

FMC DEVENS



Admission and Orientation Inmate Handbook

AUGUST 2011

PROLOGUE

The Admissions and Orientation (A&O) Handbook provides you with general information about the Federal Bureau of Prisons (BOP) and the Federal Medical Center-Devens (FMC, Devens). This handbook has been prepared with the thought that good communication between staff and inmates is essential in the development of a positive atmosphere within a correctional setting.

It is the policy of the Bureau of Prisons to treat inmates fairly, humanely, and responsibly and afford them the opportunity for self-improvement. As an inmate in the BOP, you can expect:

- Accessibility to staff,
- Consistent and fair treatment,
- Responsiveness to your needs,
- A safe, secure and sanitary environment, and
- Clear and accurate information about decisions affecting you

Your confinement at this institution involves a number of obligations on the part of staff and inmates alike. As staff members, our primary responsibility is to ensure that the mandate of the court is carried out. We also believe it is very important to provide work, education, recreation, and other self-improvement programs to help you prepare for your eventual return to the community. Your personal safety is our utmost concern, one of the most critical obligations of an inmate is to report any appearance of depression, suicide, or hopelessness in another inmate. It is not unusual to experience these feelings while incarcerated in jail or prison. If you notice another inmate struggling with these feelings, it is your obligation to notify **any** staff member immediately. It is that staff members duty to make the necessary emergency contacts to ensure that the afflicted inmate receive immediate medical/psychological attention to ensure that his personal safety is primary.

It is your responsibility to contribute to a positive institution atmosphere by adhering to the rules and regulations of the institution.

J. Grondolsky
Warden

INTRODUCTION

Your inmate handbook was prepared by the staff of the Federal Medical Center, Devens, Massachusetts, to serve as a reference guide and to provide an overview of procedures and programs at this facility. Additional information can be found in Program Statements and Institution Supplements located in the Law Library. The information, although current at the time of printing, is subject to change. You are responsible for keeping your handbook up to date.

GENERAL INFORMATION

Admission & Orientation: Inmates will reside in their assigned unit and shall participate in the Admission & Orientation (A&O) Program for approximately 4 weeks. During orientation, inmates will meet staff and become familiar with the physical setting of the compound. The A&O Program consists of lectures and group meetings to learn about regulations, programs, and activities. Inmates will receive a thorough physical examination and complete educational, vocational, and psychological tests during the orientation period. Although inmates will not be given a work assignment until cleared by Health Services, they are expected to complete their in-house assignments under the direction of the Unit Team and the Unit Officer.

Accountability Checks: Inmates must be accounted for at all times. An accountability check is commonly referred to as "Count Time." Official counts will be conducted at 12:05 AM, 3:00 AM, 5:00 AM, 4:00 PM and 10:00 PM. (4:00 PM and 10:00 PM will be a standing Count.) On holidays and weekends, there is an additional "stand up" count held at 10:00 AM.

There is **NO** talking or playing of radios during a count. Each inmate must be standing during the "stand up" count (with the exception of those who have medical restrictions). There will be no movement until the count has been cleared. Inmates may not open/close lockers, etc., during counts. During evening and early morning counts, Correctional Officers may use flashlights for counts. If an inmate is completely covered, the Correctional Officers may call the inmate in an attempt to get his attention. If unsuccessful, the Correctional Officer will lightly tap on the bed to make certain the inmate is accounted for. The Correctional Officers must see living, breathing human flesh.

Census Counts/Special Counts: Census or Special Counts may be announced at any time. During census counts, no inmate movement is allowed. Inmates are to remain where they are when the special count is called. All inmate movement must cease.

Emergency Counts: Emergency Counts may be announced at any time. In the event of an emergency count, inmates are to report immediately to their assigned living quarters. All emergency counts will be "stand up" counts.

Controlled Movement: A controlled movement system is in effect from 7:30 AM to 8:30 PM each day. Open movement will commence at 7:30 AM and will last for 15 minutes in duration. Following the completion of the open movement, all inmates must remain in their assigned area until the next scheduled movement. Under normal conditions, open movement will take place every hour on the half hour with the exception of scheduled movements for medical and meal times. The only exception will be inmates who possess authorized staff passes.

Running or jogging is not permitted. The Recreation Yard is the designated area for running or jogging.

Pass System: At this institution, a fifteen minute period has been determined to be an adequate amount of time to move to any area in this facility. Inmates traveling from one destination to another during any time other than open movement (work call, meals and recall) require a pass. There are four types of passes here:

1. Institution Pass - issued when an inmate goes from one point to another.
2. Recreation / Library Pass - issued when an inmate must go to the recreation yard, inmate activity center, legal and leisure libraries.
3. Facilities Pass - issued to inmates working in the Facilities Department who are on required job sites throughout the institution.
4. Medical Pass - issued to inmates during a sick-call appointment allowing the inmate to report back to Medical Staff at a designated time.

Passes will be issued by the sending staff member and will be retained by the inmate until the movement is completed. Inmates should have the pass visible when traveling from one area to another. All inmates are required to be in possession of a pass when not traveling during open movement and must present the pass to any staff member when instructed to do so. Once the inmate's scheduled travel is completed, the pass must be returned to the issuing staff member.

Change Sheet/Call-Out: The Change Sheet reflects changes in educational status and changes in work assignment. The Call-Out is used to schedule medical, dental, educational and other appointments for the inmate with staff. This multi-listing is posted on a television set in the unit Monday through Friday. It is the inmate's responsibility to review the Change Sheet/Call-Out daily for scheduled appointments which must be kept, as missed appointments may result in disciplinary action.

Out-of-Boundary-Areas: Certain areas are "Out of Bounds" unless inmates are assigned to work there or have been called by staff. If an inmate is called to one of these areas, he is to report immediately to the staff on duty. Inmates should not linger following completion of their business. These areas include but are not limited to:

1. Administration Building (except to go to Correctional Systems and to R&D).
2. Any housing unit, other than the one in which the inmate is assigned.
3. Grass areas (except where authorized on the Recreation Yard).
4. Rear gate area.

Inmate Request to Staff Member (Cop-Out): The Inmate Request to Staff Member form (BP-ADMIN-70, commonly referred to as a "Cop-Out") is used to request appointments or to address concerns with staff. Various types of requests can be made with this form. Completed forms should include a brief account of the inmate's problem and/or request(s) and his comments concerning what he would like to have done. Staff will respond to the inmates request within a "reasonable" period of time.

Contraband/Searches (“Shakedown”): Contraband is defined as anything not authorized for retention, not issued by the institution, not received through approved channels, or not purchased through the Commissary. Staff are alert to the subject of contraband and make an effort to locate, confiscate and report contraband found in the facility. Anything not in its original container is considered nuisance contraband. Any item in the inmate’s personal possession must be authorized and a record of the receipt of the items should be kept in his possession. Inmates cannot purchase or loan radios or any other items from another inmate, nor can an inmate store property in another inmate’s locker. Items purchased or obtained in this manner are considered contraband and will be confiscated. Items from an inmate’s work site is considered contraband if found in the housing unit. Any item which is altered, even if originally approved or issued, is considered contraband. Altering or damaging U.S. Government property is a violation of institution rules and the cost of the damage may be levied against the violator. All inmates are subject to pat searches, visual searches and searches of their assigned cell, cubicle or other assigned living space. While staff are conducting searches, inmates are not allowed in the cell, cubicle or assigned living space. Staff are required to search inmate cells to locate contraband or stolen property. An inmate’s property and living area will be left in the same general condition as it was found. Inspections are unannounced and conducted at random.

Urine/Alcohol Surveillance: Inmates may be asked to give a urine or Breathalyzer sample at any time. When an inmate is called to give a urine sample, he has two (2) hours to provide the sample or an Incident Report will be written. Inmates must remain under direct staff observation during those two (2) hours. Failure to submit to a urine sample or Breathalyzer will be treated as a refusal and will result in disciplinary action. Water or other fluid may be taken only upon permission of the Operations Lieutenant or the Captain. A Breathalyzer test must be completed when called for testing. There is no allowed delay.

HEALTH CARE SERVICES

The Health Services Department has outpatient and inpatient services. The overall health care delivery system includes local medical facilities and medical referral centers. On-site medical care is available 7 days a week. Identification cards must be presented prior to receiving services, medications and having blood drawn.

PATIENT’S 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 respect the basic human rights of your health care providers.

RIGHT: You have the right to health care services, in accordance with the procedures of this facility. Health Services include: medical sick call, dental sick call, and all support services. Medical and Dental sick call triage will be conducted on Monday, Tuesday, Thursday, and Friday. After an assessment, a determination will be made as to the urgency of your medical or dental need and appointments will be scheduled. Emergency health care services are available 24 hours each day, and are accessed by contacting the correctional worker responsible for you.

RESPONSIBILITY: You have the responsibility to comply with the health care policies of this facility. You have the responsibility to follow recommended treatment plans that have been established for you by the facility’s health care staff, including proper use of medications, proper diet, and following the instructions of your health care provider.

RIGHT: You have the right to be offered the chance to obtain a Living Will (at your own expense), or to provide the Bureau of Prisons with Advanced Directives that would provide this facility with instructions if you are admitted as an inpatient of a hospital.

RESPONSIBILITY: You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.

RIGHT: You have the right to participate in health promotion and disease prevention programs, including those providing education regarding infectious disease.

RESPONSIBILITY: 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 of or catching an infectious disease.

RIGHT: You have the right to know the name and professional status of your health care providers.

RESPONSIBILITY: You have the responsibility to respect these providers as professionals, and follow their instructions to maintain and improve your overall health.

RIGHT: You have the right to be treated with respect, consideration, and dignity.

RESPONSIBILITY: You have the responsibility to treat staff in the same manner.

RIGHT: You have the right to be provided with information regarding your diagnosis, treatment, and prognosis.

RESPONSIBILITY: You have the responsibility to keep this information confidential.

RIGHT: You have the right to be examined in privacy.

RESPONSIBILITY: You have the responsibility to comply with security procedures.

RIGHT: You have the right to obtain copies of certain releasable portions of your health records.

RESPONSIBILITY: You have the responsibility to be familiar with the current policy to obtain these records.

RIGHT: You have the right to address any concern regarding your health care to any member of the institution's staff including: physicians, Health Services Administrator, the members of your Unit Team, Associate Wardens and the Warden.

RESPONSIBILITY: You have the responsibility to address your concerns in the accepted format such as: Inmate Request to Staff Member form, open house/ Main line, or the accepted inmate grievance procedures.

RIGHT: You have the right to receive prescribed medications and treatments in a timely manner, consistent with the recommendations of the prescribing health care provider.

RESPONSIBILITY: You have the responsibility to comply with the prescribed treatments and follow prescription orders. You also have the responsibility not to provide any other person, or accept from any other person, medications or other prescribed items.

RIGHT: You have the right to be provided healthy and nutritious food. You have the right to instruction regarding a healthy diet.

RESPONSIBILITY: You have the responsibility to eat healthy and not abuse or waste food or drink.

RIGHT: You have the right to request a routine physical examination, as defined by Bureau of Prisons' policy. (If you are under the age of 50, once every two years, and over the age of 50, once a year)

RESPONSIBILITY: You have the responsibility to notify medical staff that you wish to have an examination.

RIGHT: You have the right to dental care as defined in the Bureau of Prisons' policy to include preventative services, emergency care, and routine care.

RESPONSIBILITY: You have the responsibility to maintain your oral hygiene and health.

RIGHT: You have the right to a safe, clean and healthy environment.

RESPONSIBILITY: You have the responsibility to maintain the cleanliness and safety in consideration of others.

RIGHT: You have the right to refuse medical treatment in accordance with the Bureau of Prisons' policies. 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.

RESPONSIBILITY: 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.

RIGHT: You have the right to assessment and management of your pain.

RESPONSIBILITY: You have the responsibility to address your pain issues with your medical provider during your visit. You have the responsibility to follow the pain treatment plan provided to you.

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

The Joint Commission
Division of Accreditation Operations
Office of Quality Monitoring
One Renaissance Boulevard
Oakbrook Terrace, IL 60181

MAINTAINING OUTSIDE CONTACT

Certified/Registered Mail: Return Receipt Requested Cards (green), Certified Mail slips (green/white) and legal-size envelopes are available in the Law Library. Mail should be weighed and may be sent registered, certified, or insured at the inmate's expense. All postage fees are set by the U.S. Postal Service. Services such as Express Mail, private carrier services, Cash on Delivery (COD), or stamp collecting are not permitted.

Correspondence - Incoming: Incoming mail is distributed by the Unit Correctional Officer Monday through Friday immediately following the 4:00 p.m., Official Count. Incoming mail will be opened and inspected for contraband unless it is properly marked as legal mail. (see section on "Special Mail") Incoming mail should be clearly addressed as follows:

Inmate's Committed Name
Register # _____ Unit: ____
Federal Medical Center, Devens
P. O. Box 879
Ayer, MA 01432

Legal Mail is opened and inspected for contraband in the inmate's presence. Receipt of this mail is verified by the inmate's signature in a log. Certified Mail, unless it meets Legal Mail criteria, is opened in the Mail Room before the inmate receives it.

During Intake Screening, inmates will have completed a form concerning their incoming correspondence. If they choose to receive mail, they agree that institution staff may open and read it. Inmates may elect to have all mail, with the exception of Legal Mail, returned to the U.S. Postal Service.

Mail received for an inmate after their release date will be forwarded for thirty (30) days to the release address provided.

The institutional mail room does not accept funds received from outside the institution. Any funds received will be returned to the sender with specific directions on how to send the funds to the National Lock Box. All funds being sent to inmates at FMC Devens should be sent to the National Lock Box location at the following address:

FEDERAL BUREAU OF PRISON
INSERT NAME
REG. NUMBER
P.O. BOX 474701
DES MOINE, IOWA 50947-0001

Correspondence - Outgoing: FMC Devens is an Administrative Facility and, as such, all outgoing mail, except for Special/Legal Mail, may not be sealed and will be subject to inspection/screening. Inmates may present sealed Special/Legal Mail to Unit Team staff during normal duty hours. The inmate shall be required to produce their ID card at this time. Only properly addressed Legal/Special Mail shall be given to Unit Team staff for Special/Legal mail processing. In addition, the Outgoing Special Mail Receipt will be prepared by the inmate and delivered to Unit Team staff along with the Special/Legal mail. Unit Team staff will sign and date the receipt and deposit both the receipt and the Special/Legal mail in the outgoing mailbox located in front of the Records Office. The following information must be handwritten in the left-hand corner of all inmate envelopes:

Inmate's Committed Name
Register # _____ Unit: ____
Federal Medical Center, Devens
P. O. Box 879
Ayer, MA 01432

VISITING

Procedures / Policy: It is the policy of the BOP and FMC Devens that visiting privileges should be an integral part of an inmate's institutional program; however, the number of visitors must be kept within reasonable limits due to space limitations. There is a limit of five visitors per person (including children) at one time unless prior approval is received from unit staff. When the established capacity has been reached, termination of visits will be determined by frequency of visits and distance traveled. In order to allow all inmates to receive visits in a fair and equitable manner, a point system has been established. Inmates will be given 12 points for each month in the calendar year. Inmates will not be charged any points for visiting on Fridays. Two (2) points will be charged for each visit occurring on a weekend or holiday. Once an inmate exhausts his points for the month, he may not receive a visit for the remainder of that month without prior staff approval.

Approval of Visitors: Inmates are given a Visiting List form to complete and return to unit staff. Verified immediate family members will usually be approved promptly. Immediate family members include father, mother, step-parents, sisters, brothers, wife, children, and grandparents who raised you. Children under the age of sixteen do not have to be on an approved list but must be accompanied by an approved adult. Visiting Lists may include up to ten (10) other family members and friends. Inmates may make changes to their Visiting List at team meetings. Questionnaires are mailed out and must be completed, returned, and reviewed before these persons can be added to an inmate's approved Visiting List. This process takes approximately three (3) weeks. Inmates are notified of each visitor's approval by their Unit Counselor. **It is the inmate's responsibility to ensure that all visitors are notified of visiting approval. Visitors not on approved list will be denied entrance.** Inmates should see their Unit Counselor for any updates needed to their Visiting List.

Attorney Visits: Inmates are required to arrange for legal visits during visiting days, only for exigent circumstances will non-visiting legal visits be arranged. It should also be noted that attorneys should contact the unit team 72 hours prior to a legal appointment. This action will allow for unit team to secure the necessary identifications and paperwork. Attorney visits generally take place in the Visiting Room during regular visiting hours. If the Visiting Room is filled to capacity, the unit team may make arrangements for an attorney visit on other non-visiting days. Inmates arrange with the unit team to have a reasonable amount of legal materials taken to or from the Visiting Room. All inmates are reminded that attorneys are not permitted to bring any recording devices into the facility without prior written authorization by the Warden.

General Visiting Information: The visiting room is open on Friday, Saturday, Sunday and Federal holidays, between the hours of 8:30 am and 3:00 pm. Kissing, embracing and hand-shaking/holding are allowed only upon arrival or departure. Displays of affection must be within the bounds of good taste. Excessive physical contact during the visit is prohibited. All visitors will be dressed appropriately, including footwear and clothing appropriate for a correctional setting. Visitors are not permitted to wear revealing or provocative clothing, which includes, but is not limited to, miniskirts, spandex, sleeveless shirts, tube tops, tight fitting, see through or khaki clothing. Both inmates and their visitor(s) must be appropriately dressed. All inmates will be dressed in their issued uniform and visitors should not be dressed in clothing of a suggestive or revealing nature. Inmates are responsible for the conduct of the children visiting them. Inmate visitors will not be allowed to sit on inmate's laps, this includes children and infants.

You may take the following items to the Visiting Room:

- Commissary Card (required for identification);
- Wedding band. This item will be inventoried when you enter the Visiting Room and again when you leave;
- Comb, prescription eyeglasses, religious medal and medication.

Visitors are permitted to bring money, tissues, diapers, and a baby bottle into the Visiting Room. Visitors will be checked with a metal detector and may be asked to submit to further search. Purses, briefcases, etc. will be checked. Visitors may not leave packages, gifts, or money for an inmate, nor may visitors receive items from any inmate. All monies must be mailed in to the inmates. No items may be exchanged with visitors. An inmate's visiting privileges may be denied or restricted for violation of Visiting Room regulations. All visitors will be subject to screening through a metal detector, x-ray, Ion scanner and will be regularly pat searched. Visitors must pass the Ion scanner to be allowed entry to the facility. If you fail the test you will be allowed one more opportunity to pass the test, if you fail the test a second time you will not be allowed entry. You will be allowed to be re-tested 48 hours later. If you fail the Ion scanner test a second visit, you will not be allowed to visit for 30 days. A third failure will result in a 90 day visiting suspension. Failure to pass a 4th Ion scanner test will result in a 180 day suspension. All other failures will require a 1 year suspension of visiting privileges. Federal law authorizes imprisonment of up to ten (10) years for any person who introduces contraband into a federal facility or who takes, sends, or attempts to take or send anything not specifically authorized from a federal facility.

Emergency visits: An inmate may request a special emergency visit based upon extenuating family circumstances. He shall explain the nature of the emergency to unit team, and will put the request in writing via a Request to a Staff Member. The unit team will assess the legitimacy of the emergency and make a recommendation to the Warden.

Identification of Visitors: A valid form of photo identification is required by all visitors. Visitors possessing a valid driver's license (with photo), a valid state identification card or passport will be sufficient for entry to the facility. The visitors identification should match the identifying information (i.e., name, date of birth, etc.) contained on the inmate's approved Visiting List.

Visits with News Media Representatives: Requests can be initiated by an inmate or the media representative and must allow a reasonable amount of time before the interview. To request a news media interview, an inmate must send a cop-out to the Executive Assistant/Case Management Coordinator for review. Final approval of all interview requests must come from the Warden. Inmates will be notified of each interview request and must sign a written consent before each interview. Inmates must also authorize staff to respond to comments made in the interview and to release information to the news media relative to the inmate's comments.

Visits to Inmates in Restricted Observation Areas: Situations may arise during the inmates' imprisonment that may preclude normal visitation. Inmates may require specialized medical or mental health care which prohibits visitation in the visiting room. The Unit Team will collaborate with medical and/or mental health professionals to determine if an inmate requires special visiting accommodations. In the interest of infection control, cases requiring medical isolation to prevent the spread of a contagion will result in a visitor being denied. Visitation may also be denied in certain mental health cases where an inmate is suffering from a psychotic or emotional episode in which mental health professionals determine visitation is inadvisable or may jeopardize the safety and security of the institution. Visits can be afforded to inmates hospitalized in the local community, who have been placed on the "Critical Illness" list and with the Warden's approval. Individuals approved must also comply with the visiting policy of that hospital.

Sexually Abusive Behavior Prevention and Intervention

Your Right to be Safe from Sexually Abusive Behavior

While you are incarcerated, **no one has the right to pressure you to engage in sexual acts.** You do not have to tolerate sexually abusive behavior or pressure to engage in unwanted sexual behavior regardless of your age, size, race, ethnicity, or sexual orientation.

- * Carry yourself in a confident manner at all times. Do not permit your emotions (fear/anxiety) to be obvious to others.
- * Do not accept gifts or favors from others. Most gifts or favors come with strings attached to them.
- * Do not accept an offer from another inmate to be your protector
- * Find a staff member with whom you feel comfortable discussing your fears and concerns.
- * Be alert! Do not use contraband substances such as drugs or alcohol; these can weaken your ability to stay alert and make good judgments.
- * Be direct and firm if others ask you to do something you don't want to do. Do not give mixed messages to other inmates regarding your wishes for sexual activity.
- * Stay in well-lit areas of the institution.
- * Choose your associates wisely. Look for people who are involved in positive activities like educational programs, psychology groups, or religious services. Get involved in these activities yourself.
- * Trust your instincts. If you sense that a situation may be dangerous, it probably is. If you fear for your safety, report your concerns to staff

What to do if you are Afraid or Feel Threatened

If you are afraid or feel you are being threatened or pressured to engage in sexual behaviors, you should discuss your concerns with staff. Because this can be a difficult topic to discuss, some staff, like psychologists, are specially trained to help you deal with problems in this area. If you feel immediately threatened, approach any staff member and ask for assistance. It is part of his/her job to ensure your safety.

What to do if you are Sexually Assaulted

If you become a victim of a sexually abusive behavior, **you should report it immediately to staff** who will offer you protection from the assailant and refer you for a medical examination and clinical assessment. You do not have to name the inmate(s) or staff assailant 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). Even though you may want to clean up after the assault **it is important to see medical staff BEFORE you shower, wash, drink, eat, change clothing, or use the bathroom.** Medical staff will examine you for injuries which may or may not be readily apparent to you. They can also check you for sexually transmitted diseases, pregnancy, if appropriate, and gather any physical evidence of assault. The individuals who sexually abuse or assault inmates can only be disciplined and/or prosecuted if the abuse is reported.

How to Report an Incident of Sexually Abusive Behavior

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

- **Write directly to the Warden, Regional Director or Director.** You can send the Warden an Inmate Request to Staff Member (Cop-out) or a letter reporting the sexually abusive behavior. You may also send a letter to the Regional Director or Director of the Bureau of Prisons. To ensure confidentiality, use special mail procedures.
- **File an Administrative Remedy.** You can file a Request for Administrative Remedy (BP-9). If you determine your complaint is too sensitive to file with the Warden, you have the opportunity to file your administrative remedy directly with the Regional Director (BP-10). You can get the forms from your counselor or other unit staff.
- **Write the Office of the Inspector General (OIG)** which investigates allegations of staff misconduct. OIG is a component of the Department of Justice and is not a part of the Bureau of Prisons. The address is:

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

Understanding the Investigative Process

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

Counseling Programs for Victims of Sexually Abusive Behavior

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

Management Program for Assaultants

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

Policy Definitions

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

- 114 Sexual assault of any person, involving non-consensual touching by force or threat of force.
- 205 Engaging in sexual acts.
- 206 Making sexual proposals or threats to another.
- 225 Stalking another person through repeated behavior which harasses, alarms, or annoys the person, after having been previously warned to stop such conduct.
- 229 Sexual assault of any person, involving non-consensual touching without force or threat of force.
- 300 Indecent Exposure.
- 404 Using abusive or obscene language.
- 409 Unauthorized physical contact (e.g., kissing, embracing).

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

What is sexually abusive behavior?

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

(a) Rape: the carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person **FORCIBLY** or against that person's will; the carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person not forcibly or against the person's will, where the victim is incapable of giving consent because of his/her youth or his/her temporary or permanent mental or physical incapacity; or the carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person achieved through the exploitation of the fear or threat of physical violence or bodily injury. Carnal Knowledge: contact between the penis and vulva or the penis and the anus, including penetration of any sort, however slight. Oral Sodomy: contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus.

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

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

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

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

Contact Offices

U.S. Department of Justice
Office of the Inspector General
2nd and Chestnut Streets
Philadelphia, Pennsylvania 19106

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

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

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

Southeast Regional Office
950 Pennsylvania Avenue, NW Suite 4322
Washington, D.C. 20530-0001

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

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

Mid-Atlantic Regional Office
4211 Cedar Springs Road, Suite 300
Annapolis Junction, Maryland 20701

INSTITUTION PROGRAMS

PSYCHOLOGY DEPARTMENT

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

Sex Offender Treatment Program: Inmates interested in sex offender treatment are assessed for referral to either the BOP's residential Sex Offender Treatment Programs (SOTP-R) available at FMC Devens, or the Non-Residential SOTP (SOTP-NR) available at other BOP sites. The SOTP-R is currently available only at FMC Devens, and is an intensive program for male inmates who volunteer for treatment, evidence a number of static and dynamic risk factors for re-offense, and who are committed to permanent behavior change. In addition, inmates who have successfully completed the SOTP-R are provided with maintenance sex offender treatment at FMC Devens.

Sex Offender Management Program: The Psychology Department coordinates a Sex Offender Management Program (SOMP). The SOMP is a mandatory program designed to help sex offenders manage their sexual behavior and reduce sexual recidivism. An important goal of this program is to help sex offenders change their criminal lifestyle and become honest, responsible, law abiding citizens with effective self control skills. SOMP participants have the same rights and responsibilities as other inmates at FMC Devens, including the right to personal safety, and to being treated respectfully, impartially, and fairly. Thus, disciplinary action will be taken against any inmate who harasses, threatens, or otherwise harms a sex offender, or any other inmate. As is the case with all inmates at FMC Devens, SOMP participants are expected to comply with all the rules and regulations governing inmate conduct as defined by the Federal Bureau of Prisons. Any inmate who engages in sexual misconduct at FMC Devens will be subject to disciplinary action.

Drug Treatment Programs: The Psychology Department offers the Non-Residential Drug Treatment, 40 Hour Drug Education program. The program is supplemented with various ongoing self help programs (i.e., Narcotics Anonymous, Alcoholics Anonymous). Those inmates who fail to attend required drug education classes will be restricted to a Pay Grade 4 and are not eligible for placement in a Residential Re-entry Center (Halfway House). The general goal of these programs is to provide the inmate with alternative ways to resolve problems.

Counseling: The Psychology Department offers self-development programs in both group and individual counseling. Group counseling gives you an opportunity to interact with others, to share concerns and to draw upon their experiences and suggestions in finding alternative ways to solve problems. Group and individual counseling utilize a variety of methods, depending on the problem under consideration. Counseling can help inmates gain greater self-awareness, more effectively manage symptoms of depression, anxiety, and other mental disorders and develop more responsible decision making. Inmates interested in Self-Development Programs should see a member of their assigned Unit Team, or see a staff member in the Education Department, Psychology Department or Health Services Department for details and/ or appropriate referral.

EDUCATION & RECREATION DEPARTMENT

Education and Recreation operate under the philosophy that academic/vocational training and recreational programs can provide necessary skills and resources for self-improvement, academic and occupational training, preparation for future employment and positive health and life experiences.

All programs are voluntary except for General Equivalency Diploma (GED) and English as a Second Language (ESL). An inmate who does not have a verified high school diploma, or GED, will be required to attend classes for 240 hours or until he successfully completes the GED. For an inmate who cannot function effectively in English, mandatory attendance in ESL will be required.

Failure to participate in required basic education classes may result in such adverse consequences as loss of Good Conduct Time and pay grade restrictions. Inmates who enter the system with a **VCCLEA** or **PLRA sentence**, who do not have their GED, may not vest good time, and in some cases may earn less good time if they do not maintain satisfactory participation in the Literacy Program. Inmates should consult a representative from the Education Department prior to declining participation. A representative from the Education Department will meet with each inmate at his official team classification.

The Education Department provides a wide range of academic programs.

Adult Continuing Education (ACE)	Leisure (music, art, chess, bridge)
Parenting	Release Preparation
Pre-GED (grades 6-9)	Health/Fitness
GED (grades 10-12)	VT Computer Applications
English-As-A-Second Language (ESL)	VT Culinary Arts Program
Literacy (grades 0-5)	

Incentives: Certificates are awarded for completion of all courses. Promotions and Performance Pay assignments beyond the entry level grade (Pay Grade 4) are contingent upon successful completion of the GED and/or continued satisfactory progress and good effort towards completion of the GED program. Special classes are offered in high interest areas and on an as-needed basis. Incentives include a cash bonus upon completion of the GED and ESL programs, and participation in award and recognition ceremonies. An Education Representative will meet with inmates to plan their course enrollment needs.

Testing: All new commitments are interviewed by a member of the Education Department to determine educational needs and subsequent need for mandatory testing. Tests administered include: ABLE/TABE, Pre-GED, GED, CASAS (ESL), SABE.

Test scores are used to determine eligibility for various programs offered in the Education Department. If an inmate does not have a verified high school diploma or General Education diploma (GED), the inmate will be required to attend the adult literacy program and fulfill the minimum requirements outlined in policy.

Vocational Trades (VT) Programs: The purpose of Vocational Trade (VT) Programs is to teach skills which complement an inmate's basic education. All inmates interested in these programs must have satisfactorily completed their GED or be actively enrolled in the GED program and making satisfactory progress. Inmates who participate in VT Programs may be eligible for a variety of incentive awards, certificates and graduation activities. Inmates with a documented history of computer abuse (such as having used computers to commit a crime) will not be allowed to participate in the Computer Applications program. Currently, we have two VT Program available, VT Computer Applications (Microsoft Office) program and the VT Culinary Arts Program.

Parenting Program: The Parenting Program is provided by staff and is designed for any father who wishes to remain an integral part of his child's life while he is incarcerated. The Parenting Program provides solutions to issues women and children encounter when fathers are incarcerated. It teaches inmates good coping skills, how to interpret children's behavior, how to administer positive discipline and how to give direction from a distance. It stresses the importance of developing healthy relationships with family as well as inmates acting as caretakers of the children. Most importantly, inmates will learn how to practice, demonstrate and apply what is learned with their children.

Library (Leisure and Law): The leisure and law library is open weekdays from 8:30am until 10:30am; 12:30pm until 3:30pm; and 5:30pm until 8:30pm. On weekends the main library will be open from 7:30 am until 3:30pm. A satellite leisure library in the Recreation Department is available every week night and weekend evening from 5:30pm until 8:30pm. A state of the art electronic law library has been added as part of the TRULINCS system, where inmates can do legal research from a database that contains the latest updates on case law from every federal district and circuit court in the United States, federal criminal/civil rules and procedures, sentencing guidelines, Bureau of Prisons policy statements and more. Magazines, newspapers and basic reference books cannot be checked out or removed from the library. Typewriters are available for inmate use in preparing legal documents. All legal reference materials must be used in the library and cannot be checked out. Inmates are provided a copy machine which operates via a card purchased in the Commissary. Inmates also have the opportunity to participate in the Inter-Library Loan program through the North Central Regional Library System.

Release Preparation Program: The Release Preparation Program (RPP) is designed to help inmates prepare for transition from confinement to the community. Inmates participating in the program are expected to complete at least one course from each of the six core content areas. The core content areas are: Health/Nutrition, Employment, Personal Finances, Community Resources, Release Issues, and Personal Growth and Development. Formal participation in the program should begin no later than 30 months prior to an inmate's expected release date. Contact the Supervisor of Education for more information.

Recreation Services: Recreation Department programs and leisure activities are supervised by the Recreation Specialists. Programs include indoor and outdoor activities and range from individualized hobby craft programs to intramural team sports. All recreational information will be posted on the bulletin boards in the Recreation Department, in the Education Department and in the Housing Units.

Inmate Recreation and Activity Center: The Inmate Recreation and Activity Center is located across from Unit “G” and is adjacent to the Recreation Yard. The facility includes a multi-purpose room, outdoor recreation yard and an indoor inmate Activity Center. The indoor Activity Center is located on the Recreation yard and is intended for activities such as basketball, soccer and floor hockey. The Hobby Craft Shop and a music practice room is located in the Recreation Building. See posted schedules for days and times of operation.

RELIGIOUS SERVICES

The Chapel: The Chapel comprises facilities for worship services, prayer and religious study areas, and a religious library. The Religious Services Department is located in offices in the Chapel. Religious programming includes worship, prayer and study of various religious expressions, as well as counseling and spiritual guidance. Schedules of religious services are available in the Chapel. Attendance at religious activities is open to all. Periodically, the department arranges for community volunteers of various religious faiths. The Chaplain will assist inmates in having religious books, publications, or other materials sent to them; however, inmates must comply fully with institution rules regarding receiving and storing of personal property.

Religious Diet Program: A Religious Diet Program is offered through the Religious Services Department in conjunction with the Food Service Department. A religious diet is a meal designed to be the most equitable for all religious groups. An inmate may request to participate in the Religious Diet Program by submitting an application to the Chaplain. Special religious meals for holiday observances and any special worship activities are coordinated through Religious Services. Additional information regarding these programs is available in the Religious Services Department.

Prisoner Visitation & Support Services (PVS): The Prisoner Visitation & Support Services (PVS) is a community based program which sends volunteers into the institution to visit inmates who would not ordinarily receive visits. All visits take place in the Visiting Room during regular visiting hours. PVS volunteers do not have to be on the visiting list of inmates they wish to visit. Any inmate interested in receiving a PVS volunteer visit should contact the Religious Services Department.

Religious Counseling: Counseling services are available regularly to promote inmate spiritual growth and to discuss a wide range of special religious needs. A Chaplain may be called in times of crisis, such as the death or illness of an inmate’s family member.

Marriage: Inmates wishing to get married while incarcerated must first discuss their wish to get married with members of his assigned Unit Team and/or the Chaplain. All expenses of the marriage will be paid by the inmate. U.S. Government funds may not be used for marriage expenses. Marriage procedures at this facility are outlined in the Institution Supplement regarding “Marriage of Inmates.”

DIRECTIONS TO THE INSTITUTION

The Federal Medical Center, Devens, is located 40 miles northwest of the city of Boston, Massachusetts. Route 2 runs through the area and is the main artery for east/west travel in the north central, Massachusetts area. Visitors should take Exit 37 if traveling on Route 2 and proceed straight onto Jackson Road. After entering the main gate, take your first right off Jackson Road onto Patton Road. The Devens Federal Medical Center is approximately ½ mile down on the right. The Devens Federal Medical Center is located on the grounds of the former Fort Devens Military Base and is adjacent to the towns of Ayer, Harvard and Shirley. Air transportation in the immediate area includes Boston, Worcester, Manchester, New Hampshire, and Providence, Rhode Island. From any of these airports in the area, limousine, bus, rail and taxi service to Devens is available. The city is serviced by bus and local taxi services.

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

INMATE RIGHTS AND RESPONSIBILITIES

RIGHTS

1. You have the right to expect that you will be treated in a respectful, impartial, and fair manner by all staff.
2. You have the right to be informed of the rules, procedures, and schedules concerning the operation of the institution.
3. You have the right to freedom of religious affiliation and voluntary worship.
4. You have the right to health care, which includes nutritious meals, proper bedding and clothing, - and a laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles, and medical and dental treatment.
5. You have the opportunity to visit and correspond with family members and friends, and correspond with members of the news media, in accordance with Bureau rules and institution guidelines.
6. You have the right to unrestricted and confidential access to the courts by correspondence (on matters such as the legality of your conviction, civil matters, pending criminal cases, and conditions of your imprisonment.)
7. You have the right to legal counsel from an attorney of your choice by interviews and correspondence.

RESPONSIBILITIES

1. You are responsible for treating inmates and staff in the same manner.
2. You have the responsibility to know and abide by them.
3. You have the responsibility to recognize and respect the rights of others in this regard.
4. It is your responsibility not to waste food, to follow the laundry and shower schedule, maintain neat and clean living quarters, to keep your area free of contraband, and to seek medical and dental care as you may need it.
5. It is your responsibility to conduct yourself properly during visits. You will not engage in inappropriate conduct during visits to include sexual acts and introduction of contraband, and not to violate the law or Bureau guidelines through your correspondence.
6. You have the responsibility to present honestly and fairly your petitions, questions, and problems to the court.
7. It is your responsibility to use the services of an attorney honestly and fairly.

INMATE RIGHTS AND RESPONSIBILITIES-CONT.

8. You have the right to participate in the use of law library reference materials to assist you in resolving legal problems. You also have the right to receive help when it is available through a legal assistance program.

9. You have the right to a wide range of reading materials for educational purposes and for your own enjoyment. These materials may include magazines and newspapers sent from the community, with certain restrictions.

10. You have the right to participate in educational, vocational training, counseling, and employment programs as resources permit, and in keeping with your interests, needs, and abilities.

11. You have the right to use your funds for commissary and other purchases, consistent with institution security and good order, for opening bank and/or savings accounts, and for assisting your family, in accordance with Bureau rules.

8. It is your responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other inmates to the use of the materials and assistance.

9. It is your responsibility to seek and use such materials for your personal benefit, without depriving others of their equal rights to the use of this material.

10. You have the responsibility to take advantage of activities which will aid you to 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 participation in such activities.

11. You have the responsibility to meet your financial and legal obligations, including, but not limited to, DHO and court-imposed assessments, fines, and restitution. You also have the responsibility to make use of your funds in a manner consistent with your release plans, your family needs, and for other obligations that you may have.

**Table 1. PROHIBITED ACTS AND AVAILABLE SANCTIONS
GREATEST SEVERITY LEVEL PROHIBITED ACTS**

100	Killing.
101	Assaulting any person, or an armed assault on the institution's secure perimeter (a charge for assaulting any person at this level is to be used only when serious physical injury has been attempted or accomplished).
102	Escape from escort; escape from any secure or non-secure institution, including community confinement; escape from unescorted community program or activity; escape from outside a secure institution.
103	Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of Greatest Severity, e.g., in furtherance of a riot or escape; otherwise the charge is properly classified Code 218, or 329).

- 104 Possession, manufacture, or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive, ammunition, or any instrument used as a weapon.
- 105 Rioting.
- 106 Encouraging others to riot.
- 107 Taking hostage(s).
- 108 Possession, manufacture, introduction, or loss of a hazardous tool (tools most likely to be used in an escape or escape attempt or to serve as weapons capable of doing serious bodily harm to others; or those hazardous to institutional security or personal safety; e.g., hacksaw blade, body armor, maps, handmade rope, or other escape paraphernalia, portable telephone, pager, or other electronic device).
- 109 (Not to be used).
- 110 Refusing to provide a urine sample; refusing to breathe into a Breathalyzer; refusing to take part in other drug abuse testing.
- 111 Introduction or making of any narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by the medical staff.
- 112 Use of any narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by the medical staff.
- 113 Possession of any narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by the medical staff.
- 114 Sexual assault of any person, involving non-consensual touching by force or threat of force.
- 115 Destroying and/or disposing of any item during a search or attempt to search.
- 196 Use of the mail for an illegal purpose or to commit or further a Greatest category prohibited act.
- 197 Use of the telephone for an illegal purpose or to commit or further a Greatest category prohibited act.
- 198 Interfering with a staff member in the performance of duties most like another Greatest severity prohibited act. This charge is to be used only when another charge of Greatest severity is not accurate. The offending conduct must be charged as “most like” one of the listed Greatest severity prohibited acts.
- 199 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another Greatest severity prohibited act. This charge is to be used only when another charge of Greatest severity is not accurate. The offending conduct must be charged as “most like” one of the listed Greatest severity prohibited acts.

AVAILABLE SANCTIONS FOR GREATEST SEVERITY LEVEL PROHIBITED ACTS

- A. Recommend parole date rescission or retardation.
- B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time up to 100%) and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
- B.1. Disallow ordinarily between 50% and 75% (27-41 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
- C. Disciplinary segregation (up to 12 months).
- D. Make monetary restitution.

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

HIGH SEVERITY LEVEL PROHIBITED ACTS

- 200 Escape from a work detail, non-secure institution, or other non-secure confinement, including community confinement, with subsequent voluntary return to Bureau of Prisons custody within four hours.
- 201 Fighting with another person.
- 202 (Not to be used).
- 203 Threatening another with bodily harm or any other offense.
- 204 Extortion; blackmail; protection; demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.
- 205 Engaging in sexual acts.
- 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.
- 210 (Not to be used).
- 211 Possessing any officer's 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.
- 214 (Not to be used).
- 215 (Not to be used).
- 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.
- 222 (Not to be used).
- 223 (Not to be used).
- 224 Assaulting any person (a charge at this level is used when less serious physical injury or contact has been attempted or accomplished by an inmate).
- 225 Stalking another person through repeated behavior which harasses, alarms, or annoys the person, after having been previously warned to stop such conduct.
- 226 Possession of stolen property.
- 227 Refusing to participate in a required physical test or examination unrelated to testing for drug abuse (e.g., DNA, HIV, tuberculosis).
- 228 Tattooing or self-mutilation.
- 229 Sexual assault of any person, involving non-consensual touching without force or threat of force.
- 296 Use of the mail for abuses other than criminal activity which circumvent mail monitoring procedures (e.g., use of the mail to commit or further a High category prohibited act, special mail abuse; writing letters in code; directing others to send, sending, or receiving a letter or mail through unauthorized means; sending mail for other inmates without authorization; sending correspondence to a specific address with directions or intent to have the correspondence sent to an unauthorized person; and using a fictitious return address in an attempt to send or receive unauthorized correspondence).
- 297 Use of the telephone for abuses other than illegal activity which circumvent the ability of staff to monitor frequency of telephone use, content of the call, or the number called; or to commit or further a High category prohibited act.
- 298 Interfering with a staff member in the performance of duties most like another High severity prohibited act. This charge is to be used only when another charge of High severity is not accurate. The offending conduct must be charged as “most like” one of the listed High severity prohibited acts.
- 299 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another High severity prohibited act. This charge is to be used only when another charge of High severity is not accurate. The offending conduct must be charged as “most like” one of the listed High severity prohibited acts.

AVAILABLE SANCTIONS FOR HIGH SEVERITY LEVEL PROHIBITED ACTS

- A. Recommend parole date rescission or retardation.
- B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time up to 50% or up to 60 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
- B.1 Disallow ordinarily between 25% and 50% (14-27 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
- C. Disciplinary segregation (up to 6 months).
- D. Make monetary restitution.

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

MODERATE SEVERITY LEVEL PROHIBITED ACTS

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

AVAILABLE SANCTIONS FOR MODERATE SEVERITY LEVEL PROHIBITED ACTS

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

LOW SEVERITY LEVEL PROHIBITED ACTS

- 400 (Not to be used).
- 401 (Not to be used).
- 402 Malingering, feigning illness.
- 403 (Not to be used).
- 404 Using abusive or obscene language.
- 405 (Not to be used).
- 406 (Not to be used).
- 407 Conduct with a visitor in violation of Bureau regulations.
- 408 (Not to be used).
- 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.

