

JUN 10

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

FACILITY

There may be questions as to just what part an employee takes when he serves as a staff representative of an inmate who appears before the CDC. Employees who write the incident report or who witness the reported incident, or who investigate the charges, or who sit on the CDC may not act as staff representatives for that particular case. If, during your representation, you encounter difficulties which you believe will prevent you from functioning properly, you should notify the CDC chairman of this, and he/she will excuse you if there is good reason to do so.

(1) You are to assist the inmate in presenting whatever information he wants to present in preparing his defense. This will require, in every case, consultations with the inmate, and familiarity with the discipline policy.

(2) You are to speak to witnesses who might furnish evidence on behalf of the inmate, if the inmate indicates there are such witnesses whom he wishes to have called.

(3) You should become familiar with all reports relative to the charge against the inmate. Confidential or security information must of course be protected.

(4) You should present any evidence favorable to the inmate's defense.

(5) You should present information which may assist the CDC and which may obtain a lesser sanction for the inmate. If you need additional time to pursue any of the functions, you may request a delay in the CDC hearing from the Chairman, but ordinarily only after you have the concurrence of the inmate to do this.

(6) You are to help an inmate understand the charges against him and the potential consequences.

(7) You should be familiar with procedures at the CDC hearing, explain them to the inmate in advance, and, if necessary during the hearing, assist the inmate in understanding procedural points.

(8) You should not be present during CDC deliberations. An exception would be where you have read confidential information, and want to discuss that with the committee outside the inmate's presence. In that case, you will have to explain to the inmate in general terms, what you are doing, and you should leave the committee as soon as that function is over.

(9) If the inmate asks you to assist in writing an administrative appeal to the Regional Director to contest the disciplinary action, you may assist him in doing so.

I have read the "Duties of Staff Representative" and agree/do not agree to serve as staff representative for inmate _____

Reg. No. _____ in the inmate's appearance before the CDC.

I do not agree for the following reason:

Print Name/Signature of Staff	Date
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