

INMATE ADMISSION & ORIENTATION HANDBOOK



Metropolitan Correctional Center (MCC) Chicago
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METROPOLITAN CORRECTIONAL CENTER

CHICAGO, ILLINOIS

INMATE HANDBOOK

Revised December 2019

The information contained in this handbook is current as of the date of publication. It contains summaries of Bureau of Prisons Program Statements and MCC Chicago's supplements and is subject to change. The purpose of this handbook is to provide incoming inmates with general information regarding the Bureau of Prisons, institution programs, and the rules and regulations inmates will encounter during confinement. The intention of this handbook is to help new inmates understand their responsibilities when they enter prison, and assist them in their adjustment to institution life.



R.A. Heisner, Warden

INTRODUCTION

The Metropolitan Correctional Center (MCC) is located in downtown Chicago, Illinois, within a few blocks of the Everett McKinley Dirksen United States Courthouse. The facility is an administrative facility that houses male and female offenders of all security levels, who are facing federal charges in the Northern District of Illinois.

The purpose of this handbook is to provide arriving inmates with information regarding the Bureau of Prisons (BOP), its programs, and the rules and regulations. It is not a specific guide to the detailed policies of the BOP. Rather, the material in this handbook will help new inmates more quickly understand what they will be encountering when they enter prison, and hopefully assist them in their initial adjustment to incarceration.

INSTITUTION STRUCTURE

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

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

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

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

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

INTAKE, CLASSIFICATION AND THE UNIT TEAM

Orientation

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

Unit Management (Unit Team)

Each inmate is assigned to a housing unit. A unit is a self-contained inmate living area that includes both housing sections and office space for unit staff. Each unit is staffed by a Unit Team directly responsible for the inmates living in the unit. The unit offices are located in the units so staff and inmates can be accessible to each other. The unit staff typically includes a Unit Manager, Case Manager, Correctional Counselor, and Unit Secretary. The Staff Psychologist, Education Advisor and Unit Officer are considered members of the Unit Team and provide input for classification purposes.

Inmates are assigned to a specific Unit Team. Generally, the resolution of issues or matters of interest while at the institution are most appropriately initiated with the Unit Team. Unit Team members are available to assist in many areas, including parole matters, release planning, personal and family problems, counseling and assistance in setting and attaining goals while in prison. Ordinarily, a member of the unit staff will be at the institution from 7:30 a.m. to 7:00 p.m., and during the day on weekends and holidays.

GENERAL FUNCTIONS OF UNIT STAFF

Unit Manager: The Unit Manager is the administrative head of the general unit and oversees all unit programs and activities. The Unit Manager reviews team decisions and may chair the Unit Discipline Committee (UDC), which is a body that hears disciplinary infractions. The Unit Manager is ordinarily present during initial classification and subsequent program review(s) of designated inmates, in which Residential Reentry Center (RRC) placement is discussed.

Case Manager: The Case Manager is responsible for all casework services and prepares classification material, progress reports, release plans, correspondence, and other materials relating to the inmate's commitment. The Case Manager serves as a liaison between the inmate, the administration, and the community.

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

Unit Secretary: The Unit Secretary performs clerical and administrative duties, to include the preparation of release paperwork.

Unit Officer: The Unit Officers have direct responsibility for the daily supervision of inmates and the enforcement of rules and regulations. They have safety, security, and sanitation responsibilities in the unit. Unit Officers are in regular contact with inmates in units and are encouraged to establish professional relationships with them, as long as

such interaction does not interfere with their primary duties. Unit Officers control movement in and out of the unit and conduct regular searches for contraband.

Communications

Normally, a unit staff member is available each day of the week and most evenings until 7:00 p.m. The unit bulletin boards and the TRULINCS system contain written communication of interest to inmates. Unit Managers may utilize Town Hall meetings (meetings held to make announcements and to discuss changes in the policy and procedures of the unit) to dispense information and foster improved communications. Unit team members will utilize either open house hours or an open door policy to address inmate concerns. Inmates are also encouraged to use Inmate Requests to Staff to make requests in writing.

Initial Classification/Program Reviews

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

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

Reentry Pre-Release Programming

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

Each time a designated inmate goes to team, he or she will receive a progress update and new recommendations as warranted. Contributors and programming recommendations include Education, Health Services, Psychology, Unit Team, Recreation, Religious Services, the inmate's Work Detail Supervisor, and the inmate. Inmates are strongly encouraged to take advantage of the program recommendations.

Additionally, to make the transition back to the community go as smoothly as possible, inmates should obtain at least two forms of identification to include a social security card. Inmates may also be eligible for some benefits upon release (e.g., social security disability, veteran's, medicare etc.) to make the transition easier. Staff may be able to provide you with information concerning benefits so that you may determine your eligibility and begin the application process if applicable prior to release.

Treaty Transfer for Non-U.S. Inmates

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

Foreign Consular

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

DAILY INMATE LIFE

Sanitation

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

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

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

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

Personal Property Limits

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

Storage Space

Upon admission, the storage limit for an inmate's possession of personal property shall be 1.6 cubic feet, which will be measured by means of a container 14 x 14 x 19 inches or assigned locker. This space allows inmates to store personal items neatly and safely in a securable property space in his/her room or in the area under his/her assigned bed. Commissary items in excess of the approved weekly limits will be confiscated. All personal property will be maintained within your securable property space. Only a religious book may be allowed on top of your storage area.

Clothing

Civilian clothing (i.e. clothing not issued to the inmate by the Bureau or purchased by the inmate through the Commissary) ordinarily is not authorized for retention by the inmate. Prerelease civilian clothing for an inmate may be retained by staff in the Receiving and Discharge area during the last 30 days of an inmate's confinement. All inmates are prohibited from wearing any clothing not government-issued or purchased in the Commissary. No inmates may be issued, permitted to purchase, or have in their possession any blue, black, red, or camouflage clothing or cloth items. Commissary sales of clothing are limited to the following colors: Only gray and/or white clothing may be sold in institutions for males and only pastel green, gray, and/or white may be sold in institutions for females. The only exception is for religious headgear. These items are to be neatly stored in the identified storage space provided. Individual washcloths and towels are issued to inmates. Representative authorized footwear/shoes may include: work (1 pr.), shower (1 pr.), athletic/specialty (1 pr. – black, white, grey, or a combination thereof with a maximum value of \$100.00), slippers (1 pr.), and casual (1 pr.). Footwear will be placed neatly under the bed.

Commissary/Special Purchase Items

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

Letters, Books, Photographs, Newspapers, and Magazines

An inmate will be limited in the number of letters, books, photographs, magazines, and newspapers that can be stored in their designated storage space. Nothing is to be

tacked, stapled or scotch taped to any surface except to bulletin boards. Ordinarily, photographs, particularly those of family and friends, are approved, since they represent meaningful ties to the community. A personal photograph is defined as a photograph intended for individual viewing, as opposed to a photograph published for commercial use. Personal photographs may be stored or displayed in the housing units according to local sanitation and housekeeping guidelines. Inmates may not retain Polaroid photos. Nude or sexually suggestive photos (individual prints or copies as opposed to those from publications) present special concerns about personal safety, security, and good order, particularly when the subject is an inmate's relative, friend, or acquaintance or could reasonably be perceived as such. For these reasons, an inmate may not be permitted to retain, receive, or possess a personal photograph in which the subject is partially nude or nude, or when the photograph depicts sexual acts such as intercourse, fellatio, or sodomy. These materials will be returned to the sender upon receipt at the institution.

Legal Materials

Inmates will be permitted legal material necessary for their legal actions. Legal reference material, not available through the law electronic library, will also be permitted. Volume limitation for all legal material will be 3.2 cubic feet (or the 1.6 cubic feet container filled twice). The legal material will be stored in the inmate's cell, and if additional space is needed over the 3.2 cubic feet limit, the matter will be referred to the unit team. The Senior Attorney shall be consulted if there is a question as to the need for bulky or excess legal material.

Hobbycraft Materials

Arts and crafts consists of self-contained craft kits, which include basic pen, pencil, paints, and canvas. Staff shall limit an inmate's hobby projects within the cell or living area to those projects which the inmate may store in designated personal property containers. Staff may make an exception for an item (for example, a painting) where size would prohibit placing the item in a locker. This exception is made with the understanding that the placement of the item is at the inmate's own risk. Staff shall require that hobby items be removed from the living area when completed.

Radios, MP3 Players, and Watches

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

players are not authorized or transferrable to contract facilities.

Jewelry

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

Smoking

Inmate smoking is prohibited in all BOP facilities.

Clothing Exchange & Laundry

Institutions issue clothing to the inmate population that is properly fitted, climatically suitable, and presentable. Institutions will furnish each inmate with sufficient clothing to allow at least three changes of clothes weekly.

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

Government-issued clothing will not be altered or disfigured in any manner. Examples include, but not limited to, the following: converting pants to shorts, pleats, cutting off shirt sleeves, defacing clothing, etc. An inmate found to have destroyed government property may receive an Incident Report and appropriate disciplinary action will be taken.

Commissary

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

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

possession at all times for identification purposes.

Spending Limitations

The National Spending Limit is \$320.00 but may be further restricted at the local level. Each inmate account is revalidated on a monthly, bi-weekly, or weekly cycle.

Deposits to Accounts

U.S. Postal Service

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

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

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

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

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

Western Union Quick Collect Program

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

1) At an agent location with cash: The inmate's family or friends must complete a Quick Collect Form. To find the nearest agent, they may call 1-800-325-6000 or go to www.westernunion.com.

2) By phone using a credit/debit card: The inmate's family or friends may simply call 1-800-634-3422 and press option 2.

3) ONLINE using a credit/debit card: The inmate's family and friends may go to www.westernunion.com and select "Quick Collect".

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

- 1) Valid Inmate Eight-Digit Register Number (entered with no spaces or dashes) followed immediately by Inmate's Last Name
- 2) Committed Inmate Full Name entered on Attention Line
- 3) Code City: FBOP, DC

Please note the inmate's committed name and eight-digit register number must be entered correctly. If the sender does not provide the correct information, the transaction cannot be completed. The Code City is always FBOP, DC.

Each transaction is accepted or rejected at the point of sale. The sender has the sole responsibility of sending the funds to the correct inmate. If an incorrect register number and/or name are used and accepted and posted to that inmate, funds may not be returned.

Any questions or concerns regarding Western Union transfers should be directed to Western Union by the sender (general public). Questions or concerns should not be directed to the BOP.

MoneyGram ExpressPayment Program

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

1) At an agent location with cash: The inmate's family or friends must complete a MoneyGram ExpressPayment Blue Form. To find the nearest agent, they may call 1-800-926-9400 or go to www.moneygram.com.

For each MoneyGram ExpressPayment transaction, the following information must be provided:

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

Please note that the inmate's committed name and eight-digit register number must be entered correctly. If the sender does not provide the correct information, the transaction cannot be completed.

Each transaction is accepted or rejected at the point of sale. The sender has the sole responsibility of sending the funds to the correct inmate. If an incorrect register number and/or name are used and accepted and posted to that inmate, funds may not be returned.

2) ONLINE using a credit, debit or prepaid card (Visa or MasterCard only): The inmate's family and friends can click on www.moneygram.com/paybills. Enter the Receive Code (7932) and the amount you are sending (up to \$300). If you are a first time user you also must set up a profile and account.

Any questions or concerns regarding MoneyGram ExpressPayment transfers should be directed to MoneyGram by the sender (general public). Questions or concerns should not be directed to the BOP.

Commissary Fund Withdrawals

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

TRULINCS

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

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

Account Transactions – This service allows inmates to search and view their Commissary, telephone, and TRULINCS account transactions, as well as, view their Media List.

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

Contact List - This service is used by inmates to manage their email address list, telephone list, and postal mailing list.

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

Law Library – This service allows inmates to perform legal research

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

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

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

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

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

are limited to 13,000 characters. Utilizing outside companies (texting services) to forward messages is also prohibited and will result in disciplinary action.

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

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

Local Document Service

Local Documents is an electronic bulletin board. Documents can be searched by date added, department, and document type. Various documents such as local menus, schedules, notifications, and general guidance can be found on the local document service.

Inmate Telephone System –TRUFONE

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

The hours of telephone operation begin at 6:00 a.m. and end no later than 10:00 p.m.

Directions for use of TRUFONE are posted near the telephones. All calls are limited to 15 minutes. Telephone calls are subject to monitoring and recording by institution staff. Inmates are limited to 300 minutes per month and may be used for any combination of collect or direct dial calls. Ordinarily, inmates will be allowed an extra 100 minutes per month in November and December. Telephone rates are posted throughout the institution.

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

Visiting

Visiting hours are Friday through Monday from 9:00 a.m. - 3:00 p.m., this includes holidays. An inmate's visiting day is dependent on the housing unit in which they are

housed. Legal visits are Monday through Friday from 8:30 a.m. to 3:30 p.m., then from 5:00 p.m. to 7:30 p.m. Saturday and Sunday Legal visits are from 8:30 a.m. to 3:00 p.m. Consistent with policy, space, seating availability, and fire code standards, each visitor will be allowed a minimum of 1 hour in the visiting room.

The following items of clothing are not allowed to be worn by visitors: sleeveless shirts; halter, tank or tube tops; shirts/blouses with plunging necklines; transparent/see-through clothing; spandex/form fitting clothing; clothing with holes; hats, caps or shirts with hoods; orange or green colored pants, shorts, skirts or shirts; camouflage print pants, shorts, skirts or shirts; grey sweat pants, sweat shorts or sweat shirts; coats, jackets, and gloves or scarves (any type of outdoor apparel). Food is not permitted to be brought inside the visiting room. No photos, papers, newspaper clippings, etc. will be brought into the visiting room. Adult visitors will be responsible for ensuring children in their care are appropriately dressed. Lockers are available for storage of items in the institution lobby.

Inmates will be allowed to carry the following items into the visiting room: prescription glasses, dentures, wedding ring, approved religious medallion, verified life supporting medication, and legal materials for attorney visits. Visitors are not allowed to bring any items in for an inmate.

Visitors will complete a "Notification to Visitors" form (Attachment B) no sooner than 30 minutes before the start of visiting. This form will be completed by all visitors 16 years of age and older, and returned to the lobby officer. The lobby officer will ensure the visitor is on the inmate's visiting list and check for proper identification. Acceptable identification is a valid driver's license, state I.D., or passport.

MCC Chicago is located at 71 W. Van Buren, Chicago, Illinois 60605. It is accessible via I-290, 55, 90, and 94, based on the direction of travel. Transportation is available via Metra, CTA/PACE bus, and private taxi service. The institution phone number is 312-322-0567.

Pretrial and holdover inmates: Inmates will be allowed to visit with Immediate Family (Spouse, Mother, Father, Sister, Brother, Children). Additionally, they will be allowed to place one (1) non-immediate family member on the list. The one non-immediate family can be a non-immediate family member such as grandparent, In-Law, aunt, uncle, or friend.

You may only visit with a maximum of three visitors during each inmate visit. Upon arrival to MCC Chicago, you have thirty days to mail the Visitor Inmate form to any prospective visitors and for them to return the form, with proof of relationship, to your Unit Counselor. Routine change to an inmate's visiting list will only be accommodated once every 90 days.

Cadre Inmates: Active inmate visitation lists for designated inmates will be limited to immediate family, and ten (10) friends and associates, 16 years and older. Cadre inmates housed on floors other than the Cadre Housing Unit (G) will visit with the unit in which they are housed. You may only visit with a maximum of five visitors during each inmate visit. Upon arrival to MCC Chicago, you have thirty days to mail the Visitor Inmate form to any prospective visitors and for them to return the form, with proof of relationship, to your Unit Counselor. Routine changes to an inmate's visiting list will be accommodated once every 90 days.

Once a completed Visitor Information form is received through the United States Postal Service, your Correctional Counselor will complete a background checks on your proposed visitors and inform you of their approval or denial. It is then your responsibility to inform your prospective visitors of their inclusion on your visiting list. Any individual who attempts to visit you and is not on your approved visiting list will be denied entrance to the institution. You should advise your visitors of your visitation time as listed in the activity schedule posted on each housing unit and to arrive with proper photo identification and in proper attire. Attire which is considered inappropriate may result in the denial of a visit. Advise your visitors to review the visitor information attached to the visitor application prior to visiting to prevent unnecessary delays. The only authorized item into the visiting area is money for the vending machines (no more than a total of \$50.00 in denominations no larger than \$10.00), authorized baby comfort items, and life supporting medications (to be held at the officer's station). Please be sure children do not bring toys or candies/gum. Items purchased from the vending machines may not leave the visiting area. Visiting is a privilege which may be revoked if the rules are violated. Cooperation makes everything easier.

Inmates are required to wear neat/clean clothing (including underclothing) and the issued blue/orange canvas shoe (unless medically authorized to wear other shoes, which must include documentation), and bring their inmate identification card. You will be subject to a search and only authorized to enter with a religious medallion/chain, plain wedding band, and eyeglasses. Inmates are not authorized to take anything to/from the visiting room.

Inmate and visitor contact will be minimal. A kiss and an embrace are permitted upon greeting the visitor and at the conclusion of the visit. You are not permitted to hold hands, embrace/touch during the visit or visit with other inmates and their visitors. An exception to this would be if two inmates are immediate family members and wish to visit with a visitor who is on both inmates' approved visiting list. Excessive contact during a visit is a violation of the disciplinary code and subject to disciplinary action to include removal of an approved visitor from a visiting list.

Any violation of visiting rules by a visitor or inmate may result in termination of the visit, disciplinary action and/or the removal of the visitor from the inmate's visiting list.

Legal Visits: Legal visits are to be conducted during regular visiting hours. If your attorney needs to schedule a legal visit at another time other than normal visiting hours, it is the attorney's responsibility to contact the institution's Legal Department, at least twenty four (24) hours in advance, for approval.

Special Visits: Special visits will be approved by the Associate Warden, Programs. A special visit request should be initiated by submitting an Inmate Request to Staff (cop-out) to your Unit Manager. The request must be submitted at least thirty days in advance of the requested visiting date. A special visit will only be approved once every ninety days. The individual(s) must be on the inmate's approved visiting list. The inmate cannot have received any discipline action within the last ninety days. Special Visits will not be granted based solely upon the inability to visit on a regular visiting day. Each special visit request will be reviewed on a case-by-case basis, and no special visits will be granted two weeks prior to or after a holiday.

SECURITY PROCEDURES

Attire

Inmates will be in the proper uniform, Monday thru Friday, between 7:30 a.m. and 4:00 p.m. The uniform will be maintained in a neat and professional manner. Designated inmates will have their shirt tucked in and pants around the waist line. If sweat shirts are worn, they must be worn under the khaki shirt. All other inmates will wear orange jumpsuits. Other than approved religious headgear, hats will not be worn while indoors. The only exception to being in proper uniform is during scheduled basement or rooftop recreation periods.

Inmate Identification Cards

Inmates are required to carry their identification cards at all times upon departing their assigned cell. Inmates will be issued an identification card upon arrival at the institution. Inmates are responsible for the care of these cards. Lost, stolen, or damaged cards must be replaced. Inmates will be charged a \$5.00 replacement fee for a new card.

Counts

Each institution will conduct, at a minimum, five official inmate counts during every 24-hour period. Counts are conducted daily at 12:00 a.m. (midnight), 3:00 a.m., 5:00 a.m., 11:30 a.m. (weekends and holidays), 4:00 p.m., and 10:00 p.m. The 11:30 a.m., 4:00 p.m., and 10:00 p.m. counts, as well as any emergency count, are stand-up counts, no exceptions. During a count, you are to remain quiet in your cell, or beside your bed on the dormitory, until the count is announced as clear. Any interference with the count will result in disciplinary action.

Institutions with secure cell space are required to lock the inmates in their cells for all official counts, unless the inmates are on out-counts in areas such as Food Service,

Health Services, etc. Disciplinary action will also be taken against inmates for leaving an assigned area before the count is clear. The inmate must actually be seen at all counts, even if the inmate must be awakened.

Call-Outs

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

Contraband

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

Contraband includes material prohibited by law, or by regulation, or material which can reasonably be expected to cause physical injury or adversely affect the security, safety, or good order of the institution.

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

Staff shall seize any item in the institution which has been identified as contraband whether the item is found in the physical possession of an inmate, in an inmate's living quarters, or in common areas of the institution. An inmate may not purchase, give, or receive any personal property from another inmate.

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

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

Shakedowns

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

Drug Surveillance / Alcohol Detection

BOP facilities operate drug surveillance and alcohol detection programs which include mandatory random testing, as well as testing of certain other categories of inmates. A positive test, or refusal to submit a test, will result in an incident report.

Fire Prevention and Control

Fire prevention and safety are everyone's responsibility. Inmates are required to report fires to the nearest staff member so property and lives can be protected. Piles of trash or rags in closed areas, combustible material, items hanging from fixtures or electrical receptacles, or other hazards will not be tolerated. Regular fire inspections are made by qualified professionals.

Court Security Improvement Act

On January 7, 2008, the Court Security Improvement Act of 2007 added two new provisions to the Federal Criminal Code. Title 18 U.S.C. § 1521 established a criminal offense for filing, attempting to file, or conspiring to file, a false lien or encumbrance against the real or personal property of a federal judge or federal law enforcement officer. Title 18 U.S.C. § 119 established a criminal offense for making publicly available "restricted personal information" about a "covered person" with the intent to threaten, intimidate, or incite a crime of violence against such person. "Covered person" includes court officers, jurors, witnesses, informants, and Federal law enforcement officers, including Bureau of Prisons staff. Documents which can be used to harass or threaten "covered persons," including the filing of a lien against such persons, can constitute violations of these criminal statutes. Such documents are contraband and are not authorized for inmate possession.

All inmates are prohibited from obtaining, possessing, or creating UCC financing statements and similar forms. All inmates are also prohibited, from obtaining or possessing any documents which contain unauthorized personal information, including, but not limited to, home address, home telephone number, social security number, personal email, or home fax number of any "Covered Person" or their immediate family members. If you have a legitimate reason for possession of such information, e.g., you are a relative of a "Covered Person," you should notify your Unit Staff of this fact'. If you are found to be in possession of these types of documents or information without authorization, the items will be confiscated. You will be subject to inmate discipline, and your case may be referred for possible federal criminal prosecution. You may use the administrative remedy process to challenge the confiscation or rejection of such materials.

PROGRAMS AND SERVICES

Job Assignments

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

Inmate Financial Responsibility Program

Working closely with the Administrative Office of the Courts and the Department of Justice, the BOP administers a systematic payment program for court-imposed fines, fees, and costs. All designated inmates are required to develop a financial plan to meet their financial obligations. These obligations may include: special assessments imposed under 18 USC 3013, court ordered restitution, fines and court costs, judgments in favor of the U.S., other debts owed the Federal government, and other court-ordered obligations (e.g., child support, alimony, other judgments).

Institution staff assist in planning, but the inmate is responsible for making all payments required, either from earnings within the institution or from outside resources. The inmate must provide documentation of compliance and payment. If an inmate refuses to meet his or her obligations, the inmate cannot receive performance pay above the maintenance pay level. He/She will also be placed in "refuse" status. As the result of being in refuse status, the inmate has a spending limit of only \$25.00 monthly, can be placed in less desirable housing, will not be considered for any favorable requests, i.e. (vacations, furloughs, early release, etc.) and will be noted on the progress report. These are a few examples of the sanctions that can be imposed as a result of being in refuse status.

The status of any financial plan will be considered by staff when determining Security/Custody level, job assignments, eligibility for community activities, and

institutional program changes.

Food Service

MCC Chicago offers a BOP authorized standardized High Rise National Menu. This menu is offered at High Rise institutions and includes approved menu items based on standard recipes and product specifications. The National Menu offers regular, heart healthy and no-flesh dietary options. All inmates at MCC Chicago are automatically placed on the regular national menu options (Flesh and/or Non-Flesh). Only the Chaplin can approve and/or remove inmates from the certified foods component program. If you would like to receive the no-flesh option in place of the regular meal option, contact the Food Service Administrator (FSA) via Trulincs or by using Inmate Request to Staff Member (cop-out) to make your dietary request.

Medical diets that require a change to the national menu require medical documentation from Health Services or in some cases a consult with a BOP dietician that ensures adequate nutrition is provided.

The religious diets program, also called the Certified Foods Diet accommodates dietary needs through nationally recognized, religiously certified processed foods and is available with the approval of the Religious Services Department (not Food Service). In addition to this ceremonial meals and/or fasts are also approved by the Religious Services Department and requires documentation. There is no centralized dining room at MCC Chicago. All meals are provided by satellite meal service (individual food trays) delivered to each unit for the inmates assigned to the respective units.

Inmates are provided three meals daily. Breakfast is normally served between 6:15 am - 7:00 am, lunch from 11:30 am - 12:30 pm and dinner from 4:15 pm - 5:00 pm. Inmates are called to receive their meals by unit sections. When your section is not eating, you are required to be in your assigned section. You are not permitted to be in any other area. You are responsible for returning your own tray to the food carts after the meal.

ALL FOOD SERVICE ISSUED ITEMS MUST BE CONSUMED OR RETURNED TO FOOD SERVICE AT THE CONCLUSION OF THE MEAL. FOOD SERVICES ITEMS ARE NOT PERMITTED IN THE CELLS/LIVING AREAS FOR ANY REASON. YOU ARE NOT PERMITTED TO EAT INSTITUTIONAL MEALS IN YOUR CELL/LIVING AREAS.

If you are on a legal visit or call out during meal time, you will be provided a meal upon your return to your unit. Any items left on the tables prior to or after the meals will be confiscated. You are required to wear proper attire at all meals. This includes a buttoned jumpsuit, socks and standard shoes. Wearing shower shoes during meal time is inappropriate. A spork and plastic cup will be provided to you upon your arrival at the institution. Food Service menus are posted on the TRULINCS Local Document Service.

If you have any food related complaints or concerns related to any meal that you believe does not have all of the items that are listed on the National High Rise Menu, or that you believe is not prepared correctly, the first thing you need to do is speak with the Unit Officer when you receive your tray and identify your issue or concern. The Unit Officer will then contact the Food Service department to attempt to resolve the issue. If your issue or concern has not been resolved after speaking with the Unit Officer, then you need to contact the Food Service Administrator (FSA) via Trulincs or by using Request to Staff (cop-out).

When contacting the FSA, you need to indicate the date(s) of the meal(s) or issue(s) you have, which meal you are referencing (breakfast, lunch or dinner), and identify the specific complaints or concerns you have. Include what staff member (Unit Officer, Counselor, etc.) you discussed your complaint or concern with and what the results were. Without this information, your concern(s) may not be thoroughly addressed.

Education

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

The Education department is located on the ninth floor where the law and leisure libraries are maintained, as well as staff offices and classrooms. Hours of operation are listed on the Inmate Activity Schedule. When visiting the Education department, you are expected to follow the rules and regulations posted on the bulletin board in the law library. Radios and MP3 players are not authorized.

A debit card operated copier is available for making copies of documents **with the cost of the card at \$6.50 from the commissary.**

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

Literacy/GED

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

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

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

Inmates under a final Immigration and Customs Enforcement (ICE) order of deportation, exclusion, or removal are exempt. Inmates who have completed the mandatory period of enrollment must remain enrolled, or re-enroll to vest/earn their good conduct time. Inmates found guilty of an incident report related to their literacy program enrollment will be changed to GED UNSATISFACTORY PROGRESS, and will not vest/earn their good conduct time.

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

Inmates with a Verified High School Diploma

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

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

ESL

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

will be required regardless of education degree status. Inmates with high school diplomas or college degrees may be required to participate in the ESL program.

Incentives

Incentive awards are provided to recognize inmates making satisfactory progress and successfully completing the literacy (i.e., GED and ESL) program. This award is typically in the payment of \$25 for completing GED or ESL. Inmates may also receive incentives for progressing to various levels in the GED or ESL Programs. Graduation ceremonies, wearing the traditional cap and gown, are used to recognize GED or ESL completions. Additionally, inmates may have family members on their approved visiting list attend the recognition or graduation ceremony.

Adult Continuing Education (ACE):

ACE classes enhance an inmate's general knowledge on various subjects and address the skill deficits identified in an inmate's individual reentry plan. ACE classes are organized differently in different institutions. Typical ACE classes include: typing, computer literacy, foreign language, and business skills. See posted announcements for days and times for each class.

Parenting

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

Library Services

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

Law Library: The Law Library located in the Education department is available for use for a minimum of 3 hours per week/per unit. Requests for additional law library time should be made to the institution's Legal department. The request should include your case number and a valid justification for needing additional time, e.g., imminent trial date, pro se status. The actual scheduling of your extra law library day is at the Education Department's discretion, subject to the availability of staff and other institution concerns.

Electronic Law Libraries (ELL): Inmates are afforded access to legal materials and an opportunity to prepare legal documents in the ELL. The ELL is available on the computers in the housing units, and on the 9th floor. Resources are available for

inmates to prepare legal material via Trust Fund.

Recreation, Leisure, Wellness, and Social Programs

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

Basement and rooftop recreation, weather permitting, are offered. Recreation equipment will be available within each housing unit (misuse or tampering will result in the loss of this equipment) and in the basement recreation area. There is a prepared schedule posted on the unit bulletin boards and the TRULINCS Local Document Service. Though space is limited, there is full opportunity to maintain physical fitness with available equipment and scheduled recreational activities. Various card/board games are also available on the unit.

Art and Hobby Craft Programs

Art work includes all paintings and sketches rendered in any of the usual media (e.g., oils, pastels, crayons, pencils, inks, and charcoal).

Art and hobby craft programs are not meant for the mass production of art and hobby craft items or to provide a means of supplementing an inmate's income. Use of hobby craft facilities is a privilege that the Warden or staff delegated that authority may grant or deny.

Inmates are encouraged to participate in housing unit activities such as unit-based hobby craft.

An inmate desiring to participate in any hobby craft program will obtain permission by submitting an "Inmate Request to a Staff Member" (copout) to the recreation department. Selected inmates will be notified via the in-house mail system, and on recreation bulletin boards of their selection for enrollment. The enrollment period is six or eight weeks long. Hobby craft classes are held weekly and supplies are provided for all participants. Art and craft materials/projects should not jeopardize the safe and orderly running of the institution in any manner.

Consequences for Rules Violation in Recreation

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

Religious Services

The Religious Services Department, located on the 9th floor, provide pastoral care and

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

If you choose to continue your spirituality, you will be assisted by the department chaplain. Religious services and/or personal counseling are available by request. If you wish to be placed on the list for services, or would like to speak with the clergy personally, submit an Inmate Request to Staff Member form through the institution mail system. The same procedure will apply if you wish to seek approval to participate in the Religious Diet Program. The inmate activity schedule, including Religious Services programming is available on the TRULINCS Local Document Service. Radios and MP3 players are not authorized in the Religious Services Department.

Pregnant inmates are offered religious counseling to aid in making an informed decision whether to carry the pregnancy to full term. Pregnant inmates will notify either Unit Team requesting to speak to the Chaplain, or Medical Staff requesting to speak to the Chaplain. Unit Team or Medical Staff will contact the Chaplain if religious counseling is requested. The Chaplain will visit the unit, and arrange a time for religious counseling. Religious Counseling will take place in the Chaplain's office or on the unit (unit office).

Psychology Services

Psychology Services departments in all BOP institutions offer mental health care to inmates. This care may include screening, assessment and treatment of mental health or drug abuse problems, individual and/or group counseling, psycho-educational classes, self-help and supportive services, or referral to Health Services for medical treatment of a mental illness. If you are new to the BOP, or if you have previously identified mental health or drug abuse programming needs, you will be scheduled for an interview with Psychology Services staff. The purpose of this interview is to review your history and identify your programming needs. This interview is an ideal time for you to share your interest in specific services, such as drug abuse treatment or mental health counseling.

The Psychology Services department at this institution is typically staffed by one Chief Psychologist, four clinical psychologists, and one Drug Treatment Specialist. The department's offices are located throughout the building. You may contact Psychology Services by submitting an Inmate Request to a Staff Member (a "Cop-out") to Psychology Services, or in the case of a crisis situation, notify your Unit Officer, Unit Team, or any other BOP staff member of your urgent need to speak with Psychology Services.

Suicide Prevention

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

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

- threatening to hurt or kill oneself or talking about wanting to hurt or kill oneself
- feeling hopeless
- feeling rage or uncontrolled anger or seeking revenge
- increased alcohol or drug use
- withdrawing from friends, family, associates
- experiencing dramatic mood changes
- feeling anxious or agitated, being unable to sleep, or sleeping all the time
- seeing no reason for living or having no sense of purpose

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

Drug Abuse Programs

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

and/or drugs.

Drug Abuse Education Course

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

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

Nonresidential Drug Abuse Treatment

Nonresidential Drug Abuse Treatment has been developed to provide the flexibility necessary to meet each individual's treatment needs, and more specifically for:

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

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

Specialized Mental Health Programs

The BOP also has several residential mental health programs designed to help inmates with severe emotional, cognitive, and behavioral problems. These programs are

indicated for inmates who are having difficulty functioning in a mainline institution due to a psychological disorder. They are designed to improve the day to day functioning of inmates with the goal of helping them return to a mainline institution or preventing the need for hospitalization. Psychology Services has additional information about these programs and can make recommendations for participation.

Confidentiality

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

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

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

Marriages

If an inmate wishes to be married while incarcerated, the Warden may authorize him/her to do so under certain conditions. Marriage procedures are detailed the Institution Supplements.

Barber Shop

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

Medical Services

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

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

The Health Services Department is located on the 7th floor. The Department includes Dental, Medical, X-Ray and Laboratory testing capabilities. Typically, physical exams will be performed within 14 days of arrival. The possible exception to this rule is for those inmates who are being transferred here from another BOP facility. If you have any chronic medical condition(s) you will be enrolled in a clinic to see a Primary Care Practitioner (PCP). You should check the housing unit call-out sheets daily to see if you have been scheduled for an appointment. Note: It is possible that you might be scheduled for an evening clinic; therefore, it is your responsibility to check the call-out sheet in its entirety and bring your ID to every appointment.

Medical and dental sick call triage will be conducted by Health Service staff, Monday through Friday (except Wednesdays, weekends, & holidays) on the 7th floor. Inmates wishing to have a medical sick call appointment will report to the 7th floor on the sick call triage movement when it is announced in the morning. Dental sick call appointments will be made by inmate electronic request to dental. A call out list will be generated daily from the electronic request to bring the inmates to the 7th floor for dental sick call triage. There is a copay fee for each medical and dental appointment scheduled per inmate request. Not appearing for a medical call out may result in an incident report.

When an outside referral is considered necessary by the PCP, a consult request will be sent to the Utilization Review Committee (URC) for review. The decision by the URC will be communicated to you in writing.

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

Effective October 3, 2005, the BOP implemented the provisions of the Federal Prisoner Health Care Co-Payment Program (P. L. 106-294). Under the Provisions of this Law

you must pay a fee of \$2.00 for health care services, charged to your inmate commissary account, when you received services under the following circumstances:

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

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

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

You will not be charged the co-pay fee if you meet the definition of "indigent". An indigent inmate is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days (this includes any monies on your telephone account). Treatment will not be withheld for lack of funds.

Medications: Some medications will be prescribed to be taken under direct supervision on the pill line which is conducted on your floor. You must report to the pill line when announced at your floor. If you refuse medication or blood sugar testing at the pill line, you will be referred for counseling with your PCP or pharmacist after which you can sign a refusal form and be removed from the pill line. The medication/pill lines are conducted as follows: Morning medication/pill line start at 6:30 a.m. on week days and 8:30 a.m. on weekends and holidays. Afternoon medication/pill starts at 1200 p.m. The evening medication line starts at 5:00 p.m. If you take medication on pill line and fail to show up this may result in an incident report. You must bring your ID to the pill line.

To obtain medication refills, submit an electronic "Prescription Refill Request" on TRULINC no less than three days prior to running out of your medication. If there are

no refills left on the prescription then make a sick call request via TRULINC. Do not turn in medication containers at pill line.

Over-the-counter (OTC) medications are available for purchase from the commissary list. There is a separate form for indigent inmates to request OTC medication at no charge to the inmate.

Advance Directive/Living Wills: The purpose of the advance directive/living will is for inmates to control decisions related to their own medical care, including a decision to have death delaying procedures withheld or withdrawn in instances of a terminal condition at an outside care facility while still in federal custody. The required forms can be obtained from the Health Services Department.

Dental Services: Dental screening examinations are provided within thirty days (30) of arrival at the Metropolitan Correctional Center for new commits which evaluates general oral health, evaluates treatment needs and explains eligibility for care. Non-sentenced inmates are only eligible for urgent care. Sentenced inmates, or non-sentenced inmates in BOP custody more than a year, are eligible for routine care and must request to be added to the national wait list. Sick call is available to all inmates. For any dental issues, sick call or requesting to be added to the national wait-list, submit a dental sick call request via TRULINC. Toothbrushes, toothpaste, mouth rinse and flossing safety loops are available from the commissary.

CONTACT WITH THE COMMUNITY AND PUBLIC

Correspondence

In most cases, inmates are permitted to correspond with the public, family members and others without prior approval. Except for "special/legal mail," outgoing mail may not be sealed by the inmate and may be read and inspected by staff. The outgoing envelope must have the inmate's committed name, register number, and complete institution return address in the upper left hand corner.

The inmate mailing address at MCC Chicago is:

**Your Full Name, Registration Number
Metropolitan Correctional Center
71 West Van Buren Street
Chicago, Illinois 60605**

Inmates will be responsible for the contents of all of their letters. Correspondence containing threats, extortion, etc., may result in prosecution for violation of Federal laws.

Inmates may be placed on restricted correspondence status based on misconduct or as a result of classification. The inmate is notified of this placement and has the

opportunity to respond. Mail service to inmates is ordinarily provided on a five-day schedule, Monday through Friday. Usually, weekend and holiday mail services are not provided.

Incoming Correspondence

First class mail is distributed Monday through Friday (except holidays) by the evening watch Correctional Officer in each living unit. Legal and Special Mail will be distributed by Unit staff and opened in the presence of the inmate. Inmates are asked to advise those writing to them to put the inmate's registration number and Housing Unit on the envelope to aid the prompt delivery of mail. All inmate packages must have prior authorization unless otherwise approved under BOP policy. Incoming **general** correspondence may be rejected or photocopied if the material does not comply with the following regulations. All incoming general correspondence envelopes and paper must be white in color. Incoming correspondence may not contain materials such as glitter, stickers, lipstick crayon or marker. Correspondence may not be stained or contain an oily substance. Correspondence may not have an odor/fragrance such as, but not limited to, perfume or cologne. Card stock is not authorized. Homemade greeting cards will be rejected. Incoming correspondence may not contain mailing labels. Addresses must be hand written, typed or stamped (except authorized inmate to inmate correspondence where policy requires a label). Postage stamps and envelope flaps may be removed prior to the inmate's receipt of the mail.

Incoming Publications

The BOP permits inmates to subscribe to and receive publications without prior approval. The term publication means a book, booklet, pamphlet, or similar document, or a single issue of a magazine, periodical, newsletter, newspaper, plus such other materials addressed to a specific inmate, such as advertising brochures, flyers, and catalogs. An inmate may only receive publications and newspapers from the publisher, a book club, or a bookstore.

Special Mail

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

Special mail also includes correspondence received from the following: President and Vice President of the United States, attorneys, Members of the U.S. Congress, Embassies and Consulates, the U.S. Department of Justice (excluding the Bureau of Prisons but including U.S. Attorneys), other Federal law enforcement officers, State

Attorneys General, Prosecuting Attorneys, Governors, U.S. Courts (including U.S. Probation Officers), and State Courts.

A designated staff member opens incoming Special/Legal Mail in the presence of the inmate. These items will be checked for physical contraband, funds, and for qualification as Special/Legal Mail; the correspondence will not be read or copied if the sender has adequately identified himself/herself on the envelope and the front of the envelope clearly indicates that the correspondence is "Special/Legal Mail – Open only in the presence of the inmate" or with similar language. Without adequate identification as Special Mail, the staff may treat the mail as general correspondence. In this case, the mail may be opened, read, and inspected. All envelopes from incoming **special or legal** mail will be photocopied prior to delivery. Properly marked special mail will still only be opened in the inmate's presence, but the inmate will not receive the original envelope.

Inmate Correspondence with Representatives of the News Media

An inmate may write, following Special Mail procedures, to representatives of the news media when specified by name and title. The inmate may not receive compensation or anything of value for correspondence with the news media. The inmate may not act as a reporter, publish under a byline, or conduct a business or profession while in BOP custody.

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

Correspondence between Confined Inmates

An inmate may be permitted to correspond with an inmate confined in another penal or correctional institution. This is permitted if the other inmate is either a member of the immediate family (mother, father, sister, child, or spouse), or party in a current legal action (or a witness) in which both parties are involved. The Unit Manager at each institution must approve the correspondence if both inmates are housed in Federal institutions.

Rejection of Correspondence

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

Notification of Rejection

The Warden will give written notice to the sender concerning the rejection of mail and the reasons for rejection. The sender of the rejected correspondence may appeal the rejection. The inmate may also be notified of the rejection of correspondence and the reasons for it. The inmate also has the right to appeal the rejection. The Warden shall

refer the appeal to a designated officer other than the one who originally disapproved the correspondence. Rejected correspondence ordinarily will be returned to the sender.

Change of Address/Forwarding of Mail

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

Certified/Registered Mail

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

Telephones

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

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

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

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

It is each inmate's responsibility to maintain their PAC in a way to ensure no other inmate has access to it. Inmates found to be sharing their telephone account with other inmates will result in disciplinary action taken with all inmates involved. Third party

telephone contact will also result in disciplinary action. This could include, but is not limited to three way calls, call forwarding, the use of two or more telephones to communicate, and/or ANY circumstance in which the party called establishes third party telephone contact. Passing messages for other inmates is also strictly prohibited and will result in disciplinary action.

During institution emergencies, the use of the telephone will be reduced or terminated.

Phone rates will be posted in the inmate law library.

TRUFONE Inmate Voice Recognition

V-PIN is an added security feature in which uses a sample of your voice collected during the registration process. This security feature helps to ensure the PAC number utilized belongs to the inmate placing the call.

ACCESS TO LEGAL SERVICES

Legal Correspondence

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

Attorney Visits

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

Legal Material

During attorney visits, a reasonable amount of legal materials may be allowed in the visiting area. Inmates are expected to handle the transfer of legal materials through the mail as often as possible.

Attorney Phone Calls

In order to make an unmonitored phone call with an attorney, the inmate must demonstrate to the Unit Team the need, such as an imminent court deadline. When possible, it is preferred that inmates place an unmonitored, collect legal call. Phone calls placed through the regular inmate phones are subject to monitoring.

Law Library

Electronic Law Libraries (ELL): Inmates are afforded access to legal materials and an opportunity to prepare legal documents in the ELL. The ELL is available on the computers in the housing units, and on the 9th floor. Resources are available for inmates to prepare legal material via Trust Fund.

Notary Public Correctional staff is authorized to notarize documents. However, staff need not notarize inmate signatures on any documents filed in federal courts and with other federal agencies, unless specifically directed to do otherwise. (See Program Statement 1315.07, Legal Activities, Inmate)." Contact unit staff when notarization is needed.

Copies of Legal Material

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

Federal Tort Claims

If the negligence of institution staff results in personal injury of an inmate or damage to an inmate's property, it can be the basis of a claim under the Federal Tort Claims Act. To file such a claim, inmates may complete a Standard Form 95. If the negligence of institution staff results in damage or loss of an inmate's personal property, inmates may file a Section 3723 claim by completing a BP-A0943, Small Claims for Property Damage or Loss. If either type of claim occurred at MCC Chicago, the completed form must be mailed to the North Central Regional Office, 400 State Avenue, Tower II, Suite 800, Kansas City, KS 66101. You can obtain both forms from your Correctional Counselor.

Freedom of Information/Privacy Act of 1974

The Privacy Act of 1974 forbids the release of information from agency records without a written request, or without the prior written consent of the individual to whom the record pertained, except for specific instances. All formal requests for access to records about another person and/or agency record other than those pertaining to themselves shall be processed through the Freedom of Information Act (FOIA), 5 USC 552. Requests may be made in writing to the FOIA Branch, Central Office, 320 First St., N.W., Washington, D.C. 20534.

Inmate Access to Central Files and Other Documents

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

An inmate can request access to the non-disclosable documents in his central file and medical file, or other documents concerning himself that are not in his central file or medical file, by submitting a Freedom of Information Act Request to the Director of the BOP, Attention: FOI Request. A request on the behalf of an inmate by an attorney, for records concerning that inmate, will be treated as a Privacy Act Request if the attorney has forwarded an inmate's written consent to disclose materials. If a document is deemed to contain information exempt from disclosure, any reasonable part of the record will be provided to the attorney after the deletion of the exempt portions.

Executive Clemency

The BOP advises all inmates that the President of the United States is authorized under the Constitution to grant executive clemency by pardon, commutation of sentence, or reprieve. A pardon is an executive act of grace that is a symbol of forgiveness. It does not connote innocence nor does it expunge the record of conviction. A pardon restores civil rights and facilitates the restoration of professional and other licenses that may have been lost by reason of the conviction. Other forms of executive clemency include commutation of sentence (reduction of sentence imposed after a conviction), and a reprieve (the suspension of execution of a sentence for a period of time). Inmates should contact their assigned Case Manager for additional information regarding this program.

Commutation of Sentence

The BOP also advises inmates on commutation of sentences. Commutation of sentence is usually the last chance to correct an injustice which has occurred in the criminal justice process. Inmates applying for commutation of sentence must do so on forms available from the assigned unit team. The rules governing these petitions are available in the Law Library.

Pardon

A pardon may not be applied for until the expiration of at least five (5) years from the date of release from confinement. In some cases involving crimes of a serious nature, such as violation of Narcotics Laws, Gun Control Laws, Income Tax Laws, Perjury, and violation of public trust involving personal dishonesty, fraud involving substantial sums of money, violations involving organized crime, or crimes of a serious nature, a waiting period of seven years is usually required.

Reduction In Sentence

The Director of the BOP may motion an inmate's sentencing judge for Reduction In Sentence (RIS). In accordance with BOP policy, PS 5050.50, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C 3582 & 4205(g), the court, upon motion of the BOP, may reduce the term of imprisonment for an inmate should "extraordinary and compelling reasons warrant such a reduction. The BOP may consider both medical and non-medical bases for such requests. Historically, the Director has considered such an action for an inmate presenting terminal illness or a

severely debilitating medical condition. The Director will consult with the U.S. Attorney's Office that prosecuted the inmate, and carefully weigh the nature and circumstances of the offense; the likelihood of danger to the community should the inmate be released; and the recommendation of the Medical Director; Correctional Programs Assistant Director, and staff. Should the sentencing court agree, the judge will issue an order for the inmate's release and he or she will be released to the supervised release term or to the unserved portion of the sentence. If an inmate's request is denied by the Director, the inmate will be provided written notice and a statement of reasons for the denial. The inmate may appeal the denial through the Administrative Remedy Procedure (28 CFR part 542, subpart B). The process for filing a request for RIS at MCC Chicago is as follows: The inmate or inmate's representative completes the appropriate section of the RIS Application Form (or provides a written request with all necessary information) and submits it to the inmate's Unit Manager. The Unit Manager will ensure all required documentation is included with the RIS application, including additional documentation that may be required depending on the type of RIS request. When complete the Unit Team will route the application packet for the Warden's review through the RIS Coordinator. If denied by the Warden, Unit Team will ensure the inmate receives a copy of the denial. Inmates may file a RIS directly with the sentencing court after receiving a BP-11 response, denial from the General Counsel, or the lapse of 30 days from the receipt of such a request by the Warden of the inmate's facility, whichever is earlier.

PROBLEM RESOLUTION

Inmate Request to Staff Member

An Inmate Request to Staff Member (form BP-S148), commonly called a Cop-Out, is used to make a written request to a staff member. Any type of request can be made with this form. Cop-outs may be obtained in the living units from the Correctional Officer on duty. Staff members will answer the request within a reasonable period of time.

Administrative Remedy Process

The BOP emphasizes and encourages the resolution of complaints. The first step of the Administrative Remedy process is to attempt at **Informal Resolution**, utilizing the appropriate Informal Resolution form (BP-8). (See the Administrative Remedy Institution Supplement, Attachment A.) When an informal resolution is not successful, an inmate can access the Administrative Remedy Program. All Administrative Remedy forms may be obtained from your assigned Correctional Counselor or Unit Team member.

If the issue cannot be informally resolved, a formal complaint may be filed with a Request for Administrative Remedy (formerly BP-229), commonly referred to as a BP-9. The inmate may place a single complaint or related issues on the form. If the form contains multiple unrelated issues, the submission will be rejected. The inmate will return the completed BP-9 to the Correctional Counselor, who will deliver it to the

Administrative Remedy Coordinator (BP-9 will be rejected unless processed through staff). The BP-9 complaint must be filed within twenty (20) calendar days from the date on which the basis for the incident or complaint occurred, unless it was not feasible to file within that period of time which should be documented in the complaint. Institution staff has twenty (20) calendar days to act on the complaint and to provide a written response to the inmate. This time limit for the response may be extended for an additional twenty (20) calendar days. The inmate will be notified of the extension.

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

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

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

- Statement of Facts
- Grounds for Relief
- Relief Requested

Sensitive Complaints

If an inmate believes a complaint is of a sensitive nature and he would be adversely affected if the complaint became known to the institution, he may file the complaint directly to the Regional Director. The inmate must explain, in writing, the reason for not filing the complaint with the institution. If the Regional Director agrees the complaint is sensitive, it shall be accepted and a response to the complaint will be processed. If the Regional Director does not agree the complaint is sensitive, the inmate will be advised in writing of that determination and the complaint will be returned. The inmate may then pursue the matter by filing a BP-9 at the institution.

General Information

When a complaint is determined to be of an emergency nature and threatens the inmate's immediate health or welfare, the reply must be made as soon as possible,

usually within seventy-two (72) hours from the receipt of the complaint. For detailed instructions see Program Statement 1330.18, Administrative Remedy Program.

DISCIPLINARY PROCEDURES

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

Inmates found in possession of unauthorized media storage devices (e.g., USB thumb drives, CD/DVDs, etc.) at MCC Chicago will be issued an Incident Report for Code 199, conduct which disrupts or interferes with the security or orderly running of the institution most like Code 108, Possession of a Hazardous Tool. Unauthorized devices at MCC Chicago include, but are not limited to: USB thumb drives, hard drives, solid state drives, SD cards, Blu-Ray disks, and *unauthorized* CDs/DVDs. You may receive an Incident Report for Code 199 "most like" Code 108 if you are found in possession of these unauthorized devices at MCC Chicago, regardless of whether a device was authorized at a previous state or local jail, or at a previous Federal Bureau of Prisons (BOP) institution.

Discipline

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

Inmate Discipline Information

When a staff member witnesses or reasonably believes an inmate has committed a prohibited act, a staff member will issue an incident report, a written copy of the charges against an inmate. The incident report will ordinarily be delivered to the inmate within 24 hours of the time staff became aware of the inmate's involvement in the incident. If the incident is referred for prosecution, the incident report is delivered by the end of the next work day after it has been released for administrative processing. An informal resolution of the incident may be attempted at any stage of the discipline process. If an informal resolution is accomplished, the incident report will be removed from the inmate's central file. Informal resolution is encouraged for all violations in the Moderate and Low severity categories. Staff may suspend disciplinary proceedings up to two calendar weeks while informal resolution is undertaken. If an informal resolution is not

accomplished, staff will reinstate the discipline process at the stage at which they were suspended. Violations in the Greatest and High severity categories cannot be informally resolved and must be forwarded to the DHO for final disposition.

Initial Hearing

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

Discipline Hearing Officer (DHO)

The Disciplinary Hearing Officer (DHO) conducts disciplinary hearings on all Greatest and High severity prohibited acts and other violations referred by the UDC at the Moderate and Low severity levels. The DHO may not hear any case not referred by the UDC. An inmate will be provided with advance written notice of the charge(s) not less than 24 hours before the inmate's appearance before the DHO. Inmates may waive this requirement. Inmates may appear before the DHO either in person or electronically (for example, by video or telephone conferencing). The Warden provides a full-time staff member to represent an inmate, if requested. An inmate may make statements and present documentary evidence on his or her behalf. The inmate may request witnesses appear at the DHO hearing to provide statements. The DHO will call witnesses who have information directly relevant to the charge(s) and are reasonably available. The DHO will request a statement from all unavailable witnesses whose testimony is deemed relevant. Inmates may not question a witness at the hearing; however, the staff representative and/or the DHO will question the witness(es). An inmate may submit a list of questions for the witness(es) to the DHO if there is no staff representative. An inmate has the right to be present throughout the DHO hearing, except during deliberations. The inmate charged may be excluded during appearances of outside witnesses or when institution security may be jeopardized. The DHO may postpone or continue a hearing for good cause or disposition when the case does not warrant DHO involvement, or may refer an incident report back for further investigation or review. The DHO will give the inmate a written copy of the decision and disposition, ordinarily within 15 days of the decision.

Appeals of Disciplinary Actions

Appeals of all disciplinary actions may be made through the Administrative Remedy Program. The initial reviewing official for the UDC is the Warden. The decision of the DHO is final and subject to review only by the Regional Director through the Administrative Remedy program. DHO appeals shall be submitted initially to the Regional Director for the region where the inmate is currently located. Appeals are

made to the Regional Director (BP-230) and the General Counsel (BP-231). On appeal, the reviewing authority (Warden, Regional Director, or General Counsel) considers:

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

Special Housing Unit Status

Special Housing Units (SHUs) are housing units in BOP institutions where inmates are securely separated from the general inmate population, and may be housed either alone or with other inmates. SHU helps ensure the safety, security, and orderly operation of correctional facilities, and protect the public by providing alternative housing assignments for inmates removed from the general population.

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

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

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

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

(b) Holdover Status: You are in holdover status during transfer to a designated institution or other destination.

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

(d) Investigation: You are under investigation or awaiting a hearing for possibly violating a Bureau regulation or criminal law;

(e) Transfer: You are pending transfer to another institution;

(f) Protection cases: You requested, or staff determined, you require administrative detention status for your own protection; or

(g) Post-disciplinary detention: You are ending confinement in disciplinary segregation

status, and your return to the general population would threaten the safety, security, and orderly operation of a correctional facility, or public safety.

When placed in A/D status, you will receive a copy of the administrative detention order, ordinarily within 24 hours, detailing the reason(s) for your placement. However, when placed in A/D status pending classification or while in holdover status, you will not receive an administrative detention order.

In A/D status you are ordinarily allowed a reasonable amount of personal property and reasonable access to the commissary.

Disciplinary segregation (D/S) status: D/S is a punitive status imposed only by a Discipline Hearing Officer (DHO) as a sanction for committing a prohibited act(s). When you are placed in D/S status, as a sanction for violating BOP regulations, you will be informed by the DHO at the end of your discipline hearing.

In D/S status, your personal property will be impounded, with the exception of limited reading/writing materials and religious articles. Your commissary privileges may also be limited. In either status, your amount of personal property may be limited for reasons of fire safety or sanitation. The Warden may modify the quantity and type of personal property allowed. Personal property may be limited or withheld for reasons of security, fire safety, or housekeeping. The unauthorized use of any authorized item may result in the restriction of the item. If there are numerous misuses of an authorized item, the Warden may determine that the item will not be issued in the SHU.

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

RELEASE

Sentence Computation

The Designation and Sentence Computation Center (DSCC), located in Grand Prairie, Texas, is responsible for the computation of inmate sentences. Any questions concerning good time, jail time credit, parole eligibility dates, full term dates, or release dates are resolved by staff upon inmate request for clarification once staff at DSCC have certified the sentence computation.

Fines and Costs

In addition to jail time, the court may impose committed or non-committed fines and/or costs. Committed fines mean that the inmate will remain in prison until the fine is paid,

makes arrangements to pay the fine, or qualifies for release under the provisions of Title 18 USC, Section 3569 (Discharge of indigent prisoner). Non-committed fines have no condition of imprisonment based on payment of fines or costs. Payments for a non-committed fine or cost are not required for release from prison or transfer to a contract residential reentry center.

Detainers

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

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

Good Conduct Good Time

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

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

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

For inmates sentenced under the PLRA, for offenses committed on or after April 26, 1996, the GCT earned for time spent in service of the sentence does not vest. In addition, if an inmate does not have a high school diploma or a GED, and the inmate is

not making satisfactory progress toward earning a GED, only 42 days of GCT will be earned for every year a sentence was imposed. Unsatisfactory progress is determined by the institution Education Department.

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

Residential Reentry Center Placement

Inmates who are nearing release, and who need assistance in obtaining a job, residence or other community resources, may be referred for placement at a Residential Reentry Center (RRC).

The Residential Reentry Manager (RRM) links the BOP with the U.S. Courts, other Federal agencies, State and local governments, and the community. Located strategically throughout the country, the RRM is responsible for developing and maintaining a variety of contract facilities and programs, working under the supervision of the appropriate regional administrator.

Community programs have two major emphases: residential community-based programs provided by RRCs and programs that provide intensive nonresidential supervision to offenders in the community.

Community-Based Residential Programs

The community-based residential programs available include both typical RRCs and work release programs provided by local detention facilities. The RRCs provide a suitable residence, structured programs, job placement and counseling while monitoring the offender's activities. They also provide drug testing and counseling, and alcohol monitoring and treatment. While in these programs, employed offenders are required to pay subsistence to help defray the cost of their confinement. The inmate's payment rate during RRC residence is 25 percent of the inmate's gross income.

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

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

Each RRC now provides two components within one facility, a prerelease component and a community corrections component. The prerelease component assists offenders making the transition from an institutional setting to the community, or as a resource while under supervision. The community corrections component is more restrictive. Except for employment and other required activities, the offenders are required to remain at the RRC, where recreation, visiting, and other activities are provided in-house.

The other option for community-based residential programming is local detention facilities. Some local jails and detention centers are used to confine offenders serving short sentences. Many have work release programs where an offender is employed in the community during the day and returns to the institution at night. These facilities may also be used for offenders sentenced to terms of intermittent confinement such as nights, weekends, or other short intervals. Some of these local facilities have work release programs similar to the community corrections component in a RRC, serving to facilitate the transition from the institution to the community. Privilege

The Adam Walsh Child Protection and Safety Act

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

Conclusion

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

INMATE RIGHTS AND RESPONSIBILITIES

<u>RIGHTS</u>	<u>RESPONSIBILITIES</u>
1. You have the right to expect that you will be treated in an impartial, and fair in the same manner.	1. You are responsible for treating inmates and staff respectful, manner by all staff.
2. You have the right to be informed	2. You are responsible for treating

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| of the rules, procedures and schedules concerning the operation of the institution. | inmates and staff respectful, manner by all staff. |
| 3. You have the right to freedom of religious affiliation, and voluntary religious worship. | 3. You have the responsibility to recognize and respect the rights of others in this regard. |
| 4. You have the right to health care, which includes nutritious meals, proper bedding and clothing, and a laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles and medical and dental treatment. | 4. It is your responsibility not to waste food, to follow the laundry and shower schedule, maintain neat and clean living quarters, to keep your area free of contraband, and to seek medical and dental care as you may need it. |
| 5. You have the opportunity to visit and correspond with family members, and friends, and correspond with members of the news media in accordance with Bureau rules and institution guidelines. | 5. It is your responsibility to conduct yourself properly during visits. You will not engage in inappropriate conduct during visits to include sexual acts and introduction of contraband, and not to violate the law or Bureau guidelines through correspondence. |
| 6. You have the right to unrestricted and confidential access to the courts by correspondence (on matters such as the legality of your conviction, civil matters, pending criminal cases, and conditions of your imprisonment.) | 6. You have the responsibility to present honestly and fairly your petitions, questions, and problems to the court. |
| 7. You have the right to legal counsel from an attorney of your choice by interviews and correspondence. | 7. It is your responsibility to use the services of an attorney honestly and fairly. |
| 8. You have the right to participate in the use of law library reference materials to assist you in resolving legal problems. You also have the right to receive | 8. It is your responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other |

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

PROHIBITED ACTS AND AVAILABLE SANCTIONS

GREATEST SEVERITY LEVEL PROHIBITED ACTS

- 100 Killing.
- 101 Assaulting any person, or an armed assault on the institution's secure perimeter (a charge for assaulting any person at this level is to be used only when serious physical injury has been attempted or accomplished).
- 102 Escape from escort; escape from any secure or non-secure institution, including

community confinement; escape from unescorted community program or activity; escape from outside a secure institution.

- 103 Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of Greatest Severity, *e.g.*, in furtherance of a riot or escape; otherwise the charge is properly classified Code 218, or 329).
- 104 Possession, manufacture, or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive, ammunition, or any instrument used as a weapon.
- 105 Rioting.
- 106 Encouraging others to riot.
- 107 Taking hostage(s).
- 108 Possession, manufacture, introduction, or loss of a hazardous tool (tools most likely to be used in an escape or escape attempt or to serve as weapons capable of doing serious bodily harm to others; or those hazardous to institutional security or personal safety; *e.g.*, hacksaw blade, body armor, maps, handmade rope, or other escape paraphernalia, portable telephone, pager, or other electronic device).
- 109 (Not to be used).
- 110 Refusing to provide a urine sample; refusing to breathe into a Breathalyzer; refusing to take part in other drug-abuse testing.
- 111 Introduction or making of any narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by the medical staff.
- 112 Use of any narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by the medical staff.
- 113 Possession of any narcotics, marijuana, drugs, alcohol, intoxicants, or related paraphernalia, not prescribed for the individual by the medical staff.
- 114 Sexual assault of any person, involving non-consensual touching by force or threat of force.
- 115 Destroying and/or disposing of any item during a search or attempt to search.
- 196 Use of the mail for an illegal purpose or to commit or further a Greatest category

prohibited act.

- 197 Use of the telephone for an illegal purpose or to commit or further a Greatest category prohibited act.
- 198 Interfering with a staff member in the performance of duties most like another Greatest severity prohibited act. This charge is to be used only when another charge of Greatest severity is not accurate. The offending conduct must be charged as “most like” one of the listed Greatest severity prohibited acts.
- 199 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another Greatest severity prohibited act. This charge is to be used only when another charge of Greatest severity is not accurate. The offending conduct must be charged as “most like” one of the listed Greatest severity prohibited acts.

AVAILABLE SANCTIONS FOR GREATEST SEVERITY LEVEL PROHIBITED ACTS

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

M. Extra duty.

HIGH SEVERITY LEVEL PROHIBITED ACTS

- 200 Escape from a work detail, non-secure institution, or other non-secure confinement, including community confinement, with subsequent voluntary return to Bureau of Prisons custody within four hours.
- 201 Fighting with another person.
- 202 (Not to be used).
- 203 Threatening another with bodily harm or any other offense.
- 204 Extortion; blackmail; protection; demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.
- 205 Engaging in sexual acts.
- 206 Making sexual proposals or threats to another.
- 207 Wearing a disguise or a mask.
- 208 Possession of any unauthorized locking device, or lock pick, or tampering with or blocking any lock device (includes keys), or destroying, altering, interfering with, improperly using, or damaging any security device, mechanism, or procedure.
- 209 Adulteration of any food or drink.
- 210 (Not to be used).
- 211 Possessing any officer's or staff clothing.
- 212 Engaging in or encouraging a group demonstration.
- 213 Encouraging others to refuse to work, or to participate in a work stoppage.
- 214 (Not to be used).
- 215 (Not to be used).
- 216 Giving or offering an official or staff member a bribe, or anything of value.
- 217 Giving money to, or receiving money from, any person for the purpose of introducing

contraband or any other illegal or prohibited purpose.

- 218 Destroying, altering, or damaging government property, or the property of another person, having a value in excess of \$100.00, or destroying, altering, damaging life-safety devices (e.g., fire alarm) regardless of financial value.
- 219 Stealing; theft (including data obtained through the unauthorized use of a communications device, or through unauthorized access to disks, tapes, or computer printouts or other automated equipment on which data is stored).
- 220 Demonstrating, practicing, or using martial arts, boxing (except for use of a punching bag), wrestling, or other forms of physical encounter, or military exercises or drill (except for drill authorized by staff).
- 221 Being in an unauthorized area with a person of the opposite sex without staff permission.
- 222 (Not to be used).
- 223 (Not to be used).
- 224 Assaulting any person (a charge at this level is used when less serious physical injury or contact has been attempted or accomplished by an inmate).
- 225 Stalking another person through repeated behavior which harasses, alarms, or annoys the person, after having been previously warned to stop such conduct.
- 226 Possession of stolen property.
- 227 Refusing to participate in a required physical test or examination unrelated to testing for drug abuse (e.g., DNA, HIV, tuberculosis).
- 228 Tattooing or self-mutilation
- 229 Sexual assault of any person, involving non-consensual touching without force or threat of force
- 296 Use of the mail for abuses other than criminal activity which circumvent mail monitoring procedures (e.g., use of the mail to commit or further a High category prohibited act, special mail abuse; writing letters in code; directing others to send, sending, or receiving a letter or mail through unauthorized means; sending mail for other inmates without authorization; sending correspondence to a specific address with directions or intent to have the correspondence sent to an unauthorized person; and using a fictitious return address in an attempt to send or receive unauthorized correspondence).
- 297 Use of the telephone for abuses other than illegal activity which circumvent the ability of staff to monitor frequency of telephone use, content of the call, or the number called; or

to commit or further a High category prohibited act.

- 298 Interfering with a staff member in the performance of duties most like another High severity prohibited act. This charge is to be used only when another charge of High severity is not accurate. The offending conduct must be charged as “most like” one of the listed High severity prohibited acts.
- 299 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another High severity prohibited act. This charge is to be used only when another charge of High severity is not accurate. The offending conduct must be charged as “most like” one of the listed High severity prohibited acts.

AVAILABLE SANCTIONS FOR HIGH SEVERITY LEVEL PROHIBITED ACTS

- A. Recommend parole date rescission or retardation.
- B. Forfeit and/or withhold earned statutory good time or non-vested good conduct time up to 50% or up to 60 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
 - B.1 Disallow ordinarily between 25% and 50% (14-27 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
- C. Disciplinary segregation (up to 6 months).
- D. Make monetary restitution.
- E. Monetary fine.
- F. Loss of privileges (*e.g.*, visiting, telephone, commissary, movies, recreation).
- G. Change housing (quarters).
- H. Remove from program and/or group activity.
- I. Loss of job.
- J. Impound inmate’s personal property.
- K. Confiscate contraband.
- L. Restrict to quarters.
- M. Extra duty.

MODERATE SEVERITY LEVEL PROHIBITED ACTS

- 300 Indecent Exposure.
- 301 (Not to be used).
- 302 Misuse of authorized medication.
- 303 Possession of money or currency, unless specifically authorized, or in excess of the amount authorized.
- 304 Loaning of property or anything of value for profit or increased return.
- 305 Possession of anything not authorized for retention or receipt by the inmate, and not issued to him through regular channels.
- 306 Refusing to work or to accept a program assignment.
- 307 Refusing to obey an order of any staff member (may be categorized and charged in terms of greater severity, according to the nature of the order being disobeyed, e.g. failure to obey an order which furthers a riot would be charged as 105, Rioting; refusing to obey an order which furthers a fight would be charged as 201, Fighting; refusing to provide a urine sample when ordered as part of a drug-abuse test would be charged as 110).
- 308 Violating a condition of a furlough.
- 309 Violating a condition of a community program.
- 310 Unexcused absence from work or any program assignment.
- 311 Failing to perform work as instructed by the supervisor.
- 312 Insolence towards a staff member.
- 313 Lying or providing a false statement to a staff member.
- 314 Counterfeiting, forging, or unauthorized reproduction of any document, article of identification, money, security, or official paper (may be categorized in terms of greater severity according to the nature of the item being reproduced, e.g., counterfeiting release papers to effect escape, Code 102).
- 315 Participating in an unauthorized meeting or gathering.
- 316 Being in an unauthorized area without staff authorization.

- 317 Failure to follow safety or sanitation regulations (including safety regulations, chemical instructions, tools, MSDS sheets, OSHA standards).
- 318 Using any equipment or machinery without staff authorization.
- 319 Using any equipment or machinery contrary to instructions or posted safety standards.
- 320 Failing to stand count.
- 321 Interfering with the taking of count.
- 322 (Not to be used).
- 323 (Not to be used).
- 324 Gambling.
- 325 Preparing or conducting a gambling pool.
- 326 Possession of gambling paraphernalia.
- 327 Unauthorized contacts with the public.
- 328 Giving money or anything of value to, or accepting money or anything of value from, another inmate or any other person without staff authorization.
- 329 Destroying, altering, or damaging government property, or the property of another person, having a value of \$100.00 or less.
- 330 Being unsanitary or untidy; failing to keep one's person or quarters in accordance with posted standards.
- 331 Possession, manufacture, introduction, or loss of a non-hazardous tool, equipment, supplies, or other non-hazardous contraband (tools not likely to be used in an escape or escape attempt, or to serve as a weapon capable of doing serious bodily harm to others, or not hazardous to institutional security or personal safety) (other non-hazardous contraband includes such items as food, cosmetics, cleaning supplies, smoking apparatus and tobacco in any form where prohibited, and unauthorized nutritional/dietary supplements).
- 332 Smoking where prohibited.
- 333 Fraudulent or deceptive completion of a skills test (e.g., cheating on a GED, or other educational or vocational skills test).
- 334 Conducting a business; conducting or directing an investment transaction without staff

authorization.

- 335 Communicating gang affiliation; participating in gang related activities; possession of paraphernalia indicating gang affiliation.
- 336 Circulating a petition.
- 396 Use of the mail for abuses other than criminal activity which do not circumvent mail monitoring; or use of the mail to commit or further a Moderate category prohibited act.
- 397 Use of the telephone for abuses other than illegal activity which do not circumvent the ability of staff to monitor frequency of telephone use, content of the call, or the number called; or to commit or further a Moderate category prohibited act.
- 398 Interfering with a staff member in the performance of duties most like another Moderate severity prohibited act. This charge is to be used only when another charge of Moderate severity is not accurate. The offending conduct must be charged as "most like" one of the listed Moderate severity prohibited acts.
- 399 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another Moderate severity prohibited act. This charge is to be used only when another charge of Moderate severity is not accurate. The offending conduct must be charged as "most like" one of the listed Moderate severity prohibited acts.

AVAILABLE SANCTIONS FOR MODERATE SEVERITY LEVEL PROHIBITED ACTS

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

- H. Remove from program and/or group activity.
- I. Loss of job.
- J. Impound inmate's personal property.
- K. Confiscate contraband.
- L. Restrict to quarters.
- M. Extra duty.

LOW SEVERITY LEVEL PROHIBITED ACTS

- 400 (Not to be used).
- 401 (Not to be used).
- 402 Malingering, feigning illness.
- 403 (Not to be used).
- 404 Using abusive or obscene language.
- 405 (Not to be used).
- 406 (Not to be used).
- 407 Conduct with a visitor in violation of Bureau regulations.
- 408 (Not to be used).
- 409 Unauthorized physical contact (e.g., kissing, embracing).
- 498 Interfering with a staff member in the performance of duties most like another Low severity prohibited act. This charge is to be used only when another charge of Low severity is not accurate. The offending conduct must be charged as "most like" one of the listed Low severity prohibited acts.
- 499 Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons most like another Low severity prohibited act. This charge is to be used only when another charge of Low severity is not accurate. The offending conduct must be charged as "most like" one of the listed Low severity prohibited acts.

AVAILABLE SANCTIONS FOR LOW SEVERITY LEVEL PROHIBITED ACTS

- B.1 Disallow ordinarily up to 12.5% (1-7 days) of good conduct time credit available for year (to be used only where inmate found to have committed a second violation of the same prohibited act within 6 months); Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (to be used only where inmate found to have committed a third violation of the same prohibited act within 6 months) (a good conduct time sanction may not be suspended).
- C. Make monetary restitution.
- D. Monetary fine.
- E. Loss of privileges (e.g., visiting, telephone, commissary, movies, recreation).
- F. Change housing (quarters).
- G. Remove from program and/or group activity.
- H. Loss of job.
- I. Impound inmate's personal property.
- J. Confiscate contraband
- K. Restrict to quarters.
- L. Extra duty.

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

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

**U.S. Department of Justice
Federal Bureau of Prisons**

**Sexually Abusive Behavior
Prevention and Intervention**



An Overview for Offenders

July 2018

You Have the Right to be Safe from Sexually Abusive Behavior. The Federal Bureau of Prisons has a zero tolerance policy against sexual abuse and sexual harassment. While you are incarcerated, **no one has the right to pressure you to engage in sexual acts.**

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

What Can You Do To Prevent Sexually Abusive Behavior?

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

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

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

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

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

What Can You Do if You Are Sexually Assaulted?

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

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

How Do You Report an Incident of Sexually Abusive Behavior?

It is important that you **tell a staff member if you have been sexually assaulted** or have been a victim of sexual harassment. It is equally important to inform staff if you have witnessed sexually abusive behavior. You can tell your case manager, Chaplain, Psychologist, SIS, the Warden or any other staff member you trust. BOP staff members are instructed to keep reported information confidential and only discuss it with the appropriate officials on a need-to-know basis concerning the inmate-victim's welfare and for law enforcement or investigative purposes. There are other means to confidentiality report sexually abusive behavior if you are not comfortable talking with staff.

- **Write directly to the Warden, Regional Director or Director.** You can send the Warden an Inmate Request to Staff Member (Cop-out) or a letter reporting the sexually abusive behavior. You may also send a letter to the Regional Director or Director of the Bureau of Prisons. To ensure confidentiality, use special mail procedures.
- **File an Administrative Remedy.** You can file a Request for Administrative Remedy (BP-9). If you determine your complaint is too sensitive to file with the Warden, you have the opportunity to file your administrative remedy directly with the Regional Director (BP-10). You can get the forms from your counselor or other unit staff.
- **Write the Office of the Inspector General (OIG)** which investigates certain allegations of staff misconduct by employees of the U.S. Department of Justice; all other sexual abuse/harassment allegations will be forwarded by the OIG to the BOP. OIG is a component of the Department of Justice and is not a part of the Bureau of Prisons. The address is:

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

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

Note: These e-mails:

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

- **Third-party Reporting.** Anyone can report such abuse on your behalf by accessing the BOP's public website, specifically https://www.bop.gov/inmates/custody_and_care/sexual_abuse_prevention.jsp

Understanding the Investigative Process

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

Counseling Programs for Victims of Sexually Abusive Behavior

Most people need help to recover from the emotional effects of sexually abusive behavior. If you are the victim of sexually abusive behavior, whether recent or in the past, you may seek counseling and/or advice from a

psychologist or chaplain. Crisis counseling, coping skills, suicide prevention, mental health counseling, and spiritual counseling are all available to you.

Contact your local Rape Crisis Center (RCC): Your institution may have a Memo of Understanding (MOU) with a local RCC. If so, Psychology Services can provide you with the contact information. If no MOU exists, you may seek services through Psychology Services.

Management Program for Inmate Assailants

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

Policy Definitions

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

Code 114/ (A): Sexual Assault By Force

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

Code 206/ (A): Making a Sexual Proposal

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

Code 229/ (A): Sexual Assault Without Force

Code 300/ (A): Indecent Exposure

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

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

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

Rape: the carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person **FORCIBLY** or against that person's will;

The carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person not forcibly or against the person's will, where the victim is **incapable of giving consent** because of his/her youth or his/her temporary or permanent mental or physical incapacity; or

The carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person achieved through the **exploitation of the fear or threat** of physical violence or bodily injury.

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

sort, however slight.

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

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

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

Sexual Harassment: repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate/detainee/resident to another; or repeated verbal comments or gestures of a sexual nature to an inmate/detainee/resident by a staff member/contractor/volunteer, including demeaning references to gender, sexually suggestive, or derogatory comments about body or clothing, or obscene language or gestures.

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

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

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

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

Contact Offices:

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

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

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

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

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

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

Federal Bureau of Prisons
Southeast Regional Office
Regional PREA Coordinator
3800 North Camp Creek Parkway, SW
Building 2000
Atlanta, GA 30331-5099

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

Third-party reporting (outside of institution):

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

NOTIFICATION TO INMATES DNA COLLECTION PROCESS

Pursuant to Title 42 U.S.C. 14135a,b and Title 28 C.F.R. 28.12

MCC Chicago Staff will collect DNA samples from persons in Bureau custody who are:

- Convicted of any federal offense (felony or misdemeanor);
- Convicted of any Uniform Code of Military Justice (military) offense (felony or misdemeanor);
- Convicted of a qualifying D.C. Code offense (as provided on a list);
- Arrested or facing charges (pretrial inmates); and
- Non-United States persons who are detained under the authority of the United States (including the Bureau) (persons who are not United States citizens and who are not lawfully admitted for permanent residence as defined by 8 C.F.R. § 1.1 (b)).
- Collection of DNA via buccal swab has been incorporated into the collection method.
- DNA samples will be collected on qualifying inmates arriving at their designated institutions.
- Collection of DNA from juveniles is now permitted.
- Staff should use reasonable efforts to confirm an inmate's claim that he/she has previously provided a DNA sample pursuant to the DNA Act.
- Bureau staff should assist state, local, and other agencies in collecting DNA from consenting inmates if certain criteria is met. On December 19, 2000, the DNA Analysis Backlog Elimination Act of 2000 (Pub. L. No. 106-546) was enacted. That law required the Bureau to obtain a DNA sample from each inmate convicted of a qualifying offense. The definition of a qualifying offense was subsequently modified by the USA PATRIOT ACT of 2001 (Pub. L. No. 107-56), the Justice for All Act of 2005 (Pub. L. No. 108-405), section 1004 of the Violence Against Women and Department of Justice Reauthorization Act, also known as The DNA Fingerprint Act of 2005, (Pub. L. No. 109-162) and section 155 of the Adam Walsh Child Protection and Safety Act of 2006 "Walsh Act"(Pub. L. No. 109-248).

In its current form, the controlling statute authorizes the Attorney General to collect DNA samples from individuals who are arrested, facing charges, or convicted or from non-United States persons who are detained under the authority of the United States. See 42 U.S.C. § 14135a(a)(1)(A). The statute also authorizes the Attorney General to "direct any other agency of the United States that arrests or detains individuals or supervises individuals facing charges to carry out any function and exercise any power of the Attorney General under this section." *Id.* An implementing rule was published in the Federal Register on December 10, 2008 (Vol. 73, No. 238, pp. 74932-74943). The FBI analyzes DNA samples and maintains the results in the Combined DNA Index System (CODIS).

If an inmate refuses to submit to DNA sampling, progressive sanctions should continue. If these efforts fail, or the inmate is approaching his/her release date, standard "use of force" protocols (including standard confrontation avoidance procedures) must be invoked, using only the amount of force necessary to obtain a DNA sample. In instances where calculated use of force is necessary, it is recommended that a blood sample be obtained. In any instance where use of force is necessary, Only Bureau staff will collect the DNA sample.