

**FORM 3 (AGENCY REPORT)**  
**(Due on or before July 31, 2022)**

<b>Agency:</b>	Department of Correction		
<b>Agency Privacy Officer:</b>	Christopher Connard		
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<b>Date of Report:</b>	July 26, 2022		

**1. Specify the type of identifying information collected or disclosed (check all that apply):**

<input checked="" type="checkbox"/> Name	<b>Work-Related Information</b>
<input checked="" type="checkbox"/> Social security number (full or last 4 digits)*	<input checked="" type="checkbox"/> Employer information
<input checked="" type="checkbox"/> Taxpayer ID number (full or last 4 digits)*	<input checked="" type="checkbox"/> Employment address
<b>Biometric Information</b>	<b>Government Program Information</b>
<input checked="" type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs <input type="checkbox"/> Palm and handprints* <input type="checkbox"/> Retina and iris patterns* <input type="checkbox"/> Facial geometry* <input type="checkbox"/> Gait or movement patterns* <input type="checkbox"/> Voiceprints* <input type="checkbox"/> DNA sequences*	<input checked="" type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input checked="" type="checkbox"/> Any scheduled court appearances <input checked="" type="checkbox"/> Eligibility for or receipt of public assistance or City services <input checked="" type="checkbox"/> Income tax information <input checked="" type="checkbox"/> Motor vehicle information
<b>Contact Information</b>	
<input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	
<b>Demographic Information</b>	<b>Law Enforcement Information</b>
<input checked="" type="checkbox"/> Country of origin <input checked="" type="checkbox"/> Date of birth* <input checked="" type="checkbox"/> Gender identity <input checked="" type="checkbox"/> Languages spoken <input checked="" type="checkbox"/> Marital or partnership status <input checked="" type="checkbox"/> Nationality <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Religion <input checked="" type="checkbox"/> Sexual orientation	<input checked="" type="checkbox"/> Arrest record or criminal conviction <input checked="" type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD <input checked="" type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<b>Status Information</b>	<b>Technology-Related Information</b>
<input checked="" type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input checked="" type="checkbox"/> Status as victim of domestic violence or sexual assault <input checked="" type="checkbox"/> Status as crime victim or witness	<input type="checkbox"/> Device identifier including media access control MAC address or Internet mobile equipment identity (IMEI)* <input checked="" type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input checked="" type="checkbox"/> Internet protocol (IP) address* <input checked="" type="checkbox"/> Social media account information
<b>Other Types of Identifying Information</b> (list below):	
NYSID, Book & Case, User agents.	

\*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1).

**2. Explain why the collection and retention of identifying information described in Question 1 furthers the purpose or mission of your agency.**

As part of the criminal justice system, the New York City Department of Correction is dedicated to enhancing public safety by maintaining a safe and secure environment for our staff and incarcerated population while, at the same time, providing incarcerated individuals the tools and opportunities necessary to successful re-entry into their communities. In furtherance of this goal, and in the process of managing and overseeing the daily operation of all DOC facilities, appropriate identifying information relevant to incarcerated individuals, staff, visitors to incarcerated individuals, and departmental property is necessary. The Department works to limit the identifying information collected to that which is necessary to fulfill its core function of care, custody, and control of the incarcerated population.

**3. Describe the following types of collections and disclosures: (1) pre-approved as routine, (2) pre-approved as routine by the APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the Agency Guidance on the 2022 Biennial Compliance Process includes examples of routine and non-routine collections and disclosures.**

**Add additional rows as needed.**

Describe the Collection or Disclosure	Classification Type
The Central Warehouse Operations Division collects and retains, where appropriate, employee and limited incarcerated individual information to further its functions that include ordering and distributing general supplies, maintenance supplies, and food for the Department.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
The Correction Industries Division collects limited identifying information of incarcerated individuals to allow for the management of work details outside of housing areas.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
The Correction Intelligence Bureau collects and retains identifying information of incarcerated individuals and employees in conjunction with its field intelligence operations and investigations, all in furtherance of its goal of violence and crime reduction and prevention within Department facilities. In working toward this goal, CIB discloses limited identifying information to other law enforcement agencies and District Attorneys offices when approved as routine by the APO, after Legal Division execution of memoranda of understanding, or in response to a legal subpoena.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis
The Custody Management Division collects, retains, and discloses identifying information of incarcerated individuals to ensure appropriate admission into custody, transfer, release from custody, or to correct jail time calculations. All of the above is done in furtherance of the Department's core function of care, custody, and control of incarcerated individuals. Where appropriate, disclosures have been designated as routine by the APO and/or are reviewed by the Department's Legal Division prior to disclosure.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis
The Office of Equal Employment Opportunity collects, retains, and discloses various personnel-related information and records in the performance of its core administrative, quasi-human resource, and investigatory functions. The maintenance and disclosure of these records are prescribed by various city, state, and federal laws (Example: Quarterly reports to CDEEO, City Council, and the Mayor's Office).	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
The Facility Operations Division collects and retains limited identifying information in its capacity as overseer of the daily operations of all Department facilities. The Division's goal is to ensure compliance with departmental and oversight agency policies focused on the care, custody, and control of the Department's incarcerated population.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis

N.Y.C. Admin. Code §23-1205(a)(1)(f)

<p>The Financial Services Division collects, retains, and where appropriate, discloses certain identifying information of incarcerated individuals and members of the public to allow for the operation of facility cashiers, commissary, and bail payment oversight/processing. The Division collects and retains additional identifying information of employees in furtherance of its duties related to personal expense reimbursement and accounts payable for Departmental purchases.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Fleet Maintenance and Operations Unit collects, retains, and where appropriate discloses limited identifying information of employees to effectuate its role of acquisition, maintenance, and relinquishment of agency vehicles and motor equipment.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Headquarters Office Manager collects and retains limited identifying information of Departmental employees in its role as liaison between the Department and the Department's physical headquarters. Information collected and retained is limited to vehicle information for the provision of parking permits.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Health Affairs Division collects, retains, and discloses basic employee identifying information and incarcerated individual identifying information in furtherance of its role as liaison between the Department and Correctional Health Services. All collections and disclosures directly relate to its liaison role and help to ensure that incarcerated individuals have appropriate access to health services. In addition, Health Affairs makes periodic disclosures to oversight agencies as required by law and to other City agencies as necessary to ensure comprehensive investigations into detainee deaths (OCME).</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Health Management Division collects, retains, and discloses employee identifying information pursuant to its mandate to provide medical and psychological evaluations of staff to determine fitness for duty.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Human Resources Division collects and retains identifying information of personnel to provide employee benefits, payroll, and other relevant services. In addition, identifying information is collected from applicants and new hires for the same purposes, and to conduct relevant background investigations. Limited disclosures of identifying information are made to various governmental agencies including but not limited to DCAS and the Civil Service Commission and are authorized by the employee.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Investigations Division collects and retains identifying information from staff and incarcerated individuals, and witnesses to incidents requiring investigation (example: use of force, staff misconduct, arrests of staff, PREA allegations). Disclosure of identifying information is overseen by the Department's Legal Division.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Information Technology Division/Technical Services retains all electronic data relating to incarcerated individuals, employees, and visitors, in furtherance of the Department's core function of care, custody, and control of incarcerated individuals. Certain data sets are collected and disclosed to other governmental agencies after approval from the Legal Division and execution of Memoranda of Understanding.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Legal Division collects, retains, and discloses identifying information and records of incarcerated individuals, employees, visitors, attorneys, government representatives, and members of the general public in the performance of its duties as counsel for the Department and its internal divisions in all legal affairs. In many instances, these collections and disclosures are made during the normal course of litigation in civil matters involving the Department. Additional collection, retention, and disclosure is made in conjunction with its counsel in the promulgation and interpretation of Departmental policies and procedures. Information disclosed pursuant to subpoena, court order, or civil practice rule has been designated as routine to the extent it is consistent with legal requirements and procedures and is subject to internal review. Further routine disclosures are made pursuant to local, state, and federal law. Non-routine</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis

<p>disclosures are subject to review by the Division. The purpose of all collections and disclosures is to further the Legal Division's mandate to represent the Department in legal matters and is made in the ordinary course of agency business.</p>	
<p>The Office of Administration collects, retains, and discloses, where appropriate, identifying information of employees in furtherance of its duties to monitor overtime, reconcile work schedules, distribute information regarding employment, oversee work assignments and transfers, and to facilitate the review of disciplinary filings.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Office of Chief of Staff and Intergovernmental Affairs collects, retains, and discloses, where appropriate, identifying information in response to inquiries from elected officials and oversight bodies to remain in compliance with all legally required reporting. Additional disclosures of identifying information are made following the execution of Memorandums of Understanding ensuring the confidentiality of the subject information.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Office of Constituent and Grievance Services collects, retains, and discloses internally identifying information, where necessary, to respond to and resolve complaints submitted by incarcerated individuals, employees, and members of the public as a service to ensure the safe care, custody, and control of incarcerated individuals.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Prison Rape Elimination Act Unit collects and retains identifying information related to incarcerated individuals and employees where necessary to ensure compliance with Federal PREA regulations.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Programs and Community Partnerships Division collects, retains, and discloses certain identifying information of incarcerated individuals in furtherance of counseling services, programs, or educational services provided to the incarcerated population. Identifying information is also collected and disclosed where appropriate to monitor individuals who are out on community release programs.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Central Office of Procurement collects limited identifying information to comply with applicable federal, state, and local procurement rules including New York City Procurement Policy Board Rules.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Public Information/Press Office collects and discloses identifying information to arrange media visits and incarcerated individual interviews pursuant to Department media policies and oversight minimum standards. The Press Office limits disclosure of identifying information to that which is already publicly available pursuant to New York City Administrative Code Section 9-121. All disclosures are in furtherance of transparency regarding the Department's core function of care, custody, and control of incarcerated individuals.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Quality Assurance Division receives identifying information of incarcerated individuals in furtherance of its responsibilities to develop policies and procedures to ensure sustained compliance with existing city, state, and federal regulations, mandates of oversight agencies, and federal monitors on issues of housing conditions.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>The Training and Development Division collects, retains, and discloses identifying information for the purposes of training uniform and non-uniform personnel in the performance of their job functions. Training and Development also retains and discloses, where appropriate, identifying information in order to track, monitor, and report on training as required by government agencies, notably for the New York State verification of eligibility for peace officers.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis

The Trials Division receives and discloses personnel information and records of alleged employee misconduct which it reviews to make determination concerning the administration of discipline over Members of Service. The Division's actions are taken to ensure continued safe care, custody, and control of incarcerated individuals.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
	N.Y.C. Admin. Code §23-1205(a)(1)(b)

**4. If applicable, describe the types of collections and disclosures of identifying information involving your agency that have been approved by the Chief Privacy Officer as being in the best interests of the City.**

**Add additional rows as needed.**

**Describe Type of Collection or Disclosure**

N/A

N.Y.C. Admin. Code §23-1202(b)(2)(b); 23-1205(a)(1)(b)

**5. Describe the agency's current policies regarding requests for disclosures from other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.**

**NOTE: For questions 5 – 11, refer as necessary to the Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies (on file with the Office of Information Privacy) and the Identifying Information Rider.**

The Department of Correction follows the Citywide Privacy Protection Policies and Protocols in considering requests for disclosures from other City agencies, local public authorities or public benefit corporations, and third parties.

The Department takes a thoughtful approach to disclosures of identifying information in response to requests from other City agencies, local public authorities or public benefit corporations, and third parties. Such requests have been identified as routine by the Agency Privacy Officer, and/or are reviewed by the Legal Division and/or APO prior to disclosure. Not all employees, contractors, and subcontractors have access to identifying information, and those who disclose identifying information do so only as authorized pursuant to their official duties as dictated by executed memoranda of understanding. The Department of Correction also provides guidance to media and other public requestors for identifying information in its Media Access Policy. This policy addresses what identifying information may be disclosed.

Certain routine disclosures of identifying information collected and retained by the Department are required, including but not limited to, disclosures pursuant to N.Y.C. Admin. Code § 9-121 and information to oversight bodies including but not limited to the New York City Board of Correction, the New York State Commission on Correction, and the New York State Office of the Attorney General, Office of Special Investigation.

<b>6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>7. If YES, do those policies specify that access to identifying information must be necessary to perform their duties?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>8. Describe whether the policies are implemented in a manner that minimizes access to the greatest extent possible while furthering the purpose or mission of the agency.</b>	The Department of Correction minimizes access to identifying information in many ways, including but not limited to, the use of data sharing agreements, memoranda of understanding, or confidentiality agreements that limit who within the contracting party can access the information, where appropriate requiring education of those with access on the disclosure limits imposed within the agreement, and requiring destruction of identifying information when the purpose for the Department's disclosure is complete.
	N.Y.C. Admin. Code §§23-1205(a)(1)(c)(1), and (4)

**9. Describe the agency's current policies for handling proposals for disclosures of identifying information to other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.**

The Department of Correction works with other City agencies, local public authorities, and third parties to structure agreements, including memoranda of understanding, confidentiality agreements, and data sharing agreements, that address the confidentiality and non-disclosure of identifying information. Proposals for disclosure, including research requests, are reviewed by the APO and/or the General Counsel and the purpose for the request, and its conformity with the core functions and goals of the Department as a whole are considered. In drafting attendant agreements, the Department works from the guidance contained in the CPO's Citywide Privacy Policies and a template provided by the Office of the CPO, all with the goal of protecting the confidentiality of all disclosed identifying information.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(2)

**10. Describe the agency's current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine. Be as specific as possible.**

The Department of Correction follows the Citywide Privacy Protection Policies and Protocols in considering what disclosures are classified as routine or as exigent. Pursuant to the Identifying Information Law, the APO classifies certain disclosures as routine and follows requisite notification requirements set forth in N.Y.C. Administrative Code § 23-1202(c). Any Departmental disclosure of identifying information pursuant to an emergency or exigent circumstance relates to the care, custody, and control of the Department's incarcerated population.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(3)

**11. Describe the agency's current policies regarding which divisions and categories of employees have been approved by the agency privacy officer to disclose identifying information. Be as specific as possible.**

Press officers, program staff, human resources staff, IT/database administrators, uniformed staff, and legal staff, all outlined in Section 3 of this report, make outside disclosures of identifying information only in accordance with their assigned job functions and only for an approved purpose or after consultation with the Legal Division.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(4)

**12. Describe whether the agency has considered or implemented, where applicable, any alternative policies since 2020 that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the agency's purpose or mission.**

The Department of Correction follows standardized policies referenced throughout this report. As stated in the Department's 2020 Report, it has adopted the Citywide Privacy Protection Policies and Protocols issued by the CPO in January of 2019. The Department continues to follow those protocols to minimize the collection, retention, and disclosure of identifying information to the greatest extent possible, while still furthering the purpose and mission of the Department.

N.Y.C. Admin. Code §23-1205(a)(4)

**13. Describe the agency's use of agreements for any use or disclosure of identifying information.**

The Department's Legal Division works with other Divisions, as necessary, to promulgate all agreements with other city agencies, local public authorities or local public benefit corporations, and third parties, including memoranda of understanding, data sharing agreements, and confidentiality agreements to ensure the confidentiality of identifying information and to minimize its disclosure to the greatest extent possible. The Department of Correction includes provisions in those documents that ensure the destruction of disclosed identifying information at the conclusion of the agreed project or term, provisions that limit who within the contracting party has access to the information, provisions requiring the education of those with access on their obligations under the agreement, and includes the Identifying Information Rider in all contracts for human services and the Privacy Protection Rider in additional contracts to the greatest extent possible.

N.Y.C. Admin. Code §23-1205(a)(1)(d)

**14. Using the table below, describe the types of entities requesting the disclosure of identifying information or proposals for disclosures of identifying information. For each entity, describe (1) why the agency discloses identifying information to the entity, and (2) why any disclosures further the purpose or mission of the agency.**

**Add additional rows as needed.**

Type of Entity	Description of Reason for Disclosure	Description of how disclosure furthers the agency's purpose or mission
Contracted Program Providers, Contractors, and other vendors	<p>Contractors and other vendors may request disclosure of identifying information in order to fulfill the terms of their contract, which may include obtaining identifying information of employees to gain access to a building or other locations within Department jurisdiction or obtaining identifying information of incarcerated individuals in order to provide contracted services. External program providers have contracts with the Department which require them to administer discharge planning services to individuals in custody to begin developing individualized reentry plans. The providers administer discharge plans to clients and program participants directly. This process ensures that incarcerated individuals who are discharged are connected to appropriate support services.</p>	<p>Disclosure of identifying information to contracted program providers, contractors, and other vendors is necessary and only disclosed to the extent that it enables those entities to provide the contracted programs and services. Those programs and services are, in many instances, for the benefit of the incarcerated population and further the core agency mission of care, custody, and control of incarcerated individuals.</p>
Government (city, state, federal) agencies	<p>The Department discloses certain identifying information of incarcerated individuals to other City, state, and federal agencies to allow for the provision of services to incarcerated individuals including but not limited to medical care (CHS), investigation of incidents (DOI), the procurement of goods and services, letters of incarcerations which include dates of custody, law enforcement in recruitment and hiring of past/present employees, law enforcement as it relates to pending investigations, state agencies to verify unemployment insurance eligibility, state agencies to verify eligibility for peace officer status (upon separation), state agencies to verify appropriate pay rates, state agencies to determine benefits under the WTC (9/11) Program, local government agencies to verify earnings for housing eligibility. Permitted identifying information regarding current or former incarcerated individuals may be disclosed to city, state, federal, and foreign governments in response to requests in furtherance of the provision or termination of benefits, termination of parental rights, prospective employment, constituent visits, and immigration or detention reasons. All such disclosures are</p>	<p>Disclosure of identifying information to government agencies, to the extent applicable, is necessary to allow for the provision of benefits as outlined in the neighboring column, to allow for the efficient operation of various law enforcement entities, and to allow for the continued provision of services to the incarcerated population. All of the specified sharing of information is necessary to, and in furtherance of, the core agency mission of care, custody, and control of incarcerated individuals.</p>

	made in accordance with and approved to the extent that internal review is consistent with applicable law.	
Federal Monitors	Identifying information is disclosed pursuant to consent judgements and settlements.	The disclosure of information as outlined in the neighboring column allows the Department to remain in compliance with various court orders/consent judgments which are all aimed at supporting the Department's compliance with its directives, state and federal law, and oversight agencies requirements. In disclosing this information, the Department is able to further the core agency mission of care, custody, and control of incarcerated individuals.
Legal Counsel or representative for employees charged with misconduct	Information is disclosed to allow for the resolution of disciplinary charges relating to Members of Service.	To the extent applicable, disclosure of identifying information to employees' legal counsel ensures a safe and secure work environment, furthering the core agency mission of care, custody, and control of incarcerated individuals.
Media	Disclosure is limited to confirmation of disclosable facts, including employment status, custody status, and can be disclosed to allow for the arrangement of interviews with incarcerated individuals in accordance with applicable law.	Disclosure of the specified identifying information, to the extent applicable, to media representatives allows for transparency which in turn is important to public trust in the Department's operations, furthering the core agency mission of care, custody, and control of incarcerated individuals.
General Public	Incarcerated individuals, family members, and attorneys contact the Legal Division seeking information about stays of incarceration, status of incarcerated individuals, release dates, etc. Members of the public, family members, and attorneys file FOIL requests, lawsuits, comptroller claims, subpoenas, and other requests for information relating to incarcerated individuals.	Disclosure of identifying information to the general public through the outlined means complies with the Department's legal obligations including but not limited to those under the New York State Freedom of Information Law.
Advocacy groups	The name, identifying Book & Case, and NYSID numbers of incarcerated individuals are disclosed to advocacy groups and public defenders in furtherance of their legal representation.	To the extent applicable, disclosure of identifying information to advocacy groups assists in legal representation of incarcerated individuals, which furthers the core agency mission of care, custody, and control of incarcerated individuals.

N.Y.C. Admin. Code §23-1205(a)(1)(e)

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**15. Describe the impact of the Identifying Information Law and other local, state, or federal laws upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if such practices would differ in the absence of these laws).**

As required by the Identifying Information Law, the Department of Correction has conducted an inventory of its collections, retention, and disclosure of identifying information. The process, with the adoption of the Citywide Privacy Protection Policies and Protocols, has strengthened Departmental privacy practices. Beyond that, other laws require the Department to collect, retain, and make public identifying information regarding incarcerated individuals and employees. The Department strives to conform its practices in a way that complies with its obligations under those laws while limiting the information collected and disclosed, ensuring the privacy of the Department's incarcerated population and employees.

N.Y.C. Admin. Code §23-1205(a)(2)

**16. Describe the impact of the privacy policies and protocols issued by the Chief Privacy Officer, or by the Citywide Privacy Protection Committee, as applicable, upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if they have affected such practices).**

As stated above, the Department previously adopted the Citywide Privacy Protection Policies and Protocols. It has assisted the Department in ensuring the confidentiality and appropriate collection, retention, and disclosure of identifying information of incarcerated individuals, staff, vendors, and visitors through the identification of routine and non-routine disclosures and the drafting of appropriate documents to protect non-routine disclosures. The guidance provided by the CPO and Citywide Protection Committee continues to assist the Department in the analysis of identifying information and our protection of that information while maintaining compliance with legal dictates and an appropriate level of transparency in the Department's operations.

N.Y.C. Admin. Code §23-1205(a)(3)

### APPROVAL SIGNATURE FOR AGENCY REPORT

Preparer of Agency Report:			
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<b>Title:</b>	Agency Privacy Officer		
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### ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Agency Head (or designee):			
<b>Name:</b>	Louis A. Molina		
<b>Title:</b>	Commissioner		
<b>Email:</b>	<a href="mailto:louis.molina@doc.nyc.gov">louis.molina@doc.nyc.gov</a>	<b>Phone:</b>	718-546-0890
<b>Electronic Signature:</b>		<b>Date:</b>	7/29/2022

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