Pro Se

Vol. 36 No. 2 March 2026 **Published by Prisoners' Legal Services of New York**

Court Finds State Liable for Unauthorized Strip Frisk and Awards Damages

In January 2025, the Court of Claims conducted a trial relating to N.M.'s claims that in October 2020, during an authorized cell search at Sing Sing C.F., officers conducted an unauthorized strip frisk (frisk) of him. Mr. M. claimed that the State should be held liable because DOCCS supervisory staff negligently failed to adequately supervise the officers who conducted the strip frisk. Further, Mr. M. alleged, DOCCS supervisory staff should have recognized the risk of harm because unauthorized strip frisks during cell searches were an ongoing problem about which the Defendant had known for at least four years. The trial decision is reported in *N.M. v. State of New York*, 238 NYS3d 73 (Ct of Clms 2025).

N.M. (Mr. M. or the Claimant) further alleged that by failing to properly address its employees' conduct, the Defendant negligently inflicted emotional distress. He asked the Court to award $7,000.00 in damages, "for the 'recurring emotional trauma that is brought on by seeing these guards, in that [his] mind relives the degradation and humiliation he experienced when this violation was committed under threat of further violations if he did not comply."

In conducting the strip frisk, the Claimant argued, the officers engaged in sexual abuse, as that term is defined in the Prison Rape Elimination Act (PREA) and violated:

1. Correction Law 70(2)(b)'s requirement that incarcerated individuals be treated humanely;
2. Correction Law 137(5)'s mandate that incarcerated individuals not be "subjected to degrading conduct;" and

This project is supported by a grant administered by the New York State Division of Criminal Justice Services (DCJS). Points of view in this document are those of the author and do not necessarily represent the official position of DCJS.

3. Directive 4910's requirement that prior to conducting a strip frisk, officers must get the consent of the Deputy Commissioner for Correctional Facilities (Deputy Commissioner).

Mr. M. represented himself at trial. He called one witness – another incarcerated individual – and submitted as evidence:

- The grievance he filed;
- An ILC Report dated December 9, 2020 submitted to the Inmate Grievance Committee on retaliation and retribution at Sing Sing C.F.;
- Correspondence to and from the Claimant and Captain Barnes about the Claimant's grievance;
- The CORC decision denying the Claimant's grievance;
- The Claimant's Verified Claim;
- The Claimant's Reply to the Defendant's Answer.

The State offered the testimony of Lieutenant Brian Bodge and submitted as exhibits Directive 4910: Control & Search for Contraband and the Answer that it had filed.

At the close of the Claimant's case, and at the close of evidence, the Defendant moved to dismiss. The Claimant opposed the motion.

The Court's Findings of Fact

The Court found that the Claimant's testimony was **credible** (honest). The Claimant testified that during the cell search, he was ordered to undress and hand his clothing to an officer. He hesitated to give the officers his underwear because, as he told them, he did not think that the Deputy Commissioner had authorized a strip frisk and asked to speak to a sergeant.

When two sergeants arrived, N.M. advised them of his objection, to which one of sergeants responded, "shut up and do what my officers tell you to do." [Cursing omitted]. Believing he was in danger, N.M. complied. At that time, the officers conducted a strip frisk. After the cell search was completed, N.M. learned that other incarcerated individuals had been strip frisked as well and he and others filed grievances about the frisks.

N.M. discussed his grievance with Captain Barnes, who was assigned to investigate the grievances. N.M. explained that this was an ongoing problem and he hoped Captain Barnes would see to it that the officers stopped conducting strip frisks without authorization from the Deputy Commissioner. Captain Barnes advised N.M. that the officers were authorized to conduct cell searches but not strip frisks.

N.M. testified that when a strip frisk is conducted, officers must prepare a "Form 1140." However, his requests for a copy of the Form 1140 related to his strip frisk revealed that the document did not exist; not surprisingly, DOCCS' explanation for this was that according to the staff involved, no strip frisk had taken place.

Through his research, N.M. learned that other incarcerated individuals had complained to DOCCS about officers conducting unauthorized strip frisks during cell searches. He found a grievance from 2016 documenting one such complaint and referenced that grievance in his claim.

N.M. also testified – and the Defendant did not contradict – that due in part to the complaints following the October 2020 unauthorized strip frisks, DOCCS changed the **composition** (make up) of its search teams and began to include female officers on the teams "in an attempt to eliminate or at least reduce … unauthorized strip frisks during cell searches."

Finally, N.M. testified "affectingly" about how he was harmed by this unjustified invasive search. He first noted that it was "easier to stomach" such a search when there was a reason for it, but without one, "it is deeply humiliating." He described it as "an assault on his manhood, his personhood and his humanity." He experienced it as a message from the officers: they can do what they want, he is powerless to object, and if he resists it will be worse. N.M. fears that it will happen again, especially as he regularly sees the abusive sergeant at Sing Sing.

N.M.'s witness corroborated N.M.'s testimony that unauthorized strip frisks occurred at Sing Sing and described the same process for the frisks that N.M. described. The witness's grievance about an unauthorized strip frisk conducted the same month that N.M.'s strip frisk took place, met with the same response as did N.M.'s grievance: no strip frisk had taken place and therefore no Form 1140 existed.

Lieutenant Bodge, who did not have firsthand knowledge of the incident, was the only defense witness to testify. He testified – **credibly** (honestly), the Court found – that a clothing exchange was conducted during the cell search at issue, not a strip frisk. During a clothing exchange, incarcerated individuals do not have to remove their underwear.

The State offered no other witnesses.

The Law

Here are the legal principles that the Court applied:

- "Because correction officers are tasked with the formidable and critical responsibility of protecting the safety of incarcerated individuals, … when that obligation is breached, the State may be directly liable for injuries suffered by an incarcerated individual if [the State] acted negligently." *R.S. v. State of New York*, 231 AD3 1376 (3d Dept 2024).

- The duty of care is not absolute: The State's duty is limited to providing reasonable care to protect incarcerated individuals from risks of harm that are reasonably foreseeable, i.e., those risks about which DOCCS knew or should have known. *Vasquez v. State of New York*, 68 AD3 1275, 1276 (3d Dept 2009).
- This claim requires the Court to determine whether the Defendant owed a duty to the claimant, and whether there was a breach of that duty and a resulting injury. *Nellenback v. Madison County*, 246 NYS3d 654 (Ct Apps 2025).

Was There a Duty?

The Court answered this question "Yes." The State owes incarcerated individuals a duty of care to protect them. This duty is limited to providing reasonable care to protect incarcerated individuals from risks of harm that are reasonably foreseeable, that is, those risks of harm about which DOCCS knew or should have known.

Correction Law 70(2)(b) requires DOCCS to treat incarcerated individuals humanely while Correction Law 137(5) provides that incarcerated individuals should not be subjected to degrading treatment.

In apparent recognition of the inherently degrading impact of strip frisks, Directive 4910 prohibits the conduct of strip frisks during routine area searches unless they are authorized by the Deputy Commissioner. When conducting a strip frisk, Directive 4910 provides, officers conducting the frisk must assure its thoroughness and not offend the dignity of the incarcerated individual being frisked and refrain from obscene language during the frisk.

Here, the Court found, read together, Directive 4910 and Correction Law 70(2)(a) and 137(5) establish that the State had a duty to N.M.

Was the Risk of Harm Foreseeable?

Here the Court wrote, the question is "[W]as it foreseeable that an officer or other employee of the defendant would breach their duty and could abuse their position or harm incarcerated individuals by conducting unnecessary, degrading strip frisks or conducting a strip frisk in a manner that was abusive and could be experienced as degrading?" The Court answered this question by referencing Directive 4910: "It is a Directive that reflects policies and practices to guard against such risks." Thus, the existence of this Directive and the provisions prohibiting certain types of behaviors and requiring certain safeguards, established that DOCCS was aware of the risk of harm that allowing strip frisks presented.

Did the State Breach its Duty?

N.M. argues that the breach of duty is established by the unauthorized strip frisk:

1. the officers gave him an order to strip naked when such an order was not authorized;
2. the sergeant directed him to follow the order of the officers with no probable cause articulated;

3. the sergeant spoke to him in a degrading manner and then subjected him to a strip frisk with no probable cause;
4. under the supervision of the sergeants, the officers conducted the strip frisk in an area that was not private; and
5. the sergeant and the officers did not document the strip frisk in a required report.

All of this, the Court found, supports the conclusion that the State breached its duty to the Claimant.

Further, the Court continued, the State did not produce credible evidence or testimony to support its claim that no strip frisk was conducted. Lieutenant Bodge's testimony cannot refute the Claimant's as Lieutenant Bodge did not have firsthand knowledge of what happened.

Was the Claimant Harmed by the Breach of Duty?

Here the Court found that the Claimant "powerfully and eloquently testified to the harm caused to his psyche as a result of the degrading and humiliating treatment during the unauthorized strip frisk conducted at the direction of a supervising officer[:]"

- the fear of being assaulted because he initially did not comply;
- the recognition that further non-compliance would result in worse treatment;
- the feeling of helplessness at not being able to stop the unlawful activity and the inability to prevent it from happening again; and
- the experience of reliving the humiliation and degradation every time he sees the officers involved."

Thus, the Court found that the Claimant had demonstrated that the State breached its duty of care and caused N.M. harm.

Damages

The Court awarded the Claimant $7,000.00 in damages.

For information about Court of Claims, PREA or Strip Searches, write to the PLS office that provides legal services to individuals incarcerated at the prison from which you are writing and request the memos: "Lawsuits in New York State Court of Claims," "Prison Rape Elimination Act: Sexual Abuse & Harassment in Custody" or "Strip Searches, Strip Frisks and Body Cavity Searches."

N.M. represented himself in the Court of Claims.

Passing The Torch

A Message from the Executive Director Emeritus, Karen L. Murtagh

After more than four decades at Prisoners' Legal Services of New York and dozens of ***Pro Se*** messages, I want to share some personal news. On February 5, 2026, I moved from my role as Executive Director into the position of **Executive Director Emeritus**. In this role I will help with the transition while continuing to support PLS. This change is bittersweet for me. PLS has truly been my life's work. While I know the time is right for this transition, I will miss this role – and all of you – more than I can express.

First and most importantly, none of what I reflect on here was accomplished by one person. Every step forward has been made possible by the dedication of the PLS Board of Directors and by the extraordinary PLS staff who work tirelessly every day to stand up for the rights and dignity of incarcerated people. I have been incredibly fortunate to be surrounded by fierce advocates who simply never give up.

During my tenure as Executive Director at PLS, the organization has grown in ways I once only dreamed of.

Our **Immigration Unit**, which began with just a few bold steps into new territory, is now nationally recognized as one of the premier immigration legal service providers in the country. At a time when immigration issues are in crisis across the United States, this work has never been more critical – or more impactful.

Our **Pro Bono Partnership Project**, launched in 2011 with only a handful of firms, has grown exponentially. Today, hundreds of law firms and attorneys partner with us, expanding our reach and ensuring that legal help reaches people who would otherwise go without.

One initiative especially close to my heart is PLS' **Pre-Release and Re-Entry Project** – a vision I carried with me from my earliest days as a lawyer. Through this work, we are not only providing legal advocacy but also helping create real pathways to success after incarceration. It reflects the very core of PLS's mission: helping people return to their communities with dignity, hope, and the tools to thrive.

We also took a bold stand for the rights of young people in prison. I will never forget one of our clients, who, at just 17 years old, was sentenced to six years in solitary confinement. That case helped shine a powerful light on the brutal and disproportionate punishment inflicted on young people in our prison system and contributed to the passage of New York's Raise the Age legislation – removing young people from adult prisons and changing countless lives.

Our focus on incarcerated **veterans** helped lead to the creation of a dedicated **Veterans Unit at Clinton Correctional Facility**. Today, incarcerated veterans receive peer mentorship, housing assistance, healthcare coordination, and discharge planning – creating a model that correctional systems across the country can follow.

Our **Family Matters Unit** has helped reunite families through proximity transfers, strengthening bonds that support rehabilitation and reentry.

Our **Education Unit**, the first of its kind in the country, has filed groundbreaking cases demanding access to education under the IDEA and ADA – because education is one of the most powerful tools we have to prevent recidivism.

And for decades, we have worked to end the overuse of **solitary confinement**, including proposing a resolution adopted by the New York State Bar Association condemning long-term solitary confinement. Our advocacy in this area helped to significantly reduce its use in New York's prisons and helped lead to the passage of the Humane Alternatives to Long Term Confinement Act (HALT).

More recently, our **Disciplinary Representation Unit** – created in response to the HALT Act – has provided legal representation to dozens of individuals facing Tier III hearings achieving incredible success at both the hearing and appeal level and ensuring fairness and due process in prison disciplinary hearings.

Personally, over the last four decades, I have had the privilege of litigating dozens of cases involving due process, prison conditions, the First Amendment, and the Prison Litigation Reform Act. I was honored to be able to argue before various courts including the New York Court of Appeals and was even able to second seat my nephew in the oral argument before the U.S. Supreme Court in the case of *Haywood v. Drown* in which PLS filed an amicus brief – and we won!

One of the most meaningful moments of my career happened just this past week, when a client I represented more than 40 years ago reached out to tell me he was finally home after surviving decades in prison – and that PLS had been one of the main reasons he was able to survive. He reminded me that our work together back in the early 80's led to the firing of three correction officers at Coxsackie. But, he said, things are still "awful in the prisons". Moments like that remind me that, while we have done so much, there is still so much left to do.

I know my career path was different than most – the majority of people do not stay in the same job for over forty years. But every minute has been worth it. I was given the rare gift of spending my career fighting the good fight – I know that not everyone is that lucky.

During this transition, our fabulous Acting Deputy Director, Krin Flaherty, will take the helm. Krin has dedicated her life to human and civil rights – from immigration advocacy to representing incarcerated people – she has demonstrated to all who have crossed her path that she is not only a tireless advocate, but a wonderful human being. Under her leadership, I know PLS will continue to flourish.

To the incarcerated readers of this Newsletter: I want to speak directly to you. I have been continually inspired by your stamina, your hope, and your determination to do and be better. I want you to know that no matter where I am, I believe in you and your ability to overcome what others may see as insurmountable hurdles. You can do this! Thank you for allowing me the privilege of doing this work for so many years.

I will leave you with words that have guided me throughout my life:

"The best way to find yourself is to lose yourself in the service of others." — Mahatma Gandhi

With deep gratitude,

Karen Murtagh

NEWS & NOTES

Prison Reform Omnibus Bill and Amendments Signed into Law

Last summer, the Legislature passed the Prison Reform Omnibus Bill ("Omnibus Bill") in response to the murders of Robert Brooks and Messiah Nantwi. The Governor signed the legislation into law on December 19, 2025, with most provisions effective upon the Governor's approval; further amendments were signed into law and went into effect on February 13, 2026.

The bill's key provisions require that:

- DOCCS adopt provisions for increased transparency from – and oversight of – DOCCS and local jails around deaths in custody;
- The State Commission of Correction (SCOC) increase its membership from three to five members with at least one formerly incarcerated member and one member who is a healthcare professional, attorney or other person with professional experience relevant to a humane correctional system;
- The Correctional Association of New York (CANY) be given greater access to DOCCS correctional facilities and their records and the incarcerated population be provided with free unmonitored hotline calls to CANY;
- DOCCS develop a plan for comprehensive camera presence in DOCCS facilities and vehicles that includes Inspector General oversight for noncompliance and audits; and
- DOCCS provide quarterly and annual reports to the governor and legislature on OSI investigation findings.

While the Omnibus Bill includes many provisions of interest to our readership, the Bill most notably includes significant changes to the Civil Practice Law and Rules (CPLR) and Court of Claims Act.

The Omnibus Bill amended CPLR 208-a to provide incarcerated Claimants/Plaintiffs additional time to file a cause of action after release from custody. The tolling provision signed into law in December 2025 provided for a three-year window after incarceration ends to file a lawsuit. However, this provision was revised on February 13, 2026. Under the revised law, individuals released from prison on or after February 13, 2026, will have a two-year revival period in which to file a claim or cause of action for damages for any injury or condition suffered while in custody. However, this provision will not revive a claim that was already time-barred before February 13, 2026.

The Omnibus Bill also amends the Court of Claims Act to provide that any claim that would have expired without the two-year post-release provision may be filed without first serving a notice of intention to file a claim. The Bill also relaxes the factual requirements set forth in Court of Claims Act Section 11(b) for any claim for damages suffered in custody.

PLS is still reviewing the impacts of these changes to prison litigation. There is likely to be litigation surrounding these changes to the statutes. Best practice indicates that if you are able to file a detailed notice of intention and claim without reliance on the revival provision, you should do so.

Court of Claims HALT Class Actions Filed

In January, Wang Hecker LLP and Alexander Reinhart filed class action claims in the Court of Claims seeking damages for wrongful confinement. The claims allege violations of HALT Act limitations on segregated confinement at specific DOCCS facilities.

There are eight separate claims concerning segregated confinement at Attica, Auburn, Clinton, Coxsackie, Elmira, Five Points, Sing Sing and Upstate Correctional Facilities.

Putative (proposed) class members include anyone housed at the above facilities at any time between March 31, 2022 through the present who have been denied out of cell time in violation of HALT.

Actual class membership will be identified as the litigation proceeds. Individuals who believe that they may be members of the putative class do not need to do anything at this time.

PLS Seeking Feedback from IILC members

PLS wants to hear from IILC reps about ways we can better assist the incarcerated population. If you are an elected IILC member at one of the following facilities: Albion, Elmira, Fishkill, Lakeview, Marcy, Upstate or Wende, please contact us at 114 Prospect Street, Ithaca NY 14850. We want to hear what concerns are the most pressing topics in your facility's IILC and your ideas for how PLS may assist on such topics.

LOVED ONES LINK

Loved Ones Link is a free transportation program operated by the Osborne Association. The program brings families throughout New York State to visit their incarcerated loved ones in prison. The program is designed to help families maintain crucial connections during a loved one's incarceration that can strengthen their bonds and support successful re-entry. Their routes prioritize areas with the highest need and support communities with limited transportation options.

The **Loved Ones Link** buses depart from Albany, Buffalo, New York City, Rochester, Syracuse, and currently provide transportation to the following correctional facilities: Albion, Attica, Bedford Hills, Clinton, Collins, Eastern, Elmira, Fishkill, Franklin, Green Haven, Lakeview, Orleans, Sing Sing, Taconic, Ulster, Upstate, Wende, Woodbourne, and Wyoming.

For more information, please contact:
Jessica McLean
Transportation Coordinator
Loved Ones Link
lovedoneslink@osborneny.org
833-437-3368

Interested family members can fill out an intake form at osborneny.tfaforms.net/10.

Loved Ones Link is a partnership of the NYS Department of Corrections and Community Supervision and the Osborne Association.

PRO SE VICTORIES!

***Matter of Joel Herrera v. Daniel Martuscello*, Index No. 119-25 (Sup Ct Albany Co Nov 5, 2025).** Joel Herrera filed this Article 78 challenging a disciplinary hearing. After filing, the Office of the Attorney General communicated that Mr. Herrera's charges had been administratively reversed. On December 18, 2025, the Court dismissed the proceeding and directed the Respondent to reimburse the Petitioner for his filing fee and to remove any references to the reversed charges from his records.

Pro Se Victories! *features summaries of successful pro se administrative advocacy and unreported pro se litigation. In this way, we recognize the contribution of pro se jailhouse litigants. We hope that this feature will encourage our readers to look to the courts for assistance in resolving their conflicts with DOCCS. The editors choose which unreported decisions to feature from the decisions that our readers send us. Where the number of decisions submitted exceeds the amount of available space, the editors make the difficult decisions as to which decisions to mention. Please submit copies of your decisions as Pro Se does not have the staff to return your submissions.*

STATE COURT DECISIONS

Disciplinary Hearings

Rehearing Appropriate Where Record Does Not Show Inquiry into Witness Refusal

The Petitioner in *Matter of Marsaay Gray v. Daniel Martuscello,* Index No. 908118-25 (Sup Ct Albany Co 2025) called incarcerated witnesses to support his defense against charges of threats, creating a disturbance, interference and violent conduct.

After the hearing officer informed the Petitioner that the witnesses refused to testify, the Petitioner objected that he had not been provided with the reasons for the witnesses' refusals. The hearing officer continued with the hearing and found the Petitioner guilty on confidential testimony and other evidence.

The Petitioner submitted a supporting affidavit **averring** (swearing under oath) that the hearing officer had told him off record that the witnesses were willing to testify but could not be produced due to issues with facility movement. The next day the witnesses purportedly refused.

Petitioner argued, and the Court agreed, that when a witness who previously agreed to testify later refuses, the hearing officer must personally speak with the witness to **ascertain** (determine) the reason behind the refusal and authenticity of such reason.

Because the record failed to indicate that the hearing officer spoke with the witnesses about their refusals, the Court found that the disposition violated the Petitioner's right to call witnesses and ordered a rehearing.

PLS represented Marsaay Gray in this Article 78.

Stalking Not Supported by Substantial Evidence; Sufficiency of the Evidence Supporting the Harassment Charge Depends on the Court's Assessment of the Petitioner's Credibility

The Petitioner in *Matter of Miller v Dept. of Corrections and Community Supervisio*n, 244 AD3d 1367 (3d Dept 2025), challenged a Tier II hearing finding him guilty of harassment and of stalking an employee.

The report alleged that the Petitioner made a kissing gesture toward a staff member and asked what was up between them. The Attorney General and Court agreed that facts alleged did not constitute substantial evidence of the charge of stalking and, as such, the determination that Petitioner had engaged in stalking was annulled.

The rule against harassment prohibits using "insolent, abusive, or obscene language or gestures ... to an employee." The Court found that such language provides a person of ordinary intelligence with sufficient notice that the Petitioner's conduct as alleged would violate the rule.

The Court found that Petitioner's defense of innocence raised a credibility issue for the Hearing Officer, not the Court, to decide, and dismissed the remainder of the Petition.

For information about your rights at a Tier III Hearing and filing Article 78 actions, write to the PLS office that provides legal services to individuals incarcerated at the prison from which you are writing and request the memos: “Your Rights at a Tier III Hearing” and “Drafting and Filing an Article 78.”

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Richard Miller represented himself in this Article 78.

Family Law

Child Support: Frequently Asked Questions

Did my child support obligation automatically stop when I was incarcerated?
No, your child support obligation did not automatically stop when you were incarcerated. For your support obligation to be modified or suspended, you must submit a child support modification petition to the family court.

Can I modify my child support order?
In order to modify a child support order, you must be able to show one of the following:

- there has either been a substantial change in circumstances since the order was entered or last modified;
- three years have passed since the order was entered or last modified; or
- there has been a change in either party's income by more than 15% since the order was entered or last modified.

Will a modification affect child support arrears that have previously accrued?
Any modification granted by the family court will only be backdated to the date on which the court received the modification petition. A modification cannot, unfortunately, be applied retroactively to the date on which you first became incarcerated. Child support arrears accrued before the filing date of the modification petition can only be modified by consent of the party to whom the arrears are owed.

Is incarceration considered a change in circumstances?
In most cases, if you were incarcerated after your child support order was entered or last modified, your incarceration will constitute a change in circumstances. On October 13, 2010, amendments to the New York Family Court Act and the Domestic Relations Law went into effect allowing for modification of child support orders based on incarceration as a change in circumstances.

Unfortunately, if your child support order was entered or last modified *before* October 13, 2010, incarceration may not be considered a change in circumstances because the amendments were not made to apply retroactively to orders entered or modified before October 13, 2010.

Is there anything I can do to modify my child support order if it was entered or last modified before October 13, 2010?
A modification petition may be successful even if your order was entered or last modified before October 13, 2010, if the child support is owed to New York City's Department of Social Services (DSS). Currently, we do not know of any DSS office in any other county that considers modification of a child support order based on incarceration as a change in circumstances if the order was entered or modified prior to October 13, 2010.

Can the mother of my child(ren) consent to modifying the child support order?
If you owe your child support directly to the mother of your child(ren), she can consent to modifying the child support order whether or not the child support order was entered or last modified before October 13, 2010. The mother of your child(ren) cannot, however, consent to a modification if your child support is owed to DSS.

My child is over 21 and I am still receiving bills for child support arrears. What can I do?
In New York State, unless extenuating circumstances exist, on-going child support obligations end once a child turns 21. Though the child support obligation typically ends at age 21, **any arrears**

that have accrued do not automatically go away. It is our understanding that a family court will not order a reduction of the arrears owed.

If you owe any arrears to New York City DSS, however, you may be eligible for a reduction of those arrears by participating in New York City's Arrears Cap Program. PLS can provide you with an application for the Arrears Cap Program upon request.

Additionally, the party to whom you owe the child support arrears can consent to a reduction of arrears owed to them.

Can PLS assist me with modifying my child support order?
PLS' Family Matters Unit may be able to assist you by drafting a child support modification petition for you to file on your own in family court. A determination of whether we can offer assistance will be made on a case-by-case basis, based on the facts of each case. Please note, PLS' Family Matters Unit is funded to assist individuals with family matters that originate out of one or more of the following counties: Albany, Bronx, Dutchess, Erie, Kings, Monroe, Nassau, New York, Onondaga, Orange, Queens, Richmond, or Suffolk. A matter originates out of a county if it is the county where you were convicted, or the county in which your child currently lives. If you would like assistance from the Family Matters Unit and believe your circumstances qualify you for assistance, please write to the Family Matters Unit at: 50 Beaver Street, 5th Floor, Albany, NY 12207.

Insufficient Custodial Plan While Petitioner was Incarcerated Leads to Termination of Father's Parental Rights

Infant twins in *Matter of Jack V.,* 243 AD3d 1174 (3d Dept 2025) were removed from the home years ago and placed in foster care. At the time of the initial removal from the home, the mother struggled with substance abuse, and the father was incarcerated.

The Family Court made a finding of neglect against the mother, but provided the father with an adjournment in contemplation of dismissal for one year. The one-year period lapsed and the Family Court dismissed its neglect proceeding against the father.

Years later, the County commenced a permanent neglect proceeding to terminate the father's parental rights. The father was still incarcerated, and the petition was granted. The father appealed.

First, the father raised the argument that the Court had never adjudicated the facts of the initial neglect petition it had dismissed. The Court rejected this argument, holding that there need not be any underlying neglect adjudication before a permanent neglect proceeding may be **commenced** (started).

Next, the father sought to challenge the diligence of the County's efforts to strengthen his relationship with the children. The County is required to undertake such efforts even when the parent is incarcerated.

The County's case worker stated that the major obstacle to reunification was the father's failure to identify someone who could take custody of the children while he was incarcerated. The case worker could not reach the contacts that the father named and rejected the father's back up plan of keeping the children in foster care with check-ins from his girlfriend until his release.

The County also indicated that the father had failed to engage in substance abuse and mental health counseling and in parenting and anger management classes during the required time frame. Further, the father failed to provide contact information for a family member willing to bring the children to him for visits.

Upon the County's showing of its diligent efforts, the father was required to show "meaningful steps to correct the conditions that led to the child's removal." On appeal, the Third Department found that the father had failed to substantially plan for the children's future and upheld the neglect finding.

For information about parental rights in prison, write to the PLS office that provides legal services to individuals incarcerated at the prison from which you are writing and request the memos: “Rights and Responsibilities of Incarcerated Parents.”

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Lisa K. Miller, McGraw, NY represented Appellant in this appeal.

Sentence & Jail Time

Jail Cell Constitutes Dwelling for Elements of First Degree Burglary

People v Rich, 244 AD3d 546 (1st Dept 2025), concerned a challenge to the Defendant's first-degree burglary and second-degree assault convictions stemming from an attack carried out by the Defendant and six others upon another incarcerated person in the victim's jail cell.

Burglary in the first degree requires a showing that the Defendant "enter[ed] or remain[ed] unlawfully in a dwelling with intent to commit a crime therein." The Court found that the Defendant had failed to move for dismissal based on his challenge to whether a jail cell could be a dwelling, and thus did not preserve the issue for appeal.

However, the Court looked to the analysis in the appeal of a co-defendant. In that appeal, the Court found that the victim's jail cell qualified as a dwelling even though the victim did not have full control over entry or exit from his cell. *People v Brown*, 237 AD3d 620, 621 (1st Dept 2025).

Reasoning that the victim had "some ability to restrict entry" by others and the jail rule book prohibited entry into other's jail cells, the victim's cell constituted a dwelling for purposes of Burglary 1st.

For information about the Criminal Appeal process, write to the PLS office that provides legal services to individuals incarcerated at the prison from which you are writing and request the memos: “Process of Appealing a Criminal Conviction.”

The Legal Aid Society represented Defendant Rich in his appeal and Office of the Appellate Defender represented Defendant Brown in his appeal.

FEDERAL COURT DECISIONS

Settlement Reached with Department of Homeland Security Regarding Privileged Legal Mail to Immigrants Detained in the Batavia Detention Facility

In March 2025, the New York Civil Liberties Union, PLS and the Robert and Ethel Kennedy Human Rights Center filed *PLS v. DHS,* 1:25-cv-00787-LJV (WDNY 2025) seeking injunctive and declaratory relief with respect to the detention center’s emergency mail policy requiring that all incoming *and* outgoing legal mail be inspected, copied and retained in the detainee’s property. The facility then expanded the policy to documents given in person by a client’s attorney.

Each of the above organizations were named plaintiffs and asserted that the policy interfered with the organizations’ ability to communicate freely and effectively with their clients. The Plaintiffs also alleged that because the policy departed from typical ICE standards regarding legal mail, it was arbitrary and capricious and violated the federal Administrative Procedure Act 5 USC 706.

In January, the parties reached a settlement that ended the legal mail policy. The settlement also required that legal mail be distributed within 24 hours of receipt using a secure device to scan all incoming mail. The plaintiffs will monitor the settlement for three years, during which time the Court retained jurisdiction over enforcement of the settlement provisions.

Indemnified Immunity Win for False Positive Plaintiffs

Steele-Warrick. v. Microgenics Corporation, et al., 2026 WL 323037 (EDNY Feb. 6, 2026) is a Section 1983 **putative** (proposed) class action for damages related to the punitive impacts on incarcerated individuals who, in 2019 received false positive drug detections after urinalysis testing using DOCCS' drug testing system.

In earlier motion practice, the Court dismissed Plaintiff's Eighth Amendment claims for all DOCCS Defendants. To support an Eighth Amendment claim, Plaintiffs were required to show that:

1) the alleged deprivation was "objectively 'sufficiently serious' to constitute 'cruel and unusual punishment' "; and
2) the officials acted with "sufficiently culpable state of mind," meaning criminal recklessness or deliberate indifference.

Because the false positive plaintiffs were confined in keeplock or lost privileges, the Court reasoned that such penalties were routine conditions of confinement and failed to set forth a sufficiently serious harm to establish a violation of the Eight Amendment.

Despite such ruling, the Court allowed the Plaintiff's Fourteenth Amendment substantive due process claims to proceed for five of the DOCCS defendants. with respect to this claim, the Court found that the Plaintiffs had plausibly alleged that:

- there was a constitutional right at stake in the form of unreliable drug testing evidence that violated the plaintiffs' rights to due process; and
- the Defendants' conduct shocked the conscience when they failed to stop using the drug testing system until nine months of faulty testing complaints had taken place.

The Defendants then moved to dismiss arguing that they were entitled to qualified immunity. The Court denied the motion, concluding as a matter of law that the first prong – that there was a constitutional right at stake – was clearly established. The Defendants appealed to the Second Circuit which remanded to the lower court for completion of discovery.

Upon completion of discovery, the Defendants filed for summary judgment on the basis that they were entitled to qualified immunity. To overcome qualified immunity, Plaintiffs must show that the Defendants violated a statutory or constitutional right and that such right was clearly established at the time of the Defendant's conduct.

The District Court found that a jury *could find* the Defendants' individual actions shocked the conscience, namely by:

- The Defendants' delayed response to complaints from incarcerated people, correction officers and elected officials; it was nine months before DOCCS stopped using the system;
- The Defendants' failure to 1) pause testing after confirmatory testing indicated faulty performance; 2) share suspicious results to policy makers; or 3) remedy disciplinary issues for individuals impacted by discovered faulty testing;
- The Defendants' failure to investigate increased complaints about testing issues; and
- The Defendants' preparation of departmental directives that contradicted manufacturer instructions requiring confirmatory testing.

As such, the question of whether the DOCCS Defendants are entitled to qualified immunity will be reserved until the end of the trial. The jury will be given special interrogatories to help the Court assess if the Defendants' conduct was conscience-shocking.

Emery Celli Brinkerhoff Abady Ward & Maazel LLP and PLS represent the class members in this 1983 action.

IMMIGRATION MATTERS

Nicholas Phillips

Pinilla Perez v. Bondi, 166 F.4th 327, 2026 WL 303462 (2d Cir. 2026), a precedential decision issued by the Second Circuit Court of Appeals on February 5, 2026, concerns the removal proceedings of Lionel Pinilla Perez ("Mr. Pinilla Perez"), a Panamanian national who became a lawful permanent resident, or green card holder, in 1990.

In 1993, Mr. Pinilla Perez pleaded guilty to attempted sale of cocaine in violation of New York Penal Law ("NYPL") 220.39(1). Between 2000 and 2009, Mr. Pinilla Perez pleaded guilty to multiple charges of fifth-degree possession of marijuana, a Class B misdemeanor under NYPL 221.10.

As a result of these convictions, the Department of Homeland Security initiated removal proceedings against him. Mr. Pinilla Perez largely represented himself during the removal proceedings, was unsuccessful in defending himself against the government's charges, and was deported to Panama in 2011. Following his deportation, several events transpired which served to undercut the government's charges.

First, in August 2019, the New York State legislature revised the state Criminal Procedure Law and repealed the provision criminalizing fifth-degree marijuana possession. In March 2021, the state legislature authorized the judicial vacatur of all marijuana possession convictions, including Mr. Pinilla Perez's, for fifth-degree marijuana possession.

The second major development was a line of Second Circuit caselaw which considered whether New York's controlled substance definitions matched the federal definitions contained in the Immigration and Nationality Act ("INA"), the statute governing immigration cases.

This line of cases originated with *Harbin v. Sessions*, 860 F.3d 58 (2d Cir. 2017), a landmark decision which held that New York's definition of "controlled substance" was broader than the INA's definition, such that a New York conviction for possession or sale of a controlled substance was not a deportable offense. Subsequent cases applied *Harbin* to other New York statutory definitions, for example *United States v. Gibson*, 55 F.4th 153 (2d Cir. 2022), in which the Second Circuit concluded that New York's definition of "narcotic drug" was broader than the INA's controlled substance definition.

In light of these developments, in 2021, Mr. Pinilla Perez filed a motion to reopen his removal proceedings on the grounds that he was no longer deportable and therefore should have his green card status reinstated. Under the INA, a motion to reopen must be filed within 90 days from the entry of a final order of removal to file a motion to reopen his or her removal proceedings. 8 U.S.C. 1229a(c)(7)(C)(i).

After that 90-day deadline, the Board of Immigration Appeals ("the Board") may consider the motion only if the noncitizen demonstrates that he or she is entitled to equitable tolling of the filing deadline. *See Garcia Pinach v. Bondi*, 147 F.4th 117, 135 (2d Cir. 2025). Under the doctrine of equitable tolling, an individual must show:

(1) that he has been pursuing his rights diligently, and
(2) that some extraordinary circumstance stood in his way and prevented timely filing. *Holland v. Florida*, 560 U.S. 631, 632 (2010).

The Supreme Court requires that those seeking equitable tolling pursue their claims with "reasonable diligence," but not "maximum feasible diligence." *Id.* at 653.

On March 31, 2023, the Board denied Mr. Pinilla Perez's motion. First, the Board concluded that Mr. Pinilla Perez did not demonstrate he was entitled to equitable tolling of the 90-day deadline because he waited "approximately 2 years" after New York revised its marijuana laws. 166 F.4th 327 at *5. Second, the Board concluded that Mr. Pinilla Perez's 1993 conviction was still a deportable offense because the Second Circuit had not explicitly held that the definition of "cocaine"—the substance at issue in his 1993 offense—was broader than the definition contained in the INA.

A few months after the Board's denial, however, the Second Circuit issued *United States v. Minter*, 80 F.4th 406 (2d Cir. 2023), which concluded that New York's definition of cocaine is categorically broader than the federal definition in the INA. Mr. Pinilla Perez then filed a motion to reconsider, which the Board denied on November 6, 2024, concluding that he had not exercised "reasonable diligence" in filing his motion.

Mr. Pinilla Perez then petitioned for review by the Second Circuit, which concluded that the Board abused its discretion by finding that Mr. Pinilla Perez was not entitled to equitable tolling. The Second Circuit first noted that, during oral argument for the case, the attorney for the federal government conceded that Mr. Pinilla Perez's 1993 cocaine conviction was no longer a deportable offense. In light of New York's marijuana law revisions, the Court thus concluded that Mr. Pinilla Perez "has no convictions that remain valid for purposes of establishing his removability." 166 F.4th 327 at *3.

Next, the Court turned to question of equitable tolling. The Court first acknowledged its decision in *Rashid v. Mukasey*, 533 F.3d 127, 132 (2d Cir. 2008), which held that "in order to equitably toll the filing deadline for a motion to reopen based on ineffective assistance of counsel, an alien must demonstrate that he or she has exercised due diligence during the entire period he or she seeks to toll."

The Court recognized that "*Rashid* could be read to require a petitioner to demonstrate that he took steps to file a motion to reopen *before* any change in law took place (that is, before he became entitled to relief)." 166 F.4th 327 at *3. But the Court rejected such a reading, and held that "[b]ecause a petitioner cannot reasonably be expected to act on a change in law that has

yet to happen, . . . the reasonable diligence standard does not oblige a petitioner who has been removed from the United States to take steps to file a motion to reopen based on an intervening change in law before the change takes place." *Id.*

The Court then turned to the practical reality of noncitizens like Mr. Pinilla Perez who have been deported from the United States. Focusing on the "reasonable diligence" requirement, the Court noted that it would not "expect the petitioner to continuously monitor public sources for years on the unlikely chance that he might learn something which would be useful to his case," or "ask, in a vacuum, whether the petitioner should have contacted X number of attorneys during the period after his removal, hoping to discover that the law has changed in his favor, or pressed X number of family members in the United States to stay abreast of immigration law." *Id.* at *4 (internal citations omitted). Such expectations are unrealistic given "that many departed noncitizens are poor, uneducated, unskilled in the English language, and effectively unable to follow developments in the American legal system." *Id.* (quoting *Lugo-Resendez v. Lynch*, 831 F.3d 337, 345 (5th Cir. 2016)).

The Court concluded that the appropriate framework for analyzing equitable tolling "should give due consideration to, among other things, whether the noncitizen [:]

> (1) had the means and capacity to learn of, and act upon, the change in law (for example, the noncitizen's removal abroad, detention, poverty, language barriers, and lack of access to legal information);
> (2) took reasonable steps to investigate and pursue relief (for example, reconnecting with prior counsel or seeking new counsel); and
> (3) acted reasonably swiftly to file his motion to reopen after discovering the material change in law." *Id.*

In addition, the Court stated that "principles of equity especially counsel in favor of tolling when it is evident that the basis for the petitioner's removal may now be invalid." *Id.* (quoting *Lugo-Resendez*, 831 F.3d at 345). The Court thus remanded the case with instructions that the Board "consider [Mr. Pinilla Perez's] motion in a manner that is consistent with this opinion." *Id.* at *5.

WHAT DID YOU LEARN?

Brad Rudin

1. **DOCCS Directive 4910 prohibits strip frisks during routine area searches:**

a. in all circumstances with no exception.
b. unless authorized by a court.
c. except when authorized by a DOCCS Deputy Commissioner.
d. in all circumstances unless the frisk is likely to be conducted in a reasonable way as determined by the facility Superintendent.

2. **In *N.M. v. State of New York*, the Court of Claims noted that the State of New York owes incarcerated persons a duty of care from risks of harm that are "reasonably foreseeable." The law defines a "reasonably foreseeable risk" as:**

a. only a risk that is actually known to exist.
b. a risk that is known to exist or that is reasonably foreseeable.
c. a risk that has been identified by members of the general public.
d. a risk that is known to exist by most incarcerated persons.

3. **In *R.S. v. State of New York* (cited by the *N.M.* Court), the Third Department noted that in the Court of Claims, the State may be directly liable for injuries suffered by an incarcerated individual:**

a. if the State acted negligently.
b. whether or not the State acted negligently.
c. only if the State acted with deliberate indifference to the safety of the incarcerated person.
d. only if the State acted recklessly or for the purpose of causing harm.

4. **In *N.M. v. State of New York*, the Court found a breach of duty of care to the claimant based in part on the claim that the strip frisk:**

a. the strip was not documented in report by corrections staff as mandated.
b. was motivated by racial prejudice.
c. involved a sexual assault.
d. was conducted in defiance of an Order of the Appellate Division.

5. **In the message from the Executive Director, Karen Murtagh, refers to the Disciplinary Representation Unit which provides legal representation:**

a. in all matters involving the loss of privileges.
b. to incarcerated persons making claims of negligence against the State.
c. in federal matters involving deprivations of civil rights.
d. at Tier III hearings.

6. **A child support order will generally be modified when the person who is directed to provide support presents the Family Court with proof showing:**

a. incarceration after the child support order was entered or last modified.
b. no change in either party's income since the order was entered or last modified.
c. the child support order was entered or last modified prior to October 13, 2010
d. release from state custody followed by post-release supervision.

7. **In the case of *Matter of Marsaay Gray v. Daniel Martuscello*, Supreme Court, Albany County, ordered a rehearing because the hearing officer:**

a. intimidated potential witnesses for the person charged.
b. ignored detailed hearing testimony favorable to the person charged.
c. failed to interview a witness who refused to testify after initially agreeing to do so.
d. prohibited the testimony of a witness who initially refused to testify and then later agreed to do so.

8. **In *Matter of Jack V.*, the Third Department upheld the termination of the Petitioner's parental rights because the Petitioner:**

a. was found to be a persistent felony offender.
b. failed to present proof showing a plan for the correction of conditions leading to the removal of the child.
c. failed to present proof showing compliance with conditions imposed during post-release supervision.
d. blamed the mother for conditions leading to neglect proceedings.

9. **As discussed in *Steele Warrick v. Microgenics Corporation*, the Plaintiff may overcome a Defendant's claim of qualified immunity by showing that the Defendant:**

a. violated a constitutional or statutory right that was clearly established.
b. violated a constitutional or statutory right irrespective of whether the right was clearly established.
c. violated a DOCCS directive or Rule stated in the New York Code of Rules and Regulations.
d. ignored procedures imposed by the prison Superintendent or the DOCCS Commissioner.

10. In *Pinilla v. Bondi*, the Second Circuit found that the Petitioner was entitled to the "equitable tolling" of the 90-day filing deadline because:

a. he had informed the Department of Homeland Security that conditions in Panama would delay his ability to file the necessary paperwork.
b. the Department of Homeland Security had actual knowledge of his intent to contest his removal from the United States.
c. he had demonstrated due diligence during the period that would be tolled.
d. he had shown maximum feasible diligence during the period that would be tolled.

ANSWERS

1. c
2. b
3. a
4. a
5. d
6. a
7. c
8. b
9. a
10. c

PREP has expanded to the Capital Region!

PREP provides counseling and re-entry planning guidance for individuals who are within 6-18 months of their release date and returning to one of the five (5) boroughs of New York City or one of the following counties (new counties in **bold)**: **Albany**, **Columbia**, Dutchess, Erie, Genesee, **Greene**, Monroe, **Montgomery**, Niagara, Orange, Orleans, Putnam, **Rensselaer**, Rockland, **Saratoga**, **Schenectady**, **Schoharie**, Sullivan, Ulster, Westchester or Wyoming. Individuals serving their maximum sentence should automatically receive an application by legal mail. Individuals who will be on parole are eligible only if they have served at least one prior prison sentence. Individuals convicted of sexual crimes and those on the sex offender registry are ineligible. Write to 10 Little Britain Road, Suite 204, Newburgh, NY 12550.

Your Right to an Education

Your Right to an Education

For questions about access to GED support, academic or vocational programs, or if you have a learning disability, please write to: Maria E. Pagano – Education Unit, 14 Lafayette Square, Suite 510, Buffalo, New York 14203.

The Family Matters Unit

The Family Matters Unit of Prisoners' Legal Services of New York is a specialized unit that assists incarcerated parents with certain family law matters. The FMU assists parents whose county of conviction is *Albany, Bronx, Dutchess*, *Erie, Kings, Monroe, Nassau, New York, Onondaga, Orange, Queens, Richmond,* or *Suffolk*, or who have children currently living in one of those counties.

Family Matters Unit attorneys work with eligible incarcerated parents to prepare child visitation petitions, prepare child support modification petitions, access family court records, challenge denials of proximity to minor child transfer requests, and challenge prison disciplinary proceedings that result in interference with visitation or communication with minor children.

The goal of the Family Matters Unit is to be a resource for incarcerated parents, and help maintain family ties during the parents' incarceration. For parents who are subject to child support orders, the Family Matters Unit also helps to address one of the major barriers to successful reintegration – the accumulation of insurmountable debt because of child support arrears.

If you would like the assistance of the Family Matters Unit and you meet the eligibility requirements described above, please write to the Family Matters Unit at: Prisoners' Legal Services of New York, Family Matters Unit, 50 Beaver Street, 5th Floor, Albany, New York 12207.

CALL FOR SUBMISSIONS

HELP PRISONERS' LEGAL SERVICES CELEBRATE NATIONAL PRO BONO WEEK

National Pro Bono Week (October 25 – 31) is a time to celebrate and recognize the dedicated work of *pro bono* volunteers, as well as to educate the community about the many legal and other issues faced by people incarcerated in New York State prisons. PLS is happy to announce that this year we will again be celebrating National Pro Bono Week with an event highlighting our commitment to serving the incarcerated community.

This will be our 15th year celebrating National Pro Bono Week, and we will also be celebrating the 50th anniversary of PLS. In connection to these two momentous occasions, we are excited to announce we will be compiling a zine featuring artwork, poetry, and short stories created exclusively by people currently and formerly incarcerated New Yorkers. A zine is a self-published magazine centering around one subject matter and containing works created by a collective of individuals.

Inspired by 50 years of PLS, we are seeking artwork, poetry, and short story submissions that focus on the importance of legal representation for incarcerated people. Submissions can focus on, but do not have to be limited to, the following:

- *Why is civil legal representation for incarcerated people important?*
- *How has legal representation, or lack thereof, personally affected you during your incarceration?*
- *How has your experience with legal representation shaped you as a person?*
- *What do you hope to see from PLS in the future?*

This year, we are encouraging individuals to express themselves in the way they feel most comfortable, whether visually or in writing. Our goal is to give every incarcerated New Yorker a chance to contribute, express themselves, and have their voices heard. We are seeking writing and artwork from individuals with all levels of experience.

For art submissions, we are aware not everyone who is incarcerated has access to art supplies, and will be accepting submissions of all shapes and sizes, whether made with pen, pencil, or specialized art supplies. For written submissions, if you write in a language other than English, please feel free to send us a submission in your primary language, that is, the language in which you are most comfortable expressing yourself. **Please limit written submissions to two pages in length**.

We will compile selected submissions into a zine, with the goal of distributing the zine in communities local to PLS offices, as well as within DOCCS. Additionally, some submissions will be displayed at our National Pro Bono Week celebration. Please note, submissions must be appropriate for all ages.

By sharing the artwork and written submissions of incarcerated people, we hope to educate the public, highlight the importance of access to legal representation for individuals in prison, and recruit attorneys to take cases *pro bono*, thus increasing access to justice for indigent incarcerated individuals across New York State. While we cannot guarantee that submissions will be included in our zine, we encourage all submissions and will do our best to integrate as many submissions as possible. PLS reserves the right to make editorial changes to submissions.

Submissions should be mailed to: Pro Bono Director, Prisoners' Legal Services of New York, 50 Beaver Street, 5th Floor, Albany, New York 12207, **no later than June 30, 2026.**

We regret we will not be able to return any submissions mailed to us, whether selected or not, due to the volume of submissions expected, as well as DOCCS mail policies.

Please note that contributing your submission for the pro bono event described above is not the same as seeking legal assistance or representation from PLS. If you are seeking legal assistance, you must write to the appropriate PLS office.

With your submission, please indicate yes or no for the following:

- I authorize PLS to publish my submission in their 2026 pro bono zine.
- I authorize PLS to display my submission at their 2026 pro bono event.
- PLS may use my real name in relation to my submission.
- I authorize PLS to use my submission on their website, in *Pro Se*, and/or for other informational purposes.
- My submission can be used again by PLS after the 2026 pro bono event.

Pro Se
114 Prospect Street
Ithaca, NY 14850

PLS OFFICES

Requests for assistance should be sent to the PLS office that provides legal assistance to the incarcerated individuals at the prison where you are in custody. Below is a list of PLS Offices and the prisons from which each office accepts requests for assistance.

PLS ALBANY OFFICE: 50 Beaver Street, 5th Floor, Albany, NY 12207
Adirondack • Altona • Bare Hill • Clinton • CNYPC • Coxsackie • Eastern • Edgecombe • Franklin • Gouverneur • Greene • Hale Creek • Hudson • Marcy • Mid-State • Mohawk • Otisville • Queensboro • Riverview • Shawangunk • Ulster • Upstate • Wallkill • Walsh • Washington • Woodbourne

PLS BUFFALO OFFICE: 14 Lafayette Square, Suite 510, Buffalo, NY 14203
Albion • Attica • Collins • Groveland • Lakeview • Orleans • Wende • Wyoming

PLS ITHACA OFFICE: 114 Prospect Street, Ithaca, NY 14850
Auburn • Cape Vincent • Cayuga • Elmira • Five Points

PLS NEWBURGH OFFICE: 10 Little Britain Road, Suite 204, Newburgh, NY 12550
Bedford Hills • Fishkill • Green Haven • Sing Sing • Taconic

Pro Se Staff
EDITORS: KRIN FLAHERTY, ESQ., KAREN L. MURTAGH, ESQ.
CO-EDITOR: BETSY HUTCHINGS, ESQ.
WRITERS: BRAD RUDIN, ESQ., NICHOLAS PHILLIPS, ESQ.
GUEST WRITER: BETSY HUTCHINGS, ESQ., MARY CIPRIANO-WALTER, ESQ., KEVIN NELSON, ESQ.
COPY EDITING AND PRODUCTION: ALETA ALBERT