

**INMATE**

**ADMISSION & ORIENTATION**

**BOOKLET**

**FEDERAL CORRECTIONAL**  
**INSTITUTION**  
**OXFORD, WISCONSIN**

**February 2012**

## **INTRODUCTION**

This booklet is designed to provide you with a brief overview of this institution and the services available to you. It will inform you of your rights and responsibilities during your stay at FCI Oxford. Many of the topics will be discussed during the A&O lectures.

During your confinement, we encourage you to ask questions. The staff will be willing to assist you in any way they can. If they are unable to answer your question, they will either find the answer or direct you to the appropriate staff member. What you make of this confinement is up to you. You are required to respect the rights of everyone and abide by the rules and regulations of the correctional institution. We encourage you to develop goals which will make a positive difference in your future. In addition, FCI Oxford has numerous educational programs, and we encourage you to take advantage of these opportunities. You should begin planning for your eventual release and return to society the day you begin your sentence.

---

R. Werlinger, Warden

## **CLASSIFICATION / UNIT TEAMS**

**Unit Teams:** Assigned to you during the Admission and Orientation process will be a unit manager, case manager and counselor. The unit team includes a unit manager, case manager, correctional counselor and a unit secretary. When available, the staff psychologist, education advisor, and unit officer will sit on Initial Classifications and Program Reviews and be considered members of the unit team. Unit staff members are available to assist in many areas, including parole matters, release planning, and attaining goals while in prison. Ordinarily, a member of the unit staff will be at the institution weekdays from 6:00 a.m. to 9:00 p.m., and during the day on weekends and holidays. The unit staff usually schedule their working hours in such a manner that one of them will be available at times when inmates are not working. The general functions of unit staff are as follows:

**Unit Manager:** The unit manager is the administrative head of the general unit and oversees all unit programs and activities. He/she is a department head at the institution and has a close working relationship with other departments and personnel. The unit manager is the "chairperson" of the team. The unit manager reviews all team decisions and heads the unit discipline committee.

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

**Correctional Counselor:** The correctional counselor provides counseling and guidance for the inmates of the unit in areas of institutional adjustment, personal difficulties and plans for the future. He or she plays a leading role in all segments of unit programs. The correctional counselor will visit inmate work assignments regularly and is the individual to approach for daily problems. They hold responsibilities for security, safety and sanitation of the unit. The correctional counselor frequently serves as a member of the unit discipline committee.

**Unit Secretary:** The unit secretary performs clerical and administrative duties to support the unit team.

**Unit Officer:** Unit officers have direct responsibility for the day-to-day supervision of inmates and the enforcement of rules and regulations. They have safety, security and sanitation responsibilities in the unit. Unit officers are in regular contact with inmates in the units.

**Classification:** You will be scheduled for your initial classification within four weeks of your arrival at FCI Oxford. At the initial classification, your unit team will formulate a program plan. This program plan will include a discussion of your job assignment or job change, educational or vocational goals, individual and group counseling programs, the Financial Responsibility Program, and your release plans.

**Program Reviews:** Program reviews will be conducted by your unit team at least every 180 days if you have more than one year remaining to serve on your sentence or at least every 90 days if you have less than one year remaining to serve. If your unit team deems it necessary, you may be scheduled for a program review more frequently than every 90 or 180 days. You will be notified 48 hours prior to a scheduled team review.

**Functional Units:** Buildings on the east side of the compound are designated as "houses" while buildings on the west side of the compound are designated as "cottages." The housing units consist of Portage House, Waupaca House, Sauk House, Wood House and Waushara House. Adams Cottage, Juneau Cottage, Marquette Cottage are general population units. Columbia Cottage is a program unit which offers comprehensive drug treatment. Dane Cottage is a transitional drug treatment/values unit. This unit will house those inmates who have completed the Bureau of Prisons Residential Drug Abuse Program (RDAP) or are on the waiting list to participate in RDAP at FCI, Oxford.

### **DAILY INMATE LIFE**

**Inmate Identification Cards (ID):** Inmates are required to carry their ID cards at all times.

**Clothing Issue and Maintenance:** Appropriate clothing will be issued to you shortly after your arrival, generally the next day. The clothing will be marked with your name and bin number. The bin number is used to identify your clothing in the clothing room to ensure you receive your issued clothing back after washing or release from the Special Housing Unit (SHU). Bin numbers are assigned at random based upon availability at the time you are designated.

**General Clothing Exchange:** Inmates designated to A and B bins may turn in/exchange clothing and linens between the hours of 6:30 a.m. and 7:15 a.m. Monday and Thursday. Inmates designated to C and D bins may do the same on Tuesday and Friday between the hours of 6:30 a.m. and 7:15 a.m. Socks, towels and face cloths may be exchanged on your bin day during the general clothing exchange hours on a one-for-one basis only. Sheets, pillowcases and blankets may be exchanged on either of your bin days, once a week during the general clothing exchange hours. This exchange is on a one-for-one basis only. Safety shoes are part of your initial issue and may be replaced every 18 months. They will be worn on all job assignments. Upon your initial issue, you will receive five pairs of underwear and five t-shirts. Clothing exchanges are conducted once per year. Inmates must request an exchange via electronic cop-outs.

White clothing is issued to inmates assigned to food service and is to be worn on the job only. Inmates who are not assigned to food service are not permitted to possess white clothing at any time. Food service workers may exchange white clothing daily, Monday, Tuesday, Thursday and Friday, at 1:30 p.m.

Washers and dryers are provided in the unit at a fee for washing personal clothing and issued personal clothing items. You may use the institutional laundry for issued items only.

**Appropriate Dress:** Monday through Friday, excluding holidays, from 6:00 a.m. to 4:00 p.m., a **standard work uniform** will be worn when leaving the housing units. This will include inmates on day off or vacation status. The only exception will be inmates participating in authorized recreational activities.

**A standard work uniform will consist of khaki trousers and khaki button shirt, with the shirt tail tucked in at all times.** Institution work boots will be worn in areas designated by the safety department. Tennis shoes may be worn in all other areas. Institution issued belts will be worn. Excessively loose fitting clothing or sagging and dragging will not be allowed.

ADo rags@ will only be authorized inside inmate housing units. Hats and sunglasses will not be worn in the institution dining facility, with the exception of religious head wear. Inmate personal property (radios, books, etc.), will not be allowed in the institution dining facility. The **standard work uniform** will be worn during appointments in the health services department and institution visiting room. AMess white@ uniforms will be considered the **standard work uniform** for inmates working in food service during assigned work detail hours. AMess whites@ will be authorized for wear in the education department only for inmates going directly to work following classes or going directly to class from work.

**Personal Appearance:** The barber shop is open Monday, Wednesday and Friday from 8:30 a.m. to 11:30 a.m., and 12:30 p.m. to 3:30 p.m. Appointments are necessary for the purpose of obtaining haircuts, and you will be placed on call out for your assigned time. You must sign up inside the lieutenant's= office Wednesday and Thursday evenings during the 6:30 p.m. or 7:30 p.m. movement. Your hair may be worn in any style and length you wish. Inmates are expected to keep their hair clean and to avoid an un-kept appearance. Personnel hygiene items are available in clothing issue on Monday mornings from 6:30 a.m. to 7:15 a.m. Inmates may purchase name-brand items through the commissary.

**Room Appearance:** Your room is your responsibility. You are provided a bed, chair, table, locker and bulletin board. These should be arranged in a neat, orderly manner. Nothing is to be attached to the walls, ceiling or door as there is ample space on the bulletin board for photos or sketches. Cleaning supplies are available from the unit officer. Inmates are responsible for sweeping, mopping and dusting their personal living areas. **All beds will be made by 7:30 a.m., Monday through Friday and whenever you leave your room on weekends and holidays. Your personal articles should be arranged or stored in an orderly fashion.** Your room will be inspected daily to assure you are maintaining it in the best possible condition. Rooms should be ready for inspection by work call on a daily basis.

**Meal Rotation Schedule:** Three meals are prepared daily. Housing and cottage units will be called to the dining facility per the rotation scheduled.

On Monday through Friday, during regular work hours, the inmate population will be released from their respective detail to the dining hall for lunch when notified by the activities lieutenant per the rotation schedule. Each detail's lunch period is one-half hour in length. Inmates who choose not to eat the noon meal may return to their respective units; however, all inmates must return to their details at the completion of the scheduled lunch period. On weekends and holidays, a coffee hour will begin at 7:30 a.m., a brunch at 11:00 a.m. and dinner is at the regular time.

**Wake-Up:** General wake-up for all inmates is 6:00 a.m., Monday through Friday. CMS wake-up is at 5:30a.m. and those workers will be called to breakfast at 6:00 a.m. CMS work call is at 6:30 a.m. Breakfast for the rest of the population begins at 6:30 a.m. and the general work call is at 7:35 a.m. Inmates on vacation, day off or medical lay-in may sleep late; however, rooms must be ready for inspection at work call.

**Radios:** It is the policy of this institution to permit inmates to possess radios for personal use. Radios containing tape recording or playing features, or altered with battery packs are contraband. Radios may not be loaned or given to other inmates and are not allowed in the

dining room or work areas. All radios will be battery operated and used with headphones.

**Trulincs:** The Trust Fund Limited Inmate Computer System (TRULINCS) provides inmates with a computer system that does not jeopardize the safety, security, or orderly operation of the correctional facility, or the protection of the public. Inmates participating in the program do not have access to the Internet.

Inmate will prepare their own contact list via TRULINCS. Inmates will also be required to Inmates may only have 100 active contacts on their contact list. Messages may not contain attachments and may not exceed 13,000 characters. Inmates are able to access incoming, outgoing, draft, deleted, and rejected messages for 60 days. Messages 60 days old are automatically purged from the inmates' view by the system. After three consecutive failed attempts to access the system, the inmate's account is locked; the System Administrator must unlock it. Accounts will generally be unlocked each work day morning. Inmates will not share passwords (login criteria) and will log off the system when leaving the TRULINCS terminal.

Inmates are advised to keep manual copies of their contact list as these lists will not be printed off for inmates that are placed in the Special Housing Unit. Additionally, inmates will not have access to public/staff messaging, nor will they receive copies of electronic correspondence while in the SHU.

Inmate will be charged .05 per minute while in public messaging and .15 cents per printed copy. Inmates will not be charged for staff messaging, updating lists, reading the bulletin board, entering contact information, preparing BP-199's or mailing labels.

Inmates are required to produce mailing labels for any outgoing mail via TRULINCS. Inmates may send 5 mailing labels per day to the print que. It is advised that you keep a few extra labels in your cell in the event that the print machine malfunctions over the weekend.

**Commissary:** The funds which you brought with you, funds sent to you or the money you earn for working are retained by the institution in a trust fund. You may withdraw money for personal spending in the institution commissary, to purchase TRUFONE or TRULINC credits or to send out of the institution via a BP-199. The commissary uses a point-of-sale computerized commissary withdrawal system that simplifies purchasing and gives you an up-to-date record of all account activity. See your unit team if you would like to make arrangements to open a savings account with a local bank. The commissary access time for inmates in each unit is scheduled on a rotating basis. The schedule is posted in the unit and in the commissary. It is the inmate's responsibility to know the amount of money available in his commissary account. Inmates may check on the balance of their account via the inmate telephone system as explained on page 35 of this booklet. Inmates may check on the balance of their account via the inmate telephone system or TRULINCS as explained on page 35 of this booklet.

Special purchase orders are originated in the relative department. These orders must be approved by the proper approving official. A list of "special purchase" items is available in recreation or in the hobby craft institution supplement.

Inmates are permitted to spend up to \$320.00 per month on regular purchases and \$300.00 per quarter on special purpose items. Each inmate's account is "validated" once per month. The

validation date is determined by the 5<sup>th</sup> digit of your register number X 3 + 1. The \$290.00 amount does not include telephone credits, stamps or over the counter medications.

**Borrowing commissary items from other inmates is not allowed.**

**Inmate Monies:** Inmate family and friends must send negotiable instruments to the LockBox processing center. The LockBox processing center receives mail Monday through Friday, excluding federal holidays, and processes the negotiable instruments the same day they are received. All negotiable instruments must contain the inmate's committed name and register number. Approved types of negotiable instruments are postal money orders, government checks, foreign negotiable (U.S. currency only), business checks, and personal checks. All United States Postal Money Orders will be processed the same day they are received. All other negotiable instruments will not clear your account for fifteen (15) calendar days. Inmates may also receive funds via Western Union or Money Grams. All questions concerning posting of monies received should be addressed to the trust fund staff.

Inmates' families and friends choosing to send inmates funds through the mail must send those funds to the following address and in accordance with the directions provided below:

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

You may remove funds from your account for outside sources via TRULINCS. The funds must be for an approved purpose such as funds to dependents and other family members, the purchase of flowers, magazine subscriptions, the payment of fines, restitution for losses, legitimate debts and other obligations such as court fees, attorney fees, birth certificates, expenses of bedside visits, funeral trips and the purchase of legal books.

**SECURITY PROCEDURES**

**Counts:** When count is announced, inmates must return to their cells and remain quiet until the count is announced clear. Inmates are expected to be standing at bedside during the 4:00 p.m. and 10:00 pm count. Official counts are ordinarily taken at midnight, 3:00 a.m., 5:30 a.m., 4:00 p.m. and 10:00 p.m. There is a 10:00 a.m. stand-up count on Saturdays, Sundays and holidays. Disciplinary action will be taken if an inmate is not in his assigned area during a count or if an inmate leaves his assigned area before the count is cleared. Each inmate must actually be seen at all counts, even if the inmate must be awakened.

**Call-Outs:** Call-outs are a scheduling system for appointments (including hospital, dental, educational, team meetings and other activities) and are posted each day on the unit bulletin boards after 4:00 p.m., on the day preceding the appointment. It is the inmate's responsibility to check for appointments on a daily basis. All scheduled appointments are to be kept. Most call-outs will be accomplished within controlled movement periods. Inmates must check the daily call-out sheet to ascertain if they have a call-out, time and place. In the event that an inmate appears on a call out sheet for more than one call-out for the same time, it will be the

inmate=s responsibility to notify his detail supervisor or unit officer of the conflict of times. The detail supervisor or unit officer will then verify the times and contact the departments affected. The inmate will then be informed of which call-out, time and department he is to report.

**Pass System/Controlled Movement:** A pass system is in effect Monday through Friday, between 7:45 a.m. to 3:30 p.m., excluding holidays, 7:35 a.m. work call, noon mainline, 3:45 p.m. recall and when being escorted by staff. In concert with the pass system during normal work hours, Monday through Friday, 7:45 a.m. to 3:30 p.m., there will be a ten minute announced movement every hour on the half hour beginning at 8:30 a.m. This movement will be made to allow off-duty inmates to move to and from the units, to recreation areas and return with an approved recreation pass. Inmates on call-out to religious services, psychology, education, health services and receiving and discharge will move during the movement period without a pass. Return will be allowed on movement times only. Inmates will require a pass to enter the law library, leisure library and visiting room. Commissary and recreation will use a laminated, numbered pass. Details such as food service, education, laundry, clothing issue will coincide their work schedules with these hourly movements, as much as possible.

Staff will not issue a pass merely on the inmate=s request. For routine visits to staff members, inmates should submit a written request to that staff member, whose responsibility it will be to notify the appropriate staff member of his request to see the inmate. Occasionally, there may be a reason to believe the inmate has a problem that is critical or of an emergency nature. In this case, the staff member may call the respective supervisor and advise the staff member of the inmate=s problem or request. If the receiving staff member agrees to see the inmate, procedures will be the same as for any other appointment.

The pass system is not to be utilized for inmates who attend classes in the education department. College classes will be listed on the call-out system. GED and ABE classes are listed as work assignments. These inmates will report and depart on movement periods and work periods.

All movement times are approximate and contingent upon institutional activity. The movement will begin and end with announcements over the public address system.

8:30 a.m. - 8:40 a.m.	12:30 p.m. - 12:40 p.m.
9:30 a.m. - 9:40 a.m.	1:30 p.m. - 1:40 p.m.
10:00 a.m. - Food Service Shortline	2:30 p.m. - 2:40 p.m.
10:30 a.m. - 10:40 a.m.	3:30 p.m. - Recreation Recall
11:00 a.m. - Mainline	3:45 p.m. - Inmate Recall

During the evening hours, a general population inmate movement will be allowed every hour on the half hour for a ten minute period. The control center officer will announce the beginning and ending of movements. Evening scheduled movements will be approximately 5:30 p.m., or following the evening meal, 6:30 p.m., 7:30 p.m., and 8:30 p.m., with final movement for inmates to return to their assigned housing units (recall). During non-movement times, units' doors and compound area doors will remain locked.

**Contraband:** Contraband is defined as any item or thing not authorized or issued by the

institution, received through approved channels, or purchased through the commissary. All staff are alert to the subject of contraband and make an effort to locate, confiscate, and report contraband in the institution. Any item in an inmate's personal possession must be authorized, and a record of the receipt of the item should be kept in the inmate's possession. Inmates may not purchase or receive radios or any other items from another inmate. Items purchased or received in this manner are considered contraband and will be confiscated. An altered item, even if it was initially approved for purchase or issued, is considered contraband. Altering or damaging government property is a violation of institutional rules and the cost of the damage will be levied against the violator. Purchased or issued items in excess of the authorized limit are also considered contraband and are subject to confiscation.

**Shakedowns:** Any staff member may search an inmate's room to retrieve contraband or stolen property. It is not necessary for the inmate to be present when his room is inspected. The property and living area will be left in the same general condition as found, and these inspections will be unannounced and random.

**Drug Surveillance/Alcohol Detection:** The Bureau operates a drug surveillance program that includes mandatory random testing, as well as testing of certain other categories of inmates. If a staff member orders an inmate to provide a urine sample for this program, and the inmate does not do so, that inmate will receive an incident report. A program for alcohol surveillance is in effect at all institutions. Random samples of the inmate population are tested on a routine basis, as well as those suspected of alcohol use. A positive test will result in an incident report. Refusal to submit to the test will result in an incident report.

**Fire Prevention and Control:** Fire prevention and safety are everyone's responsibility. Inmates are required to report fires to the nearest staff member, so property and lives can be protected. Piles of trash or rags in closed areas, combustible material, items hanging from fixtures or electrical receptacles, or other hazards cannot and will not be tolerated. Regular fire inspections are made in each area of the institution by qualified professionals.

## **PROGRAMS AND SERVICES**

**Job Assignments and Opportunities:** All inmates are expected to maintain a regular job assignment. Institution job assignments are controlled through a performance pay system, which provides monetary payment for work. Once assigned to a job, inmates will ordinarily remain assigned to that job for a 90-day period. Subsequent job changes require the approval of the inmate's unit team. Mechanical services can make job changes within their department.

Institution maintenance jobs are usually the first assignment an inmate receives. This might include work in food service, as a unit orderly, or in a maintenance shop. Of all the departments which hire inmates, the largest are the food service department and mechanical services department.

**Food Service:** Three meals are prepared daily. On Saturdays, Sundays and holidays, we

have coffee hour commencing at 7:30 a.m., a brunch at 11:00 a.m., and the regular evening meal. It takes approximately 150 inmates to operate the food service department. This includes the bakery, butcher shop, cooking, dish room, dining rooms and overall sanitation in all areas of food service. The food service department offers on-the-job training in the cooking and baking fields to those who are interested. Hats or other non-religious head wear are not allowed to be worn in food service. **All non-religious head wear must be removed prior to entering the dining room and shirts must be tucked into your trousers.** The following items are not allowed in food service: book bags, laundry bags or personal drinking containers.

**Mechanical Services:** Inmate employment in mechanical services consists of: machinist, heating/air conditioning, carpentry, masonry, plumbing, electric, grounds maintenance, painting, pipefitting, welding and general construction.

**Education:** The education department serves as the administrative source for various educational programs. These services include: academic, vocational, apprenticeship, educational counseling, leisure activities, general recreational activities, and back-up services for programs as required.

In addition to the organized educational, vocational, and recreational programs, the education department also supervises the legal and leisure libraries, legal copying service, ordering of magazines and newspapers, and special purpose items. The foundation of the education department is the literacy program. The literacy program has been implemented in accordance with Bureau of Prisons policies. It is divided into three sections: literacy, pre-GED, and advanced GED preparation. Current Bureau of Prisons policy requires you to have a high school diploma or to obtain a high school equivalency certificate before being allowed to receive performance pay. Any inmate who does not have a high school diploma or GED or cannot verify a GED when admitted to this institution is required to attend classes for a minimum of 240 instructional hours (unless you have already met that requirement at a prior institution).

The literacy, Pre-GED and advanced GED preparation classes are two hour assignments. The literacy and the Pre-GED Programs consist primarily of reading, math, spelling, grammar, and vocabulary building. Classes are open-ended, meaning that a person may enter the program at any time, at any level, and then progress at his own pace. Individual program plans are developed by instructors for each student and tracking systems are maintained to keep you aware at all times of how much progress you have made. Inmate students are assigned to the various academic programs based upon the results from the Test of Adult Basic Education (TABE), interviews with staff, and previous documented educational achievement.

### **English-As-A-Second Language (ESL)**

The "Crime Control Act of 1990" requires that non-English speaking Federal prisoners participate in an ESL program until they are able to function at the equivalence of the eighth grade level on a nationally recognized educational achievement test. Inmates with limited English proficiency are required to attend ESL classes until they are able to perform at the eighth grade level in competency skills, as measured by a score of 225 on the Comprehensive Adult Student Assessment (CASAS) Reading Certification test and 215 on the CASAS Listening Certification test. Students who score less than 205 in listening and less than 215 in reading

will concentrate on word recognition, spelling, alphabetizing, vocabulary development, sentence comprehension, handwriting, and language usage. Students who score higher than the 205 in listening and 215 in reading will work on further preparing themselves for everyday living in an English speaking society. Skills in grammar, usage, and structure are further developed, while an emphasis is placed on reading comprehension, written proficiency, and proper pronunciation. The class is open-ended allowing students to progress according to their individual readiness.

### **English Proficiency Component**

To prepare inmates for a successful integration into an English speaking community and improve their ability to communicate within the prison environment, the Bureau's Executive Staff decided in May 1998 to require a new English proficiency test to be administered along with the other core-tests in both the Spanish and French General Educational Development test batteries. The GED Testing Service developed the 6th GED test, called the GED English-as-a-Second Language test (GED-ESL), to measure the individual's ability to use the reading skills needed to function as a member of a U.S. community of English users in general, daily activities. Spanish GED students are required to score 400 or higher on the EPC test before taking the five core-tests of the official Spanish GED tests.

### **VCCLEA or PLRA**

The Violent Crime Control Law Enforcement Act (VCCLEA) mandates that an inmate with a date of offense on or after September 13, 1994, but before April 26, 1996, lacking a high school credential, participate in and make progress toward attainment of a General Education Development (GED) credential in order to vest earned Good Conduct Time (GCT).

The Prison Litigation Reform Act (PLRA) provides that in determining Good Conduct Time (GCT) awards, the Bureau of Prisons will consider whether an inmate with a date of offense on or after April 26, 1996 has earned or is making satisfactory progress toward attainment of a GED credential.

Inmates with deportation detainers who were sentenced under either act must participate and make satisfactory progress in order to vest earned GCT (VCCLEA) or be eligible to earn the maximum amount of GCT (PLRA).

An inmate makes satisfactory progress unless one of the following occur:

- 1) Refuses to enroll in the literacy program.
- 2) Found to have committed a prohibited act that occurred in a literacy program during the last 240 hours of the inmate's most recent enrollment in the literacy program.
- 3) Withdraws from the literacy program.

When an inmate subject to VCCLEA or PLRA receives a progress assignment indicating that the inmate is not making satisfactory progress, the assignment shall be changed to indicate

satisfactory progress only after the inmate is currently and continuously enrolled in a literacy program for a minimum of 240 instructional hours. Any further withdrawal or finding that the inmate has committed a prohibited act in a literacy program during the last 240 instructional hours of the inmate's most recent enrollment in the literacy program shall result in a progress assignment indicating that the inmate is again not making satisfactory progress.

### **DCEGT**

The Educational Good Time Sentence Credit for D.C. Offenders (DCEGT) is authorized by the District of Columbia (D.C.) Code and reduces the amount of time to serve under a term of imprisonment. The policy applies to D.C. code offenders in Bureau custody who committed their offenses before August 5, 2000, and completed designated education programs successfully while in bureau custody on or after August 5, 1997.

### **Incentives**

In order to recognize positive achievement of inmates progressing through the various levels of the literacy program, the education department at FCI Oxford has established the following incentives:

Certificate of Achievement - An inmate successfully advancing from Adult Literacy to Pre-GED and from Pre-GED to GED will receive a Certificate of Achievement.

GED Diploma - An inmate passing the GED test will earn a GED diploma and a \$25.00 monetary award, as well as an opportunity to participate in the education annual graduation.

ESL Certificate of Completion - An inmate passing the ESL Program will earn a Certificate of Completion and a \$25.00 monetary award, as well as an opportunity to participate in the education annual graduation.

Student of the Month - Each month, the Education department will recognize a student(s) enrolled in ESL or GED for his outstanding class participation and progress. This recognition will be in form of a certificate and \$10 monetary award.

### **Legal Library**

The inmate electronic legal (law) library is located in the education department. The legal library contains all materials required by BOP policy for the preparation and submission of federal questions of law, beginning with the Administrative Remedy process through the U.S. District court, the U.S. Court of Appeals, and the U.S. Supreme Court.

Typewriters, legal forms, and supplies for use in preparing legal documents are available as well. The typewriters and supplies are for legal work only. If you have a problem regarding Wisconsin state law, there is a legal advisory service available through the University of Wisconsin Law School Intern Program. You may request an interview with members of that staff through your unit team if you need assistance with Wisconsin state law and cannot afford

an attorney on your own.

The law library is open Monday through Friday, 8:30 A.M. to 10:30 A.M., 12:30 P.M. to 3:30 P.M., Monday through Thursday, 5:30 P.M. to 8:30 P.M., and Saturday, 7:30 A.M. to 3:30 P.M.

### **Resource (Leisure) Library**

The resource/leisure library is also located in the education department and has available a wide range of reading material. Books are available for research as needed for college classes, as well as books for leisure reading. Resource materials can be utilized in the library only and are not available for checkout. Most of the books may be checked out by inmates. In addition to books, the library also subscribes to a wide variety of magazines and newspapers. The newspapers and magazines are for use in the library only and may not be removed. The hours the leisure library is open: Monday through Friday, 8:30 A.M. to 10:30 A.M., 12:30 P.M. to 3:30 P.M., Monday through Thursday, 5:30 P.M. to 8:30 P.M., and Saturday, 7:30 A.M. to 3:30 P.M.

Inmates may order books from outside libraries through the Inter-Library Loan Program. The inmate will be held financially responsible if a book is lost, stolen, or damaged. Order forms are available in the resource library.

### **Food Service Training Center**

The Food Service Training Center (FSTC) provides advanced food service preparation and management training at the Associate of Arts degree level for selected inmates. Inmate FSTC graduates are awarded college credit for an Associate of Science Degree by the Fox Valley Technical College in Appleton, Wisconsin. Fox Valley accredits the Oxford program and its instructors. Curriculum for this vocational work/study program is the same as required for food service students on the main campus. Students are assigned to this program on a full-time basis where they earn pay just like they would on any other regular institutional job assignment. Upon graduation, a student is expected to be given an assignment to the institution's food service department for a recommended period of time.

Each student works toward Apprenticeship Certification in Hotel and Restaurant Cooking through the United States Department of Labor. It is also possible for a student who qualifies, and makes application, to be certified by the American Culinary Federation of America.

At Oxford, one class of approximately nine students is admitted every nine months. The primary qualification requirements for the program applicants are:

- 1) Have a verified high school diploma or GED certificate.
- 2) Have demonstrated interest in the food service field. This interest is evaluated by documented proof of prior food service experience. If a person has no prior food service experience, it is recommended that he work in a regular institutional food service job for twelve months, before applying for this program.
- 3) Have a working knowledge of English.
- 4) Have at least 2-6 years left to serve on your sentence prior to release. This is to ensure

completion of the training, and to have the training still fresh in your mind as you release to the streets.

If at any time you are interested in applying for this program, please submit a cop-out to the FSTC instructor. You will be scheduled for a personal interview prior to the beginning of the next class.

### **Adult Continuing Education**

ACE classes offer self-improvement opportunities to inmates at FCI Oxford. The classes are voluntary and they are scheduled during evening hours; they typically last eight to twelve weeks. Examples of these classes are: CDL, legal research, business, foreign language, and mathematics. The only requirement is an interest to learn. If interested in attending any classes or instructing a class, see library staff that will assist you.

### **Apprenticeship Program**

At the present time, there are numerous apprenticeship programs available at FCI-Oxford. The institution Mechanical Services Department offers apprenticeship programs in the following areas: air conditioning/refrigeration mechanic, bricklayer, maintenance carpenter, maintenance electrician, maintenance machinist, mold maker, painter, industrial maintenance pipefitter, plumber, stationary engineer, tool and die maker, wastewater treatment, and industrial welder. The Dental Office of the institution hospital offers an apprenticeship as a dental assistant.

All of the apprenticeship programs at FCI-Oxford are sponsored and certified by the U.S. Department of Labor, Bureau of Apprenticeship and Training. A local Joint Apprenticeship Committee (JAC) has been formed and meets bi-annually to supervise the quality of the program offerings.

Selection of an apprentice is made by the J.A.C. and quarterly progress reviews of each apprentice are made by the committee. The basic requirements for acceptance into the apprenticeship program are as follows:

- 1) Must have a high school diploma or GED certificate.
- 2) Recommendation from your work supervisor and the respective department head.

All of the apprenticeships, except the dental assistant, run between 6000-8000 hours (4-5 years), though more time may be permitted for completion as necessary. The Dental Assistant apprenticeship is a 2000 hour program.

Participation in other educational programs may depend upon having a high school diploma or a GED certificate. Therefore, Education staff at FCI-Oxford encourage you to become involved in your own future by obtaining your GED or enrolling in any vocational/apprenticeship, college program that is available to you.

**Recreation:** FCI Oxford offers a plethora of both structured and leisure time recreational activities, as well as a number of Adult Continuing Education (ACE) classes. This department has an extremely well-equipped gymnasium and a vast outside recreation yard. Additionally there is a Hobby Craft Center, Art Program, and Musical Band room. The gymnasium offers

structured times for basketball, handball, racquetball, volleyball, soccer, and ACE Wellness classes. Also found inside are weight-lifting, a billiards room, and table game area (Ping-Pong, darts, etc.). The outside rec yard offers most of the aforementioned activities as well as softball, a running track, tennis courts, bocce ball, horseshoes, and shuffleboard. Activity specific recreation equipment can be checked out from the equipment room, but must be returned prior to your leaving the gym or recreation yard. You will be held responsible for the condition of the equipment issued to you if it becomes damaged while it is in your possession. The recreation yard and gymnasium are available to use during the hours posted in the Recreation Department and unit bulletin boards. The Hobby Craft Center is open to inmates interested in ceramics, slip and leather work. The Art Program is available to inmate drawers and painters. Both of these programs are open during specific hours posted in recreation. You may apply for either of these programs by contacting the assigned recreation staff member. Some recreational activities are permitted within the housing units (drawing, crochet), but are required to have a Hobby craft Permit. Questions regarding Recreational activities should be directed to Recreation Staff.

Note: The Rec Yard tower is equipped with an Emergency Annunciator System. Should the emergency announcement be activated, you will need to lay face down on the yard (or gym) immediately. If you fail to follow the announcements directives, you will be considered a participant of the problem and will face disciplinary charges as such.

**Counseling Activities:** There are many alternatives for inmates who have personal problems and a desire to correct them. These options include Alcoholics Anonymous, Self-Image, PMA (Positive Mental Attitude) and other voluntary groups. In addition, this institution has professional staff as resources who are trained in the various social science fields. Inmate participation in these activities will be encouraged upon the staff's assessment of inmate needs, but participation in such activities is voluntary. Unit staff are available for informal counseling sessions, and they conduct formal group counseling activities.

**Drug Abuse Treatment Programs:** FCI Oxford offers inmates varied levels of programming to assist in making meaningful changes relative to drug abuse. The Drug Abuse Education course challenges inmates to honestly weigh the costs and benefits of alcohol and other drug use in your life. This course is mandatory for some inmates (see your Case Manager), but is also available to volunteers. Non-Residential Drug Treatment Services consist of group activities on drug-related topics such as Violence Prevention, Criminal Thinking, and Communications Skills. All of these groups are voluntary and are open to any inmate with a substance abuse problem. FCI Oxford has two residential or unit-based programs. Both of these programs are voluntary but you must meet certain criteria for admission. The criteria include a documented history of substance abuse.

Residential Drug Abuse Program (RDAP) in Columbia Cottage is nine months in length and involves a minimum of 500 hours of treatment programming. Qualified inmates who successfully complete the program may earn up to a one year reduction from their sentence.

Residential Transitional Services (RTS) in Dane Cottage has tracks. The Pre-RDAP track is designed to be a gateway or orientation experience to inmates who are on the waiting list for RDAP. Active participation in Post-RDAP track is designed to provide further treatment

opportunities to RDAP graduates. Active participation in Post-RDAP activities will help safeguard the time and energy you have already invested in your self-improvement.

**Psychology and Psychiatry Programs:** FCI Oxford has three Psychologists who provide counseling and other mental health services to inmates. A Psychiatrist also visits the institution on a regular basis.

**Depression/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 long sentences, are experiencing family problems or problems getting along with other inmates, or have just received bad news. Sometimes inmates consider committing suicide due to all the losses they have suffered and the pressure they are under. Staff are trained to monitor inmates for signs of suicide risk and to refer all concerns to the Psychology Department.

However, staff do not always see what inmates see. If you are personally experiencing any of the problems noted above, or you or another inmate are showing signs of depression, PLEASE tell a staff member today. Depression is seen as sadness, tearfulness, lack of enjoyment in usual activities, staying away from others, refusing phone calls and / or visits, feeling worthless, being hard on one's self, hopelessness, giving away possessions, and statements like "there is nothing to live for."

**Musical Instruments:** Musical instruments are available in the recreation area for inmates at most institutions. These instruments will remain in the recreation area. Personal instruments are allowed in the housing units, but amplifiers must be kept in the recreation area. Musical instruments cannot be purchased.

**Central Inmate Monitoring:** The Central Inmate Monitoring (CIM) system is a method for the Bureau's Central and Regional Offices to monitor and control the transfer, temporary release, and participation in community activities of inmates who pose special management considerations. Designation as a CIMS case does not, in and of itself, prevent an inmate from participating in community activities. Inmates who are designated as CIM cases will be so notified by the Case Manager.

**Marriages:** If an inmate wishes to be married while incarcerated, the Warden may authorize him to do so, under certain conditions. All expenses of the marriage will be paid by the inmate as government funds may not be used for marriage expenses. If an inmate requests permission to marry, he must have a letter from the intended spouse which verifies her intention to marry. She must provide a statement that she is legally able to do so, must demonstrate legal eligibility to marry and be mentally competent. Unit Teams and the Chaplains are available to discuss the issues of marriage while incarcerated.

**Release Preparation Program:** A release preparation program is designed to assist inmates in preparing for release. Inmates will be given aid in developing plans for their personal lives and for employment. These programs offer classes and information seminars concerning the personal, social, and legal responsibilities of civilian life. Routinely scheduled informational sessions with U.S. Probation Officers, bankers, RRC staff, as well as other agencies and

employers are available.

**Religious Programs:** The Chaplain coordinates a wide range of religious activities. Some of these activities take place on a regular basis while some occur as special events. A quarterly schedule of events is posted on the bulletin board located at the entrance of the Religious Services department, Education and Recreation. The schedule is also posted on the bulletin board in each housing unit. The Chaplains are available for individual pastoral counseling. The Chaplains also approve the acquisition of all religious materials. All inmates are to contact the chaplains prior to having any religious items sent to the institution. Any religious material received without prior approval from the chaplaincy staff will be returned. Religious Services contractors and community volunteers also conduct religious services to meet the diverse religious needs of our inmate population. Religious diets and other worship activities are also coordinated through the Chaplain=s office. Information about these programs is available during the orientation program, and from the Chaplains."

**Inmate Financial Responsibility Program:** If you have not already paid your criminal debts, you are urged to participate in the Inmate Financial Responsibility Program. The Bureau of Prisons encourages each inmate to meet his legitimate financial obligations. As part of the initial classification process, you and your unit team will develop a financial plan designed to allow you to satisfy your court-imposed financial obligations, which include Special Assessments, Restitution, Fines and Court Costs, State and Local Court Obligations and any other court ordered obligations you may have.

When an inmate has the resources to do so, it is expected that he will make full payment as expeditiously as possible. These payments may be made through institution resources or community resources. If you sign the payment agreement, payments will be deducted from your Trust Fund account on the same day the Institution payrolls are posted to your account. If community resources are used to make payments, it is the responsibility of the inmate to provide unit staff with receipt of payment. Inmates with sizable obligations and considerable community resources are ordinarily not to be considered as exercising adequate responsibility by making minimum payments from institution earnings. When developing a financial payment plan, unit staff will monitor the spending patterns in your trust fund account. Inmates are expected to make payments commensurate with their available institution assets. When determining a specific amount, \$75.00 will be exempted each month for allowing an inmate to use the Inmate Telephone System.

Refusal by an inmate to participate in the Financial Responsibility Program or to comply with the provisions of his financial plan ordinarily will result in the inmate being placed in the "REFUSE" category and will incur various negative consequences.

**Transfer of Foreign Offenders:** If you are a citizen of a foreign country, there is a possibility your country has entered into a treaty with the United States that would enable you to be transferred to your home country for service of your sentence. Contact your Case Manager for transfer under one of these treaties.

### **MEDICAL SERVICES**

A. FCI:

1. A Clinician is on duty from 6:00 a.m.-9:00 p.m. every day. There is a Physician

and a Physician Assistant on call 24 hours a day, every day, on an emergency call-back basis only.

2. Medical and Dental sick-call sign up is from 6:30 a.m. - 7:00 a.m.

**It is the inmate's responsibility to go to sick call first and be triaged. If the morning meal is over by the time you are triaged, Health Services staff will call Food Service and will make arrangements for a meal.**

Sick-call sign up is done through the triage system. Inmates are responsible for completing a sick-call triage form **prior** to being medically evaluated. The Clinician will conduct a quick triage of the patient, review the inmate's sick form, and assign a date and time for a scheduled appointment. All medical appointments will range, under normal circumstances, from that day to two weeks.

**It is the responsibility of the inmate to watch the call out for his scheduled appointment. If you do not show up for your call-out, you will be issued an incident report for not showing up on time.**

Inmates may sign up for sick-call on Monday, Tuesday, Thursday and Friday. **There is no sick-call on Wednesday, Saturday, Sunday, or Holidays.** Wednesdays are reserved for physical examinations.

3. **Emergencies** will be seen anytime. **During the day** inmates should contact their Job Detail Supervisor or Unit Officer. The Unit Officer will contact the Health Services Unit. The inmate's supervisor must contact the duty clinician to insure someone is available in the hospital to provide care prior to the inmate coming to the hospital, during the day or after regular working hours and on weekends.

**After normal hours**, inmates need to contact their Unit Officer in an emergency. **No triage forms are needed for emergencies.** The Unit Officer will call the Lieutenant's Office and a Clinician will be contacted.

4. **Segregation** sick-call starts at approximately 6:30 a.m. each day of the week. At least once a day a health care provider will visit any inmate confined in a lock-down unit, the Special Housing Unit (SHU). The Clinician will attempt to establish verbal contact with each inmate.

**Segregation Medical and Dental sick-call:** Appointments are made by requesting a sick call form from the unit officer. The Clinician will conduct a quick triage of the patient, review the inmate's sick form, and assign a date and time for a scheduled appointment. All medical appointments will range, under normal circumstances, from that day to two weeks.

- A. Inmate Request Form "Cop-Out": The inmate request form is the vehicle used by an inmate to initiate dental treatment other than acute care. After reviewing the inmate's dental records, or by examination of the inmate, the inmate is placed on the appropriate list to begin treatment. Inmates are scheduled from cop-outs or from one of the priority waiting lists. Once an

inmate is scheduled he is continually rescheduled if further treatment is indicated; and until treatment is completed. However, each priority list is treated separately. Cop-outs for Dental should be addressed to Dental.

- B. Dental Emergencies: Emergency dental care is available on a 24 hour basis. Follow the same procedures as with Emergency Medical Care.

**B. CAMP:**

1. Sick-call at the Camp will be held Monday, Tuesday, Thursday and Friday. There will be no sick call on Wednesday, Saturday, Sunday, or Holidays. Wednesday is set aside for physical examinations. Sick-call sign-up will be held starting at 6:00 a.m.
2. The Clinical Director/Staff Physician will see referral patients at appropriate intervals.
3. Emergency cases will be addressed immediately. The inmate will notify the work detail supervisor or unit officer of a medical problem. The officer will call the on call Clinician to initiate the treatment process.
4. Dental Sick Call as follows:
  - a. Fill out a sick call form and present it at triage visit.
  - b. Dental Sick-Call inmates will be seen at medical triage if inmate suspects infection or dental priority. Routine or non-emergent dental requests can be placed on a cop out to Health Services Unit.

**Pill Line Scheduled Times are as follows:**

**Monday Through Friday- Excluding Holidays.**

	<b><u>CAMP</u></b>	<b><u>FCI</u></b>
<b>AM PILL LINE</b>	<b>06:00</b>	<b>06:30-07:00</b>
<b>AFTERNOON PILL LINE</b>	<b>N/A</b>	<b>11:15-12:00</b> <b>Drop off / Pick up refills.</b>
<b>EVENING PILL LINE</b>	<b>6:00-6:30 pm</b> <b>Drop off /Pick up refills.</b>	<b>4:45-5:30 pm</b>

**Weekends and Holidays**

<b>AM PILL LINE</b>	<b>07:00-07:15</b>	<b>07:30-08:10</b>
<b>AFTERNOON PILL LINE</b>	<b>N/A</b>	<b>11:15-12:00.</b> <b>Drop off/ Pick up refills.</b>

**EVENING PILL LINE****6:00-6:30 pm****4:45-5:30 pm**

Over-the-counter items may be purchased at the Commissary.

**C. Clinician CALL-OUTS:**

1. A call-out will be posted for those inmates referred to a Clinician. Inmates will be held responsible for reviewing the call-out sheets daily and being on time for their appointment. If you miss your scheduled appointment or are late an incident report will be written.
2. Inmates who specifically request to see a physician shall be permitted to do so after evaluation by a Clinician. The Clinician will refer the inmate to the physician after review of medical issue. The physician shall schedule the patient for an appointment, as soon as practical in his/her professional judgment.

**D. MEDICAL CONSULTANTS:**

1. Inmates scheduled to see a medical consultant will be placed on a call-out sheet. Inmates will be held responsible for reviewing the call-out sheets daily and being on time for their appointment. If you miss your scheduled appointment or are late an incident report will be written. If you are housed in a lock-down unit, you will be escorted to the appointment.

**E. PHYSICAL EXAMINATIONS:**

The Medical Director will ensure the availability of age-specific preventive health examinations (e.g., cancer screening) for the inmate population. Information regarding these examinations will be made available through the A&O process, posted information in the HSU, and individual patient education associated with clinical encounters. The Bureau is not responsible for the cost of physical exams performed by non-Bureau health care staff prior to release from a halfway house.

1. Inmates under 50 years old are eligible for a physical exam every 3 years. Inmates must submit a cop-out to be scheduled by call-out.
2. Inmates 50 years old and older are eligible for an annual physical examination. Inmates must submit a cop-out to be scheduled by call-out. EKG and rectal exam are offered.
3. Inmates may submit a cop-out to receive a physical exam if they are being released and have not had an exam within 1 year of their release date. Clinicians should perform this exam within 2 months prior to the release date.

**F. HEALTH PROMOTIONS and DISEASE PREVENTION PROGRAM:**

1. Available Programs: The following programs are available:
  - a. Drug Education (Pharmacy)
  - b. Wellness Program (Recreation)
  - c. Chronic Disease Education (Health Services)

d. Preventive Health Care Program (Health Services)

2. Please see a member of the relevant department for more information on these programs.

G. LIVING WILLS and ADVANCE DIRECTIVES:

1. In some circumstances the inmate may decide, when competent to make health care decisions, whether some or all medical treatment modalities which serve only to prolong selected physiological functions should be terminated or not initiated when recovery or cure has ceased to be a possibility.
2. An inmate may make a declaration (living will or advance directive) determining which life sustaining procedures are objectionable to him or her. Living Wills will not be used at FCI Oxford to withhold resuscitative services.
3. Inmates seeking to implement a Living Will and/or Advance Directive shall send a request "cop out" to the Health Services Administrator.

H. SEXUALLY TRANSMITTED DISEASE/INFECTIOUS DISEASE

1. Inmates will be educated about Sexually Transmitted Disease during A&O and also during the Merry Go Round phase when being released.
2. An Educational HIV videotape will be shown to all participants during the A&O class.
3. A medical staff representative will discuss the Infectious Disease topics of:
  - a. TB
  - b. Hepatitis A, B, and C
  - c. HIV
  - d. MRSA
4. If you have any questions regarding any of the above topics please place a copout to see your Clinician and they will answer any of your questions.

I. INMATE CO-PAY

**NOTICE TO INMATES  
INMATE CO-PAYMENT PROGRAM**

Pursuant to the Federal Prisoner Health Care Co-payment Act (FHCCA) of 2000 (P.L. 106-294, 18 U.S.C. ' 4048), The Federal Bureau of Prisons and FCI Oxford will provide notice of the Inmate Co-payment Program for health care, effective October 3, 2005.

- A. Application:** The Inmate Co-payment Program applies to anyone in an institution under the Bureau=s jurisdiction and anyone who has been charged with or convicted of an

offense against the United States, except inmates in inpatient status at a Medical Referral Center (MRC). All inmates in outpatient status at the MRCs and inmates assigned to the General Population at these facilities are subject to copay fees.

**B. Health Care Visits with a Fee:**

1. You must pay a fee of \$2.00 for health care services, charged to your Inmate Commissary Account, per health care visit, if you receive health care services in connection with a health care visit that you requested, except for services described in section C., below. If you have questions regarding the fee please see hospital staff. The Trust Fund department has no connection with the fee.

These requested appointments include Sick Call and after-hours requests to see a health care provider. If you ask a non-medical staff member to contact medical staff to request a medical evaluation on your behalf for a health service not listed in section C., below, you will be charged a \$2.00 copay fee for that visit.

2. You must pay a fee of \$2.00 for health care services, charged to your Inmate Commissary Account, per health care visit, if you are found responsible through the Disciplinary Hearing Process to have injured an inmate who, as a result of the injury, requires a health care visit.

**C. Health Care Visits with no Fee:**

We will not charge a fee for:

- \$ Health care services based on health care staff referrals
- \$ Health Care staff-approved follow-up treatment for a chronic condition
- \$ Preventive health care services
- \$ Emergency services
- \$ Prenatal care
- \$ Diagnosis or treatment of chronic infectious diseases
- \$ Mental health care
- \$ Substance abuse treatment

If a health care provider orders or approves any of the following, we will also not charge a fee for:

- \$ Blood pressure monitoring
- \$ Glucose monitoring
- \$ Insulin injections
- \$ Chronic care clinics
- \$ TB testing
- \$ Vaccinations
- \$ Wound Care
- \$ Patient education

Your health care provider will determine if the type of appointment scheduled is subject to a co-pay fee.

- D. Indigency:** An **indigent inmate** is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days.

If you are considered indigent, you will not have the co-pay fee deducted from your Inmate Commissary Account.

If you are NOT indigent, but you do not have sufficient funds to make the co-pay fee on the date of the appointment, a debt will be established by TRUFACS, and the amount will be deducted as funds are deposited into your Inmate Commissary Account.

- E. Complaints:** You may seek review of issues related to health care concerns through the Bureau's Administrative Remedy Program (see 28 CFR part 542).

- F. Eyeglasses:** The following are the steps you may take to receive prescription eyeglasses:

1. Fill out cop out request to optometry.
2. Your name will be added to the consultants list by date received.
3. Watch for call out (this could be several months)
4. Prescription eyeglasses will be provided by policy.

### **Universal Precautions and Patients' Rights**

Health care facilities providing services in which there is a risk of skin, eye, mucous membrane, or parenteral contact to human blood or other potentially infectious materials must practice universal precautions.

Universal Precautions means the prevention of disease transmission through the use of infection control practices with all patients. This institution complies with the infection control practices required by the Wisconsin State Department of Health, which were adopted by Wisconsin law, Occupational Safety and Health Administration (OSHA) standards, and Centers for Disease Control and Prevention (CDC) recommendations. The following infection control practices include, but are not limited to; those required by the Universal Precautions Rule and are used to prevent transmission of blood borne pathogens to patients and treating staff:

- § Appropriate use of protective barriers, including gloves for hand contact, masks, gowns, laboratory coats, and protective eyewear or face shields are used for procedures having the potential of creating a spray or splatter of blood or other potentially infectious materials.

- § Gloves, when required, are changed and hands are washed after each patient.
- § Heat stable, nondisposable instruments requiring sterilization that are contaminated with blood or other potentially infectious materials are heat sterilized after treatment of each patient.
- § Precautions are taken to prevent injuries caused by needles, scalpels, and other contaminated instruments during procedures.
- § Disposable contaminated sharps, needles, syringes, and other contaminated sharp are discarded in puncture-resistant containers.
- § Surfaces and equipment contaminated with blood or other potentially infectious materials that need not be sterilized are cleaned and disinfected after treatment of each patient. Disposable coverings may be used on some surfaces to prevent contamination.
- § Infectious waste is placed in containers labeled with the biohazard symbol, impervious to moisture and of sufficient strength to prevent spillage.
- § Containers of infectious waste are stored in a secure area prior to final disposal.
- § Clinical staff and orderlies receive training on infection control.

The infection control procedures listed and others that are not readily observable protect you from disease transmission. Any deviation from this should be brought to the attention of the Health Services Administrator.

## FEDERAL BUREAU OF PRISONS HEALTH CARE 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.

### RIGHTS

1. You have the right to health care services, based on the local procedures at your institution. Health services include medical sick call, dental sick call and all support services. Sick call at this institution is conducted:  
  
See A&O Handbook
2. You have the right to be offered a Living Will, or to provide the Bureau of Prisons with Advance Directives that would provide the Bureau of Prisons with instructions **if you are admitted, as an in-patient, to a hospital in the local community or the Bureau of Prisons.**
3. You have the right to participate in health promotion and disease prevention programs including education regarding infectious disease.
4. You have the right to know the name and professional status of your health care providers.

### RESPONSIBILITIES

1. You have the responsibility to comply with health care policies of your institution. You have the responsibility to follow recommended treatment plans that have been established for you by institution health care staff, to include proper use of medications, proper diet and following all health related instructions with which you are provided.
2. You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.
3. You have the responsibility to maintain your health and not to endanger yourself, or others, by participating in activity that could result in the spreading or contracting of an infectious disease.
4. You have the responsibility to respect these providers as professionals and follow their instructions to maintain and improve your overall health.

5. You have the right to be treated with respect, consideration and dignity.
  6. You have the right to be provided with information regarding your diagnosis, treatment and prognosis.
  7. You have the right to be examined in privacy.
  8. You have the right to obtain copies of certain releasable portions of your health record.
  9. You have the right to address any concern regarding your health care to any member of the institution staff including your physician, the Health Services Administrator, members of your Unit Team and the Warden.
  10. You have the right to receive prescribed medications and treatments in a timely manner, consistent with the recommendations of the prescribing health care provider.
  11. You have the right to be provided healthy and nutritious food. You have the right to be instructed regarding a healthy choice when selecting your food.
  12. You have the right to request a routine physical examination, as defined by Bureau policy. If you are under the age of 50, one every three years; over the age of 50, once a year.
5. You have the responsibility to treat staff in the same manner.
  6. You have the responsibility to keep this information confidential.
  7. You have the responsibility to comply with security procedures.
  8. You have the responsibility of being familiar with the current policy to obtain these records.
  9. You have the responsibility to address your concerns in the accepted format, such as the Inmate Request to Staff Member form, open houses or the accepted Inmate Grievance Procedures.
  10. You have the responsibility to comply with prescribed treatments and follow prescription orders. You also have the responsibility not to provide any other person your medication or other prescribed item.
  11. You have the responsibility to eat healthy and not abuse or waste food or drink.
  12. You have the responsibility to notify medical staff that you wish to have an examination.

- |   |  |
|---|--|
| <p>13. You have the right to dental care as defined in Bureau policy to include preventive services, emergency care and routine care.</p> <p>14. You have the right to a safe, clean and healthy environment, including smoke free living areas.</p> <p>15. You have the right to refuse medical treatment in accordance with Bureau policy. Refusal of certain diagnostic tests for infectious diseases can result in administrative action against you.</p> <p>16. You have the right to complain of pain, and have your pain assessed by medical staff, and have pain treated accordingly.</p> | <p>13. You have the responsibility to maintain your oral hygiene and health.</p> <p>14. You have the responsibility to maintain the cleanliness and safety in consideration of others. You have the responsibility to following smoking regulations.</p> <p>15. You have the responsibility to be counseled regarding the possible ill effects that may occur as a result of your refusal.<br/><br/>You also accept the responsibility to sign the treatment refusal form.</p> <p>16. You have the responsibility to be truthful and not overstate your complain of pain and to adhere to the prescribed treatment plan.</p> |
|---|--|

**DNA Testing:** On December 19, 2000, AThe DNA Analysis Backlog Elimination Act of 2000" was signed into law. This law requires the Bureau of Prisons to obtain DNA samples from inmates convicted of qualifying offenses. Qualifying Federal offenses include, but are not limited to: Murder, Sexual Offenses, Peonage and Slavery, Kidnaping, Robbery, Burglary, and attempts or conspiracy to commit any of the above offenses. A complete copy of Public Law 106-546 is available for inmate review in the Law Library. This law states in part: AThe Director of the Bureau of Prisons...may use or authorize the use of such means as are reasonably necessary to detain, restrain, and collect a DNA sample from an individual who refuses to cooperate in the collection of the sample.@ If a determination has been made that you have been convicted of a qualifying offense, you will be placed on a call-out to Health Services to provide a blood sample.

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

**Visiting:** Inmates are encouraged to have visits in order to maintain family and community ties. Quiet, orderly and responsible conduct is required at all times while in the Visiting Room. Handshaking, embracing and kissing are permitted within the bounds of good taste on arrival and departure of visitors. Other physical contact is prohibited. If an inmate wishes to have a copy of the visiting regulations, they may contact the Unit Counselor.

Expect to be searched upon arrival and departure from the Visiting Room. You must present your commissary card upon your arrival to the visiting shakedown area. The only items you are allowed to take into the Visiting Room are a comb, handkerchief, wedding band, and one pair of prescription glasses, except sunglasses. Appropriate staff will be consulted regarding religious items.

Children under the age of 16 may not visit unless accompanied by a responsible adult. Children shall be kept under supervision of a responsible adult or a children's program. Exceptions in unusual circumstances may be made by special approval of the Warden.

The Visiting Room is open from 8:00 a.m. to 3:00 p.m.; Friday, Saturday, Sunday and legal holidays. Visitors will not be processed between the hours of 9:00 a.m. and 10:30 a.m. on Saturday, Sunday and holidays or after 2:00 p.m. on any visiting day. Visitors are asked to refrain from arriving on the institution grounds before 8:00 a.m.

New inmates are to submit a visiting list to their Counselor for approval. If requested in writing, members of the immediate family (wife, children, parents, brothers, sisters) may be placed on the approved visiting list on a temporary basis for up to three weeks from his date of arrival. After a visiting questionnaire form has been received and processed, they may be added to your permanent visiting list. Other relations and friends may be approved after certain checks are made. Requests for approval for these additional visitors should be made to the Counselor at least three weeks in advance of the intended visit.

Inmates must be properly dressed in institution issued khaki clothing in order to be admitted to the Visiting Room. Clothing must be neat and clean. Visitors must be properly dressed. Shorts, except for culottes or Bermuda shorts (knee length), micro-mini skirts, see-through blouses or dresses without appropriate undergarments will not be permitted. Footwear must be worn by all visitors. Photo identification is required for visitors. These may include a State Driver's License or State Photo I.D. Card, etc. Birth certificates are not considered proper identification. Persons without proper identification will not be permitted to visit.

Visitors may be asked to submit to a search and will be checked with a metal detector. Visitors' purses, attorneys' briefcases, etc. may also be searched. Other personal articles belonging to visitors must be placed in lockers provided by the institution or may be left in their cars. Visitors are permitted to bring money into the Visiting Room to purchase items from the vending machines. Also, a reasonable amount of diapers and other infant care items and sanitary napkins may be brought into the Visiting Room. No food may be brought into the Visiting Room, but vending items are available. **Inmates are not allowed to receive money for deposit into their commissary account while in the Visiting Room. No property items may be received or exchanged in the Visiting Room.**

Directions from Westfield to FCI Oxford: County Road E west approximately eight miles to County Road G. Turn left on County Road G. Go less than one mile to Elk, turn right.

Directions from Wisconsin Dells to FCI Oxford: Hwy. 13 through WI Dells. At stoplight on north edge of town, go straight onto Hwy. 23. Follow Hwy. 23 approximately 3 miles. Turn left on

Cty. B. Follow Cty. B to Hwy. 82. Cross Hwy 82 and continue on Cty. B approx 8 more miles. Turn right onto Elk Avenue FCI is about 3 miles ahead on the left.

**Correspondence:** The Bureau of Prisons encourages correspondence on a wholesome and constructive level between inmates and members of their families, friends and other community contacts. Outgoing mail is placed in the mailboxes located in the housing units. Outgoing mail will be inspected by staff and must remain unsealed. The outgoing envelope must have the return address in the upper left-hand corner as follows: Inmate's name, register number, Federal Correctional Institution, P.O. Box 1000, Oxford, WI 53952. Inmates are responsible for the contents of all of their letters. Correspondence containing threats, extortion, etc., may result in prosecution for violation of Federal laws as well as disciplinary action. Inmates may be placed on restricted correspondence status based on misconduct or as a matter of classification. The inmate is notified of this placement and has the opportunity to respond. Mail is distributed Monday through Friday (except holidays) by the Evening Watch Officer in each unit. The number of incoming letters an inmate may receive will not be limited unless the number received places an unreasonable burden on the institution. All incoming mail must contain your register number on the envelope to aid in the prompt delivery of mail.

**Incoming Publications:** Inmates are permitted to subscribe to and receive publications without prior approval. The term "publication" means a book, single issue of a magazine or newspaper, or materials such as advertising brochures, flyers, calendars and catalogs. FCI inmates must receive all publications directly from a publisher, book club or book store. Accumulation of publications will be limited to 18 magazines (not to exceed three months from the date of publication) and to the amount that can be neatly stored in the locker and/or shelf provided in each room, because of sanitation, and fire safety reasons. The Unit Manager may allow more space for legal publications upon request. A publication will be rejected if it is determined to be detrimental to the security, good order or discipline of the institution, or if it might facilitate criminal activity. Publications which may be rejected include, but are not limited to those that meet one of the following criteria:

- § It depicts or describes procedures for the construction or use of weapons, ammunition, bombs, or incendiary devices.
- § It depicts, encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings, or similar descriptions of Bureau of Prisons= institutions.
- § It depicts or describes procedures for the brewing of alcoholic beverages or the manufacture of drugs.
- § It is written in code.
- § It depicts, describes, or encourages activities which may lead to the use of physical violence or group disruption.
- § It encourages or instructs in the commission of criminal activity.

- § It is sexually explicit material that by its nature or content poses a threat to the security, good order, or discipline of the institution.
- § Section 614 of the Fiscal Year 1999 Omnibus Budget Act (P.L. 105-277) prohibits the BOP from distributing or making available to inmates any materials or publications that feature nudity or are sexually explicit.

**Personal Property:** Personal property must be kept within the standards established by Program Statement 5580.07, Inmate Personal Property. This Program Statement is very specific as to what property is authorized, including quantity and/or color. It also specifies what property will be mailed at the government=s expense at the time of transfer and release. It is your responsibility to familiarize yourself with this policy and ensure that you do not accumulate unauthorized or excess property. Attachments from this Program Statement have been included for your convenience. Personal property must be stored in your locker or on the shelf provided. Generally, anything that cannot be stored in the space provided will be considered excess property and will be mailed from the institution at **your** expense.

**Inmate Package Authorization:** Packages received at the institution must have prior authorization. Inmates wishing to have personal items mailed into the institution must submit a written request to the department head responsible for the below listed items:

- § Unit Manager - Release Clothing.
- § Health Services Administrator - orthopedic shoes, arch supports, prosthetic devices, and/or hearing aids.
- § Associate Warden (Programs or Operations) - questionable item or items not covered in the other categories will be submitted to the appropriate Associate Warden for a decision.

If the request is approved, the department head will inform the inmate of the decision and complete the appropriate authorization form. The mail room will not accept any item or package for delivery unless it is pre-approved and an approval form is on file.

**LEGAL/SPECIAL MAIL**: Legal mail is also referred to as Special Mail. An example is provided below to demonstrate address requirements for attorney mail to be processed as special mail. Title 28, Code of Federal Regulations, Section 540.18, Special Mail, paragraph (a), states in part, "Correspondence may not be read or copied if the sender is adequately identified on the envelope." In addition, paragraph (b) states in part, "in the absence of either adequate identification or the >special mail= marking... staff may treat the mail as general correspondence and may open, and read the mail." Adequate identification of the sender is set forth in Title 28, Code of Federal Regulations, Section 540.19, Legal Correspondence, which states in part, "correspondence will be handled as special mail only if the envelope is marked with the attorney=s name and an indication that the person is an attorney."

---

John Smith, Attorney  
Jones, Murray & Smith  
Attorneys At Law  
100 Wyoming Avenue, Suite 12  
Philadelphia, PA 19106

**CORRECT - ATTORNEY IDENTIFIED**

John Doe Reg. No. 00000-000  
Federal Correctional Institution  
P. O. Box 1000  
Oxford, WI 53952

ASPECIAL MAIL - OPEN ONLY IN THE PRESENCE OF THE INMATE@

---

Jones, Murray & Smith  
Attorneys At Law  
100 Wyoming Avenue, Suite 12  
Philadelphia, PA 19106

**INCORRECT - SPECIFIC ATTORNEY NOT IDENTIFIED**

John Doe Reg. No. 00000-000  
Federal Correctional Institution  
P.O. Box 1000  
Oxford, WI 53952

ASPECIAL MAIL - OPEN ONLY IN THE PRESENCE OF THE INMATE@

---

Inmate legal mail is delivered to the local post office Monday through Friday, excluding federal holidays. Inmates are required to deliver their outgoing legal mail directly to mail room staff. This is accomplished during the 7:40 a.m. work call. A staff member will be located in the lobby of the Lieutenant=s Office to accept outgoing inmate legal mail. Prior to staff accepting your sealed legal mail, you must provide him/her with your photo identification card so that he or she can confirm that the individual delivering the mail is the same as reflected in the return address. The collection of this mail will conclude at the end of the movement. Should work call be delayed or cancelled, inmates are responsible for notifying their unit officer or detail supervisor that they have outgoing legal mail. At 7:40 a.m., mail room staff will collect the outgoing legal mail from the housing units.

Special/Legal Mail means correspondence sent to the following: President and Vice President of the United States, the U.S. Department of Justice (including the Bureau of Prisons), U.S. Attorneys= Offices, Surgeon General, U.S. Public Health Service, Secretary of the Army, Navy, or Air Force, U.S. Courts (including U.S. Probation Officers), Members of the U.S. Congress, Embassies and Consulates, Governors, State Attorneys General, Prosecuting Attorneys, Directors of State Departments of Corrections, State Parole Commissioners, State Legislators, State Courts, State Probation Officers, other Federal and State law enforcement officers, attorneys, and representatives of the news media.

Special/Legal Mail also includes correspondence received from the following: President and Vice President of the United States, attorneys, Members of the U.S. Congress, Embassies and Consulates, the U.S. Department of Justice (excluding the Bureau of Prisons but including U.S. Attorneys), other Federal law enforcement officers, State Attorneys General, Prosecuting Attorneys, Governors, U.S. Courts (including U.S. Probation Officers), and State Courts.

A designated staff member, usually a Correctional Counselor or Case Manager, will open incoming Special Mail in your presence. These items will be checked for physical contraband and for qualification as special mail. The correspondence will not be read or copied if the sender accurately identifies himself/herself on the front of the envelope, and the envelope clearly indicates that the correspondence is legal mail-only to be opened in the presence of the inmate (see example on previous page). Mail that does not contain adequate legal mail markings will be processed as general correspondence and may be opened, read and inspected for content.

**Legal Mail From Attorneys:** It is suggested that you provide the following information regarding special mail privileges to your attorney(s) who represent you at the earliest opportunity either in writing or during your next visit:

**To the Attorney:** The BOP Program Statement on Correspondence provides the opportunity for an attorney who is representing an inmate to request that attorney-client correspondence be opened only in the presence of the inmate. For this to occur, BOP policy requires that you adequately identify yourself as an attorney (to include name and title), and the front of the

envelope must be marked "Special Mail - Open Only in the Presence of the Inmate" or with similar language that clearly indicates that your correspondence qualifies as special mail and that you are requesting that the correspondence be opened only in the presence of the inmate. Provided the correspondence contains the required legal mail markings, staff will open the mail in the inmate's presence, inspect it for physical contraband and ensure that the contents or enclosures qualify as special mail. If your correspondence does not identify the specific sender or contain the required mail markings, it will be process as general correspondence which means staff will open, inspect, and read the mail.

**Inmate Correspondence with Representatives of the News Media:** An inmate may write representatives of news media and mail the correspondence using legal mail procedures as long as the address contains the specific name and title of person who will be receiving the correspondence. The inmate may not receive compensation or anything of value for correspondence with the news media. The inmate may not act as a reporter, publish under a byline, or conduct a business or profession while in BOP custody. Representatives of the news media may initiate correspondence with an inmate. Correspondence from a representative of the news media will be opened and inspected for contraband or content which is likely to promote either illegal activity or conduct contrary to regulations.

**Correspondence Between Confined Inmates :** An inmate may be permitted to correspond with another inmate confined in a penal or correctional institution only if the other inmates is a member of the immediate family or is party in a legal action (or witness) in which both parties are involved. Both institutions must approve the correspondence in advance, and approved correspondence may be inspected and read by staff at the sending and receiving institutions.

**Rejection of Correspondence:** The Warden may reject incoming or outgoing correspondence if it is determined to be detrimental to the security, good order, or discipline of the institution; in the best interest of public safety; or if it might facilitate criminal activity. Examples include: matter which is non-mailable under law or postal regulations, information containing escape plots, plans to commit illegal activities, to violate institution rules, or the direction of an inmate=s business. Directing a business while confined is a prohibited act which will result in disciplinary action; however, this does not prohibit correspondence necessary to protect property or funds that were legitimately owned at the time of commitment. For example, inmates may refinance a mortgage or sign insurance papers; however, they are not permitted to operate a mortgage or insurance business while incarcerated.

**Notification of Correspondence Rejection:** The Warden will notify both the sender and the inmate in writing of a decision to reject correspondence. Both will be provided a rationale for the rejection and be advised of their rights to appeal the rejection. Rejected correspondence is ordinarily returned to the sender.

**Change of Address/Forwarding of Mail:** Mail Room Staff will provide inmates with change of address cards required by the U.S. Post Office. These cards are given to inmates who are being released or transferred, to notify correspondents of a change in address. A BOP change of address form will also be completed by the inmate upon his departure and forwarded to the institution Mail Room. This form will be maintained for a period of 30 days for purposes of forwarding general mail. After the 30-day forwarding time has expired, the correspondence (to exclude legal mail) will be returned to the sender. Staff will continue to forward legal mail to the last address on record even after the 30-day forwarding time has expired.

**Certified/Return Mail:** Certified/Registered mail services are available in the institution Library. Express mail, private carrier services and COD services are not available.

## **INMATE TELEPHONE SYSTEM**

**Telephone Procedures:** Maintaining contact with the community via telephone is a privilege afforded to those inmates who demonstrate a willingness to conduct themselves in a responsible and mature manner. Telephones are to be used to maintain family and community ties within the lawful use of the telephone system. Disciplinary sanctions may be imposed for the abuse of telephone privileges. All calls placed by inmates other than properly approved attorney calls are subject to recording and monitoring by staff. Notice of potential for monitoring shall be included in the inmate admission materials and posted on or near inmate telephones.

Before any inmate can place a telephone call in the inmate telephone system his voice must be registered. This must be done in front of a staff member and include the inmates first and last name. The inmate must show his identification card to the staff member performing the registration, which is generally a staff member from Inmate Services/Trust Fund. Registration is accomplished by dialing 111, the inmate PAC number and then following the prompts until notified that the registration has been successful.

**Phone List:** Phone lists are managed by the inmate via TRULINCS. Unit Team staff may recommend denial of telephone number requests if it is determined that the inmate seeks contact with an individual who may pose a threat to institution security or an individual who may be threatened by the inmate's contact. Denial of any submitted telephone number shall be made in writing by the Associate Warden (Programs) and based upon a case-by-case determination. Exclusions to this are 800, 900, or 976 numbers, victims or witnesses identified in the presentence report or verified by staff, and Bureau of Prisons staff members.

Subject to available funds, inmates will be allowed to make direct dial calls to any number on their phone list. You must transfer credits, as well as perform several other functions, via the telephone key pad. They may transfer funds twice per day from their Commissary accounts to their TRUFONE accounts via the TRUFONE interactive voice response (IVR). Inmates are responsible for tracking their Commissary and TRUFONE account balances via the IVR. Funds are transferred in whole dollar amounts only. Inmates are limited to 300 minutes per calendar month for TRUFONE monitored telephone calls, with the exception of the months of November and December when inmates will be allowed 400 minutes. This limitation applies to all inmates and may be used for any combination of collect or direct dial calls at the inmate's discretion. There will be a 15 minute waiting period between each completed call per inmate. NOTE: The 300-minute limitation does not affect an inmate's ability to place unmonitored, legal telephone calls according to the Program Statement on Telephone Regulations for Inmates.

**Phone Access Codes:** The Phone Access Code (PAC) is a nine-digit number that allows an inmate access to the ITS. This code will be established for an inmate within one day of arrival

to the institution and will remain the same at any Bureau of Prisons Institution. The code will be provided to the inmate by the Unit Counselor. The inmate should treat the code number as strictly confidential and should not share this number with any other inmate. Should an inmate feel that his code number has been compromised, he should report it to a member of the Unit Team immediately. Unit staff will contact the Trust Fund Supervisor who will restrict the phone system for the affected inmate. To obtain a new PAC number, the inmate will have to pay a fee of \$5.00, utilizing a request for Withdrawal of Inmate's Personal Funds form, to help defray the cost of establishing a new PAC number. Sharing of a PAC number may result in disciplinary action.

**TruFone Deposits/Direct Dial Calls:** In order for an inmate to make direct dial calls it will be necessary to transfer funds from his trust fund to the Inmate Telephone System. To transfer credits you must dial 118 and enter your PAC number. You will be given a menu of options. Press 3 to transfer credits. You will be given both your Trust Fund balance as well as your Inmate Telephone System balance. The system will prompt you to enter, in whole dollars, the amount you wish to transfer followed by the A#@ sign. If you wish to add 5 dollars, you simply press 5 and #. The amount of transfer will serve as a credit limit in the individual inmate's ITS account. As a phone call is made, the actual charges will be calculated and deducted from this amount. As long as a sufficient amount is in the inmate's ITS account for a three (3) minute phone call, a direct dial call may be placed. Inmates will make deposits to their ITS accounts by using the inmate telephones in the unit in which they reside. Inmates may access their commissary account and transfer even dollar amounts to their ITS account. Once the money is transferred into telephone credits, the credits will not be transferred back into the inmate Trust Fund account, with the exception of inmate release, administrative error made by staff, or if an inmate is on telephone restriction for more than 10 (ten) days and requests in writing that his ITS credits be returned to his trust fund account. This is a one-time transfer for the entire balance of his ITS account.

**Collect Calls:** Collect calls may be made at any time during normal inmate telephone hours. If problems occur with a BOP blocked collect call, the party you are calling may call 1-800-913-6097 to set up a pre-paid collect call account.

**Placing Telephone Calls:**

To place a local call:

Debit: Dial the 10-digit number and then your PAC.

Collect: Dial a 0 and then the 10 digit number your PAC.

To place a long distance call:

Debit: Dial a 1 and the 10-digit number and your PAC.

Collect: Dial a 0 and then the 10 digit number and your PAC.

To place an international call:

Debit: Dial 011 and the country and city codes plus the number and then your PAC.

**Unit Changes:** Inmates may only use the inmate telephones located in their assigned housing unit. For example, an inmate living in Wood House can only access the inmate telephone in Wood House.

**Releases:** Inmates should make every effort to expend all telephone credits before release. Unexpended telephone credits will be transferred back into the inmate account prior to release to ensure all funds are available to the inmate upon release. The inmate will not be allowed to place calls after this transaction, which is accomplished 1 business day before your release date.

**Unit Schedules:** The unit schedules for telephone calls will be organized by the Unit Officer. Only one inmate will be permitted in the telephone booth/area at any time. Inmates not making phone calls will not be permitted to congregate near the telephone area. Inmates are expected to be at their work assignments and will not use the telephone during their assigned work hours. Therefore, it has been determined that inmate access to telephones will be limited during the following times, Monday through Friday, not including holidays:

7:30 a.m. until 10:30 a.m.

12:30 p.m. until after the 4:00 p.m. count

To accommodate inmates who work varied shifts, one telephone per housing unit will be available for use, during the above times.

**No third party telephone calls will be permitted.** Calls of this nature will be subject to disciplinary actions. Inmates will be responsible for their use of the telephone. They are expected to conduct themselves in a responsible manner and respect other inmates. Each inmate is responsible for the content of the telephone calls he makes. Restriction of telephone privileges may be imposed for violation of any of the institution rules.

The use of the telephone will not interfere with the institution's schedule, programs, work assignments or counts. When a count or census is conducted, all inmates in the telephone booths shall terminate their calls immediately. During institutional emergencies, use of the inmate telephones may be curtailed or terminated.

No telephone call will exceed 15 minutes in duration. A warning tone will be provided approximately one minute before the call will be automatically disconnected.

**Legal Calls:** The ITS does not affect the way in which legal calls are placed. Inmates wishing to place an unmonitored legal call must contact a member of his Unit Team.

### **ACCESS TO LEGAL SERVICES**

**Legal Correspondence:** Legal correspondence from attorneys will be treated as Special Mail if it is properly marked. The envelope must be marked with the attorney's name, an indication he/she is an attorney and the front of the envelope must be marked "Special mail - open only in

the presence of the inmate" (See pages 31-33). It is the responsibility of the inmate to advise his attorney about this policy. If legal mail is not properly marked, it will be opened as general correspondence.

**Attorney Visits:** Attorneys should make advance appointments for each visit. Attorneys are encouraged to visit during the regular visiting hours. However, visits from an attorney can be arranged to other times based on the circumstances of each case and available staff. Attorney visits will be subject to visual monitoring, but not audio monitoring.

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

**Attorney Phone Calls:** In order to make an unmonitored phone call between you and your attorney, you must make prior arrangements with your Unit Team. Phone calls placed through the regular inmate phones are subject to monitoring.

**Law Library:** If you have the need to prepare legal material for court, a Law Library is available. The hours of operation are posted on each bulletin board in the living units and the Law Library bulletin board. A law librarian is available in the Law Library to provide various supplies and to assist you in your research.

The Law Library contains the Criminal Code (Title 18), the Civil Code (Title 28), case decisions from the Federal District Courts, the Federal Appellate Courts, the U.S. Supreme Court, and various other research materials. The District of Columbia Code is also available. If you are a state prisoner confined in this institution, you should contact the State Department of Corrections for assistance in obtaining the state statutes needed for your legal research.

Included in the Law Library are various forms which you may use, if you desire. The use of these forms is strictly voluntary. The forms include Motion for Vacation of Sentence (28 U.S.C. 2255); Motion for Reduction and/or Vacation of Sentence (rule 35 F.R. Civ.P); Petition for Writ of Habeas Corpus (28 U.S.C. 2241); Affidavit of Poverty (28 U.S.C. 1915) and various other forms you may need. There is also a handbook available which briefly explains how to use the Law Library and how to initiate filings in court. You are welcome to use the Law Library for your legal research. Each inmate is reminded; however, that the Law Library is for everyone's use and, therefore, everyone should attempt to keep the material in good condition. A list of general rules and regulations for the use of the Law Library is posted on the bulletin board and you are urged to follow them at all times.

**YOU ARE REMINDED THAT YOU MAY NOT TAKE BOOKS OUT OF THE LAW LIBRARY AT ANY TIME. IF YOU NEED A PARTICULAR BOOK FOR A LENGTHY PERIOD OF TIME, SUCH MAY BE REQUESTED ON A COP-OUT TO THE EDUCATION DEPARTMENT. THE LAW LIBRARY IS FOR YOUR USE, AND MISUSE CAN CAUSE RESTRICTIONS ON THE USE OF THE LIBRARY. TAKE CARE OF WHAT IS AVAILABLE TO YOU.**

**Notary Public:** Under the provisions of 18 U.S.C. 4004, Case Managers are authorized to notarize documents. A recent change in the law allows that a statement to the effect that papers which an inmate signs are "true and correct under penalty of perjury" will suffice in federal courts and other federal agencies, unless specifically directed to do otherwise. In cases where the government notarization is not accepted, it will be necessary to contact unit staff to make arrangements to meet with the institution's notary public.

**Copies of Legal Materials:** You may copy material necessary for your research or legal matters. A pay-for-use copy machine is available in the Education Department. Individuals who have no funds and who demonstrate a clear need for particular copies may submit a written request to the Unit Team for a reasonable amount of free duplication.

**Federal Tort Claims:** If the negligence of institution staff results in personal injury or property loss or damage to you, it can be the basis of a claim under the Federal Tort Claims Act. To file such a claim, you must complete a Standard Form 95 which can be obtained from the Unit Counselor or the Legal Office.

**Freedom of Information/Privacy Act of 1974:** The Privacy Act of 1974 forbids the release of information from agency records without a written request by, or without the prior written consent of, the individual to whom the record pertained, except for specific instances. All formal requests for access to records about another person and/or agency record other than those pertaining to themselves (including Program Statements and Operations Memoranda) shall be processed through the Freedom of Information Act, 5 U.S.C. 552.

**Inmate Access to Central Files:** You may request review of disclosable portions of your central file. Contact your Correctional Counselor to make the necessary arrangements.

**Inmate Access to Other Documents:** You may request access to the "Non-Disclosable Documents" in your central or medical file, or other documents concerning you by submitting a "Freedom of Information Act Request" to the Director of the Bureau of Prisons, Attention: FOI Request. Such a request must briefly describe the nature of records wanted and approximate dates covered by the record. You must also provide your registration number and date of birth for identification purposes. A request on your behalf by any attorney for records concerning you will be treated as a "Privacy Act Request" if the attorney has forwarded your written consent to disclose materials. If a document is deemed to contain information exempt from disclosure, any reasonable part of the record will be provided to the attorney after the deletion of the exempt portions.

## **PROBLEM RESOLUTION**

**Inmate Requests to Staff Member:** The Bureau form BP-S148.70, commonly called a "cop-out", is used to make a written request to a staff member. Any type of request can be made with this form. Inmates access "Cop-Outs" via the TRULINCS system, unless in the Special Housing unit may be obtained from the Correctional Officer on duty. Staff members who receive a "cop-out" will answer the request in a "reasonable" period of time.

**Administrative Remedy Process:** The Bureau emphasizes and encourages the resolution of complaints on an informal basis. Hopefully, an inmate can resolve a problem informally by contact with staff members or using the inmate requests to staff (cop-out) forms. When informal resolution is not successful, however, a formal complaint can be filed as an

Administrative Remedy. Complaints regarding Tort Claims, Inmate Accident Compensation, Freedom of Information or Privacy Act Requests, and complaints on behalf of other inmates are not accepted under the Administrative Remedy Procedure.

The first step of the Administrative Remedy procedure is the documentation of the informal resolution attempts written on the BP-8 Form. You may obtain this form from your Correctional Counselor. On the BP-8 Form, briefly state the nature of the problem and list the efforts made to resolve the problem informally.

After the BP-8 is completed it should be returned to your Counselor. A response will be prepared and returned to you, ordinarily within three (3) working days from the initial receipt of the complaint. If the issue cannot be informally resolved, the Counselor will issue a BP-9 form. Return the completed BP-9 along with the BP-8 form to your Counselor. The BP-9 complaint must be filed within twenty (20) calendar days from the date on which the basis for the incident or complaint occurred, unless it was not feasible to file within that period of time. Institution staff have twenty (20) calendar days to act on the complaint and to provide a written response to the inmate. This time limit for the response may be extended for an additional twenty (20) calendar days and you will be notified of the extension.

When a complaint is determined to be an emergency which threatens your immediate health or welfare, a reply will be made as soon as possible, and within the seventy-two (72) hours from receipt of the complaint. The nature of the emergency must be indicated on the complaint.

If you are not satisfied with the response to the BP-9, you may file an appeal to the Regional Director. This appeal must be received in the Regional Office within twenty (20) calendar days from the date of the BP-9 response. The Regional Appeal is written on a BP-10 form, and must have a copy of the BP-9 form and response attached. The Regional Appeal must be answered within 30 calendar days. The Regional Appeal may be extended an additional thirty (30) days and you will be notified of the extension. The BP-10 form may be obtained from your Counselor.

If you are not satisfied with the response by the Regional Director, you may appeal to the Central Office of the Bureau of Prisons. The National Appeal must be made on a BP-231 (BP-11) form and must have copies of the BP-9 and BP-10 forms with responses. The BP-11 form may be obtained from your Correctional Counselor. The National Appeal must be answered within forty (40) calendar days, but the time may be extended an additional twenty (20) days if the inmate is notified.

A BP-9, BP-10, or BP-11 should be written in three sections:

Statement of Facts  
Grounds for Relief  
Relief Requested

Time Limits (in calendar days)

Filing: BP-9: 20 days of incident  
BP-10: 20 days from BP-9 response  
BP-11: 30 Days from BP-10 response

Response:	BP-9: 20 days	Extensions:	BP-9: 20 days
	BP-10: 30 days		BP-10: 30 days
	BP-11: 40 days		BP-11: 20 days

**Sensitive Complaints:** If you believe a complaint is of such a sensitive nature that you would be adversely affected if the complaint became known to the institution, you may file the complaint directly to the Regional Director. You must explain, in writing, the reason for not filing the complaint with the institution. If the Regional Director agrees that the complaint is sensitive, it shall be accepted and a response to the complaint will be processed. If the Regional Director does not agree that the complaint is sensitive, you will be advised in writing of that determination and the complaint will be returned. You may then pursue that matter by filing a BP-9 at the institution. A BP-8 should be utilized and the issue should be identified as a sensitive complaint.

## DISCIPLINARY PROCEDURES

### INMATE DISCIPLINE INFORMATION

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

Incident Reports maybe informally resolved or processed through the disciplinary process with a referral through the Unit Disciplinary Committee (UDC) or by the Disciplinary Hearing Officer (DHO).

Ordinarily, after becoming aware of an inmate=s involvement in an incident, staff will have a maximum of 24 hours to give the inmate notice of charges, by delivering an Incident Report.

The initial hearing (UDC) ordinarily is a maximum of three 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.)

After staff gives the inmate notice of charges, by delivering the Incident Report, there is a minimum of 24 hours before the Discipline Hearing Officer (DHO) Hearing, unless waived.

**NOTE:**

These 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 informal resolution is undertaken and accomplished. If informal resolution is unsuccessful, staff may reinstate disciplinary proceedings at the same state at which suspended. The requirements then begin running again, at the same point at which they were suspended.

### NOTICE TO INMATE OF BUREAU OF PRISONS= RULES

NOTICE TO INMATE OF BUREAU OF PRISONS RULES '541.11. Staff shall advise each inmate in writing promptly after arrival at an institution of:

- § The types of disciplinary action which may be taken by institution staff;
- § The disciplinary system within the institution and the time limits thereof (see Tables 1 and 2, located in this section);
- § The inmate's rights and responsibilities (see pages 41-42);
- § Prohibited acts and disciplinary severity scale; and
- § Sanctions by severity of prohibited act, with eligibility for restoration of forfeited and withheld statutory good time

To the extent reasonably available, a qualified staff member or translator is to help the inmate who has a language or literacy problem obtain an understanding of Bureau rules on inmate

discipline. When a significant portion of the inmate population speaks a language other than English, the pamphlet of rules is to be made available in that language.

## **INMATE RIGHTS AND RESPONSIBILITIES**

### **RIGHTS**

You have the right to expect that you will be treated in a respectful, impartial, and fair manner by all staff.

You have the right to be informed of the rules, procedures, and schedules concerning the operation of the institution.

You have the right to freedom of religious affiliation and voluntary religious worship.

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.

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.

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.

You have the right to legal counsel from an attorney of your choice by interviews and correspondence.

### **RESPONSIBILITIES**

You are responsible for treating inmates and staff in the same manner.

You have the responsibility to know and abide by them.

You have the responsibility to recognize and respect the rights of others in this regard.

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.

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 rules or institution guidelines through your correspondence.

You have the responsibility to present honestly and fairly your petitions, questions, and problems to the court.

It is your responsibility to use the services of an attorney honestly and fairly.

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.

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.

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.

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.

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.

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

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 use of such activities.

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.

**SUMMARY OF DISCIPLINARY SYSTEM**

**TABLE 1**

<b><u>PROCEDURES</u></b>	<b><u>DISPOSITION</u></b>
Incident involving possible commission of prohibited act.	Except for prohibited acts in the greatest or high severity categories, the writer of the report may resolve informally or drop the charges
Staff prepares Incident Report and forwards it to the Lieutenant.	Except for prohibited acts in the greatest or high severity categories, the Lieutenant may resolve informally or drop the charges.
Appointment of the investigator who conducts an investigation and forwards material to Unit Disciplinary Committee.	
Initial Hearing before Unit Disciplinary Committee.	Unit Disciplinary Committee may drop or resolve informally any Moderate or Low Moderate charge, impose allowable sanctions or refer to the Disciplinary Hearing Officer.
Hearing before Disciplinary Hearing Officer.	The Disciplinary Hearing Officer may impose allowable sanctions, or drop the charges.
Appeals through Administrative Remedy Procedure.	The appropriate reviewing official (the Warden, Regional Director, or General Counsel) may approve, modify, reverse, or send back with directions, including ordering a rehearing, but may not increase the sanctions imposed in any valid disciplinary action taken.

## TIME LIMITS IN DISCIPLINARY PROCESS

### TABLE 2

Staff becomes aware of inmate=s involvement in incident.

Staff gives inmate notice of charges by delivering Incident Report.

Initial Hearing by Unit Disciplinary Committee.

Discipline Hearing Officer Hearing.

Ordinarily, maximum of 24 hours.

Ordinarily, maximum of 3 work days from the time became aware of inmate=s involvement in the incident (excludes the day staff become aware of the inmate=s involvement, weekends and holidays).

Minimum of 24 hours (unless waived)

Note: These 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 informal resolution is undertaken and accomplished. If informal resolution is unsuccessful, staff may re-institute disciplinary proceedings at the same stage at which suspended. The requirements then begin running again, at the same point at which they were suspended.

#### **Definitions:**

a. **Investigating Officer.** The term Investigating Officer refers to an employee of supervisory level who conducts the investigation concerning alleged charge(s) of inmate misconduct. The Investigating Officer may not be the employee reporting the incident, or one who was involved in the incident in question.

For the purposes of this rule, the Investigating Officer is ordinarily a Lieutenant, but the Warden at each institution may appoint another staff member to perform this function.

b. **Unit Discipline Committee (UDC).** The term Unit Discipline Committee (UDC) refers to one or more institution staff members delegated by the Warden the authority and duty to hold an initial hearing upon completion of the investigation concerning alleged charge(s) of inmate misconduct. The Warden shall authorize these staff members to impose minor sanctions (G through P) for violation of prohibited act(s).

In institutions with Unit Management, the authority to hold initial hearings (UDC) and impose sanctions is ordinarily delegated to the staff members of the inmate=s Unit Team. Wardens shall delegate two or more staff members the authority to hold initial hearings and impose minor sanctions. In emergency situations the Warden may delegate one staff member the authority to hold initial hearings and impose minor sanctions.

c. **Discipline Hearing Officer (DHO).** This term refers to a one-person, independent, discipline hearing officer who is responsible for conducting Institution Discipline Hearings and who imposes appropriate sanctions for incidents of inmate misconduct referred for disposition

following the hearing required by ' 541.15 before the UDC.

- d. Segregation Review Official (SRO). The term Segregation Review Official refers to the individual at each Bureau of Prisons institution assigned to review the status of each inmate housed in disciplinary segregation and administrative detention as required in ' ' 541.20 and 541.22 of this rule.

' 541.20 and 541.22 are located in Chapter 9 of of P.S. 5270.07, Inmate Discipline and Special Housing Units. The SRO must be trained to conduct the required reviews and must be certified in inmate discipline matters. The SRO does not have to be DHO certified. Ordinarily, the Segregation Review Official will be the Captain.

**Incident Reports and Investigations:** The Bureau of Prisons encourages informal resolution (requiring consent of both parties) of incidents involving violations of Bureau regulations. However, when a staff member witnesses or has a reasonable belief that a violation of Bureau regulations has been committed by an inmate and when a staff member considers informal resolution of the incident inappropriate or unsuccessful, staff shall prepare an Incident Report and promptly forward it to the appropriate Lieutenant. Except for prohibited acts in the Greatest or High Severity Categories, the Lieutenant may informally dispose of the Incident Report or forward the Incident Report for investigation consistent with this section. The Lieutenant shall expunge the inmate's file of the Incident Report if informal resolution is accomplished. Only the DHO may make a final disposition on a prohibited act in the Greatest Severity Category or on a prohibited act in the High Category (when the High Category prohibited act has been committed by a VCCLEA inmate rated as violent or by a PLRA inmate).

Prohibited acts in the 100 code (greatest severity) and in the 200 code (high severity) may not be informally resolved by the writer of the report, and a Incident Report must be prepared. Prohibited acts in the 100 code and in the 200 code may not be informally resolved by a Lieutenant, and must be referred to the UDC. Prohibited acts in the 100 code and 200 code may not be informally resolved or the charges dropped by the UDC. **The UDC may dispose of a 200 code violation except for VCCLEA inmates rated as violent or PLRA inmates. For those inmates, all 200 level charges will be referred to the DHO for disposition.**

A record of any informal resolution in the 300 or 400 codes (whether between the inmate and the writer of the report, the inmate and the Lieutenant, or the inmate and the UDC) is to be maintained by the Captain. The record is to reflect the inmate's name, register number, subject of the informal resolution, and the agreed upon disposition. This procedure should enable the Captain and others as necessary, to monitor the informal resolution process. Staff may suspend disciplinary proceedings for a period not to exceed two calendar weeks while informal resolution is undertaken and accomplished. If informal resolution is unsuccessful, staff may reinstate disciplinary proceedings at the same stage at which they were suspended. The time requirements then begin running again, at the same point at which they were suspended.

The reporting employee should complete immediately Part 1 of the Incident Report. The incident is to be one of the prohibited acts listed in Chapter 4 of of P.S. 5270.07, Inmate Discipline and Special Housing Units. The entire language of the prohibited act(s) does not have to be copied. Only the relevant portion need be used. For example, "destroying government property, code no. 218" "possessing narcotics, code no. 109" would be acceptable

listings for appropriate charges.

The description of the incident should contain the details of the activity which is being reported. All facts about the incident which are known by the employee and which are not confidential should be recorded. If there is anything unusual about the inmate's behavior, this would be noted. The reporting employee should also list those persons (staff, inmate, others) present at the scene, and the disposition of any physical evidence (weapons, property, etc.) which the employee may have personally handled. The report is also to reflect any immediate action taken, including the use of force. The reporting employee shall sign the report and indicate his or her title in the appropriate blocks. The date and time of the report being signed should be entered. The Incident Report should then be forwarded to the appropriate Lieutenant for disposition.

Investigation. Staff shall conduct the investigation promptly unless circumstances beyond the control of the investigator intervene. The investigating officer is ordinarily appointed within 24 hours of the time the violation is reported. It is suggested that the investigation be initiated and ordinarily completed within 24 hours of this appointment.

(1) When it appears likely that the incident may be the subject of criminal prosecution, the investigating officer shall suspend the investigation, and staff may not question the inmate until the Federal Bureau of Investigation or other investigative agency interviews have been completed or until the agency responsible for the criminal investigation advises that staff questioning may occur.

When an inmate's misconduct may also be the subject of criminal prosecution, it is not necessary to await the outcome of the criminal trial before taking disciplinary action, unless there has been a request for such delay by the prosecuting or investigating agency. (Staff are referred to the guidelines contained in the Program Statement on Hostage Situations). An inmate who is the subject of a criminal prosecution for institutional violations will not be transferred from the jurisdiction of the trial court without the consent of the appropriate U.S. Attorney of the court in which the case is pending.

(2) The inmate may receive a copy of the Incident Report prior to being seen by the investigating agency. The investigating officer (Bureau of Prisons) shall give the inmate a copy of the Incident Report at the beginning of the investigation, unless there is good cause for delivery at a later date, such as absence of the inmate from the institution or a medical condition which argues against delivery. If the investigation is delayed for any reason, any employee may deliver the charge(s) to the inmate. The staff member shall note the date and time the inmate received a copy of the Incident Report. The investigator shall also read the charge(s) to the inmate and ask for the inmate's statement concerning the incident unless it appears likely that the incident may be the subject of criminal prosecution. The investigator shall advise the inmate of the right to remain silent at all stages of the disciplinary process but that the inmate's silence may be used to draw an adverse inference against the inmate at any stage of the institutional disciplinary process. The investigator shall also inform the inmate that the inmate's silence alone may not be used to support a finding that the inmate had committed a prohibited act. The investigator shall then thoroughly investigate the incident. The investigator shall record all steps and actions taken on the Incident Report and forward all relevant material to the staff holding the initial hearing.

The inmate does not receive a copy of the investigation. However, if the case is ultimately forwarded to the Discipline Hearing Officer, the DHO shall give a copy of the investigation and other relevant materials to the inmate's staff representative for use in presentation on the inmate's behalf.

When the inmate did not receive a copy of the Incident Report at the beginning of the investigation, the reason(s) for this should be stated in the investigative portion of the Incident Report. The investigator shall document in the investigative portion of the Incident Report the fact that the inmate has been advised of the right to remain silent. Comments about the inmate's attitude may be included with the inmate's statement on the charge(s).

To the extent practicable, the inmate's statements offering a rationale for his or her conduct or for the charges against him or her should be investigated. For example, an inmate who has received an Incident Report based on a positive urine test may claim this result comes from either:

- (a) permissible medication the inmate has been given; or
- (b) from a combination of medications the inmate is taking.

In the first situation, the investigator would contact the hospital to determine if the inmate is receiving medication which contains the reported compound detected in the urinalysis. In the second situation, the investigator should confirm that the inmate was authorized to take the stated medication. When necessary, the investigator should ask the Correctional Services Administrator, Regional Office to contact the testing laboratory to determine if the combined medication could result in a false positive. Institution staff should not contact the testing laboratory themselves.

With respect to urine testing, it is noted that while an inmate can challenge the results of the urine test, and this may be investigated by the investigator and considered by the discipline committee(s), the validity or accuracy of the testing process itself is not subject to investigation by the investigator or consideration by the DHO. This requirement is necessary because neither the investigator nor the DHO has the experience necessary to assess the validity or accuracy of the laboratory process.

An inmate who wishes to challenge the testing process should be advised to use the Administrative Remedy Procedure. An inmate can challenge the proper handling of the sample, and evidence challenging that aspect of the process should be investigated and considered. The investigator should talk to those persons with direct and relevant information, and summarize their statements. The disposition of evidence should be recorded. Often, the investigator will want to talk to the reporting employee to obtain a report firsthand and to clarify any question(s) the investigator may have. Under Comments and Conclusions, the investigator may include the investigator's:

- (a) comments on the inmate's prior record and behavior,
- (b) analysis of any conflict between witnesses, and conclusions of what in fact happened.

**Initial Hearing:** The Warden shall delegate to one or more institution staff members the authority and duty to hold an initial hearing upon completion of the investigation. In order to ensure impartiality, the appropriate staff member(s) (hereinafter usually referred to as the Unit Discipline Committee (UDC)) may not be the reporting or investigating officer or a witness to the

incident, or play any significant part in having the charges referred to the UDC. However, a staff member witnessing an incident may serve on the UDC where virtually every staff member in the institution witnesses the incident in whole or in part. If the UDC finds at the initial hearing that an inmate has committed a prohibited act, the UDC may impose minor dispositions and sanctions. When an alleged violation of Bureau rules is serious and warrants consideration for other than minor sanctions, the UDC shall refer the charges to the Discipline Hearing Officer for further hearing. The UDC must refer all greatest category charges to the DHO. The following minimum standards apply to initial hearings in all institutions.

a. Staff shall give each inmate charged with violating a Bureau rule a written copy of the charge(s) against the inmate, ordinarily within 24 hours of the time staff became aware of the inmate's involvement in the incident.

b. Each inmate so charged is entitled to an initial hearing before the UDC, ordinarily held within three work days from the time staff became aware of the inmate's involvement in the incident. This three work day period excludes the day staff became aware of the inmate's involvement in the incident, weekends, and holidays.

For example, if staff become aware of an inmate's involvement in the incident on a Tuesday and provide the inmate with a copy of the report on Tuesday, the three work day period starts the following day, Wednesday. The UDC hearing must ordinarily be held by Friday.

c. The inmate is entitled to be present at the initial hearing except during deliberations of the decision maker(s) or when institutional security would be jeopardized by the inmate's presence. The UDC shall clearly document in the record of the hearing reasons for excluding an inmate from the hearing. An inmate may waive the right to be present at this hearing provided that the waiver is documented by staff and reviewed by the UDC. A waiver may be in writing, signed by the inmate, or if the inmate refuses to sign a waiver, it shall be shown by a memorandum signed by staff and witnessed by a second staff member indicating the inmate's refusal to appear at the hearing. The UDC may conduct a hearing in the absence of an inmate when the inmate waives the right to appear. When an inmate escapes or is otherwise absent from custody, the UDC shall conduct a hearing in the inmate's absence at the institution in which the inmate was last confined.

d. The inmate is entitled to make a statement and to present documentary evidence in the inmate's own behalf.

e. The Unit Discipline Committee may drop or informally resolve any Moderate or Low Moderate charge. The UDC shall expunge the inmate's file of the Incident Report if the charge is dropped or informal resolution is accomplished.

A record of any informal resolution in the 300 or 400 codes between the inmate and the UDC is to be maintained by the Captain.

f. The Unit Discipline committee shall consider all evidence presented at the hearing and shall make a decision based on at least some facts, and if there is conflicting evidence, it must be based on the greater weight of the evidence. The UDC shall take one of the following actions:

(1) Find that the inmate committed the prohibited act charged and/or a similar prohibited act if reflected in the Incident Report;

(2) Find that the inmate did not commit the prohibited act charged or a similar prohibited act if reflected in the Incident Report; or

(3) Refer the case to the DHO for further hearing.

The phrase "some facts" refers to facts indicating the inmate did commit the prohibited act. The phrase "greater weight of the evidence" refers to the merits of the evidence, not to its quantity or to the number of witnesses testifying.

The UDC shall give the inmate a written copy of the decision and disposition by the close of business the next work day. Any action taken as a minor disposition is reviewable under the Administrative Remedy Procedure.

The chairman of the UDC is to sign Part II of the Incident Report. This signature serves as both a certification of those persons serving on the UDC and that the completed Part II accurately reflects the UDC proceedings. The names of other UDC members, if any, participating in the hearing are to be noted in Part II of the Incident Report in the space provided.

If a UDC member wishes to dissent from the UDC action, that committee member should prepare a separate memorandum to the record, stating the reasons for dissent. Unless there are extenuating circumstances (e.g., the dissenting staff member is out of the institution), the memorandum of dissent must be filed within three working days from the date the UDC chairman signs the Incident Report. The memorandum is to be placed in section 4 of the inmate central file with the other disciplinary records, absent a specific determination that the dissent is "FOI-Exempt" (e.g., refers to confidential information). No notation of the dissent is made on the Incident Report, nor is a copy of the dissent provided the inmate as a part of the disciplinary package. An inmate or third party request for a copy of the dissent is to be handled as a Freedom of Information/Privacy request.

g. The UDC shall prepare a record of its proceedings which need not be verbatim. A record of the hearing and supporting documents are kept in the inmate's file.

h. When an alleged violation of Bureau rules is serious and warrants consideration for other than minor sanctions (G thru P), the UDC shall refer the charge(s) without indication of findings as to commission of the alleged violation to the Discipline Hearing Officer (DHO) for hearing and disposition. The UDC shall forward copies of all relevant documents to the DHO with a brief statement of reasons for the referral along with any recommendations for appropriate disposition if the DHO finds the inmate has committed the act charged and/or a similar prohibited act. The inmate whose charge is being referred to the Discipline Hearing Officer may be retained in administrative detention or other restricted status, but the UDC may not impose a final disposition if the matter is being referred to the DHO.

The UDC chairman shall record the reasons for the referral along with recommendations for appropriate disposition in the Committee Action section of the Incident Report. Such recommendations are only recommendations to be considered, and are contingent upon a DHO finding that the inmate committed the prohibited act.

i. When charges are to be referred to the Discipline Hearing Officer, the UDC shall advise the inmate of the rights afforded at a hearing before the DHO. The UDC shall ask the inmate to indicate a choice of staff representative, if any, and the names of any witnesses the inmate wishes to be called to testify at the hearing and what testimony they are expected to provide. The UDC shall advise the inmate that the inmate may waive the right to be present at the Institution Discipline hearing, but still elect to have witnesses and/or a staff representative appear in the inmate's behalf at this hearing.

Staff shall ask an inmate to list on the appropriate form (Notice of Institution Discipline Committee Hearing Before the Discipline Hearing Officer (DHO) - see Chapter 10) all witnesses (including outside witnesses) requested to appear whether they are allowed to appear or are excluded by the DHO. Unless a witness is listed in advance of the hearing the witness ordinarily will not be called before the DHO.

If an inmate has waived the right to appear before the Unit Discipline Committee, the UDC shall ensure that a staff member advises the inmate of the rights afforded at a hearing before the Discipline Hearing Officer (Inmate Rights at Discipline Hearing and Notice of Discipline Hearing Before the Discipline Hearing Officer (DHO) - see Chapter 10).

j. When the Unit Discipline Committee holds a full hearing and determines that the inmate did not commit a prohibited act of High, Moderate, or Low Moderate Severity, the UDC shall expunge the inmate's file of the Incident Report and related documents. The UDC must refer to the Discipline Hearing Officer all incidents involving prohibited acts of Greatest Severity.

k. The UDC may extend time limits imposed in this section for a good cause shown by the inmate or staff and documented in the record of the hearing.

The UDC is to be notified by appropriate staff (e.g., investigating officer) when it appears that an extension of time limits is necessary. The UDC is to ensure that the inmate is advised of the delay, including, where appropriate, the reasons for the delay.

The Warden's approval is required for any extension beyond five work days. When staff decide and approve the extension, the inmate is to be provided with written reasons for the extension, and a copy of the reasons is to be made a part of the UDC record.

**Discipline Hearing Officer:**

a. Each Bureau of Prisons institution shall have an independent hearing officer (DHO) assigned to conduct administrative fact-finding hearings covering alleged acts of misconduct and violations of prohibited acts, including those acts which could result in criminal charges. In the event of a serious disturbance or other emergency, or if an inmate commits an offense in the presence of the DHO, an alternate Discipline Hearing Officer will be appointed to conduct hearings with approval of the appropriate Regional Director. If the institution's DHO is not able to conduct hearings, the Warden shall arrange for another DHO to conduct the hearings. This person must be trained and certified as a DHO, and meet the other requirements for DHO.

b. In order to ensure impartiality, the DHO may not be the reporting officer, investigating officer, or UDC member, or a witness to the incident or play any significant part in having the charge(s) referred to the DHO.

c. The Discipline Hearing Officer shall conduct hearings, make findings, and impose appropriate sanctions for incidents of inmate misconduct referred for disposition following the hearing required by '541.15 before the UDC. The DHO may not hear any case or impose any sanctions in a case not heard and referred by the UDC. Only the Discipline Hearing Officer has the authority to impose or suspend sanctions A through F.

d. The Captain or his designee is designated as the Segregation Review Official (SRO), to conduct reviews of inmates placed in disciplinary segregation and administrative detention. **Special Housing Unit (SHU) Status:** There are two status types in SHU; Administrative Detention and Disciplinary Segregation.

Administrative Detention (A/D) separates an inmate from the general population. To the extent practical, inmates in Administrative Detention shall be provided with the same privileges as those in general population. The use of telephone for an inmate in Administrative status, is limited to one call every thirty days. An inmate may be placed in A/D when an inmate is in holdover status during transfer, is a new commitment pending classification, is pending investigation or hearing for a violation of Bureau regulations, is pending investigation or trial for a criminal act, is pending transfer, for protection, or is finishing confinement in Disciplinary Segregation.

Disciplinary Segregation (D/S) is used as a sanction for violations of the BOP rules and regulations. Inmates in Disciplinary Segregation will be denied certain privileges. Personal property will usually be impounded. Inmates placed in D/S are provided with blankets, a mattress, a pillow, toilet tissue, and personal hygiene articles as necessary.

### **Prohibited Acts and Disciplinary Scale**

There are four categories of prohibited acts - Greatest, High, Moderate, and Low Moderate (beginning on page 40). Specific sanctions are authorized for each category. Imposition of a sanction requires that the inmate first is found to have committed prohibited act.

1. Greatest Category Offenses. The Discipline Hearing Officer (DHO) shall impose and execute one or more of sanctions A through E. Sanction B.1 must be imposed for a VCCLEA inmate rated as violent (i.e., an inmate who, as specified in the Violent Crime Control and Law Enforcement Act of 1994, committed a crime of violence on or after September 13, 1994) and for a PLRA inmate (i.e, an inmate who has been sentenced for an offense committed on or after April 26, 1996). The DHO may impose and execute sanction F and/or G only in addition to execution of one or more additional sanctions A through G.
2. High Category Offenses. The Discipline Hearing Officer shall impose and execute one or more of sanctions A through M, and, except as noted in the sanction, may also suspend one or more additional sanctions A through M. Sanction B.1 must be imposed for a VCCLEA inmate rated as violent and for a PLRA inmate. The Unit Discipline Committee shall impose and execute one or more of sanctions G through M, and may also suspend one or more additional sanctions G through M. Sanction B.1 must be imposed for a VCCLEA inmate rated as violent and for a PLRA inmate. The Unit Discipline Committee shall impose and

execute one or more of sanctions G through M, except for a VCCLEA inmate rated as violent. All high category offense charges for a VCCLEA inmate rated as violent and for a PLRA inmate must be referred to the DHO.

3. Moderate Category Offenses. The Discipline Hearing Officer shall impose at least one sanction A through N, but, except as noted in the sanction, may suspend any sanction or sanctions imposed. Sanction B.1 ordinarily must be imposed for a VCCLEA inmate rated as violent and for a PLRA inmate. Except for charges referred to the DHO, the Unit Discipline Committee (UDC) shall impose at least one sanction G through N, but may suspend any sanction or sanctions imposed. The UDC ordinarily shall refer to the DHO a moderate category charge for a VCCLEA inmate rated as violent or for a PLRA inmate if the inmate had been found to have committed a moderate category offense during the inmate's current anniversary year. (i.e., the twelve month period of time for which an inmate may be eligible to earn good conduct time). The UDC must thoroughly document in writing the reasons why the charge for such an inmate was not referred to the DHO.
4. Low Moderate Category Offenses. The Discipline Hearing Officer shall impose at least one sanction B.1, or E through P. The Discipline Hearing Officer may suspend any E through P sanction or sanctions imposed (a B.1 sanction may not be suspended). Except for charges referred to the DHO, the Unit Discipline Committee shall impose at least one sanction G through P, but may suspend any sanction or sanctions imposed. The UDC ordinarily shall refer to the DHO a low moderate category charge for a VCCLEA inmate rated as violent or for a PLRA inmate if the inmate had been found to have committed two low moderate category offense during the inmates current anniversary year (i.e, the twelve month period of time for which an inmate may be eligible to earn good conduct time). The UDC must thoroughly document in writing the reasons why the charge for such an inmate was not referred to the DHO.

Aiding another person to commit any of these offenses, attempting to commit any of these offenses, and making plans to commit any of these offenses, in all categories of severity, shall be considered the same as a commission of the offense itself. In these cases, the letter "A" is combined with the offense code. For example, planning an escape would be considered as Escape and coded 102A. Likewise, attempting the adulteration of any food or drink would be coded 209A.

Suspensions of any sanction cannot exceed six months. Revocation and execution of a suspended sanction require that the inmate first is found to have committed any subsequent prohibited act. Only the Discipline Hearing Officer (DHO) may execute, suspend, or revoke and execute suspension of sanctions A through F. The Discipline Hearing Officer (DHO) or Unit Discipline Committee (UDC) may execute, suspend, or revoke and execute suspensions of sanctions G through P. Revocations and execution of suspensions may be made only at the level (DHO or UDC) which originally imposed the sanction. The DHO now has that authority for suspensions which were earlier imposed by the Inmate Discipline Committee (IDC).

When an inmate receives an Incident Report while on a DHO imposed, but suspended sanction, the new Incident Report is to be forwarded by the UDC to the DHO both for a final disposition on the new Incident Report, and for a disposition on the suspended sanction. This

procedure is not necessary when the UDC informally resolves the new Incident Report.

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

The Unit Discipline Committee or Discipline Hearing Officer may impose increased sanctions for repeated, frequent offenses.

Sanctions by severity of prohibited act, with eligibility for restoration of forfeited and withheld statutory good time are presented in Table 6 of Program Statement 5270.07, Inmate Discipline and Special Housing Units.

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

NOTE: Aiding another person to commit any of the following listed prohibited acts, attempting to commit any of the following listed prohibited acts, and making plans to commit any of the following listed prohibited acts, shall be considered the same as a commission of the offense itself.

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

### **GREATEST SEVERITY PROHIBITED ACTS**

<u>CODE</u>	<u>PROHIBITED ACTS</u>
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 a secure institution 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., hack-saw 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 medical staff.

- 113 Possession of any narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia not prescribed for the individual by 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 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).
- B1. 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.

(1) Greatest Category Offenses. The Discipline Hearing Officer (DHO) shall impose and execute one or more of sanctions A through E. Sanction B.1 must be imposed for a VCCLEA inmate rated as violent (i.e., an inmate who, as specified in the Violent Crime Control and Law Enforcement Act of 1994, committed a crime of violence on or after September 13, 1994) and for a PLRA inmate (i.e., an inmate who has been sentenced for an offense committed on or after April 26, 1996). The DHO may impose and execute sanction F and/or G only in addition to execution of one or more additional sanctions A through G.

Prohibited acts in the 100 code (greatest severity) and in the 200 code (high severity) may not be informally resolved by the writer of the report, and a Incident Report must be prepared. Prohibited acts in the 100 code and in the 200 code may not be informally resolved by a Lieutenant, and must be referred to the UDC. Prohibited acts in the 100 code and 200 code may not be informally resolved or the charges dropped by the UDC. **The UDC may dispose of a 200 code violation except for VCCLEA inmates rated as violent or PLRA inmates. For those inmates, all 200 level charges will be referred to the DHO for disposition.** Only the DHO may make a final disposition on a prohibited act in the Greatest Severity Category or on a prohibited act in the High Category (when the High Category prohibited act has been committed by a VCCLEA inmate rated as violent or by a PLRA inmate).

When the prohibited act is Interfering with a Staff Member in the Performance of Duties (Code 198) or Conduct Which Disrupts (Code 199), the DHO, in his/her findings, should indicate a specific finding of the severity level of the conduct, and a comparison to a prohibited act(s) in that severity level which the DHO finds is most comparable. Example: A We find the act of 199 to be of Greatest severity, most comparable (like) to prohibited act Encouraging Others to Riot. @

**Possession/Introduction of a Cellular Telephone will be charged Code 199 Disruptive Conduct, most like Code 108, Possession of Hazardous Tool.**

**Possession/Introduction of tobacco may be charged as Code 199, Disruptive Conduct, most like Code 113, Possession of Drugs.**

**The UDC may dispose of a 200 code violation except for VCCLEA inmates rated as violent or PLRA inmates. For those inmates, all 200 level charges will be referred to the DHO for disposition.**

## HIGH SEVERITY LEVEL PROHIBITED ACTS

<u>CODE</u>	<u>PROHIBITED ACTS</u>
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.

Aiding another person to commit any of these offenses, attempting to commit any of these offenses, and making plans to commit any of these offenses, in all categories of severity, shall be considered the same as a commission of the offense itself. In these cases, the letter "A" is combined with the offense code. For example, planning or attempting the adulteration of any food or drink would be coded 209A.

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

- A. Recommend parole date rescission or retardation.
- B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time up to 50% or up to 60 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
- B.1 Disallow ordinarily between 25% and 50% (14-27 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
- C. Disciplinary segregation (up to 6 months).
- D. Make monetary restitution.
- E. Monetary fine.
- F. Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).
- G. Change housing (quarters).
- H. Remove from program and/or group activity.
- I. Loss of job.
- J. Impound inmates' personal property.
- K. Confiscate contraband.
- L. Restrict to quarters.
- M. Extra duty.

(2.) High Category Offenses. The Discipline Hearing Officer shall impose and execute one or more of sanctions A through M, and, except as noted in the sanction, may also suspend one or more additional sanctions A through M. Sanction B.1 must be imposed for a VCCLEA inmate rated as violent and for a PLRA inmate. The Unit Discipline Committee shall impose and execute one or more of sanctions G through M, and may also suspend one or more additional sanctions G through M. Sanction B.1 must be imposed for a VCCLEA inmate rated as violent and for a PLRA inmate. The Unit Discipline Committee shall impose

and execute one or more of sanctions G through M, except for a VCCLEA inmate rated as violent. All high category offense charges for a VCCLEA or a PLRA inmate must be referred to the DHO.

Prohibited acts in the 100 code (greatest severity) and in the 200 code (high severity) may not be informally resolved by the writer of the report, and a Incident Report must be prepared. Prohibited acts in the 100 code and in the 200 code may not be informally resolved by a Lieutenant, and must be referred to the UDC. Prohibited acts in the 100 code and 200 code may not be informally resolved or the charges dropped by the UDC. **The UDC may dispose of a 200 code violation except for VCCLEA inmates rated as violent or PLRA inmates. For those inmates, all 200 level charges will be referred to the DHO for disposition.** Only the DHO may make a final disposition on a prohibited act in the Greatest Severity Category or on a prohibited act in the High Category (when the High Category prohibited act has been committed by a VCCLEA inmate rated as violent or by a PLRA inmate.

When the prohibited act is Interfering with a Staff Member in the Performance of Duties (Code 298) or Conduct Which Disrupts (Code 299), the DHO or UDC, in his/her findings, should indicate a specific finding of the severity level of the conduct, and a comparison to a prohibited act(s) in that severity level which the DHO or UDC finds is most comparable. Example: AWe find the act of 299 to be of High severity, most comparable (like) to prohibited act Engaging in a Group Demonstration.@

### MODERATE SEVERITY LEVEL PROHIBITED ACTS

<u>CODE</u>	<u>PROHIBITED ACTS</u>
-------------	------------------------

- |     |  |
|-----|--|
| 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.

Aiding another person to commit any of these offenses, attempting to commit any of these offenses, and making plans to commit any of these offenses, in all categories of severity, shall be considered the same as a commission of the offense itself. In these cases, the letter "A" is combined with the offense code. For example, planning or attempting to have an unauthorized meeting would be coded 315A.

#### **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.
- (3.) Moderate Category Offenses. The Discipline Hearing Officer shall impose at least one

sanction A through N, but, except as noted in the sanction, may suspend any sanction or sanctions imposed. Sanction B.1 ordinarily must be imposed for a VCCLEA inmate rated as violent and for a PLRA inmate. Except for charges referred to the DHO, the Unit Discipline Committee (UDC) shall impose at least one sanction G through N, but may suspend any sanction or sanctions imposed. **The UDC ordinarily shall refer to the DHO a moderate category charge for a VCCLEA inmate rated as violent or for a PLRA inmate if the inmate had been found to have committed a moderate category offense during the inmate's current anniversary year. (i.e., the twelve month period of time for which an inmate may be eligible to earn good conduct time).** The UDC must thoroughly document in writing the reasons why the charge for such an inmate was not referred to the DHO.

When the prohibited act is Interfering with a Staff Member in the Performance of Duties (Code 398) or Conduct Which Disrupts (Code 399), the DHO or UDC, in his/her findings, should indicate a specific finding of the severity level of the conduct, and a comparison to a prohibited act(s) in that severity level which the DHO or UDC finds is most comparable. Example: A We find the act of 399 to be of Moderate severity, most comparable (like) to prohibited act Participating in an Unauthorized Meeting or Gathering. @

### LOW SEVERITY LEVEL PROHIBITED ACTS

<u>CODE</u>	<u>PROHIBITED ACTS</u>
-------------	------------------------

- |     |  |
|-----|--|
| 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.

Aiding another person to commit any of these offenses, attempting to commit any of these offenses, and making plans to commit any of these offenses, in all categories of severity, shall be considered the same as a commission of the offense itself. In these cases, the letter "A" is combined with the offense code. For example, planning or attempting to conduct a business would be coded 408A.

### **AVAILABLE SANCTIONS FOR LOW MODERATE 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 second violation of the same prohibited act within 6 months); Disallow ordinarily up to 25% (1 -14 days) of good conduct time credit for year (to be used only where inmate found to have committed third violation of the same prohibited act within 6 months). (a good conduct time sanction may not be suspended).
- E. Make monetary restitution.
- F. Withhold statutory good time.
- G. Loss of privileges: commissary, moves, recreation, etc.
- H. Change housing (quarters).
- I. Remove from program and/or group activity.
- J. Loss of job.
- K. Impound inmate=s personal property.
- L. Confiscate contraband.
- M. Restrict to quarters.
- N. Extra duty.
- O. Reprimand.
- P. Warning.

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

(4) Low Moderate Category Offenses. The Discipline Hearing Officer shall impose at least one sanction B.1, or E through P. The Discipline Hearing Officer may suspend any E through P sanction or sanctions imposed (a B.1 sanction may not be suspended). Except for charges referred to the DHO, the Unit Discipline Committee shall impose at least one sanction G through P, but may suspend any sanction or sanctions imposed. **The UDC ordinarily shall refer to the DHO a low moderate category charge for a VCCLEA inmate rated as violent or for a PLRA inmate if the inmate had been found to have committed two low moderate category offense during the inmates current anniversary year (i.e., the twelve month period of time for which an inmate may be eligible to earn good conduct time).** The UDC must thoroughly document in writing the reasons why the charge for such an inmate was not referred to the DHO.

When the prohibited act is Interfering with a Staff Member in the Performance of Duties (Code 498) or Conduct Which Disrupts (Code 499), the DHO or UDC, in his/her findings, should indicate a specific finding of the severity level of the conduct, and a comparison to a prohibited act(s) in that severity level which the DHO or UDC finds is most comparable. Example: AWe find the act of 499 to be of High severity, most comparable (like) to prohibited act Conducting a Business.©

#### **TABLE 4 - SANCTIONS**

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

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

B. Forfeit Earned Statutory Good Time, Non-vested Good Conduct Time, and/or Terminate or Disallow Extra Good Time. The statutory good time available for forfeiture is limited to an amount computed by multiplying the number of months served at the time of the offense for which forfeiture action is taken, by the applicable monthly rate specified in 18 U.S.C. ' 4161 (less any previous forfeiture or withholding outstanding). The amount of good conduct time (GCT) available for forfeiture is limited to the total number of days in the "non-vested" status at the time of the misconduct (less any previous forfeiture). A forfeiture of good conduct time sanction may not be suspended. Disallowance of extra good time is limited to the extra good time for the calendar month in which the violation occurs. It may not be withheld or restored. The sanction of termination or disallowance of extra good time may not be suspended. Forfeited good conduct time will not be restored. Authority to restore forfeited statutory good time is delegated to the Warden. This decision may not be delegated lower than the Associate Warden level. Limitations on this sanction and eligibility for restoration are based on the severity scale. (See Page 19 of this Chapter for limitations on this sanction and for eligibility for restoration). Good time (statutory and good conduct time) percentages may be combined when separate acts or offenses occur on the same day and are heard by the DHO at the same time. For example, when an inmate is charged, and found to have committed, both a 200 and 300 Code violation by the same sitting DHO, that DHO may forfeit 75% of the inmate's good time (50% for the 200 code violation, 25% for the 300 Code violation). Good time may not be forfeited (because it is not earned) for an inmate solely in service of a civil contempt. See the Sentence Computation Manual (Old Law, Pre-CCCA-1984) for a discussion of termination or disallowance of extra good time.

An application for restoration of good time is to go from the inmate's Unit Team, through both the DHO and Captain for comments, to the Warden or his or her delegated representative for final decision.

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

**B.1 Disallowance of Good Conduct Time.** An inmate sentenced under the Sentencing Reform Act provisions of the Comprehensive Crime Control Act (includes the inmate who committed his or her crime on or after November 1, 1987) may not receive statutory good time, but is eligible to receive 54 days good conduct time credit each year (18 U.S.C. ' 3624(b)). Once awarded, the credit is vested, and may not be disallowed. However for crimes committed on or after September 13, 1994, and prior to April 26, 1996, credit toward an inmate's service of sentence shall not be vested unless the inmate has earned or is making satisfactory progress toward a high school diploma or an equivalent degree, or has been exempted from participation because of a learning disability. For crimes committed on or after April 26, 1996, credit toward an inmate's service of sentence shall vest on the date the inmate is released from custody. Once disallowed, the credit may not be restored, except by immediate review or appeal action as indicated below. Prior to this award being made, the credit may be disallowed for an inmate found to have committed a prohibited act. A sanction of disallowance of good conduct time may not be suspended. Only the DHO can take action to disallow good conduct time. The DHO shall consider the severity of the prohibited act and the suggested disallowance guidelines in making a determination to disallow good conduct time. A decision to go above the guideline range is warranted for a greatly aggravated offense or where there is a repetitive violation of the same prohibited act that occurs within a relatively short time frame (e.g., within 18 months for the same greatest severity prohibited act, within 12 months for the same high severity prohibited act, and within 6 months for the same moderate severity prohibited act). A decision to go below the guidelines is warranted for strong mitigating factors. Any decision outside the suggested disallowance guidelines is to be documented and justified in the DHO report. VCCLEA inmates rated as violent and PLRA inmates will ordinarily be disallowed good conduct time for each prohibited act they are found to have committed at a DHO hearing, consistent with the following;

(1) **Greatest Category Offenses.** A minimum of 40 days (or, if less than 54 days are available for the prorated period, a minimum of 75% of available good time) for each act committed;

(2) **High Category Offenses.** A minimum of 27 days (or, if less than 54 days are available for the prorated period, a minimum of 50% of available good conduct time) for each act committed.

(3) **Moderate Category Offenses.** A minimum of 13 days (or, if less than 54 days are available for the prorated period, a minimum of 25% of available good conduct time) for each act committed if the inmate has committed two or more moderate category offenses during the current anniversary period.

(4) **Low Moderate Category Offenses.** A minimum of 6 days (or, if less than 54 days are available for the prorated period, a minimum of 12.5% of available good conduct time) for each act committed if the inmate has committed three or more low moderate category offenses

during the current anniversary period.

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

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

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

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

#### **Sanctions for Repetition of Prohibited Acts Within Same Category**

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

<b>Prohibited Act Severity Level</b>	<b>Time Period for Prior Offense (same code)</b>	<b>Frequency of Repeated Offense</b>	<b>Additional Available Sanctions</b>
Low Severity (400 Level)	6 months	2 <sup>nd</sup> offense	1. Disciplinary Segregation, up to 1 month). 2. Forfeit earned SGT or non-vested GCT up to 10% or up to 15 days, whichever is less, and/or terminate or disallow extra good time (EGT) (an EGT sanction may not be suspended)
		3 <sup>rd</sup> or more offense	Any available Moderate severity level sanctions (300 series).
Moderate Severity (300 Level)	12 months	2 <sup>nd</sup> offense	1. Disciplinary Segregation (up to 6 months). 2. Forfeit earned SGT or non-vested GCT up to 372% or up to 45 days, whichever is less, and/or terminate or disallow extra good time (EGT)(an EGT sanction may not be suspended)
		3 <sup>rd</sup> or more offense	Any available High severity level sanctions (200 series).
High Severity (200 Level)	18 months	2 <sup>nd</sup> offense	1. Disciplinary Segregation (up to 12 months). 2. Forfeit earned SGT or non-vested GCT up to 75% or up to 90 days, whichever is less, and/or terminate or disallow extra good time EGT (an EGT sanction may not be suspended).
		3 <sup>rd</sup> or more offense	Any available Greatest severity level sanctions (100 series).
Greatest Severity (100 Level)	24 months	2 <sup>nd</sup> or more offense	Disciplinary Segregation (up to 18 months).

**Special Housing Unit Status:** There are two statuses of special housing. These are Administrative Detention and Disciplinary Segregation. Administrative Detention separates an inmate from the general population. To the extent practical, inmates in Administrative Detention shall be provided with the same general privileges as inmates in general population. An inmate may be placed in Administrative Detention when the inmate is in holdover status during transfer, is a new commitment pending classification, is pending investigation or a

hearing for a violation of Bureau regulations, is pending investigation or trial for a criminal act, is pending transfer, for protection, or has finished confinement in Disciplinary Segregation.

Disciplinary Segregation is used as sanction for violations of Bureau rules and regulations. Inmates in Disciplinary Segregation will be denied certain privileges. Personal property will usually be impounded. Inmates placed in Disciplinary Segregation are provided with blankets, a mattress, a pillow, toilet tissue, and shaving utensils (as necessary). Inmates may possess legal and religious materials while in Disciplinary Segregation. Also, staff shall provide a reasonable amount of non-legal reading material.

Inmates in the Special Housing Unit (SHU) shall be seen by a member of the medical staff daily, including weekends and holidays. A member of the unit staff visits SHU daily. Inmates in both Administrative Detention and Disciplinary Segregation are provided with regular reviews of their housing status.

## **RELEASE**

**Sentence Computation:** Each inmate will be provided with a copy of his sentence computation as soon as it is prepared. Questions regarding good time, jail time credit, parole eligibility, release dates, or periods of supervision can be answered by your Case Manager.

**Fines and Costs:** In addition to jail time, the court may impose a committed or non-committed fine and/or costs. A committed fine requires that the inmate remains confined in prison until the fine is paid or he qualifies for release under the provisions of Title 18 U.S.C., Section 3569 (pauper's oath). Under the old law (offense occurred prior to November 1, 1987), non-committed fines have no condition of imprisonment based on payment of the fine. Under the new law (offense occurred on or after November 1, 1987), an inmate must sign a Fine Agreement prior to being released from custody when a fine has been imposed.

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

State detainers, with the exception of those from Louisiana, Mississippi, and the Commonwealth of Puerto Rico, may be quickly processed under the Interstate Agreement on Detainers Act. If a detainer has been lodged against you based on untried charges (does not include parole or probation violation), Records Office staff can assist you in completing the necessary documents to request disposition. If no detainer has been lodged, but you are aware of outstanding charges, you may request disposition yourself by contacting the prosecuting attorney of that district. Records Office staff will not be involved unless a detainer has been lodged.

**Residential Re-Entry Center:** Inmates who are nearing release, and who need transitional service in obtaining a job, residence, aftercare programs or other community resources, may be transferred to a Residential Re-Entry Center. These facilities contract with the Bureau of Prisons to provide residential correctional programs near the offender's home community.

They provide a suitable residence, structured programs, job placement, and counseling while monitoring the offender's activities. They also provide drug testing and counseling, and alcohol monitoring and treatment. While in these programs, employed offenders are required to pay subsistence at the rate is 25 percent of the inmate's gross income to help defray the cost of their RRC placement.

## **INMATE PERSONAL PROPERTY LIST - NATIONAL LIMIT**

### **AUTHORIZED FOR TRANSFER BETWEEN INSTITUTIONS**

B = Black

W = White

BW = Black/White Combination

GRY = Gray

GRN = Green (pastel)

C = Commissary Only

I = BOP Issue

#### **Items Apply to All Inmates Unless Otherwise Noted**

#### **CLOTHING**

Bathrobe

Males - W GRY (no hoods) c (1)

**Females - W GRN (no hoods) c (1)**

Cap, Baseball

Males - W GRY (no logos) c (1)

**Females - W GRN (no logos) c (1)**

Handkerchief, W c (5)

Shoes, Athletic/Specialty, B W BW (\$100 value maximum/no pumps/no pockets) court, turf, running shoe, c (2 pr)

Shoes, Casual, c (1 pr)

Shoes, Shower, c (1 pr)

Shoes, Slippers, c (1 pr)

Shoes, Work, c, (1 pr), (I)

Shorts, Gym

Males – W GRY c (2)

**Females – W GRN GRY c (2)**

Socks, Tube, W c (5)

Stockings/Pantyhose, **Females – skintone, c (5)**

Sweatshirt

Males – GRY (cotton/pullover/no hoods/no logos) c (2)

**Females – W GRN GRY (cotton/pullover/no hoods/no logos) c (2)**

Sweatpants

Males – GRY (cotton/no logos) c (2)

**Females – W GRN GRY (cotton/no logos) c (2)**

T-Shirts/Sleeveless Undershirts

Males – W GRY (no pockets/no logos) c (5)

**Females – W GRY (no pockets/no logos) c (5)**

Underwear

Males – W GRY (boxers or briefs) c (7)

## **Females – W (bras/panties) c (7)**

### **PERSONALLY OWNED ITEMS**

Address Book, c (1)  
Alarm Clock (non-electric), c (1)  
Bag, Athletic Tote (no logo), c (1)  
Barrettes/Clips/Bows, **Females – c (5)**  
Batteries (not including batteries stored in electronic items), c (4)  
Blush Kit, **Females - c (1)**  
Books (hard/soft), (5)  
Book/Reading Light, c (1)  
Bowl (plastic/24 oz. or less), c (1)  
Calculator, small (electronically unsophisticated, inexpensive, non-print feature/battery or solar operated) c (1)  
Calendar, small, c (1)  
Comb/Pick (plastic), c (2)  
Combination Lock, c (1)  
Cosmetic Bag, **Females – c (1)**  
Cup (plastic), c (1)  
Dentures (1 set)  
Earplugs, c (1 set)  
Earrings, **Females – 1 pr**  
Envelopes, c (1 box)  
Eyeglasses (no stones), (2 pr)  
Eyeglass Case (2)  
Eyeliner/Pencil, **Females – c (2)**  
Eye Shadow, **Females – c (2)**  
Hairbrush, c (1)  
Hangers (plastic), c (5)  
Headphones, c (1)  
Jug (plastic/up to 1 gal), c (1)  
Language Translator, (small, electronically unsophisticated, inexpensive, non-print feature/battery, or solar operated), c (1)  
Laundry Bag (mesh), c (1)  
Letters (25)  
Lipstick, **Females – c (3)**  
Makeup/Foundation/Base, **Females – c (2)**  
Mirror (small/plastic), c (1)  
Pen, Ballpoint, c (2)  
Pencils, c (2)  
Photo Album/Scrapbook with photos, c (1)  
Photos (single-faced) (25)  
Playing Cards, c (2 decks)  
Radio with Earplugs (walkman-type), c (1)  
Shaving Bag, Males – c (1)

Stamps (total value equivalent to 40, 1st Class), c  
Sunglasses (non-reflective), c (1)  
Towel (white/large), c (1)  
Watch (\$100 maximum value, no stones, electronically unsophisticated; i.e., inability to send signals), c (1)  
Watchband, c (1)  
Wedding Band (plain - no stones/white/yellow metal) (1)  
Writing Tablet, c (2)

### **HYGIENE ITEMS**

Brushless Shave  
Conditioner/Hair  
Dental Floss and/or Pick (unwaxed), c (1 container)  
Denture Adhesive, c (1)  
Denture Brush, c (1)  
Denture Cleaner/Powder, c (1)  
Denture Cup, c (1)  
Deodorant, c (2)  
Face Cream, **Females**  
Hair Oil/Gel (non-flammable, non-alcoholic), c (1)  
Laundry Detergent  
Lens Cloth, c (1)  
Lotion, Skin (moisturizing), c (1)  
Mouthwash  
Nail Clippers (no file), c (2)  
Powder/Body/Foot  
Razor, c (1)  
Scissors, Mustache, Males – (blunt tip), c (1)  
Sewing Kit, c (1)  
Shampoo  
Shaving Cream/Lotion, Males  
Soap, Bar, c (3)  
Soap Dish, c (1)  
Toothbrush, c (1)  
Toothbrush Holder, c (1)  
Toothpaste, c (2 tubes)  
Tweezers (blunt tip), c (1)

### **RECREATIONAL ITEMS**

Athletic Supporter, Males – c (2)  
Bra, Jogging, **Females – c (2)**  
Eye Protection, c (1)  
Gloves (fingerless/athletic), c (1)  
Gloves (handball), c (2)  
Harmonica, c (1)

Headbands/Sweatbands, W c (2)  
Knee Wraps, c (2)  
Knitting/Crochet Needles, c (1)  
Mouth Piece, c (1)  
Racquetballs (2 cans of 2), c (4)  
Softball Glove, c (1)  
Tennis Balls (can of 3), c (1)  
Tools for Bead Work, c (1)  
Weightlifting Belt, c (1)  
Weightlifting Gloves, c (1)  
Weightlifting Wraps, c (2)  
Yarn, Embroidery, Hoops/Needles, c (1 set)

**APPROVED RELIGIOUS ITEMS**

Items authorized in “Manual on Inmate Beliefs and Practices” and “Transferrable Religious Property,” posted on Chaplaincy Services Branch Sallyport page.

**APPROVED MEDICAL DEVICES**

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

## Attachment B

U. S. Department of Justice  
Federal Bureau of Prisons

### Sexually Abusive Behavior Prevention and Intervention *An Overview for Offenders*

November 2009

#### **You Have the Right to be Safe from Sexually Abusive Behavior.**

While you are incarcerated, **no one has the right to pressure you to engage in sexual acts.** You do not have to tolerate sexually abusive behavior or pressure to engage in unwanted sexual behavior from another inmate or a staff member. Regardless of your age, size, race, ethnicity, gender or sexual orientation, you have the right to be safe from sexually abusive behavior.

#### **What Can You Do To Prevent Sexually Abusive Behavior?**

Here are some things you can do to protect yourself and others against sexually abusive behavior:

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

1

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

An incident is considered **Inmate-on-Inmate Abuse/Assault** when any sexually abusive behavior occurs between two or more inmates. An incident is considered **Staff-on-Inmate Abuse/Assault** when any sexually abusive behavior is initiated by a staff member toward one or more inmates. It is also considered Staff-on-Inmate Abuse/Assault if a staff member willingly engages in sexual acts or contacts that are initiated by an inmate.

**NOTE: Sexual acts or contacts between two or more inmates, even when no objections are raised, are prohibited acts, and may be illegal. Sexual acts or contacts between an inmate and a staff member, even when no objections are raised by either party, are always forbidden and illegal. Inmates who have been sexual assaulted by another inmate or staff member will not be prosecuted or disciplined for reporting the assault. However, inmates will be penalized for knowingly filing any false report.**

### **How Do You Report an Incident of Sexually Abusive Behavior?**

It is important that you **tell a staff member if you have been sexually assaulted**. It is equally important to inform staff if you have witnessed sexually abusive behavior. You can tell your case manager, Chaplain, Psychologist, SIS, the Warden or any other staff member you trust.

BOP staff members are instructed to keep reported information confidential and only discuss it with the appropriate officials on a need-to-know basis concerning the inmate-victim=s welfare and for law enforcement or investigative purposes. There are other means to confidentiality report sexually abusive behavior if you are not comfortable talking with staff.

§ **Write directly to the Warden, Regional Director or Director.** You can send the Warden an Inmate Request to Staff Member (Cop-out) or a letter reporting the sexually abusive behavior. You may also send a letter to the Regional Director or Director of the Bureau of Prisons. To ensure confidentiality, use special mail procedures.

§ **File an Administrative Remedy.** You can file a Request for Administrative Remedy (BP-9). If you determine your complaint is too sensitive to file with the Warden, you have the opportunity to file your administrative remedy directly with the Regional Director (BP-10). You can get the forms from your counselor or other unit staff.

§ **Write the Office of the Inspector General (OIG)** which investigates allegations of staff misconduct. OIG is a component of the Department of Justice and is not a part of the Bureau of Prisons. The address is:

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

### **Understanding the Investigative Process**

Once the sexually abusive behavior is reported, the BOP and/or other appropriate law enforcement agencies will conduct an investigation.

The purpose of the investigation is to determine the nature and scope of the abusive behavior. You may be asked to give a statement during the investigation. If criminal charges are brought, you may be asked to testify during the criminal proceedings.

### **Counseling Programs for Victims of Sexually Abusive Behavior**

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

### **Management Program for Inmate Assailants**

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

### **Policy Definitions**

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

**Code 101/(A): Sexual Assault**

**Code 205/(A): Engaging in a Sex Act**

**Code 206/(A): Making a Sexual Proposal**

**Code 221/(A): Being in an Unauthorized Area with a Member of the Opposite Sex**

**Code 300/(A): Indecent Exposure**

**Code 404/(A): Using Abusive or Obscene Language**

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

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

a. **Rape:** the carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person **FORCIBLY** or against that person=s will; The carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person not forcibly or against the person=s will, where the victim is **incapable of giving consent** because of his/her youth or his/her temporary or permanent mental or physical incapacity; or The carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person achieved through the **exploitation of the fear or threat** of physical violence or bodily injury.

Carnal Knowledge: contact between the penis and vulva or the penis and the anus, including penetration of any sort, however slight.

Oral Sodomy: contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus.

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

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

### **What Can You Do if You Are Afraid or Feel Threatened?**

If you are afraid or feel you are being threatened or pressured to engage in sexual behaviors, you should discuss your concerns with staff. Because this can be a difficult topic to discuss, some staff, like psychologists, are specially trained to help you deal with problems in this area.

If you feel immediately threatened, approach any staff member and ask for assistance. It is part of his/her job to ensure your safety. If it is a staff member that is threatening you, report your concerns immediately to another staff member that you trust, or follow the procedures for making a confidential report.

### **What Can You Do if You Are Sexually Assaulted?**

If you become a victim of a sexually abusive behavior, **you should report it immediately to staff** who will offer you protection from the assailant. You do not have to name the inmate(s) or staff assailant(s) in order to receive assistance, but specific information may make it easier for staff to know how best to respond. You will continue to receive protection from the assailant, whether or not you have identified him or her (or agree to testify against him/her).

After reporting any sexual assault, you will be referred immediately for a medical examination and clinical assessment. Even though you may want to clean up after the assault **it is important to see medical staff BEFORE you shower, wash, drink, eat, change clothing, or use the bathroom.** Medical staff will examine you for injuries which may or may not be readily apparent to you. They can also check you for sexually transmitted diseases, pregnancy, if appropriate, and gather any physical evidence of assault. The individuals who sexually abuse or assault inmates can only be disciplined and/or prosecuted if the abuse is reported. **Regardless of whether your assailant is an inmate or a staff member, it is important to understand that you will never be disciplined or prosecuted for being the victim of a sexual assault.**

<b>CLAIM FOR DAMAGE, INJURY, OR DEATH</b>		<b>INSTRUCTIONS:</b> Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.		FORM APPROVED OMB NO. 1105-0008 EXPIRES 5-31-05	
1. Submit To Appropriate Federal Agency:			2. Name, Address of claimant and claimant's personal representative, if any. (See instructions on reverse.) (Number, street, city, State and Zip Code)		
3. TYPE OF EMPLOYMENT <input type="checkbox"/> MILITARY <input type="checkbox"/> CIVILIAN		4. DATE OF BIRTH	5. MARITAL STATUS	6. DATE AND DAY OF ACCIDENT	7. TIME (A.M. OR P.M)
8. Basis of Claim (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof) (Use additional pages if necessary.)					
<b>9. PROPERTY DAMAGE</b>					
NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, street, city, State, and Zip Code)					
BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF DAMAGE AND THE LOCATION WHERE PROPERTY MAY BE INSPECTED. (See instructions on reverse side)					
<b>10. PERSONAL INJURY/WRONGFUL DEATH</b>					
STATE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT STATE NAME OF INJURED PERSON OR DECEDENT					
<b>11. WITNESSES</b>					
NAME			ADDRESS (Number, street, city, State, and Zip Code)		
12. (See instructions on reverse) <b>AMOUNT OF CLAIM (in dollars)</b>					
12a. PROPERTY DAMAGE	12b. PERSONAL INJURY	12c. WRONGFUL DEATH	12d. TOTAL (Failure to specify may cause forfeiture of your rights.)		
<b>I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE ACCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM</b>					
13a. SIGNATURE OF CLAIMANT (See instructions on reverse side.)				13b. Phone number of signatory	14. DATE OF CLAIM
<b>CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM</b> The claimant shall forfeit and pay to the United States the sum of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the United States. (See 31 U.S.C. 3729.)			<b>CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS</b> Imprisonment for not more than five years and shall be subject to a fine of not less than \$5,000 and not more than \$10,000, plus 3 times the amount of damages sustained by the United States. (See 18 U.S.C.A. 287.)		

--	--

95-108  
Previous editions not usable

NSN 7540-00-634-4046  
**STANDARD FORM 95 (Rev. 7-85)**  
**PRESCRIBED BY DEPT. OF JUSTICE**  
**28 CFR 14.2**

This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.

A. *Authority:* The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 28 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R. Part 14.

LEGAL REPRESENTATIVE AN EXECUTED STANDARD FORM 95 OR OTHER APPROPRIATE FEDERAL AGENCY WITHIN WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR ACCRUES.

MONEY DAMAGES IN A **SUM CERTAIN** FOR INJURY TO OR LOSS OF  
Any instructions or information necessary in the preparation of your claim will be furnished, upon request, by the office indicated in item #1 on the reverse side. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplemental regulations also. If more than one agency is involved, please state each agency.

The claim may be filed by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with said claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.

If claimant intends to file claim for both personal injury and property damage, claim for both must be shown in item #12 of this form.

The amount claimed should be substantiated by competent evidence as follows:

(a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.

- B. *Principal Purpose:* The information requested is to be used in evaluating claims.
- C. *Routine Use:* See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.
- D. *Effect of Failure to Respond:* Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim invalid.

**INSTRUCTIONS**

**TWO YEARS AFTER THE CLAIM**

(b) In support of claims for damage to property which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested concerns, or, if payment has been made, the itemized signed receipts evidencing payment.

(c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.

(d) Failure to completely execute this form or to supply the requested material within two years from the date the allegations accrued may render your claim invalid. A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.

**Failure to specify a sum certain will result in invalid presentation of your claim and may result in forfeiture of your rights.**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or other aspect of this collection of information, including suggestions for reducing this burden,

to Director, Torts Branch  
Civil Division  
U.S. Department of Justice  
Washington, DC 20530

and to the  
Office of Management and Budget  
Paperwork Reduction Project (1105-0008)  
Washington, DC 20503

**INSURANCE COVERAGE**

In order that subrogation claims be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of his vehicle or property.

15. Do you carry accident insurance?  Yes, if yes give name and address of insurance company (*Number, street, city, State, and Zip Code*) and policy number.  No

16. Have you filed claim on your insurance carrier in this instance, and if so, is it full coverage or deductible?

17. If deductible, state amount

18.If claim has been filed with your carrier, what action has your insurer taken or proposes to take with reference to your claim? *(It is necessary that you ascertain these facts)*

19.Do you carry public liability and property damage insurance?  Yes, If yes, give name and address of insurance carrier *(Number, street, city, State, and Zip Code)*  No

**PRIVACY ACT NOTICE**

A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DULY AUTHORIZED AGENT, OR PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT.

BP-A0493

JUN 10

**SPECIAL MAIL NOTICE**

**U.S. DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF PRISONS**

**To The Inmate:**

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

**To The Attorney:**

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