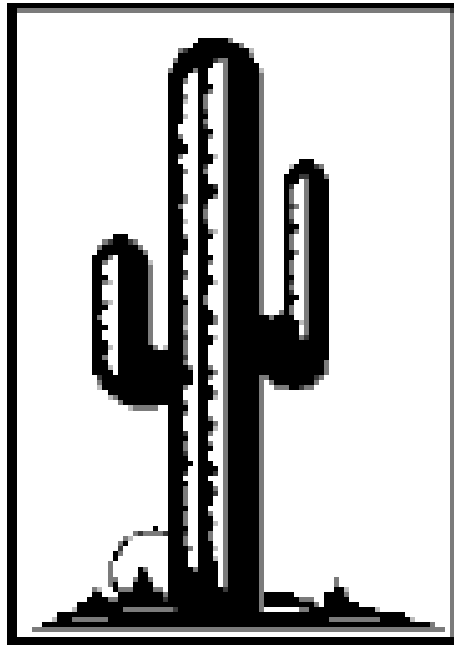


INMATE HANDBOOK



**FEDERAL CORRECTIONAL INSTITUTION
PHOENIX, ARIZONA**

Revised March 2013

INTRODUCTION

The information contained in this handbook is current as of the date of publication. This booklet is designed to inform new arrivals to FCI Phoenix of information particular to this institution. Bureau of Prisons Program Statements and FCI Phoenix Institution Supplements can be found in the institution Law Library and all inmates are responsible for being aware of the contents of those. Additionally, various updates are posted in the Unit Bulletin Boards.

MISSION

It is the mission of FCI Phoenix to securely, safely and humanely house offenders and to offer a variety of educational and vocational opportunities.

DIVISIONS

Under the Warden, FCI Phoenix is divided into three principle divisions.

Programs: Under the supervision of the Associate Warden of Programs

Unit Management	Correctional Services
Religious Services	Case Management Coordinator
Drug Abuse Program	Psychology Services
Inmate Systems	

Operations: Under the supervision of the Associate Warden of Operations

Health Services	Safety	Business Office
Employee Services	Mechanical Services	Trust Fund
Computer Services	Food Service	

Industries and Education: Under the supervision of the Associate Warden of Industries and Education

UNICOR	Recreation
Education	

The **Attorney Advisor** reports directly to the Warden.

This institution is under the supervision of the Western Regional Office of the Bureau of Prisons, located in Stockton, California. The staff of the Western Regional Office, under the direction of the Regional Director, provides management and technical assistance to our personnel.

The staff of the Central Office control and coordinate all activities of the Federal Prison System and are under the guidance of the Director. Major functions of the Central Office include planning, policy development, management of manpower and other resources, monitoring the quality of programs and services, and coordination of activities of the regional offices and field facilities. The Central Office also has primary responsibility for public information activities, legal and legislative affairs and relations with Congress and various other government agencies, as well as private organizations.

A list of key United States Government Offices is noted below:

United States Attorney General
U.S. Department of Justice
10th and Constitution Avenue, N.W.
Washington, DC 20530

Director
Federal Bureau of Prisons
320 First Street, N.W.
Washington, DC 20534

Regional Director
Western Regional Office
7338 Shoreline Drive
Stockton, CA 95219

Office of Pardon Attorney
1425 New York Avenue, N.W.,
Suite 11000
Washington, D.C. 20530

Chief, Office of Inspections
Federal Bureau of Prisons
320 First Street, N.W.
Washington, DC 20534

Federal Bureau of Investigation
201 E. Indianola Ave., Suite 400
Phoenix, AZ 85012-2080

United States District Courthouse
401 W. Washington St.
Phoenix, AZ 85003

Designation and Sentence Computation Center (DSCC)
Grand Prairie Office Complex
346 Marine Forces Drive
Grand Prairie, TX 75051

For names and addresses of the Senate and House, consult the Congressional Staff Directory in the Law Library.

DIRECTIONS AND ACCOMMODATIONS

This section is designed as a guide to assist those individuals visiting FCI Phoenix. The institution does not endorse or recommend any accommodation listed below as they are given for reference only.

It is the inmate's responsibility to share any of the following information that might be significant to a visitor to the institution and area.

FCI Phoenix is located approximately 30 miles north of downtown Phoenix on I-17 and at exit 225 (Pioneer Road).

Those individuals traveling east on I-10 (such as from Los Angeles) will need to take I-10 until it intersects with I-17 north.

Those traveling on I-10 west (such as from Tucson) will take I-10 until it intersects with I-17 north.

Those traveling south on I-17 (such as from Flagstaff) will proceed south to exit 225.

Note: In some areas I-17 is often referred to as Black Canyon Highway

Motel/hotel accommodations closest to FCI Phoenix are:

Red Roof Inn
1-17 and Bell Road
Tele (602)866-1049

Motel 6
1-17 and Bell Road
Tele (602)993-2353

Extended Stay America
I-17 and Deer Valley Road
Tele (602)879-6609

Premier Inns at Metro Center
10402 N. Black Canyon Highway
Tele (602) 943-2371

Homegate Phoenix Metro Center
11211 N. Black Canyon Highway
Tele (602)870-2999

Ramada Plaza Metro Center
I-17 and Cactus Road
Tele (602)866-7000

La Quinta Inn
1-17 and Greenway Road
Tele (602)993-0800

Travelodge Metro Center
8617 N. Black Canyon Highway
Tele (602)995-9500

Taxi company contact info:

Discount Cab (602)200-2000
SuperShuttle (602)244-9000

There is no public bus service to FCI Phoenix.

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CHAPTER I
INMATE ACCOUNTABILITY

The Federal Correctional Institution in Phoenix, Arizona is a Medium Security Level Institution as defined in Program Statement 5100.03. In order to assist you in your stay at FCI Phoenix, the following description of operations is provided.

COUNT PROCEDURES: One of the first realities of institutional life are counts. It is necessary for the staff to count inmates on a regular basis. During a count inmates are expected to stay in their assigned areas until the count is announced as clear. It is very important that you learn the time schedule of our counts.

12:00 Midnight
3:00 a.m.
4:30 a.m.
10:00 a.m. (Weekends and Holidays - Stand Up count)
4:00 p.m. (Stand up count)
9:30 p.m. (Stand up count)

Staff will take disciplinary action if inmates are not in their assigned areas during a count and/or not standing next to their bunks during the Stand Up counts.

AUTHORIZED MOVEMENT: Unless otherwise authorized, inmates are to move only during controlled movements throughout the day and evening. The controlled move is five minutes "IN" and five minutes "OUT".

Monday through Friday, the Unit Officer will post a "Change Sheet" which reflects inmate detail and quarter's changes and a Call Out Sheet when an inmate is to report to such areas as R&D, Chapel, Education, Health Services, etc. Inmates are responsible for reading these sheets and for being where they are supposed to be.

Inmates are responsible for being where they are supposed to be whether it be the detail assignment, call out, etc. Inmates found "out of bounds" are subject to disciplinary action.

INMATE COMMISSARY/ID CARDS: All inmate commissary/ID cards must be in possession of the inmate at all times when the inmate is out of their housing unit. The loss of the commissary/ID card must be reported to staff immediately. The Inmate Systems Department is responsible for replacing lost commissary/ID cards.

INMATE TWO HOUR WATCH PROGRAM: Inmates assigned to the Two Hour Watch Procedures will be responsible for reporting to a staff member in the area you are in at the times listed below. As a Two Hour Watch inmate, you are responsible for the Two Hour Watch card and this card will be on your person when moving from one area to another. When you arrive to a specific location you will give the card to the staff or supervisor of that area or detail. When going to eat in the Dining Facility surrender your card to the lieutenant or officer standing at the front entrance door. When done eating you will retrieve your card from the staff member.

REPORTING TIMES TO STAFF:

First Reporting Time - 7:30 a.m.
9:30 a.m.
11:30 a.m.
1:30 p.m.
3:30 p.m.
5:30 p.m.
7:30 p.m.
9:15 p.m.

When entering your assigned unit you will surrender the card to the unit officer, who will maintain possession of the card until you depart the unit.

NOTE: Failure to report to staff at the specified times listed above will result in disciplinary actions. Altering or loss of a Two Hour Watch card will result in disciplinary action.

CHAPTER II
VISITING REGULATIONS

Inmates are encouraged to have visits in order to maintain family and community ties. New inmates are asked to submit a visiting list during the first week of Admission & Orientation (A&O) to their unit Counselor for approval. A Visitor Information/Authorization for Release form must be sent to all prospective visitors, including immediate family members. Inmates are responsible for mailing this form to the proposed visitors. Prospective visitors may be approved after a Visitor Information/Authorization for Release form is returned to the Counselor and certain checks are made once it is returned by the proposed visitor. Request for approval of these additional visitors will be made to the Counselor no less than three weeks in advance of the intended visit. **Inmates must have known the proposed visitor(s) prior to incarceration.** Approved visitation lists completed by other institutions (for transferees) will be accepted, provided supporting documentation is available and the visitors are still appropriate upon arrival to this facility. Inmates are responsible for notifying visitors when they have been approved and of the rules and regulations as they pertain to visiting.

VISITING REGULATIONS: Visiting hours are from 8:00 a.m. until 3:00 p.m. on Saturdays, Sundays, Mondays, and Holidays.

Each inmate is given ten visiting points at the beginning of the month. The total visitors received on Sundays and Saturdays will result in a deduction of two points as long as the inmate has not left the visiting room that day between visits. Total visits received on Mondays result in a deduction of one point. No points are charged for federal holidays. Points are not carried over from month to month.

Children aged 15 and under need not be on an approved visiting list but must be accompanied by a visitor eighteen or above. Visitors aged 16 and 17 are required to be on an approved visiting list, must have a picture ID, and must also be escorted by a visitor 18 or older.

Excessive displays of affection with your visitor will not be permitted. A kiss and embrace are allowed on arrival and departure only. You may hold hands with your visitor during the visit.

Inmates must be properly dressed (entirely in institutional issued clothing and boots) and have their commissary card in order to be admitted into the visiting room. Clothing must be neat and clean. Approved items allowed to be taken into the visiting room include: wedding band, approved religious headgear, approved religious medallion, and prescription eyeglasses (no eyeglass case). Vending machines will be patronized by visitors only.

A maximum of 12 visitors will be authorized on an inmate's approved visiting list. A maximum of five visitors may visit the inmate at one time. When conditions exist, such as overcrowding, the number of visitors may further be limited to allow each visitor adequate space and time to conduct their visit.

Visitors must be properly dressed. Shorts, short dresses or skirts, halter tops, secondary clothing (i.e., jackets, blazers, zip-up or button-up garments) and other clothing of a suggestive or revealing nature will not be permitted in the visiting

room. Dresses and skirts must reach the middle of the knee cap as the visitor stands. Sleeves are required on all shirts blouses or tops and no hooded over-garments. Jeans are allowed as long as they are in good repair. Footwear must be worn by all visitors.

Certain life important medications (i.e., nitroglycerin tablets, asthmatic inhalers, etc,) are allowed into the institution as long as they can be thoroughly searched. Insulin and syringes are not allowed in.

Visitors with infants are allowed to bring in an appropriate amount of diapers and clear plastic baby bottles (2). Baby food must be store-bought and in its original sealed container (no glass containers of any kind will be allowed).

Visitors are permitted to bring only coins to purchase items from vending machines equivalent to \$25.00. The money is to be in a clear bag, no larger than 9" x 9". Inmates are not allowed to approach the vending machines.

Inmates will not accept money from visitors. Only food purchased by the visitor, from the vending machines, can be accepted by an inmate. Additionally, visitors are not allowed to give any other items to inmates.

A reasonable amount of infant care items and sanitary napkins may enter as long as they can be thoroughly searched.

No electronic items are allowed to enter the institution.

All visitors are subject to search including the use of a drug detection device. Visitors bringing contraband into the institution will be prosecuted.

IDENTIFICATION OF VISITORS: All inmate visitors 16 years of age and older must display government-issued photo identification before they are allowed access to visit. There is no exception to this rule. They are also required to complete the proper documentation in the presence of the officer before being processed through the metal detection device and randomly subjected to the ION TRACKER. Proper identification must be a US government issued or any US state issued identification (example state driver's license, state ID card, picture high school card, or US passport). If non US passport, it must be accompanied by a US Visa issued by INS or US Customs. Any form of unofficial photo identification (credit card, store card, school identification, birth certificate, social security card, bank card, etc.) are invalid. If a visitor does not present a current proper form of identification with a photograph, they will not be allowed to visit. Foreign driver's licenses are valid.)

PAT SEARCHES OF VISITORS: All inmate visitors are subject to random pat search. Visitors are selected based on a random number which is determined before visiting begins. Selection for this search does not imply visitors are suspected of any violation of prohibited or criminal activity. This is a random search, based on a pre-determined order before visiting begins. This search will be conducted by a trained staff member of the same gender as the person being searched. Where possible, it will be conducted out of the view of other visitors and inmates. Visitors have the option of declining a search. Visitors who decline the search, will not be permitted to visit on that date.

VEHICLE SEARCHES OF VISITORS: All visitors are subject to random search of vehicles. Searches are selected based on a random number which is determined before visiting begins. Selection for this search does not imply visitors are suspected of any violation of prohibited or criminal activity. This is a random search, based on a pre-determined order before visiting begins. This search will be conducted by a trained staff member of the same gender as the person being searched. Where possible, it will be conducted out of the view of other visitors and inmates. Visitors have the option of declining a search; however, visitors who decline the search will not be permitted to visit.

ATTORNEY VISITS: Attorneys should make advance arrangements (normally no less than seven days) for visits through your unit team before each visit. Attorneys are encouraged to visit during the regular visiting hours. However, visits from an attorney can be arranged at other times on a case by case basis. Attorney visits will be subject to visual monitoring, but not audio monitoring. During attorney visits, a reasonable amount of legal materials may be transferred during attorney visits, but is subject to inspection for contraband.

PASTORAL VISITS: Inmates requesting visits from their home church or spiritual advisor must submit request to the Chaplain at least 3 weeks in advance. Background investigations and endorsement by their religious community will be required of all visitors. A minister of record may be declared and placed on the inmates visiting list. Points may not be counted against an inmate's visiting points.

SMOKING: The use of tobacco in any form is not permitted at FCI Phoenix. Violators are subject to disciplinary action.

SPECIAL HOUSING UNIT: Inmates in the Special Housing Unit are allowed visitation on Mondays.

SPECIAL VISITS: Special visits (including family emergencies) may be authorized for an inmate's family or relative not on the pre-approved visiting list on a one-time-only basis by the Unit Manager or institution Duty Officer. A Special Visit Authorization Form must be completed and distributed prior to any special visit taking place. Inmates in protective custody will be approved for Special Visits on non-visiting days for individuals on approved visiting lists only. The coordination of this visit will be conducted by the Unit Team.

CHAPTER III
TRUST FUND OPERATIONS

COMMISSARY ITEMS AND FUNDS: When you arrive at FCI Phoenix, a Trust Fund Account is established in your name in the Office of Financial Management which reflects all of your deposits and withdrawals. Deposits will include money sent to the Lockbox and money processed through Western Union Quick Collect from outside source and your UNICOR or Performance Pay from your work assignment. Withdrawals may include your purchases at the Commissary, funds to send home or for subscriptions, savings, etc.

The Commissary offers a variety of candies, beverages, toiletries, athletic attire, etc. The Commissary's purpose is to provide inmates with merchandise not provided by the Bureau or of a different quality. The use of the inmate store is a privilege, not a right.

The Commissary is located adjacent to the Laundry.

Upon commitment, every inmate must obtain and have in his possession, at all times, an Inmate Commissary Card before purchasing in the commissary. The pictured ID card provides positive visual identification and is designed for the protection of the inmate's account. Therefore, every inmate must have an ID card at the time of sale. There are no exceptions. It is the responsibility of the inmate to maintain his ID card and replace it, if necessary through the Inmate Systems Department.

INTRA INSTITUTIONAL FUNDS TRANSFERS: For inmates transferring from one federal facility to FCI Phoenix, their funds will be electronically transferred by the sending facility. If, after 14 days following an inmate's arrival at this facility their money has not been transferred or received, they should notify their Unit Counselor.

SPENDING LIMITATIONS: You are permitted to spend a maximum of \$320.00 each month for regular purchases. All items including SPOs (Special Purchase Orders) purchased from the Commissary will reduce monthly spending limit. Items exempted from the \$320.00 spending limit are Stamps, money being transferred to the ITS (Inmate Telephone System), approved OTC medications are also exempted from the spending limit, and tobacco patches (prior approval from the Medical Department is required). Validation dates are spaced out using a system linked to your registration number in order to spread spending activity evenly throughout each month. To determine your validation date, multiply the fifth digit of your register number by three then add one. (Example: The validation date for Reg. No. 12345-678 would be 16; Formula $5 \times 3 = 15 + 1 = 16$.)

COMMISSARY ORDERS: Commissary price list/order blanks are available in the housing units and must be turned in to the Unit Officer prior to the 10:00 p.m. count the night before you shop. You will receive a numbered ticket identifying your shopping order. You must present this ticket when you shop. You must be present when your number is called or you forfeit your shopping for that week. Prices are subject to change and all sales are final. You may add or substitute only for new or out of stock items with a like item. New price lists will be printed monthly.

Each inmate may shop at the Commissary once each week in accordance with the posted schedule. You may purchase phone credits, tennis shoes, and medications between 2:00 p.m. - 2:30 p.m. Monday, Tuesday, and Thursday. On Fridays the Commissary is open for Over the Counter Medications only from 11:00 a.m. - 12:00 p.m. No smoking is allowed in the Commissary and only one inmate is allowed at each window at a time.

SALES RECEIPTS: It is your responsibility to know the amount of money in your account. You may check both the balance in your account and the balance left of the \$290.00 monthly spending limit by reading your sales receipt. If you have any questions concerning your commissary balance on your account, you may check account activities by using the AIM (Automated Inmate Machine) located on the west side of the Commissary.

COMMISSARY IDENTIFICATION CARD: You should have received a Commissary Card at the time you were processed through Receiving and Discharge (R&D). If not, you will need to make an appointment with R&D to obtain one. This card will be used to identify you at the commissary sales area. This is the only means by which commissary staff can be sure they are accessing the correct inmate's account.

This card is your responsibility and if lost you will not be allowed to purchase commissary until you obtain a new card. If you happen to lose your card, the procedures to obtain a new one are as follows:

- (1) Send a Request to Staff Member (cop-out) form to Receiving and Discharge (R&D) requesting to be placed on a call-out to obtain a new card.

If your appearance changes to the point that your appearance does not match your Inmate Account Card, for example, if you grow a beard or shave one off, you will need to obtain a new card at no charge. The importance of this is that if the commissary staff cannot recognize you from your card they may refuse your purchase.

STAMPS: Each inmate is permitted to purchase \$8.80 worth of stamps weekly. The following denominations are sold: \$1.00, .44, 17, and .01. Books of 20 first class, and book of 10 first class.

You are not permitted to have more than the equivalent of three full books (60 first-class stamps) of stamps in your possession at any one time. Any amount in excess of this limit will be considered as contraband, and the excess will be confiscated.

Stamps will be purchased during regular sales. Special Purchase Orders will also be available on your regular day.

SPECIAL PURCHASE ITEMS: Special purchase items such as ceramics materials, leather goods, paint supplies, and crochet materials must be approved by Recreation and purchased through the Commissary.

TRULINCS: The TRULINCS program is an inmate electronic messaging system intended to provide inmates with an alternate means of written communication with public. In order to participate in e-mail (electronic message), inmates must accept the acceptance notification upon LOGIN.

Inmates are not required to LOGIN and select the acceptance of email to utilize other applications in the TRULINCS system. Such as, reviewing account transactions, printing contact labels, adding contact addresses and phone numbers, and utilizing the electronic law library. Each inmate is allowed to print maximum of 10 contact labels per day at no cost to inmates. All other print jobs will be charged 15 cents per page.

Inmates using electron messaging program will be charged 5 cents per minute while logged in to the e-mail program and 15 cents per a page if inmates wish to print e-mail messages. Inmates may log on for 30 minutes per session with 30 minute waiting period between sessions.

All outgoing mails/packages must have a TRULINCS generated mailing label with exception of inmates housed in Yuma Annex and Special Housing Unit. Printing of return addresses using TRULINCS printer stations are prohibited and subject to disciplinary action.

CHAPTER IV
UNIT MANAGEMENT

There are four functional units at FCI Phoenix. A unit is a self-contained inmate living area that includes both housing sections and office space for unit staff. Each unit is staffed by a Unit Team directly responsible for those inmates living in that unit. The Unit Staff offices are located in the units so staff and inmates can be accessible to each other. Unit staff include the Unit Manager, two Case Managers, two Correctional Counselors and one Unit Secretary.

Inmates are assigned to a specific Unit Team. Generally, the resolution of issues or matters of interest while at the institution are most appropriately initiated with the Unit Team. Unit Team members are available to assist in many areas, including parole matters, release planning, personal and family problems, counseling and assistance in setting and attaining goals while in prison.

Mojave A is designated for inmates approved to participate in the Residential Drug Treatment Program (RDAP).

UNIT MANAGERS: The Unit Manager has the overall responsibility for the internal security, safety, sanitation, discipline, counseling program, leisure time activities, and educational programming of the inmates in the Unit.

The Unit Manager is responsible for supervising all members of the Unit Staff (Case Managers, Correctional Counselors, Unit Secretary and Correctional Officers assigned to the Unit). The Unit Manager reviews all staff work in the Unit to ensure that meaningful team work is occurring and inmate program plans are being carried out.

The Unit Manager receives general supervision from the Associate Warden (Programs).

CASE MANAGER: The duties of the Case Manager involve all phases of inmate institutional life such as: initial classification; progress reports; release planning; and recommending educational, recreational and counseling programs. The Case Manager provides necessary services to each inmate to help him adjust to the institution environment and prepare for eventual release. The Case Manager is available to provide counseling to the inmate concerning community, institution and personal problems.

CORRECTIONAL COUNSELOR: The Correctional Counselor works primarily with each inmate assigned to their respective Unit Team. They actively participate in the development of programs suited to the individual needs of inmates. The Correctional Counselor: obtains and gives information; expedites and improves services; suggests plans and directions; and assists in resolving difficult problems. The Correctional Counselor will be the primary staff member with whom you deal on matters of administrative procedures.

EDUCATION REPRESENTATIVE: The representative from the Education Department has the responsibility of providing information to help the Unit Staff better determine the individual educational needs of the inmate. They will help coordinate the educational programs in accordance with work assignments and unit programs.

UNIT SECRETARY: The Unit Secretary is responsible for all clerical functions and administrative duties necessary for unit operations.

UNIT OFFICER: The Unit Officer is responsible for security, sanitation and maintaining order in the Unit. The Unit Officer is required to make routine shakedowns to locate contraband.

UNIT TEAMS: The Unit Team is responsible for developing programs suited to the individual needs of each inmate. The Team consists of the Unit Manager, Case Manager and the Correctional Counselor. Each inmate is required to attend Team Meetings when they discuss his case.

The purpose of Team is to facilitate inmate-staff contact and communication and to ensure that all staff have input in the development of the programs for each inmate.

PROGRAM REVIEWS: Program Reviews will be held every 180 days until one year of release, then every 90 days. These are held by the Classification Teams to review programs, work assignments, transfers, custody, institutional adjustment, etc.

Custody will be set at IN custody for new commitments. Custody will normally be reviewed for the first time approximately six months after arrival at Phoenix.

An inmate may be identified for Central Inmate Monitoring System (CIMS) status at any time. This is a Case Management function of the Bureau of Prisons and is not optional. The Unit Team will normally make this determination within the first six months and will normally do this at the initial classification (Provided that all of your records are available).

Administrative Reviews (special reviews) may be held between the normal 90 day reviews for job changes, transfer requests, etc. These reviews may be initiated by the Unit Team or requested by the inmate with a Cop-Out.

PROGRESS REPORTS: Progress Reports are prepared every 36 months or as needed prior to release, halfway house placement, transfer, and Parole Hearings.

You will be given a copy of your Progress Report after it is prepared and will be asked to sign it. Your signature does not mean you agree with the contents, only that you have received a copy.

TOWN HALL MEETINGS: Town Hall Meetings are held in each unit on a monthly basis. These meetings are held to make announcements and to discuss changes in the policy and procedures of the unit. Inmates are encouraged to ask pertinent questions of the staff and any guest speakers that are present. These questions should pertain to the unit as a whole rather than personal questions or problems. Personal problems will be resolved by Unit Staff members during the regular working hours which are posted in each unit. An open-door policy is usually in effect at these times.

TRANSFER REQUESTS: Requests for transfer should be made to the Unit Team. Transfers may be granted for such reasons as nearer release purposes after an inmate has remained at FCI Phoenix for 18 months with clear conduct. If the Team determines at your program review that you have a valid reason for transfer, a recommendation

will be made to the Designation and Sentence Computation Center (DSCC) for a final decision.

COUNSELING: Group and individual counseling is provided by Unit staff for drug, alcohol, and behavioral problems. Group and individual counseling will be conducted by a Staff Psychologist or Correctional Counselor.

TEAM PARTICIPATION IN PAROLE HEARINGS: Your Unit Team prepares Progress Reports and compiles other information in your Central file for presentation to the Parole Board.

Your Case Manager will normally be present at your Parole Hearing. The Case Manager's function at the hearing is only to answer questions of the parole examiners, not as a Staff Representative.

NOTARY PUBLIC: Under the provisions of Title 18, United States Code, Section 4004, certain Unit Staff are authorized to notarize documents. However, due to a recent change in the law, notarization is not required if you include a statement to the effect that the papers which you are signing are "true and correct under penalty of perjury" in federal courts and other federal agencies, unless specifically directed to do otherwise.

Some states will not accept a government notarization for real estate transactions, automobile sales, etc. In these cases it will be necessary for you to contact your Unit Staff to arrange an appointment with the institution's Arizona Notary Public.

RELEASE GRATUITIES: Release gratuities are monies given to an inmate upon release. Unit Team will make a recommendation to the Case Management Coordinator who will either approve or deny the request based on individual needs. A gratuity will be provided to those who qualify.

ESCORTED TRIPS: Bedside visits and funeral trips may be authorized when an immediate family member is seriously ill, in critical condition, or has passed away. Depending on the inmate's custody classification, one or two Correctional Officers will escort the inmate. All expenses will be borne by the inmate, inmate's family or an appropriate source, except for the first eight hours of pay for escorting employee(s) each day.

CENTRAL INMATE MONITORING SYSTEM (CIMS): Refers to the procedures by which the Bureau of Prisons monitors and controls transfers and participation in community activities, of inmates who pose specific management consideration. The designation as a CIMS case does not, in and of itself, prevent an inmate from participating in community activities. All inmates who are so designated will be notified by their Case Manager.

FINANCIAL RESPONSIBILITY: Inmates are obligated to conform to the requirement to pay court assessments, fines, and committed fines and court ordered restitution. Inmates who refuse to honor these may be subject to certain programming and activity restrictions and performance pay will be limited to maintenance pay of \$5.25 per month.

CHAPTER V
ADMINISTRATIVE RESOLUTIONS OF PROBLEMS

INMATE REQUEST TO STAFF MEMBER: This form, commonly called a cop-out, is used to make a written request to a staff member. Any type of request can be made with this form. Cop-outs are available in the housing units and from staff. Staff who receive an inmate cop-out will answer the request within a reasonable period of time.

BP-8, BP-9, BP-10 AND BP-11: Ordinarily, most issues can and should be resolved with the individual staff member responsible for the program area in which you have a concern. If attempt to resolve an issue is unsuccessful you may obtain a BP-8 from your Counselor. If the attempt with this form is still unsuccessful you may file a BP-9 to the Warden for his intervention. The BP-9 must be given to your unit team for delivery to the Warden and it must have a copy of the BP-8 attempt attached. The BP-9 is to be filed within 20 days from the date of the incident the BP-9 addresses.

If you are unsatisfied with the Warden's response on the BP-9 you may mail a BP-10 to the Regional Director within 20 days of the Warden's BP-9 response and it must have a copy of the BP-9 attached.

If still unsatisfied you may mail a BP-11 to the Central Office within thirty days of the BP-10 response and it must have a copy of the BP-10 attached.

All of the applicable forms may be obtained from your Unit Counselor.

SENSITIVE COMPLAINTS: If an inmate believes his complaint is of a sensitive nature and he would be adversely affected if the complaint became known at the institution, he may file the complaint directly to the Regional Director. The inmate must explain in writing the reason for not filing the complaint with the institution.

FEDERAL TORT CLAIM: If the negligence of institution staff results in personal injury or property loss or damage to you, this can be the basis of a claim under the Federal Tort Claim Act. If your claim involves the loss of personal property you must complete a BP-A0943, Small Claims for Property Damage or Loss. If your claim involves a personal injury you must complete a Standard Form SF-95, Claim for Damage, Injury or Death. You can obtain this form from the Legal Services Department. You must file all claims for damage under the Federal Tort Claims Act within two (2) years of the incident.

U.S. Department of Justice
Federal Bureau of Prisons

**Sexually Abusive Behavior
Prevention and Intervention**



An Overview for Offenders

October 2012

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

The Federal Bureau of Prisons has a **zero tolerance** policy against sexual abuse. 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.

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.**

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 114/ (A): Sexual Assault By Force

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 229/ (A): Sexual Assault Without Force

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.

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.

Contact Offices

U.S. Department of Justice

Office of the Inspector General
950 Pennsylvania Avenue, NW Suite 4322
Washington, D.C. 20530-0001

Central Office

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

You may also report any inappropriate sexual behavior to institution staff or directly to the regional office:

Western Regional Office
7338 Shoreline Drive
Stockton, CA 95219

CHAPTER VII
MAIL AND TELEPHONES

OUTGOING CORRESPONDENCE: Outgoing mail, except Special Mail, may not be sealed by inmates, and may be inspected and read by staff. All outgoing correspondence must include a return address including your full name, register number and the institution address; Federal Correctional Institution, 37910 N. 45th Avenue, Phoenix, Arizona 85086.

Inmates must assume responsibility for the contents of their letters. Correspondence containing threats, extortion, etc., may result in prosecution for violation of federal laws.

General correspondence mail boxes are located in the housing units. Outgoing Special Mail must be delivered to a staff member. Correctional Systems staff member at mainline (Monday-Friday) and the Institution Duty Officer on weekends/holidays. Inmates in Special Housing and the Annex will give the mail to the on-duty housing Officer.

All outgoing correspondence must use contact labels to include, legal mail.

INCOMING CORRESPONDENCE: Mail is distributed Monday through Friday (except holidays) by the Evening Watch Officer. Newspapers and magazines will also be delivered at this time. All unclaimed mail will be returned to the sender. Staff have the authority to open and/or read your incoming general mail as necessary. This is done on a random basis to maintain security.

The mailroom will not accept funds enclosed with general correspondence. All funds must be mailed to the National Lockbox as stated on page 11 of this handbook.

If you do not want your general correspondence opened and read, the Institution will return it to the Postal Service. You must choose whether you want your general correspondence opened, read and delivered or returned by completing the Acknowledgment of Inmate during intake processing. Whatever your choice, your Special mail will be delivered to you and opened in your presence and inspected for contraband.

Special Mail (mail from the President and Vice President of the United States, attorneys, members of the United States Congress, Embassies and Consulates, the United States Department of Justice, excluding Bureau of Prisons, but including United States Attorneys, other federal law enforcement officers, State Attorney Generals, prosecuting attorneys, governors, United States Courts and State Courts) and Legal Mail will be delivered to you by a member of your Unit Team.

Special Mail and Legal Mail may be opened only in your presence to be checked for contraband. This procedure occurs only if the sender adequately identifies himself on the envelope and the envelope is marked "Special Mail Open Only in the Presence of the Inmate." Other mail may be opened and read by the staff.

CONTACT WITH THE NEWS MEDIA: An inmate may not receive compensation or anything of value for interviews with the news media. Requests for personal interviews may be made by either the inmate or a representative of the news media. These requests must be made within a reasonable time before the personal interview. The Warden will normally approve, or disapprove, an interview request within 24 to 48 hours of the time a request is made.

CORRESPONDENCE BETWEEN CONFINED INMATES: Correspondence with an inmate confined in another penal or correctional institution is limited to immediate family members and co-defendants with a current and active case, excluding civil lawsuits. Contact a member of your Unit Team if you have questions regarding this matter.

REJECTION OF CORRESPONDENCE: The Warden may reject correspondence sent by and to an inmate if it contains any of the following:

- (1) Matter which is non-mailable under law or postal regulations;
- (2) Matter which depicts, describes, or encourages activities which may lead to the use of physical violence or group disruption;
- (3) Information of escape plots, or plans to commit illegal activities, or to violate Bureau rules or institution guidelines;
- (4) Direction of an inmate's business (Prohibited Act 408). An inmate may not direct a business while confined;
- (5) Threats, extortion, obscenity or gratuitous profanity;
- (6) Code;
- (7) Sexually explicit material;
- (8) Contraband.

The Warden shall give written notice to the sender concerning the reasons for rejection, as authorized in Program Statement 5265.11.

CHANGE OF ADDRESS AND FORWARDING OF MAIL FOR INMATES: Prior to your release or transfer, you may request a United States Postal Service Change of Address Packet from the Mail Room. Mail will be forwarded for thirty days.

CERTIFIED MAIL/REGISTERED MAIL: You may contact your Unit Team to obtain the necessary forms.

TELEPHONES: There are telephones located in each housing unit for inmate use. Inmates are responsible for paying for all telephone calls through a commissary account deduction for each call. Telephones are to be used for lawful purposes only. Threats, extortion, etc., may result in prosecution. All inmate telephones are subject to monitoring and recording. Three-way calls, pagers, and voicemail/answering machines are not permitted. Call forwarding and the use of telephones to conduct a business are forbidden. Using another inmate's telephone PIN number and/or giving your telephone PIN number to another inmate is prohibited and subject to disciplinary action.

Each inmate may submit a list of telephone numbers to the Unit Counselor once per month, who will forward it to the Inmate Telephone System department. Inmates may transfer funds to their telephone account using their Phone Access Code (PAC), any time during regular telephone hours. Only two transfer transactions are permitted per day.

Inmates may have no more than 30 numbers on their phone list at a time. Phone numbers may be added and deleted one time per month.

While policy specifically allows inmates to make one call every three months, in this institution there is no specific limit on the number of phone calls that you may make. However, you are limited to 300 minutes per calendar month. Calls are limited in length to 15 minutes. The caller will receive a one minute warning prior to termination of the call. Upon completion of each telephone call, there will be a 45 minute wait before the inmate will be able to place another telephone call. It is expected that each inmate will handle their calls in such a manner that will allow the equal use of the phones by all inmates. Chairs will not be used while using the phone.

Inmates may order paperback books from bookstores and publishers without prior staff approval. However, packages containing the books must be marked with words Authorized by Bureau Policy. These markings are necessary to alert mailroom staff that the enclosed materials do not require prior approval.

CHAPTER VIII
GROOMING AND SANITATION

CLOTHING: The authorized uniform for inmates are khaki trousers, belt, long or short sleeved khaki shirts, socks, and issued safety shoes.

The uniform will be worn outside the housing units Monday thru Friday 7:30 a.m. to 4:00 p.m., except when on the recreation yard.

While certain clothing may be issued to Food Service workers, it may not be worn to any non-duty activity (i.e., any athletic activity).

With the exception of approved religious headgear or on-duty food service workers, caps or hats are not to be worn in the Dining Room or the Visiting Room. House shoes and shower thongs may be worn in and around the living units only.

Any items issued or purchased that are altered become contraband and will be confiscated. For example, khaki trousers, issued by the institution, cannot have the legs cut off. Clothing in excess of authorized limits will be considered as contraband and the excess confiscated. Severe or repeated violations of this rule could lead to disciplinary action.

PERSONAL GROOMING: Each inmate is expected to maintain good grooming habits. There is no limitation on hair style and length of hair. Beards and mustaches are permitted. Hair will be clean and neatly groomed at all times. If it is likely that long hair will result in work injury, hair nets or caps will be worn. Hair nets and beard covers will be required for persons working around food. Sweat bands are permitted only on the recreation field.

SANITATION: It is the inmate's responsibility to check their room immediately after being assigned and to report all damage to the Correctional Officer, Case Manager or Counselor. Inmates may be held financially liable for any damage to their living area.

Rooms will be cleaned and beds made prior to leaving for work call. If you are on a day off or work an evening detail, you must make your bed and lay on top of the made bed. All rooms will be cleaned and beds made by 7:15 a.m. every day, regardless of your working status. Rooms that are not cleaned will be secured, and the inmate will be called to clean the room. Failure to comply may result in disciplinary action.

The locker must be neatly arranged inside and out. All shelving will be neat and clean. All personal items will be stored in the locker assigned to you, except for those items authorized for storage on the desk or shelf. Institution-issue clothing may hang one of the two hooks assigned to each bunk - the other hook is for your laundry bag. No other items may be hung on hooks. One pair of institution - issue shoes, one pair of athletic shoes, one pair of specialty shoes, one pair of slippers, and one pair of shower shoes may be stored neatly under your bed. Excess authorized legal material may be stored neatly under your bed. Excess authorized legal material may be stored in legal storage lockers - see your unit manager for details.

There will be no brooms, cleaning supplies, cardboard boxes, wastebasket liners etc. in the individual rooms. Inmates are not authorized to cover their cell windows at anytime.

There will be no shelves or any unauthorized articles installed in rooms or lockers. No items are to be placed on the light fixture (including wrapping light bulbs with paper) above the sink and mirror.

Wastebaskets must be cleaned each morning and each evening. Paper bags should not be used wastebaskets, or wastebasket liners.

Under no circumstances are you allowed to have or store any desert animals or plants, i.e. snakes, spiders, mice.

SMOKING IS NOT AUTHORIZED ANYWHERE IN THE INMATE LIVING AREAS.

HOUSING UNIT RULES AND REGULATIONS: Every housing Unit posts on the inmate Bulletin Boards additional rules, regulations, and other pertinent information for inmates to review. Inmates are responsible for checking their areas for posted information.

HAIRCUTTING: Inmates are not authorized to cut hair. Inmates are to have their haircut by the institution Barber Shop.

CHAPTER IX
CLOTHING

CLOTHING/ATHLETIC ITEMS: One set of dress outs are issued by R&D upon inmate arrival, and the other 4 will be issued by the laundry. The following are inmate issued items:

3	Shirts (Khaki)	2	Wash cloths
3	Trousers (Khaki)	1	pair steel toe safety shoes
5	T-Shirts	5	Undershorts
5	Pair socks	2	Sheets
1	Pillow Case and Pillow	1	Blanket (2 during winter)
2	Towels	1	Winter coat (issued seasonally)
1	Cap (issued by certain details)		

* Inmates housed in the Yuma Annex will be issued a green jumpsuit, undershorts, t-shirts, socks, slip-on shoes, and orange shorts for recreation.

All work details require inmates to wear steel-toed shoes issued by the institution.

Laundry services are available. Washers, dryers, ironing boards and irons are available in the housing units.

CLOTHING EXCHANGE:

Mon - Fri 5:30 a.m. - 6:30 a.m. Clothing Drop off (laundering/alterations)
5:30 a.m. - 6:30 a.m. The next working day

Blankets may be exchanged the last Monday of each month.

Sheets may be exchanged EVERY Thursday.

DO NOT USE INSTITUTIONAL BEDDING OR LINEN
FOR JANITORIAL WORK. MISUSE OR DESTRUCTION
OF GOVERNMENT ISSUED CLOTHING ITEMS
IS PROHIBITED AND MAY RESULT IN DISCIPLINARY ACTION

CHAPTER X
LIMITS OF INMATE PROPERTY AND CONTRABAND

LIMITS OF INMATE PERSONAL PROPERTY: Refer to Program Statement 5580.07 and Institutional Supplement.

SPECIAL PURCHASE ITEMS: Special purchase items, such as hobby craft and sports equipment, will be very limited and authorized only to the point where they can be contained in the storage area provided for personal property.

LEGAL MATERIALS: Inmates will be allowed to maintain legal materials and supplies, not to exceed three cubic feet, in the locker or under the bed. Excess authorized legal material may be stored in legal lockers assigned by the unit manager.

HOBBY CRAFT MATERIALS: All Hobby Craft items will be retained in the Arts and Crafts area of the Education Department. You must dispose of completed hobby craft work within 30 days of completion. Inmates will mail hobby craft items at their expense. Lockers will be assigned for storage of hobby craft items and staff will assume no responsibility for items lost or damaged while in these lockers.

COMMISSARY ITEMS: The total value of accumulated Commissary items (excluding special purchases) will be limited to the monthly spending limitation. An inmate may not have in his locker more than four cartons of cigarettes at any one time and not more than two packages on his person. Shaving and grooming items will be placed in the individual locker. Food items that are left open create a health hazard. These items will be properly sealed at all times. Empty containers may not be used in any way and will be considered contraband.

Large radios are not allowed in the institution. The Walkman radio and MP3 players are the only types of radio permitted. Inmates who are transferred or committed to FCI Phoenix with large radios in their possession will have their radios mailed out of the institution.

No radios are permitted at any work assignments.

CONTRABAND: Unless an item or article inside the institution is issued by staff, purchased in the commissary, approved for receipt by a Department Head, or approved by institution regulation, will be considered contraband.

Inmates are responsible for the safekeeping of their personal property in quarters. The Bureau of Prisons will not assume liability for lost or stolen inmate property, when property is not in the custody of staff.

HARD CONTRABAND: Any items or article of contraband that poses a threat to the security of an institution is generally never approved for possession or admission to the institution. The following items are examples of hard contraband, but the list is not all inclusive:

1. Guns, firearms, or weapons of any type (all single and double edged razor blades, to include altered shaving razors, will be considered weapons);
2. Ammunition or explosives;
3. Knives or tools not provided in accordance with Program Statement 5500.09, Correctional Services Manual;

4. Hazardous or poisonous chemicals or gases;
5. Narcotics or other controlled substances not dispensed or approved by the institution Medical Department;
6. Drugs;
7. Intoxicants, including, but not limited to, liquor or alcoholic beverages;
8. Postage stamps in excess of authorized limit;

NUISANCE CONTRABAND: Any items in excess of authorized quantities and/or no longer authorized for retention are considered nuisance contraband. The following items are examples of hard contraband, but the list is not all inclusive:

1. Excess newspapers, letters, magazines;
2. Food;
3. Clothing.

Glass containers will not be authorized in the institution. If brought from another federal institution, inmates may either destroy the item or mail it out of the institution at their expense.

PROCEDURES FOR HANDLING CONTRABAND: Any item or article in the institution which has been identified as contraband will be seized when found within the physical possession of an inmate, in an inmate's living quarters, or in common areas of the institution. Items or property seized as contraband will be disposed of in accordance with the following procedures.

- (1) Government Property: Items of Government property seized will be returned to the issuing authority within the institution.
- (2) Personal Property: Items of personal property seized will be turned over to the Chief Correctional Supervisor for inventory and storage, pending identification of the true owner. When disciplinary action is appropriate, disposition of the property will be delayed until the action is complete.
- (3) Hard Contraband: Items of hard contraband seized will be turned over to the Chief Correctional Supervisor and retained until such time as necessary for disciplinary action and/or prosecution.
- (4) Stamps, or Negotiable Instruments: Any stamps or negotiable instruments found in an inmate's possession shall be delivered to the Cashier until appropriate disposition is made.
- (5) Nuisance Contraband: Any item seized that is classified as nuisance contraband shall be sent home at the inmate's expense or destroyed.

All property that is confiscated from an inmate, regardless of the type of property, the inmate will receive a copy of the seized contraband receipt.

CHAPTER XI
FOOD SERVICE

SCHEDULE OF MEALS:

Monday through Friday:

Annex Breakfast	5:00 a.m. - 5:30 a.m.
Breakfast	6:05 a.m. - 6:45 a.m.
Annex Lunch	9:40 a.m. - 10:10 a.m.
Lunch	10:30 a.m.- 11:30 a.m.
Annex Dinner	2:35 p.m. - 3:05 p.m.
Dinner	4:45 p.m. - 6:00 p.m.

Saturday and Sunday

Annex Coffee Hour	6:00 a.m. - 6:30 a.m.
Coffee Hour	7:00 a.m. - 8:00 a.m.
Annex Brunch	9:15 a.m. - 9:45 a.m.
Brunch	11:00 a.m.- 12:30 p.m.
Annex Dinner	3:15 p.m. - 3:45 p.m.
Dinner	4:45 p.m. - 6:00 p.m.

* All times are approximate.

MEAL TIME PROCEDURES: Units are called to meals one pod at a time.

Because of the large number of inmates to be served, you are allowed only one trip through the main serving line. The beverage station is open, as well as the soup and salad bar.

When you have completed your meal, you are required to carry your tray and utensils to the dish room window.

RULES AND REGULATIONS OF THE DINING HALL:

- (1) The number of rationed items in a serving will be marked in the margin of the menu posted in the dining hall;
- (2) Items on the menu marked with a star (*) denote pork or pork seasoning;
- (3) No food items may be taken from the dining hall, to include fruit and desert packets.
- (4) While you are on the serving line, you cannot trade food items with another inmate;
- (5) You must dress properly in the dining hall. Institution issued clothing is the only clothing allowed in the dining hall during morning and noon meals during weekdays. Leisure wear will be permitted during evening meals and on weekends and holidays. You cannot wear shower shoes or house shoes in the dining hall. You cannot wear hats into the dining hall. However, you are allowed to wear religious headgear with prior written approval from the Chaplain in the dining hall.
- (6) Radio and ear phones are allowed in but worn only around the neck.

- (7) You are not permitted to bring a personal mug/cup. Condiments (hot sauces, spices, etc.) must be in their original container and may not be refilled in the dining hall.
- (8) You may not wear glasses such as shades unless they are subscription glasses. You must request the Certified Religious Foods diet through the Chaplain. The Chaplain will discuss your request with you and will explain the diet's procedures and policies.

As a reminder, no food items of any kind may be taken out of the inmate dining hall. Exceptions may be made by an Associate Warden under special circumstances, such as for a religious holiday.

CHAPTER XII
MEDICAL SERVICES

HEALTH SERVICES

It is the policy of the Bureau of Prisons to provide essential medical care and treatment of inmates during incarceration. Decisions concerning treatment and appointment times will be made solely by medical staff.

Medical and Dental Sick Call Procedures

If you need medical attention, you must report to the Health Services Unit at 0630-0700 to sign up for sick call. Medical and Dental sick call is held on Monday, Tuesday, Thursday, and Friday. There is no sick call on Wednesdays, weekends or during Federal Holidays. Any inmate reporting to sick call after 0700 will not be seen. Your medical and dental needs will be evaluated at this time. You may be seen this day or an appointment will be given to you for a later date or time. The Dentist is available from 0630-0700 Mondays and Fridays, when not available you can be assessed for any Dental needs during Medical sick call. All other visits to the Health Services Unit, except emergencies, will be by appointment only. **BE PROMPT. Inmates must present their identification card upon request. No inmate is permitted in the Health Services Unit without an appointment or pass.** For further information refer to the Institution Supplement Entitled Medical and Dental Care of Inmates.

Emergency Care

Medical care is available 24-hours daily. Should you become ill or injured after sick call, notify your supervisor or another staff member. The medical staff will then arrange for you to be seen in the Health Services Unit. **No inmate will go to Health Services Unit without a staff member clearing the visit with the medical staff first.**

Medication Line

Certain medications are dispensed one dose at a time. If you are prescribed such a medication, you will be instructed to report to the Health Services Unit at the appropriate times to receive your medication.

Weekdays

Insulin Line	6:00 am - 7:00 am
AM Pill Line	6:30 am - 7:00 am
Mid-Day Pill Line	11:00am - Call to close Main Line.
Insulin Line	4:20 pm - 4:40 pm
PM Pill Line	8:15 pm - 8:45 pm

Weekends and Holidays

Insulin/Am Pill Line	7:45 am - 8:15 am
Mid-Day Pill Line	11:00 am- Call to Close of Main Line
Insulin Line	4:20 pm - 4:40 pm
PM Pill Line	8:15 pm - 8:45 pm

You must show your photo ID and state your name and register number to receive medications. You may pick up medication prescriptions at any pill line except insulin Pill lines. If you are **authorized** to be on the Insulin Pill Line, you may pick up prescriptions at Insulin Pill Lines.

Eyeglasses

Eyeglass needs will be assessed during sick call, wherein priority will be determined at that time.

Per Program Statement 6031.03 section 28, The Bureau will furnish prescription eyeglasses to any inmate requiring them, as documented through a professional prescription. Federal Prison Industries, FCI Butner, NC, is the only approved vendor at Government expense. Health Services will order all prescription glasses and contact you to come to pick them up at Health Services when they arrive.

Inmates may purchase reading glasses through the commissary.

Inmates may retain their eyeglasses at admission. All such glasses are subject to inspection for contraband. Inmates may retain this pair of eyeglasses until the lenses or frames must be changed or repaired, at which point the Bureau will furnish replacement eyeglasses through the Federal Prison Industries.

NOTE: Inmates that are provided BOP glasses will be responsible for that pair of glasses. Health services will not replace lost, broken, stolen, or mistreated eyeglasses until the next routine eye exam, which is every two years. The inmate may replace the glasses at the inmate's expense from the community with the Health Services Administrators approval. Once received by the mail room, the Health Services Administrator will check the eyeglasses to ensure they meet the authorization requirements and release them to the inmate.

Contact Lenses:

The use of contact lenses in this institution will not be authorized unless they are prescribed by an Optometrist, in consultation with the Clinical Director/Health Services Administrator, to address a specific ocular condition. With approved use of contact lenses, the proper solution will be provided through Pharmacy Services.

Physical Examinations

Initial exam - An initial complete physical examination (medical and dental) to determine needs will be done on all new commits within 14 days of admission. If you have already received a physical exam prior to your transfer to FCI Phoenix, another exam will not be required. Periodic health examinations are age specific and will be provided based upon age, sex, and identified risk factors. If you have a health problem which you think may be more than routine, you should report to Sick Call for an appointment. An inmate being released from custody may request a medical evaluation if he or she has not had one within one year prior to the expected date of release. Such examination should be conducted within two months prior to release.

Emergency Dental Care

Emergency dental care is considered to be of the highest priority and is available to all inmates. Dental sick call is held on Mondays and Fridays. Emergency dental care includes treatment for relief of pain, swelling, traumatic injuries, and acute infection. If an emergency occurs during or after work hours, the inmate is instructed to report this to his work supervisor or unit officer who will then call the Health Services Department.

Routine Dental Care

Routine dental care is elective and is requested by each inmate through an inmate request to staff or "cop-out". Each request is responded to by dental staff and the inmate is placed on a chronological waiting list for treatment, unless there are special health reasons to establish other priorities. It is important for each inmate to watch the call-out list and to be present for his scheduled appointment.

CO-PAY PROGRAM

All inmates have access to Bureau health care services. The Bureau will charge a co-pay fee for inmate requested visits to health care providers. Inmates will not be denied access to necessary health care because of an inability to pay the co-pay fee. Generally, you must pay a fee of \$2.00 per health care visit or health care service if you:

1. Receive health care services in connection with a health care visit that you requested (except for services described in the P.S. 6031.02, Co-Pay Program); or are found responsible through the Disciplinary Hearing Process to have injured an inmate, who, as a result of the injury, requires a health care visit.
2. You will not be charged a health care service fee if you are considered indigent and unable to pay the health care service fee. The Warden may establish rules and processes to prevent abuse of this provision. An inmate without funds (indigent inmate) is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days. In addition, co-payment fees are waived when appointments or services, including follow up appointments, are initiated by medical staff.

Inmates wishing to sign up for the Smoking Cessation Program may do so during sick call. Nicotine Replacement Therapy (NRT) patches will be sold in the commissary only to inmates who possess a NRT Approval form issued from Health Services. This authorization allows an inmate to purchase a 14 day supply of NRT patches at a time, over a six to ten week period, after counseling and a review of the inmates medical history. Inmates may initiate or continue patch therapy while housed in SHU unless medical or correctional information suggests the inmate will not use the patches appropriately while house in SHU.

Concerns/Grievance

Any healthcare concerns may be addressed with the Health Service Administrator or his/her designee during noon mainline on weekdays. You are encouraged to attempt to resolve your concerns at the lowest level. If further remedy is needed you may utilize the more formal process of administrative remedies through your unit team.

HEALTH CARE RIGHTS AND RESPONSIBILITIES	
RIGHTS	RESPONSIBILITIES
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 sign-up at this institution is conducted from 6:30 a.m. to 7:00 a.m. on Monday, Tuesday, Thursday and Friday.	1. You have the responsibility to comply with the 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 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.	2. You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.
3. You have the right to participate in health promotion and disease prevention programs including education regarding infectious diseases.	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 right to know the name and professional status of your health care providers.	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.	5. You have the responsibility to treat staff in the same manner.
6. You have the right to be provided with information regarding your diagnosis, treatment, and prognosis.	6. You have the responsibility to keep this information confidential.

7. You have the right to be examined in privacy.	7. You have the responsibility to comply with security procedures.
8. You have the right to obtain copies or certain releasable portions of your medical record.	8. You have the responsibility of being familiar with the current policy to obtain these records.
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.	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 right to receive prescribed medications and treatments in a timely manner, consistent with the recommendation of the prescribing health care provider.	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 right to be provided healthy and nutritious food. You have the right to be instructed regarding a healthy choice when selecting your food.	11. You have the responsibility to eat healthy and not abuse or waste food or drink.
12. You have the right to request a periodic health examination, as defined by BOP policy.	12. You have the responsibility to notify medical staff of your wish to have an examination.
13. You have the right to dental care as defined in BOP policy to include preventive services, emergency care, and routine care.	13. You have the responsibility to maintain your oral hygiene and health.
14. You have the right to a safe, clean and healthy environment, including smoke free living areas.	14. You have the responsibility to maintain the cleanliness and safety in consideration of others. You have the responsibility to follow smoking regulations.
15. You have the right to refuse medical treatment in accordance with BOP policy. Refusal of certain diagnostic tests for infectious diseases can result in administrative action against you.	15. You have the responsibility to be counseled regarding the possible ill effects that may occur as a result of your refusal. You also accept the responsibility to sign the treatment refusal form.
16. You have the right to complain of pain, and have your pain assessed by medical staff, and have pain treated accordingly.	16. You have the responsibility to be truthful and not overstate your complaint of pain and to adhere to the prescribed treatment plan.

CHAPTER XIII
RELIGIOUS PROGRAMS

RELIGIOUS OPPORTUNITIES AND LIMITATIONS When considered necessary for the security or good order of the institution, the Warden may limit attendance at or discontinue a religious activity. Opportunities for religious activities are open to the entire inmate population, without regard to race, color, nationality, or ordinarily, creed. The Warden after consulting with the institution chaplain, may limit participation in a particular religious activity or practice to the members of that religious group. Ordinarily, when the nature of the activity or practice (e.g., religious fasts, wearing of headwear, work proscription, ceremonial meals) indicates a need for such a limitation, only those inmates whose files reflect the pertinent religious preference will be included.

To ensure the safety, security and good order of the institution any religious group that encourages domestic and/or foreign terrorism, or any type of violence will not be authorized to meet.

Worship services are made available for all religious groups weekly. Each inmate is authorized to attend his or her primary religious worship service each week. Work schedules may be adjusted to accommodate this practice. Inmate religious programs require constant staff supervision.

The following religious practices and activities are never authorized:
animal sacrifice; casting of curses; nudity; self-mutilation; use or display of weapons; exclusion by race; self-defense training; profanity; ingestion of illegal substances; proselytizing; encryption; disparagement of other religions; paramilitary exercises; sexual acts;

Sermons, original oratory, teachings, and admonitions must be delivered in English. When necessary, Wardens may identify alternatives practices and implement the least restrictive alternative consistent with the security and orderly running of Bureau institutions.

RELIGIOUS PREFERENCES The Bureau of Prisons does not require an inmate to profess a religious belief. An inmate may designate any or no religious preference. To maintain the security and orderly running of the institution, and to prevent abuse or disrespect by inmates, the chaplain will monitor patterns of changes in declarations of religious preference. Inmate's religious rights are based on that individuals self determination.

Religious Categories

Adventist	Amer Ind	Atheist
Bahai	Buddhist	Catholic
Ch Christ	Hindu	Jehovah
Jewish	Krishna	Moorish
Mormon	Muslim	Nation
Orthodox(ie Russian)	Other	Science
Penticost	Protestant(general Christian)	
Rasta	Santeria	Sikh
Unknown(New Admits Only)		
No prefer (no religious rights)		

CHAPLAINS are responsible for managing religious activities within the institution. Institution chaplains are available upon request to provide pastoral care and counseling

to inmates through group programs and individual services. Pastoral care and counseling from representatives in the community are available in accordance with PS 5360.09. All chaplains are qualified pastoral care providers who have verified credentials and current endorsements on file. Chaplains plan, direct, and supervise all aspects of the religious program and have physical access to all areas of the institution to minister to inmates and staff. All institution chaplains are employed to: lead worship services, provide professional spiritual leadership and pastoral care; accommodate the legitimate religious needs of inmates; and supervise institution religious activities.

**APPROVED ESSENTIAL DAILY PRAYER ITEMS AND PERSONAL RELIGIOUS
PROPERTY FOR FCI/FPC PHOENIX, ARIZONA.**

Those items set off with an asterisk (*) are items which are worn or used only in the chapel/outdoor worship areas during scheduled services. Inmates of all faiths are authorized one (1) medallion, copies of their sacred books and inspirational literature. The number of religious books, periodicals and magazines will comply with local institution unit policy. In order to facilitate the security concerns of the institution by maintaining uniformity of inmate wear inmates will be limited to the color and styles of headwear listed below. Full implementation will be enforced 6 months after issuance of this supplement.

Note: Special personal religious items not listed will require an authorization memorandum from the Supervisory Chaplain for FCI/FPC Phoenix only and placed in the inmate's central file. An inmate may receive a copy through his or her unit team.

ESSENTIAL DAILY PRAYER ITEMS: (Will remain with inmate during transportation)

Orthodox Jews Only

Yarmulke (black or white)
Prayer Shawl
Teffilin
Prayer books

PERSONAL RELIGIOUS PROPERTY:

Jewish

1 kittel
1 prayer shawl (talit)
1 tefillin (phylacteries)
3 yarmulkes
1 talit katan
 yartzheit candle*
3 scarfs black or white (women only)

Nation of Islam

3 kufis
1 prayer rug
6 prayer oils
3 scarfs black or white
 (women only)

Rastafarian

3 crowns
(red, yellow, green, black)
Holy Bible
Holy Quran

Wicca

1 set of tarot cards
1 Tabbard*

Native American

3 headbands multicolored

1 small medicine pouch
1 beaded necklace
1 sea shell*
 tobacco ties
1 ribbon shirt*
1 sacred pipe*
 kninickinick*
 eagle/hawk/owl feathers

Moorish Science Temple

MSTA Koran

1 fez* or turban
8oz prayer oils
1 prayer rug
3 kufis crochet
 black or white
1 wallet picture of
 Noble Drew Ali
3 scarfs black or white

Orthodox Muslim

3 Kufis crochet black or white
1 prayer rug
1 Holy Qur'an
 8oz prayer oils
1 prayer beads
 Miswak
1 kurta shirt*
3 hijab black or white
 women only

sacred herbs

women only

Santeria

Sikh

Asatru

20 sea shells

turban white

hlath* (brown one or more runes)

7 Holy cards

Orthodox Christian

LDS

3 scarfs black or white (women only)

5 temple garments

Sacred herbs include: small quantities of cedar, sage and sweet grass.

CHAPTER XIV
SAFETY AND CLAIMS

SAFETY: FCI Phoenix will make every effort to provide you with a safe environment while you are working at your assigned detail. Each individual worker will also be provided with the appropriate safety equipment while he is working. For your own good health and welfare, you must follow certain rules and regulations while you are working, and they are the following:

- (1) It is your responsibility as an inmate worker to use the safety equipment issued to you. This safety equipment will protect you against physical injury and/or health hazards. Make sure that you are properly wearing all required personal protection equipment before you begin a work operation. Personal protection equipment include goggles, safety shoes, aprons, arm guards, hard hats, respirators and hearing protection.
- (2) You should report all safety hazards immediately to your work supervisor. Do not continue to work in any area or on any machinery or equipment that is unsafe, or improperly guarded.
- (3) You will only perform work that is assigned to you. You are strictly forbidden to operate machines or equipment, or to perform any work operation that has not been specifically assigned to you.
- (4) You are forbidden to operate equipment without using the safety guard(s) provided. You are forbidden to remove the safety guard(s). If you do so, the normal result will be a disciplinary report.
- (5) Do not try to adjust, oil, clean, repair, or perform any maintenance on any machine while the machine is in motion. You must stop the machine first. Lock-out devices must be used when performing maintenance.
- (6) You cannot stand up in moving vehicles, you should sit on the seats provided and wear seat belts at all times. You must not attempt to dismount from a moving vehicle until the vehicle has stopped completely.
- (7) It is your responsibility as an inmate worker to exercise care, cooperation and common sense in conducting your assigned work. Horseplay on the job will not be tolerated.

SMOKING/NON-SMOKING AREAS: Smoking is restricted at FCI Phoenix, and defined as carrying or inhaling a lighted cigar, cigarette, pipe, or other lighted tobacco products. All areas of the institution are **NO SMOKING AREAS** unless stipulated otherwise in accordance with institution supplement 1640.04a.

A. Exceptions are the Chapel and Native American Sweat Lodge when part of a religious or sacred smoking ritual.

B. Smoking Cessation Programs for inmates desiring to stop smoking are available through Health Services and Psychology Services. Medical screening of inmates will be conducted by Health Services prior to beginning, and during the program. Inmates

must sign up for the Smoking Cessation program during sick call. Refer to Chapter XI, **INMATE NO SMOKING/SMOKING CESSATION PROGRAM.**

C. Inmates violating the smoking rules will be subject to disciplinary action.

NOTE: IN ORDER TO COMPLY WITH THE FEDERAL BUREAU OF PRISONS SMOKE-FREE INSTITUTION POLICY, FCI PHOENIX WILL BE IMPLEMENTING THE FOLLOWING PLANS: THE LAST DAY FOR INMATES TO PURCHASE TOBACCO AND TOBACCO RELATED PRODUCTS FROM THE COMMISSARY WILL BE ON FRIDAY, FEBRUARY 3, 2006. INMATES MUST CONSUME OR USE ALL TOBACCO AND TOBACCO RELATED PRODUCTS BY SUNDAY APRIL 2, 2006. EFFECTIVE MONDAY, APRIL 3, 2006, ALL TOBACCO AND TOBACCO RELATED PRODUCTS POSSESSED BY INMATES WILL BE TREATED AS CONTRABAND AND WILL BE CONFISCATED. NICOTINE PATCHES WILL BE AVAILABLE FOR PURCHASE IN THE COMMISSARY FOR ALL INMATES WITH PRIOR APPROVAL FROM THE HEALTH SERVICES DEPARTMENT. INMATES WITH QUESTIONS REGARDING THE SMOKE-FREE INSTITUTION POLICY, CAN CONTACT MR. CHESTNUT, TRUST FUND SUPERVISOR.

ON-THE-JOB INJURIES: If you are injured while performing your assigned duty, you must immediately report this injury to your Work Supervisor. Your Work Supervisor will then report the injury to the Institution Safety Manager. You may be disqualified from eligibility for lost time wages or compensation if you fail to report a work injury to your Supervisor within 20 four hours of the injury.

FIRE SAFETY: The staff will take every step necessary to ensure your safety in the event of a fire emergency. Also, in each housing unit you will find a sign showing the primary and secondary routes you will take if you must exit quickly because of a fire emergency. You must become familiar with these routes for your own protection.

CHAPTER XV
DISCIPLINE

DISCIPLINE: It is the intent of this institution to provide a safe and orderly environment for all inmates. Violators of the rules and regulations of the institution are subject to being disciplined. Staff shall control inmate behavior in a completely impartial and consistent manner.

ESCAPES: Escapes can result in a fine up to \$5,000.00 or up to five years imprisonment.

For more detailed information, refer to applicable national Program Statements and Institution Supplements.

SUMMARY OF DISCIPLINARY SYSTEM

TABLE 1

<u>PROCEDURES</u>	<u>DISPOSITIONS</u>
1. 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.
2. Staff prepares Incident Report and forwards it to Lieutenant	Except for prohibited acts in the greatest or high severity categories, the Lieutenant may resolve informally, or drop the charges.
3. Appointment of investigator who conducts investigation and forwards material to Unit Discipline Committee.	
4. Initial review before Unit Discipline Committee	Unit Discipline Committee may drop or resolve informally any Moderate or Low Moderate charge, impose allowable sanctions or refer to the Discipline Hearing Officer.
5. Hearing before Discipline Hearing Officer	The Discipline Hearing Officer may impose allowable sanctions, or drop the charges.
6. 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.

NOTE: DHO Appeals will be filed directly to the Regional Office.

TIME LIMITS IN DISCIPLINARY PROCESS

Appendix B

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

The Incident Report is ordinarily written within 24 hours.

Staff give inmate notice of charges by delivering Incident Report.

Ordinarily given within 24 hours from the time staff become aware of the inmate's involvement in the incident.

Initial Review (UDC)

Ordinarily within 5 days from the time staff become aware of the incident excluding the day staff became aware of the inmate's involvement in the incident.

Discipline Hearing Officer (DHO)

Minimum of 24 hours, unless waived by inmate.

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 undertaking informal resolution. If informal resolution is unsuccessful, staff may reinitiate disciplinary proceedings. The requirements then begin running at the same point at which they were suspended.

INMATE RIGHTS AND RESPONSIBILITIES

<u>RIGHTS</u>	<u>RESPONSIBILITIES</u>
1. You have the right to expect that as a human being you will be treated respectfully, impartially, and fairly by all personnel.	1. You have the responsibility to treat others, both employees and inmates, in the same manner.
2. You have the right to be informed of the rules, procedures and schedules concerning the operation of the institution.	2. You have the responsibility to know and abide by them.
3. You have the right to freedom of religious affiliation and voluntary religious worship.	3. You have the responsibility to recognize and respect the rights of others in this regard.
4. You have the right to health care, which includes nutritious meals, proper bedding and clothing, and a laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles and medical and dental treatment.	4. It is your responsibility not to waste food, to follow the laundry and shower schedule, to maintain neat and clean living quarters, to keep your area free of contraband, and to seek medical and dental care as you may need it.
5. You have the right to visit and correspond with family members and friends, and correspond with members of the news media in keeping with Bureau rules and institution guidelines.	5. It is your responsibility to conduct yourself properly during visits, not to accept or pass contraband, and not to violate the law or Bureau rules or institution guidelines through your correspondence.
6. You have the right to unrestricted and confidential access to the courts by correspondence (on matters such as the legality of your conviction, civil matters, pending criminal cases and conditions of imprisonment).	6. You have the responsibility to present honestly and fairly your petitions, questions and problems to the court.
7. You have the right to legal counsel from an attorney of your choice by interviews and correspondence.	7. It is your responsibility to use the service of an attorney honestly and fairly.
8. You have the right to participate in the use of law library reference materials to assist you in resolving legal problems. You also have the right to receive help when it is available through a legal assistance program.	8. It is your responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other inmates to the use of the materials and assistance.

<p>9. You have the right to a wide range of reading materials for educational purposes and for your own enjoyment. These materials may include magazines and newspapers sent from the community, with certain restrictions.</p>	<p>9. 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.</p>
<p>10. You have the right to participate in education, vocational training and employment as far as resources are available and in keeping with your interest, needs and abilities.</p>	<p>10. You have the responsibility to take advantage of activities which may help you live a successful and law abiding life within the institution and in the community. You will be expected to abide by the regulations governing the use of such activities.</p>
<p>11. You have the right to use your funds for commissary and other purchases, consistent with institution security and good order, for opening bank and/or savings accounts, and for assisting your family.</p>	<p>11. You have the responsibility to meet your financial and legal obligations, including, but not limited to, court imposed assessments, fines and restitution. You also have the responsibility to make use of your funds in a manner consistent with your release plans, your family needs and for other obligations that you may have.</p>

Table 1. PROHIBITED ACTS AND AVAILABLE SANCTIONS

GREATEST SEVERITY LEVEL PROHIBITED ACTS

100 Killing.

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

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

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

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

105 Rioting.

106 Encouraging others to riot.

107 Taking hostage(s).

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

109 (Not to be used).

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

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

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

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

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

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

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

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

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

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

AVAILABLE SANCTIONS FOR GREATEST SEVERITY LEVEL PROHIBITED ACTS

- A. Recommend parole date rescission or retardation.
- B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time (up to 100%) and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
- B.1. Disallow ordinarily between 50% and 75% (27-41 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
- C. Disciplinary segregation (up to 12 months).
- D. Make monetary restitution.
- E. Monetary fine.
- F. Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).
- G. Change housing (quarters).
- H. Remove from program and/or group activity.
- I. Loss of job.
- J. Impound inmates personal property.
- K. Confiscate contraband.
- L. Restrict to quarters.
- M. Extra duty.

HIGH SEVERITY LEVEL PROHIBITED ACTS

- 200 Escape from a work detail, non-secure institution, or other non-secure confinement, including community confinement, with subsequent voluntary return to Bureau of Prisons custody within four hours.
- 201 Fighting with another person.
- 202 (Not to be used).
- 203 Threatening another with bodily harm or any other offense.
- 204 Extortion; blackmail; protection; demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.
- 205 Engaging in sexual acts.
- 206 Making sexual proposals or threats to another.
- 207 Wearing a disguise or a mask.
- 208 Possession of any unauthorized locking device, or lock pick, or tampering with or blocking any lock device (includes keys), or destroying, altering, interfering with, improperly using, or damaging any security device, mechanism, or procedure.
- 209 Adulteration of any food or drink.
- 210 (Not to be used).
- 211 Possessing any officers or staff clothing.
- 212 Engaging in or encouraging a group demonstration.
- 213 Encouraging others to refuse to work, or to participate in a work stoppage.
- 214 (Not to be used).
- 215 (Not to be used).
- 216 Giving or offering an official or staff member a bribe, or anything of value.
- 217 Giving money to, or receiving money from, any person for the purpose of introducing contraband or any other illegal or prohibited purpose.
- 218 Destroying, altering, or damaging government property, or the property of another person, having a value in excess of \$100.00, or destroying, altering, damaging life-safety devices (e.g., fire alarm) regardless of financial value.
- 219 Stealing; theft (including data obtained through the unauthorized use of a communications device, or through unauthorized access to disks, tapes, or computer printouts or other automated equipment on which data is stored).

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

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

222 (Not to be used).

223 (Not to be used).

224 Assaulting any person (a charge at this level is used when less serious physical injury or contact has been attempted or accomplished by an inmate).

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

226 Possession of stolen property.

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

228 Tattooing or self-mutilation.

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

296 Use of the mail for abuses other than criminal activity which circumvent mail monitoring procedures (e.g., use of the mail to commit or further a High category prohibited act, special mail abuse; writing letters in code; directing others to send, sending, or receiving a letter or mail through unauthorized means; sending mail for other inmates without authorization; sending correspondence to a specific address with directions or intent to have the correspondence sent to an unauthorized person; and using a fictitious return address in an attempt to send or receive unauthorized correspondence).

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

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

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

AVAILABLE SANCTIONS FOR HIGH SEVERITY LEVEL PROHIBITED ACTS

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

MODERATE SEVERITY LEVEL PROHIBITED ACTS

- 300 Indecent Exposure.
- 301 (Not to be used).
- 302 Misuse of authorized medication.
- 303 Possession of money or currency, unless specifically authorized, or in excess of the amount authorized.
- 304 Loaning of property or anything of value for profit or increased return.
- 305 Possession of anything not authorized for retention or receipt by the inmate, and not issued to him through regular channels.
- 306 Refusing to work or to accept a program assignment.
- 307 Refusing to obey an order of any staff member (may be categorized and charged in terms of greater severity, according to the nature of the order being disobeyed, e.g. failure to obey an order which furthers a riot would be charged as 105, Rioting; refusing to obey an order which furthers a fight would be charged as 201, Fighting; refusing to provide a urine sample when ordered as part of a drug-abuse test would be charged as 110).
- 308 Violating a condition of a furlough.
- 309 Violating a condition of a community program.
- 310 Unexcused absence from work or any program assignment.
- 311 Failing to perform work as instructed by the supervisor.
- 312 Insolence towards a staff member.
- 313 Lying or providing a false statement to a staff member.
- 314 Counterfeiting, forging, or unauthorized reproduction of any document, article of identification, money, security, or official paper (may be categorized in terms of greater severity according to the nature of the item being reproduced, e.g., counterfeiting release papers to effect escape, Code 102).
- 315 Participating in an unauthorized meeting or gathering.
- 316 Being in an unauthorized area without staff authorization.
- 317 Failure to follow safety or sanitation regulations (including safety regulations, chemical instructions, tools, MSDS sheets, OSHA standards).
- 318 Using any equipment or machinery without staff authorization.
- 319 Using any equipment or machinery contrary to instructions or posted safety standards.
- 320 Failing to stand count.
- 321 Interfering with the taking of count.

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

AVAILABLE SANCTIONS FOR MODERATE SEVERITY LEVEL PROHIBITED ACTS

- A. Recommend parole date rescission or retardation.
- B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time up to 25% or up to 30 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
- B.1 Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
- C. Disciplinary segregation (up to 3 months).
- D. Make monetary restitution.
- E. Monetary fine.

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

LOW SEVERITY LEVEL PROHIBITED ACTS

- 400 (Not to be used).
- 401 (Not to be used).
- 402 Malingering, feigning illness.
- 403 (Not to be used).
- 404 Using abusive or obscene language.
- 405 (Not to be used).
- 406 (Not to be used).
- 407 Conduct with a visitor in violation of Bureau regulations.
- 408 (Not to be used).
- 409 Unauthorized physical contact (e.g., kissing, embracing).
- 498 Interfering with a staff member in the performance of duties most like another Low severity prohibited act. This charge is to be used only when another charge of Low severity is not accurate. The offending conduct must be charged as "most like" one of the listed Low severity prohibited acts.
- 499 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another Low severity prohibited act. This charge is to be used only when another charge of Low severity is not accurate. The offending conduct must be charged as "most like" one of the listed Low severity prohibited acts.

AVAILABLE SANCTIONS FOR LOW SEVERITY LEVEL PROHIBITED ACTS

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

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

Table 2.
 ADDITIONAL
 AVAILABLE
 SANCTIONS FOR
 REPEATED
 PROHIBITED ACTS
 WITHIN THE SAME
 SEVERITY LEVEL
 Prohibited Act
 Severity Level
 Low Severity
 (400 level)

Time Period for
 Prior Offense
 (same code)

Frequency of
 Repeated Offense

Additional
 Available
 Sanctions

6 months

2nd offense
 3rd or more
 offense

1. Disciplinary segregation (up to 1 month).
 2. Forfeit earned SGT or non-vested GCT up to 10% or up to 15 days, whichever is less, and/or terminate or disallow extra good time (EGT) (an EGT sanction may not be suspended).
 Any available Moderate severity level sanction (300 series).

Moderate Severity 12 months
 (300 level)

2nd offense
 3rd or more
 offense

1. Disciplinary segregation (up to 6 months).
 2. Forfeit earned SGT or non-vested GCT up to 37 1/2% or up to 45 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended).
 Any available High severity level sanction (200 series).

High Severity 18 months
 (200 level)

2nd offense
 3rd or more
 offense

1. Disciplinary segregation (up to 12 months).
 2. Forfeit earned SGT or non-vested GCT up to 75% or up

Greatest Severity 24 months (100 level)	2nd or more offense	to 90 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended). Any available Greatest severity level sanction (100 series). Disciplinary Segregation (up to 18 months).
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NOTE: 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 offenses itself.

Available Sanctions (upon finding the inmate committed the prohibited act(s)):

(A) Recommend Parole Date Rescission or Retardation. The DHO may recommend retardation or rescission of parole grants to the U.S. Parole Commission or respective parole authority.

(B) Forfeit Earned Statutory Good Time, Non-vested Good Conduct Time, or Terminate or Disallow Extra Good Time.

Forfeited good conduct time (GCT) is not eligible for restoration. However, *forfeited statutory good time* (SGT) may be restored. Restoration of statutory good time is approved at initial eligibility only when the inmate has shown a period of improved good behavior. When the Warden (or designee) denies restoration of forfeited statutory good time, the unit team notifies the inmate of the reasons for denial. The unit team establishes a new eligibility date, not to exceed six months from the date of denial.

An application for restoration of statutory good time is forwarded from the inmate's unit team, through the DHO and Captain for comments, to the Warden for final decision. Inmates who committed their crimes on or after November 1, 1987, and are sentenced under the Sentencing Reform Act provisions of the Comprehensive Crime Control Act, are only eligible to receive 54 days GCT credit (18 U.S.C. 3624(b)). This credit is given at the end of each year served and, once given, is vested. For these inmates, the DHO's authority is final and subject only to review by the Regional Director to ensure conformity with the discipline policy and by inmate appeal through Administrative Remedy procedures.

The statutory good time available for forfeiture is limited to an amount computed by multiplying the months served at the time of the offense for which forfeiture is taken, by the applicable monthly rate specified in 18 U.S.C. 4161 (less previous forfeiture or withholding). The amount of GCT available for forfeiture is limited to total days in "non-vested" status at the time of misconduct (less previous forfeiture).

Forfeiture of GCT may not be suspended. P5270 Disallowance of extra good time is limited to 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 GCT will not be restored. Authority to restore forfeited statutory good time is delegated to the Warden, and 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 Table 2.)

To ensure an inmate's case is not overlooked when statutory good time has been forfeited, the unit manager will ensure the eligibility requirements are reviewed for restoration per the time frames in the Program Statement on Classification and Program Review of Inmates. A recommendation of the unit team for or against restoration is forwarded to the Warden through the DHO and Captain. Except as noted, eligibility for restoration of forfeited statutory good time is computed from the date of the withholding or forfeiture action by the DHO.

An inmate who has escaped and receives a forfeiture at a subsequent in absentia hearing begins the eligibility for restoration period upon return to Bureau custody. The Warden refers to the Regional Director any case where exceptional circumstances support restoration of statutory good time before completion of the eligibility requirements.

Sanction B does not apply to inmates committed under 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 (committed a crime on or after November 1, 1987) may not receive statutory good time, but is eligible to receive 54 days GCT credit each year (18 U.S.C. 3624(b)). Once awarded, the credit is vested, and may not be disallowed.

Crimes committed on or after September 13, 1994, and before April 26, 1996, (VCCLEA) credit is not vested unless the inmate has earned or is making satisfactory progress toward a high school diploma or equivalent degree (or is exempt because of a learning disability).

For crimes committed on or after April 26, 1996, (PLRA and SRAA) GCT credit toward an inmate's service of sentence vests on the date the inmate is released. Once disallowed, the credit may not be restored, except by immediate review or appeal 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 GCT disallowance may not be suspended. Only the DHO can take action to disallow GCT. The DHO considers the severity of the prohibited act and the suggested disallowance guidelines in making a determination.

A decision to go above the guideline is warranted for a greatly aggravated offense or a repeated violation of another prohibited act within a relatively short time (e.g., within 24 months for a greatest severity level prohibited act, 18 months for a high severity level prohibited act, and 12 months for a moderate severity level prohibited act). A decision to go below the guidelines is warranted for strong mitigating factors. A decision above or below the guidelines is justified in the DHO report.

VCCLEA inmates rated "violent" and PLRA inmates are ordinarily disallowed GCT for each prohibited act they are found to have committed at a DHO hearing, consistent with the following:

Greatest Severity Level Offenses. A minimum of 41 days (or, if less than 54 days are available for the prorated period, a minimum of 75% of available GCT) for each act committed.

High Severity Level Offenses. A minimum of 27 days (or, if less than 54 days are available for the prorated period, a minimum of 50% of available GCT) for each act committed.

Moderate Severity Level Offenses. A minimum of 14 days (or, if less than 54 days are available for the prorated period, a minimum of 25% of available GCT) for each act committed if the inmate has committed two or more moderate severity level offenses during the current anniversary period.

Low Severity Level Offenses. A minimum of 7 days (or, if less than 54 days are available for the prorated period, a minimum of 12.5% of available GCT) for each act committed if the inmate has committed three or more low moderate offenses during the current anniversary period.

Except for VCCLEA inmates rated "violent" or PLRA inmates, Sanction B.1 may be imposed on the Low severity level only where the inmate has committed a Low severity level act more than once within a six-month period.

GCT credit may only be given to an inmate serving a sentence of more than one year, but less than life. In the last year or part of a year of an inmate's sentence, only the GCT available for the time remaining may be disallowed.

(C) Disciplinary Segregation. The DHO may direct that an inmate be placed or retained in disciplinary segregation. Consecutive disciplinary segregation sanctions can be imposed for inmates found to have committed offenses that are part of different acts only. Limits on time in disciplinary segregation are based on the severity scale (see Tables 1 and 2).

Unless otherwise specified by the DHO, disciplinary segregation placements for different or separate prohibited acts are imposed consecutively.

(D) Make Monetary Restitution. The DHO may direct that an inmate reimburse the U.S. Treasury for damages to U.S. Government property that the individual caused or contributed to. The UDC is prohibited from imposing the sanction of make monetary restitution.

Commissary privileges should be suspended by the DHO until restitution is made. See the Program Statement **Accounting Management Manual** for instructions regarding impoundment of inmate funds.

(E) Monetary Fine. The DHO may direct that an inmate pay a fine, as follows:
Greatest severity level offense - Up to \$500, or 75% of the inmates trust fund balance.
High severity level offense - Up to \$300, or 50% of the inmates trust fund balance.
Moderate severity level offense - Up to \$100, or 25% of the inmates trust fund balance.
Low severity level offense - Up to \$50, or 12.5% of the inmates trust fund balance.

Commissary privileges should be suspended until the fine is paid. See the Accounting Management Manual for instructions regarding impoundment of inmate funds.

This sanction cannot be used as a form of monetary restitution. The UDC is prohibited from imposing the sanction of monetary fine.

(F) Loss of Privileges (e.g., visiting, telephone, e-mail, commissary, movies, recreation). The DHO or UDC may direct that an inmate forego specific privileges for a specified time.

The DHO or UDC may impose non-contact visiting or immediate family-only visitation in addition to loss of visiting.

Loss of recreation privileges (exercise periods) may not be imposed on inmates in a Special Housing Unit (SHU), but may be used for general population inmates.

The DHO or UDC may impose a loss of mattress sanction from lights on to lights off for inmates in the SHU. Staff must ensure the inmate has a mattress from lights off to lights on.

(G) Change Housing (Quarters). The DHO or UDC may direct that an inmate be moved to other housing.

(H) Remove from Program or Group Activity. The DHO or UDC may direct that an inmate not participate in any program or group activity for a specified time.

(I) Loss of Job. The DHO or UDC may direct that an inmate be removed from his/her present job or assigned to another job.

(J) Impound Inmate's Personal Property. The DHO or UDC may direct that an inmate's personal property be stored in the institution for a specified time.

(K) Confiscate Contraband.

(L) Restrict Quarters. The DHO or UDC may direct that an inmate be confined to quarters or its immediate area for a specified time.

(M) Extra Duty. The DHO or UDC may direct that an inmate perform tasks other than those performed during his/her regular job.

Table 2. ADDITIONAL AVAILABLE SANCTIONS FOR REPEATED PROHIBITED ACTS WITHIN THE SAME SEVERITY LEVEL

CATEGORY	PRIOR OFFENSE (SAME CODE) WITHIN TIME PERIOD	FREQUENCY OF REPEATED OFFENSE	SANCTION PERMITTED
Low Severity (400 level)	6 Months	2 nd Offense 3 rd or more offense	1. Disciplinary segregation (up to 1 month). 2. Forfeit earned SGT or non-vested GCT up to 10% or up to 15 days, whichever is less, and/or terminate or disallow extra good time (EGT) (an EGT sanction may not be suspended). Any available Moderate severity level sanction (300 series).
Moderate (300 level)	12 Months	2 nd Offense 3 rd or more offense	1. Disciplinary segregation (up to 6 months). 2. Forfeit earned SGT or non-vested GCT up to 37 1/2% or up to 45 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended). Any available High severity level sanction (200 series).
High (200 level)	18 Months	2 nd Offense 3 rd or more offense	1. Disciplinary segregation (up to 12 months). 2. Forfeit earned SGT or non-vested GCT up to 75% or up to 90 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended). Any available Greatest severity level sanction (100 series).
Greatest Severity (100 level)	24 months	2 nd or more offense	2 nd or more offense

NOTE: The foregoing regarding inmate discipline are excerpts from the national policy on inmate discipline and inmates should refer to that policy for any further information.

CHAPTER XVI
RELEASE PREPARATION PROGRAM

The Release Preparation Program is an ongoing program in which inmates can participate in courses and classes which will prepare them for release. Many courses and classes will have representatives of the community coming in to assist you in different areas and make you aware of what will be expected of you under supervision. Others will give you skills that will assist you in the reintegration into society.

Most inmates will begin these courses and classes when they are within 30 months of release. The Case Manager will make recommendations for course preparation at your scheduled program reviews. The list of available courses and class schedules are posted on the unit bulletin boards. It is your responsibility to ensure that you participate in all of the recommended programs. While the program is voluntary, failure to participate in the courses and/or classes recommended by your unit team may result in a shorter RRC placement. Your Case Manager will monitor your participation in the program.

Your unit team will also meet with you to discuss any individual concerns you have and to explain the release process.

Inmates desiring to have personal clothing sent in for release should do so by obtaining necessary paperwork from their Unit Counselor approximately 45 days, and no less than 30 days, prior to their release date. Otherwise, inmates will be given institutionally purchased release clothing.

CHAPTER XVII
RESIDENTIAL REENTRY CENTERS

The Bureau has contracts with more than 400 Residential Reentry Centers (RRC) nationwide. These places provide many pre-release services for inmates serving the last portion of their sentence. The centers also offer assistance to probationers, parolees, and mandatory releases as provided under Public Law 91-492.

The purpose of a Residential Reentry Center is to enable the inmate to reside in a facility near his home or release destination and to give him an opportunity to experience a transition period between incarceration and release.

At Phoenix, the length of time in a center shall be determined by the needs of the inmate, and the degree to which the inmate has participated in the pre-release program. Stays in a RRC can be up to one year under the provisions of the Second Chance Act.

Community needs are:

- 1) No prospective employment or history;
- 2) Limited funds;
- 3) Difficulty with family relations;
- 4) anxieties about returning to the community;
- 5) Need to establish residence.

The centers use a team approach in meeting the needs of the inmate. RRC staff and the Federal Probation Officer are normally members of the team. State and private employment personnel or rehabilitation agency representatives are usually available. The team makes every effort to have contacts in the community, such as legal aid, welfare, and counseling agencies to meet the inmate's immediate needs. Team members also work with each inmate assisting and offering counseling and referrals to community organizations for such problems as alcoholism, drug usage, family or marital problems, and lack of educational skills.

The RRC program wants residents to become self-sufficient in the community, so emphasis is placed on the inmate securing employment, finding a place to live, and financial planning and management. Inmates are encouraged to spend time with their families in the community and most residents are free to leave the center in the evenings and on weekends.

An inmate is released from the center, generally, to parole or probation supervision in the community. Since the Probation Officer has been part of the pre-release team and has approved the inmate's housing and employment plans, a smooth transition into the community can be accomplished.

If an inmate has no identifiable needs and if it is believed that his participation in a RRC program would depreciate from the seriousness of his offense, he will not be referred to the RRC.

CHAPTER XVIII
EDUCATION DEPARTMENT

The Education department is responsible for all educational programs, both mandatory and elective. It is also responsible for maintaining the Law and Leisure library and for conducting all academic testing.

The educational and vocational programs described within this handbook are designed to provide inmates with an opportunity for self improvement, skill training, educational advancement and related goals.

IMPORTANT NOTICE: For those individuals enrolled in GED/Spanish GED, and ESL programs, attendance is mandatory. Unless you have a verified medical excuse in writing or are on a call-out, you must be in class during your assigned period.

VCCLEA AND PLRA REQUIREMENTS: Effective November 3, 1997, all inmates whose offenses took place on or after September 13, 1994, but before April 26, 1996 (VCCLEA), and those inmates whose offense dates occurred after April 2, 1996 (PLRA), who lack a high school diploma must participate in, and make satisfactory progress towards obtaining a GED credential in order to be eligible to earn and vest the maximum amount of good time.

PRE-GENERAL EDUCATION DEVELOPMENT (PRE-GED): The Pre-GED program provides instruction in the basic skills of mathematics, reading, and language. Students learn through a combination of instructor-guidance, self study, tutoring, lectures, and use of a variety of audio visual programs. All students will be enrolled for 240 instructional hours.

GENERAL EDUCATIONAL DEVELOPMENT/SPANISH (GED): The GED class teaches more advanced skills in mathematics, reading, writing, grammar and includes instruction in science and social studies. All students will be enrolled for 240 instructional hours.

TEST OF ADULT BASIC EDUCATION (TABE): All newly committed inmates are required to complete TABE testing within 30 days of their commitment. The TABE test is given to everyone to determine their academic grade level. An inmate returning or transferring to this institution who has NOT taken the TABE test, or who does not have verifiable test scores, will be required to take the TABE test. For the non-English speaking inmate, other standardized testing is available (The SABE).

An inmate will be required to take the TABE test unless he has verified GED or high school diploma at the time of arrival at the institution.

ENGLISH-AS-A-SECOND-LANGUAGE (ESL): The ESL program is designed to help teach the non-English speaking inmates how to speak, read and write English. Students learn by utilizing verbal drills, guided self-study, and tutoring. Once an inmate has completed the program by passing the CASAS certification exam, the inmate may enroll in the GED program.

SPANISH PRE-GED: The Education Department has designed and implemented a GED program tailored to fit the needs of Spanish speaking inmates. Spanish speaking inmates may satisfy the educational achievement requirements by taking the SABE or Spanish GED test. All students need to be enrolled for a minimum of 240 instructional hours.

POST-SECONDARY EDUCATION: The Education Department currently provides an "on site" college computer class, in conjunction with Central Texas College, which is accredited by the southern Association of Colleges.

INCENTIVES: In order to reward individual academic achievement, the education department has established an Incentive Awards Program. Inmates who successfully complete the GED and ESL programs, and who pass the GED and CASAS Certification exams respectively, are awarded a financial incentive award (usually \$25.00).

Other incentive awards are utilized to provide ongoing rewards for students who make excellent progress. Those awards, which include small monetary incentives as well as dictionaries and other educational aides, are offered for "Student of the Month" and ESL A, B and C level completions.

CORRESPONDENCE COURSES: If you are interested in taking correspondence courses, you must go through the College Coordinator who will assist you with information on approved courses and location of alternative schools. All classes must be approved by the College coordinator and all books and material must be received through the Education department. College costs, including books and tuition, are the responsibility of the student. Tuition and books may be paid for with the Inmate Request for Funds Form (form 24).

VOCATIONAL TRAINING AND COLLEGE ELIGIBILITY: To be eligible for any VT or college courses, an inmate must have a high school diploma or GED.

The purpose of the Vocational Training Programs is to prepare inmates for entry level employment in various vocational fields upon release.

They include the following programs:

- Heating, Ventilation and Air Conditioning (HVAC)
- Facility Maintenance Class
- Computer Technology

LAW LIBRARY: The Law library is located in the Education Department with a satellite unit in the Special Housing Unit. Case law books from the federal districts, circuits, and state supreme courts are available for reference during the library hours of operation. Bureau of Prisons Program Statements and institutional supplements regarding FCI Phoenix are available for inmate reference. Law library books, typewriters, and writing materials area available for inmate use. Typewriters are available on a first come-first served basis. You must have a ribbon which you can purchase at the commissary. If you are indigent, you can borrow a ribbon from the Education department for up to two hours in exchange for your commissary card.

LEISURE LIBRARY: The institution maintains a leisure library with a great variety of books including reference and general interest.

A maximum of three requests may be submitted by an inmate at one time. The inmate will be held responsible for the books issued to him and will be required to pay for their replacement in the case of loss or damage. Failure to do so will result in the loss of library privileges.

LAW LIBRARY AND LEISURE LIBRARY HOURS:

Monday - Thursday: 8:30 a.m. - 11:00 a.m. or lunch mainline
12 noon - 3:15 p.m. or recall
5:00 p.m. - 8:00 p.m.
Friday: 8:30 a.m. - 11:00 a.m. or lunch mainline
12 noon - 3:15 p.m. or recall
Saturday & Sunday: 7:30 a.m. - 3:15 p.m. or recall
Holidays: closed

CHAPTER XIX RECREATION

The Recreation staff plans and implements a wide variety of leisure time activities for the inmate population. The sports programs, as well as hobby craft classes, are geared toward motivation and involvement by everyone who shows a genuine interest. Recreation is one of the most acceptable outlets for both emotional and physical stress. Everyone is encouraged to participate in the structured as well as unstructured activities.

The following information about the program is presented to inform you of all the different facilities and activities that are available to you. For detailed information, please refer to the monthly activities schedule or to posted fliers and memos.

SAFETY PRECAUTIONS: Safety is a key factor in the success of any athletic event. The application of common sportsmanship will eliminate 90% of all athletic accidents. Some helpful hints to make □playing the game□ safer include:

1. Know the rules and objectives of the sport.
2. Wear appropriate clothing, shoes, and protective equipment at all times.
3. Warm-up (stretch) properly before doing any strenuous exercise.
4. Any unnecessary roughness will result in suspension and/or disciplinary action. This applies to ALL SPORTS.
5. Use extreme caution around the weight pile. Always use a spotter and use collars when possible. STEEL TOE SHOES ARE RECOMMENDED WHILE WORKING OUT.

RECREATION RULES:

1. No smoking, food or drinks allowed in the music rooms.
2. Do not attempt to communicate (yelling, waving, hand/body signals, note tossing) with anyone outside the institution fence.
3. Respect □OUT OF BOUNDS□ signs on the Recreation Yard.

SPORTS: A comprehensive program of sports activities including varsity and intramural teams are available for inmate participation. Where possible, consideration is given for differences in age and athletic ability.

SPORTS LEAGUES: Currently, there are leagues for basketball, soccer and softball which incorporate varsity, intramural and over-35 teams to provide for the greatest number of inmate participants as possible.

SPORTS TOURNAMENTS: Tournaments are held on a regular basis in addition to the normal end-of-season tournaments for league play-offs and championships. This provides fun competition for a wide variety of recreational fitness levels, with prizes going to first and second place finishers. Normally, all major holidays will have tournament activities planned. Schedules outlining these activities are posted in each housing unit.

INMATE WELLNESS: Wellness consists of any activities that are beneficial to an individual's health, whether physical or emotional. Therefore, the Recreation Department has a well rounded program that is designed to assist inmates who wish to participate. Additionally, there is a wellness resource library for inmates to check out material during regular Recreation department hours.

WEIGHTLIFTING: Participation in weightlifting is one of the most popular activities at the institution. The weightlifting area is located in Outdoor Recreation.

WALKING/RUNNING: There is a quarter mile track located on the main recreation yard. This area is the only one that can be used for distance running.

CARDIOVASCULAR: There are many ways to stimulate increased heart rate. The recreation department offers stationary bicycles. These machines are located in indoor recreation.

HOURS OF OPERATION: The main recreation yard is open at approximately 5:45 a.m. The closing of the main recreation yard will also be announced over the loudspeaker. The weightlifting area is open during all open compound times. It closes at 8:15 p.m. for clean-up.

INDOOR RECREATION: The Recreation Department offers a variety of table games. Games and cards may be checked out, as well as ping-pong and billiards equipment.

HOBBY CRAFTS: Supplies and material for hobbycraft projects may be ordered by Special Purchase Orders (SPO). SPO's are submitted once a month and are due to the hobby shop on the 5th of each month. Catalogs and order forms are available in the indoor recreation office. There is a \$300.00 spending limit per quarter.

Hours of operation for the Indoor Recreation/hobby craft areas are:

Monday thru Friday: 12:30 p.m. - 8:15 p.m.
Saturday, Sunday and Holidays: 7:30 a.m. - 8:15 p.m.

All hobby craft items must be mailed out immediately after completion.

MUSIC ROOM AND EQUIPMENT: The recreation department provides musical equipment to inmates involved in or wishing to participate in existing musical bands. Equipment on hand includes drums, congas, acoustic guitars, amplifiers, microphones and speakers.

RECREATION HOLIDAYS AND SPECIAL ACTIVITIES:

Thanksgiving, Christmas, New Years	November 25 - January 1
Martin Luther King Jr.	January (3 rd week)
Black History Month	February
President's Day	February (3 rd week)
Memorial Day	May (4 th week)
Independence Day	July 4
Labor Day	September (1 st Monday)
Hispanic Heritage Month	September
Columbus Day	October (2 nd week)
Veteran's Day	November (2 nd week)

For each major holiday an activity is published and passed out to the inmate population. This schedule consists of a variety of tournaments in both table games and individual and team sports. Generally, additional videos are shown to the normal weekend movie schedule.

CHAPTER XX
PSYCHOLOGY SERVICES

INTAKE SCREENING: Your first contact with a Psychologist will come during the Admission and Orientation Program. You will be asked to complete a Psychology Service Questionnaire (PSIQ) and participate in a brief interview. The information from the interview, PSIQ, and PSI will be used to complete a short intake screening report that will be included in your Central File and used in planning your program at FCI Phoenix.

UNIT TEAM MEETINGS: A Psychologist will attend classification team meetings and 90 day reviews as needed.

INDIVIDUAL PSYCHOTHERAPY: Psychologists will be available for individual psychotherapy on an as needed basis. Inmates may request an appointment by submitting a Cop-Out to the Psychology Department. An appointment will be scheduled on the call-out sheet.

GROUP PSYCHOTHERAPY AND PERSONAL DEVELOPMENT GROUPS: Psychologists will be conducting various groups and workshops for the inmates in the facility. When offered, the group will be posted on the bulletin boards in the units, Education, and the Psychology Department.

CRISIS INTERVENTION: The Psychologists are available for discussion of any personal problems. If you have a serious problem of an emergency nature that limits your ability to cope with day-to-day activities, a Psychologist will see you as soon as possible, usually the same day. Please ask your detail supervisor or unit staff member to notify the Psychology Department as soon as possible. Non-emergencies will be scheduled on the call-out sheet on a timely basis.

DRUG ABUSE PROGRAM/SUBSTANCE ABUSE PROGRAMMING: Inmates with histories of drug and/or alcohol abuse should discuss their interest in and need for drug abuse/substance abuse programming with their Unit Team and Psychologist during the intake screening. Individualized programs will be designed to meet each inmate's needs and may consist of one or more of the following: group therapy or counseling, personal development groups, individual therapy or counseling, correctional counseling, crisis intervention, pre-release counseling, and voluntary groups.

CHAPTER XXI
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 prior written consent of, the individual to whom the record pertains, except in specific instances.

FREEDOM OF INFORMATION ACT REQUEST: The Privacy Act of 1974 provides only for an individual's access to his own records. All formal requests by people for access to record about another person or agency record other than those pertaining to themselves (including Program Statements and Operation Memoranda) shall be processed through the Freedom of Information Act, 5 USC 552.

INMATE ACCESS TO CENTRAL FILES: An inmate may at any time request to review all disclosable portions of his central file by submitting a request to his Unit Team. Staff will acknowledge the request and schedule the inmate, as promptly as possible, for a review of his file.

Inmates requesting to review his central file to prepare for parole hearings will be permitted to do so after the inmate has been placed on the docket for a parole hearing.

Staff will tell the inmate if there are documents withheld from disclosure and if the inmate expresses an interest in these documents placed in the Privacy File, the inmate shall be told of his right to make a formal request for the document under paragraph 8 of the Program Statement 1351.05.

An inmate may request personal copies of central file documents. Institution staff will arrange for copies of disclosable materials and summaries.

For safety and security reasons, inmates are prohibited from obtaining or possessing photocopies of their Federal Presentence Investigation Reports (PSI), Statements of Reasons (SOR) from Judgments in Criminal Cases, or other equivalent non-U.S. Code sentencing documents (e.g., D.C., state, foreign, military, etc.). Inmates violating this provision are subject to disciplinary action.

Inmates needing a copy of their PSIs or SORs for filing as an attachment in a court case may obtain, complete, and submit to the court an Inmate Request For Certification or Judicial Notice of Pre-sentence Report and/or Statement of Reasons form (BP-S757.013). The form, which includes instructions for completion, is available in the Law Library.

INMATE ACCESS TO MEDICAL RECORDS: An inmate may review the following records from his medical file (including dental records) by submitting a request to the Health Services Administrator:

1. Report of medical history (Form 89/93)
2. Laboratory reports containing only scientific testing results
3. Doctor's orders (Form 508)
4. Medication sheets (Form BP-Med-22)

An inmate can get personal copies of these documents through the Health Services Department.

INMATE ACCESS TO OTHER DOCUMENTS: An inmate can request access to the
□non-disclosable documents□ in his central file and medical file, or other documents
concerning himself that are not in his central or medical file by submitting a
□Freedom of Information Act Request□ to:

Director, Bureau of Prisons
320 First Street, N.W.
Washington, DC 20534

You must briefly describe the nature of records wanted and approximate dates covered by the record. You must also provide your institution number and date of birth for identification procedures.

CHAPTER XXII
WORK ASSIGNMENT

After you complete the Admission & Orientation Program, you will be assigned to a work detail. Inmates are encouraged to find their own job, going through the department responsible for that detail. Otherwise, the Counselor will assign you a job. All inmates must be on their job for 180 days before a consideration will be made for a job change (with the exception of UNICOR or an apprenticeship program placement). All subsequent job change requests must be sent via cop out to the institution job change committee which meets on Wednesday mornings. If approved for a job change, your name will appear on the call out.

PERFORMANCE PAY: If you are assigned to a paid work assignment (not including UNICOR or Commissary), you may be awarded Performance Pay if your Work Supervisor recommends you for it.

Presently, pay rates are as follows:

Grade 4	-	\$.12
3	-	\$.17
2	-	\$.29
1	-	\$.40

\$5.25 maintenance pay

These rates are subject to change according to Federal Bureau of Prisons Policy. You may receive performance pay for a maximum of seven hours per work day, and a maximum of 35 hours per week. You will be paid only for those hours during which your job performance is satisfactory or excellent. Each work detail has a specific number of positions allotted which are utilized to receive performance pay.

Job payments (performance pay) are deposited in your Commissary account no later than the 10th day of the month after you earn your job payment.

For more detailed information, see Program Statement 5251.2, entitled Performance Pay. Those inmates in Financial Responsibility Program refusal status can earn no more than maintenance pay.

CHAPTER XXIII
UNICOR

UNICOR (Federal Prison Industries) is the largest program at FCI Phoenix. The factory functions in the Electronics Division of the corporation and manufactures electronic connectors and electronic cable harnesses. Inmates working in UNICOR are paid one of four pay grades which are set by Corporate Headquarters in Washington, D.C. Additionally, there is a lower pay rate for inmates participating in pre-industrial training. Advancement depends upon time in grade, ability and availability of positions. Advancement above 4th grade is limited to those individuals who obtain an 8.0 on the Stanford Achievement Test administered by the Education Department. There are additional benefits which may be earned such as extra good time, premium pay for longevity, and vacations.

Inmates seeking employment in UNICOR must apply on the prescribed form available from their unit team.