

INMATE ADMISSION & ORIENTATION HANDBOOK



FEDERAL CORRECTIONAL INSTITUTION THREE RIVERS, TX

A handwritten signature in blue ink, appearing to read "Richard A. Luna", is written over a horizontal line.

UPDATED: August 5, 2026

Richard A. Luna, Warden



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INTRODUCTION

Welcome to the Federal Correctional Institution at Three Rivers, TX. The Admission and Orientation (A&O) Program and this handbook have been prepared to assist you in adjusting to our institution. The information provided is a general overview of institution procedures, rules and regulations, program opportunities, and the disciplinary system. The handbook should be used as a reference guide to the detailed policies of the Bureau of Prisons, and all procedures in effect at FCI Three Rivers. You should maintain your handbook with your personal property throughout your stay at this facility. You can make your time as meaningful as possible by showing responsible behavior, respecting the rights of others, participating in various programs, and complying with the rules and regulations of the overall institution.

Staff will assist inmates when a literacy problem exists, and staff will utilize all available translation resources for non-English speaking inmates.

Institution

The Federal Correctional Institution at Three Rivers is located on Highway 72 across the highway from Choke Canyon reservoir. It houses adult male offenders and consists of a Medium security FCI with an adjacent Minimum security satellite Federal Prison Camp. It sits on approximately 300 acres of land, of which 101 are developed. Construction began in February of 1989, was completed in October of 1990, and began receiving inmates in January of 1991. Inmate housing at the FCI consists of four general population units. Housing at the camp consists of two general population housing units, with open dormitory style housing. The rated capacity for the FCI is 1056, and the rated capacity for the Satellite Prison Camp is 256. The mailing address and main phone number are as follows:

FCI Three Rivers
1700 Highway 72 West
Three Rivers, TX 78071
Phone: (361) 786-3576, Fax: (361) 786-5051

Directions To FCI Three Rivers

From San Antonio:

Take I-37 South for approximately 1 hour and 15 minutes, 83 miles.
Take the Hwy. 281, Three Rivers/Alice exit.
Travel for about 3 miles to the town on Three Rivers.
At the 3rd traffic light, turn right and travel 8 miles.
The facility will be on the left.

From Corpus Christi:

Take I-37 north for approximately 1 hour and 15 minutes, 83 miles.
Take the Hwy. 72, Three Rivers/Kenedy exit.
Turn left, heading west, for about 3 miles.
At the traffic light turn left.
At the 2nd traffic light, turn right and travel about 8 miles.
The facility will be on the left.

****Local public transportation is NOT available.****

Emergency Information

During any emergency, inmates will abide by all staff orders or be identified and held accountable for disrupting the institution with incident reports, SHU placement and potentially a transfer to another facility.

EXECUTIVE STAFF CHAIN OF COMMAND

Warden

The Warden is responsible for the overall operation of FCI Three Rivers and delegate responsibility to other senior staff members. He/she evaluates the input of various committees and has the final approval on institution transfers, escorted trips, and is the signature authority on halfway house referrals, after Unit Team staff have carefully evaluated each situation, using sound correctional judgment. The Warden, or his/her representative, is available to see inmates during the noon mainline meal inside and/or outside the dining room.

Associate Wardens

There are two (2) Associate Wardens (AWs) assigned to the Institution. The Associate Wardens have oversight of Correctional Services/SIS; Food Service; Religious Services; Financial Management; Facilities; Trust Fund; Case Management Coordinator; Correctional Systems (CSM); Employee Development/Human Resources; Health Services; Psychology; Unit Management; Education; Recreation; and Safety. The AWs will discuss any questions you may have concerning operations, programs, and services provided by the departments within their area of responsibility. The AWs are available to see inmates Monday through Friday, during the noon mainline meal, or will address your concerns through an electronic Inmate Request to a Staff Member also known as a Cop-Out.

Executive Assistant/Camp Administrator

The Executive Assistant has oversight over all areas of the Federal Prison Camp, and the Legal Services Department Complex-wide (Administrative Remedies, Tort Claims, and Freedom of Information Act Requests).

Administrative Duty Officer (ADO)

The Institution always has an Administrative Duty Officer (ADO) available to assist in emergency situations. The Administrative Duty Officer is an executive-level employee, who ordinarily works Monday through Friday.

Institution Duty Officer (IDO)

An Institution Duty Officer (IDO) is available at the Institution during evenings and weekends to assist in emergency situations. The IDO is a Department Head or Assistant Department Head level employee, who works weekdays, weekends, and during the evening hours. The function of the IDO is to act as the Warden's representative during non-business hours, Monday through Friday, weekends, and holidays.

Captain

The Captain is the security officer of the Institution and is responsible for security and custody. The Captain is responsible for all Correctional Services personnel and any questions concerning institution security. The Captain is available to see inmates during the noon mainline meal, Monday through Friday, or will address inmate concerns through a Cop-Out.

INTAKE CLASSIFICATION AND THE UNIT TEAM

Orientation

Inmates are given a social screening by Unit Management Staff and medical screening by Health Services and Mental Health Staff at the time of arrival. Inmates are immediately provided with a copy of the institution rules and regulations, which include information on inmate rights and responsibilities. It also includes information on sexual assault and abuse.

Within 28 days of arrival, inmates will participate in the Admission and Orientation (A&O) Program. While in

A&O, inmates are advised of the programs, services, policies and procedures regarding the facility.

Upon arrival, inmates are issued an inmate identification card with a lanyard. Inmates are required to always carry their identification cards upon departing their assigned cell. Inmates are responsible for the care of these cards. If you lose your identification card, or if it becomes faded or broken, send an electronic request to staff (cop-out) to Correctional Systems.

It is the responsibility of each inmate to present himself in a clean and professional manner of dress in all areas of the institution. Inmates will be in the appropriate work uniforms (Monday thru Friday during working hours) or in authorized recreational attire. No hats are to be worn inside buildings; this includes beanies and ball caps. The mixing of institutional clothing and personal clothing is not authorized. Inmates in the unit are required to abide by the Dress Code and will not walk around in the common area of the unit without a shirt on. Inmates will wear institution issued pants on their waist with a belt and "sagging" is not authorized under any circumstances. Inmates will tuck in their shirts when leaving the housing unit or the recreation yard, no matter the clothing being worn.

Inside the housing units, inmates are not allowed to stand or linger on the upper tiers, or impede any walkway in the unit with chairs or obstructions preventing staff and others from walking the upper or lower tiers. Graffiti (other than name and register number) on any items, including personal property, will not be tolerated and will be confiscated by staff. Some items specifically noted are commissary purchased cups, jugs and containers, as well as inmate personal clothing. Plastic chairs assigned to cells have the cell number permanently etched, and no other writing or marking is authorized. Any items found to be altered will be confiscated by staff.

Classification Teams (Unit Teams)

Each inmate is assigned to a housing unit. Each housing unit has a Unit Team that will meet with you and establish your individual program goals. A unit is a self-contained inmate living area that includes both housing sections and office space for unit staff. Each unit is staffed by a Unit Team directly responsible for the inmates living in the unit. The unit offices are in the units so staff and inmates can be accessible to each other. The unit staff typically includes a Unit Manager, Case Manager, Correctional Counselor, and Unit Secretary. The Staff Psychologist, Education Advisor, and Unit Officer are considered members of the Unit Team and provide input for classification purposes. The Unit Team makes decisions concerning education, custody classification, work assignments, program recommendations, and is responsible for special concerns of the inmate population.

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 from 7:30 a.m. to 4:00 p.m., and during the day on weekends and holidays.

GENERAL FUNCTIONS OF UNIT STAFF

Unit Manager - The Unit Manager is the administrative head of the general unit and oversees all unit programs, sanitation and activities. The Unit Manager is the Chairperson of the team which comprises the Case Manager, Correctional Counselor, with input from Education and Psychology staff. The Unit Manager reviews team decisions and may chair the Unit Discipline Committee (UDC), which is a body that hears disciplinary infractions. The Unit Manager is ordinarily present during initial classification and subsequent program review(s) in which RRC placement is discussed.

Case Manager - The Case Manager, in addition to sharing responsibility for sanitation of the housing unit, is responsible for all casework services and prepares classification material, progress reports, release plans,

correspondence, and other materials relating to the inmate's commitment. The Case Manager serves as a liaison between the inmate, the administration, and the community.

Correctional Counselor - The Counselor provides counseling and guidance for the inmates of the unit in areas of institutional adjustment, personal difficulties, and plans. He/ She plays a leading role in segments of unit programs relating to inmate activities and sanitation. The Unit Counselor may conduct counseling groups for inmates in his/her unit and/or groups open to the general population.

Unit Secretary - The Unit Secretary, like a Case Manager, performs clerical and administrative duties, to include the preparation of release paperwork.

Unit Officer - The Unit Officers have direct responsibility for the daily supervision of inmates and the enforcement of rules and regulations. They have safety, security, and sanitation responsibilities in the unit. Unit Officers are in regular contact with inmates in units and are encouraged to establish professional relationships with them if such interaction does not interfere with their primary duties. Unit Officers control movement in and out of the unit and conduct regular searches for contraband.

PLEASE BE AWARE THAT BOTH MALE AND FEMALE STAFF ROUTINELY WORK AND VISIT INMATE HOUSING AREAS.

Communications

Normally, a unit staff member is available each day of the week and most evenings until 4:00 p.m. The unit bulletin boards and the TRULINCS system contain written communication of interest to inmates. Unit Managers may utilize monthly Town Hall meetings to dispense information and foster improved communications. Unit team members will utilize either open house hours or an open-door policy to address inmate concerns. Inmates are also encouraged to use Cop-Outs to make requests in writing.

Town Hall Meetings

Town Hall meetings are held to make announcements and to discuss changes in the policy and procedures of the unit. Inmates are encouraged to ask pertinent questions of the staff and any guest speakers who are present. These questions should pertain to the unit, rather than personal questions or problems. Personal issues will be resolved by unit staff during the regular working hours which are posted in each unit.

Initial Classification/Program Reviews

Inmates initially designated to the institution will receive initial classification within 28 days of arrival. Unit, Education, and Psychology staff will assess each inmate and work with them to develop an individual plan which will address skill deficits that may deter successful reentry into the community.

Subsequent program reviews will be held every 90 to 180 days, depending upon release date. These are held by the Unit Team to review progress on programming goals, work assignments, transfers, custody/security level, institutional adjustment, etc. The inmate may not waive appearance with the Unit Team.

Reentry Pre-Release Programming

Release preparation begins on the first day of incarceration. The BOP's reentry strategy provides inmates with the opportunity to gain the necessary skills and resources to succeed upon release. Through coordinated efforts among the departments in the institution and collaboration with other agencies, a wide array of programs and activities are offered to better inmates' chances of a successful reentry upon release.

It is imperative at initial classification (Team) that inmates are open and honest when answering questions to allow the team to accurately identify needs and make appropriate program recommendations to improve inmates' chances of a successful reentry. Each time an inmate goes to team, he or she will receive a progress update and new recommendations as warranted. Contributors and programming recommendations include Education, Health Services, Psychology, Unit Team, Recreation, Religious Services, the inmate's Work Detail Supervisor, and the inmate. Inmates are strongly encouraged to take advantage of the program recommendations.

Additionally, to make the transition back to the community go as smoothly as possible, inmates should obtain at least two forms of identification to include a social security card. Inmates may also be eligible for some benefits upon release (e.g., social security disability, veteran's, Medicare, etc.) to make the transition easier. Staff may be able to provide you with information concerning benefits so that you may determine your eligibility and begin the application process if applicable prior to release. Lastly, the Career Resource Center, normally located in the Education Department, can also provide you with pre and post release programming and education ideas, potential employment and housing information, as well as potential benefits information.

Treaty Transfer for Non-U.S. Inmates

Inmates who are not U.S. citizens may be eligible for a transfer to their home country to serve the remainder of their sentence. At initial classification, the inmate will be advised if the inmate's home country has a formal exchange treaty with the United States. The Case Manager will provide additional information regarding an inmate's eligibility for participation in the program.

Foreign Consular

The most recent publication of the Consular Notification and Access directory is located in the Law Library.

DAILY INMATE LIFE

Sanitation

It is the inmate's responsibility to check his cell immediately after being assigned there and report all damages to the Unit Officer or Correctional Counselor. An inmate may be held financially liable for any damage to his personal living area.

Each inmate is responsible for making his bed in accordance with posted regulations before work call (including weekends and holidays when he leaves the area). Each inmate is also responsible for sweeping and mopping his cell floor, removing trash, and ensuring it is clean and sanitary. Cardboard boxes and other paper containers are not permitted for storage due to their combustible nature. Lockers must be neatly arranged inside and out, and all shelving must be neat and clean. Chairs are assigned to each cell and will not be defaced or marked in any manner by the inmate.

Toothpaste, toothbrushes, combs, razors, and soap for personal hygiene are issued by the institution and can be obtained through laundry ordinarily on Wednesday mornings. Inmates may purchase name brand items through the Commissary. Additionally, during sanitation inspections, inmates will stand next to their cell doors.

Personal Property Limits

Items which may be retained by an inmate are limited for sanitation and security reasons, and to ensure excess personal property is not accumulated which would constitute a fire hazard or impair staff searches of the cell. Each institution is required to establish an Institution Supplement regarding Inmate Personal Property, specifically identifying personal property which the inmate may retain.

Authorized Inmate Property - Special Housing Unit (SHU)

Administrative Detention

2	Books (issued from SHU supply)	5	Personal Letters
1	Conditioner	5	Photos
1	Denture Adhesive	1	Religious Medal w/chain
1	Deodorant (plastic container)	1btl	Shampoo
6	Envelopes	1pr	Shoes, shower
1	Eyeglasses	1	Soap, bar
1	Lotion, Skin	20	Stamps
	Legal Materials **	1	Toothbrush (SHU issue)
2	Pencils (1/2) (SHU issue)	1	Toothpowder
		1	Wedding Band

12 Writing Paper (sheets)

Disciplinary Segregation

2 Books (issued from SHU supply)
 1 Conditioner
 1 Denture Adhesive
 1 Deodorant (plastic container)
 6 Envelopes
 1 Eyeglasses
 1 Lotion, Skin
 Legal Materials **
 2 Pencils (1/2) (SHU issue)

5 Personal Letters
 5 Photos
 1 Religious Medal w/chain
 1btl Shampoo
 1pr Shoes, shower
 1 Soap, bar
 20 Stamps
 1 Toothbrush (SHU issue)
 1 Toothpowder
 1 Wedding Band

12 Writing Paper (sheets)

**The amount of legal material that an inmate will be allowed to retain in Administrative Detention will be limited to current cases only and will be determined after consulting with the Captain.

****All Personal Property Must Fit in the Storage Compartment under the Bed****

Authorized Inmate Personal Property List – General Population

-Authorized for retention and transfer between institutions unless the item is perishable, unsealed and/or open.
 -Unless listed all items are commissary purchase only.

CLOTHING (I = Institution Issued)

1 Bathrobe - white or gray (no hoods)	1pr Shoes, Work (I)
1 Cap, Baseball - white or gray (no logos)	2 Shorts, Gym - white or gray (no logos)
5 Handkerchief - white only	5pr Socks – white
2pr Shoes Athletic-Tennis/Specialty - white, black, white/black combination (maximum \$100)	2 Sweatshirts – gray (cotton/pullover/no logos or hoods)
1pr Shoes, Institution Issued	2 Sweatpants – gray (cotton/no logos)
1pr Shoes, Shower	5 T-shirts/sleeveless undershirts - white or gray no logos/no pockets)
	7 Underwear (white/boxers or briefs)

PERSONALLY OWNED ITEMS

1 Address book	1 Jug (plastic)
1 Alarm clock (non-electric)	1 Language Translator (small, electronically unsophisticated, non-print feature/battery or solar operated)
1 Bag Athletic tote (no logos)(24 inches or less)	1 Laundry Bag (mesh)
4 Batteries	25 Letters
5 Books (hard/soft)(excluding current school/VT books)	1 Mirror (small/plastic)
1 Book reading light (battery operated)	2 Pen, Ballpoint
1 Bowl (plastic/24oz or less)	2 Pencils
1 Calculator, small (electronically unsophisticated inexpensive, non-print feature/battery or solar operated)	1 Photo Album/Scrapbook
1 Calendar, Small	25 Photos (single-faced) (loose)
1 Comb/Pick (plastic)	
1 Combination Lock	2dk Playing Cards
2pr Contact Lens (clear/prescribed)	1 Radio with Earplugs
1btl Contact Lens Solution	1 Shaving Bag
1 Cup (plastic)	40 Stamps (value equivalent to 40 1 st class)
1 Dentures	1 Sunglasses (non-reflective)
1bx Earplugs	1 Towel (white/large)

1bx	Envelopes	1	Watch (\$100 maximum value, no stones, Electronically unsophisticated
2pr	Eyeglasses	1	Watchband
2	Eyeglass Case	1	Wedding Band (plain—no stones, white/yellow metal)
1	Hairbrush	2	Writing Tablet
5	Hangers (Plastic)		
1	Headphones		
HYGIENE ITEMS			
	Brushless Shave	2	Nail Clippers (no file)
	Conditioner/Hair		Powder – Body/foot
1	Dental Floss and/or Pick (un-waxed)	1	Razor
1	Dental Adhesive	1	Scissors, Mustache (blunt tip)
1	Dental Brush	1	Sewing Kit
1	Dental Cleaner/Powder		Shampoo
1	Denture Cup		Shaving Cream/Lotion
2	Deodorant	3	Soap, Bar
1	Hair Oil/Gel (non-flammable, non- alcoholic	1	Soap Dish
	Laundry Detergent	1	Toothbrush
1	Lens Cloth	1	Toothbrush Holder
1	Lotion, Skin (moisturizing)	2	Toothpaste
	Mouthwash	1	Tweezers (blunt tip)
RECREATIONAL ITEMS			
2	Athletic Supporter	2	Racquetballs (2 cans of 2)
1	Eye Protection	1	Softball Glove
1	Gloves (fingerless/athletic)	1	Tennis Balls (1 can of 3)
2	Gloves (handball)	1	Tools for Bead Work
1	Harmonica	1	Weightlifting Belt
2	Headbands/Sweatbands (white)	1	Weightlifting Gloves
2	Knee Wraps	2	Weightlifting Wraps
1	Knitting/Crochet Needles-Plastic	1	Yarn, Embroidery, Hoops/Needles
1	Mouthpiece		

Storage Space

Staff shall set aside space within each housing area for use by an inmate. The designated area shall include a locker or other securable area in which the inmate is to store authorized personal property. The inmate shall be allowed to purchase an approved locking device for personal property storage in regular living units. Limited space may also be available under the bed for approved items. The amount of personal property each inmate allowed is limited to those items which can be neatly and safely placed in the space designated. Under no circumstance will any materials be accumulated to the point where they become a fire, sanitation, security, or housekeeping hazard.

Clothing

Civilian clothing (i.e. clothing not issued to the inmate by the Bureau or purchased by the inmate through the Commissary) ordinarily is not authorized for retention by the inmate. Prerelease civilian clothing for an inmate may be retained by staff in the Receiving and Discharge area during the last 60 days of an inmate's confinement. All inmates are prohibited from wearing any clothing not government-issued or purchased in the Commissary. No inmates may be issued, permitted to purchase, or have in their possession any blue, black, red, or camouflage clothing or cloth items. Commissary sales of clothing are limited to the following colors: Only gray and/or white clothing may be sold in institutions for males. The only exception is for religious headgear. All government clothing, except undergarments, will be tagged with a label indicating the inmate's name and registration number. These items are to be neatly stored in the identified storage space provided. Individual washcloths and towels are issued to inmates. Representative authorized footwear/shoes may include work (1 pr.), shower (1 pr.), athletic/specialty (1 pr. – black, white, grey, or a combination thereof with a maximum value of \$100.00), slippers (1 pr.), and casual (1 pr.). Footwear will be placed neatly under the bed.

Uniform

The inmate uniform consists of trousers, belt, long or short sleeve uniform shirt, brown T-shirt, socks, and authorized shoes. Only the brown T-shirt and authorized shoes may be worn with personally owned clothing. Anytime the uniform shirt and/or pants are worn (including work hours), the shirt tail will be tucked neatly into the trousers and buttoned (top button must be unbuttoned). The sleeves of the long sleeve shirts may be neatly rolled above the elbow or worn all the way down and buttoned. The only T-shirt authorized to be worn with the institution dress uniform is the brown institution issue. The uniform must be always worn in an appropriate manner. Inmates are not permitted to wear pants that sag below the waist or cuffed at the ankles. Altering, cuffing, or blousing of the pants is not allowed. Additionally, inmates may not have their hands inside the waistline of their pants. The uniform is required to be worn for organizational meetings and Chapel activities during regular workdays between the hours of 7:30 a.m. to 4:00 p.m., and lunch meals. For inmates on their day off, leisure clothing may be worn in the housing units or to and from Recreation. Approved athletic shorts and sweat clothing may be worn while participating in leisure activities and in the Dining Hall during the morning meal and after 4:00 p.m., on weekdays, all day on weekends, and federal holidays. Inmates may wear institution issued or Commissary purchased thermal underwear under their uniform. However, a long sleeve uniform shirt must be worn over a thermal underwear top. A sweatshirt may be worn with the uniform during regular work hours provided the sweatshirt is worn underneath the uniform shirt. Coats are not to be substituted for the uniform shirt. When wearing a coat, the inmate must still be in full uniform. When the outside temperature reaches 60 degrees and above, inmates are not permitted to wear coats inside the Dining facility. While physically working outside in the heat during the months of April - October, the outer uniform shirt may be removed, however, the brown T-shirt must be worn and tucked in. When on a break, or not working in the heat, inmates must return to full uniform. Clothing issued for specific details will be worn on the specified detail only and will not be worn when engaging in recreational activities or after work hours. Hats shall not be worn inside buildings unless specified by work details, i.e. Food Service, Paint Shop, etc. Wave caps may only be worn in the living quarters and are not to be worn outside anywhere on the compound. Religious head coverings must reflect the inmate's designated religious assignment in SENTRY. The "Fez" is to be worn only in the Chapel.

The mixing of institution clothing with personal clothing is not allowed, **With the exception of Brown T-Shirts and Shorts after hours for the Recreation Yard and Housing Unit Only. ** If inmates arrive with No Property nor do they have the funds to purchase T-Shirts, they will allow this exception for the Recreation Yard.**

When an inmate departs from the housing unit or the Recreation Yard, returning to the unit, all shirts will be always tucked in when moving across the compound, to include after hours and weekends.

Jumpsuit Program

As an alternative to formal disciplinary action, inmates may be placed on the Jumpsuit Program. This program requires the inmate to always wear a jumpsuit, except for inside their own cell and while showering. The jumpsuit will be provided by Laundry. Inmates who refuse to abide by the rules of the Jumpsuit Program will be subject to formal disciplinary action.

Commissary/Special Purchase Items

These items are authorized to the point they can be contained in the storage area provided for personal property.

Letters, Books, Photographs, Newspapers, and Magazines

An inmate will be limited in the number of letters, books, photographs, magazines, and newspapers that can be stored in their designated storage space. Nothing is to be tacked, stapled or scotch taped to any surface except to the area above the writing surface in a 24'x 24' square. Ordinarily, photographs, particularly those of family and friends, are approved, since they represent meaningful ties to the community. A personal photograph is defined as a photograph intended for individual viewing, as opposed to a photograph published for commercial use. Personal photographs may be stored or displayed in the housing units according to local sanitation and housekeeping guidelines. Inmates may not retain Polaroid photos. Nude or sexually suggestive photos (individual prints or copies as opposed to those from publications) present special concerns about personal safety, security,

and good order, particularly when the subject is an inmate's relative, friend, or acquaintance or could reasonably be perceived as such. For these reasons, an inmate may not be permitted to retain, receive, or possess a personal photograph in which the subject is partially nude or nude, or when the photograph depicts sexual acts such as intercourse, fellatio, or sodomy. These materials will be returned to the sender upon receipt at the institution.

Legal Materials

Staff may allow an inmate to possess legal materials in accordance with the provisions on inmate legal activities.

Hobbycraft Materials

Staff shall limit an inmate's hobby shop projects within the cell or living area to those projects which the inmate may store in designated personal property containers. Staff may make an exception for an item (for example, a painting) where size would prohibit placing the item in a locker. This exception is made with the understanding that the placement of the item is at the inmate's own risk. Inmates are required to remove hobby shop items from the living area when completed.

Radios, MP3 Players, Tablets and Watches

An inmate may possess only one approved radio or MP3 player and watch at a time. The inmate must be able to demonstrate proof of ownership. An inmate who purchases a radio, MP3 player, tablet or watch through a BOP commissary is ordinarily permitted the use of that item at any BOP institution if the inmate is later transferred. If the inmate is not allowed to use the radio, MP3 player, tablet, or watch at the new institution, the inmate shall be permitted to mail, at the receiving institution's expense, the item to a destination of the inmate's choice. Where the inmate refuses to provide a mailing address, the radio, MP3 player, tablet, and/or watch may be disposed of through approved methods, including destruction of the property. The MP3 player and tablet can be managed through TRU-Units. This service allows inmates to manage the player and to purchase non-explicit music. MP3 players and tablets are not authorized or transferable to contract facilities.

Jewelry

Inmates may have a plain wedding band and an appropriate religious medallion and chain without stones.

Smoking

Inmate smoking is prohibited in all BOP facilities.

Quarters Rules

To minimize maintenance costs, permit uniform inspection, search procedures, and maintain orderly congregate living, the institution has imposed reasonable regulations on inmate conduct and furnishings in housing units. Unit Officers and Counselors inspect cells daily and publish individual ratings of appearance.

The rules include items such as:

- All beds are to be made daily in the prescribed manner. If a cell or room is not acceptable, disciplinary action will be taken.
- Commissary shopping order is ordinarily based on weekly sanitation ratings of each unit. The unit with the highest sanitation is called first, and the unit with the lowest rating is called last.
- Room or cell doors are closed when inmates are not in them.
- Each inmate is responsible for the cleaning and sanitation of his or her room or cell. Everyone is responsible for cleaning up after themselves.
- Sexually suggestive photographs are **NOT** authorized for display outside of the individual locker or cabinet. Provocative pictures, posters, cartoons, and any items cut out of magazines may not be displayed on the bulletin boards or in any cell or dorm.
- Only **one** shower per Unit side will be available during the hours of 7:30 a.m. until 2:00 p.m. After 2:00 p.m., all showers will be available until 9:15 p.m. and close for the 9:30 p.m. count with the exception of the showers directly across from the officers' station. These showers will be available at the discretion of staff. Inmates ordinarily will not be in the shower during an official count.
- Safety shoes must be worn to work as designated in policy.

- Unit televisions may be viewed during established off-duty hours. During normal working hours, unit televisions may be viewed at the discretion of staff.

PLEASE BE AWARE THAT BOTH MALE AND FEMALE STAFF ROUTINELY WORK AND VISIT INMATE HOUSING AREAS.

Wake-up

A general wake-up for all inmates is 6:00 a.m. It is the inmate's responsibility to leave the unit for meals and work. Late sleepers who are unable to maintain rooms or arrive at work on time are subject to disciplinary action.

Clothing Exchange & Laundry

Institutional clothing will be issued to the inmate population that is properly fitted, climatically suitable, and presentable. Each inmate will be furnished with sufficient clothing to allow at least three changes of clothes weekly. Additionally, shirts will be buttoned and tucked in, pants legs will not be rolled over.

Institutions establish local procedures to account for the initial issue of Government-furnished items to inmates and for their return before release. Government-issued clothing will not be altered or disfigured in any manner. Examples include, but not limited to, the following: converting pants to shorts, pleats, cutting off shirt sleeves, defacing clothing, etc. An inmate found to have destroyed government property may receive an Incident Report and appropriate disciplinary action will be taken.

A. FCI – Laundry wash days are as follows:

- Jim Wells and Karnes – Monday and Wednesday
- Live Oak and McMullen – Tuesday and Thursday
- Laundry will be picked up the morning of your assigned wash day. Institution clothing will be washed separately from personal clothing. Clothing will be placed in the laundry carts located in the unit.

B. Camp

- Tilden – Monday and Wednesday
- Uvalde – Tuesday and Thursday
- Laundry will be picked up the morning of your assigned wash day. Institution clothing will be washed separately from personal clothing. Clothing will be placed in the laundry carts located in the unit
- Washers and dryers are available in the housing units for your use.
- Linen exchanges will be conducted during the morning meal. (2 sheets, 1 pillowcase) Blanket exchanges are done during the second full week of the month, on the same day as your assigned linen exchange. Your linen exchange day is determined by the 4th and 5th number of your register number.
- The hygiene issue will be conducted every Monday during lunch. If Monday falls on a holiday, hygiene issue will be conducted the following day. **You must be on the computer-generated indigent list to qualify for a hygiene kit.**
- Clothing exchange: A Request to Staff Form (cop-out) will be accepted on Monday and Tuesday during the lunch meal. You must bring a cop-out along with the clothing you wish to exchange. The laundry supervisor will then inspect the items and verify what needs to be exchanged. Routine clothing exchanges will be on the anniversary week of your arrival to the institution, unless deemed an emergency by the laundry staff. Any intentional damage to institutional issue will result in disciplinary action.

Commissary

The BOP maintains inmates' monies (Deposit Fund) while incarcerated. The purpose of the Deposit Fund is to provide inmates the privilege of obtaining merchandise and services that are not provided by the BOP and/or to obtain a different quality than provided by the BOP. An inmate may use funds in their account to purchase items at the institution's commissary, place funds on their inmate phone account, purchase TRU-Units for their TRULINCS account, or send funds by creating a BP-199. Inmates may not be in possession of cash at any time. Upon release, all Trust Fund accounts will be consolidated and placed on an Inmate Release Debit Card.

Commissary and validation schedules are posted on the inmate bulletin board. Funds are withdrawn after positive identification by inmate identification card or fingerprint identification. It is the inmate's responsibility to know the amount of money available in their account. Inmates may verify their account balances by utilizing the TRULINCS or the inmate telephone (118+PAC). Inmates must always have their identification card in their possession for identification purposes.

Spending Limitations

The National Spending Limit is \$360.00 but may be further restricted at the local level. Each inmate account is revalidated on a monthly, bi-weekly, or weekly cycle. Stamps, telephone credits, over-the-counter medications, items approved by the Chaplain for religious purposes, and items approved by the Supervisor of Education for educational purposes are the only items which are exempted from the spending limitation. A TRULINCS station is available for inmates to verify information in their individual accounts. Inmates may also follow dialing instructions on the phone system to check their account balance. No fee is charged for this service.

Deposits to Accounts

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

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

The deposit must be in the form of a money order made out to the inmate's full committed name and complete eight-digit register number. Effective December 1, 2007, all non-postal money orders and non-government checks processed through the National Lockbox will be placed on a 15-day hold. The BOP will return to the sender funds that do not have valid inmate information provided the envelope has an adequate return address. Personal checks and cash cannot be accepted for deposit.

The sender's name and return address must appear on the upper left-hand corner of the envelope to ensure the funds can be returned to the sender if they cannot be posted to the inmate's account. The deposit envelope must not contain any items intended for delivery to the inmate. The BOP shall dispose of all items included with the funds.

In the event funds have been mailed but have not been received in the inmate's account and adequate time has passed for mail service to Des Moines, Iowa, the sender must initiate a tracer with the entity who sold them the money order to resolve any issues.

Western Union Quick Collect Program

Inmates' families and friends may also send inmates funds through Western Union's Quick Collect Program. All funds sent via Western Union's Quick Collect will be posted to the inmate's account within two to four hours, when those funds are sent between 7:00 a.m. and 9:00 p.m. EST (seven days per week, including holidays). Funds received after 9:00 pm EST will be posted by 7:00 am EST the following morning. Funds sent to an inmate through the Quick Collect Program may be sent via one of the following ways:

- At an agent location with cash: The inmate's family or friends must complete a Quick Collect 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 inmate's family or friends may simply call 1-800-634-3422 and press option 2.
- ONLINE using a credit/debit card: The inmate's family and friends may go to www.westernunion.com and select "Quick Collect".

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

- Valid Inmate Eight-Digit Register Number (entered with no spaces or dashes) followed immediately

by Inmate's Last Name.

- Committed Inmate Full Name entered on Attention Line
- Code City: FBOP, DC

Please note the inmate's committed name and eight-digit register number must be entered correctly. If the sender does not provide the correct information, the transaction cannot be completed. The Code City is always FBOP, DC. Each transaction is accepted or rejected at the point of sale. The sender has the sole responsibility of sending the funds to the correct inmate. If an incorrect register number and/or name are used and accepted and posted to that inmate, funds may not be returned. Any questions or concerns regarding Western Union transfers should be directed to Western Union by the sender (public). **Questions or concerns should not be directed to the BOP.**

MoneyGram Express Payment Program

Inmates' families and friends may also send funds through MoneyGram's Express Payment Program. All funds sent via MoneyGram's Express Payment will be posted to the inmate's account within two to four hours, when those funds are sent between 7:00 a.m. and 9:00 p.m. EST (seven days per week, including holidays). Funds received after 9:00 p.m. EST will be posted by 7:00 a.m. EST the following morning. Funds sent to an inmate through the MoneyGram Express Payment Program may be sent via one of the following ways:

A. At an agent location with cash:

The inmate's family or friends must complete a MoneyGram Express Payment Blue Form. To find the nearest agent they may call 1-800-926-9400 or go to www.moneygram.com. For each MoneyGram Express Payment transaction, the following information must be provided:

- Valid Inmate Eight-Digit Register Number (entered with no spaces or dashes), followed immediately by Inmate's Last Name
- Company Name: Federal Bureau of Prisons
- City & State: Washington, DC
- Receive Code: Must always be 7932
- Committed Inmate Full Name entered on Beneficiary Line

Please note that the inmate's committed name and eight-digit register number must be entered correctly. If the sender does not provide the correct information, the transaction cannot be completed. Each transaction is accepted or rejected at the point of sale. The sender has the sole responsibility of sending the funds to the correct inmate. If an incorrect register number and/or name are used and accepted and posted to that inmate, funds may not be returned.

B. ONLINE using a credit, debit or prepaid card (Visa or MasterCard only):

The inmate's family and friends can click on www.moneygram.com/paybills. Enter the Receive Code (7932) and the amount you are sending (up to \$300). If you are a first-time user you also must set up a profile and account. Any questions or concerns regarding MoneyGram Express Payment transfers should be directed to MoneyGram by the sender (general public). **Questions or concerns should not be directed to the BOP.**

Commissary Fund Withdrawals

Requests for Withdrawal of Inmate Personal Funds, BP-199 forms, will be processed weekly by Trust Fund. Withdrawals are initiated in TRULINCS, Send Funds (BP-199) by the inmate. When the BP-199 is printed it must be signed by the inmate in staff presence and hand delivered. The Supervisor of Education approves withdrawal requests for correspondence courses and materials for approved education programs. Unit Managers will approve all other withdrawal requests. Only an Associate Warden can approve inmate withdrawals exceeding \$500.00.

TRULINCS

The Trust Fund Limited Inmate Computer System (TRULINCS) is the inmate computer network that provides inmates access to multiple services. At no time do the inmates have any access to the Internet.

Inmate's access dedicated TRULINCS workstations are installed in various housing units and common areas to perform various functions using their register number, Phone Access Code (PAC), and the fingerprint process or Commissary Personal Identification Number (PIN). Inmate access to these workstations varies depending on the institution.

Account Transactions – This service allows inmates to search and view their Commissary, telephone, and

TRULINCS account transactions, as well as view their Media List.

Bulletin Board – This service is used to supplement the use of inmate bulletin boards within the institution for disseminating information to the inmate population.

Contact List - This service is used by inmates to manage their email address list, telephone list, and postal mailing list. Inmates also mark for print postal mailing labels within this service.

If an email address is entered for a contact, TRULINCS sends a system generated message to the contact directing them to www.corrlinks.com to accept or reject email contact with the inmate prior to receiving any messages from the inmate. If a positive response is received, the inmate may begin exchanging electronic messages with this contact. If a contact rejects TRULINCS participation, the inmate is blocked from sending any messages to that email address.

Law Library – This service allows inmates to perform legal research

Manage Funds – This service allows inmates to manage their personal funds by creating/canceling Requests for Withdrawal of Inmate Personal Funds (BP-199) and their Pre-Release Account.

Manage TRU-Units – This service allows inmates to purchase TRU-Units using available Commissary funds or transfer TRU-Units back to their Commissary account.

Prescription Refill – This service allows inmates to request prescription refills via TRULINCS of self-carry medications that are ready for refill directly to the Pharmacy. Pharmacy staff will receive the prescription refill request and process the request accordingly. Inmates will follow established local procedures for picking up requested prescriptions.

Print – This service allows inmates to print various documents marked for print within TRULINCS. Mailing labels and BP-199 forms may be printed for free. All other documents can be printed at a cost.

Public Messaging – Inmates may correspond with friends and family using public messaging. This is a restricted version of email that will only allow text messages and no attachments. There is a per minute cost fee for using this service. Messages are limited to 13,000 characters.

Request to Staff – This service allows inmates to correspond with staff electronically. The list of available departments varies by institution; however, there is a standard DOJ Sexual Abuse Reporting mailbox available that provides inmates with an additional method to report allegations of sexual abuse and harassment directly to the Office of Inspector General (OIG).

Survey – This service allows inmates to take Bureau surveys (i.e., Institution Character Profile).

Inmate Telephone System – TRUFONE

Each inmate will be provided with a nine-digit Phone Access Code (PAC) for accessing TRUFONE; including instructions for use of this system. The PAC is confidential and should not be shared with other inmates. A replacement fee will be charged if a PAC is misplaced or compromised. Each inmate will need to perform voice verification registration. Management of inmates' telephone numbers is performed via the TRULINCS.

The hours of telephone operation begin at 6:00 am and end no later than 9:30 pm. Inmate access to telephones will normally be limited during the following times, Monday through Friday, not including holidays:

7:30 am until 10:30 am; and,
12:30 pm until after 4:00 pm count.

Inmates are expected to be at their work assignments and must not use the telephone during their work hours. For inmates who work varied work shifts, at local discretion, institutions may leave one telephone per unit available for inmates on "days off," or "evening shift."

Directions for use of TRUFONE are posted near the telephones. All calls are limited to 15 minutes. Telephone calls are subject to monitoring and recording by institution staff. Inmates are limited to 300 minutes per month and may be used for any combination of collect or direct dial calls. Ordinarily, inmates will be allowed an extra

100 minutes per month in November and December. Telephone rates are posted throughout the institution.

TRUFONE funds are transferred using the TRUFONE system and must be done in even dollar amounts. The TRUFONE funds are deducted from an inmate's commissary account and transferred to the TRUFONE account immediately. Transfers may be made from any telephone during operational hours. It is each inmate's responsibility to verify the correctness of the amount transferred at the time of transfer.

VISITING PROCEDURES

Inmates are encouraged to have visits to maintain family and community ties. Visiting hours are:

Jim Wells A 12:00p-3:00p (Fridays)

General Population

Jim Wells B 8:00a-11a (Fridays)

8:00a-3:00p (Saturday, Sunday, Federal Holidays)

Each new inmate will be provided information concerning the local visiting guidelines during their Unit Orientation Program. Before an individual can be added to an inmate's visitor list, they must have had a relationship with the inmate prior to incarceration and have submitted a visit form to be approved by the unit counselor. Authorized visitors who can visit an inmate include members of the immediate family (wife, children, parents, brothers, sisters) friends, and associates. Requests for approval for these visitors should be made to the Counselor at least three weeks in advance of the intended visit. You are allowed to have four (4) visitors at any one time.

Special visits must be requested through your Unit Counselor.

All visits will begin and end in the visiting room. Kissing, embracing, and handshaking is allowed only on arrival and departure.

Inmates must be properly dressed to be admitted to the Visiting Room. Clothing must be neat and clean (only institutional issued clothing). Institutional shoes must be worn. Approved visitation uniform will be determined by the Warden or designee. Medical exceptions can be made for footwear.

Visitor Rejections

If background information reveals that visitation privileges for the individual would present security concerns or disrupt the orderly running of the institution, the Warden may deny visiting privileges.

If appropriate clothing is not worn by the visitor, the Front Lobby Officer can prevent access to the institution. Questionable attire will be referred to the Institution Duty Officer prior to possible denial of visit.

Visitors will be required to submit to a search before entering the institution. This search can be by electronic means (metal detectors), ION Spectrometry device, and pat search, along with a thorough search of their personal effects. Visitors who do not clear the search procedures can be denied entry into the institution.

Inmate Property Authorized:

Inmates are authorized to bring the following items into visitation:

- One pair of prescription glasses
- One comb
- One plain wedding band
- One white handkerchief
- Photo tickets.

Inmates are not allowed to exit the Visiting Room with items purchased from the vending machines. Necessary legal papers will be permitted during a visit with an attorney if approved in advance. Medication, such as nitroglycerine tablets, may be permitted when authorized by the Health Services Administrator. Other types of medications, such as inhalers for asthma patients or required drugs needed daily may be brought into the Visiting Room and will remain at the officer's desk.

Visitor Attire

Visitors are expected to use good judgment and taste in their attire. Persons who are dressed immodestly and/or provocatively may be denied the privilege of visiting. Dresses, skirts, or Bermuda shorts may not be worn more

than two (2) inches above the knees at any time. No portion of the breast may be exposed. The wearing of t-shirts or other form fitting clothes by female visitors is prohibited. See below a list of prohibited clothing items.

Identification:

Visitors must have valid proof of their identity with them, such as a driver's license, state identification card, or valid (stamped) passport. If a visitor does not present identification with a photograph, the visitor will not be allowed to visit.

Visitor's Prohibited Items:

Visitors are not allowed to take any unapproved items into the Visiting Room. All non-permissible items must remain in the visitors' vehicle in the parking lot. No food items, chewing gum, or medication are permitted in the Visiting Room, except for nitroglycerine tablets. Prohibited items include, but are not limited to, the following: large handbags, umbrellas, instant type photos, photo albums, film, cameras, radios, blankets, television sets, pocket knives, electronic games/toys, personal papers or legal documentation, newspapers, magazines, books, pens, pencils, eating and drinking utensils, sports bottles, sunglasses (except prescription sunglasses), luggage, packages, tape players, tape recorders (see exceptions for tape recorders under "Attorney Visits"). A visitor may take one clear plastic container, measuring no larger than 10"x10"x12" with no more than \$20 into the Visiting Room. **A visitor may not bring any items into the Visiting Room to give to inmates.**

All visitors will be screened for metallic contraband using a walk-through metal detector and/or hand-held metal detector. Visitors will not be allowed to remove any article of clothing except for shoes, coats, belts, watches, glasses or jewelry to pass the metal detector. It is recommended that the wearing of jewelry be limited as all metallic items will need to be removed to pass through the metal detector. Underwire bras are not authorized and will not be allowed to be removed prior to the visit. Any person who fails to pass the metal detector screening will be denied entrance.

Visitors' Children

Each inmate having a visit must assume reasonable responsibility for proper conduct during the visit, including the control of his visitor(s). Children should be controlled to the extent of consideration for other visiting groups and not be permitted to wander from the immediate area of the visit, run about the Visiting Room, or create noise that disturbs other visits.

Failure to control children will result in the termination of the visit. Visitors should not lie down or sleep anywhere in the visiting areas. Children under the age of 16 years old may not visit unless accompanied by a responsible adult. Exceptions in unusual circumstances may be made through special approval by the Warden.

Infant Care Items

Infant care items for visitors with infant children will be limited for security reasons. Premixed formula and other liquids or foods in sealed, original containers only will be permitted. Other infant care items will be limited to three (3) clear nursing bottles, four (4) diapers, wet wipes, and one small blanket. Baby powders, ointments, creams, bowls, cups, baby carriers or strollers, etc., are not permitted. There are no areas designated for children only.

Children may not take in toys, books, cards, dolls, crayons or games, including electronic devices. Diaper bags will be permitted only for visitors with small infants, and it must be clear plastic. Mothers who breast feed must have a small blanket or other type of covering to ensure the breast is not exposed during nursing.

Clothing Not Authorized (To Include Children Ages 4 and Over)

- Dresses, skirts, or miniskirts with long slits in the middle or side
- Mini-skirts or wrap around skirts
- Sleeveless, strapless or bareback blouses or dresses
- Tight, form-fitting or see-through clothing. This includes see-through shirts with a shirt underneath
- Deep V-neck or V-back blouses, shirts or dresses

- Skirts more than two (2) inches above the knee
- Caps, hats, and scarves of any kind
- Long coats, sweaters and jackets that have hoods attached or extend below the knee
- Clothing of any type which would symbolize gang activity or gang affiliation
- Halter tops or midriff shirts. Shirts will be tucked in or belted for all visitors ages 4 and over.
- Fish net shirts, pants or any other clothing item
- Lycra or spandex clothing
- Athletic shorts/sweatpants (cloth material)/wind suits
- Athletic Jerseys
- Swimwear
- Shorts
- Slippers
- Shower shoes or “flip flop” type shoes
- Any clothing that is khaki, orange or camouflage in color
- All metal items which will not clear the metal detector, including body piercing, excess metal on clothing, and underwire bras.

A jacket cannot cover up an unauthorized shirt.

SECURITY PROCEDURES

Attire

Inmates will be in the proper uniform, (normally khaki pants and khaki shirt), Monday thru Friday, between 7:30 a.m. and 3:30 p.m. The uniform will be maintained in a neat and professional manner, with shirts tucked in and pants around the waistline. Other than approved religious headgear, hats will not be worn while indoors and pant legs will remain unrolled.

Inmate Identification Cards

Inmates are required to always wear their identification cards upon departing their assigned cell. The inmate identification card will be worn on the upper front torso, with the inmate's picture clearly visible for staff to identify the inmate. Inmates will be issued an identification card upon arrival at the institution. Inmates are responsible for the care of these cards.

Counts

Each institution will conduct, at a minimum, five official inmate counts during every 24-hour period. On weekends and holidays, an additional count will be conducted at 10:00 a.m. The inmate is expected to be standing at bedside during official counts held at 4:00 p.m. and 9:15 p.m., on weekdays and 10:00 a.m., 4:00 p.m., and 9:15 p.m. on weekends and holidays, and during any emergency count. Institutions with secure cell space are required to lock the inmates in their cells for all official counts, unless the inmates are on out-counts in areas such as Food Service, Health Services, Visiting, etc. Disciplinary action will also be taken against inmates for leaving an assigned area before the count is clear. The inmate must be seen at all counts, even if the inmate must be awakened.

Call-Outs

Call-outs are a scheduling system for appointments (which include medical, dental, educational, team meetings, and other activities) and are posted each day on the unit bulletin boards after 4:00 p.m., on the day preceding the appointment. It is the inmate's responsibility to check for appointments daily.

Pass System

Some departments within the institutions have a pass system in effect during regular business hours throughout the week. During the regular workday, 7:30 a.m. to 4:00 p.m., inmates must have a pass to move from one area of the institution to another except for movement to assigned details, going to the lunch meal, or for a recall. Each move will be announced by staff. Unit officers or Detail Supervisors issue passes whenever it's necessary.

to leave a housing unit or work area. Inmates are permitted a limited amount of time to travel to and from each area. It's the inmate's responsibility to make sure that the staff member notes the correct time on the pass. If more than ten minutes is used to travel from one area to another, the inmate is subject to disciplinary action.

When returning to the area from which the pass was originally issued, the staff member who issued the pass will write on the pass the time of return. The staff member who originally issued the pass will then keep the pass. At the end of each day, staff members will turn in all passes to the Correctional Supervisor's office, which will account for all passes.

Controlled Movement

During non-working hours, movement throughout the institution will be regulated by a procedure called controlled movement. The purpose of controlled movement is to ensure all inmate movement is orderly when an institution pass system is not in effect. Controlled movement generally begins ten minutes before the hour and ends on the hour. Normally, these moves are a one-way move; meaning, "in-bound" or "out-bound" move. During the movement period, normally ten minutes, inmates may move from an area of the institution to another without a pass or staff escort. The start and end of each movement period will be announced by staff.

During the evening hours, the first controlled movement period normally begins at the conclusion of a clear official 4:00 p.m. count. During the feeding of the evening meal, inmates can normally move to recreation yard, gymnasium, or chapel; however, you remain secured inside those areas until the next controlled movement is announced. At the conclusion of the evening meal, the Compound will be secured, and a ten-minute, controlled movement will commence.

On Saturdays, Sundays, and holidays, normally the first controlled movement will begin at the conclusion of the morning meal. The Compound will be secured at 9:30 a.m., in preparation of the 10:00 a.m. count. During the feeding of the brunch meal, inmates can normally move to the recreation yard, gymnasium, or chapel; however, you must remain secured inside those areas until the next controlled movement is announced. The movement periods will resume after the brunch meal.

Contraband

Items possessed by an inmate ordinarily are not considered to be contraband if the inmate was authorized to retain the item upon admission to the institution, the item was issued by authorized staff, purchased by the inmate from the commissary, purchased or received through approved channels (to include approved for receipt by an authorized staff member or authorized by institution guidelines). This ensures a safe environment for staff and inmates by reducing fire hazards, security risks, and sanitation problems which relate to inmate personal property.

Contraband includes material prohibited by law, or by regulation, or material which can reasonably be expected to cause physical injury or adversely affect the security, safety, or good order of the institution, to include food service items removed from the dining hall.

Hard contraband is defined as any item which poses a serious threat to the security of an institution, and which ordinarily is not approved for possession by an inmate or for admission into the institution. Examples include weapons, intoxicants, currency, tools used to aid in escape, controlled substances, etc.

Nuisance contraband is defined as any item other than hard contraband, which has never been authorized, or which previously has been authorized for possession by an inmate, but whose possession is prohibited when it presents a threat to security or its condition or excessive quantities of it present a health, fire, or housekeeping hazard. Examples of nuisance contraband include: personal property no longer permitted for admission to the institution or permitted for sale in the commissary; altered personal property; excessive accumulation of commissary, newspapers, letters, or magazines which cannot be stored neatly and safely in the designated area; food items which are spoiled or retained beyond the point of safe consumption; government-issued items which have been altered, or other items made from government property without staff authorization.

Staff shall seize any item in the institution which has been identified as contraband whether the item is found in the physical possession of an inmate, in an inmate's living quarters, or in common areas of the institution. An

inmate may not purchase, give, or receive any personal property from another inmate.

Staff shall return to the institution's issuing authority any item of government property seized as contraband.

Items of personal property confiscated by staff as contraband are to be inventoried and stored pending identification of the true owner (if in question) and possible disciplinary action. Staff will then provide you with a copy of the inventory as soon as practicable.

Shakedowns

The placement of metal detection devices throughout the institutions are necessary for the control of contraband. A metal detector search may be done in addition to the pat search. Staff may conduct a pat search of an inmate on a routine or random basis to control contraband. Staff may also conduct a visual search where there is reasonable belief that contraband may be concealed on your person or a good opportunity for concealment has occurred. Finally, staff may search an inmate's housing and work area, and personal items contained within those areas, without notice, randomly, and without the inmate's presence. The property and living area will be left as close to the same conditions as found as reasonable as possible.

Drug Surveillance / Alcohol Detection

BOP facilities operate drug surveillance and alcohol detection programs which include mandatory random testing, as well as testing of certain other categories of inmates. A positive test, or refusal to submit a 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 will not be tolerated. Regular fire inspections are made by qualified professionals.

PROGRAMS AND SERVICES

Job Assignments

All inmates, who have been medically cleared, will maintain a regular job assignment. Many job assignments are controlled through an Inmate Performance Pay (IPP) system, which provides monetary payment for work. Unit staff assign work and approve all job changes. They also see that the changes are posted on the Daily Change Sheet.

Institutional maintenance jobs are usually the first assignment an inmate receives. This might include work in Food Service, as a unit orderly, or in a maintenance shop.

Inmate Financial Responsibility Program

Working closely with the Administrative Office of the Courts and the Department of Justice, the BOP 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, or 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 for UNICOR nor receive performance pay above the maintenance pay level. He/ She will also be placed in "refuse" status. As the result of being in refuse status, the inmate has a spending limit of only \$25.00 monthly, can be placed in less desirable

housing, will not be considered for any favorable requests, i.e. (vacations, furloughs, early release, etc.) and will score zero in responsibility on the progress report. These are a few examples of the sanctions that can be imposed because of being in refuse status.

The status of financial plans will be included in all progress reports and will be considered by staff when determining Security/Custody level, job assignments, eligibility for community activities, and institutional program changes. The U.S. Parole Commission will also review financial responsibility at parole hearings.

Food Service

The BOP offers a standardized National Menu. This menu is offered at all institutions and includes approved menu items based on standard recipes and product specifications. The National Menu offers regular, heart-healthy and no-flesh dietary options. At the Warden's discretion items may be added to the National Menu by adding to a salad bar, hot bar, beverage bar (if these are part of the Food Service program) or by adding condiments such as sugar.

Medical diets will be provided by mainline self-selection from the items available on the National Menu for that meal unless menu items fail to meet the medical requirement. Menu item replacements may not always be provided as inmates may have to avoid certain foods in the self-selection process; however, if a dietitian determines a Special Diet is required to ensure adequate nutrition, it will be provided by pre-plating or controlled plating.

The religious diet program, called the Alternative Diet Program, consists of two distinct components: one component provides for religious dietary need through self-selection from the main line, which includes a no-flesh option. The other component accommodates dietary needs through nationally recognized, religiously certified processed foods and is available through the approval of Religious Services.

Removal of cups and utensils is strictly prohibited. Additionally, all food items and drinks will be consumed inside the dining hall, food/drink items will not be removed from food service or brought into food service.

Education

The mission of Education/Recreation Services is to provide mandatory literacy and English-as-a-Second Language programs as required by law, as well as other education/recreation and related programs that meet the needs and interests of the inmate population, provide options for the positive use of inmate time, and enhance successful reintegration into the community.

Education opportunities provided for Federal inmates include General Equivalency Diploma (GED) and ESL programs, as required by law. Various nationally recognized tests will be used to place inmates in appropriate education programs. Inmates must perform to the best of their abilities on exams for appropriate placement in class.

Literacy/GED

The Violent Crime Control and Law Enforcement Act (VCCLEA) and the Prison Litigation Act (PLRA) require inmates who lack a high school diploma to participate in a GED credential program and make satisfactory progress in the program in order to be eligible to vest the maximum amount of earned good conduct time (VCCLEA sentenced inmates) or earn the maximum amount of good conduct time.

Unless exempt (pre-trial, holdover, etc.), inmates must participate in the literacy program for one mandatory period of at least 240 instructional hours, or until they achieve a GED credential. For all inmates to receive job pay promotions above the entry level, they must have a high school diploma, a GED credential, or a pay exemption.

Inmates who are exempt from attending GED class based on a deportation detainer must enroll in GED or ESL to receive their good conduct time.

Inmates under a final Bureau of Immigration and Customs Enforcement (BICE) order of deportation, exclusion, or removal are exempt. Inmates who have completed the mandatory period of enrollment must remain enrolled or re-enroll to vest/earn their good conduct time. Inmates found guilty of an incident report related to their literacy

program enrollment will be changed to GED UNSATISFACTORY PROGRESS and will not vest/earn their good conduct time.

Following an assignment of a GED UNSATISFACTORY PROGRESS code, inmates will be required to complete an additional 240 hours of program enrollment before they can be changed back to a SATISFACTORY code. Good conduct time will not vest while the UNSATISFACTORY assignment exists.

Inmates who are eligible for District of Columbia Educational Good Time (DCEGT) can earn DCEGT for participating, but not completing GED, ESL and marketable level occupational training programs. While enrolled in the qualifying education program, inmates will earn DCEGT credit. However, DCEDGT credit will show up on their sentence computation when they complete or withdraw from the qualifying program.

Special note on GED scores: A new English GED test will be launched on January 1, 2014. A new Spanish GED test will follow later. Once a new GED test is issued, scores from the current GED test cannot be combined with the new test. If inmates have taken the English GED test between January 1, 2002, and now, they are strongly encouraged to see the education staff and retake the GED test before December 31, 2013. English GED scores from the current GED test will no longer be valid.

The new GED Test will be taken on the computer. Inmates are strongly encouraged to enroll in a keyboarding or typing course, when offered.

Inmates with a Verified High School Diploma

To obtain a realistic and accurate assessment of an inmate's skill levels, a demonstration of literacy attainment must be verified for inmates with a high school diploma. Even though current policy accepts a high school diploma for custody classification, good time credits, education programs, etc., a high school diploma does not necessarily certify an inmate is literate.

Inmates who have a high school diploma (not an AA or higher post-secondary degree) are encouraged to submit a cop-out to the Education Department to request to sign-up for the Tests of Adult Basic Education (TABE) to validate their reading, language, and math computation, as well as applied math. The purpose of the TABE is to ensure these inmates have sufficient language and math skills to pursue their post-secondary education study and/or obtain a job in the community. Mastery of the reading, language, and math skills from the TABE is part of inmates' reentry plan documented in the Inmate Skills Development System (ISDS).

In the Academic section of the ISDS, the inmate will not be scored/rated green (indicating demonstration of literacy skills) and should be scored/rated yellow (indicating unknown) until he/she scores a 9.0 or higher on TABE A or D. If an inmate scores below 9.0, he/she should enroll in remedial classes offered by the Education Department to improve his/her literacy levels.

ESL

The Crime Control Act of 1990 mandates non-English speaking Federal prisoners participate in the ESL program. An inmates' communication skill level in English is evaluated at initial classification and interviews. Those found to have limited ability to communicate in English will be referred to the education department to determine proficiency at the 8th grade level or higher based on a nationally recognized achievement test. Inmates scoring less than the 8th grade level of proficiency will be enrolled in ESL until they function at the 8th grade level or above on a nationally recognized education achievement test. If indicated by test scores, participation in ESL will be required regardless of education degree status. Inmates with high school diplomas or college degrees may be required to participate in the ESL program.

Incentives

Incentive awards are provided to inmates making satisfactory progress and successfully completing the literacy (i.e., GED and ESL) program. Inmates may also receive incentives for progressing to various levels in the GED or ESL Programs. Graduation ceremonies recognize GED, ESL, and Occupational Education completions.

Other Programs

The completion of the literacy program is often the first step towards adequate preparation for successful post-release reintegration into society. Additional educational programs such as advanced occupational training or

college are needed in today's world. Vocational training and apprenticeship programs afford inmates an opportunity to obtain marketable job skills.

Occupational Education Programs

Occupational Education programs prepare inmates for a specific occupation or cluster of occupations. Inmates can earn a Certificate, Associate of Art or Science Degree, or an industry accepted certificate upon the completion of occupational training programs. Occupational education programs vary institution-to-institution.

- Inmates must request initial enrollment through the Supervisor of Education. Education staff will determine an inmate's academic eligibility for enrollment and deportation status (if applicable).
- The Education Supervisor will provide occupational program recommendations to an inmates' unit team.

Apprenticeship

Apprenticeship training gives inmates the opportunity to participate in training for employment in various trades. Apprenticeship programs in the BOP are registered with the Bureau of Apprenticeship and Training, and U.S. Department of Labor. These programs are structured to offer on-the-job learning in industries. Upon completion of a registered trade, inmates can earn a Certificate of Completion from the Department of Labor.

Adult Continuing Education (ACE):

ACE classes enhance an inmate's general knowledge on various subjects and address the skill deficits identified in an inmate's individual reentry plan. ACE classes are organized differently in different institutions. Typical ACE classes include typing, computer literacy, foreign language, and business skills. These classes are usually offered during evening and weekend hours.

Post-Secondary Education (Inmate Correspondence Courses)

Inmates are encouraged to expand their knowledge through a variety of methods, including correspondence courses. Inmates are permitted to enroll in a correspondence course that involves only "paper & pencil." Courses requiring equipment are generally not authorized. The cost for these courses must be paid by the inmate. If an inmate has sufficient funds available in his commissary account, a Form 24 may be used for payment. Inmates interested in enrolling in correspondence courses are required to contact the Staff Coordinator prior to enrollment. Catalogs are available from the Staff Coordinator. Diplomas or certificates from correspondence high school GED programs do not satisfy the criteria for an adult literacy program completion.

Parenting

The Parenting Program provides inmates information and counseling through directed classes on how to enhance their relationship with their children even while incarcerated. All Parenting Programs include a classroom and visitation component. In addition, social service outreach contacts are often established to facilitate the provision of services to the inmate parent, visiting custodial parent, and children.

Library Services

Leisure Libraries: Leisure libraries offer inmates a variety of reading materials, including but not limited to: periodicals, newspapers, fiction, non-fiction, and reference books. Institutions also participate in an interlibrary loan program with local, state, and college libraries and available bookmobile services.

Electronic Law Libraries (ELL): Inmates are afforded access to legal materials and an opportunity to prepare legal documents in the ELL. Resources are available for inmates to prepare legal material via Trust Fund.

A copying machine is available to reproduce materials needed for research. The price to reproduce materials is established by Trust Fund.

Recreation, Leisure, Wellness, and Social Programs

BOP encourages inmates to make constructive use of leisure time and offers group and individual activities. Physical fitness and leisure programs are provided to promote positive lifestyle changes. These programs provide opportunities to reduce stress and enhance overall health and emotional well-being.

Leisure Programs

Institutions offer a wide range of activities in which inmates may participate when not performing assigned duties. Leisure activities include organized and informal games, sports, physical fitness, table games, hobby

crafts, music programs, intramural activities, social and cultural organizations, and movies.

Art and Hobby Craft Programs

Art and Hobby Craft Programs are offered in the Recreation Department and are a privilege that has to be approved by the Recreation Supervisor. Artwork includes all paintings and sketches rendered in any of the usual media (e.g., oils, pastels, crayons, pencils, inks, and charcoal). Hobby craft activities include ceramics, leatherwork, models, clay, mosaics, crochet, knitting, sculptures, woodworking, and lapidary, etc. These programs are not meant for the mass production of art and hobby craft items or to provide a means of supplementing an inmate's income. Inmates are also encouraged to participate in housing unit activities such as unit-based hobby craft. The Recreation Supervisor will coordinate housing unit activities with Unit Managers.

Wellness Programs

Wellness programs include screening, assessments, goal setting, fitness/nutrition prescriptions and counseling.

Recreation and Zimmer

The Zimmer Amendment was passed in 1996. The amendment does not allow for the BOP to use appropriated and non-appropriated funds to provide amenities or personal comforts in the Federal Prison System. Specifically, institutions activated prior to 1996 through attrition, will conform to the guidelines set by the law. The main sections of Zimmer address: (1) viewing of R, X, or NC-17 movies; (2) instruction or training for boxing, wrestling, judo, karate or other martial arts or any body building or weightlifting equipment; and (3) electronic or electric instruments.

Consequences for Rules Violation in Recreation

Inmates are strongly encouraged to participate in recreational activities. However, when inmate behavior violates established rules, consequences may include an incident report and/or suspensions from programs.

Religious Services

The Religious Services Department provides pastoral care and religious accommodation to individual and group religious beliefs and practices in accordance with the law, Federal regulations and BOP policy. The Chaplains offer religious worship, education, counseling, spiritual direction, support and crisis intervention to meet the diverse religious needs of inmates. Chaplains also oversee the religious diet program, ceremonial religious meals and religious holiday observances. All Chaplaincy Services' programming is directed to promote BOP reentry goals. The Life Connections and Threshold programs highlight our faith-based reentry priorities.

Psychology Services

The Psychology Services department offers mental health care to all inmates. This care may include screening, assessment and treatment of mental health or drug abuse problems, individual and/or group counseling, psycho-educational classes, self-help and supportive services, or referral to Health Services for medical treatment of a mental illness.

If you are new to the BOP, or if you have previously identified mental health or drug abuse programming needs, you will be scheduled for an interview with Psychology Services staff. The purpose of this interview is to review your history and identify your programming needs. A psychologist may make recommendations to support your successful adjustment to prison and prepare you for your eventual release. We encourage you to participate actively in this process. This interview is an ideal time for you to share your interest in specific services, such as drug abuse treatment or mental health counseling.

The Psychology Services department at this institution is staffed by a Chief Psychologist, a Drug Abuse Program Coordinator, a staff Psychologist, a Drug Treatment Specialist, and a Psychology Technician. The department's offices are located next to the Recreation gate at the FCI and the Camp Administration Building at the Camp. There are a number of ways to contact Psychology Services at this institution.

You may:

- Submit a Cop-out to Psychology Services.
- Visit the department during "Open House" hours ordinarily:

Tuesday at 8:30 a.m. at the FCI, and Fridays at 12:30 p.m. at the Camp

(Any changes/updates will be posted to the Inmate Bulletin Board)

- Speak with a Psychology Services staff member during mainline or as they make rounds in your unit.
- Or in the case of a crisis, notify your Unit Officer, Unit Team, or any other BOP staff member of your urgent need to speak with Psychology Services.

PREA

In accord with PREA requirements and Bureau of Prisons Program Statement 5324.12, Sexually Abusive Behavior Prevention and Intervention Program, FCI Three Rivers has established procedures to provide disabled inmates equal opportunity to participate in and benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Posters regarding zero -tolerance and reporting instructions are also displayed throughout the institution in both English and Spanish.

Those who are visually impaired or who have limited reading ability receive information during an Admission and Orientation lecture during which a staff member reviews PREA and the sexually abusive behavior prevention and intervention program.

Additionally, FCI Three Rivers uses Language Line Solutions interpretation services. This service provides telephone-based interpretation for 240 languages, as well as video-based interpretation for American Sign Language.

Suicide Prevention

Incarceration can be a difficult experience. At times, you may feel discouraged, frustrated, and helpless. It is not uncommon for people to experience depression while in jail or prison, especially if they are newly incarcerated, serving a long sentence, experiencing family problems, struggling to get along with other inmates, or receiving bad news. Over time, most inmates successfully adapt to incarceration and find ways to use their time productively and meaningfully. However, some inmates continue to struggle with the pressures of incarceration and become overwhelmed by a sense of hopelessness. If you feel a sense of hopelessness or begin thinking about suicide, talk to a staff member. Help is available and actively seeking help is a sign of your strength and determination to prevail. If you feel you are in imminent danger of harming yourself or someone else, you should contact a staff member immediately.

In addition, if you suspect another inmate is contemplating suicide, please notify a staff member. Staff does not always see everything inmates see. And most suicidal individuals display some warning signs of their intentions. PLEASE alert staff right away if you suspect someone is considering suicide. The most effective way to prevent another person from taking his or her life is to recognize the factors that put people at risk for suicide, take warning signs seriously and know how to respond. The warning signs of suicide may include:

- Threatening to hurt or kill oneself or talking about wanting to hurt or kill oneself
- Feeling hopeless
- Feeling rage or uncontrolled anger or seeking revenge
- Increased alcohol or drug use
- Withdrawing from friends, family, associates
- Experiencing dramatic mood changes
- Feeling anxious or agitated, being unable to sleep, or sleeping all the time
- Seeing no reason for living or having no sense of purpose

If your friend, cellmate, coworker, or associate is exhibiting these signs, start by telling the person you are concerned and give him/her examples of what you see that worries you. Listen and encourage the person to seek help. If they are hesitant, offer to go with them to speak to a staff member. If you are not confident, they will seek help, notify a staff member yourself. Seeking help for a person in distress isn't "snitching", it is showing concern for the welfare of a fellow human being. If you report your concerns to staff, you can rest easily knowing you did everything within your power to assist the individual.

If you are interested in assisting Psychology Services with suicide prevention efforts, you may choose to participate in this institution's inmate companion program. Inmates who are interested in serving as suicide watch inmate companions must meet the following criteria: (1) be a sentenced BOP inmate; (2) no 100 series incident

reports in the past 3 years; (3) may not be in FRP, DRG ED, or GED refusal status. If you would like more information about this program, please speak with a member of the department.

Drug Abuse Programs

Drug abuse programming is available in all BOP institutions. The BOP offers a drug education course as well as treatment options for inmates who have abused alcohol and/or drugs.

Drug Abuse Education Course

The Drug Abuse Education Course is not drug treatment. The purpose of the course is to encourage you to review the consequences of your choice to have drugs in your life, to look at the relationship between drug use and crime, and to begin to think about how different your life could be without drugs. Looking at your drug involvement in this way may motivate you to ask for drug abuse treatment. If your pre-sentence report documents a prolonged history of drug use, evidence that alcohol or drug use contributed to the commission of your offense, a judicial recommendation for treatment, or a violation of community supervision because of alcohol or drug use, you are required to take the Drug Abuse Education Course. Failing to take this required course will result in your ineligibility to make performance pay above maintenance pay level, as well as ineligibility for bonus or vacation pay. You will also not be eligible for a Federal Prison Industries work program assignment. If you are not sure what this means, you may want to ask your counselor.

The Drug Abuse Education Course is available in every BOP institution. If you are required to complete the course, your name will automatically be placed on the waiting list for the course. When it is time for you to complete the course, Psychology Services staff will contact you. If you would like to enroll in the course, but are not required to participate, you may submit a Cop-Out to place your name on the waiting list for the course.

Nonresidential Drug Abuse Treatment

Nonresidential Drug Abuse Treatment is also available in every Bureau institution. Nonresidential Drug Abuse Treatment has been developed to provide the flexibility necessary to meet each individual's treatment needs, and more specifically for:

- Inmates with a relatively minor or low-level drug abuse problem,
- Inmates with drug use disorder who do not have sufficient time to complete the intensive Residential Drug Abuse Treatment Program (RDAP),
- Inmates with longer sentences who need treatment and are awaiting placement in the RDAP,
- Inmates with a drug use history who chose not to participate in the RDAP, but want to prepare for staying sober in the community, and
- Inmates who completed the unit-based portion of the RDAP and are required to continue treatment until their transfer to a Residential Reentry Center (half-way house).

Program completion awards are only available for those who complete the program. If you are interested, ask the institution's drug abuse treatment staff for more information on these awards.

Residential Drug Abuse Treatment

RDAP provides intensive treatment to inmates diagnosed with a drug use disorder. Inmates in the residential program are housed together in a treatment unit that is set apart from the general population. Treatment is a minimum of nine months however, your time in the program depends on your progress in treatment.

To apply for the RDAP you must send a Cop-Out to obtain an interview for the program. First, staff will screen your pre-sentence report to determine if there is any documentation indicating that you have a pattern of drug abuse or dependence. If so, you will be referred to the Drug Abuse Program Coordinator for an interview to determine if you meet the diagnostic criteria for a substance use disorder. Inmates who are diagnosed with a drug use disorder are qualified for the RDAP and are admitted to the program based on their nearness to release, as mandated by federal statute. You must have enough time left to serve on your sentence to complete the unit-based component and the community transition component of the program. Follow-up Treatment, as described earlier, is provided to inmates after they complete the unit-based component and before they transfer to a residential reentry center.

RDAP is operated as a modified therapeutic community where inmates are expected to model the pro-social

behaviors expected in a community. This means RDAP participants are role models to other inmates. Therefore, they are to demonstrate honesty, relate positively with their peers, and fully participate in all treatment activities in the unit. RDAP is a half-day program, with the rest of the day devoted to work, school, and other self-improvement activities. The RDAP is available in 76 BOP institutions. **It is not available here.**

If you are interested in volunteering for the RDAP and would like to know if you are eligible for the program, contact the institution's drug abuse program coordinator. You may apply for the program at any time during your incarceration, but your interview, like program admittance, will be based on your proximity to release. Ordinarily inmates are interviewed 42-24 months from release depending on the facility's security level and waiting list for the RDAP.

Early Release

The Violent Crime Control and Law Enforcement Act of 1994 allows the BOP to grant a non-violent inmate up to 1 year off his or her term of imprisonment for successful completion of the residential drug abuse treatment program (Title 18 U.S.C. § 3621(e)(2)). For more information, talk to an institution drug abuse treatment specialist or drug abuse program coordinator.

Community Transition Drug Abuse Treatment

To successfully complete the RDAP, inmates are required to participate in the Community Transition Drug Abuse Treatment component of the program. The BOP ensures that inmates receive continued treatment when transferred to a residential reentry center (RRC) or to home confinement. The RRC, is structured to help you adjust to life in the community and find suitable post-release employment. RRCs provide a structured, supervised environment and support job placement, counseling, and other services. Within the structure of the RRC, RDAP participants continue their drug abuse treatment, with a community-based treatment provider. The BOP contracts with this provider to deliver treatment services in the community. Inmates must continue to participate in transition drug abuse treatment to earn any benefit associated with successful completion of the RDAP, e.g., early release.

In addition to these drug abuse programs, drug abuse treatment services may also be provided within the context of other specialized treatment programs with the BOP, such as the Resolve Program and the Challenge Program.

The Trauma in Life Workshop

The Resolve Program includes a psycho-educational component, the Trauma in Life Workshop. This workshop addresses the challenges individuals face following exposure to traumatic life events and the strategies these individuals may use to enhance their resilience or ability to survive and thrive following these events. Any female inmate with a history of abuse or an interest in learning about this topic may participate in the Trauma in Life Workshop.

Nonresidential Counseling Groups

The Resolve Program also includes a treatment component non-residential counseling group. Only inmates with a history of trauma and an associated mental health problem may participate in these counseling groups. Resolve Program groups are designed to improve coping skills, build healthy relationships, and enhance emotional stability. This institution **does not have** a Resolve Program. If you are interested in the Resolve Program, please submit a Cop-Out to the Psychology Services Department.

Specialized Mental Health Programs

The BOP also has several residential mental health programs designed to help inmates with severe emotional, cognitive, and behavioral problems. These programs are indicated for inmates who are having difficulty functioning in a mainline institution due to a psychological disorder. They are designed to improve the day-to-day functioning of inmates with the goal of helping them return to a mainline institution or preventing the need for hospitalization. Psychology Services has additional information about these programs and can make recommendations for participation.

The Sex Offender Management Program

The BOP offers sex offender treatment programs at our Sex Offender Management Program (SOMP) institutions. SOMP institutions have a higher proportion of sex offenders in their general population. Having a larger number

of sex offenders at SOMP institutions ensures that treatment volunteers feel safe about participating in programming. The BOP's sex offender treatment programs are stratified into two program levels:

The Residential Sex Offender Treatment Program [male institutions only] - The Residential Sex Offender Treatment Program (SOTP-R) is a high intensity program designed for high-risk sexual offenders - ordinarily inmates with multiple sex offenses, or a history of contact sexual offenders. The SOTP-R is offered at the Federal Medical Center (FMC) in Devens, Massachusetts and at USP Marion in Illinois.

The Non-residential Sex Offender Treatment Program - The Non-residential Sex Offender Treatment Program (SOTP-NR) is a moderate intensity program designed for low to moderate risk sexual offenders. Many of the inmates in the SOTP-NR are first-time offenders serving a sentence for an Internet sex crime. All SOMP institutions offer the SOTP-NR.

When you volunteer for treatment, BOP staff will determine whether the Residential or Non-residential Treatment Program is appropriate for you based on your offense history. If eligible for treatment, you will be transferred to a SOMP institution based on your treatment needs and security level.

If you are interested in receiving sex offender treatment and would like to know if you are eligible for the program, contact Psychology Services. You may apply at any point in your sentence. However, inmates ordinarily enter treatment when they have between 24 to 42 months remaining on their sentence. If you are at the beginning of your sentence or have more than 48 months remaining on your sentence, you may want to wait before applying for the program.

Institution Specific Programs

When a group is to be offered, notices will be displayed in each housing unit and inmates must submit a Cop-Out to participate. Groups offered at this institution include Anger Management, Basic Cognitive Skills, Criminal Thinking and Mindfulness Based CBT for Depression. Psychology staff may also offer brief counseling. There is also a self-help library. The Turning Points Program is offered to those in the Special Housing Unit (SHU).

Confidentiality

Security needs and the nature of a prison environment affect mental health care in a variety of ways. Confidentiality is an important component of the therapeutic relationship. However, in a prison environment, confidentiality must be weighed against institutional needs of safety and security. Mental health providers in the institution not only serve inmates, but they also serve the institution and the public at large.

In the community, certain situations require mental health providers to violate client confidentiality, for example, many states mandate reporting of child or elder abuse. Providers also must notify authorities if a client threatens suicide or serious harm to others. Similarly, prison mental health providers violate confidentiality when an inmate is at risk of serious harm to themselves or others, such as when an inmate presents a clear and present risk of escape or when an inmate is responsible for the creation of disorder within a facility. Confidentiality may also be limited when prison mental health providers share information on a need-to-know basis with prison officials or other federal law enforcement entities. For example, before you are transferred to a residential reentry center, mental health providers must communicate your mental health needs to your unit team.

If you tell a staff member, including a Psychology Services staff member that you are going to harm or kill yourself or someone else, or engage in a behavior that jeopardizes the safety or security of the institution, confidentiality will be breached, and the appropriate individuals will be notified on a need-to-know basis only. Simply put, there is no guarantee of confidentiality in the prison setting. However, you can rely on the professional judgment of Psychology Services staff who conscientiously balance your confidentiality and the safety and security of the institution. Information that does not impact the safety and security of the institution, inmates, and staff, will not be shared. While these limitations on confidentiality may initially deter you from seeking treatment, I want to assure you that most inmates who receive psychological services are comfortable with the decisions staff make regarding their confidentiality. If you have additional questions about confidentiality, be certain to discuss your concerns with Psychology Services staff.

Escorted Trips

Escorted trips provide approved inmates with staff escorted trips into the community for such purposes as receiving medical treatment not otherwise available, for visiting a critically ill member of the inmate's immediate family, or for participating in programs or work-related functions. Additionally, bedside visits and funeral trips may be authorized for inmates with custody levels below maximum. All expenses will be borne by the inmate, except for the first eight hours of each day that the employee is on duty. There are occasions based on a determination that the perceived danger to BOP staff during the proposed visit is too great, or the security concerns about the individual inmate outweigh the need to visit the community.

Gang Disassociation

The BOP through the National Gang Unit (NGU) affords gang affiliated inmates the opportunity to voluntarily and officially disassociate from their respective gang. For additional information, contact your local Special Investigative Services office.

Furloughs

A furlough is an authorized absence from an institution by an inmate who is not under the escort of a staff member, a U.S. Marshal, other Federal or State agent. Furloughs are a privilege, not a right, and are only granted when clearly in the public interest and for the furtherance of a legitimate correctional goal. An inmate who meets the eligibility requirements may apply for furlough to staff for approval.

Central Inmate Monitoring System

The Central Inmate Monitoring System (CIMS) is a method for the Agency 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 notified by their Case Manager.

Marriages

If an inmate wishes to be married while incarcerated, the Warden may authorize him to do so under certain conditions. All expenses of the marriage will be paid by the inmate. If an inmate requests permission to marry he must:

- Have a letter from the intended spouse which verifies their intention to marry.
- Demonstrate legal eligibility to marry.
- Be mentally competent.
- The marriage must not present a security risk to the institution.

Marriage procedures are detailed in local Institution Supplement's.

Barber Shop

Haircuts and hair care services are authorized in the barber shop only. Hours of operation will be posted in each of the housing units and the barber shop.

Medical Services

The BOP inmate health care delivery system includes local ambulatory clinics as well as major medical centers. Locally, emergency medical care is available 24 hours a day in all BOP facilities. BOP clinical staff typically covers the day and evening shifts, and community emergency personnel meet emergency needs when BOP clinical staff is not on-site.

Health services typically include episodic visits for new or recurring medical or dental symptoms through a sick call system, chronic care management for chronic and infectious diseases through enrollment in chronic care clinics for regular care, routine dental care, medical and dental emergency care for injuries and sudden illness, age-appropriate preventive care to promote optimal health and functional status, restorative care to promote achievable functional status, long-term care and end-of-life care.

Sick Call System

For episodic care, clinical and dental staff will screen the inmate's complaint, give a future appointment based on the nature of the health complaint and enter the appointment date on the "callout" sheet. Inmates will report

to their assigned work details after making the sick call appointment. If the medical or dental sick call appointment is scheduled for the same day, the inmate will receive a sick call appointment slip and give it to the work detail supervisor who will authorize the inmate to go to the clinic at the appointed time. Inmates who become ill after the regular sick call sign-up period will notify their work supervisor or Unit Officer to call the Health Services Unit to arrange an evaluation. Inmates requesting health services will be charged a co-payment fee unless staff determines they are indigent and not subject to a co-payment fee.

Inmates in detention or segregation who are unable to attend the scheduled sick call sign up event will access sick call by submitting a written request for evaluation or by verbally asking for a sick call appointment when the Health Services clinician makes daily rounds in the secured unit.

Health Care Visits with a Fee

An inmate must pay a fee of \$2.00 for health care services, charged to his inmate commissary account, per health care visit, if the inmate receives health care services in connection with a health care visit that the inmate requested, except for services described below. These requested appointments include sick call and after-hours requests to see a health care provider. If an inmate asks a nonmedical staff member to contact medical staff to request a medical evaluation on his behalf for a health service not listed below. The inmate will be charged a \$2.00 copay fee for that visit.

Health Care Visits with No Fee

An inmate will not be charged a fee for:

- Health care services based on health care staff referrals
- Health care staff-approved follow-up treatment for chronic conditions
- Preventive health care services
- Emergency services
- Diagnosis or treatment of chronic infectious diseases
- Mental health care
- Substance abuse treatment.

If a health care provider orders or approves any of the following, an FCC will not be charged for:

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

The inmate's health care provider will determine if the type of appointment scheduled is subject to a copay fee.

Indigence

An indigent inmate is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days. If an inmate is considered indigent, he will not have the copay fee deducted from his inmate commissary account. If an inmate is NOT indigent but does not have sufficient funds to make the copay fee on the date of the appointment, a debt will be established by TRUF ACS, and the amount will be deducted as funds are deposited into the inmate's commissary account.

Emergency Medical Treatment

All emergencies or injuries receive priority for treatment. Appropriate medical care will be provided by institution clinical staff, on-call staff if after hours, or by community emergency medical providers. Clinicians covering evenings, weekends and holidays provide treatment for acute medical problems and directly observed

pill lines.

Medication Administration (Pill Line)

Controlled medications are administered at regularly scheduled times of the day and evening in a specific location in the Health Services Unit known as the "pill line." Clinical staff delivers controlled medications to inmates in detention or segregation units during established pill line times. **See attachment for Controlled Movement Schedule for Pill Line times.**

On-the-job Injuries

Inmates injured while performing an assigned duty, must immediately report this injury to their work supervisor. The work supervisor reports the injury to the institution Safety Manager who completes mandatory occupational injury documentation. The inmate must be evaluated by clinical staff and an injury report completed for inclusion in the inmate's health record under the Occupational Medicine section of BEMR.

Inmates who suffer a work-related injury may be eligible for compensation if the injury prevents the inmate from performing his or her usual work duties. However, the inmate may be disqualified from eligibility for lost-time wages or compensation if he or she fails to report a work injury promptly to the supervisor.

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. Outgoing mail from a sentenced inmate in a minimum or low security institution may be sealed by the inmate and is sent out unopened and uninspected. Except for "special mail," outgoing mail from a sentenced inmate in a medium or high security institution, or an administrative institution may not be sealed by the inmate and may be read and inspected by staff. The outgoing envelope must have the inmate's committed name, register number, and complete institution return address in the upper left-hand corner.

Inmates will be responsible 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 because of classification. The inmate is notified of this placement and can respond. Mail service to inmates is ordinarily provided on a five-day schedule, Monday through Friday. Usually, weekend and holiday mail services are not provided.

Incoming Correspondence

First class mail is distributed Monday through Friday (except holidays) by the evening watch Correctional Officer in each living unit. Legal and Special Mail will be distributed by Mail Room or Unit staff and opened in the presence of the inmate. Inmates are asked to advise those writing to them to put the inmate's registration number and Housing Unit on the envelope to aid the prompt delivery of mail. All inmate packages must have prior authorization unless otherwise approved under BOP policy.

Incoming Publications

The BOP permits inmates to subscribe to and receive publications without prior approval. The term publication means a book, booklet, pamphlet, or similar document, or a single issue of a magazine, periodical, newsletter, newspaper, plus other materials addressed to a specific inmate, such as advertising brochures, flyers, and catalogs. An inmate may only receive hard cover publications and newspapers from the publisher, a book club, or a bookstore. At minimum and low security institutions, an inmate may receive softcover publications (other than newspapers) from any source. At medium, high, and administrative institutions, an inmate may receive softcover publications only from the publisher, a book club, or a bookstore.

Special Mail

Special Mail is a category of correspondence sent to the following: President and Vice President of the United States, the U.S. Department of Justice (including the BOP), U.S. Attorneys Offices, Surgeon General, U.S. Public Health Service, Secretary of the Army, Navy, or Air Force, U.S. Courts (including U.S. Probation Officers),

Members of the U.S. Congress, Embassies and Consulates, Governors, State Attorneys General, Prosecuting Attorneys, Directors of State Departments of Corrections, State Parole Commissioners, State Legislators, State Courts, State Probation Officers, other Federal and State law enforcement offices, attorneys, and representatives of the news media. Special mail also includes correspondence received from the following: President and Vice President of the United States, attorneys, Members of the U.S. Congress, Embassies and Consulates, the U.S. Department of Justice (excluding the Bureau of Prisons but including U.S. Attorneys), other Federal law enforcement officers, State Attorneys General, Prosecuting Attorneys, Governors, U.S. Courts (including U.S. Probation Officers), and State Courts.

A designated staff member opens incoming Special Mail in the presence of the inmate. These items will be checked for physical contraband, funds, and for qualification as Special Mail; the correspondence will not be read or copied if the sender has adequately identified himself/herself on the envelope and the front of the envelope clearly indicates that the correspondence is "Special Mail – Open only in the presence of the inmate" or with similar language. 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, following Special Mail procedures, to representatives of the news media if specified by name and title. The inmate may not receive compensation or anything of value for correspondence with the news media. The inmate may not act as a reporter, publish under a byline, or conduct a business or profession while in BOP custody.

Representatives of the news media may initiate correspondence with an inmate. Correspondence from a representative of the news media will be opened, inspected for contraband, for qualification as media correspondence and for content which is likely to promote either illegal activity or conduct contrary to BOP regulations. For telephone interviews with members of the media, inmates are required to sign a News Interview Authorization form (BP-A233.014) before staff arrange for them to speak with a reporter over the phone. Additional information can also be obtained 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 (mother, father, sister, child, or spouse), or party in a current legal action (or a witness) in which both parties are involved. The Unit Manager at each institution must approve the correspondence if both inmates are housed in Federal institutions.

Rejection of Correspondence

The Warden may reject general 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.

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 may also be notified of the rejection of correspondence and the reasons for it. The inmate also has the right to appeal the rejection. The Warden shall refer the appeal to a designated officer other than the one who originally disapproved of the correspondence. Rejected correspondence ordinarily will be returned to the sender.

Change of Address/Forwarding of Mail

Mail Room staff will make available to an inmate who is being released or transferred a change of address form. General correspondence (as opposed to special mail) will be forwarded to the new address for 30 days. After 30 days, general correspondence is returned to sender with the notation "Not at this address – return to sender." Staff will use all practical means to forward special mail. After 30 days, the SENTRY address will be used to forward special mail.

Certified/Registered Mail

Inmates may use certified, registered, or insured mail services. Other mail services such as stamp collecting, express mail, cash on delivery (COD), and private carriers are not provided.

Telephones

Telephone privileges are a supplemental means of maintaining community and family ties. Telephones are to be used for lawful purposes only. Threats, extortion, etc. may result in prosecution. All inmate telephones are subject to monitoring and recording. Inmates must contact their Case Manager to arrange an unmonitored attorney call.

While policy specifically allows inmates to make one call every three months, there is no specific limit on the number of phone calls that an inmate may make. It is expected that each inmate will handle his calls in such a manner that will allow the equal use of the phones by all inmates. Calls are limited to fifteen (15) minutes in duration. Each inmate is allowed 300 minutes of calling time per month, unless on telephone restriction. Telephones will not be used to conduct a business.

Inmates are allowed to have thirty (30) approved numbers on their phone list. To use the system, you will have to transfer funds from your commissary account to your individual telephone account. There are telephones located in each housing unit for your use. No third party, credit card calls, 1-800, 1-900, 1-888, or 1-976 can be made on these lines. Collect calls can also be made to pre-approved telephone numbers.

Inmates will be given their SECRET PAC (nine digits) number by your Correctional Counselor. This will allow you to make a call by first entering the telephone number followed by your nine-digit PAC number. Giving or selling your PAC number will result in disciplinary action. All calls are automatically terminated after fifteen (15) minutes. A waiting period may be established between calls.

It is each inmate's responsibility to maintain their PAC in a way to ensure no other inmate has access to it. Inmates found to be sharing their telephone account with other inmates will result in disciplinary action taken with all inmates involved. Third party telephone contact will also result in disciplinary action. This could include, but is not limited to three-way calls, call forwarding, the use of two or more telephones to communicate, and/or ANY circumstance in which the party called establishes third party telephone contact.

ACCESS TO LEGAL SERVICES

Legal Correspondence

Legal correspondence from attorneys will be treated as Special Mail if it is adequately 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 as "Special Mail - open only in the presence of the inmate" or with similar language clearly indicating the correspondence qualifies as legal mail and the attorney is requesting the correspondence be opened only in the inmate's presence. It is the responsibility of the inmate to advise his/her attorney of these requirements. If legal mail is not adequately marked, it may be opened as general correspondence.

Attorney Visits

Attorneys are encouraged to visit during regular visiting hours, by advance appointment. However, visits from an attorney can be arranged at other times based on the circumstances of each case and the availability of staff. Attorney visits will be subject to visual monitoring, but not audio monitoring.

Legal Material

During attorney visits, a reasonable number of legal materials may be allowed in the visiting area, with prior approval. Legal material may be transferred but is subject to inspection for contraband. Inmates are expected to handle the transfer of legal materials through the mail as often as possible.

Attorney Phone Calls

To make an unmonitored phone call with an attorney, the inmate must demonstrate to the Unit Team the need,

such as an imminent court deadline. Inmates are responsible for the expense of unmonitored attorney telephone calls. When possible, it is preferred that inmates place an unmonitored, collect legal call. Phone calls placed through the regular inmate phones are subject to monitoring.

Law Library

Electronic Law Libraries (ELL): Inmates are afforded access to legal materials and an opportunity to prepare legal documents in the ELL. Resources are available for inmates to prepare legal material via Trust Fund.

Notary Public

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

Copies of Legal Material

In accordance with institution procedures, inmates may copy material necessary for their research or legal matters. A copying machine is available in the Education Department for inmate use for a nominal fee. Individuals who have no funds and who can demonstrate a clear need for copies may submit a written request for a reasonable amount of free duplication through the unit team.

Federal Tort Claims

If the negligence of institution staff results in personal injury or property loss or damage to an inmate, it can be the basis of a claim under the Federal Tort Claims Act. To file such a claim, inmates must complete a Standard Form 95. They can obtain this form by submitting a Cop Out to Staff Member or requesting one through your Correctional Counselor.

Freedom of Information/Privacy Act of 1974

The Privacy Act of 1974 forbids the release of information from agency records without a written request, 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 records other than those pertaining to themselves shall be processed through the Freedom of Information Act (FOIA), 5 USC 552. Requests may be made in writing to the FOIA Branch, Central Office, 320 First St., N.W., Washington, D.C. 20534.

Inmate Access to Central Files and Other Documents

An inmate may request to view his/her central file (minus the FOIA section) under the supervision of his/her Case Manager by submitting a cop-out to the Unit Team. An inmate does not need to submit a FOIA Act Request to the Director of the BOP unless the information requested is in the FOIA Exempt section. Likewise, an inmate wishing to review his/her medical file should send a request to Health Services.

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 BOP, Attention: FOI Request. A request on the behalf of an inmate by an attorney, for records concerning that inmate, will be treated as a Privacy Act Request if the attorney has forwarded an inmate's written consent to disclose materials. If a document is deemed to contain information exempt from disclosure, any reasonable part of the record will be provided to the attorney after the deletion of the exempt portions.

Executive Clemency

The BOP 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 restores 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 (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 BOP also advises inmates on commutation of sentences. Commutation of sentences 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 available from the assigned unit team. The rules governing these petitions are available in the Law Library.

Pardon

A pardon may not be applied for until the expiration of at least five (5) years from the date of release from confinement. In some 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.

Compassionate Release/Reduction in Sentence

The Director of the Bureau of Prisons may motion an inmate's sentencing court for reduction in sentence (RIS) for an inmate presenting extraordinary and compelling circumstances. See 18 U.S.C. § 3582 and Program Statement on *Compassionate Release/Reduction in Sentence*. The BOP may consider both medical and non-medical circumstances. The BOP consults with the U.S. Attorney's Office that prosecuted the inmate and will notify any victims of the inmate's current offense. If the RIS is granted, the judge will issue an order for the inmate's release and he or she will then usually begin serving the previously imposed term of supervised release. If an inmate's RIS request is denied, the inmate will be provided with a statement of reasons for the denial. The inmate may appeal a denial through the Administrative Remedy Procedure. Denials by the General Counsel or the Director are final agency decisions and are not appealable. Inmates who feel their request is of an emergency nature (e.g., a terminal medical condition) may state as such in accordance with the regulation. (See 28 CFR part 542, subpart B).

PROBLEM RESOLUTION

Inmate Request to Staff Member

An Inmate Request to Staff Member (form BP-S148), 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 in the living units from the Correctional Officer on duty. Staff members will answer the request within a reasonable period of time.

Administrative Remedy Process

The BOP emphasizes and encourages the resolution of complaints. The first step of the Administrative Remedy process is to attempt an **Informal Resolution**, utilizing the appropriate Informal Resolution form. (See the Administrative Remedy Institution Supplement, Attachment A.) When an informal resolution is not successful, an inmate can access the Administrative Remedy Program. All Administrative Remedy forms may be obtained from your assigned Correctional Counselor or Unit Team member.

If the issue cannot be informally resolved, a formal complaint may be filed with a Request for Administrative Remedy (formerly BP-229), commonly referred to as a BP-9. The inmate may place a single complaint or related issues on the form. If the form contains multiple unrelated issues, the submission will be rejected. The inmate will return the completed BP-9 to the Correctional Counselor, who will deliver it to the Administrative Remedy Coordinator (BP-9 will be rejected unless processed through staff). The BP-9 complaint must be filed within twenty (20) calendar days from the date on which the basis for the incident or complaint occurred, unless it was

not feasible to file within that period of time which should be documented in the complaint. Institution staff has twenty (20) calendar days to act on the complaint and to provide a written response to the inmate. This time limit for the response may be extended for an additional twenty (20) calendar days. The inmate will be notified of the extension.

If the inmate is not satisfied with the Warden's 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 (20) calendar days from the date of the BP-9 response. The regional appeal is filed on a Regional Administrative Remedy Appeal (form BP-230), commonly referred to as a BP-10, and must include the appropriate number of copies of the BP-9 form, the Warden's response, and any exhibits. The regional appeal must be answered within thirty (30) calendar days, but the time limit may be extended an additional thirty (30) days. The inmate will be notified of the extension.

If the inmate is not satisfied with the Regional Director's response, he may appeal to the General Counsel in the Central Office. The national appeal must be made on the Central Office Administrative Remedy Appeal (form BP-231), commonly referred to as a BP-11, and must have the appropriate number of copies of the BP-9, BP-10, both responses, and any exhibits. The national appeal must be answered within forty (40) calendar days, but the time limit may be extended an additional twenty (20) days. The inmate will be notified of the extension.

When filing a Request for Administrative Remedy or an Appeal (BP-9, BP-10, or BP-11), the form should contain the following information:

- Statement of Facts
- Grounds for Relief
- Relief Requested

Sensitive Complaints

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

General Information

When a complaint is determined to be an emergency and threatens the inmate's immediate health or welfare, the reply must be made as soon as possible, usually within seventy-two (72) hours from the receipt of the complaint.

For detailed instructions see Program Statement 1330.16, Administrative Remedy Program.

DISCIPLINARY PROCEDURES

Inappropriate sexual behavior towards staff and other inmates will not be tolerated. Inappropriate sexual behavior is defined as verbal or physical conduct perceived as a sexual proposal, act, or threat. Examples of inappropriate inmate sexual behavior include displaying sexually explicit materials; making sexually suggestive jokes, comments, proposals, and gestures; and engaging in stalking, indecent exposure, masturbation, or physical contact. Inmates who engage in this type of behavior will be disciplined and sanctioned accordingly, through the inmate discipline process.

Discipline

The inmate discipline program helps ensure safety, security, and orderly operation for all inmates. Violations of BOP rules and regulations are handled by the Unit Discipline Committee (UDC) and, for more serious violations, the Disciplinary Hearing Officer (DHO). Upon arrival at an institution, inmates are advised of the rules and regulations and are provided with copies of the Prohibited Acts and Available Sanctions, as well as local regulations.

Inmate Discipline Information

When a staff member witnesses or reasonably believes an inmate has committed a prohibited act, a staff member

will issue an incident report, a written copy of the charges against an inmate. The incident report will ordinarily be delivered to the inmate within 24 hours of the time staff became aware of the inmate's involvement in the incident. If the incident is referred for prosecution, the incident report is delivered by the end of the next workday after it has been released for administrative processing. An informal resolution of the incident may be attempted at any stage of the discipline process. If an informal resolution is accomplished, the incident report will be removed from the inmate's central file. Informal resolution is encouraged for all violations in the Moderate and Low severity categories. Staff may suspend disciplinary proceedings up to two calendar weeks while informal resolution is undertaken. If an informal resolution is not accomplished, staff will reinstate the discipline process at the stage at which they were suspended. Violations in the Greatest and High severity categories cannot be informally resolved and must be forwarded to the DHO for final disposition.

Initial Hearing

Inmates will ordinarily be given an initial hearing within five (5) workdays after the incident report is issued, excluding the day it was issued, weekends, and holidays. The Warden must approve, in writing, any extension over five (5) days. The inmate is entitled to be present at the initial hearing and may make statements and present documentary evidence. The UDC must make its decision in writing to the inmate by the close of the next workday. The UDC may make findings on Moderate and Low severity offenses. The UDC will automatically refer Greatest and High severity offenses to the DHO for final disposition.

Discipline Hearing Officer (DHO)

The Disciplinary Hearing Officer (DHO) conducts disciplinary hearings on all Greatest and High severity prohibited acts and other violations referred by the UDC at the Moderate and Low severity levels. The DHO may not hear any case not referred by the UDC. An inmate will be provided with advance written notice of the charge(s) not less than 24 hours before the inmate's appearance before the DHO. Inmates may waive this requirement. Inmates may appear before the DHO either in person or electronically (for example, by video or telephone conferencing). The Warden provides a full-time staff member to represent an inmate, if requested.

An inmate may make statements and present documentary evidence on his or her behalf. The inmate may request witnesses appear at the DHO hearing to provide statements. The DHO will call witnesses who have information directly relevant to the charge(s) and are reasonably available. The DHO will request a statement from all unavailable witnesses whose testimony is deemed relevant. Inmates may not question a witness at the hearing; however, the staff representative and/or the DHO will question the witnesses. An inmate may submit a list of questions for the witnesses to the DHO if there is no staff representative. An inmate has the right to be present throughout the DHO hearing, except during deliberations. The inmate charged may be excluded during appearances of outside witnesses or when institution security may be jeopardized. The DHO may postpone or continue a hearing for good cause or disposition when the case does not warrant DHO involvement or may refer an incident report back for further investigation or review. The DHO will give the inmate a written copy of the decision and disposition, ordinarily within 15 days of the decision.

Appeals of Disciplinary Actions

Appeals of all disciplinary actions may be made through the Administrative Remedy Program. The initial reviewing official for the UDC is the Warden. The decision of the DHO is final and subject to review only by the Regional Director through the Administrative Remedy program. Appeals are made to the Regional Director (BP-230) and the General Counsel (BP-231). On appeal, the reviewing authority (Warden, Regional Director, or General Counsel) considers:

- Whether the UDC or DHO substantially complied with regulations on inmate discipline.
- Whether the UDC or DHO based its decision on facts. If there is conflicting evidence, whether the decision was based on the greater weight of the evidence.
- Whether an appropriate sanction was imposed for the severity level of the prohibited act, and other relevant circumstances.

Special Housing Unit Status

Special Housing Units (SHUs) are housing units in BOP institutions where inmates are securely separated from the general inmate population and may be housed either alone or with other inmates. SHU helps ensure the safety,

security, and orderly operation of correctional facilities, and protect the public by providing alternative housing assignments for inmates removed from the general population.

When placed in the SHU, you are either in administrative detention (A/D) status or disciplinary segregation (D/S) status.

Administrative detention (A/D) status: A/D is an administrative status which removes you from the general population when necessary to ensure the safety, security, and orderly operation of correctional facilities, or protect the public. Administrative detention status is non-punitive and can occur for a variety of reasons.

You may be placed in A/D status for the following reasons:

A. Pending Classification or Reclassification:

You are a new commitment pending classification or under review for Reclassification. This includes newly arrived inmates from the bus, airlift, and U. S. Marshals Service.

B. Holdover Status:

You are in holdover status during transfer to a designated institution or other destination.

C. Removal from general population:

Your presence in the general population poses a threat to life, property, self, staff, other inmates, the public, or to the security or orderly running of the institution and:

- **Investigation:** You are under investigation or awaiting a hearing for possibly violating a Bureau regulation or criminal law.
- **Transfer:** You are pending transfer to another institution.
- **Protection cases:** You requested, or staff determined, you require administrative detention status for your own protection; or
- **Post-disciplinary detention:** You are ending confinement in disciplinary segregation status, and your return to the general population would threaten the safety, security, and orderly operation of a correctional facility, or public safety.

When placed in A/D status, you will receive a copy of the administrative detention order, ordinarily within 24 hours, detailing the reason(s) for your placement. However, when placed in A/D status pending classification or while in holdover status, you will not receive an administrative detention order. In A/D status you are ordinarily allowed a reasonable amount of personal property and reasonable access to the commissary.

Disciplinary segregation (D/S) status: D/S is a punitive status imposed only by a Discipline Hearing Officer (DHO) as a sanction for committing a prohibited act(s). When you are placed in D/S status, as a sanction for violating BOP regulations, you will be informed by the DHO at the end of your discipline hearing. In D/S status, your personal property will be impounded, except for limited reading/writing materials and religious articles. Your commissary privileges may also be limited. In either status, your amount of personal property may be limited for reasons of fire safety or sanitation. The Warden may modify the quantity and type of personal property allowed. Personal property may be limited or withheld for reasons of security, fire safety, or housekeeping. The unauthorized use of any authorized item may result in the restriction of the item. If there are numerous misuses of an authorized item, the Warden may determine that the item will not be issued in the SHU.

Program staff, including unit staff, will arrange to visit inmates in a SHU within a reasonable time after receiving the inmate's request. A Health Services staff member will visit you daily to provide necessary medical care. While in SHU, you may continue taking your prescribed medications. In addition, after every 30 calendar days of continuous placement in either A/D or D/S status, a Mental Health staff will examine and interview you.

RELEASE

Sentence Computation

The Designation and Sentence Computation Center (DSCC), located in Grand Prairie, Texas, is responsible for the computation of inmate sentences. Once staff at DSCC have certified the sentence computation as being accurate, staff will provide the inmate with a copy of his or her sentence computation data. Any questions concerning good time, jail time credit, parole eligibility dates, full term dates, or release dates are resolved by staff upon inmate request for clarification.

Fines and Costs

In addition to jail time, the court may impose committed or non-committed fines and/or costs. Committed fines mean that the inmate will remain in prison until the fine is paid, plans to pay the fine, or qualifies for release under the provisions of Title 18 USC, Section 3569 (Discharge of indigent prisoner). Non-committed fines have no conditions of imprisonment based on payment of fines or costs. Payments for a non-committed fine or cost are not required for release from prison or transfer to a contract residential reentry center.

Detainers

Case management staff may give assistance to offenders in their efforts to have detainers against them disposed of, either by having the charges dropped, by restoration to probation or parole status, or by arrangement for concurrent service of the state sentence. The degree to which the staff can assist in such matters as these will depend on individual circumstances.

The Interstate Agreement on Detainers Act (IADA) allows for the disposition of untried charges, indictments, information, or complaints that have been lodged as a detainer by party states. The United States of America, the District of Columbia, and any U.S. state or territory that has codified the IADA into its statutes have been identified as party states. The states of Mississippi and Louisiana, the Commonwealth of Puerto Rico, and the territories have not joined the IADA to date.

Good Conduct Good Time

This applies to inmates sentenced for an offense committed on or after November 1, 1987, under the Sentencing Reform Act of 1984 (SRA), the Violent Crime Control Law Enforcement Act (VCCLEA), or Prison Litigation Reform Act (PLRA).

The SRA became law on November 1, 1987. The two most significant changes made to sentencing statutes concern good time and parole issues. There are no provisions for parole under the SRA. The only good time available under the SRA is 54 days of Good Conduct Time (GCT) for each year served on the sentence. No GCT is applied to life terms, or to sentences of 1 year or less. Good time is not awarded under the SRA until the end of each year served on the sentence, and may be awarded in part or in whole, contingent upon behavior during the year. Once awarded, GCT earned under the SRA is vested, and may not be forfeited later.

For inmates convicted under the VCCLEA, for offenses committed from September 13, 1994, through April 25, 1996, the 54 days of GCT earned for each year served on the sentence will not vest if an inmate does not have a high school diploma or a GED, and the inmate is not making satisfactory progress toward earning a GED. Unsatisfactory progress is determined by the institution Education Department.

For inmates sentenced under the PLRA, for offenses committed on or after April 26, 1996, the GCT earned for time spent in service of the sentence does not vest. In addition, if an inmate does not have a high school diploma or a GED, and the inmate is not making satisfactory progress toward earning a GED, only 42 days of GCT will be earned for each year in the service of the sentence. Unsatisfactory progress is determined by the institution Education Department.

The amount of GCT an inmate is eligible to receive is based on the amount of time served on the sentence, not the length of the sentence. This calculation method has been upheld by the U.S. Supreme Court.

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

Good Time

Good Time awarded by the BOP 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.

Statutory Good Time

Under 18 U.S. Code 4161, an offender sentenced to a definite term of six months, or more is entitled 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 one year - 5 days for each month of the not less than six months or more than one 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.

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, performing duties of outstanding importance, or for employment in an Industry or Camp. An inmate may earn only one type of good time award at a time (e.g., an inmate earning industrial or Camp 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 DHO 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 the recommendation of staff. The DHO may disallow or terminate the awarding of any type of Extra Good Time, (except lump sum awards) as a disciplinary sanction. Once an award of meritorious good time has been terminated, the Warden must approve a new staff recommendation in order for the award to be recommenced. 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 suspended 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.

Residential Reentry Center Good Time

Extra good time for an inmate in a Federal or contract Residential Reentry Center is awarded automatically beginning on arrival at that facility and continuing as long as the inmate is confined to the Center, unless the award is disallowed.

Camp Good Time

An inmate assigned to a camp is automatically awarded Extra Good Time, beginning on the date of commitment to the camp, and continuing as long as the inmate is assigned to the camp unless the award is disallowed.

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 (30) 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.

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.

Parole

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.

Federal inmates sentenced prior to 1987 are ordinarily permitted an opportunity to appear before the Parole Commission within 120 days of commitment (EXEMPTIONS: inmates sentenced before September 6, 1977, and inmates with a minimum parole eligibility of ten years). Inmates sentenced in the District of Columbia Superior Court who are eligible for parole will normally receive a parole hearing 180 days prior to their parole eligibility date. If the inmate chooses not to appear before the Parole Board for the initial hearing, a waiver must be given to the Case Manager 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 most Bureau institutions every two months.

Applications to the Parole Commission for a hearing, are 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.

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 examiner must be confirmed by the Regional Office of the Parole Board. This confirmation usually takes three to four weeks and is made through the mail on a form called a Notice of Action. Federal inmates may appeal a decision made by the Parole Commission by obtaining the appropriate forms from the Case Manager. Inmates with a District of Columbia Superior Court case cannot appeal a decision made by the Parole Commission. If granted a presumptive parole date (a parole date more than six months following the hearing), a parole progress report will be sent to the Parole Board three to six months before the parole date.

Parole may be granted to a detainer or for the purpose of deportation. The inmate should have an approved residence and an approved employer before being released on parole.

Residential Reentry Center

Inmates who are nearing release, and who need assistance in obtaining a job, residence or other community resources, may be transferred to a RRC. The Bureau Residential Re-Entry Branch, within the Correctional Program Division, supervises services provided to offenders housed in contract facilities and participating in specialized programs in the community. The Residential Re-Entry Manager (RRM) links the Bureau of Prisons with the United States Court, other federal agencies, state and local government, and the community. Located strategically throughout the country, the RRM is responsible for developing and maintaining a variety of contract facilities and programs working under the supervision of the appropriate Regional Community Correctional facilities. The community — based residential programs available include both typical community corrections centers and local detention facilities. Each RRC provides a suitable residence, structured program, job placement, and counseling when 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.

Most BOP community — based residential programs are provided in RRC's. These facilities contract with the Bureau of Prisons to provide residential programs near the offender's home community.

RRC's are used primarily for three types of offenders:

- Those nearing release from a BOP institution, as a transitional service while the offender is finding a job,

locating a place to live, and reestablishing family ties.

- Those under community supervision who need guidance and supportive services beyond what can be provided through regular supervision.
- Those serving short sentences of imprisonment and terms of community confinement. Each RRC 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. The other option for community-based residential programming is local detention facilities. Some local jails and detention centers are used to confine offenders serving short sentences. Many have work release programs where an offender is employed in the community during the day and returns to the institution at night. These facilities may also be used for offenders sentenced to terms of intermittent confinement such as nights, weekends, or other short intervals. Some local facilities have work release programs like the Community Corrections component in a RRC serving as the transition from the institution to the community. Each RRC 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. 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. The other option for community-based residential programming is local detention facilities. Some local jails and detention centers are used to confine offenders serving short sentences. Many have work release programs where an offender is employed in the community during the day and returns to the institution at night. These facilities may also be used for offenders sentenced to terms of intermittent confinement such as nights, weekends, or other short intervals. Some local facilities have work release programs like the Community Corrections component in a RRC serving as the transition from the institution to the community.

Community-Based Residential Programs

The community-based residential programs available include both typical RRCs and work release programs provided by local detention facilities. The RRCs provide 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 gross income.

Most BOP community-based residential programs are provided in RRCs. These facilities contract with the BOP to provide residential correctional programs near the offender's home community. RRCs are used primarily for three types of offenders:

- Those nearing release from a BOP institution, as a transitional service while the offender is finding a job, locating a place to live, and reestablishing family ties.
- Those under community supervision who need guidance and supportive services beyond what can be provided through regular supervision by U.S. Probation.
- Those serving short sentences of imprisonment and terms of community confinement.

Each RRC now provides two components within one facility, a prerelease component, and a community corrections component. The prerelease 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 more restrictive. Except for employment and other required activities, the offenders are required to remain at the RRC, where recreation, visiting, and other activities are provided in-house.

The other option for community-based residential programming is local detention facilities. Some local jails and detention centers are used to confine offenders serving short sentences. Many have work release programs where

an offender is employed in the community during the day and returns to the institution at night. These facilities may also be used for offenders sentenced to terms of intermittent confinement such as nights, weekends, or other short intervals. Some of these local facilities have work release programs like the community corrections component in a RRC, serving to facilitate the transition from the institution to the community.

The Adam Walsh Child Protection and Safety Act

The Adam Walsh Child Protection and Safety Act (Pub.L. 109-248) was signed into law on July 27, 2006. The legislation organizes sex offenders into 3 tiers and mandates that Tier 3 offenders update their whereabouts every 3 months. It makes failure to register and update information a felony. It also creates a national sex offender registry and instructs each state and territory to apply identical criteria for posting offender data on the Internet (i.e., offender's name, address, date of birth, place of employment, photograph, etc.).

CONCLUSION

Hopefully this information will assist inmates during their incarceration and help clarify any concerns they may encounter. New commits should feel free to ask any staff member for assistance, particularly unit staff. For individuals who are not yet in custody, and who have been given this publication to prepare for commitment, the BOP's RRM or the staff at the institution to which they have been designated can help clarify any other concerns.

Attachment A**INMATE RIGHTS AND RESPONSIBILITIES****RIGHTS**

1. You have the right to expect that you will be treated in a respectful, impartial, and fair manner by all staff.
2. You have the right to be informed of the rules, procedures and schedules concerning the operation of the institution.
3. You have the right to freedom of religious affiliation, and voluntary religious worship.
4. You have the right to health care, which includes nutritious meals, proper bedding and clothing, and a laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles and medical and dental treatment.
5. You have the right to visit and correspond with family members, and friends, and correspond with members of the news media in accordance with Bureau rules and institution guidelines.
6. You have the right to unrestricted and confidential access to the courts by correspondence (on matters such as the legality of your conviction, civil matters, pending criminal cases and conditions of your imprisonment.)

RESPONSIBILITIES

1. You are responsible for treating inmates and staff in the same manner.
2. You have the responsibility to know and abide by them.
3. You have the responsibility to recognize and respect the rights of others in this regard.
4. It is your responsibility not to waste food, to follow the laundry and shower schedule, maintain neat and clean-living quarters, to keep your area free of contraband, and to seek medical and dental care as you may need it.
5. It is your responsibility to conduct yourself properly during visits. You will not engage in inappropriate conduct during visits to include sexual acts and introduction of contraband, and not to violate the law or Bureau guidelines through correspondence.
6. You have the responsibility to present honestly and fairly your petitions, questions, and problems to the court.

7. You have the right to legal counsel from an attorney of your choice by interviews and correspondence.
8. You have the right to participate in the use of law library reference materials to assist you in resolving legal problems. You also have the right to receive help when it is available through a legal assistance program.
9. You have the right to a wide range of reading materials for educational purposes and for your own enjoyment. These materials may include magazines and newspapers sent from the community, with certain restrictions.
10. You have the right to participate in education, vocational training and employment as far as resources are available, and in keeping with your interests, needs, and abilities.
11. You have the right to use your funds for commissary and other purchases, consistent with institution security and good order, for opening bank and/or savings accounts, and for assisting your family, in accordance with Bureau rules.
7. It is your responsibility to use the services of an attorney honestly and fairly.
8. It is your responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other inmates to the use of the materials and assistance.
9. It is your responsibility to seek and utilize such materials for your personal benefit, without depriving others of their equal rights to the use of this material.
10. You have the responsibility to take advantage of activities which may help you live a successful and law-abiding life within the institution and in the community. You will be expected to abide by the regulations governing the use of such activities.
11. You have the responsibility to meet your financial and legal obligations, including, but not limited to, DHO and court-imposed assessments, fines, and restitution. You also have the responsibility to make use of your funds in a manner consistent with your release plans, your family needs, and for other obligations that you may have.

Attachment B**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).
- 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 assaults 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 severities 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 severities 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.
- 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.
- 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.
- 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 more than \$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.
- 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 assaults of any person, involving non-consensual touching without force or threat of force.
- 231 Requesting, demanding, pressuring, or otherwise intentionally creating a situation, which causes an inmate to produce or display his own court documents for any unauthorized purpose to another inmate.
- 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 severities 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 severities 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.
- 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 absences 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.
- 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 severities 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 severities 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

- 402 Malingering, feigning illness.
- 404 Using abusive or obscene language.
- 407 Conduct with a visitor in violation of Bureau regulations.
- 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 severities 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 severities 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).
- C. Make monetary restitution.
- D. Monetary fine.
- E. Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).
- F. Change housing (quarters).
- G. Remove from program and/or group activity.
- H. Loss of job.
- I. Impound inmate’s personal property.
- J. Confiscate contraband
- K. Restrict to quarters.
- L. Extra duty.

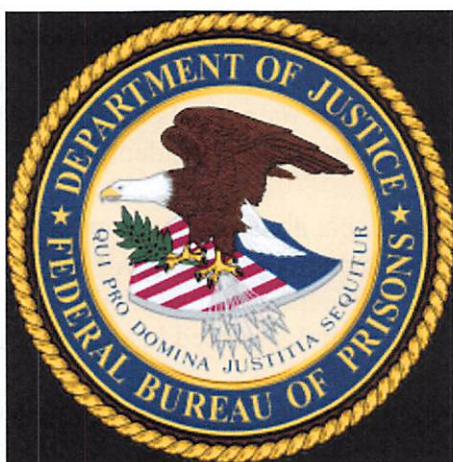
Table 2. ADDITIONAL AVAILABLE SANCTIONS FOR REPEATED PROHIBITED ACTS WITHIN THE SAME SEVERITY LEVEL

Prohibited Act Severity Level	Time Period for Prior Offense (same code)	Frequency of Repeated Offense	Additional Available Sanctions
Low Severity (400 level)	6 months	2 nd offense	1. Disciplinary segregation (up to 1 month). 2. Forfeit earned SGT or non-vested GCT up to 10% or up to 15 days, whichever is less, and/or terminate or disallow extra good time (EGT) (an EGT sanction may not be suspended).
		3 rd or more offense	Any available Moderate severity level sanction (300 series).
Moderate Severity (300 level)	12 months	2 nd offense	1. Disciplinary segregation (up to 6 months). 2. Forfeit earned SGT or non-vested GCT up to 37 1/2% or up to 45 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended).
		3 rd or more offense	Any available High severity level sanction (200 series).
High Severity (200 level)	18 months	2 nd offense	1. Disciplinary segregation (up to 12 months). 2. Forfeit earned SGT or non-vested GCT up to 75% or up to 90 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended).
		3 rd or more offense	Any available Greatest severity level sanction (100 series).
Greatest Severity (100 level)	24 months	2 nd or more offense	Disciplinary Segregation (up to 18 months).

Attachment C

**Sexually Abusive Behavior
Prevention and Intervention:
Information and How to Report**

**U.S. Department of Justice
Federal Bureau of Prisons
Sexually Abusive Behavior Prevention and Intervention:
Information and How to Report**



An Overview for Individuals in BOP Custody

**FCI THREE RIVERS
THREE RIVERS, TX**

February 2025

PREA AT A GLANCE

Everyone in BOP custody has the right to be safe from sexual abuse and harassment.

Anyone who reports sexual abuse and harassment (staff or those in BOP care and custody) has the right to be free from retaliation for reporting.

There are multiple ways to report sexual abuse or harassment:

- Email Office of Inspector General (OIG) directly. When you email OIG from TruLincs, this is not traceable at your institution. Staff and other individuals in BOP custody will not know you made this report. You can request for your report to remain confidential. OIG is completely separate from the BOP. OIG staff do not work for the BOP.
- Tell any staff member about sexual abuse or harassment.
- Write a “cop-out” to any staff member you are comfortable with.
- Write directly to the Regional or Central Office PREA Coordinator.
- Write directly to OIG (information is included later in this handbook).
- File an administrative remedy.
- Have someone you trust report the allegations online (the web address is included later in this handbook).

ALL allegations of sexual abuse or harassment are taken seriously and investigated accordingly.

You can always ask a staff member if you have questions about the information provided in this handbook.

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

The Federal Bureau of Prisons has a zero-tolerance policy against sexual abuse and sexual harassment. 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/ harassing behavior or pressure to engage in unwanted sexual behavior from another person in BOP custody or a staff member. Regardless of your age, sex, size, race, or ethnicity you have the right to be safe from sexually abusive behavior.

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 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 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, **we recommend that you see medical staff BEFORE you shower, wash, drink, eat, change clothing, or use the bathroom because evidence can be lost.** 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. Those who sexually abuse or assault individuals in BOP custody can only be disciplined and/or prosecuted if the abuse is reported. **Regardless of whether your assailant is another individual in BOP custody 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.**

It is helpful for the investigation if you include as many details as possible about the allegation(s). This can include the date, time, location, any witnesses, any evidence you may have, if you have heard of other potential victims, any previous incidents, etc.

After you make your report, you will be asked to make a statement to an investigator about the allegation. While it is helpful for the investigation to cooperate with this interview, it is always your choice how much information to share and with whom. You will also have an opportunity to speak with a Psychologist and a medical provider.

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** or have been a victim of sexual harassment. It is equally important to inform staff if you have witnessed sexually abusive behavior. You can tell your case manager, Chaplain, Psychologist, SIS, 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 victim's welfare and for law enforcement or investigative purposes. There are other means to confidentially 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 certain allegations of staff misconduct by employees of the U.S. Department of Justice; all other sexual abuse/harassment allegations will be forwarded by the OIG to the BOP. OIG is a component of the Department of Justice and is not a part of the Bureau of Prisons. You may request to remain anonymous to the BOP. The address is:

**Office of the Inspector General
U.S. Department of Justice Investigations Division
950 Pennsylvania Avenue, N.W. Room 4706
Washington, D.C. 20530**

■ **E-mail OIG.** You can send an e-mail directly to OIG by clicking on the TRULINCS Request to Staff tab and selecting the Department Mailbox titled DOJ Sexual Abuse Reporting. This method of reporting is processed by OIG during normal business hours, Monday – Friday. It is not a 24-hour hotline. For immediate assistance, contact institution staff.

These e-mails:

- are untraceable at the local institution,
- are forwarded directly to OIG
- will not be saved in your e-mail ‘Sent’ list
- do not allow for a reply from OIG,
- If you want to remain anonymous to the BOP, you must request it in the e-mail to OIG.

■ **Third-party Reporting.** Anyone can report such abuse on your behalf by accessing the BOP’s public website, specifically

https://www.bop.gov/inmates/custody_and_care/sexual_abuse_prevention.jsp

Confidential Reporting

As noted above, you can send reports of sexual abuse to a dedicated email address managed by OIG, and you can request the report remain confidential. OIG is completely independent of the BOP. OIG protects the identity of victims and other individuals who report allegations to the greatest extent possible, while still thoroughly vetting and investigating the allegations. As an incarcerated person, you can make third-party reports to OIG regarding other individuals in BOP custody and you are encouraged to do so.

Understanding the Investigative Process

Once 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 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.

You may also contact your local Rape Crisis Center (RCC). Rape Crisis Centers are community-based organizations that help victims of sexual violence. Your institution may have a Memo of Understanding (MOU) with a local RCC. If so, Psychology Services can provide you with the contact information. If no MOU exists, you may seek services through Psychology Services.

Your Local Rape Crisis Center:

Name: The Purple Door

Contact Information: 361 884-2900

Management Program for Inmate Assailants

Anyone who sexually abuses/assaults/harasses others while in custody of the BOP will be disciplined and fully prosecuted 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 affected.

If you feel that you need help to keep from engaging in sexually abusive behaviors, psychological services are available.

Prohibited Acts: Individuals in BOP custody who engage in inappropriate sexual

behavior can be charged with the following Prohibited Acts under the *Inmate Discipline Program* policy:

- Code 114/(A): Sexual Assault by Force
- Code 205/(A): Engaging in a Sex Act
- Code 206/(A): Making a Sexual Proposal
- Code 221/(A): Being in an Unauthorized Area with a Member of the Opposite Sex
- Code 225/(A): Stalking Another Person
- Code 229/(A): Sexual Assault Without Force
- Code 300/(A): Indecent Exposure
- Code 404/(A): Using Abusive or Obscene Language
- Code 409/(A): Unauthorized Physical Contact

Policy Definitions per 28 CFR 115.6

Sexual Abuse Includes-

- (1) Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
- (2) Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.

Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Penetration of the anal or genital opening of another person, however slight, by hand, finger, object, or other instrument; and
- (4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding incidental contact to a physical altercation.

Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident:

- (1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- (2) Contact between the mouth and the penis, vulva, or anus;
- (3) Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- (4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other

instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;

(5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;

(6) Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1) through (5) of this definition;

(7) Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and

(8) Voyeurism by a staff member, contractor, or volunteer.

Sexual harassment includes-

(1) **Repeated** and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and

(2) **Repeated** verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to sex, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Voyeurism by a staff member, contractor, or volunteer means an invasion of privacy of an inmate, detainee, or resident by staff for reasons unrelated to official duties, such as peering at an inmate who is using a toilet in his or her cell to perform bodily functions; requiring an inmate to expose his or her buttocks, genitals, or breasts; or taking images of all or part of an inmate's naked body or of an inmate performing bodily functions.

An incident is considered **Inmate-on-Inmate Abuse/Assault** when any sexually abusive behavior (including sexual harassment) occurs between two or more inmates. An incident is considered **Staff-on-Inmate Abuse/Assault** when any sexually abusive behavior (including sexual harassment) 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 individuals in BOP custody, even when no objections are raised, are prohibited acts, and may be illegal. Sexual acts or contacts between an individual in BOP custody and a staff member, even when no objections are raised by either party, are always forbidden and illegal. Individuals who have been sexually assaulted by another individuals in BOP custody or staff member will not be prosecuted or disciplined for reporting the assault. However, individuals may be penalized for knowingly filing any false report.

**** Please be aware that both male and female staff routinely work and visit institutional housing areas. ****

Contact Offices:

**U.S. Department of Justice
Office of the Inspector General
Investigations Division**
950 Pennsylvania Avenue, NW Suite 4706
Washington, D.C. 20530

**Federal Bureau of Prisons
Central Office
National PREA Coordinator**
400 First Street, NW, Room 4027
Washington, D.C. 20534

**Federal Bureau of Prisons
Mid-Atlantic Regional Office
Regional PREA Coordinator**
302 Sentinel Drive, Suite 200
Annapolis Junction, Maryland 20701

**Federal Bureau of Prisons
North Central Regional Office
Regional PREA Coordinator**
Gateway Complex Tower II, 8th Floor
400 State Avenue
Kansas City, KS 66101-2492

**Federal Bureau of Prisons
Northeast Regional Office
Regional PREA Coordinator**
U.S. Customs House, 7th Floor
2nd and Chestnut Streets
Philadelphia, Pennsylvania 19106

**Federal Bureau of Prisons
South Central Regional Office
Regional PREA Coordinator**
U.S. Armed Forces Reserve Complex
344 Marine Forces Drive
Grand Prairie, Texas 75051

**Federal Bureau of Prisons
Southeast Regional Office
Regional PREA Coordinator**
3800 North Camp Creek Parkway, SW

Building 2000
Atlanta, GA 30331-5099

Federal Bureau of Prisons
Western Regional Office
Regional PREA Coordinator
7338 Shoreline Drive
Stockton, CA 95219

Third-party reporting (outside of institution):

https://www.bop.gov/inmates/custody_and_care/sexual_abuse_prevention.jsp

PREA Video Script

Serving your sentence can be a challenging time in your life. While in the care and custody of the Federal Bureau of Prisons, you have the right to be free from sexually abusive behavior. In fact, sexual abuse is actually illegal. The Prison Rape Elimination Act of 2003 (commonly known as “PREA”) is the law enacted to ensure your time in our custody is safe. The Bureau of Prisons has a commitment to uphold our zero-tolerance policy for sexually abusive behavior. This means we do not tolerate sexual abuse or sexual harassment of any kind from staff or other individuals in BOP custody, and we are obligated to respond when you feel you have been abused or harassed.

Many of you experienced and survived physical, emotional, or sexual trauma before your incarceration. It is unacceptable for this cycle of abuse to continue during your sentence. Our institutions are meant to be places where you can serve your sentence safely and engage in programming and activities designed to help meet your individual reentry, health and wellness, parenting, psychological, and other needs. Our goal is for you to serve your sentence and work on self-improvement and do so in a safe environment without worrying about your safety and wellbeing.

BOP staff are prohibited from engaging in sexually inappropriate behavior. This includes demeaning references to your sex or comments about your body. Staff are prohibited from using indecent language, sexually suggestive comments or gestures, or watching you for their own pleasure. These behaviors are considered sexual harassment. Sexual harassment or the invasion of your privacy by staff for reasons unrelated to official duties are not acceptable and may constitute a PREA violation. Even having sexually suggestive pictures hanging in public areas is inappropriate in our prisons. You may perceive these behaviors as uncomfortable to refuse or you may feel like you can’t report them, but you can and should. You might worry how reporting may interrupt your current relationships, phone calls and visits; you may even fear retaliation. I want you to know, staff who violate professional boundaries must be reported and safeguards are in place to ensure your protection. Retaliation of any kind for reporting allegations of staff misconduct or sexual abuse is strictly prohibited.

It is the expectation of the agency and its leadership that our staff at every level treat those in BOP custody with respect and dignity, and we ask the same of you. When we all work together, there are better outcomes for you when you return home to your children, families, and loved ones.

If you feel you have been harassed or abused, there are multiple ways for you to report this behavior. You can tell any staff member; call to report; send an email; or write to report. Specific details for your facility are available in your A&O Handbook or on the black and yellow PREA signs in your housing unit. All allegations of sexual abuse are taken seriously and investigated. If you have questions or need help with understanding your handbook or any of this information, please reach out to a staff member.

At all BOP facilities, we have trained professional mental health staff who can help you after an allegation of sexual abuse, and most institutions also have access to outside advocates you can contact, should you choose to work with them after an allegation. This includes access to follow-up services beyond your initial report. Your safety and wellbeing are of the utmost importance to the BOP. Please reach out to your Executive Staff or any staff member you feel comfortable asking if you have any questions. You have the right to be free of sexual abuse and harassment, and we can all work together to keep you safe and healthy.

Reporting Employees Misconduct

In accordance with PS 3420.12, Standards of Employee Conduct, any inmate who becomes aware of employee misconduct, to include matters affecting an inmate's health and safety, has the ability to report the violation to the CEO, OIA, or OIG.

Contact Office

U.S. Department of Justice
Office of the Inspector General
Investigations Division
950 Pennsylvania Avenue, NW Suite 4706
Washington, D.C. 20530-0001

Inmate Accident Compensation Procedures

FOREWORD

Despite a well-managed and progressive safety program it is not possible to prevent every accident and injury sustained by an inmate worker. This pamphlet contains the authority and procedures for reporting work related accidents, for preparation of claims, and for payment of compensation to inmates who have sustained an impairment because of a work assignment in Federal Prison Industries, Inc., or an institutional work assignments.

TITLE 28

JUDICIAL ADMINISTRATION

CHAPTER III

FEDERAL PRISON INDUSTRIES, INC. DEPARTMENT OF JUSTICE

PART 301

INMATE ACCIDENT COMPENSATION

REGULATIONS GOVERNING INMATE ACCIDENT COMPENSATION PROCEDURES

Section 4126 of Title 18, United States Code, authorizes Federal Prison Industries, Incorporated, to employ the Prison Industries Fund in paying compensation to inmates or their dependents for injuries suffered in any work activity in connection with the maintenance or operation of the institution where confined, pursuant to rules and regulations promulgated by the Attorney General. The authority to issue rules and regulations under this provision has been delegated by the Attorney General to the Board of Directors of Federal Prison Industries, or to such officer of the Corporation as the Federal Prison Industries, or to such officer of the Corporation as the Board may designate. See Title 28, Code of Federal Regulations (28 CFR), Section 0.99. These regulations coincide with those published in 28 CFR Section 301.101 through 301.319.

PART 301 - INMATE ACCIDENT COMPENSATION	
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Authority: 18 U.S.C. 4126, 28 CFR 0.99, and by resolution of the Board of Directors of Federal Prison Industries, Inc.

Subpart A - GENERAL

§301.101 Purpose and Scope.

Pursuant to the authority granted at 18 U.S.C. 4126, the procedures set forth in this part govern the payment of accident compensation, necessitated as the result of work-related injuries, to federal prison inmates or their dependents. Compensation may be awarded via two separate and distinct programs:

- (a) Inmate Accident Compensation may be awarded to former federal inmates or their dependents for physical impairment or death resultant from injuries sustained while performing work assignments in Federal Prison Industries, Inc., in institutional work assignments involving the operation or maintenance of a federal correctional facility, or in approved work assignments for other federal entities; or,
- (b) Lost-time wages may be awarded to inmates assigned to Federal Prison Industries, Inc., to paid institutional work assignments involving the operation or maintenance of a federal correctional facility, or in approved work assignments for other federal entities for work-related injuries resulting in time lost from the work assignments.

§301.102 Definitions.

- (a) For purposes of this part, the term "work-related injury" shall be defined to include any injury, including occupational disease or illness, proximately caused by the actual performance of the inmate's work assignment.
- (b) (1) For purposes of this part, the term "release" is defined as the removal of an inmate from a Bureau of Prisons correctional facility upon expiration of sentence, parole, final discharge from incarceration of a pretrial inmate, or transfer to a community corrections center or other non-federal facility, at the conclusion of the period of confinement in which the injury occurred.
- (2) In the case of an inmate who suffers a work-related injury while housed at a community corrections center, "release" is defined as the removal of the inmate from the community corrections center upon expiration of sentence, parole, or transfer to any non-federal facility, at the conclusion of the period of confinement in which the injury occurred.
- (3) In the case of an inmate who suffers a work-related injury while housed at a community corrections center and is subsequently transferred to a Bureau of Prisons facility, "release" is defined as the removal of the inmate from the Bureau of Prisons facility upon expiration of sentence, parole, or transfer to community corrections center or other non-federal facility.
- (c) For purposes of this part, the term "dependent" is defined as the legally recognized spouse or child of an inmate for whose support the inmate is legally responsible in whole or part.
- (d) For purposes of this part, the term "work detail supervisor" may refer either to a Bureau of Prisons or to a non-Bureau of Prisons supervisor.
- (e) For the purposes of this part, the phrase "housed at" or "based at" a "Bureau of Prisons institution" shall refer to an inmate that has a work assignment with a Bureau of Prisons institution or with another federal entity and is incarcerated at a Bureau of Prisons institution. For the purposes of this part, the phrase "based at" or "housed at" a "community corrections center" shall refer to an inmate who has a work assignment for a non-Bureau of Prisons federal entity and is incarcerated at a community corrections center.

§301.103 Inmate work assignments.

The unit team of each inmate, which ordinarily designates work assignments, or whoever makes work assignments, shall review appropriate medical records, presentence reports, admission summaries, and all Other available information prior to the designation of an inmate to a work assignment in an effort to preclude the assignment Of an inmate to a work assignment not compatible with inmate's physical ability or condition.

§301.104 Medical attention.

Whenever an inmate worker is injured while in the performance of assigned duty, regardless of the extent of the injury, the inmate shall immediately report the injury to his official work detail supervisor, In the case of injuries on work details for other federal entities, the inmate shall also report the injury as soon as possible to community corrections or institution staff, as appropriate. The work detail supervisor shall immediately secure such first aid, medical, or hospital treatment as may be necessary for the proper treatment of the injured inmate. First aid treatment may be provided by any knowledgeable individual. Medical, surgical, and hospital care shall be rendered under the direction of institution medical staff for all inmates based at Bureau of Prisons institutions. In the case of inmates based at community corrections centers, medical care shall be arranged by the work supervisor or by community corrections center staff in accordance with the medical needs of the inmate. Refusal by an inmate worker to accept such medical, surgical, hospital, or first aid treatment recommended by medical staff or by other medical professionals may result in denial of any claim for compensation for any impairment resulting from the injury.

§301.105 Investigation and report of injury.

- (a) After initiating necessary action for medical attention, the work detail supervisor shall immediately secure a record of the cause, nature, and exact extent of the injury. The work detail supervisor shall complete a BP-140, Injury Report (Inmate), on all injuries reported by the inmate, as well as injuries observed by staff. In the case of injuries on work details for other federal entities, the work supervisor shall also immediately inform community corrections or institution staff, as appropriate, of the injury. The injury report shall contain a signed statement from the inmate on how the accident occurred. The names and statements of all witnesses (e.g., staff, inmates, or others) shall be included in the report. If the injury resulted from the operation of mechanical equipment, an identifying description or photograph of the machine or instrument causing the injury shall be obtained, to include a description of all safety equipment used by the injured inmate at the time of the injury. Staff shall provide the inmate with a copy of the injury report. Staff shall then forward the original and remaining copies of the injury report to the Institutional Safety Manager for review. In the case of inmates based at community corrections centers, the work detail supervisor shall provide the inmate with a copy of the injury report and shall the original and remaining copies of the injury report to the Community Corrections Manager responsible for the community corrections center where the inmate is housed.
- (b) The Institution Safety Manager or Community Corrections Manager shall ensure that a medical description of the injury is included on the BP-140, whenever the injury requires medical attention. The Institution Safety Manager or Community Corrections Manager shall also ensure that the appropriate sections of BP-140, Page 2, Injury - Lost-Time Follow-Up Report, are completed and that all reported work injuries are properly documented.

§301 .106 Repetitious accidents.

If an inmate worker is involved in successive accidents on a particular work site in a comparatively short period of time, regardless of whether injury occurs, and the circumstances of the accidents indicate an awkwardness or ineptitude that, in the opinion of the inmate's work supervisor, implies a danger of further accidents in task assigned the inmate shall be assigned to another task more suitable to the inmate's ability.

Subpart B - LOST-TIME WAGES

§301.201 Applicability.

Lost-time wages shall be available only for inmates based at Bureau of Prisons institutions.

§301.202 Determination of work-relatedness.

- (a) When the institution safety manger receives notice, or has reason to believe, a work-related injury may result in time lost from the work assignment, he or she shall present BP140, Pages 1 and 2 (with the appropriate sections completed) to the Institution Safety Committee at the Committee's next regularly scheduled meeting. The Safety Committee shall decide of the injury's work-relatedness based on the available evidence and testimony. The determination shall be recorded on BP-140, Page 2, a copy of which shall be provided to the inmate,
- (b) A determination of work-relatedness for purposes of awarding lost-time wages is not confirmation on the validity of any subsequent claim to receive compensation for work related physical impairment or death.

§301.203 Payment of lost-time wages.

- (a) An inmate worker may receive lost-time wages for the number of regular work hours absent from work due to injury sustained in the performance of the assigned work.
- (b) Lost-time wages are paid for time lost more than three consecutively scheduled workdays. The day of injury is the first workday regardless of the time of injury.
- (c) An inmate may receive lost-time wages at the rate of 75% of the standard hourly rate of the inmate's regular work assignment at the time of the injury.

§301 .204 Continuation of lost-time wages.

- (a) Once approved, the inmate shall receive lost-time wages until the inmate:
 - (1) is released.
 - (2) is transferred to another institution for reasons unrelated to the work injury.
 - (3) returns to the pre-injury work assignment.
 - (4) is reassigned to another work area or program for reasons unrelated to the sustained work injury, or is placed into Disciplinary Segregation; or,
 - (5) refuses to return to a regular work assignment or to lighter duty work assignment after medical certification of fitness for such duty.
- (b) An inmate medically certified as fit for return to work shall sustain no monetary loss due to a required change in work assignment. Where there is no light duty or regular work assignment available at the same rate of pay as the inmate's pre-injury work assignment, the difference shall be paid in lost-time wages. Lost-time wages are paid until a light duty or regular work assignment at the same pay rate as the inmate's pre-injury work assignment is available.

§301.205 Appeal of determination

An inmate who disagrees with the decision regarding payment of lost-time wages may appeal that decision exclusively through the Administrative Remedy Procedure. (See 28 CFR part 542.)

28 CFR 542 refers to the Program Statement on Administrative Remedy Procedure for Inmates.

Subpart C - COMPENSATION FOR WORK-RELATED PHYSICAL IMPAIRMENT OR DEATH

§301.301 Compensable and non-compensable injuries.

- (a) No compensation for work-related injuries resulting in physical impairment shall be paid prior to an inmate's release.
- (b) Compensation may only be paid for work-related injuries or claims alleging improper medical treatment of a work-related injury. This ordinarily includes only those injuries suffered during the performance of an inmate's regular work assignment. However, injuries suffered during the performance of voluntary work in the operation or maintenance of the institution, when such work has been approved by staff, may also be compensable.
- (c) Compensation is not paid for injuries sustained during participation in institutional programs (such as programs of a social, recreational, or community relations nature) or from maintenance of one's own living quarters. Furthermore, compensation shall not be paid for injuries suffered away from the work location (e.g., while the claimant is going to or leaving work, or going to or coming from lunch outside of the workstation or area).
- (d) Injuries sustained by inmate workers willfully or with intent to injure someone else, or injuries suffered in any activity not related to the actual performance of the work assignment are not compensable, and no claim for compensation for such injuries will be approved. Willful violation of rules and regulations may result in denial of compensation for any resulting injury.

§301.302 Work-related death.

A claim for compensation as the result of work-related death may be filed by a dependent of the deceased inmate up to one year after the inmate's work-related death. The claim shall be submitted directly to the Claims Examiner, Federal Bureau of Prisons, 320 First Street, N.W. Washington DC 20534.

§301.303 Time parameters for filing a claim.

- (a) No more than 45 days prior to the date of an inmate's release, but no less than 15 days prior to this date, each inmate who feels that a residual physical impairment exists because of an industrial, institution, or other work-related injury shall submit a FPI 43, Inmate Claim for Compensation on Account of Work Injury. Assistance will be given the inmate to properly prepare the claim, if the inmate wishes to file. In each case a definite statement shall be made by the claimant as to the impairment caused by the alleged injury. The completed claim form shall be submitted to the Institution Safety Manager or Community Corrections Manager for processing.
- (b) In the case of an inmate based at a community corrections center who is being transferred to a Bureau of Prisons institution, the Community Corrections Managers shall forward all materials relating to an inmate's work-related injury to the Institution Safety Manager at the institution where an inmate is being transferred, for eventual processing by the Safety Manager prior to the inmate's release from that institution.
- (c) Each claimant shall submit to a medical examination to determine the degree of physical impairment. Refusal, or failure, to submit to such a medical examination shall result in the forfeiture of all rights to compensation. In

each case of visible impairment, disfigurement, or loss of member, photographs shall be taken to show the actual condition and shall be transmitted with FPI Form 43.

- (d) The claim, after completion by the physician conducting the impairment examination, shall be returned to the Institution Safety Manager or Community Corrections Manager for final processing. It shall then be forwarded promptly to the Claims Examiner, Federal Bureau of Prisons, 320 First Street, N.W. Washington, DC 20534.
- (e) It is the responsibility of each claimant to advise the Claims Examiner of his or her current address, in writing, at all times during the pendency of a claim for Inmate Accident Compensation.
- (f) When circumstances preclude submission in accordance with the provisions of paragraph (a) of this section, a claim may be accepted up to 60 days following release. Additionally, a claim for impairment may be accepted up to one year after release, for good cause shown, in such cases the claim shall be submitted directly to the Claims Examiner, Federal Bureau of Prisons, 320 First Street, N.W. Washington, DC 20534.

§301.304 Representation of claimant.

- (a) Any person may represent the claimant's interest in any proceeding for determination of a claim under this part, so long as that person is not confined in any federal, state or local correctional facility. Written appointment of a representative, signed by the claimant, must be submitted before the representative's authority to act on behalf of the claimant may be acknowledged.
- (b) It is not necessary that a claimant employ an attorney or other person to assert a claim or effect collection of an award. Under no circumstances will the assignment of any award be recognized, nor will attorney fees be paid by Federal Prison Industries, Inc.

§301.305 Initial determination.

A claim for inmate accident compensation shall be determined by a Claims Examiner under authority delegated by the Board of Directors of Federal Prison Industries, Inc., pursuant to 28 CFR 0.99. In determining the claim, the Claims Examiner will consider all available evidence. Written notice of the determination, including the reasons therefore, together with notification of the right to appeal the determination, shall be mailed to the claimant at the claimants last known address, or to the claimants duly appointed representative.

§301.306 Appeal of determination.

- (a) An Inmate Accident Compensation Committee (hereafter referred to as the "Committee") shall be appointed by the Chief Operating Officer, Federal Prisons Industries, Inc., under authority delegated by the Board of Directors of Federal Prison Industries, Inc., pursuant to 28 CFR 0.99. The Committee shall consist of four members and four alternate members, with any three thereof required to form a quorum for decision-making purposes.
- (b) Any claimant not satisfied with any decision of the Claims Examiner concerning the amount or right to compensation shall, upon written request made within 30 days after the date of issuance of such determination, or up to 30 days thereafter upon a showing of reasonable cause, be afforded an opportunity for either an in-person hearing before the Committee, or Committee reconsideration of the decision. A claimant may request an in person hearing or reconsideration by writing to the Inmate Accident Compensation Committee, Federal Bureau of Prisons, 320 First Street, NW. Washington, DC 20534.
- (c) Upon receipt of claimant's request, a determination will be made regarding the timeliness of the filing. If the request is timely filed, or if reasonable cause exists to accept the request filed in an untimely manner, the request shall be accepted. Once accepted, a copy of the information upon which the Claims Examiner's initial determination was based shall be mailed to the claimant at the claimant's last known address, or to claimants duly appointed representative, provided the release of such information is not determined to pose a threat to the safety of the claimant, any other inmate, or staff.

§301.307 Notice, time and place of committee action.

- (a) Committee action shall ordinarily occur within 60 days of the receipt of claimant's request, except as provided in this section. Notice of the date set for Committee action shall be mailed to the claimant at the claimant's last known address, or to claimant's duly appointed representative. All Committee action shall be conducted at the Central Office of the Bureau of Prisons, 320 First Street, N.W. Washington, DC 20534.
- (b) A hearing or reconsideration may be postponed at the option of the Committee, or, if good cause is shown, upon request of the claimant. A claimant may change the request from either hearing to reconsideration or reconsideration to hearing, provided notice of such change is received at least 10 days prior to the previously scheduled action.

§301.308 Committee reconsideration.

If the claimant elects to have the Committee reconsider any decision of the Claims Examiner, the claimant may submit documentary evidence which the Committee shall consider in addition to the original record. The Committee must receive evidence no less than 10 days prior to the date of reconsideration and may request additional documentary evidence from the claimant or any other source.

§301.309 In-person hearing before the committee hearings.

- (a) The appeal shall be considered to have been abandoned if the claimant fails to appear at the time and place set for the hearing and does not, within 10 days after the time set for that hearing, show good cause for failure to appear.
- (b) In conducting the hearing, the Committee is not bound by common law or statutory rules of evidence, nor by technical or formal rules of procedure, but may conduct the hearing in such manner as to best ascertain the rights and obligations of the claimant and the government. At such hearing, the claimant shall be afforded an opportunity to present evidence in support of the claim under review.
- (c) The Committee shall consider all evidence presented by the claimant, and shall, in addition, consider any other evidence as the Committee may determine to be useful in evaluating the claim. Evidence may be presented orally and/or in the form of written statements and exhibits.
- (d) A representative appointed in accordance with the provisions of this section may make or give on behalf of the claimant, any request or notice relative to any proceeding before the Committee. A representative shall be entitled to present or elicit evidence or make allegations as to fact and law in any proceeding affecting the claimant and to request information with respect to the claim. Likewise, any request for additional information, or notice to any claimant of any administrative action, determination, or decision, may be sent to the representative of such claimant, and shall have the same force and effect as if it had been sent to the claimant.
- (e) To fully evaluate the claim, the Committee may question the claimant and any witnesses appearing before the Committee on behalf of the claimant or government.
- (f) Claimant, or claimant's representative, may question the Committee or any witnesses appearing before the Committee on behalf of the government, but only on matters determined by the Committee to be relevant to its evaluation of the claim. The hearing shall be recorded, and a copy of the recording or, at the discretion of the Committee, a transcript thereof shall be made available to the claimant upon request, provided such request is made not later than 90 days following the date of the hearing.

§301.310 Witnesses.

- (a) If a claimant wishes to present witnesses at the hearing, the claimant must provide the Committee, no less than 10 days before the scheduled hearing date, the name and address of each proposed witness, along with an outline of each witness' testimony. The Committee may limit the number of witnesses who may appear at hearing; however, the Committee has no authority to compel the attendance of any witness.
- (b) Any person confined in a federal, state, or local penal or correctional institution at the time of the hearing may not appear as a witness, but that person's testimony may be submitted in the form of a written statement.

§301.311 Expenses associated with appearance at committee hearing.

Federal Prison Industries, Inc., may not assume responsibility for any expenses incurred by the claimant, claimant's representative, or any witness appearing on behalf of the claimant in connection with attendance at the hearing, as well as any other costs relating to any representative, witnesses, or evidence associated with a hearing before the Committee.

§301.312 Notice of committee determination.

The Committee shall mail written notice of its decision to affirm, reverse, or amend the Claims Examiners initial determination, with the reasons for its decision, to the claimant at the claimants last known address, or to claimants duly appointed representative no later than 30 days after the date of the hearing unless the Committee needs to make a further investigation as a result of information received at the hearing. If the Committee conducts further investigation subsequent to the hearing, the decision notice shall be mailed no late than 30 days after the conclusion of the Committee's investigation.

§301.313 Chief Operating Officer Review.

Any claimant not satisfied with the Committee's reconsidered decision or decision after a hearing may appeal such decision the Chief Operating Officer, Federal Prison Industries, Inc., 320 First Street, N.W. Washington, DC 20534. A written request for such an appeal must be received no later than 90 days after the date of notice of the Committee's decision. The Chief Operating Officer shall review the record and affirm, reverse or amend the Committee's decision no later than 90 days after receipt of claimant's notice of appeal. Written notice of the Chief Operating Officer's decision shall be mailed to the claimants last known address, or the claimant's representative.

§301.314 Establishing the amount of award.

- (a) If a claim for Inmate Accident Compensation is approved, the amount of compensation shall be based upon the degree of physical impairment existent at the time of the claimant's release regardless of when during the claimant's period of confinement, the injury was sustained. No claim for compensation will be approved if full recovery occurs while the inmate is in custody and no impairment remains at the time of release.
- (b) In determining the amount of accident compensation to be paid, the permanency and severity of the injury in terms of functional impairment shall be considered. The provisions of the Federal Employees' Compensation Act (FECA) (5 U.S.C. 8101, et seq.) shall be followed when practicable. The FECA establishes a set number of weeks of compensation applicable for injuries to specific body members or organs (Section 8107).
- (c) All awards of Inmate Accident Compensation shall be based upon the minimum wage (as prescribed by the Fair Labor Standards Act).
 - (1) For body members or organs covered under Section 8107, the minimum wage applicable at the time of the award shall be used as the basis for determining the amount of compensation. Awards regarding injury to body members or organs covered under Section 8107 shall be paid in lump sum. Acceptance of such an award shall constitute full and final settlement of the claim for compensation.
 - (2) For body members or organs not covered under Section 81 07, awards will be paid on a monthly basis because such awards are subject to periodic review of entitlement. The minimum wage applicable at the time of each monthly payment shall be used in determining the amount of each monthly payment, Monthly payments are ordinarily mailed the first day of the month following the month in which the award is effective.

§301.315 Review of entitlement.

- (a) Each monthly compensation recipient shall be required, upon request of the Claims Examiner, to submit to a medical examination, by a physician specified or approved by the Claims Examiner, to determine the status of his physical impairment. Any reduction in the degree of physical impairment revealed by this examination shall result in a commensurate reduction in the amount of monthly compensation provided. Failure to submit to this physical examination shall be deemed refusal and shall ordinarily result in denial of future compensation. The costs associated with this examination shall be borne by Federal Prison Industries, Inc.
- (b) Inasmuch as compensation awards are based upon the minimum wage, any income received by a compensation recipient which exceeds the annual income available at the minimum wage (based upon a 40-hour work week), including Social Security or veteran's benefits received as the result of the work-related injury for which Inmate Accident Compensation has been awarded, shall be deemed excessive. The amount of compensation payable to a claimant with an income deemed excessive shall be reduced at the rate of one dollar for each dollar of earned and benefit income which exceeds the annual income available at minimum wage. Each monthly compensation recipient shall be required to provide a statement of earnings on an annual basis, or as otherwise requested. Failure to provide this statement shall result in the suspension or denial of all Inmate Accident Compensation benefits until such time as satisfactory evidence of continued eligibility is provided.

§301.316 Subsequent incarceration of compensation recipient.

If a claimant, who has been awarded compensation on a monthly basis, is or becomes incarcerated at any federal, state, or local correctional facility, monthly compensation payments payable to the claimant shall ordinarily be suspended until such time as the claimant is released from the correctional facility.

§301.317 Medical treatment following release.

Federal Prison Industries, Inc., may not pay the cost of medical, hospital treatment, or any other related expense incurred after release from confinement unless such cost is authorized by the Claims Examiner in advance, or the Claims Examiner determines that circumstances warrant the waiver of this requirement. Generally, the payment of such costs is limited to impairment evaluations, or treatments intended to reduce the degree of physical impairment, conducted at the direction of the Claims Examiner. The amount of a payment for medical treatment is limited to reasonable expenses incurred, such as those amounts authorized under applicable fee schedule established pursuant to 42 U.S.C. § 1395w-4 for the Department of Health and Human Services Medicare program.

§301.318 Civilian compensation laws distinguished.

The Inmate Accident Compensation system is not obligated to comply with the provisions of any other system of workers compensation except where specifically stated in this part. Awards made under the provisions of the Inmate Accident Compensation procedure differ from awards made under civilian workmen's compensation laws in that hospitalization is usually completed prior to the inmate's release from the institution and, except for a three-day waiting period, the inmate receives wages while absent from work. Other factors necessarily must be considered that do not enter into the administration of civilian workmen's compensation laws. As in the case of federal employees who allege they have sustained work-related injuries, the burden of proof lies with the claimant to establish that the claimed impairment is causally related to the claimant's work assignment.

§301.319 Exclusiveness of remedy.

Inmates who are subject to the provisions of these Inmate Accident Compensation regulations are barred from recovery under the Federal Tort Claims Act (28 U.S.C. 2671 et seq.). Recovery under the Inmate Accident Compensation procedure was declared by the U. S. Supreme Court to be the exclusive remedy in the case of work-related injury. U. S. v. Demko, 385 U. S. 149 (1966).