

Metropolitan Detention Center Brooklyn, New York

Admission and Orientation Manual for Pre-Trial, and Holdover Inmates

(Revised 11/09)

GENERAL INTRODUCTION

When you were received at this facility, you were given a Federal Register Number which will identify you as long as you are in federal custody. That number is commonly known as your "number" or "reg number." It is imperative for you to provide your family and friends with your number so that you may receive correspondence from them while you are in our care. All mail must be identified with your register number when received at our facilities, and when you send it out. **THIS IS A SMOKE FREE INSTITUTION.**

You received a social screening by a unit team member. You were given a picture card, cell assignment and a bed assignment. You are placed in the computer for that assignment and may not move to another bed unless you get permission from the unit team. You will be housed in G41 (the Medical Intake Screening Unit) upon initial arrival. Inmates in G41 will not obtain visits. Once you are medically cleared and moved to a permanent unit, you are responsible for requesting and establishing a visiting list for immediate family members.

Rules and Regulations are posted in English and Spanish in all housing units and it is your responsibility to read and follow these rules. This booklet identifies departments which you may contact during your confinement in our facility. There is also a section on your rights and responsibilities

SANITATION: It is the responsibility of both inmates in a room to maintain a high standard of sanitation at all times. All rooms will have a daily sanitation inspection. Failure to attain a satisfactory sanitation rating may result in disciplinary action. These instructions are a guide to assist inmates in maintaining their individual room areas on a daily basis. By 7:30 a.m. each morning, your bed needs to be made and your living area presentable. Food from the mainline and common fare trays are not allowed in your cells or living area at any time. Common fare meals are to be eaten at the time they are served.

COMMON AREAS: Each individual inmate has a responsibility for the maintenance and sanitation of all common areas of the units, such as the: outside recreation area, showers, unit bathrooms and TV viewing areas. Each inmate should leave these areas as they would hope to find them.

CONSULAR VISITS: When it has been determined that an inmate is a citizen of a foreign country, the Warden may permit the consular representative of that country to visit on matters of legitimate business. The requirement for the existence of an established relationship prior to confinement does not apply to consular visitors. (Step 2.2.2)

INMATE REQUEST TO STAFF MEMBER AND ADMINISTRATIVE REMEDY COMPLAINTS: If you cannot resolve a complaint through informal contact with staff, or through an "INMATE REQUEST TO A STAFF MEMBER" (BP-148), commonly referred to as a "COP-OUT"; and you wish to file a formal complaint for an administrative remedy, you may obtain an INMATE REQUEST FOR INFORMAL RESOLUTION" from your Unit Counselor who is in charge of logging and tracking each complaint. You will ordinarily receive a response within 3 to 5 working days. If you are not satisfied with the response, you may obtain a "REQUEST FOR ADMINISTRATIVE REMEDY" (BP-229). A Unit Team member will attempt informal resolution before it is referred to the Warden's Office. Your complaint must be filed within twenty (20) calendar days from the date on which the basis of the complaint occurred. Only one complaint is permitted on each submission. You will ordinarily receive a response from the Warden within twenty (20) calendar days from receipt of the complaint to act upon the matter, and provide a written response.

If you are not satisfied with the Warden's response, you may file an appeal within twenty (20) days via BP-230 form to the Northeast Regional Director. The BP-230 form can be obtained from your Unit Counselor. You will ordinarily receive a written response from the Regional Director within thirty (30) calendar days upon receipt of your appeal. If you are not satisfied with this reply, you may file a final appeal to the Assistant Director, Office of General Counsel and Review, Bureau of Prisons, within thirty (30) days of receipt of the Regional Director's response. This should be done on form BP-DIR- 231 and include a copy of the BP-229 and BP-230. Within thirty (40) calendar days, a written response should be made..

MAIL:

OUTGOING MAIL Two depositories, one for outgoing general and one for "Special Mail" (see section pertaining to "Special Mail") are located in every housing unit. You are required to place general mail in the appropriate depository **UNSEALED**. Outgoing mail is collected from the depositories every day, excluding weekends and federal holidays, no later than 8:00 a.m. You are reminded that you are responsible for the contents of the letters you mail. Correspondence containing threats, extortion, etc., may result in prosecution for violation of federal law. All outgoing mail must display a complete return address on the upper left hand corner on the front of the envelope (see example below). The return address must include your committed name. Your committed name is the name used by the arresting officer as noted on the detention order at the time of your admission to this facility. Please notify your correspondents not to address mail using nicknames or aliases. If you have a hyphenated last name, ensure your incoming and outgoing mail displays both surnames. The return address portion of the envelope and all incoming correspondence and publications should be completed as follows:

**Your committed name and register number
Metropolitan Detention Center
P. O. Box 329002
Brooklyn, NY 11232**

Writing paper, envelopes, pens, and pencils are provided by the Metropolitan Detention Center, and may **not** be obtained from outside sources. You may purchase additional items from the commissary. You must affix proper postage. Unit staff, through the Mail Room, will assist you in determining proper postage. Postage stamps of various denominations are available through the institution Commissary. Stamps or stamped items may not be received through the mail. You may not purchase, or have in your possession, more than sixty first-class stamps. International, certified, registered, insured and return receipt mail services are provided upon request. Contact your correctional counselor if you do not have sufficient funds to purchase postage stamps.

POSTAGE STAMPS FOR INDIGENT INMATES: An inmate who has neither funds nor sufficient postage and who wishes to mail legal mail (includes courts and attorneys) or Administrative Remedy forms will be provided the postage stamps for such mailing. To prevent abuses of this provision, the Warden may impose restrictions on the legal and administrative remedy mailings. (See Program Statement 5265.11, Correspondence)

CORRESPONDENCE BETWEEN CONFINED INMATES: You are permitted to correspond with another inmate provided you have received approval. See your case manager to receive appropriate approvals. In order to do so, you must be immediate family members, or co-defendants (with active litigation). All outgoing and incoming approved inmate-to-inmate correspondence is opened and inspected.

SPECIAL MAIL: "Special Mail" is defined as correspondence sent to or from individuals or agencies such as attorneys, federal and state elected government officials, state correctional agencies, federal or state parole/probation agencies, and representatives of the news media. It is your responsibility to notify your legal counsel or agencies entitled to legal mail privileges of incoming "Special Mail" requirements. Incoming "Special Mail" must meet the following criteria to be processed as "Special Mail": The return address must bear the name of an individual attorney. If forwarded from a law firm or office, it must specify the individual attorney's name and title. The outside of the envelope must contain the marking "**Special Mail - Open Only in the Presence of the Inmate.**" It is your responsibility to clearly mark on the outside of the envelope with the words: "Special Mail" or "Legal Mail" in order for the item to be processed as such. Outgoing "Special Mail" shall be picked up from the housing unit daily, Monday through Friday, by Mail Room staff. Inmates must deliver their own outgoing mail, Special/Legal mail, directly to the hands of the Unit Officer for placement in the legal box. Outgoing special mail submitted without an accurate return address will not be processed but returned immediately to the inmate. The Unit Officer receiving the mail must immediately confirm that the inmate delivering the mail is the same inmate reflected in the return address on the envelope. Inmates attempting to send outgoing special/legal mail under another inmate's name will be considered for disciplinary action. Inmates may still seal their outgoing special/legal mail before submitting it to the Unit Officer for processing, and it will not be opened unless contraband is apparent. Mail room staff will obtain the special/legal mail from the Unit officer at the regularly scheduled time and the mail will be processed and stamped in accordance with policy. Each Unit Officer collecting Special Mail shall maintain a log book for outgoing special mail in which staff shall enter the date the mail was received from the inmate, the inmate's name and register number, address of the outgoing mail, the receiving staff members signature, the mail room staff members signature, and the date and time the mail was picked up. If "Special Mail" markings are properly indicated, on the outside of the envelope, it will be date/time stamped, and the reverse side of the envelope will be stamped with "Special Mail" handling instructions for the benefit of the court or your legal counsel.

Mail from the chambers of a federal judge or from a member of the U.S. Congress will be afforded special mail handling without "Special Mail" markings on the envelope. Incoming mail which satisfies special mail handling requirements will not be opened in the Mailroom. The item will be logged and date/time stamped. A unit staff member will deliver it, and open and inspect it for contraband before giving it to you.

OVERNIGHT OR EXPRESS DELIVERY MAIL: Use of outgoing overnight mail delivery privileges are not afforded to federal prisoners. Incoming overnight mail will be processed as general correspondence. Incoming overnight mail which satisfies "Special Mail" handling requirements will be processed the same as non-overnight "Special Mail."

PACKAGE PROCEDURES: You must have a package permit to receive any item(s) other than regular mail or approved publications. The "Authorization to Receive Package" form may be obtained from unit staff. Any packages at the post office or delivered to this institution that do not have a package permit will not be accepted and will be returned to the sender.

INCOMING MAIL All mail is picked up daily at the U.S. Post Office except weekends and federal holidays. Incoming mail is delivered to the inmate population within twenty-four (24) hours of receipt; authorized packages within forty eight (48) hours. Mail call is held in the housing unit after the 4:00 p.m. institution count, Monday through Friday.

All incoming inmate general correspondence is opened and inspected. Unauthorized items (contraband) are removed and returned to sender with a form explaining the reason for rejection. You will receive a copy of any rejection notice at mail call.

These are examples of items commonly returned to sender as "nuisance" contraband:

- Postage stamps or stamped envelopes
- Unsigned greeting cards
- Musical greeting cards
- Blank stationery
- Newspapers not forwarded by the publisher
- Complete sections of a newspaper
- Excess books or magazines in one package
- Double-faced Polaroid photographs
- Nude personal photographs
- Plastic novelty items

INCOMING PUBLICATIONS: Newspapers, hard and soft-covered books and magazines must come directly from the publisher, book store or book club. You may not have in your possession, or receive in the mail, more than five (5) books or ten (10) magazines in one parcel. Any envelope or packages that contain multiple publications must be clearly marked on the outside of the package or envelope, indicating the nature of the contents. Authorized packages containing unauthorized items will be rejected, and the entire contents will be returned to the sender. All other packages will be returned to sender unless a package authorization is received in the mailroom.

Federal inmates may not receive sexually explicit publications. Commercial publications received in the Mail Room intended for delivery to inmates which feature depictions of nudity or sexually explicit conduct will **not** be distributed. Refer to Institution Supplement 5800.10E, Mail Management, for additional information regarding restrictions related to sexually explicit commercial publications.

You are not permitted to receive through the mail a personal photograph in which the subject is nude, or partially nude, or where the photo depicts sexually suggestive acts.

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COURT CLOTHES: MDC Brooklyn will provide you with specific garments to be worn as court clothing. You may obtain civilian court clothes from outside sources such as family, friends or attorneys with prior approval from unit staff. Civilian court clothing will not be accepted without prior approval nor may you exchange clothing while at the federal courthouse. Authorized civilian court clothes will be inventoried and stored in R&D.

INMATE TELEPHONES: Inmate telephones have been placed in each housing unit at MDC Brooklyn. Inmates may use these telephones during the day and evening hours. If the telephone equipment is damaged or procedures are abused, the institution may take away your telephone privileges. The Bureau of Prisons reserves the authority to monitor and record conversations on these telephones. Your use of institutional telephones constitutes consent to this monitoring. Inmate telephone calls are limited to fifteen (15) minutes per call, 300 total minutes per month.

LEGAL CALLS: If an inmate wishes to make an unmonitored attorney-client call not using the ITS system, he/she must make a request to a member of his/her Unit Team for a collect legal call. Inmates are to provide an explanation as to why the call cannot be conducted during the ITS time periods. Unit Team shall review the request and if approved, with final approval given by the Unit Manager, a staff member assigned by the unit manager will place the collect attorney-client call on an unmonitored telephone. Placement of the call is contingent upon staff availability.

Time charge unmonitored attorney-client calls will be completed in instances where an Attorney refuses to accept collect calls. The inmate must still submit a request for a time charge call, providing an explanation as to why the call cannot be conducted during the ITS time periods. A time charge call will be made after the inmate completes a BP-199, Inmate Withdrawal Fund Request form, and it is verified the inmate has monies available to pay for the call charged. Placement of the call is contingent upon staff availability.

PHONE ACCESS CODE (PAC): You will be assigned a nine (9) digit Phone Access Code (PAC). The PAC is your confidential code. The PAC must be used to process all telephone activities. If you believe your PAC has been compromised, contact your Unit Counselor **immediately**. Distribution of this PAC to other inmates is prohibited. Once you transfer your funds to your ITS account, they **can not** be returned to your commissary account.

When using the Inmate Telephone System, you must not engage in the following activities or you will be subject to disciplinary action. You may not make:

- a 3-way telephone call.
- a call that is forwarded to another telephone number, regardless of whether that telephone number is on your approved telephone list.
- discuss or engage in any business related activities over the telephone. Use the telephone to gamble, call gambling hotlines, or discuss gambling odds. Actively trade stocks, commodities, or anything of value or instruct others to do so.
- use the telephone to convey or pass messages from another inmate to a third party.
- imply any threat or speak in code to another person over the telephone.
- use another inmate's PAC number.
- participate in conference calling.

- attempt to use the telephone while on telephone restriction.
- pass the telephone to another inmate or accept the telephone from another inmate after a telephone call has been connected.
- use the telephone to contact a volunteer, contract worker, staff member, or any former inmate who is in a halfway house or on supervised release.
- arrange to have anything of value sent to another inmate or inmate's family without staff authorization.
- finally, you must not engage in any other activity or conduct over the telephone which staff interpret as an effort to circumvent our policies and regulation.

INCOMING FUNDS: Inmates must notify their families that all funds sent to the inmates should be mailed to the lockbox at the following address:

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

Funds must be received in the form of Money Order or Government Check. No personal checks will be accepted. The inmates name and register number must be on these documents. Inmates may also receive funds to their commissary account by **Western Union**. The following procedures should be followed:

- A Western Union Quick Collect form must be used.
- Dollar amount: fill out
- Pay To: Inmate register number and last name
- Code City: FBOP
- State: DC
- Sender's Name: fill out
- Sender's Telephone area code and number: fill out
- Sender's address: fill out
- Sender's City, State and Zip code: fill out
- Customer's Signature: Person must sign.
- The funds will be available to inmates no later that 2-4 hours after sent. There is a \$9.99 fee for the sender.

CLOTHING AND LINEN ISSUE/EXCHANGE AND LAUNDERING: Inmates will be issued their initial set of clothing from R&D when arriving at the institution. They will receive the balance of their clothing from the Laundry Department usually while they are housed in G41.

LINEN AND BEDDING: Upon arrival at MDC Brooklyn, each inmate will be issued the items below by the R&D officer. These items will be considered the standard issue for use by all incoming inmates.

One Blanket, one Pillow Case, two Wash cloths, two sheets, two towels. These items may not be used as floor mats, nor may they be altered. Failure to abide by these rules may result in an incident report.

HOURS OF VISITING: Visiting hours are from 12:00 p.m. to 7:45 p.m. on Monday thru Friday and holidays. Visiting hours are from 8:00 a.m. to 3:00 p.m. on Saturdays and Sundays. A short embrace and kiss are permitted at the beginning and conclusion of the visit. Beyond this point, physical contact will not be permitted and will be grounds for termination of the visit.

VISITING INFORMATION: All visitors must be listed on your approved visiting list. If the name of your immediate family member does not match yours, you must provide documentation (birth certificate, marriage certificate) to verify the relationship. Mothers and Fathers of your children will be allowed to visit as immediate family after they have provided a birth certificate verifying relationship to the child and a BP-629, Visitor Information form. These forms must be mailed directly to your Unit Correctional Counselor. The parent must bring the child when they come for visitation. Failure to have a potential visitor listed will result in denial of the visit. The visiting times and schedules for each unit are posted on the unit bulletin boards.

DIRECTIONS TO THE METROPOLITAN DETENTION CENTER: Driving to the facility via Belt Parkway West to the Brooklyn Queens Expressway (BQE), exit on 39th Street, continue to 4th Avenue, make a left turn. Go Northbound on 4th Avenue to 28th Street, make a left turn to 3rd Avenue. Turn right on 3rd Avenue to 32nd Street. Left on 32nd and right on 2nd Avenue. Grand Central Parkway West to BQE (I-278) West, exit on 39th Street. Make a right turn on 2nd Avenue going north, continue north on 2nd Avenue and then make a right on 32nd Street. Then left on 2nd Avenue.

LOCAL TRANSPORTATION:

NYC Bus-B37 Stops at 29th Street and 3rd Avenue.

NYC Subway N or R Train to 25th Street; Walk four blocks south, make a right on 29th Street and walk one block to 100 29th Street.

OUT OF STATE DIRECTIONS:

From South Jersey and Philadelphia:

North on the NJ Turnpike to Exit 13 Goethals Bridge/Verrazano Bridge (I-278)

Get off at the 92nd Street Exit after the Verrazano Bridge.

Left on 92nd Street, then Right on 4th Avenue. Left on 3rd Avenue at the BQE Overpass. Left on 32nd Street, right on 2nd Avenue.

APPROVED DRESS CODE: Visitors will be expected to wear clothing which is neither provocative nor enticing to the extent that a disruption to the orderly running of the institution could ensue. Clothing which is sexually suggestive or revealing will not be allowed. No bare feet will be allowed except for infants. No clothing that is similar to that issued to inmates will be allowed, i.e., khaki or green military type clothing. The following attire is prohibited:

- Shorts (except for children under the age of 12)
- Sleeveless garments (except infants, and children up to 12 years of age)
- Sweat pants, sweat shirts, sun dresses, leotards, wrap around skirts, crop tops, low-cut blouses, or low-cut dresses.
- Halter tops, bath suits or backless tops
- Hats, caps, headbands or head scarfs
- Spandex pants, Tights or clothing with revealing holes
- Overcoats, winter jackets, or windbreaker
- Any clothing similar to that issued to inmates or staff uniforms
- Clothing that is sexually suggestive, revealing or any type of garment that is see through

Proper dress is required for both the inmates and visitors.

IDENTIFICATION REQUIRED: All visitors must provide appropriate photo identification, (drivers license, passport, etc.) before being allowed to visit. **The name on their identification must match exactly to the name on the visiting list or your visitor may be subject to denial of visitation.** Identification is subject to be scanned for authenticity. Visitors possessing altered or false identification will be denied entry into the facility. Visitors entering the institution may be subject to a search. Anyone refusing this search or refusing to sign a Title 18 statement (English or Spanish) will be refused entry into the institution. A search will be made of all carry-in items of a visitor. The visitor must sign this form in the presence of a staff member. The visitor will be present during the time when all items are being searched. The visitor may be checked with a hand-held metal detector and drug detection equipment. The Visiting Room Officer will not store any items for visitors or inmates.

Section 1001, Title 18, U.S. Criminal Code states, "the penalty for making a false statement is a fine of not more than \$250,000.00 or imprisonment of not more than five years, or both." Furthermore, Section 1791, Title 18, U.S. Criminal Code, provides a penalty of up to twenty years in prison for any person who introduces, or attempts to introduce, into or upon the grounds of any penal or correctional institution, or takes or attempts to take, or send therefore, anything whatsoever, without the knowledge and consent of the Warden.

SPECIAL RULES FOR CHILDREN: Inmates are responsible for making certain that their visitors conduct themselves in a dignified manner. Inmates and their visitors are responsible for the behavior of their children. Visits not conducted in an appropriate manner will be terminated.

SPECIAL VISITS: Special visits or "extended visits" may be approved on your designated visiting day and must be pre-approved by the Captain and the Unit Manager. **Special visits will not be used to circumvent the requirement for background checks for visitors.**

UNAUTHORIZED ITEMS: Strollers, carriers, diaper bags, food, highlighter markers, newspapers, magazines, cameras, cellular phones, or any other electronic/recording communications devices. **Food and beverages are not allowed in the front Lobby. There are vending machines available in the visiting room. A visitor may not bring anything for an inmate by means of a visit.**

ITEMS AUTHORIZED: A small clear purse, money in denominations no larger than \$5.00 not to exceed \$25.00. Medication limited to the amount needed during the visiting period. Two (2) diapers, baby wipes, one (1) change of infant clothing, two (2) small sealed clear containers of baby food (no glass containers), and one (1) blanket.

FOOD SERVICE DEPARTMENT: The Food Service department prepares three meals a day, seven days a week for the institution by utilizing an inmate work cadre. In addition to the mainline meals, medically required meals, such as diabetic trays, are provided as determined necessary by the Health Services department. A Common Fare tray is provided to meet the religious diet restrictions of all inmates (to be placed on the common-fare program, submit your request to the Chaplains).

A No Flesh tray is provided to inmates who request a meatless diet (to be placed on the no-flesh diet, submit your request to the Food Service Administrator). The breakfast meal is served at 6:00 a.m., lunch at 11:00 a.m., and dinner after the 4:00 p.m. count clears, Monday through Friday. The weekend meal schedule is breakfast at 6:45 a.m., brunch at 11:30 a.m., and dinner is served after the count clears.

DNA TESTING: Public Law 106-546 requires the BOP to obtain DNA samples from inmates convicted of qualifying federal offenses. If you are convicted, you may be notified by your unit team that you are required to provide a sample. The unit team will provide information regarding the qualifying current or past offense, the collection process, consequences of noncompliance and address any concerns regarding the implementation of this law.

REFUSAL OF MEDICAL TREATMENT: All patients have the right to refuse any medical treatment offered or recommended as part of informed consent. If you refuse recommended medical test or treatment, this will be documented. You will be asked to sign a REFUSAL OF TREATMENT FORM which will explain the possible consequences and complications of such. If you refuse to sign this form, staff members will sign this form attesting to your refusal to sign. You have the right to be counseled regarding the possible ill effects that may occur as result of your refusal.

DENTAL SERVICES: Pre-Trial and Holdover inmates will only have dental emergencies treated. If you have a dental emergency, sign up for sick call on the unit sick call list.

INMATE CO-PAYMENT 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 provides notice of the Inmate Copayment Program for health care, effective October 3, 2005.

You must pay a fee of \$2.00 for health care services, charged to your Inmate Commissary Account, per health care visit, if you receive health care services in connection with a health care visit that you requested. These requested appointments include Sick Call and after-hours requests to see a health care provider.

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.

If you are considered indigent, you will not have the fee deducted from your Inmate Commissary Account.

OVER THE COUNTER MEDICATIONS PROGRAM: There is a program established allowing inmates improved access to Over-the-Counter (OTC) Medications by making them available for sale in the commissary and improve the allocation of medical resources so that inmates' medical needs will continue to be met. Inmates will have access to Over-the-Counter (OTC) medications in the institution commissary. Inmates will use personal resources to obtain OTC medications that are indicated for cosmetic and general hygiene issues or symptoms of minor medical ailments.

During institution triage/sick call, medical staff will refer inmates to the commissary in response to complaints related to cosmetic and general hygiene issues or symptoms of minor medical ailments.

SICK CALL PROCEDURES: Inmates must fill out sick call sheets for medical issues and drop them in the sick call box on each unit. The sick call sheets will be picked up in the morning by a Physician Assistant (PA) Monday thru Friday. After review of the sick call sheet, the inmate will be scheduled for an appointment.

EMERGENCY SICK CALL: If you require medical or dental services after regular sick call hours or on weekends and holidays, you must have the unit officer or your work detail supervisor contact health services. Your request will be honored if the physician feels its necessary and as the schedule allows.

MEDICATION PRESCRIPTIONS: Request for prescriptions will be done by turning in empty medication containers during noon pill-line (11:30 - 12:30 hours). Distribution of refill prescriptions will be at evening pill-line. Any prescription that is necessary due to a medical appointment will be filled and dispensed to you. When requesting a prescription refill, it is mandatory that you turn in the labeled medication container for use by the pharmacist.

RESTRICTED MEDICATIONS PILL LINE TIMES:

DAILY

Medication will be delivered on the units during the following times:

5:00 a.m. - 6:45 a.m.

9:00 a.m. - 11:00 a.m.

7:00 p.m. - 10:30 p.m.

Medication cannot be issued to inmates at "pill line" without them presenting their institution identification cards.

HEALTH CARE 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 cooperate with your health care plans and respect the basic human rights of your health care providers.

PATIENT RIGHTS AND RESPONSIBILITY FOR TREATMENT OF PAIN

As a Patient you can expect:

RIGHTS

1. Your reports of pain will be believed.
2. Information about pain and pain relief measures.
3. A concerned staff committed to pain prevention and management.
4. Health Professionals who respond quickly to reports of pain.

What we expect from you:

RESPONSIBILITY

1. Ask your doctor or nurse what to expect regarding to pain management.
2. Discuss pain relief options with your doctor and mid level provider.
3. Work with your doctor and mid level provider to develop a pain management plan.
4. Ask for pain relief when pain first begins.
5. Help your doctor and mid level provider assess your pain.
6. Tell your doctor or mid level provider if your pain is not relieved.
7. Tell your doctor or mid level provider about any worries you have about taking pain medications.

RIGHTS:

1. You have the right to access health care services based on the local procedures at your institution. Health Services include medical sick call, dental sick call and all support services. If inmate cop-pay system exists in your institution, Health Services cannot be denied due to lack (verified) of personal funds to pay for your care.
2. You have the right to know the name and professional status of your health care providers and to be treated with respect, consideration and dignity.
3. You have the right to address any concern regarding your health care to any member of the institution staff including the physician, the Health Services Administrator, members of your Unit Team, the Associate Warden and the Warden.
4. You have the right to provide the Bureau of Prisons with Advance Directives or a Living Will that would provide the Bureau of Prisons with instructions if you are admitted as an inpatient to a hospital.
5. You have the right to be provided with information regarding your diagnosis, treatment and prognosis. This includes the right to be informed of health care outcomes that differ significantly from the anticipated outcome.
6. You have the right to obtain copies of certain releasable portions of your health record.
7. You have the right to be examined in privacy.
8. You have the right to participate in health promotion and disease prevention programs, including those providing education regarding infectious diseases.
9. You have the right to report complaints of pain to your health care provider, have your pain assessed and managed in a timely and medically acceptable manner, be provided information about pain and pain management, as well as information on the limitations and side effects of pain treatments.
10. You have the right to receive prescribed medications and treatments in a timely manner, consistent with the recommendations of the prescribing health care provider.
11. You have the right to be provided healthy and nutritious food. You have the right to instruction regarding a healthy diet.
12. You have the right to request a routine physical examination, as defined by Bureau policy. (If you are under the age of 50, once every two years; over the age of 50, once a year and within one year of your release).
13. You have the right to dental care as defined in Bureau policy to include preventive services, emergency care and routine care.
14. You have the right to a safe, clean and healthy environment, including smoke free living areas.
15. You have the right to refuse medical treatment in accordance with Bureau policy. Refusal of certain diagnostic tests for infectious diseases can result in administrative action against you. You have the right to be counseled regarding the possible ill-effects of refusing medical treatment.

RESPONSIBILITIES:

1. You have the responsibility to comply with the health care policies of your institution, and follow recommended treatment plans established for you, by health care providers. You have the responsibility to pay an identified fee for any health care encounter initiated by yourself, excluding emergency care. You will also pay the fee for the care of any other inmate on whom you intentionally inflict bodily harm or injury.
2. You have the responsibility to treat these providers as professionals and follow their instructions to maintain and improve your overall health.
3. You have the responsibility to address your concerns in the accepted format, such as the *Inmate request to Staff Member form*, main line, or the accepted Inmate Grievance Procedures.
4. You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.
5. You have the responsibility to keep this information confidential.
6. You have the responsibility to be familiar with the current policy and abide by such to obtain these records.
7. You have the responsibility to comply with security procedures should security be required during your examination.
8. 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 catching an infectious disease.
9. You have the responsibility to communicate with your health care provider honestly regarding your pain and your concerns about your pain. You also have the responsibility to adhere to the prescribed treatment plan and medical restrictions. It is your responsibility to keep your provider informed of both positive and negative changes in your condition to assure timely follow up.
10. You have the responsibility to be honest with your health care provider (s), 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 responsibility to eat healthy and not abuse or waste food or drink.
12. You have the responsibility to notify medical staff that you wish to have an examination.
13. You have the responsibility to maintain your oral hygiene and health.
14. You have the responsibility to maintain the cleanliness of personal and common areas and safety in consideration of others. You have the responsibility to follow smoking regulations.
15. You have the responsibility to notify health services regarding any ill-effects that occur as a result of your refusal. You also accept the responsibility to sign the treatment refusal form.

PSYCHOLOGY SERVICES: The Psychology Department at MDC Brooklyn provides mental health services to those inmates who have a history of mental illness and who have difficulty adjusting to incarceration. Staff members are assigned to individual floors in order to expedite the mental health concerns of inmates. Inmates are required to submit an "Inmate Request to see Staff" form in non-emergency situations to the psychology department. Medication for psychiatric patients is usually continued upon admission to the institution. If there is a need for psychiatric medication the inmate will be placed on the list to see the psychiatrist.

SUICIDE PREVENTION : It is not uncommon for people to experience depression and hopelessness while in jail or prison, particularly if they are newly incarcerated, are serving a long sentence, are experiencing family problems or problems getting along with other inmates, or received bad news. Sometimes, inmates consider committing suicide due to all the losses they have suffered and pressure they are under. Staff are trained to monitor inmates for signs of suicidality and refer all concerns to the Psychology Department. However, staff do not always see what inmates see. If you are personally experiencing any of the problems noted above, or you or another inmate are showing signs of depression, PLEASE alert a staff member right away. Depression is manifested as sadness, tearfulness, lack of enjoyment in usual activities, withdrawal (staying away from others, refusing phone calls and/or visits), feelings of worthlessness, self-reproach, or hopelessness (giving away possessions, stating that "there is nothing to live for"). Your input can save a life.

SEXUAL ABUSE/ASSAULT PREVENTION AND INTERVENTION

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

a. **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.

b. **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).

c. **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.

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

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.

Your Right to be Safe from Sexually Abusive Behavior:

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 behavior or pressure to engage in unwanted sexual behavior regardless of your age, size, race, ethnicity, or sexual orientation.

YOUR ROLE IN PREVENTING 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 TO 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.

WHAT TO 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 and refer you for a medical examination and clinical assessment. You do not have to name the inmate(s) or staff assailant 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). 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.

HOW TO REPORT AN INCIDENT OF SEXUALLY ABUSIVE BEHAVIOR: It is important that you **tell a staff member if you have been sexually assaulted.** 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 confidentially 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 allegations of staff misconduct. 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
P. O. Box 27606
Washington, D.C. 20530**

UNDERSTANDING THE INVESTIGATIVE PROCESS: Once the sexually abusive behavior is reported, the BOP and/or other appropriate law enforcement agency 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.

MANAGEMENT PROGRAM FOR ASSAILANTS: Those who sexually abuse/assault others while in the custody of the BOP will be disciplined and prosecuted to the fullest extent of the law. 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.

BOP Policy Definitions

PROHIBITED ACTS: Inmates who engage in inappropriate sexual behavior with or direct it at others, can be charged with following Prohibited Acts under the Inmate Disciplinary Policy.

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 are also prohibited.

Contact Offices

U.S. Department of Justice
Office of the Inspector General
950 Pennsylvania Avenue, NW Suite 4322
Washington, D.C. 20530-0001

Central Office
Federal Bureau of Prisons
320 First Street, NW
Washington, D.C. 20534

Mid-Atlantic Regional Office
10010 Junction Drive, Suite 100-N
Annapolis Junction, Maryland 20701

North Central Regional Office
Gateway Complex Tower II, 8th Floor
400 State Avenue
Kansas City, KS 66101-2492

Northeast Regional Office
U.S. Customs House, 7th Floor
2nd and Chestnut Streets
Philadelphia, Pennsylvania 19106

South Central Regional Office
4211 Cedar Springs Road, Suite 300
Dallas, Texas 72519

Southeast Regional Office
3800 North Camp Creek Parkway, SW
Building 2000
Atlanta, GA 30331-5099

Western Regional Office
7950 Dublin Boulevard, 3rd Floor
Dublin, California 94568

EDUCATION DEPARTMENT: REPRODUCTION OF LEGAL DOCUMENTS: In order to duplicate copies of legal documents, inmates are provided with a photocopy machine in the main law libraries. Inmates must purchase copy cards from Commissary in order to utilize the machines. For those inmates confined in SHU, rounds will be made by education staff who will provide and collect request forms. Legal copies for SHU inmates can be viewed without charge or purchased by filling out a BP-199 form. Copies are fifteen cents per copy.

INDIGENT INMATES - REPRODUCTION OF LEGAL DOCUMENTS: Education Department staff may waive the cost of duplication for indigent inmates, if the material to be copied is minimal, and the requests for duplication are not large or excessive (more than 20 pages). In the event an inmate without funds makes a voluminous request, they will submit an "Inmate Request to Staff" to the Supervisor of Education. The Supervisor of Education will review the request and consult with the Legal Department and Clerk of Court, if necessary, in order to grant requests when the photocopies are actually required.

The mission of the Education/Recreation Department is to provide mandatory Literacy and ESL programs as required by law, and such other education/leisure and related programs which meet the needs and interests of the inmate population, and which provide program options for the positive use of inmate time and enhance successful reintegration into the community.

VCCLEA/PLRA: The Violent Crime Control and Law Enforcement Act and Prison Litigation Reform Act (VCCLEA/PLRA) mandates that an inmate, who is a U.S. citizen and whose offense was on or after September 13, 1994 but before April 26, 1996 and who **lacks** a high-school credential, participate in and make satisfactory progress to attain a GED in order to vest Good Conduct Time. The PLRA provides that in determining GCT awards,

Code 101/(A): Sexual Assault
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 300/(A): Indecent Exposure

the Bureau will consider whether an inmate with the date of offense on or after April 26, 1996, who **lacks** a high-school credential, has participated and made satisfactory progress towards attaining a GED credential in order to be eligible to earn the maximum amount of GCT. The mandatory enrollment period is 240 hours. GED verification is established when an inmate furnishes the original credential or official GED scores, or when the achievement is officially verified in a pre-sentence investigation report.

ENGLISH-AS-A-SECOND LANGUAGES (ESL) (Mandatory Program): ESL is a mandatory program that was implemented with the Crime Control Act of 1990. This act mandates that all sentenced inmates with limited English proficiency, must attend an ESL program for a minimum of 240 instructional hours, or until functioning at the eighth grade level.

An array of educational programs are available to inmates. Class schedules are posted on the unit's Education bulletin board. If you are interested in any of the courses listed on the schedule, please submit an Inmate Request to Staff Member form to the Education Department.

MAIN AND BASIC LAW LIBRARIES: The leisure library and law library are open seven days a week. Monday through Friday from 8:00 a.m. to 3:30 p.m. It will re-open from 5:30 p.m. to 8:30 p.m. for Work Cadre inmates only. On Sundays, the library on the West side will be open from 7:45 a.m. to 3:45 p.m.

Please note that the law books are for your reference and may not be removed from the law library for any reason. Removal of law books and reference material will result in disciplinary action. A photocopy machine is available in the Education Department. It may be utilized by an inmate with the purchase of a copy card from the Commissary. A request for withdrawal of funds form will only be utilized for copies for inmates recently admitted (within 30 days) and other extenuating circumstances by which Commissary may have been missed (i.e. court date, hospital trip, etc.) Copies cost fifteen cents each. Leisure books can be checked out of the main law libraries during each floor's respective library session. Inmates confined in SHU can request leisure books through the appropriate request form.

Inmates arriving at MDC Brooklyn will be placed on the call out for an education interview, and for testing as needed. The interview is mandatory for all inmates. Your individual program needs will be identified during the interview. If you have any questions about Education Programs, please see education staff.

RECREATION: Inmates may take advantage of the wide range of leisure activities when not performing assigned duties. Leisure activities include participation in organized and informal games, wellness activities, curricular and extracurricular activities, sports, social activities, art work, physical fitness, table games, and board games. Recreation staff are available to provide assistance in planning and organizing recreational activities. Rules for conduct for Recreation Activities are as follows:

1. When activities are held on the recreation deck, the home team is responsible for the conduct of the spectators.
2. Arguing with the officials at any time is prohibited.
3. If ejected you must leave the area immediately.
4. Spectators are not permitted on the court/field at any time.
5. Rules of conduct are not open to negotiation or individual interpretation.
6. Official's call is final and can only be overturned in EXTREME circumstances.
7. Teams may be penalized and may forfeit the contest for poor conduct by the spectators and/or team members.

RELIGIOUS SERVICES: MDC Brooklyn offers a comprehensive Religious Services Program. Full time Staff Chaplains coordinate a wide range of religious activities for all faith groups among the inmates. Contract clergy and volunteers further enrich the services of the different religious groups.

Each religious faith celebrates a major weekly service and may hold a scriptural study or prayer session at another time during the week.

Every inmate must declare a "religious preference" to be included on SENTRY as part of his file. Certain religious practices or procedures will be afforded only to those inmates whose religious preference calls for them; i.e., religious headgear, days of work, the Certified Food Program diet and an annual ceremonial meal.

The mission of our Chapel is to meet the basic religious needs of all faiths. We encourage respect and tolerance in an environment of friendship and cooperation among different religious traditions.

Services offered:

Religious Schedule for all faith groups.

Inspirational library, videos, audio cassettes and other learning aids.

Counseling or Consultation - get in touch with the Chaplain to arrange a session.

Community Resources - volunteers, religious groups

Pastoral Visits - The Chaplains may authorize your Pastor, Imam, Rabbi, Priest or religious representative of your faith to visit with you in accordance with Program Statements.

RELIGIOUS ITEMS/ARTICLES: All religious articles must be purchased through the Special Purchase Order (SPO) process. Religious items cannot be sent in from home.

PERSONAL PROPERTY: All personal property will be kept to the allowed amounts. Personal property will be maintained in a neat and orderly manner at all times. The following are requirements for specific personal items: All clothing will be kept inside of lockers, except for dirty items in laundry bags, coats and shoes. Laundry, coats and shoes not kept in lockers will be stored in a neat and orderly fashion at all times.

Due to fire, safety and sanitation regulations, no more than five (5) books, three (3) magazines, and one (1) newspaper will be allowed in each inmate room. No books, magazines or newspapers will be displayed in the open at any time, unless being used or read at the time by the area occupant.

Storage of any items will not be permitted under mattresses. At no time will any items such as wood, paper, plastic or cardboard boxes be brought to any area for inmate use. At no time will any changes be made in any inmate area to any physical plant structure or fixture without specific approval. Inmates should inspect their own living areas and follow all stated guidelines listed. If there are any problems which need to be corrected, report these to the appropriate staff member.

Sanitation is a major area of concern in the Bureau of Prisons. Sanitation will be strictly enforced at the Metropolitan Detention Center, Brooklyn, New York. Each unit will have orderlies assigned who are expected to keep the common areas of the unit clean. It is important to keep sanitation set at high standards to help eliminate dust and dirt and germ-causing bacteria.

INMATE DISCIPLINE: It is the policy and responsibility of this institution to provide a safe and orderly environment for staff and inmates. In order to accomplish this, it is necessary to establish procedures to deal with those individuals who violate institutional rules and regulations. All inmates committed to this facility will be subject to these procedures.

When a staff member witnesses, or has reasonable belief that a violation of institutional rules and regulations has occurred, an incident report will be submitted, or the staff member may attempt to resolve the matter informally (depending on the seriousness of the incident). If the staff member submits an incident report, a Lieutenant or designated person will investigate the matter.

Inmates found in possession of an electronic communication device or related equipment may be charged with a violation of Code 108, Possession, Manufacture, or Introduction of a Hazardous Tool, or Code 199 most like Code 108, and will be subject to available sanctions if found to have committed the prohibited act.

UNIT DISCIPLINE COMMITTEE (UDC): The Lieutenant may attempt to informally handle the incident in some cases. If informal resolution fails or is not considered appropriate, the Lieutenant will process the incident report and forward it to the Unit Discipline Committee (UDC), after the investigation of the incident has been completed. The UDC, which may consist of two or more unit staff members, has the authority to impose minor sanctions. The UDC may decide that the offense warrants stronger sanctions and may forward the report to the Discipline Hearing Officer, (DHO) for a hearing.

DISCIPLINE HEARING OFFICER: The DHO is a certified official who conducts disciplinary hearings. If your case goes before the DHO, a formal hearing will be held. If you are found to have committed a prohibited act, the DHO will impose sanctions as punishment. You will be notified of the hearing date and given ample time to prepare.

Appeals to all disciplinary actions may be made through Administrative Remedy Procedures. UDC decisions may be appealed on a BP-9 Administrative Appeal form. DHO decisions may be appealed on a BP-10 Administrative Appeal form.

CONTRABAND: Contraband is defined as anything that is not purchased through the commissary, issued by the institution, or authorized for retention by the Bureau of Prisons.

FBI REFERRALS: The laws governing the public sector also govern this institution. Any action including the use/possession of a weapon, narcotics, hostage taking, escape attempts, assaults, rape, or any area which causes imminent danger to another individual are subject to an FBI referral. The result may include additional federal charges.

You are strongly urged to read and become familiar with Program Statement, 5270.7, Inmate Discipline and Special Housing Units, and familiarize yourself with your rights and responsibilities under this system.

Attached you will find the list of the Prohibited Acts along with your Rights and Responsibilities. If you violate any of these acts, you may be subject to disciplinary action.

PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE **GREATEST CATEGORY**

The UDC shall refer all Greatest Severity Prohibited Acts to the DHO with recommendations as to an appropriate disposition.

CODE PROHIBITED ACTS

- 100 Killing

- 101 Assaulting any person (includes sexual assault) 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 carried out by an inmate)

SANCTIONS

- A. Recommend parole date rescission or retardation.
- B. Forfeit 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).

- 102 Escape from escort; escape from a secure institution (low, medium, and high security level and administrative institutions); or escape from a minimum institution with violence
- 103 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)
- 104 Possession, manufacture, or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive or any ammunition.
- 105 Rioting
- 106 Encouraging others to riot
- 107 Taking hostage(s)
- 108 Possession, manufacture, or introduction 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)
- 109 (Not to be used)
- 110 Refusing to provide a urine sample or to take part in other drug-abuse testing
- 111 Introduction of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff
- 112 Use of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff
- 113 Possession of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff
- 197 Use of the telephone to further criminal activity.
- 198 Interfering with a staff member in the performance of duties. (Conduct must be of the Greatest Severity nature.) This charge is to be used only when another charge of greatest severity is not applicable.
- 199 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the Greatest Severity nature.) This charge is to be used only when another charge of greatest severity is not applicable.

- 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 Transfer (recommend).
- D. Disciplinary segregation (up to 60 days).
- E. Make monetary restitution.
- F. Withhold statutory good time (Note - can be in addition to A through E - cannot be the only sanction executed).
- G. Loss of privileges (Note - can be in addition to A through E - cannot be the only sanction executed).]

HIGH CATEGORY

CODE PROHIBITED ACTS

- 200 Escape from unescorted Community Programs and activities and Open Institutions (minimum) and from outside secure institutions--without violence.
- 201 Fighting with another person
- 202 (Note 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

SANCTIONS

- Sanctions A-G
- H. Change housing (quarters)
- I. Remove from program and/or group activity
- J. Loss of job
- K. Impound inmate's personal property
- L. Confiscate contraband
- M. Restrict to quarters

- 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 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 Introduction of alcohol into BOP facility
- 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 purposes of introducing contraband or for any other illegal or prohibited purposes
- 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; this includes data obtained through the unauthorized use of a communications facility, or through the 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 and conducted by staff)
- 221 Being in an unauthorized area with a person of the opposite sex without staff permission
- 222 Making, possessing, or using intoxicants
- 223 Refusing to breathe into a breathalyser or take part in other testing for use of alcohol
- 224 Assaulting any person (charged with this act only when less serious physical injury or contact has been attempted or carried out by an inmate)
- 297 Use of the telephone for abuses other than criminal activity (e.g., circumventing telephone monitoring procedures, possession and/or use of another inmate's PIN number; third-party calling; third-party billing; using credit card numbers to place telephone calls; conference calling; talking in code).
- 298 Interfering with a staff member in the performance of duties. (Conduct must be of the High Severity nature.) This charge is to be used only when another charge of the high severity is not applicable.

299 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the High Severity nature.) This charge is to be used only when another charge of high severity is not applicable.

MODERATE CATEGORY

CODE PROHIBITED ACTS

SANCTIONS

300 Indecent Exposure	A. Recommend parole date rescission or retardation.
301 (Not to be used)	
302 Misuse of authorized medication	B. Forfeit 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).
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	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).
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	C. Disciplinary Transfer (recommend).
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 would be charged as Code 110)	D. Disciplinary segregation (up to 15 days).
308 Violating a condition of a furlough	E. Make monetary restitution.
309 Violating a condition of a community program	F. Withhold statutory good time.]
310 Un-excused absence from work or any assignment	G. Loss of privileges: commissary, movies, recreation, etc.
311 Failing to perform work as instructed by the supervisor	H. Change housing (quarters).
312 Insolence towards a staff member	I. Remove from program and/or group activity.
313 Lying or providing a false statement to a staff member.	J. Loss of job.
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 or Code 200)	K. Impound inmate's personal property.
315 Participating in an unauthorized meeting or gathering	L. Confiscate contraband.
316 Being in an unauthorized area	M. Restrict to quarters.
317 Failure to follow safety or sanitation regulations	N. Extra duty.]
318 Using any equipment or machinery which is not specifically authorized	
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 and one's quarters in accordance with posted standards
- 331 Possession, manufacture, or introduction of a nonhazardous tool or other nonhazardous contraband (Tool 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 nonhazardous contraband includes such items as food or cosmetics)
- 332 Smoking where prohibited
- 397 Use of the telephone for abuses other than criminal activity (e.g., conference calling, possession and/or use of another inmate's PIN number, three-way calling, providing false information for preparation of a telephone list).
- 398 Interfering with a staff member in the performance of duties. (Conduct must be of the Moderate Severity nature.) This charge is to be used only when another charge of moderate severity is not applicable.
- 399 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the Moderate Severity nature.) This charge is to be used only when another charge of moderate severity is not applicable.

LOW MODERATE CATEGORY

CODE PROHIBITED ACTS

SANCTIONS

400 Possession of property belonging to another person	B.1 Disallow ordinarily up to 12.5% (1-7 days) of good conduct time credit available for a year (to be used only where an 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 a year (to be used only where an 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).] (See Chapter 4 Page 16 for VCCLEA violent and PLRA inmates.)
401 Possessing unauthorized amount of otherwise authorized clothing	
402 Malingering, feigning illness	
403 Not to be used	
404 Using abusive or obscene language	
405 Tattooing or self-mutilation	
406 Not to be used	
407 Conduct with a visitor in violation of Bureau regulations (Restriction, or loss for a specific period of time, of these privileges may often be an appropriate sanction G)	E. Make monetary restitution.
408 Conducting a business	F. Withhold statutory good time.

- 409 Unauthorized physical contact (e.g., kissing, embracing)
- 410 Unauthorized use of mail
- 497 Use of the telephone for abuses other than criminal activity (e.g., exceeding the 15-minute time limit for telephone calls; using the telephone in an unauthorized area; placing of an unauthorized individual on the telephone list).
- 498 Interfering with a staff member in the performance of duties. Conduct must be of the Low Moderate Severity nature.) This charge is to be used only when another charge of low moderate severity if not applicable.
- 499 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the Low Moderate severity nature.) This charge is to be used only when another charge of low moderate severity is not applicable.
- G. Loss of privileges: commissary, movies, recreation, etc.
- H. Change housing (quarters).
- I. Remove from program and/or group activity.]
- J. Loss of job.
- K. Impound inmate's personal property.
- L. Confiscate contraband.
- M. Restrict to quarters.
- N. Extra duty.
- O. Reprimand.
- P. Warning.

NOTE: Aiding another person to commit any of these offenses, attempting to commit any of these offenses, and making plans to commit any of these offenses, in all categories of severity, shall be considered the same as a commission of the offenses itself.]

INMATE RIGHTS AND RESPONSIBILITIES (541.12)

RIGHTS

1. You have the right to expect that as a human being you will be treated respectfully, impartially, and fairly by all personnel.
2. You have the right to be informed of the rules, procedures, and schedules concerning the operation of the institution.
3. You have the right to freedom of religious affiliation, and voluntary religious worship.
4. 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.
5. You have the right to visit and correspond with family members, and friends, and correspond members of the news media in keeping with Bureau rules and institution guidelines.
6. You have the right to unrestricted and confidential access to the courts by correspondence (on matters such as the legality of your conviction, civil matters, pending criminal cases, and conditions of your imprisonment.)
7. You have the right to legal counsel from an attorney of your choice by interviews and correspondence.
8. 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.
9. 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.
10. You have the right to participate in education, vocational training and employment as far as resources are available, and in keeping with your interest, needs and abilities.
11. 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.

RESPONSIBILITIES

1. You have the responsibility to treat others, both employees and inmates, in the same manner.
2. You have the responsibility to know and abide by them.
3. You have the responsibility to recognize and respect the rights of others in this regard.
4. It is your responsibility not to waste food, to follow the laundry and shower schedule, maintain a neat and clean living quarter, to keep your area free of contraband, and to seek medical and dental care as you may need it.
5. It is your responsibility to conduct yourself properly during visits, not to accept or pass contraband, and not to violate the law or Bureau rules or institution guidelines through your correspondence.
6. You have the responsibility to present honestly and fairly your petitions, questions, and problems to the court.
7. It is your responsibility to use the services of an attorney honestly and fairly.
8. It is your responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other inmates and the use of the materials and assistance.
9. It is your responsibility to seek and utilize such materials for your personal benefit, without depriving others of their equal rights to the use of this material.
10. 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.
11. 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.

Conclusion:

This booklet is intended to be a guide. Changes in procedures may occur that effect procedures outlined in this booklet. Every effort will be made to inform the inmate population of these changes, any significant changes will be posted on your Unit Bulletin Board. Changes will not be made to this booklet until reprint. Should you have any further questions or concerns, see your unit staff who will be pleased to respond or redirect to an appropriate resource.