

INMATE RIGHTS AND RESPONSIBILITIES
&
DISCIPLINARY SCALE



FEDERAL CORRECTIONAL INSTITUTION
HERLONG, CALIFORNIA

Introduction

The material in this handbook will help new inmates understand their Rights and Responsibilities and the Bureau's institution rules and regulations and hopefully assist them in their initial adjustment to institution life. More information is available in the Program Statements located, on housing unit bulletin boards, in the inmate law library, or by request from unit management staff.

INMATE RIGHTS AND RESPONSIBILITIES §541.12

1. You have the right to expect to be treated respectfully, impartially, and fairly by all personnel. You have the responsibility to treat others, both employees and inmates, in the same manner.

2. You have the right to be informed of the rules, procedures, and schedules concerning the operation of the institution. You have the responsibility to know and abide by them.

3. You have the right to freedom of religious affiliation and voluntary religious worship. You have the responsibility to recognize and respect the voluntary religious rights of others in this regard.

4. You have the right to health care, laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles and medical and dental care. It is your responsibility not to waste food, to follow the laundry and shower schedule, maintain neat and clean-living quarters, to keep your area free of contraband, and to seek medical and dental care as you may need it.

5. You have the right to visit and correspond with family members and friends, and correspond with members of the news media in keeping with Bureau of Prisons rules and institution guidelines. It is your responsibility to conduct yourself properly during visits, not to accept or

pass contraband, and not to violate the law or Bureau of Prisons rules or institution guidelines through your correspondence.

6. You have the right to unrestricted and confidential access to the courts by correspondence (on matters such as the legality of your conviction, civil matters, pending criminal cases and conditions of your imprisonment). You have the responsibility to correspondence (on matters such as the legality of your conviction, civil matters, pending criminal cases and conditions of your imprisonment). You have the responsibility to present honestly and fairly your petitions, questions, problems to the court.

7. You have the right to legal counsel from an attorney of your choice by interviews and correspondence. It is your responsibility to use the services of an attorney honestly and fairly.

8. You have the right to participate in the use of the law library reference materials to assist you in resolving legal problems. You also have the right to receive help when it is available through a legal assistance program. It is your responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other inmates to the use of the materials and assistance.

9. You have the right to a wide range of reading materials for educational purposes and for your own enjoyment. These materials may include magazines and newspapers sent from the community, with certain restrictions. It is your responsibility to seek and use such materials for your personal benefit without depriving others of their equal rights to the use of this material.

10. You have the right to participate in education, vocational training and employment as far as resources are available, and in keeping with your interests, needs and abilities. You have the responsibility to take advantage of activities which may help you live a successful law-abiding life within the

institution and in the community. You will be expected to abide by the regulations governing the use of such activities.

11. You have the right to use your funds for commissary or other purchases, consistent with institution security and good order, for opening bank and/or saving accounts and for assisting your family. You have the responsibility to meet your financial and legal obligations, including, but not limited to, court-imposed fines, assessments and restitution. You also have the responsibility to make use of your funds in a manner consistent with your release plans, your family needs and other obligations that you may have.

DISCIPLINE CODES AND SANCTIONS

GREATEST CATEGORY

CODE PROHIBITED ACTS

100 Killing

101 Assaulting any person (includes sexual assault) or an armed assault on the institution's secure perimeter (a charge for assaulting any person at this level is to be used only when serious physical injury has been attempted or carried out by an inmate)

102 Escape from escort; escape from a secure institution (low, medium, and high security level and administrative institutions); or escape from a minimum institution with violence

103 Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of Greatest Severity, e.g., in furtherance of a riot or escape; otherwise the charge is properly classified Code 219, or 329)

104 Possession, manufacture, or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical explosive or any ammunition

105 Rioting

106 Encouraging others to riot.

107 Taking hostage(s)

108 Possession, tool (Tools most likely to be used in an escape or escape attempt or to serve as weapons capable of doing serious bodily harm to others; or those hazardous to institution security or personal safety; e.g., a hacksaw blade)

109 (Not to be used)

110 Refusing to provide a urine sample or to take part in other drug-abuse testing

111 Introduction of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff

112 Use of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff

113 Possession of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff

197 Use of the telephone to further criminal activity

198 Interfering with a staff member in the performance of duties. (Conduct must be of the Greatest Severity nature.) This charge is to be used only when another charge of greatest severity is not applicable

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

SANCTIONS (GREATEST CATEGORY)

- A. Recommend prole date rescission or retardation.
- B. Forfeit earned statutory good time or non-vested good conduct time (up to 100%) and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
- B.1 Disallow ordinarily between 50 and 75% (27-41 days) of good conduct time credit available for a year (a good conduct time sanction may not be suspended).
- C. Disciplinary Transfer (recommend).
- D. Disciplinary segregation (up to 60 days).
- E. Make monetary restitution.
- F. Withhold statutory good time (Note - can be in addition to A through E - cannot be the only sanction executed).
- G. Loss of privileges (Note - can be in addition to A through E - cannot be the only sanction executed).

HIGH CATEGORY

CODE PROHIBITED ACTS

200 Escape from unescorted Community

201 Fighting with another person

202 (Note to be used)

203 Threatening another with bodily harm or any other offense
Escape from unescorted Community

201 Fighting with another person

202 (Note to be used)

203 Threatening another with bodily harm or any other offense

204 Extortion, blackmail, protection: Demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing

205	Engaging in sexual acts		communications facility, or through the unauthorized access to disks, tapes, or computer printouts or other automated equipment on which data is stored)	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.
206	Making sexual proposals or threats to another			
207	Wearing a disguise or a mask			
208	Possession of any unauthorized locking device, or lock pick, or tampering with or blocking any lock device (includes keys), or destroying, altering, interfering with, improperly using, or damaging any security device, mechanism, or procedure	220	Demonstrating, practicing, or using martial arts, boxing (except for use of a punching bag), wrestling, or other forms of physical encounter, or military exercises or drill (except for drill authorized and conducted by staff)	<p><u>SANCTIONS (HIGH CATEGORY)</u></p> <p>A. Recommend parole date rescission or retardation.</p> <p>B. Forfeit earned statutory good time or non-vested good conduct time up to 50% or up to 60 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended)</p> <p>B.1 Disallow ordinarily between 25 and 50% (14-27 days) of good conduct time credit available for a year (a good conduct time sanction may not be suspended).</p> <p>C. Disciplinary Transfer (recommend).</p> <p>D. Disciplinary segregation (up to 30 days).</p> <p>E. Make monetary restitution.</p> <p>F. Withhold statutory good time</p> <p>G. Loss of privileges: commissary, movies, recreation, etc.</p> <p>H. Change housing (quarters)</p> <p>I. Remove from program and/or group activity</p> <p>J. Loss of a job</p> <p>K. Impound inmates' personal property</p> <p>L. Confiscate contraband</p> <p>M. Restrict to quarters</p> <p><u>MODERATE CATEGORY</u></p> <p><u>CODE PROHIBITED ACTS</u></p> <p>300 Indecent Exposure</p> <p>301 (Not to be used)</p> <p>302 Misuse of authorized medication</p> <p>303 Possession of money or currency, unless specifically authorized, or in excess of the amount authorized</p> <p>304 Lending of property or anything of value for profit or increased return</p>
209	Adulteration of any food or drink	221	Being in an unauthorized area with a person of the opposite sex without staff permission	
210	(Not to be used)	222	Making, possessing, or using intoxicants	
211	Possessing any officer's or staff clothing	223	Refusing to breathe into a breathalyzer or take part in other testing for use of alcohol	
212	Engaging in, or encouraging a group demonstration	224	Assaulting any person (charged with this act only when less serious physical injury or contact has been attempted or carried out by an inmate)	
213	Encouraging others to refuse to work, or to participate in a work stoppage	297	Use of the telephone for abuses other than criminal activity (e.g., circumventing telephone monitoring procedures, possession and/or use of another inmate's PIN number; third-party calling; third-party billing; using credit card numbers to place telephone calls; conference calling; talking in code)	
214	(Not to be used)			
215	Introduction of alcohol into BOP facility	298	Interfering with a staff member in the performance of duties. (Conduct must be of the High Severity nature.) This charge is to be used only when another charge of the high severity is not applicable	
216	Giving or offering an official or staff member a bribe	299	Conduct which disrupts or interferes with the security or orderly running of the institution	
217	Giving money to, or receiving money from, any person for purposes of introducing contraband or for any other illegal or prohibited purposes			
218	Destroying, altering, or damaging government property, or the property of another person, having a value in excess of \$100.00 or destroying, altering, damaging life-safety devices (e.g., fire alarm) regardless of financial value			
219	Stealing (theft; this includes data obtained through the unauthorized use of a			

305	Possession of anything not authorized for retention or receipt by the inmate, and not issued to him through regular channels	317	Failure to follow safety or sanitation regulations	not hazardous to institutional security or personal safety; Other nonhazardous contraband includes such items as food or cosmetics)
306	Refusing to work, or to accept a program assignment	318	Using any equipment or machinery which is not specifically authorized	332. Smoking where prohibited
307	Refusing to obey an order of any staff member (May be categorized and charged in terms of greater severity, according to the nature of the order being disobeyed; e.g., failure to obey an order which furthers a riot would be charged as 105, Rioting; refusing to obey an order which furthers a fight would be charged as 201, Fighting; refusing to provide a urine sample when ordered would be charged as Code 110)	319	Using any equipment or machinery contrary to instructions or posted safety standards	<u>SANCTIONS (MODERATE CATEGORY)</u>
308	Violating a condition of a furlough	320	Failing to stand count	A. Recommend parole date rescission or retardation.
309	Violating a condition of a community program	321	Interfering with the taking of count	B. Forfeit earned statutory good time or non-vested good conduct time up to 25% or up to 30 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good
310	Unexcused absence from work or any assignment	322	(Not to be used)	B.1 Disallow ordinarily up to 25% (1-1 days) of good conduct time credit available for a year (good conduct time sanction may not be suspended).
311	Failing to perform work as instructed by the supervisor	323	(Not to be used)	C. Disciplinary Transfer (recommend).
312	Insolence toward a staff member	324	Gambling	D. Disciplinary segregation (up to 15 days).
313	Lying or providing a false statement to a staff member	325	Preparing or conducting a gambling pool	E. Make monetary restitution.
314	Counterfeiting, forging or unauthorized reproduction of any document, article of identification, money, security, or official paper. (May be categorized in terms of greater severity according to the nature of the item being reproduced; e.g., counterfeiting release papers to effect escape, Code 102 or Code 200)	326	Possession of gambling paraphernalia	F. Withhold statutory good time.
315	Participating in an unauthorized meeting or gathering	327	Unauthorized contacts with the public	G. Loss of privileges: commissary, movies, recreation, etc.
316	Being in an unauthorized area	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	H. Change housing (quarters).
		329	Destroying, altering or damaging government property, or the property of another person, having a value of \$100.00 or less	I. Remove from program and/or group activity.
		330	Being unsanitary or untidy; failing to keep one's person and one's quarters in accordance with posted standards	J. Loss of a job.
		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	K. Impound inmates' personal property.
				L. Confiscate contraband.
				M. Restrict to quarters.
				N. Extra duty.

LOW MODERATE CATEGORY

CODE PROHIBITED ACTS

400	Possession of property belonging to another person	498	Interfering with a staff member in the performance of duties. <u>Conduct must be of the Low Moderate Severity nature.</u>) This charge is to be used only when another charge of low moderate severity is not applicable.	time credit available for a year (to be used only where inmate found to have committed a third violation of the same prohibited act within six months) (a good conduct time sanction may not be suspended). (See Chapter 4 Page 16 for VCCEA violent and PLRA inmates.)
401	Possessing unauthorized amount of otherwise authorized clothing			
402	Malingering, feigning illness	499	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. <u>Conduct must be of the Low Moderate severity nature.</u>) This charge is to be used only when another charge of low moderate severity is not applicable.	E. Make monetary restitution. F. Withhold statutory good time. G. Loss of privileges: commissary, movies, recreation, etc. H. Change housing (quarters). I. Remove from program and/or group activity. J. Loss of a job. K. Impound inmates' personal property. L. Confiscate contraband. M. Restrict to quarters. N. Extra duty. O. Reprimand. P. Warning.
403	(Not to be used)			
404	Using abusive or obscene language			
405	Tattooing or self-mutilation			
406	Not to be Used.			
407	Conduct with a visitor in violation of Bureau regulations (Restriction, or loss for a specific period of time, of these privileges may often be an appropriate sanction G)	397	Use of the telephone for abuses other than criminal activity (e.g., conference calling, possession and/or use of another inmate's PIN number, three-way calling, providing false information for preparation of a telephone list)	
408	Conducting a business			
409	Unauthorized physical contact (e.g., kissing, embracing)	398	Interfering with a staff member in the performance of duties. <u>Conduct must be of the Moderate Severity nature.</u>) This charge is to be used only when another charge of moderate severity is not applicable.	**Per 28CFR part 541: inmates receiving performance pay who are found through the disciplinary process (part 541 of this subchapter) to have committed a level 100 or 200 series drug-or alcohol-related prohibited act will automatically have their performance pay reduced to maintenance pay level and will be removed from any assigned work detail outside the secure perimeter of the institution. This reduction to maintenance pay level, and removal from assigned work detail outside the secure perimeter of the institution, will ordinarily remain in effect for one year, unless otherwise authorized by the Warden.
410	Unauthorized use of mail (Restriction, or loss for a specific period of time, of 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)	399	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. <u>Conduct must be of the Moderate Severity nature.</u>) This charge is to be used only when another charge of moderate severity is not applicable.	
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)		<u>SANCTIONS (LOW MODERATE CATEGORY)</u>	
		5.1	Disallow ordinarily up to 12.5% (1-7 days) of good conduct time credit available for a year (to be used only where inmate found to have committed a second violation of the same prohibited act within six months); Disallow ordinarily up to 25% (1-14 days) of good conduct	

VISITS

It is the policy of the Bureau of Prisons (BOP) to encourage visiting by family and friends to maintain your morale and to develop closer relationships between you and your family and others in the community. Some of your basic questions concerning visiting will be answered in this information sheet. However, we recommend that you consult with your Correctional Counselor or other Unit Team members and become fully aware of the visiting regulations.

Upon your arrival, you will receive a form on which to list the persons you wish to visit you. This list must be completed and submitted to your unit team. The proposed visitors are screened and your Correctional Counselor will notify you once a visitor has been approved or denied visitation. Contact your Correctional Counselor if you wish to add or delete an individual from your list.

VISITING SCHEDULE

Saturday & Sunday	8:00 AM - 3:00 PM
Federal Holidays	8:00 AM - 3:00 PM
Monday - Friday	NO VISITING

The number of persons allowed while visiting one inmate is limited to five adults, excluding children less than 16 years of age, will be allowed in the visiting room at one time. You are allowed to embrace and kiss only upon initial contact, and at the conclusion of your visit. You are responsible for the behavior of your visitor(s), to include minor children. You are to visit with only your approved visitor(s). Written authorization, from the Warden, must be obtained for a visitor to visit with more than one inmate at a time. Disrespect, improper comments, and vulgarity will result in visiting termination. Failure to follow the visiting rules and regulations may result in the suspension of your visiting privileges as well as those of your visitor(s). All inmates are responsible for their visitor's/children's action. The inmate will receive an incident report for any infraction committed in the Visiting Room.

DIRECTIONS TO HERLONG

FCI/FPC Herlong is located approximately 50 miles northwest of Reno, Nevada, and 35 miles south of Susanville, California.

From Reno, Nevada:

Take US Highway 395 north approximately 50 miles to the Herlong exit Access Road A-26. Proceed approximately seven miles on A-26 to FCI/SCP Herlong.

From Susanville, California:

Take US Highway 395 south approximately 35 miles to Herlong Access Road A-25. Proceed approximately seven miles on A-25 to FCI/SCP Herlong.

There is currently no public transportation available from Reno, Nevada or Susanville, California, to Herlong, California.

FACILITY ADDRESS

Federal Correctional Institution, Herlong
741-925 Herlong Access Road, A-25
Herlong, CA 96113
(530) 827-8000