

FEDERAL TRANSFER CENTER
HOLDOVER
ADMISSION AND ORIENTATION HANDBOOK



FEDERAL TRANSFER CENTER
P.O. BOX 898801
OKLAHOMA CITY, OK 73189-8801

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INTRODUCTION: You are housed at the Federal Transfer Center, Oklahoma City, Oklahoma. This facility is primarily designed to house holdover inmates' in-transit to other facilities. This booklet will provide you with basic information about how the holdover units operate and what resources are available to meet your legitimate needs. It will also describe what we expect of you. You are expected to follow the rules, conduct yourself in a responsible fashion, and respect the rights of others. Staff are expected to be respectful towards you and extend fair treatment to all inmates.

The Federal Transfer Center, Oklahoma City, Oklahoma, is a smoke free facility. Inmates violating this policy will receive an incident report for smoking and/or the possession of tobacco.

MISSION STATEMENT: The mission of the Federal Transfer Center is to confine, on a short term basis, inmates who are being transported through the U.S. Marshal Service, Immigration & Naturalization Service, U.S. Parole Commission, and the Federal Bureau of Prisons transportation system. Security of the offender is maintained in a controlled prison environment, in a safe and efficient manner, with all due regard for the protection of the public, staff, and inmate population.

HOUSING: The Federal Transfer Center houses both male and female holdover inmates. Two floor housing units consist of double bunked cells equipped with a toilet, sink, and common showering facility. Inmates may be placed in the Special Housing Unit for security, individual safety concerns, pending disciplinary action, population pressures, etc.,.

Inmates housed in the Special Housing Unit are subject to the same rules and regulations as outlined in Program Statement for Inmate Discipline and Special Housing Units. **General population cell and/or room assignments are made by Receiving and Discharge staff upon your arrival. The Unit Officer does not assign an individual to a specific bed unless the Medical Department has dictated a lower bunk.**

SUICIDE PREVENTION: Staff take suicide prevention seriously. Sometimes, inmates who are thinking about killing themselves tell other inmates about it, but they don't always seek out the help of staff who could help. We could use your help in this area. If an inmate you know is struggling with thoughts of suicide, ask any staff member to speak to a psychologist about it. If you think it is a crisis situation, approach any staff member and ask for immediate help. Your action can save lives.

INMATE ACCOUNTABILITY: In a correctional setting, accountability of inmates is essential. Inmate movement outside the unit will be under direct staff escort at all times.

Official counts are conducted to ensure accurate accountability of inmates throughout the day. The counts are as follows: 1:00 a.m., 3:00 a.m., 5:00 a.m., (10:00 a.m. Saturday, Sunday, and Federal Holidays only) 4:00 p.m. and 10:00 p.m. The standing count is 4:00 p.m., 10:00 p.m. and the 10:00 a.m. count on weekends and Federal Holidays. **YOU WILL STAND FOR COUNT - NO EXCEPTIONS!!!!** Remain still and eliminate all noise during the count procedures. Interfering in any way with the count procedures will result in disciplinary action. All counts will occur with the inmates locked in their cells.

INMATE CENSUS: The unit officer will conduct an AM and PM census of the unit Monday through Friday, excluding holidays. This census will be conducted at 8:15 a.m., and 12:45 p.m. Inmates are required to report to their assigned cell during the census and remain in their cell until the unit officer clears the census.

INTRA-UNIT VISITING: Inmate visitation may occur within their designated housing unit between 6:00 a.m. and 9:15 p.m., in the common area, on the recreation deck, and for designated religious activities. Inmate visitation between cells is authorized provided at least one of the occupants is assigned to the cell. You must return to your assigned cell for all census and official counts.

EMERGENCIES - FIRE EVACUATION: Emergency evacuation plans which detail the relocation of inmates to fire-safe, secure areas of the institution are posted in all housing units. Should an emergency develop, you are to follow these routes and staff instructions to ensure your safety. ***Sitting on the floor or stairs is prohibited.***

ADVERSE WEATHER CONDITIONS: The geographic location of the FTC subjects us to weather conditions that are not generally present in other areas of the country (i.e. high winds, tornado, etc.). During National Weather Alert Warnings, you will be instructed by the Unit Officer as to the appropriate action to take. Ordinarily, you will be directed to immediately return to your cell, to stay away from the window, and, if warranted, to cover yourself with a mattress.

CLOTHING: Upon arrival, you will be issued clothing along with a standard bed roll consisting of a towel, two sheets, and a pillow case. Clothing exchange will be conducted on a one for one exchange basis only. Clothing exchange will be held on Monday, Wednesday, and Friday (pants, shirts, socks, underwear and towel). Bed linens will be exchanged every Tuesday for units on the 3rd/4th floor and every Thursday for units on the 5th/6th floor regardless of when you arrived here. Bed linens will be reissued on the same scheduled day.

INMATE DRESS CODE/PERSONAL APPEARANCE: Inmates will be dressed in authorized institution attire only. Altered clothing is considered contraband which will result in confiscation and disciplinary action if you are found in possession of it. Inmates are not authorized to leave their cell unless they are wearing pants, shirt, and shoes. This includes coming from or going to the shower, recreation deck, medical pill line, etc. Towels and bedding of any type are not to be worn as clothing.

Shower shoes are made available to holdover inmates by the Unit Officer. Shower shoes will not be worn when performing assigned work, nor are they permitted to be worn outside your assigned unit. A canvas shoe will be issued/worn for general orderly duties.

COMMISSARY: Commissary privileges are only available to holdovers that satisfactorily perform work at this facility during their current stay. Spending is limited to only the funds earned at the Federal Transfer Center.

INMATE TRUST FUND ACCOUNTS: holdover inmates are temporarily housed at this facility while in-transit to their next designation. In the event funds are not forwarded to your Trust Fund Account, it is your responsibility to contact the facility for which you came from, if the funds are not forwarded. Unit team and trust fund staff at this facility will inquire as to the disposition of your funds. Trust Fund can verify if funds have been received. Upon arrival at your parent institution you should address this issue with your unit team during your initial program review.

PERFORMANCE PAY: Unit orderly job assignments are available for holdovers that have no medical restrictions which would prevent an inmate from performing work safely. Orderlies are compensated for 5 hours of work daily at grade 4 pay (.12 cents per hour). Inmates restricted to maintenance pay (i.e. FRP, Drug & Alcohol violations, education, etc.) will receive no more than \$5.25 monthly and will be considered after all other inmates in good pay standing are exhausted.

Orderly positions will be filled by request on a first come basis. The performance pay system is utilized to compensate orderlies for satisfactory work. Orderlies may select to purchase authorized commissary items at this facility or have the money posted to their commissary/trust fund account for use at their designated institution. Failure to complete work assigned (unless you are transferred) will result in an unsatisfactory work performance rating which will not be compensated with performance pay. Inmates who sign up for orderly positions may be removed from the list by the Unit Officer for failure to; maintain a tidy cell, understand or follow the officer's instructions, complete tasks timely, etc. The Unit Officer has total control over the hiring and firing of inmates signed up for orderly positions and is responsible for completing the inmate pay sheets. Inmates in FRP Refuse status will be considered after all other inmates in good FRP standing are exhausted.

INMATE PERSONAL PROPERTY: Inmate personal property is not received at the FTC unless you are traveling on a WRIT or are a Parole Violator being held for a revocation hearing at the FTC. Authorized WRIT and PV property is limited to on-going litigation and legal correspondence. No other property will be authorized or accepted at the FTC. **Requests for authorized personal property should be addressed to the R&D Property Officer.** Your personal property is forwarded to your designated institution by the releasing/sending facility/agency/institution.

CELL SANITATION AND UNIT INSPECTIONS: Each housing unit is formally inspected monthly for sanitation purposes. These inspections are ordinarily conducted by the Safety Manager and/or Unit Manager. Cells are to remain inspection ready daily from 8:00 a.m. through 3:30 p.m. Informal inspections are made weekly.

Inmates are required to make their bed by 8:00 a.m. daily. The mattress will be snugly covered with sheets and a blanket. A top-sheet and blanket will be utilized with the blanket being folded down at the top. Both the top-sheet and blanket will be snugly tucked in with a pillow/pillow case placed at the head of the bed. Inmates are not permitted to store any items on the desk top or on the window ledge. Inmates are not permitted to cover any window (including cell door or external windows). Emphasis is placed on cell cleanliness. **Cell inspections include but are not limited to: no graffiti, clean light covers, clean vents, no food items, no excess hygiene items, beds made, no items on the desk top or desk chair, no window coverings and nothing on the window sill.**

Allowable Individual Limits:

Toilet Paper	1	T-Shirt	2
Soap	2	Pants	2
Razor	1	Shorts	2
Shampoo	2	Panties	6 (Female only)
Deodorant	1	Bra	2 (Female only)
Comb	1	Towel	1
Tooth Paste	1	Pajama	1 (Female only)
Tooth Brush	1	Socks	2
Shaving Cream	1	Cup	1
Books	3	Religious Cap	1
Shower Shoes	1	Prayer Mat	1
Soft Shoes	1	Paper/Pencil/envelope	3
Trash Can	1	Pillow	1
Mattress	1		

Cleaning supplies, food trays (to include Styrofoam trays) and plastic/paper bags are not authorized to be stored in cells. Pajama's (Female only) are not authorized to be worn outside the cell.

Inmates are required to clean their cell prior to departure, to include turning in their linen, extra clothing, and razor to the Unit Officer.

TOWN HALL MEETING: Town hall meetings are held on an as-needed basis (monthly) and may occur more frequently should the need to disburse information warrant such action.

CLASSIFICATION/PROGRAM REVIEW MEETINGS: In-transit holdovers are not afforded a classification and/or program review. Classification/program reviews are conducted at designated facilities. However, Parole Violators who are held at the FTC for a revocation hearing and receive a Notice-of-Action which results in a less than 60 day release date will not be transferred. The Parole Violator will remain in holdover status until release. The Unit Team will conduct a classification/program review for Parole Violators being released from the FTC.

COUNSELING: Individual counseling is conducted by all unit staff. Inmates may either request to see a Unit Staff member via an Inmate Request to Staff form or address issues during staff daily rounds.

LEGAL REFERENCE MATERIALS: The Electronic Law Library (ELL) is your source of access to Law Library Materials. The ELL is available during open unit hours. Should you desire to reproduce legal materials, please submit an "Inmate Request to Staff Member" to the Education Department. Typewriters and ink pens are not provided to holdover inmates.

If an inmate explains their situation as an in-transit holdover inmate to the court through correspondence, it has been accepted the courts will allow handwritten correspondence. Notices or bulletins pertaining to Educational and Recreational Activities and Litigation updates will be posted on a separate bulletin board in each housing unit.

Inmates requesting copies of legal documents are to send their documents to Education along with an Inmate Request to Staff and they will be copied and returned. Ten pages or less are generally provided at no charge. Copies in excess of ten pages will be charged a fee of .10 cents per page.

TELEVISION/RECREATIONAL ACTIVITIES: All physical recreational activities will occur on the units adjacent outside recreation deck. Various board games, paperback books, and television viewing are available within the unit. **All physical activities will be conducted on the outside recreation deck (only), this includes walking, running, push-ups, sit-ups, etc.** Recreational and television activities occur from 6:00 a.m. until 9:15 p.m., daily. The Unit Officer will maintain control over the TV Remote Control. All TV channel and/or volume changes will be made by the Unit Officer. Inmates are not authorized to possess the TV remote control. Inmate cell chairs are authorized to be used in the cell, on the lower common area concrete floor, on the recreation deck, or in the TV rooms only. Chairs must remain in the cell when not utilized for these purposes. Clothing is required during recreational activities.

QUIET HOURS/LIGHTS OUT: During Institutional Counts, inmates are to remain silent and stop all movement until count is clear. Between the hours of 9:15 p.m. and 6:00 a.m., all board games, television viewing, recreational activities, or other types of noise making activities will cease. Leisure reading or letter writing is authorized during quiet hours.

TELEPHONE CALLS: Every inmate entering the Federal Transfer Center will be issued a Phone Access Code (PAC) number within a 24 hour period upon arrival, excluding weekends and Federal Holidays. Once an inmate receives their PAC number, they will be able to use the Inmate Telephone System. If the inmate is new to the Federal system, he/she will only be able to call his/her parties collect. Inmates that have transferred from another Federal Prison and have an established phone list will be able to call their parties direct and/or collect. Inmates calling collect do not require funds to be transferred from their commissary account to their phone account.

International called parties can contact (VAC) by dialing 972-367-0070 International parties with prepaid accounts can be called by dialing 01 + country code + city code + phone number + PAC number.

Inmates calling direct require funds to be transferred to their phone account. Due to the inmate turnover rate, inmates that are in holdover status at the Federal Transfer Center are not permitted to establish a phone list or add/delete telephone numbers to/from an existing list. Established lists will not be printed and given to inmates in holdover status. New inmates will be able to establish their phone lists once they arrive at their designated facility.

All inmates will receive 300 minutes that is established in the re-validation cycle that is posted in the units. Phone minutes will not re-set until their next re-validation date. Once an inmate uses all their minutes during their validation cycle the system will not allow the inmate to make calls until their next re-validation cycle. The 300 minutes are a combination of collect and direct calls. When an inmate makes their first phone call, they will be prompted, by the system, to say a "name". The inmate must state their name clearly and this name should be a name that all parties will recognize once the call has been answered.

The telephones will ordinarily be turned on between 6:00 a.m. and 9:15 p.m., daily. Telephones may be utilized when inmates are out of their cells for recreation. All calls will be limited to 15 minutes in duration. All telephone calls are recorded and monitored by staff.

Special emergency telephone call requests may be directed to your Unit Team or Chaplain and are ordinarily approved due to a verifiable death of an immediate family member or serious illness (hospitalization). Emergency telephone calls are not authorized due to a telephone "block" or a parties' refusal to accept the telephone call.

TELEPHONE NON-MONITORED CALLS: Non-monitored attorney telephone calls may be requested through your Unit Counselor. Approved attorney calls will be placed as a collect call to the respective party on a non-monitored telephone.

VISITING: Visits may be approved for **immediate** family only, upon the holdover's request to the Unit Team. Immediate family member verification is determined by use of your Pre-Sentence Investigation Report, current visiting lists located in your Central File, or the Bureau of Prisons online visiting program. You must address visiting requests in-person when your assigned counselor makes rounds in the unit. In addition, you must have a completed visiting form ready for the counselor.

A copy of your visiting list will be returned to you once it has been reviewed by staff, with a notation indicating who is approved for visitation. **DO NOT** tell anyone to come visit you until you are certain that approval has been granted by your Unit Team. Please consider the distance your visitor will travel, expenses involved with travel, and possibility of you being transferred prior to their arrival.

Visiting hours are from 8:00 a.m. until 3:00 p.m. each Saturday, Sunday, and Federal Holiday. A point system limits (4 points) the number of visits authorized monthly. You can check your point status during your visit, with the Visiting Room Officer. One point is used per visiting day. Two points are used per visit on federal holidays. No more than 5 visitors may enter the visiting room per inmate at one time, to include children. Ensure your visitors know they must possess a photo identification card (required). Visitor parking at the Federal Transfer Center is designated with parking signs. Visitors will not be processed unless appropriately parked in the designated area.

RELIGIOUS PROGRAMS: If you wish to have individualized contact a Chaplain, it is necessary to complete an Inmate Request to Staff form. Chaplains routinely visit the Holdover Units on a weekly basis. Group activities will be coordinated by the Chaplain. Chaplains are available for pregnancy counseling.

Inmates are not authorized to assemble in a group unless it has been recognized by a Chaplain as a religious program. Once recognized, the Chaplain will schedule and provide an area for such programs and its participants. Individual prayer should be conducted in the privacy of your own cell, unless otherwise approved by Religious Services. A religious book cart is also available for your leisure religious reading activities.

MEDICAL/DENTAL CARE: Sick call sign-up is conducted in each unit between 6:00am and 7:00am on Monday, Tuesday, Thursday, and Friday excluding holidays. Utilizing the sick call sign-up sheet, Medical Staff will conduct sick call triage in each unit. Those needing more extensive evaluation may receive an appointment and be escorted to the institution hospital. \$2.00 co-pay will be deducted from the inmates commissary account for each sick call visit that is not related to established chronic care. Chronic care includes but is not limited to heart conditions, diabetes, high blood pressure, etc. Medical or dental emergencies should be immediately directed to the Unit Officer who will contact appropriate medical staff. Dental care will be provided on an as-needed basis only. Inmates desiring dental treatment will utilize the sick call sign-up list. Dental care for holdovers is generally limited to emergency treatment.

INDIGENT MEDICAL CARE:

An inmate without funds is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days. Health Services will provide up to two OTC medications per week for an inmate without funds.

INMATE CO-PAYMENT PROGRAM: October 3, 2005, PS 6031.01 implements the Federal Prisoner Health Care co-payment Act of 2000, Public Law 106-294, 18 U.S.C. S4048. The program statement explains the Bureau of Prisons may, under certain circumstances, charge you, an inmate under our care and custody, a fee for providing you with health care services. You must pay a fee of \$2.00 for a health care service, if you receive health care services in connection with a health care visit that you requested. Co-payment fees are waived when appointments or services, including follow-up appointments, are initiated by medical staff. Needed health care is not denied due to lack of available funds. If you are not satisfied with the treatment you are receiving, write a cop out to the Health Services Administrator for informal resolution.

INDIGENT MEDICAL CARE:

An inmate without funds is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days. Health Services will provide up to two OTC medications per week for an inmate without funds.

MEALS: General population holdovers will eat all meals in the unit. Meals will be eaten at the tables provided, **and will not be consumed in the cells.** No food items, except one piece of fresh fruit, will be authorized in an inmate's cell. Meal schedules are as follows: Breakfast 6:00 a.m., Lunch 10:30 a.m., Dinner following the 4:00 p.m. count. All food trays will be returned to the food cart no later than 30 minutes after the last tray was passed out for the meal period.

MAIL PROCEDURES: Incoming general correspondence mail will be passed out by staff, Monday through Friday, excluding Federal Holidays, after the 4:00 p.m. count has been cleared. All general correspondence outgoing personal mail must remain unsealed and must include a complete institution return address, your committed name and register number on each envelope.

Do not use aliases. Mail which does not have the proper (legible) return address will not be mailed (returned to sender). You are allotted U.S. Postage for three (3) U.S. first-class (one ounce) letters per week for personal mail. Unit Staff will issue these stamps on Wednesdays of each week. Letters must be written and ready for postage when Unit Staff arrive on the unit.

Inmates are not authorized to possess stamps. Correspondence will immediately be deposited in the appropriate mail box UPON STAFF PLACEMENT OF STAMPS ON THE ENVELOPE. Inmates are not authorized to retrieve correspondence once it is deposited in the mail box.

Holdovers will place their outgoing mail in the mailbox provided after postage is affixed to the envelope. It will be picked up and processed by staff on Thursdays.

Mail that exceeds affixed postage or is improperly addressed will be returned to you. If you are no longer at this institution, the letter will be forwarded to you at your designated institution. Do not request your family or friends to send you stamps, etc., as **YOU ARE NOT AUTHORIZED TO RECEIVE ANYTHING OF VALUE UNLESS AUTHORIZED BY A STAFF MEMBER.** Do not draw pictures, signs, symbols, etc., on the external portion of the envelope prior to mailing.

Correspondence between incarcerated inmates is prohibited without prior staff approval. If either inmate is not in federal custody and/or housed in a federal prison, both institution Wardens must approve of the correspondence. If both inmates are incarcerated in a federal prison, both Unit Managers must approve of the correspondence. Ordinarily, correspondence will only be approved for immediate family members and co-defendants who can demonstrate current on-going litigation.

SPECIAL MAIL: Approved special mail will be sealed in the presence of unit staff by the inmate, properly addressed (including return address), and the staff will issued the postage required and ensure it is affixed before being placed in the outgoing special mail box. This mail will be picked up Monday - Friday (excluding weekends and Federal Holidays). Do not place special mail in the mail box or it will be returned to you. Mail must be inspected and sealed in the presence of staff prior to placement into the mail box. In order to receive postage stamps for special mail, outside of Wednesdays, inmates must submit an Inmate Request to Staff to the Unit Manager. Once approved, the Unit Manager will then have a Unit Team Member issue the postage for the Special Mail, inspect it and place it in the mail box.

ADMINISTRATIVE REMEDY PROCEDURES: You are encouraged to address and resolve concerns on an informal basis. Staff are available to provide assistance, ensuring your needs and concerns receive personal attention. To attempt resolution, inmates may obtain an "Informal Resolution Form" from a Unit Team Member, via a request of staff form. Upon receiving a written reply from staff, should you be dissatisfied with the Informal Resolution response, inmates may obtain an Administrative Remedy Form (BP-9) from a Unit Team Member.

Utilizing the space provided on the BP-9 form, inmates are to write their complaint and return both the Administrative Remedy and Informal Resolution form to a Unit Member (ordinarily a Counselor) for delivery to the Administrative Remedy Coordinator. Separate Administrative Remedy and Informal Resolution forms should be utilized to address each issue. Administrative Remedy forms BP-10 (Regional) and BP-11 (Central Office) are also available from your Unit Team.

DESIGNATIONS: Requests for re-designation are not reviewed at this facility for holdovers. If you have security concerns in reference to your designation, you must address your concerns immediately upon arrival at that facility, during the intake screening process. You should immediately address your placement concerns to the intake screening team when you arrive at your designation. Upon notification when you arrive, the facility will take necessary measures for your safety and investigate to verify your safety concerns.

LENGTH OF STAY: In-transit inmates are held at the Federal Transfer Center for a variety of reasons (i.e. INS, USM, BOP, WRIT, etc.). It is not uncommon for an inmate to be held for more than 60 days due to a re-designation while in-transit, writ, INS releases, airplane/vehicle repairs, flight scheduling, etc. The Unit Manager and Case Management Coordinator begin tracking inmates to ensure they do not get unnecessarily delayed once they are at the FTC for more than 60 days. Do not send a cop-out until you have been here for more than 60 days. The average length of stay is 4 to 6 weeks.

GROOMING: Haircut requests will be considered after an inmate is housed at the FTC for more than 30 consecutive days. Request will be made via an Inmate Request to Staff form addressed to the Operations Lieutenant/Captain. Haircuts are completed based upon the availability of the Cadre Barber and escorting staff. Haircuts outside of these guidelines are prohibited.

GRAFFITI: Graffiti on chairs will result in its confiscation. Graffiti discovered on TV Room walls will result in the TV Room(s) closure by the Unit Manager, until repairs are completed or the Graffiti is cleaned off. Graffiti on cell walls, lights, desk, chairs, windows, ceiling, floor, or bed is prohibited. Confiscated chairs will be returned to the individual inmate at the discretion of the Unit Officer and only after all graffiti has been removed. Graffiti discovered in cells may result in disciplinary action.

VISITOR TRANSPORTATION DIRECTIONS: The institution is located 7 miles South of I-40, Oklahoma City, OK. Exit I-40 at MacArthur Road and proceed south. Prior to entering the FAA, turn right onto 59th Street. Proceed to Rockwell and turn left, and proceed to a stop sign. Turn left and the institution will be straight ahead. From I-44, exit on 104th Street and travel west to MacArthur. Turn right and the institution will be on the right approximately one mile down the road. Follow signs to properly park your vehicle. Please insure that your vehicle is locked at all times. Commercial transportation is available through Yellow Cab (405) 232-6161, Greyhound Bus Line (405) 235-6425, Will Rogers World Airport (405) 681-3000.

LATE NIGHT TV VIEWING: Late night TV viewing requests should be addressed to the Captain who will review the request with Recreation Staff. Approval for late night TV viewing will be posted in writing.

UNIT TEAM SCHEDULE: Your Unit Team conducts frequent rounds throughout all housing units to address inmate issues/concerns. A schedule listing specific days of the week staff conduct rounds is posted in each unit's bulletin board.

CONSULATES: You may request the phone number and address from the Unit Team via an Inmate Request to Staff form.

INFORMATION BOOK CHANGES: This information book will be updated when major changes to institution policy, programs, operations, and procedures are implemented. Minor changes may be posted in writing in each unit within a secure glass front bulletin board for inmate viewing.

**Federal Bureau of Prisons
Health Care Rights and Responsibilities**

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

Your Health Care Rights:	Your Responsibilities:
1. You have the right to access health care services based on the local procedures at your institution. Health services include medical, dental and all support services. If inmate co-pay system exists in your institution, Health Services cannot be denied due to lack (verified) of personal funds to pay for your care.	1. You have the responsibility to comply with the health care policies of your institution, and follow recommended treatment plans established for you, by health care providers. You have the responsibility to pay an identified fee for any health care encounter initiated by yourself, excluding emergency care. You will also pay the fee for the care of any other inmate on whom you intentionally inflict bodily harm or injury.
2. You have the right to know the name and professional status of your health care providers and to be treated with respect, consideration and dignity.	2. You have the responsibility to treat these providers as professionals and follow their instructions to maintain and improve your overall health.
3. You have the right to address any concern regarding your health care to any member of the institution staff including the physician, the Health Services Administrator, members of your Unit Team, the Associate Warden and the Warden.	3. You have the responsibility to address your concerns in the accepted format, such as the <i>Inmate Request to Staff Member</i> form, main line, or the accepted <i>Inmate Grievance Procedures</i> .
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.	4. You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.
5. You have the right to be provided with information regarding your diagnosis, treatment and prognosis. This includes the right to be informed of health care outcomes that differ significantly from the anticipated outcome.	5. You have the responsibility to keep this information confidential.

Your Health Care Rights:	Your Responsibilities:
6. You have the right to obtain copies of certain releasable portions of your health record.	6. You have the responsibility to be familiar with the current policy and abide by such to obtain these records.
7. You have the right to be examined in privacy.	7. You have the responsibility to comply with security procedures should security be required during your examination.
8. You have the right to participate in health promotion and disease prevention programs, including those providing education regarding infectious diseases.	8. You have the responsibility to maintain your health and not to endanger yourself, or others, by participating in activity that could result in the spreading or catching an infectious disease.
9. You have the right to report complaints of pain to your health care provider, have your pain assessed and managed in a timely and medically acceptable manner, be provided information about pain and pain management, as well as information on the limitations and side effects of pain treatments.	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 right to receive prescribed medications and treatments in a timely manner, consistent with the recommendations of the prescribing health care provider.	10. You have the responsibility to be honest with your health care provider(s), to comply with prescribed treatments and follow prescription orders. You also have the responsibility not to provide any other person your medication or other prescribed item.
11. You have the right to be provided healthy and nutritious food. You have the right to instruction regarding a healthy diet.	11. You have the responsibility to eat healthy and not abuse or waste food or drink.
12. You have the right to request a routine physical examination, as defined by Bureau of Prisons' Policy. (If you are under the age of 50, once every two years; if over the age of 50, once a year and within one year of your release).	12. You have the responsibility to notify medical staff if you wish to have an examination.
13. You have the right to dental care as defined in Bureau of Prisons' Policy to include preventative services, emergency care and routine care.	13. You have the responsibility to maintain your oral hygiene and health.
14. You have the right to a safe, clean and healthy environment, including smoke-free living areas.	14. You have the responsibility to maintain the cleanliness of personal and common areas and safety in consideration of others. You have the responsibility to follow smoking regulations.
15. You have the right to refuse medical treatment in accordance with Bureau of Prisons' Policy. Refusal of certain diagnostic tests for infectious diseases can result in administrative action against you. You have the right to be counseled regarding the possible ill-effects of refusing medical treatment.	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.

DISCIPLINARY PROCEDURES:

[TIME LIMITS IN DISCIPLINARY PROCESS

TABLE 2

1. <u>Staff becomes aware of inmate's involvement in incident or once the report is released for administrative processing following a referral for prosecution.</u>	ordinarily maximum of 24 hours	2. <u>Staff gives inmate notice of charges by delivering Incident Report.</u>	maximum ordinarily of 5 work days from the time staff became aware of the inmate's involvement in the incident. (Excludes the day staff become aware of the inmate's involvement, weekends, and holidays.)	3. <u>Initial review (UDC)</u>
	minimum of 24 hours (unless waived)			
4. <u>Discipline Hearing Officer (DHO) Hearing</u>				

NOTE: These time limits are subject to exceptions as provided in the rules.

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

PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE

1. [PROHIBITED ACTS AND DISCIPLINARY SCALE '541.13

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

(1) Greatest Category Offenses. The Discipline Hearing Officer (DHO) shall impose and execute one or more of sanctions A through E. Sanction B.1 must be imposed for a VCCLEA inmate rated as violent (i.e., an inmate who, as specified in the Violent Crime Control and Law Enforcement Act of 1994, committed a crime of violence on or after September 13, 1994) and for a PLRA inmate (i.e., an inmate who has been sentenced for an offense committed on or after April 26, 1996). The DHO may impose and execute sanction F and/or G only in addition to execution of one or more additional sanctions A through G.

(2) High Category Offenses. The Discipline Hearing Officer shall impose and execute one or more of sanctions A through M, and, except as noted in the sanction, may also suspend one or more additional sanctions A through M. Sanction B.1 must be imposed for a VCCLEA inmate rated as violent and for a PLRA inmate. The Unit Discipline Committee shall impose and execute one or more of sanctions G through M, and may also suspend one or more additional sanctions G through M. Sanction B.1 must be imposed for a VCCLEA inmate rated as violent and for a PLRA inmate. The Unit Discipline Committee shall impose and execute one or more of sanctions G through M, except for a VCCLEA inmate rated as violent. All high category offense charges for a VCCLEA inmate rated as violent and for a PLRA inmate must be referred to the DHO.

(3) Moderate Category Offenses. The Discipline Hearing Officer shall impose at least one sanction A through N, but, except as noted in the sanction, may suspend any sanction or sanctions imposed. Sanction B.1 ordinarily must be imposed for a VCCLEA inmate rated as violent and for a PLRA inmate.

Except for charges referred to the DHO, the Unit Discipline Committee (UDC) shall impose at least one sanction G through N, but may suspend any sanction or sanctions imposed. The UDC ordinarily shall refer to the DHO a moderate category charge for a VCCLEA inmate rated as violent or for a PLRA inmate if the inmate had been found to have committed a moderate category offense during the inmate's current anniversary year. (i.e., the twelve month period of time for which an inmate may be eligible to earn good conduct time). The UDC must thoroughly document in writing the reasons why the charge for such an inmate was not referred to the DHO.

(4) Low Moderate Category Offenses. The Discipline Hearing Officer shall impose at least one sanction B.1, or E through P. The Discipline Hearing Officer may suspend any E through P sanction or sanctions imposed (a B.1 sanction may not be suspended). Except for charges referred to the DHO, the Unit Discipline Committee shall impose at least one sanction G through P, but may suspend any sanction or sanctions imposed. The UDC ordinarily shall refer to the DHO a low moderate category charge for a VCCLEA inmate rated as violent or for a PLRA inmate if the inmate had been found to have committed two low moderate category offense during the inmates current anniversary year (i.e, the twelve month period of time for which an inmate may be eligible to earn good conduct time). The UDC must thoroughly document in writing the reasons why the charge for such an inmate was not referred to the DHO.

b. Aiding another person to commit any of these offenses, attempting to commit any of these offenses, and making plans to commit any of these offenses, in all categories of severity, shall be considered the same as a commission of the offense itself. In these cases, the letter "A" is combined with the offense code. For example, planning an escape would be considered as Escape and coded 102A. Likewise, attempting the adulteration of any food or drink would be coded 209A.

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

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

d. If the Unit Discipline Committee has previously imposed a suspended sanction and subsequently refers a case to the Discipline Hearing Officer, the referral shall include an advisement to the DHO of any intent to revoke that suspension if the DHO finds that the prohibited act was committed. If the DHO then finds that the prohibited act was committed, the DHO shall so advise the Unit Discipline Committee who may then revoke the previous suspension.

e. The Unit Discipline Committee or Discipline Hearing Officer may impose increased sanctions for repeated, frequent offenses according to the guidelines presented in Table 5.]

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

[NOTE: In Table 6 headings, "GT" represents both good conduct and statutory good time and "SGT" represents statutory good time. Forfeited good conduct time is not eligible for restoration. Restoration of statutory good time will be approved at the time of initial eligibility only when the inmate has shown a period of time with improved good behavior. When the Warden or his delegated representative denies restoration of forfeited or withheld statutory good time, the unit team shall notify the inmate of the reasons for denial. The unit team shall establish a new eligibility date, not to exceed six months from the date of denial.]

To ensure an inmate's case is not overlooked when statutory good time has been forfeited or withheld, the unit team must review the eligibility requirements for restoration in accordance with the time frames established by the Program Statement on Classification and Program Review of Inmates. A recommendation of the unit team, whether for or against restoration, must be forwarded (on BP-389/Record Form 84) to the Warden, through the DHO and Captain for disposition. Except as noted below, eligibility for restoration of withheld or forfeited statutory good time is computed from the date of the withholding or forfeiture action by the DHO. An inmate who has escaped and receives a forfeiture at a subsequent in absentia hearing begins the eligibility for restoration period upon return to custody of the Bureau of Prisons. The Warden will refer for approval of the Regional Director a case where the Warden determines exceptional circumstances support restoration of statutory good time prior to completion of the eligibility requirements.

[An inmate with an approaching parole effective date, or an approaching mandatory release or expiration date who has forfeited good time may be placed in a Community Treatment Center only if that inmate is otherwise eligible under Bureau policy, and if there exist a legitimate documented need for such placement. The length of stay at the Community Treatment Center is to be held to the time necessary to establish residence and employment.]

NMATE RIGHTS AND RESPONSIBILITIES

1. You have the right to expect that as a human being you will be treated respectfully, impartially, and fairly by all personnel.
 2. You have the right to be informed of the rules, procedures, and schedules concerning the operation of the institution.
 3. You have the right to freedom of religious affiliation, and voluntary religious worship.
 4. You have the right to health care, which includes nutritious meals, proper bedding and clothing, and a laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles and medical and dental treatment.
 5. You have the right to visit and correspond with family members, and friends, and correspond with members of the news media in keeping with Bureau rules and institution guidelines.
 6. You have the right to unrestricted and confidential access to the courts by correspondence (on matters such as the legality of your conviction, civil matters, pending criminal cases, and conditions of your imprisonment).
 7. You have the right to legal counsel from an attorney of your choice by interviews and correspondence.
 8. You have the right to participate in the use of law library reference materials to assist you in resolving legal problems. You also have the right to receive help when it is available through a legal assistance program.
 9. You have the right to a wide range of reading materials for educational purposes and for your own enjoyment. These materials may include magazines and newspapers sent from the community, with certain restrictions.
 10. You have the right to participate in education, vocational training and employment as far as resources are available, and in keeping with your interests, needs, and abilities.
 11. You have the right to use your funds for commissary and other purchases, consistent with institution security and good order, for opening bank and/or savings accounts, and for assisting your family.
1. You have the responsibility to treat others, both employees and inmates, in the same manner.
 2. You have the responsibility to know and abide by them.
 3. You have the responsibility to recognize and respect the rights of others in this regard.
 4. It is your responsibility not to waste food, to follow the laundry and shower schedule, maintain neat and clean living quarters, to keep your area free of contraband, and to seek medical and dental care as you may need it.
 5. It is your responsibility to conduct yourself properly during visits, not to accept or pass contraband, and not to violate the law or Bureau rules or institution guidelines through your correspondence.
 6. You have the responsibility to present honestly and fairly your petitions, questions, and problems to the court.
 7. It is your responsibility to use the services of an attorney honestly and fairly.
 8. It is your responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other inmates to the use of the materials and assistance.
 9. It is your responsibility to seek and utilize such materials for your personal benefit, without depriving others of their equal rights to the use of this material.
 10. You have the responsibility to take advantage of activities which may help you live a successful and law-abiding life within the institution and in the community. You will be expected to abide by the regulations governing the use of such activities.
 11. You have the responsibility to meet your financial and legal obligations, including, but not limited to, court-imposed assessments, fines, and restitution. You also have the responsibility to make use of your funds in a manner consistent with your release plans, your family needs, and for other obligations that you may have.

PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE

GREATEST CATEGORY

CODE 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).
- 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 CATEGORY

CODE 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 inmate's personal property.
- K. Confiscate contraband.
- L. Restrict to quarters.
- M. Extra duty.

MODERATE CATEGORY

CODE PROHIBITED ACTS

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- 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 CATEGORY

CODE PROHIBITED ACTS

- 402 Malingering, feigning illness.
- 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.

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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, pregnancy, if appropriate, and gather any physical evidence of assault.

The individuals who sexually abuse or assault inmates can only be disciplined and/or prosecuted if the abuse is reported. **Regardless of whether your assailant is an inmate or a staff member, it is important to understand that you will never be disciplined or prosecuted for being the victim of a sexual assault.**

How Do You Report an Incident of Sexually Abusive Behavior?

It is important that you **tell a staff member if you have been sexually assaulted**. 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**

PLEASE NOTE YOU CAN ALSO E-MAIL OIG AND/OR SIS, ASSOCIATE WARDENS, & DEPARTMENT HEADS

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 Assailants

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

Policy Definitions

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.

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 205/(A): Engaging in a Sex Act

Code 206/(A): Making a Sexual Proposal

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

Code 300/(A): Indecent Exposure

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

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

What is sexually abusive behavior? According to federal law (Prison Rape Elimination Act of 2003) sexually abusive behavior is defined as: **Rape:** the carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person **FORCIBLY** or against that person's will; The carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person not forcibly or against the person's will, where the victim is **incapable of giving consent** because of his/her youth or his/her temporary or permanent mental or physical incapacity; or The carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person achieved through the **exploitation of the fear or threat** of physical violence or bodily injury.

- a. **Carnal Knowledge:** contact between the penis and vulva or the penis and the anus, including penetration of any sort, however slight.
- b. Oral Sodomy: contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus.
- c. **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).
- d. **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.
- e. **Sexual Misconduct** (staff only): the use of indecent sexual language, gestures, or sexually oriented visual surveillance for the purpose of sexual gratification.

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

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

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