

**INMATE
ADMISSION & ORIENTATION
HANDBOOK**



**Federal Correctional Institution/
Satellite Prison Camp
Berlin, NH**

MEMORANDUM FOR ALL BUREAU INMATES

FROM: Charles E. Samuels, Jr., Director

SUBJECT: Expectations

As Director of the Federal Bureau of Prisons, it is my responsibility to ensure the safety, security and good order of all 117 prisons, 38,000 staff, and 217,000 inmates. It is also my responsibility to provide you opportunities for self-improvement. In this message, I will explain some of the ways I intend to carry out my duties and also explain my expectations for how you carry out your responsibilities. Over the past few weeks, I have reminded all staff of the BOP's core values: respect, integrity and correctional excellence. This means that everyone is to be treated with dignity and respect: staff, inmates, visitors, and members of the public. You are expected to demonstrate respect as well, to staff, to your fellow inmates and to the rules in place at the prison. You may want to reread the inmate rights and responsibilities information to be sure you are familiar with the expectations we have for you. Inmates who disrespect the rules by engaging in prohibited activities (especially the most serious prohibited acts including possession of intoxicants, weapons, or other contraband) pose a serious threat to the safety and security of the institution and will be subjected to disciplinary action. Participation in any type of gang activity will not be tolerated. In an attempt to ensure the environment is safe for all, inmates who participate in behavior which disrupts the orderly running of the institution may be considered for institutions with greater controls, such as higher security facilities or special management units. You are expected to behave responsibly and to live peacefully with other inmates, regardless of their background or culture.

Nearly all of you will release from prison one day and return to the community. We want you to be prepared to be a productive, law-abiding member of society. Accordingly, we will help you make the best possible use of your time in prison to learn skills, get treatment, build a resume, etc. Regardless of how many days, months, or years you may have time to serve, it is critical that you begin your preparation for reentry today! Ideally, preparation for reentry begins on the first day of incarceration. The Bureau of Prisons has developed tools to identify your needs and programs to address these needs, in the areas of education, work, recreation, health services, psychology, religious services, and more. The career resource centers at every institution can help you in many ways, and the full-time Mentor Coordinators can connect you with mentors while incarcerated who can continue to assist you after release. Staff can and will assist you to get on the path to a successful community reentry, but you must accept responsibility for your own future; you must work hard at the programs recommended for you and make every effort to prepare for release.

The staff of the BOP understand that incarceration can be a difficult experience and that some inmates are overwhelmed by feelings of hopelessness. If you or someone you know is feeling or talking about a sense of hopelessness or suicide, please bring this to the attention of a staff member as soon as possible; the staff are there to help you. Seeking help is a sign of your strength and determination to prevail. Helping yourself or a fellow inmate in a time of crisis is the right thing to do.

Another area of concern to me is sexual assault. If you are being threatened or pressured to engage in sexual behaviors, or are fearful about being sexually assaulted, please discuss your concerns with *staff* as soon as possible. We take all allegations of sexual abuse or sexual assault very seriously, and are committed to providing assistance to any victims. Please help us prevent this type of incident from occurring by identifying problematic circumstances or perpetrators so we can take appropriate action.

It is my hope that you use your term of incarceration to acquire the skills needed to live successfully in the community. We are here to help you prepare to successfully release from prison and become a productive citizen. Take advantage of the many programs that are available; get help in overcoming problems you have faced; improve skills you have acquired previously; strengthen your spiritual or religious connection. I challenge each of you to use each day to make a positive difference, whether it be for one another, the *staff* who work with you, your families, or communities.

**FCI/SCP Berlin, NH
Inmate Information Handbook
Federal Bureau of Prisons**

Introduction

The purpose of this handbook is to provide inmates arriving at FCI/SCP Berlin with information regarding the Bureau of Prisons (BOP), its programs, and the rules and regulations. It is not a specific guide to the detailed policies of the BOP; rather, the material in this handbook will help new inmates understand what they will be encountering when they enter prison. In addition, it will assist them in their initial adjustment to incarceration at FCI/SCP Berlin. This information will be made available during the Institution's Admission and Orientation (A&O) Program.

INTAKE, CLASSIFICATION AND THE UNIT TEAM

Orientation: Inmates are given a social screening by Unit Management staff and a medical screening by Health Services staff at the time of arrival and later by the Mental Health staff. Inmates are immediately provided with a copy of the Institution Rules and Regulations, which include information on Inmate Rights and Responsibilities.

Upon 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.

Classification Teams (Unit Teams): FCI/SCP Berlin is organized into a Unit Management system. A unit is a self-contained area that includes both inmate 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 located 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.

Inmates are assigned to a specific Unit Team. Generally, the resolution of issues or matters of interest while at the institution are 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 9:00 p.m., and during the day on weekends and holidays. The Unit Team usually schedules their working hours to ensure one team member will be available when inmates are not working.

GENERAL FUNCTIONS OF UNIT STAFF

Unit Manager: The Unit Manager is the administrative head of the housing unit and oversees all unit programs and activities. The Unit Manager is the Chairperson of the team which is comprised of the Case Manager and Correctional Counselor, with input from Education and Psychology. The Unit Manager reviews all team decisions, and chairs the Unit Discipline Committee (UDC), which is a body that hears disciplinary infractions.

Case Manager: The Case Manager is responsible for all casework services and prepares classification material, progress reports, release plans, correspondence, and other materials relating to the inmate's commitment. 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 future planning. He/she plays a leading role in segments of unit programs relating to inmate activities.

Unit Secretary: The Unit Secretary performs clerical and administrative duties.

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

Communications: There will be a unit staff member available each day of the week and most evenings until 9:00 p.m., at the FCI only. The unit bulletin boards and the TRULINCS system contain written communication of interest to inmates. The Unit Managers will utilize monthly Town Hall meetings to disburse/disseminate information and foster improved communications.

Program Reviews: Inmates initially designated to the institution will receive initial classification within 28 days of arrival. Subsequent program reviews will be held every 90 to 180 days, depending upon the release date. These are held by the Unit Team to review programs, work assignments, transfers, custody, institutional adjustment, etc. The inmate may not waive appearance with the Unit Team.

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 upon departure of 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. Inmates may purchase name brand items through the Commissary.

Personal Property Limits: Items which may be retained by an inmate are limited for sanitation, security and to ensure excess personal property is not accumulated which could constitute a fire hazard or impair staff searches of the cell. For an inclusive list refer to the FCI/SCP Berlin Institution Supplement pertaining to Inmate Personal Property.

Storage Space: Storage space in the units consists of an individual locker. Locks may be purchased in the institution Commissary. The amount of personal property allowed each inmate is limited to those items which can be neatly and safely placed in the locker. Under no circumstance will any materials be accumulated to the point where they become a fire, sanitation, security, or housekeeping hazard.

Clothing: Civilian clothing of any type, except athletic apparel, is not authorized. All government clothing, except undergarments, will be tagged with a label indicating the inmate's name and registration number which identifies personal property items and is to be neatly stored in the individual locker. Individual washcloth and towels are issued to inmates and not to be used to block any portion of the cell windows or doors. Authorized footwear includes: one pair of safety boots. Footwear will be placed neatly under the bed. The uniform will be maintained in a neat and professional manner, with shirt tucked in and pants around the waist line. Unauthorized headwear, i.e. doo rags are not a part of the proper uniform and will not be worn outside of the housing unit cells. Muscle shirts or tank tops are not permitted to be worn as an outer garment. Sweats and khakis are permitted to be worn in the housing units and on the Compound, after 3:30 p.m., and on the weekends and holidays.

Letters, Books, Photographs, Newspapers, and Magazines: An inmate will be limited in the number of magazines and newspapers that can be stored in their locker provided in each cell. The limit for magazines is no more than five (5). Local newspapers are not allowed after they are three (3) days old and non-local newspapers may be retained for a period of ten (10) days. Nothing is to be tacked, stapled or taped to any surface except to bulletin boards. Sexually explicit/sexually suggestive or pornographic photographs are **NOT** authorized for display outside of the individual locker.

Radios, MP3 Players and Watches: An inmate may not own or possess more than one (1) approved radio, mp3 player and/or watch at any time. Proof of ownership, through appropriate property receipts, will be required. Radios with a tape recorder and/or tape player are not authorized. Radios and mp3 players will be inscribed with the inmate's registration number. Only walkman-type radios are permitted and headphones are required at all times. While an inmate is in holdover status he may not purchase, own or possess a radio, mp3 player or watch. Inmates may not give any items of value to another inmate, (i.e., radio, watch, shoes and/or commissary items.)

Jewelry: Inmates may have a plain wedding band (without stones) and an appropriate religious medallion (without stones) that is not solid gold or solid silver, valued under the amount of \$100.00.

Smoking: FCI/SCP Berlin is a tobacco free facility. Inmate smoking is prohibited throughout the facility. Any items containing tobacco will be considered contraband and subjected to disciplinary action.

Quarters Rules: In order to minimize maintenance costs, permit uniform inspections, search procedures, and maintain orderly congregate living, the institution has imposed reasonable regulations on inmate conduct and furnishings in housing units. Unit Officers and Correctional Counselors inspect cells daily and publish individual ratings of appearance.

The rules include items such as:

1. All beds are to be made daily in the prescribed manner. Beds will be made by 7:30 a.m. during the weekday. On weekends and holidays, beds will be made whenever inmates are awake or away from the cell. At no time will a mattress be removed from a bunk and placed on the floor. If cell sanitation is not acceptable, disciplinary action may result.
2. Unit meal rotation is based on weekly sanitation ratings of each unit. The unit with the highest sanitation rating is called first and the unit with the lowest sanitation rating is called last.
3. Cell doors are closed when inmates are not in them.
4. Chairs are assigned to each cell with appropriate cell number engraved on each chair and will not be defaced or marked in any manner by the inmate. Chairs are not to be used on the upper tiers for television viewing, at any time.
5. Each inmate is responsible for the cleaning and sanitation of their assigned cell/living quarters.
6. Each inmate is responsible for cleaning up after themselves.
7. Sexually explicit/sexually suggestive photographs are **NOT** authorized for display outside of the individual locker. 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.
8. Showers are available every day, but inmates may not be in the shower during an official count.
9. Safety shoes must be worn to work as designated in policy.

10. Unit televisions may be viewed during established off-duty hours. The Unit Officer is the only person who can change the television which is on a designated channel. Specific television viewing hours may be affected differently in the specialized program units and/or as a result of poor unit sanitation.

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 may be subject to disciplinary action.

Clothing Exchange & Laundry: All issued clothing, linen, towels, etc., are exchanged on a one-for-one basis at the Laundry Room. The schedules for exchange are posted on unit bulletin boards.

Commissary: Funds from an individual account may be withdrawn by use of a commissary card for personal spending in the institution commissary. Funds may be withdrawn from the account for family support or other approved purposes. Accumulated institution earnings and funds sent from outside are given to the inmate upon release or may be mailed home.

The Commissary access time for inmates in each unit is scheduled on a daily basis. The schedule is posted in the unit and on the TRULINCS. It is the inmate's responsibility to know the amount of money available in his commissary account. Inmates may check their account balance by using the TRULINCS or inmate telephone systems. Borrowing or buying commissary items from other inmates is not allowed.

Spending Limitations: Inmates are permitted to spend up to \$340.00 each month for purchases. Each inmate account is validated, at the beginning of the spending period. See the Commissary Bulletin Board for the Validation Schedule.

Deposits to Accounts: Deposits may be made in the form of U.S. Postal Money Orders, Western Union Money Orders, U.S. Treasury Check or State Check (check or money order must be made out in the inmate's name to include the inmate's registration number). All other types of domestic money orders and checks will be held for at least fifteen (15) days before being posted to the inmate's account. All non-domestic or foreign checks will be held for forty-five (45) days before being posted. All funds being sent to inmates at FCI/SCP Berlin must be mailed to the National Lock Box location at the following address:

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

Commissary Fund Withdrawals: A BP-199 form is provided by the TRULINCS system for the withdrawal of inmate funds from Commissary accounts. Unit Managers can approve withdrawals from the Trust Fund account to send funds to dependents, other family members, or for the purchasing of other items. Only the Associate Warden (Programs) can approve inmate contributions to recognized charities and withdrawals exceeding \$500.00. Withdrawals for education and leisure time items are approved by the Supervisor of Education.

SECURITY PROCEDURES

Attire: Inmates will be in the proper uniform, (khaki pants and khaki shirt), Monday thru Friday, between 7:30 a.m. and 3:30 p.m. at the FCI. The attire for the SCP will be green pants and green shirts, Monday thru Friday, 7:30 a.m. to 4:00 p.m. The uniform will be maintained in a neat and professional manner with shirts tucked in and pants around the waist line. Other than approved religious headgear, hats will not be worn while indoors.

Inmate Identification Cards: Inmates are required to have their identification cards at all times upon departing their assigned cell. Inmates will be issued an identification card upon arrival at the institution and upon unit changes by the Correctional Systems Department (CSD). Inmates are responsible for the care of these cards.

Counts: During counts, inmates are expected to stay quietly in their cells until the count is announced as clear by the Unit Officer. The inmate is expected to be standing at bedside during official counts held at 4:00 p.m. and 09:30 p.m., on weekdays and 10:00 a.m., 4:00 p.m., and 09:30 p.m. on weekends and holidays and during any emergency count. Disciplinary action will also be taken against inmates for leaving an assigned area before the count is clear.

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 on a daily basis.

Controlled Movement: During open institution hours, movement throughout the institution will be regulated by a procedure called Controlled Movement. The purpose of Controlled Movement is to ensure the movement of inmates is safe and orderly.

Controlled Movements are ten minutes in duration and direct movement to and from the housing unit to the work site or other announced areas. The beginning and end of each move will be announced by staff. An example would be one way movement from the housing units to Recreation.

Contraband: Contraband is defined as any item not authorized or issued by the institution, received through approved channels or purchased through the Commissary. Each inmate is responsible for all items found in their assigned living area and should immediately report any unauthorized item to the Unit Officer. Any item in an inmate's personal possession must be approved and authorized. A record or receipt of the item should be kept in the inmate's possession. An altered item, even if approved or issued item, is considered contraband.

Shakedown: Any staff member may search an inmate's cell, at any time, to locate contraband or retrieve stolen property. The property and living area will be left in the same general condition as found and these inspections will be unannounced and random.

Drug Surveillance: FCI/SCP Berlin operates a drug surveillance program which includes mandatory random testing. If a staff member orders an inmate to provide a urine sample for this program and the inmate fails to comply, the inmate will be subject to disciplinary action.

Alcohol Detection: FCI/SCP Berlin also operates a program for alcohol surveillance. Random samples of the inmate population are tested on a routine basis, as well as those suspected of alcohol use. A positive test or refusal to test will result in disciplinary action.

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 at this institution by qualified professionals.

PROGRAMS AND SERVICES

Job Assignments: All inmates will maintain a job assignment. Many job assignments are controlled through an Inmate Performance Pay (IPP) system which provides monetary payment for work.

Food Service: General population and Special Housing Unit inmates are provided nutritionally prepared meals three times a day. Self-service meals for general population inmates may include features such as salad bars, hot bar, special diet options such as heart healthy, as well as no-flesh and pork-free meal options. Special Housing Unit

inmates receive the same diet as inmates in the general population.

During normal working hours inmates are expected to be in full inmate uniform from 7:30 a.m. to 4:00 p.m., Monday through Friday, excluding all federal holidays. Shoes are to be worn in the dining room area. Inmates will remove their hats, sun glasses and head gear (excluding religious head gear) upon entering the Food Service Department. No inmate personal items may be brought into Food Service. You will be required to have your identification card with you at each meal. You will be required to scan your card to receive your meal. Inmates will not be permitted to bring or take any food items out of the dining hall.

Education: The Education Department offers a wide variety of academic and vocational programs, ranging from adult literacy to post-secondary studies through correspondence. All programs are voluntary with the exception of the GED (General Education Development) and ESL (English-as-a-Second Language). An inmate who does not have a verified high school diploma will be required to attend 240 institutional hours of class. For an inmate who cannot speak English proficiently, mandatory attendance in ESL will be required until such time the individual scores a 225 on the CASA Certification Test and 215 of the Listening Comprehension Test. A representative from the Education Department will interview each incoming inmate shortly after arrival at the institution. The Education Department maintains information about all available programs.

A Leisure Library is available in the Education Department. Inmates may check out books, and read at their leisure, magazines, reference materials and a number of newspapers. For additional library needs, an inter-library loan service is offered. The institution Law Library is located adjacent to the Leisure Library in the Education Department. Education’s hours of operation are as follows:

Monday – Friday	Saturday
7:45 a.m. to 10:30 a.m.	7:45 a.m. to 10:30 a.m.
12:30 p.m. to 3:30 p.m.	12:30 p.m. to 3:30 p.m.
5:30 p.m. to 8:30 p.m.	

If you are interested in any of the available educational opportunities offered by the Education Department, please stop by and speak with any of the staff or submit an Inmate Request to Staff Member (Cop-Out) to the Educational Department.

Recreation, Leisure, and Social Programs: The goal of the Recreation Department is to provide and promote the constructive use of leisure time. Recreation programs provide a diverse combination of competitive, recreational, and wellness activities designed to reach as many individuals as possible. The programs respond to a wide variety of ages, cultures, abilities, and interests within the population. Ongoing “core” recreational activities are provided regularly and are supplemented by periodic implementation of new programs. Such programs are introduced either in response to an expressed or perceived need, or simply to provide novelty in institution activities. Activity sites are made available for both indoor and outdoor programs. Areas for field games, court games, team sports, individual and dual sport, arts and crafts, as well as music practice and performance are available to the general population.

All inmates are provided with the opportunity to improve their health and fitness, to have enjoyable leisure time activities and develop physical and mental skills that will help them upon release. Inmates are encouraged to become actively involved and to make productive use of their leisure time.

The Recreation Department has a wide array of equipment that is available to the general population through its Check Out Program. All inmates are eligible to check out equipment. The only requirement is that you must present your ID card for identification purposes.

Recreation Hours

Monday – Friday	Weekends/Holidays
6:00 a.m. to 3:30 p.m. 4:30 p.m. to 8:30 p.m.	6:30 a.m. to 9:30 a.m. 10:30 a.m. to 3:30 p.m. 4:30 p.m. to 8:30 p.m.

Religious Services: Religious Services provides pastoral care, counseling, and a variety of religious programs to assist in spiritual development. There are regularly scheduled services, studies, special programs and periodic guest speakers who speak on a variety of faith issues.

Institutional staff can help notify inmates in the event there is a death or hospitalization of an immediate family member. The notification can only be made after the inmate’s family calls the institution with the information needed to verify the emergency with an official entity (i.e. hospital, police department, funeral home, etc.). We highly recommend that all inmates save some money and phone minutes until the end of each month in the event a family emergency occurs.

The Religious Meal program is available for those individuals needing it. The Chaplain will determine if there is a verifiable need.

Counseling Activities: There are many alternatives for inmates who have personal problems and desire to correct them. These options include self-image groups and other voluntary groups conducted by Correctional Counselors. Inmate participation in these activities will be encouraged but participation in such activities is voluntary.

Psychology Programs: Psychology Services is a department consisting of Psychologists, Treatment Specialists, and a Psychology Technician under the direction of the Chief Psychologist. Psychology Services offers a wide range of group programs to assist inmates with mental and emotional challenges for successfully managing incarceration.

In addition, a variety of substance abuse services are available: Drug Abuse Education, Non-Residential Drug Abuse Treatment Program (NRDAP), and the Residential Drug Abuse Program (RDAP) are available here. The RDAP is housed in the FCI Unit C4. RDAP interviews are offered here and qualified applicants are transferred to an appropriate RDAP facility.

The approved method for requesting all psychology and drug abuse programs is via an “Inmate Request to Staff.”

Suicide Prevention Program: Incarceration can be a highly stressful and difficult time that generates overwhelming feelings. Sometimes these feelings can lead to thoughts of self-harm or suicide. Therefore, if you believe someone may be struggling with thoughts of suicide or self-harm, let a staff member know as soon as possible. Your notification could make it possible for us to provide any needed help.

Sexually Abusive Behavior Prevention Program: The Federal Bureau of Prisons has a “zero tolerance” policy for any and all sexually abusive behaviors. If you are the victim of any type of sexual assault or feel that you are in danger of being sexually assaulted, notify a staff member immediately. Please review the booklet “Sexually Abusive Behavior Prevention and Intervention: An Overview for Offenders” at the end of this handbook, for additional information.

Escorted Trips: Bedside visits and funeral trips may be authorized for inmates in lower custody categories, when an immediate family member is seriously ill, in critical condition, or has passed away. All expenses will be paid by the inmate prior to the escorted trip. There are occasions where the security of the BOP staff will outweigh the inmate’s need to visit the community.

Central Inmate Monitoring System: The Central Inmate Monitoring System (CIMS) is a method for the Bureau of Prisons to monitor and control the transfer, temporary release and participation in community activities of inmates

who pose special management considerations. 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 her intention to marry.
- Demonstrate legal eligibility to marry.
- Be mentally competent.
- The marriage must not present a security risk to the institution.

The marriage procedures are detailed in the Marriage of Inmates Institution Supplement.

Barber Shop: Haircuts and hair care services are authorized in the barber shop only. Hours of operation will be seven (7) days a week, 7:00a.m. to 7:00 p.m.. The barber shop will be available to Special Housing Unit inmates, Sundays only, 7:00 a.m. to 7:00 p.m., via approved "Request to Staff Member" (cop out) process.

FCI/SCP Berlin Health Services Department: Our mission is to provide quality medical, dental, and mental health care for the inmate population, consistent with Joint Commission Ambulatory Care Standards, and Bureau of Prisons Policy. This care will be rendered within the constraints of custody, but will recognize the inherent worth of each individual.

The vision of the Health Services Department is guided by a tradition of providing high quality health care to an incarcerated inmate population. The vision of our department is to meet the ever increasing and diversified needs of the inmate population and become a center of excellence where staff takes pride in the care they provide and the inmate patients have a positive perception of that care.

PATIENT RIGHTS AND RESPONSIBILITIES

While in the custody of the Federal Bureau of Prisons you have the right to receive health care in a manner that recognizes your basic human rights and you also accept the responsibility to respect the basic human rights of your health care providers.

Patient Rights

Patient Responsibilities

1. You have the right to health care services, based on the local procedures at your institution. Health Services include medical sick call, dental sick call and all support services. Sick call at this institution is conducted as outlined in the sections below.
2. You have the right to be offered a Living Will, or to provide the Bureau of Prisons with Advance Directives that would provide the Bureau of Prisons with instructions if you are admitted, as an inpatient, to a hospital in the local community, or the Bureau of Prisons.

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

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| <p>3. You have the right to participate in health promotion and disease prevention programs, including education regarding infectious diseases.</p> | <p>3. You have the responsibility to maintain your health and not to endanger yourself, or others, by participating in activity that could result in the spreading or contracting of an infectious disease.</p> |
| <p>4. You have the right to know the name and professional status of your health care providers.</p> | <p>4. You have the responsibility to respect these providers as professionals and follow their instructions to maintain and improve your own health.</p> |
| <p>5. You have the right to be treated with respect, consideration and dignity.</p> | <p>5. You have the responsibility to treat staff in the same manner.</p> |
| <p>6. You have the right to be provided with information regarding your diagnosis, treatment and prognosis.</p> | <p>6. You have the responsibility to keep this information confidential.</p> |
| <p>7. You have the right to be examined in privacy.</p> | <p>7. You have the responsibility to comply with security procedures.</p> |
| <p>8. You have the right to obtain copies of certain releasable portions of your health record.</p> | <p>8. You have the responsibility of being familiar with the current policy to obtain these records.</p> |
| <p>9. You have the right to address any concern regarding your health care to any member of the institution staff including your physician, the Health Services Administrator, members of your Unit Team and the Warden.</p> | <p>9. You have the responsibility to address your concerns in the accepted format, such as the Inmate Request to Staff Member form, open houses or the accepted Inmate Grievance Procedures.</p> |
| <p>10. You have the right to receive prescribed medications and treatments in a timely manner, consistent with the recommendations of the prescribing health care providers.</p> | <p>10. You have the responsibility to comply with prescribed treatments and follow prescription orders. You also have the responsibility not to provide any other person your medication or other prescribed item.</p> |
| <p>11. You have the right to be provided healthy and nutritious food. You have the right to be instructed regarding a healthy choice when selecting your food.</p> | <p>11. You have the responsibility to eat healthy and not abuse or waste food or drink.</p> |
| <p>12. You have a right to request a routine physical examination, as defined by BOP policy. If you are under the age of 50, once every two years; over the age 50, once a year.</p> | <p>12. You have the responsibility to notify medical staff that you wish to have an examination.</p> |
| <p>13. You have the right to dental care as defined in BOP policy, to include preventative services, emergency care and routine care.</p> | <p>13. You have the responsibility to maintain your oral hygiene and health.</p> |
| <p>14. You have the right to a safe, clean and healthy environment, including smoke-free living areas.</p> | <p>14. You have the responsibility to maintain the cleanliness and safety of living and working areas in consideration of others. You have the responsibility to follow smoking rules.</p> |

15. You have the right to refuse medical treatment in accordance with BOP policy. Refusal of certain diagnostic tests for infectious diseases can result in administrative action.
15. You have the responsibility to be counseled regarding the possible ill effects that may occur as a result of your refusal. You also accept the responsibility to sign the refusal.

HOW TO MAKE MEDICAL/DENTAL SICK CALL APPOINTMENTS: To make a sick call appointment, bring your ID card to the Health Services Department during the morning sick-call move. (This move will occur as the first move of the morning, four days per week: Monday, Tuesday, Thursday, and Friday, except for Holidays). Ordinarily sick call will be from 6:30 a.m. until 7:00 a.m. Appointments will be made by the Triage Nurse based on urgency and available resources.

- A. ALWAYS BRING YOUR ID CARD TO SIGN UP FOR SICK CALL.
- B. Present your ID card along with your sick call form at the sign-up desk. You must fill out the sick call form in ink. The form must include your name, register number, and complaint. Please be as thorough as possible on the form and make sure your writing is legible.
- C. You will either be given a same day appointment or you will be placed on a future call-out for an appointment, depending on the nature of your medical or dental problem.
- D. Dental sick call sign up requires the same sick call form.

Tardiness For Sick Call: You must report for ALL sick call appointments, as well as ALL appointments scheduled via the call out. You are expected to arrive for your appointment on time, with your ID card. You are not to arrive any sooner than five minutes before the scheduled time of your appointment, and no later than five minutes after. If you are more than ten minutes late, and the reason is not justified or substantiated by staff, your appointment will be canceled and appropriate disciplinary action taken as it pertains to your absence from a scheduled assignment.

Sick Call Procedures for Inmates housed in the Special Housing Unit (SHU)

- A. Medical staff will make rounds in the Special Housing Unit daily. The morning rounds for sick call will usually take place from 6:00 a.m. - 6:30 a.m.
- B. It is the inmate's responsibility to be standing at their door during the morning rounds in order to request a sick call visit. Depending on the nature of the inmate's complaint, an appointment will be made at the appropriate time.
- C. Sick call requests will be accepted on regular writing paper if that is all the inmate has access to.
- D. Sick call requests will be accepted on Monday, Tuesday, Thursday, and Friday. Dental sick call sign up adheres to the same procedures as outlined above. Dental sick call requests should be limited to serious dental conditions such as abscess or swelling. All other requests can be made through an Inmate Request to Staff Member addressed to the Dental Department.
- E. If an inmate has a medical emergency after morning rounds have been made, the inmate should inform SHU staff and medical staff should be contacted as soon as possible. Medical staff will then handle the emergency as deemed medically necessary.
- F. Morning pill line will be conducted during the morning SHU rounds. Evening pill line will be conducted during the evening SHU rounds.

G. Prescription refill requests can be made during either of the two rounds. Prescription delivery will take place during the evening medical rounds.

PILL LINES

Pill line is conducted at two scheduled times during the day. The pill line times are as follows:

FCI BERLIN

7:00 a.m. to 7:15 a.m.	Monday through Friday
7:00 a.m. to 7:15 a.m.	Weekends/Holidays
5:00 p.m. to 5:30 p.m.	Medication Prescriptions Refill Pickups
At Institution Recall	Restricted Pill Line Medications Only

SCP BERLIN

6:30 a.m. to 7:00 a.m.	Monday through Friday
6:30 a.m. to 7:00 a.m.	Weekends/Holidays
5:00 p.m. to 5:30 p.m.	Daily

You must present your institution ID at each pill line.

Some prescription medications may be written up to 180 days at a time. If your prescription has refills indicated on the bottle and you need a refill, please fill out a refill form located outside the pharmacy window during the morning pill line and pick your medication up at the 3:30 p.m., pill line. Medication will not be refilled if the expiration date has passed. In these cases, a sick call appointment to have the medication renewed, is required.

Medical Open House: If you want to request copies of your medical record or sign up for the routine list to see the Optometrist, a request should be made through the Inmate Request to Staff Member (cop out) process. A box for these requests is found in the lobby outside the Pharmacy. You may drop off these requests on Wednesdays between the hours of 8:00 a.m. to 8:15 a.m. If you need to request copies of your medical records, please allow a minimum of forty-five (45) days to receive them. You will be placed on call out to pick them up. **SCP** inmates should utilize the Request to Staff Member (cop out) forms for all above requests when needed.

Routine Dental Care: New commitments are seen by the Dental Department as part of the A&O process. They will be able to establish a treatment plan if needed, at that time. Requests for routine work are to be submitted to the Dentist on an Inmate Request to Staff (Cop Out) or during dental Open House. You must watch the call outs for your appointment time. If you are not seen here for an A&O exam, submit a cop out or report to Dental Open House if you wish to be placed on the treatment list.

Inmates at the FCI, who wish to have a dental cleaning, must submit an Inmate Request to Staff Member to the Dental Department. Additionally, complaints of chipped/broken teeth, common tooth aches and cavities should be reported through the same process. You will then be placed on a waiting list and advised of the approximate date of your scheduled appointment. **SCP** inmates must submit an Inmate Request to Staff Member to be placed on the waiting list for a dental cleaning. **SCP** Dental Sick Call forms are accepted on Tuesdays only. Dental services may also be accessed through the Inmate Request to Staff Member (cop-out) process.

As with scheduled appointments you **MUST** show up for your dental appointments whether they be emergency, sick call or scheduled on the posted call outs. Report any emergencies to staff immediately and appropriate action will be taken.

Physical Examinations: All newly committed inmates will receive a complete physical examination, including dental exam, laboratory tests, immunizations, Tuberculosis test, eye screening and in some cases, a chest x-ray. The medical A&O exams are conducted on Wednesdays. Inmates are required to be at the Health Services Department on the day their exam is scheduled. Inmates are eligible for a complete physical every two years if under 50 and a complete physical every year if over 50 years of age. If you are over 50 you are also eligible for a yearly EKG. If it has been one year since your last physical exam you may request a release physical two months prior to your release date. Each inmate is entitled

to request a Health Care Prevention Visit every three years prior to the age of 50, and every year after the age of 50. Send your request for a physical exam to the Health Services Department on an Inmate Request to Staff form (Cop Out).

Eyeglasses/ Contact Lenses: A contract Optometrist or eye doctor comes to the institution on a scheduled basis. FCI inmates who wish to be evaluated for eyeglasses should submit a request to be made through the Inmate Request to Staff Member (cop out) process. A box for these requests is found in the lobby outside the Pharmacy. At that time, you will be placed on a waiting list and advised of an approximate date of your appointment. You will be placed on call out. **SCP** inmates must submit an Inmate Request to Staff Member (cop-out) requesting an eye examination. If the eye doctor determines you need a pair of glasses, we will order them for you at government expense. It takes approximately four to six weeks to receive them. We do not allow eyeglasses from outside sources to be sent into this institution unless deemed necessary by the Clinical Director. Unless medical staff determines contact lenses are medically necessary, prescription glasses must be worn and contact lenses sent home.

Consultant Referrals To Outside Medical Facilities, Doctors: If the physician at this institution determines that your particular medical/dental problem cannot be evaluated or treated effectively at this facility, your case will be referred to the Utilization Review Committee (URC) to determine the most appropriate plan of care. This could be a referral to a local clinic or another Bureau medical center. Once the care is completed you will be transferred back to this institution.

Duty Status: The medical department has five types of fitness for duty status:

1. **Regular Duty** - you will be assigned to work anywhere in the institution you are assigned and can participate in all institutional activities.
2. **Restricted Duty** - you are to follow the restrictions as outlined on the form for your particular duty limitation.
3. **Convalescence** - no work duty, but not restricted from other activities, must still attend education classes.
4. **Idle** - this is essentially BED REST. You are permitted out of bed for meals, medical appointments, bathroom and chapel. You are not allowed to be up watching television, out on the compound or in the gym.
5. **Medically Unassigned**- unassigned due to existing medical condition. You are to follow the restrictions as outlined on the form. This assignment will not be used routinely and will not be used for extended periods of time within this institution.

Violation of any of these restrictions subjects you to disciplinary action. If there is confusion concerning your duty status or restriction, notify a Health Services staff member through a cop out or sick call.

CALL OUTS

The call out system is utilized by Health Services for clinical appointments, follow-up visits, and x-ray or laboratory procedures.

*******LOOK AT THE CALL OUT EVERY EVENING*******

*******ALL MEDICAL CALL OUTS ARE MANDATORY*******

FAILURE TO REPORT FOR MEDICAL CALL OUTS WILL RESULT IN AN INCIDENT REPORT

Emergency Appointments: In the event you become ill or have an accident which requires immediate medical attention, you are to notify your supervisor or the closest staff member who will then contact the Health Services Department for instructions. **DO NOT JUST WALK INTO THE HEALTH SERVICES DEPARTMENT WITHOUT PRIOR APPROVAL FROM A HEALTH SERVICES STAFF MEMBER.**

SCP Berlin Sick Call: Inmates who are assigned to the SCP may make sick call appointments in the morning between the hours of 6:30 a.m. and 7:00 a.m., (Monday, Tuesday, Thursday and Friday). The inmate will be responsible for completing an Inmate Sick Call Sign Up form in ink and reporting to SCP Health Services during the time frame specified above. A Physician's Assistant or Registered Nurse will screen all appointment requests and either schedules the inmate an appointment for the same day or schedule an appointment at a later date. For those appointments which are scheduled for a later date, the inmate will be placed on a call-out.

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

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

B. Health Care Visits with a Fee:

1. You must pay a fee of \$2.00 per health care visit for health care services, which will be charged to your Inmate Commissary Account, if you receive health care services in connection with a health care visit that you requested, except for services described in section C below. These requested appointments include Sick Call and after-hours requests to see a health care provider. If you ask a non-medical staff member to contact medical staff to request a medical evaluation on your behalf for a health service not listed in section C below, you will be charged a \$2.00 copay fee for that visit.
2. You must pay a fee of \$2.00 for health care services, charged to your Inmate Commissary Account, per health care visit, if you are found responsible through the Disciplinary Hearing Process to have injured an inmate who, as a result of the injury, requires a health care visit.

C. Health Care Visits with no Fee: We will not charge a fee for:

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

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

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

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

D. 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 you are considered indigent, you will not have the copay fee deducted from your Inmate Commissary Account. Please note that NO inmate will be denied medical treatment based on financial status. If you are NOT indigent, but you do not have sufficient funds to make the copay fee on the date of the appointment, a debt will be established by TRUFACS, and the amount will be deducted as funds are deposited into your Inmate Commissary Account.

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

Over-The Counter Medications (OTC's): Personal resources will be used by inmates to obtain OTC medications which are indicated for cosmetic and general hygiene issues or symptoms of minor ailments. These symptoms include seasonal allergies, occasional constipation, uncomplicated athlete's foot, acne, simple rashes, dry skin, and muscle aches from exertion.

For those inmates who report to health services with symptoms of minor medical ailments and cosmetic or general hygiene issues they will be referred to the institution Commissary with a Commissary Shopping List stating which medications they may purchase for general complaints.

On-the-job Injuries: If an inmate is injured while performing an assigned duty he must immediately report this injury to his work supervisor. The work supervisor will then report the injury to Health Services staff and the institution Safety Manager. The inmate may be disqualified from eligibility for lost-time wages or compensation if he fails to report a work injury promptly to the supervisor. If injured while performing an assigned duty and the inmate expects to be impaired to some degree, he may submit a claim for compensation. A medical evaluation must be included in the claim before any compensation can be considered.

Primary Care Provider Teams (PCPT): The goal of this institution's Health Services Department is to provide medical care which is consistent with the community standard of care. The PCPT model is designed to function in the same manner as a doctor's office within the community setting, consisting of clinical staff such as Physicians, Physicians Assistants, Registered Nurses, and Medical Assistants, as well as support staff such as Medical Records Technicians, and clerical staff.

The PCPT Team is a group of health care providers and support staff whose function is to provide direct patient care which support and enhance the day to day operations of the sick-call process, and chronic care clinics.

Inmates will be classified based on the last two numbers of their first five digits. Example inmate # 12345-678 would be for PA2.

With Current Staff of Mid-Level Providers

PA 1	00-33	Approx. 400 Inmates
PA 2	34-67	Approx. 400 Inmates
PA 3	68-99	Approx. 400 Inmates

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 is placed in mailboxes located in the housing units. Outgoing mail will be inspected by staff, and must be unsealed when deposited in the institution mailbox. The outgoing envelopes must have the inmate's name, registration number, and complete return address in the upper left hand corner. Do not abbreviate Federal Correctional Institution Berlin. Inmates will be responsible for the contents of all of their letters. Correspondence containing threats, extortion, etc., may result in prosecution for violation of Federal laws.

Inmates may be placed on restricted correspondence status based on misconduct or as a result of classification. The inmate is notified of this placement and has the opportunity to respond. There is no mail service on weekends and holidays.

Incoming Correspondence: First class mail is distributed Monday through Friday (except holidays) by the evening watch Correctional Officer in each housing unit. Legal and Special Mail will be distributed by 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 received at the institution must have prior authorization. Authorization for inmates to receive incoming packages will be limited to release clothing. Address incoming inmate mail as follows:

**Inmate Name and register number
Federal Correctional Institution Berlin
P.O. Box 9000
Berlin, NH 03570**

Incoming Publications: The Bureau permits inmates to subscribe to and receive publications without prior approval. The term publication means a book, single issue of a magazine or newspaper, or material addressed to a specific inmate, such as advertising brochures, flyers, and catalogs. An inmate may only receive publications and newspapers from the publisher or a book club/store.

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

For incoming correspondence to be processed under the Special Mail procedures, the sender must be adequately identified on the envelope, and the front of the envelope must be marked Special Mail - Open only in the presence of the inmate.

The assigned Correctional Counselor opens incoming Special Mail in the presence of the inmate. These items will be checked for physical contraband and for qualification as Special Mail; the correspondence will not be read or copied if the sender has accurately identified himself/herself on the envelope and the front of the envelope clearly indicates that the correspondence is Special Mail only to be opened in the presence of the inmate. Without adequate identification as Special Mail, the staff may treat the mail as general correspondence. In this case, the mail may be opened, read, and inspected.

Inmate Correspondence with Representatives of the News Media: An inmate may write, following Special Mail procedures, to representatives of the news media when 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 Bureau custody.

Representatives of the news media may initiate correspondence with an inmate. Correspondence from a representative of the news media will be opened, inspected for contraband, for qualification as media correspondence, and for content which is likely to promote either illegal activity or conduct contrary to regulations.

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 an active legal action/appeal (or a witness) in which both parties are involved. The Warden at both institutions must approve the correspondence.

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 the correspondence. Rejected correspondence ordinarily will be returned to the sender.

Change of Address/Forwarding of Mail: Inmates may obtain change of address cards from the institution mail room. These cards should be completed by inmates who are being released or transferred, to notify correspondents of a change in an address. Any general mail received after 30 days will be returned to the sender. Special Mail will continue to be forwarded after 30 days.

Certified/Registered Mail: Inmates desiring to use certified, registered or insured mail may do so at this facility. An inmate may not be provided services such as Express Mail, private carrier services, COD, or stamp collecting while confined. Scales and certified materials are available in the Law Library.

Telephones: Telephone use is a privilege and must not interfere with institution schedules, programs, work assignments or counts. There are four (6) telephones in each unit for inmate use. No third party or credit card calls can be made on these lines. Telephones are to be used for lawful purposes only. Threats, extortion, etc., may result in prosecution. All inmate telephones are subject to monitoring and recording. Inmates must contact their Case Manager or Correctional Counselor to arrange an unmonitored attorney call. Inmates in Disciplinary Segregation may receive one (1) phone call every thirty (30) days and inmates on Administrative Detention may receive one (1) phone call every fifteen (15) days.

FCI/SCP Berlin has the Inmate Telephone System (ITS). This system uses a Personal Access Code (PAC). You are allowed to have thirty (30) approved numbers on your phone list. In order 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 inmate 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.

You will be given your SECRET PAC (nine digits) number by your Correctional Counselor. This will allow you to place 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 forty-five minute waiting period between calls is imposed at FCI/SCP Berlin.

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

Attorney Visits: Attorneys shall ordinarily make advance appointments for each visit. Attorneys are encouraged to visit during the regular visiting hours. 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 amount 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: In order 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. Phone calls placed through the regular inmate phones are subject to monitoring.

Law Library: The Law Library is located in the Education Department, and contains a variety of legal reference materials for use in preparing legal papers. Reference materials include the United States Code Annotated, Federal Reporter, Supreme Court Reporter, Bureau of Prisons Program Statements, Institutional Supplements, Indexes, and other legal materials. The Law Library is open during convenient non-working hours including weekends. An inmate Law Library Clerk is available for assistance in legal research. Legal materials are also available to inmates in the Special Housing Unit.

Notary Public: When an unsworn declaration is not sufficient, 18 USC 4004 authorizes specified Bureau staff to administer oaths and take acknowledgements of officers, employees and inmates. Thus, while state and local laws may often refer only to a notary public (or similar officials) because they are the only officials authorized by state law to administer oaths and witness signatures, federal law also authorizes certain Bureau officials to perform such functions in Federal prisons. 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 at a nominal fee. Individuals who are indigent and who can demonstrate a clear need for particular 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, 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 an Inmate Request 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 prior written consent of the individual to whom the record pertained, except for specific instances. All formal requests for access to records about another person and/or agency record other than those pertaining to themselves shall be processed through the Freedom of Information Act, 5 USC 552.

Inmate Access to Central Files and Other Documents: An inmate can request access to the Non-Disclosable Documents in his central file, medical file or other documents concerning himself that are not in his central or medical file by submitting a Freedom of Information Act Request to the Director of the Bureau of Prisons, 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 Bureau advises all inmates that the President of the United States is authorized under the Constitution to grant executive clemency by pardon, commutation of sentence, or reprieve. A pardon is an executive act of grace that is a symbol of forgiveness. It does not connote innocence nor does it expunge the record of conviction. A pardon 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 Bureau also advises inmates on commutation of sentences. Commutation of sentence is usually the last chance to correct an injustice which has occurred in the criminal justice process. Inmates applying for commutation of sentence must do so on forms available from the assigned unit team. The rules governing these petitions are available in the Law Library.

PROBLEM RESOLUTION

Inmate Request to Staff Member: With the implementation of the TRULINCS System, inmates have the opportunity to communicate to staff utilizing electronic “Request to Staff Member” (copouts) with the exception of the Associate Wardens and the Warden. This process however, does not replace the official Administrative Remedy process. Inmates shall follow normal escalation procedures before communicating with Management on an issue. Inmates abusing the use of Electronic Request to Staff Service may be restricted from further use. Inmates are allowed to submit only one electronic Request to Staff per day and may not duplicate requests or submit the same request to more than one staff member. The maximum session time is 30 minutes. Inmates may print documents for a fee of 15 cents per page.

An Inmate Request to Staff Member (Copout) form BP-S148 will be utilized when requesting information from the Associate Wardens, the Warden and/or when inmates are housed in the Special Housing Unit. This will be the only instances in which the hard copy will be utilized, by the inmate. These forms may be obtained in the housing units from the Correctional Officer on duty.

Administrative Remedy Process: The Bureau 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 of 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.

**Northeast Regional Office
2nd & Chesnut Street, 7th Floor
Philadelphia, PA 19106**

RELEASE

Sentence Computation: The Designation and Sentence Computation Center (DSCC), located in Grand Prairie, Texas, is responsible for the accurate calculation of an inmate's federal sentence. An inmate will be issued a copy by the Correctional Systems Department, upon certification by DSCC.

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 stay in prison until the fine is paid, makes arrangements to pay the fine or qualifies for release under the provisions of Title 18 USC, Section 3569 (pauper's oath). Non-committed fines have no condition of imprisonment based on payment of fines or costs. Payments for a non-committed fine or cost are not required for release from prison or transfer to a contract community correction center.

Detainers: Case Management staff may assist 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.

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

GOOD TIME-U.S. CODE/D.C. CODE: The type of Good Time credits which are applicable to a U.S. code or D.C. Code sentence is dependent upon the date the OFFENSE was committed or concluded for which the sentence was imposed.

U.S. Code Sentences: For Offense committed prior to November 1, 1987, inmates earn Statutory Good Time bases upon the length of the sentence and may also earn Extra Good Time to reduce the release date. Old Law Good time will be discussed at A&O and during open house.

For offenses committed on or after November 1, 1987, inmates are ordinarily eligible to earn Good Conduct Time of up

to 54 days per year for a minimum sentence of 1 year and 1 day, for each full year (i.e. 365 days) spent in service of the sentence. The amount of Good Conduct Time days which an inmate is eligible to earn for partial year of sentence is reduced, based upon the number of days in the partial year. For offenses committed on or after September 13, 1994, Good Conduct Time may be affected by the status of an inmate's General Equivalency Diploma (GED) requirement.

D.C. Code Sentences: For offenses committed prior to April 11, 1987, inmates earn Statutory Good Time & Education Credits to reduce the minimum-maximum release date and are also eligible to earn Extra Good Time to reduce the maximum release date.

For offenses committed on or after April 11, 1987, but prior to June 22, 1994, inmates earn Institution Good Time and Education credits to reduce the minimum-maximum release date, and also eligible to earn extra Good Time to reduce the maximum release date.

For offense committed on or after June 22, 1994, but prior to August 5, 2000, inmates may only earn Education Credits to reduce the minimum-maximum release date.

For offenses committed on or after August 5, 2000, inmates are ordinarily eligible to earn Good Conduct Time of up to 54 days per year for a minimum sentence of 1 year and 1 day, for each full year (i.e. 365 days) spent in service of sentence. The amount of Good Conduct Time days which an inmate is eligible to earn for partial year of a sentence is reduced, based upon the number of days in the partial year.

Parole: Parole is a 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.

DISCIPLINARY PROCEDURES

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

Inmate Discipline Information: If a staff member observes or believes he 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 will ordinarily be delivered to the inmate within twenty-four (24) hours of the time staff became 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 and Greatest severity category. Violation in the High and Greatest severity category must be forwarded to the Discipline Hearing Officer for final disposition. If an informal resolution is not accomplished, the incident report is forwarded to the UDC for an Initial Hearing.

Initial Hearing: Inmates must ordinarily be given an initial hearing within five (5) work days of the time staff became 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 behalf. 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 provided, in writing, reasons for any extension.

Discipline Hearing Officer (DHO): 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 with

advance 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. The inmate may present a list of witnesses and request they testify at the hearing. Inmates may not question a witness at the hearing: the staff representative and/or the DHO will question any witness for the inmate. An inmate may submit a list of questions for the witness to answer to the DHO if there is no staff representative. The DHO will request a statement from all unavailable witnesses whose testimony is deemed relevant. 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. Final disposition is made by the DHO.

Appeals of Disciplinary Actions: Appeals of all disciplinary actions may be made through Administrative Remedy Procedures. UDC appeals are made to the Warden (BP-9). DHO appeals are made to the Regional Director (BP-10). The complete Administrative Remedy procedure may be utilized.

Special Housing Unit Status: There are two categories of special housing: Administrative Detention (AD) and Disciplinary Segregation (DS). Administrative Detention separates an inmate from the general population. To the extent practical, inmates in Administrative Detention shall be provided with the same general privileges as inmates in general population. An inmate may be placed in Administrative Detention when the inmate is in holdover status, during transfer, is a new commitment pending investigation or trial for a criminal act, pending transfer, for protection or is finishing confinement in Disciplinary Segregation.

Disciplinary Segregation is used as sanctions for violations of Bureau rules and regulations. Inmates in Disciplinary Segregation will be denied certain privileges. Personal property will usually be impounded. Inmates placed in Disciplinary Segregation are provided with blankets, a mattress, a pillow, and toilet tissue. Inmates may possess legal and religious materials while in Disciplinary Segregation. Also, staff shall provide a reasonable amount of non-legal reading material.

[INMATE RIGHTS AND RESPONSIBILITIES §541.12

<u>RIGHTS</u>	<u>RESPONSIBILITIES</u>
1. You have the right to expect that as a human being you will be treated respectfully, impartially, and fairly by all personnel.	1. You have the responsibility to treat others, both employees and inmates, in the same manner.
2. You have the right to be informed of the rules, procedures, and schedules concerning the operation of the institution.	2. You have the responsibility to know and abide by them.
3. You have the right to freedom of religious affiliation, and voluntary religious worship.	3. You have the responsibility to recognize and respect the rights of others in this regard.
4. You have the right to health care, which includes nutritious meals, proper bedding and clothing, and a laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles and medical and dental treatment.	4. It is your responsibility not to waste food, to follow the laundry and shower schedule, 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.

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| <p>5. You have the right to visit and correspond with family members, and friends, and correspond with members of the news media in keeping with Bureau rules and institution guidelines.</p> | <p>5. It is your responsibility to conduct yourself properly during visits, not to accept or pass contraband, and not to violate the law or Bureau rules or institution guidelines through your correspondence.</p> |
| <p>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.)</p> | <p>6. You have the responsibility to present honestly and fairly your petitions, questions, and problems to the court.</p> |
| <p>7. You have the right to legal counsel from an attorney of your choice by interviews and correspondence.</p> | <p>7. It is your responsibility to use the services of an attorney honestly and fairly.]</p> |
| <p>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.</p> | <p>8. It is your responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other inmates to the use of the materials and assistance.</p> |
| <p>9. You have the right to a wide range of reading materials for materials for educational purposes and for your own enjoyment. These materials may include magazines and newspapers sent from the community, with certain restrictions.</p> | <p>9. It is your responsibility to seek and utilize such materials for your personal benefit, without depriving others of their equal rights to the use of this material.</p> |
| <p>10. You have the right to participate in education, vocational training and employment as far as resources are available, and in keeping with your interests, needs, and abilities.</p> | <p>10. You have the responsibility to take advantage of activities which may help you live a successful and law-abiding life within the institution and in the community. You will be expected to abide by the regulations governing the use of such activities.</p> |
| <p>11. You have the right to use your funds for commissary and other purchases, consistent with institution security and good order, for opening bank and/or savings accounts, and for assisting your family.</p> | <p>11. You have the responsibility to meet your financial and legal obligations, including, but not limited to, court-imposed assessments, fines, and restitution. You also have the</p> |

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.]

PROHIBITED ACTS AND AVAILABLE SANCTIONS

GREATEST SEVERITY LEVEL PROHIBITED ACTS

100 Killing.

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

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

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

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

105 Rioting.

106 Encouraging others to riot.

107 Taking hostage(s).

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

109 (Not to be used).

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

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

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

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

- 114 Sexual assault of any person, involving non-consensual touching by force or threat of force.
- 115 Destroying and/or disposing of any item during a search or attempt to search.
- 196 Use of the mail for an illegal purpose or to commit or further a Greatest category prohibited act.
- 197 Use of the telephone for an illegal purpose or to commit or further a Greatest category prohibited act.
- 198 Interfering with a staff member in the performance of duties most like another Greatest severity prohibited act. This charge is to be used only when another charge of Greatest severity is not accurate. The offending conduct must be charged as “most like” one of the listed Greatest severity prohibited acts.
- 199 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another Greatest severity prohibited act. This charge is to be used only when another charge of Greatest severity is not accurate. The offending conduct must be charged as “most like” one of the listed Greatest severity prohibited acts.

AVAILABLE SANCTIONS FOR GREATEST SEVERITY LEVEL PROHIBITED ACTS

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

HIGH SEVERITY LEVEL PROHIBITED ACTS

- 200 Escape from a work detail, non-secure institution, or other non-secure confinement, including community confinement, with subsequent voluntary return to Bureau of Prisons custody within four hours.**
- 201 Fighting with another person.**
- 202 (Not to be used).**
- 203 Threatening another with bodily harm or any other offense.**
- 204 Extortion; blackmail; protection; demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.**
- 205 Engaging in sexual acts.**
- 206 Making sexual proposals or threats to another.**
- 207 Wearing a disguise or a mask.**

- 208 Possession of any unauthorized locking device, or lock pick, or tampering with or blocking any lock device (includes keys), or destroying, altering, interfering with, improperly using, or damaging any security device, mechanism, or procedure.**
- 209 Adulteration of any food or drink.**
- 210 (Not to be used).**
- 211 Possessing any officer's or staff clothing.**
- 212 Engaging in or encouraging a group demonstration.**
- 213 Encouraging others to refuse to work, or to participate in a work stoppage.**
- 214 (Not to be used).**
- 215 (Not to be used).**
- 216 Giving or offering an official or staff member a bribe, or anything of value.**
- 217 Giving money to, or receiving money from, any person for the purpose of introducing contraband or any other illegal or prohibited purpose.**
- 218 Destroying, altering, or damaging government property, or the property of another person, having a value in excess of \$100.00, or destroying, altering, damaging life-safety devices (e.g., fire alarm) regardless of financial value.**
- 219 Stealing; theft (including data obtained through the unauthorized use of a communications device, or through unauthorized access to disks, tapes, or computer printouts or other automated equipment on which data is stored).**
- 220 Demonstrating, practicing, or using martial arts, boxing (except for use of a punching bag), wrestling, or other forms of physical encounter, or military exercises or drill (except for drill authorized by staff).**

- 221 Being in an unauthorized area with a person of the opposite sex without staff permission.
- 222 (Not to be used).
- 223 (Not to be used).
- 224 Assaulting any person (a charge at this level is used when less serious physical injury or contact has been attempted or accomplished by an inmate).
- 225 Stalking another person through repeated behavior which harasses, alarms, or annoys the person, after having been previously warned to stop such conduct.
- 226 Possession of stolen property.
- 227 Refusing to participate in a required physical test or examination unrelated to testing for drug abuse (e.g., DNA, HIV, tuberculosis).
- 228 Tattooing or self-mutilation.
- 229 Sexual assault of any person, involving non-consensual touching without force or threat of force.
- 296 Use of the mail for abuses other than criminal activity which circumvent mail monitoring procedures (e.g., use of the mail to commit or further a High category prohibited act, special mail abuse; writing letters in code; directing others to send, sending, or receiving a letter or mail through unauthorized means; sending mail for other inmates without authorization; sending correspondence to a specific address with directions or intent to have the correspondence sent to an unauthorized person; and using a fictitious return address in an attempt to send or receive unauthorized correspondence).
- 297 Use of the telephone for abuses other than illegal activity which circumvent the ability of staff to monitor frequency of telephone use, content of the call, or the number called; or to commit or further a High category prohibited act.
- 298 Interfering with a staff member in the performance of duties most like another High severity prohibited act. This charge is to be used only when another charge of High severity is not accurate. The offending conduct must be charged as “most like” one of the listed High severity prohibited acts.
- 299 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another High severity prohibited act. This charge is to be used only when another charge of High severity is not accurate. The offending conduct must be charged as “most like” one of the listed High severity prohibited acts.

AVAILABLE SANCTIONS FOR HIGH SEVERITY LEVEL PROHIBITED ACTS

- A. Recommend parole date rescission or retardation.
- B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time up to 50% or up to 60 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
- B.1 Disallow ordinarily between 25% and 50% (14-27 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).

- C. Disciplinary segregation (up to 6 months).
- D. Make monetary restitution.
- E. Monetary fine.
- F. Loss of privileges (*e.g.*, visiting, telephone, commissary, movies, recreation).
- G. Change housing (quarters).
- H. Remove from program and/or group activity.
- I. Loss of job.
- J. Impound inmate's personal property.
- K. Confiscate contraband.
- L. Restrict to quarters.
- M. Extra duty.

MODERATE SEVERITY LEVEL PROHIBITED ACTS

- 300 Indecent Exposure.
- 301 (Not to be used).
- 302 Misuse of authorized medication.
- 303 Possession of money or currency, unless specifically authorized, or in excess of the amount authorized.
- 304 Loaning of property or anything of value for profit or increased return.
- 305 Possession of anything not authorized for retention or receipt by the inmate, and not issued to him through regular channels.
- 306 Refusing to work or to accept a program assignment.
- 307 Refusing to obey an order of any staff member (may be categorized and charged in terms of greater severity, according to the nature of the order being disobeyed, *e.g.* failure to obey an order which furthers a riot would be charged as 105, Rioting; refusing to obey an order which furthers a fight would be charged as 201, Fighting; refusing to provide a urine sample when ordered as part of a drug-abuse test would be charged as 110).
- 308 Violating a condition of a furlough.
- 309 Violating a condition of a community program.
- 310 Unexcused absence from work or any program assignment.
- 311 Failing to perform work as instructed by the supervisor.

- 312 Insolence towards a staff member.
- 313 Lying or providing a false statement to a staff member.
- 314 Counterfeiting, forging, or unauthorized reproduction of any document, article of identification, money, security, or official paper (may be categorized in terms of greater severity according to the nature of the item being reproduced, *e.g.*, counterfeiting release papers to effect escape, Code 102).
- 315 Participating in an unauthorized meeting or gathering.
- 316 Being in an unauthorized area without staff authorization.
- 317 Failure to follow safety or sanitation regulations (including safety regulations, chemical instructions, tools, MSDS sheets, OSHA standards).
- 318 Using any equipment or machinery without staff authorization.
- 319 Using any equipment or machinery contrary to instructions or posted safety standards.
- 320 Failing to stand count.
- 321 Interfering with the taking of count.
- 322 (Not to be used).
- 323 (Not to be used).
- 324 Gambling.
- 325 Preparing or conducting a gambling pool.
- 326 Possession of gambling paraphernalia.
- 327 Unauthorized contacts with the public.
- 328 Giving money or anything of value to, or accepting money or anything of value from, another inmate or any other person without staff authorization.
- 329 Destroying, altering, or damaging government property, or the property of another person, having a value of \$100.00 or less.
- 330 Being unsanitary or untidy; failing to keep one's person or quarters in accordance with posted standards.
- 331 Possession, manufacture, introduction, or loss of a non-hazardous tool, equipment, supplies, or other non-hazardous contraband (tools not likely to be used in an escape or escape attempt, or to serve as a weapon capable of doing serious bodily harm to others, or not hazardous to institutional security or personal safety) (other non-hazardous contraband includes such items as food, cosmetics, cleaning supplies, smoking apparatus and tobacco in any form where prohibited, and unauthorized nutritional/dietary supplements).
- 332 Smoking where prohibited.

- 333 Fraudulent or deceptive completion of a skills test (*e.g.*, cheating on a GED, or other educational or vocational skills test).
- 334 Conducting a business; conducting or directing an investment transaction without staff authorization.
- 335 Communicating gang affiliation; participating in gang related activities; possession of paraphernalia indicating gang affiliation.
- 336 Circulating a petition.
- 396 Use of the mail for abuses other than criminal activity which do not circumvent mail monitoring; or use of the mail to commit or further a Moderate category prohibited act.
- 397 Use of the telephone for abuses other than illegal activity which do not circumvent the ability of staff to monitor frequency of telephone use, content of the call, or the number called; or to commit or further a Moderate category prohibited act.
- 398 Interfering with a staff member in the performance of duties most like another Moderate severity prohibited act. This charge is to be used only when another charge of Moderate severity is not accurate. The offending conduct must be charged as “most like” one of the listed Moderate severity prohibited acts.
- 399 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another Moderate severity prohibited act. This charge is to be used only when another charge of Moderate severity is not accurate. The offending conduct must be charged as “most like” one of the listed Moderate severity prohibited acts.

AVAILABLE SANCTIONS FOR MODERATE SEVERITY LEVEL PROHIBITED ACTS

- A. Recommend parole date rescission or retardation.
- B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time up to 25% or up to 30 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
 - B.1 Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
- C. Disciplinary segregation (up to 3 months).
- D. Make monetary restitution.
- E. Monetary fine.
- F. Loss of privileges (*e.g.*, visiting, telephone, commissary, movies, recreation).
- G. Change housing (quarters).
- H. Remove from program and/or group activity.
- I. Loss of job.
- J. Impound inmate’s personal property.

K. Confiscate contraband.

L. Restrict to quarters.

M. Extra duty.

LOW SEVERITY LEVEL PROHIBITED ACTS

400 (Not to be used).

401 (Not to be used).

402 Malingering, feigning illness.

403 (Not to be used).

404 Using abusive or obscene language.

405 (Not to be used).

406 (Not to be used).

407 Conduct with a visitor in violation of Bureau regulations.

408 (Not to be used).

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

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

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

AVAILABLE SANCTIONS FOR LOW SEVERITY LEVEL PROHIBITED ACTS

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

D. Make monetary restitution.

E. Monetary fine.

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

G. Change housing (quarters).

H. Remove from program and/or group activity.

I. Loss of job.

- J. Impound inmate's personal property.
- K. Confiscate contraband
- L. Restrict to quarters.
- M. Extra duty.

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	2nd offense 3rd or more offense	1. Disciplinary segregation (up to 1 month). 2. Forfeit earned SGT or non-vested GCT up to 10% or up to 15 days, whichever is less, and/or terminate or disallow extra good time (EGT) (an EGT sanction may not be suspended). Any available Moderate severity level sanction (300 series).
Moderate Severity (300 level)	12 months	2nd offense 3rd or more offense	1. Disciplinary segregation (up to 6 months). 2. Forfeit earned SGT or non-vested GCT up to 37 1/2% or up to 45 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended). Any available High severity level sanction (200 series).
High Severity (200 level)	18 months	2nd offense 3rd or more offense	1. Disciplinary segregation (up to 12 months). 2. Forfeit earned SGT or non-vested GCT up to 75% or up to 90 days, whichever is less, and/or terminate or disallow EGT (an EGT sanction may not be suspended). Any available Greatest severity level sanction (100 series).
Greatest Severity (100 level)	24 months	2nd or more offense	Disciplinary Segregation (up to 18 months).

A&O BOOKLET ATTACHMENT A

FEDERAL CORRECTIONAL INSTITUTION, BERLIN, NEW HAMPSHIRE, 03570

VISITING REGULATIONS

_____ (Visitor's Name), has been approved to visit you during your stay at Berlin. In addition to your assuming reasonable responsibility for the proper conduct of a visit, you are also responsible for forwarding this form to the above visitor so that she/he will be aware of our visiting regulations.

IDENTIFICATION. The Front Lobby Officer will require positive photo identification of visitors. Acceptable forms of identification are valid driver's license or State Identification Cards, and other official identification cards.

VISITING HOURS. Regular visiting hours at the FCI/SCP are from 8:15 a.m. to 3:00 p.m. on Saturday, Sunday and all Federal Holidays. Visitors will not be processed into the FCI after 2:00 p.m. Visitors will not be processed into the SCP Visiting Room after 1:30 p.m. During institution counts, visitor processing at the FCI/SCP is temporarily suspended. Please refrain from arriving on the institution grounds before the scheduled visiting periods. When a visit is over, all visitors must leave the institution grounds immediately. **The Visiting Room Officer may terminate a visit because of overcrowded conditions or improper conduct of the visitor, including children and/or the inmate.** The visiting hours for Special Housing Unit inmates are 8:15 a.m. to 3:00 p.m., on Saturday, Sunday and all Federal Holidays, in two (2) hour blocks intervals, via video conference only.

WHO MAY VISIT. Inmates will be permitted to visit with authorized visitors only. We will notify persons authorized to visit. Children under 18 years must be accompanied by an adult member of the family. Other persons not approved who wish to visit an inmate for either personal or business reasons must write the institution at least two weeks in advance of the visit and explain the circumstances. If a visit is approved, an authorization will be sent for presentation on arrival. All visitors, including children, must be on the approved visiting list.

Inmates are allowed a maximum of five visitors, excluding children, at one time in the visiting room. A split visit is defined as a visit when an inmate has five visitors in the Visiting Room and one or more visitors leave the Visiting Room and are replaced by the same number or fewer, of authorized visitors. On split visits, only one exchange of visitors for that inmate will normally be approved. Once visitors have left the visiting room, their visit is complete. They will not be allowed to return to the visiting room, that day.

REGULATIONS. The right to make future visits will be denied to anyone who tries to circumvent or evade regulations. The introduction or attempted introduction of contraband into a federal penal institution is in violation of Title 18, U.S. Code, Section 1791.

It is illegal for any person to possess contraband. Contraband is defined as the introduction or attempted introduction into or upon the grounds of any federal penal or correctional institution or the taking or attempt to take or send therefrom, anything whatsoever without the knowledge and consent of the Warden or Superintendent of such federal penal or correctional institution.

Contraband items include but are not limited to guns, knives, tools, ammunition, explosives, hazardous chemicals, gas, narcotics, drugs or intoxicants. Prior to admission, visitors must request and obtain permission of the Warden or her staff representative to bring any item upon the institution grounds. Failure to adhere to this policy, is a federal crime

ALL VISITORS ARE SUBJECT TO SEARCH PRIOR TO ENTERING AND UPON DEPARTING THE INSTITUTION.

All visitors wishing to visit inmates within the FCI, will remove all personal items containing metal , i.e. coins, keys, and must clear the walk-through metal detector prior to being admitted for visiting. Visitors will refrain from wearing clothing which would activate the metal detector.

Keys and keychains will be secured at the officer's station in the front lobby. Clothing items that contain metal, i.e. underwire bras, cannot be removed before passing through the metal detector. The use of a camera or recording equipment without written consent of the Warden is strictly prohibited. No written messages may be exchanged during a visit.

All radios, tape players, recorders, cellular telephones, or other electronic equipment must remain in the lockers provided in the front lobby or stored in the visitor's vehicle.

DO NOT BRING FOOD OF ANY KIND into the institution. Sandwiches, soups, beverages, etc., are available from vending machines.

All visitors must be appropriately attired including closed toe shoes. Adult visitors are to refrain from wearing apparel that is overly-revealing or suggestive (i.e., excessively tight-fitting or revealing slacks, miniskirts, shorts, halter tops, strapless dresses/tops, spandex clothing, sleeveless shirts). Hats, bandanas, and scarves are not authorized. Visitors may be denied a visit if supervisory staff (i.e., Lieutenant, Institution Duty Officer, etc.) determines a visitor's dress is inappropriate for the institution setting.

Socially acceptable gestures of communication and affection, such as shaking hands, kissing and embraces are allowed within in the limits of good taste and only at the beginning and at the end of a visit. Inmates or visitors who violate visiting regulations may have their visit terminated or be placed under closer supervision at the discretion of the Visiting Room Officer.

All areas of the Visiting Room, including restrooms, may be monitored to prevent the passage of contraband and ensure the security and welfare of all concerned.

Children are expected to remain near to and be controlled by the adults bringing them.

IT IS NOT PERMISSIBLE TO BRING PACKAGES OR GIFTS OF ANY KIND.

No written messages or photographs may be exchanged during a visit. Documents or papers may not be examined or signed in the Visiting Room. The latter should be handled by correspondence (as a matter of record).

All food items purchased in the Visiting Room must be consumed during the visit. Food items will not be permitted to be retained by the visitor or the inmate at the conclusion of the visit. No lunch packages or thermos bottles will be allowed. Vending machines are provided.

No gifts or clothing may be left for an inmate

MONEY CANNOT BE ACCEPTED FOR DEPOSIT TO THE INMATE'S TRUST FUND ACCOUNT.

IT IS A FEDERAL CRIME TO BRING UPON THESE PREMISES ANY WEAPONS, AMMUNITION, INTOXICANTS, DRUGS OR CONTRABAND.

It is illegal for any person to introduce or attempt to introduce into or upon the grounds of any federal penal institution, to take, or attempt to take or send therefrom anything whatsoever without the knowledge or consent of the Warden. The law provides that violators may receive 20 years or a \$250,000 fine and/or both. It is a federal crime to bring upon these premises weapons, ammunition, intoxicating drugs or contraband. All persons and packages are subject to search (Title 18, U.S. Code, Sections 1791 and 1792).

Below are general instructions governing visits at this institution:

ONLY THOSE ITEMS LISTED BELOW ARE AUTHORIZED TO BE TAKEN INTO THE VISITING ROOM

- | | |
|---|---|
| 1. Clear Plastic Purse | 6. Two Diapers |
| 2. Money (reasonable amounts based on number of visitors) | 7. Baby Clothes (one change of clothing) |
| 3. Comb (no long/sharp handles) | 8. Sweaters |
| 4. Baby Bottles | 9. Heart Medication |
| 5. Baby Food | 10. Jewelry Normally Worn |
| | 11. Coats/Jackets Will Be Secured In Lockers. |

OTHER:

All areas of the Visiting Room have been designated as non-smoking.

All medication must be approved by the on duty Operations Lieutenant and the Front Lobby Officer. Medication will be stored in the Visiting Room officer's station.

Persons not approved to visit but who accompany approved visitors, are not permitted to remain in the institution parking lot and must leave the grounds.

LOCATION.

Federal Correctional Institution
1 Success Loop Road
Berlin, NH 03570

DIRECTIONS.

To travel to the institution by a privately owned vehicle from Interstate 93 North/South:

Take Exit 35 onto US Route 3 North. Travel approximately 12 miles into Twin Mountain
Take a right onto NH Route 115 North. Travel approximately 10 miles into Jefferson.
Take a right onto US Route 2 East. Travel approximately 17 miles into Gorham.
At US-2/NH-16 Intersection, bear left onto NH Route 16 North. Travel approximately 4 miles to Berlin.
Take a right onto 12th Street Bridge.
At end of bridge, take a left onto Hutchins Street.
Hutchins Street becomes east Milan Road
FCI Berlin will be on your right just passed Northern NH Correctional Facility.

To travel to the institution by a privately owned vehicle from Interstate 91 North/South

Take Exit 17 onto US Route 302 following signs for US Route 302 approximately 23 miles
Turn right onto I-93 S approximately 4 miles.
Take exit 40 onto US Route 302 approximately 11 miles
Turn Left onto US Route 3 North approximately 2 miles
Turn right onto NH-115 N approximately 10 miles
Turn right onto US-2/Presidential Hwy approximately 12 miles
Turn left onto NH-16 N/Main St approximately 4 miles to Berlin.
Take a right onto 12th Street Bridge.
At end of bridge, take a left onto Hutchins Street.
Hutchins Street becomes east Milan Road
FCI Berlin will be on your right just passed Northern NH Correctional Facility.

To travel to the institution by a privately owned vehicle from Interstate 95 North

Take exit 63 to ME-26 for approximately 50 miles.

Turn slight right onto W Bethel Rd/US-2

Continue to follow US-2 into New Hampshire approximately 23 miles

Stay straight to go onto NH-16/Main St approximately 5 miles to Berlin.

Take a right onto 12th Street Bridge.

At end of bridge, take a left onto Hutchins Street.

Hutchins Street becomes east Milan Road

FCI Berlin will be on your right just passed Northern NH Correctional Facility.

PUBLIC TRANSPORTATION TO THE BERLIN AREA

1. **The Greyhound Bus depot is located at Irving Mainway/Circle K Service Station; 318 Glen Ave., Route 16; Berlin, NH. Their toll free reservation number is 1-800-639-3317.**
2. **Portland International Jetport, in Portland, ME is 71 miles from Berlin, NH, offering car rentals with the following companies:**
 - a. **Alamo: 207-775-0855**
 - b. **AVIS/Budget: 207-874-7501**
 - c. **Enterprise: 207-615-0030**
 - d. **Hertz: 207-774-4544**
 - e. **National: 207-773-0036**
3. **Berlin Regional Airport (BML); 800 Eastside River Rd, Milan, NH 03588; phone: 603-449-2168**
4. **Lebanon Municipal Airport (LEB); 5 Airpark Rd; Lebanon, NH 03784; phone: 603-298-8878 (76 miles)**
5. **Portsmouth International Airport at Pease; 42 Airline Ave; Portsmouth, NH 03801; phone: 603-433-6088 (101 miles)**
6. **Manchester-Boston Regional Airport (MHT); 1 Airport Rd; Manchester, NH 03101; phone:603-624-6556 (104 miles)**
7. **Logan International Airport (BOS); 1 Harborside Dr.; East Boston, MA 02128; phone: 1-800-23-LOGAN. (166 miles)**
8. **The Village Taxi; P.O. Box 33; North Conway, NH 03860; phone: 877-986-7267**
9. **Dave's Taxi; 8 Chickadee Lane; Littleton, NH 03561; phone: 603-444-0407**
10. **The "AAA" Travel Service can also be contacted for travel information. Their toll free number is 1-800-924-1180. The closest local "AAA" Office is Shaws Plaza 600 Ctr St; Suite 2; Auburn, ME; (56 miles from Berlin).**

Accommodations in the Berlin Area:

**Budget Inn
25 Pleasant St
Berlin, NH
(603) 752-2500**

**Royalty Inn
130 Main St
Gorham, NH
(603) 466-3312**

**Town & Country Inn & Resort
20 State Route 2
Gorham, NH
(603) 466-3315**

**Colonial Fort Inn
370 Main Street
Gorham, NH
(603) 466-2732**

**Birch Bend MotoLodge
10 Village Rd
Shelburne, NH
(603) 466-5069**

**Mt Washington Bed & Breakfast
421 State Route 2
Shelburne, NH
(603) 466-2669**

**Coos Motor Inn
209 Main St
Lancaster, NH
(603) 788-3079**

**Cabot Motor Inn
200 Portland St
Lancaster, NH
(603) 788-3346**

**Northern Peaks Motor Inn
289 Main St
Gorham, NH
(603) 466-3374**

U.S. Department of Justice
Federal Bureau of Prisons

**Sexually Abusive Behavior
Prevention and Intervention**



An Overview for Offenders

November 2009

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

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

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

What Can You Do To Prevent Sexually Abusive Behavior?

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

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

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

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

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

What Can You Do if You Are Sexually Assaulted?

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

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

How Do You Report an Incident of Sexually Abusive Behavior?

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

BOP staff members are instructed to keep reported information confidential and only discuss it with the appropriate

officials on a need-to-know basis concerning the inmate-victim=s welfare and for law enforcement or investigative purposes. There are other means to confidentiality report sexually abusive behavior if you are not comfortable talking with staff.

☐ **Write directly to the Warden, Regional Director or Director.** You can send the Warden an Inmate Request to Staff Member (Cop-out) or a letter reporting the sexually abusive behavior. You may also send a letter to the Regional Director or Director of the Bureau of Prisons. To ensure confidentiality, use special mail procedures.

☐ **File an Administrative Remedy.** You can file a Request for Administrative Remedy (BP-9). If you determine your complaint is too sensitive to file with the Warden, you have the opportunity to file your administrative remedy directly with the Regional

Director (BP-10). You can get the forms from your counselor or other unit staff.

☐ **Write the Office of the Inspector General (OIG)** which investigates allegations of staff misconduct. OIG is a component of the Department of Justice and is not a part of the Bureau of Prisons. The address is:

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

Understanding the Investigative Process

Once the sexually abusive behavior is reported, the BOP and/or other appropriate law enforcement agencies will conduct an investigation. The purpose of the investigation is to determine the nature and scope of the abusive behavior. You may be asked to give a statement during the investigation. If criminal charges are brought, you may be asked to testify during the criminal proceedings.

Counseling Programs for Victims of Sexually Abusive Behavior

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

Management Program for Inmate Assailants

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

Policy Definitions

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

Code 101/(A): Sexual Assault

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

Code 206/(A): Making a Sexual Proposal

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

Code 300/(A): Indecent Exposure

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

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

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

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

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

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

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

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

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

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

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

Contact Offices

U.S. Department of Justice

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

Central Office

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

Mid-Atlantic Regional Office

302 Sentinel Drive, Suite 200
Annapolis Junction, Maryland 20701

North Central Regional Office

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

Northeast Regional Office

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

South Central Regional Office

4211 Cedar Springs Road, Suite 300
Dallas, Texas 72519

Southeast Regional Office

3800 North Camp Creek Parkway, SW
Building 2000
Atlanta, GA 30331-5099

Western Regional Office

7338 Shoreline Drive
Stockton, CA 95219

U.S. Department of Justice
Federal Bureau of Prisons
Office of the Director
Washington, DC 20534

July 20, 2012

MEMORANDUM FOR ALL BUREAU INMATES

FROM: Charles E. Samuels, Jr., Director

SUBJECT: Suicide Prevention

As Director of the Federal Bureau of Prisons, I am committed to ensuring your safety, the safety of staff and the public. I am also committed to providing you with programs and services that can contribute to your ability to successfully reenter society. In this message, I would like to specifically address your state of mind, an important part of your overall well-being.

Incarceration is difficult for many people; many individuals experience a wide range of emotions sadness, anxiety, fear, loneliness, anger, or shame. At times you may feel hopeless about your future and your thoughts may turn to suicide. If you are unable to think of solutions other than suicide, it is not because solutions do not exist; it is because you are currently unable to see them. Do not lose hope. Solutions can be found, feelings change, unanticipated positive events occur. Look for meaning and purpose in educational and treatment programs, faith, work, family, and friends.

Bureau staff are a key resource available to you. Every institution is staffed with psychologists who provide counseling and other supportive mental health services. Anytime you want to speak with a psychologist, let staff know and they will contact Psychology Services to make the necessary arrangements. Psychologists are not the only Bureau staff available to provide you support. Your unit officer, counselor or case manager, work supervisor, teacher, and treatment specialist are available to speak with you and provide assistance, as are the other staff in the institution, including recreation specialists and lieutenants. Help is available.

Every day, inmates across the Bureau find the strength and support to move ahead in a positive direction, despite their challenging circumstances. You may be reading this message while in a Special Housing Unit or Special Management Unit cell, thinking your life is moving in the wrong direction. But wherever you are, whatever your circumstances, my commitment to you is the same. I want you to succeed. I want your life to go forward in a positive direction -a direction personally fulfilling to you, but also a direction which ensures the safety of the staff and inmates who interact with you each day.

I know your road ahead is not an easy one. Be willing to request help from those around you.

"Learn from yesterday, live for today, hope for tomorrow."
~ Albert Einstein