

# INMATE HANDBOOK

## FCI & FPC BERLIN, NEW HAMPSHIRE



*"Re-entry Starts Here!"*

Updated: November 2023

## MEMORANDUM FOR ALL BUREAU INMATES

FROM: Charles E. Samuels, Jr., Director

SUBJECT: Expectations

As Director of the Federal Bureau of Prisons, it is my responsibility to ensure the safety, security and good order of all 117 prisons, 38,000 staff, and 217,000 inmates. It is also my responsibility to provide you opportunities for self-improvement. In this message, I will explain some of the ways I intend to carry out my duties and also explain my expectations for how you carry out your responsibilities. Over the past few weeks, I have reminded all staff of the BOP's core values: respect, integrity and correctional excellence. This means that everyone is to be treated with dignity and respect: staff, inmates, visitors, and members of the public. You are expected to demonstrate respect as well, to staff, to your fellow inmates and to the rules in place at the prison. You may want to reread the inmate rights and responsibilities information to be sure you are familiar with the expectations we have for you. Inmates who disrespect the rules by engaging in prohibited activities (especially the most serious prohibited acts including possession of intoxicants, weapons, or other contraband) pose a serious threat to the safety and security of the institution and will be subjected to disciplinary action. Participation in any type of gang activity will not be tolerated. In an attempt to ensure the environment is safe for all, inmates who participate in behavior which disrupts the orderly running of the institution may be considered for institutions with greater controls, such as higher security facilities or special management units. You are expected to behave responsibly and to live peacefully with other inmates, regardless of their background or culture.

Nearly all of you will release from prison one day and return to the community. We want you to be prepared to be a productive, law-abiding member of society. Accordingly, we will help you make the best possible use of your time in prison to learn skills, get treatment, build a resume, etc. Regardless of how many days, months, or years you may have time to serve, it is critical that you begin your preparation for reentry today! Ideally, preparation for reentry begins on the first day of incarceration. The Bureau of Prisons has developed tools to identify your needs and programs to address these needs, in the areas of education, work, recreation, health services, psychology, religious services, and more. The career resource centers at every institution can help you in many ways, and the full-time Mentor Coordinators can connect you with mentors while incarcerated who can continue to assist you after release. Staff can and will assist you to get on the path to a successful community reentry, but you must accept responsibility for your own future; you must work hard at the programs recommended for you and make every effort to prepare for release.

The staff of the BOP understand that incarceration can be a difficult experience and that some inmates are overwhelmed by feelings of hopelessness. If you or someone you know is feeling or talking about a sense of hopelessness or suicide, please bring this to the attention of a staff member as soon as possible; the staff are there to help you. Seeking help is a sign of your strength and determination to prevail. Helping yourself or a fellow inmate in a time of crisis is the right thing to do.

Another area of concern to me is sexual assault. If you are being threatened or pressured to engage in sexual behaviors, or are fearful about being sexually assaulted, please discuss your concerns with *staff* as soon as possible. We take all allegations of sexual abuse or sexual assault very seriously, and are committed to providing assistance to any victims. Please help us prevent this type of incident from occurring by identifying problematic circumstances or perpetrators so we can take appropriate action.

It is my hope that you use your term of incarceration to acquire the skills needed to live successfully in the community. We are here to help you prepare to successfully release from prison and become a productive citizen. Take advantage of the many programs that are available; get help in overcoming problems you have faced; improve skills you have acquired previously; strengthen your spiritual or religious connection. I challenge each of you to use each day to make a positive difference, whether it be for one another, the *staff* who work with you, your families, or communities.

## **Introduction**

The purpose of this handbook is to provide inmates arriving at the FCI/SCP Berlin with information regarding the Bureau of Prisons (BOP), its programs, and the rules and regulations. It is not a specific guide to the detailed policies of the BOP. Rather, the material in this handbook will help new inmates more quickly understand what they will be encountering when they enter prison, and hopefully assist them in their initial adjustment to incarceration at their current institution, FCI/SCP Berlin. This information will be made available during the Institution's Admission and Orientation (A&O) Program.

## **INTAKE, CLASSIFICATION AND THE UNIT TEAM**

### **Orientation**

Inmates are given a social screening by Unit Management staff and medical screening by Health Services and Mental Health staff at the time of arrival. Inmates are immediately provided with a copy of the institution rules and regulations, which include information on inmate rights and responsibilities. It also includes information on sexual assault and abuse.

Within 28 days of arrival, inmates will participate in the Admission and Orientation (A&O) Program. While in A&O, inmates are advised of the programs, services, policies and procedures regarding the facility. Inmates who identify as having, or are found to have, a literacy problem preventing their understanding of A&O material will be assisted by staff in understanding A&O and addressing their literacy issues. Language translations of A&O material will be provided as needed.

### **Unit Teams**

At FCI/SCP Berlin each inmate is assigned to a housing unit. A unit is a self-contained inmate living area that includes both housing sections and office space for unit staff. Each unit is staffed by a Unit Team directly responsible for the inmates living in the unit. The unit offices are located in the units so staff and inmates can be accessible to each other. The unit staff typically includes a Unit Manager, Case Manager, Correctional Counselor, and Unit Secretary. The Staff Psychologist, Education Advisor and Unit Officer are considered members of the Unit Team and provide input for classification purposes.

## **GENERAL FUNCTIONS OF UNIT STAFF**

### **Unit Manager**

The Unit Manager is the administrative head of the general unit and oversees all unit programs and activities. The Unit Manager is the Chairperson of the team which comprises the Case Manager, Correctional Counselor, with input from Education and Psychology staff. The Unit Manager reviews team decisions and may chair the Unit Discipline Committee (UDC), which is a body that hears disciplinary infractions. The Unit Manager is ordinarily present during initial classification and subsequent program review(s) in which RRC placement is discussed.

### **Case Manager**

The Case Manager is responsible for all casework services and prepares classification material, progress reports, release plans, correspondence, and other materials relating to the inmate's commitment. The Case Manager serves as a liaison between the inmate, the administration, and the community.

### **Correctional Counselor**

The Counselor provides counseling and guidance for the inmates of the unit in areas of institutional adjustment, personal difficulties, and plans for the future. He/She plays a leading role in segments of unit programs relating to inmate activities. The Unit Counselor may conduct counseling groups for inmates in his/her unit and/or groups open to the general population.

**Unit Secretary:** The Unit Secretary performs clerical and administrative duties, to include the preparation of release paperwork.

**Unit Officer:** The Unit Officers have direct responsibility for the daily supervision of inmates and the enforcement of rules and regulations. They have safety, security, and sanitation responsibilities in the unit. Unit Officers are in regular contact with inmates in the units and are encouraged to establish professional relationships with them, as long as such interaction does not interfere with their primary duties. Unit Officers control movement in and out of the unit and conduct regular searches for contraband.

### **Communication**

Normally, a unit staff member is available each day of the week and most evenings until 7:00 p.m., at the FCI only. The unit bulletin boards and the TRULINCS system contain written communication of interest to inmates. Unit Managers may utilize monthly Town Hall meetings to dispense information and foster improved communications. Unit Team members will utilize either open house hours or an open door policy to address inmate concerns. Inmates are also encouraged to use Inmate Requests to Staff to make requests in writing.

### **Initial Classification/Program Reviews**

Inmates initially designated to the institution will receive initial classification within 28 days of arrival. Unit, Education, and Psychology staff will assess each inmate and work with them to develop an individual plan which will address skill deficits that may deter successful reentry into the community.

Subsequent program reviews will be held every 90 to 180 days, depending upon release date. These are held by the Unit Team to review progress on programming goals, work assignments, transfers, custody/security level, institutional adjustment, etc. The inmate may not waive appearance with the Unit Team.

### **Reentry Pre-Release Programming**

Release preparation begins on the first day of incarceration. The BOP's reentry strategy provides inmates with the opportunity to gain the necessary skills and resources to succeed upon release. Through coordinated efforts among the departments in the institution and collaboration with other agencies, a wide array of programs and activities are offered to better inmates' chances of a successful reentry upon release. Inmates are strongly encouraged to take advantage of the program recommendations. Additionally, to make the transition back to the community go as smoothly as possible, inmates should obtain at least two forms of identification to include a social security card. Inmates may also be eligible for some benefits upon release (e.g., social security disability, veteran's, medicare etc.) to make the transition easier. Lastly, the Career Resource Center, normally located in the Education Department, can also provide you with pre and post release programming and education ideas, potential employment and housing information, as well as potential benefits information.

### **Treaty Transfer for Non-U.S. Inmates**

Inmates who are not U.S. citizens may be eligible for a transfer to their home country to serve the remainder of their sentence. At initial classification, the inmate will

be advised if the inmate's home country has a formal exchange treaty with the United States. The Case Manager will provide additional information regarding an inmate's eligibility for participation in the program.

#### **Foreign Consular**

The most recent publication of the Consular Notification and Access directory will be located in the Law Library.

### **DAILY INMATE LIFE**

#### **Sanitation**

It is the inmate's responsibility to check his cell immediately after being assigned there and report all damages to the Unit Officer or Correctional Counselor. An inmate may be held financially liable for any damage to his personal living area. Each inmate is responsible for making his bed in accordance with posted regulations before work call (including weekends and holidays when he leaves the area). Each inmate is also responsible for sweeping and mopping his cell floor, removing trash, and ensuring it is clean and sanitary. Cardboard boxes and other paper containers are not permitted for storage due to their combustible nature. Lockers must be neatly arranged inside and out, and all shelving must be neat and clean. Chairs are assigned to each cell, and will not be defaced or marked in any manner by the inmate.

#### **Personal Property Limits**

Items which may be retained by an inmate are limited for sanitation and security reasons, and to ensure excess personal property is not accumulated which would constitute a fire hazard or impair staff in the performance of their duties (e.g., Cell Searches). Each institution is required to establish an Institution Supplement regarding Inmate Personal Property, specifically identifying personal property which the inmate may retain.

#### **Storage Space**

The amount of personal property allowed for each inmate is limited to those items which can be neatly and safely placed in the individual locker. Locks may be purchased in the institution Commissary. Under no circumstance will any materials be accumulated to the point where they become a fire, sanitation, security, or housekeeping hazard.

#### **Clothing**

Civilian clothing (i.e. clothing not issued by the BOP or purchased through the Commissary) is not authorized. Prerelease civilian clothing for an inmate may be retained by staff in the Receiving and Discharge area during the last 30 days of an inmate's confinement. All government clothing, except undergarments will be tagged with a label indicating the inmate's name and registration number and are to be neatly stored in the identified storage space provided. Individual washcloths and towels are issued to inmates and are not to be used to block any portion of the cell windows or doors. Representative authorized footwear/shoes may include: work (1 pr.), shower (1 pr.), athletic/specialty (1 pr. – black, white, grey, or a combination thereof with a maximum value of \$100.00), slippers (1 pr.), and casual (1 pr.). Footwear will be placed neatly under the bed. The uniform will be maintained in a neat and professional manner, with shirt tucked in and pants around the waist line. Unauthorized headwear, e.g., doo rags, are not a part of the proper uniform and will not be worn outside of the housing unit cells. Muscle shirts or tank tops are not permitted to be worn as an outer garment. Sweats and khakis are permitted to be worn in the housing units and on the Compound, after 3:30 p.m., and on weekends and holidays.

#### **Photographs**

Nude or sexually suggestive photos and Gang related photos present special concerns about personal safety, security, and good order. These photos may not be posted on walls, beds, bulletin boards or any other visible area. Any Photos in this category will be confiscated and mailed at the inmate's expense.

#### **Legal Materials**

Staff may allow an inmate to possess legal materials in accordance with the provisions on inmate legal activities.

#### **Hobbycraft Materials**

Staff shall limit an inmate's hobby shop projects within the cell or living area to those projects which the inmate may store in designated personal property containers. Staff may make an exception for an item (for example, a painting) where size would prohibit placing the item in a locker. This exception is made with the understanding that the placement of the item is at the inmate's own risk. Staff shall require that hobby shop items be removed from the living area when completed.

#### **Tablets, Radios, MP3 Players, and Watches**

An inmate may possess only one (1) approved radio or MP3 player, tablet, and watch at a time. The inmate must be able to demonstrate proof of ownership. An inmate who purchases a tablet, radio, MP3 player, or watch through a BOP commissary is ordinarily permitted the use of that item at any BOP institution if the inmate is later transferred. If the inmate is not allowed to use the tablet, radio, MP3 player, or watch at the new institution, the inmate shall be permitted to mail, at the receiving institution's expense, the item to a destination of the inmate's choice. Where the inmate refuses to provide a mailing address, the tablet, radio, MP3 player, and/or watch may be disposed of through approved methods, including destruction of the property. The tablet and MP3 player can be managed through TRU-Units. This service allows inmates to manage the player and to purchase non-explicit music. Radios with a tape recorder and/or tape player are not authorized. Only Walkman-type radios are permitted, and headphones are required at all times. While an inmate is in holdover status he may not purchase, own, or possess a tablet, radio, MP3 player, or watch. Inmates may not give any item of value to another inmate, (e.g., tablets, radio, watch, shoes, and/or commissary items.)

#### **Jewelry**

Inmates may have a plain wedding band (without stone) and an appropriate religious medallion and chain (without stones) that is not solid gold or solid silver, valued under the amount of \$100.00.

#### **Smoking**

Inmate smoking is prohibited in all BOP facilities.

#### **Quarters Rules**

In order to minimize maintenance costs, permit uniform inspection, search procedures, and maintain orderly congregate living, the institution has imposed reasonable regulations on inmate conduct and furnishings in housing units. Unit Officers and Counselors inspect cells daily and publish individual ratings of appearance.

The rules include items such as:

1. All beds are to be made daily in the prescribed manner. Beds will be made by 7:30 a.m. during the weekday. On weekends and holidays, beds will be made whenever inmates are awake or away from the cell. At no time will a mattress be removed from a bunk and placed on the floor. If a cell or room is not acceptable, disciplinary action will be taken.

2. Unit meal rotation is ordinarily based on weekly sanitation ratings of each unit. The unit with the highest sanitation is called first, and the unit with the lowest rating is called last.
3. Room or cell doors are closed when inmates are not in them.
4. Chairs are assigned to each cell with appropriate cell number engraved on each chair and will not be defaced or marked in any manner by the inmate. Chairs are not to be used on the upper tiers or below/under the 2<sup>nd</sup> floor overhang for television viewing, at any time.
5. Each inmate is responsible for the cleaning and sanitation of his or her room or cell.
6. Everyone is responsible for cleaning up after themselves.
7. Sexually suggestive and/or Gang related photographs are **NOT** authorized for display. Sexually suggestive and Gang related pictures, posters, cartoons, and any items cut out of magazines may not be displayed on the bulletin boards, walls, beds, chairs or in any cell or dorm.
8. Showers are available every day, but inmates may not be in the shower during an official count.
9. Safety shoes must be worn to work as designated in policy.
10. Unit televisions may be viewed during established off-duty hours. During normal working hours, unit televisions may be viewed at the discretion of staff.
11. Laundry is not authorized to be hung in the common area of the unit. Any laundry found in the common area will be removed.

**Wake-up** A general wake-up for all inmates is 6:00 a.m. It is the inmate's responsibility to leave the unit for meals and work. Late sleepers who are unable to maintain rooms or arrive at work on time are subject to disciplinary action.

#### **Clothing Exchange & Laundry**

Institutions issue clothing to the inmate population that is properly fitted, climatically suitable, and presentable. Institutions will furnish each inmate with sufficient clothing to allow at least three changes of clothes weekly. FCI Berlin functions on a centralized laundry service, a schedule is posted on the bulletin board. All issued clothing, linen, towels, etc., are exchanged on a one-for-one basis in the units. The schedules for exchange are posted on a unit bulletin board.

#### **Commissary**

The BOP maintains inmates' monies (Deposit Fund) while incarcerated. The purpose of the Deposit Fund is to provide inmates the privilege of obtaining merchandise and services either not provided by the BOP or at a different quality than that provided by the BOP. An inmate may use funds in their account to purchase items at the institution commissary, place funds on their inmate phone account, purchase TRU-Units for their TRULINCS account, or send funds by creating a BP-199. Inmates may not be in possession of cash at any time. Upon release, all Trust Fund accounts will be consolidated and placed on an Inmate Release Debit Card. Commissary and validation schedules are posted on the inmate bulletin boards and on the TRULINCS. Funds are withdrawn after positive identification by commissary card or fingerprint identification. Inmates must have their commissary card in their possession, and properly displayed at all times when exiting the housing unit for identification purposes.

#### **Spending Limitations**

The National Spending Limit is \$320.00 but may be further restricted at the local level. Each inmate account is revalidated on a monthly, bi-weekly, or weekly cycle; see the Commissary Bulletin Board for the Validation Schedule.

#### **Deposits to Accounts**

##### **U.S. Postal Service**

Inmates' families and friends choosing to send inmates funds through the mail must send those funds to the following address and in accordance with the directions provided below:

Federal Bureau of Prisons  
 Insert Valid Committed Inmate Name  
 Insert Inmate Eight-Digit Register Number  
 Post Office Box 474701  
 Des Moines, Iowa 50947-0001

The deposit must be in the form of a money order made out to the inmate's full committed name and complete eight-digit register number. Effective December 1, 2007, all non-postal money orders and non-government checks processed through the National Lockbox will be placed on a 15-day hold. The BOP will return to the sender funds that do not have valid inmate information, provided the envelope has an adequate return address. Personal checks and cash cannot be accepted for deposit. The sender's name and return address must appear on the upper left-hand corner of the envelope to ensure the funds can be returned to the sender in the event that they cannot be posted to the inmate's account. The deposit envelope must not contain any items intended for delivery to the inmate. The BOP shall dispose of all items included with the funds. In the event funds have been mailed but have not been received in the inmate's account and adequate time has passed for mail service to Des Moines, Iowa, the sender must initiate a tracer with the entity who sold them the money order to resolve any issues.

##### **Western Union Quick Collect Program**

Inmates' families and friends may also send inmates funds through Western Union's Quick Collect Program. All funds sent via Western Union's Quick Collect will be posted to the inmate's account within two to four hours, when those funds are sent between 7:00 a.m. and 9:00 p.m. EST (seven days per week, including holidays). Funds received after 9:00 p.m. EST will be posted by 7:00 a.m. EST the following morning. Funds sent to an inmate through the Quick Collect Program may be sent via one of the following ways:

- 1) At an agent location with cash: The inmate's family or friends must complete a Quick Collect Form. To find the nearest agent, they may call 1-800-325-6000 or go to [www.westernunion.com](http://www.westernunion.com).
- 2) By phone using a credit/debit card: The inmate's family or friends may simply call 1-800-634-3422 and press option 2.
- 3) ONLINE using a credit/debit card: The inmate's family and friends may go to [www.westernunion.com](http://www.westernunion.com) and select "QuickCollect".

For each Western Union Quick Collect transaction, the following information must be provided:

- 1) Valid Inmate Eight-Digit Register Number (entered with no spaces or dashes) followed immediately by Inmate's Last Name
- 2) Committed Inmate Full Name entered on Attention Line
- 3) Code City: FBOP, DC

Please note the inmate's committed name and eight-digit register number must be entered correctly. If the sender does not provide the correct information, the transaction cannot be completed. The Code City is always FBOP, DC. Each transaction is accepted or rejected at the point of sale. The sender has the sole responsibility

of sending the funds to the correct inmate. If an incorrect register number and/or name are used and accepted and posted to that inmate, funds may not be returned. Any questions or concerns regarding Western Union transfers should be directed to Western Union by the sender (general public). Questions or concerns should not be directed to the BOP.

### **Money Gram Express Payment Program**

Inmates' families and friends may also send inmates funds through Money Gram's Express Payment Program. All funds sent via Money Gram's Express Payment will be posted to the inmate's account within two to four hours, when those funds are sent between 7:00 a.m. and 9:00 p.m. EST (seven days per week, including holidays). Funds received after 9:00 p.m. EST will be posted by 7:00 a.m. EST the following morning. Funds sent to an inmate through the Money Gram Express Payment Program may be sent via one of the following ways:

1) At an agent location with cash: The inmate's family or friends must complete a Money Gram Express Payment Blue Form. To find the nearest agent, they may call 1-800-926-9400 or go to [www.moneygram.com](http://www.moneygram.com).

For each Money Gram Express Payment transaction, the following information must be provided:

1) Valid Inmate Eight-Digit Register Number (entered with no spaces or dashes), followed immediately by Inmate's Last Name

2) Company Name: Federal Bureau of Prisons

3) City & State: Washington, DC

4) Receive Code: Must always be 7932

5) Committed Inmate Full Name entered on Beneficiary Line

Please note that the inmate's committed name and eight-digit register number must be entered correctly. If the sender does not provide the correct information, the transaction cannot be completed. Each transaction is accepted or rejected at the point of sale. The sender has the sole responsibility of sending the funds to the correct inmate. If an incorrect register number and/or name are used and accepted and posted to that inmate, funds may not be returned.

2) ONLINE using a credit, debit or prepaid card (Visa or MasterCard only): The inmate's family and friends can click on [www.moneygram.com/paybills](http://www.moneygram.com/paybills). Enter the Receive Code (7932) and the amount you are sending (up to \$300). If you are a first time user you also must set up a profile and account.

Any questions or concerns regarding Money Gram Express Payment transfers should be directed to Money Gram by the sender (general public). Questions or concerns should not be directed to the BOP.

### **TRULINCS**

The Trust Fund Limited Inmate Computer System (TRULINCS) is the inmate computer network that provides inmates access to multiple services. At no time do the inmates have any access to the Internet. Inmate's access dedicated TRULINCS workstations installed in various housing units and common areas to perform various functions using their register number, Phone Access Code (PAC), Commissary Personal Identification Number (PIN) and fingerprint identification. Inmate access to these workstations varies depending on the institution.

Account Transactions – This service allows inmates to search and view their Commissary, telephone, and TRULINCS account transactions, as well as, view their Media List.

Bulletin Board – This service is used to supplement the use of inmate bulletin boards within the institution for disseminating information to the inmate population.

Contact List - This service is used by inmates to manage their email address list, telephone list, and postal mailing list. Inmates also mark for print postal mailing labels within this service.

If an email address is entered for a contact, TRULINCS sends a system generated message to the contact directing them to [www.corrlinks.com](http://www.corrlinks.com) to accept or reject email contact with the inmate prior to receiving any messages from the inmate. If a positive response is received, the inmate may begin exchanging electronic messages with this contact. If a contact rejects TRULINCS participation, the inmate is blocked from sending any messages to that email address.

Law Library – This service allows inmates to perform legal research.

Manage Funds – This service allows inmates to manage their personal funds by creating/canceling Requests for Withdrawal of Inmate Personal Funds (BP-199) and their Pre-Release Account.

Manage TRU-Units – This service allows inmates to purchase TRU-Units using available Commissary funds or transfer TRU-Units back to their Commissary account.

Prescription Refill – This service allows inmates to request prescription refills via TRULINCS of self-carry medications that are ready for refill directly to the Pharmacy. Pharmacy staff will receive the prescription refill request and process the request accordingly. Inmates will follow established local procedures for picking up requested prescriptions.

Print – This service allows inmates the opportunity to print various documents marked for print within TRULINCS. Mailing labels and BP-199 forms may be printed for free. All other documents can be printed at a cost.

Public Messaging – Inmates may correspond with friends and family using public messaging. This is a restricted version of email that will only allow text messages and no attachments. There is a cost per minute fee for using this service. Messages are limited to 13,000 characters.

Request to Staff – This service allows inmates to correspond with staff electronically. The list of available departments varies by institution; however, there is a standard DOJ Sexual Abuse Reporting mailbox available that provides inmate with an additional method to report allegations of sexual abuse and harassment directly to the Office of Inspector General (OIG).

Survey – This service allows inmates to take Bureau surveys (i.e., Institution Character Profile).

### **Inmate Telephone System –TRUFONE**

Each inmate will be provided a nine-digit Phone Access Code (PAC) for accessing TRUFONE; including instructions for use of this system. The PAC is confidential and should not be shared with other inmates. A replacement fee will be charged if a PAC is misplaced or compromised. In addition, each inmate will need to perform voice verification registration. Management of inmates' telephone numbers is performed via the TRULINCS.

The hours of telephone operation begin at 6:00 a.m. and end no later than 11:30 p.m. at the SCP and end no later than 9:00 p.m. at the FCI. Inmate access to telephones will normally be limited during the following times, Monday through Friday, not including holidays: 7:30 a.m. until 10:30 a.m.; and 12:30 p.m. until after 4:00 p.m. count.

Inmates are expected to be at their work assignments and must not use the telephone during their work hours. For inmates who work varied work shifts, at local discretion, institutions may leave one telephone per unit available for inmates on "days off," or "evening shift."

Directions for use of TRUFONE are posted near the telephones. All calls are limited to 15 minutes. Telephone calls are subject to monitoring and recording by institution staff. Inmates are limited to 300 minutes per month and may be used for any combination of collect or direct dial calls. Ordinarily, inmates will be allowed an extra 100 minutes per month in November and December. Telephone rates are posted throughout the institution.

TRUFONE credits are transferred using the TRUFONE system and must be done in even dollar amounts. The TRUFONE credits are deducted from an inmate's commissary account and transferred to the TRUFONE account immediately. Transfers may be made from any telephone during operational hours. It is each inmate's responsibility to verify the correctness of the amount transferred at the time of transfer.

## **SECURITY PROCEDURES**

### **Attire**

Inmates will be in the proper uniform, khaki pants and khaki shirt, Monday thru Friday, between 7:30 a.m. and 4:00 p.m. at the FCI. The attire for the SCP will be brown pants and brown shirts, Monday thru Friday, 7:30 a.m. to 4:00 p.m. The uniform will be maintained in a neat and professional manner, with shirt tucked in and pant waistband will be around the waist line (not below). If the shirt contains buttons, all will be appropriately fastened with the exception of the top button. Pant legs may not be rolled-up, pegged, or tucked into boots. Other than approved religious headgear, hats will not be worn while indoors.

### **Inmate Identification Cards**

Inmates are required to wear their identification cards on their lanyards at all times upon departing their assigned housing unit. Inmates will be issued an identification card upon arrival at the institution and upon unit changes by the Correctional Systems Department (CSD). Inmates are responsible for the care of these cards. Lost, stolen, or damaged cards must be replaced.

### **Counts**

Each institution will conduct, at a minimum, five official inmate counts during every 24-hour period (12:01 a.m., 3:00 a.m., 5:00 a.m., 4:00 p.m. and 9:30 p.m.). On weekends and holidays, an additional count will be conducted at 10:00 a.m. The inmate is expected to be standing at bedside during official counts held at 4:00 p.m. and 9:30 p.m., on weekdays and 10:00 a.m., 4:00 p.m., and 9:30 p.m. on weekends and holidays, and during any emergency count. Institutions with secure cell space are required to lock the inmates in their cells for all official counts, unless the inmates are on out-counts in areas such as Food Service, Health Services, Visiting, etc. Disciplinary action will also be taken against inmates for leaving an assigned area before the count is clear. The inmate must actually be seen at all counts, even if the inmate must be awakened. During counts, inmates are expected to stay quietly in their cells until the count is announced as clear by the Unit Officer.

### **Call-Outs**

Call-outs are a scheduling system for appointments (which include medical, dental, educational, Team meetings, and other activities) and are posted each day on the unit bulletin boards after 4:00 p.m., on the day preceding the appointment. It is the inmate's responsibility to check for appointments on a daily basis.

### **Controlled Movement**

During open institution hours, movement throughout the institution will be regulated by a procedure called Controlled Movement. The purpose of Controlled Movement is to ensure the movement of inmates is safe and orderly.

Controlled Movements are ten minutes in duration and direct movement to and from the housing unit to the work site or other announced areas. The beginning and end of each move will be announced by staff. An example would be a one way movement from the housing units to Recreation.

During the evening hours, the first controlled movement period normally begins at the conclusion of a clear official 4:00 p.m. count. During the feeding of the evening meal, inmates can normally move to the recreation yard, gymnasium, or chapel; however, you remain secured inside those areas until the next controlled movement is announced. At the conclusion of the evening meal, the Compound will be secured and a ten minute, controlled movement will commence.

On Saturdays, Sundays, and holidays, normally the first controlled movement will begin at the conclusion of the morning meal. The Compound will be secured at 9:30 a.m., in preparation of the 10:00 a.m. count. During the feeding of the brunch meal, inmates can normally move to the recreation yard, gymnasium, or chapel; however, you must remain secured inside those areas until the next controlled movement is announced. The movement periods will resume after the brunch meal.

### **Corridors**

FCI Berlin has three corridors, the Blue, the Green, and the Black Corridor. Inmates are required to walk on the right side of all three corridors with their right shoulder to the right wall leaving the center of the corridors for staff movement. Inmates are not to walk more than three wide and are to give right of way to staff. During institutional emergencies, all inmates are required to face the corridor wall and drop down on one knee against the corridor wall.

### **Contraband**

Items possessed by an inmate ordinarily are not considered to be contraband if the inmate was authorized to retain the item upon admission to the institution, the item was issued by authorized staff, purchased by the inmate from the commissary, purchased or received through approved channels (to include approved for receipt by an authorized staff member or authorized by institution guidelines). This ensures a safe environment for staff and inmates by reducing fire hazards, security risks, and sanitation problems which relate to inmate personal property.

Contraband includes material prohibited by law, or by regulation, or a material which can reasonably be expected to cause physical injury or adversely affect the security, safety, or good order of the institution.

Staff shall consider as nuisance contraband any item other than hard contraband, which has never been authorized, or which previously has been authorized for possession by an inmate, but whose possession is prohibited when it presents a threat to security, due to its condition, or if excessive quantities of it present a health,

fire, or housekeeping hazard. Examples of nuisance contraband include: personal property no longer permitted for admission to the institution or permitted for sale in the commissary; altered personal property; excessive accumulation of commissary, newspapers, letters, or magazines which cannot be stored neatly and safely in the designated area; food items which are spoiled or retained beyond the point of safe consumption; government-issued items which have been altered, or other items made from government property without staff authorization.

Staff shall seize any item in the institution which has been identified as contraband whether the item is found in the physical possession of an inmate, in an inmate's living quarters, or in common areas of the institution. An inmate may not purchase, give, or receive any personal property from another inmate.

Staff shall return to the institution's issuing authority any item of government property seized as contraband.

Items of personal property confiscated by staff as contraband are to be inventoried and stored pending identification of the true owner (if in question) and possible disciplinary action. Staff will then provide you with a copy of the inventory as soon as practicable.

Each inmate is responsible for all items found in their assigned living area and should immediately report any unauthorized item to the Unit Officer. A record or receipt of the item should be kept in the inmate's possession.

#### **Shakedowns**

The placement of metal detection devices throughout the institutions may be necessary for the control of contraband. A metal detector search may be done in addition to the pat search. Staff may conduct a pat search of an inmate on a routine or random basis to control contraband. Staff may also conduct a visual search where there is reasonable belief that contraband may be concealed on your person or a good opportunity for concealment has occurred. Finally, staff may search an inmate's housing and work area, and personal items contained within those areas, without notice, randomly, and without the inmate's presence. The property and living area will be left as close to the same conditions as found.

#### **Drug Surveillance / Alcohol Detection**

BOP facilities operate drug surveillance and alcohol detection programs which include mandatory random testing, as well as testing of certain other categories of inmates. A positive test, or refusal to submit a test, will result in an incident report.

#### **Fire Prevention and Control**

Fire prevention and safety are everyone's responsibility. Inmates are required to report fires to the nearest staff member so property and lives can be protected. Piles of trash or rags in closed areas, combustible material, items hanging from fixtures or electrical receptacles, or other hazards will not be tolerated. Regular fire inspections are made by qualified professionals.

### **PROGRAMS AND SERVICES**

#### **Job Assignments**

All inmates, who have been medically cleared, will maintain a regular job assignment. Many job assignments are controlled through an Inmate Performance Pay (IPP) system, which provides monetary payment for work. Unit staff assigns work and approves all job changes. They also see that the changes are posted on the Daily Change Sheet.

#### **Inmate Financial Responsibility Program**

Working closely with the Administrative Office of the Courts and the Department of Justice, the BOP administers a systematic payment program for court-imposed fines, fees, and costs. All designated inmates are encouraged to develop a financial plan to meet their financial obligations. These obligations may include: special assessments imposed under 18 USC 3013, court ordered restitution, fines and court costs, judgments in favor of the U.S., other debts owed the Federal government, and other court-ordered obligations (e.g., child support, alimony, other judgments).

#### **Food Service**

The BOP offers a standardized National Menu. This menu is offered at all institutions and includes approved menu items based on standard recipes and product specifications. The National Menu offers regular, heart healthy and no-flesh dietary options. At the Warden's discretion items may be added to the National Menu by adding to a salad bar, hot bar, beverage bar (if these are part of the Food Service program) or by adding condiments such as sugar.

Medical diets will be provided by mainline self-selection, from the items available on the National Menu for that meal, unless menu items fail to meet the medical requirement. Menu item replacements may not always be provided as inmates may have to avoid certain foods in the self-selection process; however, if a dietitian determines a Special Diet is required to ensure adequate nutrition, it will be provided by pre-plating or controlled plating.

The religious diet program, called the Alternative Diet Program, consists of two distinct components: one component provides for religious dietary need through self-selection from the main line, which includes a no-flesh option. The other component accommodates dietary needs through nationally recognized, religiously certified processed foods and is available through the approval of Religious Services. Special Housing Unit inmates receive the same diet as inmates in the general population.

During normal working hours inmates are expected to be in full inmate uniform from 7:30 a.m. to 4:00 p.m., Monday through Friday, excluding all federal holidays. Shoes are to be worn in the dining room area. Inmates will remove their hats, sun glasses and head gear (excluding religious head gear) upon entering the Food Service Department. No inmate personal items may be brought into Food Service. You will be required to have your identification card with you at each meal. You will be required to scan your card to receive your meal. Inmates will not be permitted to bring or take any food items out of the dining hall.

#### **Education**

The mission of Education/Recreation Services is to provide mandatory literacy and English-as-a-Second Language programs as required by law, as well as other education/recreation and related programs that meet the needs and interests of the inmate population, provide options for the positive use of inmate time, and enhance successful reintegration into the community.

Education opportunities provided for Federal inmates include General Equivalency Diploma (GED) and ESL programs, as required by law. Various nationally recognized tests will be used to place inmates in appropriate education programs. Inmates must perform to the best of their abilities on exams for appropriate placement in class.



Education's hours of operation are as follows:

Monday – Thursday	Friday	Saturday
7:45 a.m. to 10:30a.m. 12:00 p.m. to 3:30p.m. 4:30 p.m. to 8:30 p.m.	7:45 a.m. to 10:30a.m. 12:00 p.m. to 3:30p.m.	7:45 a.m. to 3:30 p.m. 12:30 p.m. to 3:30 p.m.

If you are interested in any of the available educational opportunities offered by the Education Department, please stop by and speak with any of the staff or submit an Inmate Request to Staff Member (Cop-Out) to the Educational Department.

**Rules:**

When entering education, inmates must be in full uniform, including boots or approved soft shoes (with accompanying soft shoe pass). Inmates must have their ID on them at all times in Education. The following items are not authorized in education; bags, commissary, MP3 players, Food or Drinks. Head phones are permitted.

**Literacy/GED**

The Violent Crime Control and Law Enforcement Act (VCCLEA) and the Prison Litigation Act (PLRA) require inmates who lack a high school diploma to participate in a GED credential program and make satisfactory progress in the program in order to be eligible to vest the maximum amount of earned good conduct time (VCCLEA sentenced inmates) or earn the maximum amount of good conduct time.

Unless exempt (pre-trial, holdover, etc.), inmates must participate in the literacy program for one mandatory period of at least 240 instructional hours, or until they achieve a GED credential. For all inmates to receive job pay promotions above the entry level, they must have a high school diploma, a GED credential, or a pay exemption.

Inmates who are exempt from attending GED class based on a deportation detainer must enroll in GED or ESL in order to receive their good conduct time.

Inmates under a final Bureau of Immigration and Customs Enforcement (BICE) order of deportation, exclusion, or removal are exempt. Inmates who have completed the mandatory period of enrollment must remain enrolled, or re-enroll to vest/earn their good conduct time. Inmates found guilty of an incident report related to their literacy program enrollment will be changed to GED UNSATISFACTORY PROGRESS, and will not vest/earn their good conduct time.

Following an assignment of a GED UNSATISFACTORY PROGRESS code, inmates will be required to complete additional 240 hours of program enrollment before they can be changed back to a SATISFACTORY code. Good conduct time will not vest while the UNSATISFACTORY assignment exists.

Inmates who are eligible for District of Columbia Educational Good Time (DCEGT) can earn DCEGT for participating, but not completing GED, ESL and marketable level occupational training programs. While enrolled in the qualifying education program, inmates will earn DCEGT credit. However, DCEGT credit will show up on their sentence computation when they complete or withdraw from the qualifying program.

Special note on GED scores: A new English GED test will be launched in 2014. A new Spanish GED test will follow later. Once a new GED test is issued, scores from the current GED test cannot be combined with the new test. If inmates have taken the English GED test between January 1, 2002, and now, they are strongly encouraged to see the education staff and retake the GED test. English GED scores from the current GED test will no longer be valid.

The new GED Test 2014 will be taken on the computer. Inmates are strongly encouraged to enroll in a keyboarding or typing course, when offered.

**Inmates with a Verified High School Diploma**

In order to obtain a realistic and accurate assessment of an inmate's skill levels, a demonstration of literacy attainment must be verified for inmates with a high school diploma. Even though current policy accepts a high school diploma for custody classification, good time credits, education programs, etc., a high school diploma does not necessarily certify an inmate is literate.

Inmates who have a high school diploma (not an AA or higher post-secondary degree) are encouraged to submit a cop-out to the Education Department to request to sign-up for the Tests of Adult Basic Education (TABE) to validate their reading, language, and math computation, as well as applied math. The purpose of the TABE is to ensure these inmates have sufficient language and math skills to pursue their post-secondary education study and/or obtain a job in the community. Mastery of the reading, language, and math skills from the TABE is part of inmates' reentry plan documented in the Inmate Skills Development System (ISDS).

In the Academic section of the ISDS, the inmate will not be scored/rated green (indicating demonstration of literacy skills) and should be scored/rated yellow (indicating unknown) until he/she scores a 9.0 or higher on TABE A or D. If an inmate scores below 9.0, he/she should enroll in remedial classes offered by the Education Department to improve his/her literacy levels.

**ESL**

The Crime Control Act of 1990 mandates non-English speaking Federal prisoners participate in the ESL program. An inmates' communication skill level in English is evaluated at initial classification and interviews. Those found to have limited ability to communicate in English will be referred to the education department to determine proficiency at the 8th grade level or higher based on a nationally recognized achievement test. Inmates scoring less than the 8th grade level of proficiency will be enrolled in ESL until they function at the 8th grade level or above on a nationally recognized education achievement test. Currently, here at FCI/SCP Berlin, attendance in ESL will be required until such time the individual scores a 225 on the CASA Certification Test and 215 of the Listening Comprehension Test. If indicated by test scores, participation in ESL will be required regardless of education degree status. Inmates with high school diplomas or college degrees may be required to participate in the ESL program.

**Incentives**

Incentive awards are provided to recognize inmates making satisfactory progress and successfully completing the literacy (i.e., GED and ESL) program. Inmates may also receive incentives for progressing to various levels in the GED or ESL Programs. Graduation ceremonies recognize GED, ESL, and Vocational Education completions.

### Other Programs

The completion of the literacy program is often the first step towards adequate preparation for successful post-release reintegration into society. Additional educational programs such as advanced occupational training or college are needed in today's world. Vocational training and apprenticeship programs afford inmates an opportunity to obtain marketable job skills.

### Occupational Education Programs

Occupational Education programs prepare inmates for a specific occupation or cluster of occupations. Inmates can earn a Certificate, Associate of Arts Degree, Associate of Science Degree, or an industry accepted certificate upon the completion of occupational training programs. Occupational education programs vary institution-to-institution.

Inmates must request initial enrollment through the Supervisor of Education. Education staff will determine an inmate's academic eligibility for enrollment and deportation status (if applicable).

The Supervisor of Education will notify an inmates' unit team of enrollment consideration for occupational education programs.

### Apprenticeship

Apprenticeship training provides inmates the opportunity to participate in training which prepares them for employment in various trades. Apprenticeship programs in the BOP are registered with the Bureau of Apprenticeship and Training, U.S. Department of Labor. These programs are structured to offer on-the-job learning in industries. Upon completion of a registered trade, inmates can earn a Certificate of Completion from the Department of Labor.

### Adult Continuing Education (ACE)

ACE classes enhance an inmate's general knowledge on various subjects and address the skill deficits identified in an inmate's individual reentry plan. ACE classes are organized differently in different institutions. Typical ACE classes include: typing, computer literacy, foreign language, and business skills. These classes are usually offered during evening and weekend hours.

### Post-Secondary Education (Inmate Correspondence Courses)

Inmates are encouraged to expand their knowledge through a variety of methods, including correspondence courses. In general, inmates are permitted to enroll in any correspondence course that involves only "paper and pencil." Courses requiring equipment are generally not authorized. The cost for correspondence courses must be paid by the inmate. If an inmate has sufficient funds available in his commissary account, a Form 24 may be used for payment. Inmates interested in enrolling in correspondence courses are required to contact the Staff Coordinator prior to enrollment. Catalogs are available from the Staff Coordinator. Diplomas or certificates from correspondence high school GED programs do not satisfy the criteria for an adult literacy program completion.

### Community Resource Center (CRC)

The Education Department provides career and job readiness resources to make the transition into the community as smooth as possible. Partnerships are developed and maintained with community-based organizations to enhance inmate's exposure to a real life environment. Inmates are strongly encouraged to formulate release plans and goals based on their particular needs. Annual Mock Job fairs offer inmates the opportunity to prepare resumes and participate in interviews conducted by private sector representatives to prepare them for the employment process. Re-entry materials, DVDs and brochures are available in the Community Resource Center.

### Parenting

The Parenting Program provides inmates information and counseling through directed classes on how to enhance their relationship with their children even while incarcerated. All Parenting Programs include a classroom and visitation component. In addition, social service outreach contacts are often established to facilitate the provision of services to the inmate parent, visiting custodial parent, and children.

### Library Services

Leisure Libraries: Leisure libraries offer inmates a variety of reading materials, including but not limited to: periodicals, newspapers, fiction, non-fiction, and reference books. Institutions also participate in an interlibrary loan program with local, state, and college libraries and available bookmobile services.

Electronic Law Libraries (ELL): Inmates are afforded access to legal materials and an opportunity to prepare legal documents in the ELL. Resources are available for inmates to prepare legal material via Trust Fund.

A copying machine is available to reproduce materials needed for research. The price to reproduce materials is established by Trust Fund.

### Recreation, Leisure, Wellness, and Social Programs

The BOP encourages inmates to make constructive use of leisure time and offers group and individual activities. At each facility, physical fitness and leisure programs are provided to promote positive lifestyle changes. These programs strive to provide inmates with opportunities to reduce stress and enhance overall health and emotional well-being.

### Recreation Hours

Monday – Friday	Weekends/Holidays
8:30 a.m. to 3:30 p.m. 4:30 p.m. to 8:30 p.m.	6:20 a.m. to 9:30 a.m. 10:30 a.m. to 3:30 p.m. 4:30 p.m. to 8:45 p.m.

### Leisure Programs

Institutions offer a wide range of activities in which inmates may participate when not performing assigned duties. Leisure activities include: organized and informal games, sports, physical fitness, table games, hobby crafts, music programs, intramural activities, social and cultural organizations, and movies.

### Art and Hobby Craft Programs

Art work includes all paintings and sketches rendered in any of the usual media (e.g., oils, pastels, crayons, pencils, inks, and charcoal). Hobby craft activities include ceramics, mosaics, crochet, knitting, and sculptures, etc.. Art and hobby craft programs are not meant for the mass production of art and hobby craft items or to provide a means of supplementing an inmate's income. Use of hobby craft facilities is a privilege that the Warden or staff delegated that authority may grant or deny. Inmates are encouraged to participate in housing unit activities such as unit-based hobby craft. The Recreation Supervisor will coordinate housing unit activities with

Unit Managers.

### **Wellness Programs**

Wellness programs include screening, assessments, goal setting, fitness/nutrition prescriptions, counseling and classes.

### **Recreation and Zimmer**

The Zimmer Amendment was passed in 1996. The amendment does not allow for the BOP to use appropriated and non-appropriated funds to provide amenities or personal comforts in the Federal Prison System. Specifically, institutions activated prior to 1996 through attrition, will conform to the guidelines set by the law. The main sections of Zimmer address: (1) viewing of R, X, or NC-17 movies; (2) instruction or training for boxing, wrestling, judo, karate or other martial arts or any body building or weightlifting equipment; and (3) electronic or electric instruments.

### **Consequences for Rules Violation in Recreation**

Inmates are strongly encouraged to participate in recreation activities. However, when inmate behavior violates established rules, consequences may include an incident report and/or suspensions from programs.

### **Religious Services**

The Religious Services Department provides pastoral care and religious accommodation to individuals and group religious beliefs and practices in accordance with the law, Federal regulations and BOP policy. The Chaplains offer religious worship, education, counseling, spiritual direction, support and crisis intervention to meet the diverse religious needs of inmates. BOP Chaplains also oversee the religious diet program, ceremonial religious meals and religious holiday observances. All Chaplaincy Services' programming is directed to promote BOP reentry goals. The Life Connections and Threshold programs highlight our faith-based reentry priorities. Institutional staff can help notify inmates in the event there is a death or hospitalization of an immediate family member. The notification can only be made after the inmate's family calls the institution with the information needed to verify the emergency with an official entity (i.e. hospital, police department, funeral home, etc.). We highly recommend that all inmates save some money and phone minutes until the end of each month in the event a family emergency occurs.

### **Psychology Services**

Psychology Services departments in all BOP institutions offer basic mental health care to inmates. This care may include screening, assessment, and treatment of mental health or drug abuse problems, individual and/or group counseling, psycho-educational classes, self-help and supportive services, or referral to Health Services for medical treatment of a mental illness.

In addition, Psychology Services staff, along with other programming staff in the institution, collaborate with your Unit Team to develop a comprehensive assessment of your strengths and weaknesses. Based on this assessment, Psychology Services will offer programming recommendations specific to your psychological needs. These recommendations are designed to ensure your successful adjustment to incarceration and prepare you for your eventual release. We encourage you to participate actively in the assessment process. If mental health or drug abuse programming is recommended for you, Psychology Services staff will provide ongoing feedback to you and your unit team regarding your progress toward these programming goals.

If you are new to the BOP, or if you have previously identified mental health or drug abuse programming needs, you will be scheduled for an interview with Psychology Services staff. The purpose of this interview is to review your history and identify your programming needs. This interview is an ideal time for you to share your interest in specific services, such as drug abuse treatment or mental health counseling.

The Psychology Services department consists of a Chief Psychologist, two Staff Psychologists, a Psychology Technician, a Drug Abuse Program Coordinator, and five Drug Abuse Treatment Specialist. The department's offices are located in Blue Corridor between Education and Religious Services. There are a number of ways to contact Psychology Services at this institution.

You may:

- Submit an Inmate Request to a Staff Member (a "Cop-out") to Psychology Services.
- Visit the department during "Open House" hours on Monday and Thursday, 9:30 AM, at the FCI, and Wednesday, 11:30 AM at the SCP.
- Speak with a Psychology Services staff member during mainline or as they make rounds in your unit.
- Or in the case of a crisis situation, notify your Unit Officer, Unit Team, or any other BOP staff member of your urgent need to speak with Psychology Services.

### **Suicide Prevention**

Incarceration can be a difficult experience. At times, you may feel discouraged, frustrated, and helpless. It is not uncommon for people to experience depression while in jail or prison, especially if they are newly incarcerated, serving a long sentence, experiencing family problems, struggling to get along with other inmates, or receiving bad news. Over time, most inmates successfully adapt to incarceration and find ways to use their time productively and meaningfully. However, some inmates continue to struggle with the pressures of incarceration and become overwhelmed by a sense of hopelessness. If you feel a sense of hopelessness or begin thinking about suicide, talk to a staff member. Help is available and actively seeking help is a sign of your strength and determination to prevail. If you feel you are in imminent danger of harming yourself or someone else, you should contact a staff member immediately.

In addition, if you suspect another inmate is contemplating suicide, please notify a staff member. Staffs do not always see everything inmates see. And, most suicidal individuals display some warning signs of their intentions. PLEASE alert a staff member right away if you suspect a fellow inmate is considering suicide. The most effective way to prevent another person from taking his or her life is to recognize the factors that put people at risk for suicide, take warning signs seriously and know how to respond. The warning signs of suicide may include:

- threatening to hurt or kill oneself or talking about wanting to hurt or kill oneself
- feeling hopeless
- feeling rage or uncontrolled anger or seeking revenge
- increased alcohol or drug use
- withdrawing from friends, family, associates
- experiencing dramatic mood changes
- feeling anxious or agitated, being unable to sleep, or sleeping all the time
- seeing no reason for living or having no sense of purpose

If your friend, cellmate, coworker, or associate is exhibiting these signs, start by telling the person you are concerned and give him/her examples of what you see that worries you. Listen and encourage the person to seek help. If they are hesitant, offer to go with them to speak to a staff member. If you are not confident they will

seek help, notify a staff member yourself. Seeking help for a person in distress isn't "snitching", it is showing concern for the welfare of a fellow human being. If you report your concerns to staff, you can rest easy knowing you did everything within your power to assist the individual.

### **Drug Abuse Programs**

Drug abuse programming is available in all BOP institutions. The BOP offers a drug education course as well as treatment options for inmates who have abused alcohol and/or drugs.

### **Drug Abuse Education Course**

The Drug Abuse Education Course is not drug treatment. The purpose of the course is to encourage you to review the consequences of your choice to have drugs in your life, to look at the relationship between drug use and crime, and to begin to think about how different your life could be without drugs. Looking at your drug involvement in this way may motivate you to ask for drug abuse treatment. If your pre-sentence report documents a prolonged history of drug use, evidence that alcohol or drug use contributed to the commission of your offense, a judicial recommendation for treatment, or a violation of community supervision as a result of alcohol or drug use, you are required to take the Drug Abuse Education Course. Failing to take the Drug Abuse Education Course when required will result in your ineligibility for performance pay above the maintenance pay level, as well as ineligibility for bonus or vacation pay. You will also not be eligible for a Federal Prison Industries work program assignment. If you are not sure what this means, you may want to ask your counselor.

The Drug Abuse Education Course is available in every BOP institution. If you are required to complete the course, your name will automatically be placed on the waiting list for the course. When it is time for you to complete the course, Psychology Services staff will contact you. If you would like to enroll in the course, but are not required to participate, you may submit an Inmate Request to a Staff Member (a "Cop-Out") in order to place your name on the waiting list for the course.

### **Nonresidential Drug Abuse Treatment**

Nonresidential Drug Abuse Treatment is also available in every Bureau institution. Nonresidential Drug Abuse Treatment has been developed to provide the flexibility necessary to meet each individual's treatment needs, and more specifically for:

- inmates with a relatively minor or low-level drug abuse problem,
- inmates with a drug use disorder who do not have sufficient time to complete the intensive Residential Drug Abuse Treatment Program (RDAP),
- inmates with longer sentences who are in need of treatment and are awaiting placement in the RDAP,
- inmates with a drug use history who chose not to participate in the RDAP, but want to prepare for staying sober in the community, and
- inmates who completed the unit-based portion of the RDAP and are required to continue treatment until their transfer to a Residential Reentry Center (half-way house).

Program completion awards are only available for those who complete the program. If you are interested, ask the institution's drug abuse treatment staff for more information on these awards.

### **Residential Drug Abuse Treatment**

The RDAP provides intensive drug abuse treatment to inmates diagnosed with a drug use disorder. Inmates in the residential program are housed together in a treatment unit that is set apart from the general population. Treatment is provided for a minimum 9 months; however, your time in the program depends on your progress in treatment.

To apply for the RDAP you must send an Inmate Request to a Staff Member (a "Cop-Out") to obtain an interview for the program. First, staff will screen your pre-sentence report to determine if there is any documentation indicating that you have a pattern of drug abuse or dependence. If so, you will be referred to the Drug Abuse Program Coordinator for an interview to determine if you meet the diagnostic criteria for a substance use disorder.

Inmates who are diagnosed with a drug use disorder are qualified for the RDAP and are admitted to the program based on their nearness to release, as mandated by federal statute. You must have enough time left to serve on your sentence to complete the unit-based component and the community transition component of the program. Follow-up Treatment, as described earlier, is provided to inmates after they complete the unit-based component and before they transfer to a residential reentry center.

The RDAP is operated as a modified therapeutic community where inmates are expected to model the pro-social behaviors expected in a community. This means RDAP participants are role models to other inmates. Therefore, they are to demonstrate honesty, to relate positively with their peers, and to fully participate in all treatment activities in the unit. The RDAP is a half-day program, with the rest of the day devoted to work, school, and other self-improvement activities. The RDAP is available in 74 BOP institutions.

If you are interested in volunteering for the RDAP and would like to know if you are eligible for the program, contact the institution's drug abuse program coordinator. You may apply for the program at any time during your incarceration, but your interview, like program admittance, will be based on your proximity to release. Ordinarily inmates are interviewed 24-42 months from release depending on the facility's security level and waiting list for the RDAP.

### **Early Release**

The Violent Crime Control and Law Enforcement Act of 1994 allows the BOP to grant a non-violent inmate up to 1 year off his or her term of imprisonment for successful completion of the residential drug abuse treatment program (Title 18 U.S.C. § 3621(e)(2)). For more information, talk to an institution drug abuse treatment specialist or drug abuse program coordinator.

### **Community Transition Drug Abuse Treatment**

To successfully complete the RDAP, inmates are required to participate in the Community Transition Drug Abuse Treatment component of the program. The BOP ensures that inmates receive continued treatment when transferred to a residential reentry center (RRC) or to home confinement. The RRC, is structured to help you adjust to life in the community and find suitable post-release employment. RRCs provide a structured, supervised environment and support job placement, counseling, and other services. Within the structure of the RRC, RDAP participants continue their drug abuse treatment, with a community-based treatment provider. The BOP contracts with this provider to deliver treatment services in the community. Inmates must continue to participate in transition drug abuse treatment to earn any benefit associated with successful completion of the RDAP, e.g., early release.

In addition to these drug abuse programs, drug abuse treatment services may also be provided within the context of other specialized treatment programs with the BOP, such as the Resolve Program and the Challenge Program.

### **Specialized Mental Health Programs**

The BOP also has several residential mental health programs designed to help inmates with severe emotional, cognitive, and behavioral problems. These programs are indicated for inmates who are having difficulty functioning in a mainline institution due to a psychological disorder. They are designed to improve the day to day functioning of inmates with the goal of helping them return to a mainline institution or preventing the need for hospitalization. Psychology Services has additional information about these programs and can make recommendations for participation.

### **The Sex Offender Management Program**

The BOP offers sex offender treatment programs at our Sex Offender Management Program (SOMP) institutions. SOMP institutions have a higher proportion of sex offenders in their general population. Having a larger number of sex offenders at SOMP institutions ensures that treatment volunteers feel safe about participating in programming.

The BOP's sex offender treatment programs are stratified into two program levels:

#### **The Residential Sex Offender Treatment Program [male institutions only]**

The Residential Sex Offender Treatment Program (SOTP-R) is a high intensity program designed for high risk sexual offenders - ordinarily inmates with multiple sex offenses, or a history of contact sexual offenders. The SOTP-R is offered at the Federal Medical Center (FMC) in Devens, Massachusetts.

#### **The Non-residential Sex Offender Treatment Program**

The Non-residential Sex Offender Treatment Program (SOTP-NR) is a moderate intensity program designed for low to moderate risk sexual offenders. Many of the inmates in the SOTP-NR are first-time offenders serving a sentence for an Internet sex crime. All SOMP institutions offer the SOTP-NR.

When you volunteer for treatment, BOP staff will determine whether the Residential or Non-residential Treatment Program is appropriate for you based on your offense history. If eligible for treatment, you will be transferred to a SOMP institution based on your treatment needs and security level.

If you are interested in receiving sex offender treatment and would like to know if you are eligible for the program, contact Psychology Services. You may apply at any point in your sentence. However, inmates ordinarily enter treatment when they have between 24 to 42 months remaining on their sentence. If you are at the beginning of your sentence or have more than 48 months remaining on your sentence, you may want to wait before applying for the program.

### **Institution Specific Programs**

Psychology Services has a self-help library available for use. Books may be checked out during open house hours or by electronic Inmate Request to a Staff Member ("Cop Out"). Psychology Services also offers a variety of treatment programs including: Anger Management, Criminal Thinking, Light Therapy (seasonal), Mindfulness-Based Cognitive Therapy, Drug Abuse Education, Non-Residential Drug Abuse Program, and others. A list of available groups is available on the TRULINCS Bulletin Board. Requests for group participation may be submitted via electronic Inmate Request to a Staff Member ("Cop Out").

### **Confidentiality**

Security needs and the nature of a prison environment affect mental health care in a variety of ways. Confidentiality is an important component of the therapeutic relationship. However, in a prison environment, confidentiality must be weighed against institutional needs of safety and security. Mental health providers in the institution not only serve inmates, they also serve the institution and the public at large.

In the community, certain situations require mental health providers to violate client confidentiality. For example, many states mandate reporting of child or elder abuse. Providers also must notify authorities if a client threatens suicide or serious harm to others. Similarly, prison mental health providers violate confidentiality when an inmate is at risk of serious harm to themselves or others, such as when an inmate presents a clear and present risk of escape or when an inmate is responsible for the creation of disorder within a facility. Confidentiality may also be limited when prison mental health providers share information on a need-to-know basis with prison officials or other federal law enforcement entities. For example, before you are transferred to a residential reentry center, mental health providers must communicate your mental health needs to your Unit Team.

If you tell a staff member, including a Psychology Services staff member, that you are going to harm or kill yourself or someone else or engage in a behavior that jeopardizes the safety or security of the institution, confidentiality will be breached and the appropriate individuals will be notified on a need-to-know basis only. Simply put, there is no guarantee of confidentiality in the prison setting. However, you can rely on the professional judgment of Psychology Services staff who conscientiously balance your confidentiality and the safety and security of the institution. Information that does not impact the safety and security of the institution, inmates, and staff, will not be shared. While these limitations on confidentiality may initially deter you from seeking treatment, I want to assure you that the vast majority of inmates who receive psychological services are comfortable with the decisions staff make with regard to their confidentiality. If you have additional questions about confidentiality, be certain to discuss your concerns with Psychology Services staff.

### **Sexually Abusive Behavior Prevention Program**

The Federal Bureau of Prisons has a "zero tolerance" policy for any and all sexually abusive behaviors. If you are the victim of any type of sexual assault or feel that you are in danger of being sexually assaulted, notify a staff member immediately. Reports of sexually abusive behavior may be made at any level, and do not require use of the Administrative Remedy Process. Reports may also be made directly to the Office of Inspector General via the TRULINCS system. Please review the booklet "Sexually Abusive Behavior Prevention and Intervention: An Overview for Offenders" at the end of this handbook, for additional information.

### **Supportive Services for Victims of Sexually Abusive Behavior**

Most people need help to recover from the emotional effects of sexually abusive behavior. If you are the victim of sexually abusive behavior, whether recent or in the past, you may seek counseling and/or advice from a psychologist or chaplain. Crisis counseling, coping skills, suicide prevention, mental health counseling, and spiritual counseling are all available to you. Supportive services are also available through the Coos County Family Health Services Response Hotline; contact information is available through Psychology Services by request.

### **Escorted Trips**

Escorted trips provide approved inmates with staff escorted trips into the community for such purposes as receiving medical treatment not otherwise available, for visiting a critically ill member of the inmate's immediate family, or for participating in programs or work related functions. Additionally, bedside visits and funeral trips may be authorized for inmates with custody levels below maximum. All expenses will be borne by the inmate, except for the first eight hours of each day that the employee is on duty. There are occasions based on a determination that the perceived danger to BOP staff during the proposed visit is too great, or the security concerns about the individual inmate outweigh the need to visit the community.

## Gang Disassociation

The BOP through the National Gang Unit (NGU) affords gang affiliated inmates the opportunity to voluntarily and officially disassociate from their respective gang. For additional information, contact your local Special Investigative Services office.

## Furloughs

A furlough is an authorized absence from an institution by an inmate who is not under the escort of a staff member, a U.S. Marshal, other Federal or State agent. Furloughs are a privilege, not a right, and are only granted when clearly in the public interest and for the furtherance of a legitimate correctional goal. An inmate who meets the eligibility requirements may submit an application for furlough to staff for approval.

## Central Inmate Monitoring System

The Central Inmate Monitoring System (CIMS) is a method for the Agency to monitor and control the transfer, temporary release, and participation in community activities of inmates who pose special management considerations. Designation as a CIMS case does not, in and of itself, prevent an inmate from participating in community activities. All inmates who are designated as CIMS cases will be notified by their Case Manager.

## Marriages

If an inmate wishes to be married while incarcerated, the Warden may authorize him to do so under certain conditions. All expenses of the marriage will be paid by the inmate. If an inmate requests permission to marry he must:

- Have a letter from the intended spouse which verifies their intention to marry.
- Demonstrate legal eligibility to marry.
- Be mentally competent.
- The marriage must not present a security risk to the institution.

Marriage procedures are detailed in the local Institution Supplement's.

## Barber Shop

Haircuts and hair care services are authorized in the barber shop only. Hours of operation will be seven (7) days a week, 7:00a.m. to 7:00 p.m. The barber shop will be available to Special Housing Unit inmates, Sundays only, 7:00 a.m. to 7:00 p.m., via approved Request to Staff Member ("Cop- Out") process.

## Medical Services

Our mission here at FCI/SCP Berlin is to provide quality medical, dental, and mental health care for the inmate population, consistent with the Joint Commission Ambulatory Care Standards, and Bureau of Prisons Policy. This care will be rendered within the constraints of custody, but will recognize the inherent worth of each individual.

The vision of the Health Services Department is guided by a tradition of providing high quality health care to an incarcerated inmate population. The vision of our department is to meet the ever increasing and diversified needs of the inmate population and become a center of excellence where staff takes pride in the care they provide and the inmate patients have a positive perception of that care.

The BOP inmate health care delivery system includes local ambulatory clinics, as well as major medical centers. Locally, emergency medical care is available 24 hours a day in all BOP facilities. BOP clinical staff typically covers the day and evening shifts and community emergency personnel meet emergency needs when BOP clinical staff is not on-site.

Health services typically include episodic visits for new or recurring medical or dental symptoms through a sick call system, chronic care management for chronic and infectious diseases through enrollment in chronic care clinics for regular care, routine dental care, medical and dental emergency care for injuries and sudden illness, age-appropriate preventive care to promote optimal health and functional status, restorative care to promote achievable functional status, long-term care and end-of-life care.

## PATIENT RIGHTS AND RESPONSIBILITIES

While in the custody of the Federal Bureau of Prisons you have the right to receive health care in a manner that recognizes your basic human rights and you also accept the responsibility to respect the basic human rights of your health care providers.

Patient Rights	Patient Responsibilities
1.You have the right to health care services, based on the local procedures at your institution. Health Services include medical sick call, dental sick call and all support services. Sick call at this institution is conducted as outlined in the sections below.	1. You have the responsibility to comply with the health care policies of your institution. You have the responsibility to follow recommended treatment plans that have been established for you by institution health care staff, to include proper use of medications, proper diet, and following all health-related instructions with which you are provided.
2.You have the right to be offered a Living Will, or to provide the Bureau of Prisons with Advance Directives that would provide the Bureau of Prisons with instructions if you are admitted, as an inpatient, to a hospital in the local community, or the Bureau of Prisons.	2. You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.
3.You have the right to participate in health promotion and disease prevention programs, including education regarding infectious diseases.	3. You have the responsibility to maintain your health and not to endanger yourself, or others, by participating in activity that could result in the spreading or contracting of an infectious disease.
4.You have the right to know the name and professional status of your health care providers.	4. You have the responsibility to respect these providers as professionals and follow their instructions to maintain and improve your own health.
5.You have the right to be treated with respect, consideration and dignity.	5. You have the responsibility to treat staff in the same manner.
6.You have the right to be provided with information regarding your diagnosis, treatment and prognosis.	6. You have the responsibility to keep this information confidential.
7.You have the right to be examined in privacy.	7. You have the responsibility to comply with security procedures.
8.You have the right to obtain copies of certain releasable portions of your health record.	8. You have the responsibility of being familiar with the current policy to obtain these records.

9. You have the right to address any concern regarding your health care to any member of the institution staff including your physician, the Health Services Administrator, members of your Unit Team and the Warden.	9. You have the responsibility to address your concerns in the accepted format, such as the Inmate Request to Staff Member form, open houses or the accepted Inmate Grievance Procedures.
10. You have the right to receive prescribed medications and treatments in a timely manner, consistent with the recommendations of the prescribing health care providers.	10. You have the responsibility to comply with prescribed treatments and follow prescription orders. You also have the responsibility not to provide any other person your medication or other prescribed item.

11. You have the right to be provided healthy and nutritious food. You have the right to be instructed regarding a healthy choice when selecting your food.	11. You have the responsibility to eat healthy and not abuse or waste food or drink.
12. You have a right to request a routine physical examination, as defined by BOP policy. If you are under the age of 50, once every two years; over the age 50, once a year.	12. You have the responsibility to notify medical staff you wish to have an examination.
13. You have the right to dental care as defined in BOP policy, to include preventative services, emergency care and routine care.	13. You have the responsibility to maintain your oral hygiene and health.
14. You have the right to a safe, clean and healthy environment, including smoke free living areas.	14. You have the responsibility to maintain the cleanliness and safety of living and working areas in consideration of others. You have the responsibility to follow smoking rules.
15. You have the right to refuse medical treatment in accordance with BOP policy. Refusal of certain diagnostic tests for infectious diseases can result in Administrative action.	15. You have the responsibility to be counseled regarding the possible ill effects that may occur as a result of your refusal. You also accept the responsibility to sign the refusal.

**Sick Call System**

For episodic care, clinical and dental staff will screen the inmate’s complaint, give a future appointment based on the nature of the health complaint and enter the appointment date on the “callout” sheet. Inmates will report to their assigned work details after making the sick call appointment. If the medical or dental sick call appointment is scheduled for the same day, the inmate will receive a sick call appointment slip and give it to the work detail supervisor who will authorize the inmate to go to the clinic at the appointed time. Inmates who become ill after the regular sick call sign-up period will notify their work supervisor or Unit Officer to call the Health Services Unit to arrange an evaluation. Inmates requesting health services will be charged a co-payment fee unless staff determines they are indigent and not subject to a co-payment fee.

Inmates in detention or segregation who are unable to attend the scheduled sick call sign up event will access sick call by submitting a written request for evaluation or by verbally asking for a sick call appointment when the Health Services clinician makes daily rounds in the secured unit.

**Inmate Copayment Program**

Pursuant to the Federal Prisoner Health Care Copayment Act (FHCCA) of 2000 (P.L. 106-294, 18 U.S.C. § 4048), The Federal Bureau of Prisons and FCI/SCP Berlin shall provide notice of the Inmate Copayment Program for health care, effective October 3, 2005.

**A. Application:** The Inmate Copayment Program applies to anyone in an institution under the Bureau’s jurisdiction and anyone who has been charged with or convicted of an offense against the United States, except inmates in inpatient status at a Medical Referral Center (MRC). All inmates in outpatient status at the MRCs and inmates assigned to the General Population at these facilities are subject to copay fees.

**B. Health Care Visits with a Fee:**

1. You must pay a fee of \$2.00 per health care visit for health care services, which will be charged to your Inmate Commissary Account, if you receive health care services in connection with a health care visit that you requested, except for services described in section C below. These requested appointments include Sick Call and after-hours requests to see a health care provider. If you ask a non-medical staff member to contact medical staff to request a medical evaluation on your behalf for a health service not listed in section C below, you will be charged a \$2.00 copay fee for that visit.
2. You must pay a fee of \$2.00 for health care services, charged to your Inmate Commissary Account, per health care visit, if you are found responsible through the Disciplinary Hearing Process to have injured an inmate who, as a result of the injury, requires a health care visit.

**C. Health Care Visits with no Fee:** We will not charge a fee for:

1. Health care services based on health care staff referrals;
2. Health care staff-approved follow-up treatment for a chronic condition;
3. Preventive health care services;
4. Emergency services;
5. Diagnosis or treatment of chronic infectious diseases;
6. Mental health care; or
7. Substance abuse treatment.
8. Immediately reported injuries.

If a health care provider orders or approves any of the following, **we will also not charge a fee for:**

- Blood pressure monitoring;
- Glucose monitoring;
- Insulin injections;
- Chronic care clinics;
- TB testing;
- Vaccinations;
- Wound Care; or
- Patient education.

Your health care provider will determine if the type of appointment scheduled is subject to a copay fee.

**D. Indigence:** An **indigent inmate** is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days. If you are considered indigent, you will not have the copay fee deducted from your Inmate Commissary Account. Please note that NO inmate will be denied medical treatment based on financial status. If you are NOT indigent, but you do not have sufficient funds to make the copay fee on the date of the appointment, a debt will be established by TRUFACS, and the amount will be deducted as funds are deposited into your Inmate Commissary Account.

**E. Complaints:** You may seek review of issues related to health service fees through the Bureau’s Administrative Remedy Program (see 28 CFR part 542).

**HOW TO MAKE MEDICAL/DENTAL SICK CALL APPOINTMENTS**

To make a sick call appointment, bring your ID card to the Health Services Department during the morning sick call move. (This move will occur as the first move of the morning, four days per week: Monday, Tuesday, Thursday, and Friday, except for Holidays). Ordinarily sick call will be at 7:45 a.m. Appointments will be made by the Triage Nurse based on urgency and available resources.

- ALWAYS BRING YOUR ID CARD TO SIGN UP FOR SICK CALL.

- Present your ID card along with your sick call form at the sign-up desk.

- You must fill out the sick call form in ink. The form must include your name, register number, and complaint. Please be as thorough as possible on the form and



make sure your writing is legible.

- You will either be given a same day appointment or you will be placed on a future call-out for an appointment, depending on the nature of your medical or dental problem.

- Dental sick call sign up requires the same sick call form.

- Submit an Inmate Request to a Staff Member (Cop-Out) to Medical Department triaged by clinical staff, five (5) days per week Monday thru Friday.

#### **Tardiness for Sick Call**

You must report for ALL sick call appointments, as well as ALL appointments scheduled via the call out system. You are expected to arrive for your appointment on time, with your ID card. You are not to arrive any sooner than five minutes before the scheduled time of your appointment, and no later than five minutes after. If you are more than ten minutes late, and the reason is not justified or substantiated by staff, your appointment will be canceled and appropriate disciplinary action taken as it pertains to your absence from a scheduled assignment.

#### **Sick Call Procedures for Inmates housed in the Special Housing Unit (SHU)**

A. Medical staff will make rounds in the Special Housing Unit daily. The Health Service Administrator and/or Clinical Director will conduct rounds weekly.

B. It is the inmate's responsibility to be standing at their door during the morning rounds in order to request a sick call visit. Depending on the nature of the inmate's complaint, an appointment will be made at the appropriate time.

C. You must fill out the sick call form. The form must include your name, register number, and complaint. Please be as thorough as possible on the form and make sure your writing is legible.

D. Ordinarily sick call will be from 6:0 a.m. to 6:30a.m. Appointments will be made by the Triage Nurse based on urgency and available resources.

E. Dental sick call sign up adheres to the same procedures as outlined above. Dental sick call requests should be limited to serious dental conditions such as abscess or swelling. All other requests can be made through an Inmate Request to Staff Member addressed to the Dental Department.

F. If an inmate has a medical emergency after morning rounds have been made, the inmate should inform SHU staff and medical staff should be contacted as soon as possible. Medical staff will then handle the emergency as deemed medically necessary.

G. Morning pill line will be conducted during the morning SHU rounds. Evening pill line will be conducted during the evening SHU rounds.

H. Prescription refill requests can be made during either of the two rounds. Prescription delivery will take place during the evening medical rounds.

#### **SCP Berlin Sick Call**

Inmates who are assigned to the SCP may make sick call appointments in the morning between the hours of 6:00 a.m. and 6:30 a.m., (Monday, Tuesday, Thursday and Friday). The inmate will be responsible for completing an Inmate Sick Call Sign Up form in ink and reporting to SCP Health Services during the time frame specified above. A Physician's Assistant or Registered Nurse will screen all appointment requests and either schedules the inmate an appointment for the same day or schedule an appointment at a later date. For those appointments which are scheduled for a later date, the inmate will be placed on a call-out.

#### **Medical Open House**

If you want to request copies of your medical record or sign up for the routine list to see the Optometrist, a request should be made through the Inmate Request to Staff Member ("Cop-Out") process via TRULINCS System. If you need to request copies of your medical records, please allow a minimum of forty-five (45) days to receive them. You will be placed on call out to pick them up. **SCP** inmates should utilize the Request to Staff Member ("Cop-Out") forms for all above requests when needed.

#### **Routine Dental Care**

New commitments are seen by the Dental Department as part of the A&O process. They will be able to establish a treatment plan if needed, at that time. Requests for routine work are to be submitted to the Dentist on an Inmate Request to Staff ("Cop-Out") or during dental Open House. You must watch the call outs for your appointment time. If you are not seen here for an A&O exam, submit a cop out or report to Dental Open House if you wish to be placed on the treatment list.

Inmates at the FCI, who wish to have a dental cleaning, must submit an Inmate Request to Staff Member to the Dental Department. Additionally, complaints of chipped/broken teeth, common tooth aches and cavities should be reported through the same process. You will then be placed on a waiting list and advised of the approximate date of your scheduled appointment. **SCP** inmates must submit an Inmate Request to Staff Member to be placed on the waiting list for a dental cleaning. **SCP** Dental Sick Call forms are accepted on Tuesdays only. Dental services may also be accessed through the Inmate Request to Staff Member ("Cop-Out") process.

As with scheduled appointments you **MUST** show up for your dental appointments whether they be emergency, sick call, or scheduled on the posted call outs. Report any emergencies to staff immediately and appropriate action will be taken.

#### **Physical Examinations**

All newly committed inmates will receive a complete physical examination, including dental exam, laboratory tests, immunizations, Tuberculosis test, eye screening and in some cases, a chest x-ray. The medical A&O exams are conducted on Wednesdays. Inmates are required to be at the Health Services Department on the day their exam is scheduled. Inmates are eligible for a complete physical every two years if under 50 and a complete physical every year if over 50 years of age. If you are over 50 you are also eligible for a yearly EKG. If it has been one year since your last physical exam you may request a release physical two months prior to your release date. Each inmate is entitled to request a Health Care Prevention Visit every three years prior to the age of 50, and every year after the age of 50. Send your request for a physical exam to the Health Services Department on an Inmate Request to Staff form (Cop Out).

#### **Eyeglasses/ Contact Lenses**

A contract Optometrist or eye doctor comes to the institution on a scheduled basis. FCI inmates who wish to be evaluated for eyeglasses should submit a request to be made through the Inmate Request to Staff Member ("Cop-Out") process via TRULINCS System. **SCP** inmates must submit an Inmate Request to Staff Member ("Cop-Out") requesting an eye examination. If the eye doctor determines you need a pair of glasses, we will order them for you at government expense. It takes approximately four to six weeks to receive them. Unless medical staff determines contact lenses are medically necessary, prescription glasses must be worn and contact lenses sent home. In accordance to Program Statement 6031.03 Patient Care, eyeglasses will no longer be sent from outside sources. Unicorn at FMC Butner will provide eyeglasses.

#### **Consultant Referrals to Outside Medical Facilities, Doctors**

If the physician at this institution determines that your particular medical/dental problem cannot be evaluated or treated effectively at this facility, your case will be referred to the Utilization Review Committee (URC) to determine the most appropriate plan of care. This could be a referral to a local clinic or another Bureau medical center. Once the care is completed you will be transferred back to this institution.

### Duty Status

The medical department has five types of fitness for duty status:

**Regular Duty** - you will be assigned to work anywhere in the institution you are assigned and can participate in all institutional activities.

1. **Restricted Duty** - you are to follow the restrictions as outlined on the form for your particular duty limitation.
2. **Convalescence** - no work duty, but not restricted from other activities, must still attend education classes.
3. **Idle** - this is essentially BED REST. You are permitted out of bed for meals, medical appointments, bathroom and chapel. You are not allowed to be up watching television, out on the compound or in the gym.
4. **Medically Unassigned** - unassigned due to existing medical condition. You are to follow the restrictions as outlined on the form. This assignment will not be used routinely and will not be used for extended periods of time within this institution.

Violation of any of these restrictions subjects you to disciplinary action. If there is confusion concerning your duty status or restriction, notify a Health Services staff member through a "Cop- Out or sick call.

### CALL OUTS

The call out system is utilized by Health Services for clinical appointments, follow-up visits, and x-ray or laboratory procedures.

\*\*\*\*\*LOOK AT THE CALL OUT EVERY EVENING\*\*\*\*\*

\*\*\*\*\*ALL MEDICAL CALL OUTS ARE MANDATORY\*\*\*\*\*

**FAILURE TO REPORT FOR MEDICAL CALL OUTS WILL RESULT IN AN INCIDENT REPORT**

### Emergency Medical Treatment

All emergencies or injuries receive priority for treatment. Appropriate medical care will be provided by institution clinical staff or by community emergency personnel after regular Health Services Unit operating hours when institution clinicians are not on-site. Clinicians covering evenings, weekends and holidays provide treatment for acute medical problems and directly observed pill lines. In the event you become ill or have an accident which requires immediate medical attention, you are to notify your supervisor or the closest staff member who will then contact the Health Services Department for instructions. DO NOT JUST WALK INTO THE HEALTH SERVICES DEPARTMENT WITHOUT PRIOR APPROVAL FROM A HEALTH SERVICES STAFF MEMBER.

### Medication Administration (Pill Line)

Controlled medications are administered at regularly scheduled times of the day and evening in a specific location in the Health Services Unit known as the "pill line." Clinical staff delivers controlled medications to inmates in detention or segregation units during established pill line times.

### PILL LINE TIMES

Pill line times are as follows:

FCI BERLIN		SCP BERLIN	
6:30 a.m. to 6:45 a.m.	Monday through Friday	6:00 a.m. to 6:15 a.m.	Monday through Friday
6:30 a.m. to 6:45 a.m.	Weekends/Holidays	6:00 a.m. to 6:15 a.m.	Weekends/Holidays
8:30 a.m.	Medication Prescription Refill Pickup	5:00 p.m. to 5:30 p.m.	Daily- Medication Prescription Refill Pickup
4:45 p.m.	Restricted Pill Line Medications Only		

### You must present your institution ID at each pill line.

Some prescription medications may be written up to 180 days at a time. If your prescription has refills indicated on the bottle and you need a refill, please fill out a refill form on Trulincs. Medication will not be refilled if the expiration date has passed. In these cases, a sick call appointment to have the medication renewed, is required.

### Over-The Counter Medications (OTC's)

Personal resources will be used by inmates to obtain OTC medications, which are indicated for cosmetic and general hygiene issues or symptoms of minor ailments. These symptoms include seasonal allergies, occasional constipation, uncomplicated athletes foot, acne, simple rashes, dry skin, and muscle aches from exertion.

For those inmates who report to health services with symptoms of minor medical ailments and cosmetic or general hygiene issues they will be referred to the institution Commissary with a Commissary Shopping List stating which medications they may purchase for general complaints.

### Infectious Diseases

A. AIDS -- information will be provided during the A&O period. Additional educational and update sessions on this subject will be made available to inmates throughout their respective incarcerations.

B. Tuberculosis (TB) Screening -- annual TB screening is conducted on all the inmates at FCI Berlin. This consists of either PPD skin test (by Mantoux method), a chest x-ray, or both (CDC TB guidelines).

### On-the-job Injuries

Inmates injured while performing an assigned duty, must immediately report this injury to their work supervisor. The work supervisor reports the injury to the institution Safety Manager who completes mandatory occupational injury documentation. The inmate must be evaluated by clinical staff and an injury report completed for inclusion in the inmate's health record under the Occupational Medicine section of BEMR.

Inmates who suffer a work-related injury may be eligible for compensation if the injury prevents the inmate from performing his or her usual work duties. However, the inmate may be disqualified from eligibility for lost-time wages or compensation if he or she fails to report a work injury promptly to the supervisor.

**Primary Care Provider Teams (PCPT):** The goal of this institution's Health Services Department is to provide medical care which is consistent with the community standard of care. The PCPT model is designed to function in the same manner as a doctor's office within the community setting, consisting of clinical staff such as Physicians, Physicians Assistants, Registered Nurses, and Medical Assistants, as well as support staff such as Medical Records Technicians, and clerical staff.

The PCPT Team is a group of health care providers and support staff whose function is to provide direct patient care which support and enhance the day to day operations of the sick-call process, and chronic care clinics. Inmates will be classified based on the last two numbers of their first five digits. Example inmate # 12345-678 would be for PA1.

## **VOTING RIGHTS**

On March 7, 2021, an Executive Order on Promoting Access to Voting was issued which requires agencies to “consider ways to expand citizens’ opportunities to register to vote and to obtain information, about, and participate in, the electoral process.” As a result, voter registration for eligible individuals in federal custody will be made available. Currently, only the District of Columbia (DC), Maine and Vermont allow incarcerated individuals to vote; however, the Executive Order requires the Bureau of Prisons to educate inmates on voting rights for all states.

In the District of Columbia, you must have a proper proof of residence (address must match the address listed on the voter application). Those in a federal facility may use your DC home address. If you do not currently have an address in DC (i.e., no family currently residing there), but are still returning to DC upon release, use your last known address.

In Maine, you must have an established residence. Residence for the purpose of elections refers to “that place where the person has established a fixed and principal home to which the person, whenever temporarily absent, intends to return.” In other words, you must intend to return to that address and you will need to attest to that on the forms.

In Vermont, inmates vote by absentee ballot by using their last known address in Vermont.

Prior to release or transfer to community placement (Residential Reentry Center, Home Confinement or Federal Location Monitoring), you will receive additional information from Bureau staff. This may occur through a variety of reentry focused experiences and formats, including but not limited to the Release Preparation or Release Orientation Program, and/or individual or group counseling. Similarly, the delivery of this information may be done by Bureau staff, volunteers or other relevant community stakeholders with specific knowledge in voter rights. Currently, the BOP uses a resource published by the National Conference of State Legislatures on felon voter rights: <https://www.ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx>

The BOP will update educational materials to address changes in voting rights for relevant jurisdictions as needed.

## **CONTACT WITH THE COMMUNITY AND PUBLIC**

### **Correspondence**

In most cases, inmates are permitted to correspond with the public, family members and others without prior approval. Outgoing mail from a sentenced inmate in a minimum or low security institution may be sealed by the inmate and is sent out unopened and uninspected. Except for “special mail,” outgoing mail from a sentenced inmate in a medium or high security institution, or an administrative institution may not be sealed by the inmate and may be read and inspected by staff.

The outgoing envelope must have the inmate’s committed name, register number, and complete institution return address in the upper left hand corner. Do not abbreviate Federal Correctional Institution Berlin. Inmates will be responsible for the contents of all of their letters. Correspondence containing threats, extortion, etc., may result in prosecution for violation of Federal laws.

Inmates may be placed on restricted correspondence status based on misconduct or as a result of classification. The inmate is notified of this placement and has the opportunity to respond. Mail service to inmates is ordinarily provided on a five-day schedule, Monday through Friday. Usually, weekend and holiday mail services are not provided.

### **Incoming Correspondence**

First class mail is distributed Monday through Friday (except Federal holidays) by the evening watch Correctional Officer in each living unit. Legal and Special Mail will be distributed by Unit staff and opened in the presence of the inmate. Inmates are asked to advise those writing to them to put the inmate’s registration number and Housing Unit on the envelope to aid the prompt delivery of mail. All inmate packages must have prior authorization unless otherwise approved under BOP policy. Authorization for inmates to receive incoming packages will be limited to release clothing.

### **Address incoming inmate mail as follows:**

**Inmate Name and register number**  
**Federal Correctional Institution Berlin**  
**P.O. Box 9000**  
**Berlin, NH 03570**

### **Incoming Publications**

The BOP permits inmates to subscribe to and receive publications without prior approval. The term publication means a book, booklet, pamphlet, or similar document, or a single issue of a magazine, periodical, newsletter, newspaper, plus such other materials addressed to a specific inmate, such as advertising brochures, flyers, and catalogs. An inmate may only receive hard cover publications and newspapers from the publisher, a book club, or a bookstore. At minimum and low security institutions, an inmate may receive softcover publications (other than newspapers) from any source. At medium, high, and administrative institutions, an inmate may receive softcover publications only from the publisher, a book club, or a bookstore.

### **Special Mail**

Special Mail is a category of correspondence sent to the following: President and Vice President of the United States, the U.S. Department of Justice (including the BOP), U.S. Attorneys Offices, Surgeon General, U.S. Public Health Service, Secretary of the Army, Navy, or Air Force, U.S. Courts (including U.S. Probation Officers), Members of the U.S. Congress, Embassies and Consulates, Governors, State Attorneys General, Prosecuting Attorneys, Directors of State Departments of Corrections, State Parole Commissioners, State Legislators, State Courts, State Probation Officers, other Federal and State law enforcement offices, attorneys, and representatives of the news media.

Special mail also includes correspondence received from the following: President and Vice President of the United States, attorneys, Members of the U.S. Congress,

Embassies and Consulates, the U.S. Department of Justice (excluding the Bureau of Prisons but including U.S. Attorneys), other Federal law enforcement officers, State Attorneys General, Prosecuting Attorneys, Governors, U.S. Courts (including U.S. Probation Officers), and State Courts.

A designated staff member opens incoming Special Mail in the presence of the inmate. These items will be checked for physical contraband, funds, and for qualification as Special Mail; the correspondence will not be read or copied if the sender has adequately identified himself/herself on the envelope and the front of the envelope clearly indicates that the correspondence is "Special Mail – Open only in the presence of the inmate" or with similar language. Without adequate identification as Special Mail, the staff may treat the mail as general correspondence. In this case, the mail may be opened, read, and inspected.

#### **Inmate Correspondence with Representatives of the News Media**

An inmate may write, following Special Mail procedures, to representatives of the news media when specified by name and title. The inmate may not receive compensation or anything of value for correspondence with the news media. The inmate may not act as a reporter, publish under a byline, or conduct a business or profession while in BOP custody.

Representatives of the news media may initiate correspondence with an inmate. Correspondence from a representative of the news media will be opened, inspected for contraband, for qualification as media correspondence, and for content which is likely to promote either illegal activity or conduct contrary to BOP regulations.

#### **Correspondence between Confined Inmates**

An inmate may be permitted to correspond with an inmate confined in another penal or correctional institution. This is permitted if the other inmate is either a member of the immediate family (mother, father, sister, child, or spouse), or party in a current legal action (or a witness) in which both parties are involved. The Unit Manager at each institution must approve the correspondence if both inmates are housed in Federal institutions. The Warden at each institution must approve the correspondence if the inmate is housed in a State or local facility.

#### **Rejection of Correspondence**

The Warden may reject general correspondence sent by or to an inmate if it is determined to be detrimental to the security, good order, or discipline of the institution, to the protection of the public, or if it might facilitate criminal activity.

#### **Notification of Rejection**

The Warden will give written notice to the sender concerning the rejection of mail and the reasons for rejection. The sender of the rejected correspondence may appeal the rejection. The inmate may also be notified of the rejection of correspondence and the reasons for it. The inmate also has the right to appeal the rejection. The Warden shall refer the appeal to a designated officer other than the one who originally disapproved the correspondence. Rejected correspondence ordinarily will be returned to the sender.

#### **Change of Address/Forwarding of Mail**

Mail Room staff will make available to an inmate who is being released or transferred a change of address form. General correspondence (as opposed to special mail) will be forwarded to the new address for 30 days. After 30 days, general correspondence is returned to sender with the notation "Not at this address – return to sender." Staff will use all practical means to forward special mail. After 30 days, the SENTRY address will be used to forward special mail.

#### **Certified/Registered Mail**

Inmates may use certified, registered, or insured mail services. Other mail services such as stamp collecting, express mail, cash on delivery (COD), and private carriers are not provided. Scales and certified materials are available in the Law Library.

#### **Telephones**

Telephone privileges are a supplemental means of maintaining community and family ties. Telephones are to be used for lawful purposes only. Threats, extortion, etc. may result in prosecution. All inmate telephones are subject to monitoring and recording. Inmates must contact their Case Manager or Correctional Counselor to arrange an unmonitored attorney call.

Inmates will be given their SECRET PAC (nine digits) number by your Correctional Counselor. This will allow you to place a call by first entering the telephone number followed by your nine digit PAC number. Giving or selling your PAC number will result in disciplinary action. All calls are automatically terminated after fifteen (15) minutes. A thirty (30) minute waiting period between calls is imposed at FCI/SCP Berlin

It is each inmates responsibility to maintain their PAC in a way to ensure no other inmate has access to it. Inmates found to be sharing their telephone account with other inmates will result in disciplinary action taken with all inmates involved. Third part telephone contact will also result in disciplinary action. This could include, but is not limited to three way calls, call forwarding, the use of two or more telephones to communicate, and/or ANY circumstance in which the party called establishes third party telephone contact.

### **ACCESS TO LEGAL SERVICES**

#### **Legal Correspondence**

Legal correspondence from attorneys will be treated as Special Mail if it is adequately marked. The envelope must be marked with the **attorney's name** and an indication that he/she is an attorney and the front of the envelope must be marked as "Special Mail - open only in the presence of the inmate" or with similar language (e.g. "Legal Mail – open only in the presence of the inmate") clearly indicating the particular correspondence qualifies as legal mail and the attorney is requesting the correspondence be opened only in the inmate's presence. It is the responsibility of the inmate to advise his/her attorney of these requirements. If legal mail is not adequately marked, it may be opened as general correspondence.

#### **Attorney Visits**

Attorneys are encouraged to visit during regular visiting hours, by advance appointment. However, visits from an attorney can be arranged at other times based on the circumstances of each case and the availability of staff. Attorney visits will be subject to visual monitoring, but not audio monitoring.

#### **Legal Material**

During attorney visits, a reasonable amount of legal materials may be allowed in the visiting area, with prior approval. Legal material may be transferred, but is subject to inspection for contraband. Inmates are expected to handle the transfer of legal materials through the mail as often as possible.

#### **Attorney Phone Calls**

In order to make an unmonitored phone call with an attorney, the inmate must demonstrate to the Unit Team the need, such as an imminent court deadline. Inmates

are responsible for the expense of unmonitored attorney telephone calls. When possible, it is preferred that inmates place an unmonitored, collect legal call. Phone calls placed through the regular inmate phones are subject to monitoring.

#### **Law Library**

Electronic Law Libraries (ELL): Inmates are afforded access to legal materials and an opportunity to prepare legal documents in the ELL. Resources are available for inmates to prepare legal material via Trust Fund. The Law Library is located in the Education Department, and contains a variety of legal reference materials for use in preparing legal papers. Reference materials include the United States Code Annotated, Federal Reporter, Supreme Court Reporter, Bureau of Prisons Program Statements, Institutional Supplements, Indexes, and other legal materials. The Law Library is open during convenient non-working hours including weekends. An inmate Law Library Clerk is available for assistance in legal research. Legal materials are also available to inmates in the Special Housing Unit.

#### **Notary Public**

Case Managers are authorized to provide an oath stamp witnessing the inmate's signature.

#### **Copies of Legal Material**

In accordance with institution procedures, inmates may copy material necessary for their research or legal matters. A copying machine is available in the Education Department for inmate use for a nominal fee. Individuals who have no funds and who can demonstrate a clear need for particular copies may submit a written request for a reasonable amount of free duplication through the unit team.

#### **Federal Tort Claims**

If the negligence of institution staff results in personal injury or property loss or damage to an inmate, it can be the basis of a claim under the Federal Tort Claims Act. To file such a claim, inmates must complete a Standard Form 95. They can obtain this form by submitting an Inmate Request to Staff Member or requesting one through your Correctional Counselor.

#### **Freedom of Information/Privacy Act of 1974**

The Privacy Act of 1974 forbids the release of information from agency records without a written request, or without the prior written consent of the individual to whom the record pertained, except for specific instances. All formal requests for access to records about another person and/or agency record other than those pertaining to themselves shall be processed through the Freedom of Information Act (FOIA), 5 USC 552. Requests may be made in writing to the FOIA Branch, Central Office, 320 First St., N.W., Washington, D.C. 20534.

#### **Inmate Access to Central Files and Other Documents**

An inmate may request to view his/her central file (minus the FOIA section) under the supervision of his/her Case Manager by submitting a "Cop-Out" to the Unit Team. An inmate does not need to submit a FOIA Act Request to the Director of the BOP unless the information requested is in the FOIA Exempt section. Likewise, an inmate wishing to review his/her medical file should send a request to Health Services.

#### **Executive Clemency**

The BOP advises all inmates that the President of the United States is authorized under the Constitution to grant executive clemency by pardon, commutation of sentence, or reprieve. A pardon is an executive act of grace that is a symbol of forgiveness. It does not connote innocence nor does it expunge the record of conviction. A pardon restores civil rights and facilitates the restoration of professional and other licenses that may have been lost by reason of the conviction. Other forms of executive clemency include commutation of sentence (reduction of sentence imposed after a conviction), and a reprieve (the suspension of execution of a sentence for a period of time). Inmates should contact their assigned Case Manager for additional information regarding this program.

#### **Commutation of Sentence**

The BOP also advises inmates on commutation of sentences. Commutation of sentence is usually the last chance to correct an injustice which has occurred in the criminal justice process. Inmates applying for commutation of sentence must do so on forms available from the assigned Unit Team. The rules governing these petitions are available in the Law Library.

#### **Pardon**

A pardon may not be applied for until the expiration of at least five (5) years from the date of release from confinement. In some cases involving crimes of a serious nature, such as violation of Narcotics Laws, Gun Control Laws, Income Tax Laws, Perjury, and violation of public trust involving personal dishonesty, fraud involving substantial sums of money, violations involving organized crime, or crimes of a serious nature, a waiting period of seven years is usually required.

#### **Reduction In Sentence**

The Director of the BOP may motion an inmate's sentencing judge for reduction in sentence. In accordance with BOP policy, PS 5050.46, Compassionate Release, Procedures for Implementation of 18 U.S.C. 3582c(1)(A) & 4205(g), the court, upon motion of the BOP, may reduce the term of imprisonment for an inmate should "extraordinary and compelling reasons warrant such a reduction. The BOP may consider both medical and non-medical bases for such requests. Historically, the Director has considered such an action for an inmate presenting terminal illness or a severely debilitating medical condition. The Director will consult with the U.S. Attorney's Office that prosecuted the inmate, and carefully weigh the nature and circumstances of the offense; the likelihood of danger to the community should the inmate be released; and the recommendation of the Medical Director; Correctional Programs Assistant Director, and staff. Should the sentencing court agree, the judge will issue an order for the inmate's release and he or she will be released to the supervised release term or to the unserved portion of the sentence. If an inmate's request is denied by the Director, the inmate will be provided written notice and a statement of reasons for the denial. The inmate may appeal the denial through the Administrative Remedy Procedure (28 CFR part 542, subpart B).

#### **Implementation of Court Security Improvement Act**

On January 7, 2008, the Court Security Improvement Act of 2007 added two new provisions to the Federal Criminal Code. Title 18 U.S.C. 1521 established a criminal offense for filing, attempting to file, or conspiring to file, a false lien or encumbrance against the real or personal property of a Federal Judge or Federal law enforcement officer. Title 18 U.S.C. 119 established a criminal offense for making publicly available "restricted personal information" about a "covered person" with the intent to threaten, intimidate, or incite a crime of violence against such person. "Covered person" includes court officers, jurors, witnesses, informants, and Federal law enforcement officers, including Bureau of Prisons staff. **Documents, which can be used to harass or threaten "covered persons," including the filing of a lien against such persons, can constitute violations of these criminal statutes. Such documents are contraband and are not authorized for inmate possession.**

All inmates are prohibited from obtaining, possessing, or creating UCC financing statements and similar forms. All inmates are also prohibited from obtaining or possessing any documents which contain unauthorized personal information, including, but not limited to, home address, home telephone number, social security number, personal email, or home fax number of any "Covered Person" or their immediate family members. If you have a legitimate reason for possession of such

information, e.g., you are a relative of a "Covered Person," you should notify your Unit Staff of this fact. **If you are found to be in possession of these types of documents or information without authorization, the items will be confiscated. You will be subject to inmate discipline, and your case may be referred for possible federal criminal prosecution.** You may use the administrative remedy process to challenge the confiscation or rejection of such materials.

**PROBLEM RESOLUTION**

**INMATE REQUESTS TO STAFF (COP-OUT)**

The Bureau form BP-148, commonly called a cop-out is used to make a written request to a staff member. Any type of request can be made with this form. Cop-outs may be obtained in the living units from the Correctional Officer on duty. Electronic cop-outs may also be submitted through the TRULINC system. Staff members who receive a cop-out will answer the request in a "reasonable" period. The answer will be written on the bottom of the request form.

**ADMINISTRATIVE REMEDY PROCESS** (For detailed instructions see Program Statement 1330.16, Administrative Remedy Program.)

The BOP emphasizes and encourages the resolution of complaints on an informal basis. I hope that an inmate can resolve a problem informally by contacts with staff members or "cop-outs." When informal resolution is not successful, a formal complaint can be filed as an Administrative Remedy. Complaints regarding Tort Claim, Inmate Accident Compensation, Freedom of Information or Privacy Act Requests, and complaints on behalf of other inmates are not accepted under the Administrative Remedy Procedure.

Appeals regarding UDC sanctions are made to the Warden (BP-9). Appeals are made to the Regional Director (BP-10), and the General Counsel (BP-11). On appeal, the following items will be considered:

- Whether the UDC or DHO substantially complied with the regulations on inmate discipline.
- Whether the UDC or DHO based its decision on the evidence available.
- Whether an appropriate sanction was imposed according to the severity level of the prohibited act.
- The investigator, UDC member, DHO, and staff representative may not assist in preparing the response to the administrative appeals from UDC or DHO actions.

The first step of the Administrative Remedy Procedure is the documentation of the Informal Resolution attempts written on a BP-8 form. Inmates may obtain this form from their Correctional Counselor or other designated unit staff member. On the BP-8 form, the inmate will briefly state the nature of the problem and list the efforts made to resolve the problem informally.

If the issue cannot be informally resolved, the Correctional Counselor will issue a BP-229 (BP-9) Request for Administrative Remedy form . The inmate will return the completed BP-9 along with the BP-8 form to the Correctional Counselor, who will review the material to ensure an attempt at informal resolution was made. The BP-9 complaint must be filed within 20 calendar days from the date on which the basis for the incident or complaint occurred, unless it was not feasible to file within that period. Institution staff has 20 calendar days to act on the complaint and to provide a written response to the inmate. This time limit for the response may be extended for an additional 20 calendar days when deemed necessary to do so. The inmate will be notified of the extension.

When a complaint is determined to be of an emergency nature and threatens the inmate's immediate health or welfare, the reply must be made as soon as possible, ordinarily within three working days from receipt of the complaint.

If you are not satisfied with the response to the BP-9, you may file an appeal to the Regional Director. This appeal must be received in the Regional Office within 20 calendar days from the date of the BP-9 response. The Regional Appeal is written on a BP-230 (BP-10) form and must have a copy of the BP-9 form and response attached. The Regional appeal must be answered within 30 calendar days, but the time limit may be extended an additional 30 days. The inmate will be notified of the extension.

If you are not satisfied with the response by the Regional Director, he may appeal to the Central Office of the Bureau of Prisons. The national appeal must be made on a BP-231 (BP-11) form and must have copies of the BP-9 and BP-10 forms with responses.

The BP-11 form may be obtained from the Correctional Counselor. The national appeal must be answered within 40 calendar days, but the limit may be extended an additional 20 days if the inmate is notified.

ADMINISTRATIVE TIME LIMITS (IN CALENDAR DAYS)	
Filing	
BP-9	20 days of incident
BP-10	20 days from BP-9 response
BP-11	30 days from BP-10 response
Response	
BP-9 - 20 days	BP-9 - 20 days
BP-10 - 30 days	BP-10 - 30 days
BP-11 - 40 days	BP-11 - 40 days
Extension	

**SENSITIVE COMPLAINTS**

If you believe a complaint is of such a sensitive nature that he would be adversely affected if the complaint became known to the institution, you may file a complaint directly to the Regional Director. The inmate must explain, in writing, the reason for not filing the complaint with the institution. If the Regional Director agrees that the complaint is sensitive, it will be processed. If the Regional Director does not agree that the complaint is sensitive, the inmate will be advised in writing of that determination and the complaint will be returned to the inmate. The inmate may then pursue that matter by filing a BP-9 at the institution.

**ADMINISTRATIVE REMEDY PROCEDURES UNDER THE PRISON RAPE ELIMINATION ACT (PREA)**

Administrative remedies regarding allegations of sexual abuse may be filed at any time. Attempts at Informal Resolution (BP-8) are not required. If filed as an emergency grievance under Section 12 of the Program Statement alleging substantial risk of imminent sexual abuse, an expedited BP-9 response should be provided within 48 hours.

For detailed instructions see Program Statement 1330.16, Administrative Remedy Program.

<p><b>Northeast Regional Office</b>  <b>2<sup>nd</sup> &amp; Chestnut Street, 7<sup>th</sup> Floor</b>  <b>Philadelphia, PA 19106</b></p>
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**DISCIPLINARY PROCEDURES**

Inappropriate sexual behavior towards staff and other inmates will not be tolerated. Inappropriate sexual behavior is defined as verbal or physical conduct perceived

as a sexual proposal, act, or threat. Examples of inappropriate inmate sexual behavior include: displaying sexually explicit materials; making sexually suggestive jokes, comments, proposals, and gestures; and engaging in stalking, indecent exposure, masturbation, or physical contact. Inmates who engage in this type of behavior will be disciplined and sanctioned accordingly, through the inmate discipline process.

### **Discipline**

The inmate discipline program helps ensure the safety, security, and orderly operation for all inmates. Violations of BOP rules and regulations are handled by the Unit Discipline Committee (UDC) and, for more serious violations, the Disciplinary Hearing Officer (DHO). Upon arrival at an institution, inmates are advised of the rules and regulations and are provided with copies of the Prohibited Acts and Available Sanctions, as well as local regulations.

### **Inmate Discipline Information**

When a staff member witnesses or reasonably believes an inmate has committed a prohibited act, a staff member will issue an incident report, a written copy of the charges against an inmate. The incident report will ordinarily be delivered to the inmate within 24 hours of the time staff became aware of the inmate's involvement in the incident. If the incident is referred for prosecution, the incident report is delivered by the end of the next work day after it has been released for administrative processing. An informal resolution of the incident may be attempted at any stage of the discipline process. If an informal resolution is accomplished, the incident report will be removed from the inmate's central file. Informal resolution is encouraged for all violations in the Moderate and Low severity categories. Staff may suspend disciplinary proceedings up to two calendar weeks while informal resolution is undertaken. If an informal resolution is not accomplished, staff will reinstate the discipline process at the stage at which they were suspended. Violations in the Greatest and High severity categories cannot be informally resolved and must be forwarded to the DHO for final disposition.

### **Initial Hearing**

Inmates will ordinarily be given an initial hearing within five (5) work days after the incident report is issued, excluding the day it was issued, weekends, and holidays. The Warden must approve, in writing, the any extension over five (5) days. The inmate is entitled to be present at the initial hearing and may make statements and present documentary evidence. The UDC must give its decision in writing to the inmate by the close of the next work day. The UDC may make findings on Moderate and Low severity offenses. The UDC will automatically refer Greatest and High severity offenses to the DHO for final disposition.

### **Discipline Hearing Officer (DHO)**

The Disciplinary Hearing Officer (DHO) conducts disciplinary hearings on all Greatest and High severity prohibited acts and other violations referred by the UDC at the Moderate and Low severity levels. The DHO may not hear any case not referred by the UDC. An inmate will be provided with advance written notice of the charge(s) not less than 24 hours before the inmate's appearance before the DHO. Inmates may waive this requirement. Inmates may appear before the DHO either in person or electronically (for example, by video or telephone conferencing). The Warden provides a full-time staff member to represent an inmate, if requested. An inmate may make statements and present documentary evidence on his or her behalf. The inmate may request witnesses appear at the DHO hearing to provide statements. The DHO will call witnesses who have information directly relevant to the charge(s) and are reasonably available. The DHO will request a statement from all unavailable witnesses whose testimony is deemed relevant. Inmates may not question a witness at the hearing; however, the staff representative and/or the DHO will question the witness(es). An inmate may submit a list of questions for the witness(es) to the DHO if there is no staff representative. An inmate has the right to be present throughout the DHO hearing, except during deliberations. The inmate charged may be excluded during appearances of outside witnesses or when institution security may be jeopardized. The DHO may postpone or continue a hearing for good cause or disposition when the case does not warrant DHO involvement, or may refer an incident report back for further investigation or review. The DHO will give the inmate a written copy of the decision and disposition, ordinarily within 15 days of the decision.

### **Appeals of Disciplinary Actions**

Appeals of all disciplinary actions may be made through the Administrative Remedy Program. The initial reviewing official for the UDC is the Warden, BP-9. The decision of the DHO is final and subject to review only by the Regional Director through the Administrative Remedy program, BP-10. Appeals are made to the Regional Director (BP-230) and the General Counsel (BP-231). On appeal, the reviewing authority (Warden, Regional Director, or General Counsel) considers:

- Whether the UDC or DHO substantially complied with regulations on inmate discipline.
- Whether the UDC or DHO based its decision on facts. If there is conflicting evidence, whether the decision was based on the greater weight of the evidence.
- Whether an appropriate sanction was imposed for the severity level of the prohibited act, and other relevant circumstances.

### **Special Housing Unit Status**

Special Housing Units (SHUs) are housing units in BOP institutions where inmates are securely separated from the general inmate population, and may be housed either alone or with other inmates. SHU helps ensure the safety, security, and orderly operation of correctional facilities, and protect the public by providing alternative housing assignments for inmates removed from the general population.

When placed in the SHU, you are either in administrative detention (A/D) status or disciplinary segregation (D/S) status.

Administrative detention (A/D) status: A/D is an administrative status which removes you from the general population when necessary to ensure the safety, security, and orderly operation of correctional facilities, or protect the public. Administrative detention status is non-punitive, and can occur for a variety of reasons.

You may be placed in A/D status for the following reasons:

- (a) Pending Classification or Reclassification: You are a new commitment pending classification or under review for Reclassification. This includes newly arrived inmates from the bus, airlift, and U. S. Marshals Service.
- (b) Holdover Status: You are in holdover status during transfer to a designated institution or other destination.
- (c) Removal from general population: Your presence in the general population poses a threat to life, property, self, staff, other inmates, the public, or to the security or orderly running of the institution and:
  - (1) Investigation: You are under investigation or awaiting a hearing for possibly violating a Bureau regulation or criminal law;
  - (2) Transfer: You are pending transfer to another institution;
  - (3) Protection cases: You requested, or staff determined, you require administrative detention status for your own protection; or
  - (4) Post-disciplinary detention: You are ending confinement in disciplinary segregation status, and your return to the general population would threaten the safety, security, and orderly operation of a correctional facility, or public safety.

When placed in A/D status, you will receive a copy of the administrative detention order, ordinarily within 24 hours, detailing the reason(s) for your placement. However, when placed in A/D status pending classification or while in holdover status, you will not receive an administrative detention order.

In A/D status you are ordinarily allowed a reasonable amount of personal property and reasonable access to the commissary. To the extent practical, inmates in

Administrative Detention shall be provided with the same general privileges as inmates in general population.

Disciplinary segregation (D/S) status: D/S is a punitive status imposed only by a Discipline Hearing Officer (DHO) as a sanction for committing a prohibited act(s). When you are placed in D/S status, as a sanction for violating BOP regulations, you will be informed by the DHO at the end of your discipline hearing.

In D/S status, your personal property will be impounded, with the exception of limited reading/writing materials and religious articles. Your commissary privileges may also be limited. In either status, your amount of personal property may be limited for reasons of fire safety or sanitation. The Warden may modify the quantity and type of personal property allowed. Personal property may be limited or withheld for reasons of security, fire safety, or housekeeping. The unauthorized use of any authorized item may result in the restriction of the item. If there are numerous misuses of an authorized item, the Warden may determine that the item will not be issued in the SHU. Program staff, including unit staff, will arrange to visit inmates in SHU within a reasonable time after receiving the inmate's request. A Health Services staff member will visit you daily to provide necessary medical care. While in SHU, you may continue taking your prescribed medications. In addition, after every 30 calendar days of continuous placement in either A/D or D/S status, a Mental Health staff will examine and interview you.

## **RELEASE**

### **Sentence Computation**

The Designation and Sentence Computation Center (DSCC), located in Grand Prairie, Texas, is responsible for the computation of inmate sentences. Once staff at the DSCC have certified the sentence computation as being accurate, Correctional Systems Department staff will provide the inmate with a copy of his or her sentence computation data. Any questions concerning good time, jail time credit, parole eligibility dates, full term dates, or release dates are resolved by staff upon inmate request for clarification.

### **Fines and Costs**

In addition to jail time, the court may impose committed or non-committed fines and/or costs. Committed fines mean that the inmate will remain in prison until the fine is paid, makes arrangements to pay the fine, or qualifies for release under the provisions of Title 18 USC, Section 3569 (Discharge of indigent prisoner). Non-committed fines have no condition of imprisonment based on payment of fines or costs. Payments for a non-committed fine or cost are not required for release from prison or transfer to a contract residential reentry center.

### **Detainers**

Case management staff may give assistance to offenders in their efforts to have detainers against them disposed of, either by having the charges dropped, by restoration to probation or parole status, or by arrangement for concurrent service of the state sentence. The degree to which the staff can assist in such matters as these will depend on individual circumstances. The Interstate Agreement on Detainers Act (IADA) allows for the disposition of untried charges, indictments, information, or complaints that have been lodged as a detainer by party states. The United States of America, the District of Columbia, and any U.S. state or territory that has codified the IADA into its statutes have been identified as party states. The states of Mississippi and Louisiana, the Commonwealth of Puerto Rico, and the territories have not joined the IADA to date. For an inmate to use this procedure the warrant must be lodged with the institution. If no detainer is actually lodged at the institution but the inmate knows of pending charges, it is important for the inmate to contact the court and district attorney. In some states the detainer notice may start the time running for a Speedy Trial Act agreement.

### **Good Conduct Good Time**

This applies to inmates sentenced for an offense committed on or after November 1, 1987, under the Sentencing Reform Act of 1984 (SRA), the Violent Crime Control Law Enforcement Act (VCCLEA), or Prison Litigation Reform Act (PLRA). The SRA became law on November 1, 1987. The two most significant changes made to sentencing statutes concern good time and parole issues. There are no provisions for parole under the SRA. The only good time available under the SRA is 54 days of Good Conduct Time (GCT) for each year served on the sentence. No GCT is applied to life terms, or to sentences of 1 year or less. Good time is not awarded under the SRA until the end of each year served on the sentence, and may be awarded in part or in whole, contingent upon behavior during the year. Once awarded, GCT earned under the SRA is vested, and may not be forfeited at a later time. For inmates convicted under the VCCLEA, for offenses committed from September 13, 1994, through April 25, 1996, the 54 days of GCT earned for each year served on the sentence will not vest if an inmate does not have a high school diploma or a GED, and the inmate is not making satisfactory progress toward earning a GED. Unsatisfactory progress is determined by the institution Education Department. For inmates sentenced under the PLRA, for offenses committed on or after April 26, 1996, the GCT earned for time spent in service of the sentence does not vest. In addition, if an inmate does not have a high school diploma or a GED, and the inmate is not making satisfactory progress toward earning a GED, only 42 days of GCT will be earned for each year in the service of the sentence. Unsatisfactory progress is determined by the institution Education Department. The amount of GCT an inmate is eligible to receive is based on the amount of time served on the sentence, not the length of the sentence. This calculation method has been upheld by the U.S. Supreme Court.

### **THE GOOD TIME DISCUSSIONS BELOW DO NOT APPLY TO INMATES SENTENCED UNDER THE NEW SENTENCING GUIDELINES.**

#### **Good Time**

Good Time awarded by the BOP under statutes enacted prior to November 1, 1987, has the effect of reducing the stated term of the sentence that is, it advances the date when release will be mandatory if the offender is not paroled at an earlier date. The award of Good Time does not in itself advance the offender's release date. It has that effect only if the offender would not otherwise be paroled before the mandatory date.

#### **Statutory Good Time**

Under 18 U.S. Code 4161, an offender sentenced to a definite term of six months or more is entitled a deduction from his term, computed as follows, if the offender has faithfully observed the rules of the institution and has not been disciplined:

Not greater than one year - 5 days for each month of the not less than six months or more than one year sentence.

More than 1 year, less than 3 years - 6 days for each month of the stated sentence.

At least 3 years, less than 5 years - 7 days for each month of the stated sentence.

At least 5 years, less than 10 years - 8 days for each month of the stated sentence.

10 years or more - 10 days for each month of the stated sentence.

At the beginning of a prisoner's sentence, the full amount of statutory good time is credited, subject to forfeiture if the prisoner commits disciplinary infractions.

**The following applies only to inmates sentenced for an offense committed prior to November 1, 1987.**

#### **Extra Good Time**

The Bureau of Prisons awards extra good time credit for performing exceptionally meritorious service, performing duties of outstanding importance, or for employment in an Industry or Camp. An inmate may earn only one type of good time award at a time (e.g., an inmate earning industrial or Camp good time is not eligible for meritorious good time), except that a lump sum award may be given in addition to another extra good time award. Neither the Warden nor the DHO may forfeit or withhold extra good time. The Warden may disallow or terminate the awarding of any type of Extra Good Time (except for lump sum awards), but only in a non-disciplinary context and only upon recommendation of staff. The DHO may disallow or terminate the awarding of any type of Extra Good Time, (except lump sum awards) as a disciplinary sanction. Once an awarding of meritorious good time has been terminated, the Warden must approve a new staff recommendation in order



for the award to recommence. A disallowance means that an inmate does not receive an Extra Good Time award for only one calendar month. A disallowance must be for the entire amount of extra good time for that calendar month. There may be no partial disallowance. A decision to disallow or terminate extra good time may not be suspended pending future consideration. A retroactive award of meritorious good time may not include a month in which Extra Good Time has been disallowed or terminated.

#### **Residential Reentry Center Good Time**

Extra good time for an inmate in a Federal or contract Residential Reentry Center is awarded automatically beginning on arrival at that facility and continuing as long as the inmate is confined to the Center, unless the award is disallowed.

#### **Camp Good Time**

An inmate assigned to a camp is automatically awarded Extra Good Time, beginning on the date of commitment to the camp, and continuing as long as the inmate is assigned to the camp unless the award is disallowed.

#### **Lump Sum Awards**

Any staff member may recommend to the Warden the approval of an inmate for a lump sum award of Extra Good Time. Such recommendations must be for an exceptional act or service that is not a part of a regularly assigned duty. The Warden may make lump sum awards of Extra Good Time of not more than thirty (30) days. If the recommendation is for more than thirty days, and the Warden agrees, the Warden will refer the recommendation to the Regional Director, who may approve the award.

#### **Good Time Procedures**

Extra Good Time is awarded at a rate of three days per month during the first twelve months, and at the rate of five days per month thereafter (i.e., the first twelve months, as stated, means 11 months and 30 days -Day for Day - of earning Extra Good Time before an inmate can start earning five days per month.

#### **D.C. Code Sentences**

For offenses committed prior to April 11, 1987, inmates earn Statutory Good Time & Education Credits to reduce the minimum-maximum release date and are also eligible to earn Extra Good Time to reduce the maximum release date.

For offenses committed on or after April 11, 1987, but prior to June 22, 1994, inmates earn Institution Good Time and Education credits to reduce the minimum-maximum release date, and also eligible to earn extra Good Time to reduce the maximum release date.

For offense committed on or after June 22, 1994, but prior to August 5, 2000, inmates may only earn Education Credits to reduce the minimum-maximum release date.

For offenses committed on or after August 5, 2000, inmates are ordinarily eligible to earn Good Conduct Time of up to 54 days per year for a minimum sentence of 1 year and 1 day, for each full year (i.e. 365 days) spent in service of sentence. The amount of Good Conduct Time days which an inmate is eligible to earn for partial year of a sentence is reduced, based upon the number of days in the partial year.

#### **Parole**

Parole is release from incarceration under conditions established by the U.S. Parole Commission. Parole is not a pardon or an act of clemency. A parolee remains under the supervision of a U.S. Probation Officer until the expiration of his full term.

Federal inmates sentenced prior to 1987 are ordinarily permitted an opportunity to appear before the Parole Commission within 120 days of commitment (EXEMPTIONS: inmates sentenced before September 6, 1977, and inmates with a minimum parole eligibility of ten years). Inmates sentenced in the District of Columbia Superior Court who are eligible for parole will normally receive a parole hearing 180 days prior to their parole eligibility date. If the inmate chooses not to appear before the Parole Board for the initial hearing, a waiver must be given to the Case Manager prior to the time of the scheduled parole hearing. This waiver will be made part of the Parole Commission file and the inmate's central file.

All inmates who previously waived a parole hearing are eligible to appear before the Parole Board at any regularly scheduled hearing after they waive. Application for a parole hearing must be made at least 60 days before the first day of the month of the hearings. The Parole Board conducts hearings at most Bureau institutions every two months.

Applications, to the Parole Commission for a hearing, are the responsibility of the inmate, but in certain cases the Unit Team will assist the inmate if necessary. Application forms may be obtained from the Case Manager.

Following the hearing, the inmate will be advised of the tentative decision reached in the case by the hearing examiners. The recommendations of the hearing examiner must be confirmed by the Regional Office of the Parole Board. This confirmation usually takes three to four weeks and is made through the mail on a form called a Notice of Action. Federal inmates may appeal a decision made the Parole Commission by obtaining the appropriate forms from the Case Manager. Inmates with a District of Columbia Superior Court case cannot appeal a decision made by the Parole Commission. If granted a presumptive parole date ( a parole date more than six months following the hearing), a parole progress report will be sent to the Parole Board three to six months before the parole date.

Parole may be granted to a detainer or for the purpose of deportation. The inmate should have an approved residence and an approved employer before being released on parole.

#### **Residential Reentry Center Placement**

Inmates who are nearing release, and who need assistance in obtaining a job, residence or other community resources, may be referred for placement at a Residential Reentry Center (RRC).

The Residential Reentry Management Regional Administrator supervises services provided to offenders housed in contract facilities and participating in specialized programs in the community. The Residential Reentry Manager (RRM) links the BOP with the U.S. Courts, other Federal agencies, State and local governments, and the community. Located strategically throughout the country, the RRM is responsible for developing and maintaining a variety of contract facilities and programs, working under the supervision of the appropriate regional administrator.

Community programs have two major emphases: residential community-based programs provided by RRCs and programs that provide intensive nonresidential supervision to offenders in the community.

### **Community-Based Residential Programs**

The community-based residential programs available include both typical RRC's and work release programs provided by local detention facilities. The RRC's provide a suitable residence, structured programs, job placement and counseling while monitoring the offender's activities. They also provide drug testing and counseling, and alcohol monitoring and treatment. While in these programs, employed offenders are required to pay subsistence to help defray the cost of their confinement. The inmate's payment rate during RRC residence is 25 percent of the inmate's gross income.

Most BOP community-based residential programs are provided in RRCs. These facilities contract with the BOP to provide residential correctional programs near the offender's home community. RRCs are used primarily for three types of offenders:

- Those nearing release from a BOP institution, as a transitional service while the offender is finding a job, locating a place to live, and reestablishing family ties.
- Those under community supervision who need guidance and supportive services beyond what can be provided through regular supervision by U.S. Probation.
- Those serving short sentences of imprisonment and terms of community confinement.

Each RRC now provides two components within one facility, a prerelease component and a community corrections component. The prerelease component assists offenders making the transition from an institutional setting to the community, or as a resource while under supervision. The community corrections component is more restrictive. Except for employment and other required activities, the offenders are required to remain at the RRC, where recreation, visiting, and other activities are provided in-house.

The other option for community-based residential programming is local detention facilities. Some local jails and detention centers are used to confine offenders serving short sentences. Many have work release programs where an offender is employed in the community during the day and returns to the institution at night. These facilities may also be used for offenders sentenced to terms of intermittent confinement such as nights, weekends, or other short intervals. Some of these local facilities have work release programs similar to the community corrections component in a RRC, serving to facilitate the transition from the institution to the community.

### **The Adam Walsh Child Protection and Safety Act**

The Adam Walsh Child Protection and Safety Act (Pub.L. 109-248) was signed into law on July 27, 2006. The legislation organizes sex offenders into 3 tiers, and mandates that Tier 3 offenders update their whereabouts every 3 months. It makes failure to register and update information a felony. It also creates a national sex offender registry and instructs each state and territory to apply identical criteria for posting offender data on the Internet (i.e., offender's name, address, date of birth, place of employment, photograph, etc.).

### **Conclusion**

Hopefully this information will assist inmates during their incarceration and help clarify any concerns they may encounter. New commitments should feel free to ask any staff member for assistance, particularly unit staff. For individuals who are not yet in custody, and who have been given this publication to prepare for commitment, the BOP's RRM or the staff at the institution to which they have been designated can help clarify any other concerns.

### **INMATE'S RIGHTS AND RESPONSIBILITIES §541.12**

- You have the right to expect that as a human being you will be treated respectfully, impartially, and fairly by all personnel.  
\*\*You have the responsibility to treat others, both employees and inmates, in the same manner.
- You have the right to be informed of the rules, procedures, and schedules concerning the operation of the institution.  
\*\*You have the responsibility to know and abide by the rules and regulations of the institution
- You have the right to freedom of religious affiliation, and voluntary religious worship.  
\*\*You have the responsibility to recognize and respect the rights of others in this regard
- You have the right to health care, which includes nutritious meals, proper bedding and clothing, and a laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles and medical and dental treatment.  
\*\*You have the responsibility not to waste food, to follow the laundry and shower schedule, maintain neat and clean living quarters, to keep your area free of contraband, and to seek medical and dental care, as you may need it.
- You have the right to visit and correspond with friends, family members, and correspond with members of the news media in keeping with Bureau rules and institution guidelines.  
\*\*You have the responsibility to conduct yourself properly during visits not to accept contraband and not to violate the law or Bureau rules or institution guidelines through your correspondence.
- You have the right to unrestricted and confidential access to the courts by correspondence (on matters such as the legality of your conviction).  
\*\*You have the responsibility to present honestly and fairly your petitions, questions, and problems to the court.
- You have the right to legal counsel from an attorney of your choice by interviews and correspondence.  
\*\*You have the responsibility to use the services of an attorney honestly and fairly.
- You have the right to participate in the use of law library reference materials to assist you in resolving legal problems. You also have the right to receive help when it is available through a legal assistance program.  
\*\*You have the responsibility to use these resources in keeping with the procedures and schedules prescribed and to respect the rights of other inmates to the use of the materials and assistance.
- You have the right to a wide range of reading materials for educational purposes and for your own enjoyment. These materials may include magazines and newspapers sent from the community, with certain restrictions.  
\*\*You have the responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other inmates to the use of the materials and assistance.
- You have the right to participate in education, vocational training and employment as far as resources are available, in keeping with your interest, needs and abilities.  
\*\*You have the responsibility to take advantage of activities, which may help you live a successful and law-abiding life within the institution and in the community. You will be expected to abide by the regulations governing the use of such activities.
- You have the right to use your funds for commissary and other purchases, consistent with institution security and good order for opening bank and/or savings accounts, and for assisting your family.  
\*\*You have the responsibility to meet your financial and legal obligations, including, but not limited to, court-imposed assessments, fines, and restitution. You also have the responsibility to make use of your funds in a manner consistent with your release plans, your family needs, and for other obligations that you may have.

**PROHIBITED ACTS AND AVAILABLE SANCTIONS**

<b>GREATEST SEVERITY (100) LEVEL PROHIBITED ACTS:</b>	
<b>100</b>	Killing.
<b>101</b>	Assaulting any person, or an armed assault on the institution's secure perimeter (a charge for assaulting any person at this level is to be used only when serious physical injury has been attempted or accomplished).
<b>102</b>	Escape from escort; escape from any secure or non-secure institution, including community confinement; escape from unescorted community program or activity; escape from outside a secure institution.
<b>103</b>	Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of Greatest Severity, e.g., in furtherance of a riot or escape; otherwise the charge is properly classified Code 218, or 329).
<b>104</b>	Possession, manufacture, or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive, ammunition, or any instrument used as a weapon.
<b>105</b>	Rioting.
<b>106</b>	Encouraging others to riot.
<b>107</b>	Taking hostage(s).
<b>108</b>	Possession, manufacture, introduction, or loss of a hazardous tool (tools most likely to be used in an escape or escape attempt or to serve as weapons capable of doing serious bodily harm to others; or those hazardous to institutional security or personal safety; e.g., hacksaw blade, body armor, maps, handmade rope, or other escape paraphernalia, portable telephone, pager, or other electronic device).
<b>109</b>	(Not to be used).
<b>110</b>	Refusing to provide a urine sample; refusing to breathe into a Breathalyzer; refusing to take part in other drug abuse testing.
<b>111</b>	Introduction or making of any narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by the medical staff.
<b>112</b>	Use of any narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by the medical staff.
<b>113</b>	Possession of any narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by the medical staff.
<b>114</b>	Sexual assault of any person, involving non-consensual touching by force or threat of force.
<b>115</b>	Destroying and/or disposing of any item during a search or attempt to search.
<b>196</b>	Use of the mail for an illegal purpose or to commit or further a Greatest category prohibited act.
<b>197</b>	Use of the telephone for an illegal purpose or to commit or further a Greatest category prohibited act.
<b>198</b>	Interfering with a staff member in the performance of duties most like another Greatest severity prohibited act. This charge is to be used only when another charge of Greatest severity is not accurate. The offending conduct must be charged as "most like" one of the listed Greatest severity prohibited acts.
<b>199</b>	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another Greatest severity prohibited act. This charge is to be used only when another charge of Greatest severity is not accurate. The offending conduct must be charged as "most like" one of the listed Greatest severity prohibited acts.
<b>AVAILABLE SANCTIONS FOR GREATEST SEVERITY (100) LEVEL PROHIBITED ACTS:</b>	
A.	Recommend parole date rescission or retardation.
B.	Forfeit and/or withhold earned statutory good time or non-vested good conduct time (up to 100%) and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
B.1.	Disallow ordinarily between 50% and 75% (27-41 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
C.	Disciplinary segregation (up to 12 months).
D.	Make monetary restitution.
E.	Monetary fine.
F.	Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).
G.	Change housing (quarters).
H.	Remove from program and/or group activity.
I.	Loss of job.
J.	Impound inmate=s personal property.
K.	Confiscate contraband.
L.	Restrict to quarters.
M.	Extra duty.
N.	Loss of Tablet
O.	Loss of Video Visit
<b>HIGH SEVERITY (200) LEVEL PROHIBITED ACTS:</b>	

- 200 ape from a work detail, non-secure institution, or other non-secure confinement, including community confinement, with subsequent voluntary return to Bureau of Prisons custody within four hours.
- 201 Fighting with another person.
- 202 (Not to be used).
- 203 Threatening another with bodily harm or any other offense.
- 204 Extortion; blackmail; protection; demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.
- 205 Engaging in sexual acts.
- 206 Making sexual proposals or threats to another.
- 207 Wearing a disguise or a mask.
- 208 Possession of any unauthorized locking device, or lock pick, or tampering with or blocking any lock device (includes keys), or destroying, altering, interfering with, improperly using, or damaging any security device, mechanism, or procedure.
- 209 Adulteration of any food or drink.
- 210 (Not to be used).
- 211 Possessing any officer's or staff's clothing.
- 212 Engaging in or encouraging a group demonstration.
- 213 Encouraging others to refuse to work, or to participate in a work stoppage.
- 214 (Not to be used).
- 215 (Not to be used).
- 216 Giving or offering an official or staff member a bribe, or anything of value.
- 217 Giving money to, or receiving money from, any person for the purpose of introducing contraband or any other illegal or prohibited purpose.
- 218 Destroying, altering, or damaging government property, or the property of another person, having a value in excess of \$100.00, or destroying, altering, damaging life-safety devices (e.g., fire alarm) regardless of financial value.
- 219 Stealing; theft (including data obtained through the unauthorized use of a communications device, or through unauthorized access to disks, tapes, or computer printouts or other automated equipment on which data is stored).
- 220 Demonstrating, practicing, or using martial arts, boxing (except for use of a punching bag), wrestling, or other forms of physical encounter, or military exercises or drill (except for drill authorized by staff).
- 221 Being in an unauthorized area with a person of the opposite sex without staff permission.
- 222 (Not to be used).
- 223 (Not to be used).
- 224 Assaulting any person (a charge at this level is used when less serious physical injury or contact has been attempted or accomplished by an inmate).
- 225 Stalking another person through repeated behavior which harasses, alarms, or annoys the person, after having been previously warned to stop such conduct.
- 226 Possession of stolen property.
- 227 Refusing to participate in a required physical test or examination unrelated to testing for drug abuse (e.g., DNA, HIV, tuberculosis).
- 228 Tattooing or self-mutilation.
- 229 Sexual assault of any person, involving non-consensual touching without force or threat of force.
- 230 (Not to be used).
- 231 Requesting, demanding, pressuring or otherwise intentionally creating a situation which causes an inmate to produce or display his/her own court documents for any unauthorized purpose to another inmate.
- 296 Use of the mail for abuses other than criminal activity which circumvent mail monitoring procedures (e.g., use of the mail to commit or further a High category prohibited act, special mail abuse; writing letters in code; directing others to send, sending, or receiving a letter or mail through unauthorized means; sending mail for other inmates without authorization; sending correspondence to a specific address with directions or intent to have the correspondence sent to an unauthorized person; and using a fictitious return address in an attempt to send or receive unauthorized correspondence).
- 297 Use of the telephone for abuses other than illegal activity which circumvent the ability of staff to monitor frequency of telephone use, content of the call, or the number called; or to commit or further a High category prohibited act.
- 298 Interfering with a staff member in the performance of duties most like another High severity prohibited act. This charge is to be used only when another charge of High severity is not accurate. The offending conduct must be charged as "most like" one of the listed High severity prohibited acts.
- 299 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another High severity prohibited act. This charge is to be used only when another charge of High severity is not accurate. The offending conduct must be charged as "most like" one of the listed High severity prohibited acts.

**AVAILABLE SANCTIONS FOR HIGH SEVERITY (200) LEVEL PROHIBITED ACTS:**

- A. Recommend parole date rescission or retardation.
- B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time up to 50% or up to 60 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
- B.1 Disallow ordinarily between 25% and 50% (14-27 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
- C. Disciplinary segregation (up to 6 months).
- D. Make monetary restitution.
- E. Monetary fine.
- F. Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).
- G. Change housing (quarters).
- H. Remove from program and/or group activity.
- I. Loss of job.
- J. Impound inmate's personal property.
- K. Confiscate contraband.
- L. Restrict to quarters.
- M. Extra duty.
- N. Loss of Tablet
- O. Loss of Video Visit

**MODERATE SEVERITY (300) LEVEL PROHIBITED ACTS:**

- 300** Indecent Exposure.
- 301** (Not to be used).
- 302** Misuse of authorized medication.
- 303** Possession of money or currency, unless specifically authorized, or in excess of the amount authorized.
- 304** Loaning of property or anything of value for profit or increased return.
- 305** Possession of anything not authorized for retention or receipt by the inmate, and not issued to him through regular channels.
- 306** Refusing to work or to accept a program assignment.
- 307** Refusing to obey an order of any staff member (may be categorized and charged in terms of greater severity, according to the nature of the order being disobeyed, e.g. failure to obey an order which furthers a riot would be charged as 105, Rioting; refusing to obey an order which furthers a fight would be charged as 201, Fighting; refusing to provide a urine sample when ordered as part of a drug-abuse test would be charged as 110).
- 308** Violating a condition of a furlough.
- 309** Violating a condition of a community program.
- 310** Unexcused absence from work or any program assignment.
- 311** Failing to perform work as instructed by the supervisor.
- 312** Insolence towards a staff member.
- 313** Lying or providing a false statement to a staff member.
- 314** Counterfeiting, forging, or unauthorized reproduction of any document, article of identification, money, security, or official paper (may be categorized in terms of greater severity according to the nature of the item being reproduced, e.g., counterfeiting release papers to effect escape, Code 102).
- 315** Participating in an unauthorized meeting or gathering.
- 316** Being in an unauthorized area without staff authorization.
- 317** Failure to follow safety or sanitation regulations (including safety regulations, chemical instructions, tools, MSDS sheets, OSHA standards).
- 318** Using any equipment or machinery without staff authorization.
- 319** Using any equipment or machinery contrary to instructions or posted safety standards.
- 320** Failing to stand count.
- 321** Interfering with the taking of count.
- 322** (Not to be used).
- 323** (Not to be used).
- 324** Gambling.
- 325** Preparing or conducting a gambling pool.
- 326** Possession of gambling paraphernalia.
- 327** Unauthorized contacts with the public.
- 328** Giving money or anything of value to, or accepting money or anything of value from, another inmate or any other person without staff authorization.
- 329** Destroying, altering, or damaging government property, or the property of another person, having a value of \$100.00 or less.
- 330** Being unsanitary or untidy; failing to keep one's person or quarters in accordance with posted standards.
- 331** Possession, manufacture, introduction, or loss of a non-hazardous tool, equipment, supplies, or other non-hazardous contraband (tools not likely to be used in an escape or escape attempt, or to serve as a weapon capable of doing serious bodily harm to others, or not hazardous to institutional security or personal safety) (other non-hazardous contraband includes such items as food, cosmetics, cleaning supplies, smoking apparatus and tobacco in any form where prohibited, and unauthorized nutritional/dietary supplements).
- 332** Smoking where prohibited.
- 333** Fraudulent or deceptive completion of a skills test (e.g., cheating on a GED, or other educational or vocational skills test).
- 334** Conducting a business; conducting or directing an investment transaction without staff authorization.
- 335** Communicating gang affiliation; participating in gang related activities; possession of paraphernalia indicating gang affiliation.
- 336** Circulating a petition.
- 396** Use of the mail for abuses other than criminal activity which do not circumvent mail monitoring; or use of the mail to commit or further a Moderate category prohibited act.
- 397** Use of the telephone for abuses other than illegal activity which do not circumvent the ability of staff to monitor frequency of telephone use, content of the call, or the number called; or to commit or further a Moderate category prohibited act.
- 398** Interfering with a staff member in the performance of duties most like another Moderate severity prohibited act. This charge is to be used only when another charge of Moderate severity is not accurate. The offending conduct must be charged as "most like" one of the listed Moderate severity prohibited acts.
- 399** Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another Moderate severity prohibited act. This charge is to be used only when another charge of Moderate severity is not accurate. The offending conduct must be charged as "most like" one of the listed Moderate severity prohibited acts.

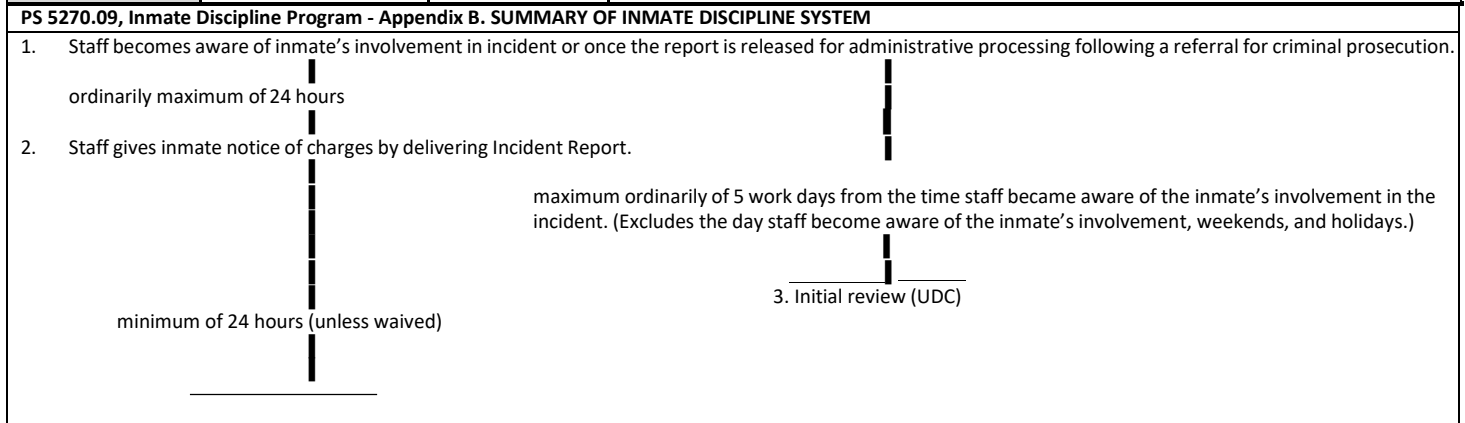
**AVAILABLE SANCTIONS FOR MODERATE SEVERITY (300) LEVEL PROHIBITED ACTS:**

- A. Recommend parole date rescission or retardation.
- B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time up to 25% or up to 30 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
- B.1 Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
- C. Disciplinary segregation (up to 3 months).
- D. Make monetary restitution.
- E. Monetary fine.
- F. Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).
- G. Change housing (quarters).
- H. Remove from program and/or group activity.
- I. Loss of job.
- J. Impound inmate's personal property.
- K. Confiscate contraband.
- L. Restrict to quarters.
- M. Extra duty.
- N. Loss of Tablet
- O. Loss of Video Visit

LOW SEVERITY (400) LEVEL PROHIBITED ACTS:	
400	(Not to be used).
401	(Not to be used).
402	Malingering, feigning illness.
403	(Not to be used).
404	Using abusive or obscene language.
405	(Not to be used).
406	(Not to be used).
407	Conduct with a visitor in violation of Bureau regulations.
408	(Not to be used).
409	Unauthorized physical contact (e.g., kissing, embracing).
498	Interfering with a staff member in the performance of duties most like another Low severity prohibited act. This charge is to be used only when another charge of Low severity is not accurate. The offending conduct must be charged as "most like" one of the listed Low severity prohibited acts.
499	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another Low severity prohibited act. This charge is to be used only when another charge of Low severity is not accurate. The offending conduct must be charged as "most like" one of the listed Low severity prohibited acts.

AVAILABLE SANCTIONS FOR LOW SEVERITY (400) LEVEL PROHIBITED ACTS:	
B.1	Disallow ordinarily up to 12.5% (1-7 days) of good conduct time credit available for year (to be used only where inmate found to have committed a second violation of the same prohibited act within 6 months); Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (to be used only where inmate found to have committed a third violation of the same prohibited act within 6 months) (a good conduct time sanction may not be suspended).
D.	Make monetary restitution.
E.	Monetary fine.
F.	Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).
G.	Change housing (quarters).
H.	Remove from program and/or group activity.
I.	Loss of job.
J.	Impound inmate's personal property.
K.	Confiscate contraband
L.	Restrict to quarters.
M.	Extra duty.
N.	Loss of Tablet
O.	Loss of Video Visit

ADDITIONAL AVAILABLE SANCTIONS FOR REPEATED PROHIBITED ACTS WITHIN THE SAME SEVERITY LEVEL			
Prohibited Act Severity Level	Time Period for Prior Offense (same code)	Frequency of Repeated Offense	Additional Available Sanctions
Low Severity (400 level)	6 months	2 <sup>nd</sup> offense  3 <sup>rd</sup> or more	1. Disciplinary segregation (up to 1 month). 2. Forfeit earned SGT or non-vested GCT up to 10% or up to 15 days, whichever is less, and/or terminate or disallow extra good time (EGT) (an EGT sanction may not be suspended). Any available Moderate severity (300)level sanction
Moderate Severity (300 level)	12 months	2 <sup>nd</sup> offense  3 <sup>rd</sup> or more	1. Disciplinary segregation (up to 6 months). 2. Forfeit earned SGT or non-vested GCT up to 37 1/2% or up to 45 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended). Any available High severity (200) level sanction
High Severity (200 level)	18 months	2 <sup>nd</sup> offense  3 <sup>rd</sup> or more	1. Disciplinary segregation (up to 12 months). 2. Forfeit earned SGT or non-vested GCT up to 75% or up to 90 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended). Any available Greatest severity (100) level sanction
Greatest Severity (100 level)	24 months	2 <sup>nd</sup> or more	Disciplinary Segregation (up to 18 months).



#### 4. Discipline Hearing Officer (DHO) Hearing

**NOTE:** Time limits are subject to exceptions as provided in the rules.

Staff may suspend disciplinary proceedings for a period not to exceed two calendar weeks while undertaking informal resolution. If informal resolution is unsuccessful, staff may reinstate disciplinary proceedings. The requirements then begin running at the same point at which they were suspended.

### **VISITING REGULATIONS**

#### **IDENTIFICATION**

The Front Lobby Officer will require positive photo identification of visitors over 16 years of age. Acceptable forms of identification are valid driver's license or State Identification Cards, and other official identification cards.

#### **VISITING HOURS**

Regular visiting hours at the FCI/SCP are from 8:15 a.m. to 3:00 p.m. on Saturday, Sunday and all Federal Holidays. Visitors will not be processed into the FCI after 2:00 p.m. Visitors will not be processed into the SCP Visiting Room after 1:30 p.m. During institution counts, visitor processing at the FCI/SCP is temporarily suspended. Please refrain from arriving on the institution grounds before the scheduled visiting periods. When a visit is over, all visitors must leave the institution grounds immediately. The Institution Duty Officer may terminate a visit because of overcrowded conditions or improper conduct of the visitor, including children and/or the inmate. The visiting hours for Special Housing Unit inmates are 8:15 a.m. to 3:00 p.m., on Saturday, Sunday and all Federal Holidays, in two (2) hour blocks intervals, via video conference only.

#### **WHO MAY VISIT**

Inmates will be permitted to visit with authorized visitors only. We will notify persons authorized to visit. Children under 18 years must be accompanied by an adult member of the family. Other persons not approved who wish to visit an inmate for either personal or business reasons must write the institution at least two weeks in advance of the visit and explain the circumstances. If a visit is approved, an authorization will be sent for presentation on arrival. All visitors, including children, must be on the approved visiting list. Inmates are allowed a maximum of five visitors, excluding children, at one time in the visiting room. A split visit is defined as a visit when an inmate has five visitors in the Visiting Room and one or more visitors leave the Visiting Room and are replaced by the same number or fewer, of authorized visitors. On split visits, only one exchange of visitors for that inmate will normally be approved. Once visitors have left the visiting room, their visit is complete. They will not be allowed to return to the visiting room, that day.

#### **SPECIAL VISITS**

Any deviations from the standard visiting procedures will require a prior special visit approval from the Warden. Requests for special visits will be processed through unit staff, and NCIC background checks are required for visitors.

#### **REGULATIONS**

The right to make future visits will be denied to anyone who tries to circumvent or evade regulations. The introduction or attempted introduction of contraband into a federal penal institution is in violation of Title 18, U.S. Code, Section 1791. It is illegal for any person to possess contraband. Contraband is defined as the introduction or attempted introduction into or upon the grounds of any federal penal or correctional institution or the taking or attempt to take or send therefrom, anything whatsoever without the knowledge and consent of the Warden or Superintendent of such federal penal or correctional institution. Contraband items include but are not limited to guns, knives, tools, ammunition, explosives, hazardous chemicals, gas, narcotics, drugs or intoxicants. Prior to admission, visitors must request and obtain permission of the Warden or her staff representative to bring any item upon the institution grounds. Failure to adhere to this policy, is a federal crime.

#### **ALL VISITORS ARE SUBJECT TO SEARCH PRIOR TO ENTERING AND UPON DEPARTING THE INSTITUTION.**

All visitors wishing to visit inmates within the FCI, will remove all personal items containing metal, i.e. coins, keys, and must clear the walk-through metal detector prior to being admitted for visiting. Visitors will refrain from wearing clothing which would activate the metal detector.

Keys and keychains will be secured at the officer's station in the front lobby. Clothing items that contain metal, i.e. underwire bras, cannot be removed before passing through the metal detector. The use of a camera or recording equipment without written consent of the Warden is strictly prohibited. No written messages may be exchanged during a visit.

All radios, tape players, recorders, cellular telephones, or other electronic equipment must remain in the lockers provided in the front lobby or stored in the visitor's vehicle.

#### **SPECIAL RULES FOR CHILDREN**

Children are expected to remain near to and be controlled by the adults bringing them. Inmates in the visiting room are responsible for the conduct of their children. Inmates are expected to supervise the children visiting them so they do not disturb other inmates and/or visitors, or disrupt the safety and security of the institution. Failure to properly supervise children may result in termination of the visit. The visiting rooms are equipped with games and other related children's activities. These items are to be stored in designated areas in both the FCI and the SCP Visiting Rooms. Inmates in the parenting program will be allowed to go into the children's room.

#### **DRESS CODE**

All visitors must be appropriately attired including closed toe shoes. Adult visitors are to refrain from wearing apparel that is overly-revealing or suggestive (i.e., excessively tight-fitting or revealing slacks, miniskirts, shorts, halter tops, strapless dresses/tops, spandex clothing, sleeveless shirts). Hats, bandanas, and scarves are not authorized. Visitors may be denied a visit if supervisory staff (i.e., Lieutenant, Institution Duty Officer, etc.) determines a visitor's dress is inappropriate for the institution setting.

Socially acceptable gestures of communication and affection, such as shaking hands, kissing and embraces are allowed within in the limits of good taste and only at the beginning and at the end of a visit. Inmates or visitors who violate visiting regulations may have their visit terminated or be placed under closer supervision at the discretion of the Visiting Room Officer.

All areas of the Visiting Room, including restrooms, may be monitored to prevent the passage of contraband and ensure the security and welfare of all concerned.

#### **IT IS NOT PERMISSIBLE TO BRING PACKAGES OR GIFTS OF ANY KIND.**

No written messages or photographs may be exchanged during a visit. Documents or papers may not be examined or signed in the Visiting Room. The latter should be handled by correspondence (as a matter of record). All food items purchased in the Visiting Room must be consumed during the visit. Food items will not be permitted to be retained by the visitor or the inmate at the conclusion of the visit. No lunch packages or thermos bottles will be allowed. Vending machines are

provided. No gifts or clothing may be left for an inmate. Money cannot be accepted for deposit onto the inmate's account.

**IT IS A FEDERAL CRIME TO BRING UPON THESE PREMISES ANY WEAPONS, AMMUNITION, INTOXICANTS, DRUGS OR CONTRABAND.**

It is illegal for any person to introduce or attempt to introduce into or upon the grounds of any federal penal institution, to take, or attempt to take or send therefrom anything whatsoever without the knowledge or consent of the Warden. The law provides that violators may receive 20 years or a \$250,000 fine and/or both. It is a federal crime to bring upon these premises weapons, ammunition, intoxicating drugs or contraband. All persons and packages are subject to search (Title 18, U.S. Code, Sections 1791 and 1792).

**ONLY THOSE ITEMS LISTED BELOW ARE AUTHORIZED TO BE TAKEN INTO THE VISITING ROOM**

Clear Plastic Purse; Two Diapers; Money (reasonable amounts based on number of visitors); Baby Clothes (one change of clothing); Comb (no long/sharp handles Heart Medication; Baby Bottles; Jewelry Normally Worn; Baby Food; Coats/Jackets Will Be Secured In Lockers.

**OTHER:**

All areas of the Visiting Room have been designated as non-smoking. All medication must be approved by the on duty Operations Lieutenant and the Front Lobby Officer. Medication will be stored in the Visiting Room officer's station. Persons not approved to visit but who accompany approved visitors, are not permitted to remain in the institution parking lot and must leave the grounds.

<p><b>Reasons a visitor may be rejected (i.e. not placed on the approved visiting list):</b></p> <ul style="list-style-type: none"> <li>• Inaccurate and/or incomplete information on the application.</li> <li>• Failure to sign the form authorizing a background check.</li> <li>• Providing false information.</li> <li>• Convicted/Incarcerated in the past 5 years for a crime of violence, crime against a child, or a drug related crime.</li> <li>• Applicant is on probation/parole/supervision.</li> <li>• Has no established relationship with the inmate prior to incarceration.</li> <li>• Previously denied visitors may re-apply after one year for re-consideration.</li> </ul>	<p><b>Reasons a visitor may be turned away at the front lobby (i.e. not admitted to the visiting room):</b></p> <ul style="list-style-type: none"> <li>• Not properly dressed.</li> <li>• Not on the approved visiting list.</li> <li>• Not able to clear the metal detector.</li> <li>• Not able to clear the ION Scanner (if randomly selected for screening).</li> <li>• Refusal to submit to a search.</li> <li>• Failure to provide valid/proper Identification.</li> <li>• Inappropriate behavior.</li> <li>• Failure to follow laws/regulations/rules/guidelines of the federal government and institution.</li> </ul>
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Program Statement 5267.08 Visiting Regulations, can be found on [www.bop.gov](http://www.bop.gov).

**DIRECTIONS**

<p><b>from Interstate 93 North/South:</b> Take Exit 35 onto US Route 3 North. Travel approximately 12 miles into Twin Mountain Take a right onto NH Route 115 North. Travel approximately 10 miles into Jefferson. Take a right onto US Route 2 East. Travel approximately 17 miles into Gorham. At US-2/NH-16 Intersection, bear left onto NH Route 16 North. Travel approximately 4 miles to Berlin. Take a right onto 12th Street Bridge. At end of bridge, take a left onto Hutchins Street. Hutchins Street becomes east Milan Road FCI Berlin will be on your right just passed Northern NH Correctional Facility.</p>	<p><b>from Interstate 91 North/South:</b> Take Exit 17 onto US Route 302 following signs for US Route 302 approximately 23 miles Turn right onto I-93 S approximately 4 miles. Take exit 40 onto US Route 302 approximately 11 miles Turn Left onto US Route 3 North approximately 2 miles Turn right onto NH-115 N approximately 10 miles Turn right onto US-2/Presidential Hwy approximately 12 miles Turn left onto NH-16 N/Main St approximately 4 miles to Berlin. Take a right onto 12th Street Bridge. At end of bridge, take a left onto Hutchins Street. Hutchins Street becomes east Milan Road FCI Berlin will be on your right just passed Northern NH Correctional Facility.</p>
<p><b>To travel to the institution by a privately owned vehicle from Interstate 95 North</b> Take exit 63 to ME-26 for approximately 50 miles. Turn slight right onto W Bethel Rd/US-2 Continue to follow US-2 into New Hampshire approximately 23 miles Stay straight to go onto NH-16/Main St approximately 5 miles to Berlin. Take a right onto 12th Street Bridge. At end of bridge, take a left onto Hutchins Street. Hutchins Street becomes east Milan Road FCI Berlin will be on your right just passed Northern NH Correctional Facility.</p>	<p><b>LOCATION</b></p> <p><b>Federal Correctional Institution</b> <b>1 Success Loop Road</b> <b>Berlin, NH 03570</b> <b>603-342-4000</b></p>

**PUBLIC TRANSPORTATION TO THE BERLIN AREA**

1. Greyhound Bus depot is located at Irving Service Station; 318 Glen Ave., Route 16; Berlin, NH. Their toll free reservation number is 1-800-639-3317.
2. Portland International Jetport, in Portland, ME is 71 miles from Berlin, NH, offering car rentals with the following companies: Alamo: 207-775-0855; AVIS/Budget: 207-874-7501; Enterprise: 207-615-0030; Hertz: 207-774-4544; National: 207-773-0036
3. Berlin Regional Airport (BML); 800 Eastside River Rd, Milan, NH 03588; phone: 603-449-2168
4. Lebanon Municipal Airport (LEB); 5 Airpark Rd; Lebanon, NH 03784; phone: 603-298-8878 (76 miles)
5. Portsmouth International Airport at Pease; 42 Airline Ave; Portsmouth, NH 03801; phone: 603-433-6088 (101 miles)
6. Manchester-Boston Regional Airport (MHT); 1 Airport Rd; Manchester, NH 03101; phone: 603-624-6556 (104 miles)
7. Logan International Airport (BOS); 1 Harborside Dr.; East Boston, MA 02128; phone: 1-800-23-LOGAN. (166 miles)
8. The Village Taxi; P.O. Box 33; North Conway, NH 03860; phone: 877-986-7267
9. Dave's Taxi; 8 Chickadee Lane; Littleton, NH 03561; phone: 603-444-0407
10. The "AAA" Travel Service can also be contacted for travel information. Their toll free number is 1-800-924-1180.

**Sexually Abusive Behavior Prevention and Intervention**

**You Have the Right to be Safe from Sexually Abusive Behavior.**

The Federal Bureau of Prisons has a zero tolerance policy against sexual abuse and sexual harassment. While you are incarcerated, no one has the right to pressure you to engage in sexual acts.

You do not have to tolerate sexually abusive/ harassing behavior or pressure to engage in unwanted sexual behavior from another inmate or a staff member.



Regardless of your age, size, race, ethnicity, gender or sexual orientation, you have the right to be safe from sexually abusive behavior.

### What Can You Do To Prevent Sexually Abusive Behavior?

Here are some things you can do to protect yourself and others against sexually abusive behavior:

- Carry yourself in a confident manner at all times. Do not permit your emotions (fear/anxiety) to be obvious to others.
- Do not accept gifts or favors from others. Most gifts or favors come with strings attached to them.
- Do not accept an offer from another inmate to be your protector.
- Find a staff member with whom you feel comfortable discussing your fears and concerns.
- Be alert! Do not use contraband substances such as drugs or alcohol; these can weaken your ability to stay alert and make good judgments.
- Be direct and firm if others ask you to do something you don't want to do. Do not give mixed messages to other inmates regarding your wishes for sexual activity.
- Stay in well-lit areas of the institution.
- Choose your associates wisely. Look for people who are involved in positive activities like educational programs, psychology groups, or religious services. Get involved in these activities yourself.
- Trust your instincts. If you sense that a situation may be dangerous, it probably is. If you fear for your safety, report your concerns to staff.

### What Can You Do if You Are Afraid or Feel Threatened?

If you are afraid or feel you are being threatened or pressured to engage in sexual behaviors, you should discuss your concerns with staff. Because this can be a difficult topic to discuss, some staff, like psychologists, are specially trained to help you deal with problems in this area.

If you feel immediately threatened, approach any staff member and ask for assistance. It is part of his/her job to ensure your safety. If it is a staff member that is threatening you, report your concerns immediately to another staff member that you trust, or follow the procedures for making a confidential report.

### What Can You Do if You Are Sexually Assaulted?

If you become a victim of a sexually abusive behavior, you should report it immediately to staff who will offer you protection from the assailant. You do not have to name the inmate(s) or staff assailant(s) in order to receive assistance, but specific information may make it easier for staff to know how best to respond. You will continue to receive protection from the assailant, whether or not you have identified him or her (or agree to testify against him/her).

After reporting any sexual assault, you will be referred immediately for a medical examination and clinical assessment. Even though you may want to clean up after the assault, **it is important to see medical staff BEFORE you shower, wash, drink, eat, change clothing, or use the bathroom.** Medical staff will examine you for injuries which may or may not be readily apparent to you. They can also check you for sexually transmitted diseases, pregnancy, if appropriate, and gather any physical evidence of assault. The individuals who sexually abuse or assault inmates can only be disciplined and/or prosecuted if the abuse is reported. **Regardless of whether your assailant is an inmate or a staff member, it is important to understand that you will never be disciplined or prosecuted for being the victim of a sexual assault.**

### How Do You Report an Incident of Sexually Abusive Behavior?

It is important that you tell a staff member if you have been sexually assaulted or have been a victim of sexual harassment. It is equally important to inform staff if you have witnessed sexually abusive behavior. You can tell your case manager, Chaplain, Psychologist, SIS, the Warden or any other staff member you trust. BOP staff members are instructed to keep reported information confidential and only discuss it with the appropriate officials on a need-to-know basis concerning the inmate-victim's welfare and for law enforcement or investigative purposes. There are other means to confidentiality report sexually abusive behavior if you are not comfortable talking with staff.

- **Write directly to the Warden, Regional Director or Director.** You can send the Warden an Inmate Request to Staff Member (Cop-out) or a letter reporting the sexually abusive behavior. You may also send a letter to the Regional Director or Director of the Bureau of Prisons. To ensure confidentiality, use special mail procedures.
- **File an Administrative Remedy.** You can file a Request for Administrative Remedy (BP-9). If you determine your complaint is too sensitive to file with the Warden, you have the opportunity to file your administrative remedy directly with the Regional Director (BP-10). You can get the forms from your counselor or other unit staff.
- **Write the Office of the Inspector General (OIG)** which investigates certain allegations of staff misconduct by employees of the U.S. Department of Justice; all other sexual abuse/harassment allegations will be forwarded by the OIG to the BOP. OIG is a component of the Department of Justice and is not a part of the Bureau of Prisons. The address is: **Office of the Inspector General, U.S. Department of Justice, Investigations Division, 950 Pennsylvania Avenue, N.W., Room 4706, Washington, D.C. 20530**
- **FCI Berlin Crime Stoppers Hotline.** 603-342-4051. Any FCI Berlin inmate can dial this number to report an Incident of Sexually Abusive Behavior or other crime. This phone number is a zero cost and unmonitored phone line so the reporter can remain confidential.

**E-mail OIG.** You can send an e-mail directly to OIG by clicking on the TRULINCS Request to Staff tab and selecting the Department Mailbox titled, DOJ Sexual Abuse Reporting. This method of reporting is processed by OIG during normal business hours, Monday – Friday. It is not a 24-hour hotline. For immediate assistance, contact institution staff. Note: These e-mails: ▪ are untraceable at the local institution, ▪ are forwarded directly to OIG, ▪ will not be saved in your e-mail 'Sent' list & do not allow for a reply from OIG, ▪ If you want to remain anonymous to the BOP, you must request it in the e-mail to OIG.

- **Third-party Reporting.** Anyone can report such abuse on your behalf by accessing the BOP's public website, specifically [http://www.bop.gov/inmate\\_programs/sa\\_prevention\\_reporting.jsp](http://www.bop.gov/inmate_programs/sa_prevention_reporting.jsp).

### Understanding the Investigative Process

Once the sexually abusive behavior is reported, the BOP and/or other appropriate law enforcement agencies will conduct an investigation. The purpose of the investigation is to determine the nature and scope of the abusive behavior. You may be asked to give a statement during the investigation. If criminal charges are brought, you may be asked to testify during the criminal proceedings.

### Counseling Programs for Victims of Sexually Abusive Behavior

Most people need help to recover from the emotional effects of sexually abusive behavior. If you are the victim of sexually abusive behavior, whether recent or in the past, you may seek counseling and/or advice from a psychologist or chaplain. Crisis counseling, coping skills, suicide prevention, mental health counseling, and spiritual counseling are all available to you.

**Contact your local Rape Crisis Center (RCC):** Supportive services are also available through the Coos County Family Health Services Response Hotline; contact information is: 133 Pleasant Street, Berlin, NH 03570. Phone Numbers; Response Hot Line 1(866)662-4220.

**Management Program for Inmate Assaultants**

Anyone who sexually abuses/assaults/harasses others while in the custody of the BOP will be disciplined and prosecuted to the fullest extent of the law. If you are an inmate assailant, you will be referred to Correctional Services for monitoring. You will be referred to Psychology Services for an assessment of risk and treatment and management needs. Treatment compliance or refusal will be documented and decisions regarding your conditions of confinement and release may be effected. If you feel that you need help to keep from engaging in sexually abusive behaviors, psychological services are available.

**Policy Definitions**

**Prohibited Acts:** Inmates who engage in inappropriate sexual behavior can be charged with the following Prohibited Acts under the Inmate Disciplinary Policy: Code 114/ (A): Sexual Assault By Force; Code 205/ (A): Engaging in a Sex Act; Code 206/ (A): Making a Sexual Proposal; Code 221/ (A): Being in an Unauthorized Area with a Member of the Opposite Sex; Code 229/ (A): Sexual Assault Without Force; Code 300/ (A): Indecent Exposure; Code 404/ (A): Using Abusive or Obscene Language.

**Staff Misconduct:** The Standards of Employee Conduct prohibit employees from engaging in, or allowing another person to engage in sexual, indecent, profane or abusive language or gestures, and inappropriate visual surveillance of inmates. Influencing, promising or threatening an inmate’s safety, custody, privacy, housing, privileges, work detail or program status in exchange for sexual favors is also prohibited.

**What is sexually abusive behavior?** According to federal law (Prison Rape Elimination Act of 2003) sexually abusive behavior is defined as:

**Rape:** the carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person **FORCIBLY** or against that person’s will; The carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person not forcibly or against the person’s will, where the victim is **incapable of giving consent** because of his/her youth or his/her temporary or permanent mental or physical incapacity; or The carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person achieved through the **exploitation of the fear or threat** of physical violence or bodily injury.

**Carnal Knowledge:** contact between the penis and vulva or the penis and the anus, including penetration of any sort, however slight.

**Oral Sodomy:** contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus.

**Sexual Assault with an Object:** the use of any hand, finger, object, or other instrument to penetrate, however slightly, the genital or anal opening of the body of another person (**NOTE:** This does NOT apply to custodial or medical personnel engaged in evidence gathering or legitimate medical treatment, nor to health care provider’s performing body cavity searches in order to maintain security and safety within the prison).

**Sexual Fondling:** the touching of the private body parts of another person (including the genitalia, anus, groin, breast, inner thigh, or buttocks) for the purpose of sexual gratification.

**Sexual Harassment:** repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate/detainee/resident to another; or repeated verbal comments or gestures of a sexual nature to an inmate/detainee/resident by a staff member/contractor/volunteer, including demeaning references to gender, sexually suggestive, or derogatory comments about body or clothing, or obscene language or gestures.

**Sexual Misconduct (staff only):** the use of indecent sexual language, gestures, or sexually oriented visual surveillance for the purpose of sexual gratification.

An incident is considered **Inmate-on-Inmate Abuse/Assault** when any sexually abusive behavior occurs between two or more inmates. An incident is considered **Staff-on-Inmate Abuse/Assault** when any sexually abusive behavior is initiated by a staff member toward one or more inmates. It is also considered Staff-on-Inmate Abuse/Assault if a staff member willingly engages in sexual acts or contacts that are initiated by an inmate.

**NOTE: Sexual acts or contacts between two or more inmates, even when no objections are raised, are prohibited acts, and may be illegal. Sexual acts or contacts between an inmate and a staff member, even when no objections are raised by either party, are always forbidden and illegal. Inmates who have been sexual assaulted by another inmate or staff member will not be prosecuted or disciplined for reporting the assault. However, inmates will be penalized for knowingly filing any false report.**

**\*\* Please be aware that both male and female staff routinely work and visit inmate housing areas. \*\***

**CONTACT OFFICES**

<p><b>U.S. Department of Justice</b>  <b>Office of the Inspector General</b>  <b>Investigations Division</b>            950 Pennsylvania Avenue, NW Suite 4706            Washington, D.C. 20530-0001</p>	<p><b>Federal Bureau of Prisons</b>  <b>Central Office</b>  <b>National PREA Coordinator</b>            320 First Street, NW, Room 554            Washington, D.C. 20534</p>
<p><b>Federal Bureau of Prisons</b>  <b>Mid-Atlantic Regional Office</b>  <b>Regional PREA Coordinator</b>            302 Sentinel Drive, Suite 200            Annapolis Junction, MD 20701</p>	<p><b>Federal Bureau of Prisons</b>  <b>North Central Regional Office</b>  <b>Regional PREA Coordinator</b>            Gateway Complex Tower II, 8th Floor            400 State Avenue            Kansas City, KS 66101-2492</p>
<p><b>Federal Bureau of Prisons</b>  <b>Northeast Regional Office</b>  <b>Regional PREA Coordinator</b>            U.S. Customs House, 7th Floor            2nd and Chestnut Streets            Philadelphia, Pennsylvania 19106</p>	<p><b>Federal Bureau of Prisons</b>  <b>South Central Regional Office</b>  <b>Regional PREA Coordinator</b>            U.S. Armed Forces Reserve Complex            344 Marine Forces Drive            Grand Prairie, Texas 75051</p>
<p><b>Federal Bureau of Prisons</b>  <b>Southeast Regional Office</b>  <b>Regional PREA Coordinator</b>            3800 North Camp Creek Parkway, SW            Building 2000            Atlanta, GA 30331-5099</p>	<p><b>Federal Bureau of Prisons</b>  <b>Western Regional Office</b>  <b>Regional PREA Coordinator</b>            7338 Shoreline Drive            Stockton, CA 95219</p>

**Third-party reporting (outside of institution):**

[http://www.bop.gov/inmate\\_programs/sa\\_prevention\\_reporting.jsp](http://www.bop.gov/inmate_programs/sa_prevention_reporting.jsp)

U.S.  
Department of  
Justice Federal  
Bureau of  
Prisons Office  
of the Director  
Washington,  
DC 20534

July 20, 2012

MEMORANDUM FOR ALL BUREAU INMATES

FROM: Charles E.

Samuels, Jr., Director

SUBJECT: Suicide

Prevention

As Director of the Federal Bureau of Prisons, I am committed to ensuring your safety, the safety of staff and the public. I am also committed to providing you with programs and services that can contribute to your ability to successfully reenter society. In this message, I would like to specifically address your state of mind, an important part of your overall well-being.

Incarceration is difficult for many people; many individuals experience a wide range of emotions sadness, anxiety, fear, loneliness, anger, or shame. At times you may feel hopeless about your future and your thoughts may turn to suicide. If you are unable to think of solutions other than suicide, it is not because solutions do not exist; it is because you are currently unable to see them. Do not lose hope. Solutions can be found, feelings change, unanticipated positive events occur. Look for meaning and purpose in educational and treatment programs, faith, work, family, and friends.

Bureau staff are a key resource available to you. Every institution is staffed with psychologists who provide counseling and other supportive mental health services. Anytime you want to speak with a psychologist, let staff know and they will contact Psychology Services to make the necessary arrangements. Psychologists are not the only Bureau staff available to provide you support. Your unit officer, counselor or case manager, work supervisor, teacher, and treatment specialist are available to speak with you and provide assistance, as are the other staff in the institution, including recreation specialists and lieutenants. Help is available.

Every day, inmates across the Bureau find the strength and support to move ahead in a positive direction, despite their challenging circumstances. You may be reading this message while in a Special Housing Unit or Special Management Unit cell, thinking your life is moving in the wrong direction. But wherever you are, whatever your circumstances, my commitment to you is the same. I want you to succeed. I want your life to go forward in a positive direction -a direction personally fulfilling to you, but also a direction which ensures the safety of the staff and inmates who interact with you each day.

I know your road ahead is not an easy one. Be willing to request help from those around you.

"Learn from yesterday, live for today, hope for tomorrow."  
~ Albert Einstein

Attachment C:  
Sexually Abusive Behavior  
Prevention and Intervention: Information and How to Report

U.S. Department of Justice  
Federal Bureau of Prisons

Sexually Abusive Behavior Prevention and Intervention:  
Information and How to Report

## An Overview for Inmates

FCI BERLIN  
Berlin, NH

June 2022

**You Have the Right to be Safe from Sexually Abusive Behavior.**

The Federal Bureau of Prisons has a zero tolerance policy against sexual abuse and sexual harassment. While you are incarcerated, no one has the right to pressure you to engage in sexual acts.

You do not have to tolerate sexually abusive/ harassing behavior or pressure to engage in unwanted sexual behavior from another inmate or a staff member. Regardless of your age, size, race, ethnicity, gender or sexual orientation, you have the right to be safe from sexually abusive behavior.

**What Can You Do if You Are Afraid or Feel Threatened?**

If you are afraid or feel you are being threatened or pressured to engage in sexual behaviors, you should discuss your concerns with staff. Because this can be a difficult topic to discuss, some staff, like psychologists, are specially trained to help you deal with problems in this area.

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**What Can You Do if You Are Sexually Assaulted?**

If you become a victim of a sexually abusive behavior, you should report it immediately to staff who will offer you protection from the assailant. You do not have to name the inmate(s) or staff assailant(s) in order to receive assistance, but specific information may make it easier for staff to know how best to respond. You will continue to receive protection from the assailant, whether or not you have identified him or her (or agree to testify against him/her).

After reporting any sexual assault, you will be referred immediately for a medical examination and clinical assessment. Even though you may want to clean up after the assault, we recommend that you see medical staff BEFORE you shower, wash, drink, eat, change clothing, or use the bathroom because evidence can be lost. Medical staff will examine you for injuries which may or may not be readily apparent to you. They can also check you for sexually transmitted diseases, pregnancy, if appropriate, and gather any physical evidence of assault. The individuals who sexually abuse or assault inmates can only be disciplined and/or prosecuted if the abuse is reported. Regardless of whether your assailant is an inmate or a staff member, it is important to understand that you will never be disciplined or prosecuted for being the victim of a sexual assault.

**How Do You Report an Incident of Sexually Abusive Behavior?**

It is important that you tell a staff member if you have been sexually assaulted or have been a victim of sexual harassment. It is equally important to inform staff if you have

witnessed sexually abusive behavior. You can tell your case manager, Chaplain, Psychologist, SIS, the Warden or any other staff member you trust. BOP staff members are instructed to keep reported information confidential and only discuss it with the appropriate officials on a need-to-know basis concerning the inmate-victim's welfare and for law enforcement or investigative purposes. There are other means to confidentiality report sexually abusive behavior if you are not comfortable talking with staff.

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- File an Administrative Remedy. You can file a Request for Administrative Remedy (BP-9). If you determine your complaint is too sensitive to file with the Warden, you have the opportunity to file your administrative remedy directly with the Regional Director (BP-10). You can get the forms from your counselor or other unit staff.

- Write the Office of the Inspector General (OIG) which investigates certain allegations of staff misconduct by employees of the U.S. Department of Justice; all other sexual abuse/harassment allegations will be forwarded by the OIG to the BOP. OIG is a component of the Department of Justice and is not a part of the Bureau of Prisons. You may request to remain anonymous to the BOP. The address is:

Office of the Inspector General  
U.S. Department of Justice Investigations Division  
950 Pennsylvania Avenue, N.W. Room 4706  
Washington, D.C. 20530

- E-mail OIG. You can send an e-mail directly to OIG by clicking on the TRULINCS Request to Staff tab and selecting the Department Mailbox titled, DOJ Sexual Abuse Reporting. This method of reporting is processed by OIG during normal business hours, Monday – Friday. It is not a 24-hour hotline. For immediate assistance, contact institution staff.

Note: These e-mails:

- are untraceable at the local institution,
- are forwarded directly to OIG
- will not be saved in your e-mail 'Sent' list
- do not allow for a reply from OIG,
- If you want to remain anonymous to the BOP, you must request it in the e-mail to OIG.

- Third-party Reporting. Anyone can report such abuse on your behalf by accessing the BOP's public website, specifically  
[https://www.bop.gov/inmates/custody\\_and\\_care/sexual\\_abuse\\_prevention.jsp](https://www.bop.gov/inmates/custody_and_care/sexual_abuse_prevention.jsp)

#### Understanding the Investigative Process

Once the sexually abusive behavior is reported, the BOP and/or other appropriate law enforcement agencies will conduct an investigation. The purpose of the investigation is to determine the nature and scope of the abusive behavior. You may be asked to give a statement during the investigation. If criminal charges are brought, you may be asked to testify during the criminal proceedings.

#### Counseling Programs for Victims of Sexually Abusive Behavior

Most people need help to recover from the emotional effects of sexually abusive behavior. If you are the victim of sexually abusive behavior, whether recent or in the past, you may seek counseling and/or advice from a psychologist or chaplain. Crisis counseling, coping skills, suicide prevention, mental health counseling, and spiritual counseling are all available to you.

You may also contact your local Rape Crisis Center (RCC). Rape Crisis Centers are community-based organizations that help victims of sexual violence. Your institution may have a Memo of Understanding (MOU) with a local RCC. If so, Psychology Services can provide you with the contact information. If no MOU exists, you may seek services through Psychology Services.

Your Local Rape Crisis Center's Information is:

Center's Name: Coos County Family Health Services Response Hotline; contact information is: 133 Pleasant Street, Berlin, NH 03570.

Contact Information: Response Hot Line 1(866)662-4220

Management Program for Inmate Assaultants

Anyone who sexually abuses/assaults/harasses others while in the custody of the BOP will be disciplined and prosecuted to the fullest extent of the law. If you are an inmate assaultant, you will be referred to

Correctional Services for monitoring. You will be referred to Psychology Services for an assessment of risk and treatment and management needs. Treatment compliance or refusal will be documented and decisions regarding your conditions of confinement and release may be effected. If you feel that you need help to keep from engaging in sexually abusive behaviors, psychological services are available.

Prohibited Acts: Inmates who engage in inappropriate sexual behavior can be charged with the following Prohibited Acts under the Inmate Disciplinary Policy:

Code 114/ (A): Sexual Assault By Force Code 205/ (A): Engaging in a Sex Act Code

206/ (A): Making a Sexual Proposal

Code 221/ (A): Being in an Unauthorized Area with a Member of the Opposite Sex

Code 229/ (A): Sexual Assault Without Force

Code 300/ (A): Indecent Exposure

Code 404/ (A): Using Abusive or Obscene Language

Policy Definitions per 28 CFR 115.6:

Sexual abuse includes—

- (1) Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
- (2) Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.

Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
- (4) Any other intentional touching, either directly or through the clothing, of the



genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1) through (5) of this definition;
- (7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
- (8) Voyeurism by a staff member, contractor, or volunteer.

Sexual harassment includes—

- (1) Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and
- (2) Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

An incident is considered Inmate-on-Inmate Abuse/Assault when any sexually abusive behavior (including sexual harassment) occurs between two or more inmates. An incident is considered Staff-on-Inmate Abuse/Assault when any sexually abusive behavior (including sexual harassment) is initiated by a staff member toward one or more inmates. It is also considered Staff-on-Inmate Abuse/Assault if a staff member willingly engages in sexual acts or contacts that are initiated by an inmate.

NOTE: Sexual acts or contacts between two or more inmates, even when no objections are raised, are prohibited acts, and may be illegal. Sexual acts or contacts between an inmate and a staff member, even when no objections are raised by either party, are always forbidden and illegal. Inmates who have been sexual assaulted by another inmate or staff member will not be prosecuted or disciplined for reporting the assault. However, inmates may be penalized for knowingly filing any false report.

\*\* Please be aware that both male and female staff routinely work and visit inmate housing areas. \*\*

Contact Offices:

U.S. Department of Justice Prisons Office of the Inspector General Investigations Division Coordinator 950 Pennsylvania Avenue, NW Suite 4706 NW, Room 4027 Washington, D.C. 20530 20534	Federal Bureau of Central Office National PREA 400 First Street, Washington, D.C.
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Federal Bureau of Prisons Prisons Mid-Atlantic Regional Office Regional Office Regional PREA Coordinator Coordinator 302 Sentinel Drive, Suite 200 Tower II, 8th Floor 400 State Avenue Annapolis Junction, Maryland 20701 66101-2492	Federal Bureau of North Central Regional PREA Gateway Complex Kansas City, KS
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Federal Bureau of Prisons Prisons Northeast Regional Office Regional Office Regional PREA Coordinator Coordinator U.S. Customs House, 7th Floor Reserve Complex 2nd and Chestnut Streets Drive Philadelphia, Pennsylvania 19106 Texas 75051	Federal Bureau of South Central Regional PREA U.S. Armed Forces 344 Marine Forces Grand Prairie,
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Federal Bureau of Prisons Prisons Southeast Regional Office Office Regional PREA Coordinator Coordinator 3800 North Camp Creek Parkway Drive SW Building 2000 95219 Atlanta, GA 30331-5099	Federal Bureau of Western Regional Regional PREA 7338 Shoreline Stockton, CA
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Third-party reporting (outside of institution):  
[https://www.bop.gov/inmates/custody\\_and\\_care/sexual\\_abuse\\_prevention.jsp](https://www.bop.gov/inmates/custody_and_care/sexual_abuse_prevention.jsp)

## PREA Video Script

Serving your sentence can be a challenging time in your life. While in the care and custody of the Federal Bureau of Prisons, you have the right to be free from sexually abusive behavior. In fact, sexual abuse is actually illegal. The Prison Rape Elimination Act of 2003 (commonly known as "PREA") is the law enacted to ensure your time in our custody is safe. The Bureau of Prisons has a commitment to uphold our zero-tolerance policy for sexually abusive behavior. This means we do not tolerate sexual abuse or sexual harassment of any kind from staff or other inmates, and we are obligated to respond when you feel you have been abused or harassed.

Many of you experienced and survived physical, emotional, or sexual trauma before your incarceration. It is unacceptable for this cycle of abuse to continue during your sentence. Our institutions are meant to be places where you can serve your sentence safely and engage in gender-responsive programming and activities designed to help meet your individual reentry, health and wellness, parenting, psychological, and other needs. Our goal is for you to serve your sentence and work on self-improvement and do so in a safe environment without worrying about your safety and wellbeing.

BOP staff are prohibited from engaging in sexually inappropriate behavior. This includes demeaning references to your gender or comments about your body. Staff are prohibited from using indecent language, sexually suggestive comments or gestures, or watching you for their own pleasure. These behaviors are considered sexual harassment. Sexual harassment or the invasion of your privacy by staff for reasons unrelated to official duties are not acceptable and may constitute a PREA violation. Even having sexually suggestive pictures hanging in public areas is inappropriate in our prisons. You may perceive these behaviors as uncomfortable to refuse or you may feel like you can't report them, but you can and should. You might worry how reporting may interrupt your current relationships, phone calls and visits; you may even fear retaliation. I want you to know, staff who violate professional boundaries must be reported and safeguards are in place to ensure your protection. Retaliation of any kind for reporting allegations of staff misconduct or sexual abuse is strictly prohibited. It is the expectation of the agency and its leadership that our staff at every level treat inmates with respect and dignity, and we ask the same of you. When we all work together, there are better outcomes for you when you return home to your children, families, and loved ones.

If you feel you have been harassed or abused, there are multiple ways for you to report this behavior. You can tell any staff member; call to report; send an email; or write to report. Specific details for your facility are available in your A&O Handbook or on the black and yellow PREA signs in your housing unit. All allegations of sexual abuse are taken seriously and investigated. If you have questions or need help with understanding your handbook or any of this information, please reach out to a staff member.

At all BOP facilities, we have trained, professional mental health staff who can help you after an allegation of sexual abuse, and most institutions also have access to outside advocates you can contact, should you choose to work with them after an allegation. This includes access to follow-up services beyond your initial report. Your safety and wellbeing are of the utmost importance to the BOP. Please reach out to your Executive Staff or any staff member you feel comfortable asking if you have any questions. You have the right to be free of sexual abuse and harassment and we can all work together to keep you safe and healthy.

## **First Step Act Admission and Orientation (A&O) Addendum**

The First Step Act (FSA) allows eligible inmates to receive Federal Time Credits (FTCs) for successfully participating in approved Evidence-Based Recidivism Reduction (EBRR) Programs and/or Productive Activities (PAs). These credits can be used toward pre-release, community- based placement and/or toward early release to a Supervised Release Term.

### **What is the PATTERN Risk Assessment?**

All sentenced inmates, regardless of eligibility status, will be assessed for risk of recidivism and for their needs. The Prisoner Assessment Tool Targeting Estimated Risk and Needs (PATTERN) is the automated recidivism risk assessment tool and part of the Bureau's FSA- approved Risk and Needs Assessment System. The PATTERN tool is completed during the Initial Classification and is used to assign each incoming inmate an initial recidivism risk level of Minimum, Low, Medium, or High. You will receive a General and Violent Risk Level and the higher of the two is your overall Recidivism Risk Level. The resulting recidivism risk level is not to be confused with security or custody level. Risk level is re-assessed at every regularly scheduled program review (commonly called a team meeting) throughout your incarceration with the BOP. Your case manager will discuss your PATTERN results during your Initial Classification and at each team meeting throughout your incarceration.

Your case manager will also provide you a copy of your PATTERN risk assessment worksheet at each team. The worksheet will show your current PATTERN risk scores and level for General and Violent Recidivism Risk as well as your overall Risk Level. The worksheet will also list all your program completions for which you are receiving credit.

In addition to the PATTERN risk assessment being reviewed during regularly scheduled team meetings, it will also be automatically reviewed during the monthly auto-calculation of Federal Time Credits to capture changes in risk level elements since the last team. For example, program completions, clear conduct or sanctioned incident reports, and birthdays (age). While this new automation will allow for changes to be credited closer to their occurrence, it will also ensure that changes are credited for the FSA Assessment. This automation applies to all inmates whether in the institution, pre-release placement, on writ, in-transit, etc.

### **What is the SPARC-13 Needs Assessment?**

The Standardized Prisoner Assessment for Reduction in Criminality (SPARC-13) is the Bureau's needs assessment system. It is used to assess inmates in 13 need areas to focus recommended programming to reduce the risk of recidivating. Portions of the SPARC-13 assessment require the inmate's active participation. **Failure on the inmate's part to complete the self- assessment surveys timely will delay completion and negatively impact the inmate's ability to begin earning FTCs as the inmate will be considered to have "opted out," and therefore will be in non-earning status regardless of eligibility to earn FTCs.**

What does this mean? **If you do not complete the surveys, which are found on the Trust Fund Limited Inmate Communication System (TRULINCS), you will NOT earn FTCs.** Do not wait until your Initial Classification to complete the surveys. The sooner they are completed, the better. If you are having difficulty finding the surveys, opening them, or understanding the questions, please talk to your unit team.

Based on the results of your initial Needs Assessment, staff from the different departments will make program recommendations to assist you in reducing your risk of recidivism. Your needs are re-assessed at every regularly scheduled program review meeting throughout your sentence and program recommendations will be adjusted based on changes in your need areas. Your case manager will discuss your SPARC-13 results as well as the program recommendations during your Initial Classification and at each team meeting throughout your incarceration.

Your case manager will also provide you a copy of your Needs Assessment worksheet at each team. The worksheet will show your current PATTERN risk scores and level for General and Violent Recidivism Risk as well as your overall Risk Level. The worksheet will also list all your program completions for which you are receiving credit.

Similar to the monthly automated review of the PATTERN risk assessment, the SPARC-13 Needs Assessment will be automatically reviewed during the monthly auto-calculation of Federal Time Credits to captures changes in your Needs Assessment.

**What are the 13 areas the SPARC-13 Needs Assessment looks at?**

Anger/Hostility*	Family/Parenting*	Rec/Leisure/Fitness
Anti-Social Peers*	Finance/Poverty	Substance Use
Cognition*	Medical	Trauma
Dyslexia	Mental Health	Work
Education		

\*Self-Assessment Surveys completed on TRULINCS. While the completed assessment information is uploaded monthly, you are given credit based on the day you completed the surveys – not the date it was uploaded.

**What is an Evidence-Based Recidivism Reduction (EBRR) Program?**

An EBRR Program is a group or individual activity found in the FSA Approved Programs Guide where research has shown that participation reduces, or is likely to reduce, recidivism. Some examples of EBRR Programs are:

- GED
- Residential Drug Abuse Program (RDAP)
- Anger Management

- Life Connections
- UNICOR Employment

### **What is a Productive Activity (PA)?**

A PA is a group or individual activity found in the FSA Approved Programs Guide that enhances skills to address identified needs and allows an inmate to remain productive and thereby maintain, or work toward achieving, a minimum or low risk of recidivating. Some examples of PAs include:

- Alcoholics Anonymous (AA) Support Group
- Bereavement Support Group
- Circle of Strength
- Franklin Covey 7 Habits on the Inside

Inmates are also encouraged to also participate in other available activities that reduce idleness and contribute to an inmate's overall positive institutional adjustment and help maintain clear institution conduct. Some examples include:

- Productive, free-time activities (e.g., recreation, hobby crafts, or religious services)
- Family interaction activities (e.g., social visiting)
- Personal growth and development classes (e.g., adult continuing education classes)
- Institution work program
- Community service projects

### **What is an FSA Assessment and when does it occur?**

The FSA Assessment brings everything together: PATTERN, SPARC-13, and EBRR/PA program participation. The FSA Assessments are independent, automated, and coincide with the Initial Classification and Program Review timeline. This means the initial FSA Assessment occurs 28 days after your arrival at your designated facility. Subsequent FSA Re-Assessments occur every 180 days, if you are more than 12 months from your projected release date, and every 90 days, if you are under 12 months from release.

Because FSA Assessments are automated, this means if your team meeting is late because your case manager is out sick or you miss it because you're out on writ or in-transit to another facility, your FSA Assessment will occur based on the most recent information in your record. And, with the enhanced automation in the PATTERN and SPARC-13 tools, those will also be updated even if you're not in your institution, or if your case manager is out sick.

### **Who is NOT eligible to earn FTCs?**

- U. S. Code Inmates convicted of offenses excluded by the FSA
- U. S. Code Inmates with prior state or federal convictions excluded by the FSA
- U. S. Code, Old Law Inmates

- U. S. Code Inmates in state custody
- State boarders
- Treaty Transfers Inmates
- Military Inmates
- D. C. Code Inmates\*

Your case manager will discuss your eligibility status during your Initial Classification. If you believe you are eligible, ask your case manager which offense and/or sentence makes you ineligible to earn time credits. Remember your ineligibility is based on either your conviction and/or your court of jurisdiction.

\*D. C. Code inmates: In late Spring 2023, the D. C. Government passed statute which would allow eligible individuals to earn time credits. Unfortunately, the statute, as passed, did not provide the same level of detail and structure which was included in the Federal statute. Currently, the Bureau is working with the D. C. Government to determine eligibility criteria to earn and apply credit. As more information becomes available, it will be distributed.

**What if I have consecutive charges and one of them is on the disqualifying list, but the other isn't; will I earn credits?**

The short answer is no. Whether you have multiple counts, multiple J & Cs, and/or multiple jurisdictions, you are serving a single, aggregated term of incarceration. The review for eligibility is based on your term of incarceration. You are either eligible or you are not. This means if one count, one J & C, or one jurisdiction is ineligible to earn time credits, then your term of incarceration is ineligible.

Also, if you are convicted for new criminal conduct while serving your sentence, whether your sentence is run concurrently or consecutively, and if the new conviction is for an ineligible offense, the whole term of incarceration becomes ineligible for earning FTCs. For example, USC 18 § 1791, Providing or Possessing Contraband in Prison (weapon, cell phone, tobacco, alcohol, etc.) is a disqualifying offense. Even if you only received a short sentence of a few months, it will disqualify you from being able to earn credit or apply any credit you may have already earned.

**When do I start earning FTCs?**

You will earn your first FTCs once you complete 30 programming days. You can start earning programming days AFTER you arrive at your designated institution, your PATTERN Risk Assessment and SPARC-13 Needs Assessment are completed, and you agree to participate in recommended programming. This means you cannot begin earning programming days and time credits while in pretrial or holdover status, even if you are being held in one of the Bureau's Detention Centers or Jail Units. The reason is simple, the FSA Assessment process begins after you arrive at your designated facility and begin the intake and Initial Classification process.

The only thing which will delay you accumulating programming days is not completing the self- assessment surveys on TRULINCS or refusing to complete the Trauma or Dyslexia Need Assessments. Those elements of the FSA Assessment which are completed by staff have no impact on your ability to accumulate programming days. This means whether your Initial Classification is completed days after your arrival or not until day 27, you will still begin accumulating programming days as soon as you complete the four self-assessment surveys.

**What if I'm back in prison and had FTCs I didn't get to use before I released last time?**

Credits can only be earned and used during your current term of incarceration. Once you are released from your current term, time credits cease to exist. If you return to custody, you start over.

**If I'm eligible to earn FTCs, do I earn FTCs the whole time I'm in prison?**

Not necessarily. There are situations where an inmate is unable or unwilling to participate in programming, and therefore, will not earn FTCs. Those situations include:

- Disciplinary Segregation
- Designation outside the Institution (outside hospital, furlough, etc.) \*
- Temporary Transfer to another Federal or a non-Federal agency (Fed Writ, State Writ, IAD, etc.) \*
- Placement on a Mental Health/Psychiatric Hold
- Detention as a material witness or for civil contempt
- Placement in civil commitment
- Opting Out (see definition below)
- Refusal to participate in required programs (e.g. Inmate Financial Responsibility (FRP), Drug Education, Second Chance RRC placement, etc.)

\*Any part of a day, is considered a day. Therefore, if you are at your designated facility for some portion of the day, you will still be given credit for that day. Remember, you have to accumulate 30 programming days to earn FTCs. This means, for example, if you are admitted to an outside hospital on a Friday and return to the institution on Monday. You are losing two programming days (Saturday and Sunday) – not Time Credits.

**How many FTC days can I earn?**

The number of FTCs earned is based on the length of your incarceration and your total number of programming days. The statute limits the number of earned time credits to "an amount that is equal to the remainder of the prisoner's imposed term of imprisonment." What does this mean? You can only apply time credit up to the amount of time remaining to serve. If for example, you have earned 310 days of time credits toward early release and then receive a sentence reduction which creates a new statutory release date which is only 9 months away (approximately 270 days), your FTCs will be applied to the new date; you will be an immediate release, and the 40 days left over will just disappear



with your release.

### **What is “Opting Out?”**

You are opting out if you refuse to participate in or complete any EBRR programs or structured, curriculum-based PAs recommended based on an identified need. You are also considered to be opting out if you refuse to participate in or fail to complete any portion of the Standardized Prisoner Assessment for Reduction in Criminality (SPARC-13), the Bureau’s Needs Assessment system.

Based on the results of your Needs Assessment, staff will recommend you participate in EBRR programs and/or PAs to address your needs. If you decline to participate in an EBRR program or PA which has been recommended based on a specific identified needs area, you will be considered opted out, and therefore, in non-earning status regardless of eligibility to earn FTCs.

### **Can I earn FTCs while waiting for a program?**

Yes. You will remain in FTC earning status while on a waitlist for EBRR programs or PAs recommended based on your needs assessment if you have not refused to participate. However, if you later refuse to participate in the recommended EBRR program or PA for which you were on a waitlist, you will be considered declined, or opted out, for the entire waitlist period.

The waitlist period is defined in terms of the corresponding need area(s). When an inmate declines participation after being on a waitlist, the auto-calculation application will first identify any need areas associated with the declined program and then identify the oldest waitlist associated with the need area(s). Any credits earned since the oldest waitlist associated with the need area, without intervening participation, will be rescinded to reflect the inmate’s refusal.

This means that any credits earned during the waitlist period will be removed to reflect your refusal/opting out.

### **How do I earn my credit?**

FTCs are awarded based your eligibility to earn credit, completion of the PATTERN and SPARC-13 assessments, and ongoing participation in programs designed to reduce the risk of recidivating. Once you are in earning status, you will remain in earning status unless or until your status changes as previously described.

FTCs are auto-calculated based on 30-day periods in earning status – meaning for every 30 days you are in earning status, you will earn either 10 or 15 days based on your PATTERN risk level at the time of your FSA Assessment. FTCs will be posted on a monthly basis, agency-wide, based on a completed 30-day period. There is no partial or prorated credit for either programming days or FTCs. No FTCs will post if you have not accumulated 30 days in earning status. Rather, those days in FTC earning status will carry over to the next monthly cycle, and you will receive your FTCs at the end of the next cycle.

For example: If the first monthly posting of FTCs occurs only five days after you go into earning status, no FTCs will post to your record as you have not yet accumulated 30 days in earning status. However, those five days will carry over to the next monthly cycle, and you will receive the FTCs at the end of the second month. If later, you go into FRP Refuse or decline a recommended needs-related program and go into opt out status, you will no longer be in earning status, and therefore, you will stop accruing days toward FTCs and no FTCs will post to your record. Once you return to earning status, you will resume accruing days toward the earning of FTCs.

Along with other enhancements to the FSA Assessment process, beginning later in 2023, your Time Credit status will also be reviewed during regularly scheduled Program Review meetings which will allow you additional opportunities to catch up the “carried over” programming days and post Time Credits to your record sooner.

### **How will I know how much credit I've earned?**

At each team, you will receive a copy of the Federal Time Credits Worksheet. This worksheet will include, among other things:

- FTC days earned toward early release and toward RRC/HC placement
- Number of accrued and disallowed programming days
- Whether you are eligible to apply credits toward release, and if not eligible, the reason
- Accruing and disallowing time frames, total number of days, and reasons for disallowances
- FSA Assessment and the Recidivism Risk Level at the time of the Assessment
- FTC Earning Rate

Later in 2023 and into 2024, the FSA Time Credit Worksheet will be enhanced to provide additional information as well as improving the clarity of the information provided.

### **How do I earn 15 days of credit instead of 10 days?**

Whether you earn 10 or 15 days of FTCs depends on your PATTERN Recidivism Risk level at the time of the FSA Assessment. All eligible inmates will earn 10 FTC for every 30 days in earning status. Once an inmate has maintained Low or Minimum risk for two consecutive FSA Assessments, the inmate can begin earning 15 FTCs for every 30 days in earning status.

### **Can I lose FTCs?**

Yes. You can be sanctioned to Loss of FTCs by the Disciplinary Hearing Officer (DHO) for an incident report. However, you can appeal the loss through the Administrative Remedy Process. More importantly, you can request to have those lost FTC days be restored or given back **AFTER** you have maintained clear conduct for two consecutive FSA Assessments.

**If I lost FTCs because I refused to take a recommended program, can I get those days restored?**

You didn't lose FTCs because you refused a recommended program, you lost programming days which resulted in you not earning FTCs. Because you never earned the FTC days to start with, there is nothing to restore. Remember, if you decline a recommended program, you are "opting out" and therefore are in a non-earning status.

**Once I earn FTCs, how do I get to use them?**

FTCs are used two ways – early transfer to pre-release custody (halfway house or home confinement) or early release to your Supervised Release term. If eligible, the first 365 days of FTCs will be applied to your early transfer to your Supervised Release term resulting in an early release from prison. Any remaining FTCs are applied to pre-release custody resulting in your ability to transfer to halfway house or home confinement sooner than you would have without the credit.

**Does everyone get to use their FTCs or are there restrictions?**

No – not everyone will get to use the FTC days earned. There are limitations. For an inmate to have up to 365 days of earned FTCs automatically applied to early release, an inmate must meet the following criteria:

- Have a term of Supervised Release to follow the term of incarceration
- Have a low or minimum PATTERN risk level
- Have not opted out or refused to participate in any required program, and therefore, be in earning status

Credit earned in excess of 365 days is applied toward increased pre-release placement in halfway house or home confinement.

**If I don't have Supervised Release to follow, do I still get to use my FTCs?**

Yes, but they can only be applied to pre-release custody.

**What if I am High or Medium Risk? Can I apply the time credits I've earned?**

Maybe. If you are High or Medium Risk but have maintained clear conduct and participated in all the recommended programming, you may be able to apply the credits you've earned by petitioning the Warden. In determining whether to approve your petition, the Warden will consider the following:

- Whether you would not be a danger to society if transferred to prerelease custody or supervised release;
- Whether you have made a good faith effort to lower your recidivism risk through participation in recidivism reduction programs or productive activities, and
- Whether you are unlikely to recidivate.

How will you demonstrate this to the Warden? By maintaining clear conduct and by participating in the EBRRs and PAs recommended to address your specific Needs. Will maintaining clear conduct and participating in programming automatically mean you will be approved? No. Each case is reviewed individually considering both your history and your time in prison. But, if you haven't maintained clear conduct for an extended period time and/or haven't completed programming, you shouldn't be surprised if your petition is denied.

### **How do I petition the Warden to apply my Time Credits if I am High or Medium Risk?**

Submit an Inmate Request to Staff Member (copout) to your unit team during your regularly schedule Program Review team meeting. The unit team will review your record and make a recommendation to the Warden. The Warden, after reviewing your record and consulting with the Regional Director, will either approve or deny your petition. You will receive a written response from the Warden to your request. During all aspects of this program, you may file an Administrative Remedy if you choose.

### **Are FTCs applied to my percentage of time served?**

No. FTCs applied toward your release date do NOT impact your percentage of time served because FTCs do not change your Statutory Release Date – they only change your Satisfaction Date.

### **What is an FSA Conditional Release Date?**

For eligible inmates who are Low or Minimum Risk, this is a presumed earliest release date you could earn with Federal Time Credits. This calculation makes the presumption that once you are Low or Minimum risk AND in earning status, you will continue to remain in earning status. As a reminder, the FSA Conditional Date, is **NOT** your release date as the credit is only applied as it is earned.

Changes in your status (e.g., FRP Refuse, program declines, Disciplinary Segregation, etc.) will result in changes in your conditional date. **The FSA Conditional Release Date is for planning purposes only.**

Additionally, a second application will project the maximum number of FTCs which can be earned during your term of incarceration. This will assist in determining the earliest eligible pre-release placement date. This means your Unit Team will be able to monitor your projected number of FTCs and submit your RRC referral timely. Remember this is still just a planning tool, if your status changes, the possible maximum number of FTC days will change as well.

### **Do I earn FTCs while in Halfway and/or Home Confinement?**

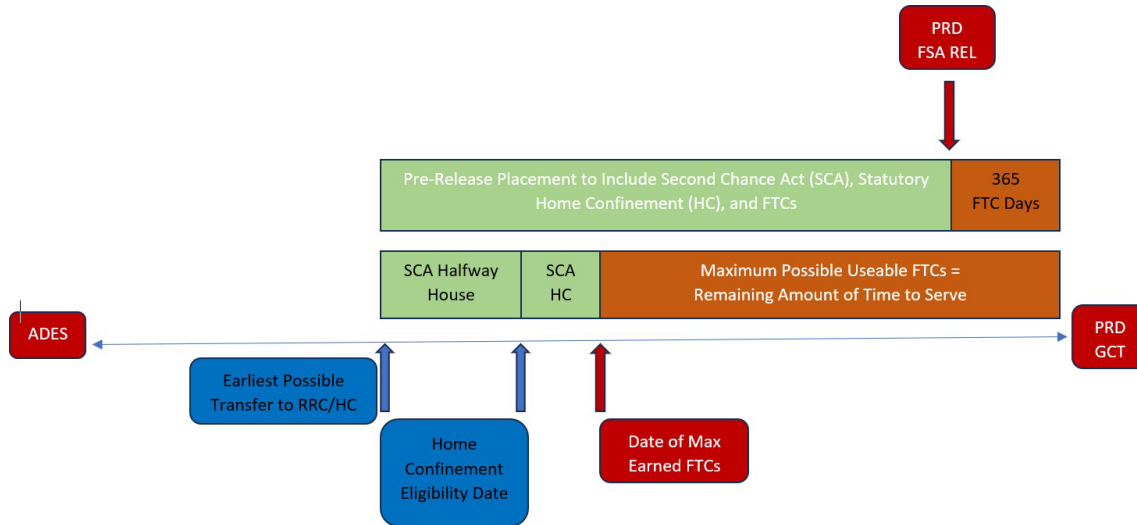
Yes. As long as you continue to successfully program. Remember incident reports can result in a change in your PATTERN Risk Level. If this happens while in Halfway House and/or Home Confinement, it can also impact both your earning status and your ability to apply FTCs toward your release. If your PATTERN Risk Level increases to Medium or High Risk for any reason, you will no longer be eligible to apply your FTCs, and may be removed from pre-release placement and returned to the institution.

### **How does FTCs work with Pre-Release Placement?**

Your halfway house and/or home confinement recommendation will include the total number of days recommended under the Second Chance Act, plus the remaining number of FTC days not applied to Supervised Release at the time of the referral.

## Do FTCs change my Home Confinement Eligibility Date (HCED)?

Yes and no. Your Home Confinement Eligibility Date is calculated based on your statutory term. FTCs do not impact the number of days making up the eligibility date – that block of days is the same regardless of FTCs earned. What changes is the date itself. This is because the eligibility date is based on the number of days prior to Projected Release Date, and as your release date changes (due to earned FTCs), the Home Confinement Eligibility Date also changes, but the block of days making up the statutory Home Confinement does not. Plus, once you earn FTCs toward early pre-release placement, the Home Confinement Eligibility Date is based on that same block of days, but in advance of the maximum number of FTCs earned.



For example, if you had 30 months to serve (after Good Conduct Time) and had a minimum or low Risk level from the beginning, you could earn up to 415 FTCs. You would also have a Home Confinement Eligibility Date of about 90 days. The first 365 FTCs are applied toward release, leaving you about 18 months to serve. If your unit team also recommended you for a 120-day prerelease placement under the Second Chance Act, that would be added to the 50 FTC days remaining for all total recommended pre-release placement of 170 days. But, because the Second Chance Act Placement is served first to include the 90-day Home Confinement Eligibility, you would have to serve at least 30 of your 120-day Second Chance Act placement in the halfway house before you could transfer to home confinement.

## How do unresolving pending charges and/or detainers impact me getting Time Credit?

As long as you are eligible to earn time credits, an unresolved pending charge and/or detainer has no impact. With the exception of inmates with final orders of deportation or removal – determinations made based on documentation provided by Immigration and Custom Enforcement (ICE), unresolved pending charges and/or detainers will not impact your ability to apply credit toward early release or pre-release placement.

However, it is important to understand that while you are eligible for halfway house and/or home confinement, placement in the community does NOT eliminate the outstanding detainers and/or pending charges. **Meaning - if you are in halfway house and/or home confinement and have detainers and/or pending charges, you are at significantly higher risk to be arrested due to active**

**warrants, and an arrest will result in a technical escape for you and an interruption in your federal sentence as the Bureau will have lost primary jurisdiction.**

Because you are not eligible for a needs-based recommendation under the Second Chance Act, your FSA placement in halfway or home confinement is VOLUNTARY. You can decline the voluntary FSA placement without any negative impact. This means you can still apply your FTCs, up to 365 days, toward early release. Please let your case manager know if you are declining the voluntary FSA placement due to unresolved pending charges or detainers in pre-release custody.

**Can I still earn FTCs if I'm eligible to receive the Residential Drug Abuse Program Early Release Benefit?**

Yes, but the Residential Drug Abuse Program (RDAP) Early Release Benefit is applied first to your release date, then any FTC days are applied afterwards. This means you must complete all components of RDAP, to include the community-based portion – a minimum of 120-days in the community-based treatment program.

To receive the full benefit of both programs, you must have enough time remaining to complete all required components of RDAP. In the event you do not have enough time remaining after completing the RDAP program to receive both, the number of FTC days applied will be reduced to allow for, at a minimum, the 120-day community-based placement as required under 3621(e).

**Questions?**

If you have questions about any aspect the First Step Act or the associated Federal Time Credits, including eligibility, requirements, or limitations, and/or programs, please talk to your unit team. They will either be able to answer your question or direct you to staff in the department that can assist you.