



U. S. Department of Justice
Federal Bureau of Prisons
Federal Correctional Complex
High Security Institution
Florence, Colorado 81226

INSTITUTION SUPPLEMENT

OPI: Education Department
NUMBER: FLP 1315.07A
DATE: October 14, 2013

Inmate Legal Activities

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Approved: J. Oliver, Warden
High Security Institution

1. **PURPOSE AND SCOPE:** It is the policy of the United States Penitentiary to provide reasonable access to legal materials, counsel, and reasonable opportunity to prepare legal documents. The purpose of this institution supplement is to provide procedures and guidelines for implementing Program Statement 1315.07, Legal Activities, Inmate, dated November 5, 1999.

2. **DIRECTIVES AFFECTED:**
 - A. **Directives Referenced:**

Program Statement 1315.07, Legal Activities, Inmate, dated November 5, 1999.

Program Statement 5265.14, Correspondence, dated April 5, 2011.

Program Statement 5267.08, Visiting Regulations, dated May 11, 2006

 - B. **Standards Referenced:**

American Correctional Association 4th Edition Standards for Adult Correctional Institution: Standards 4-4266, 4-4267. ACA Foundation/Core Standards for Adult Correctional Institutions: FC2-4082, C2-4047, C2-4108; FC2-4086, C2-4104, C2-4197; FC2-4088 and C2-4105.

3. **LAW LIBRARIES:**

A. The Main Law Library at USP Florence is located in the Education Department.

1. Operating hours are as follows:

Monday – Thursday 7:30 a.m. – 10:30 a.m.
 12:30 p.m. – 3:30 p.m.
 6:00 p.m. – 8:00 p.m.

Friday 7:30 a.m. – 10:30 a.m.
 12:30 p.m. – 3:30 p.m.

Saturday 7:00 a.m. – 9:30 a.m.
 Noon – 3:00 p.m.

Sunday Closed

2. The Main Law Library does not maintain state legal materials; however, inmate requests for state legal materials will be considered on a case-by-case basis.

B. The USP Electronic Law Libraries (ELLs) are located in the common area of each housing unit within the USP and in the Education Department. All the legal materials outlined in the attachments to Program Statement 1315.07, *Legal Activities, Inmate*, are available on the ELL. Institution Supplements of interest to the inmate population are located on the ELL.

1. General Information about ELL

a. To access the ELL, inmate will log onto the workstation using their PIN, PAC, and register number. Usage of the ELL will be for a maximum of two hours, after which the user will automatically be timed out of the system.

b. With the exception of D/A unit, the ELLs in the common areas of the housing units are attached to printers. D/A unit inmates have access to an ELL printer in the Education Department. Delivery of printed legal materials to indigent inmates will be provided on an as needed basis.

c. Check out time on materials from the Main Law Library ordinarily will not exceed one week, except on weekends and holidays.

- d. Inmates who lose, damage, or refuse to return materials checked out to them will be held responsible and will be subject to disciplinary action and restitution.
 - e. Inmates vandalizing the ELL equipment will be subject to disciplinary action and restitution.
2. Procedures for ELL Access for SHU and SMU Levels 1 and 2
- a. Inmates will be provided access to the ELL within the housing unit. An inmate may log onto the ELL terminal in two hour increments, and after his two hours have expired, he will not be able to log back into the system for another 12 hours until the following day.
 - b. Inmates will submit a request for usage of the ELL to the Unit Officer. Inmates will be provided access to the ELL in the order requests are received. Unit Officers will maintain an ELL log.
 - c. Special accommodations will be given to those inmates with a verified imminent court deadline. **An imminent court deadline is required legal responses 30 days or less.** Requests for accommodations should be submitted to the inmate's Unit Team, who will then notify the Unit Officers if the request is approved and what accommodations should be provided.
 - d. Inmates not actively using the ELL terminal may be removed from the ELL. If an inmate with a verified imminent court deadline is removed from the ELL, the inmate may lose any accommodations the inmate has received. Repeated misuse of the ELL may result in discipline and/or the suspension of ELL privileges.
3. Procedures for ELL Access for SMU Levels 3 and 4
- a. Inmates will be provided access to the ELL within the housing unit during their scheduled range activities. An inmate may log onto the ELL terminal in two hour increments, and after his two hours have expired, he will not be able to log back into the system for another 12 hours until the following day.
 - b. Special accommodations outside scheduled range activities will be given to those inmates with a verified imminent court

deadline. **An imminent court deadline is required legal responses 30 days or less.** Requests for accommodations should be submitted to the inmate's Unit Team, who will then notify the Unit Officers if the request is approved and what the accommodations should be provided.

4. Procedures for ELL Access for D/A Unit
 - a. Inmates will be provided access to the ELL within the housing unit and in the Education Department during normal hours of operation.
 - b. Inmates with a verified imminent court deadline will be placed on "Legally Unassigned" work status, allowing them to access the ELL in the Education Department during normal hours of operation. **An imminent court deadline is required legal responses 30 days or less.**
5. Procedures for ELL Access for D/B Unit
 - a. Inmates will be provided access to the ELL within the housing unit during their scheduled range activities.
 - b. Special accommodations outside scheduled range activities will be given to those inmates with a verified imminent court deadline. **An imminent court deadline is required legal responses 30 days or less.** Requests for accommodations should be submitted to the inmate's Unit Team, who will then notify the Unit Officers if the request is approved and what accommodations should be provided.

4. **MAINTENANCE OF LAW LIBRARIES:**

- A. Overall responsibility of insuring mandated materials are maintained in the law libraries is the responsibility of the Supervisor of Education.
- B. ELL update cycles include monthly, quarterly, bi-yearly, and three to five year intervals.
- C. Responsibility for the day-to-day operations of the ELL terminals in the housing unit is the Unit Officer.
- D. The Trust Fund Department is responsible for any discrepancies in the maintenance of the system. Discrepancies may be directed to the Education or Trust Fund Department.

5. **LEGAL RESEARCH AND PREPARATION OF LEGAL DOCUMENTS:** Inmates will be allowed to assist one another in the research and preparation of legal documents consistent with Program Statement 1315.07, Legal Activities, Inmate. Due to potential separation requirements and security concerns, inmates may not necessarily be allowed to have the specific inmate of their request help them in such endeavors. With the exception of D/A inmates, any legal assistance from one inmate to another will need the approval of the Unit Manager. An inmate may request approval by submitting a written request via the Inmate Request to Staff form to the Unit Manager, who will then notify the Unit Officers if the request is approved and in what manner the assistance will be provided. D/A Unit inmates do not need the approval of the Unit Manager and may assist one another in the Education Department.

6. **MISCELLANEOUS PROVISIONS:**

A. Photocopies

1. With the exception of D/A Unit inmates, the inmate's Correctional Counselor is responsible for implementing procedures for duplicating personal legal documents as outlined in Program Statement 1315.07, Legal Activities, Inmate, for USP inmates. D/A Unit inmates may access a copying machine in the Education Department.
2. The cost of all copies and prints is 15 cents (\$0.15) per page, double sided is 30 cents (\$0.30). Indigent inmates who have a verified need for limited reproduction of legal materials and demonstrate the legal materials are essential to meeting an **imminent court deadline or time sensitive legal issue** will be provided a reasonable number of photocopies. Indigent inmates are inmates who have a trust fund account balance of \$6.00 or less for 30 days. Inmates will be required to submit an Inmate Request for Printed Pages or Copies Without Funds form, and sign a BP-199 form, Request for Withdrawal of Inmate's Personal Funds.

B. Legal Property

1. Inmates may be allowed to maintain legal material necessary for legal actions and legal reference. The amount of storage space provided for excess legal materials is dependent upon the amount of space available and legal materials will be limited to that amount which can be neatly stored in an inmate's cell. Ordinarily, the amount will be limited to a level of three (3) cubic feet per inmate.
2. An inmate who claims a need for additional space for material in connection with legal activities may be provided space for

additional storage on a temporary basis. Such requests should be made through his Unit Team. In no circumstance should the amount of personal legal materials be such as to pose a fire, sanitation, security, or housekeeping hazard. The Legal Department should be consulted if there is a question as to the need for bulky or excess legal material.

C. Typewriters

1. With the exception of D/A Unit inmates, typewriters are not available for inmate use at the USP. However, a listing of typing services will be made available upon request. The Education Department has no control over the fee schedule imposed for the service.
2. A limited number of typewriters are available for legal use only by D/A Unit inmates in the Education Department. Inmates may be required to verify they are typing legal work. Unauthorized use of typewriters may result in disciplinary action. Inmates utilizing the typewriters will be required to provide their own typewriter ribbon and correction tape. These items are available for purchase through the commissary, with a possession limit of two of each item. Indigent inmates will be allowed to check out ribbons through the Education Department. Typewriters will not be reserved by inmates, and any paper or materials left at the typewriters after and between shifts will be considered contraband.

D. Inmate Discovery Computer: Inmates needing to review electronic discovery may submit an Inmate Request to Staff Member to their Unit Team.

7. **ATTORNEY VISITS:** Procedures for attorney visits are outlined in Program Statement 1315.07, Legal Activities, Inmates, dated November 5, 1999, Section 10, Visits by Attorneys.
8. **PARALEGALS, CLERKS, AND LEGAL ASSISTANTS:** Requests to enter the institution and correspond with an inmate as an attorney's "legal representative" will be processed by the Unit Team with the assistance of the Legal Department, if necessary.

DISTRIBUTION:

Directives Libraries
Sallyport
AFGE
Inmate Law Library