

**FEDERAL CORRECTIONAL INSTITUTION  
DUBLIN, CALIFORNIA**

**ADMISSION & ORIENTATION  
HANDBOOK**



**AN INMATE'S GUIDE TO  
POLICIES & PROCEDURES  
2010**

**Part 1.0 INTRODUCTION**

ADMISSION AND ORIENTATION  
ADMINISTRATIVE STAFF MEMBERS

**Part 2.0 CLASSIFICATION TEAMS (UNIT TEAMS)**

**Part 3.0 DAILY INMATE LIFE**

3.1 BOUNDARIES  
3.2 INMATE PERSONAL APPEARANCE  
3.3 RULES GOVERNING PHYSICAL CONTACT  
3.4 SANITATION  
3.5 LAUNDRY OPERATIONS  
3.6 PERSONAL PROPERTY LIMITS  
3.7 DRESS COLOR RESTRICTIONS  
3.8 LEGAL MATERIALS (STORAGE OF)  
3.9 HOBBY CRAFT MATERIAL  
3.10 MONEY AT FCI DUBLIN  
3.11 COMMISSARY OPERATIONS  
3.12 SHOPPING AT THE COMMISSARY  
3.13 VALIDATION  
3.14 UNIT RULES AND REGULATIONS

**Part 4.0 SECURITY PROCEDURES**

4.1 COUNTS  
4.2 CALL-OUTS AND ACCOUNTABILITY  
4.3 SEARCHES AND CONTRABAND  
4.4 DRUG SURVEILLANCE  
4.5 ALCOHOL DETECTION  
4.6 FIRE PREVENTION AND CONTROL

**Part 5.0 PROGRAMS AND SERVICES**

5.1 JOB ASSIGNMENTS AT FCI DUBLIN  
5.2 UNICOR- FEDERAL PRISON INDUSTRIES  
5.3 FOOD SERVICE  
5.4 EDUCATION PROGRAM CLASSES AND SERVICES OFFERED  
5.5 EDUCATION PROGRAM REQUIREMENTS  
5.6 RECREATION, LEISURE AND RECREATION PROGRAMS  
5.7 COUNSELING ACTIVITIES  
5.8 PSYCHOLOGY PROGRAMS  
5.9 SCREENING NEW COMMITMENTS  
5.10 INDIVIDUAL AND GROUP COUNSELING  
5.11 INMATE SUICIDE CADRE  
5.12 DRUG ABUSE TREATMENT PROGRAM  
5.13 TRAUMA TREATMENT PROGRAM  
5.14 PROGRAMS FOR FEMALE OFFENDERS

- 5.15 PASTORAL CARE SERVICES
- 5.16 CENTRAL INMATE MONITORING
- 5.17 FURLOUGHS
- 5.18 INMATE FINANCIAL RESPONSIBILITY PROGRAM
- 5.19 HEALTH SERVICES
- 5.20 PHARMACY SERVICES
- 5.21 INMATE MEDICAL CO-PAYMENT PROGRAM
- 5.22 DENTAL DEPARTMENT
- 5.23 ON THE JOB INJURIES
- 5.24 MAIL REGULATIONS
- 5.25 INCOMING CORRESPONDENCE
- 5.26 INCOMING PUBLICATIONS
- 5.27 INMATE CORRESPONDENCE WITH NEWS MEDIA
- 5.28 NOTIFICATION OF REJECTIONS
- 5.29 CHANGE OF ADDRESS/FORWARDING OF MAIL
- 5.30 CERTIFIED/REGISTERED MAIL
- 5.31 TELEPHONES
- 5.32 TELEPHONE LIST
- 5.33 VISITING
- 5.34 INMATE CLOTHING FOR VISITING
- 5.35 IDENTIFICATION OF VISITORS

**Part 6.0 ACCESS TO LEGAL SERVICES**

- 6.1 LEGAL CORRESPONDENCE
- 6.2 ATTORNEY VISITS
- 6.3 LEGAL MATERIALS
- 6.4 ATTORNEY PHONE CALLS
- 6.5 LAW LIBRARY
- 6.6 COPIES OF LEGAL MATERIAL
- 6.7 FEDERAL TORT CLAIMS
- 6.8 INMATE ACCESS TO CENTRAL FILES
- 6.9 EXECUTIVE CLEMENCY
- 6.10 COMMUTATION OF SENTENCE
- 6.11 NOTARY PUBLIC

**PROBLEM RESOLUTION**

- 6.12 INMATE REQUEST TO STAFF MEMBER
- 6.13 ADMINISTRATIVE REMEDY PROCESS

**Part 7.0 DISCIPLINARY PROCEDURES**

- 7.1 DISCIPLINE
- 7.2 INMATE DISCIPLINE INFORMATION
- 7.3 UNIT DISCIPLINARY COMMITTEE
- 7.4 DISCIPLINARY HEARING OFFICER (DHO)
- 7.5 APPEALS OF DISCIPLINARY ACTIONS
- 7.6 SPECIAL HOUSING UNIT (SHU)

**RELEASE**

- 7.7 SENTENCE COMPUTATION
- 7.8 DETAINERS
- 7.9 GOOD CONDUCT TIME
- 7.10 GOOD TIME
- 7.11 STATUTORY GOOD TIME
- 7.12 EXTRA GOOD TIME
- 7.13 COMMUNITY CORRECTION CENTER GOOD TIME
- 7.14 CAMP GOOD TIME
- 7.15 LUMP SUM AWARDS
- 7.16 GOOD TIME PROCEDURE
- 7.17 LITERACY PROGRAMS AND VCCLEA AND PLRA 3621E
- 7.18 RELEASE PLANNING
- 7.19 RESIDENTIAL RE-ENTRY CENTER TRANSFER
- 7.20 COMMUNITY-BASED RESIDENTIAL PROGRAMS
- 7.21 INMATE DISCIPLINE
- 7.22 INMATE RIGHTS AND RESPONSIBILITIES

**APPENDIX**

- PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE 541.13
- SUMMARY OF DISCIPLINARY SYSTEM PROCEDURES
- TIME LIMITS IN DISCIPLINARY PROCESS
- PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE
  - GREATEST CATEGORY
  - HIGH CATEGORY
  - MODERATE CATEGORY
  - LOW MODERATE CATEGORY
- SANCTIONS
  - REPETITION OF PROHIBITED ACTS
  - SEVERITY OF PROHIBITED ACTS
- SPECIAL MAIL NOTICE

This booklet has been prepared for new commitments to this institution. We encourage all inmates to review it completely and let staff know if there are any questions or need any further information.

We want all the inmates time spent here at Dublin to be productive. This is a unique facility due to the design, mission and programs. All inmates have the opportunity to serve their sentence in a correctional facility with numerous programs and services available to all inmates.

We stress open communications and cooperation between staff and inmates. Inmates will find staff willing to assist them throughout their stay here. In return, we expect all inmates to take responsibility for themselves and their actions and to fulfill their obligations. Particularly, we expect them to conduct themselves appropriately and refrain from any misconduct.

Our goal is to help all inmates plan for release at the opportune time, ready to accept their place back in the community.

Paul Copenhaver  
Warden

## **Part 1.0**

### **INTRODUCTION**

The purpose of this handbook is to provide incoming inmates with general information about FCI Dublin, its programs, and the rules and regulations they will encounter during confinement. It is not a specific guide to the detailed policies of the Bureau or all procedures in effect at each Bureau location. Rather, the material in this handbook will help new inmates understand what they will be encountering at FCI Dublin, and hopefully assist them in their initial adjustment to the institutional environment.

### **ADMISSION AND ORIENTATION**

Upon arrival at Dublin, inmates will be taken to the Receiving and Discharge (R&D) area for processing and initial clearance by the Medical and Unit Staff. If cleared, the inmates will be housed in the Admission and Orientation (A&O) sections of the Housing Unit. If preliminary physical screening indicates an individual has medical needs, the inmate will remain in the Special Housing Unit (SHU) and will not be released to the general population until the Staff Physician, after a thorough examination, determine it is appropriate to do so.

Upon arrival to the institution, a member of the Unit Team will assign a Counselor and Case Manager to each inmate. In addition, the inmate will be expected to work within the Unit when asked to do so by the Unit Officer. Beds should be made by 6:30 AM , daily except for weekends and holidays.

Unit Orientation will be held by the Unit Team within seven (7) days of the inmate's arrival.

Inmates who have been transferred from another institution will appear before the Unit Team for classification within four weeks of arrival. Inmates returned as parole, mandatory release, or special parole term violators are to be scheduled for classification within fourteen (14) days of their arrival. New commitments will appear before the Unit Team for classification within twenty-eight (28) days of their arrival.

Within thirty (30) days of inmates arrival to the institution, all inmates will receive an in-depth institutional orientation from the various Department Heads and Executive Staff.

To give the inmate an idea of the various departments here at Dublin, an introduction to the institution's Department Heads and Executive Staff appears on the following pages. These individuals serve not only in their full-time positions, but also as Duty Officers (working evenings and weekends), and on numerous advisory committees. All staff maintain a responsive attitude and are willing to assist inmates with questions.

## **ADMINISTRATIVE STAFF MEMBERS**

**WARDEN:** The Warden is the Chief Executive Officer of the Federal Correctional Institution, Satellite Camp, and Federal Detention Center, Dublin. He is responsible for the total operation of each facility. The Warden meets frequently with the senior staff members to review their areas of responsibility and ensure compliance with Bureau of Prisons' policies. He evaluates the advice of various committees appointed by him and has the final approval on all institutional operations and programs.

**ASSOCIATE WARDENS:** The Associate Wardens are responsible for the day-to-day operations of the institutional areas of Food Service, Financial Management, Health Services, Facilities Services, Computer Services, Employee Services, Unit Management, Inmate Systems, Psychology Services, Religious Services, Correctional Services, Disciplinary Hearing Program, Safety and Sanitation, Trust Fund.

**SUPERINTENDENT OF INDUSTRIES:** The Superintendent of Industries (SOI) is responsible for the day-to-day operations of the institutional areas of UNICOR, Education and Recreation.

**Note:** Inmates are encouraged to exhaust all other possibilities in problem-solving prior to involving the Warden, Associate Wardens, or SOI. However, should an inmate need to discuss problem areas with these particular staff members, he or she should submit an Inmate Request to Staff (Cop-Out) to the appropriate individual.

**FDC/CAMP UNIT MANAGER:** The FDC/Camp Unit Manager oversees all the functions and operations of the Jail and Camp.

**CASE MANAGEMENT COORDINATOR (CMC):** The Case Management Coordinator serves as a resource for the Administration in all Unit/Case management related areas. The CMC is the coordinator for the Cental Inmate Monitoring System.

**CAPTAIN:** The Captain is responsible for the security, custody and the protection of everyone in the institution. The Captain is concerned with inmate morale as well as their appearance and conduct. The Captain is also responsible for all correctional personnel.

**LIEUTENANT:** The Lieutenants are under the direct supervision of the Captain and are responsible for the orderly running of the institution, i.e., security, custody and investigations. They work in conjunction with other departments in monitoring and resolving behavioral problems in order to maintain a safe environment.

**SUPERVISOR OF EDUCATION:** The Supervisor of Education is responsible for the establishment operation of educational programs providing basic education, general educational development programs, vocational training, occupational programs, continuing adult education, related trades instruction, parenting, college level courses and recreation/leisure time activities.

**CHIEF OF PSYCHOLOGY SERVICES:** The Chief of Psychology Services heads a department consisting of full time Psychologist, Drug Treatment Specialists and part time Psychology students available to the inmate population. They are responsible for counseling

services, coordination of testing materials and monitoring of drug abuse treatment programs.

**HEALTH SERVICES ADMINISTRATOR:** The Health Services Administrator (HSA) is responsible for forming administrative policies and programs essential to health care operations. These include, but are not limited to, maintaining effective working relationships with the Public Health Service and other government and private medical agencies. The HSA is responsible for hospital procurement of medical supplies and property, and for personnel procedures related to Civil Service Staff and Commissioned Officers of the U.S. Public Health Services.

**FOOD SERVICES ADMINISTRATOR:** The Food Service Administrator and Staff plan meals and are responsible for supervising all aspects of meal preparation. They plan and oversee all Food Service Programs such as baking, cooking, butchering and the serving of food.

**FACILITIES MANAGER:** The Facilities Manager is responsible for maintaining, utilizing and coordinating new construction. Valuable training can be derived from a work assignment to the plumbing, electrical, air-conditioning/heating, painting, carpentry and landscape details.

**FINANCIAL MANAGER:** The Financial Manager supervises the Business Office which manages purchasing, accounting and budgeting. The Financial Manager advises the Warden and Executive Staff of budgetary status concerning all areas of the institution.

**CHAPLAIN:** The Chaplain conducts religious services and coordinates religious activities for all faiths. In addition to being concerned with the inmates spiritual development and growth, the Chaplain consults with the Unit Teams and are interested in inmate programs and their efforts toward self-improvement. Inmates are invited to consult with the Chaplain at any time. Approximately 175 community volunteers are involved with the institution and provide services to those who wish to participate in religious activities.

**SAFETY MANAGER:** It is the responsibility of the Safety Manager to ensure safe working conditions of the highest possible standards for both employees and inmates alike. The Safety Manager is also responsible for assisting in the development of progressive safety, environmental, sanitation and fire prevention programs in accordance with the Occupational Safety and Environmental Health Standards within Bureau of Prisons requirements.

**EMPLOYEE SERVICES DEPARTMENT:** The Employee Services Department is responsible for staff related programs (e.g., staffing and placement, employee-management relations, equal opportunity functions, and enhancing the staff's capabilities through various training programs).

**SUPERVISORY CORRECTIONAL SYSTEMS SPECIALIST:** The Supervisory Correctional Systems Specialist (SCSS) is the Supervisor of the Records Office, Receiving and Discharge and the Mail Room. The SCSS directs sentence computations, detainer inquiries, admission, release and transfer of inmates. The SCSS also supervises the handling of inmate mail and personal property.

**TRUST FUND SUPERVISOR:** The Trust Fund Supervisor is responsible for the inmate accounts, commissary, laundry, and inmate telephone systems.

## Part 2.0

### CLASSIFICATION TEAMS (UNIT TEAMS)

FCI Dublin is organized into a Unit Management System. A Unit is a self-contained inmate living area which includes both housing sections and office space for Unit Staff. Each Unit is staffed by a Unit Team directly responsible for those inmates living in the Unit. The Unit Staff offices are located in the Units, so staff and inmates can be accessible to each other. The Unit Staff includes a Unit Manager, two (2) Case Managers, two (2) Correctional Counselors and one (1) Unit Secretary. When available, the Staff Psychologist, Education Advisor and Unit Officer will sit in on a Unit Team meeting and be considered a part of the Unit Team.

Inmates are assigned to a specific Unit Team. Generally, the resolution of issues or matters of interest while at the institution are most appropriately initiated with the Unit Team. Unit Team members are available to assist in many areas, including parole matters, release planning, personal and family problems, counseling and assistance in setting and attaining goals while incarcerated.

Ordinarily, at least one member of the Unit Staff will be at the institution weekdays from 6:00 AM to 9:00 PM, and during the day on weekends. The Unit Team members usually schedule their working hours in such a manner so one of them will be available at all times when inmates are not working.

**UNIT MANAGER:** The Unit Manager is the administrative head of the general Unit and oversees all Unit programs and activities. They are considered a Department Head and have a close working relationship with other departments and personnel. The Unit Manager is the “Chairperson” of the Unit Team.

**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 inmates’ commitment. The Case Manager serves as a liaison between the inmate, the administration and the community.

**CORRECTIONAL COUNSELOR:** The Correctional Counselor provides counseling and guidance for the inmates of the Unit in areas of institutional adjustment, personal difficulties and plans for the future. They play a leading role in all segments of Unit programming. The Correctional Counselor will visit inmate work assignments regularly and is the individual to approach for daily problems. Additionally, they hold major responsibilities for the security, safety and sanitation of the Unit.

**UNIT SECRETARY:** The Unit Secretary performs clerical and administrative duties related to case management.

**UNIT OFFICER:** The Unit Officers have direct responsibility for the day to day 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 units and are encouraged to establish professional relationships with them, as long as such interaction does not

interfere with their primary duties. Unit Officers are jointly supervised by the Unit Team and the Captain.

**COMMUNICATION:** There is a Unit Staff Member available each day of the week and on scheduled evenings until 9:00 PM. The unit bulletin boards contain written communication of interest to inmates. Unit Managers utilize town hall meetings at their discretion to foster improved communications.

**PROGRAM REVIEWS:** Inmate Program Reviews will be held every 90 to 180 days, depending on the time remaining on the inmate's sentence. These are held by the Unit Teams to review programs, work assignments, transfers, custody status, institutional adjustment, etc.

**TOWN HALL MEETINGS:** Town Hall Meetings are held periodically in each Unit. These meetings are held to make announcements and to discuss changes in the policy and procedures in the Unit or institution. Inmates are encouraged to ask pertinent questions of the staff and any guest speakers who are present. These questions should pertain to the Unit as a whole, rather than personal questions or problems. Personal problems will be resolved by Unit Staff members during the regular working hours which are posted in each Unit. "Open Door" policy is usually in effect at these times.

**TEAM PARTICIPATION IN PAROLE HEARINGS:** The Unit Team prepares Progress Reports and compiles other information in the Inmates Central File for presentation to the U.S. Parole Commission or other appropriate agencies. The inmate's Case Manager will ordinarily be present at the inmate's Parole hearing.

## **Part 3.0**

### **DAILY INMATE LIFE**

**3.1 BOUNDARIES:** Inmates are not authorized to be in any area which is less than ten (10) feet from the perimeter fence. The recreation field is out of bounds when recreation staff is not present. Other peripheral areas are identified as out of bounds to inmates, except when inmates have been assigned to official details within the area or when they must move back and forth within the area to reach their official assignment.

The Housing Units and areas noted in front of the entrance to the Housing Units are out of bounds to inmates not residing in that particular Unit. Inmates wishing to enter a different Housing Unit will have to make arrangements with assigned Unit Staff, prior to entering the Unit. Furthermore, inmates are never allowed to enter rooms they are not assigned to. All grassy areas immediately in front of, adjacent to and between the Units are out of bounds, except when assigned to official details. With the exception of the above mentioned grassy areas, all out of bounds areas will be clearly marked with a yellow line that will cross the access to an unauthorized area.

**3.2 INMATE PERSONAL APPEARANCE:** The institution will issue clothing for each individual. Khaki clothing will be issued and will be marked with the inmate's name and

number for identification.

Khaki attire will be worn while at work and during weekday breakfast and lunch meals. The khaki dress will be worn with a khaki or white shirt underneath. All khaki uniforms should fit comfortably but neatly. Baggy pants and excessively large shirts are not acceptable. Khaki shirts worn underneath sweat shirts must be tucked in at all times. Only t-shirts or thermal undershirts are authorized to be worn under the khaki shirt. Incident reports will be written for non-compliance.

Khaki shorts may be worn after 2:30 PM and on weekends except to Visiting, Education and the Chapel. Shorts must be no shorter than above the knee in length and unaltered. Gym shorts sold in the commissary are only allowed on the recreation field or going to and from the recreation field. Gym shorts must be no shorter than mid-thigh and fit neatly, not excessively baggy or tight. No sleeveless tops are authorized as outerwear at any time.

Inmates must adhere to institutional policy statements regarding the number of items in their possession at any given time. Clothing should be worn in a tasteful manner in accordance with policy. Inmates in possession of damaged and/or altered institution clothing are subject to disciplinary action and will be required to pay for damages.

Toiletry items may be purchased through the commissary; however, the basic necessities will be issued by the institution. Towels, wash cloths, pillowcases and sheets are furnished by the institution and an accurate record of these issued items is maintained. Inmates are charged for any lost or destroyed items at the time of release.

**3.3 RULES GOVERNING PHYSICAL CONTACT:** Social interaction between inmates must be non sexual. All inmates general conduct and appearance should be appropriate and in good taste at all times. The following basic guidelines apply:

1. Sexual relationships between inmates are prohibited.
2. Inmates should dress in an unprovocative fashion and in compliance with the inmate dress code.
3. Hand holding or other physical contact between inmates is **not allowed**.

**3.4 SANITATION:** It is the inmate's responsibility to check her living area immediately after being assigned there, and to report all damage to the Correctional Officer, Case Manager or Counselor. An inmate may be held financially liable for any damage to their personal living area. A weekly sanitation inspection will be conducted by the Administration. All inmates assigned to a room found in noncompliance during the inspection, will be subject to disciplinary action.

Each inmate is responsible for making her bed in accordance with regulations before work call, including weekends and holidays when she leaves the area. Each inmate is also responsible for sweeping and mopping her personal living area, to ensure it is clean and sanitary. Lockers must be neatly arranged inside and out, and all shelving must be neat and clean.

**3.5 LAUNDRY OPERATIONS:** All new commitments should report to the Laundry Department the

day following their arrival. Those arriving on Friday or Saturday should report on Tuesday. At this time, each new commitment will receive her initial clothing issue. Each inmate is responsible for the clothing and safety shoes issued by the institution and will be required to return them to the Laundry Department prior to release or transfer. Destruction of institutional clothing or linens is grounds for a Disciplinary Action.

Inmates are scheduled by Units each week to go to laundry. The schedules are posted in each Unit. Inmates will only be served once a week for clothing and once a month for hygiene items. Unauthorized amounts of clothing or linens will be confiscated. Inmates must present their commissary card for service at all times.

The hours of operation and issuance will be posted on the Laundry Bulletin Board.

**3.6 PERSONAL PROPERTY LIMITS:** Items which may be retained by an inmate are limited for sanitation and security reasons. This will ensure that excess personal property is not accumulated which would constitute a fire hazard or impair staff searches of the living area. A list of allowable items and quantities may be found in the Institution Supplement DUB 5580.06, Inmate Personal Property.

Storage space in most Units consists of an individual locker and/or a gray storage bin. Combination locks may be purchased in the institution commissary. Limited space may also be available under the bed for approved items. The amount of personal property allowed to each inmate is limited to those items which can be neatly and safely placed in the space designated. Under no circumstance will any materials be accumulated to the point where they become a fire, sanitation, security or housekeeping hazard.

**3.7 DRESS COLOR RESTRICTIONS:** Clothing items may not be black or navy blue. Clothing with identifiable pictures or writing except for a small manufacturer logo is not authorized.

**3.8 LEGAL MATERIALS:** Inmates are allowed to maintain legal materials and supplies (not to exceed a locally established volume limit) in their locker or under their bed in the gray storage bin. If required, one additional gray bin may be approved for excess legal material through inmate's respective Unit Manager.

**3.9 HOBBY CRAFT MATERIAL:** Inmates may have one completed hobby craft item in their room and one project in progress. (Disposal of additional completed hobby craft items must be arranged to be sent home immediately after completion.) Crafts such as oil painting, leather craft, ceramics and copper work are not permitted in the Housing Unit.

**3.10 MONEY AT FCI DUBLIN:** Inmates are not permitted to have either cash or coins in their possession. Funds may be mailed to the National Lockbox at:

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

In order to ensure inmates funds are processed without delay to inmates account, the inmate must make sure of the following:

The inmate's name and register number must be printed on all money orders; U.S. Treasury, state and local government checks; and any foreign negotiable instruments payable in U.S. currency.

If any person desires to send money to be placed on an inmate's account, they should send it in the form of a U.S. Postal Money Order. This form of money will be credited to the inmate's account within 24 hours after receipt. Personal checks and cash are not accepted. All other forms, such as bank drawn money orders, store money orders, etc., may have a fifteen (15) day hold placed on them before the inmate may use the funds in the commissary. Non domestic or foreign negotiable instruments will be held for 30 to 60 days before being released.

**DO NOT** enclose cash, personal checks, letters, pictures or any other items in the envelope. Enclose only allowable negotiable instruments. The National Lockbox cannot forward any items enclosed with the negotiable instrument to the inmate. Items, personal in nature, must be mailed directly to the Federal Bureau of Prisons institution where the inmate is housed.

The 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 they cannot be posted to the inmates account.

To send money through Western Union:

Pay to: .....	Federal Bureau of Prisons
Recipients Acct:.....	<< <i>Inmate's Name and Register Number</i> >>
City Code: .....	FBOP
State Code: .....	DC

Inmates can receive this form from a Correctional Counselor.

Funds may not be received through the Visiting Room.

Inmates are encouraged to save a percentage of their Performance Pay earnings, and any money received from community resources. The Unit Team will assist the inmate in establishing goals for savings.

**3.11 COMMISSARY OPERATIONS:** Inmates must have a photo identification inmate account card to shop at the commissary. Lending or borrowing of inmate identification cards is prohibited. Inmates needing to replace their card must report to the Counselor through an Inmate Request to Staff Member (Cop-Out). There is a \$5.00 charge to replace cards. **Repetitive replacement cards can result in disciplinary action.**

All inmates may shop by Unit Monday through Wednesday after the 4:00 PM Official Count clears, until 8:30 PM or all numbers have been called. Inmates may shop only ONCE a week. Inmate commissary sale slips must be placed in the Unit Commissary box prior to 6:00 AM on their assigned shopping day.

Special Purchases (SPO's) or large dollar items (radios, sneakers, watches, etc.) are sold during the inmates normally scheduled shopping night.

The above days and hours are subject to change. Inmate bulletin boards located in the Housing Units and Commissary will provide any updates to the schedule. Item availability is updated outside the Commissary daily. No refunds, exchanges or additions are allowed. Items need to be checked prior to

leaving the sales window. Prices are subject to change based on vendor invoicing.

Inmate shoppers are not allowed to communicate with inmate commissary workers.

An Automated Inmate Management System (AIMS) machine is available at the Commissary for account inquiries which requires an inmate pin number to obtain inmate account information/balance.

**3.12 SHOPPING AT THE COMMISSARY:** The Commissary, located between Units A/B and C/D, is operated for the benefit of the inmates. Inmates having funds in their accounts will be permitted to spend up to \$290.00 per month for a variety of articles including candy, cookies, ice cream, instant coffee, toiletries and greeting cards. These articles may be kept in each inmates room within the Housing Unit in reasonable amounts. Special purchase orders for Religious items must be approved by the Chaplain. During the Admission and Orientation Program, inmates may have the opportunity to receive their validation schedules and hours of operation are discussed.

Postage stamps may be purchased only once a week. The cost of stamps does not decrease the inmates monthly spending limits. The maximum amount of stamps to be purchased is (60) First Class stamps. Additional stamps must be approved via the Associate Warden.

**3.13 VALIDATION:** The setting of \$290.00 dollars is the limit that an inmate may spend from their own account balance per month. Inmate commissary accounts will be validated once a month, depending on the fifth (5<sup>th</sup>) digit of their registration number. The formula for determining the validation date is as follows: The fifth (5<sup>th</sup>) digit of the registration number is multiplied by three and the one (1) is added. For instance, if the fifth (5<sup>th</sup>) digit of the registration number is three (3), the validation date would be on the tenth (10<sup>th</sup>) of every month ( $3 \times 3 = 9$ ,  $9 + 1 = 10$ ).

### **3.14 UNIT RULES AND REGULATIONS:**

1. In order to maintain the safe and orderly running of the Unit, rules and regulations have been established for each Housing Unit. All inmates initially assigned to a Unit will be individually interviewed by a member of their Unit Team for A&O within seven (7) working days of their assignment to the Unit.
2. Initial room assignments are made by the Unit Officer and are in the A&O area. If there is no room available in A&O, inmates will be assigned to another room in the general housing area. After inmates have completed the A&O program, the Correctional Counselor assigned to conduct room moves, will move the inmate to another room within the general Housing Unit. Room moves for medical concerns, (e.g., lower bunk status) and Financial Responsibility Program (FRP) refuse status will be considered. The Correctional Counselor will accept Cop-Outs from new commitments in A&O who are requesting to move into a room within the general Housing Unit. If no Cop-Out is received, inmates will be placed in a room where a bunk is available.
3. If after being placed in a room an inmate begins to experience conflicts with the other roommates the inmate will be counseled by the Correctional Counselor responsible for room assignments. If it is apparent there is a conflict and the problem cannot be resolved, then all of the inmates in the room will be moved. If the inmate is counseled by the Correctional Counselor and it is apparent only one inmate is causing the problems within the room that individual will be moved to A&O. Once the inmate is moved from a room for not getting along with other roommates, the inmate may not select another room to move

to. The Correctional Counselor conducting room moves will assign inmates to a room. An inmate refusing to accept room assignment will be subject to disciplinary action.

4. If an inmate goes to the Special Housing Unit (SHU), receives an Incident Report and is sanctioned by the Unit Discipline Committee (UDC), that inmate will be assigned to an A&O room. If all A&O rooms are full, inmate may be placed in a room in the general housing area. Room assignments will be conducted as needed unless otherwise indicated.

5. It is the inmate's responsibility to check her living area immediately after being assigned to that living area/quarters and to report all damages to the Unit Officer, Case Manager or Counselor. An inmate may be held financially liable for any damages to her personal living area and held responsible for any contraband in her area.

6. All inmates are to be in full uniform, beds will be made prior to 6:30 AM and inspection ready each workday. This includes inmates on Unit Restriction, Medical Idle and Day Off. All beds will be made with a blanket as the top layer, a sheet underneath and both tightly drawn and tucked under the mattress. The pillow will be placed at the head of the bed and the extra blanket folded and placed behind the pillow or at the foot of the bed. Photographs, which show how the beds should be made, are displayed on the Units bulletin boards. On Saturdays, Sundays and Holidays, the beds will be made prior to the 10:00 AM count. Inmates are allowed to sleep on top of made bed and be covered with a second blanket. Inmates are not permitted to hang anything on electrical conduit, water pipes or fire sprinklers, nor are inmates allowed to cover any lights with any materials. Inmates are subject to an Incident Report and loss of quarters for the noncompliance.

7. Each inmate is responsible for sweeping and mopping her personal living area to ensure it is clean and sanitary.

8. All personal property must be stored in a locker and/or one storage bin under the bed unless there is a pullout drawer connected to the bed, if so, personal property should be stored in the pullout drawer. Unit Officers conduct daily room inspections for compliance with the rules and regulations. Pictures may not be posted on inmates walls. Pictures can be posted on the inmate bulletin boards provided in the rooms. One picture frame with no nude photos and an alarm clock may be displayed on top of the single locker. No items are authorized on the top locker or window sills. Failure to comply with room sanitation may result in an incident report being issued to the responsible inmate. If a crocheted blanket is considered the one hobby craft item, it is to be folded neatly and placed at the foot of the bed.

One completed hobby craft item will be permitted to remain in an orderly fashion on top of the bed. Additionally, inmates may have one hobby craft project that they are working on in the room. All other completed hobby craft items must be mailed home at the expense of the inmate each Thursday through Recreation Staff. An inmate can only mail hobby craft items to people who are on their approved visitor's list, otherwise, they may obtain a form from a Correctional Counselor to forward their hobby craft to someone other than their approved visitor.

9. Removal of food from the dining room is not permitted other than one (1) piece of fresh fruit if the piece of fruit was served during the meal. Fruit taken from the dining room must be consumed before it spoils. Inmates are to consume cooked meals immediately and not store perishable or cooked food inside of the locker. Inmates who choose to eat in their rooms must ensure sanitation levels are maintained.

10. Safety shoes must be worn to all work assignments, to include Unit Orderly positions. Call Center workers do not have to wear safety shoes to their work assignments. Shower shoes may not be worn outside of the Housing Units.
11. Inmates are not allowed to enter any Units or inmate rooms they are not assigned to without prior Staff permission.
12. Lobby televisions may be viewed on the weekdays after the 5:00 AM count clears until 8:45 PM with the exception of posted cleaning hours. On weekends and holidays, lobbies are open from 5:00 AM to 11:45 PM
13. In the event of a special program(s) (e.g., sports playoffs, news and/or movies) lobby hours/televisions will be designated and approved by the respective Unit Manager.
14. Card games and board games are permitted only in the Unit Lobby's. Noise level will be maintained to a minimum. Gambling is prohibited and groups' participation type games in individual living areas are also prohibited.
15. Quiet hours are from 9:00 PM to 6:00 AM . Loud talking or noise is prohibited during quiet hours.
16. Lights Out in Unit:

	<u>Weekdays</u>	<u>Weekends/Holidays</u>
Living Quarters (may use personal reading light)	10:00 PM	11:45 PM
Unit Lobbies	After the 9:00 PM Count	
Common Areas (laundry, television, microwave, and reading rooms)	11:45 PM - 5:30 AM	1:45 AM - 6:00 AM

17. During normal work hours 6:00 AM to 1:45 PM , Monday thru Friday, inmates will be in uniform, unless preparing to exit the unit for recreation programs. **At all times, robes with an undergarment will be worn while moving to and from showers. Inmates are allowed in their pajamas only in their rooms and are not to roam around the Housing Unit in their pajamas.**
18. There will not be any plants located in inmates rooms nor will there be any towels or hobby craft rugs placed on the floors upon entering the rooms.
19. No towel racks, hooks or screws are allowed in the toilet area. Towel racks will be placed near the sink. One set of hooks is authorized above single lockers (use the same area for four person rooms).
20. Inmates are not allowed to feed the wild life animals nor birds on the compound.
21. Sitting is not allowed under stairways nor on stair steps due to safety concerns.
22. Hair cuts will only be permitted in the Beauty Shop within the Unit, the schedule and procedures to use the Beauty Shop are posted on the bulletin board by the Beauty Shop. Only authorized inmates will

be allowed to use barbering equipment. A list of authorized inmates to check out barbering equipment will be posted in the Unit Officer's station. **No hair cutting is allowed in the lobby area.**

23. Caps are to be worn appropriately. Caps will not be worn to the side, backwards or inside any building. Appropriate Religious head gear may be worn with approval from Religious Services Staff. The issued white head scarf may be worn only during non-business hours. The authorized du-rag may be worn only in inmates room and when moving to and from the shower, Beauty Shop or laundry rooms during non-business hours. Only commissary issued or hobby craft hair pins or bands are authorized. Altered head bands using institution issued material will be confiscated. All other head wear is not authorized.

24. Chairs are authorized in the common areas, tv rooms and study rooms. When not in use, chairs in the common areas and tv rooms are to be neatly stacked. Unless approved, chairs are not authorized to be in inmate rooms.

25. Fire drills, will be conducted at least quarterly and may occur on any shift. Once a drill or alarm is sounded, all inmates must immediately evacuate the Unit and respond to the area(s) designated by staff.

26. The mail will be distributed by the Unit Officer Monday thru Friday, following the 4:00 PM count. Legal mail will be distributed by Unit Staff Monday thru Friday.

27. Sun bathing for FCI inmates will only be allowed on the sun decks. This will occur during weekend and holiday hours only. Unit sun decks will be open after the 4:00 PM count on Friday until Sunday 8:30 PM Personal towels will be permitted on the sun decks. No sheets, pillows or blankets are allowed on the sun deck. Proper attire for sun bathing consists of a shirt and shorts, which must be worn properly.

28. Unit-based program groups are conducted on an on going basis. The Correctional Counselors can give additional information on group activities. Unit Team Staff will recommend group participation at the inmates initial or program review meetings.

29. In accordance with the Water Conservation Act, shower use will be limited to the following times:

<u>All Showers (Monday-Friday)</u>	<u>All Showers (Weekends and Federal Holidays)</u>
5:30 AM - 7:30 AM	7:00 AM - 9:00 AM
2:30 PM - 3:30 PM	2:30 PM - 3:30 PM
5:30 PM - 8:30 PM	5:30 PM - 8:30 PM
<u>Day Showers (All Days)</u>	
5:00 AM - 11:30 AM	

Day showers will be opened as soon as the 4:30 AM count clears. They will be closed for cleaning and during institutional counts.

30. Microwaves and hair appliances will be provided to each of the housing units. Inmates are reminded the provision of microwaves, hot water dispenser, ice machines, irons, hair dryers, curling irons, television, exercise equipment, etc., are privileges and not mandated by any policy. Furthermore, these privileges are dependent upon inmate compliance and cooperation with institution rules governing their use (e.g., using microwaves to heat only institution purchased commissary items, not removing hair

appliances from their affixed location, etc.). Although the washers and dryers located in the units have been deemed essential to afford inmates suitable clean clothing, their allowed hours of use and maintenance are likewise contingent on their being used in an appropriate and respectful manner.

Any unauthorized or unintended use, tampering with, or vandalism involving the aforementioned items will result in progressive restriction to the use of the items and/or permanent removal of the items from the units.

## Part 4.0

### SECURITY PROCEDURES

**4.1 COUNTS:** This institution and the Bureau of Prisons are responsible for the accountability of all inmates. Official Counts are timed to avoid interference with the inmate's activities. We ask that everyone adhere to the regulations listed below so count may be completed quickly, thus permitting inmates to resume their activities.

Counts are held at 12:00 AM (Midnight), 2:00 AM , 4:30 AM , 4:00 PM , and 9:00 PM There is an additional count on weekends and holidays at 10:00 AM These counts are labeled Official Counts. From time to time, Unofficial Counts are taken, and inmates are to follow the same regulations as with Official Counts. When counts are called, inmates will be in their own rooms (unless they are on an out count). Daily, during the 4:00 PM Official Count and during the 10:00 AM Official Count on weekends and holidays, inmates **must be standing** in their room with the door all the way open. During the 9:00 PM Official Count, inmates who are awake will also have their doors open in order to expedite the count and allow normal activities to resume. There are no exceptions in either case. Incident Reports will be written for noncompliance. Inmates will not move around or talk and will turn off all radios, tvs, etc., as the noise is distracting to staff counting.

Staff will take disciplinary action if an inmate is not in her assigned area during a count. Disciplinary action will also be taken against inmates for leaving an assigned area before the count is cleared. The inmate must actually be seen at all counts, even if the inmate must be awakened.

**4.2 CALL-OUTS AND ACCOUNTABILITY:** Master call-out sheets are prepared daily and distributed to all living Units and work stations. It is each inmate's responsibility to check these sheets and to report promptly for scheduled appointments. Inmates should notify their immediate supervisor, prior to leaving for an appointment and should allow five (5) minutes to ensure arrival at the proper time. If an inmate is absent from her scheduled assignment that individual is considered to be out-of-bounds without prior authorization and is subject to receive an incident report. During the Admission and Orientation period all new inmates will utilize the sign-out sheet maintained by the Unit Officer. The inmate will state name, destination, time of departure and time of return on the form. Accountability is mandatory and unassigned inmates are to be accounted for.

**4.3 SEARCHES AND CONTRABAND:** Contraband is defined within the institution as anything that is **NOT:** (1) Purchased by the inmate in the commissary, (2) issued to the inmate by staff, (3) accepted for the inmate through Receiving and Discharge. Inmates may not have items which were issued or purchased by another inmate in their possession. It is the policy of the institution and the Bureau of Prisons that inmates and their property may be searched at any time by a staff member. These procedures are not intended as undue harassment, but are necessary for the maintenance of a safe institutional environment.

A receipt will be given to an inmate for inmate personal property confiscated during a search. From that point, an inmate has seven (7) days to prove ownership to the Property Officer in the Lieutenants Office. Inmates may not receive radios or personal property from another inmate for any reason, including release or transfer of that inmate. Inmates will receive an Incident Report if they fail to comply.

**4.4 DRUG SURVEILLANCE:** FCI Dublin operates a drug surveillance program that includes mandatory random testing, as well as testing of certain other categories of inmates. If a staff member orders an inmate to provide a urine sample for this program, and the inmate does not do so, that inmate will be subject to disciplinary action.

**4.5 ALCOHOL DETECTION:** A program for alcohol surveillance is in effect at FCI Dublin. Random samples of the inmate population are tested on a routine basis, as well as those suspected of alcohol use. A positive test or refusal to submit to a test will result in disciplinary action.

**4.6 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 cannot and will not be tolerated. Regular fire inspections are made by qualified professionals.

## **Part 5.0**

### **PROGRAMS AND SERVICES**

**5.1 JOB ASSIGNMENTS AT FCI DUBLIN:** There are various job assignments available at Dublin that are designed to meet the needs of the institution. These jobs often provide excellent opportunity to earn money, learn skills and develop positive work habits. Upon completion of Admission and Orientation Program, inmates are assigned a temporary job assignment by their Unit Team, pending medical clearance from Health Services. When medically cleared, all inmates will be assigned to a detail. All job assignments will be based on institution needs.

#### **5.2 UNICOR/FEDERAL PRISON INDUSTRIES:**

Presently, there are two UNICOR operations at FCI Dublin.

##### **Call Center**

The Call Center processes incoming phone calls for directory assistance. Inmates will receive training in customer service, sales, and telephone manners and techniques. They will also learn to use a computer and practice typing for accuracy. This factory is open seven (7) days a week. Operating hours are 6:00 AM to 10:00 PM with the exception of weekends when the factory is open 7:00 AM to 11:00 PM. Call Center agents normally work five (5) days a week.

##### **Distribution**

The Distribution Center provides services for retail distribution, sorting and fulfillment. Inmates gain skills in repackaging, warehouse operations, storage and inventory management. Work hours are Monday thru Friday from 6:10 AM to 1:50 PM.

Some of the benefits of working for UNICOR are the following: gaining valuable job skills, paid government holidays, vacation credit, education scholarships and bonuses. Also, Industrial Good Time is available to certain inmates sentenced before November 1, 1987. (Questions regarding Good Time should be directed to inmates Case Manager). Each factory gives workers a 45 minute unpaid lunch.

break. An inmate is paid overtime for hours worked beyond eight (8) on a scheduled workday and all hours worked on either of two scheduled days off.

Some restrictions on UNICOR employment are as follows:

- \* If an inmate receives a 100 or a 200-series incident report, she may not work UNICOR for 90 days or longer and will lose all accumulated longevities.
- \* All inmates who are under an order of deportation, exclusion or removal is ineligible to work in UNICOR unless the Attorney General has determined that the designated country will not accept their return.
- \* In making job and/or program assignments, staff will consider the institution's operational needs, security, and protection of the public.

For more information regarding UNICOR, review Policy Statement 8120.02 WORK PROGRAMS FOR INMATES, FPI (Federal Prison Industries).

Inmates seeking employment with UNICOR must contact their Unit Team to obtain an application. Completed applications should be returned to the Case Manager. Case Managers will forward applications to UNICOR to be placed on a waiting list. Further questions regarding UNICOR operations should be addressed through an Inmate Request to Staff Member (Cop-Out) to UNICOR staff.

**5.3 FOOD SERVICE:** The Food Service Department consists of an Administrator, Assistant Administrator and Cook Supervisors. They are responsible for the entire Food Service Program, which includes menu planning, budgeting, procurement, preparation, serving and sanitation. Inmate work assignments are available in the areas of clerical work, cooking, baking, meat cutting, salad preparation, dish washing and general cleaning under the supervision of the Supervisors. On the job training is conducted in all areas that could lead to employment in the food service industry upon release.

**Serving Schedule:**

Weekdays

Breakfast: 5:30 AM to 6:15 AM  
Lunch: 10:15 AM to 12:00 PM  
Dinner: Units rotated after the 4:00 PM Official Count

Weekend/Holidays

UNICOR: 6:15 AM to 7:00 AM  
Coffee Hour: 7:00 AM to 8:00 AM  
Brunch: 11:00 AM to 12:00 PM

On weekdays, a continental breakfast and two (2) full meals are served: lunch and dinner consisting of main line or heart healthy alternative choice and no flesh. Every effort is put forth to make inmates visit to the dining room a pleasant experience. On Saturdays, Sundays and Federal Holidays, there is a coffee hour at 7:00 AM This is followed by a full brunch at midmorning and a full dinner after the 4:00 PM Official Count.

No food items are to be brought into Food Service and only one piece of fruit may be taken out of Food Service. Religious diets are authorized by the Chaplain(s) and are served on the line closest to the exit door of Food Service. Heart healthy alternatives are served on both sides.

Clean, neat sweat shirts may be worn at any time (with khaki uniform); however, complete sweat suits will only be allowed at evening meals, holidays and weekends. Exercise shorts, sleeveless shirts or blouses, halter tops, shower shoes and slippers may not be worn in Food Service. Personal cups, pitchers, books, laundry, radios, etc., are not allowed in Food Service.

#### **5.4 EDUCATION PROGRAM CLASSES AND SERVICES OFFERED:**

1. General Education Development (GED) Program
2. English as a Second Language (ESL)
3. Vocational/Occupational Program
4. Adult Continuing Education (ACE) Program
5. Post Secondary Education (PSE) Program
6. Social (Parenting)/Recreation Program
7. General Library Services
8. Law Library Services
9. Apprenticeship Program

**5.5 EDUCATION PROGRAM REQUIREMENTS:** Inmates who cannot provide documentation of a high school diploma or GED Certificate are required to attend GED programming unless exempt by BOP policy.

Inmates whose primary language is not English must enroll in the English as a Second Language (ESL) program unless exempt by BOP policy.

Inmates within 18-36 months of release must participate in the pre-release Program unless exempted by BOP policy.

The General Education Development (GED) classes offers those inmates who have not completed high school, the opportunity to enroll and complete a GED in either the English or Spanish language.

The English as a Second Language (ESL) services are offered to non-English speaking inmates. ESL certification is offered by the CASAS Certification Examination.

Vocational Training programs are available in Microsoft Office XP, Computer Graphics, and Forklift Operator's License. These popular programs operate on an afternoon/evening schedule.

Occupational Training offers Computer Graphics through City College of San Francisco. This is a certificate program with a duration of six months.

Post Secondary Education is offered through accessibility to correspondence courses. Inmates are encouraged to participate in correspondence courses if they have the funds to do so. Correspondence resource materials are located in the VT Business classroom.

The Law Library affords all inmates access to supplies and services related to legal matters. Such items

available include relevant and up to date constitutional, statutory and case law materials, applicable court rules and practice treatises.

General Library Services are offered daily. A variety of reading materials, including newspapers, magazines, periodicals, reference sources and audio-visual materials can be found in the Recreation Barn.

The Education Department also offers Apprenticeship programs in conjunction with the Facilities and Food Services Departments. The Apprenticeship programs offered are: Baker, Electrician, Construction, Plumbing, Landscape, and HVAC Technician. The respective Apprenticeship programs are approved by the Department of Labor.

**5.6 RECREATION, LEISURE AND RECREATION PROGRAMS:** Leisure activities and recreation programs are also supervised by the Education Department. These programs help inmates develop an individual wellness concept for participants. Programs include indoor and outdoor activities and range from individualized arts and craft programs to intramural team sports such as softball and volleyball. Physical fitness and weight reduction programs are also important activities for an inmate and contribute to mental health, good interpersonal relations and stress reduction. In addition, inmates can learn to use their free time constructively.

**5.7 COUNSELING ACTIVITIES:** There are many alternatives for inmates who have personal problems and desires to correct them. These options include Alcohol Anonymous, self-image groups and other voluntary groups. In addition, Dublin has professional staff as resources who are trained in the various social science fields. Inmate participation in these activities will be encouraged upon the staff's assessment of inmate needs, but participation is voluntary. The staff of each Unit is available for informal counseling sessions and they conduct formal group counseling activities.

**5.8 PSYCHOLOGY PROGRAMS:** The Psychology Services Department consists of the Chief Psychologist, Drug Abuse Program Coordinator, Staff Psychologists and Drug Treatment Specialists.

**5.9 SCREENING NEW COMMITMENTS:** All new inmates to the institution will be provided with a Psychology Services Questionnaire during the Admission and Orientation meeting. By policy, all new commitments will be seen by the Psychologist within fourteen (14) days of their arrival to the institution; inmates transferring from other Federal Institutions will be seen within thirty (30) days. Psychology screening is conducted on Wednesday mornings on a one-on-one basis.

**5.10 INDIVIDUAL AND GROUP COUNSELING:** Psychology Services offers a variety of counseling groups and programs to assist inmates with their mental health adjustment. When appropriate, individual counseling may also be available to assist inmates in improving their mental health adjustment and institution functioning. The range of available programs will be discussed during the institution's A&O program and during an inmate one-on-one screening interview with a Psychology staff member.

**5.11 INMATE SUICIDE CADRE:** Inmate suicide observers are responsible for monitoring an inmate who is placed on suicide watch; inmate observers are trained quarterly and work a four (4) hour suicide watch shift. Anyone interested should have at least one year left to serve on their sentence and submit a cop-out to the Chief Psychologist.

**5.12 DRUG ABUSE TREATMENT PROGRAM:** The Residential Drug Treatment Programs is a

nine (9) month program and comprises classroom instruction and individual and group therapy; individuals must live in unit D and have a documented history of alcohol and/or substance abuse in order to participate.

The Drug Education Program is classroom instruction about the social, psychological and physical impact of substance abuse.

**5.13 TRAUMA TREATMENT PROGRAM:** Inmates with a history of trauma have three levels of treatment available to them. The introductory level is an eight-session trauma in life group. The second level of treatment is seeking safety safely which consists of twenty-six sessions. The third level of treatment is called CPT. Inmates must complete each level in order to proceed to the next. Inmates must have a history of childhood or adult sexual and/or physical abuse in order to participate.

**5.14 PROGRAMS FOR FEMALE OFFENDERS:** The expansion of the female inmate population in recent years has challenged the Bureau to enhance programs and institutional services for women. During the early part of 1988, the Bureau made significant decisions regarding institution mission changes directly affecting the BOP's female inmate population. This decision included the establishment of several camp facilities for female offenders,

It is the intent of the Bureau of Prisons and FCI Dublin to ensure that programs and procedures are in place at female facilities which are commensurate with those at male institutions. Typical educational and recreation programs are available to all female inmates. In the area of job training, the Bureau's apprenticeship training programs have been accredited by the Women's Bureau of the U.S. Department of Labor, Bureau of Apprenticeship and Training. These programs assist in preparing women for non-traditional jobs such as auto mechanics, electricians, plumbers, painters and bricklayers.

**5.15 PASTORAL CARE SERVICES:** From the very beginning, the Department of Pastoral Care has been an integral part of this organization. Religious Freedom is a cherished right of every citizen embodied in the First Amendment of the Constitution: "Congress will make no law respecting the establishment of religion or prohibiting the free exercise thereof."

Full time Chaplain and part time contract Chaplains conduct religious services and coordinate religious activities for all faiths. In addition to being concerned with the inmates' spiritual development and growth, the Chaplains consult with Unit Teams and are vitally interested in inmate programs and their efforts toward self improvement. Inmates are invited to consult with the Chaplain at any time. Consultants also provide religious services to those who wish to participate in Buddhist, Muslim, American Indian, Jewish or Christian worship activities. In addition, seminars on different topics are offered throughout the year.

Each Chaplain is a resource contact person and liaison between the institution and the local community. In addition to leading and coordinating religious programs, seminars and services, the Chaplains(s) work in close harmony with other institutional departments to offer pastoral care and spiritual direction to all inmates.

**5.16 CENTRAL INMATE MONITORING:** Central Inmate Monitoring (CIM) is a Bureau of Prisons program designed to monitor and control the transfer, temporary release and participation in community activities of inmates who pose special management considerations. Classifications as a CIM case does not, in and of itself, prevent an inmate from participating in community activities. All inmates who are designated as CIM cases will be officially notified by their Case Manager.

**5.17 FURLOUGHS:** A furlough is an authorized absence from an institution by an inmate who is not under an 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. Ordinarily, inmates with a history of violence will not be granted social furloughs.

SCP Dublin has a furlough program for inmates who have Community Custody and are two (2) years or less from their anticipated release date. An inmate who meets the eligibility requirements may request a furlough to Unit Staff for approval.

**5.18 INMATE FINANCIAL RESPONSIBILITY PROGRAM:** Working closely with the Administrative Office of the Courts and the Department of Justice, the Federal Bureau of Prisons administers a systematic payment program for court-imposed fines, fees and costs. All designated inmates are required 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, judgements in favor of the U.S., other debts owed to the Federal Government, Cost of Incarceration and other court ordered obligations (e.g., child support, alimony, other judgements).

Institution staff assists in a financial planning or payment program, but the inmate is responsible for making all payments required, either from earnings within the institution, or from outside resources. The inmate must provide documentation of compliance and payment. If an inmate refuses to meet his or her obligations, the inmate cannot work for UNICOR, receive performance pay above the maintenance pay level, will be placed on a commissary spending limit, will reside in lowest level housing and will not receive a release gratuity.

The status of any financial plan will be included in all progress reports and will be considered by staff when determining Security/Custody level, job assignments, eligibility for community activities and institutional program changes.

**5.19 HEALTH SERVICES:** The health care mission of the Federal Bureau of Prisons is to provide essential medical, dental and mental health services to inmates by professional staff consistent with acceptable community standards. The principles of “medically necessary/emergent” and “medically necessary/non emergent” are used to determine essential health care. Medically necessary/emergent care refers to emergency care and cases where immediate medical intervention is required. Medically necessary/non emergent care, is care with which inmates could not be maintained without the risk of serious deterioration or significant reduction in the possibility of repair later without present treatment or significant pain or discomfort.

Inmates are eligible for several different health care programs. Services offered include basic health education programs, intake, periodic health examinations, specific preventive health examinations (e.g., cancer screening), routine care, emergency care and specialty care. We also offer classes enhancing health and increasing the sense of well-being. In addition, female inmates are eligible for pregnancy tests, pap smears, pelvic examinations and breast examinations during intakes and at routine intervals. Most of these tests will be scheduled for inmates as part of intake screening. Release examinations are offered, if the inmate has not had one within one year prior to release date.

There are several ways inmates can access the healthcare system at Dublin. For routine illnesses, the most common way to access healthcare is through sick call. Sick call is for medical problems of a non-

emergency nature. Inmates must report to Health Services Mondays, Tuesdays, Thursdays or Fridays between 1:45 PM and 1:55 PM . There is no non-emergency sick call on Wednesdays. Health care staff will see inmates the same day to review inmates' request and will give inmates an appointment for a full evaluation of an inmate's concern, either the same day or within two weeks, depending upon the nature of the problem. Of course, emergencies are addressed any time, day or night.

Dublin's Health Services Unit is staffed seven (7) days a week. Our staff includes the Health Services Administrator, and Assistant HSA or Supervisory Physician Assistant, Clinical Director, Medical Officer, Medical Secretary, Dentist, Registered Nurses, Mid-level health care practitioners, Pharmacist and Health Information Technicians, all of whom are full-time employees.

The Health Services Unit facilities include x-ray, mammography equipment, pharmacy, laboratory, dental clinic and examination rooms. The FCI Dental facility is in a separate building. The services of community hospitals are utilized only when necessary.

Individuals wishing to see their unit Physician may send a cop-out. Requests for consultation will routinely be scheduled within three (3) weeks. Urgent problems are to be addressed through sick call. Inmates have the right to be assessed for pain during each medical visit.

Within fourteen (14) days of arrival, all newly committed inmates will receive a complete physical examination (for female and male inmates). This examination includes a chest x-ray (when clinically indicated), dental examination and tests for communicable diseases. Tests for communicable disease are mandatory and cannot be refused. Measles, mumps and rubella vaccine (MMR) will be offered to all sentenced female inmates of childbearing age. Annual pap smears, pelvic examinations and breast examinations are available to all female inmates upon request. A baseline mammogram will be offered to all female inmates, forty (40) years of age and older, routine screening mammograms are available upon request at clinically indicated intervals (every two (2) years from 40 to 50 and annually after fifty (50) years of age).

Any questions or problems will be handled by the Health Services Administrator who has an open door policy at 6:00 AM , Monday through Friday. Medical staff can also address inmates' concerns daily, Mondays through Friday at lunch mainline.

**5.20 PHARMACY SERVICES:** Controlled medications are dispensed at the "pill line" in the Health Services Unit. Pill line hours are as follow:

6:00 AM to 6:20 AM	Morning (pill line)
2:20 PM to 2:40 PM	Medication Pick-up Only M-F (except Federal Holidays)
7:30 PM to 8:00 PM	Evening (pill line, called by Unit)

Prescriptions with refills indicated on the prescription label may be refilled until the prescription expiration date. Prescriptions are refilled by filling out the correct form with prescription number(s) listed and turning in at pill line window.

Medication counseling is available from the Pharmacist. Requests for counseling must be made in writing to the Pharmacist.

The following non-prescription medications may be obtained from the Commissary and will not be

routinely provided to inmates by the Health Services Unit.

Ibuprofen	Multi-Vitamins	Claritin (generic)
Aspirin	Pepto-Bismol	Allergy Relief
Ben-Gay	Calcium	Milk of Magnesia
Chap Stick	Tylenol	Ranitidine (Zantac)
Hydrocortisone Cream	Vitamin E	Naproxen
Hemorrhoidal Ointment	Vitamin C	Metamucil
Maalox	Midol	

**5.21 INMATE MEDICAL CO-PAYMENT PROGRAM:** Pursuant to the Federal Prisoner Health Care Co-payment Act (FHCCA) of 2000 (P.L. 106-294, 18 USC § 4048), the Federal Bureau of Prisons and FCI Dublin provide notice of the Inmate Co-payment Program for health care.

**A. Application:** The Inmate Co-Payment 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).

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

1. Inmates must pay a fee of \$2.00 for health care services, charged to the Inmates Commissary Account, per health care visit, if an inmate receives health care services in connection with a health care visit that the inmate 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 an inmate asked a non medical staff member to contact medical staff to request a medical evaluation on the behalf of inmate for a health service not listed in section C., below, the inmate will be charged a \$2.00 co-pay fee for that visit.

2. An inmate must pay a fee of \$2.00 for health care services, charged to Inmates Commissary Account, per health care visit, if an inmate is 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 chronic conditions
3. Preventive Health Care Services
4. Emergency Services
5. Prenatal Care
6. Diagnosis or treatment of chronic infectious disease
7. Mental Health Care
8. Substance Abuse Treatment

If a Health Care Provider orders or approves any of the following treatments, inmates will not be charged the \$2.00 fee:

- Blood Pressure Monitoring
- Glucose Monitoring
- Insulin Injection
- Chronic Care Clinics
- TB Testing
- Vaccinations
- Wound Care
- Patient Education

The health care provider will determine if the type of appointment scheduled is subject to a co-pay fee.

- D. Indigence:** An indigent inmate is an inmate who has not had a trust fund account balance of at least \$6.00 for the past thirty (30) days.

If an inmate is considered indigent, the inmate will not be responsible for the co-pay fee.

If an inmate is **NOT** indigent, but does not have sufficient funds to make the co-pay 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 Inmates Commissary Account.

- E. Complaints:** Inmates may seek review of issues related to Health Service fees through the Bureau's Administrative Remedy Program (see 28 CFR part 542).

**F. Living Will/Advance Directive Procedures for Inmates:**

- a. The Bureau of Prisons and the *State of California* recognize the right of an inmate to refuse life-sustaining medical treatment in instances of a terminal condition or a permanent unconscious condition. The *Advance Health Care Directive* form (Attachment 1) can be requested by Cop-Out to HSA and will refer to the patient's wishes concerning the withholding or withdrawal of resuscitative, life-sustaining, or other types of medical care.
- b. Any inmate may complete the *State of California Living Will Declaration*. The declaration will be signed in the presence of two witnesses. The witnesses will not be related to the inmate, cannot be a beneficiary of the inmates will or codicil, or a Bureau of Prisons employee. Upon completion of the form, the inmate will present the original declaration to the HSA for placement in the *Advanced Directives* divider (Section 5) of the inmate medical file.
- c. An inmate may elect to have a private attorney prepare the living will documents. All costs and expenses associated with the private attorney are the responsibility of the respective inmate.

d. An inmate is authorized to appoint another person (“a proxy decision maker”) to make life-sustaining decisions in instances of a terminal illness or a permanent unconscious state. The authority, parameters, and procedures for creating proxy are governed by California State Law. An inmate will not be appointed as a proxy decision maker.

(1.) It is recommended the named proxy is an individual on the inmates approved visiting list. A proxy designation will be accepted in writing by the individual being appointed. The written acceptance must be attached to the *Advanced Directive*.

**DO NOT RESUSCITATE (DNR) ORDERS:** DNR Orders will never be invoked while an inmate is housed in general population. Emergency resuscitation measures must always be performed. See California Probate Code §4740 - Immunities and Liabilities, Attachment 2.

a. An inmate who arrives at FCI Dublin with a DNR Order in their health record is subject to regular review by the physician and entitled to maximal therapeutic efforts short of resuscitation.

**5.22 DENTAL DEPARTMENT:** All inmates requesting dental treatment for non emergency dental care must submit a cop-out to the dentist. An appointment will be given to the inmate at the earliest available time possible. It is the responsibility of the inmate to check the call-out sheet for appointments on a daily basis. Emergency dental/urgent care sign-up is provided at Sick Call which is available daily except weekends and Wednesdays. The Triage Officer will give the list of the inmates to the Dental Officer who will then give an appointment on the first available day. All inmates who have a dental appointment with the dentist must arrive on time and bring their ID card and copy of a sick call slip.

**5.23 ON THE JOB INJURIES:** If an inmate is injured while performing an assigned duty, she must immediately report this injury to her work supervisor. The work supervisor will complete an inmate injury report and reports the injury to the institution Safety Manager. The inmate may be disqualified from eligibility for lost time wages or compensation if she fails to report a work injury to the supervisor. If injured while performing an assigned duty and the inmate expects to be impaired to some degree, she may submit a claim for compensation. A medical evaluation must be included with the claim before any compensation can be considered.

**5.24 MAIL REGULATIONS:** Staff members at FCI Dublin encourage inmates to maintain a healthy relationship with people in the community through unrestricted correspondence. Correspondence lists are not necessary and inmates may write an unlimited, but reasonable, amount of letters. Letters may be sealed by the inmate. A mail box pick-up is made at approximately 11:30 PM Sunday thru Thursday, for delivery on the following day to the U.S. Postal Service.

Scales and postal charts are available in the Law Library during all operational hours. The Mail Rooms Open House hours is 11:00 AM to 12:00 PM, Monday thru Friday, excluding holidays. Services available are limited to registered, insured, certified and return receipt mail. There is no mail service on weekends and holidays.

All inmates are held exclusively responsible for the contents of their letters and are, therefore, subject to

prosecution for any violations of Federal Postal Laws. Inmates are also subject to institutional discipline for a violation of mail regulations involving contraband. Inmates who are unable to accept the responsibility of unrestricted correspondence will be placed on restricted correspondence status. Inmates may be placed on restricted correspondence status based on misconduct or as a matter of classification. The inmate is notified of this placement and has the opportunity to respond. Special permission is not required to correspond in languages other than English.

Inmates who wish to write inmates at other institutions (federal, state, a local facility or any CCC's) must have the approval of both Wardens (or CEO). Inmates should furnish their counselor with a Request to Staff Member (Cop-Out), listing names and addresses of the inmates with whom they wish to correspond. However, formal, written approval must be obtained prior to sending or receiving such correspondence.

Inmates' outgoing mail must have as a return address the following:

Federal Correctional Institution  
Inmate Name  
Inmate Register Number  
Housing Unit  
5701 8<sup>th</sup> Street Camp Parks  
Dublin, CA 94568

Using the abbreviation of (FCI) as the return address will result in mail being returned to inmates.

Inmates' incoming mail must reflect the inmates committed name. Correspondents are encouraged to use the register number and Unit to ensure proper delivery.

Inmates may not receive packages in the mail. A package includes any box or envelope more than sixteen (16) ounces, been padded, reinforced or contains any material other than paper. Unauthorized packages are rejected at the local Post Office and returned to the sender marked "Unauthorized Package." The inmate does not receive a notice the item was refused.

"Special Mail" procedures provide inmates with an opportunity to correspond with certain officials whereby the mail is not subject to routine mail room inspection.

"Special Mail" means correspondence sent to the following: President and Vice President of the United States, the U.S. Department of Justice (including the Bureau of Prisons), U.S. Attorney's Office, 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 Parole Commissioners, State Legislators, State Courts, State Probation Officers, other Federal and State law enforcement officers, an attorney's and representatives or the news media.

All incoming inmate mail, except "legal mail," is opened by the Mail Room Officer to inspect for unauthorized items and contraband.

Unit Staff will deliver legal or special mail daily. The inmate is required to present their identification card and sign for the mail. It will be opened by the staff member in front of the inmate.

In the absence of adequate identification and the "legal mail" marking (Legal Mail - Open only in the

presence of the inmate) appearing on the envelope, staff may treat the mail as general correspondence and may open, inspect and read as general mail.

**NOTE:** Clearly marked “special mail” from the Chambers of the Judge or a member of the U.S. Congress, will automatically be handled as “special mail” even without the special marking.

**5.25 INCOMING CORRESPONDENCE:** First class mail is distributed Monday thru Friday (except federal holidays) by the evening watch officer in each Housing Unit. Newspapers and magazines will also be delivered at this time. The number of incoming letters an inmate may receive will not be limited unless the number received places an unreasonable burden on the institution.

Inmates are asked to advise those writing to them to put the inmate’s registration number and Unit in the envelope to aid the prompt delivery of mail.

**5.26 INCOMING PUBLICATIONS:** Inmates are permitted to subscribe to and receive publications without prior approval. The term “publication” refers to a book or journal that is published, singles issue magazine or newspaper, materials addressed to a specific inmate, such as advertising brochures, flyers and catalogs. An inmate may receive soft cover publications (paperback books, etc.) from any source. An inmate may receive hardcover publications only from the publisher or book club. Accumulation of publications will be limited to five (5) magazines (not to be more than three (3) months old) and to the amount that can be neatly stored in the locker, storage bin and/or shelf provided in each room, because of sanitation and fire safety reasons. The Unit Manager may allow more space for legal publications upon request.

The Warden will reject a publication if it is determined to be detrimental to the security, good order or discipline of the institution, or if it might facilitate criminal activity. Publications which may be rejected by the Warden include, but are not limited to, publications which meet one of the following criteria:

- It depicts or describes procedures for the construction or use of weapons, ammunition, bombs, or incendiary devices, depicts encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings, or similar descriptions of Bureau of Prisons’ institutions
- It depicts or describes procedures for the brewing of alcoholic beverages or the manufacture of drugs
- It is written in code
- It depicts, describes, or encourages activities which may lead to the use of physical violence or group disruption
- It encourages or instructs in the commission of criminal activity
- It is sexually explicit material
- It features nudity

**5.27 INMATE CORRESPONDENCE WITH REPRESENTATIVES OF THE NEWS MEDIA:**

An inmate may write through “Special Mail” procedures to representatives of the news media if specified by name or 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 Bureau 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 regulations.

**5.28 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 will also be notified of the rejection of correspondence and the reason for the rejection. The inmate also has the right to appeal the rejection. The Warden will 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.

**5.29 CHANGE OF ADDRESS/FORWARDING OF MAIL:** Releasing inmates are to provide Unit Staff with a forwarding address prior to release. Inmate mail will be forwarded to the address provided for thirty (30) days after release. Inmates who are transferred to another facility will have their mail forwarded for thirty (3) days. General mail received for released or transferred inmates will be returned after the thirty (30) day period.

**5.30 CERTIFIED/REGISTERED MAIL:** Inmates desiring to use certified, registered or insured mail may do so, subject to handling methods established at each institution. An inmate may not be provided services such as express mail, private carrier services, COD or stamp collecting, while confined.

**5.31 TELEPHONES:** Telephones are available for inmate use Monday thru Friday, from 6:00 AM to 7:30 AM , 10:30 AM to 12:30 PM , and following the 4:00 PM count until 11:30 PM . Saturday, Sunday and Federal Holidays telephones are available from 6:00 AM to 11:30 PM , excluding count times. For inmates working evening shifts or are on an authorized day off, there will be one telephone per Unit available during the day. The use of the telephone is a privilege meant to supplement, not replace, regular mail correspondence and visiting. The INMATES TELEPHONE SYSTEM II (ITS II) was established by the Department of Justice to relieve the burden of collect calls on the families. The ITS II gives the inmate the ability to make 300 total minutes of direct and collect calls for the month. If an inmate exhausts her 300 minute limitation and needs to make an emergency call, she must submit an Inmate Request to Staff Member (Cop-Out) to the Unit Manager, identifying the basis for the need. The Warden is the ultimate approving authority.

**5.32 TELEPHONE LISTS:** Inmates may submit a list of up to thirty (30) proposed names and telephone numbers to be included on their telephone list, using the “Telephone Number Request” form. This form must be routed through the Unit Staff who will hand deliver the list to the ITS Staff. The Unit Staff and ITS Staff have five (5) working days to make sure all telephone lists are processed through the ITS system. The five (5) day requirements may be waived if the total number of changes proposed by the inmate population is so large that ITS Staff cannot process the changes and complete their other duties. An inmate may submit proposed changes to his or her telephone list once per calendar month. Unless

staff determines that the inmate has demonstrated a need for more prompt communication. The “Telephone Number Request” form must be complete when submitted to ITS Staff or it will be returned to the Unit. Each inmate must mark the appropriate language for their preference and each individual number whether the voice prompt should be in English or Spanish. Correctional Counselor will provide the inmate with the “Telephone Number Request” form. Inmates are subject to disciplinary action if they use the phone to contact a volunteer, contract worker, staff members or any inmate male or female who is in a halfway house or on supervised release.

1. ITS Credits: ITS credits can only be purchase on the telephone twice a day. Inmates can purchase ITS credits and check commissary balance between 6:00 AM and 11:30 PM seven (7) days a week.
2. Access: Upon commitment, a Phone Access Code (PAC) will be issued and sent to Unit Staff for distribution to the inmate. If a PAC is compromised, the inmate is to notify Unit Staff immediately and a new PAC will be issued. The inmate will pay \$5.00 to defray the cost of issuing the new PAC.
3. ITS Restriction: It is a specific sanction taken by the Unit Discipline Committee (UDC) or Discipline Hearing Officer (DHO).
4. Releases: Any funds not used will be transferred to the inmates Trust Fund account the morning of the last business day prior to release.
5. Rates: All rates are established at the National level and rate charts are available in the Units and Law Library.
6. Rules and Regulations: Phone privileges may be restricted for violations of any telephone regulation. Only one inmate is permitted on the telephone at a time. The inmate who initiated the call is the only one who can use the phone during the duration of the call. There is a fifteen (15) minute waiting period between completed telephone calls. The use of another inmate PAC is prohibited. 1-800, 888, 900, 976, 877 credit card calls or third party calls are prohibited. The use of the telephone will not interfere with the institution’s schedule, programs, work assignments or counts. When a count or census is conducted, all inmates using the phone will terminate their calls immediately. The use of the inmate telephones will be suspended during any institution emergency.
7. Legal Telephone Calls: All telephone calls made through the Inmates Telephone System are subject to monitoring. An appointment must be made through a Correctional Counselor for any unmonitored legal telephone calls. It is the inmate’s responsibility to substantiate the imminent need for a legal call.
8. Blocked Calls: When the party you call blocks their telephone number, they will have to write to:

FCI Dublin, ITS Office  
5701 8<sup>th</sup> Street, Camp Parks  
Dublin, California 94568

To request reinstatement, if desired. The request must include the inmates name,

register number, telephone number blocked and a copy of the phone bill with the telephone number indicated.

9. Office of Inspector General: The following telephone number is automatically put on all inmates approved telephone number lists. This number is a hotline to report sexual abuse or sexual contact by another inmate or staff member.

**5.33 VISITING:** Visiting hours are as follows:

Saturday, Sunday and Legal Federal Holidays            8:00 AM to 2:00 PM

Directions to the Federal Correctional Institution, Dublin, California:

Travel east on Highway 580, from Oakland to the Hacienda exit; turn north and continue approximately a 1/4 mile; Turn left (east on Dublin Boulevard), approximately 1/4 mile and turn left on Arnold Road. Continue approximately 1/4 mile and turn left on 8th Street. Parking for the FCI will be the first entrance to the right. There is a designated parking area in the Southeast corner of the FCI/FDC parking lot. The FDC visitor's parking lot is located in the same area.

Transportation to the institution is available via local taxi service. Additional public transportation is available via BART and bus services originating from the San Francisco Bay Area and surrounding East Bay cities.

Visitors will not be permitted into the institution wearing clothing which resembles issued uniforms (E.G., khaki colored clothing), hats other than religious headgear, sweat suits/jogging suits, shorts, see through blouses, halter tops, spandex or any other type of provocative clothing. Covered footwear must be worn by all visitors. Tobacco products are not permitted.

All adult visitors (16 years and older) are required to present acceptable means of picture identification, with a signature, prior to being admitted into the institution for a visit. Acceptable forms of identification include, but are not limited to, a valid driver license, valid state identification card, passport or other official government issued picture identification. Visitors without proper identification (photo identification) will not be permitted to visit.

The inmate cannot receive any items from a visitor. Visitors may bring a maximum of \$35.00 per adult. Money can only be used for the vending machines in the Visiting room and may not be given to the inmate. Visitors may not leave money with the Visiting Room Officer for deposit to an inmate account. Inmates are prohibited from possessing any form of currency. Tobacco products are not permitted. Visitors with babies may bring three (3) empty baby bottles per child, and sealed baby formula in a self-open can, four (4) unopened jars of baby food, one (1) change of clothing and ten (10) diapers. All items must be carried in a clear plastic bag. No car seats or strollers are permitted in the visiting rooms.

Visitors are permitted to bring money into the Visiting Room to purchase items from the vending machines. A reasonable amount of diapers and other infant care items and sanitary napkins may also be brought into the Visiting Room. All items must be carried in a clear plastic bag. No food may be brought into the Visiting Room. Vending machines are located in the Visiting Room.

Visitors are encouraged to leave personal belongings in their vehicles. Lockers are available at the FCI

and FDC for visitors to store limited items. Visitors at the SCP will be required to secure articles in their vehicles before being processed for a visitation. All items are subject to search before entering the visiting room. Visitors are not allowed to bring in any type of weapon, ammunition, drugs or narcotic. Cameras and tape recorders are prohibited. Medication of an emergency nature, such as asthma inhalants or nitroglycerine are allowed; however, all medications must be declared to the Front Entrance Officer and the Visiting Room Officer will maintain medication in their possession at all times and be returned to a visitor upon departure.

Inmates may have a maximum of five visitors. A child that cannot walk will not count towards the five allowed. If the mother and/or father bring four children, they are allowed to switch-off during visitation.

Visitors have the responsibility of providing proper supervision and control of children. Inappropriate behavior of children may result in the termination of the visit.

Everyone age 16 years and older will submit a Visiting Information form. A background check will be conducted. Once approved, the inmate is responsible for notifying their family they are approved.

All visits will begin and end in the Visiting Room. Kissing, embracing and hand holding is allowed on arrival and departure ONLY.

Inmates are not allowed to receive either coins or money while in the Visiting Room. No items may be exchanged in the Visiting Room.

**5.34 INMATE CLOTHING FOR VISITING:** All clothing must be neat, clean and appropriately worn. Shorts, halter tops, shower shoes and recreation or leisure clothing (except tennis shoes) is not permitted. Proper attire while in the Visiting Room will include shirts that are properly buttoned, belts, full length trousers, shoes that cover the entire foot, sock and under garments. Undershirts or T-shirts may not be worn as an outer shirt in the Visiting Room.

When clothing is deemed unsuitable by the Visiting Room Officer, the inmate will need to change clothing before the visit will be allowed. Inmates will present an acceptable appearance while in the Visiting Room. This will include shirts that are appropriately buttoned, use of belts and appropriate socks and shoes. Inmates may not wear dirty, unkept clothing in the Visiting Room.

Articles which inmates are authorized to maintain on their possession during visits are: one religious medallion and one wedding band.

Except as noted above, inmates will not be allowed to remove any item from the Visiting Room. The exchange of packages, letters or any article is prohibited. The visitors are responsible for the conduct of the children who accompany them.

The inmate is responsible for their visitor's behavior. If, at any stage of the visit, the Visiting Room Officer determines the inmate's, visitors' conduct is inappropriate or not in good taste, the visit may be terminated.

Visiting Room regulations will be sent to approved visitors. All visitors and inmates are advised that the introduction of contraband or providing assistance in an escape attempt carries a penalty of up to ten (10) year's imprisonment under Section 1791, Title 18 United States Code.

**5.35 IDENTIFICATION OF VISITORS:** Identification is required for visitors. This may include a state driver's license, state ID card, or passport with full names and signatures affixed. When high school students' visit, they may present a student identification picture card. Birth Certificates are not considered proper identification. Persons without proper identification will not be permitted to visit.

Visitors may be asked to submit to a search and will be checked with a metal detector. Attorneys' briefcases, etc. may also be searched. Other personal articles belonging to visitors must be placed in lockers (if available) or may be left in their cars.

## **Part 6.0**

### **ACCESS TO LEGAL SERVICES**

**6.1 LEGAL CORRESPONDENCE:** Legal Correspondence from attorneys will be treated as Legal mail if it is properly marked. The envelope must be marked with the attorney's name, a return address and an indication that they are an attorney and the front of the envelope must be marked "Legal Mail - Open only in the presence of the inmate." It is the responsibility of the inmate to advise their attorney about this policy. If legal mail is not properly marked, it will be opened as general correspondence.

**6.2 ATTORNEY VISITS:** Attorneys should ordinarily make advance appointments for each visit with an inmate. Ordinarily, legal visits are scheduled Monday thru Friday from 8:00 AM to 2:00 PM , excluding holidays. Attorney visits will be subject to visual monitoring, but no audio monitoring.

**6.3 LEGAL MATERIAL:** During attorney visits, a reasonable amount of legal material may be allowed in the visiting area with prior approval. Legal material may be transferred during attorney visits, but is subject to inspection for contraband. This material will be treated in a similar manner to the special mail procedures described above. Inmates are expected to handle the transfer of legal materials through the mail as often as possible.

**6.4 ATTORNEY PHONE CALLS:** In order to make unmonitored phone calls between an attorney and an inmate, the inmate must follow procedures established by the institution. Phone calls placed through the regular inmate phones are subject to monitoring.

**6.5 LAW LIBRARY:** 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, Institution Supplements, Indexes and other legal materials. The law library is open during convenient non-working hours, including Saturdays. An inmate law Library Clerk is available for assistance in legal research. Legal materials are also available to inmates in detention or segregation status, ordinarily via a delivery system or satellite collection.

**6.6 COPIES OF LEGAL MATERIAL:** In accordance with institution procedures, inmates may copy materials necessary for their research or legal matters. A debit card copy machine is available in the Education Department's Law Library for inmate use. 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 to their Unit Team.

**6.7 FEDERAL TORT CLAIMS:** If the negligence of institution staff results in personal injury or property loss, it can be the basis of a claim under 31 U.S.C. § 3723. To file such a claim, inmates must complete BP-A09 4 3 Small Claims for Property Damage or Loss (31 U.S.C. § 3723). They can obtain this form from the Unit Team.

**6.8 INMATE ACCESS TO CENTRAL FILES, MEDICAL FILES, OR OTHER DOCUMENTS:** An inmate may request access to the “Non-Disclosable Documents” in their Central File and Medical File, or other documents not in said files, by submitting a “Freedom of Information Act Request” to the Director of the Bureau of Prisons. Attention: FOIA Request. Such a request must briefly describe the nature of records wanted and approximate dates covered by the record. The inmate must also provide their registration number and date of birth for identification purposes.

A request on behalf of an inmate by an attorney, for records concerning that inmate, will be treated as a “Privacy Act Request” if the attorney has forwarded an inmate’s written consent to disclose materials. If a document is deemed to contain information exempt from disclosure, any reasonable part of the record will be provided to the attorney after the deletion of the exempt portions.

**6.9 EXECUTIVE CLEMENCY:** The President of the United States is authorized under the Constitution to grant executive clemency by pardon, commutation of a sentence, or a 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 can be in “full” or “partial” depending on whether it absolves a person from all or portion of the crime. A pardon restores basic 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 a sentence (a reduction of a sentence imposed after a conviction) and a reprieve (the suspension of execution of a sentence for a period of time). A pardon may not be applied for until the expiration of at least five (5) years from the date of release from confinement. Inmates should contact their assigned Case Manager for additional information regarding this program.

**6.10 COMMUTATION OF SENTENCE:** The Bureau also advises inmates on commutation of sentences. This is the form of executive clemency power used to provide post conviction relief to inmates during their incarceration. This clemency power is authorized by the Constitution for the Chief Executive Officer, who is the President of the United States for federal offenses. Commutation of a sentence is usually the last chance to correct an injustice which has occurred in the criminal justice process. Inmates applying for commutation of a sentence must do so on forms that are available from the assigned Unit Team. The rules governing these petitions are available in the Law Library.

**6.11 NOTARY PUBLIC:** Under the provision of 18 USC 4004, Case Managers are authorized to notarize documents. A recent change in law allows that a statement to the effect that papers which an inmate sign is “true and correct under a penalty of perjury” will suffice in federal courts and other federal agencies, unless specifically directed to do otherwise. Some states will not accept a government notarization for real estate transactions, automobile sales, etc. For additional services, submit a cop-out to the Unit Team and inmates will be notified via a cop-out for Notary Services.

## **PROBLEM RESOLUTION**

**6.12 INMATE REQUEST TO STAFF MEMBER:** The Bureau Form BP-A148.055, 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. A cop-out may be obtained in the Housing Units from the Correctional Officer on duty. Staff members who receive a cop-out will answer the request in a reasonable period of time.

**6.13 ADMINISTRATIVE REMEDY PROCESS:** FCI Dublin emphasizes and encourages the resolution of complaints on an informal basis. Hopefully, an inmate can resolve a problem informally by contact with staff members or a cop-out. When informal resolution is not successful, however, a formal complaint can be filed as an Administrative Remedy. Complaints regarding Small Claims, Inmate Accident Compensation, Freedom of Information or Privacy Act Request and complaints on behalf of other inmates are not accepted under the Administrative Remedy Procedure.

The first step of the Administrative Remedy Procedure is the documentation of the informal resolution attempts written on an Attempt for Information Resolution Form (commonly known as an 8 ½) . Inmates may obtain this form from their Correctional Counselor or other designated Unit Staff member. The Unit Staff ordinarily has three (3) days to resolve the complaint.

After the informal process is completed and if the issue cannot be informally resolved, the Counselor will issue a BP-229 (BP-9) form. The inmate will return the completed BP-9 to the Correctional Counselor. The Correctional Counselor will forward the BP-9, along with the informal resolution form to the Unit Manager, who will review the material to ensure an attempt at informal resolution was made. The BP-9 complaint must be filed within twenty (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 of time.

Institution staff has twenty (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 twenty (20) calendar days, but the inmate must be notified of the extension.

If the inmate is not satisfied with the response to the BP-9, she may file an appeal to the Regional Director. This appeal must be received in the Regional Office within twenty (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 thirty (30) calendar days, but the time limit may be extended an additional thirty (30) days. The inmate must be notified of the extension.

If the inmate is not satisfied with the response by the Regional Director, they may appeal to the Central Office of the Bureau of Prisons. The National Appeal must be made on a BP-232 (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 forty (40) calendar days, but the time may be extended an additional forty (40) days. The inmate must be notified of the extension.

## **PART 7.0**

### **DISCIPLINARY PROCEDURES**

**7.1 DISCIPLINE:** It is the policy of the Bureau of Prisons to provide a safe and orderly environment for all inmates. Violations of Bureau rules and regulations are dealt with by the Unit Discipline Committees (UDC) and for more serious violation, the Disciplinary Hearing Officer. Inmates are advised upon arrival

at the institution of the rules and regulations and are provided with copies of the Bureau's Prohibited Acts, as well as local regulations.

**7.2 INMATE DISCIPLINE INFORMATION:** If a staff member observes or believes he or she has evidence that an inmate has committed a prohibited act, the first step in the disciplinary process is writing an incident report. This is a written copy of the charges against the inmate. The incident report will ordinarily be delivered to the inmate within twenty-four (24) hours of the time staff becomes aware of the inmate's involvement in the incident. An informal resolution of the incident may be attempted by the Correctional Supervisor.

If an informal resolution is accomplished, the incident report will be removed from the inmates central file. Informal resolution is encouraged by the Bureau of Prisons for all violations except those in the greatest severity category. Violation in the greatest severity category must be forwarded to the Disciplinary Hearing Officer for final disposition. If an informal resolution is not accomplished, the incident report is forwarded to the UDC for an initial hearing.

**7.3 UNIT DISCIPLINARY COMMITTEE:** Inmates must ordinarily be given an UDC hearing within three (3) work days of the time staff becomes aware of the inmate's involvement in the incident (excluding the day staff became aware of the incident, weekends and holidays). The inmate is entitled to be present at the initial hearing. The inmate may make statements or present documentary evidence on their behalf. The UDC must give its decision in writing to the inmate by the close of business the next work day. The UDC may extend the time limits of these procedures for good cause. The Warden must approve any extension more than five days. The inmate must be provided with written reasons for any extension. The UDC will either make final disposition of the incident, or refer it to the Disciplinary Hearing Officer (DHO) for final disposition.

**7.4 DISCIPLINARY HEARING OFFICER (DHO):** The Disciplinary Hearing Officer (DHO) conducts disciplinary hearings on serious rule violations. The DHO may not act on a case that has not been referred by the UDC. The Captain conducts periodic reviews of inmates in Disciplinary Segregation.

An inmate will be provided with advance written notice of the charges not less than twenty-four (24) hours before the inmates appearance before the DHO. The inmate may waive this requirement. An inmate will be provided with a full-time staff member of their choice to represent them, if requested. An inmate may make statements in their own defense and may produce documentary evidence. The inmate may present a list of witnesses and request they testify at the hearing. Inmates may not question a witness at the hearing; the staff representative and/or the DHO will question any witness for the inmate. An inmate may submit a list of questions for the witness(es) to the DHO if there is no staff representative. The DHO will request a statement from all unavailable witnesses whose testimony is deemed relevant.

The 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 could be jeopardized. The DHO may postpone or continue a hearing for good cause. Reasons for the delay must be documented in the record of the hearing. Final disposition is made by the DHO.

Please see the Appendix on Page 46 for further details on the disciplinary process.

**7.5 APPEALS OF DISCIPLINARY ACTIONS:** Appeals of all disciplinary actions may be made

through Administrative Remedy Procedures. Appeals are made to the Regional Director (BP-10) and the General Counsel (BP-11). On appeal, the following items will be considered.

- In all cases the UDC or DHO followed the regulations of inmate discipline.
- In all cases the UDC or DHO has based the decision on the greater weight of the evidence.
- In all cases the appropriate sanction was imposed, based on the level of the severity of the prohibited act.

**7.6 SPECIAL HOUSING UNIT (SHU):** There are two (2) components of the SHU. These are Administrative Detention and Disciplinary Segregation.

Administrative Detention separates an inmate from the general population. To the extent practicable, inmates in Administrative Detention will be provided with the same general privileges as inmates in general population. An inmate may be placed in Administrative Detention when the inmate is in holdover status during a transfer, is a new commitment pending classification, is pending investigation or a hearing for a violation of Bureau regulations, is pending investigation or trial for a criminal act, is pending transfer, for protection, or is finishing confinement in Disciplinary Segregation.

Disciplinary Segregation is used as a sanction for violations of Bureau rules and regulations. Inmates in Disciplinary Segregation will be denied certain privileges such as, personal property will be impounded, communications restricted. Inmates placed in Disciplinary Segregation are provided with blankets, mattress, pillow, hygiene and toilet tissue.

Inmates may possess legal and religious materials while in Disciplinary Segregation. Also, staff will provide a reasonable amount of nonlegal reading material. Inmates in Disciplinary Segregation will be seen by a member of the medical staff daily, including weekends and holidays. A Unit Staff Member will visit the Segregation Unit daily. Inmates in both Administrative Detention and Disciplinary Segregation are provided with regular reviews of their housing status.

SHU inmates are allowed up to 3 hours of visiting per day.

## **RELEASE**

**7.7 SENTENCE COMPUTATION:** The Designation Sentence Computation Center (DSCC) in Grand Prairie, Texas, is responsible for the computation of inmate sentences. An inmate will be given a copy of their sentence computation once it has been certified by the DSCC from the Unit Team. Any questions about good time, jail time credit, parole eligibility, full term dates, release dates or periods of supervision are resolved by staff upon inmate request to staff members in Correctional Systems Department.

**7.8 DETAINERS:** Warrants (or certified copies of warrants), based on pending charges, overlapping, consecutive or unsatisfied sentences in federal, state or military jurisdictions will be accepted as DETAINERS. DETAINERS and untried charges can have an effect on institutional programs. Therefore, it is very important that inmates initiate efforts to clear up these cases as soon as possible.

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.

State DETAINERS may be processed under the procedures of the “Interstate Agreement on DETAINERS” (IAD). This agreement applies to all DETAINERS based on untried charges which have been lodged against an inmate by a state member. For an inmate to use this procedure, the detainer must be lodged with the institution. The inmate may initiate IAD action through a cop-out to the Inmate Systems Department.

**7.9 GOOD CONDUCT TIME:** This applies to inmates sentenced under Violent Crime Control & Law Enforcement Act (VCCLEA) of 1994 and Prison Litigation Reform Act (PLRA) of 1995. The two most significant changes in the sentencing statutes deal with good time and parole issues. There are no provisions under the new law for parole. The only good time available is fifty-four (54) days per year for good conduct time. This may not be awarded until the end of the year and may be awarded in part or in whole, contingent upon behavior during the year. Once awarded, it is vested and may not be forfeited. There is no statutory good time or extra good time for people being sentenced for crimes committed after November 1, 1987.

**The Good Time discussions below, do not apply to inmates sentenced under the New Sentencing Guidelines.**

**7.10 GOOD TIME:** “Good Time” awarded by the Bureau of Prisons 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 offenders release date. It has this effect only if the offender would not otherwise be paroled before the mandatory date.

The behavior for which good time is awarded may also be considered by the Parole Commission in setting a parole date. This is not always done. Even when it is, the extent of the benefit to the offender has faithfully observed the rules of the institution and has not been disciplined.

**7.11 STATUTORY GOOD TIME:** Under USC U.S. Code 4161, an offender sentenced to a definite term of six (6) months or more is entitled to a deduction from their term, computed as follows, if the offender has faithfully observed the rules of the institution and has not been disciplined:

Not greater than one (1) year	-	Five (5) days for each month of the not less than six (6) months or more than one year sentence.
More than one (1) year, less than three (3) years	-	Six (6) days for each month of the stated sentence.
At least three (3) years, less than five (5) years	-	Seven (7) days for each month of the stated sentence.
At least five (5) years, less than ten (10) years	-	Eight (8) days for each month of the stated sentence.

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

At the beginning of an inmate sentence, the full amount of statutory good time is credited, subject to forfeiture if the inmate commits disciplinary infractions.

If the sentence is five (5) years or longer, 18 USC 4206(d) requires the Parole Commission to release an offender after they have served two-thirds of the sentence, unless the Commission determines that they have seriously violated Bureau of Prisons rules and regulations or there is a reasonable probability they will commit a crime. For offenders serving sentences of five (5) to ten (10) years, this provision may mandate release before the date established by subtracting good time from the sentence.

Statutory Good Time does not apply to life sentences or to those inmates remaining who were sentenced under the Youth Correction Act. It applies to a split sentence if the period of confinement is exactly six (6) months; a shorter period does not qualify for good time under the statute and a longer period cannot be part of a split sentence.

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

**7.12 EXTRA GOOD TIME:** The Bureau of Prisons awards extra good time credit for performing exceptionally meritorious service, for 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), with the exception of a lump sum award, this 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 also 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 (1) a 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.

**7.13 COMMUNITY CORRECTIONS CENTER GOOD TIME:** Extra good time for an inmate in a Federal or contract Community Corrections 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.

**7.14 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.

**7.15 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 recommendation must be for an exceptional act or service that is not a part of 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 (30) days and

the Warden agrees, the Warden will refer the recommendation to the Regional Director, who may approve the award.

No award will be approved if the award would be more than the maximum number of days allowed under 18 USC 4162. The actual length of time served on the sentence, including jail credit time, is the basis on which the maximum amount of the award is calculated. Any extra good time already earned will be subtracted from this stated maximum. Staff may recommend lump sum awards of extra good time for the following reasons:

- An act of heroism.
- Voluntary acceptance and satisfactory performance of an unusually hazardous assignment.
- An act which protects the lives of staff or inmates or the property of the United States. This is to be an act and not merely the providing of information in custodial or security matters.
- A suggestion which results in substantial improvement of a program or operation, which results in significant savings.
- Any other exceptional or outstanding service.

**7.16 GOOD TIME PROCEDURES:** Extra good time is awarded at a rate of three (3) days per month during the first twelve (12) months and at a rate of five (5) days per month thereafter (i.e., the first twelve (12) months, as stated, means 11 months and thirty (30) days - day for day - of earning extra good time before inmates can start earning five (5) days per month. For example, if an inmate were to stop working, transfer from Industry to an institution job or if good time was terminated for any reason, the time the inmate is not earning good time does not count in the calculation of the first twelve (12) months). If the beginning or termination date of an extra good time occurs after the first day of the month, a partial award of days is made. An inmate may be awarded extra good time even though some or all of the inmates statutory good time have been forfeited or withheld.

Extra good time is not automatically discontinued while an inmate is hospitalized, on furlough, out of the institution on a writ or Habeas Corpus or removed under the Interstate Agreement on DETAINERS Act. Extra good time may be terminated or disallowed during such absences if the Warden finds that the inmate's behavior warrants such action.

An inmate committed for civil contempt is not entitled to extra good time deductions while serving the civil contempt sentence.

An inmate in an extra good time earning status may not waive or refuse extra good time credits.

Once extra good time is awarded, it becomes vested and may not be forfeited or withheld or retroactively terminated or disallowed.

## **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 their full term.

Inmates are ordinarily permitted an opportunity to appear before the Parole Commission within 120 days of commitment (EXCEPTIONS: inmates sentenced before September 6, 1977 and inmates with a minimum parole eligibility of ten (10) years). If the inmate chooses not to appear before the Parole Board within the first 120 days of commitment, a waiver must be given to the Case Manager or Correctional Counselor prior to the time of the scheduled Parole Hearing. This waiver will be made part of the Parole Commission file and the inmates 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 sixty (60) days before the first day of the month of the hearings. The Parole Board conducts hearings at specific Bureau institutions every two (2) months.

Application to the Parole Commission for a hearing is 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 or Correctional Counselor.

Following the hearing, the inmate will be advised of the tentative decision reached in the case by the hearing examiners. The recommendation of the hearing examiners 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." This decision may be appealed by the inmate. Forms for appeal may be obtained from inmates Correctional Counselor or Case Manager. 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 eight (8) 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.

**7.17 LITERACY PROGRAMS AND VCCLEA AND PLRA:** Federal inmates who are sentenced under the Violent Crime Control Law Enforcement Act (VCCLEA) or the Prisons Litigation Reform Act (PLRA) must attend the Literacy Program (GED Class) and demonstrate satisfactory progress toward earning a GED diploma. An inmate who is subject to VCCLEA must participate in the Literacy Program to vest earned Good Conduct Time. The Prison Litigation Reform Act provides that in making satisfactory progress toward attainment of a GED credential. An inmate will be deemed to be making satisfactory progress after the completion of 240 hours unless the inmate, 1.) Refuses to enroll in the Literacy Program, 2.) Has been found to have committed a prohibited act that occurred in the Literacy Program, 3.) The inmate has withdrawn from the Literacy Program, the inmate will receive a progress code of GED UNSAT, at which time the ISM Manager will be notified and a recalculation of the inmate's sentence will occur.

**3621E:** Following completions of Transitional Drug Abuse Treatment (TDAT), inmates found to be eligible for an early release 18 U.S.C. § 3621(e) may receive that early release *based upon the length of their sentence*, as detailed in the table below.

Sentence Length	Early Release Time-Frame
30 MONTHS or LESS	No more than 6 months
31-36 MONTHS	No more than 9 months
37 MONTHS OR MORE	No more than 12 months

**7.18 RELEASE PLANNING:** If granted Parole by the U.S. Parole Commission, the Commission will require an approved parole plan prior to release. An approved parole plan consists of an offer of employment and a place to reside.

The job must pay at least minimum wages and normally may not require extensive travel. The place to reside must be a reputable establishment, but can be almost anywhere (parents, husbands, friends, YMCA, etc.). The proposed plan is thoroughly investigated by the U.S. Probation Officer and must be approved.

The parole plan is part of the material which is submitted in connection with the parole hearing. The Unit Team submits the inmates release plans to the U.S. Probation Officer approximately three (3) to six (6) months before the scheduled parole date.

**7.19 RESIDENTIAL RE-ENTRY CENTER TRANSFER:** Inmates who are nearing release and who need assistance in obtaining a job, residence or other community resources, may be transferred to an RRC.

The Bureau's Community Corrections Branch, within the Correctional Programs Division, supervises services provided to offenders housed in contract facilities and participating in specialized programs in the community. The Community Corrections Manager (CCM) links the Bureau of Prisons with the U.S. Courts, other federal agencies, state and local governments and the community. Located strategically throughout the country, the CCM 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 three major emphases: residential community-based programs provided by RRC and local detention facilities, programs that provide intensely non residential supervision to offenders in the community and programs that board juvenile and adult offenders in a contract correctional facilities.

**7.20 COMMUNITY BASED RESIDENTIAL PROGRAMS:** The community based residential programs available include both typical RRC and local detention facilities. Each provides a suitable residence, structured programs, job placement and counseling while monitoring the offender's activities. They also provide drug testing, 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 inmates gross income.

Most Bureau of Prisons community based residential programs are provided in RRC. These facilities contract with the Bureau of Prisons to provide residential correctional programs near the offenders home community. They house offenders which are nearing release from a BOP institution, as a transitional

service while the offender is finding a job, locating a place to live and for reestablishing family ties.

Under community supervision inmates are provided guidance and supportive services beyond what can be provided through regular supervision.

The RRC now provides two components within one facility, a pre-release component and a community correction's component. The pre-release component assists offenders making the transition from an institutional setting to the community or as a resource while under supervision. The community corrections component are designed as a punitive sanction. Except for employment and other required activities, the offenders in this second, more restrictive components must remain at the RRC, where recreation, visiting and other activities are provided in house.

The other option for community based residential programming in 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 Community Corrections Component in an RRC, serving to facilitate the transition from the institution to the community.

**7.21 INMATE DISCIPLINE:** Certain privileges are granted to eligible inmates as long as the privileges are not abused. Violation of regulations may result in an Incident Report and imposition of certain sanctions as outlined later in this handbook. If inmates are charged with violating a prohibited act, several things can occur. The staff member involved may take the option to solve the problem informally by some mutual agreement. The officer may also elect to write an Incident Report in lieu of the informal resolution. The report is sent to the shift supervisor, depending upon whether or not an inmate is considered to be a security problem in the Unit, the inmate may be permitted to remain in their cell or be placed in the SHU. A Lieutenant will be assigned to investigate the incident, and the inmate will be given a copy of the report. The Investigative Officer may elect to resolve the matter informally or refer the report to the UDC.

Incident Reports are first investigated by the Lieutenant on duty and the results forwarded to the inmates Unit Team. The Team meets as the UDC and may make limited dispositions for most misconduct such as; taking of privileges, removal from preferred quarters, change in jobs, assigning extra duty, etc. At this hearing, if it is determined that the inmate committed a prohibited act, the UDC has two options. They may impose one or several sanctions or they may refer the incident to the DHO.

If charges are more serious, the case will be referred to the DHO, who can impose more serious penalties such as, forfeiture of good time, recommendation of transfer to a more secure institution or referral of the case to the FBI for possible action in a U.S. District Court.

The internal disciplinary system is outlined in detail, in Program Statement 5270.07, which is available for reading in the Law Library.

## **7.22 INMATE RIGHTS AND RESPONSIBILITIES:**

**Right:** Inmates have the right to expect that, as a human being, an inmate will be treated respectfully and fairly by all personnel.

**Responsibility:** Inmates have the responsibility to treat others, both employees and inmates, in the same manner.

**Right:** Inmates have the right to be informed of the rules, procedures and schedules concerning the operation of the institution.

**Responsibility:** Inmates have the responsibility to know and abide by them.

**Right:** Inmates have the right to freedom of religious affiliation and voluntary religious worship.

**Responsibility:** Inmates have the responsibility to recognize and respect the rights of others.

**Right:** Inmates have the right to health care, which includes nutritious meals, proper bedding and clothing, and a laundry schedule for cleanliness of the same, the opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles, medical and dental treatment.

**Responsibility:** It is the inmate's responsibility not to waste food, to follow the laundry and shower schedule, to maintain neat and clean-living quarters, to keep area free of contraband and to seek medical and dental care as needed.

**Right:** Inmates have the right to visit and correspond with family members, friends and to correspond with members of the news media in keeping with Bureau rules and regulations guidelines.

**Responsibility:** It is the inmate's responsibility to conduct themselves properly during visits, not to accept or pass contraband and not violate the laws or Bureau rules or Institution and guideline through correspondence.

**Right:** Inmates have the right to unrestricted and confidential access to the courts by correspondence (on matters such as the legality of convictions, civil matters, pending criminal cases and conditions of imprisonment).

**Responsibility:** Inmates have the responsibility to present honestly and fairly all petitions, questions and problems to the court.

**Right:** Inmates have the right to legal counsel from an attorney of their choice by interviews and correspondence.

**Responsibility:** It is the inmate's responsibility to use the services of an attorney honestly and fairly.

**Right:** Inmates have the right to participate in the use of the Law Library reference materials to assist them in resolving legal problems. Inmates also have the right to receive help when it is available through a legal assistance program.

**Responsibility:** It is the inmate's 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.

**Right:** Inmates have the right to a wide range of reading material for educational purposes and for their own enjoyment. These materials may include magazines and newspapers sent from the community, with certain restrictions.

**Responsibility:** Inmates have the responsibility to seek and utilize such materials for their personal benefit, without depriving others of their equal rights to the use of this material.

**Right:** Inmates have the right to participate in education, vocational training and employment as far as resources are available, and in keeping with their interests, needs and abilities.

**Responsibility:** Inmates have the responsibility to take advantage of activities which may help them live within the institution and the community. Inmates will be expected to abide by the needs and regulations governing the use of such activities.

**Right:** Inmates have the right to use their funds for commissary and other purchases, consistent with the institution security and good order, for opening bank and/or savings accounts and for assisting their family.

**Responsibility:** Inmates have the responsibility to meet their legal and financial obligations, including, but not limited to, court imposed assessments, fines and restitution. Inmates also have the responsibility to make use of their funds in a manner consistent with their release plans, their family needs and other obligations that they may have.

## APPENDIX

### PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE 541.13

There are categories of prohibited acts: Greatest, High, Moderate and Low Moderate (see Table 3, page —, for identification of the prohibited acts within each category). Specific sanctions are authorized for each category (see Table 4, page 5, for discussion of each sanction). Imposition of a sanction requires that the inmate first is found to have committed a prohibited act.

- **Greatest Category Offenses:** DHO will impose and execute one (1) or more of sanctions A through E. The DHO may also suspend one (1) or more additional sanctions A through G. The DHO may impose and execute sanction F and/or G only in addition to execution of one (1) or more of sanctions A through E.
- **High Category Offenses:** The DHO will impose and execute one (1) or more of sanctions A through M and may also suspend one (1) or more additional sanctions A through M. The UDC will impose and execute one (1) or more of sanctions G through M, and may also suspend one (1) or more additional sanctions G through M.
- **Moderate Category Offenses:** The DHO will impose at least one (1) sanction G through N, but may suspend any sanction or sanctions imposed.
- **Low Moderate Category Offenses:** The DHO will impose at least one sanction B.1. or E through P. The DHO may suspend and E through P sanction or sanctions imposed (a B.1 sanction may not be suspended). The UDC will impose at least one sanction G through P, but may suspend any sanction or sanctions imposed.

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, will be considered the same as a commission of the offense itself. In these cases the letter is combined with the offense code. For example, planning an escape would be considered attempted at escape and coded 102A. Likewise, attempting the adulteration of any food or drink would, be coded 209A.

Suspension of any sanction cannot exceed six (6) months. Revocation and execution of a suspended sanction require that the inmate first is found to have committed any subsequent prohibited act. Only the DHO may execute, suspend or revoke and execute suspension of sanctions A through F. The DHO or UDC may execute, suspend or revoke and execute suspensions of sanctions' G through P. Revocations and execution of suspensions may be made only at the level (DHO or UDC) which originally imposed the sanction. The DHO now has the authority for suspensions which were earlier imposed by the Inmate Discipline Committee (IDC).

When an inmate receives an incident report, while on a DHO imposed, but suspended sanction, the new incident report is to be forwarded by the UDC to the DHO both for a final disposition on the new incident report and for a disposition on the suspended sanction. This procedure is not necessary when the UDC informally resolves the new incident report.

If the UDC has previously imposed a suspended sanction and subsequently refers a case to the DHO, the

referral will include an advisement to the DHO of any intent to revoke the suspension if the DHO finds that the prohibited act was committed. If the DHO then finds that the prohibited act was committed, the DHO will so advise the UDC who may then revoke the previous suspension.

The UDC or DHO may impose increased sanctions for repeated, frequent offenses according to the guidelines in Table 5.

Sanctions by severity of prohibited acts, with eligibility for restoration of forfeited and withheld statutory good time are presented in Table 6.

Table 6 contains a chart showing the maximum amount of statutory good time that may be forfeited or withheld and the period of time that must pass before an inmate is eligible for restoration. The chart also shows the maximum amount of time that an inmate may spend in disciplinary segregation. The time frame established in each of these areas determined by the severity of the prohibited act.

Sanction B and F of the Prohibited and Disciplinary Severity Scale, pertain to statutory good time and do not apply to inmates under the Sentencing Reform Act provision of the Comprehensive Crime Control Act. This means that inmates who committed their crimes on or after November 1, 1987 and who are sentenced under the Sentencing Reform Act provision of the Comprehensive Crime Control Act is only eligible to receive fifty-four (54) days per year of good conduct time credit (18 USC 3624(b)). This credit is given at the end of each year of time served and once given, is vested. Also, once disallowed it may not be restored (except for procedural error, corrected on immediate administrative review or by appeal through the Administrative Remedy Procedures). Disallowance of good conduct time is to be accomplished in accordance with the following procedures.

Only the DHO can take action to disallow good conduct time. A UDC may recommend a disallowance to the DHO, but a UDC may not independently disallow good conduct time.

In determining the amount of good conduct time to be disallowed, the DHO should assess the seriousness of the particular prohibited act. Code violations of the Greatest Severity ordinarily have the greatest amount of lost good conduct time credit, however, even within the same severity level, the DHO is to assess the severity of the offense and impose lost good conduct time credit based on an assessment of the particular violation. For example, it is expected that the amount of lost good conduct time would be greater for an inmate found to have committed a serious violation of Code 101 (Assault) than for an inmate found to have committed a violation of Code 109 (Possession of Marijuana).

Except as indicated below, the DHO should effect the loss of good conduct time pursuant to the following table:

**100 Code - Greatest Category:** Disallow ordinarily between 50 and 75% of good time credit (27-41 days) available per year.

**200 Code - High Category:** Disallow ordinarily between 25 and 50% of good conduct time credit (14-27 days) available per year.

**300 Code - Moderate Category:** Disallow ordinarily up to 25% of good conduct time credit (1-14 days) available per year.

**400 Code - Low Moderate Category:** May disallow for repetitive acts. For a second violation of the same prohibited act committed within six (6) months, the DHO may disallow ordinarily up to 12.5% of the good conduct time credit (1-7 days) available for a year; for a third violation of the same prohibited act committed within six (6) months, the DHO may disallow ordinarily up to 25% of the good time credit (1-14 days) available per year.

The DHO may impose a sanction greater than or less than the guidelines indicated above when the available information clearly indicates such action is warranted. The DHO is to indicate in the record of the hearing, the specific reasons for varying from the established guidelines. Going above the guidelines is warranted for a greatly aggravated offense or for repeated violations of the same prohibited act that occur within a relatively short time frame (e.g., within a 18-month period for the same Greatest Severity-prohibited act, within a 12-month period for the same High Severity-prohibited act and within a 6-month period for the same Moderate Severity-prohibited act). Going below the guidelines is also warranted for strong mitigating factors.

The decision of the DHO is final and is subjected only to procedural review by the Warden and by appeal through the Administrative Remedy Procedures. The DHO is to ensure that the inmate is notified of the information contained in this paragraph.

The DHO is to provide the ISM with documentation of each good conduct time disallowance (BP-448, Good Conduct Time Action Notice).

At the end of each year of an inmate confinement and within the 15-day window provided by the statutes for a determination for an award of good conduct time, the DSCC is to determine the number of days disallowed by the DHO and, when necessary, is to recalculate the inmate's sentence. This recalculation is based on the total amount of time disallowed, as reported by DHO actions on offenses (prohibited acts) occurring during the year. The calculation should be made on DHO actions near the end of the year, even if they are under administrative review or appeal. The records will be corrected (disallowance reduced, for example) if ordered by the reviewing official. Until any such order, the action of the DHO is final and may be implemented in the inmates sentenced computation and all official records.

CCM will perform the above computation for inmates in contract facilities.

## SUMMARY OF DISCIPLINARY SYSTEM PROCEDURES

<b>TABLE 1</b>	
<b>Procedures</b>	<b>Disposition</b>
1. Incident involving possible commission of a prohibited act.	Except for the prohibited acts in the Greatest or High Severity Categories, the writer of this report may informally resolve or drop the charges.
2. Staff prepares an Incident Report and forwards it to Correctional Services.	
3. Appointment of an investigator (usually a Lieutenant) who conducts investigation and forwards findings to UDC.	Except for the prohibited acts in the Greatest or High Severity Categories, the investigator may informally resolve, drop the charges or recommend the charges be reduced.
4. Initial Hearing before Unit Discipline Committee (UDC Hearing).	The UDC may reduce or informally resolve any High, Moderate or Low Moderate charge, impose allowable sanctions or refer to the DHO.
5. Hearing before the DHO. The DHO may impose allowable sanctions or reduce the charges.	
6. Appeals through the Administrative Remedy Procedure.	The appropriate reviewing official (the Warden, Regional Director or General Counsel) may approve, modify, reverse or send back the report with directions, including ordering a rehearing, but may not increase the sanctions imposed in any valid disciplinary action taken.

## TIME LIMITS IN DISCIPLINARY PROCESS

<b>TABLE 2</b>
1. Staff becomes aware of inmates' involvement in incident (ordinarily maximum of 24 hours).
2. Staff gives inmate notice of charges delivering Incident Report (minimum of 24 hours unless waived).
3. Initial Hearing (UDC). Maximum is ordinarily, three (3) work days from the time staff became aware of the inmate's involvement in the incident. (Excludes the day staff became aware of the inmate's involvement, weekends and holidays,
4. Discipline Hearing Officer (DHO) Hearing.

**Note:** These time limits are subject to exception as provided in the rules.

Staff may suspend disciplinary proceedings for a period not to exceed two (2) calendar weeks while informal resolution is undertaken and accomplished. If informal resolution is unsuccessful, staff may

reinstate disciplinary proceedings at the same stage at which suspended. The time requirements then begin running at the same point at which they were suspended (see Table 6).

**Sanctions or Repetition of Prohibited Acts Within Same Category:** When the UDC or DHO finds that an inmate has committed a prohibited act in the Low Moderate, Moderate or High Category and when there has been a repetition of the same offense(s) within recent months (offenses for violation of the same code), increased sanctions are authorized to be imposed by the DHO according to the following chart. (Note: An informal resolution may not be considered as a prior offense of this chart).

### PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE

<b>TABLE 3</b>		
<b>Greatest Category</b>		
<b>Code</b>	<b>Prohibited Acts</b>	<b>Sanctions</b>
100	Killing.	A - G
101	Assaulting any person (includes sexual assault) or armed assault on the Institutions secure perimeter (a charge of assaulting any person is to be used only when serious physical injury has been attempted or carried out by an inmate).	A - G
102	Escape from an escort; escape from a secure institution (Security Levels 2 through 6); or escape from a Security Level 1 with violence.	A - G
103	Setting a fire (charged with 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.	A - G
104	Possession or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive or any ammunition.	A - G
105	Rioting.	A - G
106	Encouraging others to riot.	A - G
107	Taking hostage(s).	A - G
108	Possession or introduction of a hazardous tool (Tools most likely to be used in an escape or escape attempt or to manufacture or serve as weapons capable of doing serious bodily harm to others; or those hazardous to institutional security safety; e.g., a hacksaw blade).	A - G
110	Refusing to provide a urine sample or to take part in other drug abuse testing.	A - G
111	Introduction of any narcotic, marijuana, drugs or related paraphernalia not prescribed for the individual by the medical staff.	A - G
112	Use of any narcotic, marijuana, drugs or related paraphernalia not prescribed for the individual by the medical staff.	A - G
113	Possession of any narcotic, marijuana, drugs or related paraphernalia not prescribed for the individual by the medical staff.	A - G
197	Use of the telephone to further criminal activity.	A - G
198	Interfering with a staff member in the performance of duties (conduct must be of Greatest Severity nature). This charge is to be used only when another charge of Greatest Severity is not applicable.	A - G

199	Conduct which disrupts or interferes with the security or orderly running of the Institution (Conduct must be of the Greatest Severity nature). This charge is to be used only when another charge of Greatest Severity is not applicable.	A - G
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**The UDC shall refer all Greatest Severity Prohibited Acts to the DHO with recommendations as to an appropriate disposition.**

<b>High Category</b>		
<b>Code</b>	<b>Prohibited Acts</b>	<b>Sanctions</b>
200	Escape from unescorted Community Programs and activities and Open Institutions (Security Level 1) and from outside secure institutions—without violence.	A - M
201	Fighting with another person.	A - M
202	(Not to be used)	A - M
203	Threatening another with bodily harm or any other offense.	A - M
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.	A - M
205	Engaging in sexual acts.	A - M
206	Making sexual proposals or threats to another.	A - M
207	Wearing a disguise or mask.	A - M
208	Destroying or possession of any unauthorized locking device or lock pick or tampering with or blocking any lock device (including keys) or destroying, altering, interfering with, improperly using or damaging any security device, mechanism or procedure.	A - M
209	Adulteration of any food or drink.	A - M
211	Possessing any officers or staffs clothing.	A - M
212	Engaging in or encouraging a group demonstration.	A - M
213	Encouraging others to refuse to work.	A - M
215	Introduction of alcohol into a BOP facility.	A - M
216	Giving or offering an official or staff member a bribe or anything of value.	A - M
217	Giving money to or receiving money from any person for purposes of introducing contraband or for any other illegal or prohibited purposes.	A - M
218	Destroying, altering or damaging government property or the property of another person. Having a value in excess of \$100.00 or destroying, altering or damaging life-safety devices (e.g., fire alarm) regardless of financial value.	A - M
219	Stealing (theft).	A - M
220	Demonstrating, practicing or using martial arts, boxing (except for use of punching bags), wrestling or other forms of physical encounter or military exercises or drill.	A - M
221	Being in an unauthorized area with a person of opposite sex without staff permission.	A - M
222	Making, possessing or using intoxicants.	A - M
223	Refusing to breathe into a breathalyser or take part in other testing for use of alcohol.	A - M
224	Assaulting any person (charged with this act only when a less serious physical injury or contact has been attempted or carried out by an inmate).	A - M
297	Use of a telephone for abuses other than criminal (e.g., circumventing telephone monitoring procedure's possession and/or use of another inmate PIN number; third party calling; third party billing; using credit card numbers to place telephone calls; conference calling; talking in code).	A - M

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 High Severity is not applicable.	A - M
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.	A - M

<b>Moderate Category</b>		
<b>Code</b>	<b>Prohibited Acts</b>	<b>Sanctions</b>
300	Indecent Exposure	A - N
301	(Not to be used)	A - N
302	Misuse of authorized medication.	A - N
303	Possession of money or currency, unless specifically authorized or in excess of an amount authorized.	A - N
304	Loaning of property or anything of value for profit or increased return.	A - N
305	Possession of anything not authorized for retention or receipt by the inmate and not issued to him through regular channels.	A - N
306	Refusing to work or to accept a program assignment.	A - N
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 code 105, rioting; refusing to obey an order which furthers a fight would be charged as a code 201, fighting; refusing to provide a urine sample when ordered would be charges as code 110).	A - N
308	Violating a condition of furlough.	A - N
309	Violating a condition of a community program.	A - N
310	Un-excused absence from work or any assignment.	A - N
311	Failing to perform work as instructed by the supervisor.	A - N
312	Insolence toward a staff member.	A - N
313	Lying to or providing a false statement to a staff member.	A - N
314	Counterfeiting, forging or unauthorized reproduction of any document, articles 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).	A - N
315	Participating in an unauthorized meeting or gathering.	A - N
316	Being in an unauthorized area.	A - N
317	Failure to follow safety or sanitation regulations.	A - N
318	Using any equipment or machinery which is specifically authorized.	A - N
319	Using any equipment or machinery contrary to instructions or posted safety standards.	A - N
320	Failing to stand for count.	A - N
321	Interfering with the taking of count.	A - N
322	(Not to be used)	A - N
323	(Not to be used)	A - N
324	Gambling.	A - N

325	Preparing or conducting a gambling pool.	A - N
326	Possession or gambling paraphernalia.	A - N
327	Unauthorized contact with the public.	A - N
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.	A - N
329	Destroying, altering or damaging government property or the property of another person, having a value of \$100.00 or less.	A - N
330	Being unsanitary or untidy; failing to keep one's person and one's quarters in accordance with posted standards.	A - N
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).	A - N
397	Use of the telephone for abuses other than criminal activity (e.g., conference calling, possession and/or use of another inmate PIN number, three-way calling, providing false information for preparation of a telephone list).	A - N
398	Interfering with 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).	A - N
399	Conduct which disrupts or interferes with the security or orderly running of a BOP facility (conduct must be of the Moderate Severity nature). This charge is to be used only when another charge of Moderate Severity is not applicable.	A - N

<b>Low Moderate Category</b>		
<b>Code</b>	<b>Prohibited Acts</b>	<b>Sanctions</b>
400	Possession of property belonging to another person.	A - P
401	Possessing unauthorized amounts of otherwise authorized clothing.	A - P
402	(Malingering), feigning illness.	A - P
403	Smoking where prohibited.	A - P
404	Using abusive or obscene language.	A - P
405	Tattooing or self mutilations.	A - P
410	Unauthorized use of mail (Restriction or loss for a specific period of time or these privileges may often be an appropriate sanction G). (May be categorized and charged in terms of Greater Severity, according to the nature of the unauthorized use; e.g., the mail is used for planning, facilitating, committing an armed assault on the institution's secure perimeter, would be charged as Code 101, assault.	A - P
407	Conduct with a visitor in violation of Bureau regulations (Restrictions or loss for a specific period of time of these privileges may often be an appropriate Sanction G).	A - P
408	Conducting a business.	A - P
409	Unauthorized physical contact (kissing, embracing, etc.).	A - P
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).	A - P

498	Interfering with a staff member in 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 is not acceptable.	A - P
499	Conduct which disrupts or interferes with the security or orderly running of a BOP facility (Conduct must be of Low Moderate Severity nature). This charge is to be used only when another charge of Low Moderate Severity is not applicable.	A - P

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 offense itself.

When the prohibited act is Interfering with a Staff Member in performance of duties (code 198, 298, 398, 498), or conduct which disrupts (Code 199, 299, 399 or 499), the DHO or UDC, in its finding should indicate a specific finding of the severity level of the conduct and a comparison to an offense (or offenses) in that severity level which the appropriate committee finds is most comparable. For example, “We find the act of ... to be of High Severity, most comparable to prohibited act 212, Engaging in a Group Demonstration.”

### SANCTIONS

#### 1. SANCTIONS OF THE DHO UPON FINDING AN INMATE COMMITTED A PROHIBITED ACT:

- A. Recommend parole date rescission or retardation:** The DHO may make recommendations to the U.S. Parole Commission for retardation or rescission of parole grants. This may require holding fact-finding hearings upon request of or for the use of the Commission.
- B. Forfeit Earned Statutory Good Time and/or Terminate or Disallow Extra Good Time:** The statutory good time available for forfeiture is limited to an amount computed by multiplying the number of months served at the time of the offense for which forfeiture action is taken, by the applicable monthly rate specified in 18 USC, Section 4161 (less any previous forfeiture or withholding outstanding). Disallowance or extra good time is limited to the extra good time for the calendar month in which the violation occurs. It may not be withheld or restored. The sanction of termination or disallowance of extra good time may not be suspended. Authority to restore forfeited statutory good time is delegated to the Warden. This decision may not be delegated lower than the Associate Warden level. Limitations in this sanction and eligibility for restoration are based on the severity scale (see Table 6).

Statutory good time percentages may be combined where separate acts or offenses occur on the same day and are heard by the DHO at the same time. For example, where an inmate is charged and found to have committed both a 200 and 300 Code violation by the same sitting DHO, that DHO may forfeit 75% of the inmates good time (50% for the 200 Code violation and 25% for the 300 Code violation). Statutory good time may not be forfeited (because it is not earned) for an inmate solely in service of a civil contempt. See Program Statement on extra good time for a discussion of termination or disallowance of extra good time.

An application for restoration of good time is to go from the inmates Unit Team, through both the DHO and Captain for comments, to the Warden or their designated representative for final decision.

Section B does not apply to inmates committed under the provisions of the Comprehensive Crime Control Act. For those inmates, the applicable sanction is B.1.

**B.1 Disallowance of Good Conduct Time:** An inmate sentenced under the Sentencing Reform Act provisions of the Comprehensive Crime Control Act (includes the inmate who committed his or her crime on or after November 1, 1987) may not receive statutory good time, but is eligible to receive 54 days good conduct time credit each year (18 USC 3624(b)). Once awarded, the credit is vested and may not be disallowed. Once disallowed, the credit may not be restored, except by immediate review of appeal action as indicated below. Prior to this award being made, the credit may be disallowed for an inmate found to have committed a prohibited act. A sanction of disallowance of good conduct time may not be suspended. Only the DHO can take action to disallow good time. The DHO shall consider the severity of the prohibited act and the suggested disallowance guidelines in making a determination to disallow good conduct time. A decision to go above the guidelines range is warranted for a greatly aggravated offense or where there is a repetitive violation of the same prohibited act that occurs within a relatively short time frame (e.g., within 18 months for the same Greatest severity-prohibited act, within 12 months for the same Moderate severity-prohibited act). A decision to go below the guidelines is warranted for strong mitigating factors. Any decision outside the suggested disallowance guidelines is to be documented and justified in the DHO report.

The decision of the DHO is final and is subject only to review by the Warden to ensure conformity with the provisions of the disciplinary policy and by inmate appeal through the Administrative Remedy Procedures. The DHO is to ensure that the inmate is notified that any appeal of a disallowance of good conduct time must be made within the time frames established in the Bureaus role on Administrative Remedy Procedures.

Good Conduct time may only be given to an inmate serving a sentence of more than one year, but less than the duration of their life. In the last year or portion of a year of an inmate sentence, only the amount of good conduct time credit available for that remaining period of time disallowed.

**C. Recommend Disciplinary Transfer:** The DHO may recommend that an inmate be transferred to another institution for disciplinary reasons.

Where a present or impending emergency requires immediate action, the Warden may recommend for approval of the receiving Regional Director the transfer of an inmate prior to either a UDC or DHO hearing. Transfers for disciplinary reasons, prior to a hearing before the UDC or DHO may be used only in emergency situations and only with approval of the Regional Director. When an inmate is transferred under these circumstances, the sending institution shall forward copies of incident reports and other relevant materials with complete investigation to the receiving institutions DHO. The inmate shall receive a hearing at the receiving institution as soon as practicable under the circumstances to consider factual basis of the charge of misconduct and the reasons for the emergency transfer. All procedural requirements applicable to UDC and DHO hearings contained in this rule are appropriate, except that written statements of unavailable witnesses are liberally accepted instead of live testimony.

Transfers from one region to another require the approval of both the sending and receiving

Regional Directors.

The receiving institution does not need to hold a new UDC hearing if such a hearing was held by the sending institution prior to the inmates transfer.

- D. Disciplinary Segregation:** The DHO may direct that an inmate is placed or retained in Disciplinary Segregation pursuant to guidelines contained in this rule. Consecutive disciplinary segregation sanctions can be imposed and executed for inmates charged with and found to have committed offenses that are part of different acts only specific limits on time in disciplinary segregation are based on the severity scale (see Table 6).

Separate sanctions may be imposed for separate acts or offenses. Acts are different or separate if they have different elements to the offenses. For example, if an inmate is involved in a fight with another inmate and in the course of subduing that incident, the inmate also strikes a staff member, the inmate can be charged with fighting (Code 201) and also assaulting a staff member (Code 101). The inmate can be separately charged and punished, on the basis of one Incident Report, or in two separate Incident Reports, one for each offense. The inmate could not be punished for both assault on staff and fighting with the inmate, since the elements of both offenses (the time, place, persons involved, actions performed) are essentially the same for both offenses. If, on the way to administrative detention, the inmate starts another disturbance and strikes another officer, the inmate could be charged with that as another assault offense. Similarly, an inmate serving a period of time in disciplinary segregation may commit a prohibited act there and receive additional, consecutive time in segregation for that new offense.

See Table 6 for specific limits on sanctions. Each different or separate offense should be written on a separate Incident Report. Unless otherwise specified by the DHO, disciplinary segregation placement for different or separate prohibited acts is to be imposed consecutively.

An inmate who has been recommended for a Control Unit placement may be transferred prior to completing the required segregation period. The remainder of any segregation period shall be served at the receiving institution.

Except as noted above, an inmate serving a sanction of disciplinary segregation ordinarily is not to be transferred from the institution imposing the sanction until completion of the segregation period. Where this is not practical, the transfer must be approved by the Regional Office. The inmate shall complete the remainder of any segregation period at the receiving institution.

- E. Make Monetary Restitution:** The DHO may direct that an inmate reimburses the U.S. Treasury for any damages to U.S. Government property, that the individual is determined to have caused or contributed to.

An inmate's commissary privilege may be suspended or limited until restitution is made. See Accounting Management Manual for instructions regarding impounding of inmate funds.

- F. Withholding Statutory Good Time:** The DHO may direct that an inmate good time is withheld. Withholding of good time should not be applied as a universal punishment to all persons in disciplinary segregation status. Withholding is limited to the total amount of good time creditable for the single month during which the violation occurs.

Some offenses, such as refusal to work at an assignment, may be recurring, thereby permitting, when ordered by the DHO, consecutive withholding actions. When this is the intent, the DHO shall specify at the time of the initial DHO hearing that good time may be withheld until the inmate elects to return to work. During the running of such a withholding order, the DHO shall review the offense with the inmate on a monthly basis. For an on going offense, the staff need not prepare a new Incident Report or conduct an investigation or initial hearing (UDC). The DHO shall provide the inmate an opportunity to appear in person and to present a statement orally or in writing. The DHO shall document its action on, or by an attachment to, the initial Institution Discipline report. If further withholding is ordered, the DHO shall advise the inmate of the inmates right to appeal through the Administrative Remedy Procedure (Part 542).

Only the Warden may restore withheld statutory good time. This decision may not be delegated lower than the Associate Warden level. Restoration eligibility is based on the severity scale (see Table 6).

An application for restoration of good time is to go from the inmates Unit Team, through both the DHO and Captain for comments, to the Warden or their delegated representative for final decision.

Sanction F does not apply to inmates committed under the provisions of the Comprehensive Crime Control Act. This means that inmates who committed their crimes on or after November 1, 1987 and who are sentenced under the Sentencing Reform Act provisions of the Comprehensive Crime Control are only eligible to receive 54 days good conduct time credit (18 USC 3624(b)). This credit is given at the end of each year of time served and, once give, is vested. For these inmates, the DHO's authority is final and is subject only to review by the Warden to ensure conformity with the provisions of the discipline policy and by inmate appeal through the Administrative Remedy procedures.

## 2. SANCTIONS OF THE DHO OR UDC UPON FINDING AN INMATE COMMITTED A PROHIBITED ACT:

- G. Loss of Privileges (Commissary, movies, recreation, etc.):** The DHO or UDC may direct that an inmate foregoes specific privileges for a specified period of time. Ordinarily, loss of privileges is used as a sanction in response to an abuse of that privilege (e.g., loss of telephone privileges for a specified period of time for an abuse of the telephone privilege). However, loss of leisure privileges, such as movies, television and recreation, may be appropriate sanctions in some cases for misconduct not related to the privilege.

After careful consideration of all relevant facts, the UDC or DHO may impose a loss or privilege sanction not directly related to the offense, provided there is a belief that the imposed sanction will have a significant impact on the inmate's future behavior.

- H. Change Housing (quarters):** The DHO or UDC may direct that an inmate is removed from current housing and placed in another Unit.
- I. Remove from Program and/or Group Activity:** The DHO or UDC may direct that an inmate forego participating in any program or group activity for a specified period of time.

- J. Loss of Job:** The DHO or UDC may direct that an inmate is removed from a job and be assigned to another job.
- K. Impound Personal Property:** The DHO or UDC may direct that an inmate's personal property is confiscated and stored in the institution for a specified period of time.
- L. Confiscate Contraband:** The DHO or UDC may direct that any contraband in the possession of an inmate is confiscated and disposed of appropriately.
- M. Restrict Quarters:** The DHO or UDC may direct that an inmate is confined to quarters or in its immediate area for a specified period of time.
- N. Extra Duty:** The DHO or UDC may direct that an inmate performs tasks other than those performed during regularly assigned institutional jobs.
- O. Reprimand:** The DHO or UDC may reprimand an inmate either verbally or in writing.
- P. Warning:** The DHO or UDC may verbally warn an inmate regarding committing prohibited acts.

**SANCTIONS FOR REPETITION OF PROHIBITED ACTS  
WITHIN THE SAME CATEGORY**

When the UDC or DHO finds that an inmate has committed a prohibited act in the Low Moderate, Moderate or High Category and when there has been a repetition of the same offense within recent months (offenses for violation of the same code), increased sanctions are authorized to be imposed by the DHO according to the following chart. (Note: An informal resolution may not be considered as a prior offense for purpose of this chart).

TABLE 5			
Category	Prior Offense (same code) Within Time Period	Frequency of Repeated Offense	Sanctions Permitted
Low Moderate 400 series	6 Months	2 <sup>nd</sup> Offense	<b>Low Moderate Sanctions Plus:</b> 1. Disciplinary segregation, up to 7 days. 2. Forfeit earned SGT 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).
		3 <sup>rd</sup> Offense or more	Any sanctions available in Moderate (300) and Low Moderate (400) series.

Moderate 300 series	12 months	2 <sup>nd</sup> Offense or more	<b>Moderate Sanctions (A, C, E-N), plus:</b> 1. Disciplinary segregation, up to 21 days. 2. Forfeit earned SGT up to 37 ½% or up to 45 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended).
		3 <sup>rd</sup> Offense or more	Any sanction available in Moderate (300) and High (200) series.
High 200 Series	18 months	2 <sup>nd</sup> Offense	<b>High Sanctions (A, C, E-M), plus:</b> 1. Disciplinary segregation, up to 45 days. 2. Forfeit of SGT up to 75% or up to 90 days, whichever is less and/or terminate or disallow EGT (an EGT sanction may not be suspended). 3 <sup>rd</sup> offense or more. Any sanctions available in High (200) and Greatest (100) series.
		3 <sup>rd</sup> Offense or more	Any sanction available in High (200) and Greatest (100) series.

**SANCTIONS BY SEVERITY OF PROHIBITED ACT  
WITH ELIGIBILITY FOR RESTORATION OF  
FORFEITED AND WITHHELD STATUTORY GOOD TIME**

TABLE 6			
Severity of Act	Sanctions	Max Amt Forfeited SGT	Max Amt W/H SGT
Greatest	A - F	100%	Good time creditable for single month during which violation occurs. Applies to all categories.
High	A - M	50% or 60 days, whichever is less	
Moderate	A - N	25 % or 30 days, whichever is less	
Low Moderate	E - P	N/A	

**Note:** Restoration will be approved at the time of initial eligibility only when the inmate has shown a period of time with improved good behavior. When the Warden or his delegated representative denies restoration or forfeited or withheld statutory good time, the Unit Team shall notify the inmate for the reasons for denial. The Unit Team shall establish a new eligibility date, not to exceed six (6) months from the date of denial.

To ensure an inmates case is not overlooked when statutory good time has been forfeited or withheld, the case is to be reviewed for eligibility requirements in accordance with the time frames established by P.S. 5322.12, Classification and Program Review of Inmates. A recommendation of the Unit Team, whether for or against restoration, is to be forwarded (on BP 1389/Record Form 84) to the Warden, through the DHO and Captain for disposition.

Severity of Act	Eligible Restoration Forfeited SGT	Eligible Restoration Withheld SGT	Maximum Disciplinary Segregation
Greatest	24 months	18 months	60 days
High	18 months	12 months	30 days

Moderate	12 months	6 months	15 days
Low Moderate	N/A (1 <sup>st</sup> Offense)	3 months 6 months for 2 <sup>nd</sup> or 3 <sup>rd</sup> offense in same category within 6 months	N/A (1 <sup>st</sup> offense) 7 days (2 <sup>nd</sup> offense) 15 days (3 <sup>rd</sup> offense)

**SPECIAL MAIL NOTICE:**

**To the Inmate:** It is suggested that at the earliest opportunity, when an inmate writes or visits with their attorney(s), they provide these instructions for special mail privileges to the attorney(s) who is representing them.

**To the Attorney:** The Bureau of Prisons Program Statement on Correspondence provides for an attorney who is representing an inmate to request that attorney-client correspondence be opened only in the presence of the inmate. For this to occur, Bureau policy requires that you adequately identify yourself as an attorney on the envelope and that the front of the envelope is marked “Special or Legal-Mail open in the Presence of the Inmate” or with similar language clearly indicating that your correspondence qualifies as special mail and that you are requesting that this correspondence be opened only in the presence of the inmate. Provided the correspondence has this marking, Bureau staff will open the mail only in the inmate’s presence for inspection for physical contraband and the qualification of any enclosure as special mail. The correspondence will not be read or copied if these procedures are followed. If you, correspondence does not contain the required identification that you are an attorney, a statement that your correspondence qualifies as “special mail” and a request that the “correspondence be opened only in the presence of the inmate”, staff may treat the mail as general correspondence and may open, inspect and read mail.