or jewelry is permitted. The inmate shall look directly at the camera, eyes open for the frontal photograph. The photo shall be a clear picture with the inmate readily identifiable. Left or right profile will be taken in the same manner as illustrated below.

Once the photos are taken, the ID Officer will review them before processing to ensure accuracy. Additionally, they will ensure that the height matches in both the frontal and the profile photo.

- B. The front view photograph shall include a placard positioned in front of the inmate (either by use of the Department's computer identification program, handheld, or stand) with the top of the placard at the neckline. The placard will contain the following information (as illustrated below):

1. Inmate's Department Identification Number (DIN);
2. Inmate's name (last, first);
3. Height (inches);
4. Weight; and
5. Photo date.



Sex - MALE Race - White Hair - Brown Eyes - Hazel DOB - 10/20/61

HT IN INCHES

NYSID # - 123456789

ID CARD # 00000558

- C. The 4" x 6" size mugshot card shall also record the inmate's SEX, RACE, HAIR COLOR, EYE COLOR, DATE OF BIRTH (DOB), HEIGHT (in inches), and New York State Identification Number (NYSID). Any readily identifiable features (e.g., scars, tattoos, etc.) on the head, neck, arms, hands, and torso shall also be indicated on the mugshot card.

NOTE: The inmate's gender displayed on the mugshot card will reflect the gender identity (gender marker), if different from the gender that is automatically assigned based upon the DIN, as recorded in the DOCCS Mainframe system.

- D. There will be no need to re-photograph an inmate prior to a transfer from one facility to another, unless their appearance has changed. The original photograph will be kept on file in the Facility Identification (ID) Office and forwarded with an inmate's records upon transfer to another DOCCS facility.
- E. A digital photograph shall be taken of an inmate upon arrival, after transfer from one facility to another. Prior to photographing the inmate, the ID Officer shall take height and weight measurements with the inmate in their stocking feet. The ID Officer will note this, and any personal identifying features/characteristics such as scars, birthmarks, tattoos, etc., from the waist up, which may readily be utilized for identification purposes on the inmate's [Form #4038A](#), "Inmate Personal Appearance Form." This photograph will be stored in the ID system database. The staff member taking this photo shall verify that the incoming inmate's identification card accurately depicts the inmate, per Directive #4035, "Inmate Identification Cards."

NOTE: All inmate ID/Mugshot photos will be taken with the subject inmate in their stocking feet and appropriate floor covering shall be in place.

- F. The mugshot photo card and the inmate personal appearance form will be forwarded to the facility Deputy Superintendent for Security (DSS) or designee for review. The photo and inmate appearance form shall be reviewed to ensure photo clarity and resolution and ensure the accuracy of the information reported as related to personal identifying characteristics.

Should any discrepancies be noted (e.g., incorrect height, reflection in photo, missing or incorrect inmate information listed on right side of photo, height chart not visible in photo, personal clothing, jewelry, etc.), the ID Officer and Area Supervisor shall be notified. If necessary, the inmate will be re-photographed, and all information will be corrected.

Approved photos and inmate personal appearance forms will be forwarded to designated clerical staff, as necessary, to update FPMS screen #3 (personal characteristics) information via reception/classification system (F451). Once complete, the forms will be forwarded to the Inmate Records Coordinator (IRC) for placement and retention in the inmate's ID envelope/legal folder.

- G. When, through no deliberate action on the part of an inmate, their appearance has changed to the degree that the existing identification photograph is no longer a recognizable likeness (e.g., from illness, surgery, weight gain/loss), a new identification photograph shall be taken at facility expense.

If an inmate drastically changes their physical appearance by altering the length, style, and/or color of hair, or by the growth or removal of a beard or mustache, or when an inmate, through litigation, changes their name, they will be re-photographed. The replacement cost of this new identification photograph shall be borne by the inmate as provided for in Directive #4035.

- H. Any employee who notices a change in an inmate's appearance from the existing photograph shall bring it to the attention of the DSS or designee, who will make the determination regarding the need to re-photograph.
- I. All inmates will be re-photographed every 24 months.

III. PAROLE VIOLATOR DETAINEE PHOTOGRAPHS

- A. Parole violator detainees will be photographed as soon as they are received as specified in Section II-A above. When parole status is revoked and the inmate is transferred to some other facility, this photograph will be transferred with the inmate.
- B. If, on arrival at the receiving facility, the parole violator does not meet the standards of Directive #4914, "Inmate Grooming Standards," a new photograph will be taken after the inmate is in compliance with the standards. The cost of this photograph shall be borne by the facility.

IV. RELEASE PHOTOGRAPHS: Includes: Parole, Conditional Release (CR), Maximum Expiration (ME), discharge to Office of Mental Health, Office of Children and Family Services, Division of Juvenile Justice, and Opportunities for Youth, Immigration, or any other release.

- A. Identification: By the 15th of the month, preceding an inmate's release to Parole, CR, or ME and immediately after notification of any other type of release, the IRC shall provide the facility ID Officer with the name of any inmate scheduled for release.

Unless the inmate will be released to the US Bureau of Immigration and Customs Enforcement, the IRC will notify the ID Officer to make a "Released Inmate Identification" card and will provide the inmate's Social Security Number to the Officer. If no card is on file, the field is left blank.

- B. Photographing: The facility ID Officer shall take up-to-date standard black and white mugshot photographs (as in Section II-A above) of each inmate on the list, but with the addition of the NYSID numbers. The 4" x 6" card shall be attached to each of the two copies of [Form #2034](#), "Notice of Release of Prisoners Pursuant to Correction Law 149."

The ID Officer shall also take one full front mugshot (release photo) on a white background, without the height chart and without the board, and then make a "Released Inmate Identification Card".

If an inmate has been convicted from or is being released/paroled to NYC, the required police photographs shall be produced and distributed under separate specifications set forth in Section IV-D below.

C. Distribution

1. Police: The IRC shall mail the following documents to the Police Chief of the city, town, or village in which the inmate resided at the time of their conviction, AND in which the inmate proposes to reside, so that they will be received at least 48 hours prior to the actual release date:
 - a. The completed [Form #2034](#) (which includes a comment on the amount of time remaining to be served on the full term of sentence);
 - b. The inmate's photograph mugshot card (4" x 6") (1 copy); and
 - c. A cover letter.

If the inmate proposes to reside outside of a city, this notification shall also be sent electronically, via Outlook email, to the Sheriff of the county in which the inmate intends to reside.

2. District Attorney's Office: The IRC will also send a copy of the above required documentation electronically, via Outlook email, to the District Attorney's Office in the county where the instant offense was prosecuted.
3. Community Supervision: Four copies of the inmate's mugshot photograph card (4"x6").
4. Facility File: A copy of each photograph mugshot card shall be retained in the facility file.
5. Personal Property: The "Released Inmate Identification" card shall be placed in the inmate's personal property to be given to the inmate at release, per release procedures.

(See Chapter 6 of the IRC Manual for complete instructions; see Directive #4037, "Fingerprinting Inmates," and Correction Law Section 149 for further reference.)

- D. Photographs for New York City Police: This Section is applicable for inmate addresses in the Bronx, Brooklyn, Manhattan, Queens, and Staten Island (or in any of the five counties: Bronx, Kings, New York, Queens, and Richmond).

If an inmate has been convicted from or is being released to NYC, the required documents referenced in Section IV-C above shall be sent to the email address listed below.

One print of this photograph shall be retained in the facility file, and the other ones sent electronically, along with the documents required in Section IV-C above, to:

NYSDOCReleases@NYPD.ORG.

- E. Immigration and Customs Enforcement (ICE): When the facility receives requests from ICE for photos, it is imperative that the photos are provided in color as they are required for travel documents. Photos should be 2" x 2" where the facial image can be cropped to fit into the 2" x 2" space. The photo must be in color and taken against a plain background (no height chart).

V. TEMPORARY RELEASE

- A. Prior to any first temporary release, the facility ID Officer shall take up-to-date bust type photographs, front and side views as specified in Section II-A above.
- B. The inmate will be issued temporary release ID cards, as needed, in accordance with the "Temporary Release Manual of Rules and Regulations."

DIN

NAME

NYSID

DATE REC. COUNTY

1. RIGHT THUMB	2. RIGHT FORE FINGER	3. RIGHT MIDDLE FINGER	4. RIGHT RING FINGER	5. RIGHT LITTLE FINGER
6. LEFT THUMB	7. LEFT FORE FINGER	8. LEFT MIDDLE FINGER	9. LEFT RING FINGER	10. LEFT LITTLE FINGER

IMPRESSIONS TAKEN BY DATE CLASSIFIED BY DATE

INMATE'S SIGNATURE AND ADDRESS

PLAIN IMPRESSIONS TAKEN SIMULTANEOUSLY LEFT HAND

THUMBS TAKEN TOGETHER

PLAIN IMPRESSIONS TAKEN SIMULTANEOUSLY RIGHT HAND

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
INMATE PERSONAL APPEARANCE FORM

Name: _____ DIN: _____
(Last) (First)

Date of Photo: _____

Age: _____ DOB (mm/dd/yyyy): _____ Height: _____ Weight: _____

*Indicates Self-Reported by the Inmate

Check only one box each for Hair and Eye color

***Ethnicity:**

H Hispanic

N Non-Hispanic

***Race:**

A Asian

B Black

I Native American

W White

O Other

Hair:

BALD

Bald

DYED

Dyed (Unnatural)

BLACK

Black

BK/BAL

Black & Balding

BK/GRY

Black & Gray

BLONDE

Blonde

BL/BAL

Blonde & Balding

BL/GRY

Blonde & Gray

BROWN

Brown

BR/BAL

Brown & Balding

BR/GRY

Brown & Gray

GRAY

Gray

GY/BAL

Gray & Balding

RED

Red

RD/BAL

Red & Balding

RD/GRY

Red & Gray

WHITE

White

WH/BAL

White & Balding

WH/GRY

White & Gray

Eye:

BLACK

Black

BLUE

Blue

BROWN

Brown

GRAY

Gray

GREEN

Green

HAZEL

Hazel

OTHER

Other

Physical Characteristics (Tattoos, Scars, Moles, Birthmarks and Other Distinguishing Features) on Upper Body:

Amputation _____

Deaf/Hearing Aid _____

Blind/Visually Impaired _____

Wears Glasses _____

Dentures/Partial Plate _____

Gold Teeth _____

Wheelchair _____

Uses Cane _____

Artificial Limb _____

Body Piercing/Removable Body or Dental Jewelry (e.g., a metal grill or cap over the teeth or a ring, stud, barbell, or plug piercing the tongue, eyebrow, lip, or belly, etc.) _____

ID Officer Name (Print): _____ Signature: _____

DSS/Designee Reviewer Name: _____ Date: _____

Disapproved

Send back to ID Office for the following corrections:

Approved

Forward to (Name): _____

For data input changes or verification with FPMS screen #3

Date changes made: _____

NOTE: Forward corrected form to IRC Office for filing in inmate's ID Envelope/Legal folder.