

Admission and Orientation Handbook  
Metropolitan Correctional Center  
Chicago, Illinois

**INTRODUCTION:** The purpose of this booklet is to provide you with general information about MCC Chicago to include programs and activities available. The information contained in this handbook is current as of the date of this publication, however, is subject to change without notice. Take the time to thoroughly read this handbook's contents and ask questions, as this will ensure your understanding of rules and regulations, and allow you to effectively utilize the resources the institution has to offer.

The MCC is located downtown Chicago within a few blocks of The Everett McKinley Dirksen Federal Courthouse. The facility is a 26 story administrative facility that houses male and female offenders of all security levels who are facing federal charges in the Northern District of Illinois.

Institution Structure

It is imperative all inmates have a basic understanding of the institutional command structure. This allows inmates to effectively identify responsible individuals when various issues arise. Brief descriptions of key personnel are as follows:

**Warden** – The Warden is the Chief Executive Officer who is responsible for the overall operation of the facility. In order to perform, the Warden delegates authority to senior staff members as follows:

**Associate Warden Operations** – The Associate Warden, Operations (AWO) reports directly to the Warden. The AWO's departmental responsibilities include: Computer Services, Facilities, Financial Management/Trust Fund, Food Service, Health Services and Safety.

**Associate Warden Programs** – The Associate Warden, Programs (AWP) reports directly to the Warden. The AWP's departmental responsibilities include: Correctional Services, Education, Human Resources, Correctional Systems, Psychology, Religious Services and Unit Management.

**Attorney Advisors** – The Attorney Advisors represent the interests of the Federal Bureau of Prisons. They represent the institution in all litigation and legal matters, coordinate the Administrative Remedy and Administrative Tort Claim Programs, and review court subpoenas and orders.

**Captain** – The Captain reports directly to the AWP. The Captain has been delegated the responsibility for the overall security of the institution and the safety of inmates and staff alike. The Captain is the department head for all Correctional Services staff.

**Lieutenants** – Lieutenants report directly to the Captain and are responsible for direct supervision of Correctional Officers. The Lieutenants ensure the accountability of inmates is maintained by assigned Correctional Services staff. After normal business hours, Lieutenants on duty are responsible for the overall operation of the institution.

**Disciplinary Hearing Officer** – In order to maintain neutrality, the Disciplinary Hearing Officer (DHO) does not fall within the institution command structure. The DHO works directly for the North Central Regional Office. The DHO conducts administrative hearings covering alleged acts of inmate misconduct.

**Case Management Coordinator** – The Case Management Coordinator (CMC) reports directly to the AWP. The CMC has a wide range of responsibilities to include: Receiving and Discharge, Mailroom, Inmate Performance Pay, and Release Preparation and Gratuities.

**Unit Managers** – Unit Managers report directly to the AWP and are responsible for the operation of the individual housing units. Unit Managers directly supervise the Case Managers and Unit Counselors. If you are unable to resolve an issue with your Correctional Counselor or Case Manager, you should request relief through the appropriate Unit Manager.

**Case Manager** – Case Managers have the responsibility of gathering all pertinent resource information about you, analyzing this information with your assistance and the assistance of other members of the unit team, and plan a program which will benefit you during and following your stay at this facility. The Case Manager is involved in all aspects of inmate institutional life to include: initial classification, release planning, and parole progress/reports.

**Correctional Counselor** – The Correctional Counselor has the important function of keeping the unit team informed of your progress in assigned programs and any problems you may encounter while housed at this facility. Maintaining a positive working relationship with your assigned counselor is essential in effective problem solving. The Correctional Counselor is the primary staff member charged with matters such as administrative complaints, visitation, room assignments, and work assignments.

Inmate Rights and Responsibilities

In addition to the general conduct guidelines contained in the booklet, it is important for you to become acquainted with your rights and responsibilities. There is also a list of prohibited acts, and types of disciplinary actions which may be taken if you are found to be in violation of institution rules.

**Right:** You have the right to expect that as a human being, you will be treated respectfully, impartially and fairly by all personnel.

**Responsibility:** You have the responsibility to treat others, both employees and inmates, in the same manner.

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

**Responsibility:** You have the responsibility to know and abide by them.

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

**Responsibility:** You have the responsibility to recognize and respect the rights of others.

**Right:** You have the right to healthcare, 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, toiletries, and medical and dental treatment.

**Responsibility:** It is your responsibility not to waste food, to follow the laundry and shower schedule, maintain neat and clean living quarters, to keep you area free of contraband, and to seek medical and dental care as you may need it.

**Right:** You have the right to visit and correspond with family members and friends, and to correspond with members of the news media in keeping with Bureau rules and institution guidelines.

**Responsibility:** It is your responsibility to conduct yourself properly during visits, not to accept or pass contraband, and not to violate the laws or Bureau rules or institution guidelines through your correspondence.

**Right:** 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).

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

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

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

**Right:** You have the right to participate in the use of the law library reference materials to assist you in resolving legal problems. You also have the right to receive help when it is available through the legal assistance program.

**Responsibility:** 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 use the material and assistance.

**Right:** 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.

**Responsibility:** 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.

**Right:** 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.

**Responsibility:** You have the responsibility to take advantage of activities which may help you live a successful and law-abiding life within the institution and the community. You will be expected to abide by the regulations governing the use of such activities.

**Right:** You have the right to use your funds for commissary and other purchases, consistent with institution security and good order.

**Responsibility:** You have the responsibility to meet your financial and legal obligations, including, but not limited to, court imposed assessments, fines, and restitution. You also have the responsibility to make use of your funds in a manner consistent with your release plans, your family needs, and other obligations you may have.

### Inmate Accountability

It is the policy of the Bureau of Prisons to maintain strict accountability of inmates at all times. You are expected to fully cooperate with all counts and census checks. Failure to comply with any institution accountability program will result in disciplinary action.

**Official Counts** – It is necessary for staff to count inmates on a regular basis. Counts are conducted daily at 12:00 a.m. (midnight), 3:00 a.m., 5:00 a.m., 11:30 a.m. (weekends and holidays), 4:00 p.m., and 10:00 p.m. The 4:00 p.m. and 10:00 p.m. counts are stand-up counts, no exceptions. During a count, you are to remain quiet in your cell, or beside your bed on the dormitory, until the count is announced as clear. Any interference with the count will result in disciplinary action.

**Call-outs** - Call-outs are designed to identify scheduled appointments, meetings, and other unscheduled activities that would not be included in the regular schedule of inmate activities. All inmates are to read the daily call-out schedule posted on the unit bulletin board. Any inmate scheduled for a call-out is to be in the supervised area at the designated time.

### Administrative Remedy Program

The Administrative Remedy Program is a process through which inmates may seek formal resolution of issues related to their confinement. Prior to using the Administrative Remedy Program, you must attempt informal resolution through communication with a staff member, Inmate Request to Staff Member (copout), and Request for Informal Resolution (BP-8). You should request a BP-9 form, from your Correctional Counselor, if informal resolution proves unsuccessful. Once completed, the form should be returned to the Correctional Counselor who will deliver it, along with the proposed informal resolution, to the Administrative Remedy Coordinator. The deadline for completion of informal resolution and submission of the formal written Administrative Remedy Request, on the appropriate form (BP-9), is 20 calendar days following the date on which the basis for the request occurred. The Warden has 20 calendar days to respond from the day of filing. If you are not satisfied with the response to the BP-9, an appeal may be filed, within 20 days, to the Regional Office, which has 30 days to respond. If you are not satisfied with the regional response an appeal may be filed, within 30 days, to the General Counsel at Central Office, which has 40 days to respond. If the time period is not sufficient to make an appropriate decision, the time for response may be extended by 20 days at the institution level, 30 days at the regional level and 40 days at the Central Office level. You will be notified of any extensions in writing by staff. The appropriate forms are available from your Correctional Counselor.

- Request for Administrative Remedy, Form BP-229(13), is appropriate for filing at the institution.
- Regional Administrative Remedy Appeal, Form BP-230(13), is appropriate for submitting an appeal to the Regional Office.
- Central Office Administrative Remedy Appeal, Form BP-231(13), is appropriate for submitting an appeal to the Central Office.

When filing a complaint you shall place a single complaint or a reasonable number of closely related issues on the form. If you include on a single form multiple unrelated issues, the submission shall be rejected and returned without response and you will be informed to use separate forms for each unrelated issue. If you believe the issue is sensitive and your safety or well-being would be placed in danger if the request became known at the institution, the request may be submitted directly to the appropriate Regional Director. You must clearly mark "Sensitive" upon the request and explain, in writing, the reason for not submitting the request at the institution. DHO appeals shall be submitted initially to the Regional Director for the region where you are currently located.

### Sanitation

Maintaining a high level of sanitation is a priority. You and the staff have a right to live and work in a sanitary environment. While housed at this facility you are required to clean your living space and common living areas on a daily basis. You are required to have your area "inspection ready" by 7:30 a.m. each day. Some basic sanitation guidelines are as follows:

- Floors are to be swept and mopped daily. They are to be clean and free of excess dirt and dust.
- Toilets and sinks are to be cleaned regularly with authorized cleaning supplies.
- Beds shall be neatly made each day by 7:30 a.m. One mattress and pillow per bunk is authorized.
- All clothing must be stored in your laundry bag or folded neatly in your designated locker.
- Air vents must be clean and free from obstruction.
- Trash cans are to be emptied by 7:30 a.m. daily.
- Nothing is permitted to be taped, hung, or otherwise attached to walls, lockers (outer), doors, vents or bunks. Personal photographs may be hung on the inside of the locker doors.
- All legal materials must fit neatly under your bed or in your assigned locker. If you require additional space for legal materials, contact your Correctional Counselor.
- Obstruction of windows is strictly prohibited.
- No institution food items are allowed in inmate living areas. All institution provided meals must be consumed in authorized areas.

The unit televisions will remain off until unit sanitation meets the expectation of the unit officer, unit team, or Operations Lieutenant (Monday through Friday excluding holidays). There will be no television viewing during the serving of any meal.

Sanitation is strongly enforced at MCC Chicago. Failure to maintain sanitation standards will result in disciplinary action.

#### Food Service

You will be provided three meals daily. Breakfast is normally served between 6:15 am - 7:00 am, lunch from 11:30 am - 12:30 pm and dinner from 4:15 pm - 5:00 pm. You are called to the meal by sections. When your section is not eating, you are required to be in your assigned section. You are not permitted to be in any other area. You are responsible for returning your own tray after the meal. **ALL FOOD SERVICE ISSUED ITEMS MUST BE CONSUMED OR RETURNED TO FOOD SERVICE AT THE CONCLUSION OF THE MEAL. FOOD SERVICES ITEMS ARE NOT PERMITTED IN THE CELLS/LIVING AREAS FOR ANY REASON. YOU ARE NOT PERMITTED TO EAT INSTITUTIONAL MEALS IN YOUR CELL/LIVING AREAS.** If you are on a legal visit during your meal time, you will be provided a meal upon your return from the visiting room. Any items left on the tables prior to or after the meals will be confiscated. You are required to wear proper attire at all meals. This includes a buttoned jumpsuit, socks and standard shoes. Wearing shower shoes during meal time is inappropriate. A spork and plastic cup will be provided by Food Service upon your arrival at the institution.

#### Recreation Programs

Recreation equipment will be available within each housing unit and in the basement recreation area. There is a prepared schedule posted on the unit bulletin boards. Though space is limited, there is full opportunity to maintain physical fitness with available equipment and scheduled recreational activities. Various board games are also available on the unit.

#### Education Programs

The Education department is located on the ninth floor where the law and leisure libraries are maintained, as well as staff offices and classrooms. A debit card operated copier is available for making copies of legal documents **the cost of the card is \$6.50 from the commissary.** Hours of operation are listed on the Inmate Activity Schedule. When visiting the Education department, you are expected to follow the rules and regulations posted on the bulletin board in the law library.

**Literacy Program:** Sentenced inmates confined to MCC Chicago who do not have a verified General Educational Development (GED) or high school diploma is required to attend the adult literacy program for a minimum of 240 hours or until a GED is obtained. Sick time, furloughs or other absences will not be counted as attendance toward the 240 hour period. Upon passing the Official General Educational Development (GED) test, the student receives an incentive award of \$25.00.

**English as a Second Language Program:** Limited English proficient, sentenced inmates confined in Federal Bureau of Prisons institutions are required to attend English- As- A Second Language (ESL) until they function at the equivalent of the eighth grade level in competency skills. Upon successful completion of the program, the student receives an incentive award of \$25.00.

**Parenting & Entrepreneur (Cadre and Female inmates):** Classes will be offered at different times during the year. See posted schedule for days and times for each class.

#### Religious Programs

If you choose to continue your spirituality, you will be assisted by the department chaplain. Religious services and/or personal counseling are available by request. If you wish to be placed on the list for services, or would like to speak with the clergy personally, submit an Inmate Request to Staff Member form through the institution mail system. The same procedure will apply if you wish to seek approval to participate in the Religious Diet Program.

#### Health Services

Health care at the MCC requires your active participation. By participating in the process, you assume responsibilities, including providing a complete and accurate history, taking medication, following recommendations made at visits, and keeping appointments.

Being an active participant in your health care gives you the greatest chance of success in improving your health and well being.

The MCC Health Services Department is located on the 7<sup>th</sup> floor. The Department includes Dental, Medical, X-Ray and laboratory testing capabilities. Most of you will have a physical examination if you are here at least 10 days. The possible exception to this rule is for those inmates who are being transferred here from another BOP facility. If you have any chronic medical condition(s) you will be enrolled in a clinic to see a Primary Care Practitioner (PCP) and the supervising physician. **You should check the housing unit call-out sheets daily** to see if you have been scheduled for an appointment. Note: It is possible that you might be scheduled for an evening clinic; therefore, it is your responsibility to check the call-out sheet in its entirety.

Medical and dental sick call will be conducted by medical staff, Monday through Friday (except Wednesdays, weekends, & holidays) on your housing unit, starting at approximately 6:00 am to 7:30 am. When sick call is announced on your floor, present your completed sick call form to the medical staff member. To expedite the process please have your sick call form completely filled in prior to the sick call times. Your correctional officer has the sick call slips. Sick call callout appointments will occur between one to fourteen days of the request. **(DO NOT submit a cop-out when requesting a sick call appointment. Doing so will only delay your requests.)**

When you are experiencing pain, you will be asked to describe the severity of your pain using a rating system of one (1), minimal pain, to ten (10), severe pain and a series of questions to help the provider decide the correct treatment of the pain.

Referral to a specialist requires a request from your PCP and review by the Utilization Review Committee (URC). The decision by the URC will be communicated to you in writing.

You may retain non-metal, non-tinted, prescription glasses in your possession at the time of arrival. Repairs for non Bureau of Prisons supplied glasses are at the inmate's expense. The Health Systems Administrator will approve contact lenses only when a MCC clinician of our providers documents that standard prescription glasses will not address your visual deficit.

Effective October 3, 2005, the BOP implemented the provisions of the Federal Prisoner Health Care Co-Payment Program (P. L. 106-294). Under the Provisions of this Law you must pay a fee of \$2.00 for health care services, charged to your inmate commissary account, when you received services under the following circumstances:

- for each sick call health care visit
- for after hours treatment for a condition which is not an emergency (as determined by a Health Services staff member)
- if you are found responsible through the Disciplinary Hearing Process to have injured an inmate, you will pay for their health care visit as well as your own

The following visit circumstances do not require a co-payment:

- Services based on Health Services staff referrals
- Follow-up treatment of a chronic condition
- Preventive health care services
- Emergency Services
- Prenatal services
- Mental health care
- Substance abuse treatment

You will not be charged the co-pay fee if you meet the definition of "indigent". An indigent inmate is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days (this includes any monies on your telephone account). Treatment will not be withheld for lack of funds. For a more complete explanation of all aspects of the Co-pay program, including more detailed information on "indigent" rules, see the handout sheet titled, "Frequently Asked Questions-Inmates". That handout is available on each housing unit.

**Medications:** Some medications will be prescribed to be taken under direct supervision on the pill line which is conducted on your floor. One such medication is insulin. You will be given a schedule for blood sugar checks. You must report to the pill line when so scheduled. You may refuse medication or blood sugar testing by signing a refusal form when you show up at your scheduled appointment or when requested to do so. Medication lines are conducted as follows: Morning medication line at approximately 6:30 am to 7:30 am, afternoon medication line at approximately 3:00 pm to 4 pm and the evening medication line at approximately 7:30 pm to 9:30 pm. If you fail to show up at the pill line when you are scheduled, this will result in an incident report.

To obtain medication refills submit a Inmate Prescription Refill Request form. These forms can be obtained from the medical staff. The forms must be submitted to the sick call or medication line staff, no less than three days prior to running out of your medication. If there are no refills left on the prescription then make a sick call request. At the sick call visit, you will be examined to assess medication needs and treatments. **DO NOT** turn in medication containers in order to request a medication refill.

Over the counter (OTC) medications are available for purchase from the commissary. Consult the commissary shopping list for those OTC medications that are available. Note: inmates may request OTC medications based on an urgent medical need. In such circumstances, inmates will be allowed access to the commissary on a day other than their regularly scheduled Commissary shopping day.

**Advance Directive/Living Wills:** The purpose of the advance directive/living will is for inmates to control decisions related to their own medical care, including a decision to have death delaying procedures withheld or withdrawn in instances of a terminal condition. Terminal condition means an incurable and irreversible condition where death is imminent and the application of death delaying procedures serves only to prolong the dying process. The required forms from can be obtained from the Health Services Department.

**Dental Services:** Due to the transient nature of inmates at MCC Chicago, only emergency care will be available to pretrial and holdover inmates. Designated inmates with a sentence greater than one year or non-sentenced inmates here for over one year are eligible for routine and general maintenance procedures. Inmates designated to MCC Chicago can be placed on the waiting list for routine care based on the date of their request.

Dental screening examinations are provided within thirty days (30) of arrival at the Metropolitan Correctional Center. For dental pain or other dental emergencies submit a sick call request. Other problems or concerns can be addressed via a cop-out.

Toothbrushes, toothpaste and flossing aids are available from the commissary.

#### **Barber Shop**

Haircuts/hair care will be conducted in the individual housing units under the supervision of the unit officer. All haircuts will take place in the program room on the first floor of the unit, or where instructed by staff. Refer to your unit guidelines for a schedule.

#### **Clothing/Laundry**

Upon arrival, you will be given a set of clothing along with a standard bed roll consisting of one blanket, one sheet, one pillowcase, and one wash cloth. The next business day after arrival, you will be provided your full clothing issue. The institution laundry will wash your issued clothing and exchange your linens on a weekly basis. Specific laundry schedules will be posted in your unit. If you wish to exchange government issued clothing for legitimate reasons (i.e. improper fit, no longer serviceable), address an Inmate Request to Staff to the Laundry department and submit it on your scheduled laundry day.

#### **Commissary**

Funds in your inmate trust fund account are used to make commissary purchases. You can purchase commissary items on a weekly basis by submitting a Commissary Sheet. Commissary Sheets are available from the Unit Counselor and must be submitted according to the schedule on the Commissary Sheet. The commissary spending limit is \$320.00 per month.

#### **Inmate Telephone System (TRUFONE)**

Telephones are placed in each housing unit for inmates to place calls. Telephones are to be used to maintain family and community ties. Any calls placed by inmates, other than approved attorney calls, are subject to monitoring and recording by staff.

**Inmates are limited to 300 minutes per month of TRUFONE phone usage.** These minutes can be used as either debit calls or collect calls, or any combination of the two. The 300 minutes will automatically be reset based on the inmate's commissary revalidation date. Request for additional minutes due to emergency situations will be evaluated by your unit team. Inmates may use the telephones at the specific times posted in the units, as long as it does not interfere with their work assignments and other institution programs. If an official count or census is conducted, inmates will immediately terminate their calls.

TRUFONE credits can be transferred from your commissary account any time unit phones are available. Only two transfers are allowed per day.

Inmates on commissary restriction will still be permitted to place money on their TRUFONE accounts. After a TRUFONE credit has been established, it can only be used for placing telephone calls and will not be transferred back to the inmate's commissary account with the exception of the following circumstances:

- a. Inmate is transferred to another federal institution.
- b. Inmate is released.
- c. An administrative error has been made.
- d. UDC/DHO restricts telephone usage for more than 10 days and the inmate requests in writing the funds be restored.

Each time a call is placed by an inmate, the amount of the call will be deducted from his telephone account. As long as there are sufficient funds in the inmate's TRUFONE account for a minimum three-minute call, the call can be placed.

Special Housing Unit (SHU) inmates with no telephone restrictions and whose status is Administrative Detention or Disciplinary Segregation are allowed one fifteen-minute call every 30 days.

Restrictions on telephone privileges may be imposed for violation of any rule.

The use of TRUFONE is a privilege granted to each inmate. Inmates who are disciplined and sanctioned with loss of commissary privileges cannot be denied access to TRUFONE unless the disciplinary action imposed by the DHO or UDC specifically states that telephone privileges are restricted.

During institution emergencies, the use of the telephone will be reduced or terminated. Prior to any inmate's phone list being approved by a member of the Unit Team, it is important a BP-408 Form, Acknowledgment of Inmate, Section 3, Monitoring of Inmate Telephone Calls, is signed by the inmate.

Collect calls are permitted via TRUFONE. **Third party billing and electronic transfer of a call to a third party are not permitted.**

**Any inmate performing three-way calls will be subject to disciplinary action.**

Phone rates will be posted in the inmate law library.

Cop-outs are to be sent to the Trust Fund department for questions regarding the Commissary, TRUFONE, and Laundry.

#### Money

Upon commitment to MCC Chicago, all money in your possession will be forwarded to the National Lockbox and will be credited to your inmate trust fund account. Money from your correspondents should be mailed to the BOP Lockbox in the form of a U.S. Postal money order to:

Federal Bureau of Prisons  
(Inmate Committed Name), (Inmate Register Number)  
Post Office Box 474701  
Des Moines, Iowa 50947-0001

Ensure your complete committed name and register number are clearly written on the face of all money orders. Additionally, your correspondents may send you funds through the Western Union Quick Collect Program. The following information must be provided for each Western Union transaction: inmate register number, committed name, city code = **BOP**, State Code = **DC**. Any funds received through the institution mailroom will be returned to sender.

#### Contraband

Contraband is defined as ANY item not authorized or issued by the institution, received through approved channels or purchased through the commissary. All staff are alert to the subject of contraband and make an effort to locate and report contraband in the institution. Any item in an inmate's personal possession must be authorized and a record of the receipt of the item should be kept in the inmate's possession. An altered item, even if it is an approved item or issued item, is considered contraband. Altering or damaging Government property is a violation of institutional rules and the cost of damage will be levied against the violator.

## Sexually Abusive Behavior Prevention and Intervention

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

While you are incarcerated, **no one has the right to pressure you to engage in sexual acts.**

You do not have to tolerate sexually abusive behavior or pressure to engage in unwanted sexual behavior from another inmate or a staff member. Regardless of your age, size, race, ethnicity, gender or sexual orientation, you have the right to be safe from sexually abusive behavior.

### **What is sexually abusive behavior?**

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

BOP staff members are instructed to keep reported information confidential and only discuss it with the appropriate officials on a need-to-know basis concerning the inmate-victim's welfare and for law enforcement or investigative purposes. There are other means to 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 allegations of staff misconduct. OIG is a component of the Department of Justice and is not a part of the Bureau of Prisons. The address is:

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

#### **Understanding the Investigative Process**

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

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

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

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

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

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

#### **Policy Definitions**

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

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

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

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

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

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

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

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

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

### **Disciplinary Procedures**

It is the policy of the Bureau of Prisons to provide a safe and orderly environment for all inmates. Violations of Bureau rules and regulations are dealt with by the Unit Discipline Committee (UDC) and, for more serious violations, the Discipline Hearing Officer (DHO). Inmates are advised upon arrival at the institution of the rules and regulations, and provided copies of the Bureau's prohibited acts (provided at the end of this handbook).

If a staff member observes or believes he/she has evidence that an inmate has committed a prohibited act, the first step in the disciplinary process is writing an incident report. This is a written copy of the charges against the inmate. The incident report shall ordinarily be delivered to the inmate within twenty-four hours (24) of the time staff becomes aware of the inmate's involvement in the incident. An informal resolution of the incident may be attempted by the Correctional Supervisor. If an informal resolution is accomplished, the incident report will be removed from the inmate's central file. Informal resolution is encouraged by the Bureau of Prisons for all violations except those in the high or greatest severity categories. Violations in the greatest severity category must be forwarded to the Disciplinary Hearing Officer for final disposition. If an informal resolution is not accomplished, the incident report is forwarded to the UDC for an initial hearing.

Inmates must ordinarily be given an initial hearing within three (3) working days of the time staff become aware of the inmate's involvement in the incident (excluding the day staff became aware of the incident, weekends and holidays). The inmate is entitled to be present at the initial hearing. The inmate may make statements or present documentary evidence on his/her behalf. The UDC must give its decision in writing to the inmate by the close of business the next working day. The UDC may extend the time limits of these procedures for good cause. The Warden must approve any extension over five (5) days. The inmate must be notified of the reason for delay of any extension. The UDC will either make final disposition of the incident report or refer it to the Discipline Hearing Officer (DHO) for final disposition.

The Discipline Hearing Officer (DHO) conducts disciplinary hearings on serious rule violations. The DHO may not act on a case that has not been referred by the UDC. An inmate will be provided advanced written notice of the charges not less than twenty-four (24) hours before the inmate's appearance before the DHO. The inmate may waive this requirement. An inmate will be provided with a full-time staff member of his choice to represent him if requested. An inmate may take statements in his own defense and may produce documentary evidence. The inmate may present a list of witnesses and a request they testify at the hearing. Inmates may not question a witness at the hearing. The DHO will question any witness for the inmate. An inmate may submit a list of potential witnesses whose testimony is deemed relevant. The 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 could be jeopardized. The DHO may postpone or continue a hearing for good cause. Reasons for the delay must be documented in the record of the hearing. Final disposition is made by the DHO.

Appeals of disciplinary actions may be taken through the Administrative Remedy procedures. Final UDC decisions are initially appealed to the Warden on a BP-9, Request for Administrative Remedy. Final DHO decisions are initially appealed to the Regional Director through a BP-10, Administrative Remedy Appeal. If you are not satisfied with the initial appeal response you may appeal to the next level in accordance with the Administrative Remedy Procedures established in policy.

**Summary of Disciplinary System Procedures**

TABLE 1	
Procedures	Disposition
Incident involving possible commission of prohibited act. Staff prepares an incident report and forwards to Correctional Services.	Except for the prohibited act in the Greatest or High severity categories, the writer of this report may informally resolve or drop the charges.
Appointment of an investigator (usually a Lieutenant) who conducts investigation and forwards findings to UDC.	Except for the prohibited act in the Greatest or High severity categories, the writer of this report may informally resolve, drop the charges, or recommend the charges be reduced.
Initial hearing before UDC.	The UDC may reduce or informally resolve any High, Moderate, or Low Moderate charge, impose allowable sanctions or refer to the DHO
Hearing before the DHO.	The DHO may impose allowable sanctions or reduce the charges.
Appeals through the Administrative Remedy procedure.	The appropriate reviewing official (Warden, Regional Director, or General Counsel) may approve, modify, reverse, or send back the report with directions, including ordering a rehearing, but may not increase the sanctions imposed in any valid disciplinary action

**Time Limits in the Disciplinary Process**

Table 2
1. Staff becomes aware of inmate's involvement in incident (ordinarily maximum of 24 hours).
2. Staff gives inmate notice of charge(s) by delivering incident report (minimum of 24 hours unless waived).
3. Initial hearing (UDC). Ordinarily maximum of 3 work days from the time staff became aware of the inmate's involvement in the incident (excludes the day staff became aware of the inmate's involvement, weekends, and holiday).
4. DHO hearing.

**Prohibited Acts and Disciplinary Severity Scale**

<b>Table 3</b>		
<b>Greatest Category</b>		
<b>Code</b>	<b>Prohibited Act</b>	<b>Sanctions</b>
100	Killing	A - G
101	Assaulting any person (including sexual assault) 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 carried out by an inmate).	A - G
102	Escape from escort; escape from a secure institution (Low, Medium, High and administrative type institutions); or escape from a minimum security level institution with violence.	A - G
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 prohibited act of Greatest Severity, e.g., in furtherance of a riot or escape; otherwise the charge is properly classified Code 218, or 329)	A - G
104	Possession, manufacture, or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive or any ammunition.	A - G
105	Rioting	A - G
106	Encouraging others to riot	A - G
107	Taking Hostages	A - G
108	Possession, manufacture, or introduction of a hazardous tool (Tools most likely to be used in an escape or escape attempt or to serve as weapons capable of doing serious bodily harm to others, or those hazardous to institutional security or personal safety; e.g., hack-saw blade).	A - G
109	(Not to be used)	A - G
110	Refusing to provide a urine sample or take part in other drug-abuse testing.	A - G
111	Introduction of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff.	A - G
112	Use of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff.	A - G
113	Possession of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff.	A - G

197	Use of the Telephone to Further Criminal Activity	A – G
198	Interfering with a staff member in the performance of duties. (Conduct must be of the Greatest Severity nature.) This charge is to be used only when another charge of greatest severity is not applicable.	A – G
199	Conduct which disrupts or interferes with the security or orderly running of the institution (conduct must be of the greatest severity nature). This charge is to be used only when another charge of Greatest Severity is not applicable.	A - G
	<b>The UDC shall refer all Greatest Severity Prohibited Acts to the DHO with recommendations as to an appropriate disposition</b>	

High Category		
Code	Prohibited Act	Sanctions
200	Escape from unescorted Community Programs and activities and open Institutions (minimum security level) and from outside secure institutions - without violence.	A - M
201	Fighting with another person.	A - M
202	(Not to be used).	A - M
203	Threatening another with bodily harm or any other offense.	A - M
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.	A - M
205	Engaging in sexual Acts	A - M
206	Making sexual proposals or threats to others	A - M
207	Wearing a disguise or a mask.	A - M
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.	A - M
209	Adulteration of food or drink	A - M
210	(Not to be used)	A - M
211	Possession of any officer's clothing.	A - M
212	Engaging in, or encouraging a group demonstration	A - M
213	Encouraging others to refuse to work or to participate in a work stoppage.	A – M
214	(Not to be used)	A – M
215	Introduction of alcohol into a BOP facility.	A – M
216	Giving or offering an official or staff member a bribe, or anything of value.	A – M
217	Giving money to, or receiving money from, any person for purposes of introducing contraband or for any other illegal or prohibited purposes.	A – M
218	Destroying, altering, or damaging government property, or the property of another person, having a value in excess of \$100 or destroying, altering, or damaging life-safety devices (e.g., fire alarm) regardless of financial value.	A – M

219	Stealing (theft; this includes data obtained through the unauthorized use of a communications facility, or through the unauthorized access to disk, tapes, or computer printouts or other automated equipment on which data is stored.	A – M
220	Demonstrating, practicing, or using martial arts, boxing (except for use of a punching bag), wrestling, or other forms of physical encounter or military exercise or drill.	A – M
221	Being in an unauthorized area with a person of the opposite sex without staff permission.	A – M
222	Making, possession ,or using intoxicants	A – M
223	Refusing to breathe into a Breathalyzer or take part in other testing for use of alcohol.	A – M
224	Assaulting any person (charged with this act only when a less serious physical injury or contact has been attempted or carried out by an inmate).	A – M
297	Use of the telephone for abuses other than criminal activity (e.g., circumventing telephone monitoring procedures; possession and/or use of another inmate’s PIN number; third party calling; third party billing; using credit card numbers to place telephone calls; conference calling; talking in code)	A – M
298	Interfering with a staff member in the performance of duties. (Conduct must be of the High severity nature.) This charge is to be used only when another charge of high severity is not applicable	A - M
299	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the High severity nature.) This charge is to be used only when another charge of high severity is not applicable.	A - M

<b>Moderate Category</b>		
<b>Code</b>	<b>Prohibited Act</b>	<b>Sanctions</b>
300	Indecent exposure.	A - N
301	(Not to be used).	A - N
302	Misuse of authorized medication.	A - N
303	Possession of money or currency unless specifically authorized, or in excess of the amount authorized.	A - N
304	Loaning of property or anything of value for profit or increased return.	A - N
305	Possession of anything not authorized for retention or receipt by inmate, and not issued to him through regular channels	A - N
306	Refusing to work, or to accept a program assignment.	A - N
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 would be charged as Code 110).	A - N
308	Violating a condition of a furlough.	A - N
309	Violating a condition of a community program.	A - N
310	Unexcused absence from work or any assignment.	A - N
311	Failing to perform work as instructed by the supervisor.	A - N

312	Insolence towards a staff member.	A – N
313	Lying or providing a false statement to a staff member.	A – N
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 or 200).	A – N
315	Participating in unauthorized meeting or gathering.	A – N
316	Being in unauthorized area.	A – N
317	Failure to follow safety and sanitation regulations.	A – N
318	Using any equipment which is not specifically authorized.	A – N
319	Using any equipment or machinery contrary to instruction or posted safety standards.	A – N
320	Failing to stand during count.	A – N
321	Interfering with the taking of count.	A – N
322	(Not to be used)	A – N
323	(Not to be used)	A – N
324	Gambling	A – N
325	Preparing or conducting a gambling pool.	A – N
326	Possession of gamble paraphernalia	A – N
327	Unauthorized contact with the public	A – N
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.	A – N
329	Destroying, altering or damaging government property, or the property of another person, having a value of \$100.00 or less.	A – N
330	Being Unsanitary and untidy, failing to keep one's person and one's quarters in accordance with posted standards.	A – N
331	Possession, manufacture, or introduction of a non-hazardous tool or other non-hazardous contraband (Tool 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 contra band includes such items as food or cosmetics).	A - N
332	Smoking Where Prohibited	A - N
397	Use of the telephone for abuses other than criminal activity (e.g. conference calling; possession and/or use of another inmate's PIN number; three way calling; providing false information for preparation of a telephone list)	A - N
398	Interfering with a staff member in the performance of duties. (Conduct must be of the Moderate Severity nature.) This charge is to be used only when another charge of moderate severity is not applicable.	A - N
399	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (Conduct must be of the Moderate Severity nature.) This charge is to be used only when another charge of moderate severity is not applicable.	A - N

Low Moderate Category		
Code	Prohibited Act	Sanctions
400	Possession of property belonging to another person.	B1. E – P
401	Possessing unauthorized amount of otherwise authorized clothing.	B1. E – P
402	Malingering, feigning illness.	B1. E – P
403	Not to be used	B1. E – P
404	Using abusive or obscene language.	B1. E – P
405	Tattooing or self mutilation.	B1. E – P
406	Not to be used	B1. E – P
407	Conduct with visitor in violation of Bureau regulations (Restrictions, or loss for a specified period of time, of these privileges may often be an appropriate sanction G)	B1. E – P
408	Conducting a business	B1. E – P
409	Unauthorized physical contact (e.g., kissing, embracing)	B1. E – P
410	Unauthorized use of mail (Restriction, or loss for a specific period of time, of these privileges may often be an appropriate sanction G) (May be categorized and charged in terms of greater severity, according to the nature of the unauthorized use; e.g., the telephone is used for planning, facilitating, committing an armed assault on the institution's secure perimeter would be charged as code 101, Assault.	B1. E – P
497	Use of telephone for abuses other than criminal activity (e.g., exceeding the 15 minute time limit for telephone calls; using the telephone in an unauthorized place; placing unauthorized individual on telephone list	B1. E – P
498	Interfering with a staff member in the performance of duties.	B1. E – P
499	Conduct which disrupts or interferes with the security or orderly running of the institution or BOP.	B1. E – P

Aiding another person to commit any of these offenses, attempting to commit any of these offenses, and making plans to commit any of these offenses, in all categories of severity, shall be considered the same as a commission of the offense itself.

#### Disciplinary Sanctions

A.	Recommended parole date rescission or retardation.
B.	Forfeit earned statutory good time up to 25% or up to 30 days, whichever is less and/or terminate or disallow extra good time (an extra good time sanction may not be suspended).
B1.	Disallow ordinarily between 25% (1-14 days) of good conduct time credit available for year (a good time sanction may not be suspended).
C.	Disciplinary Transfer.
D.	Disciplinary Segregation (up to 15 days.
E.	Make Monetary restitution.
F.	Withhold statutory good time.
G.	Loss of privileges; commissary, movies, recreation, etc.
H.	Change Housing (quarters).
I.	Remove from program and/or group activity.
J.	Loss of Job.
K.	Impound inmate's personal property.



L.	Confiscate contraband.
M.	Restrict to Quarters.
N.	Extra duty