

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS

FCC-Terre Haute, Indiana



A&O HANDBOOK

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INTRODUCTION

The purpose of this handbook is to provide incoming inmates and others interested in the Federal Bureau of Prisons with general information regarding the Bureau, its programs, institutions, and the rules and regulations they will encounter during confinement. It is not a specific guide to the detailed policies of the Bureau (which are subject to change) or all procedures in effect at each Bureau location. That information will be made available during the institution's Admission and Orientation program. Rather, the material in this handbook will help new inmates more quickly understand what they will be encountering when they enter prison, and hopefully assist them in their initial adjustment to institution life.

INTAKE, CLASSIFICATION, AND THE UNIT TEAM

Orientation:

Inmates are given a case management and medical screening at the time of arrival. Inmates are immediately provided with a copy of the institution's rules and regulations, which include information on inmate rights and responsibilities.

Each inmate will normally be interviewed by a Unit Team member within 24 hours after his commitment to the institution. Prior to your classification, you will also participate in various lectures, examinations, tests, and interviews. This information will be reviewed at the time of your classification. For this reason, and because your initial reaction to the institutional environment may greatly influence how you get along during this period of confinement, it is extremely important that you pay attention to what is going on during the admission and orientation period.

Within four weeks following your arrival, your Unit Team, composed of the Unit Manager, Case Manager, and Correctional Counselor will review your case and help you to develop planned activities. At FCC Terre Haute, inmates are scheduled to attend A&O lectures which are usually scheduled every week. The inmate will be placed on callout for these lectures.

Classification Teams (Unit Teams):

Almost all Bureau of Prisons institutions are organized into a unit management system. There are several general housing units at FCC Terre Haute. A unit is a self-contained inmate living area. Each unit is staffed by a Unit Team directly responsible for those inmates living in that unit. The Unit Team typically includes the Unit Manager, Case Managers, Counselors and a Unit Secretary. The Staff Psychologist, Education Advisor, and Unit Officer also are considered to be part of the Unit Team. 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. Ordinarily, a member of the unit staff will be at the institution weekdays from 7:30 A.M. to 9:00 P.M., and during the day on weekends and holidays. The Unit Team members usually schedule their working hours in such a manner that one of them will be available at times when inmates are not working.

General Functions of Unit Staff:

Unit Manager: The Unit Manager is the administrative head of the general unit and oversees all unit programs and activities. He/she is a Department Head at the institution and has a close working relationship with other departments and personnel. The Unit Manager is the "Chairperson" of the team, reviews all team decisions, and oversees the Unit's disciplinary process as needed.

Case Manager: The Case Manager is responsible for all casework services and prepares classification material, progress reports, release plans, correspondence and other materials relating to the inmate's commitment. He/she is responsible to the Unit Manager on a daily basis and the Case Management Coordinator (a specialist department head who provides technical assistance to unit staff in case management affairs) with reference to specialized training and duties. He/she serves as a liaison between the inmate, the administration and the community, and is a frequent member of the Unit Discipline Committee.

Counselor: The Counselor provides counseling and guidance for the inmates of the unit in areas of institutional adjustment, personal difficulties and plans for the future. He or she plays a leading role in all segments of unit programs and is a voting member of the Unit Team. The Counselor will visit inmate work assignments regularly and is the individual to approach for daily problems. As a senior staff member, the Counselor provides leadership and guidance to other staff in the unit. They hold major responsibilities for the security, safety and sanitation of the unit. The Counselor is a frequent member of the Unit Discipline Committee.

Unit Secretary: The Unit Secretary performs clerical and administrative duties. In some institutions, the Secretary may sit as a member of the Unit Team.

Correctional Officers: The Correctional Officers have direct responsibility for the day to day supervision of inmates and the enforcement of rules and regulations. They have safety, security and sanitation responsibilities in the institution. Unit officers are in regular contact with inmates in units and are encouraged to establish professional relationships with them, as long as such interaction does not interfere with their primary duties. Unit officers are jointly supervised by the Unit Manager and the Captain (the Chief Correctional Supervisor) during his/her unit assignment.

Communications:

There is a unit staff member available each day of the week and Monday through Friday evenings until 9:00 P.M. The unit bulletin boards contain written communication of interest to inmates. A member of the Unit Team will also ordinarily be available during the noon and evening meals on weekdays and during the noon meal on weekends and holidays.

Program Reviews:

Program reviews will be held every 180 days for an inmate with a release date over 1 year, and every 90 days for inmates with release dates within 1 year. These are held by the Unit Teams to review programs, work assignments, transfers, custody, institutional adjustment, etc.

Unscheduled Program Reviews:

An inmate may request an unscheduled program review by submitting an Inmate Request To Staff Member to the unit manager. This should contain an explanation of the reasons for the request. If the unit manager agrees that the reasons stated warrant an unscheduled review, one will be scheduled as soon as possible.

Team Participation in Parole Hearings:

The Case Manager prepares Progress Reports with input from the Unit Team, and compiles other information in the inmate's central file for presentation to the U.S. Parole Commission or other appropriate agencies. The inmate's Case Manager will ordinarily be present at that inmate's parole hearing. The Case Manager's function at the hearing is to assist the Parole examiners, not as a staff representative for the inmate.

Transfer of Offenders To or From Foreign Countries (Treaty Transfers):

The United States has entered into treaties several nations, regarding the execution of penal sentences and the transfer of foreign offenders. Any offender who is qualified and desires to return to his/her country of citizenship for service of a sentence imposed in a United States Court may indicate interest by completing and signing an inquiry form (available from your Case Manager) and forwarding it to the Chief Executive Officer at the institution where the inmate is confined.

Consular Visits:

When it has been determined that an inmate is a citizen of a foreign country, the inmate may receive visits from the consular representative of that country to discuss matters of legitimate business. This may occur even if the inmate is on disciplinary segregation status. The requirement for the existence of an established relationship prior to

confinement does not apply to consular visitors. Additionally, an inmate may request a telephone call to his consular representative through the unit team.

Sentencing, Good Time and Releases:

The Designation and Sentence Computation Center (DSCC), located in Grand Prairie, Texas, is responsible for the computation of sentences. A copy of your sentence computation will be provided to you at your initial team meeting. The records office can answer generalized questions concerning your sentence computation. Any major challenges/concerns must be submitted to the records office, via inmate request to staff.

D. C. Cases:

If you were sentenced in the District of Columbia, you are eligible for parole at the expiration of your minimum term, and will receive a hearing before the United States Parole Commission. The U.S. Parole Commission will use D. C. parole guidelines if you are serving a D. C. Superior Court Case only.

DAILY INMATE LIFE

Sanitation:

It is the inmate's responsibility to check his living area immediately after his assignment and to report all damage to the Correctional Officer, Unit Manager, Case Manager, or Counselor. An inmate may be held financially liable for any damage to his or her personal living area.

Each inmate is responsible for making his bed in accordance with regulations before work call (including weekends and holidays when he leaves the area). Each inmate is also responsible for sweeping and mopping his personal living area, and to remove trash daily, to insure it is clean and sanitary. Cardboard boxes and other paper containers are not to be used for storage due to their combustible nature. Lockers must be neatly arranged inside and out, and all shelving must be neat and clean. All property must be stored in your assigned locker. The hanging of pictures, pinups, etc., is not allowed. Articles are not to be hung or placed on the windows. Writing or disfiguring the walls and door is prohibited.

Toothpaste, toothbrushes, combs, razors, soap, and toilet paper are issued by the institution and are available in the housing units. Inmates may purchase name brand items through the commissary. Linen and other laundry may be turned into the institution laundry room on a schedule that is posted in each housing area.

Smoking:

Smoking, smokeless tobacco and tobacco products of any kind are not allowed for retention or use by inmates at FCC Terre Haute. Such items are considered contraband.

Personal Property Limits:

Items which may be retained by an inmate are limited for sanitation and security reasons, and to ensure that excess personal property is not accumulated which would constitute a fire hazard or impair staff searches of the living area. Inmates are referred to the Terre Haute Institutional Supplement on Inmate Personal Property as to the type and quantity of allowable inmate personal property.

Storage Space: Storage space consists of an individual locker and hanging pegs located on the cell wall, designed for hanging of the inmate laundry bag and coat. Locks may be purchased in the institution commissary. The amount of personal property allowed is limited to those items which can be neatly and safely placed in the inmates assigned locker. Under no circumstance will any materials be accumulated to the point where they become a fire, sanitation, security, or housekeeping hazard. The following items, if maintained neat and clean, may remain outside the designated storage space: Chaplain approved prayer rug, small religious statue, prayer beads or similar religious item, prescription eyeglasses and case, and authorized medical equipment.

Clothing: Recreational clothing as listed in the FCC Terre Haute supplement on personal property is authorized. Institutional clothing will be issued by the Laundry Department. These clothing items will bear labels with the inmate name and register number, which are not allowed to be removed. All clothing is to be neatly stored in the inmate's locker.

Duty Uniform: The inmate population will be required to wear the complete duty uniform on regular work days, Monday through Friday, 7:30 am through 4:00 pm excluding holidays. Inmates who are assigned to day off, vacation, medically unassigned or unassigned will be required to wear the duty uniform to the noon meal or any time departing the housing unit, with the exception of the recreation yard. The duty uniform consists of a khaki shirt which will be buttoned and tucked into the pants, khaki pants and belt. Inmates will be allowed to wear a white t-shirt under the khaki shirt. Sweat pants and sweat shirts will not be allowed to be worn with the duty uniform.

Special Purchase Items: Special Purchase items will be 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 (subject to available space) legal materials needed for your active legal action, and legal reference materials (such as books), if not available in the institution legal library. Any inmate needing more space than that provided must make a formal request for additional space to his unit staff and space may be provided on a temporary basis.

Hobbycraft Materials: Hobbycraft projects will be limited to those which can be obtained/stored in the locker provided in the hobbycraft area. Exception: One painting, maximum size of 24" x 30" x 1", is allowed in the inmate living quarters until the painting is completed. (No painting material, i.e., paints, brushes, thinners, or oils are permitted in the housing areas at anytime). Once completed, the painting may not be displayed and must be removed from the housing unit. Inmates are only permitted to crochet and sketch (pencil or pastel) in housing areas. All painting activities are to be completed in the Arts and Crafts Areas.

Commissary Items: The total value of an inmate's accumulated Commissary items (except for stamps) will be limited to the monthly spending limitation. Special limits may apply. All commissary items must be stored in the storage space designated.

Food Storage: Food items that are left open create a health hazard. These items must be properly sealed at all times. Empty jars may not be used as drinking containers and are to be thrown away.

Letters, Books, Photographs, Newspapers, and Magazines: You are limited to three (3) magazines, eight (8) books and newspapers for the previous seven days. Excessive collections of letters, books and newspapers must be disposed. Publications will be stored in the locker provided. This regulation will be strictly adhered to and there will be no exceptions. Only 25 letters will be permitted for storage in your living quarters. Excessive letters can be sent home through the Mail Room, with the assistance of the unit counselor, at the inmate's expense or disposed of by the inmate.

Sports and Musical Equipment: Please reference the institutional supplement on personal property.

Radios and Watches: An inmate may not own or possess more than one (1) approved radio and/or watch at any one time. Proof of ownership, through appropriate property receipts, will be required. Radios and watches may not have value exceeding locally established limits, usually in the \$75.00 range. Radios with a tape recorder and/or tape player are not authorized. Radios and watches will be inscribed with the inmate's name and registration number. Only walkman-type radios are permitted, and headphones are required at all times. Watches with backs made of metal are not authorized. Inmates may not give any items of value to another inmate i.e., radio, watch, sneakers and commissary items.

Jewelry: Inmates may have a plain wedding band (without stones) and, with prior

approval, a religious medal without stones.

Locker tops, chairs, window ledges, and under beds are **NOT STORAGE AREAS**. Any items found in those areas will be confiscated. Desk tops may have a radio, family photo (framed), Bible or Quoran.

Unit Rules & Regulations:

To reduce maintenance costs, permit uniform inspection and search procedures, and to maintain orderly institutional living, institutions impose reasonable regulations on inmate conduct and furnishings in housing units. Refer to the Unit bulletin boards for a detailed description of the Unit Rules and Regulations.

Wake-up:

General wake-up for all inmates at FCC Terre Haute is 6:00 A.M. The unit is called to breakfast by a rotating schedule which is established by the best Unit's sanitation score. Inmates are given a reasonable amount of time to leave the unit if they desire breakfast. It is the inmate's responsibility to leave the unit for work at their assigned work time. Late sleepers who are unable to maintain rooms or arrive at work on time are subject to disciplinary action.

Commissary:

Inmate funds are retained by the institution in a trust fund, from which the inmate may withdraw money for personal spending in the institution commissary, family support, or other approved purposes. Accumulated institutional earnings and monies sent from outside are given to the inmate upon release, or may be mailed home. FCC Terre Haute uses a point-of-sale computerized commissary withdrawal system that simplifies purchasing and gives inmates an improved, up-to-date record of all account activity. Inmates are approved to shop on their designated shopping day, once a week, based on their housing unit. The schedule is posted in the housing units, on the Commissary Information Board in the institution main corridor, and on the electronic sign located in the commissary lobby. Shopping is prohibited, except with your unit's regularly scheduled times. Approval to shop any other time may only be approved by the Support Services Supervisor. It is the inmate's responsibility to know the amount of money available in his commissary account. Inmates are to keep track of all deposits and withdrawals for their commissary accounts. Individual inmate account balances may be accessed via TRULINCS. Commissary hours of operation may be found on your unit bulletin board and at the entrance to the commissary.

Prices in the Commissary are subject to change without notice. If the vendor changes the price on an item, i.e. plus/minus, the price will also change in the Commissary. Your commissary shopping list will not always reflect these changes. Additions and/or substitutions will not be permitted once your commissary shopping list has been turned in for filling. Once you leave the sales window, the sale is COMPLETE and FINAL. Any questions regarding past sales require a receipt. NO EXCEPTIONS!

There are control items, (i.e. Radios, Headphones, Calculators), which are sold by the Commissary and are limited to the purchase of one a year. If, after purchasing any

electronic sales item, you experience a problem(s) with the item, it will be up to the individual inmate to contact the Trust Fund Supervisor to request authorization to purchase the same or like item. Note: No refunds or exchanges will be made on electronic sales items thru the Commissary. It is the inmate's responsibility to contact the manufacturer for warranty repair/replacement. Once an item is shipped out for repair it cannot be returned to FCC Terre Haute. Note: There are quantity limits on certain items sold. Possession of any item in excess of authorized limitations could cause the items to be confiscated.

There will be no eating or drinking in the Commissary and no sitting on the rails. There will be no beating, pounding, knocking, or tapping in the windows to get the attention of either the staff or inmate runners. The intercom system, i.e. sales phone at the windows are to be used only by the inmate whose purchase is being processed at that time. Inmates will wait their turn and there is no cutting in line.

Inmate photo tickets may be purchased in the Commissary during a unit's scheduled shopping day. All other functions of the inmate photo project (supervision, developing, distribution, retakes) will be coordinated thru the Recreation Department.

Open House:

USP and FPC: There is no specific Open House. Items normally considered to be "Open House" items (i.e. Electronics, Over-the-Counter Medications, Special Purchase Orders) will be available for purchase during the designated unit's shopping day. Likewise tennis shoe order requests will be taken each night the Commissary is open. Tennis shoes are typically ordered every three weeks and are usually available for sale within 2-3 weeks from the order date. Tennis shoes will be held for the inmate ordering them for two weeks after they are received. If they are not purchased in that time frame, they will be made available to the general population for purchase.

FCI: Open House will generally be conducted each Tuesday, starting at the beginning of the noon meal (mainline), and ending fifteen (15) minutes after the Dining Room doors are secure. Electronics, Over-the-Counter Medications, and Special Purchase Orders will be available for purchase during this time. Tennis shoes are typically ordered every three weeks and are usually available for sale within 2-3 weeks from the order date. Tennis shoes will be held for the inmate ordering them for two weeks after they are received. If they are not purchased in that time frame, they will be made available to the general population for purchase.

Spending Limitations:

FPC and FCI: The spending limit is \$320.00 per month. Validation/Spending limit reflects how much you are allowed to spend, versus how much you actually have in your account. NOTE; STAMPS, OVER THE COUNTER MEDICATIONS, AND COPY CARDS ARE THE ONLY ITEMS NOT SUBTRACTED FROM YOUR SPENDING LIMIT.

USP: The spending limit is \$85.00 per week, or \$320.00 per month for General Population Units. Segregation and Transition Units have progressive weekly spending limits, depending on which Phase of programming the unit is currently in. Inmates housed

in these units are required to fill out their Commissary Shopping List within their specific phase limitations. Validation/Spending limits reflect how much you are allowed to spend, versus how much you actually have in your account. NOTE: STAMPS, OVER THE COUNTER MEDICATIONS, AND COPY CARDS ARE THE ONLY ITEMS NOT SUBTRACTED FROM YOUR SPENDING LIMIT.

Deposits to Accounts:

Deposits via U.S. Mail: Money in any form received in the mail will not be accepted and will be returned to the sender. All monies must be sent to the National Lockbox at P.O. Box 474701, Des Moines, Iowa 50947-0001, and addressed as follows:

Federal Bureau of Prisons
Inmate Name
Register Number
P.O. Box 474701
Des Moines, IA 50947-0001

Only approved negotiable instruments will be accepted at the National Lockbox. This includes Money Orders, Government Checks, Foreign Negotiable Instruments (in U.S. currency only) and Business Checks. Personal checks are not an approved type of negotiable instrument. All negotiable instruments must have the inmate's committed name (no nicknames), and register number printed on them. The name and address of the sender must appear in the upper left hand corner of envelope to ensure that the funds can be returned if necessary.

Deposits via Western Union: Family members or friends may deposit funds in inmate accounts via Western Union. The Bureau has set up an account through Western Union's "Quick Collect" program. The following are conditions in which one can take advantage of this program:

At an agent location with cash: The depositor can complete a Blue Quick Collect Send Form. To find the nearest agent they may call 1-800-325-6000 or go to www.westernunion.com.

By phone using a credit/debit card: The depositor may call 1-800-634-3422 and press option 2.

Online using a credit/debit card: The depositor may go to www.westernunion.com., select Bill Payment and then select Quick Collect.

For each Western Union Quick Collect transaction, the following information must be provided:

- | | |
|---------------------------|--------------------|
| 1) Inmate Register Number | 3) City code: FBOP |
| 2) Inmate Name | 4) State code: DC |

Please note, the City Code will always be **FBOP** and the State Code will always be **DC**. Western Union charges a fee of \$9.95 for U.S. cash transfers up to \$5,000. Transfers via the telephone or internet have higher fees. Non-U.S. money transfers also have higher fees.

Commissary Fund Withdrawals:

Inmates will use the TRULINCS system to fill out and print the form for the withdrawal of inmate funds from commissary accounts. Unit Managers can approve withdrawals from the Trust Fund account to send funds to dependents and/or other family members, or other purchases. The Associate Warden of Programs can approve inmate withdrawals exceeding \$250.00. Withdrawals for education and leisure time items are approved by the Supervisor of Education.

TRULINCS:

TRULINCS is the Trust Fund Limited Inmate Computer System designed to allow inmates to correspond to authorized contacts via electronic messaging (e-mail), have better control over their telephone contacts, view their history of Trust Fund activities, print documents and mandatory mailing labels, and to move funds from their inmate Trust Fund account to their inmate TRULINCS account. Prior to utilizing TRULINCS, inmate's are required to submit a signed Inmate Agreement for Participation in TRULINCS Electronic Messaging Program form. This form simply outlines the program, the conditions of participation, compliance to the program, informs user of user fees, notifies inmate's of message monitoring, outlines the Warden's authority to suspend program and advises misuse of the program may result in disciplinary action or criminal prosecution. TRULINCS terminals are available for inmate use between the hours of 6:00 a.m. until 9:30 p.m. seven days a week except during count times.. Inmates requiring assistance learning or utilizing TRULINCS may contact Trust Fund staff for a current listing of inmates assigned to the TRULINCS detail. These inmates may assist less experienced inmates navigate thru the system, but are not allowed to physically input information into your individual account. As always, ensure your passwords, PAC# and/or PIN# are safeguarded when utilizing inmates assigned to this work detail.

TRUFONE;

Upon arriving to the institution, the inmate must contact his assigned counselor for instructions for V-PIN, the Bureau of Prisons voice verification system. Once voice verification has been completed, the counselor will contact ITS staff to activate your TRUFONE account. Money is transferred from your Trust Fund account on your account, by you, through the unit telephone. Funds are transferred immediately to your telephone account . Telephone contacts are managed by the inmate via the aforementioned TRULINCS system. TRUFONE telephone accounts are limited to 30 numbers. More than one phone number for an individual is authorized. You may change your contact list as often as necessary via the TRULINCS system. Calls are limited to 15 minutes with 30-minutes between calls. Phone call rates are .06 cents per minute for local calls, .23 cents a minute for domestic long distance, .55 cents for calls to Mexico and .99 cents per minute for international calls. You are limited to 300 minutes per month. Any combination of collect and/or direct calls completed will be put on the 300 minute limitation, no exceptions, plan ahead. Your minutes re-validate at the same time you re-validate for the

Commissary every month.

Prepaid Calling - Called parties for whom collect calls are not available may choose to receive prepaid calls. The called party may contact the carrier, Value Added Communications, at 1-800-913-6097 to set up a prepaid account. Prepaid calls will be billed a connection fee of \$1.50 for domestic and \$2.00 for international, plus the per minute direct dial rate stated above.

Do Not Share your PAC number with anyone else. You will get an Incident Report and can lose your phone privileges. In addition, upon identification by staff that your PAC's been compromised, your PAC will be immediately changed. To receive your new PAC number you will be required to submit a BP-199, Withdrawal of Funds Form in the amount of \$5.00 made out to the Institution Cashier.

SECURITY PROCEDURES

Counts:

One of the first realities of institutional life is the counting of inmates. It is necessary for the staff to count inmates on a regular basis. During a count, inmates are expected to stay quietly in their cells until the count is announced as clear. At FCC Terre Haute, the inmate is expected to be standing at his bedside during the 4:00 P.M. official count. When the count is announced, each inmate must return to his room or bed area, and remain there quietly until it is announced that the count is clear. Official counts will ordinarily be taken daily at about 12:00 Midnight, 3:00 A.M., 5:00 A.M., 4:00 P.M. and 9:30 P.M. There will also be an official count at 9:30 A.M. on weekends and holidays. Other counts may occur during the day and evening as needed.

The staff will take disciplinary action if an inmate is not in his or assigned area during a count. Disciplinary action will also be taken against inmates for leaving an assigned area before the count is cleared. The inmate must actually be seen at all counts, even if the inmate must be awakened.

Lockdown:

Lock down (the locking of all housing units) is announced at 9:15 P.M. At FCC Terre Haute, the units are locked in preparation for the 9:30 P.M. count and remain locked until 6:00 A.M.

If an inmate's cell is equipped with a "Duress Button" they are directed to use it only in the event of a medical emergency or life-threatening situation. Pushing a duress button for non-emergency situations may result in disciplinary action.

Call-Outs:

Call-outs are a scheduling system for appointments (which include medical service,

educational, team meetings and other activities) and which are posted each day on the unit bulletin boards after 4:00 P.M., on the day preceding the appointment. It is the inmate's responsibility to check for appointments on a daily basis; all scheduled appointments are to be kept. Inmates that do not show for scheduled appointments are subject to disciplinary action.

Contraband:

Contraband is defined as any item not authorized by the Warden or issued by the institution, received through approved channels, or purchased through the commissary. All staff are alert to the subject of contraband and make an effort to locate, confiscate, and report contraband in the institution. Each inmate is responsible for all items found in their assigned living area and should immediately report any unauthorized item to either Unit Staff or the Unit Officer. Any item in an inmate's personal possession must be authorized, and a record of the receipt of the item should be kept in the inmate's possession. Inmates may not purchase radios or any other items from another inmate; items purchased in this manner are considered contraband and will be confiscated. An altered item, even if an approved or issued item, is considered contraband. Altering or damaging government property is a violation of institutional rules and the cost of the damage will be levied against the violator.

Shakedowns:

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

Drug Surveillance:

The Bureau operates a drug surveillance program that includes mandatory random testing, as well as testing of certain other categories of inmates. If a staff member orders an inmate to provide a urine sample for this program, and the inmate does not do so, that inmate will be subject to an incident report.

Alcohol Detection:

A program for alcohol surveillance is in effect at all institutions. Random samples of the inmate population are tested on a routine basis, as well as those suspected of alcohol use. A positive test and/or refusal to submit to the test will result in an incident report.

Fire Prevention and Control:

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

PROGRAMS AND SERVICES

Job Assignments:

All inmates are expected to maintain a regular job assignment. Many job assignments are controlled through a Performance Pay System, which provides monetary payment for work. Federal Prison Industries has a separate pay scale. Unit staff approve job changes and see that the changes are posted on the Daily Change Sheet.

Institutional maintenance jobs are usually the first assignment an inmate receives. These might include work in Food Service, as a unit orderly, or in a maintenance shop. A limited number of jobs are available in the warehouse and business office operated by Federal Prison Industries, also known as UNICOR.

UNICOR employs and trains inmates through the operation of, and earnings from, factories producing high-quality products and services for the Federal Government. UNICOR earnings fund other inmate programs, as well as pre-industrial training to prepare inmates for employment.

Food Service:

Inmates are provided nutritious, appealing meals. Self-service meal operations include features such as salad bars and hot bars, heart healthy menu items, and no-flesh options.

Inmates housed in the Special Housing Units receive a balanced, nutritious diet. Inmates in these units receive the same diet as inmates in the general population with the exception of items that are deemed to pose a security risk.

Education Programs:

The hours of the Education Department are as follows:

Sunday.....	CLOSED
Monday Thru Thursday.....	7:30 A. M. to 8:00 P. M.
Friday.....	7:30 A. M. to 3:30 P. M.
Saturday.....	CLOSED

Education opportunities provided Federal prisoners include post-secondary education, a wide range of occupational training programs, and leisure-time activities. By policy, with minor exceptions, all Federal prisoners who do not have a GED or high school diploma must enroll for 240 hours in a basic education program. Inmates may ask to be released from these programs after their hours are complete. All promotions in Federal Prison Industries and institution assignments beyond the entry level grade are contingent on successful completion of a literacy program.

For inmates already possessing a high school diploma, the academic school offers other subject areas of interest to improve existing skills and widen knowledge and understanding. This is accomplished through individualized study.

Inmates interested in acquiring or improving upon basic job skills or vocational training should consult the Education Department to ascertain what programs are currently available. Additionally, as new programs are implemented, notices will be placed on the inmate bulletin boards in the housing unit. Extensive counseling is available at all times by educational staff who assist in determining an inmate's educational needs as well as fulfilling those needs when able.

Reference Library:

Nonfiction materials and reference books are provided in the Reference Library to enable the student who wishes to continue his studies in specific areas. This section of the library is available to any inmate interested in furthering his knowledge in the subject areas for which text materials are available. Also, fiction materials are available as well as an opportunity to borrow books from the downtown library through the interlibrary loan system.

Recreation, Leisure, and Social Programs:

Leisure activities and recreation programs are also supervised by the Education Department. These programs help inmates develop an individual wellness concept for participants. Programs include indoor and outdoor activities, and range from individualized arts and crafts programs to intramural team sports such as softball, basketball, and volleyball. Physical fitness and weight reduction programs are also important activities for inmates and contribute to mental health and stress reduction. In addition, inmates can learn to use their free time constructively. See the bulletin boards for posted hours of operation.

Counseling Activities:

There are many alternatives for inmates who have personal problems and desire to correct them. These options include Alcoholics Anonymous, Self-Image groups and other voluntary groups. In addition, institutions have professional staff as resources who are trained in the various social science fields. Inmate participation in these activities will be encouraged upon the staff's assessment of inmate needs, but participation in such activities is voluntary. The staff of each unit are available for informal counseling.

Central Inmate Monitoring System:

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

be so notified by their Case Manager.

Marriages:

If an inmate wishes to be married while incarcerated, the Warden may authorize the marriage under certain conditions. All expenses of the marriage will be paid by the inmate. Government funds may not be used for marriage expenses. If an inmate requests permission to marry, he must have a letter from the intended spouse which verifies his intention to marry, demonstrate legal eligibility to marry and be mentally competent. The Chaplains and Case Managers are available to discuss with the inmate and fiancée the issue of marriage while incarcerated.

Self-Improvement Programs Education:

The Education Department is responsible for educational testing, academic training, social education, the Admission and Orientation Program, vocational training, hobbycrafts, recreational activities, the library, and the law library.

Testing:

Any inmate who does not have a verified GED or high school diploma must take the ABLE test to determine placement in the literacy program. The student will be enrolled for a minimum of 120 days or until he passes the GED.

Any inmate for whom English is a second language and who does not have a detainer, will be mandatorily tested on the CASAS placement test. If a score of 225 is achieved, the certification test will be given. Passing the certification exam is required for completion of the ESL program. Failure to make the cut-off score on either the placement or certification exam will result in mandatory enrollment in the English as a Second Language Program until proficiency can be demonstrated.

Pre-release Programming:

Inmates will participate in the unit and institutional Release Preparation Program. The Unit Team will assist the inmate to assess his needs and to prepare him for release to the community through counseling and scheduled meetings.

Release planning begins the day the inmate arrives at the institution. The goal of the Release Preparation Program is to help provide all inmates with skills and information to allow a successful re-entry into society. Approximately 30 months prior to an inmate's release date, the inmate will begin attending release preparation classes. During these classes, staff and community resource personnel will provide release information regarding community resources, employment, finances, health issues, parole and mandatory release supervision, parenting, spiritual issues, and veteran's affairs. Federal, state, and community resources will be used to the fullest extent possible. U. S. Probation Officers, BOP Community Corrections Managers and Community Correction

Center staff attend the Release Preparation Program classes when possible.

Hobbycraft:

Hobbycraft programs at FCC Terre Haute include activities such as: painting, leather and art. Completed projects that are authorized by the Recreation Department may be mailed home. Inmates are allowed to have one completed project in their room.

Psychology Services:

The Psychology Services Department is responsible for providing mental health and substance abuse programs to all inmates. The department consists of Psychologists, Drug Abuse Treatment Specialists, and CODE Treatment Specialists. These staff members are available to provide emergency/crisis intervention services as needed and are easily accessible. Any inmate wishing to see a Psychologist, should submit a cop-out to "Psychology Services."

Inmates sentenced after September 30, 1991, who have a history of substance abuse may be required to participate in a thirty hour drug education program. Failure to complete the program, if required to do so, will result in pay grade restrictions and ineligibility for community programs.

All inmates will be screened by Psychology Services staff during the first 14 days of admission. Psychology Services are offered in the areas of drug and alcohol abuse, as well as for other behavioral or emotional problems. Inmates confined in special housing units will be seen by a psychologist at least once per month. Psychology staff work closely with the consulting psychiatrist regarding the treatment of mentally ill or other special needs offenders.

Suicide Prevention:

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

Religious Programs:

A wide range of religious programs are available to inmates. Chaplains are available for pastoral care, as well as contract and volunteer representatives of various faiths. The Religious Diet Program is provided for inmates whose religious faith tenants require specific dietary needs. The Chaplains perform the interviews. The Food Service Administrator manages the Religious Diet menu. You may request in writing if you need to be interviewed. Holy day observances and other worship activities are coordinated through the Chaplain's Office. Information about these programs is available from the Chaplains.

All regularly scheduled activities are posted on various bulletin boards throughout the institution. Notice of special activities will be posted on the bulletin boards and will be announced in the regular meetings of the faith group(s) involved.

If you are in need of a personal religious item that is approved in policy, one of the Chaplains will explain the specific restrictions and procedures to you. Telephone calls made through the Chapel are on EMERGENCY basis only and will be conducted on the ITS telephone in the Chapel. Normally, these telephone calls are made only to hospitals or funeral homes. Remember, you should not use up all your monthly telephone minutes early in the month, save some in case you have a family emergency. You need to plan for this!

Any other requests for special religious accommodations, days of work proscription, or other arrangements for the practice of your faith must be made at least 30 days in advance in writing. Bureau of Prisons policy states that there are to be no inmate led religious activities without direct staff supervision. If direct staff supervision cannot take place, the activity will be canceled.

It is important that your religious preference in the data system be accurate. Your religious preference will be reviewed when you make requests for religious items, holy day observances, ceremonial meals, facts, and other special considerations.

The Life Connections Program (LCP) is a Bureau of Prisons wide program. It is an intensive program that is designed for inmates who are sincerely interested in seeking their faith in a dedicated way. Currently, the program is designated at specific institutions. If you are considering applying for possible entry into LCP, please request in writing to the Chaplain's Office to be included in the next orientation. Once the application is processed and complete, it will be forwarded to the LCP coordinator in the BOP Central Office for consideration. The LCP coordinator makes the final determination for inmate participation.

If you have any other questions regarding your religious practice or the programs offered through the Chapel, please see one of the Chaplains.

Inmate Financial Responsibility Program:

Working closely with the Administrative Office of the Courts and the Department of Justice, the Bureau administers a systematic payment program for court-imposed fines, fees, and costs. All designated inmates are required to develop a financial plan to meet their financial obligations. These obligations may include: special assessments imposed under 18 USC 3013, court ordered restitution, fines and court costs, judgments in favor of

the U.S., other debts owed the Federal Government, and other court-ordered obligations (e.g., child support, alimony, other judgments).

Institution staff assist in planning, but the inmate is responsible for making all payments required, either from earnings within the institution, or from outside resources. The inmate must provide documentation of compliance and payment. If an inmate refuses to meet his or her obligations, the inmate cannot work in UNICOR nor receive performance pay above the maintenance pay level.

Time frame for placement in a Residential Reentry Center may be limited or disallowed entirely by non-compliance with the Financial Responsibility Program.

The status of any financial plan will be included in all Progress Reports, and will be considered by staff when determining security/custody level, job assignments, eligibility, and institutional program changes. The U.S. Parole Commission will also review financial responsibility progress at parole hearings.

Blue/Gold Program

The High Intensive Inmate Programming Component, or Blue/Gold Program, is an organized correctional management program intended to reduce the propensity of violence in high security institutions. It is a nine-month program, with three months in each of the three phases. While in the Blue/Gold Program, various programs will be offered throughout the work week from 7:30 a.m. to 4:00 p.m. Inmates who have adjusted well to incarceration, do not engage in disruptive behaviors and are self-motivated to participate in pro-social activities will be housed on the Blue side, in general population and program as normal.

The Gold side of the institution will house inmates who fail to: follow the rules and regulations, participate in recommended programming and pose a security threat to inmates, staff and the institution. The Gold side consists of various levels of structure and programming. The highest level of structure and programming will occur for inmates in Phase I. As inmates transition from Phase I to Phase II and Phase III, the level of intensity will reduce and inmates will earn more privileges, with expected return to a general population unit.

Placement of inmates in the Blue/Gold Program will be determined by the Management Review Committee (MRC) who will review each inmate on a case by case basis. The MRC will monitor and evaluate each inmate in the program at 90 day intervals to determine if the inmate can transition to the next phase. Placement criteria into the program is: any incident report may be considered; a finding of guilt for any 100, 200 or 300 level incident report; a UDC or DHO sanction; 309 and 323 designated inmates; extensive criminal background; involvement in any disruptive group behavior; and eligible SHU inmates. Placement is at the discretion of the MRC. All newly arrived inmates will automatically go to the unit which houses Phase III inmates. Inmates may appeal placement in this program through the Administrative Remedy Process.

Refusal to participate in the program will result in an incident report for Refusing to

Accept a Program or Assignment. If an inmate fails to make satisfactory progress or displays negative behavior in any phase, the MRC may opt to return the inmate to Phase I or continue the inmate's placement in that current phase. Upon successful completion of all three phases, the MRC will consider placement into general population on the Blue side.

Inmates in the program will be identified by wearing a laminated, colored wristband. Those inmates who remove the wristband will receive an incident report for Refusing to Obey a Direct Order. Inmates in Phases I and II are restricted to the unit and lock down at 4:00 p.m. daily. Inmates in Phase III are permitted to participate in education programs and religious services with general population inmates, will eat in the dining hall during the noon meal (Monday - Friday), and will lock down daily at 7:00 p.m.

MEDICAL SERVICES

The FCC Health Service Department is located in the Green Corridor across from the Lt.'s Office at the USP. At the FCI and Camp the Health Services unit is located off the main corridor with main doors identified with signs. The unit includes a Medical Department, Dental Department, an X-ray unit and laboratory testing capabilities.

A. DUTY HOURS/SICK CALL:

1. A Physician Assistant or Registered Nurse is on duty from 6:00 a.m.-12:00 a.m. everyday. There is a Physician and a Physician Assistant on call 24 hours a day, everyday, on an emergency call-back basis only.

2. Medical and Dental sick-call sign up is from 6:30 a.m. - 7:00 a.m. Sick-call sign up is done through the triage system. Inmates are responsible for completing a sick-call triage form **prior** to being medically evaluated. The physician assistant or registered nurse will conduct a quick triage of the patient, review the inmates sick form, and assign a date and time for a scheduled appointment. All medical appointments will range, under normal circumstances, from that day to two weeks. It is the responsibility of the inmate to watch the call out for his scheduled appointment.

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

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

After normal hours, inmates need to contact their Unit Officer in an emergency. **No triage forms are needed for emergencies.** The Unit Officer will call the Lt's

Office and a Physician Assistant or Registered Nurse will be contacted.

4. **Segregation** sick-call starts at approximately 6:00 a.m. each day of the week. At least once a day a health care provider shall visit any inmate confined in a lock-down unit (Special Confinement Unit(SCU) or the Special Housing Unit (SHU). The health care provider shall attempt to establish verbal contact with each inmate.

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

A. Inmate Request Form "Cop-Out": The inmate request form is the vehicle used by an inmate to initiate dental treatment other than acute care. After reviewing the inmate's dental records, or by examination of the inmate, the inmate is placed on the appropriate list to begin treatment. Inmates are scheduled from cop-outs or from one of the priority waiting lists. Once an inmate is scheduled he is continually rescheduled if further treatment is indicated; and until treatment is completed. However, each priority list is treated separately. Only the Dental Officers schedule patients for call-out. Cop-outs for Dental should be addressed to Dental.

B. Dental Emergencies: Emergency dental care is available on a 24 hour basis. However, most dental emergencies can be handled through dental sick-call. Follow the same procedures as with Emergency Medical Care to see a Dentist after normal duty hours.

B. MEDICATION LINE/PILL LINE: (Times approximate depending on release of inmates)

1. FCC
6:00 a.m. - 6:15 a.m. (Diabetic/Insulin Line)
6:15 a.m. - 7:00 a.m. (Morning Pill Line)
11:00-11:15 a.m. -(Diabetic/Insulin Line)
8:30 p.m. - 9:00 p.m. (PM Pill Line)
Times may vary on weekends and holidays and are subject to change in emergencies.

2. OTC: Over-the-counter items may be purchased at the Commissary.

C. PHYSICIAN CALL-OUTS:

1. A call-out will be posted for those inmates referred to a physician. Inmates will be held responsible for reviewing the call-out sheets daily and being on time for their appointment. If you miss your scheduled appointment or are late an incident report will be written.

2. Inmates who specifically request to see a physician shall be permitted to do so.

The physician shall schedule the patient for an appointment, as soon as practical in his/her professional judgement.

D. MEDICAL CONSULTANTS:

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

E. ANNUAL and BIENNIAL PHYSICAL EXAMINATIONS:

1. Inmates under 50 years old are eligible for a physical exam every 2 years. Inmates must submit a cop-out to be scheduled by call-out.

2. Inmates 50 years old and older are eligible for an annual physical examination. Inmates must submit a cop-out to be scheduled by call-out. EKG, and rectal exam are offered.

3. Inmates may submit a cop-out to receive a physical exam if they are being released and have not had an exam within 1 year of their release date. Physician Assistants should perform this exam within 2 months prior to the release date.

F. HEALTH PROMOTIONS and DISEASE PREVENTION PROGRAM:

1. Available Programs: The following programs are available:

- a. Drug Education (Pharmacy)
- b. Wellness Program (Recreation)
- c. Chronic Disease Education (Chronic Care Clinics)
- d. Smoking Cessation Classes (Psychology)

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

G. LIVING WILLS and ADVANCE DIRECTIVES:

1. In some circumstances the inmate may decide, when competent to make health care decisions, whether some or all medical treatment modalities which serve only to prolong selected physiological functions should be terminated or not initiated when recovery or cure has ceased to be a possibility.

2. An inmate may make a declaration (living will or advance directive) determining which life sustaining procedures are objectionable to him or her. Living Wills will not be used at FCC Terre Haute to withhold resuscitative services.

3. Inmates seeking to implement a Living Will and/or Advance Directive shall send a request "cop out" to the Health Services Administrator.

NOTICE TO INMATES

INMATE COPAYMENT PROGRAM

Pursuant to the Federal Prisoner Health Care Copayment Act (FHCCA) of 2000 (P.L. 106-294, 18 U.S.C. § 4048), The Federal Bureau of Prisons and FCC Terre Haute provide notice of the Inmate Copayment Program for health care, effective October 3, 2005.

A. Application: The Inmate Copayment Program applies to anyone in an institution under the Bureau's jurisdiction and anyone who has been charged with or convicted of an offense against the United States, except inmates in inpatient status at a Medical Referral Center (MRC). All inmates in outpatient status at the MRCs and inmates assigned to the General Population at these facilities are subject to copay fees.

B. Health Care Visits with a Fee:

1. You must pay a fee of \$2.00 for health care services, charged to your Inmate Commissary Account, per health care visit, if you receive health care services in connection with a health care visit that you requested, except for services described in section C., below.

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

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

C. Health Care Visits with no Fee:

We will not charge a fee for:

1. Health care services based on health care staff referrals;
2. Health Care staff-approved follow-up treatment for a chronic condition;
3. Preventive health care services;
4. Emergency services;
5. Prenatal care;
6. Diagnosis or treatment of chronic infectious diseases;
7. Mental health care; or
8. Substance abuse treatment.

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

- Blood pressure monitoring;
- Glucose monitoring;
- Insulin injections;
- Chronic care clinics;
- TB testing;
- Vaccinations;
- Wound Care; or
- Patient education.

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

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

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

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

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

RIGHTS

1. You have the right to health care services, based on the local procedures at your institution. Health services include medical sick call, dental sick call and all support services. Sick call at this institution is conducted:

MON, TUE, THUR, & FRI - OPEN POPULATION

7 DAYS A WEEK FOR SPECIAL HOUSING UNITS

PHYSICAL EXAMS DONE ON WEDNESDAYS

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 inpatient, to a hospital in the local community, or the Bureau of Prisons.**

3. You have the right to participate in health promotion and disease prevention programs including education regarding infectious diseases.

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

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

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

7. You have the right to be examined in privacy.

8. You have the right to obtain copies of certain releasable portions of your health record.

9. You have the right to address any concern regarding your health care to any member of the institution staff including

RESPONSIBILITIES

1. You have the responsibility to comply with the health care policies of the of your institution. You have the responsibility to follow recommended treatment plans that have been established for you by institution health care staff, to include proper use of medications, proper diet, and following all health related instructions with which you are provided.

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

3. You have the responsibility to maintain your health and not to endanger yourself, or others, by participating in activity that could result in the spreading or contracting of an infectious disease.

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

5. You have the responsibility to treat staff in the same manner.

6. You have the responsibility to keep this information confidential.

7. You have the responsibility to comply with security procedures.

8. You have the responsibility of being familiar with the current policy to obtain these records.

your physician, the Health Services Administrator, members of your Unit Team and the Warden.

10. You have the right to receive prescribed medications and treatments in a timely manner, consistent with the recommendations of the pre-scribing health care provider.

11. You have the right to be provided healthy and nutritious food. You have the right to be instructed regarding a healthy choice when selecting your food.

12. You have the right to request a routine physical examination, as described by BOP policy. If you are under the age of 50, once every two years; over the age of 50, once a year.

13. You have the right to dental care as defined in BOP policy to include preventive services, emergency care and routine care.

14. You have the right to a safe, clean and healthy environment, including smoke free living areas.

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.

9. You have the responsibility to address your concerns in the accepted format, such as the Inmate Request to Staff Member form, open houses or the accepted Inmate Grievance Procedures.

10. You have the responsibility to comply with the prescribed treatments and follow prescription orders. You also have the responsibility not to provide any other person your medication or other prescribed item.

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

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

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

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 responsibility to be counseled regarding the possible ill effects that may occur as result of your refusal. You also accept the responsibility to sign the treatment refusal form.

CONTACT WITH THE COMMUNITY AND PUBLIC

Correspondence:

In most cases, inmates are permitted to correspond with the public, family members and others without prior approval or the maintenance of a correspondence list. Outgoing mail (other than legal or certified mail) is placed in the outgoing mail box in each unit. Outgoing mail cannot be sealed. The outgoing envelope must have the inmate's name, registration number, unit, and return address in the upper left hand corner. Inmates must assume responsibility for the contents of all their letters. Correspondence containing threats, extortion, etc., may result in prosecution for violation of Federal laws.

Inmates may be placed on restricted correspondence status based on misconduct or as a matter of classification. The inmate is notified of this placement and has the opportunity to respond.

There is no mail service on weekends and holidays.

Incoming Correspondence:

First class mail is distributed Monday through Friday (except holidays) and ordinarily by the evening watch officer in each housing unit. Newspapers and magazines will also be delivered at this time. Legal and special mail will be delivered by the inmate's unit staff as soon as possible after it is received. The number of incoming letters an inmate may receive will not be limited unless the number received places an unreasonable burden on the institution. No package over 1 1/2" thick, will be accepted, unless prior approval has been given, or authorized by other Bureau Policy, i.e., legal material, paperback books, etc.

Inmates are asked to advise those writing to them to put the inmate's registration number and unit on the envelope to aid the prompt delivery of mail. Your correspondents are not to enclose stamps or cash in incoming letters to you. It is a prohibited act for inmates to give or accept money from another inmate's family. All inmate packages received at the institution must have prior authorization.

Incoming Publications:

The Bureau permits inmates to subscribe to and receive publications without prior approval. The term "publication" means a book, single issue of a magazine or newspaper, or materials addressed to a specific inmate, such as advertising brochures, flyers, and catalogs. Inmates at this facility may only receive books (hard or soft cover) only from a publisher, book store or a book club. Accumulation of publications will be limited to five magazines (not to be more than three months old) and to the amount that can be neatly stored in the locker provided in each room, because of sanitation, and fire safety reasons.

The Warden will reject a publication if it is determined to be detrimental to the security, good order or discipline of the institution, or if it might facilitate criminal activity. Publications which may be rejected by the Warden include, but are not limited to, publications which meet one of the following criteria:

It depicts or describes procedures for the construction or use of weapons, ammunition, bombs, or incendiary devices.

It depicts, encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings, or similar descriptions of Bureau of Prisons' institutions.

It depicts or describes procedures for the brewing of alcoholic beverages or the manufacture of drugs.

It is written in code.

It depicts, describes, or encourages activities which may lead to the use of physical violence or group disruption.

It encourages or instructs in the commission of criminal activity.

It is sexually explicit material that by its nature or content poses a threat to the security, good order, or discipline of the institution.

Special Mail:

"Special Mail" is a category of correspondence which may be sent out of the institution unopened and unread by staff, which includes correspondence to: President and Vice-President of the United States, U.S. Department of Justice (including Bureau of Prisons), U.S. Attorneys' Offices, Surgeon General, U.S. Public Health Service, Secretary of the Army, Navy, or Air Force, U.S. Courts, U.S. Probation Officers, Members of the U.S. Congress, Embassies and Consulates, Governors, State Attorneys General, Prosecuting Attorneys, Directors of State Departments of Corrections, State Parole Commissioners, State Legislators, State Courts, State Probation Officers, other Federal and State law enforcement officers, attorneys and representatives of the news media.

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

A designated staff member opens incoming special mail in the presence of the inmate. This is usually done by the Counselor or Case Manager. These items will be checked for physical contraband and for qualification as special mail; the correspondence will not be read or copied if the sender has accurately identified himself/herself on the envelope and the front of the envelope clearly indicates that the correspondence is special mail only to be opened in the presence of the inmate. Without adequate identification as special mail, the staff may treat the mail as general correspondence. In this case, the mail may be opened, read, and inspected.

Inmate Correspondence with Representatives of the News Media:

An inmate may write through Special Mail procedures to representatives of the news media if specified by name or title. The inmate may not receive compensation of anything of value

for correspondence with the news media. The inmate may not act as a reporter, publish under a byline, or conduct a business or profession while in Bureau custody. Representatives of the news media may initiate correspondence with an inmate. Correspondence from a representative of the news media will be opened, inspected for contraband, for qualifications as media correspondence, and for content which is likely to promote either illegal activity or conduct contrary to regulations. Additional information can also be obtained by contacting a member of your Unit Team or by reviewing Institution Supplement 1480.05, News Media Contacts.

Correspondence Between Confined Inmates:

An inmate may be permitted to correspond with an inmate confined in another penal or correctional institution. This is permitted if the other inmate is either a member of the immediate family, or is party in a legal action (or witness) in which both parties are currently involved. This means that co-defendants on cases for which they are currently incarcerated do **not** automatically qualify as able to correspond with one another. They must be involved in **current** litigation. Such correspondence may always be inspected and read by staff at the sending and receiving institutions (it may not be sealed by the inmate). Lastly, the Unit Managers at both facilities must approve the correspondence if both are federal inmates and Superintendent/Warden at both institutions must approve the correspondence if one individual is anything other than a federal inmate.

Rejection of Correspondence:

The Warden may reject correspondence sent by or to an inmate if it is determined to be detrimental to the security, good order, or discipline of the institution, to the protection of the public, or if it might facilitate criminal activity. Examples include, but are not limited to the following:

Matter which is non-mailable under law or postal regulations.

Information of escape plots, of plans to commit illegal activities, or to violate institution rules.

Direction of an inmate's business (prohibited act 408). An inmate may not direct a business while confined.

This does not, however, prohibit correspondence necessary to enable an inmate to protect property or funds that were legitimately his at the time of his commitment. Thus, for example, an inmate may correspond about refinancing a mortgage for his home or sign insurance papers; however, the inmate may not operate (for example) a mortgage or insurance business while confined in the institution.

Notification of Rejection:

The Warden will give written notice to the sender concerning the rejection of mail and the reasons for rejection. The sender of the rejected correspondence may appeal the rejection.

The inmate will also be notified of the rejection of correspondence and the reasons for it. The inmate also has the right to appeal the rejection. Rejected correspondence ordinarily will be returned to the sender.

Mailing of Inmate Property:

Inmates wishing to have personal items mailed into the institution will send an inmate request to the staff member responsible for the requested item as follows:

Counselor - Release Clothing and prescription eyeglasses

Health Services Administrator - orthopedic shoes, arch supports, prescription eyeglasses, prosthetic devices, and hearing aids.

Chaplain - wedding bands (married inmates may be permitted to have their wedding bands as long as it is a plain band containing no stones).

The staff member will inform the inmate of the decision. If the request is approved, he/she will complete the appropriate authorization form. The Mail Room Officer will not approve any item or package for delivery unless this approval form is on file.

Change of Address/Forwarding of Mail:

Receiving and Discharge (a part of the Correctional Systems Department) will provide inmates with change of address cards required by the U.S. Post Office. These cards are given to inmates who are being released or transferred, to notify correspondents of a change in address. A Bureau change of address form will also be completed by the inmate upon his departure, and forwarded to the institution mail room. This form will be maintained for a period of 30 days for purposes of forwarding all general mail (special mail will still be forwarded after 30 days). Any general mail received after 30 days will be returned to sender.

Certified/Registered Mail:

Inmates desiring to use certified, registered, or insured mail may do so by contacting his Unit Counselor. An inmate may not be provided services such as express mail, private carrier services, COD, or stamp collecting while confined.

Telephones:

Telephones are located in each general housing unit. These phones are available for use from 6:00 A. M. until lock down each day. No third party or credit card calls can be made on these lines.

Telephones are to be used for lawful purposes only. Threats, extortion, etc. may result in prosecution. All inmate telephones are subject to monitoring and all unit telephone calls are recorded. Telephones will not be used to conduct a business. Inmates are not allowed to make "700, 800, or 900" calls. Inmates must contact their Case Manager or Counselor to arrange an unmonitored attorney call.

FCC Terre Haute has the Inmate Telephone System (I.T.S.). This system uses a Personal Access Code (PAC) and has up to thirty approved numbers an inmate may call. Changes to an inmate's phone list may be made any day up to two times a month by submitting a request through the Unit Counselor. Additional changes will be made when the Unit Team determines that there is a demonstrated need for prompt communication.

In order for an inmate to use the system, he will have to transfer funds from his Commissary Trust Fund to his Individual Telephone Account. This can be done after 4:00 P.M. Monday through Friday and all day on weekends. An inmate may transfer funds two times each day.

Once the I.T.S. office receives and processes the form submitted by the inmate through the Unit Counselor, the inmate will be given his SECRET PAC (a nine-digit) number. This will allow him to place a call by first entering the telephone number followed by his nine-digit PAC number. All calls are terminated after 15 minutes by the system. Inmates may not exceed 300 minutes of I.T.S. time in a month.

Visiting:

Inmates are encouraged to have visits in order to maintain family and community ties. Visiting hours are 8:00 A.M. to 3:00 P.M. on Friday, Saturday and Sunday. Visitors will not be admitted after 2:00 P.M. Monday, Tuesday, Wednesday, and Thursday are not visiting days unless a legal holiday falls on either of those days. These hours are provided to inmates so they may advise their prospective visitors. An inmate is limited to five visitors during each visit.

There is no bus service between downtown Terre Haute and the institution. Taxi service is available from the bus station, as well as from Hulman Regional Airport. The institution is located about four miles south of Terre Haute, on the west side of Highway #63. Persons driving to the institution shall use the main entrance and follow the signs. The telephone number to the institution is 812-244-4400.

New inmates are asked to submit a visiting list which will be given to their Counselor for approval. Members of the immediate family (wife, children, parents, brothers, sisters) will ordinarily be placed on the approved visiting list automatically if requested by the inmate and listed in his Pre-Sentence Investigation (PSI). A common-law wife will be placed on the inmate's visiting list as quickly as all appropriate verifications can be completed. Other relatives and friends may be approved after certain checks are made. Requests for approval for these additional visitors should be made to your unit staff at least three weeks in advance of the intended visit. Special visits due to family emergencies must be requested through the unit team.

All visits will begin and end in the visiting room. Kissing (no open mouth kissing at any time), embracing, and handshaking are allowed only on arrival and departure. Inmates must be properly dressed in the duty uniform in order to be admitted to the Visiting Room.

The types of articles that can be taken into the visiting room include: one comb, wedding band, prescription eyeglasses, handkerchief, and a religious medal.

Visitors must be properly dressed. Shorts, halter tops, and other clothing of a suggestive or

revealing nature will not be permitted in the visiting room. Footwear must be worn by all visitors. Open toe shoes are not allowed for safety reasons.

Visitors must maintain control of their children at all times while in the institution. Visitors whose children disrupt or interfere with another inmates visit may be asked to leave the institution.

Once a visitor has entered into the visiting room and begins a visit with an inmate, the visitor may not leave the visiting room for any reason (e.g. may not return to the parking lot, may not smoke on the front entrance area, etc.). If the visitor does leave the visiting room prior to actually completing the visit, the visit will be terminated.

Failure to follow the rules and regulations of the visiting room may result in the immediate termination of the visit.

Identification of Visitors:

Identification is required for visitors. Two pieces of identification will be required, one of which must be a photo identification. Birth Certificates are **not** considered proper identification. Persons without proper identification will not be permitted to visit.

Visitors are permitted to bring money into the visiting room to purchase items from the vending machines. Also, a reasonable amount of diapers and other infant care items and sanitary napkins may be brought into the visiting room. No food may be brought into the visiting room, but vending equipment is located in the visiting rooms. Other personal articles belonging to visitors must be left in their cars.

No items may be exchanged in the visiting room without prior approval by the appropriate staff member.

Electronic Drug Testing/Searching Visitors:

All visitors are tested by an electronic drug testing devise. Anyone testing positive for illegal substances will be denied entry into the facility. Visitors may also be asked to submit to a search. Visitors' purses, attorneys' briefcases, etc., may be searched.

Introduction of Contraband:

Be advised, that FCC Terre Haute has established a zero tolerance policy regarding the introduction or attempted introduction of drugs/narcotics and contraband into this facility. Any visitor or inmate determined to be involved in a criminal conspiracy to introduce drugs/narcotics or contraband into a federal facility will be referred to, the Federal Bureau of Investigation for prosecution by the United States Attorney's Office. Be reminded of the following:

It is a federal crime to bring upon the institution grounds any firearm, destructive device, ammunition, other object designed to be used as a weapon, narcotic drug, controlled substance, alcoholic beverage, currency, or any other object without the knowledge and consent of the Warden. Title

18 U.S.C. § 1791 & 3571 provide a penalty of imprisonment for not more than twenty years, a fine of not more than \$250,000, or both, to a person who provides, or attempts to provide, to an inmate any prohibited object. All persons entering upon these premises are subject to routine searches of their person, property (including vehicles), and packages. The Warden, upon a reasonable sFCCicion that a person may be introducing contraband or demonstrating actions that might otherwise endanger institution safety, security, or good order, may request the person, as a prerequisite to entry, to submit to a visual search, pat search, urine surveillance test, breathalyser test, or other comparable test. A visitor has the option to refuse any of the search or test or entrance procedures, with the result that the visitor will not be permitted entry to the institution.

The goal is to ensure the safety of all visitors, staff and inmates within this institution. This is to again advise everyone of FCC Terre Haute's zero tolerance policy regarding the attempted introduction of drugs/narcotics and contraband into the institution.

ACCESS TO LEGAL SERVICES

Legal Correspondence:

Legal correspondence from attorneys will be treated as special mail if it is properly marked. The envelope must be marked with the attorney's name and an indication that he/she is an attorney and the front of the envelope must be marked "Special mail - open only in the presence of the inmate." It is the responsibility of the inmate to advise his attorney about this policy. If legal mail is not properly marked, it will be opened as general correspondence.

Attorney Visits:

Attorneys should make advance appointments for each visit. Your attorney should contact your Unit Manager to make the appointment. Attorney visits will be subject to visual monitoring, but not audio monitoring.

Legal Material:

Preparation of legal documents in housing quarters during off duty hours is authorized. Inmates may do legal research and preparation during leisure time. You will be allowed, upon approval of the Associate Warden, Programs, special time allowance for your legal work if you can demonstrate a requirement for an imminent court deadline. The AW(P) will require proof of a deadline before granting you permission to use the legal reference room when you have detail responsibilities, etc.

Inmates may retain, in their quarters, a reasonable amount of legal papers, court documents, unbound citations and writs. During attorney visits, a reasonable amount of legal materials

may be allowed in the visiting area with prior approval. No material may be exchanged during the visit. If you are unable to prepare your own legal document, and do not have an attorney, you may consult with your Case Manager about requesting assistance from law students at the Indiana University School of Law.

Attorney Phone Calls:

In order to make an unmonitored phone with an attorney, you must submit a written request to your Unit Manager for approval. Phone calls placed through the regular inmate phones are subject to monitoring.

Law Library:

The Inmate Law Libraries are located in the Education Department Library and in the Special Housing Unit. The Law Library in the general housing units is open at various times depending on the availability of educational staff. You should consult the bulletin boards for the schedule. They contain a variety of legal reference materials for use in preparing legal papers. Reference materials include the United States Code Annotated, Federal Reporter, Supreme Court Reporter, Bureau of Prisons Program Statements, Institution Supplements, Indexes, and other legal materials. The law library is open during convenient non-working hours, including weekends and holidays.

Inmates in the Special Housing Unit should submit a request to the officers in that housing unit to use the law library. Any materials not available in special housing may be requested through the Education Department.

Notary Public:

Under the provisions of 18 USC 4004, Case Managers are authorized to witness inmate signatures for court purposes. A recent change in the law allows that a statement to the effect that papers which an inmate signs are "true and correct under penalty of perjury" will suffice in Federal courts and other Federal agencies, unless specifically directed to do otherwise. Some states will not accept a government notarization for real estate transactions, automobile sales, etc. In these cases, it will be necessary to contact your Case Manager for arrangements with the institution's notary public.

Copies of Legal Materials:

In accordance with institution procedures, inmates may copy materials necessary for their research or legal matters. A debit card copy machine is available in the Library for inmate use. Individuals who have no funds and who can demonstrate a clear need for particular copies, may submit a written request for a reasonable amount of free duplication.

Federal Tort Claims:

If an inmate wishes to seek compensation for loss or damage to property, they may do so

by filing a BP-A093(Small Claims for Property Damage or Loss) form pursuant to 31 USC Sec. 3723.

Inmates seeking compensation for personal injury may do so by filing a Standard Form 95.

These forms may be obtained from the inmate's Unit Team. The forms should be mailed by the inmate to the Regional Office in the region in which the claim occurred.

Freedom of Information/Privacy Act of 1974:

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

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 file or medical file, by submitting a "Freedom of Information Act Request" to the Director of the Bureau of Prisons, Attention: FOI Request. Such a request must briefly describe the nature of records wanted and approximate dates covered by the record. The inmate must also provide his or her registration number and date of birth for identification purposes.

A request on behalf of an inmate by an attorney, for records concerning that inmate, will be treated as a "Freedom of Information/Privacy Act Request" if the attorney has forwarded an inmate's written consent to disclose materials. This request should be directed to the Bureau of Prison's Central Office, Attention: FOIA/PA Officer, 320 First Street, N. W., Washington, D. C. 20534. If a document is deemed to contain information exempt from disclosure, any reasonable part of the record will be provided to the attorney after the deletion of the exempt portions.

Inmate Access to Central Files:

An inmate may request review of disclosable portions of his central file (plus pre-sentence report and/or summary). Institution staff will permit the review of the central file under procedures established locally. Submit a written request to your Case Manager to review your file.

Executive Clemency:

The Bureau advises all inmates that the President of the United States is authorized under the Constitution to grant executive clemency by pardon, commutation of sentence, or reprieve. A pardon is an executive act of grace that is a symbol of forgiveness. It does not connote innocence nor does it expunge the record of conviction. A pardon can be in "full" or "partial" depending on whether it absolves a person from all or a portion of

the crime. A pardon may have conditions imposed upon it or it can be "absolute", which is without conditions of any kind. A pardon restores basic civil rights and facilitates the restoration of professional and other licenses that may have been lost by reason of the conviction. Other forms of executive clemency include commutation of sentence (a reduction of sentence imposed after a conviction), and a reprieve (the suspension of execution of a sentence for a period of time). Inmates should contact their assigned Case Manager for additional information regarding this program.

Commutation of Sentence:

The Bureau advises inmates on commutation of sentences. This is the form of executive clemency power used to provide post-conviction relief to inmates during their incarceration. This clemency power is authorized by the Constitution for the Chief Executive Officer, who is the President of the United States for Federal offenses. Commutation of sentence is usually the last chance to correct an injustice which has occurred in the criminal justice process. Inmates applying for commutation of sentence must do so on forms that are available from the assigned Unit Team. The rules governing these petitions are available in the law library.

A pardon may not be applied for until the expiration of at least five years from the date of release from confinement. In cases involving crimes of a serious nature, such as violation of Narcotics Laws, Gun Control Laws, Income Tax Laws, Perjury, and violation of public trust involving personal dishonesty, fraud involving substantial sums of money, violations involving organized crime, or crimes of a serious nature, a waiting period of seven years is usually required.

PROBLEM RESOLUTION

Inmate Requests to Staff Member:

The Bureau form BP-Admin-70, Inmate Request to Staff Member, 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" may be obtained from the Counselor or Unit Officer. Staff members who receive a "cop-out" will answer the request in a reasonable period of time. The answer will be written on the bottom of the request form.

Administrative Remedy Process:

The Bureau emphasizes and encourages the resolution of complaints on an informal basis. Hopefully, an inmate can resolve a problem informally by contact with staff members or "cop-outs". When informal resolution is not successful, however, a formal complaint can be filed as an Administrative Remedy. Complaints regarding Tort Claims, Inmate Accident Compensation, Freedom of Information or Privacy Act Requests, and complaints on behalf of other inmates are not accepted under the Administrative Remedy Procedure.

The first step of the Administrative Remedy procedure is to attempt an informal resolution. If the issue cannot be informally resolved, the Counselor will issue a BP-9 form (usually within 72 hours of the time the inmate approached the employee with the

problem, the Unit Manager may approve an extension to 5 days). The inmate will return the completed BP-9 to the staff member designated by the Warden, who will review the material to ensure an attempt at informal resolution was made. The BP-229 complaint must be filed within twenty calendar days from the date on which the basis for the incident or complaint occurred, unless it was not feasible to file within that period of time.

Institution staff have twenty calendar days to act on the complaint and to provide a written response to the inmate. This time limit for the response may be extended for an additional twenty calendar days, but the inmate must be notified of the extension.

When a complaint is determined to be of an emergency nature and threatens the inmate's immediate health or welfare, the reply must be made as soon as possible, and within forty-eight hours from receipt of the complaint.

If the inmate is not satisfied with the response to the BP-9, he may file an appeal to the Regional Director. This appeal must be received in the Regional Office within twenty calendar days from the date of the BP-9 response. The Regional Appeal is written on a BP-230 (BP-10) form, and must have a copy of the BP-9 form and response attached. The Regional Appeal must be answered within thirty calendar days, but the time limit may be extended an additional thirty days. The inmate must be notified of the extension.

If the inmate is not satisfied with the response by the Regional Director, he may appeal to the Central Office of the Bureau of Prisons. The National Appeal must be made on a BP-231 (BP-11) form and must have copies of the BP-9 and BP-10 forms with responses.

The BP-11 form may be obtained from the Counselor. The National Appeal must be answered within forty calendar days, but the time limit may be extended an additional twenty days if the inmate is notified. In writing a BP-9, BP-10, or BP-11, the form should contain a statement of facts, grounds for relief, and the relief requested.

Time Limits (in calendar days)

Filing:

BP-9: 20 days of incident
BP-10: 20 days from BP-229 response
BP-11: 30 days from BP-230 response

Response:

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

Extensions:

BP-9: 20 days
BP-10: 30 days
BP-11: 20 days

Sensitive Complaints:

If an inmate believes a complaint is of such a sensitive nature that he would be adversely affected if the complaint became known to 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. If the Regional Director agrees that the complaint

is sensitive, it shall be accepted and a response to the complaint will be processed. If the Regional Director does not agree that the complaint is sensitive, the inmate will be advised in writing of that determination. The inmate may then pursue that matter by filing a BP-9 at the institution.

Special Housing Unit Status:

There are two categories of special housing. These are Administrative Detention and Disciplinary Segregation.

Administrative Detention separates an inmate from the general population. To the extent practical, inmates in Administrative Detention shall be provided with the same general privileges as inmates in general population. An inmate may be placed in Administrative Detention when the inmate is in holdover status, during transfer, is a new commitment pending classification, is pending investigation or a hearing for a violation of Bureau regulations, is pending investigation or trial for a criminal act, is pending transfer, or for protection.

Disciplinary Segregation is used as a sanction for violations of Bureau rules and regulations. Inmates in Disciplinary Segregation will be denied certain privileges. Personal property will usually be impounded. Inmates placed in Disciplinary Segregation are provided with blankets, a mattress, a pillow, toilet tissue, and shaving utensils (as necessary).

Inmates may possess legal and religious materials while in Disciplinary Segregation. Also, staff shall provide a reasonable amount of non-legal reading material. Inmates in Disciplinary Segregation shall be seen by a member of the medical staff daily, including weekends and holidays. Unit staff members will visit the segregation unit daily. Inmates in both Administrative Detention and Disciplinary Segregation are provided with regular reviews of their housing status.

RELEASE

Sentence Computation:

The Correctional Systems Department is no longer responsible for the computation of inmate sentences as these are completed at the DSCC. An inmate will be given a copy of his sentence computation as soon as it is prepared. However any questions about good time, jail time credit, parole eligibility, full term dates, release dates, or periods of supervision, are resolved by staff upon inmate request for clarification.

Fines and Costs:

In addition to jail time, the court may impose a committed or non-committed fine and/or costs. Committed fines means that the inmate will stay in prison until the fine is paid, makes arrangements to pay the fine, or qualifies for release under the provisions of Title 18 USC, Section 3569 (pauper's oath). Non-committed fines have no condition of imprisonment based on payment of fines or costs. Payment for a non-committed fine or cost is not required for release from prison or transfer to a contract community

corrections center. However, if an inmate not participating in the Inmate Financial Responsibility Program and has been placed in "Refuse", he will not be transferred to a RRC prior to his release date.

Detainers:

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

Federal and state detainers may be quickly processed under the procedures of the "Interstate Agreement on Detainers." This agreement applies to all detainers based on pending charges which have been lodged against an inmate by a "member" state, including the U. S. Government, regardless of when the detainer was lodged with the institution. If no detainer is actually lodged at the institution, but the inmate knows of pending charges, it is important for the inmate to contact the court and district attorney because, in some states, the detainer notice may start the time running for a Speedy Trial Act agreement.

Good Conduct Good Time:

This applies to inmates sentenced for an offense committed after November 1, 1987.

The Comprehensive Crime Control Act became law November 1, 1987. The two most significant changes in the sentencing statutes deal with good time and parole issues. There are no provisions under this law for parole. The only good time available will be fifty-four days per year good conduct time. This may not be awarded until the end of the year, and may be awarded in part or in whole, contingent upon behavior during the year. Once awarded, it is vested and may not be forfeited. There is no statutory good time or extra good time for people being sentenced for crimes committed after November 1, 1987.

THE GOOD TIME DISCUSSIONS BELOW DO NOT APPLY TO INMATES SENTENCED UNDER THE NEW SENTENCING GUIDELINES.

Good Time:

"Good Time" awarded by the Bureau of Prisons under statutes enacted prior to November 1, 1987, has the effect of reducing the stated term of the sentence -- that is, it advances the date when release will be mandatory if the offender is not paroled at an earlier date. The award of good time does not in itself advance the offender's release date. It has that effect only if the offender would not otherwise be paroled before the mandatory date.

The behavior for which good time is awarded may also be considered by the Parole Commission in setting a parole date. This is not always done, however. Even when it is, the extent of the benefit to the offender may not be equivalent to the good time earned.

Statutory Good Time:

under 18 U.S. Code 4161, an offender sentenced to a definite term of six months or more is entitled to a deduction from his term, computed as follows, if the offender has faithfully observed the rules of the institution and has not been disciplined:

Not greater than 1 year - 5 days for each month of the not less than 6 months or more than 1 year sentence

More than 1 year, less than 3 years - 6 days for each month of the stated sentence

At least 3 years, less than 5 years - 7 days for each month of the stated sentence

At least 5 years, less than 10 years - 8 days for each month of the stated sentence

10 years or more - 10 days for each month of the stated sentence

At the beginning of a prisoner's sentence, the full amount of statutory good time is credited, subject to forfeiture if the prisoner commits disciplinary infractions.

If the sentence is for five years or longer, 18 USC 4206(d) requires the Parole Commission to release an offender after two-thirds of the sentence has been served, unless the Commission determines that the individual has seriously violated Bureau of Prisons rules or regulations or that there is a reasonable probability that the individual will commit a crime. For offenders serving sentences of five to ten years, this provision may mandate release before the date established by subtracting good time from the sentence.

Statutory good time does not apply to life sentences or to those few inmates remaining who were sentenced under the Youth Corrections Act. It applies to a split sentence if the period of confinement is exactly six months; a shorter period does not qualify for good time under the statute, and a longer period cannot be part of a split sentence.

THE FOLLOWING APPLIES ONLY TO INMATES SENTENCED FOR AN OFFENSE COMMITTED PRIOR TO NOVEMBER 1, 1987.

Extra Good Time:

The Bureau of Prisons awards extra good time credit for performing exceptionally meritorious service, or for performing duties of outstanding importance or working in an industry. An inmate may earn only one type of good time award at a time (e.g., an inmate earning industrial good time is not eligible for meritorious good time), except that a lump sum award may be given in addition to another extra good time award. Neither the Warden nor the Discipline Hearing Officer may forfeit or withhold extra good time.

The Warden may disallow or terminate the awarding of any type of extra good time (except for lump sum awards), but only in a non-disciplinary context and only upon recommendation of staff. The Discipline Hearing Officer may also disallow or terminate the awarding of any type of extra good time (except lump sum awards) as a disciplinary sanction. Once an awarding of meritorious good time has been terminated, the Warden

must approve a new staff recommendation in order for the award to re-commence. A "disallowance" means that an inmate does not receive an extra good time award for only one calendar month. A "disallowance" must be for the entire amount of extra good time for that calendar month. There may be no partial disallowance. A decision to disallow or terminate extra good time may not be FCC ended pending future consideration. A retroactive award of meritorious good time may not include a month in which extra good time has been disallowed or terminated.

Lump Sum Awards:

Any staff member may recommend to the Warden the approval of an inmate for a lump sum award of extra good time. Such recommendations must be for an exceptional act or service that is not a part of a regularly assigned duty. The Warden may make lump sum awards of extra good time of not more than thirty days. If the recommendation is for more than thirty days and the Warden agrees, the Warden will refer the recommendation to the Regional Director, who may approve the award.

No award will be approved if the award would be more than the maximum number of days allowed under 18 USC 4162. The actual length of time served on the sentence, including jail credit time, is the basis on which the maximum amount of the award is calculated. Any extra good time already earned will be subtracted from this stated maximum. Staff may recommend lump sum awards of extra good time for the following reasons:

An act of heroism;

Voluntary acceptance and satisfactory performance of an unusually hazardous assignment;

An act which protects the lives of staff or inmates or the property of the United States. This is to be an act and not merely the providing of information in custodial or security matters;

A suggestion which results in substantial improvement of a program or operation, or which results in significant savings; or, any other exceptional or outstanding service.

Good Time Procedures:

Extra good time is awarded at a rate of three days per month during the first twelve months, and at the rate of five days per month thereafter (i.e., the first twelve months, as stated, means 11 months and 30 days - day for day - of earning extra good time before an inmate can start earning five days per month. For example, if an inmate were to stop working, transfer from industry to an institution job, or if good time was terminated for any reason, the time that the inmate is not earning good time does not count in the calculation of the first twelve months). If the beginning or termination date of an extra good time award occurs after the first day of the month, a partial award of days is made. An inmate may be awarded extra good time even though some or all of the inmate's statutory good time has been forfeited or withheld.

Extra good time is not automatically discontinued while an inmate is hospitalized, on furlough, out of the institution on writ of Habeas Corpus, or removed under the Interstate Agreement on Detainers Act. Extra good time may be terminated or disallowed during such absences if the Warden finds that the inmate's behavior warrants such action.

Once extra good time is awarded, it becomes vested and may not be forfeited or withheld or retroactively terminated or disallowed.

Parole:

The only agency empowered to grant or deny parole is the United States Parole Commission whose main office is in Chevy Chase, Maryland. You can find the address for Parole Commission in either the Inmate Legal Library or by submitting a request to your unit staff.

Parole is release from incarceration under conditions established by the U.S. Parole Commission. Parole is not a pardon or an act of clemency. A parolee remains under the supervision of a U.S. Probation Officer until the expiration of his full term.

Inmates are ordinarily permitted an opportunity to appear before the Parole Commission within 120 days of commitment (EXCEPTIONS: inmates sentenced before September 6, 1977 and inmates with a minimum parole eligibility of ten years). If the inmate chooses not to appear before the Parole Board within the first 120 days of commitment, a waiver must be given to the Case Manager or Counselor prior to the time of the scheduled parole hearing. This waiver will be made part of the Parole Commission file and the inmate's central file.

All inmates who previously waived a parole hearing are eligible to appear before the Parole Board at any regularly scheduled hearing after they waive. Application for a parole hearing must be made at least 60 days before the first day of the month of the hearings. The Parole Board conducts hearings at FCC Terre Haute approximately three times each year.

Application to the Parole Commission for a hearing is the responsibility of the inmate, but in certain cases the Unit Team will assist the inmate if necessary. Application forms may be obtained from the Case Manager or Counselor.

Following the hearing, the inmate will be advised of the tentative decision reached in the case by the hearing examiners. The recommendations of the hearing examiners must be confirmed by the Commissioner in Chevy Chase, Maryland. This confirmation usually takes three to four weeks and is made through the mail on a form called a "Notice of Action." This decision may normally be appealed by the inmate. Forms for appeal may be obtained from your Case Manager. If granted a presumptive parole date (a parole date more than eight months following the hearing), a Parole Progress Report will be sent to the Parole Commission eight months before the parole date.

Release Planning:

If granted parole by the U.S. Parole Commission, the Commission will require an approved parole plan prior to release. An approved parole plan consists of an offer of employment and a place to reside.

The job must pay at least minimum wage and normally may not require extensive travel. The place to reside must be a reputable establishment, but can be almost anywhere (parents, wife, friend, YMCA, etc.). The proposed parole plan is thoroughly investigated by the U.S. Probation Officer and must be approved by him or her.

The parole plan is part of the material which is submitted in connection with the parole hearing. The Unit Team submits the inmate's release plans to the U.S. Probation Officer approximately three months before the scheduled parole date.

Community-Based Residential Programs:

Inmates who are nearing release, and who need assistance in obtaining a job, residence or other community resources, may be transferred to a community corrections program. The Bureau's Community Corrections Division supervises services provided to offenders housed in contract facilities and participating in specialized programs in the community. The Community Corrections Manager (CCM) links the Bureau of Prisons with the U.S. Courts, other Federal agencies, State and local government agencies, and the community. Located strategically throughout the country, the CCM is responsible for developing and maintaining a variety of contract facilities and programs, working under the supervision of the appropriate regional administrator.

Community corrections have three major emphases: residential community-based programs provided by residential reentry centers and local detention facilities, programs that provide intensive nonresidential supervision to offenders in the community, and programs that board juvenile and adult offenders in contract correctional facilities.

The community-based residential programs available include both typical residential reentry centers and local detention facilities. Each provides a suitable residence, structured programs, job placement, and counseling while monitoring the offender's activities. They also provide drug testing and counseling, and alcohol monitoring and treatment. While in these programs, employed offenders are required to pay subsistence to help defray the cost of their confinement. The inmate's payment rate during RRC residence is 25 percent of the inmate's income.

Each RRC now provides two components within one facility, a pre-release component and a community corrections component. The pre-release component assists offenders making the transition from an institutional setting to the community, or as a resource while under supervision. The community corrections component is designed as a punitive sanction. Except for employment and other required activities, the offenders in this second, more restrictive component must remain at the RRC, where recreation, visiting, and other activities are provided in-house.

DISCIPLINARY PROCEDURES

It is the policy of the Bureau of Prisons to provide a safe and orderly environment for all inmates. Violations of Bureau rules and regulations are dealt with by the Unit Discipline Committee (UDC) and, for more serious violations, the Discipline Hearing Officer. Inmates are advised upon arrival at the institution of the rules and regulations, and are provided with copies of the Bureau's Prohibited Acts, as well as the rights and responsibilities.

The information provided on the following pages is taken from the Bureau of Prisons Program Statement regarding Discipline and Special Housing Units. These pages are only a portion from the Program Statement. This information is being provided to further advise all inmates entering FCC Terre Haute of their responsibility in abiding by the required rules and regulations as well as to explain how the disciplinary process works.

Table 1.

PROHIBITED ACTS AND AVAILABLE SANCTIONS

GREATEST SEVERITY LEVEL PROHIBITED ACTS

100 Killing.

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

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

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

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

105 Rioting.

106 Encouraging others to riot.

107 Taking hostage(s).

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

portable telephone, pager, or other electronic device).

109 (Not to be used).

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

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

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

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

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

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

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

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

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

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

AVAILABLE SANCTIONS FOR GREATEST SEVERITY LEVEL PROHIBITED ACTS

A. Recommend parole date rescission or retardation.

B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time (up to 100%) and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).

B.1. Disallow ordinarily between 50% and 75% (27-41 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).

C. Disciplinary segregation (up to 12 months).

D. Make monetary restitution.

E. Monetary fine.

F. Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).

G. Change housing (quarters).

H. Remove from program and/or group activity.

I. Loss of job.

J. Impound inmate=s personal property.

K. Confiscate contraband.

L. Restrict to quarters.

M. Extra duty.

HIGH SEVERITY LEVEL PROHIBITED ACTS

200 Escape from a work detail, non-secure institution, or other non-secure confinement, including community confinement, with subsequent voluntary return to Bureau of Prisons custody within four hours.

201 Fighting with another person.

202 (Not to be used).

203 Threatening another with bodily harm or any other offense.

204 Extortion; blackmail; protection; demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.

205 Engaging in sexual acts.

206 Making sexual proposals or threats to another.

207 Wearing a disguise or a mask.

208 Possession of any unauthorized locking device, or lock pick, or tampering with or blocking any lock device (includes keys), or destroying, altering, interfering with, improperly using, or damaging any security device, mechanism, or procedure.

209 Adulteration of any food or drink.

210 (Not to be used).

211 Possessing any officer=s or staff clothing.

212 Engaging in or encouraging a group demonstration.

213 Encouraging others to refuse to work, or to participate in a work stoppage.

214 (Not to be used).

215 (Not to be used).

216 Giving or offering an official or staff member a

bribe, or anything of value.

217 Giving money to, or receiving money from, any person for the purpose of introducing contraband or any other illegal or prohibited purpose.

218 Destroying, altering, or damaging government property, or the property of another person, having a value in excess of \$100.00, or destroying, altering, damaging life-safety devices (e.g., fire alarm) regardless of financial value.

219 Stealing; theft (including data obtained through the unauthorized use of a communications device, or through unauthorized access to disks, tapes, or computer printouts or other automated equipment on which data is stored).

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

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

222 (Not to be used).

223 (Not to be used).

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

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

226 Possession of stolen property.

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

228 Tattooing or self-mutilation.

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

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

correspondence sent to an unauthorized person; and using a fictitious return address in an attempt to send or receive unauthorized correspondence).

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

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

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

AVAILABLE SANCTIONS FOR HIGH SEVERITY LEVEL PROHIBITED ACTS

A. Recommend parole date rescission or retardation.

B. Forfeit and/or withhold earned statutory good

time or non-vested good conduct time up to 50% or up to 60 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).

B.1 Disallow ordinarily between 25% and 50% (14-27 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).

C. Disciplinary segregation (up to 6 months).

D. Make monetary restitution.

E. Monetary fine.

F. Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).

G. Change housing (quarters).

H. Remove from program and/or group activity.

I. Loss of job.

J. Impound inmate=s personal property.

K. Confiscate contraband.

L. Restrict to quarters.

M. Extra duty.

MODERATE SEVERITY LEVEL PROHIBITED ACTS

300 Indecent Exposure.

301 (Not to be used).

302 Misuse of authorized medication.

303 Possession of money or currency, unless specifically authorized, or in excess of the amount authorized.

304 Loaning of property or anything of value for profit or increased return.

305 Possession of anything not authorized for retention or receipt by the inmate, and not issued to him through regular channels.

306 Refusing to work or to accept a program

assignment.

307 Refusing to obey an order of any staff member (may be categorized and charged in terms of greater severity, according to the nature of the order being disobeyed, e.g. failure to obey an order which furthers a riot would be charged as 105, Rioting; refusing to obey an order which furthers a fight would be charged as 201, Fighting; refusing to provide a urine sample when ordered as part of a drug-abuse test would be charged as 110).

308 Violating a condition of a furlough.

309 Violating a condition of a community program.

310 Unexcused absence from work or any program assignment.

311 Failing to perform work as instructed by the supervisor.

312 Insolence towards a staff member.

313 Lying or providing a false statement to a staff member.

314 Counterfeiting, forging, or unauthorized reproduction of any document, article of

identification, money, security, or official paper (may be categorized in terms of greater severity according to the nature of the item being reproduced, e.g., counterfeiting release papers to effect escape, Code 102).

315 Participating in an unauthorized meeting or gathering.

316 Being in an unauthorized area without staff authorization.

317 Failure to follow safety or sanitation regulations (including safety regulations, chemical instructions, tools, MSDS sheets, OSHA standards).

318 Using any equipment or machinery without staff authorization.

319 Using any equipment or machinery contrary to instructions or posted safety standards.

320 Failing to stand count.

321 Interfering with the taking of count.

322 (Not to be used).

323 (Not to be used).

324 Gambling.

325 Preparing or conducting a gambling pool.

326 Possession of gambling paraphernalia.

327 Unauthorized contacts with the public.

328 Giving money or anything of value to, or accepting money or anything of value from, another inmate or any other person without staff authorization.

329 Destroying, altering, or damaging government property, or the property of another person, having a value of \$100.00 or less.

330 Being unsanitary or untidy; failing to keep one's person or quarters in accordance with posted standards.

331 Possession, manufacture, introduction, or loss of a non hazardous tool, equipment, supplies, or other non hazardous contraband (tools not likely to be used in an escape or escape attempt, or to serve as a weapon capable of doing serious bodily harm to others, or not hazardous to institutional security or

personal safety) (other non hazardous contraband includes such items as food, cosmetics, cleaning supplies, smoking apparatus and tobacco in any form where prohibited, and unauthorized nutritional/dietary supplements).

332 Smoking where prohibited.

333 Fraudulent or deceptive completion of a skills test (e.g., cheating on a GED, or other educational or vocational skills test).

334 Conducting a business; conducting or directing an investment transaction without staff authorization.

335 Communicating gang affiliation; participating in gang related activities; possession of paraphernalia indicating gang affiliation.

336 Circulating a petition.

396 Use of the mail for abuses other than criminal activity which do not circumvent mail monitoring; or use of the mail to commit or further a Moderate category prohibited act.

397 Use of the telephone for abuses other than illegal activity which do not circumvent the ability of staff to monitor frequency of telephone use, content of the call, or the number called; or to commit or

further a Moderate category prohibited act.

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

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

AVAILABLE SANCTIONS FOR MODERATE SEVERITY LEVEL PROHIBITED ACTS

A. Recommend parole date rescission or retardation.

B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time up to 25% or up to 30 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).

B.1 Disallow ordinarily up to 25% (1-14 days) of

good conduct time credit available for year (a good conduct time sanction may not be suspended).

C. Disciplinary segregation (up to 3 months).

D. Make monetary restitution.

E. Monetary fine.

F. Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).

G. Change housing (quarters).

H. Remove from program and/or group activity.

I. Loss of job.

J. Impound inmate's personal property.

K. Confiscate contraband.

L. Restrict to quarters.

M. Extra duty.

LOW SEVERITY LEVEL PROHIBITED ACTS

400 (Not to be used).

401 (Not to be used).

402 Malingering, feigning illness.

403 (Not to be used).

404 Using abusive or obscene language.

405 (Not to be used).

406 (Not to be used).

407 Conduct with a visitor in violation of Bureau regulations.

408 (Not to be used).

409 Unauthorized physical contact (e.g., kissing, embracing).

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

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

AVAILABLE SANCTIONS FOR LOW SEVERITY LEVEL PROHIBITED ACTS

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

- D. Make monetary restitution.**
- E. Monetary fine.**
- F. Loss of privileges (e.g., visiting, telephone,**

commissary, movies, recreation).

- G. Change housing (quarters).
- H. Remove from program and/or group activity.
- I. Loss of job.
- J. Impound inmate's personal property.
- K. Confiscate contraband
- L. Restrict to quarters.
- M. Extra duty.

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.]

CLOSING

Hopefully this information will assist you in your first days in Federal custody. You should feel free to ask any staff member for assistance, particularly your unit staff.

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U. S. Department of Justice
Federal Bureau of Prisons
Sexually Abusive Behavior
Prevention and Intervention

An Overview for Offenders



November 2009

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

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

What Can You Do To Prevent Sexually Abusive Behavior?

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

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

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

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

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

or staff member will not be prosecuted or disciplined for reporting the assault. However, inmates will be penalized for knowingly filing any false report.

How Do You Report an Incident of Sexually Abusive Behavior?

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

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

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

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

Understanding the Investigative Process

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

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

Counseling Programs for Victims of Sexually Abusive Behavior

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

Management Program for Inmate Assailants

Anyone who sexually abuses/assaults others while in the custody of the BOP will be disciplined and prosecuted to the fullest extent of the law. If you are an inmate assailant, you will be

referred to Correctional Services for monitoring. You will be referred to Psychology Services for an assessment of risk and treatment and management needs. Treatment compliance or refusal will be documented and decisions regarding your conditions of confinement and release may be effected. If you feel that you need help to keep from engaging in sexually abusive behaviors, psychological services are available.

Policy Definitions

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

Code 101/(A): Sexual Assault

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

Code 206/(A): Making a Sexual Proposal

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

Code 300/(A): Indecent Exposure

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

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

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

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

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

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

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

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

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

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

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

What Can You Do if You Are Sexually Assaulted?

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

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

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

Mid-Atlantic Regional Office

302 Sentinel Drive, Suite 200
Annapolis Junction, Maryland 20701

North Central Regional Office

Gateway Complex Tower II, 8th Floor
400 State Avenue
Kansas City, KS 66101-2492

Northeast Regional Office

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

South Central Regional Office

4211 Cedar Springs Road, Suite 300
Dallas, Texas 75219

Southeast Regional Office

3800 North Camp Creek Parkway, SW
Building 2000
Atlanta, GA 30331-5099
Western Regional Office
7338 Shoreline Drive
Stockton, CA 95219