

# **ADMISSION AND ORIENTATION HANDBOOK**



## **FEDERAL PRISON CAMP YANKTON, SD**

**JANUARY 2012**

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# **INMATE INFORMATION HANDBOOK**

## **Federal Bureau of Prisons**

### **INTRODUCTION**

The purpose of this handbook is to provide incoming inmates and others interested in the Federal Bureau of Prisons with general information regarding the Bureau, its programs, institutions, and the rules and regulations they will encounter during confinement. It is not a specific guide to the detailed policies of the Bureau or all procedures in effect at each Bureau location. That information will be made available during the institution's Admission and Orientation (A&O) program. Rather, the material in this handbook will help new inmates more quickly understand what they will be encountering when they enter prison and will assist them in their initial adjustment to institution life.

**YOU ARE RESPONSIBLE FOR KNOWING AND ABIDING TO THE CONTENTS OF THIS HANDBOOK ONCE IT HAS BEEN ISSUED TO YOU.**

The Federal Prison Camp, Yankton, South Dakota, is located at 11th and Douglas Streets. The housing units consist of Durand, Kingsbury, and Lloyd Halls. Durand unit is specifically designated to house those inmates participating in the Residential Drug Abuse Program. The mailing address for inmate correspondence is:

John Smith, Reg. No. XXXXX-XXX  
Federal Prison Camp  
P.O. Box 700, XXXXXX Unit  
Yankton, SD 57078

Telephone number (605) 665-3262 (For emergencies only)

### **INTAKE, CLASSIFICATION, AND THE UNIT TEAM ORIENTATION**

Inmates are given a case management and medical screening at the time of arrival and will also be screened by the Mental Health Staff. Inmates are immediately provided with a copy of the institution's rules and regulations, which includes information on inmate rights and responsibilities.

Inmates will attend A&O, (Admission & Orientation) ordinarily within two weeks where they learn about the programs, services, policies, and procedures regarding the facility. Also, they will hear lectures from the staff regarding their programs and departments. Inmates are expected to bring their copy of this handbook to this A&O program.

### **CLASSIFICATION TEAMS (Unit Teams)**

All Bureau of Prisons institutions are organized into a unit management system. A unit is a self-contained inmate living area that includes both housing sections and office space for unit staff. Each unit is staffed by a Unit Team. The unit staff offices are located in the units so staff and inmates can be accessible to each other. The unit staff typically includes the Unit Manager, Case Manager, Correctional Counselor, and one Unit Secretary. When available, the Staff Psychologist, Education Advisor, and Unit Officer will sit on a Unit Team and be considered as unit staff.

Immediately upon arrival, inmates are assigned to a specific Unit Team. Generally the resolution of issues or matters of interest while at the institution are most appropriately initiated with the Unit Team. Unit Team members are available to assist in many areas, including release planning, personal and family problems, counseling, and assistance in setting and attaining goals while in prison. Ordinarily, a member of the unit staff will be at the institution weekdays from 7:30 A.M. to 9:00 P.M. and 7:30 A.M. to 4:00 P.M. on weekends and holidays. The Unit Team members usually schedule their working hours in such a manner that one of them will be available at times when inmates are not working.

## **GENERAL FUNCTIONS OF UNIT STAFF**

**Unit Manager:** The Unit Manager is the administrative head of the unit and oversees all unit programs and activities. He or she is a department head at the institution and has a close working relationship with other departments and personnel. The Unit Manager is the "Chairperson" of the team, reviews all team decisions, and ordinarily chairs the Unit Discipline Committee.

**Case Manager:** The Case Manager is responsible for all casework services and prepares classification material, progress reports, release plans, correspondence, and other materials relating to the inmate's commitment. The Case Manager serves as a liaison between the inmate, the administration, and the community. The Case Manager serves as a member of the Unit Discipline Committee.

**Correctional Counselor:** The Correctional Counselor provides counseling and guidance in areas of institutional adjustment, personal difficulties, and future planning. He or she plays a leading role in all segments of unit programs and is a member of the Unit Team. The Correctional Counselor visits inmate work assignments regularly and is the individual to approach for daily problems. The Correctional Counselor serves as a member of the Unit Discipline Committee.

**Unit Secretary:** The Unit Secretary performs clerical and administrative duties.

**Unit Officer:** The Unit Officers have direct responsibility for the day to day supervision of inmates and the enforcement of rules and regulations. They have safety, security and sanitation responsibilities in the unit and are in regular contact with inmates. Unit Officers are jointly supervised by the Unit Manager and the Captain during his or her unit assignment.

The unit bulletin boards contain written communication of interest to inmates. Unit Managers may utilize town hall meetings at his or her discretion to foster improved communication.

## **PROGRAM REVIEWS**

Program reviews will be held every 90 or 180 days, depending on length of sentence remaining. These are held by the Unit Teams to review subjects such as programs, work assignments, transfers, custody, and institutional adjustment.

## **TOWN HALL MEETINGS**

These meetings are held to make announcements and to discuss changes in the policy and procedures of the unit. Inmates desiring specific topics addressed need to submit an inmate request to staff member prior to the meeting. Inmates are encouraged to ask pertinent questions of the staff and any guest speakers who are present. These questions should pertain to the unit as a whole, rather than personal questions or problems. Personal problems will be resolved by unit staff members during the regular working hours which are posted in each unit.

## **TEAM PARTICIPATION IN PAROLE HEARINGS**

The Case Manager prepares Progress Reports with input from the Unit Team and compiles other information in the inmate's central file for presentation to the U.S. Parole Commission or other appropriate agencies. FPC Yankton does not facilitate parole hearings.

## **TREATY TRANSFERS FOR NON-U.S. INMATES**

Inmates who are not U.S. citizens may be eligible for a transfer to their home country to serve the remainder of their sentence in a prison there. This only is possible for inmates whose country has a formal prisoner exchange treaty with the United States. The Unit Team is the source of information about these transfers and can tell an inmate if their home country has signed this kind of agreement with the U.S., and if so, how to apply for transfer.

Non-United States citizens wishing to contact a representative of their country's consulate may request to do so through their assigned Case Manager.

## DAILY INMATE LIFE

### SANITATION

It is the inmate's responsibility to check his living area immediately after being assigned there and to report all damage to the Correctional Officer, Case Manager, or Counselor. An inmate may be held financially liable for any damage to his personal living area.

- ☐ Smoking is prohibited in all areas of the institution.
- ☐ Each inmate is responsible for making his bed in accordance with regulations before work call (including weekends and holidays when he leaves the area). **At no time will a mattress be removed from a bunk and placed on the floor.** Each inmate is also responsible for sweeping and mopping his personal living area, removing trash, and ensuring it is clean and sanitary.
- ☐ Lockers must be neatly arranged inside and out and all shelves must be neat and clean.
- ☐ Walls, light fixtures, and shelves must be clean and free of dust.
- ☐ The desk area must be clean and organized daily.
- ☐ Lights must be off when out of the room. No covers of any kind are allowed on lighting fixtures or heating or air conditioning units.
- ☐ All brass, both inside and outside the room, will be polished and shined at all times. It is the responsibility of the inmate assigned to the room.
- ☐ The room door and frame must be free of dust and dirt, both inside and outside.
- ☐ Room door windows will be kept clean and uncovered at all times.
- ☐ Windows, window ledges, and screens will be cleaned daily.
- ☐ Room arrangement will be according to the authorized room plan.
- ☐ Cardboard boxes, shoe boxes and paper sacks will not be used for storage or trash containers.
- ☐ Trash and wastebaskets are to be emptied prior to 7:45 A.M. each day and kept free of trash during the day.
- ☐ Heat and air conditioning units are not to be operating when room windows are open.

All inmates will have their rooms ready for inspection by 7:45 A.M. "Work Call" Monday-Friday, and 10:00 A.M. on Saturday, Sunday, and holidays. If an inmate is on vacation status, their room is to be ready by 10:00 A.M., but the bed must be made by 7:45 A.M.

Inmates may lay on top of a made bed. Each inmate is responsible for the cleaning and sanitation of his room. Inmates may be assigned cleaning tasks in the unit during off hours.

A Sanitation Incentive Award Program has been established whereby the unit receiving the highest safety sanitation inspection rating for the week will be released first to commissary and mainline. Additionally, the Unit Officer will conduct a weekly sanitation inspection of the individual inmate rooms to select a "room or cube of the week". Inmates in those rooms will be allowed to go to commissary and mainline before the population of their unit is called.

### PERSONAL PROPERTY LIMITS

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 area.

Due to the limited space, the quantities listed herein are cumulative totals for institutional issue items. Totals of institutional inmate property will not exceed these limits:

A.	<u>Institution Issue Clothing and Bedding:</u>			
	4	Shirts	1	Raincoat
	4	Trousers	1	Work Jacket
	6 pr	Underwear (White Boxer)	1set	Long Johns
	6	T-shirts (White or Brown)	1	Stocking Cap
	6 pr	Socks	1set	Sheets
	4	Handkerchiefs (White)	1	Gray Wool Blanket
	1	Belt	1	Pillowcase
	1 pr	Safety Shoes (Steel Toe)	1	Pillow

3	Bath Towels	3	Wash Cloths
1	White Cotton Bedspread (Blanket)		
1 pr	Mittens or Gloves	2	Laundry Bags
1	Scarf		

The clothing issue has white canvas athletic shoes in stock. Upon approval of the Unit Manager, these shoes will be issued to inmates who do not have the monies to purchase a pair of athletic shoes through the commissary. To be eligible, an inmate must not have deposits to his commissary account averaging over \$35.00/month for a 6-month period or have other resources available to him with which to purchase a pair of athletic shoes at the commissary. Inmates in FRP "Refuse" may not receive these shoes. A copy of all approved shoe requests will be forwarded by the Unit Manager to the clothing officer who will put the inmate on call out to pick up his shoes. As with all institution-issued clothing, these shoes will be turned in to the clothing room when the inmate leaves this institution.

- B. Legal Materials: Must be pertaining to the inmate's current sentence or litigation. This material is not to exceed two cubic feet under most circumstances. Requests for additional space must be forwarded to the Unit Manager.
  - C. Religious Materials or Clothing Items: Must be approved by the Chaplain.
  - D. Toilet and Grooming Items: Are to be purchased in the commissary or mailed from another institution. They may not be brought into the institution by self commitments, nor mailed or brought into the institution from the U.S. Marshal's Service.
  - E. Hobbycraft Items: Are to be ordered through the recreation department. Hobbycraft items may be purchased with a special purchase order once in a 30-day period not to exceed the current monthly spending limit. The maximum dollar amount for hobbycraft items is \$300.00 (cost price) per quarter. Leathercraft raw materials are not permitted in the units. One leathercraft article is permitted in the unit for lacing purposes only. Hobbycraft raw materials (drawing pencils, beading supplies, yarn products) are permitted in the units but are limited to that which can be stored in the inmate's locker, provided they do not pose a safety, sanitation, or security hazard.
- Storage space may be obtained through a Recreation Specialist in the hobby shop. Disposition of completed hobbycraft items must be arranged with the Recreation Specialist immediately after completion.
- F. Commissary Items: Are not to exceed the allowable monthly spending limit, excluding stamps and hygiene items. A shopping list of commissary items may be obtained from the Unit Officer.
- Stamps:** An inmate may not have in his possession more than 60 first class stamps at any one time. He may not receive stamps through the U.S. mail; all stamps must be purchased through the commissary.
- G. Medication: Medication will be issued by the Health Services Department and will be labeled with an expiration date. Over-the-counter medication may be bought through commissary. Contact lens solutions and other related supplies must be authorized by Health Services.
  - H. Personal Clothes: Inmates are allowed to possess the following personal clothing. All clothing items are to be purchased from commissary.

5	Colored T-shirts or Tank Tops (Gray)
2 pr	Gym Shorts (Gray)
2	Sweat Suits (Gray) Not to be worn as an outer garment with the work uniform.
1 pr	Athletic Shoes (White, Black, White/Black in color). Each pair must be valued at \$100.00 or less, no pumps, no pockets.
1 pr	Shoes, Specialty, Court, Turf or Running. (White, Black, White/Black in color) Each pair must be valued at \$100 or less, no pumps and no pockets.
7 pr	Underwear (White)
5 pr	Socks (White)
1	Bathrobe (White or Gray, no hood)
1 pr	Shoes, Work
5	Handkerchiefs (White)
1 pr	Shoes, Soft-Medically Approved

- 1 pr Shower Shoes
- 1 ea Cap, Baseball (White or Gray, No Insignias or Lettering)

- I. Storage Space: Storage space in most units consist of an individual locker, desk or cabinet. Locks may be purchased in the institution commissary. Shoes may neatly be stored under your bed. The amount of personal property allowed each inmate is limited to those items which can be neatly and safely placed in the space designated. Under no circumstance will any materials be accumulated to the point where they become a fire, sanitation, security, or housekeeping hazard.
- J. Food Storage: Food items that are left open create a health hazard. These items must be properly sealed at all times. Empty containers may not be used as drinking containers or for storing other items, but are to be thrown away. Window seals/ledges are not to be used for storing food

A comprehensive list of allowable property can be found in the institution supplement on personal property. Any questions regarding inmate personal property can be addressed to your Counselor or Receiving & Discharge (R&D) Staff.

## QUARTERS RULES

Pictures cannot be posted on walls and can only be placed on the bulletin boards provided for this purpose. Offensive pictures and material may not be posted in public view. NUDE PICTURES ARE PROHIBITED.

If the condition of any room is found unacceptable, corrective action will be taken. Disciplinary action can be taken for repeated room safety and sanitation deficiencies.

Doors are not to be propped or otherwise held open. Window blinds must be closed after dusk.

Unit orderlies are responsible for the sanitation in the common areas, however, cleaning of individual rooms is the responsibility of those inmates assigned to that room.

Appropriate attire must be worn at all times. Inmates moving about the unit in underwear or without a shirt is unacceptable.

Only authorized religious headgear is allowed to be worn inside any building. Inmates may wear stocking caps/dew-rags in their assigned rooms only, or if leaving their assigned room to use the restroom.

Removal of food from the dining room is not permitted.

Steel-toed safety shoes must be worn in all identified foot hazard locations.

Inmates are not allowed to enter housing areas they are not housed in unless prior authorization is received by a staff member.

Except for using the shower, anytime an inmate leaves his room he is to have on his possession his issued commissary card.

Unit televisions may be viewed Monday thru Friday from approximately 4:30 P.M. to 12:00 A.M. (Friday 2:45 A.M.) Saturday & Sunday televisions may be turned on by 6:00 A.M. All television rooms will close at 12:00 A.M. Sunday thru Thursday and at 2:45 A.M. Friday & Saturday. Inter-room visitation is normally allowed in the units with the number of inmates limited to the number of inmates that occupy the room. Quiet hours will be observed from 10:00 P.M. to 6:00 A.M. During these hours, inmates will not be allowed in other inmate rooms for visitation. The large overhead lights will be turned off at 10:00 P.M. All other room lights (desk lights, reading lights) will be turned off at midnight.

No gambling is allowed whatsoever. Specifically, card games such as poker and blackjack are strictly prohibited. Inmates may receive disciplinary action for engaging in such games.

## WAKE-UP

Morning Food Service move begins M-F at 5:50A.M. At 6:10 A.M. a one way Recreation move will be announced. The compound opens for movement/recreation as each specific group of inmates and/or housing units are called to mainline. Breakfast will be announced over the intercom at approximately 6:45 A.M. for the first group of inmates. As inmates are released to mainline the compound is opened for that

**specific group.** Inmates are given a reasonable amount of time to leave the unit if they desire breakfast. General work call is at 7:45 A.M.. It is the inmate's responsibility to leave the unit for work. Late sleepers who are unable to maintain rooms or arrive at work on time are subject to disciplinary action.

## **CLOTHING EXCHANGE AND LAUNDRY**

The Clothing Room is located directly across from the commissary at the southeast end of the main floor of the Forbes building.

Upon arrival you will be issued your institutional clothing and linens. You will sign for your clothes and will be held responsible for them until you are released from this facility. Upon your release all institutional clothing must be returned to the Clothing Room.

Institutional issued outer clothing will be labeled with the appropriate inmate's name and register number. Inmates are responsible for insuring that their clothing remains properly labeled. Inmates should contact the clothing room officer to determine an appropriate time to re-tag labels that are not legible, have fallen off, or are about to fall off. All articles of clothing brought in for re-tagging must be clean. No exchange of clothing will be done at this time. Any inmate wearing issued clothing that does not comply with policy is subject to disciplinary action.

If an institution issued clothing item needs repair, wash it and drop it off with the Clothing Room Officer for repair. Once repaired, you may pick it up at the Clothing Room.

Clothing exchanges are allowed once every 90 days, if necessary. A clothing replacement form is available in the units and must be filled out and sent to the Clothing Room. You will then be placed on a call out for clothing exchange. It is your responsibility to watch the call outs and to report at your scheduled time. If you miss your call out you will not be able to submit another request for an additional 90 days. When you report to your call out you should bring all the clothing items that need to be replaced or repaired. All exchanges will be one for one at the officer's discretion.

Washers and dryers are available in each housing unit for inmates to wash their clothing and linen and are free of charge. Detergent is provided to each inmate through the Clothing Room at no charge on a monthly basis. Detergent and fabric softeners are also sold through the Commissary.

Linen exchange is conducted on Thursday mornings from 7:40am-7:55am. You may exchange towels, wash cloths, sheets, and pillow cases. Blanket exchange is conducted on the first Thursday of each quarter; January, April, July, October. White blankets may be washed in the units. **Wool blankets must not be washed in the unit washers**, but may be freshened by placing them in the dryer on the air cycle for a few minutes.

## **PERSONAL CARE ITEMS**

Upon arrival at FPC Yankton, inmates will receive personal care items with their bedroll for use until they have an opportunity to obtain a regular supply. Hygiene items are also sold in the Commissary. Personal care items are made available to the inmate population through the Clothing Room on the following schedule:

Monday mornings from 7:40am-7:55am. (If Monday is a holiday, the issue will be on Tuesday of that week).

1<sup>st</sup> Monday of the month - Toothpaste/Toothbrushes

2<sup>nd</sup> Monday of the month - Razors/Shaving Cream

3<sup>rd</sup> Monday of the month - Bar Soap/Comb

4<sup>th</sup> Monday of the month - Laundry Detergent

Standard envelopes, paper, and pencils will be issued in the units upon request.

## **HOW TO DO YOUR LAUNDRY**

1. Separate your laundry: Put whites with whites and khakis with khakis. Never wash white clothes with colored clothes because the colors may bleed resulting in clothing with a pink, blue or green tint.
2. Load clothes into washing machine, do not overfill. Use a water level sufficient to cover the clothes.
3. Use no more than 1/4 cup of institution laundry detergent per load. The detergent issued is

- concentrated. For laundry soap bought in the Commissary follow directions on package.
4. Promptly remove clothes from washer and place in dryer. This will help prevent wrinkles from forming.
  5. Khakis should be dried approx. 15 minutes. Remove from dryer and place on hanger. This will also help eliminate wrinkles.
  6. Whites should be dried thoroughly, approx. 30-40 minutes per load. White blankets may take longer to dry. Wash white blankets separately and dry separately for best results.
  7. **DO NOT WASH THE WOOL BLANKET.** The blanket will shrink and it will be too small for use. This blanket may be "freshened" by placing it in the dryer on "air cycle" only for 5-10 minutes. Fabric softener sheets may be added.
  8. Never leave your clothing unattended while doing your laundry.

## COMMISSARY

The Commissary Sales Unit is located on the southwest end of the main floor of Forbes Building. Commissary will be open for regular sales on Tuesday and Wednesday evenings after the 4:00 P.M. count clears, and will stay open until 8:00 P.M. or until all inmates in line at 8:00 P.M. have been processed.

Special Purchase/Special Purpose sales are on Thursdays from 11:00 A.M. to 12:00 P.M.

Special Purpose orders such as leather and hobby craft items are requested through the appropriate departments. (i.e. Hobby craft items through Recreation, religious items through Chapel, and education items through Education). Normal delivery time for SPO items is two weeks. Special Purchase items include shoes, radios, watches, beard trimmers, razors, fans and alarm clocks.

Special Work Detail Line (Short Line) is from 1:00 P.M. to 1:30 P.M. Wednesday. This sales line is for inmates that are unable to shop either Tuesday or Wednesday evening due to work schedules or education classes. You cannot shop Short Line unless you are on an approved list requested by the responsible staff supervisor.

An Express Sales Line is open on Monday and Tuesday from 11:00 A.M. to 12:00 P.M. On Monday holidays the Express Sales will be moved to Wednesday. Fresh Produce will not be sold during Monday Express Sales. Inmates shopping the Express line may not shop any other time during that week, except SPO sales. There is a limit of 12 line items to be purchased. Inmate call-outs and work detail responsibilities take precedence over Express line shopping.

The commissary shopping day for inmates is scheduled on a rotating basis. The schedule is posted in the unit and on the commissary bulletin board. It is the inmate's responsibility to know the correct shopping day. You will be refused if you are shopping on the wrong night and will be subject to possible disciplinary action. The following are shopping assignments:

The numbers indicated are the last two digits of the first five digits of the inmate register number. (Example: XXX00-XXX - XXX49-XXX AND XXX50-XXX - XXX99-XXX)

<u>OCT. 1- MAR .31</u>	<u>APR. 1 - SEP. 30</u>
TUES. 00-49	TUES. 50-99
WED. 50-99	WED. 00-49

Commissary is a privilege afforded each inmate incarcerated in the Federal Prison System. This privilege can be restricted for disciplinary reasons. If you are placed on commissary restriction you will be limited to purchasing stamps, over the counter medications, and approved hygiene items. There is a list of approved hygiene items posted on the Commissary bulletin board.

**All sales are final once you have left the sales line.** It is your responsibility to make sure that you receive the items you ordered. If an item is incorrect or missing, you must bring it to the commissary officer's attention during the sale. No items will be returned or exchanged once you leave the sales line. If you find an item was missed you may fill out another list and get back in line to shop. Sales receipts should be kept by inmates for possible future proof of purchase.

Stamps are sold in the Commissary during regular sales. You may purchase up to the equivalent of twenty first class stamps (one book) per week. The maximum amount of stamps that you can have in your personal property at any given time is the equivalent of sixty first class stamps (three books).

Over the counter medications (OTC) may be purchased any time the commissary is open for sales.

The monthly spending limit is \$320.00. With the exception of stamps, copy cards, phone credits, and over the counter medications, ALL items come off your spending limit. If an inmate is on FRP refusal status, he will be allowed to make purchases; however, the monthly spending limit will be \$25.00. Validation of spending limit is once each month. Revalidation date will depend on the fifth digit of the register number using the following schedule:

<u>Inmate Number</u>	<u>Day of Month Revalidated</u>
xxxx0-xxx	First (1)
xxxx1-xxx	Fourth (4)
xxxx2-xxx	Seventh (7)
xxxx3-xxx	Tenth (10)
xxxx4-xxx	Thirteenth (13)
xxxx5-xxx	Sixteenth (16)
xxxx6-xxx	Nineteenth (19)
xxxx7-xxx	Twenty-second (22)
xxxx8-xxx	Twenty-fifth (25)
xxxx9-xxx	Twenty-eighth (28)

Each inmate must have an Inmate Account Card in order to shop in the commissary. These cards will be issued to you when you arrive in Receiving and Discharge. Take care of your commissary debit card. It is best to keep the card in the plastic pouch provided to you. Dirt and moisture may cause an error reading on the card. Loss of said card or a significant change in your appearance (such as a haircut, shaving off or growing of facial hair or shaving your head, significant weight gain or loss, etc.) will require issuance of another card at the inmate's expense. Inmates may not possess more than one commissary card at a time. Borrowing commissary items from other inmates is not allowed.

## **INMATE ACCOUNTS**

Trulincs workstations should be used to inquire about your account. Workstations are located across the hall from the Commissary and in each unit. Further inquiries regarding your account should first be addressed to your Correctional Counselor, then if necessary, to the Accounting Department in the Business Office via an Inmate Request to a Staff member. The Commissary sales line is not the place to inquire about your account. You may receive your Personal Identification Number (PIN) number from Commissary staff during normal Commissary sales hours or from a Unit Counselor.

Inmate funds are retained by the institution in a trust fund, from which the inmate may withdraw money for personal spending in the institution commissary, family support, or other approved purposes. A standard form is completed on Trulincs for the withdrawal of funds from inmate accounts. Unit Managers may approve inmate requests for withdrawals from the trust fund account to send funds to dependents and other family members, for the purchase of gifts, payment of postage costs, purchase of special discharge clothing, etc. Withdrawal forms are normally processed once each week. The Unit Managers may also approve withdrawals for the payment of fines, restitution for losses, legitimate debts, obligations such as court fees, attorney fees, birth certificates, contributions to recognized charities, and expenses for trips such as bedside visits or funeral trips. Withdrawals for educational purposes are approved by the Supervisor of Education.

**Inmates wanting to set up an outside savings account are encouraged to contact their Unit Manager in order to discuss and accomplish this.**

Deposits to commissary accounts from outside sources will be made through a National Lockbox at the following address:

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

In order to ensure funds are processed without delay, senders should adhere to the following directions: The inmate's committed name (no nicknames) and register number must be printed on all money orders; U.S. Treasury, state, and local government checks; and foreign negotiable instruments payable in U.S. currency; and envelopes. The sender's name and return address must appear on the upper left hand corner of the envelope to ensure that funds can be returned in the event that they cannot be posted to the inmate's account.

Senders SHOULD NOT enclose cash, personal checks, letters, pictures or any other items in the envelope. Any enclosures received with the negotiable instruments will be discarded. The national Lockbox cannot forward any items enclosed with the negotiable instrument to the inmate. Items, personal in nature, must be mailed directly to you. Generally, funds are available in the inmate's account the day following receipt at the Lockbox location. Inmates should advise family and friends who have inquires on funds sent to the Lockbox processing center to place a tracer on these funds with the originator of the negotiable instrument.

Inmates' families and friends may send inmates funds through Western Union's Quick Collect Program. **All funds sent via Western Union's Quick Collect will be posted to the inmate's account within two to four hours, when those funds are sent between 7:00 a.m. and 9:00 p.m. EST (seven days per week, including holidays).** Funds received after 9:00 pm EST will be posted by 9:00 am EST the following morning. For each Western Union Quick Collect transaction, the following information must be provided:

Inmate Register Number  
Inmate Name  
City code: FBOP  
State code: DC

Any questions or concerns regarding Western Union transfers should be directed to Western Union by the sender (general public) at 1-800-634-3422.

When you are being released from this facility the maximum amount of **cash** that can be given to you is \$500.00. Any remaining funds will be sent to you by US Treasury Check. Money out of your account should not be confused with any type of gratuity or transportation funds.

If you need a Tort Claim form, submit an Inmate Request to Staff Member form to the Business Administrator.

## **BARBER SHOP**

Location: Nash Gym

Assigned inmate barbers can cut hair at this institution only in the Barber Shop in Nash Gym. Any inmate not assigned as a Barber found cutting hair is subject to disciplinary action, as is the inmate receiving the haircut.

## **TRULINCS**

**Accessing TRULINCS:** For any inmate to access TRULINCS he must have available: BOP Register Number 8 digits; Phone Access Code (PAC) 9 digits; Personal Identification Number (PIN) 4 digits. The PAC will be sent to new inmates via institution mail and PIN may be requested at commissary sales or from a unit counselor.

**Contact List:** Each inmate must prepare a contact list. Each contact on the list must include a first and last name as well as a valid mailing address. A maximum of 100 total contacts may be placed on the list. Although two telephone numbers may be entered per contact, your TOTAL approved telephone number cannot exceed 30. Email addresses may be included for up to 30 contacts. A TRULINCS contact request form is available in the housing units to assist inmates in organizing their information. This form does not need to be returned to staff. **Effective June 11, 2010 any phone numbers not added to an inmate's TRULINCS contact list will no longer be available to the inmate for calling purposes.**

**Mailing Labels:** TRULINCS also makes available mailing labels for U.S. postal mail. **Effective June 11, 2010 any U.S. postal mail being sent by inmates will be required to have a TRULINCS mailing label with recipients address on the envelope.** Any mail without the TRULINCS mailing label will be returned to the inmate.

**TRULINCS Messaging:** Inmates wishing to participate in electronic messaging must sign an agreement BP-934 prior to accessing the messaging portion of TRULINCS. Inmates wishing to make contact via e-mail will be required to place the e-mail address on their contact list. At this time, a system message will be sent to the e-mail address given. Only when the recipient agrees to accept messaging will the inmate be permitted to send/receive e-mail messages to/from that e-mail address. Inmates will be charged 5 cents per minute while creating, sending receiving and reading e-mail. Printing of messages will be 15 cents per

page.

**Account Information:** Inmates will be permitted, at no charge, to view certain account information concerning their commissary account, contact list, and their phone account. Printing any information is 15 cents per page.

**Transfer of Funds BP-199:** Transfer of Funds (BP-199) will be completed by the inmate on TRULINCS. The inmate will complete the form on line, print the form (no charge) and will sign the form in the presence of appropriate staff. Staff will then forward the form to Financial Management for processing.

**Electronic Law Library (ELL):** Law Library materials will be available thru the TRULINCS program. The access to ELL will only be on the computers located in the law library. ELL access is at no charge; however, printing legal material will cost 15 cents per page.

**Location of TRULINCS:** All housing units and Law Library will have TRULINCS available. Mail label printers will be located in the Law Library as well as first floor of Forbes Hall. The printer for all other pages will be located on the first floor of Forbes Hall.

Inmates workers assigned to TRULINCS will be available to verbally assist other inmates. In addition, an inmate training presentation handout will be available in the units.

## SECURITY PROCEDURES

### CONDUCT:

The Yankton Federal Prison Camp is located within the city limits and within a neighborhood. There is a school and School activities field located across the street from the camp. There are also homes with families. As such we expect the highest possible good conduct of inmates at all times.

When in outside areas in view of the public you will conduct yourselves in a respectful manner at all times. You will be dressed appropriately and will refrain from using inappropriate language. Inmates will not stare at civilians and are prohibited from talking to, yelling at, or making any noise or gesture towards members of the community.

Inmates will receive disciplinary action for any mis-conduct no matter how minor the incident. You need to be aware of the rules and abide by them at all times. All inmates are expected to use good judgment and have respectful attitude towards other inmates, staff and contract/volunteer workers at all times. If you violate a rule you are expected to be responsible for and accept the consequences of those actions.

### COUNTS:

#### OFFICIAL COUNT TIMES:

- A. 12:01 AM
- 3:00 AM
- 5:00 AM
- 10:00 AM (Standing count weekends and holidays)
- 4:00 PM (Standing count)
- 10:00 PM (Standing Count)

#### B. PROCEDURES:

The 4:00 PM and 10:00 AM counts are standing counts. All inmates will be standing by their bunks in the unit or in the designated area if out-counted. No inmate movement is allowed in the room at this time. At no time during a count will inmates be allowed to use the phone, watch television or being any other area unless specifically out-counted. Following the 4:00 PM and 10:00 AM counts, inmates are not to leave the unit until the unit has been called for the evening or brunch meals.

Each housing unit contains numerous red lights which are located on every floor. When these lights are turned on it indicates that the unit is being counted. Inmates are to return to their rooms and remain there until the lights are turned off. While the light is on there is no talking, cleaning, bathroom use or movement allowed. Inmates will not leave their room during count for any reason. You will be held responsible for your accountability. **Staff will ensure they are positively observing a living human being before counting any inmate.**

### C. CENSUS COUNTS:

**Daily:** This census count takes place every work day at 8:00 AM and 12:15 PM, Monday through Friday, excluding holidays. All inmates are required to be in their assigned areas at this time.

**Lockdown Census:** This census can be called at any time. Inmates are required to remain in the area they are in at the time the census is announced. Do not attempt to leave the area you are in. If you are on the compound, report to the multi-purpose court. Inmates are subject to disciplinary action if found in an unauthorized area during any count.

### CONTROLLED MOVEMENT:

A. Inmates will use the sign in/out sheets located in the housing units indicating their name, register number, time out/in and destination. Inmates will be specific about their destination, i.e., walking track, gym, education, etc. Failure to sign in/out of the unit will result in disciplinary action.

B. Inmates are not allowed to leave the unit between the hours of 9:30 PM and 6:30 AM, Monday through Friday and 9:30 PM and 7:30 AM, on weekends and federal holidays. There is a 6:00 AM recreation move only on workdays (Monday through Friday excluding holidays). This is a recreation move only. Inmates are not allowed to go to other areas at this time.

### UNAUTHORIZED AREAS/OUT OF BOUNDS:

All areas outside of the boundaries of FPC Yankton, and areas indicated in black inside the institution boundaries. (See map in A&O handbook)

### INMATE ACCOUNTABILITY:

Inmates are held responsible for their accountability. If you are found in any area you are not specifically authorized to be in, you will be subject to disciplinary action.

### CONTRABAND:

A. Contraband is any article that is not issued through authorized channels, sold in the Commissary, or bearing the approval by the Warden. It is the responsibility of each inmate to maintain proof of ownership of all items of personal property. **Each inmate will be held accountable for any article of contraband found in the common areas of his assigned room or in his possession. Each inmate is responsible for all items found in their assigned living area and will immediately report any unauthorized item(s) to staff.**

B. Any property in excess of the authorized limits is considered to be contraband. Inmates are responsible for eliminating excess property through proper procedures.

C. Contraband (personal property only) will be confiscated and you will have seven days to prove ownership. If ownership is not established, the property will be held for 120 days and then destroyed.

D. It is prohibited for an inmate to give, borrow or receive anything of value from another inmate. Inmates in possession of property that is not theirs are subject to disciplinary action.

E. **Inmates found in possession of an electronic communications device or related equipment may be charged with a violation of code 108, Possession, Manufacture, or Introduction of a Hazardous Tool or other Contraband, or code 199 most like 108, and will be subject to available sanctions if found to have committed the prohibited act. Examples include, but are not limited to, Cell Phones, Pagers, IPODS, Thumb Drives, and any equipment related to these such as chargers, Sim cards etc. Inmates found in possession of a cell phone may be subject to prosecution. (Cell Phone Contraband Act 2010).**

## **SEARCHES:**

- A. Any staff member may search an inmate's room. The inmate will not be present during this search. These searches will be unannounced and random.
- B. All inmates are subject to searches of their person. These searches can be done by any staff member and will be done on a random basis. Searches can be done at any time.

## **DRUG/URINE SURVEILLANCE:**

- A. All inmates are subject to urinalysis testing at any time. Urine testing will routinely be given to inmates returning from furlough or an unsupervised community trip.
- B. Procedures for furnishing a urine sample:
  - 1. Inmates are given a two-hour time frame to produce a urine sample.
  - 2. Inmates must provide a full bottle.
  - 3. Inmates may have eight ounces of water at the beginning of the two-hour time period under the supervision of a staff member.
  - 4. Failure to submit to the test or failure to complete the test as instructed or in the required time frame will result in the issuing of an incident report.

## **ALCOHOL SURVEILLANCE:**

- A. All inmates are subject to breathalyzer testing at any time. Breathalyzer tests will be routinely given to inmates who return from furlough or unsupervised community trips.
- B. Procedures for breathalyzer tests:
  - 1. The inmate must perform the test immediately upon request.
  - 2. After a positive reading, a second test will be performed 15 minutes later.
  - 3. No smoking or drinking is allowed prior to the test or during the 15 minute interval.
  - 4. Failure to submit to the test or failure to complete the test as instructed, will result in the issuing of an incident report.
  - 5. A result of .02% or higher is considered a positive test.

## **CONTACT WITH THE PUBLIC:**

- A. Unauthorized contact with the public is not permitted and may result in disciplinary action. If a member of the community speaks with you, be congenial but do not get into any involved conversations. Make them aware that you are not allowed to speak with the public ie. "I am sorry I may not talk with you, I will get someone to help you". Walk away and proceed to the nearest staff member and advise them that a member of the public is trying to make contact with inmates.
- B. Contract workers, volunteers, and vendors are to be considered and treated as staff. Any contact with these people will be kept on a professional basis and any unauthorized or improper contact will result in disciplinary action.

## **INMATE DRESS CODE:**

- A. Khaki, or green pants and shirts must be worn on all work details. Khaki shirts and pants will be worn during inmate visits. Steel-toed safety shoes are required in designated foot hazard areas and the visiting room. Foot hazard areas are:

CMS shops & work sites,  
Nash Gym/Recreation areas,  
Garage/Landscape shops & work sites,  
Warehouse/Commissary/Clothing Issue,  
Food Service,  
Look Hall,

B. The work detail uniform will be worn to the noon meals during the work week. During the morning and evening meals and on weekends and holidays, inmates must be properly dressed in tucked shirts with sleeves, pants/shorts, and shoes.

Hats and sunglasses will not be worn inside any building, Shower shoes and Do-rags will not be worn outside housing units.

### **SMOKING/TOBACCO PRODUCTS:**

All smoking and tobacco products are prohibited. Inmates caught smoking or possessing tobacco will receive an incident report.

### **CALL-OUTS**

Call-outs are a scheduling system for appointments (which include hospital, dental, educational, team meetings and other activities) which are posted each day on the unit bulletin boards on the day preceding the appointment. It is the inmate's responsibility to check for appointments on a daily basis. All scheduled appointments are to be kept; disciplinary action may be taken for missed appointments.

## **PROGRAMS AND SERVICES**

### **JOB ASSIGNMENTS**

All inmates are expected to maintain a regular job assignment. Most job assignments are controlled through a Performance Pay System, which provides monetary payment for work. Unit staff approve job changes and ensure the changes are posted on the daily change sheet. Inmates are restricted up to 18 months on any one job assignment. Exceptions to the 18-month rule will be evaluated on a case-by-case basis. The standard work week is Monday through Friday, however, inmates can be assigned varied shifts, particularly in Food Service, Recreation, and as unit orderlies. Once assigned to a job detail, you will be advised by your supervisor of established work hours, lunch, and break times.

The following list of departments employ inmates in a variety of positions, pay grades, and levels of responsibility:

- Business Office, including clothing issue, commissary, and warehouse
- Education, including recreation and barber shop
- Facilities
- Food Service and Safety
- Health Service
- Community Service
- Inmate Systems
- Housing units and all buildings as sanitation orderlies

Inmates requesting to be considered for a position in a specific department are to submit their request to the proposed work supervisor. All attempts will be made to accommodate these requests, however, institution need will be the deciding factor in assigning inmates to a job detail.

### **INMATE PERFORMANCE PAY**

Inmate Performance Pay will vary dependent upon personal performance and grade assignment. Presently, pay grades are as follows:

Grade 1-.40/HR Grade 2-.29/HR Grade 3 - .17/HR Grade 4 - .12/HR  
Maintenance Pay -- Varied (May be up to but not to exceed \$5.25/month).

If an inmate is on FRP "refuse" status, he will receive maintenance pay for the entire month, unless he delivers a receipt to his unit team prior to the 20th of the month, he will then receive full pay for the entire month. Inmates being found guilty of a 100 or 200 level prohibited act and refusing to participate in the GED program, if instructed, will also be restricted to Grade 4 pay.

Performance pay is ordinarily posted to an inmate's trust fund account within ten working days of the closing of the pay period.

## **FACILITIES DEPARTMENT**

1. The Facilities Department provides physical plant support systems such as electricity, lighting, sewage, water, heating, cooling, recycling, carpentry, construction, painting, and vehicle fleet services to the institution.
2. Facilities staff consist of numerous journeyman level and administrative employees supervising inmate work crews. The department oversees all maintenance, repairs, and improvements at the institution involving the buildings and equipment.
3. The Facilities Department is managed by the Facility Manager. The rest of the department is made up of a Facility Assistant and six foremen each with an inmate work detail. The major trades are supervised as follows:

Facility Assistant: Office workers, Talking books program  
General Maintenance 2 & 3(two shops): General construction, masonry, carpentry, painting  
HVAC Shop: HVAC and Utility workers  
Plumbing Shop: Plumbers, food service equipment repair workers  
Electric Shop: Electrical projects, repairs and maintenance.  
Automotive Shop: Automotive maintenance, welders, recycling

4. The majority of the work is completed by inmates assigned to the departmental details. Work assignments are designed to allow opportunities to acquire knowledge, skill, and work habits needed to secure and maintain employment upon release from the institution, as well as, meeting the needs involved in maintaining the facility.
5. Apprenticeship programs in conjunction with the institution Education Department and the Department of Labor are available.
6. The standard work week is Monday thru Friday. Work Call is at 7:45 with inmates being required to be at the job site by 8:00 a.m. Two 15 minute breaks and a 45 minute lunch period are scheduled during the day. The end of the work day will be announced with a 3:45 p.m. recall.

## **FOOD SERVICE**

Inmates are provided nutritionally adequate, properly prepared, and attractively served meals. Food Service also provides inmates with the opportunity to acquire skills and abilities in the Food Service profession. The Food Service Department, in conjunction with Education and the Department of Labor, coordinates an apprenticeship program in cooking and baking. Inmates involved in these programs have the opportunity to learn a skill that can be used following release from incarceration. Following completion of the required hours, inmates receive a certificate from the Department of Labor. Nutritional information is provided which enables inmates to determine and establish healthy eating habits which may enhance their quality of life. Specific approval procedures for special diets may be discussed with the Health Services Department, Chaplain, and Food Service Department. The hours of operation are as follows:

### **BREAKFAST:**

Open 6:30 A.M. Weekdays

Open 7:30 A.M Coffee Hour, Weekends/Holidays

During the Monday-Friday work week, there will be no inmate movement on the compound from 10:45 A.M. until the first details are called to main-line.

### **LUNCH:**

Open 11:00 A.M.

### **DINNER**

After clearing of  
4:00 P.M. count

### **BRUNCH**

Open 11:00 A.M.

## **LINE CLOSES 10 MINUTES AFTER LAST UNIT HAS BEEN CALLED**

Monday - Friday - An announcement will be made at 10:45 A.M. to clear the compound. All inmates will return to their work assignments or housing unit. Inmates will not be allowed to leave for the noon mainline until their area has been called. During the morning, evening and brunch meals, Room of the Week and CSP inmates eat first, followed by the housing units.

Short line for medical diet inmates and Food Service workers will be from 10:15 A.M. until 10:45 A.M. Evening short line is from 3:15 P.M. thru 3:45 P.M.

Rotation for housing units is determined by the bi-weekly sanitation inspection performed by the Safety Manager.

Releases for meals will vary according to the population of the institution.

## **EDUCATION PROGRAMS**

Education opportunities available to federal prisoners include literacy training, continuing education, post-secondary education, VT Horticulture, and apprenticeship programs. An inmate confined in a federal institution who does not have a verified General Educational Development (GED) or high school diploma is required to attend an adult literacy program for a minimum of 240 instructional hours or until a GED is achieved, whichever occurs first. The inmate will be placed in the appropriate literacy program based upon the results of a required standardized achievement test. All promotions in institutional work assignments beyond the entry level grade are contingent upon successful completion of a literacy program.

Inmates subject to the Violent Crime Control and Law Enforcement Act of 1994 (VCCLEA) or the Prison Litigation Reform Act of 1995 (PLRA) shall make satisfactory progress (GED SAT) toward earning a GED in order to vest/earn Good Conduct Time(GCT). If the inmate refuses to enroll in a literacy program, receives an Incident Report in a literacy program, or withdraws from a literacy program, he is subject to unsatisfactory progress (GED UNSAT) and loss of GCT.

In addition, all federal prisoners will be evaluated to determine English proficiency. Each inmate who is determined to have limited English proficiency is required to take the Comprehensive Adult Student Assessment System test (CASAS). Based upon the results of the placement tests, the inmate will be placed in the appropriate English-as-a-Second Language (ESL) program until he is able to function at the equivalence of the eighth grade in competency skills, as measured by a minimum score of 225 on the CASAS reading certification test and a score of 215 of the CASAS listening certification test.

An incentive award system has been established which recognizes achievement at intervals within the literacy program with special recognition upon achievement of functional literacy, i.e. an 8.0 grade level in reading and math as measured by the Adult Basic Learning Examination (A.B.L.E.), as well as completion of achievement levels of the CASAS test. Incentives can be one or more of the following:

- A. \$5.00 award for Student of the Month
- B. Consumable items such as popcorn and sodas, for satisfactory progress toward literacy goals or for periodic classroom achievements, i.e., hardest worker, best test score, perfect attendance.
- C. \$25.00 award for successful completion of the GED or ESL program.

## **RECREATION, LEISURE, AND SOCIAL PROGRAMS**

Leisure activities and recreation programs are also supervised by the Education Department. These programs help inmates develop an individual wellness concept for participants. Programs include indoor and outdoor activities and range from individualized arts and crafts programs to intramural team sports such as softball, basketball, and volleyball. Physical fitness and weight reduction programs are also important activities for inmates and contribute to mental health, good interpersonal relations, and stress reduction.

In addition, inmates can learn to use their free time constructively. Musical instruments are available in the recreation area for the inmate population. The musical instruments are to remain in the music room. Hobby craft programs include activities such as: painting, leather, art, and beadwork.

## **PSYCHOLOGICAL SERVICES**

### **I. Introduction**

Psychology Services departments in all Bureau of Prisons institutions offer basic mental health care to inmates. This care may include screening, assessment and treatment of mental health or drug abuse problems, individual and/or group counseling, psycho-educational classes, self-help and supportive services, or referral to Health Services for medical treatment of a mental illness.

In addition, Psychology Services staff, along with other programming staff in the institution, collaborate with your Unit Team to develop a comprehensive assessment of your strengths and weaknesses. Based on this

assessment, Psychology Services will offer programming recommendations specific to your psychological needs. These recommendations are designed to ensure your successful adjustment to incarceration and prepare you for your eventual release. We encourage you to participate actively in the assessment process. If mental health or drug abuse programming is recommended for you, Psychology Services staff will provide ongoing feedback to you and your unit team regarding your progress toward these programming goals.

If you are new to the Bureau, or if you have previously identified mental health or drug abuse programming needs, you will be scheduled for an interview with Psychology Services staff. The purpose of this interview is to review your history and identify your programming needs. This interview is an ideal time for you to share your interest in specific services, such as drug abuse treatment or mental health counseling.

The Psychology Services department at this institution is staffed by Dr. William Pierce, Chief Psychologist, Dr. Vincen Barnes, DAP Coordinator and eight Drug Treatment Specialists. The department's offices are located in Durand Hall. The Non-Residential Drug Treatment Specialist is located on the third floor of Ward Hall. There are a number of ways to contact Psychology Services at this institution. You may:

- Submit an Inmate Request to a Staff Member (a "Cop-out") to Psychology Services.
- Speak with a Psychology Services staff member during mainline or as they make rounds in your unit.
- Or in the case of a crisis situation, notify your Unit Officer, Unit Team, or any other Bureau staff member of your urgent need to speak with Psychology Services.

## II. Suicide Prevention

Incarceration can be a difficult experience. At times you may feel discouraged, frustrated and helpless. It is not uncommon for people to experience depression while in jail or prison, especially if they are newly incarcerated, serving a long sentence, experiencing family problems, struggling to get along with other inmates, or receiving bad news. Over time, most inmates successfully adapt to incarceration and find ways to use their time productively and meaningfully. However, some inmates continue to struggle with the pressures of incarceration and become overwhelmed by a sense of hopelessness. If you feel a sense of hopelessness or begin thinking about suicide, talk to a staff member. Help is available and actively seeking help is a sign of your strength and determination to prevail. If you feel you are in imminent danger of harming yourself or someone else, you should contact a staff member immediately.

In addition, if you suspect another inmate is contemplating suicide, please notify a staff member. Staff do not always see everything inmates see. And, most suicidal individuals display some warning signs of their intentions. PLEASE alert a staff member right away if you suspect a fellow inmate is considering suicide. The most effective way to prevent another person from taking his or her life is to recognize the factors that put people at risk for suicide, take warning signs seriously and know how to respond. The warning signs of suicide may include:

- threatening to hurt or kill oneself or talking about wanting to hurt or kill oneself
- feeling hopeless
- feeling rage or uncontrolled anger or seeking revenge
- increased alcohol or drug use
- withdrawing from friends, family, associates
- experiencing dramatic mood changes
- feeling anxious or agitated, being unable to sleep, or sleeping all the time
- seeing no reason for living or having no sense of purpose

If your friend, cellmate, coworker, or associate is exhibiting these signs, start by telling the person you are concerned and give him/her examples of what you see that worries you. Listen and encourage the person to seek help. If they are hesitant, offer to go with them to speak to a staff member. If you are not confident they will seek help, notify a staff member yourself. Seeking help for a person in distress isn't "snitching", it is showing concern for the welfare of a fellow human being. If you report your concerns to staff, you can rest easy knowing you did everything within your power to assist the individual.

If you are interested in assisting Psychology Services with suicide prevention efforts, you may choose to participate in this institution's inmate companion program. Inmates who are interested in serving as suicide watch inmate companions must meet the following criteria: (1) be a sentenced BOP inmate; (2) no 100 series incident reports in the past 3 years; (3) may not be in FRP, DRG ED, or GED refusal status; (4) serve as a role

model for other inmates. If you would like more information about this program, please speak with Dr. Pierce.

### III. Drug Abuse Programs

Drug abuse programming is available in all Bureau institutions. The Bureau of Prisons offers a drug education course as well as treatment options for inmates who have abused alcohol and/or drugs.

#### A. Drug Abuse Education Course

The Drug Abuse Education Course is not drug treatment. The purpose of the course is to encourage you to review the consequences of your choice to have drugs in your life, to look at the relationship between drug use and crime, and to begin to think about how different your life could be without drugs. Looking at your drug involvement in this way may motivate you to ask for drug abuse treatment.

If your pre-sentence report documents a prolonged history of drug use, evidence that alcohol or drug use contributed to the commission of your offense, a judicial recommendation for treatment, or a violation of community supervision as a result of alcohol or drug use, you are required to take the Drug Abuse Education Course. Failing to take this required course results in your ineligibility for performance pay above maintenance pay level, as well as ineligibility for bonus or vacation pay. You will also not be eligible for a Federal Prison Industries work program assignment. If you are not sure what this means, you may want to ask your counselor.

The Drug Abuse Education Course is available in every Bureau of Prisons institution. If you are required to complete the course, your name will automatically be placed on the waiting list for the course. When it is time for you to complete the course, Psychology Services staff will contact you. If you would like to enroll in the course, but are not required to participate, you may submit an Inmate Request to a Staff Member (a [Cop-Out]) in order to place your name on the waiting list for the course.

#### B. Nonresidential Drug Abuse Treatment

Nonresidential Drug Abuse Treatment is also available in every Bureau institution. Nonresidential Drug Abuse Treatment has been developed to provide the flexibility necessary to meet each individual's treatment needs, and more specifically for:

- inmates with a relatively minor or low-level drug abuse problem
- inmates with a drug use disorder who do not have sufficient time to complete the intensive Residential Drug Abuse Treatment Program (RDAP)
- inmates with longer sentences who are in need of treatment and are awaiting placement in the RDAP
- inmates with a drug use history who chose not participate in the RDAP, but want to prepare for staying sober in the community, and
- inmates who completed the unit-based portion of the RDAP and are required to continue treatment until their transfer to a Residential Reentry Center (half-way house)

Program completion awards are only available for those who complete the program. If you are interested, ask the institution's drug abuse treatment staff for more information on these awards.

#### C. Residential Drug Abuse Treatment

The RDAP provides intensive drug abuse treatment to inmates diagnosed with a drug use disorder. Inmates in the residential program are housed together in a treatment unit that is set apart from the general population. Treatment is provided for a minimum 9 months; however, your time in the program depends on your progress in treatment.

To apply for the RDAP you must send an Inmate Request to a Staff Member (a [Cop-Out]) to obtain an interview for the program. First, staff will screen your pre-sentence report to determine if there is any documentation indicating that you have a pattern of drug abuse or dependence. If so, you will be referred to the Drug Abuse Program Coordinator for an interview to determine if you meet the diagnostic criteria for a substance use disorder.

Inmates who are diagnosed with a drug use disorder are qualified for the RDAP and are admitted to the program based on their nearness to release, as mandated by federal statute. You must have enough time left to serve on your sentence to complete the unit-based component and the community transition

component of the program. Follow-up Treatment, as described earlier, is provided to inmates after they complete the unit-based component and before they transfer to a residential reentry center.

The RDAP is operated as a modified therapeutic community where inmates are expected to model the pro-social behaviors expected in a community. This means RDAP participants are role models to other inmates. Therefore, they are to demonstrate honesty, to relate positively with their peers, and to fully participate in all treatment activities in the unit. The RDAP is a half-day program, with the rest of the day devoted to work, school, and other self-improvement activities. The RDAP is available in 62 Bureau institutions.

If you are interested in volunteering for the RDAP and would like to know if you are eligible for the program, contact the institution's drug abuse program coordinator. You may apply for the program at any time during your incarceration, but your interview, like program admittance, will be based on your proximity to release. Ordinarily inmates are interviewed 24-42 months from release.

#### D. Early Release

The Violent Crime Control and Law Enforcement Act of 1994 allows the BOP to grant a non-violent inmate **up to 1 year off** his or her term of imprisonment for successful completion of the residential drug abuse treatment program (Title 18 U.S.C. § 3621(e)(2)). For more information, talk to an institution drug abuse treatment specialist or drug abuse program coordinator.

#### E. Community Transition Drug Abuse Treatment

To successfully complete the RDAP, inmates are required to participate in the Community Transition Drug Abuse Treatment component of the program. The Bureau ensures that inmates receive continued treatment when transferred to a residential reentry center (RRC) or to home confinement. The RRC, is structured to help you adjust to life in the community and find suitable post-release employment. RRCs provide a structured, supervised environment and support job placement, counseling, and other services. Within the structure of the RRC, RDAP participants continue their drug abuse treatment, with a community-based treatment provider. The Bureau contracts with this provider to deliver treatment services in the community. Inmates must continue to participate in transition drug abuse treatment to earn any benefit associated with successful completion of the RDAP, e.g., early release.

In addition to these drug abuse programs, drug abuse treatment services may also be provided within the context of other specialized treatment programs with the Bureau, such as the Resolve Program and the Challenge Program.

#### IV. Follow-Up Aftercare Program

Upon completion of the RDAP, inmates who are not eligible to receive a sentence reduction, or whose release is delayed longer than one month after RDAP completion, are required to participate in this program for a minimum of one year post-completion. This program provides inmates with continuity in their recovery program, while remaining in a prison setting. Currently the Follow-up Program meets at least once per month.

#### V. CHOICES: Drug Awareness Program

The purpose of this program is to allow inmates who have a history of substance abuse, and who have been incarcerated due to their drug addiction, to share their personal experience and help educate others, mainly school students, about the negative consequences that drugs have had on their lives.

#### VI. Life Skills Library

On the third floor of Ward Hall, we have created a Life Skills Library. This is reserved to be a quiet place where inmates can study, do assignments and work on specialized tasks. DVD's and books are available for check out which are designed to enhance your skills upon release. Normal operating hours for the library are 9:00am - 4:00pm, Monday thru Thursday.

## VII. Confidentiality

Security needs and the nature of a prison environment affect mental health care in a variety of ways. Confidentiality is an important component of the therapeutic relationship. However, in a prison environment, confidentiality must be weighed against institutional needs of safety and security. Mental health providers in the institution not only serve inmates, they also serve the institution and the public at large.

In the community, certain situations require mental health providers to violate client confidentiality. For example, many states mandate reporting of child or elder abuse. Providers also must notify authorities if a client threatens suicide or serious harm to others. Similarly, prison mental health providers violate confidentiality when an inmate is at risk of serious harm to themselves or others, such as when an inmate presents a clear and present risk of escape or when an inmate is responsible for the creation of disorder within a facility. Confidentiality may also be limited when prison mental health providers share information on a need-to-know basis with prison officials or other federal law enforcement entities. For example, before you are transferred to a residential reentry center, mental health providers must communicate your mental health needs to your unit team.

If you tell a staff member, including a Psychology Services staff member, that you are going to harm or kill yourself or someone else, or engage in a behavior that jeopardizes the safety or security of the institution, confidentiality will be breached and the appropriate individuals will be notified on a need-to-know basis only. Simply put, there is no guarantee of confidentiality in the prison setting. However, you can rely on the professional judgment of Psychology Services staff who conscientiously balance your confidentiality and the safety and security of the institution. Information that does not impact the safety and security of the institution, inmates, and staff, will not be shared. While these limitations on confidentiality may initially deter you from seeking treatment, I want to assure you that the vast majority of inmates who receive psychological services are comfortable with the decisions staff make with regard to their confidentiality. If you have additional questions about confidentiality, be certain to discuss your concerns with Psychology Services staff.

## VIII. Cultural Diversity

As a result of your incarceration, you may have been removed from that part of society [most familiar] and [most comfortable] to you, and placed in a multi-cultural environment that is not so familiar and not so comfortable.

Cultural Diversity means, [People are different from each other because they share different backgrounds, which are their personal experiences, beliefs, training, education, religion, and value systems.]

Why be aware of cultural differences?

Through cross-cultural experiences, people become more broad-minded and tolerant of cultural differences. New insights for improving human relations are gained and intercultural experiences are maximized.

Cultural awareness represents a new body of knowledge. It helps individuals understand that culture and behavior are relative and that they should be more tolerant of others and less judgmental and stereotypical in their thinking. In order to successfully and even harmoniously exist in a correctional environment, you will need to gain an understanding of the dynamics of diversity in a prison or correctional setting, and develop a healthy level of respect for it.

Behaviors that promote and show respect for our differences:

1. Do not verbally disrespect another's culture, gender, religion, or background
2. Do not physically disrespect another's culture, gender, religion, or background (e.g., graffiti, destroying displays or items of religious significance, etc.).
3. Do not non-verbally disrespect another's culture, gender, religion, or background (e.g., inappropriate hand gestures or body language).

Skills needed to skillfully and harmoniously exist in a correctional environment:

Think and act RATIONAL (understand what's in my best interest).  
Understand what my goals are and how I need to think and behave to reach them.  
Develop an attitude of honesty, tolerance, respect, and responsibility.  
Be more open-minded, be willing to learn about other cultures.  
Examine your own levels of intolerance and stereotypes.  
Seek out responsible individuals to assist in diffusing situations of intolerance.

A psychologist is available to provide counseling and other mental health services to inmates. Each inmate will have a psychological assessment if not already screened at another institution. Should you feel you are in need of psychological services, you may either speak directly to the psychologist or a member of your unit team will process a referral at your request.

Two formal programs relating to substance abuse issues are provided at FPC Yankton. The Drug Education Program (DEP) focuses on the effects of drugs on the individual and society. The DEP is required for certain inmates with significant drug histories, as determined by the Unit Team.

The Residential Drug Abuse Program (RDAP) is an intensive 9 month treatment program. This voluntary program is designed to allow inmates who qualify to attend the RDAP for one-half of the work day and their normal work assignment during the other half of the day. Successful completion of this comprehensive program will assist in providing participants with the skills necessary to maintain a drug-free lifestyle. Inmates will be interviewed by RDAP staff and a Psychologist to determine eligibility for this program. Those inmates who have received a judicial recommendation to take the program then decline are notified that the judge in your case will be advised of your refusal to comply with the recommendation. Non-Residential Drug treatment is also available for inmates.

## **SEXUAL ABUSIVE BEHAVIOR PREVENTION AND INTERVENTION PROGRAM**

### **I. Introduction**

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.

### **II. What is sexually abusive behavior?**

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

- ☐ Rape
- ☐ Sexual Assault with an Object
- ☐ Sexual Fondling
- ☐ Sexual Misconduct by staff

Additionally, according to Bureau policy, the following behaviors are acts prohibited by the inmate code of conduct:

- ☐ 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

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.

It is important to understand that sexual acts or contacts between two or more inmates, even when no objections are raised, are prohibited acts and/or 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 who knowingly file false reports will face disciplinary measures.

### III. Protecting Yourself and Others from Sexually Abusive Behavior

There are strategies you can use to protect yourself and others from sexually abusive behavior. These strategies include:

- Carry yourself in a confident manner at all times. Other inmates may target you if they believe you to be fearful.
- 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.

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.

### IV. What Should You Do if You Are Sexually Assaulted?

If you become a victim of sexually abusive behavior, immediately report the incident to a staff member. Staff 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. 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.

### V. Understanding the Investigative Process

Once the sexually abusive behavior is reported, the Bureau 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.

### VI. Supportive Services

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.

### VII. Consequences for Assailants

Anyone who sexually abuses/assaults others while in the custody of the Bureau 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 also be referred to Psychology Services for an assessment of risk, treatment, and management needs. Treatment compliance or refusal will be documented and decisions regarding your conditions of confinement and release may be affected. If you feel that you need help to keep from engaging in sexually abusive behaviors, psychological services are available.

### **VIII. 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, counselor, chaplain, psychologist, work supervisor, your unit officer, an SIS officer, the Warden or any other staff member you trust.

Bureau staff members are instructed to keep reported information confidential and only discuss it with the appropriate officials on a need-to-know basis. Any discussions with appropriate officials are directly related to the victim's welfare or law enforcement and investigative purposes.

There are other means to confidentiality report sexually abusive behavior if you are not comfortable talking with staff. You can:

- Write directly to the Warden, Regional Director or Director. You can send the Warden an Inmate Request to Staff Member (a "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 management 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

This address and more detailed information about Sexually Abusive Behavior Prevention and Intervention are contained in your brochure.

### **COUNSELING ACTIVITIES**

There are many alternatives for inmates having personal problems with a desire to correct them. These options can include Alcoholics Anonymous, Narcotics Anonymous, Healthy Lifestyles, Smoking Cessation, Pain Management and other voluntary groups. The staff of each unit are available for informal counseling sessions, and they conduct formal group counseling activities.

### **ESCORTED TRIPS**

Bedside visits or funeral trips may be authorized for inmates when an immediate family member is seriously ill, in critical condition, or has passed away. One or two staff will escort the inmate depending on the inmate's custody level. All expenses will be borne by the inmate, except for the first eight hours of each day that the employee is on duty. All such requests are evaluated by the unit team and executive staff. Although emergencies are treated as such, each request is approved or disapproved on a case-by-case basis. Factors such as criminal history, institutional adjustment, program participation, distance to be traveled, outside law enforcement, availability of staffing or other management concerns are taken into consideration.

### **FURLOUGHS**

A furlough is an authorized absence from an institution by an inmate who is not under escort of a staff member, a U.S. Marshal, other federal, or state agent. Furloughs are a privilege, not a right, and are only granted when clearly in the public interest, and for the furtherance of a legitimate correctional goal. Ordinarily, inmates with a history of violence, including those who have received the +2 enhancement for weapons possession or use, will not be granted social furloughs.

Factors such as adhering to staff's recommendations for programs, work and sanitation reports, FRP participation and demonstrating overall good responsibility are also considered when the Unit Team processes furlough requests. Ordinarily, furloughs may be considered for inmates who have community custody and have two years or less from their anticipated release date. An inmate who meets the eligibility requirements may submit an application for furlough to staff during the program review in which he is eligible for the type and length of furlough requested. Inmates are responsible for the cost of a urinalysis test which will be administered following your return from a furlough. Furloughs may be granted for the following reasons:

- Visiting an immediate family member hospitalized in critical condition or on their last stages of life.
- Attending the funeral of an immediate family member.
- Obtaining medical services not otherwise available.
- Contacting prospective employers.
- Establishing or re-establishing family or community ties.
- Transferring directly to another institution.
- Participating in selected educational, social, civic, religious, and recreational activities which will facilitate release transition.
- Any other significant reason consistent with the public interest.

In all units, pre-release programming will be emphasized, and staff will address concerns about readjustment, current community issues, and educational and vocational opportunities.

## **CENTRAL INMATE MONITORING SYSTEM**

The Central Inmate Monitoring System (CIMS) is a method for the Bureau's Central and Regional Offices to monitor and control the transfer, temporary release, and participation in community activities of inmates who pose special management considerations. Designation as a CIMS case does not, in and of itself, prevent an inmate from participating in community activities. All inmates who are designated as CIMS cases will be so notified by their Case Manager. Inmates in this category who apply for community activities should apply in ample time to allow the institution to obtain necessary clearances from the appropriate reviewing authority.

## **PRE-RELEASE PROGRAMMING**

FPC Yankton recognizes that an inmate's preparation for release begins at initial commitment and continues throughout the period of incarceration. As a result, standardized courses and topics will be offered throughout the year. Recommendations for course participation shall be made by the unit team at initial classification or subsequent program reviews. The unit team will evaluate an inmate's participation in these pre-release classes when reviewing an inmate's request for halfway house placement, furloughs, and other community-based activities.

## **RELIGIOUS PROGRAMS**

The Pastoral Care Department offers a wide range of religious activities, services, and programs to inmates. Contract and volunteer representatives of various faith groups assist in providing a wide range of religious services. Holiday observances and other worship activities are coordinated through the Chaplain's office. Information and questions regarding the obtaining and wearing of religious articles may be addressed to the Chaplain.

### **I. People Available**

#### **A. Chaplaincy Staff**

1. Doug Upton, Chaplain - He is available to assist with spiritual needs of all inmates regardless of the inmate's religious preference.
2. The Chaplain's schedule is located on the bulletin boards in Spanish and English.
3. Most requests need to be put on a "Inmate Request To Staff" form.

#### **B. Community Resources**

1. To help provide sacramental needs of various faith groups
2. To provide diversity
3. We have a number of community resources who participate in religious programs.
  - a. Imam
  - b. Rabbi
  - c. Priest
  - d. Native
  - e. Protestant Groups

### C. Programs

1. The religious activities schedule is updated quarterly and is posted on bulletin boards in both English and Spanish.
2. Time and space is provided in the Chapel and the Outside Religious Area for all approved religious groups at this institution.
3. Special program times for holy days of religious obligation are available.
4. Notification by an operational memorandum will be posted on Chapel bulletin boards.
  
5. Generally, all programs are open to all inmates. Inmates are not restricted from attending programs of faith groups other than their own as long as they are respectful of the group's teaching and practices.
6. Attendance at a small number of programs may be restricted. Some programs require the inmate's religious preference listed in Sentry to be the same as the special program's religious nature.
7. There is to be no food or drink in the Chapel.
8. There is to be no profanity in the Chapel.

## II. Religious Personal Property

- A. Inmate's may obtain some religious items by purchasing them from an approved vendor through the special purchase process.
  - A. The Chaplain will assist in the special purchase order process.

## III. Other Services

- A. Emergency messages - Emergency messages are called into the main switch board. The message is and then given to the inmate.
- B. Spiritual guidance and counsel is available.
- C. A Chapel Library is available downstairs in the Chapel.

## IV. Religious Preference

- A. Important that information is accurate
  1. To provide for inmate's spiritual needs in the event of an emergency.
  2. To plan for religious programs (what faith groups are represented in the population and how many adherents of each of group)
- B. Initial entry made by unit team. Changes in your religious preference can be done through the Chaplain.

## V. Religious Diet

- A. Interview process
- B. Program rules

## **INMATE FINANCIAL RESPONSIBILITY PROGRAM**

### **PURPOSE OF THE INMATE FINANCIAL RESPONSIBILITY PROGRAM (IFRP):**

The Bureau of Prisons encourages each sentenced inmate to meet his legitimate financial obligations. Staff will assist the inmate in developing a financial plan for meeting these obligations, and at program reviews, review the inmate's efforts to fulfill those obligations and determine his level of responsibility.

### **FEDERAL ACTS WHICH REQUIRE INMATE PAYMENTS TO ADDRESS OBLIGATIONS:**

The Victim and Witness Protection Act of 1982, Victims of Crime Act of 1984, the Comprehensive Crime Control Act of 1984 and Federal Debt Collection Procedures Act of 1990 require a diligent effort on the part of all law enforcement agencies to collect financial obligations.

**INMATE EXCLUDED FROM THE PROVISIONS OF THE IFRP:**

An inmate who is unable to participate, ordinarily because of medical or psychological restrictions preventing him from working, can be temporarily exempted from this program. This exemption will be reviewed every six month when granted for medical or psychological reason.

**TYPES OF FINANCIAL OBLIGATIONS WHICH MUST BE MET AND THE PRIORITY OF EACH:**

The following obligations will be addressed in the order listed:

- Special Assessments
- Restitution
- Fines/Court costs
- State/Local obligations (may include child support, alimony etc)
- Other federal government obligations (student loans, VA claims, tax liabilities, FOI/PA fees)

**INTEREST AND PENALTIES ASSOCIATED WITH UNPAID RESTITUTION AND FINES:**

Interest and penalties are associated with unpaid restitution and fines. Payment plans will be discussed at team meetings if applicable.

**WHEN AND HOW TO DEVELOP A PLAN:**

At initial classification, the unit team will develop a plan after taking into account information available in the PSI and J&C. Initial recommendations will be made based on financial information available in the PSI. Subsequent team reviews will take into account monies credited to an inmate's account to further assess his ability to pay.

**WITHDRAWALS:**

Repetitive withdrawals from the inmate's Trust Fund account will be used for inmates who elect to make payments from their earnings. Under normal circumstances, an inmate will be required to make minimum quarterly payments (currently \$25.00) unless (a) substantial assets are indicated, (b) a review of his Trust Fund history indicates an ability to pay more than the minimum or c) an inmate indicates a willingness to pay more than the minimum on a monthly/quarterly basis. Outside repetitive payments will not be allowed unless the entire balance due can be paid.

**CONSEQUENCES FOR INMATES WHO FAIL TO MEET OBLIGATIONS:**

Effects of non-participation, either by refusing to sign a contract or by being placed in "Refuse" status based on insufficient funds following a scheduled pull:

- For "Old Law" cases the Parole Commission will be notified of the inmate's failure to participate. Inmates in "Refuse" status will not be considered for social furloughs or be considered for placement on a Community Service activity.
- An inmate will receive maintenance pay for the month they are in "Refuse" status. No bonus or vacation pay will be approved.
- An inmate will be limited to \$25.00 spending in the commissary.
- An inmate will not receive a release gratuity unless approved by the Warden.
- An inmate will not receive an incentive for participation in DAP or GED.
- He will receive a "zero" on his BP-338 under "Responsibility".

**EFFECT OF APPEALS ON IMPOSED FINANCIAL OBLIGATIONS:**

Unless the Court orders a "Stay of Collection", any existing financial obligation remains in effect during all appeal processes.

**COST OF INCARCERATION FEE  
(COIF)**

**PURPOSE OF THE COIF PROGRAM:**

Public Law 102-395 requires the Attorney General to establish procedures to collect fees for incarceration costs.

**DETERMINATION OF COST OF INCARCERATION:**

If an inmate's assets are equal to or less than the poverty level as determined by the US Department of Health and Human Services, no fee is imposed. If an inmate's assets are above the poverty level, a fee equal to the difference between the assets above the poverty level and the average cost to the BOP for confining an inmate for one year.

## **PROCEDURES FOR PAYMENT:**

An inmate does not begin payment of a fee under this part until he has completed payments on obligations which are higher in priority under the FRP (Special Assessment, Restitution, Fine, State obligations).

## **CONSEQUENCES FOR INMATES WHO FAIL TO MEET THIS OBLIGATION:**

Same as any other Financial Responsibility obligation as noted above.

**PERFORMANCE OBJECTIVES: As a result of this lecture, inmates will be able establish an appropriate plan to address outstanding financial obligations with their unit team.**

# **HEALTH SERVICES**

## **I. PHILOSOPHY**

Medical care is a right, not a privilege; thus, access to medical care cannot be withheld from you as a result of disciplinary action. However, if you do not report for an appointment, or are late and your absence is not justified, your appointment will be canceled and you may be subject to an incident report, depending on the specifics of the situation.

It is the objective of the Health Services staff at FPC Yankton to provide appropriate and necessary medical, dental and mental health services to inmates by a professional staff, within available resources. We are an outpatient clinic setting, with in-patient services provided by the community hospitals. Most medical specialties are available through community sources.

Please make use of the A&O manual and refer to it when you have questions regarding access to medical care.

## **II. PATIENT RIGHTS and RESPONSIBILITIES**

While in the custody of the Federal Bureau of Prisons, you have the right to receive health care in a manner that recognizes your basic rights, and you also accept the responsibility to respect the basic human rights of your health care providers. These rights and responsibilities are listed in your A&O Handbook and are posted in the Health Services Unit.

## **III. PRIMARY CARE PROVIDERS**

- \* You will be assigned to a specific primary health care provider. This assigned primary care provider (PCP) will be responsible for all aspects of your health care necessary to maintain your good health. Your PCP will handle your sick call requests, monitor any chronic health problems you have, schedule physical evaluations when necessary, order and report any appropriate diagnostic studies, and refer you to the contract physician or other specialty consultants, when indicated.
- \* Your PCP assignment is determined by your registration number; specifically the 4<sup>th</sup> and 5<sup>th</sup> digit of the 8 digit number. Listings of the inmate groups assigned to specific health care providers are posted in the units and in Health Services.

## **IV. INMATE CO-PAYMENT**

Effective October 3, 2005, the Federal Prisoner Health Care Copayment Act (FPHCCA) of 2000, Public Law 106-294 was implemented. This law requires an inmate co-payment of \$2.00 for specific types of patient evaluations and treatments. In addition to receiving notification, both written and verbal, during the A&O process, more information regarding the specifics of this program are posted in the housing units and in the Health Services department.

**Generally, you will be charged a fee of \$2.00 per health care visit if you receive health care services by your request, or 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.**

This law does not apply in certain situations, which are listed on the handouts you receive during the Health Services A&O presentation.

## V. HOW TO MAKE MEDICAL / DENTAL SICK CALL APPOINTMENTS

- \* Sick Call Appointment Request form:  
These are available, by request, in the Health Services department, and can be used to request either medical or dental sick call appointments. You may complete a request form in Health Services on Monday-Friday, excluding holidays, from 6:30-7:00a.m. **You will be required to turn in your ID card to staff when requesting a request form. (Your ID card will be returned to you upon completion of the request/triage procedures.)**
- \* After obtaining a blank form, complete it with information requested and return it to the staff member conducting sick call. At 7:00am, when sick call sign-up closes, a Health Services staff member will initiate triage of the requests and will either provide immediate evaluation, if indicated, or instruct you to watch the callout listings for a future appointment. If you have requested evaluation for a condition that is manageable with over the counter medications, you will receive be directed to purchase these medications through the commissary. Access to the commissary for the purchase of over the counter medications has been expanded to any time the commissary is open; Monday Express Line, Tuesday and Wednesday shopping nights, and Thursday's special purchase line. **These OTC purchases do NOT apply to your monthly spending limits.**
- \* For non-urgent requests and issues, you also have the option of communicating with your assigned provider by submitting a "Request to a Staff Member" form, often referred to as a "cop-out". **This form must be submitted via institutional mail. Any cop-outs submitted in other methods (i.e. sliding under office doors, pharmacy refill box, etc.) will not be addressed.**

## VI. EMERGENCY EVALUATIONS

Emergencies will be seen as necessary. In the event you become ill, or have an accident which requires immediate medical attention, you are to notify your immediate supervisor or the closest staff member, who will then contact the Health Services staff for instructions.

Health Services staff are available on the institution grounds from 6:00A.M. - 4:00P.M. on Monday-Friday and 8:00A.M. - 4:00P.M on weekends and holidays. Any emergencies occurring outside of these hours will be handled either by the health care provider on call, or by transporting you to the local community hospital's emergency center.

## VII. PRESCRIPTIONS & PILL LINES

Pill lines are conducted twice a day (a third pill line is held at noon, when indicated). You must provide your ID prior to receiving medication. You **MUST** come to pill line if you have been prescribed a pill line medication. Pill line times are as follows:

### WEEKDAYS

A.M. Pill Line - 6:30A.M.-7:00A.M.  
P.M. Pill Line - 3:00P.M.-3:30P.M.

### WEEKENDS & HOLIDAYS

AM Pill Line - 8:00A.M.-8:30A.M.  
PM Pill Line - 3:00P.M.-3:30P.M.

(Insulin dependent diabetics will come at 2:45P.M.)

### Prescription Refills:

- \* Prescription refill request box affixed to the wall
- \* Wall holder with blank Prescription Refill Request forms.
- \* Complete all sections of a Prescription Refill Request form and insert the completed form in the wooden refill box. These forms are normally retrieved by the pharmacy staff by 8:00A.M., Monday-Friday, and the refills will normally be available for pickup at the pharmacy window from

11:45A.M. to 12:15P.M. on the same day. Prescription refills are not available on weekends or holidays.

- \* We encourage you to monitor the dates of your prescriptions; submit a refill request a few days early to ensure you do not run out of medications before the refill is complete. Also monitor the expiration date on your prescription, as it cannot be refilled past this date.
- \* **Over the Counter Medications:** These are sold through the commissary and are ordinarily not issued from Health Services. However, on a case-by-case basis, single doses of OTC medication may be issued from Health Services and indigent inmates are provided with over the counter medications from the pharmacy under specific guidelines. You are encouraged to purchase over the counter medications to have on hand when they are needed. As stated above, you are allowed to shop for **over the counter medications** at the commissary at **any time** the commissary is **open** for business, even if it is not your assigned shopping day.

## VIII. ROUTINE DENTAL CARE

Newly committed inmates are given a dental screening during the A&O processes. If this screening shows any immediate dental treatment needs, you will be scheduled for the necessary procedure.

Requests for teeth cleaning and other routine dental work should be submitted to the dental staff on a Request to a Staff Member form (cop-out). You will then be placed on a callout listing as your name reaches the top of the waiting list. **These routine dental sick call requests will be subject to a co-pay charge.**

Failure to appear for your scheduled appointment will result in losing your position on the waiting lists. You will be required to resubmit your request to be put on the list again.

## IX. PHYSICAL EXAMINATIONS

- \* The BOP uses a preventive health approach to healthcare. Each incoming inmate will be evaluated to determine the appropriate healthcare plan for future time frames and types of healthcare testing and monitoring.
- \* All newly committed inmates receive a hands-on physical examination, including the dental exam, laboratory testing, immunization, tuberculosis testing, and eye screening. Appointment times for these exams will be posted on the callout listings.
- \* When you see your name on the callout listing for [FAST LAB], do not eat or drink anything, except water, after midnight on the night before your callout. You may want to go to mainline that morning, prior to your appointment, and pick up some fruit, which can be eaten after your blood has been drawn.
- \* Age-specific, periodic, preventive health examinations are available (i.e. cancer screening, prostate exams).
- \* Release physical examinations are available for inmates who have not had an exam within the past year. These exams will be conducted within the two (2) months prior to release. The BOP is **not** responsible for physical exams performed by non-Bureau health care staff during an inmate's stay at a half-way house.

## X. CHRONIC CARE CLINICS

- \* Chronic medical problem, (i.e. high blood pressure, diabetes, heart problems, asthma), you will be placed in a chronic care clinic for continuous monitoring.
- \* Periodic appointment for evaluation of your status and rewriting of prescriptions, if necessary. If you begin to experience problems between your scheduled appointments, you should sign up for sick call visit with your provider, per the normal sick call sign up procedures.

## XI. REFERRALS TO COMMUNITY MEDICAL CONSULTANTS

- \* Recommendation will be submitted to the Utilization Review Committee for approval or disapproval. This committee meets twice a month to review all current recommendations and determine if the necessary criteria are met for further scheduling.

## XII. EYEGASSES AND EYE EXAMS

- \* Contract optometrist comes into the institution for eye exams. **Unless referred by a healthcare provider for clinical reasons, optometry evaluations will be assessed the co-pay charge.**
- \* Submit your request to the Health Services staff by cop-out and ask to be placed on the waiting list.
- \* If you need prescription eyeglasses, we will order a pair for you.
- \* You may also request a copy of your eyeglass prescription for purchasing eyeglasses at your own expense. Personal eyewear may be mailed directly to the institution from a reputable eye wear business, or from a family member. These eyeglasses must arrive in a soft case; hard cases are prohibited and may result in the package being refused. **This does not cover over-the-counter, non-prescription reading glasses. These are available through the commissary.**
- \* Contact lenses are **unauthorized** at the institution. Unless Health Services staff determine that contact lenses are medically necessary, you will be required to send the contact lenses home as soon as prescription eyewear can be provided for you. **If staff become aware of an inmate who is in possession of contact lenses, and who has not reported this to staff, that inmate may be subject to disciplinary action.**

## XIII. MEDICAL DUTY STATUS

The Health Services Unit assigns two (2) different types of fitness for duty status:

**Regular Duty:** You will be expected to work anywhere in the institution that you are assigned and can participate in all institutional activities.

**Regular Duty With Restrictions:** You are to follow currently assigned restrictions as noted in your health record.

**Lower Bunk assignments:** The following are indications for consideration for lower bunk assignment: Insulin dependent diabetics; amputees; immediate post surgical recovery; documented sleep walking; documented seizure disorder; over 59 years of age; documented history of extensive orthopedic surgeries; obvious joint/bone deformity; or weight, which will be evaluated on a case by case request.

If clinically indicated, the lower bunk assignment will be in conjunction with an athletic restriction on weight lifting.

## XIV. MEDICAL IDLE, BED REST, AND CONVALESCENCE STATUS

Occasionally it is necessary to restrict an inmate's activities for a short period of time. In such cases, inmates can be placed on medical idle, bed rest or convalescence status.

1. **Medical Idle:** Inmates placed on this status will not be allowed to work, participate, or observe athletic activities at Nash Gym, all-purpose courts, softball diamond, or the recreation yard. Inmates will also not be allowed to attend school or go to the law library or the music room. They will be allowed to move freely about the unit, watch television, honor medical call-outs, and attend religious services.
2. **Bed Rest:** Inmates in this status will be confined to their bed except for meals and authorized medical appointments. They will not be permitted to move about the unit unless otherwise specified, and they will be restricted from all detail assignments and athletic activities. They will not be permitted to honor call-outs, attend school, perform any work, or be permitted to participate in community programs. They will be allowed attorney and religious visits, unless specifically prohibited.

3. **Convalescence:** Inmates will be placed in this assignment when a recovery period is needed (i.e. following hospitalization, surgical procedures, and injuries). Inmates placed on this status will not be allowed to work or participate in court sports to include softball, soccer, handball or tennis. They will be allowed to attend school, observe sporting events, participate in limited use of the stationary bikes, walk on the walking track, and play bocce.

All temporary absences as noted above end at 0001 hours following the ending date on the medical slip.

## **XV. LIVING WILLS**

You have the right to request information on the procedure to obtain a living will document at your own expense and through your private attorney. A copy of this document will be kept on file in your health record. A valid living will document will be recognized in the event you would become hospitalized, as an inpatient, at a community hospital or BOP medical referral center.

## **XVI. INFECTIOUS DISEASE EDUCATION**

- \* In the near future, you will be scheduled for an Infectious Disease lecture as part of the Health Services Department's A&O process.
- \* Today you have received a copy of the brochure Sexually Transmitted Diseases; Questions and Answers as You Enter This Correctional Facility . This topic will be further explored during the infectious disease lecture.
- \* Upon your release, you will receive a copy of the brochure entitled Sexually Transmitted Diseases; Questions and Answers for When You Return to the Community.

## **XVII. GRIEVANCE PROCEDURES**

- \* If you have a concern regarding some aspect of your healthcare, (i.e. co-pay charges, utilization review committee decisions), you may submit a request to the Health Service Administrator, via Request to a Staff Member form, to review the situation and make any adjustments, if indicated.

## **XVIII. RIGHTS AND RESPONSIBILITIES**

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

### **Health Care Rights:**

**1. You have the right to access health care services based on the local procedures at your institution. Health Services include medical, dental and all support services. If inmate co-pay system exists in your institution, health services cannot be denied due to lack (verified) of personal funds to pay for your care.**

### **Health Care Responsibilities:**

**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.**

<p><b>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.</b></p>	<p><b>2. You have the responsibility to treat these providers as professionals and follow their instructions to maintain and improve your overall health.</b></p>
<p><b>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.</b></p>	<p><b>3. You have the responsibility to address your concerns in the accepted format, such as the Inmate Request to Staff form, main line, or the accepted Inmate Grievance Procedures.</b></p>
<p><b>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.</b></p>	<p><b>4. You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.</b></p>
<p><b>5. You have the right to be provided with information regarding your diagnosis, treatment and prognosis. This includes the right to be informed of health care outcomes that differ significantly from the anticipated outcome.</b></p>	<p><b>5. You have the responsibility to keep this information confidential.</b></p>
<p><b>6. You have the right to obtain copies of certain releasable portions of your health record.</b></p>	<p><b>6. You have the responsibility to be familiar with the current policy and abide by such to attain these records.</b></p>
<p><b>7. You have the right to be examined in privacy.</b></p>	<p><b>7. You have the responsibility to comply with security procedures should security be required during your examination.</b></p>
<p><b>8. You have the right to participate in health promotion and disease prevention programs, including those providing education regarding infectious disease.</b></p>	<p><b>8. You have the responsibility to maintain your health and not to endanger yourself, or others, by participating in activity that could result in the spreading or catching an infectious disease.</b></p>
<p><b>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.</b></p>	<p><b>9. You have the responsibility to communicate with your health care provider honestly regarding your pain and your concerns about your pain. You also have the responsibility to adhere to the prescribed treatment plan and medical restrictions. It is your responsibility to keep your provider informed of both positive and negative changes in your condition to assure timely follow-up.</b></p>
<p><b>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.</b></p>	<p><b>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.</b></p>

<p><b>11. You have the right to be provided healthy and nutritious food. You have the right to instruction regarding a healthy diet.</b></p>	<p><b>11. You have the responsibility to eat healthy and not abuse or waste food or drink.</b></p>
<p><b>12. You have the right to request a routine physical examination, as defined by Bureau of Prison's policy. (If you are under the age of 50, once every two years; if over the age of 50, once a year and within one year of your release.</b></p>	<p><b>12. You have the responsibility to notify medical staff you wish to have an examination.</b></p>
<p><b>13. You have the right to dental care as defined in Bureau of Prison's policy to include preventative services, emergency care and routine care.</b></p>	<p><b>13. You have the responsibility to maintain your oral hygiene and health.</b></p>
<p><b>14. You have the right to a safe, clean and healthy environment, including smoke-free living areas.</b></p>	<p><b>14. You have the responsibility to maintain the cleanliness of personal and common areas and safety in consideration of others. You have the responsibility to follow smoking regulations.</b></p>
<p><b>15. You have right to refuse medical treatment in accordance with Bureau of Prison's 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.</b></p>	<p><b>15. You have the responsibility to notify health services regarding any ill-effects that occur as a result of your refusal. You also accept the responsibility to sign the treatment refusal form.</b></p>

## **CONTACT WITH THE COMMUNITY AND PUBLIC CORRESPONDENCE**

In most cases, inmates are permitted to correspond with the public, family members, and others without prior approval or the maintenance of a correspondence list. Outgoing mail is placed in mailboxes located in the Warren Center. Outgoing mail may be sealed in accordance with the Bureau's open correspondence privileges for minimum security institutions. The outgoing envelope must have the Federal Prison Camp inmate's name, register number, and return address in the upper left hand corner.

Inmates must assume responsibility for the contents of all of their letters. Correspondence containing threats or extortion may result in disciplinary action or referral for prosecution of violation of federal laws.

Inmates may be placed on restricted correspondence status based on misconduct or for security reasons. The inmate is notified of this placement and has the opportunity to respond. There is no mail service on weekends or holidays.

### **OUTGOING MAIL**

Inmates are responsible for placing outgoing correspondence in the mailbox located in Warren Center. It shall be stamped and sealed with the proper return address.

### **INCOMING CORRESPONDENCE**

Mail will be distributed to the inmates Monday through Friday (except holidays) by the Unit Officer. Legal and special mail will be delivered by the Correctional Counselors as soon as possible after it is received. The number of incoming letters an inmate may receive will not be limited unless the number received places an unreasonable burden on the institution.

Inmates are asked to advise those writing to them to put the inmate's register number and unit on the envelope to aid the prompt delivery of mail.

All inmate packages received at the institution must have prior authorization as described on page 31 under "Packages". Without prior authorization, all packages will be returned to the sender.

## **INCOMING PUBLICATIONS**

The Bureau permits inmates to subscribe to and receive publications without prior approval. However, hardcover publications and newspapers must come only from a publisher, book club, or bookstore. An inmate at FPC Yankton may receive other soft-cover materials (for example, paperback books, newspaper clippings, or magazines) from any source.

However, this and other such material (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 or business. A package received in the absence of an appropriately completed BP Form 331, or the markings as stated above, will be considered unauthorized and will be returned to the sender. The package will be noted "REFUSED- RETURN TO SENDER-- AUTHORIZATION FOR RECEIPT NOT OBTAINED" or words to that effect.

## **SPECIAL MAIL**

Special Mail includes mail received from the following: President and Vice-President of the United States, Attorneys, Members of U.S. Congress, Embassies and Consulates, the U.S. Department of Justice (excluding the Bureau of Prisons), other federal law enforcement officers, U.S. Attorneys, Prosecuting Attorneys, Governors, U.S. Courts and State Courts.

## **INCOMING SPECIAL MAIL**

For incoming correspondence to be treated as Special Mail, it must (1) have the statement "SPECIAL MAIL-OPEN ONLY IN THE PRESENCE OF THE INMATE", written on the face of the envelope, and (2) the sender must be adequately identified. The attorney's name, title, and address must be clearly indicated in the return address portion of the envelope.

A staff member will open incoming Special Mail in the presence of the inmate. This is usually done by the Correctional Counselor. These items will be checked for physical contraband and for qualification as special mail. Without adequate identification as Special Mail, staff will treat the mail as general correspondence. In this case, the mail may be opened, read, and inspected.

## **OUTGOING SPECIAL MAIL**

The outgoing special mail drop-box in Warren Center has been eliminated. Open House for mailing out **special mail only** will be held Monday through Friday from 7:45 A.M. to 8:00 A.M. excluding holidays and weekends. All inmates must deliver their own outgoing special mail directly to the Mail Room open house window and bring their Inmate account card for identification purposes. Outgoing special mail must have the accurate return address. 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 may still be sealed by the inmate before submitting directly to staff for further processing. The routine Mail Room Open House will still be conducted Tuesdays and Thursdays from 11:30A.M. to 12:00 P.M.

In addition, outgoing special mail weighing 16 ounces or greater must be processed as a package according to Bureau of Prisons P.S. 5800.10, Section 314, Mail Management. A Request-Authorization to Mail Inmate Package, form BP-329, must be completed by the inmate and brought to the Mail Room along with the package to be mailed out and the Supervisory Correctional Systems Specialist or CMC will sign the package authorization as the approving official at that time.

The private nature of outgoing special mail communication will not be compromised and will be processed in accordance with Bureau policy with regard to time-frames and these modified procedures. If you have any questions, please address them to Kathy Schwader, Supervisory Correctional Systems Specialist.

## **INMATE CORRESPONDENCE WITH REPRESENTATIVES OF THE NEWS MEDIA**

An inmate may write to representatives of the news media if specified by name or title.

An inmate may not receive compensation or anything of value for correspondence with the news media. The inmate may not act as a reporter, publish under a byline, or conduct a business or profession while in federal custody.

Representatives of the news media may initiate correspondence with an inmate. Correspondence from a representative of the news media will be opened, inspected for contraband, for qualification as media correspondence, and for content which may promote either illegal activity or conduct contrary to regulations.

## **CORRESPONDENCE BETWEEN CONFINED INMATES**

Refer to current policy on how to request correspondence approval with another inmate. Ordinarily this privilege is only extended to members of the immediate family and co-defendants with pending appeals. All requests for these privileges are initiated at the Unit Team level.

## **REJECTION OF CORRESPONDENCE**

The Warden may reject correspondence or a publication sent by or to an inmate if it is determined to be detrimental to the security, good order, or discipline of the institution, to the protection of the public, or if it might facilitate criminal activity. Examples include:

It depicts or describes procedures for the construction or use of weapons, ammunition, bombs, or incendiary devices.

It depicts, encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings, or similar descriptions of Bureau of Prisons' institutions.

It depicts or describes procedures for the brewing of alcoholic beverages or the manufacture of drugs.

It is written in code.

It depicts, describes, or encourages activities which may lead to the use of physical violence or group disruption.

It encourages or instructs in the commission of criminal activity.

It is sexually explicit material that by its nature or content poses a threat to the security, good order, or discipline of the institution.

Matter which is non-mailable under law or postal regulations.

Information of escape plots, of plans to commit illegal activities, or to violate institution rules.

Direction of an inmate's business (prohibited act 408). An inmate may not direct a business while confined.

## **NOTIFICATION OF REJECTION**

The Warden will give written notice to the sender concerning the rejection of mail and the reasons for rejection. The sender of the rejected correspondence may appeal the rejection. The inmate will also be notified of the rejection of correspondence and the reasons for it. The inmate also has the right to appeal the rejection within 20 days of receipt. Rejected correspondence ordinarily will be returned to the sender.

## **PACKAGES**

The department authorizing a package will be responsible for picking up and distributing approved packages to the inmate. A copy of the authorization will be forwarded to R & D for filing. The authorizing department will ensure any package containing an unauthorized item will result in the entire package being refused and returned to the sender at the inmate's expense or donated to the institution within two weeks. The authorizing department is responsible for all processing transactions.

All packages for release clothing must be authorized in advance by the inmate's unit team. A BP-331(58), Authorization to Receive Package or Property, will be completed with the notation "RELEASE PACKAGE" (for filing purposes) written on the top of the form. The original and two copies will be forwarded to the mail room. Two copies will be given to the inmate with instructions to have his correspondent enclose one copy within the package. The package may not be allowed in until the inmate is within thirty days of release. Once the package is received into the institution, it will be delivered to the R & D area for further processing. (See Program Statement 5800.10, chapter 3, paragraph 310, for further instructions.)

All outgoing inmate packages must have a Request Authorization to Mail Inmate Package BP-239(58) filled out and signed when staff deliver the package to the mail room.

Recreation Staff: Will authorize all inmate packages with recreation and hobby craft items. This will follow the policy found in the institution supplement, Inmate Recreation Programs.

Education Staff: Will authorize all inmate packages containing any education materials.

Correctional Counselors: Will authorize only packages that do not contain any of the above items.

Medical Staff: Will authorize all inmate packages containing any medical materials.

The staff member authorizing the package will seal the package in front of the inmate and will deliver the package to the mail room. The inmate will place the needed postage on the package at the next open house. Packages which do not have postage placed on them at the next mail room open house will be returned to the department authorizing the package. At this time it may be considered contraband and be disposed of following the directions found in Program Statement 5580.07, Inmate Personal Property.

### **CHANGE OF ADDRESS/FORWARDING OF MAIL**

The institution mail room will forward general correspondence for 30 days, after which it will be returned to sender.

### **CERTIFIED AND REGISTERED MAIL**

Inmates wanting to send certified, registered, or insured mail are to report to the mail room staff who will determine weight, and postage.

### **FUNDS RECEIVED THROUGH THE MAIL**

Cash/negotiable instruments cannot be received at FPC Yankton for posting to an inmate's account. See page 12, Inmate Accounts, on how family/friends can mail funds in order to be posted to your account.

### **INMATE TELEPHONE SYSTEM (TruFone)**

There are telephones in the units for inmate use. No 3<sup>rd</sup> party, credit card, or call forwarding calls can be made on these lines. No toll free numbers are to be called. Telephones are to be used for lawful purposes only. Threats, extortion, etc. may result in disciplinary action and or prosecution. Loud and abusive language over the telephone is strictly prohibited. All inmate telephones are subject to monitoring and recording. Inmates must contact their Unit Team to arrange an unmonitored legal call. Telephones will not be used to conduct business. Institution telephones may not be used without permission of a staff member. Payment for calls made from institution telephones will be paid via the inmates commissary account.

Program Statement 5264.08, Inmate Telephone Regulations, Section 8, states, "To ensure the safety and security if the institution and community, inmates must place all personal telephone calls through the ITS and must not circumvent it via call forwarding, including automatic electronic forwarding or any similar telephone function."

Numerous companies are soliciting inmates and persons in the community offering local telephone services for domestic and international calls using Voice Over Internet Protocol (VOIP), or similar technology. Telephone calls made through these private service providers, using VOIP or other technology, may transfer telephone calls to a destination telephone number that is different than that which was dialed by the inmate using the ITS. If staff determine the destination telephone number is assigned to the service provider itself, rather than an individual or authorized entity, the above referenced policy is violated. Inmates may be subject to disciplinary action.

Inmates wishing to make phone calls must create a contact in Trulincs with the phone number to be called. Although two telephone numbers may be entered per contact, your TOTAL approved telephone numbers cannot exceed 30.

Inmates will be issued a phone access code (PAC) which will be required to use the Inmate Telephone System. The PAC number should be kept confidential and should not be shared with anyone. If the PAC number is compromised notify unit staff immediately. If problems occur with the telephone system send a cop-out to the Business Office indicating the phone number/date/time and specific problem you are having. The form with your phone access code will also have dialing instructions. Inmates can make up to 300 minutes of calls per month. This is any combination of direct and collect calls.

All telephone calls will be limited to fifteen (15) minutes and there will be a thirty (30) minute waiting period between completed calls.

### **INMATE TELEPHONE HOURS**

Telephones will be turned on during the following times:

Monday - Friday	6:00 AM - 7:30 AM
	10:30 AM - 12:30 PM
	5:00 PM - 10:00 PM
	10:30 PM - 11:30 PM

Saturday - Sunday

& Federal Holidays      6:00 AM - 10:00 AM  
   11:00 AM - 4:00 PM  
   5:00 PM - 10:00 PM  
   10:30 PM - 11:30 PM

All telephone calls will be limited to fifteen (15) minutes and there will be a thirty (30) minute waiting period between completed calls.

**The following should be used to transfer money or check account balances:**

**¶118" BALANCES AND OPTIONS**

All balances and options will be given to an inmate after dialing ¶118" and his Phone Access Code (PAC). The inmate will be given a list of menu options. All responses shall be spoken to the inmate in the language selected, using the Telephone Request Form.

Inmate:            Dials 118 from any TruFone telephone  
System:           Provides response ¶enter PAC number now¶ (the system shall be capable of accepting the PAC digits simultaneously while providing the voice messaging)  
Inmate:           Enters PAC  
System:           Provides menu options  
                         ¶Press 1            FOR YOUR TruFone BALANCE¶  
                         ¶Press 2            FOR YOUR COMMISSARY BALANCE¶  
                         ¶Press 3            TO TRANSFER FUNDS¶  
                         ¶Press 4            TO HEAR COST OF LAST CALL¶  
                         ¶Press 5            FOR NUMBER OF CALL MINUTES REMAINING¶

Upon selection by an inmate the individual processes will be as follows;

- #1      For your TruFone Account Balance  
         a) System:    ¶your TruFone Account Balance is (amount)¶
  
- #2      For your Commissary balance  
         a) System:    ¶Your Commissary balance is (amount)¶
  
- #3      To transfer funds  
         a) System:    ¶your TruFone account balance is (amount), your commissary account balance is (amount). Enter the amount in whole dollars which you would like to transfer to your telephone account, followed by the # sign.¶ Press ¶1' to confirm amount. Both new balances are announced.
  
- # 4      The cost of your last call  
         a) System:    ¶the cost of your last call is (amount)
  
- # 5      For the number of call minutes  
         a) System:    ¶press 1 for the collect call minutes remaining¶  
                         ¶press 2 for the direct dial minutes remaining¶  
                         ¶press 3 for the total calling minutes remaining¶

A.      Telephones/E-mail are to be used for lawful purposes only. Threats extortion, conducting a business, insolence, etc., may result in disciplinary action and/or prosecution.

B.      No 3rd party, credit card, or call forwarding calls can be made on these lines.

C.      All calls/E-mails are subject to monitoring and recording. These can be monitored by all staff at any time. As such, you know staff can hear/read these communications. If you are insolent toward staff during these communications, you will be charged with insolence.

C.      Attorney/legal calls will be made through the Unit Team and will not be monitored or recorded. Contact your Case Manager or Counselor.

## **VISITING**

Inmates are encouraged to have visits in order to maintain family and community ties. Visiting may be limited due to overcrowding. On occasion, your visit can be cancelled due to severe overcrowding. To allow visiting on an equitable basis, a 3-week rotation schedule based on your register number is utilized. See your assigned counselor for further information.

New inmates are asked to submit a visiting list which will be given to their Counselor for approval. You are responsible for informing your visitors when they are approved to visit. Visitors arriving at the institution without being approved will not be allowed to visit. Counselors will inform each inmate of the vouchering process required prior to approval. All visitors are required to complete the visiting questionnaire in its entirety, including telephone and social security numbers. Visiting lists do follow from your last institution, but visitors need to be re-approved by your Counselor prior to them being allowed to visit. Advise your family and friends not to attempt to visit until you have received an approved visitors list from your counselor.

Social visits are permitted on Fridays, from 4:30 P.M. to 9:15 P.M., and on Saturdays, Sundays, and federal holidays from 8:15 A.M. to 3:00 P.M.

On Saturdays, Sundays, and federal holidays, there will be a 10:00 A.M. count. Visitors will be allowed to enter the visiting room until 9:15 A.M. Visitors arriving after 9:15 A.M. will not be allowed to visit until the 10:00 A.M. count clears. Visitors will not be allowed entrance after 8:30 P.M. on evening visits and after 2:30 P.M. on day visits.

Inmates must wear a full khaki uniform, neatly pressed and tucked, while visiting. The wearing of a white T-shirt for an outer garment is not permissible. Inmates are required to wear underwear. Institutional shoes or civilian shoes, including tennis shoes, are the only footwear authorized in the visiting room. No thongs, shower shoes, or slippers may be worn without authorization of the hospital. No sweat shirts or sweat pants may be worn in the visiting room. The inmate may have in his possession one handkerchief, one wedding ring, one comb and one pair of prescription glasses. Any deviation from the allowable items (i.e. bringing a watch) or arriving for a visit in inappropriate clothing will result in the inmate being sent back to his unit to return the non-allowable item or change to a more presentable uniform whichever is the case.

Visitors must be properly dressed. Short shorts, halter tops, and other clothing of a suggestive or revealing nature will not be permitted in the visiting room. Footwear must be worn by all visitors. All visits will begin and end in the visiting room. Kissing, embracing, and handshaking are allowed only on arrival and departure. Lengthy visiting with other inmates or their visitors in the institution's visiting areas is unauthorized.

The inmate and his adult visitors will be responsible for the conduct of their child visitors. Conduct of children must not interfere with the orderly running of the visiting room or other inmate visits. Inmates will be expected to pick up after themselves and their child visitors. Inmates and their family are expected to control their children. Failure to do so may result in termination of the visit.

Inmates will enter the visiting room through the south entrance of Fargo building. Visitors will use the north entrance of Fargo building. All visitors are required to park on the public street which is located behind Fargo building. Handicapped parking is identified by the building.

Inmates are permitted to visit every 3rd weekend on a rotating basis. Visiting weekends are determined by the fifth digit of your register number. Visiting times are posted in the housing units and visiting room.

Visitors arriving any time other than your visiting weekend or that are not on your approved visiting list will be turned away regardless of how far they may have traveled. If you require a visit outside of your normal visiting weekend or that is contrary to posted visiting regulations, i.e., more than 6 wanting to visit, must be pre-approved by the Captain via inmate Request to Staff Member (Cop-out).

Inmates assigned to the Special Housing Unit will be allowed 1- one hour visit on either Saturday or Sunday of their regular visiting weekend, with up to two immediate family members. This visit will be conducted via telephone "through the glass" in the Special Housing Unit and will be directly supervised by a staff member.

Family members wishing to visit an inmate assigned to the Special Housing Unit will report directly to the regular Visiting Room, processed in and given instruction by staff on how and where to proceed next.

## **IDENTIFICATION OF VISITORS**

A valid photo identification is required for visitors. This may include a state driver's license or state I.D. card. Birth certificates are not considered proper identification. Persons without proper identification will not be permitted to visit. All adult visitors will have their photo taken.

## **ITEMS AUTHORIZED IN THE VISITING ROOM**

The only authorized items allowed in the Visiting Room are the following: identification, keys, money for vending machines, feminine hygiene products, diapers and bottles for immediate infant care and asthmatic inhalers. Any item brought into the institution is subject to search. Diaper bags or strollers will not be allowed. Diapers and baby bottles will be carried in hand or in a clear plastic bag. Visitors may carry no more than one clear plastic change purse (approximately 5" X 8").

When medication is necessary, it will be kept by the Visiting Room Officer, except cardiac medication and asthmatic inhalers, which may be kept by the visitor or inmate.

It is suggested visitors leave large purses and other personal items at home or in the vehicles. Visitors may be asked to submit to a search and will be checked with a metal detector. No food may be brought into the visiting room, but vending machines are available. Advise your visitors the use of these machines is done so at their own risk.

Inmates are not allowed to receive money from visitors for deposit to their commissary account. Inmates are not allowed to handle or have in their possession any type of money. Visitors desiring to bring cash into the visiting room are limited to \$25.00 in increments of 1's 5's and ten's.

## **VISITOR INFORMATION**

Institution Telephone Number: 605-665-3262

The Federal Prison Camp, Yankton, SD, is located approximately 60 miles northwest of Sioux City, Iowa, and 85 miles southwest of Sioux Falls, South Dakota, and is located at 10th & Douglas. The Visiting Room is located on 12th & Douglas adjacent to Crane Youngworth Football Stadium (High School Field). Deans cab service, 104 Murphy Ln • Yankton • (605) 665-4551 is also available for transportation needs. Sioux Falls Regional Airport is also available for transportation purposes and is located at 2801 N Jaycee Ln, Sioux Falls, SD (605) 332-2223.

## **SPECIAL VISITS**

Inmates having special visiting requests must submit an Inmate Request to Staff Member to the Captain for approval. These are unscheduled visits, not included in the inmate's visiting list. They include clergy, potential employers, or immediate family members not included on the approved visiting list.

## **ACCESS TO LEGAL SERVICES**

### **LEGAL CORRESPONDENCE**

Legal correspondence from attorneys will be treated as special mail if it is properly marked. The envelope must be marked with the attorney's name and an indication that he or she is an attorney. The front of the envelope must be marked "Special Mail - open only in the presence of the inmate." It is the responsibility of the inmate to advise his attorney about this policy. If legal mail is not properly marked, it will be treated as general correspondence.

### **ATTORNEY VISITS**

Attorneys must make advance appointments for each visit. Attorneys are encouraged to visit during the regular visiting hours. However, visits from an attorney can be arranged at other times based on the circumstances of each case and available staff. Attorney visits will be subject to visual monitoring, but not audio monitoring. Contact your Case Manager for further information on arranging an attorney visit.

### **LEGAL MATERIAL**

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



## **INMATE ACCESS TO OTHER DOCUMENTS**

An inmate can request access to the "Non-Disclosable Documents" in his central file and medical file, or other documents concerning himself that are not in his central file or medical file, by submitting a "Freedom of Information Act Request" to the Director of the Bureau of Prisons, Attention: FOI Request, 320 First Street, NW, Room 654, Washington, DC 20534. Such a request must briefly describe the nature of records requested and approximate dates covered by the record. The inmate must also provide his register number and date of birth for identification purposes.

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

## **EXECUTIVE CLEMENCY**

The Bureau advises all inmates that the President of the United States is authorized under the Constitution to grant executive clemency by pardon, commutation of sentence, or reprieve. A pardon is an executive act of grace that is a symbol of forgiveness. It does not connote innocence nor does it expunge the record of conviction. A pardon can be in "full" or "partial" depending on whether it absolves a person from all or a portion of the crime. A pardon may have conditions imposed upon it or it can be "absolute", which is without conditions of any kind. A pardon restores basic civil rights and facilitates the restoration of professional and other licenses that may have been lost by reason of the conviction. Other forms of executive clemency include commutation of sentence (a reduction of sentence imposed after a conviction), and a reprieve (the suspension of execution of a sentence for a period of time). Inmates should contact their assigned Case Manager for additional information regarding this program.

## **COMMUTATION OF SENTENCE**

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

A pardon may not be applied for until the expiration of at least five years from the date of release from confinement. In some cases involving crimes of a serious nature, such as violation of narcotics laws, gun control laws, income tax laws, perjury, and violation of public trust involving personal dishonesty, fraud involving substantial sums of money, violations involving organized crime, or crimes of a serious nature, a waiting period of seven years is usually required.

## **PROBLEM RESOLUTION**

### **INMATE REQUESTS TO STAFF MEMBER**

An Inmate Request To Staff Member form, commonly called a "cop-out", is used to make a written request to a staff member.

Any type of request can be made with this form. "Cop-Outs" may be obtained in the housing units from the Correctional Officer or Unit Management staff on duty. Staff members who receive a "Cop-Out" will answer the request in a "reasonable" period of time.

### **ADMINISTRATIVE REMEDY PROCESS**

The Bureau of Prisons encourages the resolution of complaints on an informal basis. An inmate may resolve a problem informally by contact with staff members or "cop-outs". When informal resolution is not successful, however, a formal complaint can be filed as an Administrative Remedy. Complaints regarding Tort Claims, Inmate Accident Compensation, Freedom of Information or Privacy Act Requests, and complaints on behalf of other inmates are not accepted under the Administrative Remedy Procedure.

The first step of the Administrative Remedy procedure is the documentation of the informal resolution attempts. Inmates may present their complaints to their Correctional Counselor.

The counselor will complete the informal resolution sheet and will attempt to resolve the issue raised usually within three days.

If the issue cannot be informally resolved, the Counselor will issue a BP-229 form. The inmate will return the completed form to the Correctional Counselor. The BP-9 complaint must be filed within twenty calendar days from the date on which the basis for the incident or complaint occurred, unless it was not feasible to file within that period of time. Institution staff have twenty calendar days to act on the complaint and to provide a written response to the inmate. This time limit for the response may be extended for an additional twenty calendar days, but the inmate will be notified of the extension.

When a complaint is determined to be of an emergency nature and threatens the inmate's immediate health or welfare, the reply must be made as soon as possible, and within forty-eight hours from receipt of the complaint.

If the inmate is not satisfied with the response to the BP-9, he may file an appeal to the Regional Director. This appeal must be received in the Regional Office within twenty calendar days from the date of the BP-9 response. The Regional Appeal is written on a BP-230 (BP-10) form, and must have a copy of the BP-9 form and response attached. The Regional Appeal must be answered within thirty calendar days, but the time limit may be extended an additional thirty days. The inmate will be notified of the extension.

If the inmate is not satisfied with the response by the Regional Director, he may appeal to the Central Office of the Bureau of Prisons. This appeal must be received in the Central Office within 30 calendar days from the date of the BP10. The National Appeal must be made on a BP-231 (BP-11) form and must have copies of the BP-9 and BP-10 forms with responses. The BP-11 form may be obtained from the Correctional Counselor. The National Appeal must be answered within forty calendar days, but the time limit may be extended an additional twenty days if the inmate is notified.

In writing a BP-229 (BP9), BP-230 (BP10), or BP-231 (BP11), the form should be written in three sections:

Statement of Facts

Grounds for Relief

Relief Requested

## **SENSITIVE COMPLAINTS**

If an inmate believes a complaint is of such a sensitive nature that he would be adversely affected if the complaint became known to the institution, he may file the complaint directly to the Regional Director. The inmate must explain, in writing, the reason for not filing the complaint with the institution. If the Regional Director agrees that the complaint is sensitive, it shall be accepted and a response to the complaint will be processed.

If the Regional Director does not agree that the complaint is sensitive, the inmate will be advised in writing of that determination. If the complaint is not determined to be sensitive, it will be returned. The inmate may then pursue that matter by filing a BP-9 at the institution.

## **RELEASE**

### **SENTENCE COMPUTATION**

The Designations and Sentence Computation Center in Grand Prairie, TX, is responsible for the computation of inmate sentences. An inmate will be given a copy of his sentence computation by the Records Office within approximately thirty days of arriving to FPC Yankton.

Any questions about good time, jail time credit, parole eligibility, full term dates, release dates, or periods of supervision, are resolved by staff upon inmate request for clarification.

### **FINES AND COSTS**

In addition to jail time, the court may impose a committed or non-committed fine or costs. Committed fines mean that the inmate will stay in prison until the fine is paid, makes arrangements to pay the fine, or qualifies for release under the provisions of Title 18 USC, Section 3569 (pauper's oath). Non-committed fines have no condition of imprisonment based on payment of fines or costs. Payment for a non-committed fine or cost is not required for release from prison.

## DETAINERS

Warrants (or certified copies of Warrants) based on pending charges, over-lapping, consecutive, or unsatisfied sentences in federal, state, or military jurisdictions, will be accepted as detainers. Detainers and untried charges can have an effect on institutional programs. Therefore, it is very important that the inmate initiate efforts to clear up these cases to the degree he can.

Case Management staff may give assistance to offenders in their efforts to have detainers against them disposed of, either by having the charges dropped, by restoration to probation or parole status, or by arrangement for concurrent service of the state sentence. The degree to which the staff can assist in such matters as these will depend on individual circumstances.

State detainers may be quickly processed under the procedures of the "Interstate Agreement on Detainers."

This agreement applies to all detainers based on pending charges which have been lodged against an inmate by a "member" state, regardless of when the detainer was lodged. For an inmate to use this procedure, the warrant must be lodged with the institution. If no detainer is actually lodged at the institution, but the inmate knows of pending charges, it is important for the inmate to contact the court and district attorney because, in some states, the detainer notice may start the time running for a Speedy Trial Act Agreement.

Prior Custody Credit or Jail Credit (Title 18 USC 3585 (b) (1)(b)(2)) for new law sentences: Any time spent in official detention from the date of federal offense to imposition of sentence, may be eligible for prior custody credit, if it has not been credited toward the service of another sentence. Any time spent in a halfway house, treatment center, or home confinement **AS A CONDITION OF BOND**, is usually not applicable.

## GOOD CONDUCT GOOD TIME

This applies to inmates sentenced for an offense committed after November 1, 1987.

The Comprehensive Crime Control Act became law November 1, 1987. The two most significant changes in the sentencing statutes deal with good time and parole issues. There are no provisions under the new law for parole. The only good time available is fifty-four days per year of good conduct time. This may not be awarded until the end of the year and may be awarded in part or in whole, contingent upon behavior during the year. Once awarded, it is vested and may not be forfeited. There is no statutory good time or extra good time for offenders who committed their crimes after November 1, 1987.

**Sentence Reform Act (SRA)**-For offenses committed on or after November 1, 1987, but prior to September 13, 1994. These sentences earn good conduct time credit at a rate of 54 days for each year served except for:

-Sentences of imprisonment less than or equal to one year.

-Sentences of imprisonment for the duration of one's life.

For each year served, 54 days (minus disallowance, if any) will be deducted from your tentative full term date. Credit earned during the last year if it is a portion of a full year shall be prorated. Unlike "Old Law" good time, credit which has been vested may not be withdrawn. Likewise, credit which has not been earned may not be granted later.

## VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT (VCCLEA) AND PRISON LITIGATION REFORM ACT ( PLRA) SENTENCES

The **VCCLEA** provisions apply to offenses which were committed on or after September 13, 1994, but prior to April 26, 1996. Two of the SRA sections amended by the VCCLEA have major sentencing implementation significance. Those sections are **18 U.S.C. § 3621(e) (Substance abuse treatment)** and **§ 3624(b) (Credit for service of sentence for satisfactory behavior)**.

The **VCCLEA** added subsection **§ 3621(e)**, which authorizes a method of early release for those qualified prisoners who successfully complete a drug treatment program.

This new provision is discussed in the Inmate Drug Abuse Program Manual and various Operations Memoranda.

The **VCCLEA** amendments to **§ 3624(b)** create distinctions between violent and non-violent offenders and prisoners who have a high school diploma or equivalency, or are making satisfactory progress towards same. These distinctions can affect the awarding, disallowing and vesting of good conduct time, and may affect a prisoner's participation in certain programs.

The **PLRA** provisions are effective for offenses committed on or after April 26, 1996. 18 U.S.C. § 3624(b) was amended to hold **all prisoners** to an "exemplary compliance" standard for violations of institutional rules and regulations. In addition, the amendment further requires the Bureau to consider educational progress toward earning a high school diploma or an equivalent degree in awarding good conduct time credits. The PLRA also specifies that good conduct time shall vest on the date the prisoner is released from custody. This means that all earned good conduct time for the year, or years, preceding the current or prorated year, is available for forfeiture throughout service of the sentence. Good conduct time for the current or prorated year may be disallowed.

Please note that the § 3624(b) **VCCLEA** provisions apply to any offense committed during the period of time from September 13, 1994, to April 26, 1996.

**THE GOOD TIME DISCUSSIONS BELOW APPLY ONLY TO INMATES WHOSE CRIMES WERE COMMITTED PRIOR TO NOVEMBER 1, 1987.**

**GOOD TIME**

"Good Time" awarded by the Bureau of Prisons under statutes enacted prior to November 1, 1987, has the effect of reducing the stated term of the sentence -- that is, it advances the date when release will be mandatory if the offender is not paroled at an earlier date.

The award of good time does not in itself advance the offender's release date. It has that effect only if the offender would not otherwise be paroled before the mandatory date.

The behavior for which good time is awarded may also be considered by the Parole Commission in setting a parole date. This is not always done. However, even when it is, the extent of the benefit to the offender may not be equivalent to the good time earned.

**STATUTORY GOOD TIME**

Under 18 U.S. Code 4161, an offender sentenced to a definite term of six months or more is entitled to a deduction from his term, computed as follows, if the offender has faithfully observed the rules of the institution and has not been disciplined:

- Not greater than one year - five days for each month of a sentence not less than six months or no more than one year sentence
- More than one year, less than three years - six days for each month of the stated sentence
- At least three years, less than five years - seven days for each month of the stated sentence
- At least five years, less than ten years - eight days for each month of the stated sentence
- Ten years or more - ten days for each month of the stated sentence

At the beginning of a prisoner's sentence, the full amount of statutory good time is credited, subject to forfeiture if the prisoner commits disciplinary infractions.

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

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

**THE FOLLOWING APPLIES ONLY TO INMATES SENTENCED FOR AN OFFENSE COMMITTED PRIOR TO November 1, 1987.**

**EXTRA GOOD TIME**

The Bureau of Prisons awards extra good time credit for performing exceptionally meritorious service, or for performing duties of outstanding importance, or for employment in an industry or camp.

An inmate may earn only one type of good time award at a time (e.g., an inmate earning industrial or camp good time is not eligible for meritorious good time), except that a lump sum award may be given in addition to another extra good time award. Neither the Warden nor the Disciplinary Hearing Officer may forfeit or withhold extra good time.

The Warden may disallow or terminate the awarding of any type of extra good time (except for lump sum awards), but only in a non-disciplinary context and only upon recommendation of staff. The Disciplinary Hearing Officer may also disallow or terminate the awarding of any type of extra good time (except lump sum awards) as a disciplinary sanction. Once an awarding of meritorious good time has been terminated, the Warden must approve a new staff recommendation in order for the award to re-commence. A "disallowance" means that an inmate does not receive an extra good time award for only one calendar month.

A "disallowance" must be for the entire amount of extra good time for that calendar month. There may be no partial disallowance. A decision to disallow or terminate extra good time may not be suspended pending future consideration. A retroactive award of meritorious good time may not include a month in which extra good time has been disallowed or terminated.

**RESIDENTIAL RE-ENTRY CENTER GOOD TIME**

Extra good time for an inmate in a Federal or contract Residential Re-Entry Center is awarded automatically beginning on arrival at that facility and continuing as long as the inmate is confined to the Center, unless the award is disallowed.

**LUMP SUM AWARDS**

Any staff member may recommend to the Warden the approval of an inmate for a lump sum award of extra good time. Such recommendations must be for an exceptional act or service that is not a part of a regularly assigned duty. The Warden may make lump sum awards of extra good time of not more than thirty days. If the recommendation is for more than thirty days and the Warden agrees, the Warden will refer the recommendation to the Regional Director, who may approve the award.

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

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

**GOOD TIME PROCEDURES**

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

Extra good time is not automatically discontinued while an inmate is hospitalized, on furlough, out of the institution on writ of Habeas Corpus, or removed under the Interstate Agreement on Detainers Act. Extra good

time may be terminated or disallowed during such absences if the Warden finds that the inmate's behavior warrants such action.

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

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

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

## **PAROLE**

Parole is release from incarceration under conditions established by the U.S. Parole Commission. Parole is not a pardon or an act of clemency. A parolee remains under the supervision of a U.S. Probation Officer until the expiration of his full term.

Inmates are ordinarily permitted an opportunity to appear before the Parole Commission within 120 days of commitment (EXCEPTIONS: A prisoner with a minimum parole ineligibility of ten years or more). If the inmate chooses not to appear before the Parole Board within the first 120 days of commitment, a waiver must be given to the Case Manager or Correctional Counselor prior to the time of the scheduled Parole Hearing. This waiver will be made part of the Parole Commission file and the inmate's central file.

Parole hearings are not conducted at FPC Yankton, therefore, an inmate requiring an in-person hearing would be temporarily transferred to another institution where parole hearings are held.

All inmates who previously waived a Parole Hearing are eligible to appear before the Parole Board at any regularly scheduled hearing after they waive. Application for a Parole Hearing must be made at least 60 days before the first day of the month of the hearings. The Parole Board conducts hearings at specified Bureau institutions every two months.

Application to the Parole Commission for a hearing is the responsibility of the inmate, but in certain cases the Unit Team will assist the inmate if necessary. Application forms may be obtained from the Case Manager or Correctional Counselor.

Following the hearing, the inmate will be advised of the tentative decision reached in the case by the hearing examiners. The recommendations of the hearing examiners must be confirmed by the Regional Office of the Parole Board. This confirmation usually takes three to four weeks and is made through the mail on a form called a "Notice of Action." This decision may be appealed by the inmate. Forms for appeal may be obtained from unit Correctional Counselors or Case Managers.

If granted a presumptive parole date (a parole date more than six months following the hearing), a Parole Progress Report will be sent to the Parole Board three to eight months before the parole date. Parole may be granted to a detainer or for the purpose of deportation.

The inmate should have an approved residence and an approved employer before being released on parole.

## **RELEASE PLANNING**

If granted Parole by the U.S. Parole Commission, the Commission will require an approved parole plan prior to release. This serves to change an inmate's parole status from presumptive to effective. An approved parole plan consists of an offer of employment and a place to reside.

The job must pay at least minimum wage and normally may not require extensive travel.

The place to reside must be a reputable establishment, but can be almost anywhere (parents, wife, friend, YMCA). The proposed parole plan is thoroughly investigated by the U.S. Probation Officer and must be approved prior to an inmate's release from custody.

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

## **RRC TRANSFERS**

Inmates who are nearing release and who need assistance in obtaining a job, residence, or other community resources may be transferred to a community corrections program. Refusal of an inmate to participate in halfway house placement may result in disciplinary action taken against the inmate, job change, denial of furloughs and/or consideration for CSP participation.

The Bureau's Community Corrections Branch, within the Correctional Programs Division, supervises services provided to offenders housed in contract facilities and participating in specialized programs in the community. The Community Corrections Manager (CCM) links the Bureau of Prisons with the U.S. Courts, other federal agencies, state and local governments, and the community. Located strategically throughout the country, the CCM is responsible for developing and maintaining a variety of contract facilities and programs working under the supervision of the appropriate regional administrator.

Community programs have three major emphases: residential community-based programs provided by Residential Re-Entry Centers and local detention facilities, programs that provide intensive nonresidential supervision to offenders in the community, and programs that board juvenile and adult offenders in contract correctional facilities.

The community-based residential programs available include both typical Residential Re-Entry Centers and local detention facilities. Each provides a suitable residence, structured programs, job placement, and counseling while monitoring the offender's activities. They also provide drug testing and counseling, and alcohol monitoring and treatment.

While in these programs, employed offenders are required to pay subsistence to help defray the cost of their confinement. The inmate's payment rate during Residential Re-Entry Center residence is 25 percent of their income.

Most Bureau of Prisons community-based residential programs are provided in Residential Re-Entry Centers (RRC's). These facilities contract with the Bureau of Prisons to provide residential correctional programs as near the offender's release residence as is possible. All inmates nearing the end of their incarceration are expected to utilize the services of halfway house placement. RRC's are used primarily for two types of offenders.

- \* Those nearing release from a BOP institution, as a transitional service while the offender is finding a job, locating a place to live, and re-establishing family ties.
- \* Those under community supervision who need guidance and supportive services beyond what can be provided through regular supervision.

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

The other option for community-based residential programming is local detention facilities. Many of these facilities have work release programs where an offender is employed in the community during the day and returns to the institution at night. These facilities may also be used for offenders sentenced to terms of intermittent confinement such as nights, weekends, or other short intervals. Some of these local facilities have work release programs similar to the Community Corrections Component in a Residential Re-Entry Center serving to facilitate the transition from the institution to the community.

## **TRANSPORTATION UPON RELEASE**

You will be contacted by a member of the Unit Team to inquire as to the mode of transportation home or to the halfway house. Inmates desiring to have a family member or friend pick them up may do so with the understanding all costs involved are at his or the family's expense. An individual not on the inmate's approved visiting list must submit a visiting form authorizing staff to conduct the required background check. Changes to travel less than three weeks to release will be made only in emergencies and only with the approval of the Unit Manager. All travel will be approved by the Unit Manager.

## CONDUCT

Everyone is expected to respect the rights and property of others. Privileges are granted as long as they are not abused. Every inmate is expected to use mature judgment and be considerate in his dealing with others. Rules and regulations are necessary to maintain a healthy, safe, and secure living environment. Below is a list of your rights and responsibilities followed by a list of acts prohibited in all federal institutions.

- RIGHT:** You have the right to expect that as a human being you will be treated respectfully, impartially, and fairly by all personnel.

**RESPONSIBILITY:** You have the responsibility to treat others, both staff and inmates, in the same manner. You will respectfully address staff using their last name or position title.
- RIGHT:** You have the right to be informed of the rules, procedures, and schedules concerning the operation of the institution.

**RESPONSIBILITY:** You have the responsibility to know and abide by them.
- RIGHT:** You have the right to freedom of religious affiliation and voluntary religious worship.

**RESPONSIBILITY:** You have the responsibility to recognize and respect the rights of others in this regard.
- RIGHT:** 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.

**RESPONSIBILITY:** It is your responsibility not to waste food, to follow the laundry and shower schedule, to 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.
- RIGHT:** You have the right to visit and correspond with family members, friends, and correspond with members of the news media in keeping with Bureau rules and institution guidelines.

**RESPONSIBILITY:** 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.
- RIGHT:** 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.

**RESPONSIBILITY:** You have the responsibility to present honestly and fairly your petitions, questions, and problems to the court.
- RIGHT:** You have the right to legal counsel from an attorney of your choice by interviews and correspondence.

**RESPONSIBILITY:** It is your responsibility to use the services of an attorney honestly and fairly.
- RIGHT:** 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.

**RESPONSIBILITY:** 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.
- RIGHT:** You have the right to a wide range of reading materials for educational purpose and for your enjoyment. These materials may include magazines and newspapers sent from the community, with certain restrictions.

**RESPONSIBILITY:** It is your responsibility to seek and utilize such materials for your personal benefits without depriving others of their equal rights to the use of these materials.

10. **RIGHT:** 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.

**RESPONSIBILITY:** 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. **RIGHT:** You have the right to use your funds for commissary and other purchases, consistent with institution security and good order, for opening bank and savings accounts, and for others of their equal rights to the use of this material.

**RESPONSIBILITY:** 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 to assist your family.

## DISCIPLINARY PROCEDURES

### DISCIPLINE

It is the policy of the Bureau of Prisons to provide a safe and orderly environment for all inmates. Violations of Bureau rules and regulations are dealt with by the Unit Discipline Committees (UDC) and, for more serious violations, the Disciplinary Hearing Officer. Inmates are advised upon arrival at the institution of the rules and regulations and are provided with copies of the Bureau's Prohibited Acts, as well as local regulations.

### INMATE DISCIPLINE INFORMATION

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

If an informal resolution is accomplished, the incident report will be removed from the inmate's record. Informal resolution is encouraged by the Bureau of Prisons for all violations except those in the greatest and high severity category. If an informal resolution is not accomplished, the incident report is forwarded to the UDC for an initial hearing. Violations in the greatest severity category must be forwarded to the Disciplinary Hearing Officer for final disposition.

### INITIAL HEARING

Inmates must ordinarily be given an initial hearing by the UDC within five (5) work days of the time staff become aware of the inmate's involvement in the incident (excluding the day staff became aware of the incident, weekends, and holidays). The inmate is entitled to be present at the initial hearing. The inmate may make statements or present documentary evidence in his behalf. The UDC must give its decision in writing to the inmate by the close of business the next work day. The UDC may extend the time limits of these procedures for good cause. The Warden must approve any extension over five days. The inmate must be provided with written reasons for any extension. The UDC will either make final disposition of the incident or refer it to the Disciplinary Hearing Officer (DHO) for final disposition.

All high category offense charges for VCCLEA inmates rated as violent and for PLRA inmates must be referred to the DHO.

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. 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 offenses during the inmate's current anniversary year.

## **DISCIPLINARY HEARING OFFICER (DHO)**

The Disciplinary Hearing Officer (DHO) conducts disciplinary hearings on serious rule violations. The DHO may not act on a case that has not been referred by the UDC.

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

The inmate has the right to be present throughout the DHO hearing, except during deliberations. The inmate charged may be excluded during appearances of outside witnesses or when institution security could be jeopardized. The DHO may postpone or continue a hearing for good cause. Reasons for the delay must be documented in the record of the hearing. Final disposition is made by the DHO.

## **APPEALS OF DISCIPLINARY ACTIONS**

Appeals of all disciplinary actions may be made through Administrative Remedy procedures. UDC appeals are made to the Warden (BP-9) and may proceed to the Regional Director (BP-10), and the General Counsel (BP-11). DHO appeals are initiated directly to the Regional Director (BP-10). On appeal, the following items will be considered:

- \* Whether the UDC or DHO substantially complied with the regulations on inmate discipline.
- \* Whether the UDC or DHO based its decisions on substantial evidence.
- \* Whether an appropriate sanction was imposed according to the severity level of the prohibited act.

The staff member who responds to the appeal may not be involved in the incident in any way. These staff members include UDC members, the DHO, the investigator, the reporting officer, and the staff representative. UDC Appeals are made on BP-9's within 20 calendar days of written notification of decision. DHO Appeals are made on BP-10's within 20 calendar days of written notification of decision.

## **PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE**

There are four categories of prohibited acts - Greatest, High, Moderate, and Low Moderate (each category of prohibited acts is listed below).

Specific sanctions are authorized for each category. Imposition of a sanction requires that the inmate first is found to have committed a prohibited act.

1) **GREATEST CATEGORY OFFENSES:** The Discipline Hearing Officer (DHO) shall impose and execute one or more of sanctions A through E. The DHO may also suspend one or more additional sanctions A through G. The DHO may impose and execute sanctions F and G only in addition to execution on one or more of sanctions A through E.

2) **HIGH CATEGORY OFFENSES:** The DHO shall impose and execute one or more of sanctions A through M, and may also suspend one or more additional sanctions A through M. The Unit Discipline Committee (UDC) shall impose and execute one or more of sanctions G through M, and may also suspend one or more additional sanctions G through M.

3) **MODERATE CATEGORY OFFENSES:** The DHO shall impose at least one sanction A through N, but may suspend any sanction or sanctions imposed. The UDC shall impose at least one sanction G through N, but may suspend any sanction or sanctions imposed.

4) **LOW MODERATE CATEGORY OFFENSES:** The DHO shall impose at least one sanction B.1, or E through P. The DHO may suspend E through P sanction or sanctions imposed (a B.1 sanction may not be suspended). The UDC shall impose at least one sanction G through P, but may suspend any sanction or sanctions imposed.

Aiding another person to commit any of these offenses, attempting to commit any of these offenses, and making plans to commit any of these offenses, in all categories of severity, 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.

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 DHO may execute, suspend, or revoke and execute suspensions of sanctions A through F. The DHO or UDC may execute, suspend, or revoke and execute suspensions of sanctions G through P. Revocations and execution of suspensions may be made only at the level (DHO or UDC) which originally imposed the sanction.

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

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

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

**Acts of misconduct committed on or after August 1, 2011, will follow provisions of PS 5270.09. The changes to PS 5270.09 "Inmate Discipline" is available in the leisure and law libraries.**

## **GREATEST CATEGORY**

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

### **100 Killing.**

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

102 Escape from escort; escape from any secure or non-secure institution, including community confinement; escape from unescorted community program or activity; escape from outside a secure institution.

103 Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of Greatest Severity, e.g., in furtherance of a riot or escape; otherwise the charge is properly classified Code 218, or 329).

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

### **105 Rioting.**

106 Encouraging others to riot.

### **107 Taking hostage(s).**

108 Possession, manufacture, introduction, or loss of a hazardous tool (tools most likely to be used in an escape or escape attempt or to serve as weapons capable of doing serious bodily harm to others; or those hazardous to institutional security or personal safety; e.g., hacksaw blade, body armor, maps, handmade rope, or other escape paraphernalia, portable telephone, pager, or other electronic device).

110 Refusing to provide a urine sample; refusing to breathe into a breathalyzer; refusing to take part in other drug-abuse testing.

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

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

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

114 Sexual assault of any person, involving non-consensual touching by force or threat of force.

115 Destroying and/or disposing of any item during a search or attempt to search.

196 Use of the mail for an illegal purpose or to commit or further a Greatest category prohibited act.

197 Use of the telephone for an illegal purpose or to commit or further a Greatest category prohibited act.

198 Interfering with a staff member in the performance of duties most like another Greatest severity prohibited act. This charge is to be used only when another charge of Greatest severity is not accurate. The offending conduct must be charged as "most like" one of the listed Greatest severity prohibited acts.

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

#### **AVAILABLE SANCTIONS FOR GREATEST SEVERITY LEVEL PROHIBITED ACTS**

A. Recommend parole date rescission or retardation.

B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time (up to 100%) and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).

B.1. Disallow ordinarily between 50% and 75% (27-41 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).

C. Disciplinary segregation (up to 12 months).

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D. Make monetary restitution.

E. Monetary fine.

F. Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).

G. Change housing (quarters).

H. Remove from program and/or group activity.

I. Loss of job.

J. Impound inmates personal property.

K. Confiscate contraband.

L. Restrict to quarters.

M. Extra duty.

## **HIGH CATEGORY**

**201 Fighting with another person**

**203 Threatening another with bodily harm or any other offense.**

**204 Extortion; blackmail; protection; demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.**

**205 Engaging in sexual acts.**

**206 Making sexual proposals or threats to another.**

**207 Wearing a disguise or a mask.**

**208 Possession of any unauthorized locking device, or lock pick, or tampering with or blocking any lock device (includes keys), or destroying, altering, interfering with, improperly using, or damaging any security device, mechanism, or procedure.**

**209 Adulteration of any food or drink.**

**211 Possessing any officers or staff clothing.**

**212 Engaging in or encouraging a group demonstration.**

**213 Encouraging others to refuse to work, or to participate in a work stoppage.**

**216 Giving or offering an official or staff member a bribe, or anything of value.**

**217 Giving money to, or receiving money from, any person for the purpose of introducing contraband or any other illegal or prohibited purpose.**

**218 Destroying, altering, or damaging government property, or the property of another person, having a value in excess of \$100.00, or destroying, altering, damaging life-safety devices (e.g., fire alarm) regardless of financial value.**

**219 Stealing; theft (including data obtained through the unauthorized use of a communications device, or through unauthorized access to disks, tapes, or computer printouts or other automated equipment on which data is stored).**

**220 Demonstrating, practicing, or using martial arts, boxing (except for use of a punching bag), wrestling, or other forms of physical encounter, or military exercises or drill (except for drill authorized by staff).**

**221 Being in an unauthorized area with a person of the opposite sex without staff permission**

**224 Ass**

**225 Stalking another person through repeated behavior which harasses, alarms, or annoys the person, after having been previously warned to stop such Conduct**

**226 Possession of stolen property.**

**227 Refusing to participate in a required physical test or examination unrelated to testing for drug abuse (e.g., DNA, HIV, tuberculosis).**

**228 Tattooing or self-mutilation.**

**229 Sexual assault of any person, involving non-consensual touching without force or threat of force.**

**296 Use of the mail for abuses other than criminal activity which circumvent mail monitoring procedures (e.g., use of the mail to commit or further a High category prohibited act, special mail abuse; writing letters in code; directing others to send, sending, or receiving a letter or mail**

through unauthorized means; sending mail for other inmates without authorization; sending correspondence to a specific address with directions or intent to have the correspondence sent to an unauthorized person; and using a fictitious return address in an attempt to send or receive unauthorized correspondence).

297 Use of the telephone for abuses other than illegal activity which circumvent the ability of staff to monitor frequency of telephone use, content of the call, or the number called; or to commit or further a High category prohibited act.

298 Interfering with a staff member in the performance of duties most like another High severity prohibited act. This charge is to be used only when another charge of High severity is not accurate. The offending conduct must be charged as "most like" one of the listed High severity prohibited acts.

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

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

A. Recommend parole date rescission or retardation.

B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time up to 50% or up to 60 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).

B.1 Disallow ordinarily between 25% and 50% (14-27 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).

C. Disciplinary segregation (up to 6 months).

D. Make monetary restitution.

E. Monetary fine.

F. Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).

G. Change housing (quarters).

H. Remove from program and/or group activity.

I. Loss of job.

J. Impound inmates personal property.

K. Confiscate contraband.

L. Restrict to quarters.

M. Extra duty.

## **MODERATE CATEGORY**

300 Indecent Exposure.

302 Misuse of authorized medication

303 Possession of money or currency, unless specifically authorized, or in excess of the amount authorized.

304 Loaning of property or anything of value for profit or increased return.

305 Possession of anything not authorized for retention or receipt by the inmate, and not issued to him through regular channels.

306 Refusing to work or to accept a program assignment.

307 Refusing to obey an order of any staff member (may be categorized and charged in terms of greater severity, according to the nature of the order being disobeyed, e.g. failure to obey an order which furthers a riot would be charged as 105, Rioting; refusing to obey an order which furthers a fight would be charged as 201, Fighting; refusing to provide a urine sample when ordered as part of a drug-abuse test would be charged as 110).

308 Violating a condition of a furlough.

309 Violating a condition of a community program.

310 Unexcused absence from work or any program assignment.

311 Failing to perform work as instructed by the supervisor.

312 Insolence towards a staff member.

313 Lying or providing a false statement to a staff member.

314 Counterfeiting, forging, or unauthorized reproduction of any document, article of identification, money, security, or official paper (may be categorized in terms of greater severity according to the nature of the item being reproduced, e.g., counterfeiting release papers to effect escape, Code 102).

315 Participating in an unauthorized meeting or gathering.

316 Being in an unauthorized area without staff authorization.

317 Failure to follow safety or sanitation regulations (including safety regulations, chemical instructions, tools, MSDS sheets, OSHA standards).

318 Using any equipment or machinery without staff authorization. 319 Using any equipment or machinery contrary to instructions or posted safety standards

320 Failing to stand count.

321 Interfering with the taking of count.

324 Gambling.

325 Preparing or conducting a gambling pool.

326 Possession of gambling paraphernalia

327 Unauthorized contacts with the public.

328 Giving money or anything of value to, or accepting money or anything of value from, another inmate or any other person without staff authorization

329 Destroying, altering, or damaging government property, or the property of another person, having a value of \$100.00 or less.

330 Being unsanitary or untidy; failing to keep one's person or quarters in accordance with posted standards.

331 Possession, manufacture, introduction, or loss of a non-hazardous tool, equipment, supplies, or other non-hazardous contraband (tools not likely to be used in an escape or escape attempt, or to serve as a weapon capable of doing serious bodily harm to others, or not hazardous to institutional security or personal safety) (other non-hazardous contraband includes such items as food, cosmetics, cleaning supplies, smoking apparatus and tobacco in any form where prohibited, and unauthorized nutritional/dietary supplements).

332 Smoking where prohibited.

333 Fraudulent or deceptive completion of a skills test (e.g., cheating on a GED, or other educational or vocational skills test).

334 Conducting a business; conducting or directing an investment transaction without staff authorization

335 Communicating gang affiliation; participating in gang related activities; possession of paraphernalia indicating gang affiliation.

336 Circulating a petition.

396 Use of the mail for abuses other than criminal activity which do not circumvent mail monitoring; or use of the mail to commit or further a Moderate category prohibited act.

397 Use of the telephone for abuses other than illegal activity which do not circumvent the ability of staff to monitor frequency of telephone use, content of the call, or the number called; or to commit or further a Moderate category prohibited act.

398 Interfering with a staff member in the performance of duties most like another Moderate severity prohibited act. This charge is to be used only when another charge of Moderate severity is not accurate. The offending conduct must be charged as "most like" one of the listed Moderate severity prohibited acts.

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

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

A. Recommend parole date rescission or retardation.

B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time up to 25% or up to 30 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).

B.1 Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).

C. Disciplinary segregation (up to 3 months).

D. Make monetary restitution.

E. Monetary fine.

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F. Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).

G. Change housing (quarters).

H. Remove from program and/or group activity.

I. Loss of job.

J. Impound inmate's personal property.

K. Confiscate contraband.

L. Restrict to quarters.

M. Extra duty.

#### **LOW CATEGORY**

402 Malingering, feigning illness

404 Using abusive or obscene language.

407 Conduct with a visitor in violation of Bureau regulations.

409 Unauthorized physical contact (e.g., kissing, embracing).

498 Interfering with a staff member in the performance of duties most like another Low severity prohibited act. This charge is to be used only when another charge of Low severity is not accurate. The offending conduct must be charged as "most like" one of the listed Low severity prohibited acts.  
499 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another Low severity prohibited act. This charge is to be used only when another charge of Low severity is not accurate. The offending conduct must be charged as "most like" one of the listed Low severity prohibited acts.

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

B.1 Disallow ordinarily up to 12.5% (1-7 days) of good conduct time credit available for year (to be used only where inmate found to have committed a second violation of the same prohibited act within 6 months); Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (to be used only where inmate found to have committed a third violation of the same prohibited act within 6 months) (a good conduct time sanction may not be suspended).

- D. Make monetary restitution.
- E. Monetary fine.
- F. Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).
- G. Change housing (quarters).
- H. Remove from program and/or group activity.
- I. Loss of job.
- J. Impound inmate's personal property.
- K. Confiscate contraband
- L. Restrict to quarters.
- M. Extra duty.

## **ADDITIONAL AVAILABLE SANCTIONS FOR REPEATED PROHIBITED ACTS WITHIN THE SAME SEVERITY LEVEL**

Prohibited Act Severity Level

Time Period for Prior Offense

(same code)

Frequency of Repeated Offense

Additional Available Sanctions

Low Severity

(400 level)

6 months

2nd offense

3rd or more offense

1. Disciplinary segregation (up to 1 month).

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).

Any available Moderate severity level sanction (300 series).

Moderate Severity

(300 level)

12 months

2nd offense

3rd or more offense

1. Disciplinary segregation (up to 6 months).

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).

Any available High severity level sanction (200 series).

High Severity

(200 level)

18 months

2nd offense

3rd or more offense

1. Disciplinary segregation (up to 12 months).

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).

Any available Greatest severity level sanction (100 series).

Greatest Severity

(100 level)

24 months

2nd or more offense

Disciplinary Segregation (up to 18 months).

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.

The decorative fence surrounding the areas of the compound represents the perimeter boundary of FPC Yankton. The fence area is off limits unless you are assigned to that area for work or at the direction of a staff member.

In addition, inmate foot traffic is limited to the main sidewalks of the institution. Walking on the grassy areas is prohibited unless you are assigned to that area for work or otherwise authorized by staff. The only exception to this "keep off the grass" rule is the area north of the tennis courts where the benches may be utilized.

Inmates are subject to disciplinary action if found in an unauthorized area. If in doubt, ask!

## **SUMMARY OF INMATE DISCIPLINE SYSTEM**

**1. Staff becomes aware of inmate's involvement in incident or once the report is released for administrative processing following a referral for criminal prosecution.**

**ordinarily maximum of 24 hours**

**2. Staff gives inmate notice of charges by delivering Incident Report.**

**maximum ordinarily of 5 work days from the time staff became aware of the inmate's involvement in the incident. (Excludes the day staff become aware of the inmate's involvement, weekends, and holidays.)**

**3. Initial review (UDC)**

**minimum of 24 hours (unless waived)**

**4. Discipline Hearing Officer (DHO) Hearing**

**NOTE: Time limits are subject to exceptions as provided in the rules.**

**Staff may suspend disciplinary proceedings for a period not to exceed two calendar weeks while undertaking informal resolution. If informal resolution is unsuccessful, staff may reinstate disciplinary proceedings. The requirements then begin running at the same point at which they were suspended.**

[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 Residential Reentry 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 Residential Reentry Center is to be held to the time necessary to establish residence and employment.]