

January 8, 2010
A&O Handbook

ADMISSION AND ORIENTATION INMATE HANDBOOK



UNITED STATES PENITENTIARY
#1 FEDERAL WAY
ATWATER, CALIFORNIA 95301

TABLE OF CONTENTS

INTRODUCTION	6
SECURITY DESIGNATION AND CUSTODY CLASSIFICATION	7
INTAKE SCREENING	7
ADMISSIONS & ORIENTATION (A&O) PROGRAM	7
INITIAL CLASSIFICATION AND PROGRAM REVIEW	7
UNIT TEAM	8
Unit Manager	8
Case Manager	8
Correctional Counselor	8
Unit Secretary	8
Unit Officer	8
UNIT SCHEDULE	8
TOWN HALL MEETINGS	9
SANITATION	9
UNIT RULES AND REGULATIONS	9
Television/Recreation Hours	9
Quiet Hours/Lights Out	10
Personal Property	10
Bed Assignments	10
Food Service/Inmate Dress Code	10
SECURITY PROCEDURES	11
Counts	11
Inmate Movement	11
Scheduled Movements for Weekdays	11
Scheduled Movements for Weekends and Holidays	12
Contraband	12
Shakedowns	12
Drug Surveillance/Alcohol Detection	12
PROGRAMS AND SERVICES	13
Job Assignments and Opportunities	13
Safety and Claims	13
On-the-Job Injuries	14
Fire Safety	14
Mechanical Services	14
UNICOR (Federal Prison Industries)	14

Educational Programs	14
Leisure Time Activities	15
Barber Shop	15
Unit Based Activities	15
Wellness Program	15
Musical Instruments	15
Counseling Activities	15
Drug Abuse Treatment Programs	16
Sexual Assault Prevention Program	16
Psychology and Psychiatry Programs	16
Suicide Prevention.	16
Selective Service	16
Marriages	16
Release Preparation Program	17
Religious Programs	17
Inmate Financial Responsibility Program	17
Transfer of Foreign Offenders	18
HEALTH SERVICES	18
Policy	18
Intake Screening	19
Availability	19
Inmate Copayment Program	19
Clinic Appointments	21
Dental Services	21
Pill Line	21
Eyeglasses and Contact Lenses	21
Physical Examinations	21
Special Procedures and Tests	22
HIV	22
Designated Smoking Areas	23
Activity or Duty Restrictions	23
Consultants and Non-Bureau Staff	23
Medical Records Review or Copies	23
Living Wills	23
Other Issues	23
Health Care Rights and Responsibilities	24
CONTACT WITH THE COMMUNITY AND PUBLIC	26
Visiting	26
Correspondence	27

Incoming Publications	28
Special Mail	28
Legal/Special Mail	29
Legal Mail from Attorneys	30
Inmate Correspondence/News Media	30
Correspondence Between Confined Inmates	30
Rejection of Correspondence	30
Notification of Rejection	31
Change of Address/Forwarding of Mail	31
Certified/Registered Mail	31
Inmate Deposit Fund	31
INMATE TELEPHONE SYSTEM	32
Legal Calls	33
COMMISSARY SALES.....	33
LAUNDRY/CLOTHING ISSUE	34
ACCESS TO LEGAL SERVICES	35
Attorney Visits	35
Legal Material	35
Attorney Phone Calls	35
Law Library	35
Notary Public	36
Copies of Legal Materials	36
Federal Tort Claims	36
Freedom of Information/Privacy Act of 1974	36
Inmate Access to Central Files	36
Inmate Access to Other Documents	37
PROBLEM RESOLUTION	37
Inmate Requests to Staff Member	37
Administrative Remedy Process	37
Sensitive Complaints	37
DISCIPLINARY PROCEDURES	38
Inmate Discipline Information	38
Appeals of Disciplinary Actions	38

RELEASE	38
Sentence Computation	38
Fines and Costs	38
Detainers	38
CONCLUSION	38
RIGHTS AND RESPONSIBILITIES/THE DISCIPLINARY SYSTEM	39

INTRODUCTION

This Inmate Handbook will provide you with information about the programs, operations, rules and regulations at the United States Penitentiary (U.S.P.) Atwater. The handbook is a condensed version of information already available to you through Bureau of Prisons' Program Statements, Institutional Supplements (local policies), and memoranda issued by the Administration and/or your Unit Team. It is your responsibility to seek clarification of any issues you find confusing or unclear. Again, your strict compliance to the rules and regulations of this facility is essential not only for exhibiting responsible behavior but also for inmate and staff safety.

LOCAL TRANSPORTATION

Atwater is serviced by (4) Airports: Fresno Yosemite International Airport (56 miles); Sacramento International Airport (113 miles); Oakland International Airport (120 miles); and San Francisco International Airport (130 miles).

The Bus - Merced County Transit operates both a regularly scheduled fixed route bus service and Dial-A-Ride (demand response) transportation services throughout Merced County. Generally, the Bus operates between 7 a.m. and 6 p.m. Monday through Friday, and 9 a.m. to 5 p.m. on Saturday. Upon arrival to Merced the following Taxi Services are available:

Yellow Cab: (209)723-0000
Merced Taxi Cab Co.: (209)722-8294

Located about 130 miles south of San Francisco and 60 miles north of Fresno, the U.S.P. and FPC can be reached from Highway 99. **From the north;** Take Route 99 South to the Buhach Road exit (left side exit). Turn Left at the first stop sign onto Buhach Road. Turn Right at the second light onto Bellevue. Turn Right onto Olive after crossing the railroad tracks. Turn Left onto Fox Road. Turn Left onto Federal Way. **From the south;** Take Route 99 North to the Franklin Road exit (between Merced and Atwater). Continue straight ahead after passing through the intersection at Fox Road. All visitors must report to the Main Administration Building. There are several hotels and restaurants in the nearby cities of Atwater and Merced.

FACILITY ADDRESS

USP Atwater
1 Federal Way
Atwater, CA 95301
(209) 386-0257

SECURITY DESIGNATION AND CUSTODY CLASSIFICATION

If you are an initial commitment, your designation to U.S.P. Atwater was done by the Regional Designator. This facility provides a high level of security and staff supervision while at the same time meets a variety of program needs. Positive behaviors, such as clear conduct and responsibility, can ordinarily result in reduced custody levels.

INTAKE SCREENING

All inmates must undergo a social screening and medical interviews before entering the general population. Mental health intake screening will also be conducted for all inmates. Intake screening ensures inmates are properly assigned to a unit.

ADMISSIONS & ORIENTATION (A&O) PROGRAM

Upon release into the general population, you will be assigned to a housing unit. The unit officer will conduct a brief orientation covering institution count procedures, safety and security measures, and unit rules and regulations. You will be expected to complete the unit and institution A&O Program, ordinarily within the 30-days of your arrival. During the intake screening process, you will be provided a copy of this handbook. You will read and familiarize yourself with the institution's rules and regulations. You will attend lectures conducted by staff concerning programs and services available at this institution. Once you are medically cleared, you will be assigned to a work detail.

INITIAL CLASSIFICATION AND PROGRAM REVIEW

New arrivals and transfers will have an Initial Classification or Program Review (Team meeting) within 30 days of their arrival. Team meetings are held every 90 days for inmates with a projected release date of one year or less. Inmates with a release date of more than one year will have a Team meeting every 180 days. The Program Review Docket is posted on the inmate bulletin board at least 1 day prior to the scheduled review. During Team meetings with Unit Staff, you may bring up requests for changes in program assignments, such as work, education, or vocational training, as well as discuss release plans, custody changes, and/or transfer requests. Team meetings will also be conducted during evening hours. Attendance at Team meetings is mandatory. Inmates that require

to review the information in their Central File, may do so by making a written request to the Unit Team. The Unit Team will allow an inmate to review his Central File in the presence of a member of the Unit Team. Under no circumstances is an inmate allowed to take his Central File out of the Unit Team area.

UNIT TEAM

The Unit Team is composed of a Unit Manager, Case Manager, Correctional Counselor, Unit Secretary and Unit Officer. The Unit Team is available on a daily basis to assist with the resolution of your concerns; however, you should follow the chain-of-command for problem resolutions. If your concerns cannot be informally resolved, the Unit Team will encourage you to use the Administrative Remedy process. The Unit Team's duties include but are not limited to the following:

Unit Manager: The Unit Manager directs and manages the housing unit and is responsible for the unit's operation and security. The Unit Manager is a member of both Unit Team and Unit Discipline Committee (UDC).

Case Manager: The Case Manager is responsible for all casework services and prepares classification materials, progress reports, release plans, correspondence, and other materials relating to the inmate's commitment. The Case Manager monitors the Inmate Financial Responsibility Program. The Case Manager is a member of both Unit Team and Unit Discipline Committee (UDC).

Correctional Counselor: The Correctional Counselor provides counseling and guidance in areas dealing with institutional adjustment. The Counselor assists with inmate requests regarding quarters, work, and pay, as well as requests for stamps, telephone, and visiting privileges. The Counselor is a member of both Unit Team and Unit Discipline Committee (UDC).

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

Unit Officer: The Unit Officer is responsible for the day-to-day supervision of inmates in the housing unit. The Unit Officer enforces the Unit Rules and Regulations. The Unit Officer initiates the unit orientation process with new inmates.

UNIT SCHEDULE

A member of your Unit Team will be at the institution on weekdays from 7:30 a.m. to 9:00 p.m., and on weekends and holidays from 7:00 a.m. to 4:00 p.m. Your Unit Team's Schedule will be

posted on a bulletin board in the housing unit. You may also refer to the bulletin board for schedules for Food Service, Laundry, Commissary, Recreation, Education, Psychology, and Religious Services.

TOWN HALL MEETINGS

Town hall meetings are held on an as needed basis to make announcements and to discuss changes to unit/institution policies and procedures. Inmates are encouraged to ask relevant questions of the staff; however, questions during town hall meetings should be reserved for matters pertaining to the unit as a whole. Town hall meetings are not intended to be a forum for discussion of individual personal problems.

SANITATION

It is the policy of this institution to maintain a high degree of sanitation throughout the facility. The Unit Team with the assistance of the Unit Officer is responsible for the overall sanitation of the Housing Unit. Inmates are encouraged to practice good sanitation habits in keeping their individual areas clean and to contribute to the overall sanitation and appearance of the unit. Units will be cleaned on the Day and Evening Watches, seven days per week. Unit Orderlies are assigned to these areas. All inmates are required to keep their own cell in a neat and clean condition at all times, including weekends and holidays. No items are to be glued or taped to the wall window or the outside of lockers. No type of floor covering is authorized. Inmates will have their areas "inspection ready" at all times. Trash bags must be emptied daily. Beds must be made during the work week. Toilets and wash basins will be kept clean. Window sills are to be kept free of dirt. Inmates will have their beds made and their personal areas cleaned by 7:30 a.m. daily. Inmates on day off or vacation status during the work week, or inmates who work Evening or Morning hours are allowed to sleep during the daytime; however, they must have their areas clean and must make their beds prior to leaving the unit for any reason. On Weekends and Holidays, inmates may sleep as late as they want, but they must clean their area and make their bed before leaving the unit. All beds will be made with all sides tucked in. Unoccupied beds will be stripped of all linen and the mattress will be folded in half on the bunk.

UNIT RULES AND REGULATIONS

The Unit Rules and Regulations are posted on the unit bulletin board. Each inmate is expected to conduct himself in a responsible fashion and to abide by the following rules:

1. TELEVISION/RECREATION/SHOWER HOURS

All television rooms, recreation areas and other common areas, such as laundry and showers will be opened at 6:00 a.m. and closed at 10:00 p.m., each night, seven days a week. The showers in each general housing units' showers will be closed from 8:00 a.m to 9:00 a.m. and 1:00 pm to 2:00 p.m., daily for cleaning. Each general housing unit is equipped with two (2) shower stalls to

accommodate inmates with physical disabilities.

2. QUIET HOURS/LIGHTS OUT

The unit lights will be turned off each night after the completion of the 10:00 p.m. Official Count. All inmates are responsible for getting up and reporting to their assigned detail by 7:30 a.m.

3. PERSONAL PROPERTY

Inmate personal property will remain in the possession of the inmate at all times. Inmates are not authorized to loan, borrow, or exchange property. All personal property must be maintained in the individual storage bin and/or inmate locker. Excessive amounts of educational, recreational, or legal materials will not be allowed to accumulate as this is a safety concern. Inmates may not retain more than 2 newspapers, 10 magazines, and 25 letters, at any time. Inmate radios may be purchased in the Commissary. All radios will be engraved with the inmate's federal register number. Radios will not be taken to work details, Education Programs or into the Dining Room. Radios will be allowed in the Yard. Inmates will not be allowed to perform repairs on radios or to make alterations of any kind.

4. BED ASSIGNMENTS

Only the Unit Team will make approved initial assignment or assignment changes on SENTRY. All quarter assignments that appear on the Daily Change Sheet are effective the following day, except for Friday's Change Sheet. Additionally, the same procedure will be used for "Single Cell" assignments by the staff participating in the Classification process for those inmates requiring or indicative of such a need. Each General Housing Unit is equipped with 4 handicapped cells. Inmates with physical disabilities will be given first priority for these cells.

5. FOOD SERVICE/INMATE DRESS CODE

During work hours, all inmates will be dressed in institution khaki clothing. Inmates in possession of altered clothing (shirt sleeves, or pants cut off, etc.) will be subject to disciplinary action and the altered clothing will be confiscated. Shirt tails must be tucked in at all times. Shower shoes shall only be worn inside the housing units. Sweat suits will be worn only during non-working hours and are authorized attire for the recreation yard and meals during the mornings and evenings on Sunday through Saturday and for all meals on weekends and holidays. Inmates entering the Food Service area for the purpose of eating must remove all head attire except authorized religious headgear. Inmates who enter the Food Service area for the noon meal on Monday through Friday will be properly dressed in work attire. No food items will be taken out of the Food Service Department or inmate dining hall.

SECURITY PROCEDURES

COUNTS: When count is announced, inmates must return to their cells and remain quiet until a clear count is announced. Inmates will stand at their bedside during the 3:30 p.m. count. Official counts are taken at 12:00 a.m., 3:00 a.m., 5:00 a.m., 3:30 p.m. and 10:00 p.m.

Additionally, during the work week, inmates will be accounted for at their work assignments twice daily. There will be a census conducted in the a.m. and again in the p.m.

INMATE MOVEMENT: During normal duty hours, Monday through Friday, inmate movement within the institution, other than at scheduled movement times, will be controlled by staff escort.

SCHEDULED MOVEMENTS FOR WEEKDAYS: Inmate movement schedules will be conducted as identified below:

An example of the schedule is as follows:

4:30 am	Initial Food Service Work Movement
6:00 am	Mainline/Medication Line/Sick Call sign up
7:30 am	Yard Movement/UNICOR Work Call
8:00 am	Return M/W Food Service Workers
8:45 am	Activities Move
9:30 am	Activities Move
10:15 am	Work Recall/Yard closed
10:45 am	Mainline
12:00 pm	Work Call
12:30 pm	Activities Move
1:45 pm	Activities Move
2:45 pm	Work Recall / Yard Closed
3:30 pm	Institution Stand Up Count
5:00 pm	Main Line
6:00 pm	Mainline closed
6:30 pm	Yard Movement
7:30 pm	Yard Movement
9:00 pm	Yard Recall
10:00 pm	Lock Down Count

SCHEDULED MOVEMENTS FOR WEEKENDS AND HOLIDAYS.

4:30 am	Initial Food Service Work Movement
6:00 am	Mainline/Medication Line/Sick Call sign up
7:30 am	Yard Movement/UNICOR Work Call
8:00 am	Return M/W Food Service Workers
8:45 am	Activities Move
9:30 am	Yard Recall
10:00 am	Institution Stand up Count
10:45 am	Mainline
12:30 pm	Activities Move
1:45 pm	Activities Move
2:45 pm	Work Recall / Yard Closed
3:30 pm	Institution Stand Up Count
5:00 pm	Main Line
6:00 pm	Mainline closed
6:30 pm	Yard Movement
7:30 pm	Yard Movement
9:00 pm	Yard Recall
10:00 pm	Lock Down Count

Note: All times are approximate and the security concerns of the institution will dictate the actual moves.

Inmates will not be permitted to enter any other unit.

CONTRABAND: Contraband is defined as any item or thing not authorized or issued by the institution, received through approved channels, or purchased through the commissary. Any item in an inmate's personal possession must be authorized. Inmates may not purchase radios or any other items from another inmate. An altered item, even if an approved or issued item, is considered contraband. Purchased or issued items in excess of the authorized limit are also considered contraband and are subject to confiscation.

SHAKEDOWNS: Any staff member may search an inmate's room. Inmates will not be present when cells are being searched. The property and living areas will be left in the same general condition as found during these inspections.

DRUG SURVEILLANCE/ALCOHOL DETECTION: The Bureau operates a drug/alcohol surveillance program that includes mandatory random testing, as well as testing of certain other categories of inmates. Random samples of the inmate population are tested on a regular basis. A positive test, or a refusal to submit to the test, will result in an incident report.

PROGRAMS AND SERVICES

JOB ASSIGNMENTS AND OPPORTUNITIES: All inmates will maintain a regular job assignment. Institution job assignments are controlled through a Performance Pay System, which provides monetary payment for work. Federal Prison Industries (UNICOR) has a separate pay scale.

Initial job assignments are made by the A&O Unit Team. These assignments are based on institution needs along with information submitted by the inmate to the Unit Team. Once assigned to a job, inmates will remain assigned to that job for a mandatory 90-day period. Subsequent job changes must be approved by the Unit Team.

Institutional maintenance jobs are usually the first assignments an inmate receives. This includes work in Food Service, Unit Orderly or Maintenance.

SAFETY AND CLAIMS: USP Atwater will make every effort to provide you with a safe environment while you are working at your assigned detail:

- (1) It is your responsibility as an inmate worker to use the safety equipment issued to you. Make sure that you are properly wearing all required personal protection equipment before you begin a work operation. Personal protection equipment include goggles, safety shoes, aprons, arm guards, hard hats, and respirators.
- (2) You are not authorized to wear radios while you are on your work detail.
- (3) You must wear safety goggles when performing any grinding, chiseling, filing, chipping, using chemicals or weed eaters.
- (4) You must wear hearing protection at all work stations designated as high noise level areas, when using weed eaters, lawn mowers, grinding machines and when chiseling, filing and chipping.
- (5) You must wear authorized safety shoes on all work assignments.
- (6) You will report all safety hazards immediately to your work supervisor.
- (7) You will perform work that is assigned to you. You are strictly forbidden to operate machines or equipment, or to perform any work operation that has not been specifically assigned to you or on which you have not been trained to operate by your supervisor.
- (8) You are not authorized to operate equipment without using the safety guard(s) provided. You are forbidden to remove the safety guard(s).

- (9) Do not adjust, oil, clean, repair, or perform any maintenance on any machine while the machine is in motion. You must use lock-out devices where possible.
- (10) Horseplay on the job will not be tolerated.
- (11) Smoking is not permitted.

ON-THE-JOB INJURIES: If you are injured while performing your assigned duty, you must immediately report this injury to your Work Supervisor.

FIRE SAFETY: In each housing unit you will find a sign showing the primary and secondary routes you will take if you must exit quickly because of a fire emergency. You must become familiar with these routes for your own protection.

Regularly scheduled and unscheduled fire drills are conducted.

It is your responsibility to know where to find fire rescue equipment such as fire extinguisher.

You must exercise care and cooperation in the prevention of fires.

MECHANICAL SERVICES: The employment consists of: Heating-Air Conditioning, Carpentry, Plumbing, Electric, Grounds Maintenance, General Maintenance, and Landscape.

UNICOR (FEDERAL PRISON INDUSTRIES): Most inmates are eligible for hire in the UNICOR COMPUTER RECYCLING FACTORY. The recycling is made up of a CRT, CPU de-manufacturing department which disassembles products.

EDUCATIONAL PROGRAMS: The foundation of the Education Department is the Literacy Program. Current Bureau of Prisons policy requires you to have a high school diploma or to obtain a high school equivalency certificate before being allowed to receive performance pay above grade 4. Any inmate who does not have a high school diploma or GED when admitted to this institution is required to attend classes for a minimum of 240 hours (unless you have already met that requirement at a prior institution). Participation in other educational programs may depend upon having a high school diploma or a GED certificate. (**NOTE:** You must have a verified GED or diploma before you are hired in UNICOR.)

Inmates without a GED or high school diploma need to be aware that they may be subject to the following two acts which were passed by Congress:

The Violent Crime Control Law Enforcement Act, (VCCLEA) mandates that an inmate with a date of offense on or after September 13, 1994, but before April 26, 1996, lacking a high school credential, participate in and make satisfactory progress toward attainment of a General Educational Development (GED) credential in order to vest earned Good Conduct Time (GCT).

January 8, 2010
A&O Handbook

The Prison Litigation Reform Act (PLRA) provides that in determining GCT awards, the Bureau of Prisons will consider whether an inmate with a date of offense on or after April 26, 1996, has earned or is making satisfactory progress toward attainment of a GED credential.

LEISURE TIME ACTIVITIES: Active activities are outdoor recreation which will include basketball, softball, volleyball, handball, and soccer. The recreation department offers sports official classes for volleyball, soccer, softball, and basketball. Passive activities are indoor recreation which include chess, checkers, spades, dominoes, pinochle, tri-ominoes, and scrabble. Recreational equipment can be checked out through staff but must be checked in prior to your leaving the recreation area. You will be held responsible for the condition of the equipment issued to you if it becomes damaged through abuse while it is in your possession. The Crafts area is open to inmates interested in painting to include acrylic and watercolor, origami, calligraphy, and crochet. Additionally, the Education Department will also offer vocational training classes in Janitorial, Culinary Arts and Computers.

BARBER SHOP: The Barber Shop is located in the Work Corridor. Haircuts will be conducted : Sunday- Saturday 0800- 1430 and 1630-1900.

UNIT BASED ACTIVITIES: These activities include cardiovascular equipment, closed circuit television movie program, hobby craft program, and various games. All hobby craft projects must be pre-approved and you are responsible for obtaining and maintaining an authorization form for all projects. **Questions regarding leisure time activities should be directed to Recreation Staff.**

WELLNESS PROGRAM: Includes the following programs: nutrition class, beginners classes and aerobic classes, yoga classes, wellness resource center, fitness assessments, body fat testing, and cardiovascular equipment.

MUSICAL INSTRUMENTS: The Music Program provides guitars, trumpets, and saxophones. These instruments will not be removed from the recreation area.

COUNSELING ACTIVITIES: There are many alternatives for inmates who have personal problems, and a desire to correct them. These options include participation in the stress and anger management programs. In addition, this institution has professional staff as resources who are trained in the various social science fields. Inmate participation in these activities will be encouraged upon the staff's assessment of inmate needs, but participation in such activities is voluntary.

DRUG ABUSE TREATMENT PROGRAMS: This course is mandatory for some inmates. Inmates who have completed the RDAP program and need aftercare treatment will have a mandatory meeting once a week.

SEXUAL ASSAULT PREVENTION PROGRAM: According to the Federal Bureau of Prisons (BOP), sexual assault is any forceful or threatening sexual behavior forced on you by one or more inmates. This includes pressure, threats, or other actions and communications to force you to engage in a partial or complete sexual act. While you are incarcerated, no one has the right to pressure you to

engage in sexual acts. If you feel that your right to be left alone, sexually, is being violated, BOP staff are available to deal with issues pertaining to sexual assault. You should feel free to discuss your concerns about sexual assault with any staff member. Psychologists are specially trained to help you deal with problems in this area.

PSYCHOLOGY AND PSYCHIATRY PROGRAMS: USP Atwater has psychologists who provide counseling and other mental health services to inmates.

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

SELECTIVE SERVICE: In accordance with PS 5350.26, Selective Service System/BOP Registration Program, all male persons who reside in the United States, except legally admitted non-immigrants, are exempt from the Selective Service System registration requirement while incarcerated. Upon release, male persons have 30 days in which to register. The Bureau of Prisons offers the opportunity to register during incarceration. Registration forms may be requested by submitting a Request to Staff Member form to the Case Management Coordinator.

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 as government funds may not be used for marriage expenses. If an inmate requests permission to marry, he must have a letter from the intended spouse which verifies her intention to marry. She must provide a statement that she is legally able to do so, must demonstrate legal eligibility to marry and be mentally competent. Applications are available through the Unit Team.

RELEASE PREPARATION PROGRAM: Inmates will be given aid in developing plans for their personal lives and for employment. These programs offer classes and information seminars concerning the personal, social, and legal responsibilities of civilian life.

RELIGIOUS PROGRAMS: Full-time Chaplains coordinate a wide range of religious activities. These activities take place on a regular basis, as well as special events. The schedule is also posted on the bulletin board in each housing unit. The Chaplains are available for individual pastoral counseling. Chaplains must approve all religious materials.

Contract Chaplains and community volunteers also conduct religious services to meet the diverse religious needs of our inmate population. A special religious diet, holiday observances, and other

worship activities are coordinated through the Chaplain's office.

INMATE FINANCIAL RESPONSIBILITY PROGRAM: If you have not already paid your criminal debts, you will participate in the Inmate Financial Responsibility Program. As part of the initial classification process, your unit team will develop a financial plan designed to allow you to satisfy your court-imposed financial obligations, which include Special Assessments, Restitution, Fines and Court Costs, State and Local Court Obligations, and any other Federal Government obligations you may have.

When an inmate has the resources to do so, he will make full payment as expeditiously as possible. These payments will be made through institution resources or community resources. Ordinarily, the minimum payment for non-UNICOR or UNICOR grade 5 inmates will be \$25.00 per quarter. Inmates assigned to Grades 1 through 4 in Unicor will be expected to allot not less than 50% of their monthly earnings towards this process. When you sign the payment agreement, payments will be deducted from your Trust Fund account on the same day that the Institution and Unicor Payrolls are posted to your account. If community resources are used to make payments, it is the responsibility of the inmate to provide unit staff with receipt of payment. When developing a financial payment plan, unit staff will monitor the spending patterns in your trust fund account. Inmates will make payments commensurate with their available institution assets. When determining a specific amount, \$75.00 will be exempted each month for allowing an inmate to use the Inmate Telephone System.

Refusal by an inmate to participate in the Financial Responsibility Program or to comply with the provisions of his financial plan ordinarily will result in the inmate being placed in the "REFUSE" category for FRP. The following provisions will apply when placed on "REFUSE" status:

1. Where applicable, the Parole Commission will be notified of the inmate's failure to participate.
2. The inmate will not receive any furlough.
3. The inmate will not receive Performance Pay above the Maintenance Pay level, bonus pay, or vacation pay.
4. The inmate will not be placed in UNICOR. Inmates who are currently employed in UNICOR will be terminated for refusing programs.
5. The inmate will be subject to a monthly commissary spending limitation of \$25.00, excluding the purchase of stamps or telephone credits.
6. The inmate will not be placed in a community-based program, including a Community Corrections Center(half-way house) placement.
7. The inmate will not receive a release gratuity unless approved by the Warden.

8. The inmate's score for "responsibility" on the Custody Classification form will be "zero."

Each inmate with a financial obligation, regardless of the extent of his resources, will develop a financial plan. Failure to satisfy the obligation in accordance with the payment plan will affect future consideration for parole, institution work assignments, performance pay, commissary privileges, release gratuities, and community programs, including furloughs and CCC placement.

TRANSFER OF FOREIGN OFFENDERS: If you are a citizen of a foreign country, there is a possibility your country has entered into a treaty with the United States that would enable you to be transferred to your home country for service of your sentence.

HEALTH SERVICES

The primary purpose of this section is to introduce you to Health Services, to explain the process by which to obtain medical care, and to provide you with basic patient education.

While you are incarcerated, access to medical care is a right, not a privilege. Medical care will never be withheld from you for disciplinary reasons. Medical complaints will always be cared for in a timely and professional manner.

POLICY: It will be the policy of the United States Penitentiary (U.S.P.), Atwater, California, that all inmates who wish to attend sick call will be allowed to do so.

INTAKE SCREENING: Upon your arrival at U.S.P. Atwater, you will be interviewed by a member of the Health Services staff. It is imperative that you cooperate with them in supplying all requested medical data. If you are on maintenance medications, these will be continued until you can be evaluated by the healthcare provider.

Those individuals who require long-term chronic care which cannot be provided at this facility, will be referred to one of the Federal Medical Centers.

AVAILABILITY: Sick call sign up is conducted on Monday, Tuesday, Thursday, and Friday, excluding Holidays, during the breakfast movement time. You must bring your Commissary card when requesting an appointment. For example, at 6:00 a.m., before breakfast, inmates will report for Sick-Call when their Unit is called for the morning meal. Inmates in need of immediate medical attention will be examined accordingly. Inmates who require an appointment, or a medical/dental consultation with a health care provider, will be scheduled according to their medical needs.

If you experience a medical emergency, or if you are injured or ill after clinic hours, you should notify your Unit Officer or Detail Supervisor.

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 United States Penitentiary Atwater provide notice of the Inmate Copayment Program for health care, effective October 3, 2005.

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

B. Health Care Visits with a Fee:

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

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

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

C. Health Care Visits with no Fee:

We will not charge a fee for:

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

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

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

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

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

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

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

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

CLINIC APPOINTMENTS: If you are scheduled for a clinic/sick call appointment, your name will be listed on a "CALL-OUT" sheet located in the Unit Officer's Office window. Date and time will be posted at 0720 or 1215. At the 0720 and the 1215 Work Call this will also be the Medical Movement. You will be excused from your regular work assignment for that day to make your medical appointment. These appointments are **mandatory**. If you fail to make your appointment, disciplinary action will be taken.

DENTAL SERVICES: Dental sick call sign up is held at the same time as medical sick call. All inmates arriving at the institution will receive a routine dental examination, unless you had one in the last year performed by BOP institution. In order to receive routine dental care or cleaning, you must submit a cop out to the Dental Clinic and will be placed on the waiting list.

If you are scheduled for a dental clinic appointment, you will be on medical idle for that date, and you will stay in your housing unit until the hospital movement is announced.

If you should develop a "dental emergency", inform your detail supervisor or unit officer and arrangements will be made to have you evaluated.

PILL LINE: All prescriptions can be picked up during the noon meal movement time, and also during the evening meals, Monday thru Friday, unless you are instructed otherwise. If you are on any restricted medications, the pharmacist will advise you of the times and method of receiving these medications.

Over-the-counter medications (Aspirin, Tylenol, Decongestant, Maalox, etc.) are available for purchase in the Commissary. Any inmate who cannot afford to purchase these items can request them through routine sick call. They can be prescribed if medically necessary.

EYEGASSES AND CONTACT LENSES: In order to be placed on the list to receive an exam for eye glasses, submit your request through sick call. After your exam, if you require eyeglasses, we will order glasses for you. It takes approximately four to six weeks for delivery. Contact lenses will be authorized only by the eye doctor (Optometrist/Ophthalmologist).

PHYSICAL EXAMINATIONS: A physical examination will be completed within 14 days of your arrival. If you were transferred from another institution and a current physical examination is in your medical record, this will not be repeated. You will be assigned a medical duty status and be cleared for work at the time of your physical examination (or chart review).

If you are under the age of 50, you can request a physical examination once every two years by sending a cop out to the Health Services Unit. If you are over the age of 50, the physical examination can be requested once a year.

If you are being released from the system and your discharge date is not within one year of the previous examination, you can request a release physical. This should be requested at least four months prior to your anticipated release date.

If you refuse any medical screening for communicable diseases, you will be placed in Administrative Detention until all requirements have been completed.

SPECIAL PROCEDURES AND TESTS: Should you have any questions regarding a laboratory or x-ray results, you should attend routine sick call to discuss the results.

HIV: There is an increased personal risk factor of being exposed to the Human Immunodeficiency Virus by behavior which includes: I.V. drug use, tattooing, and homosexual behavior. You are discouraged from engaging in such activities. All inmates who have engaged in any of these high risk behaviors are encouraged to have an HIV test performed. This can be requested during your physical examination or on routine sick call. All inmates must have an HIV test prior to release or any community activity; i.e. community corrections center, furloughs.

As part of the A&O process, you will receive detailed instructions about HIV and AIDS, how it is contracted, and how it is treated. One of the obvious reasons for testing for the HIV virus is to identify

the disease early. Early detection assures the best medical care. Here are some other reasons for HIV testing:

Release - HIV testing must be completed prior to release to a CCC facility, and prior to full term expiration of sentence. The HIV test is good for one year and does not need to be repeated if tested within one year of release.

Clinical Indications - Fungal infections of the mouth, persistent swelling of the lymph nodes, bleeding, unexplained weight loss or fevers.

Your Request - To request the test, submit an "Inmate Request to Staff Member" form. Testing is encouraged. It is not necessary to explain why the test is being requested.

By policy, you will be counseled before the test and when you receive the results. You will be scheduled by Health Services for pre or post-test counseling. Test results are strictly confidential.

If you are scheduled to take the HIV test participation is mandatory, refusal to participate will result in disciplinary action.

If you are HIV positive, you will be discreetly scheduled into a specialty clinic to carefully monitor your condition. You will be given regular housing and work assignments unless your condition warrants a duty restriction.

SMOKING CESSATION: Smoking cessation programs for inmates will be offered through the Recreation, Psychology and Health Services Departments. These programs will assist inmates in areas of learning and acquiring skills and knowledge pertaining to nutrition, exercise, and stress management. The Chief Psychologist or designee will offer literature and implement, with the Supervisor of Education, Recreation, a viewing schedule for healthy living video tapes.

SMOKING: USP Atwater is a no-smoking facility. All areas of the facility are considered "No Smoking" zones. Any inmate found smoking will be charged with the prohibited act of Smoking Where Prohibited. Additionally, you may not possess tobacco or related paraphernalia.

ACTIVITY OR DUTY RESTRICTIONS: Restrictions applying to your level of activity or work are authorized by the medical staff at the time of your appointment or the approval from the medical review committee. This same method is used in acquiring or maintaining orthodontics/orthopedic appliances, such as braces, crutches, canes, prosthesis, etc.. Any questions regarding duty status assignments/restrictions or the use of orthodontics/orthopedic appliances should be directed to the authorizing medical staff member or via a **sick call appointment**.

CONSULTANTS AND NON-BUREAU STAFF: Referrals to consultants are made through the physician who serves as the Clinical Director.

January 8, 2010
A&O Handbook

MEDICAL RECORDS REVIEW OR COPIES: Any inmate wishing to review or have copies made of his medical record should submit a cop out to the Medical Records Office. If the amount of copies exceeds the allowable limit, the inmate will be charged for the requested copies (in accordance with the Health Services Manual).

LIVING WILLS: Inmates who wish to have a living will, may contact a private attorney to prepare the documents at the inmates expense. The inmate can provide their living will to medical records, and it will be included in the inmate's medical record.

OTHER ISSUES: If you are not ill, but have questions concerning routine health care, you may direct your questions to the Health Services Staff during mainline or request the information via cop-out.

FEDERAL BUREAU OF PRISONS **HEALTH CARE 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.

RIGHTS:

1. You have the right to health care services, based on the local procedures at your institution. Health services include sick call, dental sick call and all support services. Sick call at this institution is conducted on Monday, Tuesday, Thursday, and Friday.
2. You have the right to be offered a "Living Will," or to provide the Bureau of Prisons with "Advance Directives" that would provide the Bureau of Prisons with instructions if you are admitted, as an inpatient, to a hospital in the local community or the Bureau of Prisons.
3. You have the right to participate in health promotion and disease prevention programs, including education regarding infectious diseases.
4. You have the right to know the name and professional status of your health care providers.
5. You have the right to be treated with respect, consideration, and dignity.
6. You have the right to be provided with information regarding your diagnosis.
7. You have the right to be examined in privacy.
8. You have the right to obtain copies of certain releaseable portions of your health record.
9. You have the right to address any concern regarding your health care to any member of the institution staff, including your physician, the Health Services Administrator, members of your Unit Team, and the Warden.
10. You have the right to receive prescribed medications and treatments in a timely manner, consistent with the recommendations of the prescribing health care provider.
11. You have the right to be provided healthy and nutritious food. You have the right to be instructed regarding a healthy choice when selecting your food.
12. You have the right to request a physical examination, as defined by Bureau policy. If you are under the age of 50, once every two years; over the age of 50, once a year.
13. You have the right to dental care as defined in Bureau policy to include preventive services, emergency care, and routine care.
14. You have the right to a safe, clean, and healthy environment, including smoke-free living areas.
15. You have the right to refuse medical treatment in accordance with Bureau policy. Refusal of certain diagnostic tests for infectious diseases can result in administrative action against you.

RESPONSIBILITIES:

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 were provided.
2. You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.
3. You have the responsibility to maintain your health and not to endanger yourself, or others, by participating in activity that could result in the spreading or contracting of an infectious disease.
4. You have the responsibility to respect these providers as professionals and follow their instructions to maintain and improve your overall health.
5. You have the responsibility to treat staff in the same manner.
6. You have the responsibility to keep this information confidential.
7. You have the responsibility to comply with security procedures.
8. You have the responsibility of being familiar with the current policy to obtain these records.
9. You have the responsibility to address your concerns in the accepted format, such as the Inmate Request to Staff Member form, open houses or the accepted Inmate Grievance Procedures.
10. You have the responsibility to comply with prescribed treatments and follow prescription orders. You also have the responsibility not to provide any other person your medication or other prescribed medications.
11. You have the responsibility to eat healthy and not abuse or waste food or drink.
12. You have the responsibility to notify medical staff that you wish to have an examination.
13. You have the responsibility to maintain your oral hygiene and health.
14. You have the responsibility to maintain the cleanliness and safety in consideration of others.

You have the responsibility to follow smoking regulations.

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

CONTACT WITH THE COMMUNITY AND PUBLIC

VISITING: Quiet, orderly and responsible conduct is required at all times while in the Visiting Room. Handshaking, embracing and kissing are permitted within the bounds of good taste on arrival and departure of visitors. Other physical contact is prohibited.

Inmates will be searched upon arrival and departure from the Visiting Room. You must present your commissary card upon your arrival to the visiting shakedown area. The only items you are allowed to take into the Visiting Room are a comb, handkerchief, wedding band, one pair of prescription glasses, authorized religious headgear and an authorized religious medal.

The Visiting Room will be open from 8:00 a.m. to 3:00 p.m. on Friday, Saturday, Sunday and legal holidays. Visitors will not be processed after 2:00 p.m., or before 8:00 a.m.

New inmates are required to submit a visitor application to each of their proposed visitors, to include immediate family (wife, children, parents, brothers, sisters) members. All visitor applications must be received by the Unit Team via the United States Postal Service. Any visitor application sent to the inmate will not be processed. After a visiting questionnaire form has been received, processed, and approved they may be added to your permanent visiting list. Requests for approval for a special visit should be made to the Counselor at least three weeks in advance of the intended visit. A special visit is defined as a visit with more than the permitted amount of visitors (3 adults and 3 children), or a visit from an immediate family member while on visiting restriction. In either event, the proposed visitor must be an approved visitor.

Visitors will be expected to wear clothing which is within the bounds of good taste. Visitors will not be allowed to wear low-cut or see-through clothing, tube tops, tanks tops, backless clothing, camouflage, khaki, green-colored clothing. Dresses with slits above the bend of the knee are not authorized. Dresses and skirts will not be allowed if the hemline is above the bend of the knee. Any other apparel of a suggestive or revealing nature (e.g., skin tight clothing, mini skirts, short culottes or sleeveless clothing) is not authorized. Female visitors will be required to wear a bra and all appropriate undergarments. The Operations Lieutenant or Institution Duty Officer will be consulted prior to denying a visitor entry into the institution because of his/her attire.

All visitors over the age of sixteen (16) are required to have a valid form of photo identification. Some examples of approved identification are Drivers License or state issued ID Card, Passport, Military ID, Government issued ID or Visa. **Foreign Consulate ID Cards are NOT an authorized form of identification.** Visitors may be asked to submit to a personal search and will be checked with a metal

January 8, 2010
A&O Handbook

detector. Only the following items are authorized to be carried into the institution by visitors: wallet or clear plastic bag, no more than \$25 (nickels, dimes and quarters only, pennies are not permitted) for the purpose of purchasing refreshments, photo identification and essential medication which is limited to the amount needed for one visit. If a visitor is required to carry in prescription medication, it will be left with the Visiting Room Officer. Other personal articles belonging to visitors must be left in their vehicles.

Visitors are permitted to bring money into the Visiting Room to purchase items from the vending machines. A reasonable amount of diapers and other infant care items may be brought into the Visiting Room. No other food besides baby food, may be brought into the Visiting Room.

Inmates are not allowed to receive money while in the Visiting Room. No items will be exchanged in the Visiting Room.

CORRESPONDENCE: Outgoing mail is placed in the mailboxes located in the housing units. Outgoing mail will be inspected by staff and must remain unsealed. The outgoing envelope must have the return address in the upper left-hand corner as follows:

Inmate's name, register number, United States Penitentiary, P.O. Box 019001, Atwater, CA 95301. Inmates must assume responsibility for the contents of all of their letters. Correspondence containing threats, extortion, etc., may result in prosecution for violation of Federal laws. Inmates will be placed on restricted correspondence status based on misconduct or as a matter of classification. Mail is distributed Monday through Friday (except holidays) by the evening watch officer in each Housing Unit. Legal and Special mail will be delivered by the SIS office after it is received. The number of incoming letters an inmate may possess is 25. You are to advise those writing to you to put your register number on your envelope for the prompt delivery of mail. Packages received at the institution must have prior authorization. Those packages received without prior authorization will be returned.

INCOMING PUBLICATIONS: Inmates are permitted to subscribe to and receive publications without prior approval. The term "publication" means a book, single issue of a magazine or newspaper, or materials such as advertising brochures, flyers, and catalogs. An inmate may receive soft-cover publications paperback books, magazines, etc. from any source. An inmate may receive hardcover publications only from a publisher or a book club. Accumulation of publications will be limited to 10 magazines not to be more than 60 days old, must be neatly stored in the locker and/or shelf provided in each room.

The Warden will reject a publication if it is determined to be detrimental to the security, good order or discipline of the institution, or if it might facilitate criminal activity.

In addition, section 614 of the Fiscal Year 1999 Omnibus Budget Act (P.L. 105-277) prohibits the Bureau from distributing or making available to inmates any commercially published material which is

sexually explicit or features nudity.

SPECIAL MAIL: Special mail is also referred to as Legal Mail. An example is provided below which shows the address requirements from your attorney to be processed as special mail.

Title 28, Code of Federal Regulations, Section 540.18, Special Mail, paragraph (a), states in part “correspondence may not be read or copied if the sender is adequately identified on the envelope.” In addition, paragraph(b) states in part, “in the absence of either adequate identification or the “special mail” marking...staff may treat the mail as general correspondence and may open, and read the mail.”

Adequate identification of the sender is set forth in the Title 28, Code of Federal Regulations, Section 540.19, Legal Correspondence, which states in part, “correspondence will be handled as special mail only if the envelope is marked with the attorney’s name and an indication that the person is an attorney.”

John Smith, Attorney
Jones, Murray & Smith
Attorneys At Law
100 Wyoming Avenue, Suite 12
Philadelphia, PA 19106

CORRECT - ATTORNEY IDENTIFIED

John Doe Reg. No. 00000-000
United States Penitentiary, Atwater
P.O. Box 019001
Atwater, CA 95301

“SPECIAL MAIL - OPEN ONLY IN THE PRESENCE OF THE INMATE”

Jones, Murray & Smith
Attorneys At Law
100 Wyoming Avenue, Suite 12
Philadelphia, PA 19106

INCORRECT - SPECIFIC ATTORNEY NOT IDENTIFIED

John Doe Reg. No. 00000-000
United States Penitentiary, Atwater
P.O. Box 019001
Atwater, CA 95301

“SPECIAL MAIL - OPEN ONLY IN THE PRESENCE OF THE INMATE”

LEGAL/SPECIAL MAIL: All inmates in federal institutions have the opportunity to write to

government officials and/or news media officials using the following procedures:

Inmates must directly deliver their own outgoing special mail to the Inmate Systems Management (ISM) staff, located at the Mail Room door in the secure corridor, during the noon meal, Monday through Friday, excluding holidays. The envelope must be appropriately marked with an accurate return address and may be sealed. The ISM staff will immediately confirm the inmate (using the Bureau ID card), to determine the special mail is the same inmate reflected in the return address. However, outgoing special mail submitted without an accurate return address or Bureau ID card, will not be further processed, but returned immediately to the inmate.

Inmates attempting to send outgoing Special Mail under another inmate's return address will be considered for disciplinary action. All Outgoing Special Mail is subject to scanning by electronics means including x-ray, metal detector, and ion spectrometry devices and cannot be used to read or review the content. Inspection of sealed outgoing Special Mail by these methods may occur outside the inmate's presence.

Inmates in the Special Housing Unit (SHU) must notify the SHU Lieutenant during his/her morning rounds of any outgoing Special Mail. The SHU Lieutenant will notify the mail room by noon, on a daily basis of any Outgoing Special Mail. Mail room staff will pick up the Special Mail from the inmate and verify the inmate with a picture card.

Special Mail means correspondence sent to the following: President and Vice President of the United States, the U.S. Department of Justice (including the Bureau of Prisons), U.S. Attorneys' offices, Surgeon General, U.S. Public Health Service, Secretary of the Army, Navy, or Air Force, U.S. Courts (including U.S. Probation Officers), Members of the U.S. Congress, Embassies and Consulates, Governors, States Attorneys General, Prosecuting Attorneys, Directors of State Departments of Corrections, State Parole Commissioners, State Legislators, State Courts, State Probation Officers, other Federal and State law enforcement officers, attorneys, and representatives of the news media.

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

A staff member will open incoming Special Mail in the presence of the inmate. This will be done by the SIS staff. 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 themselves 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 (see example on previous page). Without adequate identification as Special Mail, the staff will treat the mail as general correspondence. In this case, the mail will be opened, read, and inspected.

LEGAL MAIL FROM ATTORNEYS: Bureau policy requires that an attorney must write on the envelope and that the front of the envelope be marked “Special Mail - Open Only in the Presence of the Inmate” clearly indicating that your correspondence qualifies as special mail and that you are requesting that this correspondence be opened only in the presence of the inmate. Provided the correspondence has this marking, Bureau staff will open the mail only in the inmate’s presence for inspection for physical contraband and the qualification of any enclosure as special mail. The correspondence will not be read or copied if these procedures are followed.

INMATE CORRESPONDENCE WITH REPRESENTATIVES OF THE NEWS MEDIA:

An inmate may write through Special Mail procedures to representatives of the news media if specified by name or title. The inmate may not receive compensation or anything of value for correspondence with the news media. The inmate may not act as a reporter, publish under 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 only if the other inmate is either a member of the immediate family or is party in a legal action or witness in which both parties are involved. Such correspondence will always be inspected and read by staff at the sending and receiving institution. Both institutions must approve the correspondence in advance.

REJECTION OF CORRESPONDENCE: The Warden may reject correspondence sent by or to an inmate if it is determined to be detrimental to security, good order, or discipline of the institution, to the protection of the public, or if it might facilitate criminal activity..

NOTIFICATION OF REJECTION: A written notice will be provided to the sender concerning the rejection of mail and the reasons for rejection. The inmate will also be notified of the rejection of correspondence and the reasons for it. Rejected correspondence will be returned to the sender.

CHANGE OF ADDRESS/FORWARDING OF MAIL: Mail Room Staff will provide changes of address cards required by the U.S. Post Office. These cards are given to inmates who are being released or transferred to notify correspondents of a change in address. A Bureau of Prison change of address form will also be completed by the inmate upon his departure and forwarded to the institution Mail Room. This form will be maintained for a period of 30 days for purposes of forwarding all general mail (as opposed to Special Mail which will still be forwarded after 30 days). Any general mail received after 30 days will be returned to sender.

CERTIFIED/REGISTERED MAIL: Certified/Registered and Insured mail forms are available in the Institution Library. Express mail, private carrier services and COD services are not available.

INMATE DEPOSIT FUND: If there are cash funds upon admission, a temporary receipt will be issued. After an account has been established, these funds will be posted to your account. This may take up to two days.

If an inmate transferred here from another Federal Bureau of Prisons institution, any money on his account at the time of his transfer will be forwarded electronically. This usually occurs within the next business day.

The Federal Bureau of Prisons has an Interagency Agreement with the U.S. Treasury to operate the LockBox Program. All funds for deposit to inmate accounts (Inmate Deposit Fund/Commissary) must be sent to the LockBox processing center:

Federal Bureau of Prisons
Insert Inmate Eight Digit Register Number
Insert Inmate's Committed Name
PO Box 474701
Des Moines IA 50947-0001

The inmate's committed name (no nicknames) and eight digit register number **must** be printed on all Bureau-approved negotiable instruments.

Approved types of negotiable instruments are:

- (1) Money orders;
- (2) Government checks;
- (3) Foreign negotiable instruments (U.S. currency only); and
- (4) Business checks.

Note: Personal checks **are not** an approved type of negotiable instrument and will be returned to the sender.

Any enclosures received with the negotiable instruments (letters, pictures, etc.) will be discarded.

Inmates are instructed to advise their family and friends who have inquires on funds sent to the LockBox processing center to place a tracer on these funds with the originator of the negotiable instrument.

If you would like to send money out to family, for subscriptions, bank account, etc. see your Unit Staff and ask for a BP-199. Unit staff are available in the unit or at mainline during the noon meal. The Financial Management Department staff process completed BP-199s once per week as per policy. If you have problems with a payment not arriving to the intended recipient, and you would like to initiate a "tracer" on the check, you will need to submit an Inmate Request to Staff Member form (cop-out) to

the Financial Management Office accounting staff requesting to send a “tracer” on the check. The Financial Management Office staff will start the “tracer” procedures through Treasury and ask for a stop payment and/or a copy of the cashed, signed Treasury check. You will be sent a copy of the findings.

There is an Automated Inquiry Machine (AIM) located in the commissary lobby area. You may review your deposit fund and Inmate Telephone System information on this machine. After accessing the system, the inmate will be able to view the Most Recent Transaction screen for 30 seconds. The AIM will display the last 23 transactions made on the inmate's account.

INMATE TELEPHONE SYSTEM U.S.P. Atwater is on the ITS-III (TRUFONE) Telephone System. This system allows you to make either collect or direct calls. You are allowed a total of 300 minutes of telephone calls per month. This period is from the first to the last day of the month. You may check your ITS account balance, check your Trust Fund balance and transfer funds to your ITS account anytime during operating hours. Inmates are able to view their telephone list via the AIM.

You may not make three way calls, use call forwarding or add any 1-800 numbers to your account. You are allowed a maximum of 30 phone numbers on your telephone account. Contact your Unit staff to add or change phone numbers on your account. Phone accounts that have been blocked by the receiving party will not be reactivated until the receiving party sends a letter to the Financial Management ITS office. This letter must state the reason the receiving party blocked the call and requests to have the inmate allowed to place telephone calls to that number again.

If you have transferred from another institution, you will keep the same Personal Access Code (PAC) number. Your phone list will also automatically transfer with you along with any telephone restrictions imposed at the prior institution. If you are new, you will receive a PAC number through the institution mail within 2 working days. Inmates are not authorized to share their PAC numbers with another inmate. Phone lists need to be hand delivered to the Unit staff so they can approve them and forward them to the Financial Management Office for processing. TRUFONE will allow inmates to process a total of 3 BP-505 forms per month. TRUFONE counts one blue BP-505 Telephone Request Form as a change. Inmates can make up to 6 individual telephone number changes on each BP-505 form, but can only submit 3 of the BP-505 forms per month.

Once you transfer money to the Inmate Telephone System it will stay there until you use it on phone calls or you release. You can not transfer monies from your ITS account to your commissary account.

LEGAL CALLS: The ITS -III Telephone System does not affect the way in which legal calls are placed. Inmates wishing to place an unmonitored legal call must contact a member of his Unit Team. Authorization for an unmonitored legal call will be approved if requirements set forth in policy are met.

COMMISSARY SALES: The commissary sales unit at U.S.P. Atwater will be open to the general population Tuesdays, Wednesdays and Fridays based on the sales schedule listed below. UNICOR will shop on Thursdays. You must bring your commissary list and your inmate account card to the

commissary to be able to shop. Please check the commissary list for limitations on items sold. The following sales schedule will be in effect:

The operating hours of the Commissary will be 7:30 a.m. to 3:00 p.m., Monday through Friday including holidays with the exception of Thanksgiving and Christmas. If necessary to be closed for a holiday, adjusted shopping schedule will be posted in advance. Inmates will shop during the activities movement as noted below:

Inmates will shop according to the 5th digit of their register number in accordance with their validation cycle as follows:

Mondays: Special Housing Unit (regardless of register numbers)

Tuesdays: 0 - 1 in the mornings

Tuesdays: 2 - 3 in the afternoons

Wednesdays: 4 - 5 in the mornings

Wednesdays: 6 - 7 in the afternoons

Thursdays: Unicor in the afternoon

Fridays: Challenge program inmates in the morning (along with JUMAH prayer inmates with 8 -9 as the 5th digit of their register numbers.

Fridays: 8 - 9 in the afternoon

******* INMATES ARE TO SHOP ON THEIR SCHEDULED DAY.*******

All inmates are re-validated once per month. To determine the date of re-validation, take the fifth number of the inmate Register number, multiply by 3 and add 1. **EXAMPLE:** Register Number is 12345-678; $5 \times 3 = 15$, $15 + 1 = 16$. This inmate re-validates on the 16th of each month.

The maximum spending limit is \$290.00. All items are deducted from this spending limit with the exception of postage stamps and OTC's..

The commissary list is updated quarterly and prices are subject to change without prior notice. All sales are FINAL. It is your responsibility to check your merchandise and receipt prior to leaving the sales line. There will be no refunds or exchanges made after you leave the sales line.

You must try on any athletic shoes you ordered at the sales window at the time of purchase. All radios and headphones are tested before they are sold to you to ensure they are in working order. Contact your counselor for instructions on warranty claims.

If you are placed on commissary restriction, you will be limited to a spending limit of \$25.00 per monthly cycle. The only items you may purchase while on commissary restriction are stamps, hygiene items, OTC medicines and copy cards.

LAUNDRY/CLOTHING ISSUE: All orange jumpsuits and orange shoes must be turned in to the Laundry Officer after you have received your khaki institutional clothing. You will be issued the following set of clothing and linen:

4 khaki trousers	4 khaki shirts	1 pair safety shoes
5 pairs socks	5 pairs of boxers	5 T-shirts
1 belt w/buckle	2 sheets	2 blankets
1 pillow	1 pillowcase	2 towels
1 washcloth	1 laundry bag	
1 coat		

Hygiene items for personal care will be issued by the Unit Counselor on a one for one basis after the initial issue of a hygiene A&O kit. To receive a new razor, soap, comb, toothbrush, toothpaste you must turn in the empty or used container of the previous item before you will be issued a replacement item.

Inmates wishing to exchange their institutional clothing on a one for one basis, will do so via a cop out to the Laundry Manager. Items will generally not be exchanged within six months of issue. U.S.P. Atwater is equipped with a self-service laundry area located inside the housing unit and an institution laundry facility. Clothing sent to the institution's laundry for cleaning will be done on a rotational basis.

The operating hours of the Laundry will be from 7:30 a.m. to 3:30 p.m., Monday through Friday. Holiday schedules will be posted in the housing units prior to every holiday. The following schedule will be used for clothing laundering:

Tuesday	Units 2 & 5
Wednesday	Units 3 & 4
Thursday	Units 1A & 6

Cleaning schedule will be based on the unit's work schedule. For example: Unit 2 has the morning work movement, then Unit 2 will have laundry pick-up in the morning. All inmate dirty clothing and towels will be placed in the inmate's labeled laundry bag, secured tightly and placed in the unit's laundry cart on the scheduled cleaning day prior to 7:00 a.m. The inmate laundry crew from the designated unit will bring the laundry cart from their unit to the laundry for cleaning on the assigned cleaning day based on the morning and afternoon work schedule. The inmate crew will return the laundry cart with clean clothing to their unit at the work recall movement. The Unit Officer will supervise the laundry distribution.

Inmates in possession of altered clothing (shirt sleeves, or pants cut off, etc.) will be subject to disciplinary action and the altered clothing will be confiscated.

Linen exchange will be conducted on a rotational basis. Dirty linen will be placed in a laundry cart for delivery to the institution laundry. Linen exchange schedules will be posted in each unit.

ACCESS TO LEGAL SERVICES

ATTORNEY VISITS: Attorneys should ordinarily make advance appointments for each visit. Attorneys are encouraged to visit during the regular visiting hours. Visits from an attorney are arranged to other times based on the circumstances of each case and available of unit staff.

LEGAL MATERIAL: During attorney visits, a reasonable amount of legal materials may be allowed in the visiting area with prior approval. Legal materials will not be transferred during attorney visits unless prior approval. Inmates are expected to handle the transfer of legal materials through the mail.

ATTORNEY PHONE CALLS: In order to make an unmonitored phone call between you and your attorney, you must make prior arrangements with a member of your Unit Team. Phone calls placed through the regular inmate phones are subject to monitoring.

LAW LIBRARY: If you have the need to prepare legal material for court, a Law Library is available. The hours of operation are Monday thru Friday from 8:00 am to 9:00 pm; Saturday, Sunday and holidays from 7:15 am to 9:00 pm. A law librarian is available in the Law Library to assist you.

The Law Library contains the Criminal Code (Title 18), the Civil Code (Title 28), case decisions from the Federal District Courts, the Federal Appellate Courts, the U.S. Supreme Court, and various other research materials. If you are a state prisoner confined in this institution, you should contact the State Department of Corrections for assistance in obtaining the state statutes needed for your legal research.

The Law Library is for everyone's use, therefore, everyone should attempt to keep the material in good shape. A list of general rules and regulations for the use of the Law Library is posted on the bulletin board.

YOU ARE REMINDED THAT YOU MAY NOT TAKE BOOKS OUT OF THE LAW LIBRARY AT ANY TIME. THE LAW LIBRARY IS FOR YOUR USE. MISUSE CAN CAUSE RESTRICTIONS ON THE USE OF THE LIBRARY. TAKE CARE OF WHAT IS MADE AVAILABLE TO YOU.

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

COPIES OF LEGAL MATERIALS: You may copy material necessary for your legal matters. A pay-for-use copy machine is available in the Education Department. Individuals found indigent and demonstrate a clear need for particular copies, may submit a written request to your Unit Team for a reasonable amount of free duplication.

FEDERAL TORT CLAIMS: To file such a claim, you must complete a Standard Form 95 which can be obtained by submitting an Inmate Request to a Staff Member to the Unit Team.

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

INMATE ACCESS TO CENTRAL FILES: To review your central file, you must submit an Inmate Request to a Staff Member to a member of your Unit Team.

INMATE ACCESS TO OTHER DOCUMENTS: You may request access to the "Non-Disclosable Documents" in your central file and medical file, or other documents concerning you that are not in your central file or medical file, by submitting a "Freedom of Information Act Request" to the Director of the Bureau of Prisons, Attention: FOI Request. Such a request must briefly describe the nature of records wanted and approximate dates covered by the record.

A request on your behalf by any attorney, for records concerning you, will be treated as a "Privacy Act Request" if the attorney has forwarded your 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.

PROBLEM RESOLUTION

INMATE REQUESTS TO STAFF MEMBER: The Bureau form BP-S148.70, commonly called a "**cop-out**", is used to make a written request to a staff member. "Cop-Outs" may be obtained from a member of your Unit Team.

ADMINISTRATIVE REMEDY PROCESS: The Bureau emphasizes and encourages the resolution of complaints on an informal basis. An inmate can resolve a problem informally by contact with staff members or using the inmate requests to staff (cop-out) forms. When informal resolution is not successful, a formal complaint may be filed as an Administrative Remedy. Complaints regarding Tort Claims, Inmate Accident Compensation, Freedom of Information or Privacy Act Requests, and complaints on behalf of other inmates are not accepted under the Administrative Remedy Procedure.

If you are not satisfied with the response to the BP-9, you 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 written on a BP-10 form, and must have a copy of the BP-

9 form and response attached. The Regional Appeal must be answered within 30 calendar days. The Regional Appeal may be extended an additional thirty (30) days. You will be notified of the extension. The BP-10 form may be obtained from a member of your Unit Team.

If you are not satisfied with the response by the Regional Director, you may appeal to the Central Office of the Bureau of Prisons. The National Appeal must be made on a BP-11 form and must have copies of the BP-9 and BP-10 forms with responses. The BP-11 form may also be obtained from a member of your Unit Team. The National Appeal must be answered within forty(40) calendar days, but the time may be extended an additional twenty (20) days if the inmate is notified.

SENSITIVE COMPLAINTS: If you believe a complaint is of such a sensitive nature that you would be adversely affected if the complaint became known to the institution, you may file the complaint directly to the Regional Director. 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, you will be advised in writing of that determination. You may then pursue that matter by filing a BP-9 at the institution. A BP-8 should be utilized and the issue should be identified as a sensitive complaint.

DISCIPLINARY PROCEDURES

INMATE DISCIPLINE INFORMATION: A list of prohibited acts and corresponding sanctions is available in the Inmate Discipline and Special Housing Unit Program Statement and is further explained on page 31 of this A&O handbook.

APPEALS OF DISCIPLINARY ACTIONS: Appeals of any disciplinary procedure may be made through Administrative Remedy Procedures. UDC appeals are made to the Warden on a BP-9, DHO appeals are made to the Region on a BP-10, and the General Counsel on a BP-11.

RELEASE

SENTENCE COMPUTATION: The Records Office is responsible for the computation of inmates sentences. Any questions about good time, jail time credit, parole eligibility, full term dates, release dates, or periods of supervision may be answered by your Unit Team.

FINES AND COSTS: In addition to jail time, the court may impose a committed or non-committed fine and/or costs. A committed fine requires that the inmate remains confined in prison until the fine is paid or he qualifies for release under the provisions of Title 18 U.S.C., Section 3569 (pauper's oath). Under old law (offenses that occurred prior to November 1, 1987), non-committed fines have no condition of imprisonment based on payment of the fine or costs. Under new law (offenses that occurred on or after November 1, 1987), however, an inmate must sign a Fine Agreement prior to being released from custody when a fine has been imposed.

DETAINERS: Warrants or certified copies of Warrants based on pending charges, over-lapping, consecutive, or unsatisfied sentences in federal, state, or military jurisdictions, will be accepted as detainers. Detainers for untried charges may have an effect on institutional programs. Therefore, it is very important that the inmate initiate efforts to clear up these cases to the degree he is able. Case management staff may give assistance to offenders in their efforts to have detainers against them disposed of, either by having the charges dropped, by restoration to probation or parole status, or by arrangement of concurrent service of the state sentence. The degree to which the staff can assist in such matters as these will depend on individual circumstances. State detainers, with the exception of those from Louisiana, Mississippi, and the Commonwealth of Puerto Rico, may be quickly processed under the Interstate Agreement on Detainers Act, if a detainer has been lodged against you based on untried charges. Unit Team staff can assist you in completing the necessary documents to request disposition. If no detainer has been lodged, but you are aware of outstanding charges, you may request disposition yourself by contacting directly the prosecuting attorney of that district.

CONCLUSION

Remember, this handbook is intended to be a guide. Changes in procedures may occur from time-to-time that affect our day-to-day operations, but we will make every effort to maintain effective communication and inform the inmate population in advance of any changes to policy and procedure or in our daily operations. You should attend Town Hall Meetings and regularly check the unit bulletin boards to keep well informed.

RIGHTS AND RESPONSIBILITIES

THE DISCIPLINARY SYSTEM

TYPES OF DISCIPLINARY ACTION

PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE

SANCTIONS BY SEVERITY OF PROHIBITED ACT

INMATE RIGHTS AND RESPONSIBILITIES 541.12

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

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

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

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

RIGHT: You have the right to freedom of religious affiliation, and voluntary religious worship.

RESPONSIBILITY: You have the responsibility to recognize and respect the rights of others in this regard.

RIGHT: 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.

RESPONSIBILITY: 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.

RIGHT: 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.

RESPONSIBILITY: 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.

RIGHT: You have the right to unrestricted and confidential access to the courts by correspondence (on matters such as the legality of your convictions, civil matters, pending criminal cases, and conditions of your imprisonment).

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

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

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

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

RESPONSIBILITY: It is your responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other inmates to the use of the materials and assistance.

RIGHT: You have the right to a wide range of reading materials for educational purposes and for your own enjoyment. These materials may include magazines and newspapers sent from the community, with certain restrictions.

RESPONSIBILITY: It is your responsibility to seek and utilize such materials for your personal benefit, without depriving others of their equal rights to the use of this material.

RIGHT: You have the right to participate in education, vocational training and employment as far as resources are available, and in keeping with your interests, needs, and abilities.

RESPONSIBILITY: You have the responsibility to take advantage of activities which may help you live a

successful and law-abiding life within the institution and in the community. You will be expected to abide by the regulations governing the use of such activities.

RIGHT: You have the right to use your funds for commissary and others purchases, consistent with institution security and good order, for opening bank and/or savings accounts, and for assisting your family.

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

INMATE DISCIPLINE

It is the intent of this institution to provide a safe and orderly environment for all inmates. Staff shall control inmate behavior in a completely impartial and consistent manner.

All staff will enforce the rules and regulations of the institution. In order to do this, they will give orders from time to time. As an inmate, you are expected to carry out all orders from staff. After complying with an order, if you feel it was inappropriate or inhumane you may discuss it with your Unit Staff, or request an Administrative Remedy Form from your Correctional Counselor.

THE DISCIPLINARY PROCESS

Included in this A & O booklet is information on Inmate Discipline. There are four categories of prohibited acts: Greatest Severity, High Severity, Moderate Severity, and Low Severity. In the event you are charged with a violation of one of the prohibited acts, several things can occur. The staff member involved may resolve the incident report informally by a mutual agreement or the staff member may elect to process the incident report in lieu of an informal resolution. Depending on the offense, you may be permitted to remain in your housing unit, or placed in Administrative Detention in the Special Housing Unit. An investigator will be assigned to investigate the incident and you will be given a copy of the report. The investigator may elect to resolve the matter informally or refer the report to the Unit Discipline Committee (UDC).

The Unit Disciplinary Committee (UDC) will consist of at least two staff members from the Unit Team. At this hearing, the UDC may impose one or more authorized sanctions or may refer the charges to the Discipline Hearing Officer (DHO).

If the incident report is referred to the DHO, another hearing will be conducted by the DHO. The DHO may forfeit or withhold Statutory Good Time, forfeit or disallow Good Conduct Time, place you in Disciplinary Segregation, recommend a Disciplinary Transfer, rescission or retardation of a parole

date, and/or in addition to imposing all other sanctions.

Inmates identified as PLRA or rated as violent under VCCLEA and alleged to have committed a Greatest or High category prohibited act will be referred to the Disciplinary Hearing Officer (DHO). If the DHO finds you have committed the prohibited act, he/she will impose as a minimum sanction Disallowance of Good Conduct Time.

Social visiting, recreation, commissary and telephone are privileges that may be suspended or revoked for conduct in violation of the written policy.

You may also be prosecuted for actions which constitute new criminal activity. This practice is not "Double Jeopardy." One action is classified administrative for institutional operations, while the other is judicial and punitive actions for criminal accountability.

PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE

Prohibited Acts and Disciplinary Scale §541.13:

a. There are four categories of prohibited acts - Greatest, High, Moderate, and Low Moderate (see Table 3 for identification of the prohibited acts within each category). Specific sanctions are authorized for each category (see Table 4 for a discussion of each sanction). Imposition of a sanction requires that the inmate first is found to have committed a prohibited act.

(1) Greatest category offenses: The Discipline Hearing Officer shall impose and execute one or more of sanctions A through E. Sanction B.1 must be imposed for a VCCLEA inmate treated as violent and for PLRA inmate. The DHO may impose and execute sanction F and/or G in addition to execution of one or more additional sanctions A through G.

(2) High category offenses: The Discipline Hearing Officer shall impose and execute one or more of sanctions A through M, and except as noted in the sanction, may also suspend one or more additional sanctions A through M. Sanction B.1 must be imposed for a VCCLEA inmate rated as violent and for a PLRA inmate. The Unit Discipline Committee shall impose and execute one or more of sanctions G through M, and may also suspend one or more additional sanctions G through M. All High Category offense charges for a VCCLEA inmate rated violent and PLRA must be referred to the DHO.

(3) Moderate category offenses: The Discipline Hearing Officer shall impose at least one sanction A through N, but, except as noted in the sanction, may suspend any sanction or sanctions imposed. Sanction B.1 ordinarily must be imposed for a VCCLEA inmate rated as violent and for a PLRA inmate. The Unit Discipline Committee shall impose at least one sanction G through N, but may suspend any sanction or sanctions imposed. Ordinarily the UDC shall refer to the DHO a moderate category charge for a VCCLEA inmate rated as violent and

PLRA who have been found to have committed a moderate category offense during the inmate's current anniversary year.

(4) Low moderate category offenses: The Discipline Hearing Officer shall impose at least one sanction B.1, or E through P. The Discipline Hearing Officer may suspend any E through P sanction or sanctions imposed (a B.1 sanction may not be suspended). The Unit Discipline Committee shall impose at least one sanction G through P, but may suspend any sanction or sanctions imposed.

b. Aiding another person to commit any of these offenses, attempting to commit any of these offenses, and making plans to commit any of these offenses, in all categories of severity, shall be considered the same as a commission of the offense itself. In these cases, the letter "A" is combined with the offense code. For example, planning an escape would be considered as Escape and coded 102A. Likewise, attempting the adulteration of any food or drink would be coded 209A.

c. Suspensions of any sanction cannot exceed six months. Revocation and execution of a suspended sanction require that the inmate first is found to have committed any subsequent prohibited act. Only the Discipline Hearing Officer (DHO) may execute, suspend, or revoke and execute suspension of sanctions A through F. The Discipline Hearing Officer (DHO) or Unit Discipline Committee (UDC) may execute, suspend, or revoke and execute suspensions of sanctions G through P. Revocations and execution of suspensions may be made only at the level (DHO or UDC) which originally were earlier imposed by the Inmate Discipline Committee 5270.7 imposed the sanction. The DHO now has that authority for suspensions which were earlier imposed by the Inmate Disciplinary Committee (IDC).

When an inmate receives an Incident Report while on a DHO imposed, but suspended sanction, the new Incident Report is to be forwarded by the UDC to the DHO both for a final disposition on the new Incident Report, and for a disposition on the suspended sanction. This procedure is not necessary when the UDC informally resolves the new Incident Report.

d. If the Unit Discipline Committee has previously imposed a suspended sanction and subsequently refers a case to the Discipline Hearing Officer, the referral shall include an advisement to the DHO of any intent to revoke that suspension if the DHO finds that the prohibited act was committed. If the DHO then finds that the prohibited act was committed, the DHO shall so advise the Unit Discipline Committee who may then revoke the previous suspension.

e. The Unit Discipline Committee or Discipline Hearing Officer may impose increased sanctions for repeated, frequent offenses according to the guidelines presented in Table 5.

f. Sanctions by severity of prohibited act, with eligibility for restoration of forfeited and withheld statutory good time are presented in Table 6.

Table 6 contains a chart showing the maximum amount of statutory good time that may be forfeited or withheld and the period of time that must pass before an inmate is eligible for restoration. The chart also shows the maximum amount of time that an inmate may spend in disciplinary segregation. The

time frame established in each of these areas is determined by the severity of the prohibited act.

Inmates receiving performance pay who are found through the disciplinary process to have committed a level 100 or 200 series drug or alcohol related prohibited act will automatically have their performance pay reduced to maintenance pay level and will be removed from any assigned work detail outside the secure perimeter of the institution. This reduction to maintenance pay level, and removal from assigned work detail outside the secure perimeter of the institution, will ordinarily remain in effect for one year, unless otherwise authorized by the Warden.

TABLE 3 - PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE

GREATEST CATEGORY

The UDC shall refer all Greatest Severity Prohibited Acts to the DHO with recommendations as to an appropriate disposition.

CODE	PROHIBITED ACTS
100	Killing
101	Assaulting any person (includes sexual assault) or an armed assault on the institution's perimeter (a charge for assaulting any person at this level is to be used only when serious physical injury has been attempted or carried out by an inmate).
102	Escape from escort; escape from a secure institution (low, medium, high and administrative type institution); or escape from a minimum security level institution <u>with</u> violence.
103	Setting a fire (charged with this act in the category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance prohibited act of Greatest Severity, e.g., in furtherance of a riot or escape; otherwise the charge in properly classified Code 218 or 329).
104	Possession, manufacture, or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive or any ammunition.
105	Rioting

- 106 Encouraging others to riot.
- 107 Taking hostage(s).
- 108 Possession, manufacture, or introduction of a hazardous tool (tools most likely to be used in an escape or escape attempt or to serve as weapons capable of doing serious bodily harm to others; or those hazardous to institutional security or personal safety; e.g., hack-saw blade). **(USP Atwater ONLY - this includes Possession or use of tattoo equipment).**
- 110 Refusing to provide a urine sample or to take part in other drug-abuse testing.
- 111 Introduction of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical department.
- 112 Use of any narcotics, marijuana, drugs or related paraphernalia not prescribed for the individual by the medical staff.
- 113 Possession of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff.
- 197 Use of the telephone to further criminal activity.
- 198 Interfering with a staff member in the performance of duties (Conduct must be of the Greatest Severity). This charge is to be used only when another charge of greatest severity is not applicable.
- 199 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons (Conduct must be of the Greatest Severity). This charge is to be used only when another charge of greatest severity is not applicable.

SANCTIONS

- A. Recommend parole date rescission or retardation.
- B. Forfeit earned statutory good time (up to 100% and/or terminate or disallow extra good time (an extra good time may not be suspended).
- B1. Disallow ordinarily between 50 and 50 and 75% (27-41 days) of good conduct time credit available for year (a good time sanction may not be suspended).*
- C. Disciplinary transfer (recommend).
- D. Disciplinary segregation (up to 60 days).

- E. Make monetary restitution.
- F. Withhold statutory good time. (Note - can be in addition to A through E - cannot be the only sanction executed).
- G. Loss of privileges (Note - can be in addition to A through E - cannot be the only sanction executed).

HIGH CATEGORY

CODE

PROHIBITED ACTS

- 200 Escape from unescorted Community Programs and activities and Open Institutions (minimum secure level) and from outside institutions - **without** violence. *
- 201 Fighting with another person.
- 203 Threatening another with bodily harm or any other offense.
- 204 Extortion, blackmail, protection; demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.
- 205 Engaging in sexual acts.
- 206 Making sexual proposal or threats to another.
- 207 Wearing a disguise or a mask.
- 208 Possession of any unauthorized locking device, or lock pick or tampering with or blocking any lock device (includes keys), or destroying, altering, interfering with, improperly using, or damaging any security device, mechanism, or procedure.
- 209 Adulteration of any food or drink.
- 211 Possessing any officer's or staff clothing.

- 212 Engaging in, or encouraging a group demonstration.
- 213 Encouraging others to refuse to work, or to participate in a work stoppage.
- 215 Introduction of alcohol into BOP facility.
- 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 purposes of introducing contraband or for any other illegal or prohibited purposes.
- 218 Destroying, altering or damaging government property, or the property of another person, having a value in excess of \$100.00 or destroying, altering, or damaging life-safety devices (e.g., fire alarm) regardless of financial value.
- 219 Stealing (theft; this includes data obtained through the unauthorized use of a communications facility, or through the unauthorized use of a communications facility, or through the 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 exercise or drill.
- 221 Being in an unauthorized area with a person of the opposite sex without staff permission.
- 222 Making, possessing, or using intoxicants.
- 223 Refusing to breathe into a Breathalyzer or take part in other testing for use of alcohol.
- 224 Assaulting any person (charged with this act only when a less serious physical injury or contact has been attempted or carried out by an inmate).
- 297 Use of the telephone for abuses other than criminal activity (e.g., circumventing telephone monitoring procedures, possession and/or use of another inmates's PIN number; third party calling; third party billing; using credit card numbers to place telephone calls; conference calls; talking in code).
- 298 Interfering with a staff member in the performance of duties (Conduct must be of the High Severity nature). This charge is to be used only when another charge of high severity is not applicable.

299 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons (Conduct must be of the High Severity nature). This charge is to be used only when another charge of high severity is not applicable.

SANCTIONS

- A. Recommend parole date rescission or retardation.
- B. Forfeit earned statutory good time (up to 50% or up to 60 days, whichever is less, and /or terminate or disallow extra good time (an extra good time may not be suspended).
- B1. Disallow ordinarily between 25 or up to 60 days, whichever is less, and/or good conduct time (a good time sanction may not be suspended).*
- C. Disciplinary transfer (recommend).
- D. Disciplinary segregation (up to 30 days).
- E. Make monetary restitution.
- F. Withhold statutory good time.
- G. Loss of privileges; commissary, movies, recreation, etc.
- H. Change housing (quarters).
- I. Remove from program and/or group activity.
- J. Loss of job.
- K. Impound inmate's personal property.
- L. Confiscate contraband.

MODERATE CATEGORY

- 300 Indecent exposure
- 302 Misuse of authorized medication.
- 303 Possession of money or currency, unless specifically authorized, amount or in excess

of the amount authorized.

- 304 Loaning of property or sanction of value or 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 would be charged as Code 110)
- 308 Violating a condition of furlough
- 309 Violating a condition of a community program.
- 310 Unexcused absence from work or any 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 or Code 200).
- 315 Participating in an unauthorized meeting or gathering.
- 316 Being in an unauthorized area.
- 317 Failure to follow safety or sanitation regulations.
- 318 Using any equipment or machinery which is not specifically authorized.
- 319 Using any equipment or machinery contrary to instructions or posted safety standards.
- 320 Failing to stand count.

- 321 Interfering with the taking of count.
- 324 Gambling.
- 325 Preparing or conducting a gambling pool.
- 326 Possession of gambling paraphernalia.
- 327 Unauthorized contacts with the public.
- 328 Giving money or anything of value to, or accepting money or anything of value from: another inmate, or any other person without staff authorization.
- 329 Destroying, altering or damaging government property, or the property of another person, having a value of \$100.00 or less.
- 330 Being unsanitary or untidy; failing to keep one's person and one's quarters in accordance with posted standards.
- 331 Possession, manufacture, or introduction of a non-hazardous contraband (Tool not likely to be used in an escape or escape attempt, or to serve as a weapon capable of doing serious bodily harm to others, or not hazardous to institution security or personal safety; Other non-hazardous contraband includes such items as food or cosmetics).
- 397 Use of telephone for abuses other than criminal activity (e.g., conference calling, possession and/or use of another inmates PIN number, three way calling, providing false information for preparation of a telephone list).
- 398 Interfering with a staff member in the performance of duties (Conduct must be of the Moderate Severity nature).
- 399 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons (Conduct must be of the Moderate Severity nature). This charge is to be used only when another charge of moderate severity is not applicable.

SANCTIONS

- A. Recommend parole date rescission or retardation.
- B. Forfeit earned statutory good time up to 25% or up to 30 days, whichever is less, and/or terminate or disallow extra good time (an extra good time sanction may not be suspended).

- B1. Disallow ordinarily 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 transfer (recommend).
- D. Disciplinary segregation (up to 15 days).
- E. Make monetary restitution.
- F. Withhold statutory good time.
- G. Loss of privileges: commissary, movies, recreation, etc.
- H. Change housing (quarters).
- I. Remove from program and/or group activity.
- J. Loss of job.
- K. Impound inmate's personal property.
- L. Confiscate contraband
- M. Restrict to quarters.

LOW MODERATE CATEGORY

CODE	PROHIBITED ACTS
400	Possession of property to another person
401	Possessing unauthorized amount of otherwise authorized clothing
402	Malingering, feigning illness.
403	Not to be used.
404	Using abusive or obscene language.
405	Tattooing or self-mutilation.
406	Not to be used.
407	Conduct with a visitor in violation of Bureau regulations (Restrictions, or loss for a

specific period of time, of these privileges may often be an appropriate sanction G).

- 408 Conducting a business
- 409 Unauthorized physical contact (e.g., kissing, embracing).
- 410 Unauthorized use of mail (Restriction, or loss for a specific period of time, may often be an appropriate sanction G). (May be categorized and charged in terms of greater severity, according to the nature of the unauthorized use, e.g., the telephone is used for planning, facilitating, committing an armed assault on the institution's secure perimeter, would be charged as Code 101, Assault).
- 497 Use of the telephone for abuses other than criminal activity (e.g., exceeding the 15-minute time limit for telephone calls; using the telephone in an unauthorized area; placing of an unauthorized area; placing of an unauthorized individual on the telephone list).
- 498 Interfering with a staff member in the performance of duties. Conduct must be of the Low Moderate Severity nature. This charge is to be used only when another charge of low moderate severity is not applicable.
- 499 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. Conduct must be of the Low Moderate Severity nature. This charge is to be used only when another charge of low moderate severity is not applicable.

SANCTIONS

- B1. 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).
- E. Make monetary restitution.
- F. Withhold statutory good time.
- G. Loss of privileges: commissary, movies, recreation, etc.
- H. Change housing (quarters).
- I. Remove from program and/or group activity.
- J. Loss of job.

- K. Impound inmate's personal property.
- L. Confiscate contraband.
- M. Restrict to quarters.
- N. Extra Duty.
- O. Reprimand.
- P. Warning.

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

When the prohibited act is interfering with a staff member in the performance of duties (Code 198, 298, 398, or 498), or Conduct Which Disrupts (Code 199, 299, 399, or 499), the DHO or UDC, in its findings, should indicate a specific finding of the severity level of the conduct, and a comparison to an offense (or offenses) in that severity level which the DHO or UDC finds is most comparable. For example, "We find the act of _____ to be of High severity, most comparable to prohibited act Engaging in a Group Demonstration."

Sanction B.1 may be imposed on the Low Moderate category only where the inmate has committed the same low moderate prohibited act more than one time within a six-month period.

