

<b>Office of Administrative Hearings (OAH) Procedures Transmittal</b>			<b>Transmittal Number:</b> 01-01
<b>Distribution:</b>			<b>Date:</b> January 5, 2001
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<b>ALB OAH Staff</b> <input checked="" type="checkbox"/>	<b>UPS ALJs</b> <input checked="" type="checkbox"/>	<b>Upstate LDSS</b> <input type="checkbox"/>	<b>Subject:</b> Office of Administrative Hearings Security Procedures
	<b>SUP ALJs</b> <input checked="" type="checkbox"/>		
<b>NYC OAH Staff</b> <input checked="" type="checkbox"/>	<b>NYC ALJs</b> <input checked="" type="checkbox"/>	<b>NYC Agencies</b> <input type="checkbox"/>	
	<b>SUP ALJs</b> <input checked="" type="checkbox"/>		

This will set forth administrative procedures to be followed by staff in the Office of Administrative Hearings whenever a staff member becomes aware of a security concern in advance of the hearing date; for example, a telephone call, fax, or letter indicates that an appellant represents a potential security concern. It could also be applied in a situation, for example, where an appellant appears in person to request a hearing and an assessment is made that the situation warrants the need for additional security or special scheduling arrangements at a future hearing. The procedures set forth in this transmittal will ensure the appropriate follow through if there is a lengthy time lapse prior to rescheduling a hearing. This procedure does not apply to situations that warrant immediate security intervention.

The process of identifying and tracking the need to take security precautions on a particular hearing date is as follows:

- (1) The threatening incident should be summarized in the Comment section (PFREQ3) of the Request (OAH 1891) on the Fair Hearing Information System (FHIS).
- (2) The entry "SECU" should be made in the Interpreter field on PFREQ1. This will result in the case appearing on the appropriate daily Interpreter Calendar (FH-010A: Upstate Interpreter Calendar, or FH-010B: NYC Interpreter Calendar.) If an interpreter is required on a case designated as a security concern, the interpreter language must be entered in the Comment field, and designated staff responsible for arranging for interpreters should be aware of the need to view the Comments whenever the interpreter code SECU appears.
- (3) If the case is to be adjourned for future scheduling, or if it is being reopened, the case should be placed in "hold" status by entering "HOLD" in the Subcategory field on the Request screen (PFREQ1).

The staff member who first becomes aware of the security concern should add all of the above documentation to FHIS. Administrative Law Judges in all NYC regional offices should bring such cases to the attention of Thomas McArdle at (718) 923-2939 in Room 103 at 14 Boerum Place, who will assign the task of documenting the FHIS screens to appropriate staff. The comments should justify the need for the "SECU" designation; any questions should, of course, be brought to appropriate supervisory attention.

Once the above entries are made in FHIS, the case should then be brought to the attention of the supervisor of the Scheduling Unit, Nancy Irving, who will discuss with the appropriate Principal Hearing Officer any special considerations, such as assignment of the hearing to a particular Hearing Officer. If the security concern is documented in correspondence, this correspondence should be marked "TO FILE" and provided to the supervisor of the Scheduling Unit, who will ensure that it is inserted in the file and who will also affix a pink tag on the file indicating "SECU" (for "Security" concern).

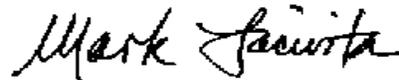
Proper Coding for Cases Presenting a Potential Security Concern:

Subcategory Field: HOLD  
Interpreter Field: SECU  
Comment Field: Note Circumstances of Security Concern;  
Indicate Language if Interpreter is Required  
Message Field: "Security Concern"  
Other Action: Notify Supervisor of Scheduling Unit  
Supervisor of Scheduling Unit to Affix Pink Tag to File

Immediate Security Concerns

Any situation that is perceived as representing an immediate threat to the safety of staff or those present at any of our offices or hearing locations should be handled as appropriate to the particular facility. All staff should be familiar with these procedures. Any questions should be directed to your immediate supervisor.

If there are any questions with respect to this transmittal, you may contact your supervisor or Sue Fiehl at (518) 473-4779 or via email [90J029@dfa.state.ny.us](mailto:90J029@dfa.state.ny.us).



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Mark Lacivita, Director of Administration  
Office of Administrative Hearings