

Admission and Orientation Handbook



Federal Medical Center
Rochester, Minnesota

INTRODUCTION

Welcome to the Federal Medical Center (FMC), Rochester, Minnesota. FMC Rochester is one of six medical referral centers within the Federal Bureau of Prisons. Your placement at this facility is twofold. One, you have been placed in the custody of the Attorney General, and the Federal Bureau of Prisons has designated you to serve your sentence at this facility. Our goal is to maintain a safe, secure, and clean institution for both staff and inmates. Two, placement at this facility is for medical and/or mental health treatment, or as a work cadre inmate servicing a wide variety of work assignments in a health care environment.

FMC, Rochester has long established a tradition of excellence in correctional health care. We are frequently relied upon to provide health care to offenders with complex mental and physical illnesses. Inmates are sent to us directly from the U.S. Courts, as well as from other Bureau of Prison facilities throughout the country. The expertise and knowledge of our many correctional and health care professionals will assist in many avenues during the tenure of your confinement to include release preparation, a most important component, and the successful treatment of any illnesses. FMC, Rochester's health care delivery system has become a trademark model within the agency.

To accomplish our objective of providing quality health care consistent with community standards within a correctional environment, we will require the cooperation of everyone. Therefore, we have prepared this Admission and Orientation Booklet to provide you with information concerning services and programs offered by this institution, and the policies and procedures that govern its operation.

This booklet is designed to give you a brief overview of the institution and the services that are available to you. It will inform you of your rights, and in turn, what is expected of you during your incarceration at FMC, Rochester.

If you have difficulty reading or comprehending the material in this booklet, notify your Unit Manager and arrangements will be made to have the information read to you.

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Admission and Orientation Program

As the Admission and Orientation Handbook provides you with only a general overview of the institution, you will also be scheduled to attend the Admission and Orientation Program held every other Tuesday (Check the call-out sheets posted in your unit). The A&O Program is normally scheduled to begin at 7:35 a.m., and is completed by approximately 11:00 a.m. Should you have questions concerning policies or procedures as outlined in the A&O Handbook, your concerns can be addressed at this time. Your presence is **mandatory**. Only medical call-outs will take priority. Check with staff if you have a medical call-out and an A&O call-out.

Personal Hygiene, Sanitation, and Laundry

Each inmate is responsible for maintaining an acceptable level of sanitation in his/her personal living area. Clothing will be issued to you shortly after you arrive, usually the next day. You will be given bed linens immediately upon your arrival. It is recommended that you wipe your room with disinfectant. Contact the unit officer for the bottle of disinfectant. If you are unable to do this yourself, assistance will be provided. Upon arrival two laundry bags marked with your name and register number will be issued to you with your clothing. Laundry Open House Hours are Monday, Tuesday, and Thursday from 6:00 a.m. - 7:00 a.m. During Open House Hours you may exchange sheets, pillow cases, and shoes. You will be issued a pair of shoes upon arrival. Once you start a job, you can exchange your shoes for a new pair. After one year you are allowed to exchange your shoes for a new pair. Used shoes can be exchanged for another used pair if damaged during open house. You may also exchange your coat on a one for one exchange during open house hours. Dirty laundry bags can be dropped off Monday through Friday, 6:00 a.m. - 7:00 a.m., in the laundry carts located in Building 4, by the bag room. Be sure to properly secure your laundry bag. Laundry bags can only contain the following: institutional clothing, personal clothing, sheets, and a pillowcase. Laundry bags containing other items will be returned unclean to the inmate. The clean laundry bags can be picked up Monday through Friday from 11:00 a.m. - 12:30 p.m. in the bag room.

Inmates housed in Building 9 and in the Martin Unit located in Building 1 will place their dirty laundry in the housing unit laundry carts, as they will not be issued a laundry bag. Inmates participating in the Hygiene Program in the Building 1 Workshop can either wash their bag of clothing in the Workshop or they can drop off their laundry bags and pick them up according to the information listed above.

Hygiene items are issued to inmates residing in Building 2 on the first Tuesday of the month from 6:00 a.m.-7:00 a.m. Hygiene items are issued to inmates residing in Building 1 & Building 10 on the first Thursday of the month from 6:00 a.m.-7:00 a.m. Blankets may be exchanged the last Thursday of the month during open house hours from 6:00 a. m.-7:00 a.m.

Correctional Programs, Staff Roles, Unit Management

The following outlines the programs and the roles of staff who most directly affect you during your incarceration.

Unit Team: Each housing unit has a unit team that will meet with you and establish your individual program goals. A unit is a self-contained living area that includes both housing sections and offices for unit staff. Each unit has staff directly responsible for those inmates living in that unit. Unit staff includes a Unit Manager, a Case Manager, a Correctional Counselor, a Unit Secretary, and a Unit Officer. The unit team makes decisions concerning education, custody classification, work assignments, and program recommendations, and is responsible for special concerns of the inmate population.

Unit Manager: The Unit Manager is the administrator and supervisor of the unit. He or she is ultimately responsible for all unit matters handled by the unit team.

Case Manager: The Case Manager is responsible for case management. He or she will meet with you shortly after your assignment to a unit, and will discuss background information, program participation, and release plans. Periodically, he or she will prepare a progress report on your adjustment to incarceration. In addition, the Case Manager coordinates your release planning.

Correctional Counselor: The Correctional Counselor's primary responsibility is to counsel inmates. He or she regularly contacts detail supervisors regarding your work performance, and maintains current information on your behavior, prepares visiting lists, signs package authorizations and special purchase authorizations, processes administrative remedy complaints, makes room assignments, and is a primary member of the Unit Discipline Committee (UDC).

Unit Secretary: The Unit Secretary types reports and other communications produced by unit staff. He or she handles the distribution of this correspondence through appropriate channels, and performs related clerical tasks.

Unit Officer: The Unit Officer is responsible for the overall security of the housing unit. He or she conducts counts and census, oversees the orderly work crew, conducts room inspections, conducts room searches, and provides valuable input to unit staff regarding inmate behavior.

Correctional Services Department

The Correctional Services Department is primarily responsible for the safety and good order of the institution.

Captain: The Captain reports directly to the Associate Warden of Programs. The Captain has been delegated the responsibility for the overall security of the institution. The Captain is the Chief Correctional Supervisor for all Correctional Services personnel.

Lieutenant: Each shift of Correctional Officers is supervised by one or more Lieutenants. The Lieutenant reports to the Captain, who ensures the security aspects of the institution are intact at all times. Lieutenants are also responsible for the investigation of most incidents reported by staff alleging an inmate committed a prohibited act. After normal business hours, the Operations Lieutenant on duty is responsible for the overall operation of the institution.

Correctional Officer: The Correctional Officer reports directly to the Lieutenants and is responsible for maintaining security of the unit, accountability of inmates, and ensuring that inmates keep the unit both safe and sanitary. The Correctional Officer will often be your supervisor when you are working in the unit.

FMC Rules and Regulations: See Attachment A.

Inmate Request to Staff and Call-Outs

Any inmate desiring an answer to a problem or requesting an interview with a staff member, may complete an electronic Request to Staff, commonly referred to as a cop-out, utilizing Trulincs. Inmates residing in Special Housing Units or the Martin Wing may submit a paper form available from the Unit Officer. A response will be returned to you in the format in which it was submitted.

A SENTRY generated list of appointments/meetings is posted daily on inmate bulletin boards and other locations in the unit common areas. This list is referred to as "call-outs." Each inmate is responsible to read the call-outs daily for scheduled appointments/meetings, and to arrive at the appointment/meeting promptly as identified on the call-outs. If you have questions about the call-outs, please see your unit officer or a member of your unit team.

Movement Times

All inmate movement will be scheduled to occur, during the hourly controlled ten-minute movement period. The one exception to this is those inmates, authorized by call-out or appointment, to report to a specific area. In these instances, the responsible detail supervisor will ensure that the inmate is released in ample time to make the appointment. Stairwell doors within the housing units will remain locked during non-movement time. Inmates on off-duty status will be permitted to travel to the recreation yard and back to the unit only during times of scheduled movement. The Activities Lieutenant will call inmate details to the noon meal according to the established schedule.

Scheduled movements for weekdays are as follows:

6:00 a.m.	7:00 a.m.	Mainline (Open Movement)
6:30 a.m.	7:00 a.m.	Pill Line
7:00 a.m.	7:10 a.m.	Ten Minute Move
7:40 a.m.	7:50 a.m.	Work Call
8:25 a.m.	8:35 a.m.	Ten Minute Move
9:25 a.m.	9:35 a.m.	Ten Minute Move
10:15 a.m.		Yard Recall
10:30 a.m.	10:50 a.m.	Pill Line
11:00 a.m.	12:15 a.m.	Mainline (Open Movement)
12:25 p.m.	12:35 p.m.	Work Call (Ten Minute Move)
1:25 p.m.	1:35 p.m.	Ten Minute Move
2:25 p.m.	2:35 p.m.	Ten Minute Move
3:00 p.m.	3:25 p.m.	Ten Minute Movement/ Pill Line
3:30 p.m.		Yard Recall
4:15 p.m.		COUNT (Stand Up)
4:45 p.m.	6:00 p.m.	Mainline (Open Movement)
6:00 p.m.	6:10 p.m.	Ten Minute Move
7:00 p.m.	7:10 p.m.	Ten Minute Move/Pill Line
8:00 p.m.	8:10 p.m.	Ten Minute Move/ Pill Line
8:35 p.m.		Final Yard Recall
9:00 p.m.		COUNT (Stand Up)

Scheduled movements for weekends and holiday schedules are as follows:

6:45 a.m.	7:45 a.m.	Coffee Hour (Open Move)/Pill Line
8:00 a.m.	8:10 a.m.	Ten Minute Move
9:00 a.m.	9:10 a.m.	Ten Minute Move
9:45 a.m.		Yard Recall
10:00 a.m.		COUNT (Stand Up)
10:30 a.m.	12:00 p.m.	Mainline (Open Movement)
11:00 a.m.		Pill Line
12:00 p.m.	12:10 p.m.	Ten Minute Move

1:00 p.m.	1:10 p.m.	Ten Minute Move
2:00 p.m.	2:10 p.m.	Ten Minute Move
3:00 p.m.	3:10 p.m.	Ten Minute Move/Pill Line
3:30 p.m.		Yard Recall
4:15 p.m.		COUNT (Stand Up)
4:45 p.m.	6:00 p.m.	Mainline (Open Movement)
6:00 p.m.	6:10 p.m.	Ten Minute Move
7:00 p.m.	7:10 p.m.	Ten Minute Move/Pill Line
8:00 p.m.	8:10 p.m.	Ten Minute Move/Pill Line
8:35 p.m.		Final Yard Recall
9:00 p.m.		COUNT (Stand Up)

Visiting Rules and Regulations/Transportation Assistance:
See Attachment C

Mail

The Mail Room conducts open house from 12:00 p.m. - 1:00 p.m. Monday through Friday (excluding holidays) to answer questions regarding mail and to accept outgoing special mail. FMC Rochester is an Administrative Facility; therefore, you will not be allowed to seal outgoing general correspondence. Outgoing general correspondence should be placed in the outgoing general mail boxes located on the units. All outgoing mail must contain a TRULINCS label with the appropriate address. Those inmates that are in special housing units will have their mail stamped "approved" by the unit officer because there is limited access to TRULINCS. The TRULINCS generated labels will not be accepted as a return address, as they are required to be hand written. Pre-trial status inmates are not allowed to seal outgoing general mail. Your incoming mail will be opened by the mail room officer and processed. Incoming general correspondence will be forwarded to the unit to be distributed by the unit officer, generally after the 4:15 p.m. count. The unit officer is responsible for screening and sealing outgoing general correspondence, and he/she will place it with the outgoing mail to be picked up the following morning.

All types of outgoing mail or packages should contain the following information in the return address:

Full Committed Name
Reg. No.
PMB 4000, Federal Medical Center
Rochester, MN 55903-4000

Special Mail (often referred to as Legal Mail) includes correspondence sent to the following: President and Vice President of the United States; the U.S. Department of Justice; U.S. Attorneys Offices; Surgeon General; U. S. Public Health Service; Secretary of the Army, Navy, or Air Force; U.S. Courts/U.S. Probation; 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.

Inmates must deliver their own outgoing special mail directly to the hands of the Mail Room Officer during open house hours. Inmates will be required to bring their commissary card with them for identification purposes. Mail room staff receiving the special mail will immediately confirm that the inmate delivering the mail is the same inmate reflected in the return address. Staff will initial the mail and continue processing the mail in accordance with Bureau policy. Inmates in special housing or inmates who are medically unable to leave the unit will be required to hand deliver their outgoing special mail to a unit team member. Unit staff receiving the special mail will confirm that the inmate delivering the mail is the same inmate reflected in the return address. Unit staff will initial, date, and deliver the special mail to the mail room for continued processing in accordance with Bureau policy. Inmates may seal their outgoing special mail before submitting directly to staff for further processing and should identify it as LEGAL OR SPECIAL MAIL on the envelope. However, outgoing special mail submitted without an accurate return address will not be further processed, but rather returned immediately to the inmate. Inmates attempting to send outgoing special mail under another inmate's return address will be considered for disciplinary action.

Outgoing special mail weighing 16 ounces or greater will be processed as a "package." This requires using a BP-329, Request - Authorization to Mail Inmate Package. Outgoing special mail packages must be arranged through the unit team. These packages may be sealed and will not be opened unless contraband is apparent as a result of electronic scanning performed.

All outgoing special mail is subject to scanning by electronic means including, but not limited to x-ray, metal detector, and ion spectrometry devices. Inspection of sealed outgoing special mail by these methods may occur outside the inmate's presence. Electronic scanning is for the sole purpose of identifying harmful materials and cannot be used to read or review the content of outgoing special mail communication.

In the event suspected harmful materials are identified by electronic scanning, all necessary safety precautions must be taken to further inspect the potentially harmful materials. If the presence of harmful materials is confirmed, appropriate action will follow to include confiscation of the harmful materials and investigation for possible inmate disciplinary or criminal charges. Insofar as possible under these circumstances, confiscated outgoing special mail will not be read by staff, and inmates will be informed as soon as possible of its disposition. Whenever possible, special mail will be returned to the inmate for re-sending.

All incoming special/legal mail must be properly identified in order to be treated as such. It is your responsibility to notify your attorney or the courts to include the statement "LEGAL OR SPECIAL MAIL - OPEN ONLY IN THE PRESENCE OF THE INMATE" on the envelope of any incoming legal/special mail. Inmate mail will then be processed by Special/Legal Mail procedures when identified on the envelope with the above statement (See Attachment E). Special/legal mail must be picked up by inmates at the Mail Room during open house hours. A list will be posted by the incoming door in the inmate dining hall identifying the inmates who have special/legal mail. Unit staff will deliver special/legal mail to inmates who are in special housing or who are medically unable to leave the unit.

You may not correspond with any other incarcerated individual in a state or local facility unless approval is granted by the Warden of each institution. You may not correspond with any other Federal inmate unless approval is granted by the respective Unit Managers at each facility. You may contact the correctional counselor to initiate this process.

You are responsible for placing the correct postage on any item to be mailed. Stamps must be purchased at Commissary as you cannot receive stamps through the mail.

Inmate Package Mail - Incoming: Your correctional counselor may approve incoming packages by completing and signing an Authorization to Receive Package or Property Form. Your counselor will give you directions to proceed with this process.

Material otherwise approved by Bureau policy, (for example, magazines, special mail, paperback books, educational or legal materials), received in package form must be clearly marked with the special mail/legal markings or the notation "Contents - Authorized Publications," or must contain markings readily permitting the person processing such mail to ascertain the nature of the contents from the sender's address and/or business.

A package received in the absence of an appropriately completed or expired BP-331(58) Form, or the markings as stated above, is considered unauthorized and will be returned to the sender. If necessary, a return address will be obtained from the inmate.

Additional information regarding mail procedures are referenced in the program statements and institution supplements on Correspondence and the Mail Management Manual.

Correctional Systems Management Department

The Correctional Systems Management Department will conduct Open House from 11:00 a.m.-12:00 p.m. on Mondays, Thursdays, and Fridays. Questions regarding your sentence computation or detainer issues may be addressed by submitting an Inmate Request to Staff to the Correctional Systems Management Department or by coming to Open House on Mondays, Thursdays, and Fridays from 11:00 a.m.-12:00 p.m. Cancellation of open house will be announced and rescheduled via the P.A. system. When your property arrives from your former institution, a Correctional Systems Officer will call you to the department to issue the property. Do not go to the Correctional Systems Management Department unless called, as disciplinary action may result. Any questions you have regarding packages may be directed to your counselor. Questions pertaining to property should be submitted to the Correctional Systems Management Department via an Inmate Request to Staff.

Telephone Calls

Telephones are available for inmate use in the units during the inmate's non-working hours, excluding count times. You are authorized to make phone calls from your assigned quarters. Telephones will be operational from 6:00 a.m.-7:30 a.m., 10:30 a.m.-12:30 p.m., and 4:00 p.m.-11:30 p.m. Monday through Friday. On weekends and Federal holidays, telephones will be operational from 6:00 a.m.-11:30 p.m. It should be noted, you are not permitted to use the telephones during count or census. A telephone has been designated on each housing unit for monitored attorney calls. All telephone calls from the inmate telephones utilize the TRUFONE system, and no third person, charge, toll free, or credit card calls are allowed. Three-way calls and conference calls are not allowed. TRUFONE requires your PAC number and voice recognition.

Your telephone Personal Access Code (PAC) should not be shared with any other inmate. If you misplace or compromise your access code, you will be charged a replacement fee. Any misuse of the inmate telephones, (i.e., three way calls, unauthorized contact with people not approved on your telephone list and sharing of PAC number will result in an incident report for Code 297, Use of the Telephone for Abuses other than Criminal Activity (e.g., circumventing telephone monitoring procedures; possession and/or use of another inmate's PIN number; third-party calling; third-party billing; using credit card numbers to place telephone calls; conference calling; talking in code).

Directions for use of TRUFONE are posted near the telephones. All calls are limited to 15 minutes. Telephone calls are subject to monitoring and recording by institution staff. Obtain a Request for Unmonitored Legal Call from your correctional counselor if you must make an unmonitored legal call. The Request for Unmonitored Legal Call must include information explaining why correspondence, visiting, or normal telephone

use is not adequate.

TRULINCS (Trust Fund Limited Computer System) - Electronic Messaging

Through TRULINCS you are able to update the contact list to include editing phone numbers, e-mail addresses, and postal mailing addresses. When the system is accessible from 6:00 a.m. - 11:30 p.m., you are able to access account balances. You can change your contact list as many times as you want when the system is on. There is no charge to update your contact list, change phone numbers, process a BP-199, print labels (10 per labels per day) and look at your account balance. There is a charge of \$0.05 per TRULINCS unit for sending and reviewing electronic messages. There is a charge of \$0.15 per side of paper to print electronic messages. There is no charge to print a BP-199. Inmates are allowed to use these computers only on their assigned unit. Funds are removed from TRULINCS to TRUFACS for the following reasons only: inmate releases, inmate is on an electronic messaging restriction for more than 30 days (the inmate must request in writing that the entire balance be returned to his trust fund account as a one-time only transaction for the entire balance), and in rare and unusual circumstances deemed appropriate by the Warden.

Commissary

You are required to carry your Commissary Card with you at all times. Commissary lists are located in the officer's station on each housing unit. Due to security reasons, medical/nursing care, the environment, inpatient regulations, and the severity of illnesses, different commissary lists are required for inmates residing in Building 9, Building 1, and the Special Housing Units. Inmates are expected to use the appropriate commissary list for their housing unit. The Commissary is open for sales on Tuesdays, Wednesdays, and Thursdays. All inmates assigned to the Medical/Surgical Unit will be escorted to shop after the AM Census is completed on Tuesdays. Other inmates with the first five digits of their register number ending in 00 through 33 may shop from 11:00 a.m. - 12:30 p.m. on Tuesdays. The Mental Health Unit inmates will be escorted to shop after the AM census is completed on Wednesdays. Other inmates with the first five digits of their register number ending 34 through 66 may shop from 11:00 a.m. - 12:30 p.m. on Wednesdays. Inmates assigned to outside work details only shop at 7:30 a.m. on Thursdays. Other inmates with the first five digits of their register number ending in 67 through 99 may shop from 11:00 a.m. - 12:30 p.m. on Thursdays. Inmates must have their Commissary I.D. card to shop. Inmates designated to the Mental Health Unit will have a butterfly punch placed on their commissary card, to ensure they are shopping from their designated commissary list. If your appearance changes significantly, or if your card is damaged or lost, you will be charged a replacement fee of \$5.00. You are not allowed to wear recreational or food service clothing in the commissary. You cannot wear your radio in the commissary. Any non-religious headgear must be

removed from your person prior to entering the commissary.

Special Purpose Order and additional over-the-counter (OTC) medication sales for all inmates are conducted on Mondays from 11:15 a.m. to 12:15 p.m. Special Purpose Order slips must be turned in to your counselor and the correctional counselor will ensure the signed Special Purpose Order is delivered to commissary staff.

Deliveries will be made to Special Housing, the Martin Wing, 9/2 and 9/3 non-ambulatory inmates on Thursdays. All commissary orders must be received in the Warehouse Office no later than the close of business on the first working day of each week.

Commissary spending re-validation will occur per the table below.

5 th Digit of Register Number	Re-validation Day
0	1 st
1	4 th
2	7 th
3	10 th
4	13 th
5	16 th
6	19 th
7	22 nd
8	25 th
9	28 th

Inmate Funds

All funds being sent to inmates at FMC Rochester, Minnesota, must be sent to the National LockBox at the following address:

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

Instruct those sending funds NOT to enclose personal checks, letters, pictures, or any other items in the envelope. Enclose only the allowable negotiable instrument. The National LockBox cannot forward any items enclosed with the negotiable instrument to the inmate. Items personal in nature must be mailed directly to the Bureau of Prisons institution where the inmate is housed.

Instruct those sending funds they must have the inmate's committed name (no nicknames) and register number printed on all money orders; U.S. Treasury, state, and local government checks; business checks; and foreign negotiable instruments payable in U.S. currency; and envelopes. All non-postal money orders and non-government checks will be held for a 15 day hold. All foreign negotiable instruments payable in U.S. dollars will be held for 45 days. The LockBox picks up funds Monday through Friday, excluding Federal Holidays. All funds received are processed within 24 hours. Funds will be available by 2:00 p.m. local time the following day.

Instruct them that their name and return address must appear in the upper left-hand corner of the envelope to ensure that their funds can be returned to them in the event funds cannot be posted to the inmate's account. Funds may also be sent via Western Union's Quick Collect Program. Instructions regarding this procedure may be obtained from your correctional counselor.

Education, Leisure Activities, Barber Shop, Law Library & Recreation

The Education Department offers a wide variety of educational and testing programs, which are explained in detail during the A&O program. The hours for the Education Department, Law Library and Recreation areas are posted on inmate bulletin boards. Leisure time activities are also posted on all unit housing bulletin boards.

The Barber Shop has inmate barbers to cut hair during posted scheduled hours.

General Rules: Food/beverages and Food Service Detail Clothing are prohibited in the Recreation areas.

Work Assignments/Performance Pay

Unit staff will assign each newly arrived inmate to a temporary work assignment, if medically/psychiatrically fit, soon after the inmate's arrival. All inmates will be screened for work assignment suitability. At the inmate's initial classification meeting, the unit team will assign the inmate to a more permanent work assignment, which may or may not be the same as his initial work assignment. Once assigned to that permanent work assignment, it is expected that the inmate will ordinarily remain on that assignment for a minimum of three months, keeping in mind that the needs of the institution take priority. Ordinarily, an inmate's request for a change in work assignment will be considered only at the time of that inmate's program review by his unit team. The intent is for an inmate's work assignment to be considered as part of his total program, and consideration will be given to the inmate's past and current work performance. An inmate's request for a job change will normally

not be considered by the unit team until the inmate has remained on the same job for a minimum of three months, and that consideration will normally be part of the inmate's regular program review. Work assignment changes because of the need to fill manpower quotas may be done at any time when there is a need. Any inmate may be removed from a job with the approval of the department head and the inmate's unit team. The unit team retains final authority for job changes.

Inmates receiving performance pay who are found through the disciplinary process to have committed a level 100 or 200 series drug or alcohol-related prohibited act will automatically have their performance pay reduced to maintenance pay level and will be removed from any assigned work detail outside the secure perimeter of the institution. This is not a sanction issued by the Unit Discipline Committee (UDC) or the Discipline Hearing Officer (DHO), but rather an automatic consequence once an inmate is found to have committed the prohibited acts outlined in the policy. This reduction to maintenance pay level, and removal from an assigned work detail outside the secure perimeter of the institution, will ordinarily remain in effect for one year, unless otherwise authorized by the Warden. Inmates who are required to complete the drug education program who refuse participation, withdraw, are expelled, or otherwise fail to meet attendance and examination requirements are not eligible for performance pay above maintenance pay level, or for bonus pay, or vacation pay. In addition, inmates who are in IFRP (Inmate Financial Responsibility Program) REFUSE status are not eligible for performance pay above the maintenance pay level, or for bonus pay, or vacation pay. IFRP REFUSE restrictions on commissary spending limits remain in effect until the inmate's next commissary re-validation date.

Religious Services

FMC, Rochester provides a wide variety of religious services. Check the current monthly schedule on your unit bulletin board or at the Religious Activity Center for the specific time and day for a particular religious service or meeting. Chaplains are available for counseling. Feel free to speak to a chaplain as they make their rounds, or seek them out at the Religious Activity Center.

Inmate Discipline: Refer to Attachment B

Administrative Remedy

The most effective method for resolving difficulties is direct communication with the respective staff member. If this does not result in a satisfactory solution, you may then file a formal request via the Administrative Remedy process. Most courts require evidence that you have availed yourself of this process before they accept a request for legal action.

Should you feel your problem necessitates the Administrative Remedy process, you should first contact your correctional counselor, who will work with you to attempt an informal resolution. The counselor will investigate your claim by contacting the appropriate staff members. The counselor will then discuss with you the information received. Should you be dissatisfied with the results of the process, you will be issued a Request for Administrative (BP-229(13)), commonly referred to as a BP-9. You have 20 calendar days from the date of the incident to file a BP-9. The Warden has 20 calendar days to return a written response. If you are dissatisfied with the response, you may then file a Regional Administrative Remedy Appeal (BP-230(13)), commonly referred to as a BP-10, to the Regional Director. The BP-10 must be received in the Regional Office within 20 calendar days of the date of the response on the BP-9. If you are dissatisfied with the response on your BP-10, you may file a Central Office Administrative Remedy Appeal (BP-231(13)), commonly referred to as a BP-11, to the General Counsel. The BP-11 must be received in the General Counsel's Office within 30 calendar days of the date of this response. All forms mentioned are available from your assigned correctional counselor.

All appeals pertaining to DHO hearings are filed directly with the Regional Director via a BP-10 within 20 calendar days of the date you receive the written record of the hearing. The mailing address for BP-10 & BP-11 forms are as follows:

North Central Regional Office	Office of the General Counsel
Gateway Complex Tower II, 8 th Floor	Central Office
4 th and State Avenue	320 First Street, NW
Kansas City, Kansas 66101-2492	Washington, DC 20534

Urine Surveillance

In accordance with Bureau of Prisons policy, FMC, Rochester will require urine sampling on a regular basis. A list of those inmates to be tested is generated on a monthly basis. A member of the correctional services staff will contact you for testing. You will have two hours from the time of the order to provide a urine sample. A refusal to provide a sample will result in disciplinary action.

Inmate Financial Responsibility Program

Every sentenced inmate with court-ordered financial obligations will be reviewed by unit staff to develop a plan to pay their financial obligations. Payments may be made via institution earnings or outside sources. The inmate is responsible for providing proof of payment to unit staff. Inmates are advised that interest and penalties may accrue to unpaid obligations and their payment progress will be reported to the United States Parole Commission and Probation Office through inclusion in their

Progress Reports. Inmates who elect not to participate in this program or fail to comply with a developed contract will lose privileges ordinarily granted to other inmates. Concerns regarding this program should be addressed with your unit team. This may include any child support obligation, current or in the arrears of payment. Additional information concerning FRP payments may be found in the Program Statement 5380.08, entitled Financial Responsibility Program, Inmate.

Institution Supplements

Institution Supplements are local institution regulations which provide implementing instructions for Bureau of Prisons program statements. These supplements contain information regarding programs and procedures unique to FMC. A listing of these institution supplements is available in the Law Library, in addition to a collection of all supplements deemed appropriate for inmate review. Should you have a particular concern regarding any program or procedure, it is recommended you review the respective policies. If you have further questions, contact your unit team to clarify the matter.

Mental Health Services

Mental Health Services through the Psychiatry and Psychology Departments are available to all inmates. These include educational groups, therapy groups, individual therapy, intensive diagnosis/assessment, and inpatient treatment. In addition, outpatient substance abuse treatment services are available.

Sexual Assault Prevention

It is our intent to provide a safe and healthy environment for all inmates incarcerated at FMC Rochester. You have a 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. Sexually abusive behavior is defined as rape, sexual assault with an object, or sexual fondling.

Below are some methods to avoid becoming a sexual assault victim:

- a. Decline gifts and favors from other inmates
- b. Avoid use of intoxicating substances
- c. Avoid out of the way or poorly lit areas of the institution
- d. Choose associates wisely
- e. Trust your instincts about potentially dangerous situations

Below are some methods of reporting sexual abuse:

- a. Report such events immediately to institution staff. Do not destroy potential evidence by such activities as eating, drinking, showering, or washing clothing. The SIS will investigate the allegations.
- b. 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.
- c. 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.
- d. 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 part of the Bureau of Prisons. The address is: Office of the Inspector General, P.O. Box 27606, Washington, D.C. 20530.

If you are the victim of sexually abusive behavior, 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.

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 you need help to keep from engaging in sexually abusive behaviors, psychological services are available.

For additional information on sexual assault prevention and intervention, refer to Attachment N, Sexually Abusive Behavior Prevention and Intervention.

Health Services

FMC Rochester's mission as a Medical Referral Center is to provide competent and appropriate medical, dental, and behavioral health care to inmates while protecting society by confining offenders in a humane, secure, and cost-efficient environment.

Inmates: You have the right to receive health care while in the custody of the Federal Bureau of Prisons. Please see Attachment H, Health Care Rights and Responsibilities.

Staff: Health Services staff at FMC include physicians, a dentist, dental assistants, nurse practitioners, physician assistants, nurses, pharmacists, pharmacy technicians, a radiological technician, physical therapists, laboratory technologists and a respiratory therapist. Administrative and support services staff complement the professional healthcare staff.

Physical Examinations: All newly committed general population inmates receive a complete physical examination within 14 days of admission. Behavioral Health D&O, Forensic and Residential Services inmates receive a physical examination within 7 days of admission. Long Term Care and Behavioral Health inpatient inmates receive an appropriate physical within 24 hours of admission. This exam consists of clinically needed laboratory testing, HIV screening, hearing and vision screening exams, a tuberculosis skin test (TST) and a physical examination. Diagnostic procedures relating to potential communicable diseases are mandatory for the protection of the patient as well as to determine the need for testing.

An inmate who refuses these tests will be isolated for an appropriate clinical period of time as determined by the medical staff. Inmates who are being referred here from other BOP institutions may have most of the above testing already done. Your medical records will be reviewed.

In addition to the regular exam, inmates age 50 and over will be offered a glaucoma test, an electrocardiogram, testing for rectal bleeding, and a prostate exam.

Periodic health examinations will be available based on age specific guidelines. This preventive assessment can be requested through the sick call triage process. You may request a medical evaluation if you have not had one, within one year prior to your release date. It should be conducted two months prior to your release date.

Immunizations: Routine immunizations are given according to the Center for Disease Control (CDC) recommendations. Influenza vaccine will be offered annually for all inmates. Health records will be reviewed for Tetanus and Pneumovax vaccines. Inmates with certain job assignments

or health risks will be offered the Hepatitis B vaccine. Upon request you will be furnished with a copy of your immunization record for your use following release.

Sick Call Triage: You have the right to have access to Sick Call Triage. With this right you have the responsibility of signing up for Sick Call Triage. Sick Call Triage is held Monday - Thursday (except holidays) for Work Cadre Inmates. You must sign up at the 9-1 Ambulatory Care Department from 7:00 a.m. - 7:30 a.m. You will be assessed and assigned an appointment on that day or a subsequent day. If you show up after 7:30 a.m. you will not be seen and must report back to your work detail. Ambulatory Care inmates (Building 10) may sign up for Sick Call Triage Monday - Thursday from 6:00 a.m.- 7:00 a.m. at the 10/1 nurse's station. They will also be assessed and assigned an appointment date and time. Behavioral Health inmates may sign up for Sick Call Triage 7:00 a.m. - 7:30 a.m. at the Physician Assistant's (PA) office Monday - Thursday (except holidays).

Inmate Copayment Program: Refer to Attachment G.

Dental Triage: Inmates with acute dental problems should sign up for Dental Triage at the Dental Clinic in Building 9, first floor, between 7:00 a.m. - 7:20 a.m. Routine dental care requests should be submitted by an Inmate Request to Staff Member form to the Chief Dental Officer.

Urgent and After Hours Medical Care: Urgent and after hours medical care is available at all times. Contact your unit officer or detail supervisor if you feel you need emergency care. Ambulatory Care inmates (Building 10) will report to the nurse's station between 6:00 a.m. and 4:00 p.m. for acute illness. You will then be referred to a MLP or a physician. After hours, contact your unit officer.

If you are injured while performing your work assignment, no matter how minor it may seem, report the injury to your work supervisor. You then should report to the 9-1 Ambulatory Care Department so your injury can be treated. Your detail supervisor will notify the MLP or Nurse of your injury. If after regular scheduled MLP work hours, the detail supervisor will notify the Ambulatory Care Nurse or Nurse Supervisor.

Medication: Medication in the Long Term Care Units (9/2 and 9/3) and Behavioral Health Units are given in single doses by nursing staff. The schedule for pill times in Behavioral Health is posted. In Long Term Care, all medications will be administered by the nurses.

Self-administered medications for all other inmates are given at the Pharmacy window located in Building 9, first floor during pill line.

Pill line times on weekdays: 10:30 a.m. - 11:00 a.m.

3:00 p.m. - 3:30 p.m.

Inmates on restricted or controlled medications will be given single doses on weekdays at the 9-1 Ambulatory Care Pill Line, at the following times:

6:00 a.m. - 6:30 a.m. - Diabetic inmates on insulin
6:30 a.m. - 7:00 a.m.
10:30 a.m. - 11:00 a.m.
3:00 p.m. - 3:30 p.m.
7:00 p.m. - 7:30 p.m. (or when announced)

On weekends and holidays, all medications given at pill line will be dispensed from the 9-1 Ambulatory Care area at:

6:45 a.m. - 7:15 a.m. - Diabetic inmates on insulin
7:15 a.m. - 7:45 a.m.
11:00 a.m. - 11:30 a.m.
3:00 p.m. - 3:30 p.m.
7:00 p.m. - 7:30 p.m.

You must show your picture Commissary Card and state your full name and number.

Medication List: A copy of your current medication list is available from Pharmacy and medical staff upon request.

Over-the-Counter (OTC) Medication for Outpatients: A variety of OTC medication is available in the commissary. Indigent inmates may submit a Pharmacy OTC Medication Requisition through their correctional counselor to obtain OTC medications. In order to qualify as indigent, you may not have had more than \$6.00 in your inmate trust fund account within the past 30 days.

Health and Wellness Programs: FMC offers a wide variety of Health and Wellness programs to inmates throughout the institution. Some programs are limited to specific units, although most are open to all inmates. Inmates can be enrolled into a Health Education Class by a referral from clinical staff, unit team, or by self-referral via an Inmate Request to Staff.

Health education classes are available on a varied schedule through Health Services and Recreation such as Wellness Group, Cardiac Education, Diet Counseling, assessment and education (AntiCoagulation Therapy, Hypertension, Lipids, Cardiac, Diabetes, General Diet Modification and use of the nutrition board in the inmate dining area), Foot Care Clinic, Communicable/ Infectious Disease Education, Medication Education, Disease Prevention Group, Diabetes Education, Sports and Occupational Injury Prevention, Chronic Pain Management, Stress Management, and Spiritual Wellness. Other available programs include Outpatient Chemical

Dependency and Native American Alcoholics Anonymous. Some wellness programs are offered through psychology services.

Preventive Health Care Clinic: The Preventive Health Care Clinic is being offered to you to promote healthy living; prevent disease; provide screening for infectious diseases, cancer and chronic diseases; and update immunizations. If you are interested in participating in the clinic, please fill out the Preventive Health Care Clinic Request form and send it to the clinic via the inter-office mail system. The request forms are located in the 9-1 Ambulatory Care Area.

Clinics and Specialists: General population inmates will be evaluated through routine Sick Call Triage procedures. If the medical staff determines that you need further evaluation by a medical specialist, then you may be referred to an outside consultant. It is your responsibility to watch the call-out list for all medical appointments and to be on time. Missed appointments may result in an incident report being written.

Other requests such as eyeglasses, hearing aids, etc., should be pursued through the routine Sick Call Triage procedures and must be reviewed and approved by appropriate medical staff.

Reading Glasses: You may purchase reading glasses (similar to those sold at drug stores on the street) from the commissary. You may try reading glasses of various strengths at the Central Supply area during their posted open house hours, 10:15 a.m. - 11:15 a.m. and 1:30 p.m. - 2:00 p.m.

Medical Duty Status - Medical staff may determine that due to illness or injury you are not able to continue to perform your regular duties. The following categories may be assigned:

"Medical Idle" - Restricted to quarters except for meals, religious services or visits. Used for a maximum of three days, generally for acute minor illness (flu, etc.).

"Convalescence" - For recovery from a serious illness or injury. Generally limited to 30 days but may be renewed by medical staff. Restrictions on activity will be specified as needed.

"Medically Unassigned" - Due to a medical condition, you are unable to perform in full work status. Specific activities permitted will be noted. This category may be permanent depending on the condition.

Medical Duty Status Forms (Idle) may also be used for the purpose of authorizing you to have medical equipment which has been specially ordered for you by a medical staff member. You are required to have a copy of this medical idle whenever you are using the piece of equipment. This decision will be reviewed by the Medical Idle Committee.

Health Records: You may request to have a copy of your medical record by forwarding an Inmate Request to Staff to the Health Information Management Department. Allow 20 working days for your request to be processed. Please specify what portions of your medical file you wish to receive copies of. Open house is held from 10:15 a.m. to 11:00 a.m. Monday through Friday, excluding holidays.

Health Care Directive: A Health Care Directive is designed to allow you the opportunity to make decisions concerning the refusal of medical care or your preference in end of life decisions. If you currently have a Health Care Directive, forward it to your clinician for review. If you would like information regarding a Health Care Directive forward an Inmate Request to Staff to the Social Work Department.

Ethics Committee: Access to the Ethics Committee can be achieved through an Inmate Request to Staff addressed to the Ethics Committee or through discussion with your primary care provider team.

Resolving grievances related to health care concerns: If you have a concern related to your health care, contact your primary care provider team (physician, mid-level provider, or nurse) to resolve your issue. You may complete an Inmate Request to Staff form. If you are unable to resolve your health care concern, you may file a formal request via the Administrative Remedy process.

Reporting Faulty Equipment and Unsafe Acts: Notify a staff member immediately if you see an unsafe patient care act or need to report a faulty piece of equipment.

Joint Commission Accreditation: FMC Rochester is accredited by the Joint Commission for Long Term Care, Ambulatory Care, and Behavioral Health Care. The Joint Commission standards deal with organization quality, safety-of-care issues, and the safety of the environment in which care is provided. If a concern regarding such matters cannot be resolved through the established processes, you may send correspondence to the following address.

**Division of Accreditation Operations
Office of Quality Monitoring
The Joint Commission
One Renaissance Boulevard
Oakbrook Terrace, IL 60181
Telephone: 1-800-994-6610
Fax: 630-792-5636
Email: complaint@jointcommission.org**

Selective Service System/BOP Registration Program

All male United States citizens are required by law to register with the Selective Service System (SSS) within 30 days of their 18th birthday. All other male persons who reside in the United States, except legally admitted non-immigrants, are also required to register within 30 days of their 18th birthday. Men ages 18 through 25 are exempt from the registration requirement while incarcerated. Upon release, they have 30 days in which to register. As a public service to registration-age men who enter or are being released from federal correctional facilities, the Bureau of Prisons (BOP) and Selective Service have entered into this inter-agency agreement whereby these men are informed of the registration requirement and offered the opportunity to register.

During the institution's A&O process, the BOP registrars shall advise registration-age men of the registration requirement and offer them the opportunity to complete a registration form if they have not previously done so. This opportunity shall also be offered at the time of release from BOP facilities. Registration-age men may not be required to provide this information and may not be penalized by the Bureau of Prisons for failure to register.

Safety/Sanitation and Fire Safety

All inmates are required to be familiar with safety regulations as noted in BP-A0169, Uniform Safety Regulations (See Attachment D). You are required to read and sign these regulations. Inmates assigned to various work details will receive initial safety orientation along with annual refresher training. If you have any concerns regarding an unsafe condition, you are to report this to your supervisor or the institution Safety Office. If you suffer a work-related injury and you feel your injury has resulted in some degree of physical impairment, file a claim for Inmate Accident Compensation. To do so, you must contact the institution's Safety Manager approximately 45 days prior to your release.

Sanitation is a high priority at the Federal Medical Center. You are required to maintain high sanitation in your individual living area. Excess property and combustible items such as cardboard are not allowed. Personal property will be stored in designated lockers.

Inspections will be conducted by correctional and unit staff on a continuing basis. The Safety Department will conduct a formal monthly inspection and the Institution Duty Officers will conduct a meal rotation inspection each week (which includes aluminum and plastic recycling totals).

Fire safety is of critical importance. Fire drills will be conducted quarterly in all areas of the institution. In medical units (Buildings

1, 9, and 10) drills will be held on each shift every quarter. Drills prepare our facility in the event of a real emergency. Inmate cooperation is extremely important and mandatory. Inmates are urged to contact the Safety Department if there are questions regarding any aspect of the institution's safety program.

Protective Custody

Staff may consider the following categories of inmates as protection cases:

1. Victims of inmate assaults;
2. Inmate informants; Inmates who have provided information to the institution staff or any law enforcement agency concerning criminal activities by another;
3. Inmates who have received inmate pressure to participate in sexual activity;
4. Inmates who seek protection through detention claiming to be former law enforcement officers, informants, or others in sensitive law enforcement positions, whether or not there is official information to verify the claim;
5. Inmates who have previously served as inmate gun guards, dog caretakers, or similar positions in state or local correctional facilities;
6. Inmates who refuse to enter the general population because of alleged pressures from other unidentified inmates;
7. Inmates who will not provide, and as to whom staff cannot determine, the reason for refusal to return to general population; and
8. Inmates about whom staff has good reason to believe the inmate is in serious danger of bodily harm.

Inmates who request protection, or who agree with the need for separation for protection reasons, will so indicate on the form (Administrative Detention Order) documenting placement in administrative detention.

Computer Security

Inmates are prohibited from possessing any digital or electronic hardware or software, unless approval is granted in writing. This includes any personal property or correspondence. Inmates are not allowed any unsupervised access to any computers or software. Inmates are allowed to work and/or use computers only in very limited and tightly controlled areas of the institution and under direct staff supervision. Inmates are prohibited from accessing any communication media, including the Internet. If you have any questions, please see a staff member.

Authorized Quantities for Inmate Personal Property

Items which may be retained by an inmate are limited for sanitation and security reasons, and to ensure that excess personal property is not accumulated which would constitute a fire hazard or impair staff searches of the living areas. (Refer to Attachment F)

Release Preparation Program

Inmates will be encouraged to participate in the Release Preparation Program (RPP). Enrollment in the program will be no later than 30 months prior to their release to the community. Each inmate is expected to participate in all categories of the program. Refusal to participate in the Release Preparation Program may affect the length of participation in community-based programs and release gratuity. The annual RPP Calendar is posted on unit bulletin boards.

Central File Review Procedures

Inmates may review their Central File by submitting an Inmate Request to Staff to their assigned case manager. A written response shall be provided to the inmate indicating the date and time for the scheduled review. Inmate file reviews will be accomplished under the direct and constant supervision of unit staff. The review shall be documented in the Central File with a signature of the case manager and inmate.

Criteria for Unscheduled Program Reviews

It is the policy of the Bureau of Prisons to classify each newly committed inmate within four weeks of the inmate's arrival at the institution and to conduct subsequent program reviews for each inmate at regular intervals. Program review meetings occur every 180 days for inmates with more than 12 months remaining on their sentence, and every 90 days for inmates with less than 12 months remaining on their sentence. FMC Rochester allows inmates to be reviewed outside of these intervals if inmates meet certain criteria. An advanced program review will be considered for inmates whose personal circumstances include significant changes in their projected release date, detainer status, vocational training program completion, or medical/mental health status. To be considered for an unscheduled program review, an inmate must submit a written request via an Inmate Request to Staff to their Unit Manager. The inmate will receive a written response and if appropriate will be placed on a program review docket.

Notification to Inmates of DNA Sample Collection

This notice is to advise you that you are subject to DNA sample collection. The Bureau's authorities to collect DNA samples from persons in BOP custody are as follows:

- Title 42 U.S.C. § 14135a, Collection and use of DNA identification information from certain Federal offenders;
- Title 42 U.S.C. § 14135b, Collection and use of DNA identification information from certain District of Columbia offenders; and
- Title 28 C.F.R. § 28.12.

Pursuant to these authorities, the Bureau will collect DNA samples from persons in Bureau custody who are:

- Convicted of any federal offense (felony or misdemeanor);
- Convicted of any Uniform Code of Military Justice (military) offense (felony or misdemeanor);
- Convicted of a qualifying D.C. Code offense;
- Arrested or facing charges (pretrial inmates); and
- Non-United States persons who are detained under the authority of the United States (including the Bureau) (persons who are not United States citizens and who are not lawfully admitted for permanent residence as defined by 8 C.F.R. § 1.1 (b)).

Refusal to submit to DNA sampling will result in disciplinary actions and possible criminal prosecution.

Diplomatic Representatives for Foreign Nationals

Listed below are the addresses and telephone numbers for diplomatic representatives of some common foreign countries for inmates who are foreign nationals. If your country of citizenship is not listed, please see a member of your unit team for additional information.

<p>Chancery of Albania 2100 South Street NW Washington, DC 20008 (202) 223-4942</p>	<p>Canadian Consulate General 701 4th Avenue South, Suite 900 Minneapolis, MN 55415 (612) 333-4641</p>	<p>Consulate of Colombia 500 North Michigan Avenue Suite 2040 Chicago, IL 60611 (312) 923-1196</p>
<p>Cuban Consulate 2630 16th Street NW Washington, DC 20009 (202) 797-8518</p>	<p>Consulate of Dominican Republic One Northfield Plaza, Ste. 300 Chicago, IL 60093 (847) 441-1831</p>	<p>Consulate General of El Salvador 104 South Michigan Avenue Suite 816 Chicago, IL 60603 (312) 332-1393</p>
<p>Consulate General of France 150 South Fifth Street, Ste. 2300 Minneapolis, MN 55402 (612) 338-6868</p>	<p>Chancery of Grenada 1701 New Hampshire Avenue NW Washington, DC 20009 (202) 265-2561</p>	<p>Consulate General of Guatemala 203 N Wabasha Ave., Ste. 910 Chicago, IL 60601 (312) 332-1587</p>
<p>Embassy of Guyana 2490 Tracy Place NW Washington, DC 20008 (202) 265-6900</p>	<p>Consulate of Haiti 220 South State Street, Suite 2110 Chicago, IL 60604 (312) 922-4004</p>	<p>Embassy of Honduras - Consulate 4506 West Fullerton Avenue Chicago, IL 60639 (773) 342-8281</p>
<p>Consulate General of India 455 North City Front Plaza Drive NBC Tower Building Suite 850 Chicago, IL 60611 (312) 595-0405</p>	<p>Consulate General of Italy 1844 Portland Avenue St. Paul, MN 55104 (651) 645-0588</p>	<p>Consulate of Jamaica 28 E Jackson Blvd. Ste. 1009 Chicago, IL 60604 (312) 633-0023</p>
<p>Consulate General of Mexico 797 East Seventh Street St. Paul, MN 55106 (651) 771-5494</p>	<p>Nigerian Chancery 1333 16th St. NW Washington, DC 20036 (202) 986-8400</p>	<p>Consulate of The Philippines 30 North Michigan Avenue Suite 2100 Chicago, IL 60602 (312) 332-6458</p>
<p>Consulate of Poland 1530 N Lake Shore Dr. Chicago, IL 60610 (312) 337-8166</p>	<p>Chancery of Vietnam 1233 20th Street NW, Ste. 400 Washington, DC 20037 (202) 861-0737</p>	

**FEDERAL MEDICAL CENTER
RULES AND REGULATIONS**

Below is a copy of FMC Unit Rules and Regulations. If you should need additional information regarding programs and services, contact the appropriate staff and ask questions, as they are willing to assist you. Having full knowledge of and abiding by the rules and regulations, in addition to maintaining open communication, will make FMC, Rochester a more stable environment for all concerned. (NOTE: The Medical/Surgical Unit and the Mental Health Unit have separate Specialized Rules and Regulations.)

1. **Bed Making/Room Inspections:** Beds are to be made neatly and rooms cleaned by 7:30 a.m. on weekdays. On weekends and holidays, inmates are permitted to remain in bed as long as they desire, but will make their beds upon rising. If an inmate is on medical idle, he may remain in bed undisturbed, but he must ensure that his room is clean and otherwise ready for inspection. At no time will bedding be used as floor or window coverings. Any inmate whose day-off falls on a normal week day will be required to have his room ready for inspection by 7:30 a.m. This means that your bed must be made; however, you may lie on top of it. Failure to comply may result in disciplinary action. Unusual situations may be worked out with the Unit Manager.
2. **Conduct:** Each inmate in the unit is expected to maintain himself in an orderly fashion, and to abide by the policies and procedures of the unit, FMC, Rochester, the Federal Bureau of Prisons, and the laws of the United States of America. Our common goal is to create an environment in the unit of mutual respect and concern in which every person can contribute to, share in, and fulfill himself as a worthwhile and productive human being.
3. **Contraband:** Regular, non-scheduled searches for contraband will be made in individual rooms and other unit areas. If an officer or staff member suspects an inmate of carrying and/or concealing contraband, a thorough personal search may be made. Additionally, pat searches may be conducted at any time. Any item not purchased in the Commissary, not officially issued, not specifically authorized by proper authority, not on an inmate's property inventory record, not used for the purpose for which it was issued, or in excess of allowed limits is considered contraband, and will be confiscated. Violation of these limits may result in disciplinary action.
4. **Counts:** The Federal Bureau of Prisons requires that counts be made at intervals throughout the entire day. During official counts in the unit, inmates will go to their rooms and be in plain view, remain quiet, and not disturb the officer conducting the count. Radios will not be played during counts. Count times are 12:15 a.m., 3:00 a.m., 5:00 a.m., 4:15 p.m., and 9:00 p.m. During count times, staff are required to positively observe human flesh before counting any

inmate.

There will be a 10:00 a.m. stand up count on weekends and holidays during which inmates along with their visitors may remain in the visiting room. In addition, emergency count/census checks will be conducted periodically. During the 4:15 p.m. count and the 9:00 p.m. count, inmates are to have their doors open and be standing in their rooms. This is in addition to the other requirements. There will be no inmate movement in the unit during any count until the unit officer calls "count clear." Note, inmates residing in dormitories must remain in the bed area of the dormitory. Failure to adhere to these count procedures will result in disciplinary action.

5. Dress Code: Inmates will present an acceptable appearance at all times, utilizing approved recreation or institution-issued clothing. The guidelines listed below will be followed by all inmates:

A. Working Hours: Institution-issued clothing that is neat, clean, presentable and having name tags affixed must be worn on all work details. Shirts must be tucked into belted trousers. T-shirts and thermal shirts are considered undergarments and must be worn under institution-issued clothing. Appropriate shoes authorized by the work supervisor include safety, medically authorized orthopedic, medically modified regular issue shoes or tennis shoes will be worn at all times.

B. Non-Working Hours: Institution-issued clothing or any authorized recreation clothing may be worn during non-working hours. Recreation clothing must be purchased through the Commissary and listed on the Inmate Personal Property Form (BP-S383). Recreation clothing must be machine washable, in good condition, and may not be altered, patched, or frayed.

C. General: Issued institutional clothing or approved recreation clothing and shoes must be worn at all times in common areas. Appropriate clothing will be worn to and from the bathroom and shower areas. Recreational clothing may be worn during non-working hours, except in the visiting room, on medical trips, or at activities where outside guests or volunteers are involved, including activities in Religious Services, Education and Recreation Departments. Food Service clothing will not be worn during non-working hours. Flip flops and shower shoes will not be worn outside of the inmate's housing unit/floor.

D. Recreational Clothing: During normal working hours, recreational clothing may be worn only in recreation areas and in transit to recreation areas. Any altered clothing will be considered contraband.

E. Headgear: All hats will be removed when entering a building. Hats must be worn in the correct manner. The clothing room or detail

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supervisor may issue authorized headgear which will be worn only on the work detail. Sweat bands may be worn only on the recreation field or on work details, if approved by the detail supervisor.

Inmates with unusually long hair may wear hats or hair nets on details where safety or sanitation is a factor, if approved by the detail supervisor. Hair must be clean and neat regardless of length or style. Authorized religious headgear is exempted from this provision.

"Doo-rags" or wave caps are only authorized to be worn in the housing units during non-working hours. Baseball caps may be purchased in the commissary and can be worn on the recreation yard and work details as approved by the detail supervisor.

F. Sunglasses: Sunglasses or glasses with tinted lenses will not be permitted indoors unless the Clinical Director issues medical authorization.

G. Dining Room: During normal work days, Monday through Friday, only articles of institution issued clothing, with name tags affixed, will be worn inside the inmate dining room during the morning and noon meals. All clothing will be neat, clean and presentable. Sleeveless or altered shirts will not be allowed. All shirts will be tucked into belted trousers. Shirt buttons will be secured up to at least the first button below the collar. Socks will be worn at all times within the dining room. Tennis shoes can be worn in the dining room during the morning and noon meals.

Hats will not be worn within the inmate dining room, with the exception of food service workers and approved religious headgear.

Inmates not adhering to the dress code will not be permitted in the dining room.

At no time will inmates be allowed to enter the inmate dining room with laundry bags and/or personal property. These items are to be left in the housing units and not stored outside the inmate dining room. Boisterous behavior and cutting in line is forbidden. With the exception of sack lunches and diabetic snacks, no food or condiments may be taken from the inmate dining room.

6. Food Service: The order in which units are called to eat is announced. Meals are served at the following approximate times on weekdays:

Breakfast: 6:00 a.m.
Lunch: 11:00 a.m.
Dinner: 4:45 p.m.

Meals are served at the following approximate times on weekends and holidays:

Coffee Hour: 6:45 a.m.

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Lunch: 10:30 a.m.
Dinner: 4:45 p.m.

7. Unit Laundry Facilities: Effective December 6, 2010, all washers and dryers were removed from the housing unit, discontinuing all unit based laundry facilities. Inmates are required to bring institutional and personal clothing to the institution laundry in Building 4. These items must be properly secured in a marked laundry bag. For specific information regarding laundry procedures refer to the Admission and Orientation Handbook and the unit bulletin board postings. Inmates are not permitted to wash and/or hang dry any clothing in the housing units.
8. Photographs and Pictures:
 - A. Inmates may display pictures or photographs of their immediate family on their bulletin boards or in an authorized area. These items will not extend beyond the edge of the bulletin board.
 - B. No nude, semi-nude, or obscene pictures can be displayed; this includes magazine pictures, snapshots, and artwork. For clarification purposes, semi-nude includes females and/or males wearing under clothing, swim suits, lingerie, or similar revealing clothing.
9. Rooms: The following instructions will be used as a guideline for inmates to correctly set up and maintain their rooms. Additional information regarding rooms and property storage can be found in the Institution Supplement regarding Inmate Personal Property.
 - A. When allowable personal property exceeds the allowable storage space provided each inmate, you must decide which items of personal property you wish to retain. Excessive amounts of personal property constitute a safety/sanitation hazard, and will be disposed of in accordance with Bureau of Prisons policy.
 - B. No framed or unframed photographs will be attached to the room's lockers or walls. No nude, semi-nude, or obscene photographs, pin-ups, or artwork will be displayed.
 - C. No item will be attached to the light fixtures, sprinkler heads, or vents.
 - D. Floor areas will be swept and damp mopped daily, and will be free of scuff marks, lint, dust, and debris. Floor surfaces will be polished frequently enough to present a clean bright appearance.
 - E. Horizontal ledges, surfaces, bed frames, etc., will be free of dust.
 - F. Inside surfaces of windows and walls shall be clean and free of stains and dirt.
 - G. Inmates will not make repairs or modifications to any appliance, furniture, or quarters area, except with the approval of the unit staff.

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- H. Only the following items are allowed outside the locker:
(1) fan (only in Building 2)
(1) alarm clock
(2) framed photographs (frames not larger than "8 x 10" with no glass)
(1) reading lamp (clamped to the bed or desk)
Medical equipment
- I. Shoes will be stored in an orderly fashion underneath the lower bunk.
- J. Plastic drinking jugs (1 gallon) purchased from the commissary are to be stored underneath the lower bunk.
- K. Picture canvases will be stored in the locker, behind the locker, or behind the desk.
- L. Nothing may be placed on top of the lockers other than those items listed in H., at any time. Note, no items can be placed within 18" of the base of the sprinkler head.
- M. Legal materials pertaining to the inmate's current offense or pending court actions cannot occupy more than three cubic feet. Legal materials must be stored in the inmate personal property storage areas. If additional space is needed, you must submit an Inmate Request to Staff to the Unit Manager requesting such.
Inmates cannot possess another inmate's legal material at any time.

10. Room Assignment and Changes: At FMC, Rochester, there exists a wide variety in unit designs and purpose. Therefore, each unit will address the issue of room assignments and changes in relation to the operations of that specific unit. Generally, a Correctional Counselor on the unit is responsible for assigning inmates to quarters, and for making any quarters changes with the approval of the Unit Manager. An Inmate Request to Staff should be submitted to the unit team to address any concerns you may have regarding this issue.

The following are the guidelines for placement on the Work Cadre Unit Two-Man Room List:

- Submit an Inmate Request to Staff form to the counselor detailed to room assignments, to be placed on the list.
- You must be on the list for 90 days prior to being eligible for a room. This prevents inmates from putting in a request at the last minute to bump someone from being first.
- Your seniority placement on the list is based on the following guidelines:
 - a. Date of arrival to Building 2.
 - b. Date you returned to participation status from refusal status for the Inmate Financial Responsibility Program (IFRP).
 - c. Date you were found guilty of an incident report.
 - d. Date you refused a two-man room placement.

The most recent of these determines your seniority date.

- Removal from a two-man room is subject to the above guidelines. For instance, if you are found guilty of an incident report, you will be removed from your two-man room in addition to any other sanction you may have been given. If you are removed from a two-man room for any reason you must submit another copout to be placed back on the list.

The Correctional Counselors in the Medical/Surgical and the Mental Health Units will monitor placement in two-man rooms in those units. Room changes may be necessary in these units due to medical and/or psychiatric concerns and available bed space issues.

11. Unit Sanitation: If you drop any food or drink items on the floor, you must ensure that it is cleaned up immediately to avoid causing a threat to the safety of others.
12. Showers: Showers are open on weekdays from 6:00 a.m. to 7:30 a.m. and following the completion of the 4:15 p.m. count until 10:00 p.m. On weekends and holidays, showers will be open from 6:00 a.m. to 10:00 p.m. Shower rooms with locks will be secured at 10:00 p.m.
13. No Smoking: Inmates are not permitted to smoke. All smoking products are considered contraband. Any inmate in possession of smoking products (i.e. cigarettes, cigars, pipes, lighters, smokeless tobacco, etc.) will be subject to disciplinary action.
14. Television Rooms: There are television rooms available in the units. The last person who leaves the room will ensure that all trash is placed in proper receptacles. The television rooms will be open during non-working hours. All inmates utilizing the television rooms will ensure the television rooms remain neat and clean at all times. Anytime a TV room is found to be in an unsanitary condition, the room will be off limits until it is cleaned. General guidelines for hours of television viewing are as follows: 6:00 a.m. to 12:00 a.m. Sunday through Thursday, with an extension to 2:00 a.m. on Friday, Saturday, and the evening preceding a holiday. Unit Managers may make revisions of this schedule as they deem necessary to facilitate the mission of their units.
15. Chairs: Inmates are expected to bring their designated plastic chair from their room to the television room for use during television viewing. No chairs will be designated for retention in the television rooms. Any chairs found in the television room unattended at the end of the day will be confiscated by staff. All other chairs will be maintained by the unit team as replacement chairs. Inmates are not authorized to write on chairs, as this is considered destruction of government property and subject to disciplinary action.

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16. **Work Call:** All sentenced and committed inmates who are medically and mentally able to work are expected to work. Pre-trial inmates are not required to work, but may opt to work by signing a work waiver. All inmates will report for work at the 7:40 a.m. work call, Monday through Friday, or as required by the specific shift/work detail. Work ends at the 3:30 p.m. yard recall move, and inmates must report to their units no later than 3:40 p.m.
17. **Out of Bounds:** You will notice there are several out of bounds signs placed around the compound. You are not permitted to be in these areas. Inmates are authorized to be on their assigned floor only. Exceptions to this rule may be if you have a callout, scheduled appointment, or staff permission. Failure to comply with these regulations may result in disciplinary action.
18. **Microwaves:** Inmates may use the microwaves located in the common areas during television viewing hours as referenced in number 14 above. There will be no loitering in the common areas around the microwaves after 10:00 p.m.
18. **Lights out:** Lights will be turned off in individual inmate rooms at midnight. Lights will be turned off in dorm rooms at 10:00 p.m. There will be no loitering in the hallways after 10:00 p.m.
19. **Special Housing Unit Rules and Procedures:**
 - A. **Showers:** Inmate showers will be provided on Monday, Wednesday, and Friday each week. A disposable razor will be provided to an inmate wishing to shave (while in the shower), the inmate will be observed at all times while shaving. The razor must be returned upon conclusion of the shower and will be checked to ensure the blade has not been removed. Inmates will not be allowed to possess razors in their cells at any time. Inmates will not be allowed to use a razor that has been assigned to or used by another inmate. Inmates housed in the Mental Health Unit Special Housing Unit (SHU #1) will use a battery operated razor when showering.
 - B. **Haircuts:** Inmates requesting haircuts will submit an Inmate Request to Staff to the Officer in Charge (OIC). The inmate barber will be given a visual (strip) search and scanned with the transfrisker prior to entry into the unit. An inventory of all barber tools and supplies will be conducted by the unit officer prior to entry and before departing, to ensure items are not left in the unit. The inmate receiving the haircut will have restraints applied with his hands in back.
 - C. **Clothing Exchange:** Clothing will be exchanged on Monday, Wednesday, and Friday. Linen will be exchanged on Friday.
 - D. **Law Library:** Inmates will submit an Inmate Request to Staff requesting the date and time to use the Law Library. The inmate will be accommodated at the earliest convenience. Education staff are responsible for ensuring legal materials are available to inmates

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in the special housing unit. Inmates housed in SHU #1 will be provided legal materials by education staff. Contact education staff if necessary to ensure materials are available.

E. Phone Calls: Inmates on administrative detention (A/D) status will receive one (1) phone call every seven (7) days. Inmates on disciplinary segregation status (D/S) status will receive one (1) phone call every thirty (30) days. Inmates assigned to secure housing or seclusion statuses must request a phone call through their unit team. Legal calls will be approved by the inmate's unit team.

F. Commissary: The A/D and D/S commissary lists will be utilized for inmates in special housing. Inmates on secure housing or seclusion statuses will use the A/D commissary lists. Forms will be distributed on Friday evening watch. The lists will be collected on Monday, by the SHU OIC working the day watch shift and forwarded to the SHU Lieutenant for approval.

INMATE RIGHTS AND RESPONSIBILITIES §541.12

RIGHTS

1. You have the right to expect that as a human being you will be treated respectfully, impartially, and fairly by all personnel.
2. You have the right to be informed of the rules, procedures, and schedules concerning the operation of the institution.
3. You have the right to freedom of religious affiliation, and voluntary religious worship
4. You have the right to health care, which includes nutritious meals, proper bedding and clothing, and a laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles and medical and dental treatment.
5. You have the right to visit and correspond with family members, and friends, and correspond 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.)

RESPONSIBILITIES

1. You have the responsibility to treat others, both employees and inmates, in the same manner.
2. You have the responsibility to know and abide by them.
3. You have the responsibility to recognize and respect the rights of others in this regard.
4. It is your responsibility not to waste food, to follow the laundry and shower schedule, maintain 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.

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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 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.
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

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 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

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(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.

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

TABLE 3 - PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE - GREATEST CATEGORY

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

CODE	PROHIBITED ACTS		SANCTIONS
100	Killing	A.	Recommend parole date rescission or retardation.
101	Assaulting any person (includes sexual assault) or an armed assault on the institution's secure perimeter (a charge for assaulting any person at this level is to be used only when serious physical injury has been attempted or carried out by an inmate)	B.	Forfeit earned statutory good time or non-vested good conduct time (up to 100%) and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
102	Escape from escort; escape from a secure institution (low, medium, and high security level and administrative institutions); or escape from a minimum institution with violence	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).
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).	C.	Disciplinary Transfer (recommend).
104	Possession, manufacture, or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive, or any ammunition	D.	Disciplinary segregation (up to 60 days)
105	Rioting	E.	Make monetary restitution.
106	Encouraging others to riot	F.	Withhold statutory good time (Note-can be in addition to A through E-cannot be the only sanction executed).
107	Taking hostage(s)	G.	Loss of privileges (Note-can be in addition to A through E-cannot be the only sanction executed).
108	Possession, manufacture, or introduction of a hazardous tool (Tools most likely to be used in an escape or escape attempt or to serve as weapons capable of doing serious bodily harm to others; or those hazardous to institutional security or personal safety; e.g., hack-saw blade) Inmates found in possession of an electronic communication device or related equipment may be charged with a violation of Code 108, Possession, Manufacture, or Introduction of a Hazardous Tool, or Code 199 most like Code 108, and will be subject to available sanctions if found to have committed the prohibited act.		Sanctions A-G
109	(Not to be used)		
110	Refusing to provide a urine sample or to take part in other drug-abuse testing		
111	Introduction of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff		
112	Use of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff		

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TABLE 3 - PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE - GREATEST CATEGORY CONT'D

113	Possession of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff		
197	Use of the telephone to further criminal activity		
198	Interfering with a staff member in the performance of duties. (Conduct must be of the Greatest Severity nature.) This charge is to be used only when another charge of greatest severity is not applicable.		
199	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the Greatest Severity nature.) This charge is to be used only when another charge of greatest severity is not applicable.		

TABLE 3 - PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE-HIGH CATEGORY

CODE	PROHIBITED ACTS		SANCTIONS
200	Escape from unescorted Community Programs and activities and Open Institutions (minimum) and from outside secure institutions <u>without violence</u>	A.	Recommend parole date rescission or retardation.
201	Fighting with another person	B.	Forfeit earned statutory good time or non-vested good conduct time up to 50% or up to 60 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
202	(Not to be used)	B1.	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).
203	Threatening another with bodily harm or any other offense	C.	Disciplinary Transfer (recommend).
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	D.	Disciplinary segregation (up to 30 days)
205	Engaging in sexual acts	E.	Make monetary restitution.
206	Making sexual proposals or threats to another	F.	Withhold statutory good time.
207	Wearing a disguise or mask	G.	Loss of privileges: commissary, movies, recreation, etc.
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	H.	Change housing (quarters).
209	Adulteration of any food or drink	I.	Remove from program and/or group activity.
210	(Not to be used)	J.	Loss of job.
211	Possessing any officer's or staff clothing	K.	Impound inmate's personal property.
212	Engaging in, or encouraging a group demonstration	L.	Confiscate contraband.
213	Encouraging others to refuse to work, or to participate in a work stoppage	M.	Restrict to quarters
214	(Not to be used)		Sanctions A-M.
215	Introduction of alcohol into BOP facility		

TABLE 3 - PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE-HIGH CATEGORY CONT'D

216	Giving or offering an official or staff member a bribe, or anything of value		
217	Giving money to, or receiving money from, any person for purposes of introducing contraband or for any other illegal or prohibited purposes		
218	Destroying, altering, or damaging government property, or the property of another person, having value in excess of \$100.00 or destroying, altering, damaging life-safety devices (e.g., fire alarm), regardless of financial value		
219	Stealing (theft; this includes data obtained through the unauthorized use of a communications facility, or through the unauthorized access to disks, tapes, or computer printouts or other automated equipment on which data is stored)		
220	Demonstrating, practicing, or using martial arts, boxing (except for use of a punching bag), wrestling, or other forms of physical encounter, or military exercises or drill (except for drill authorized and conducted by staff)		
221	Being in an unauthorized area with a person of the opposite sex without staff permission		
222	Making, possessing, or using intoxicants		
223	Refusing to breathe into a breathalyzer or take part in other testing for use of alcohol		Sanctions A-M.
224	Assaulting any person (charged with this act only when less serious physical injury or contact has been attempted or carried out by an inmate)		
297	Use of the telephone for abuses other than criminal activity (e.g., circumventing telephone monitoring procedures, possession and/or use of another inmate's PIN number; third-party calling; third-party billing; using credit card numbers to place telephone calls; conference calling; talking in code)		
298	Interfering with a staff member in the performance of duties. (<u>Conduct must be of the High Severity nature.</u>) This charge is to be used only when another charge of the high severity is not applicable.		
299	Conduct which disrupts or interferes with the secure or orderly running of the institution or Bureau of Prisons. (<u>Conduct must be of the High Severity nature.</u>) This charge is to be used only when another charge of high severity is not applicable.		

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TABLE 3 - PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE-MODERATE CATEGORY

CODE	PROHIBITED ACTS		SANCTIONS
300	Indecent Exposure	A.	Recommend parole date rescission or retardation
301	(Not to be used)	B.	Forfeit earned statutory good time or non-vested good conduct time up to 25% or up to 30 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
302	Misuse of authorized medication	B1.	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).
303	Possession of money or currency, unless specifically authorized, or in excess of the amount authorized	C.	Disciplinary Transfer (recommend).
304	Loaning of property or anything of value for profit or increased return	D.	Disciplinary segregation (up to 15 days).
305	Possession of anything not authorized for retention or receipt by the inmate, and not issued to him through regular channels	E.	Make monetary restitution.
306	Refusing to work, or to accept a program assignment	F.	Withhold statutory good time.
307	Refusing to obey an order of any staff member (May be categorized and charged in terms of greater severity, according to the nature of the order being disobeyed; e.g., failure to obey an order which furthers a riot would be charged as 105, Rioting; refusing to obey an order which furthers a fight would be charged as 201, Fighting; refusing to provide a urine sample when ordered would be charged as Code 110)	G.	Loss of privileges: commissary, movies, recreation, etc.
308	Violating a condition of a furlough	H.	Change housing (quarters).
309	Violating a condition of a community program	I.	Remove from program and/or group activity.
310	Unexcused absence from work or any assignment	J.	Loss of job.
311	Failing to perform work as instructed by the supervisor	K.	Impound inmate's property.
312	Insolence toward a staff member	L.	Confiscate contraband.
313	Lying or providing a false statement to a staff member	M.	Restrict to quarters.
314	Counterfeiting, forging, or unauthorized reproduction of any document, article of identification, money, security, or official paper. (May be categorized in terms of greater severity according to the nature of the item being reproduced; e.g., counterfeiting release papers to effect escape, Code 102 or Code 200)	N.	Extra duty.
315	Participating in an unauthorized meeting or gathering		
316	Being in an unauthorized area		
317	Failure to follow safety or sanitation regulations		
318	Using any equipment or machinery which is not specifically authorized		
319	Using any equipment or machinery contrary to instructions or posted safety standards		
320	Failing to stand count		
321	Interfering with the taking of count		
322	(Not to be used)		

TABLE 3 - PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE-MODERATE CATEGORY-CONT'D

323	(Not to be used)		
324	Gambling		
325	Preparing or conducting a gambling pool		
326	Possession of gambling paraphernalia		
327	Unauthorized contacts with the public		Sanctions A-N
328	Giving money or anything of value to, or accepting money or anything of value from: another inmate, or any other person without staff authorization		
329	Destroying, altering, or damaging government property, or the property of another person, having a value of \$100.00 or less		
330	Being unsanitary or untidy; failing to keep one's person and one's quarters in accordance with posted standards		
331	Possession, manufacture, or introduction of a non-hazardous tool or other non-hazardous contraband (Tool not likely to be used in an escape or escape attempt, or to serve as a weapon capable of doing serious bodily harm to others, or not hazardous to institutional security or personal safety; Other non-hazardous contraband includes such items as food or cosmetics)		
332	Smoking where prohibited		
397	Use of the telephone for abuses other than criminal activity (e.g., conference calling, possession and/or use of another inmate's PIN number; three-way calling; providing false information for preparation of a telephone list) (moderate severity)		
398	Interfering with a staff member in the performance of duties. (<u>Conduct must be of the Moderate Severity nature.</u>) This charge is to be used only when another charge of moderate severity is not applicable.		
399	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (<u>Conduct must be of the Moderate Severity nature.</u>) This charge is to be used only when another charge of moderate severity is not applicable.		

TABLE 3 - PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE-LOW MODERATE CATEGORY

CODE	PROHIBITED ACTS		SANCTIONS
400	Possession of property belonging to another person	B1.	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). (See Chapter 4, Page 16, for VCCLEA violent and PLRA inmates).
401	Possessing unauthorized amount of otherwise authorized clothing	E.	Make monetary restitution.
402	Malingering, feigning illness	F.	Withhold statutory good time.
403	Not to be used	G.	Loss of privileges: commissary, movies, recreation, etc.
404	Using abusive or obscene language	H.	Change housing (quarters)
405	Tattooing or self-mutilation	I.	Remove from program and/or group activity.
406	(Not to be used)	J.	Loss of job.
407	Conduct with a visitor in violation of Bureau regulations (Restriction, or loss for a specific period of time, of these privileges may often be an appropriate sanction G)	K.	Impound inmate's personal property.
408	Conducting a business	L.	Confiscate contraband.
409	Unauthorized physical contact (e.g., kissing, embracing)	M.	Restrict quarters
410	Unauthorized use of mail or telephone (Restriction, or loss for a specific period of time, of these privileges may often be an appropriate sanction G) (May be categorized and charged in terms of greater severity, according to the nature of the unauthorized use; e.g., the telephone is used for planning, facilitating, committing an armed assault on the institution's secure perimeter, would be charged as Code 101, Assault)	N.	Extra duty.
497	Use of the telephone for abuses other than criminal activity (e.g., exceeding the 15-minute time limit for telephone calls; using the telephone in an unauthorized area; placing of an unauthorized individual on the telephone list).	O.	Reprimand
498	Interfering with a staff member in the performance of duties. (Conduct must be of the <u>Low Moderate Severity nature</u> .) This charge is to be used only when another charge of low moderate severity is not applicable.	P.	Warning.
499	Conduct which disrupts or interferes with the security or orderly running of the institution or Bureau of Prisons. (Conduct must be of the <u>Low Moderate Severity nature</u> .) This charge is to be used only when another charge of low moderate severity is not applicable.		A-P.

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.

When the prohibited act is interfering with a staff member in the performance of duties (Code 198, 298, 398, or 498), or Conduct Which Disrupts (Code 199, 299, 399, or 499), the DHO or UDC, in its findings, should indicate a specific finding of the severity level of the conduct, and a comparison to an offense (or offenses) in that severity level which the DHO or UDC finds is most comparable.

Example: "We find the act of _____ to be of High severity, most comparable to prohibited act Engaging in a Group Demonstration."

Sanction B.1 may be imposed on the Low Moderate category only where the inmate has committed the same low moderate prohibited act more than one time within a six-month period except for a VCCLEA inmate rated as violent or a PLRA inmate (See Chapter 4, Page 16).

TABLE 4 - SANCTIONS

1. Sanctions of the Discipline Hearing Officer: (upon finding the inmate committed the prohibited act)

A. Recommend Parole Date Rescission or Retardation. The DHO may make recommendations to the U.S. Parole Commission for retardation or rescission of parole grants. This may require holding fact-findings hearings upon request of or for the use of the Commission.

B. Forfeit Earned Statutory Good Time, Non-vested Good Conduct Time, and/or Terminate or Disallow Extra Good Time. The statutory good time available for forfeiture is limited to an amount computed by multiplying the number of months served at the time of the offense for which forfeiture action is taken, by the applicable monthly rate specified in 18 U.S.C. § 4161 (less any previous forfeiture or withholding outstanding). The amount of good conduct time (GCT) available for forfeiture is limited to the total number of days in the "non-vested" status at the time of the misconduct (less any previous forfeiture). A forfeiture of good conduct time sanction may not be suspended. Disallowance of extra good time is limited to the extra good time for the calendar month in which the violation occurs. It may not be withheld or restored. The sanction of termination or disallowance of extra good time may not be suspended. Forfeited good conduct time will not be restored. Authority to restore forfeited statutory good time is delegated to the Warden. This decision may not be delegated lower than the Associate Warden level. Limitations on this sanction and eligibility for restoration are based on the severity scale. (See Table 6)

See Page 19 of this Chapter for limitations on this sanction and for eligibility for restoration. Good time (statutory and good conduct time) percentages may be combined when separate acts or offenses occur on the same day and are heard by the DHO at the same time. For example, when an inmate is charged, and found to have committed, both a 200 and 300 Code violation by the same sitting DHO, that DHO may forfeit 75% of the inmate's good time (50% for the 200 code violation, 25% for the 300 Code violation). Good time may not be forfeited (because it is not earned) for an inmate solely in service of a civil contempt. See the Sentence Computation Manual (Old Law, Pre-CCCA-1984) for a discussion of termination or disallowance of extra good time. An application for restoration of good time is to go from the inmate's unit team, through both the DHO and Captain for comments, to the Warden or his or her delegated representative for final decision.

This sanction B does not apply to inmates committed under the provisions of the Comprehensive Crime Control Act for crimes committed on or after November 1, 1987 and prior to passage of the Violent Crime Control and Law Enforcement Act of 1994 (September 23, 1994). For those inmates, the applicable sanction is B.1.

B.1 Disallowance of Good Conduct Time. An inmate sentenced under the Sentencing

Reform Act provisions of the Comprehensive Crime Control Act (includes the inmate who committed his or her crime on or after November 1, 1987) may not receive statutory good time, but is eligible to receive 54 days good conduct time credit each year (18 U.S.C. § 3624(b)). Once awarded, the credit is vested, and may not be disallowed. However for crimes committed on or after September 13, 1994 and prior to April 26, 1996, credit toward an inmate's service of sentence shall not be vested unless the inmate has earned or is making satisfactory progress toward a high school diploma or an equivalent degree, or has been exempted from participation because of a learning disability. For crimes committed on or after April 26, 1996, credit toward an inmate's service of sentence shall vest on the date the inmate is released from custody. Once disallowed, the credit may not be restored, except by immediate review or appeal action as indicated below.

Prior to this award being made, the credit may be disallowed for an inmate found to have committed a prohibited act. A sanction of disallowance of good conduct time may not be suspended. Only the DHO can take action to disallow good conduct time. The DHO shall consider the severity of the prohibited act and the suggested disallowance guidelines in making a determination to disallow good conduct time. A decision to go above the guideline range is warranted for a greatly aggravated offense or where there is a repetitive violation of the same prohibited act that occurs within a relatively short time frame (e.g., within 18 months for the same greatest severity prohibited act, within 12 months for the same high severity prohibited act, and within 6 months for the same moderate severity prohibited act). A decision to go below the guidelines is warranted for strong mitigating factors. Any decision outside the suggested disallowance guidelines is to be documented and justified in the DHO report.

VCCLEA inmates rated as violent and PLRA inmates will ordinarily be disallowed good conduct time for each prohibited act they are found to have committed at a DHO hearing, consistent with the following;

- (1) Greatest Category Offenses. A minimum of 40 days (or, if less than 54 days are available for the prorated period, a minimum of 75% of available good time conduct) for each act committed;
- (2) High Category Offenses. A minimum of 27 days (or, if less than 54 days are available for the prorated period, a minimum of 50% of available good conduct time) for each act committed.
- (3) Moderate Category Offenses. A minimum of 13 days (or, if less than 54 days are available for the prorated period, a minimum of 25% of available good conduct time) for each act committed if the inmate has committed two or more moderate category offenses during the current anniversary period.
- (4) Low Moderate Category Offenses. A minimum of 6 days (or, if less than 54 days are available for the prorated period, a minimum of 12.5% of available good conduct time) for each act committed if the inmate has committed three or more low moderate category offenses during the current anniversary period.

However, the DHO may, after careful consideration of mitigating factors

(seriousness of the offense, the inmate's past disciplinary record, the lack of available good conduct time, etc.) choose to impose a lesser sanction, or even disallow no GCT for moderate and low moderate prohibited acts by VCCLEA inmates rated as violent or by PLRA inmates. The DHO must thoroughly detail the rationale for choosing to disallow less than 13 days or 6 days respectively. This will be documented in Section VII of the DHO report. Disallowance of amounts greater than 13 days or 6 days respectively will occur with repetitive offenses consistent with the guidelines in this B.1.

The decision of the DHO is final and is subject only to review by the Warden to ensure conformity with the provisions of the disciplinary policy and by inmate appeal through the administrative remedy program. The DHO is to ensure that the inmate is notified that any appeal of a disallowance of good conduct time must be made within the time frames established in the Bureau's rule on administrative remedy procedures.

Except for VCCLEA inmates rated as violent or PLRA inmates, Sanction B.1 may be imposed on the Low Moderate category only where the inmate has committed the same low moderate prohibited act more than one time within a six-month period.

Good conduct time credit may only be given to an inmate serving a sentence of more than one year, but less than the duration of his life. In the last year or portion of a year of an inmate's sentence, only the amount of good conduct time credit available for that remaining period of time may be disallowed. The Appendix to this Chapter 4 discusses procedures for the disallowance of good conduct time.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

An application for restoration of good time must be forwarded from the inmate's unit team, through both the DHO and Captain for comments, to the Warden or his or her delegated representative for final decision.

Part 542 refers to Program Statement on Administrative Remedy Procedure for Inmates. See Page 20 of this Chapter for information on restoration eligibility.

This sanction F does not apply to inmates committed under the provisions of the Comprehensive Crime Control Act. This means that inmates who committed their crimes on or after November 1, 1987, and who are sentenced under the Sentencing Reform Act provisions of the Comprehensive Crime Control Act are only eligible to receive 54 days good conduct time credit (18 U.S.C. § 3624(b)).

This credit is given at the end of each year of time served and, once given, is vested. For these inmates, the DHO's authority is final and is subject only to review by the Warden to ensure conformity with the provisions of the discipline policy and by inmate appeal through the Administrative Remedy procedures.

2. Sanctions of the Discipline Hearing Officer/Unit Discipline Committee: (upon finding the inmate committed the prohibited act)

G. Loss of Privileges:] Commissary, Movies, Recreation, etc. [The DHO or UDC may direct that an inmate forego specific privileges for a specified period of time. Ordinarily, loss of privileges is used as a sanction in response to an abuse of that privilege. However, the DHO or UDC may impose a loss of privilege sanction not directly related to the offense when there is a lack of other appropriate sanctions or when imposition of an appropriate sanction previously has been ineffective.

After careful consideration of all relevant facts, the UDC or DHO may impose a loss of privilege sanction not directly related to the offense, provided there is a belief that the imposed sanction (e.g., loss of visiting privileges) is viewed as having a significant impact on the inmate's future behavior.

Loss of recreation privileges cannot be imposed on inmates in Special Housing, but may be used as a sanction for general population inmates.

H. Change Housing (Quarters). The DHO or UDC may direct that an inmate be removed from current housing and placed in other housing.

I. Remove from Program and/or Group Activity. The DHO or UDC may direct that an inmate forego participating in any program or group activity for a specified period of time.

J. Loss of Job. The DHO or UDC may direct that an inmate be removed from present job and/or be assigned to another job.

K. Impound Inmate's Personal Property. The DHO or UDC may direct that an inmate's personal property be stored in the institution (when relevant to offense) for a specified period of time.

L. Confiscate Contraband. The DHO or UDC may direct that any contraband in the possession of an inmate be confiscated and disposed of appropriately.

For procedures, see the Program Statement on Personal Property of Inmates.

M. Restrict Quarters. The DHO or UDC may direct that an inmate be confined to quarters or in its immediate area for a specified period of time.

N. Extra Duty. The DHO or UDC may direct that an inmate perform tasks other than those performed during regularly assigned institutional job.

O. Reprimand. The DHO or UDC may reprimand an inmate either verbally or in writing.

P. Warning. The DHO or UDC may verbally warn an inmate regarding committing prohibited act(s).

Note: Although not considered sanctions, the UDC or DHO may recommend classification or program changes. For example, the DHO may recommend an inmate's participation in, or removal from, a particular program. When this occurs, a final decision will ordinarily be made in accordance with the established procedures for deciding that issue. In the example cited above, a referral would be made to the inmate's unit team for a decision on the recommendation.

TABLE 5**SANCTIONS FOR REPETITION OF PROHIBITED ACTS WITHIN SAME CATEGORY**

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

Category	Prior Offense (Same Code) Within Time Period	Frequency of Repeated Offense	Sanction Permitted
Low Moderate (400 Series)	6 months	2 nd Offense	Low Moderate Sanctions plus 1. Disciplinary segregation, up to 7 days. 2. Forfeit earned SGT or non-vested GCT up to 10% or up to 15 days, whichever is less, and/or terminate or disallow extra good time (EGT) (an EGT sanction may not be suspended).
		3 rd Offense, or more	Any sanctions available in Moderate (300) and Low Moderate (400) series
Moderate (300 Series)	12 months	2 nd Offense	Moderate Sanctions (A,C,E-N) plus 1. Disciplinary segregation, up to 21 days. 2. Forfeit earned SGT or non-vested GCT up to 37 1/2 % or up to 45 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended)
		3 rd Offense	Any sanctions or more available in Moderate (300) and High (200) series.
High (200 Series)	18 months	2 nd Offense	High Sanction (A,C,E-M) plus 1. Disciplinary segregation, up to 45 days. 2. Forfeit earned SGT or non-vested GCT up to 75% or up to 90 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended).
		3 rd Offense	Any sanction available in High or more (200) and Greatest (100) series.

TABLE 6**SANCTIONS BY SEVERITY OF PROHIBITED ACT, WITH ELIGIBILITY FOR RESTORATION OF FORFEITED AND WITHHELD STATUTORY GOOD TIME**

Severity of Act	Sanctions	Max. Amt. Forf. GT1	Max. Amt. W/hd SGT	Elig. Restoration Forf. SGT	Elig. Restoration W/hd/SGT	Max. Dis Seg1
Greatest	A-F	100%	Good time creditable for single month during which violation occurs. applies to all categories.	24 months	18 months	60 days
High	A-M	50% or 60 days, which ever is less		18 months	12 months	30 days
Moderate	A-N	25% or 30 days, which ever is less		12 months	6 months	15 days
Low/ Moderate	E-P	N/A		N/A (1 st offense) 6 months (2 nd or 3 rd offense in same category within six months)	3 months	N/A (1 st offense) 7 days (2 nd offense) 15 days (3 rd offense)

Attachment B, Page 20

1 See Table 5, SANCTIONS FOR REPETITION OF PROHIBITED ACTS WITHIN SAME CATEGORY, on Page 22 of this Chapter. Forfeited good conduct time will not be restored ("GT" in Table 6 represents both good conduct and statutory good time.)

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 exists 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.

Attachment C, Page 1

a. Initial Visiting List. This list will be prepared by Unit Staff (Correctional Counselor) after discussing the proposed list with the inmate and receiving necessary documents for verification.

1. Immediate family members will ordinarily be approved immediately if there is adequate supporting documentation in the inmate's Pre-sentence Investigation.

2. Inmates will send a Visitor Information Form (BPS629) to their family, friends, and associates the inmate desires to have added to his visiting list. The Visiting Information Form must be returned from the visitor directly to the unit staff. Unit staff will review the returned Visiting Information Form and verify the inmate must have known the proposed visitor(s) prior to incarceration. The visiting privilege ordinarily will be extended to other relatives, friends, and associates having an established relationship with the inmate prior to confinement, unless such visits could reasonably create a threat to the security and good order of the institution. The inmate will be responsible for having the proposed visitor mail proof of a prior relationship to the unit team which may include co-signed leases, utility bills, dated and signed letters, etc. Exceptions to the prior relationship rule may be made particularly for inmates without other visitors when it is shown the proposed visitor is reliable and poses no threat to the security of good order of the institution. The Unit Manager will review such documentation and will approve or deny the visitor. The Warden must approve any exception to this requirement.

Potential visitors who are not members of the inmate's immediate family will be subject to an NCIC check. This check will be completed prior to any visiting. The Warden's approval must be obtained for exception to this rule. This rule applies to all inmates regardless of the institution's security level. Once the inmate visitor is approved for visits, the unit team will give the inmate the following attachments to mail to his requested visitors:

- Attachment A from RCH5267.08c: Transportation Assistance
- Attachment B from RCH5267.08c: Visiting Rules and Regulations
- Attachment C from RCH5267.08c: Health Letter to Visitors
- Attachment D from RCH5267.08c: Visiting Room Procedures

3. Procedures for Disapproving Proposed Visitors. If the front lobby officer feels there is any type of discrepancy or any questionable issue with a proposed visitor, he/she will contact one or more of the following staff members: Operations Lieutenant, Institution Duty Officer (IDO), and unit team members, as applicable, to make the determination if the visitor will be allowed entrance into the institution. These staff members will assess the situation, review any applicable documentation and/or identification, make the final determination, and inform the visitor of the final decision.

4. Inmates in admission, pretrial, and holdover status will be afforded the same visiting privileges as designated inmates.

5. The Joint Commission on Accreditation of Healthcare Organizations (JCAHO) requires that measures be taken to control and prevent the spread of disease among patients, staff, and visitors. In the event of a disease outbreak, visiting restrictions may be imposed to protect staff, inmates, and visitors. A letter (Attachment C from RCH5267.08c) has also been created to warn visitors of the potential negative impact they could have while visiting inmates. Receipt of this information will confirm approval of visiting privileges.

6. Ordinarily, approved visitors and visiting lists of inmates who transfer to Rochester from other BOP facilities will be approved. It will be the responsibility of the unit team to review the visiting lists with each inmate at each team meeting.

b. Additions to and Deletions from the Visiting List. When an addition or deletion is made to a visiting list, the correctional counselor will ensure these changes are entered in the central file and visiting program. Visiting lists will be limited to a maximum of 20 people and changes may be made through their respective unit team upon request. Inmates will be allowed to change their approved visiting list on a case by case basis, with approval from unit staff. Should the number of requested changes become excessive, unit staff may limit the number of changes to three changes in a six-month period.

c. Visiting Facilities. This is an administrative institution and thus visiting for inmates

Attachment C, Page 2

is always inside the secure perimeter, primarily in the visiting room; however, unique situations allow visiting to occur in areas other than the visiting room.

d. Visiting Times. Social visits are scheduled Friday through Monday from 8:15 a.m. to 2:30 p.m. and on federal holidays. Visitors will normally not be permitted entrance after 2:00 p.m.

e. Searching of Visitors. Staff members may require a visitor to submit to a personal search, including any items of personal property, as a condition of allowing or continuing a visit. All visitors will be required to successfully pass through the walk-through metal detector. In the event this is unsuccessful, a hand-held metal detector will be used. Should the visitor still be unable to successfully pass screening, the Operation's Lieutenant will be contacted for further assistance. Under no circumstances will a visitor be allowed admittance into the institution until he/she has successfully passed the metal detector(s). Only the Warden can authorize the visual search of a visitor.

An Ion Spectrometry Device will be used for drug detection. Tests will be conducted at random on all inmate visitors as a condition of entry to this facility. The purpose of this machine is to detect contact with a quantity of illegal substance prior to entering the institution and to prevent the introduction of illegal drugs through the visiting room.

f. Frequency of Visit. To help reduce overcrowding in the visiting room, each inmate is allotted 16 visiting points per month. During weekday visits, excluding holidays, one point per visit will be assessed. On weekends and holidays, two points per visit will be assessed.

g. Persons with Prior Criminal Convictions. The existence of a prior criminal record does not preclude visiting privileges; however, staff will carefully review such a request, keeping in mind the nature, extent, and date of the conviction(s). Approval of the Unit Manager is required in such cases.

Prior to placing an individual who is on probation, parole, or supervised release status on an inmate's visiting list, staff shall ordinarily obtain written authorization approving the person for such visitation from the appropriate probation/parole officials.

h. Special Visits. Unit Managers are granted authority to approve special visits with final approval granted by the Captain. An inmate desiring a special visit shall submit to the unit team an Inmate Request to a Staff Member form at least one week prior to the anticipated visit. Ordinarily, supervision of special visits will be conducted by the inmate's respective unit team if after normal visiting hours or visiting days.

i. Attorney Visits. Attorney visits will be conducted in accordance with the Program Statement regarding Inmate Legal Activities. The attorney must display positive identification that he/she is a licensed attorney, i.e., both a current bar membership and a valid driver's license. Attorneys will be required to sign the Attorney's Visitor Log in the front entrance. Attorneys not able to visit during regular established hours are required to make an appointment for the visit with the unit team to ensure staff coverage is available. Ordinarily, supervision will be provided by the appropriate unit team.

There is no restriction on the number of attorney visits since this is dependent upon the nature and urgency of the legal situation. Attorney visits are not included in the point system for visiting. Attorneys will be required to clear the metal detector prior to admission into the visiting room. Attorney visits will be conducted in the visiting room and/or the private conference room located in the visiting room. If there is a question as to the identity of any attorney or his representative; i.e., paralegal, law clerk, etc., the institution attorney/advisor should be consulted.

j. Business Visitors. Except for pretrial inmates, no inmate is permitted to engage actively in a business or profession. An inmate who was engaged in a business or profession prior to commitment is expected to assign authority for the operation of such business or profession to a person in the community. Even though the inmate has turned over the operation of a business or profession to another person, there may be an occasion where a decision must be made which will substantially affect the assets or prospects of the business. In such cases, the Warden may permit a special visit.

k. Consular Visits. When it has been determined an inmate is a citizen of a foreign country,

Attachment C, Page 3

the Warden must permit the consular representative of that country to visit on matters of legitimate business.

l. Pastoral Visits. The chaplains are authorized to approve clergy members' visits to inmates. These pastoral visits will be held in the visiting room. If approved, the Chaplain will be

responsible for preparing a memorandum detailing the visitor's name, date, and any special conditions, if applicable. An inmate may only have one minister of record on his visiting list

at a time. There is no restriction on the number of pastoral visits. Pastoral visits are not included in the point system.

m. Prisoner Visitation and Support (PVS). Prisoner Visitation and Support is an interfaith coalition of 35 national religious bodies and allied groups which provide a visitation service to persons confined in U.S. Federal Prisons. PVS visitors are approved by the Warden and the Regional Director.

A network of trained, local volunteers provides visits and positive social interaction with more than 3,000 prisoners throughout the BOP. The visitor-volunteers are screened by PVS staff before seeking approval from assigned institutions. The volunteers are supported by eight National Visitors, seven National Trainers, the PVS National Office and the resources of supporting groups. A board of directors sets policy and oversees the program. PVS intends to engender trusting and helping relationships among visitors, inmates and staff. The primary, though not exclusive, focus of PVS is on inmates with acute needs for community contact, including inmates with long sentences, those in special housing units, and those without visits or who are transferred frequently.

PVS visitors do not impose any particular philosophy or religion on those they visit. They simply make informal, one-on-one visits to offer friendship, help and moral support. When appropriate, and within policy parameters, PVS volunteers provide supportive services to inmates.

To facilitate and ensure an effective visitation program, the following guidelines apply in all institutions unless security concerns warrant alternative procedures:

1. PVS National Visitors may visit any BOP institution, with the Warden's approval.
2. The Warden may authorize PVS National Visitors to use cameras and film equipment during training events. Inmates being photographed will sign the appropriate release forms.
3. PVS Local Visitors are authorized to visit only in specific institutions. Inmates who request a PVS visit should be ordinarily accommodated.
4. Requests for visitor approval, including pertinent biological data, are sent to the Warden by PVS staff. Prior to approval, PVS visitors have appropriate visitor screening, local law enforcement checks and NCIC clearance.
5. Ordinarily PVS visits are held in the visiting room during visiting hours. When this is the case, the Warden may waive the requirement for volunteer training. If circumstances create the necessity, the Warden may approve visits in other areas of the institution. In these instances, the PVS visitor must have attended the institution's volunteer training. When visits are scheduled inside the institution instead of the visiting room, the requirement for constant staff supervision applies. Scheduling multiple visits on one day may be impacted by this regulation.
6. Renewal of PVS visitor status will be conducted every five years and will include an updated Letter of Endorsement from PVS, an updated NCIC check, and a review of file material to ensure all information is current and accurate.
7. PVS visitors notify inmates of scheduled visits by postcard and may also send appropriate postcard greetings for holidays and birthdays to inmates they are visiting. When necessary, further coordination will be provided by a designee of the Warden.

Attachment C, Page 4

8. PVS visitors may be badged in order to simplify entrance procedures and eliminate the need for authorization memoranda, if they have completed the required volunteer training. While not a requirement, PVS volunteers may be placed on the inmate's visiting list. Their visits are not charged against allowable prisoner visits.

9. The Visiting Regulations Program Statement, 5267.08, and each accompanying Institution Supplement, establish the admissible level of interaction between inmates and visitors.

10. PVS visitors are generally permitted to carry a pen or pencil and paper into the visiting room for the purpose of taking notes unless the Warden has established local procedures prohibiting this practice. If this procedure cannot be accommodated at particular institutions PVS volunteers should be notified in advance.

The PVS visitor will make arrangements through the Religious Services Department for visits to be scheduled with each PVS related prisoner. PVS visitors are not on prisoner visiting lists, nor are their visits charged against allowable prisonervisits. Paper and writing instruments for the purpose of the PVS visitor taking notes is allowed. PVS visitors are allowed to correspond with inmates regarding visiting schedules.

n. Identification of Visitors/Allowable Items. Staff must be able to verify the identity of visitors prior to allowing the visit. All visitors, with the exception of children under sixteen years, must display photo identification before being permitted into the institution.

Acceptable means of identification include a valid driver's license, a passport, or other form of government issued identification bearing a photograph, such as a state identification card. Consular identification cards are no longer considered a valid form of identification.

In questionable cases, a comparison of information, including review of the central file by the unit staff, may assist in identifying the visitor. The front lobby officer will contact unit staff, the Operations Lieutenant, and the Institution Duty Officer (IDO) to make the final determination as to whether the visit will be allowed. If the visiting room program is inoperable, these same procedures will be followed in an attempt to process visitors into the facility. When count time is near (within 20 minutes), the inmate will not be sent to the visiting room until the count clears, unless the inmate is already on the official out-count.

o. Visitor Items. The use of cameras or recording equipment without written consent of the Warden is prohibited. Documents or papers will not be brought into the visiting room without the approval of the unit team. Visitors may not bring toys, cards, billfolds, wallets, purses, paperwork, keys (except visitor locker key), food items, beverages, baby carriers, car seats, cradles, lipstick, chapstick, hair brushes, combs, lotion, newspapers, magazines, writing instruments, tobacco products, matches, lighters, cellular phones, pagers, or other items identified by the lobby officer, into the institution. No items are authorized to be brought in and given to any inmate. A list of items that may be brought into the institution are listed in Attachment D from RCH5267.08c.

1. Visitors with small infants will be allowed to retain a small diaper bag with one small receiving blanket, two jars of unopened baby food, two bottles of infant milk or formula, one small plastic container of baby wipes, and three diapers to be used during the visit.

2. A clear plastic 5" x 7" coin purse is allowable. Funds totaling \$20.00 (\$1.00, \$5.00, and coin denominations) per adult visitor are also allowed. Items brought in will be inspected by the visiting room officer. Diaper bags, coats, or questionable items should be checked through the x-ray machine.

3. Inmate visitors who have medication in their possession and require use of medication while visiting will be allowed to place sufficient medication in an envelope and seal the envelope. The remaining medication will be left at the front entrance. The envelope will be carried by escorting staff to the visiting room officer. The visiting room officer will supervise the use of any medication needed from the envelope. Any medication left after the visit will be carried by escorting staff to the front entrance for return to the visitor.

4. Visitors may not give any items to inmates without being coordinated through the unit team and final approval through the Captain.

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5. Property that is left in the front lobby or the visiting room will be considered unclaimed property. The unclaimed property will be stored at FMC Rochester and will be the responsibility of the confiscated property Lieutenant to maintain. The property will be stored in a secure area. The visiting room or front lobby officer will document in memorandum form as to the date the property was left and where the property was discovered. A copy of the memorandum will be forwarded to the SIA Office. The property will be held for 60 days. During this time, the SIA office will attempt to contact the person(s) regarding the property.

If, at the end of the 60 day storage period, the property remains unclaimed, it will be considered "abandoned" and will be processed for disposal. A memorandum will be initiated documenting the property to be destroyed by the confiscated property Lieutenant and a staff witness, to include the date and time the property was destroyed.

p. Visitor Dress Code. Visitors who are not properly attired will be denied a visit. Visitors are not to wear suggestive, provocative or otherwise revealing clothing when visiting an inmate. Inappropriate slogans and/or depictions on clothing are prohibited. The following restrictions on clothing will be strictly enforced:

1. Tops should cover the upper body, including stomach, chest/breasts and back. Sun dresses, sleeveless shirts/blouses, sheer or low-cut blouses, halter tops or spaghetti strapped shirts will not be permitted to be worn during visiting. Male visitors will use the same discretion in attire regarding sleeveless shirts. No see-through material will be permitted.

2. Female visitors will not be permitted to wear cut off shorts, skorts, or kulats. Shorts, skirts, or dresses must not be shorter than three (3) inches above the center of the knee for persons 16 years of age or older. Spandex, leotards, form fitting clothing or pants with holes are not permitted during visiting. Male visitors will use the same discretion in attire regarding shorts.

3. Hats, caps, bandanas or any other type of head gear is not permitted on any adult visitor. The exception is religious headwear identified as the following: kufis, yarmulkes, turbans, crowns and headbands, as well as scarves and head wraps for orthodox Muslim and Jewish women.

a. Visitors will not remove their religious headwear and it will not be searched other than through a metal detector. If there is reasonable suspicion contraband is present, then the policy governing searches of non-inmates will be enacted and adhered to.

4. Shoes, for safety reason, must be worn at all times by all visitors. Flip-flops and shower shoes are prohibited from entering the institution. Other footwear that does not have a strap around the back of the ankle is prohibited. Open toed shoes that have a strap around the back of the ankle may be worn.

5. Initial determination whether clothing is appropriate will be made by the Front Lobby Officer. The Duty Officer and/or Shift Lieutenant will be notified to make the final determination to allow or disallow the visitor to enter when there is a doubt. If it is determined the clothing is inappropriate, the visitor will not be permitted to enter the institution.

q. Inmate Entrance/Exit Procedures. Inmates being processed into the visiting room will be positively identified by photo before the visit begins and again when the visit is terminated. When many visitors leave at the same time, e.g., termination of the visiting hours, the visiting room officer will identify all inmates and the visitors will then be permitted to leave the visiting room. Inmates will be pat searched upon entering the visiting room and will be given a visual search when leaving the visiting area. The hand held metal detector will be used in conjunction with the pat and visual searches.

r. Number of Visitors and Length of Visits. Due to the size of the visiting room, capacity being 125 total inside/outside, visitors will be limited as follows:

1. Immediate family (mother, father, spouse, children, step parents, foster parents, and siblings) will not be limited in number except when overcrowding becomes a problem. In those cases, no more than five (5) immediate family member.

Attachment C, Page 6

will be allowed to visit.

2. Visitors under the age of sixteen (16) must be accompanied by a responsible adult. Children must at all times be under the direct supervision of an adult during the visit. The southeast corner of the visiting room has been designated as the child's play area. There are toys and games available. There will be no running or horseplay allowed.

Parents are to supervise their children at all times. It is the responsibility of the adult visitor who accompanied the child to provide supervision for the child in the visiting room.

If at any time the adult visitor leaves the child unattended, staff will advise the inmate and his visitor that the child must be removed and not allowed back in for the rest of the visit. At no time will any inmate be allowed to supervise children.

In each visiting room, children of visitors are permitted to play in the designated area only under parental supervision. The children's play area is not for general adult visiting; only adults accompanying children can be in this area. Parents are responsible for children's behavior at all times; however, inmates are not permitted in play areas designated for children.

At the discretion of the visiting room officer, parents (visitor) may be asked to move closer into the children's play area in order to better supervise their children. If the child continues to be disruptive in the play area, the visiting room officer will notify the parent and/or inmate to remove the child from the play area for the remainder of the visit. No food or beverages are allowed in the children's play area. Television viewing in this area is regulated by the visiting room officer and is specifically intended for youth videos. The visiting room play area for children is equipped with toys for use by visitor's children. Playroom toys/games may be used at the tables at the officer's discretion. Movement of visiting room furniture is unauthorized. The children's area will be sanitized after each visiting day.

3. In the event the visiting room becomes overcrowded, frequency of visits and distance traveled by the visitor will be considered first in determining who will be the first to have their visit terminated.

4. Communal visiting (visiting with a number of people who are not immediate family) will not be authorized unless prior written approval is given by the Warden.

s. Special Procedures for Hospital Patients. The following rules apply to those inmates housed in the institution hospital:

1. All ambulatory patients will proceed to the main institution visiting room for visits.

2. Those non-ambulatory patients who require staff assistance will be escorted to the Building 10 visiting room via wheelchairs.

3. Special visits in the institution hospital, Building Nine, will be arranged as necessary by the unit team. The primary physician, MDO, or nursing staff will be consulted prior to a bedside visit being approved. The family of the inmate must contact the unit team for scheduling of such visits.

4. In most cases, a two hour time limit will be imposed for hospital visits, and on only two consecutive days. The length of visits is contingent on the inmate's medical status and what the inmate's physical condition can tolerate.

5. Children 16 years of age or older will be permitted into the hospital; only in terminal or special circumstances will younger children be allowed (upon approval of the unit team and the Warden).

6. All visiting in the hospital will be confined to single patient rooms.

7. Supervision of hospital visits ordinarily will be provided by the unit staff. Further supervision will be supplemented by other departments if needed.

t. Visits to Inmates not in Regular Populations Status. Inmates on administrative detention and disciplinary segregation status shall ordinarily be under the same guidelines as the general population inmates for visiting purposes (i.e., facilities, times, frequencies). However, special seating may be assigned to provide adequate supervision

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as needed.

FMC Rochester is not able to provide a traditional area for non-contact visiting. In the event there is a need for non-contact visiting, the video conferencing equipment will be used. The visitor will be placed in the Associate Warden's Conference Room and the inmate will remain in the Special Housing Unit. This can be coordinated through the Captain's Office.

u. Visiting Regulations in Community Hospitals. Normally, visits to inmates should take place at the institution. Inmates and their visitors are to be encouraged to arrange visitation prior to and after downtown hospitalization. Downtown hospital visits should generally be only for patients in serious or critical conditions. In these instances, the unit team shall route a request for visitation through the Captain and Associate Warden (Medical) for approval by the Warden. Authorization for visiting will normally be for two to five days for a two hour time period each day during the hospital's designated visiting hours. Inmates in intensive care may be reviewed for longer visits. Authorized visitors will be limited to immediate family members only. The clinical director or designee will be consulted prior to granting visiting privileges for any inmate. The staff at community hospitals may also be consulted in regards to visiting, and may restrict all visiting for medical reasons. Neither institution nor contract guard service will permit visiting in community hospitals without prior written authorization from the Captain.

Visitors who will visit at community hospitals are required to report to the institution prior to visiting to ensure proper identification and screening is completed. The front lobby officer will contact the appropriate unit team upon arrival of the visitor and then inform the visitors of the location of the inmate (hospital and room number).

v. Personal Conduct. Kissing and embracing is permitted upon entering the visiting room at the beginning of the visit and when the visit is terminated. Limited physical contact is necessary to control the introduction of contraband and behavior which may be offensive to other visitors; therefore, no personal contact other than holding hands is permitted at any other time. When the conduct of an inmate and/or visitor becomes indecent, loud, profane, or affects the general

good order of the visiting room, the visiting room officer may issue a warning. If the misconduct is of a serious nature, the visiting room officer may terminate the visit upon approval of the Operations Lieutenant. Misconduct may result in visiting privileges being restricted.

w. Food. No food items are allowed to be brought into the visiting room by inmates or their visitors with the exception of baby food, milk, and formula for babies. Food items may be purchased from vending machines in the visiting room.

x. Inmate Dress and Allowable Items for Visiting Room. Inmates must wear institution issued dress clothing (khakis) while visiting. Green fatigue clothing will not be authorized in the visiting room. A shirt must be worn over t-shirts or tank tops. Standard shoes must be worn. Sneakers are allowed with an idle slip. No house slippers or shower shoes will be allowed. Inmates and their clothing will be clean and neat. A plain wedding band may be worn and a religious medal with necklace. No other jewelry will be authorized.

Inmates will be allowed to take a comb and handkerchief into the visiting room. No documents, legal papers, etc., may be taken into the visiting room by inmates unless approved by unit staff prior to legal visits. If such a need arises, inmates will contact their unit team and any such documents, if approved, will be taken into the visiting room by a member of the inmate's unit team.

y. Transportation Assistance. To assist visitors in locating the institution and public transportation numbers for transit, information will be posted in the visiting area and will be published in the visiting regulations, which will be sent to prospective visitors by the inmate.

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FMC Rochester is located at 2110 East Center St., Rochester, Minnesota 55903. Our telephone number is (507) 287-0674. Our inmate mailing address is PMB 4000, Rochester, Minnesota 55903-4000. All correspondence sent to inmates must include the inmate's committed name and register number.

The following information is provided to assist visitors of inmates at FMC Rochester. Rochester, Minnesota, is located approximately 85 miles south of the Twin Cities (Minneapolis/St. Paul) on Minnesota Highway 52. Directions to the Federal Medical Center, Rochester, Minnesota are as follows: The Federal Medical Center is located approximately two miles east of downtown Rochester. Taking 4th Street SE, you will pass Olmsted Community Hospital. The Federal Medical Center is located slightly to your left. Turn left on Center Street and right into the parking lot. You may park in the lot identified as "Visitor Parking." Handicap parking is available in the lot nearest the institution's front entrance. Persons waiting for visitors will not be

allowed to remain in the parking lot while visiting is in progress.

The Rochester area is serviced by the following commercial transportation services:

Airlines:	Northwest Airlines	800/225-2525
	American Airlines	800/433-7300
Taxi:	Airport Express/Yellow Cab	507/282-2222
Bus:	Jefferson Bus Lines	507/289-4037
	Greyhound Bus Lines	507/289-4037
	Rochester Direct	507/280-9270
	RTS Limousine Service Inc.	507/529-4222
	(Provides Bus Service to and from the Minneapolis/St. Paul Airport)	
	Rochester City Lines	507/288-4353

z. Penalty for Circumventing Regulations. Any effort to circumvent or evade the visiting regulations established by this facility may result in suspension or forfeiture of visiting privileges. It is a federal crime to bring upon these premises any weapon, ammunition, intoxicants, drugs or other contraband. All persons and packages are subject to search (Title 18, U.S.C., Section 1791). Visitors that are age 16 and over will be required to complete a Notification to Visitors form which outlines specifically what is prohibited.

This form must be completed with signature before the visit can begin.

aa. Recording Visiting Days. All inmate visits will be recorded on the visiting program. All authorized visitors (with the exception of children under 16) will be listed on the visiting program. The front lobby officer will enter the visitor information into the computer for authorization and the computer program will record the number of visits.

bb. Use of Lockers. Items which cannot be searched or present a threat to the security of the institution will not be permitted to enter the institution. Storage lockers are available

for visitors' use in the entrance building for those items which are not permitted. However, the visitor may elect to return those items to their vehicles. The lockers are designed to operate with a key. Keys will be issued to visitors by giving the front lobby officer the visitor's driver's license.

cc. Procedures for a Backup System to the Computer Visiting Program. In case of a ACES System failure, the Computer Services Department will copy the individual visiting lists into a PDF file located on the front lobby and visiting room work stations once a week. This will serve as a backup system until the ACES program comes back online.

dd. Procedures for Children Area. FMC Rochester inmates will be permitted in the area designated for their children.

Attachment D

BP-A0169

UNIFORM BASIC SAFETY REGULATIONS CDFRM

JUNE 10

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISON

Institution _____

Unit _____

Every effort will be made to provide a safe working environment. As a new commitment you are being provided with a copy of the safety regulations as reflected below, and a copy of the Inmate Accident Compensation Procedures. You are required to sign and date this form at the bottom to indicate you have received this information.

- 1. Each inmate worker is required to exercise care, cooperation, and common sense in the performance of his work assignment. Horseplay on the job will not be tolerated.
2. An inmate worker will perform only that work to which he is assigned. Unauthorized use of machines or equipment, or performance of work in an area not specifically assigned, is forbidden and subject to disciplinary action.
3. Inmate workers are not authorized to utilize personal radios while on the job detail.
4. Operating machinery without the use of safety guard(s) as provided is forbidden and subject to disciplinary action.
5. Do not adjust, oil, clean, repair, or perform any other maintenance to any machinery while it is in motion. Stop the machinery first and use lock-out devices when provided.
6. To protect against physical injury and/or health hazard, each inmate worker is required to use all safety equipment provided. Personal protective equipment such as hard hats, hearing protection, goggles, respirators, aprons, arm guards, wire mesh gloves, and safety shoes are to be used in designated areas and must be worn in the proper manner.
7. Safety equipment must be worn in accordance with the institution personal protective assessment.
8. Vehicle drivers must obey all institutional driving rules.
9. Do not ride on tractors, forklifts, or any other tow vehicle. The operator is the only person authorized in the use of such machinery.
10. Do not stand up in a moving vehicle or attempt to dismount before the vehicle has come to a complete stop. Sit on seats provided and keep safety chains in place on open back vehicles.
11. Smoking is prohibited.
12. Safety hazards are to be reported to your work supervisor immediately. If the work supervisor does not agree that an unsafe condition exists, you are to report the unsafe condition to the institution's Safety Manager for further consideration.
13. If you are injured while performing your work assignment, no matter how minor it may seem, report the injury report to your work supervisor. Failure to report a work injury within a maximum of 48 hours may result in the forfeiture of lost time wages and/or inmate accident compensation.
14. If you suffer a work injury, and feel your injury has resulted in some degree of physical impairment, you may file a claim for Inmate Accident Compensation. To do so, you should contact the Safety Manager 45 days prior to your release or transfer to a Community Treatment Center. The Safety Manager will assist you in completing your claim and will arrange a medical evaluation which must be performed with regard to your claimed injury.

I have read and understand the above information.

Witnessed by _____

Inmate Signature _____

Inmate Name _____

Reg. No. _____

Date _____

cc: Signed copy will be forwarded to the Inmate Central File. Refusal to sign for receipt will be noted on the form.

Note: Should the inmate indicate in any way he is unable to read, safety regulations will be read to him, and Inmate Accident Compensation Procedures explained.

ATTACHMENT E

**DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS**

**76-89 (5365)
MAY 24,**

1989

SPECIAL MAIL FROM ATTORNEYS

To the Inmate: It is suggested you provide this instruction sheet for special mail privileges to the attorney(s) representing you, at the earliest opportunity, when you write to or visit with your attorney(s).

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

**INMATE PERSONAL PROPERTY LIST
AUTHORIZED FOR RETENTION & TRANSFER BETWEEN INSTITUTIONS
NATIONAL LIMIT**

W = White
G = Grey
C = Commissary Only
B = Black
BW = Combination

CLOTHING:

Bathrobe, WG (no hoods) (C) (1)
Cap, Baseball, WG (no logos) (C) (1)
Shoes, Athletic, (W) (B) (BW) or with gray markings (\$100 maximum value/no pumps/no pockets) (C) (1 pr)
Shoes, Specialty, (W) (B) (BW) (\$100 value maximum/no pumps/no pockets) court, turf, running shoe (C) (1 pr)
Shoes, Casual (C) (1 pr)
Shoes, Shower WG (C) (1 pr)
Shoes, Slippers (C) (1 pr)
Shoes, Work (C)
Shorts, Gym, WG (C) (2)
Socks, Tube, W (C) (5)
Sweatshirt, G (pullover/no hoods/cotton) (C) (2) (no logos)
Sweatpants, G (cotton) (C) (2) (no logos)
T-shirts/Sleeveless Undershirts, WG (no pockets/no logos) (C) (5)
Underwear, WG (boxers or briefs) (C) (7)
Handkerchief, (white only) (5)

PERSONALLY OWNED ITEMS:

Address Book (C) (1)
Alarm Clock (non-electric) (C) (1)
Bag, Athletic Tote (C) (1) no logo
Batteries (C) (4)
Books (a combination of hard/soft) (5)
Book/Reading Light (C) (1)
Bowl (1 plastic/24 oz or less and/or 1.5 quart bowl) (C) (2)
Calculator, Small (electronically unsophisticated, inexpensive, non-print feature/battery or solar operated) (C) (1)
Calendar, Small (1)
Comb/Pick (plastic) (C) (2)
Combination Lock (C) (1)
Contact Lens (clear/prescribed) (2 pair)
Contact Lens Solution (1)
Shaving Bag (C) (1)
Cup (plastic) (C) (1)
Dentures (1 set)
Earplugs (C) (1 set)
Envelopes (C) (1 box)
Eyeglasses (no stones) (2 pair)
Eyeglass Case (2)
Hairbrush (C) (1)
Hangers (plastic) (C) (5)
Headphones (C) (1)
Jug (plastic/1 gal) (C) (1)
Language Translator (small, electronically unsophisticated, inexpensive, non-print feature/battery, or solar operated) (C) (1)
Laundry Bag (mesh) (C) (1)

Attachment F, Page 2

Letters (25)
Mirror (small/plastic) (C) (2)
Pen, Ballpoint (C) (2)
Pencils (C) (2)
Photo Album/Scrapbook (C) (1) (may contain no more than 17 inserts with 6 picture compartments per insert, for a total of 204 pictures)
Photos (25) (loose photos not included in photo album)
Picture Frame (clear plastic) (C) (2)
Playing Cards (C) (2 decks)
Radio W/Earplugs (walkman-type) (C) (1) Must have register number engraved.
Stamps (C) (60, 1st Class)
Sunglasses (non-reflective) (C) (1)
Towel (white/large) (C) (1)
Watch (electronically unsophisticated, i.e. inability to send signals, \$100 maximum value) (C) (1)
Watchband (Plain) (C) (1)
Wedding Band (no stones/white/yellow metal) (1)
Writing Tablet (C) (2)

HYGIENE ITEMS:

Dental Floss and/or Pick (unwaxed) (C) (1 container)
Denture Adhesive (C) (1)
Denture Brush (C) (1)
Denture Cleaner/Powder (C) (1)
Denture Cup (C) (1)
Deodorant (C) (2)
Lens Cloth (C) (1)
Nail Clippers (no file) (C) (2)
Razor (C) (1)
Scissors, Mustache (blunt tip) (C) (1)
Sewing Kit (C) (1)
Soap, Bar (C) (3)
Soap Dish (C) (1)
Toothbrush (C) (1)
Toothbrush Holder (C) (1)
Toothpaste (C) (2 tubes)
Tweezers (blunt tip) (C) (1)

RECREATIONAL ITEMS: AUTHORIZED FOR RETENTION AND TRANSFER BETWEEN INSTITUTIONS (IF SHIPPED AFTER NOVEMBER 1, 1997, THE COST OF MAILING WILL INCURRED BY THE INMATE)

Athletic Supporter (C) (2)
Gloves (finger less/athletic) (C) (1)
Gloves (handball) (C) (2)
Harmonica (C) (1)
Mouth Pieces (C) (1)
Eye Protection (C) (1)
Softball Gloves (C) (1)
Headbands/Sweatbands (white) (C) (2)
Knee Wraps (C) (2)
Hand Balls (2 cans of 2) (C) (4)
Tennis Balls (can of 3) (C) (1)
Weightlifting Wraps (C) (2)
Knitting/Crochet Needles (C) (1)
Tools or Bead Work (C) (1)
Yarn, Embroidery, Hoops/needles (C) (1 set) (No dark blue, black, red or camouflage)

Attachment F, Page 3

APPROVED RELIGIOUS ITEMS:

See Page 4 of Institution Supplement RCH5580.07d

APPROVED MEDICAL DEVICES:

See Page 4 of Institution Supplement RCH5580.07d

OTHER ITEMS:

Chocolate (instant) (C) (10 packets)
Coffee (instant/jar/container) (C) (1)
Coffeemate (jar/container) (C) (1)
Tea (instant/jar/container) (C) (1)
Chips (4 bags)
Canned Drinks (Assorted) (36 cans)
Soups (12)
Vegetables (Onions or Green Peppers) (10)

Non-perishable commissary items sealed in unopened, original containers may also be transported or shipped.

APPROVED SPECIALTY SHOE

I. Court Shoe (White)

A. Description

1. Ankle support (high or three quarter)
2. Smooth surface/tread design/traction
3. Arch/heel support

B. Type of Activity

1. Basketball
2. Handball
3. Volleyball
4. Walking
5. Tennis
6. Aerobic

II. All Turf Shoe

A. Description

1. Traction
2. Rubber Cleats
3. Thick Padded Tongue

B. Activity

1. Softball
2. Flag Football
3. Soccer
4. Field Hockey

III. Running Shoe

A. Description

1. Arch Support
2. Light Weight
3. Heel Pad/Shock Absorption
4. Higher Heel Back
5. Nylon

- B. Activity
 - 1. Running
 - 2. Jogging
 - 3. Sprinting
 - 4. Jump Rope

AUTHORIZED QUANTITIES FOR
INMATE PERSONAL PROPERTY
INSTITUTION ISSUED CLOTHING

May not be transferred from Institution to Institution

Belt.....	1
Bedspread.....	1
Blankets	2
Pillow Case	1
Sheets	2
Coat (Winter).....	1
Coat (Rain).....	1
Hat	1
Gloves/Mittens	1 pr
Shirts (non-food service).....	3
Shirts (food service green/hospital workers khaki).....	3
Trousers.....	3
Trousers (green - food service/hospital workers khaki).....	3
Socks.....	5
Shoes (steel - toed) or medically approved non-steel.....	1 pr
T-shirts (white).....	5
Towels.....	5
Undershorts.....	5
Thermal Underwear	2 sets
Washcloth.....	5

Inmates admitted to 9/3 will be issued no more than five pairs of pajamas, two brown sweat suits, and two robes.

Exceptions: Government issued/personal medical equipment to include orthopedic shoes, appliances, clothing, insulin testing kits, etc., especially made for obese or extremely petite inmates which if not mailed to the new facility would incur additional expense for the Bureau.

**ITEMS FOR POSSESSION AT THE DISCRETION OF THE LOCAL WARDEN WHICH MAY NOT BE
TRANSFERRED BETWEEN INSTITUTIONS BUT MAY BE MAILED HOME AT THE INMATE'S
EXPENSE OR ABANDONED**

- Books (5)
- Fan (1) Battery/Windup/Electric (Disclaimer: Electric fans may not be considered as acceptable property when an inmate is transferred to another facility. Therefore, the fan will be mailed at the inmate's expense.)
- Gloves (2 pair)
- Magazines (3)
- Newspapers (3)
- Reading Lamp (1)
- Plastic Storage Container (1)
- Plastic Container (Storage) (1)
- Plastic Bowl 1.7 L (1)

HYGIENE ITEMS:

- Battery Operated Beard Trimmer (1)
- Brushless Shave (1)
- Conditioner/Hair (1)

Attachment F, Page 5

Hair Oil/Grease (1)
Laundry Detergent (1)
Mouthwash (1)
Body Powder (1)
Shampoo (1)
Shaving Cream/Lotion (1)
Shoe Polish/Wax (1)
Skin Lotion (1)

FOOD ITEMS:

Soups (12)
Assorted canned drinks (36 cans)
Vegetables (onions or green peppers) (10)
Chips (4 bags)

All consumable items must fit into a 14 x 14 x 19 inch space inside the locker (equivalent to the standard authorized shipping box) or will be considered excess food items. Inmates are allowed to spend the authorized monthly validation determined by commissary policy.

HOBBYCRAFT ITEMS:

*Painting (1 canvas)
*Paints/Brushes (acrylic or watercolor paint only) Unlimited, but must be stored in one quart sized container.
Leather craft and ceramics must be worked on in recreation hobbycraft area. Lockers will be assigned by recreation staff for supplies associated with these projects.

*Denotes that hobby craft items that can be worked on in the assigned housing units. All items must be stored within the locker and removed from the living area when complete within 30 working days. Hobby craft items must be disposed of in accordance with Program Statement Inmate Recreation Programs, Part 544, Sub Part D.

Attachment G

NOTICE TO INMATES INMATE COPAYMENT PROGRAM

Pursuant to the Federal Prisoner Health Care Copayment Act (FHCCA) of 2000 (P.L. 106-294, 18 U.S.C. § 4048), The Federal Bureau of Prisons and FMC Rochester 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 copay 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 copay 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 copay fee.

D. Indigency: 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 copay fee deducted from your Inmate Commissary Account.

If you are NOT indigent, but you do not have sufficient funds to make the copay 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).

FMC-ROCHESTER HEALTH CARE RIGHTS & 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.

RIGHTS

RESPONSIBILITIES

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

1. You have the responsibility to comply with the health care policies of your institution and follow recommended treatment plans established for you, by health care providers. You have the responsibility to pay an identified fee for any health care encounter initiated by yourself, excluding emergency care. You will also pay the fee for the care of any other inmate on whom you intentionally inflict bodily harm or injury.
2. You have the responsibility to treat these providers as professionals and follow their instructions to maintain and improve your overall health.
3. You have the responsibility to address your concerns in the accepted format, such as the Inmate Request to Staff Member form, mainline, or the accepted Inmate Grievance Procedures.
4. You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.
5. You have the responsibility to keep this information confidential.
6. You have the responsibility to be familiar with the current policy and abide by such to obtain these records.
7. You have the responsibility to comply with security procedures should security be required during your examination.
8. You have the responsibility to maintain your health and not to endanger yourself, or others, by participating in activity that could result in the spreading or catching of an infectious disease.
9. You have the responsibility to communicate with your health care provider honestly regarding your pain and your concerns about your pain. You also have the responsibility to adhere to the prescribed treatment plan and medical restrictions. It is your responsibility to keep your provider informed of both positive and negative changes in your condition to assure timely followup.
10. You have the responsibility to be honest with your health care provider(s) to comply with prescribed treatments and follow prescription orders. You also have the responsibility not to provide any other person your medication or other prescribed item.
11. You have the responsibility to eat healthy and not abuse or waste food or drink.
12. You have the responsibility to maintain your oral hygiene and health.
13. 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.
14. 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.

Attachment H, Page 2

15. Each inmate has a right to have his or her cultural, psychosocial, spiritual, and personal values, beliefs, and preferences respected.

15. You have the responsibility to notify staff if you believe that your cultural, psychosocial, spiritual, and personal values, beliefs, and preferences are not being respected.

Recommendations to Assist in the Prevention of Disease Transmission

Handwashing:

Hands must be washed thoroughly. When washing, be sure to use running water, soap, and rub your hands together. Clean around and under the nails as well. Faucets should be turned off with a paper towel, not your clean hands.

Hands should also be washed frequently, especially before and after eating, and after using a bathroom. When working, you need to wash your hands before and after eating and upon entering and leaving patient rooms or units.

Frequent, thorough handwashing stops the transmission of most diseases.

Food Storage:

Cold food must be eaten cold - just as hot food is to be eaten when hot. If you have items which are cold, they must be refrigerated to prevent the growth of bacteria which can cause intestinal infections. The window ledge, even in Minnesota, will not keep the food cold enough. Bacteria can also form in hot food which has cooled to room temperature.

Do not eat items stored at improper temperatures.

Communal Items:

Some infections can be transmitted by sharing items with an infected person. Most people are aware that IV needles, tattooing, and ear piercing devices can transmit diseases. These items are prohibited in a prison setting. You also should refrain from sharing toothbrushes, straight edge razors, nail clippers, tweezers, and unwashed dishes as these items are allowed but can be a source of infection if shared.

Clean-up of Blood or Body Substances:

If you come across an area where large amounts of blood or body substance are present, do not attempt to clean it up yourself. Contact a staff member.

These are general recommendations. Specific instructions will be given to you by your physician should it be found that you have an infection. Additional details regarding transmission of HIV (the virus found in persons with AIDS) and hepatitis B will be discussed during A&O.

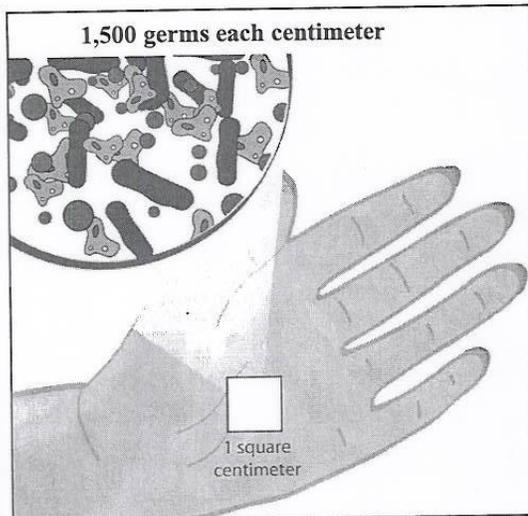
Make handwashing a healthy habit

Thorough Handwashing Can Help Prevent Disease

Handwashing plays a major role in preventing the spread of diseases. Washing your hands regularly with soap and water can protect you from many illnesses caused by viruses and bacteria. Washing removes germs you pick up when you touch people, animals, or surfaces. If not removed, these germs may get into your eyes, nose, or mouth and cause illness. The Minnesota Department of Health (MDH) strongly encourages everyone to develop good handwashing habits.

Can't See Germs

Germs hide on remote controls, door handles, keyboards, faucet handles and any surface people touch. Since we can never be sure what germs are on our hands, washing them regularly and thoroughly with soap and water is a very important safeguard against infectious disease.



Communications Office
85 E. Seventh Place
P.O. Box 64882
St. Paul, MN 55164-0082
(651) 215-1300
www.health.state.mn.us

When to Wash

Overall, wash your hands as frequently as you can; it is **essential** to wash your hands at these special times:

- Before touching any food or eating
- After using the bathroom
- After handling animals or animal wastes

How to Wash

The following procedure will remove up to 99.9 percent of the germs that get on your hands during the course of daily activities:

- Wet your hands with clean water
- Apply soap
- Rub your hands together vigorously and scrub all surfaces
- Scrub for 20 seconds (sing Happy Birthday twice)
- Rinse with clean water
- Dry hands briskly

Note: If soap and water are not available, use an alcohol-based handrub (wipes or gel).

Food handlers in restaurants, schools, delis and grocery stores must wash their hands with soap and water before applying hand sanitizers. [Minn Rules Chap. 4626.0070 - 4626.0085]

Want to know more?

More information on hand hygiene can be found on the MDH Web site at www.health.state.mn.us/handhygiene/.

“Handwashing is the single most important means of preventing the spread of infections.”

-- U.S. Centers for Disease Control (CDC)

If you need this document in another format, such as large print, Braille or cassette tape, call 651-215-1300.

Appendix 6. MRSA Fact Sheet

<p>What is MRSA?</p>
<p><i>Staphylococcus aureus</i>, often referred to as “staph,” is a common type of bacteria that is found on the skin and in the nose of healthy persons. Staph bacteria may cause minor skin infections such as boils, or more serious infections such as pneumonia and blood poisoning. Certain “staph” bacteria that have become resistant to “first-line” antibiotics are called MRSA—which is short for “Methicillin-resistant <i>Staphylococcus aureus</i>.” MRSA infections are more difficult to treat, but they usually respond to incision and drainage and/or antibiotics.</p>
<p>How is MRSA spread from person to person?</p>
<p>MRSA is usually spread through direct physical contact with an infected person, but may also be transmitted through contact with contaminated objects or surfaces. MRSA is not spread by coughing unless the infected person has pneumonia.</p>
<p>How can I prevent becoming infected with MRSA?</p>
<ul style="list-style-type: none"> • Wash your hands thoroughly with soap and water throughout the day, particularly every time you use the toilet and before every meal. • Never touch another person’s wounds, infected skin, or dirty bandages. • Don’t scratch skin rashes. • Maintain personal hygiene through regular showers and by keeping your living space clean, including regularly laundering your bed linens. • Never share personal hygiene items with others, including toiletries or towels. • Clean off any surfaces shared with others, such as weight benches. • Use a towel or shirt as a barrier between your bare skin and exercise equipment. • Shower after participating in close-contact recreational activities whenever possible. • Don’t get a tattoo in prison. • Don’t use injection drugs. • Don’t have sexual contact with other inmates.
<p>How does a person know whether he or she has a MRSA infection?</p>
<ul style="list-style-type: none"> • Always seek medical attention if you develop a boil, red or inflamed skin, an insect or spider bite, or a sore that does not go away. • The most common way for health care providers to detect MRSA is by doing a culture of the pus from the skin infection.
<p>How is MRSA treated?</p>
<p>MRSA skin infections are often treated first with frequent warm soaks and draining of the wound. Strong antibiotics can be effective in treating MRSA. Serious or highly resistant MRSA infections may require intravenous (IV) antibiotics in the hospital.</p>

STAYING ALIVE: ***What you need to know about infectious diseases in prison....***

You are just entering prison, either for the first time or you are back to serve time again. The number of days ahead that you will spend in prison may change from several months, to years. You may feel isolated, scared, angry, or depressed and think that you have no control of your life with only a dim future ahead of you. But the one thing you do have control of is your behavior and the outcome of your future. The choices you make and the actions you take, especially while you are in prison, could be one of the most critical decisions you have ever made about what lies ahead.

The inmate population in the federal system has grown by the thousands, over the past ten years with over 125,000 males and females now serving new or a repeat sentence. You may already know that life in prison is close, crowded, and mixed with folks from all walks of life. That is why it is so important for you to know how to avoid getting sick and be able to make the best choices that protect you from becoming infected so you can.....Stay Alive!!

What about infections in federal prison...

We know that at any given time, more than 1000 inmates have tested positive for HIV infection and approximately one-third of those infected have been diagnosed with AIDS.

HIV causes “flu-like” symptoms, and may lead to the development of other serious infections

What else is known about infections...?

Many persons may be infected with hepatitis B or C and not know it; symptoms may not show.

Tuberculosis is caused by bacteria that can kill, but can be cured when treated.

How is HIV and hepatitis spread?

The most common ways to spread a blood virus is:

- Through the sharing of needles
- Having unprotected sex.
- From the infected pregnant woman to the baby during delivery, or while carrying the unborn baby, and even through breastfeeding.
- Sharing of personal items like razors, toothbrushes. Also, for hepatitis by sharing tattoo or piercing equipment, or intranasal equipment (“snorting”).

How is HIV and hepatitis NOT spread?

You cannot get HIV, hepatitis B or C from:

- Casual contact like touching, shaking hands, hugging, or kissing on the cheek.
- Sharing toilet seats, shower stalls drinking fountains, food, or eating utensils.
- Insect bites, i.e. mosquitoes, ticks

How can I keep myself from becoming infected?

- Don't share needles or personal items like razors or toothbrushes.
- Don't have sex in prison or unprotected sex when you leave prison.

Each time an infected person has one sexual encounter with a different partner, and each partner has a sexual encounter with an additional partner, the virus multiplies so that by the time the primary infected person has four sexual encounters, already sixteen people may be infected.

What is tuberculosis (TB)?

TB is a tough bacteria, spread when someone who is sick (“active TB”) coughs, and close contacts breathes it in. You will receive mandatory screening for TB to protect you, other inmates, and staff from a potentially contagious disease. Common symptoms of TB are weight loss, sweating for no apparent reason and a persistent cough that will not go away, coughing up blood, tiredness, and poor appetite.

What if I acquire or have a TB infection?

A “reactive” TB skin test means you were in contact with the bacteria or have a TB infection. Although you may never get “sick,” certain people are at risk of getting active TB. Your doctor will run tests and may recommend an antibiotic to keep you from getting sick.

Does this mean I’m contagious?

No, but without an antibiotic, you could get sick. The antibiotic helps keep TB disease from developing.

What Now? If you are on treatment for an infection, talk to your doctor. Take your medication, let your doctor know when you experience side effects, but whatever you do, **DO NOT SKIP DOSES.**

What should I do if I think I could have been in contact with infected blood or body fluids and want to get tested?

You can request HIV testing by:

1. Making a written request.
2. Talk to your doctor during your next clinic visit.
You should report to the available “sick call” if you become sick, like vomiting, diarrhea, changes in skin color, a fever, or pain that won’t go away and as directed by your doctor.

Sick call days/hours: _____

If I get tested, how will I be notified of my results?

Will anyone else know my results?

Your test results are kept confidential and only healthcare providers or staff who “need to know,” for purposes related to your access to medical treatment for an infectious disease, or if required by law, will know.

What must I do before I leave prison if I am on treatment?

You have to take responsibility to know how you will receive your medication and health care once you leave prison. Talk with your case manager, your doctor, and other healthcare providers who can assist you in finding the community assistance.

What else must I do before I leave prison? Before you leave prison or go to a halfway house, you want to authorize the release of your medical information to the doctor who will provide your medical care in the community. You want this process to begin while you are still in prison in order to continue your necessary treatment.

Remember, once you begin treatment for an infectious disease, the worst thing you can do is to leave and have no way to get more treatment, or stop taking your medications. Without treatment, the disease may progress, and your medication could no longer work.

Take an active part to know how you will continue your treatment and keep yourself healthy.

**Remember, YOU DO
Have a choice; the
Choice to make the right
Decisions and take the
Best actions that can
Direct your health, your
Future and your life...
...so YOU can
STAY ALIVE**

SEXUALLY TRANSMITTED DISEASES

*Questions and Answers as You
Enter This Correctional Facility*



U.S. Department of Justice Federal Bureau of Prisons

Your health is important to those who work in this facility. Medical staff members are willing to discuss any health concerns you have.

An important health issue is sexually transmitted diseases or STDs. STDs are among the most common infectious diseases in the U.S. Anyone who has unsafe (unprotected) sex can get an STD. If you have had unprotected sex (without a condom) with a woman, you may have come into contact with vaginal fluid and genital sores or lesions. This contact may have exposed you to an STD.

If you have had unprotected sex with a man, you may have come into contact with semen and genital sores or lesions. This contact may have exposed you to an STD.

This information will tell you about common STDs and what their symptoms look like. You may have been infected with an STD in the past. You may have ignored or not noticed the symptoms. Because untreated STDs can cause serious health problems, you may want to be tested. If you have questions about STDs or think you have any symptoms, sign up for sick call. It is okay to ask questions and talk with medical staff members. This information will be handled confidentially.

When you arrive at a Bureau of Prisons (BOP) facility, you are advised in writing of the disciplinary system there. Engaging in sexual acts and/or making sexual proposals or threats to another constitutes a prohibited act (high category), and you are subject to sanctions as defined in the BOP policy on Inmate Discipline and Special Housing Unit.

Stay Safe: Don't have sex with other inmates.

Things to know about STDs:

- 1 Men and women who have any form of unprotected sex are at risk for STDs. This is true regardless of age, race, ethnic background, or income. It is true whether your partners are of the same sex or the opposite sex.
- 2 You can prevent STDs, and the best way is to avoid having sex. Sex with other inmates is not allowed and can be dangerous.
- 3 Many STDs can be cured with medicine. Other STDs can be treated to avoid more problems. Even after you have been treated for an STD you can become reinfected. Treatment is not a vaccine; it cannot prevent future infections.
- 4 You may be infected with an STD and not have any symptoms. If you have had unsafe sex and not been tested for STDs awhile, talk to a health care worker.
- 5 If you have HIV, being infected with an STD can make the HIV worse.

If you have any questions about STDs talk to: Infection Control

What are common STDs in the U.S.?

STD	Key Facts	Symptoms	Health Problems
<p>Chlamydia</p> <p>Gonorrhea</p>	<p>Caused by bacteria spread during vaginal, anal, and oral sex</p> <p>Can be treated and cured with antibiotic drugs</p>	<p>May or may not be any symptoms</p> <p>Symptoms can include burning when urinating (peeing)</p> <p>Men - discharge from penis, burning and itching around the head of the penis, pain or swelling in the testicles (balls)</p> <p>Women - vaginal fluid that does not look normal, lower abdominal or back pain, pain during sex, and bleeding between menstrual cycles</p>	<p>Without treatment:</p> <p>Men - can spread to the epididymis (a tube that carries sperm from the testis) and cause pain, fever, and sterility</p> <p>Women - can spread into the womb or fallopian tubes and cause pelvic inflammatory disease (PID) and infertility</p>

STD	Key Facts	Symptoms
Syphilis	<p>Caused through contact with lesions or open sores on the outer genitals, vagina, anus, or in the rectum</p> <p>Sores can also occur on the lips and in the mouth</p>	<p>One or more sores, lasting 3-6 weeks, at the spot where bacteria entered the body; sores will heal but infection remains; may be a rash on the palms of the hands or bottoms of feet; rashes clear up on their own</p>
Human Immunodeficiency Virus (HIV)	<p>Caused by a virus spread through unsafe vaginal, anal, and oral sex</p> <p>Antiretroviral drugs can help build your body's resistance to deadly illnesses and cancers; they do not cure HIV</p>	<p>You may be infected with HIV and not have any symptoms for 7-10 years</p>

Health Problems

Without treatment -fever, swollen lymph glands, sore throat, patchy hair loss

Later - damage to brain, nerves, liver, bones, joints, eyesight, and death

HIV attacks and weakens your immune system; a weakened immune system can lead to serious illness and possibly death

STD	Key Facts	Symptoms
Hepatitis B Virus (HBV)	<p>Spread through unsafe sex with an infected person</p> <p>There is a vaccine to prevent HBV</p>	<p>About 30% of persons with HBV have no signs or symptoms</p> <p>HBV symptoms: fatigue, abdominal pain, jaundice (yellowish skin), loss of appetite</p>
Herpes Simplex Virus (HSV)	<p>Genital herpes can be spread during unsafe sexual contact</p> <p>Antiviral drugs may shorten and prevent outbreaks, but they cannot cure herpes</p>	<p>May cause blisters on or around genitals or rectum; herpes sores on the mouth can also be spread</p>

Health Problems

Chronic HBV infection occurs in about 6% of adults

Death from chronic liver disease occurs in about 15-25% of infected persons

STD	Key Facts	Symptoms	Health Problems
Human Papilloma Virus (HPV)	Spread through unsafe sexual contact	You may have HPV and not be able to see it; you may notice genital warts (soft, moist, pink or red swellings around the genitals)	Infection often goes away on its own, but HPV that does not go away can lead to cancer

Talking to the Medical Staff

If you have had unsafe sex and have not been tested for STDs (or have any reason to think that you may have an STD), talk with the medical staff. Ask any questions you have about symptoms and testing. Even if you were treated for an STD before coming to a correctional facility, if you have had unsafe sex since then you may be infected. The medical staff can provide more information and help you decide about being tested.

If you have an STD and don't get treatment, you may have worse health problems in the future.

If I have an STD, what treatment can I get?

Getting treated right away will help reduce the long-term problems found with STDs. If you have an STD, your health care provider may treat you with pills, liquid medicine, or a shot. If you are given pills, you must take them just like your doctor tells you to. Do not share pills with partners or friends.

STDs caused by bacteria, such as chlamydia, gonorrhea, or syphilis, can be treated with antibiotic medicines.

STDs caused by viruses, such as HIV and herpes, cannot be cured. You will have these diseases for life. Treatment can help reduce or control these illnesses, but there are no cures.

Sexually Abusive Behavior Prevention and Intervention



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.

An Overview for Offenders

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

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 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:

- 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 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.

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

North Central Regional Office

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

Northeast Regional Office

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

South Central Regional Office

4211 Cedar Springs Road, Suite 300
Dallas, Texas 72519

Southeast Regional Office

3800 North Camp Creek Parkway, SW
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Atlanta, GA 30331-5099

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7338 Shoreline Drive
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