

SPECIAL MANAGEMENT UNIT  
**(SMU)**

INMATE HANDBOOK



USP LEWISBURG  
LEWISBURG, PA

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**INTRODUCTION:**

You have been assigned to the Special Management Unit (SMU) at the United States Penitentiary (USP), Lewisburg, Pennsylvania. The SMU is a multi-level program whose mission is to teach self-discipline, pro-social values, and the ability to successfully coexist with members of other geographical, cultural, and religious backgrounds. USP Lewisburg offers Levels I and II of the program, and most inmates transfer to another facility for Levels III and IV. Ordinarily this program will be completed in 18 - 24 months.

Successful completion requires strict adherence to the rules and regulations of the unit. In addition, completion of the program requires your active participation in self study, individual, and group activities geared toward the development of behavior and values that will allow for successful reintegration into a general population.

Advancement through the levels of this program is dependent on observed behavior and program participation. As you progress to the higher levels of the program, you will earn additional privileges. Lack of effort, rule and disciplinary infractions, or a poor attitude may result in delaying completion of the program, to include repeating levels. Progress in the program is evaluated by a multi-disciplinary team ordinarily consisting of Executive, Unit, Correctional, Psychology, and Educational staff.

The Unit Team will consist of a Counselor, Case Manager, and Unit Manager. Caseloads will be divided by housing units.

This handbook is designed to present a general overview of the Special Management Unit at USP Lewisburg. It is not intended to be a complete guide to all rules and regulations governing your behavior. It is intended to assist you in understanding and adjusting to your new institution. Additionally, radio station 88.5 FM broadcasts an audio version of the Admission and Orientation Lecture every Wednesday beginning at 9:00 a.m.

**SMU PROGRESSION AND PROGRAM COMPLETION:** As dictated by the Program Statement 5217.01 Special Management Units (SMU), inmates will be reviewed within the first 28 days of their arrival and subsequently every 90 days through levels I, II, III and every 30 days in level IV. These reviews will be conducted by members of the Unit Team, Education, Correctional Services, and Psychology and chaired by the Associate Warden of Programs. These reviews will be used to determine the progression through levels. Inmates found guilty of disciplinary actions in the greatest or high category will ordinarily be returned to the previously completed level or all the way back to level I. In situations where an inmate is pending a Disciplinary Hearing with the Disciplinary Hearing Officer (DHO), he will still be eligible for privileges at his SMU level. If the inmate is found not guilty by the DHO, the inmate will retain his current level with all the time and effort being credited to the current level.

After an inmate completes level II, he will ordinarily be submitted for a 324 Program Participation transfer for completion of SMU level III/IV to another SMU facility. Since bed space is sometimes limited

at these facilities some inmates will complete level III at USP Lewisburg. In these cases inmates will be referred via 325 Program Completion transfer after they enter level IV.

Inmates progressing through, but not completing the SMU program after twenty four months will have their cases reviewed by the AWP and submitted for additional time adequate for SMU completion at the discretion of the Regional Director.

**PSYCHOLOGY SERVICES:** In preparation for return to general population, you are required to complete mandatory treatment services (see Appendix A for SMU curriculum). These services include self-study, individual, and group activities provided by Psychology Services. Your program participation will determine your readiness to progress through each level of the unit. In addition to mandatory SMU programs, Psychology Services will be responsible for providing mental health services to SMU participants on an as-needed basis.

#### **PSYCHOLOGY STAFF**

U.S.P. Lewisburg has five psychologists, five treatment specialists, and one Psychology Technician working behind the wall.

#### ⇒ **CONTACTING A PSYCHOLOGIST**

A psychologist remains on-call 24 hours per day, seven days per week. If you have a mental health emergency (e.g. suicidal thoughts, psychosis) inform any staff member you need to speak with a psychologist immediately. For problems that are not emergencies, speak with a psychologist during rounds or send the unit psychologist a cop-out. For complex psychiatric medication needs we use the Tele-health program, with a consulting psychiatrist from USMCFP Springfield. He will interview you through an audiovisual interface that allows you to talk to him as if in person. Note the majority of psychotropic medication needs are managed by the institution Health Services department.

#### ⇒ **CONFIDENTIALITY/PRIVACY**

It is important to outline measures we take to respect your privacy when you participate in Psychology programs. We keep electronic records of our contacts with inmates. These records are the property of the BOP, but we protect and manage them. That means we do not routinely make our records available to staff members outside the Federal Government, with some exceptions. The Privacy Act and the Freedom of Information Act govern the FBOP's management of your records. Ordinarily, we disclose our records with your understanding and support; however, there are times when we may communicate information without your consent. When we are asked by staff to evaluate your mental status, usually because the staff is concerned that you might have deteriorating mental health, we will do so. Sometimes the DHO will ask us to evaluate your competency to proceed with the disciplinary process. Anytime we perceive a threat to you, someone else, or to the security of the institution, we will communicate whatever information is

required to address that concern. Alcohol and drugs are always considered a security threat, so if you tell us you have them, are using them, or know that someone else has or is using them, we are required to report that information. If you have any questions or concerns about confidentiality or privacy, ask a psychologist about it.

#### ⇒ **SUICIDE PREVENTION**

It is not uncommon for people to experience depression and hopelessness while in jail or prison, particularly if they are serving a long sentence, are experiencing family problems or problems getting along with other inmates, or receive bad news. Sometimes, inmates consider committing suicide due to all of the pressure they are under. Staff is trained to monitor inmates for signs of suicidality, and is trained to refer concerns to the Psychology Department. However, staff does not always see what inmates see. If you are personally experiencing any of the problems noted above, or you or another inmate are showing signs of depression (sadness, tearfulness, lack of enjoyment in usual activities), withdrawal (staying away from others), or hopelessness (giving away possessions, stating that "there is nothing to live for"), please alert a staff member right away.

#### **PSYCH-EDUCATIONAL PROGRAMS/DAP:**

Psychology Services provides self-help/personal-growth materials in the form of workbooks, articles, and books designed to introduce you to ideas and concepts which encourage positive change. Some of these will be required for program advancement (see handbook) and others are provided solely by request. We encourage you to take full advantage of the materials available to you.

The logistical restrictions inherent in the SMU make offering formal Drug Abuse Programs impossible, however, related self-study materials and cell-side counseling provided by treatment specialists will be available. We strongly encourage your participation in formal DAP programs upon your eventual return to a mainline facility.

#### **SMU INCENTIVE PROGRAMMING**

**GENERAL OVERVIEW:** SMU inmates in Phase II and III may be provided with an opportunity to participate in an incentive based program. This program consists of seven core areas and in each of the areas various assignments will be assigned for completion. Once the assignments are completed (at an acceptable level) and continual progress is made in Education and Recreation programming, the individual is then eligible for a monetary stipend.

**How to enroll?** Monthly, or bi-monthly, a signup sheet will be distributed for enrollment. It is highly recommended that all inmates select their top three choices (rather than just one) and all efforts will be made to fulfill your request. Following the collection of the enrollment forms, assignments will be provided shortly thereafter.

**Expectations:**

- **NO BOOKS will be written in. Responses will be provided on separate paper.**
- **ALL** assignments are required to be completed fully and with genuine effort.
- Acceptable effort will be evaluated by your treatment specialist and his/her judgment is the sole determining factor for receiving credit.
- Turn assignments in **personally and only** to your assigned treatment specialist.
- In the event there are unanswered questions or other incompleteness, you will not be given credit for the module and will have to redo the assignment for the following month.
- Books **MUST** be returned in the condition in which they were provided. Failure to do so will result in the cost of the books being deducted from your incentive pay.
- If an inmate is pending a 100 or 200 series incident report he cannot participate.
- If an inmate is in FRP refusal status he cannot participate.
- It is your responsibility to speak with Education and Recreation to ensure your programming status is acceptable.
- If **ANY** of the above expectations are violated, program eligibility may be discontinued.

**REMEMBER**, this Incentive Program is a privilege and an opportunity. Thus mutual kindness and respect is strongly encouraged when working with your assigned treatment specialist.

**Sexually Abusive Behavior Prevention and Intervention  
an Overview for Offenders**

**You Have the Right to be Safe from Sexually Abusive Behavior.** While you are incarcerated, **no one has the right to pressure you to engage in sexual acts.**

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

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

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

- Carry yourself in a confident manner at all times. Do not permit your emotions (fear/anxiety) to be obvious to others.
- Do not accept gifts or favors from others. Most gifts or favors come with strings attached to them.
- Do not accept an offer from another inmate to be your protector.
- Find a staff member with whom you feel comfortable discussing your fears and concerns.

- Be alert! Do not use contraband substances such as drugs or alcohol; these can weaken your ability to stay alert and make good judgments.

- Be direct and firm if others ask you to do something you don't want to do. Do not give mixed messages to other inmates regarding your wishes for sexual activity.

- Stay in well-lit areas of the institution.

- Choose your associates wisely. Look for people who are involved in positive activities like educational programs, psychology groups, or religious services. Get involved in these activities yourself.

- Trust your instincts. If you sense that a situation may be dangerous, it probably is. If you fear for your safety, report your concerns to staff.

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

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

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

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

If you become a victim of a sexually abusive behavior, **you should report it immediately to staff** who will offer you protection from the assailant. You do not have to name the inmate(s) or staff assailant(s) in order to receive assistance, but specific information may make it easier for staff to know how best to respond. You will continue to receive protection from the assailant, whether or not you have identified him or her (or agree to testify against him/her). After reporting any sexual assault, you will be referred immediately for a medical examination and clinical assessment. Even though you may want to clean up after the assault **it is important to see medical staff BEFORE you shower, wash, drink, eat, change clothing, or use the bathroom.** Medical staff will examine you for injuries which may or may not be readily apparent to you. They can also check you for sexually transmitted diseases, and gather any physical evidence of assault. The individuals who sexually abuse or assault inmates can only be disciplined and/or prosecuted if the abuse is reported.

**Regardless of whether your assailant is an inmate or a staff member, it is important to understand that you will never be disciplined or prosecuted for being the victim of a sexual assault.**

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

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

- **Write directly to the Warden, Regional Director or Director.** You can send the Warden an Inmate Request to Staff Member (Cop-out) or a letter reporting the sexually abusive behavior. You may also send a letter to the Regional Director or Director of the Bureau of Prisons. To ensure confidentiality, use special mail procedures.

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

- **Write the Office of the Inspector General (OIG)** which investigates allegations of staff misconduct. OIG is a component of the Department of Justice and is not a part of the Bureau of Prisons. The address is:

**Office of the Inspector General  
P. O. Box 27606  
Washington, D.C. 20530**

### Understanding the Investigative Process

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

### Counseling Programs for Victims of Sexually Abusive Behavior

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

### Management Program for Inmate Assaultants

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

### Policy Definitions

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

**Code 101/(A): Sexual Assault**

**Code 114/(A): Sexual Assault of Any Person**

**Code 205/(A): Engaging in a Sex Act**

**Code 206/(A): Making a Sexual Proposal**

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

**Code 229/(A): Sexual Assault of Any Person**

**Code 300/(A): Indecent Exposure**

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

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

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

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

sodomy, or sexual assault with an object or sexual fondling of a person achieved through the **exploitation of the fear or threat** of physical violence or bodily injury.

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

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

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

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

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

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

**NOTE: Sexual acts or contacts between two or more inmates, even when no objections are raised, are prohibited acts, and may be illegal. Sexual acts or contacts between an inmate and a staff member, even when no objections are raised by either party, are always forbidden and illegal.**

**Inmates who have been sexually assaulted by another inmate or staff member will not be prosecuted or disciplined for reporting the assault. However, inmates will be penalized for knowingly filing any false report.**

### Contact Offices:

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

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

**Mid-Atlantic Regional Office**  
302 Sentinel Drive, Suite 200  
Annapolis Junction, Maryland 20701

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

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

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

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

**Western Regional Office**  
7338 Shoreline Drive  
Stockton, CA 95219

## Diversity in a Prison Environment

### I. What is Diversity?

Diversity in a prison environment can be characterized by the differences and uniqueness that each individual brings to this institution. These differences are observed through race, religion, ethnicity, and geographic background. All of these factors create the environment in which you are now apart. So, what is your responsibility to yourself, the other inmates, and the staff of this institution? Contrary to the differences within this institution, your responsibility is to distinguish between right and wrong by enhancing your knowledge of this diverse landscape. Become aware of the pitfalls (gangs, drugs, and prison politics). This will enable you to chart a course to avoid the traps and achieve success. Consider having the following values of Respect, Tolerance, Honesty, and Responsibility as a part of the compass which directs your decision making. When these values are at work in your life, your attitude toward individual differences will be evident through your contribution toward a safe environment.

### II. How is it reflected in this environment?

- A. **Race:** Your family background, lineage or people compose your race.
- B. **Religion:** Protestant, Islam, Judaism, Native American, Roman Catholic, other
- C. **Ethnicity:** Common traits or customs.
- D. **Geographic Background:** Where I lived for any period of time.

### III. What is my responsibility?

- A. Distinguish between right and wrong
- B. Increase knowledge by participation
- C. Determine best practice to succeed

### IV. How do I reflect a right attitude?

- A. **Respect:** Considering others as I would like to be considered.
- B. **Honesty:** Without desire to lie. Genuine.
- C. **Tolerance:** Patience and understanding.
- D. **Accountability:** Responsible for my own actions.

**V. The Bureau's Stance on Diversity**

- A. Zero tolerance for those that do not reflect an attitude of diversity
- B. Rule breakers receive incident reports or other sanctions

**RELIGIOUS SERVICES:**

The Chapel library has extensive resources available for your spiritual growth. A list of available softcover books is posted on the TRULINCS computer system under local documents. The book lists are posted by religion. The Chaplains are available for spiritual counsel during regular rounds or by written request. A list of Holy Days, Fast Days, and Ceremonial Meals is located on the TRULINCS computer system. Cop-out deadlines are also included.

**TOLERANCE AND UNDERSTANDING - PEOPLE OF ALL RACES/RELIGIONS**

If Lewisburg is your first assignment in the BOP your Unit Team will denote your religious preference. If you would like to change your religious preference, you must submit a written request to the chaplain. USP Lewisburg is home to people from all over the United States and the world. There are inmates from 22 different religious groups housed in this institution. Please show respect to those from different backgrounds and religions. Many world religions have some variation of the rule, "Do unto others as you would have them do unto you." No one may disparage the religious beliefs of an inmate, nor coerce or harass an inmate to change religious affiliation.

**CHAPLAIN DUTY HOURS:**

There are four full-time chaplains assigned to USP Lewisburg. Between them, there is seven-day coverage, including evenings Monday thru Friday.

**COMMUNITY RESOURCES AVAILABLE**

**Pastoral Visits:** If requested by an inmate, the chaplain shall facilitate arrangements for pastoral visits by a clergy person or representative of the inmate's faith. The chaplain may request an NCIC check and documentation of such clergy person's or faith group representative's credentials. Pastoral visits may not be counted as social visits. They will ordinarily take place in the visiting room during regular visiting hours.

**Minister of Record:** You may designate one individual on your visiting list as your Minister of Record (MOR) by submitting a request to the Chaplain. This request must include contact information for the MOR so the Chaplain can obtain credentials and security checks for the MOR. An approved MOR will not count against the maximum number of visitors you are allowed to have on your visiting list, and may visit during normal visiting hours.

**Mentors:** Opportunities for mentoring relationships are available as a part of the Threshold Program. See the Chaplain for more information.

**Prisoner Visitation & Support (PVS):** Inmates wishing to receive visits from PVS should submit a written request to the Chaplain to be placed on the waiting list.

**PROCEDURES FOR ACQUIRING RELIGIOUS ITEMS, LITERATURE, PROPERTY**  
Authorized personal religious items will be purchased/acquired by the adherent. Authorized items available from Commissary may be purchased by those whose religious preference reflects a need for those items. Authorized items not available from Commissary may be purchased via Special Purpose Order from an approved vender. Items should be less than \$100 in value. Catalogues are available from the Chaplain upon submission of a written request. Authorized items not available for purchase may be acquired via the Authorization to Receive a Package form (i.e., eagle feathers, elekes, etc.). Submit a written request to the Chaplain for the form. Softcover books may be checked out from the Chapel library in two week increments. Loaned books must be returned to the Chaplain in order to receive new books. Books are traded on a one-for-one basis. You may also purchase personal religious books following the procedures outlined in Program Statement 5266.10, Incoming Publications.

**RELIGIOUS DIET PROGRAM**

**Initial Interview:** Inmates must submit a written request to be interviewed. The chaplaincy team will review the answers to your interview. A determination will be made to approve you for self-selection from mainline, with access to a no-flesh option or for the certified processed food tray. You will be notified in writing of the accommodation on form BP-S700.053, Notification of Religious Diet Accommodation. If approved to the certified food component, Food Service will ordinarily begin serving the certified food tray in two working days, under normal operations. Those not approved for the certified food line may request a re-interview at six-month intervals.

**Removal:** An inmate may be removed from the certified food diet if he is observed: Eating food from mainline; missing six consecutive meals; changing his religious preference; purchasing food from commissary that is not permissible to eat based on his religious requirements. Removal is not punitive in nature but provides an opportunity for the inmate and staff to reevaluate this program's appropriateness to meet the inmate's demonstrated needs. The process of re-approving a religious diet for an inmate who voluntarily withdraws or who is removed ordinarily may extend up to thirty days. Repeated withdrawals (voluntary or otherwise), however, may result in inmates being subjected to a waiting period of up to one year. At the inmate's request for reinstatement, an oral interview will be conducted prior to reinstatement.

**RELIGIOUS RIGHTS OF INMATES**

Opportunities for religious activities are open to the entire inmate population, without regard to race, color, nationality, or ordinarily, creed. The warden, after consulting with the institution chaplain, may limit participation in a particular religious activity or practice to the members of that religious group. Ordinarily, when the nature of the activity or practice (e.g., religious fasts,

wearing of headwear, work proscription, ceremonial meals) indicates a need for such a limitation, only those inmates whose files reflect the pertinent religious preference will be included. When seeking a religious accommodation, you should submit the request in writing, and the Chaplain will attempt to accommodate your request within the bounds of policy.

**PROCEDURES FOR FAMILY TO CONTACT INSTITUTION IN CASE OF EMERGENCY**  
In the event that an immediate member of your family (mother/father, brother/sister, son/daughter or spouse), is taken to the hospital or dies, a member of your family may call (570) 523-1251 and request to speak to a Chaplain. The caller will need your registration number, the name of the individual involved, and the name, address, and telephone number of the hospital or funeral home. This information will be verified before you are notified. If the information received cannot be verified by an outside agency (hospital, funeral home, law enforcement, etc.) you will not be notified. After the information has been verified, a chaplain will notify you of the emergency, and if appropriate, arrange for you to communicate with your family.

**Mechanical Services:**

Mechanical Services job details are not available to SMU inmates.

**Food Service:**

The mission of the Food Service Department is to prepare and serve nutritionally adequate meals. The Bureau of Prisons has adopted a National Menu that all food service departments must adhere to. Variances to the National Menu can be granted by the Central Office and implemented at the local level.

Meals are served in a three compartment tray with a snap on lid. This ensures the wholesomeness of the items served. Trays are color coded to distinguish between certified religious diets, no flesh, heart healthy, and regular meals. All meals are to be consumed in the cells. The menu at U.S.P. Lewisburg does not include fried items, items with bones, sugar, or soup. An alternative for these items is provided when listed on the menu. Heart healthy and no flesh alternatives are available upon request.

Inmates have the ability to select/change their meal preference monthly. The meal choice that each inmate has made on the first of the month will remain the same throughout the month; the only exceptions being if the inmate is approved for the Certified Religious Diet Program, or if he is placed on a medical diet.

Medical Diets will be accommodated when requested by the Health Services Department. The Certified Religious Diet is available when an inmate is approved by Religious Services. Menus can be obtained by requesting to utilize the computer in the law library.

Substitutions of similar items are authorized when necessary per P.S. 4700.05, Food Service Manual.

**SMU TELEPHONE CALLS:** Provided there are no telephone restrictions as the result of disciplinary sanctions or other administrative reasons, inmates will receive two phone calls per month in Level I and four calls per month in Level II. Calls may be up to 15 minutes in length for all Levels. Access to the telephone is based on calls per month and not minutes. Replacement calls will not be given due to the call being dropped by the called party or dropped due to the called party's cell phone.

**LEGAL TELEPHONE CALLS:** All legal calls require the approval of the Unit Team. Unit Team Staff will set up and supervise legal calls.

**VISITING:**

Provided there are no visiting restrictions as the result of disciplinary or other reasons, visitation for inmates in levels I and II will be facilitated via video visiting, and will only be available to immediate family members, which include parents or (legal guardians which must be verified), siblings, offspring, spouses, and grandparents. The relationship must be verified. These visits are limited to one hour only. Inmates in levels III, and IV will be permitted non-contact visiting in the institution visiting room.

**Inmates in Level's I and II must submit a request in writing to the Unit Manager, at least one week in advance of the expected visit.**

As the availability of video equipment will be limited, visits will be limited to one hour per inmate (more time may be allotted based on availability of visiting booths).

Visits will be scheduled in accordance with the availability of video equipment needed to facilitate the visit, and rotated according to the level and the living quarters. NOTE: Visitation is subject to monitoring and participation in the visiting process constitutes consent to this monitoring. Local hotels are as follows:

**Rodeway Inn, Lewisburg 1-800-424-6423**  
**Days Inn, Lewisburg 1-800-241-5050, en Espanol 1-888-709-4024**  
**Econolodge, Lewisburg 1-877-424-6423**  
**Best Western, Lewisburg 1-877-574-2464**

These hotels are located along PA State Route 15. USP Lewisburg is located approximately two miles west along Wm. Penn Road off Route 15. There are signs indicating the visitor's entrance to USP Lewisburg.

Local transportation services for the Lewisburg, PA area are limited to:

**Aurora Taxi, Lewisburg 570-523-1400**  
**Telos Taxi, Lewisburg 570-523-8294**

**Visiting Times:**

Visiting hours at the Penitentiary are 8:00 a.m. until 3:00 p.m., Saturday and Sunday. There will be no visitation Monday through Friday, with the exception of Federal holidays falling on any of these days. Visitors arriving after 2:30 p.m., will not be admitted to visit.

**Age Limitations:**

Visiting is disallowed for those persons who have not attained their 18th birthday, unless accompanied by a legal guardian, or an immediate family member who is over 18 years-of-age.

**Number of Visitors at one time:**

Visiting groups will be kept to a reasonable size, i.e., no more than five (5) persons (including children) at one time.

**Miscellaneous Visiting Rules:**

Inmates are responsible to inform prospective visitors that dress should be appropriate for an institutional setting and should not present possible disrespect to others, who may be present in the Visiting Video area or Visiting Room. Individuals who are dressed in revealing clothing will not be allowed to enter the institution for visiting. Shorts and skirts that cover the knee while standing up, will be permitted. Additionally, tank tops, sleeveless clothing, or see-through tops are not permitted. Shirts or blouses must cover the midriff while standing. Children, 12 and under, are the only individuals who will be allowed to wear shorts above the knee, tank tops or sleeveless clothing. No ball caps, hats, bandanas, sweat bands, do rags, or any other type of head gear, is authorized with the exception of religious head gear. Visitors will be denied a visit when Supervisory Staff (i.e., Lieutenant, Duty Officer, etc.) determine a visitor's dress is inappropriate for the institutional setting.

Visitor will be required to present a current government photo identification card that will be retained until the end of the visit by the front desk officer during the visit. Visitors are not permitted to bring any items to give to inmates.

All visitors must be on the approved visiting list. They are subject to search, clearing a metal detector, and cooperating with an Ion Scan. Any visitor not on your approved visiting list and or not willing to participate in any of these screenings will be refused entry. Any visitor becoming belligerent with staff or other visitor will not be permitted to visit.

**Special Visits for Family Emergencies:**

No provisions outside the previously stated procedures are in place for this type of visit. All visits will be handled as previously stated.

**LEGAL VISITS:**

Legal Visits will be contact, unless a specific security concern warrants otherwise. Legal visits will be set up by your Unit Team.

**PROPERTY:**

Inmates confined in the SMU Program will be provided a means to access legal materials, along with the opportunity to prepare legal documents. Given this, consideration of the needs of other inmates and the availability of staff or other resources will be weighed in each instance. A reasonable amount of personal legal materials will be permitted within the living space so as not to pose a fire, sani-

tation, security, or housekeeping hazard. For the approved property breakdown, **SEE APPENDIX B**. In order to request legal property or any property, request to staff must be completed and handed to a member of your Unit Team. They will forward it to the Property Officer. Depending on the items requested, you may be brought to the property area to be issued your items. In some cases it may be brought to you by the Property Officer.

**COMMISSARY:**

SMU participants are permitted to purchase commissary items according to their level. As the inmate progresses in the program, more commissary privileges will become available. Inmates who are placed on commissary restriction will be able to purchase stamps, hygiene items and over the counter medications (as specified by staff) based on their level. Level I and II inmates will shop on a bi-weekly basis. The specific day of the week that an inmate shops from the commissary may vary from week to week due to institution needs. Inmates are only authorized to shop from the commissary list specific to their level. Commissary lists are available in the housing units.

**RAZORS:**

Inmates will be offered new disposal razors when showering. It is the inmate's responsibility to return a razor for disposal at the end of the shower.

**HYGIENE ITEMS AND SUPPLIES:**

Hygiene items, toothbrushes, toilet paper, writing paper, pencils, envelopes, etc., will be issued by Custody Staff. Pencils and toothbrushes will be issued on an exchange basis. Cleaning supplies will be issued on an as needed basis by staff. **Inmates are required to keep their cells clean and orderly.**

**CELL SANITATION:**

There will be nothing attached to the windows, walls, sinks, or light fixtures. Window sills will be kept clean at all times. Cells will be kept clean and tidy at all times. Cells will be cleaned daily. Beds will be made by 8:00 a.m. on a daily basis. Any newspapers older than one week or magazines older than one month or that have missing pages or have been modified in any way are considered contraband and will be removed from the cell. Failure to follow sanitation standards may result in incident reports.

Housekeeping, cleanliness, and storage of food items and clothing are an important aspect of your stay here. You are to maintain proper levels of sanitation in your cell at all times. The accumulation of food items, newspapers, magazines, books, etc: is a safety/fire hazard. Items will be confiscated and disciplinary action may be taken. No items may be displayed or pictures drawn on the cell walls, window, light covers or doors. These items include, but are not limited to family/personal photos, magazine pictures, newspaper, calendars, cloth lines, gang graffiti etc.

Unit officers will be responsible for scheduling weekly cell cleaning. The following cleaning kits will be issued:

Cleaning Kits

- 1- plastic container
  - 1- scrub brush
  - 1- 8 oz. Spray bottle of Quat 64 Disinfectant.
  - 1- green cleaning cloth.
- Mop, broom and toilet brush will also be available.

Pest Control:

The Safety Department is responsible for Pest Control Management. Integrated Pest Management procedures will first be used with non-toxic baits and traps. Other measures may be used when approved by the Safety Manager.

Units and cells will be treated as needed. If you have a pest control problem in your cell, you may send a cop-out to the Safety Department to request treatment. Prior to any treatment in your cell. Your cell must be clean, no food/drink items exposed, and items (shoes, papers, etc;) must be pick-up off the floor prior to treatment. If cell sanitation is poor, pest control treatment will not be conducted.

Fire Safety:

Staff at the institution are trained in using emergency fire suppression equipment such as fire extinguishers, standpipe hoses, manual pull stations, and other. During a fire emergency you will be notified by the sound of the fire alarm and/or staff. In emergency situations where the unit may need evacuated, the unit officer will order all inmates to cuff up prior to be taken out of their cell. Upon evacuation you will be escorted to a temporary holding area until the unit has been cleared for return. Simulated fire drills will be conducted quarterly in all units by staff. This is to familiarize staff with emergency procedures. Covering ceiling lights with any type of material (paper, blankets, etc) and the accumulation of newspapers, magazines, books, etc: creates a fire hazard. Items will be confiscated and disciplinary action may be taken.

Environmental:

All cells in the unit are lead and asbestos free. Lighting and ventilation requirements in cells meet ACA standards. The water you drink and use is safe and meets EPA standards.

Safety:

Any unsafe or unhealthful condition may be reported to the Unit Manager, Safety Manager or Warden.

CLOTHING/LINEN: Inmates will be issued a numbered laundry bag. The laundry bag will contain three pairs of boxer shorts, three t-shirts, two towels, three pairs of socks, two sheets, two pillowcases, and two blankets. Inmates are responsible for these items. To have laundry cleaned, place the items in the bag, and give it to the Evening Watch Officer after the evening meal on Sunday, Tuesday and Thursday. Laundry will be returned the next day. Sheets and blankets should also be placed in the laundry bag for cleaning.

HAIRCUTS: Inmates may submit a written request to the block officer no later than the Friday of the preceding week if they wish to be scheduled for a haircut. Inmates are permitted one hair-cut per month.

SHOWER SCHEDULE: Showers will be provided three times per week. Inmates wishing to shave will be offered a razor while showering. It is the responsibility of the inmate to return the shaving razors.

EXERCISE: Inmates will be offered five hours of recreation per week. If the inmate refuses recreation when the recreation area is available, he will be considered as having refused his recreation for that day. Inmates are not allowed to choose recreation partners.

POSTAGE STAMPS: Inmates with funds will be expected to purchase their own stamps. Inmates determined to be indigent by their Unit Team will be issued postage stamps according to National Policy, provided a written request is made to their Unit Team.

SPECIAL MAIL: Delivery of special mail will be the responsibility of the Unit Team. Outgoing special mail will be collected by staff each day, with the exception of weekends and holidays.

CELL MOVES

Cell moves will be conducted at least once every twenty-one (21) days. Staff will determine housing assignments; cell moves are not optional. Refusing cell moves will result in an incident report and other actions deemed appropriate by staff.

LEISURE TIME PROGRAMS/RECREATION:1. SERVICES AVAILABLE

- a. Inmates in Level 1 and 2 will be provided the opportunity to participate in recreational in-cell activities. These activities will be in the form of handouts. To receive credit for individual participation, inmates must complete the series of activities within the allotted time. The activities will be handed out and collected by recreation staff. If any recreation material is damaged, altered, or lost, the inmate will receive an Incident Report which may result in an adjustment of the delivery of recreation materials to the inmate.
- b. The institution does not provide an inmate photograph program for SMU inmates.
- c. A Smoking Cessation class will be offered twice a year. Inmates interested should submit a request in writing to the Recreation Department.

EDUCATIONAL ACTIVITIES:Program ParticipationINCENTIVE PROGRAM:

Inmates who continuously participate in education programming will be eligible for the Incentive Program offered by the Psychology Department. Education programming includes participation in the Literacy Program, Adult Continuing Education (ACE) or Post-Secondary Education (PSE).

**LITERACY PROGRAM:**

General Education Development (GED): Inmates who do not have a High School (HS) Diploma or GED, wanting to participate in the Education Program, will be assigned to the GED program until completion, transfer or dropped from the program. GED testing will be conducted after successful completion of all assignments, practice tests and recommendation of the instructor.

**Violent Crime Control and Law Enforcement Act/Prison Litigation Reform Act (VCCLEA/PLRA)**

VCCLEA applies to an inmate whose offense occurred on or after September 13, 1994, but before April 26, 1996. PLRA applies to inmates whose offense occurred on or after April 26, 1996. Both laws, (VCCLEA and PLRA), mandate inmates who do not possess a GED or HS diploma, must satisfactorily participate in the literacy program for a minimum of 240 hours or until attainment of a GED. Failure to do so will result in being coded as GED UNSAT and may affect the inmate's Good Conduct Time (GCT) by 12 days per year.

Inmates determined to be in need of the Literacy Program (and sentenced under VCCLEA/PLRA) will be provided in-cell assignments and material appropriate for their placement. Inmates enrolled in the Literacy Program will be normally visited once a week by an educational staff member to pick up, distribute and answer questions on their assigned work. The amount of time it takes to receive materials depends on many factors including available resources, institutional needs and the competitive needs of all inmates. Inmates who do not complete their assigned work two consecutive times will be dropped from the Literacy Program, listed as "refused" participation and coded appropriately. Once dropped, they will remain out of the program for a minimum of 2 months/60 days. It will be the responsibility of the inmates to contact the education department for the re-enrollment after 2 months/60 days has expired.

GED/ESL Incentive:

- a. The Student of the Month Award shall consist of a \$5.00 monetary award, (if eligible).
- b. Inmates advancing from reading to Pre-GED to GED will receive a \$5.00 monetary award, (if eligible).
- c. Each student completing the Literacy Program/GED/ESL will receive a monetary award of \$25.00, (if eligible).
- d. Due to the special circumstances at the Special Management Institution at USP Lewisburg, a formal graduation ceremony will be given for General Population inmates only.

**Adult Continuing Education (ACE)**

ACE radio Program packet information will be distributed to each cell every two months. Inmates may participate in the ACE programs provided they have a High School Diploma or GED. Every week an educational staff member will make rounds to pick up ACE packet answer sheets. Any requests, questions, or

concerns need to be submitted to educational staff in writing. The amount of time it takes to receive materials depends on many factors including available resources, institutional needs and competitive needs of all inmates. Inmates who do not complete two ACE Radio Program work sheets monthly will not be considered participating in educational programming. If the ACE packet is lost or damaged inmates may print or copy a new packet from the Electronic Law Library/Local Documents. Inmates that fail a program will be given a new answer sheet to complete before the deadline, (time permitting).

**Post-Secondary Education (PSE)**

Inmates may participate in PSE studies provided payment is done by the inmate. PSE credit on the electronic transcripts will be given to those inmates who are enrolled and participate in an accredited PSE program. Inmate progress will be checked by periodic calls to their schools. Inmates who do not complete their assigned work assignments or receive two consecutive non-participation responses from the school will be dropped from the PSE program and listed as "refused" participation. Once dropped, the inmate will remain out of the PSE Education portion of the Incentive Program for a minimum of 2 months/60 days. It will be the responsibility of the inmate to contact the education department for re-enrollment after 2 months/60 days has expired.

**English as a Second Language (ESL)**

The ESL classes are for non-English speaking inmates only. Inmates may participate in the ESL program after they have completed the GED program or have verified a High School diploma. If, for instructional/programming/administrative reasons, a teacher believes that the inmate would benefit from taking the ESL program first (or in addition to the GED program), they may do so based on the teacher's recommendation. Inmates enrolled in the ESL program will be normally visited once each week by an educational staff member to pick up, distribute and answer questions on their assigned work. The amount of time it takes to receive materials depends on many factors including available resources, institutional needs, and the competitive needs of all inmates. Once enrolled, inmates who do not complete their assigned work two consecutive times will be dropped from the ESL Program and listed as "refused" participation. Once dropped, the inmate will remain out of the program for a minimum of 2 months/60 days. It will be the responsibility of the inmates to contact the education department for re-enrollment after 2 months/60 days has expired.

**Vocational Training**

Inmates may participate in the VT course provided they meet the qualifications/pre-requisites. This course is available ONLY to qualifying SMU Phase II inmates. Only qualifying inmates will be contacted by the Education Department to enroll in this course within the first 30 days of placement in Phase II. Inmates must have a HS diploma or GED. When entering Phase II, inmates must have 6+ months available to complete the course. Inmates cannot have any 100 or 200 series Incident Reports or pending Incident Reports within the last 4 months in your disciplinary record. Discipline records will be monitored during enrollment. If at any time

you receive a 100 or 200 series Incident Report, you will be removed from this course and program permanently. Inmates enrolled in the VT program will be normally visited once every week by the VT Instructor to pick up and distribute their assigned work. Any requests, questions, or concerns need to be submitted to the VT Instructor in writing. Once enrolled, inmates who do not complete their assigned work will be dropped from the VT Program permanently and listed as "refused" participation. Rules, procedures, and schedules are subject to change at any time according to institutional needs.

### Parenting

The Parenting Radio Program packet information will be distributed to each cell every two months. All SMU inmates may participate in the program. Every week an educational staff member will make rounds to pick up Parenting answer sheets. This program is separate from other education programming and does not count towards the SMU education requirement or the Incentive Pay Program. The amount of time it takes to receive materials depends on many factors including available resources, institutional needs and competitive needs of all inmates. If the Parenting packet is lost or damaged inmates may print or copy a new packet from the Electronic Law Library/Local Documents. Once the exams are graded and a passing score achieved, inmates will receive credit on their education transcript and a certificate of achievement will be received. Inmates that fail a program will be given a new answer sheet to complete before the deadline, (time permitting).

### Discipline

Inmates receiving an Incident Report as a result of any action involving the education department or education staff will be immediately removed from all education programming for a minimum of 2 months/60 days and coded appropriately. It will be the responsibility of the inmate to contact the education department for re-enrollment after 2 months/60 days has expired.

### Law Library/Legal Material

#### Law Library

- a. All required information, legal books, cases, forms, and Program Statements that are required by policy are on the Electronic Law Library (ELL) located in each unit. The ELL system is updated by Central Office monthly on an as needed basis.
- b. Each SMU housing unit is equipped with an ELL for inmate use. Inmates must submit a request to their unit officer requesting use of the ELL. Use, order and times for the ELL will be determined by that unit's correctional staff through established policy and procedures.

#### ELL Operations

1. Once inmates are logged onto ELL, they will have access for two hours. After two hours, they will be logged out automatically and be required to wait the mandatory 30 minutes before being allowed to log back in.
2. To familiarize inmates on the ELL system, there is a "help" button on the upper center of the opening page which has a self-paced tutorial. Additionally, the ELL Training

Manual may be accessed in the Local Documents section of the ELL, Also, the ELL Training Manual is available to review in their cell by submitting a written request to the Main Law Library. The ELL Training Manual will be delivered, at which time the inmate will sign a BP-199 Request for Withdrawal of Inmate's Funds to insure the return of borrowed materials. An Incident Report will be issued if the ELL Training Manual is lost, damaged or altered.

3. Materials requested in accordance with Policy Statement 1315.07, Legal Activities, Inmate, dated November 5, 1999, not found on the ELL may be requested from the Main Law Library by submitting either a Law Library Request Form or a Cop-Out.
4. Institution Supplements are on the ELL under Local Documents

### Legal Materials

- a. Copies will be made of legal materials only.
- b. Legal deliveries will normally be provided to all units once per week by a Law Library staff member. The amount of time it takes to receive materials depends on many factors, including but not limited to, available resources, institutional needs, date of submission and the competitive needs of all inmates. Inmates needing material to be copied are encouraged to save time by sending the material through institutional mail.
- c. Inmates may request copies of their legal material by using appropriate Legal Request Form, Cop-Out, or notebook size piece of paper (8 1/2x11). The request will have a minimum: the inmate's name; registration number; and the number of copies requested. Staff will not be responsible for the removal of fasteners or stapling finished copies. Requests on envelopes, scrap paper, cards or material with staples/fasteners or unclear instructions will be returned unprocessed.
- e. All inmates, including indigent inmates, will sign a BP-199, Request for Withdrawal of Inmate's Personal Funds before receiving any requested copies. The cost of the copies is \$0.15, per page.
- f. In order to maintain legal materials at an acceptable level, inmates will receive no more than five copies of their legal materials, unless court ordered to provide additional copies.

### Leisure Library

- a. Levels 1, 2 and 3 inmates have book carts/shelves on each floor in their units.
- b. Book titles are limited to what is available on the cart/shelf. No requests will be accepted for specific book titles.
- c. Books are rotated approximately every 60 days.
- d. Books are handed out by the Unit Officers with the established Unit Schedules.

**Typewriters** - No typewriters will be made available for SMU inmates. Inmates requesting materials to be typed are encouraged to contact typing services outside the institution to prepare their legal documents.

**NOTE:** The Education Department does not supply any reference materials (dictionaries, thesauruses, phone books, etc.), pencils, paper, or other supplies to the SMU Units.

## HEALTH SERVICES DEPARTMENT

You must bring or present your ID picture card and verify your ID number each time you are seen by Health Services staff. This ensures compliance with the double check ID system.

### MEDICAL SERVICES

All inmates in the SMU program will be seen by medical staff on a daily basis. Every pre-caution will be made to maintain patient privacy. When deemed necessary, an inmate may be removed to the medical room or department for further intervention(s). Medical staff making rounds will attempt to establish verbal contact with each inmate. All inmates requesting to see either a physician or a dentist will be scheduled with the appropriate clinician after evaluation by the clinician during his/her rounds. No routine sick call will be held on weekends or holidays, but a Primary Care Provider may schedule routine evaluations during weekend hours at his/her discretion. Only emergencies will be taken care of by the clinician. Specialty clinics are held at least every six months to maintain proper medical treatment for those who require regular clinical follow-up.

### CATEGORIES OF CARE

The Bureau of Prisons assigns medical problems to one of five categories of care:

- a. **Medically Necessary - Acute or Emergent:** A condition that, if not immediately treated, is life-threatening, likely to cause blindness, or irreversible loss of function.
- b. **Medically Necessary - Non-Emergent.** A condition that, if untreated, will result in premature death, or interfere with the possibility of later repair; or creates a level of pain or discomfort which impairs the ability to conduct activities of daily living.
- c. **Medically Acceptable - Not Always Necessary.** Medical conditions whose treatment may be delayed without jeopardizing the life, sight, or bodily function of the patient.
- d. **Limited Medical Value.** Medical conditions in which treatment provides little or no medical value, are not likely to provide substantial long-term gain, or are expressly for the inmate's convenience.
- e. **Extraordinary.** Medical interventions are deemed extraordinary if they affect the life of another individual, such as organ transplantation, or are considered investigational in nature.

### TRIAGE

- a. Triage is a process that determines what category of care a patient should be placed in. The purpose of Triage is to make sure that truly urgent conditions are given priority treatment.
- b. During triage the following will occur: The inmate will provide a brief history by completing the Chronological Record of Medical Care form; vital signs will be taken, if indicated; an appointment will be scheduled within a time frame appropriate for the inmate's medical needs; or, if no follow-up appointment is warranted, the inmate will be advised of other options (e.g. obtaining over-the-counter medications from the Commissary, submitting an Inmate Request to Staff Member, etc).

### SCOPE OF SERVICES

- a. The Bureau of Prisons will treat all **Medically Necessary Emergent & Non-Emergent Conditions**.
- b. Medical problems falling within **Medically Acceptable - Not Always Necessary** Category are essentially Elective Procedures. These procedures require approval of the Institution's Utilization Review Committee.
- c. The Committee considers such factors as: the risks and benefits of the treatment; available financial resources; available medical consultant resources; medical treatment received prior to incarceration; prognosis in the absence of treatment; the effect the intervention is likely to have on the inmate's ability to conduct activities of daily living; the likely effect delay in care would have on subsequent treatment, etc.
- d. Medical problems falling within the **Limited Medical Value** or **Extraordinary** Categories are ordinarily not treated by the Bureau of Prisons.

### Consultants and Referrals

All care that is provided by the Bureau of Prisons will be consistent with community standards of care. When available, and when required, community consultants will be contracted for commonly needed services such as cardiology, dermatology, endocrinology, general surgery, ophthalmology, optometry, orthopedics, psychiatry, radiology, urology. Additionally, patients may also be referred to Bureau of Prisons Medical Referral Centers

### OBTAINING HEALTH CARE:

- a. **Emergency Care:** All emergencies or injuries will be screened for priority of treatment and then will be examined accordingly. Appropriate medical care will be provided by institutional Health Services staff.
- b. Medical treatment on evenings, mornings, weekends, and federal holidays is limited to treatment of acute problems only. Treatment needs will be determined by the medical staff. Access to emergency medical care is obtained by

notifying any staff member or activation of the inmate duress system. Any emergency or injury, must be reported to Bureau of Prisons staff immediately.

- c. **Questions Regarding Health Services, Requests For Medical Care, Dental Care, Sick Call, Lab Results, X-Ray Results, Eye Glasses, Etc.**
1. All other Non-Emergency requests require completion of sick call slip.
  2. These forms can be obtained from your block officer or any Health Services staff member.
  3. The forms must be turned in during daily sick-call and/or sick-call rounds on the blocks, between 0630 and 0715 on Monday, Tuesday, Thursday, or Friday.
  4. You must turn the form in yourself so the PA can ask any questions he/she may have about your problem.
  5. The PA may choose to have you seen at a later date.

**DENTAL SICK-CALL**

Is for emergency care only, such as toothaches, abscesses, temporary fillings, pain, etc.

**SMU and SPECIAL HOUSING INMATES:**

Inmates placed in Special housing or housed in lock-down (SMU) units will be seen by a PA at least once daily and can request sick-call. If medical staff determine the sick-call is of an emergent priority, the inmate will be evaluated that day. Inmates with routine medical and dental care concerns will be addressed on Mondays, Tuesdays, Thursdays, and Fridays when the PA makes their morning rounds.

**PHYSICAL EXAMINATIONS**

- a. All new commitments to the Federal Bureau of Prisons System will be scheduled for a complete physical examination, which is mandatory, within 14 days of arrival at the institution. This examination may include laboratory studies, hearing and sight screening, medical history, and physical examination. A dental examination will be completed within 30 days of an inmate's arrival.
- b. All inmates under the age of 50 are entitled to a routine physical examination every two years. Those inmates age 50 or over are entitled to this examination annually. These examinations may include an electrocardiogram, rectal examination, tonometry, vision testing, and blood work testing, and other tests, as determined by your Primary Care Provider. Because this physical is for your health and well-being, we encourage you to take the opportunity extended to you. During this voluntary examination, you may refuse any part of the process that you do not want performed.

- c. All inmates, within 12 months of their release date, are entitled to a pre-release physical examination. Requests for this examination must be made through the Health Services Department, no later than two months prior to release in order for the examination to be scheduled and completed.

**ANNUAL IMMUNIZATION/SCREENING**

- a. All inmates will be scheduled for the tuberculosis screening on an annual basis. This screening will be in the form of the PPD skin test and/or chest x-ray. The date of these screenings will be based on the inmate's previous test date.
- b. During the flu season which is typically in early winter, inmates will have the influenza vaccination or "flu shot" on an availability basis. Since some seasons cause the supply of this vaccination to be short, it will depend on the availability of the vaccine and the inmate's medical priority. This optional vaccination requires an inmate to submit a Request to a Staff Member (cop-out) to the Health Services Department requesting the flu shot vaccination.

**PHARMACY**

- a. **All Medications Will Be Delivered To SMU Inmate Cells.**
- b. **Restricted medications:** Will be issued only on a dose-by-dose basis and must be taken in full view of the person issuing the drug. You will be required to allow the dispensing individual to inspect your mouth after accepting the medication.
- c. **Refills:**
  1. All refills have an expiration date. Check the lower right corner on the label. If it is expired, you must complete a new Chronological Record of Medical Care form for a new prescription.
  2. All refills have a limited number of refills. Check the lower left corner of the label. If it is expired, you must complete a new Chronological Record of Medical Care for a new prescription.
- d. **Over-The-Counter Medications:** (OTC) P6541.02, 11/17/2004, requires that personal resources will be used by inmates to obtain OTC medications that are indicated for cosmetic and general hygiene issues or symptoms of minor medical ailments.
  1. Patients will be referred to the commissary if their symptoms can be partially controlled by items available through the commissary.
  2. Inmates will purchase OTC items from the commissary with their personal funds. ***The pharmacist will not dispense OTC medications prescribed by the clinician for non-indigent inmates.*** Inmates who are listed on

the TRUFACS database as indigent may receive up to two OTC medications per week from the institution pharmacy if a clinician determines that the medications are medically necessary.

#### **IDLE, CONVALESCENCE, AND MEDICAL ASSIGNMENTS**

a. In situations where it is necessary to restrict the inmates activities due to health concerns, an inmate may be placed on Idle, Convalescence, or Medically Unassigned status. The medical staff will issue you a Medical Duty Status form that identifies your limitations.

b. **Idle:** Temporarily disability not to exceed three days duration including weekends and holidays. Restricted to your room except for meals, barbering, religious services, sick-call, visits, and call-outs. No recreation activity.

c. **Convalescence:** Recovery period for an operation, injury, or serious illness. Not less than four days and not to exceed 30 days, subject to renewal. May not participate in recreation activities.

d. **Medically Unassigned/Totally Disabled:** In the event of a serious medical problem, or a medical disability that requires a protracted period of convalescence. You will remain on **TOTAL SPORTS AND RECREATION RESTRICTION**.

e. **Restricted Duty:** Restricted from specific activities because of existing physical or mental handicap for a specific time period or indefinitely.

1. **Lower Bunk Assignments** will be issued by medical staff only if the inmate:

a. Is currently being treated for insulin dependent diabetes, seizure disorder,

b. Has an artificial limb, fracture, or limb paralysis,

c. Is age 60 or older,

d. Weighs in excess of 350 pounds.

2. **Special Shoes**

a. Requests for special footwear (non-steel toe boots, soft shoes, etc., ) will be approved only if one of the following conditions are met:

1. The patient is an insulin dependent diabetic with circulatory impairment; or

2. The patient has a deformity which prevents placement of the foot into a pair of properly fitting institution issue shoes.

b. The determination of whether a patient has one of these two conditions is to be based on current examination findings.

c. Special footwear is not regarded as medically necessary for the following common conditions: pes planus, plantar fasciitis, heel spur, and ankle arthritis. Patients with these conditions should be referred to the Commissary for purchase of arch supports, insoles, heel cups, or elastic sleeves.

3. **PRESCRIPTION EYE GLASSES:** Only BOP issued eye glasses will be offered and/or permitted. There will be no inmate purchase or repair of, special order eye glasses from home or outside vendors.

#### **RIGHTS/RESPONSIBILITY**

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

#### **Your Health Care Rights**

1. You have the right to access health care services based on the local procedures at this institution. Health services include medical, dental, and all support services.
2. You have the right to know the name and professional status of your health care providers and to be treated with respect, consideration, and dignity.
3. You have the right to address any concerns regarding your health care to any member of the institutional staff including the physician, the Health Services Administrator, members of your Unit Team, the Associate Warden, and the Warden.
4. You have the right to provide the Bureau of Prisons with Advance Directives or a Living Will that would provide the Bureau of Prisons with instructions if you are admitted as an inpatient to a hospital.
5. You have the right to be provided with information regarding your diagnosis, treatment, and prognosis.
6. You have the right to obtain copies of certain releasable portions of your health record.
7. You have the right to be examined in privacy.
8. You have the right to participate in health promotion and disease prevention programs, including those providing education regarding infectious disease.
9. You have the right to report complaints of pain to your health care provider, have your pain assessed, managed in a timely manner, be provided information about pain management as well as information on the limitations and side effects of pain treatments.

10. You have the right to receive prescribed medications and treatments in a timely manner, consistent with the recommendations of the prescribing health care provider.
11. You have the right to be provided healthy and nutritious food. You have the right to instructions regarding a healthy diet.
12. You have the right to request a routine physical examination as defined in Bureau of Prisons policy. (If you are under the age of 50, once every 2 years, if over the age of 50, once a year and within one year of your release).
13. You have the right to dental care as defined in the Bureau of Prisons policy to include preventative services, emergency care, and routine care.
14. You have the right to a safe, clean, and healthy environment that includes smoke free living areas.
15. You have the right to refuse medical treatment in accordance with the Bureau of Prisons policy. Refusal of certain diagnostic tests for infectious diseases can result in administrative actions against you. You have the right to be counseled regarding the possible consequences of refusing medical treatment.
16. In the case of language or cultural differences, all care will be taken to see that communication between the patient and those responsible for his care is adequate.

#### Your Health Care Responsibilities

1. You have the responsibility to comply with the health care policies of this institution and follow recommended treatment plans established for you by the health care staff.
2. You have the responsibility to treat these providers as professional and follow their instructions to maintain and improve your overall health.
3. You have the responsibility to address your concerns in the accepted format, such as the Inmate Request to Staff Member form, at main line, or the accepted Inmate Grievance Procedures (BP8 - BP9).
4. You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.
5. You have the responsibility to keep this information confidential.
6. You have the responsibility to be familiar with the current policy and abide by such to obtain these records.
7. You have the responsibility to comply with security procedures should security be required during your examination.
8. You have the responsibility to maintain your health and not to endanger yourself, or others, by participating in activities that could result in the spreading or catching of infectious diseases.
9. You have the responsibility to communicate with your health care provider honestly regarding your pain and your concerns about your pain. You also have the responsibility to adhere to the prescribed treatment plan and medical restrictions. It is your responsibility to keep your provider informed of both positive and negative changes in your condition to assure timely follow-up.
10. You have the responsibility to be honest with your health care provider(s), to comply with prescription treatments and follow prescription orders. You also have the responsibility not to provide any other person with your medication or other prescription item.

11. You have the responsibility to eat healthy and not abuse or waste food or drink.
12. You have the responsibility to notify medical staff that you wish to have an examination.
13. You have the responsibility to maintain your oral hygiene and health.
14. You have the responsibility to maintain the cleanliness of personal and common areas and safety in consideration of others. You have the responsibility to follow smoking regulations.
15. You have the responsibility to notify Health Services regarding any ill-effects that occur as a result of your refusal. You also accept the responsibility to sign the treatment refusal form.
16. You have the responsibility to advise Health Services staff of any communication difficulties in regards to your medical needs and/or treatments.
17. Inmates are not allowed to feed or care for wild or stray animals. Inmates found feeding or caring for wild or stray animals are subject to disciplinary action.

#### NOTICE TO INMATES - INMATE COPAYMENT PROGRAM

Pursuant to the Federal Prisoner Health Care Copayment Act (FHC-CA) of 2000 (P.L. 106-294, 18 U.S.C. 4048), the Federal Bureau of Prisons and USP/LEC Lewisburg, provide notice of the Inmate Copayment Program for health care, effective October 3, 2005.

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

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

1. You must pay a fee of \$2.00 for health care services, charged to your Inmate Commissary Account, per health care visit, if you receive health care services in connection with a health care visit that you requested, except for services described in section C, below.

These requested appointments include Sick Call and after-hours requests to see a health care provider. If you ask a non-medical staff member to contact medical staff to request a medical evaluation on your behalf for a health service not listed in section C, below, you will be charged a \$2.00 co-pay fee for that visit.

2. You must pay a fee of \$2.00 for health care services, charged to your Inmate Commissary Account, per health care visit, if you are found responsible through the Disciplinary Hearing process to have injured an inmate who, as a result of the injury, requires a health care visit.

c. **Health Care Visits with no Fee:**

We will not charge a fee for:

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

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

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

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

- d. **Indigence:** An **indigent inmate** is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days. If you are considered indigent, you will not have the co-pay fee deducted from your Inmate Commissary Account.

If you are NOT indigent, but you do 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 your Inmate Commissary Account.

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

f. **Frequently Asked Questions About Co-pay:**

1. **What is a co-pay fee?**

A co-pay fee is a fee charged to you when you request health care services, such as Sick Call, or after hours treatment for a condition which is not an emergency. It is similar to fees charged in the community under most health insurance plans.

2. **How much is the fee?**

The fee charged for health care services under the Inmate Copayment Program is \$2.00.

3. **What if I have a chronic medical problem, like heart trouble or diabetes?**

If you have a chronic medical problem, we will not charge a fee for certain visits related to your chronic medical problem. If you request Sick Call for something not related to your chronic medical problem, such as a cold or back pain, you will be charged a co-pay fee.

4. **How is the payment made?**

The co-pay fee will be deducted from your Inmate Commissary Account.

5. **Who determines if a visit is subject to a co-pay fee?**

Health care providers (doctors, nurses, mid-level providers) determine whether a visit is subject to a co-pay fee and will enter that information into TRUFACS to be processed.

6. **Who decides if the co-pay fee is deducted from my account?**

The TRUFACS system, managed by the Trust Fund Branch, will decide whether it is appropriate to deduct the co-pay fee from your Inmate Commissary Account. The health care provider does NOT decide if the fee will be collected, only whether the type of visit qualifies for a co-pay fee. All financial transactions are completed by TRUFACS.

7. **What if I am indigent?**

If you are considered indigent, you will not have the co-pay fee deducted from your Inmate Commissary Account. An **indigent inmate** is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days.

If you are NOT indigent, but you do 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 your Inmate Commissary Account.

The health care provider does not determine your indigent status for the purpose of the co-pay fee, only whether the type of visit qualifies for a co-pay fee. If you are indigent, TRUFACS will not deduct the co-pay fee.

8. **What if I am not indigent, but I spent all my money last week? Will the doctor or the MLP refuse to see me until I get more money in my account?**

Your appointment will take place as scheduled. The health care provider will code the visit as paid or non-paid based on the type of visit. TRUFACS will maintain the information regarding the visit, set up a debt, and apply incoming funds to satisfy the debt. You will not be denied health care based on the amount of money in the Inmate Commissary Account.

9. **What if the health care provider marked a visit as qualify for a co-pay fee when it should not have qualified for a co-pay fee? How do I get my money back?**  
If you believe you were incorrectly charged a co-pay fee, address your concerns to the Health Services Administrator (HSA). He or she has the ability to informally resolve your complaint and correct the mistake if one was made. If the HSA does not satisfactorily resolve your complaint, you can use the Administrative Remedy process to address any complaints.
10. **What gives the BOP the authority to collect the co-pay fee?**  
Public Law 106-294, the Federal Prisoner Health Care Co-payment Act of 2000 (P.L.106-294, 18 U.S.C, 4048) requires the BOP to collect co-pay fees.
11. **Who gets the money collected?**  
Twenty-five percent of the money collected goes to pay for administration of the Inmate Co-payment Program, and seventy-five percent goes to the Crime Victims Fund.
12. **If my detail supervisor or Unit Team call Health Services to see me because I don't feel well, will I be charged a co-pay fee?**  
If any staff member (including the Warden or Associate Warden) other than a health care provider requests a medical evaluation on your behalf, and it is not a medical emergency, you will be charged a co-pay fee.
13. **If my Health Care Provider refers me to a specialist, will I be charged a co-pay fee for the specialist?**  
No. Referral from one health care provider to another will not result in a co-pay fee.

#### Case Management

**The Case Management Coordinator (CMC) at USP Lewisburg is responsible for the oversight of the Case Management and Correctional Systems functions.**

Ordinarily, within 28 days of your entry into the institution you will appear before the Institution Classification Committee and your program review. This committee is comprised of members of the administration, psychology, education, Unit Team, and custody staff.

During this classification review you will be provided with the SMU programming information and the expectations for your successful and timely completion of the program. You will also go through the program review process with your Unit Team and a modified version of the Admittance and Orientation lecture. You will be periodically reviewed every 90 days by your Unit Team.

The following items will be discussed during your program review:

#### Financial Responsibility Program (FRP)

You will be expected to make payments toward the completion of any assessment, fine, restitution balance or any financial obligation you have not paid. Your team will base the commensurate payment amount and frequency of

payments on your six months account balance. This will be explained in greater detail by your Unit Team. While you are participating in the SMU program you may be considered for Inmate Performance Pay as an orderly after completing phase I and II of the program. This will be determined by your Unit Team.

#### Custody Classification

Your custody classification will occur annually or with greater frequency when factors such as program refusal, detainers, acts of violence, completion of programs or changes in sentence length occur.

#### Release Planning and Preparation (if applicable)

When you've reached the last 17 to 19 months of your sentence you will be reviewed for Residential Reentry Center (RRC) appropriateness according to the Second Chance Act of 2007. Your Unit Team will discuss this with you in greater detail. During this time you will already be required to participate in the Release Preparation Program and complete the classes according to the schedule your Unit Team sets. During your release planning your Unit Team will discuss Veteran's and Social Security benefits if applicable. They will also cover Selective Service and BOP Registration requirements. If approved for placement in an RRC your Unit Team will discuss Furlough requirements and specific RRC expectations.

#### Parole

If you are eligible for parole you will be eligible for an in person hearing with a USPC hearing examiner according to your eligibility date.

#### Transfer to Foreign Countries

The Bureau of Prisons is authorized to transfer custody of a foreign citizen, who is serving a sentence in the United States, to his country of citizenship for completion of his sentence. This transfer is voluntary and subject to eligibility, and the approval of both countries. You can initiate this process by submitting an Inmate Request to Staff Member (BP-A0148).

#### Administrative Remedy Process

When attempting to informally resolve an issue, you should first present the issue of concern to your Unit Counselor in writing. If your Unit Counselor is unable to satisfy the concern, you may request a (BP-8) Informal Resolution Attempt. This form can be obtained from your Unit Counselor and is ordinarily answered within five business days. If you are not satisfied with the response from your Informal Resolution Attempt you may request an (BP-9) Administrative Remedy Request. This must be done within 20 calendar days.

The following is taken directly from P.S. P1330.17 **Administrative Remedy Program** dated August 20, 2012:

#### INITIAL FILING. §542.14 INITIAL FILING.

**a. Submission. The deadline for completion of informal resolution and submission of a formal written Administrative Remedy Request, on the appropriate form (BP-9), is 20 calendar days following the date on which the basis for the Request occurred.**

In accord with the settlement in *Washington v. Reno*, and for such period of time as this settlement remains in effect, the deadline for completing informal resolution and submitting a formal written Administrative Remedy Request, on the appropriate form (BP-9) (BP-229), for a disputed telephone charge, credit, or telephone service problem for which the inmate requests reimbursement to his/her telephone account, is 120 days from the date of the disputed telephone charge, credit, or telephone service problem.

Administrative Remedy Requests concerning telephone issues that do not involve billing disputes or requests for refunds for telephone service problems (such as Administrative Remedy P1330.07 8/20/2012 Federal Regulations from 28 CFR: this type. Implementing instructions: this type. 5 Requests concerning telephone privileges, telephone lists, or telephone access) are governed by the 20-day filing deadline.

**b. Extension.** Where the inmate demonstrates a valid reason for delay, an extension in filing time may be allowed. In general, valid reason for delay means a situation which prevented the inmate from submitting the request within the established time frame. Valid reasons for delay include the following: an extended period in-transit during which the inmate was separated from documents needed to prepare the Request or Appeal; an extended period of time during which the inmate was physically incapable of preparing a Request or Appeal; an unusually long period taken for informal resolution attempts; indication by an inmate, verified by staff, that a response to the inmate's request for copies of dispositions requested under §542.19 of this part was delayed. Ordinarily, the inmate should submit written verification from staff for any claimed reason for delay.

If an inmate requests an Administrative Remedy form but has not attempted informal resolution, staff should counsel the inmate that informal resolution is ordinarily required. If the inmate nevertheless refuses to present a request informally, staff should provide the form for a formal Request. Upon receipt of the inmate's submission, the Coordinator shall accept the Request if, in the Coordinator's discretion, informal resolution was bypassed for valid reasons, or may reject it if there are no valid reasons for bypassing informal resolution.

**c. Form**

(1) The inmate shall obtain the appropriate form from CCC staff or institution staff (ordinarily, the correctional counselor).

The following forms are appropriate:

- Request for Administrative Remedy, Form BP-9 (BP-229), is appropriate for filing at the institution.
- Regional Administrative Remedy Appeal, Form BP-10 (BP-230), is appropriate for submitting an appeal to the regional office.
- Central Office Administrative Remedy Appeal, Form BP-11 (BP-231), is appropriate for submitting an appeal to the Central Office.

(2) The inmate shall place a single complaint or a reasonable number of closely related issues on the form. If the inmate includes on a single form multiple unrelated issues, the submission shall be rejected and returned without response, and the inmate shall be advised to use a separate form for each unrelated issue. For DHO and UDC appeals, each separate incident report number must be appealed on a separate form.

Placing a single issue or closely related issues on a single form facilitates indexing, and promotes efficient, timely and comprehensive attention to the issues raised. P1330.07 8/20/2012 Federal Regulations from 28 CFR: this type. Implementing instructions: this type. 6

(3) The inmate shall complete the form with all requested identifying information and shall state the complaint in the space provided on the form. If more space is needed, the inmate may use up to one letter-size (8 1/2» by 11») continuation page. The inmate must provide an additional copy of any continuation page. The inmate must submit one copy of supporting exhibits. Exhibits will not be returned with the response. Because copies of exhibits must be filed for any appeal (see § 542.15 (b) (3)), the inmate is encouraged to retain a copy of all exhibits for his or her personal records.

(4) The inmate shall date and sign the Request and submit it to the institution staff member designated to receive such Requests (ordinarily a correctional counselor). CCC inmates may mail their Requests to the CCM.

**d. Exceptions to Initial Filing at Institution**

(1) Sensitive Issues. If the inmate reasonably believes the issue is sensitive and the inmate's safety or well-being would be placed in danger if the Request became known at the institution, the inmate may submit the Request directly to the appropriate Regional Director. The inmate shall clearly mark "Sensitive" upon the Request and explain, in writing, the reason for not submitting the Request at the institution. If the Regional Administrative Remedy Coordinator agrees that the Request is sensitive, the Request shall be accepted. Otherwise, the Request will not be accepted, and the inmate shall be advised in writing of that determination, without a return of the Request. The inmate may pursue the matter by submitting an Administrative Remedy Request locally to the Warden. The Warden shall allow a reasonable extension of time for such a resubmission.

(2) DHO Appeals. DHO appeals shall be submitted initially to the Regional Director for the region where the inmate is currently located.

See the Program Statement Inmate Discipline Program.

(3) Control Unit Appeals. Appeals related to Executive Panel Reviews of Control Unit placement shall be submitted directly to the General Counsel.

See the Program Statement Control Unit Programs.

(4) Controlled Housing Status Appeals. Appeals related to the Regional Director's review of controlled housing status placement may be filed directly with the General Counsel.

See the Program Statement Procedures for Handling HIV Positive Inmates Who Pose Danger to Other.

**9. APPEALS § 542.15**

a. Submission. An inmate who is not satisfied with the Warden's response may submit an Appeal on the appropriate form (BP-10) to

the appropriate Regional Director within 20 calendar days of the date the Warden signed the response. An inmate who is not satisfied with the Regional Director's response may submit an Appeal on the appropriate form (BP-11) to the General Counsel within 30 calendar days of the date the Regional Director signed the response. When the inmate demonstrates a valid reason for delay, these time limits may be extended. Valid reasons for delay include those situations described in §542.14(b) of this part. Appeal to the General Counsel is the final administrative appeal.

These deadlines specify the date of the Appeal's receipt in the regional office or the Central Office. The deadlines have been made deliberately long to allow sufficient mail time. Inmates should mail their Appeals promptly after receiving a response to ensure timely receipt. Ordinarily, the inmate must submit written verification from institution staff for any reason for delay that cannot be verified through SENTRY.

In many cases, courts require a proper Appeal to the General Counsel before an inmate may pursue the complaint in court.

b. Form

(1) Appeals to the Regional Director shall be submitted on the form designed for regional Appeals (BP-10) and accompanied by one complete copy or duplicate original of the institution Request and response. Appeals to the General Counsel shall be submitted on the form designed for Central Office Appeals (BP-11) and accompanied by one complete copy or duplicate original of the institution and regional filings and their responses. Appeals shall state specifically the reason for appeal.

(2) An inmate may not raise in an Appeal issues not raised in the lower level filings. An inmate may not combine Appeals of separate lower level responses (different case numbers) into a single Appeal.

(3) An inmate shall complete the appropriate form with all requested identifying information and shall state the reasons for the Appeal in the space provided on the form. If more space is needed, the inmate may use up to one letter-size (8 1/2" x 11") continuation page. The inmate shall provide two additional copies of any continuation page and exhibits with the regional Appeal, and three additional copies with an Appeal to the Central Office (the inmate is also to provide copies of exhibits used at the prior level(s) of appeal). The inmate shall date and sign the Appeal and mail it to the appropriate Regional Director, if a Regional Appeal, or to the National Inmate Appeals Administrator, Office of General Counsel, if a Central Office Appeal (see 28 CFR part 503 for addresses of the Central Office and Regional Offices).

c. Processing. The appropriate regional office to process the Appeal is the regional office for the institution where the inmate is confined at the time of mailing the Appeal, regardless of the institution that responded to the institution filing. P1330.07 8/20/2012 Federal Regulations from 28 CFR: this type. Implementing instructions: this type. 8

10. ASSISTANCE §542.16

a. An inmate may obtain assistance from another inmate or from institution staff in preparing a Request or an Appeal. An inmate may also obtain assistance from outside sources, such as family members or attorneys. However, no person may submit a Request or Appeal on the inmate's behalf, and obtaining assistance will not be considered a valid reason for exceeding a time limit for submission unless the delay was caused by staff.

b. Wardens shall ensure that assistance is available for inmates who are illiterate, disabled, or who are not functionally literate in English. Such assistance includes provision of reasonable accommodation in order for an inmate with a disability to prepare and process a Request or an Appeal.

For example, Wardens must ensure that staff (ordinarily unit staff) provide assistance in the preparation or submission of an Administrative Remedy or an Appeal upon being contacted by such inmates that they are experiencing a problem.

11. RESUBMISSION §542.17

a. Rejections. The Coordinator at any level (CCM, institution, region, Central Office) may reject and return to the inmate without response a Request or an Appeal that is written by an inmate in a manner that is obscene or abusive, or does not meet any other requirement of this part.

b. Notice. When a submission is rejected, the inmate shall be provided a written notice, signed by the Administrative Remedy Coordinator, explaining the reason for rejection. If the defect on which the rejection is based is correctable, the notice shall inform the inmate of a reasonable time extension within which to correct the defect and resubmit the Request or Appeal.

(1) Sensitive Submissions. Submissions for inmate claims which are too sensitive to be made known at the institution are not to be returned to the inmate. Only a rejection notice will be provided to the inmate. However, other rejected submissions ordinarily will be returned to the inmate with the rejection notice.

(2) Defects. Defects such as failure to sign a submission, failure to submit the required copies of a Request, Appeal, or attachments, or failure to enclose the required single copy of lower level submissions are examples of correctable defects. Ordinarily, five calendar days from the date of the notice to the inmate is reasonable for resubmission at the institution level; at least 10 calendar days at the CCM or regional offices; and 15 calendar days at the Central Office.

(3) Criteria for Rejection. When deciding whether to reject a submission, Coordinators, especially at the institution level, should be flexible, keeping in mind that major purposes of this Program are to solve problems and be responsive to issues inmates raise. Thus, for example, consideration should be given to accepting a Request or Appeal that raises a sensitive or problematic issue, such as medical treatment, sentence computation, or staff misconduct, even though that submission may be somewhat untimely.

c. Appeal of Rejections. When a Request or Appeal is rejected and the inmate is not given an opportunity to correct the defect and resubmit, the inmate may appeal the rejection, including a rejection on the basis of an exception as described in §542.14 (d), to the next appeal level. The Coordinator at that level may affirm the rejection, may direct that the submission be accepted at the lower level (either upon the inmate's resubmission or direct return to that lower level), or may accept the submission for filing. The inmate shall be informed of the decision by delivery of either a receipt or rejection notice.

**12. RESPONSE TIME §542.18.**

If accepted, a Request or Appeal is considered filed on the date it is logged into the Administrative Remedy Index as received. Once filed, response shall be made by the Warden or CCM within 20 calendar days; by the Regional Director within 30 calendar days; and by the General Counsel within 40 calendar days. If the Request is determined to be of an emergency nature which threatens the inmate's immediate health or welfare, the Warden shall respond not later than the third calendar day after filing. If the time period for response to a Request or Appeal is insufficient to make an appropriate decision, the time for response may be extended once by 20 days at the institution level, 30 days at the regional level, or 20 days at the Central Office level. Staff shall inform the inmate of this extension in writing. Staff shall respond in writing to all filed Requests or Appeals. If the inmate does not receive a response within the time allotted for reply, including extension, the inmate may consider the absence of a response to be a denial at that level.

The date a Request or an Appeal is received in the Administrative Remedy index is entered into SENTRY as the "Date Rcv", and should be the date it is first received and date-stamped in the Administrative Remedy Clerk's office. Notice of extension ordinarily is made via SENTRY notice.

**13. REMEDY PROCESSING**

a. Receipt. Upon receiving a Request or Appeal, the Administrative Remedy Clerk shall stamp the form with the date received, log it into the SENTRY index as received on that date, and write the "Remedy ID" as assigned by SENTRY on the form. Once a submission is entered into the system, any subsequent submissions or appeals of that case shall be entered into SENTRY using the same Case Number. The "Case Number" is the purely numerical part of the "Remedy ID" which precedes the hyphen and "Submission ID." All submissions received by the Clerk, whether accepted or rejected, shall be entered into SENTRY in accordance with the SENTRY Administrative Remedy Technical Reference Manual.

Sensitive issues, when the inmate claims that his or her safety or well-being would be placed in danger if it became known at the institution that the inmate was pursuing the issue, should be withheld from logging in until answered and/or should be logged into SENTRY with sufficient vagueness as to subject code and abstract to accommodate the inmate's concerns.

A Request should be submitted and logged in at the institution where the inmate is housed at the time the inmate gives the Request to the counselor or other appropriate staff member. If the event(s) occurred at a previous institution, staff at that previous institution shall provide, promptly upon request, any investigation or other assistance needed by the institution answering the Request. If an inmate is transferred after giving the Request to a staff member, but before that Request is logged in or answered, the institution where the Request was first given to a staff member remains responsible for logging and responding to that Request.

b. Investigation and Response Preparation. The Clerk or Coordinator shall assign each filed Request or Appeal for investigation and response preparation. Matters in which specific staff involvement is alleged may not be investigated by either staff alleged to be involved or by staff under their supervision. Allegations of physical abuse by staff shall be referred to the Office of Internal Affairs (OIA) in accordance with procedures established for such referrals. Where appropriate; e.g., when OIA or another agency is assuming primary responsibility for investigating the allegations, the response to the Request or Appeal may be an interim response and need not be delayed pending the outcome of the other investigation.

Requests or Appeals shall be investigated thoroughly, and all relevant information developed in the investigation shall ordinarily be supported by written documents or notes of the investigator's findings. Notes should be sufficiently detailed to show the name, title, and location of the information provided, the date the information was provided, and a full description of the information provided. Such documents and notes shall be retained with the case file copy. When deemed necessary in the investigator's discretion, the investigator may request a written statement from another staff member regarding matters raised in the Request or Appeal. Requested staff shall provide such statements promptly. For a disciplinary Appeal, a complete copy of the appealed disciplinary actions record shall be maintained with the Appeal file copy.

c. Responses. Responses ordinarily shall be on the form designed for that purpose, and shall state the decision reached and the reasons for the decision. The first sentence or two of a response shall be a brief abstract of the inmate's Request or Appeal, from which the SENTRY abstract should be drawn. This abstract should be complete, but as brief as possible. The remainder of the response should answer completely the Request or Appeal, be accurate and factual, and contain no extraneous information. The response should be written to be released to any inmate and the general public under the Freedom of Information Act (FOIA) and the Privacy Act. Inmate names shall not be used in responses, and staff and other names may not be used unless absolutely essential.

Program Statements, Operations Memoranda, regulations, and statutes shall be referred to in responses whenever applicable, including section numbers on which the response relies.

d. Response Time Limits. Responses shall be made as required in Section 12 of this Program Statement.

e. Index Completion. When a response is completed, the Clerk shall update SENTRY in accordance with the SENTRY Administrative Remedy Manual and the instructions in Attachment A. Particular attention should be paid to updating the status date, code, and reason, and to making any changes to the subject code and abstract indicated by the Coordinator or by the response drafter. The abstract shall be taken from the response's first paragraph. Abbreviations may be liberally used, as long as they are easily understood, to allow as complete a description of the issue in the 50 characters allotted. For consistency, the Administrative Remedy Coordinator shall approve the closing entry, including the subject codes, status code and reason, and abstract, before the closing entry is made by the Clerk.

f. Response Distribution. For an institution response, one copy of the complete Request and response shall be maintained in the Warden's Administrative Remedy File together with all supporting material. Three copies shall be returned to the inmate. An inmate who subsequently appeals to the regional or Central Office shall submit one copy with each appeal. One copy of a Regional Appeal and response shall be retained at the regional office. One copy shall be sent to the Warden at the original filing location. The remaining two copies shall be returned to the inmate; one to submit in case of subsequent appeal to the Central Office, and one to retain. One copy of a Central Office Appeal and response will be returned to the inmate. One copy will be retained in the Central Office Administrative Remedy File, one copy will be forwarded to the regional office where the Regional Appeal was answered, and one to the Warden's Administrative Remedy File at the original filing location.

**Correctional Systems Department**

The CMC, SCSS, or Correctional Systems staff also make regular visits to Special Management Units. Questions submitted via Inmate request to Staff Member (BP-A0148) are answered in a timely and professional manner.

**Designation and Sentence Computation Center (DSCC) Functions**

DSCC staff must thoroughly review all sentencing and designation material. The review includes, but is not limited to, jail credit, over-served time, medical, PSI, and J&C information.

An inmate's sentence is completed and audited immediately if the inmate is within 30 days of the statutory release date and within five working days if the inmate is within six months or less of the statutory release date. For terms in excess of six months from statutory release date, the sentence must be computed and audited within 30 calendar days.

Prior to calculating an inmate's sentence, DSCC staff will carefully analyze the J&C to ensure it is in accordance with applicable statutes, case law, and the U.S. Sentencing Guidelines. The name entered on the J&C is considered the committed name to be used by the inmate, as well as the Bureau. It is the DSCC's responsibility to indicate on the sentence computation the existence of fines, costs or restitution. DSCC staff will monitor and update Good Time Data on a daily basis.

**Interstate Agreement on Detainers**

The Interstate Agreement on Detainers Act (IADA) allows the disposal of detainers lodged against inmates by jurisdictions in states that are party to the agreement. Either an inmate or a state may initiate proceedings for this purpose. Under the IADA, a jurisdiction having an untried indictment, information, or complaint lodged as a detainer may secure temporary custody of the inmate for trial. A detainer is lodged when a formal request from a Federal, state, or local jurisdiction for an inmate's custody upon completion of a term of imprisonment. This includes requests for criminal and non-criminal charges. (e.g. material witnesses, probation/parole violator warrants, deportation, child support, etc.).

**Mail Operations**

Mail service to inmates is provided on a five-day schedule, Monday through Friday, excluding holidays. The CMC, SCSS, or Correctional Systems staff make regular visits to Special Management Units. This ensures inmates have an opportunity to address mail concerns.

Upon admission to the institution, inmates complete a BP-407, Acknowledgments of Inmate. By executing Part 1-I of the BP-407 electing not to receive their general correspondence, all general correspondence received shall be returned to the sender, unopened, with the endorsement "refused."

All incoming general correspondence and all outgoing mail (except "special mail") is subject to inspection and random reading by staff. Mail is collected by Correctional Services staff throughout the day. Inmates on indigent status requiring postage may be re-

quired to hand outgoing mail directly to a member of their unit team for processing. Correctional Systems staff will process all incoming Special Mail. Special Mail means correspondence sent to or received from the following: the U.S. President and Vice President of the United States, the U.S. Department of Justice (including the Bureau of Prisons), U.S. Attorneys Offices, Surgeon General, U.S. Public Health Service, Secretary of the Army, Navy, or Air Force, U.S. Courts (including U.S. Probation Officer), Members of the U.S. Congress, Embassies and Consulates, Governors, State Attorneys General, Prosecuting Attorneys, Directors of State Departments of Corrections, State Parole Commissioners, State Legislators, State Courts, State Probation Officers, other Federal and State law enforcement officers, attorneys, and representatives of the news media. For incoming correspondence to be processed under the Special Mail procedures, the sender must be adequately identified on the envelope, and the front of the envelope must be marked "Special Mail - Open only in the presence of the inmate". Incoming Special Mail will be delivered to the inmate by his unit team. The mail will be opened in the inmate's presence, checked for contraband and only then, delivered to the inmate.

Inmates are required to deliver their own outgoing Special Mail directly to staff. Inmates in the Special Management Units will deliver their Special Mail directly to Correctional Services staff assigned to work the units. Inmates will present their inmate identification card when delivering outgoing Special Mail to staff. Staff will confirm that the inmate delivering it is the same inmate identified in the return address on the mail, and initial the return address area on the envelope.

All incoming inmate property packages must be authorized in advance unless otherwise approved under another Bureau policy. An Authorization to Receive Package or Property, BP-331 shall be used for this purpose. A BP-331 shall remain valid for no longer than 60 calendar days from the date of approval. Ordinarily, the only reason a package would be authorized would be in order to receive release clothing 30 days prior to release.

Hard back books must come in from a commercial publisher, book store, or book clubs. Since this type of book is not prohibited in SMU cells, they will be inventoried and placed directly in your inmate property. The Warden may reject correspondence sent by or to an inmate if it is determined detrimental to the security, good order, or discipline of the institution, to the protection of the public, or if it might facilitate criminal activity.

**Receiving and Discharge**

An inmate identification card is prepared for each newly designated inmate. If a previous identification card is damaged or not working, inmates can obtain a new card by submitting a Inmate request to Staff Member (BP-A0148) to the CMC.

Special Management inmates will be issued property per the Institution Supplement on Property according to their level. SMU Inmates will have limited personal property.

INMATE DISCIPLINE

Inmates found to be in violation of institution rules may be subject to disciplinary action. All disciplinary action will be consistent with the severity of the incident, inmate's past history, and general institutional adjustment. Failure to participate in the SMU program may result in disciplinary action. Moreover, disciplinary infractions may result in additional treatment assignments or the need to repeat levels of SMU.

Aiding another person to commit a disciplinary infraction, or attempting to commit any of the offenses, and making plans to commit any of these offenses in all categories of severity will be considered the same as commission of the offense itself.

When an incident occurs (that is a violation of a rule or regulation) and the violation cannot be resolved informally, an incident report is written by a staff member.

An incident report details the specific incident for which the inmate is charged. The incident report stipulates which rule or regulation was violated, and the place and time of the incident that occurred. A copy of the incident report is given to the inmate as soon after the incident occurs as circumstances permit. Normally, the incident report is delivered to the inmate within twenty-four (24) hours of the writing. The Unit Discipline Committee (UDC) or Discipline Hearing Officer (DHO) will thereafter dispose of the misconduct report.

When found guilty of misconduct, inmates are subject to loss of privileges even when the misconduct is not associated to privilege.

Inmates may appeal UDC actions directly to the Warden within twenty (20) days of receiving their UDC Report via a BP-9 Administrative Remedy Appeal.

Inmates may appeal DHO actions directly to the Regional Director via a BP-10 Administrative Remedy Appeal within twenty (20) days of receiving their DHO Report.

Inmates who are serving a sentence under VCCLEA Violent or PLRA crime status, and who incur High or Greatest severity level incident reports, are required to have their cases heard before the DHO, and are subject to the loss of good time if found guilty.

The chargeable offenses, range of penalties, and disciplinary procedures are as follows:

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

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

## PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE

**GREATEST SEVERITY LEVEL PROHIBITED ACTS**

- 100 Killing.
  - 101 Assaulting any person, or an armed assault on the institution's secure perimeter (a charge for assaulting any person at this level is to be used only when serious physical injury has been attempted or accomplished).
  - 102 Escape from escort; escape from any secure or non-secure institution, including community confinement; escape from unescorted community program or activity; escape from outside a secure institution.
  - 103 Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of Greatest Severity, e.g., in furtherance of a riot or escape; otherwise the charge is properly classified Code 218, or 329).
  - 104 Possession, manufacture, or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive, ammunition, or any instrument used as a weapon.
  - 105 Rioting.
  - 106 Encouraging others to riot.
  - 107 Taking hostage(s).
  - 108 Possession, manufacture, introduction, or loss of a hazardous tool (tools most likely to be used in an escape or escape attempt or to serve as weapons capable of doing serious bodily harm to others; or those hazardous to institutional security or personal safety; e.g., hacksaw blade, body armor, maps, handmade rope, or other escape paraphernalia, portable telephone, pager, or other electronic device).
  - 110 Refusing to provide a urine sample; refusing to breathe into a Breathalyzer; refusing to take part in other drug-abuse testing.
  - 111 Introduction or making of any narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by the medical staff.
  - 112 Use of any narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by the medical staff.
  - 113 Possession of any narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by the medical staff.
  - 114 Sexual assault of any person, involving non-consensual touching by force or threat of force.
  - 115 Destroying and/or disposing of any item during a search or attempt to search.
  - 196 Use of the mail for an illegal purpose or to commit or further a Greatest category prohibited act.
  - 197 Use of the telephone for an illegal purpose or to commit or further a Greatest category prohibited act.
  - 198 Interfering with a staff member in the performance of duties most like another Greatest severity prohibited act. This charge is to be used only when another charge of Greatest severity is not accurate. The offending conduct must be charged as "most like" one of the listed Greatest severity prohibited acts.
  - 199 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another Greatest severity prohibited act. This charge is to be used only when another charge of Greatest severity is not accurate. The offending conduct must be charged as "most like" one of the listed Greatest severity prohibited acts.
- AVAILABLE SANCTIONS FOR GREATEST SEVERITY LEVEL PROHIBITED ACTS -**
- A. Recommend parole date rescission or retardation.
  - B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time (up to 100%) and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
  - B.1. Disallow ordinarily between 50% and 75% (27-41 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
  - C. Disciplinary segregation (up to 12 months). P5270.09 7/8/2011 Federal Regulations are shown in this type.
  - D. Make monetary restitution.
  - E. Monetary fine.
  - F. Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).
  - G. Change housing (quarters).
  - H. Remove from program and/or group activity.
  - I. Loss of job.
  - J. Impound inmates personal property.
  - K. Confiscate contraband.
  - L. Restrict to quarters.
  - M. Extra duty.

**HIGH SEVERITY LEVEL PROHIBITED ACTS –**

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

299 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another High severity prohibited act. This charge is to be used only when another charge of High severity is not accurate. The offending conduct must be charged as "most like" one of the listed High severity prohibited acts.

**AVAILABLE SANCTIONS FOR HIGH SEVERITY LEVEL PROHIBITED ACTS –**

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

**MODERATE SEVERITY LEVEL PROHIBITED ACTS –**

- 300 Indecent Exposure.
- 302 Misuse of authorized medication.
- 303 Possession of money or currency, unless specifically authorized, or in excess of the amount authorized.
- 304 Loaning of property or anything of value for profit or increased return.
- 305 Possession of anything not authorized for retention or receipt by the inmate, and not issued to him through regular channels.
- 306 Refusing to work or to accept a program assignment.
- 307 Refusing to obey an order of any staff member (may be categorized and charged in terms of greater severity, according to the nature of the order being disobeyed, e.g. failure to obey an order which furthers a riot would be charged as 105, Rioting; refusing to obey an order which furthers a fight would be charged as 201, Fighting; refusing to provide a urine sample when ordered as part of a drug-abuse test would be charged as 110).
- 308 Violating a condition of a furlough.
- 309 Violating a condition of a community program.
- 310 Unexcused absence from work or any program assignment.
- 311 Failing to perform work as instructed by the supervisor.
- 312 Insolence towards a staff member.
- 313 Lying or providing a false statement to a staff member.
- 314 Counterfeiting, forging, or unauthorized reproduction of any document, article of identification, money, security, or official paper (may be categorized in terms of greater severity according to the nature of the item being reproduced, e.g., counterfeiting release papers to effect escape, Code 102).
- 315 Participating in an unauthorized meeting or gathering.
- 316 Being in an unauthorized area without staff authorization.
- 317 Failure to follow safety or sanitation regulations (including safety regulations, chemical instructions, tools, MSDS sheets, OSHA standards).
- 318 Using any equipment or machinery without staff authorization.
- 319 Using any equipment or machinery contrary to instructions or posted safety standards.
- 320 Failing to stand count.
- 321 Interfering with the taking of count.

- 324 Gambling.
- 325 Preparing or conducting a gambling pool.
- 326 Possession of gambling paraphernalia.
- 327 Unauthorized contacts with the public.
- 328 Giving money or anything of value to, or accepting money or anything of value from, another inmate or any other person without staff authorization.
- 329 Destroying, altering, or damaging government property, or the property of another person, having a value of \$100.00 or less.
- 330 Being unsanitary or untidy; failing to keep one's person or quarters in accordance with posted standards.
- 331 Possession, manufacture, introduction, or loss of a non-hazardous tool, equipment, supplies, or other non-hazardous contraband (tools not likely to be used in an escape or escape attempt, or to serve as a weapon capable of doing serious bodily harm to others, or not hazardous to institutional security or personal safety) (other non-hazardous contraband includes such items as food, cosmetics, cleaning supplies, smoking apparatus and tobacco in any form where prohibited, and unauthorized nutritional/dietary supplements).
- 332 Smoking where prohibited.
- 333 Fraudulent or deceptive completion of a skills test (e.g., cheating on a GED, or other educational or vocational skills test).
- 334 Conducting a business; conducting or directing an investment transaction without staff authorization.
- 335 Communicating gang affiliation; participating in gang related activities; possession of paraphernalia indicating gang affiliation.
- 336 Circulating a petition.
- 396 Use of the mail for abuses other than criminal activity which do not circumvent mail monitoring; or use of the mail to commit or further a Moderate category prohibited act.
- 397 Use of the telephone for abuses other than illegal activity which do not circumvent the ability of staff to monitor frequency of telephone use, content of the call, or the number called; or to commit or further a Moderate category prohibited act.
- 398 Interfering with a staff member in the performance of duties most like another Moderate severity prohibited act. This charge is to be used only when another charge of Moderate severity is not accurate. The offending conduct must be charged as "most like" one of the listed Moderate severity prohibited acts.
- 399 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another Moderate severity prohibited act. This charge is to be used only when another charge of Moderate severity is not accurate. The offending conduct must be charged as "most like" one of the listed Moderate severity prohibited acts.

**AVAILABLE SANCTIONS FOR MODERATE SEVERITY LEVEL PROHIBITED ACTS –**

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

**LOW SEVERITY LEVEL PROHIBITED ACTS –**

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

**AVAILABLE SANCTIONS FOR LOW SEVERITY LEVEL PROHIBITED ACTS –**

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

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

**The UDC shall refer all Greatest & High Severity Prohibited Acts to the DHO with recommendation as to an appropriate disposition.**

APPENDIX AI. SMU Goals:

SMU seeks to impart attitudes and skills necessary for inmates to successfully function in general population at other BOP penitentiaries. These skills include enhanced communication; tolerance of other racial, ethnic or geographic groups; negative peer pressure resistance; gang membership resistance; and problem-solving methods alternative to violence. These skills and abilities will only be acquired and used when participants exhibit attitudes of willingness and open-mindedness. Participants' success in developing these attitudes and skills will be exhibited by their completion of SMU treatment assignments, participation in SMU treatment groups (when assigned), and absence of institution misconduct.

II. SMU Treatment Curriculum:Level I: 4 Months

1. Write "Criminal History Autobiography."
2. Complete workbook entitled "The Con-Game."
3. Complete workbook entitled "Values."
4. Complete Basic Cognitive Skills

Level II: 6-8 Months

1. Readings on treatment: True Story of the *Three Little Pigs*, to include a **1 page reaction paper** on what was learned.
2. Complete workbook entitled "Anger."
3. Complete workbook entitled "Coping Skills."

Level III: 6-8 Months

1. Complete Rational Thinking workbook
2. Complete Criminal Lifestyle workbook
3. Complete Communication Skills workbook

Level IV: 2-4 Months

1. Complete Violence Prevention workbook
2. Complete Lifestyle Balance workbook
3. Complete Transitions workbook

APPENDIX BApproved Property List for SMU inmates:

- One clear radio with ear buds only
- One (1) Bible, Koran or other religious scriptures
- Three (3) paperback books
- One (1) prescription eyeglasses
- One cubic Foot of legal materials
- One (1) magazine not more than 1 month old.
- One (1) newspaper not more than 1 week old
- Ten (10) personal letters
- Six (6) photographs
- Authorized religious metals
- One (1) pair shower shoes
- Writing tablet/pencil
- Two (2) books of stamps
- One (1) wedding band
- One (1) roll of deodorant
- One (1) pair tennis shoes
- One (1) pair shorts, grey color only

\* Soap and Shampoo will be provided by staff during scheduled showers

\* Razors will be controlled by staff. Only disposable razors will be issued.

**\*All other items authorized on the commissary shopping list**

