LEGAL PROCEDURES FOR INSTITUTION HEARING PROGRAM (IHP) ATTORNEYS:

VISITING, CALLS AND MAIL

FCI Dublin, California

Effective December 16, 2019

Legal Visits:

Legal visits at FCI Dublin are afforded a private area, but not necessarily a private room, which will depend on availability for that particular date and time. Legal visits will be processed and coordinated centrally, and then assigned to a Counselor to be the main point of contact for that particular visit. Legal visits are generally provided Mondays – Fridays, from 6 am – 2 pm. Legal visits may occur during social visiting hours on the weekends, with the parties’ understanding the degree of privacy may be impacted with the social visitation going on at any particular time.

An email request for a legal visit shall be sent to the following email box:

DUB/ExecAssistant@bop.gov

The email request must include the following:

* Attorney’s name, bar number, and contact information
* Client’s name and BOP register number
* Representation that this request is related to representing a BOP inmate in the IHP
* List of attorney assistants, translators, and/or experts who will be accompanying the attorney
* For experts, there must be a representation from the sponsoring attorney their presence is exclusively for the use of IHP-related matters
* Requested date(s) and time of visit (listing alternative dates will improve chances of approval via first email)
* Estimated duration of visit
* Any equipment you may want to bring in with you to the visit
* When an attorney or attorney group is visiting multiple clients, a single email will suffice

Within one week of the email’s receipt, you will either receive an email confirmation for the requested date/time, or receive an email or phone call asking for an alternative date/time. We cannot guarantee accommodating requests for legal visits or changes when there is less than a week’s notice, but for extraordinary and unforeseen reason(s), we will exercise all reasonable efforts to accommodate last-minute requests/changes. For requests with less than a week’s notice, it will be at the discretion of the Warden or designee to approve or disapprove, who may consult with BOP legal staff.

The confirmation will include the name of the assigned Counselor, and the Counselor’s contact information. Changes or cancellation should be communicated through this same email box.
**Background checks:** All first-time visitors need to submit to a background check; FCI Dublin reserves the right to ask a visitor to resubmit to another background check, but ordinarily, not more frequently than every six months. FCI Dublin will maintain a list of those individuals who have successfully completed a background check, along with the date completed and cleared.

There will be internal calendaring of legal visit(s), and the Front Lobby Officer will be provided an Entrance memo listing approved legal visitors, along with a list of approved items they may bring in. Regular Visiting Regulations still apply, which are available through the FCI Dublin Visiting webpage at: [https://www.bop.gov/locations/institutions/dub/](https://www.bop.gov/locations/institutions/dub/)

The IHP Coordinator at FCI Dublin is the Case Management Coordinator, who can be reached through the main institution number, (925) 833-7500. For complex legal issues, you may also contact the Regional Counsel’s Office at (209) 956-9739. BOP legal staff will help ensure you and your client are being afforded the privileges set forth in Program Statement (PS) 1315.07, Legal Activities, Inmate, available at [www.bop.gov](http://www.bop.gov)

**Phone Calls and Legal Phone Calls:**

Attorneys should be aware when inmates use the institution telephone system (ITS); all calls are monitored and recorded. See Program Statement (PS) 5264.08, Inmate Telephone Regulations, available at [www.bop.gov](http://www.bop.gov)

Unmonitored legal phone calls are only allowed when the inmate or inmate’s attorney demonstrates communication by other means is not adequate, like if there is an imminent court deadline. See pages 12-13 of PS 5264.08. To facilitate these calls, a staff member will initiate the call from an office phone and then hand the phone to the inmate. The staff member is ordinarily in the same room as the inmate during these calls because of the sensitive nature of materials in the office, and ensuring no new number is dialed. Greater privacy may be provided on a case-by-case basis and based on available resources, but, will be extremely limited due to security concerns related to access to an unmonitored line. For example, depending on available resources, we can try to arrange for only visual monitoring of a legal phone call. As legal calls per BOP policy are only provided when other means of communication are not adequate, the frequency and duration of a legal phone call will ordinarily be limited.

**Mail and Legal Mail:**

All general correspondence is opened and searched. There are many other mailing limitations. See PS 5800.16, Mail Management Manual, PS 5265.14, Correspondence, and PS 5266.11, Incoming Publications, all available at [www.bop.gov](http://www.bop.gov). For increased security and safety due to an influx of narcotics being embedded within incoming mail, there are also new procedures to be aware of:

* Incoming general correspondence envelopes and paper must be white in color
* Materials included in general correspondence like glitter, lipstick, crayon, etc. will be rejected
* Postage stamps and envelope flaps will be removed prior to delivery to the inmate
*Incoming general correspondence using a label may be rejected

*Homemade greeting cards will be rejected, and commercial greeting cards will be copied, and only a copy provided to the inmate; the original will be maintained for 30 days and then discarded.

For “Special Mail” privileges, the following must be on the incoming envelope:

*Marked “Special Mail – To Be Opened Only In The Presence Of The Inmate”

*Above the return address, a sender must be specifically identified so mailroom staff can ascertain whether the mailer is an attorney. For example, “John Smith, Attorney-at-Law,” would make it clear this is an attorney who is entitled to the Special Mail privilege

*With correct markings, the inmate will pick up their legal mail from their Unit Team who will open it in the inmate’s presence. Unit Team will perform a cursory scan ensuring the item(s) are legal mail before providing the contents to the inmate. Due to increased security concerns, only a copy of the envelope will be provided to the inmate. The original envelope will be held for 30 days and then discarded.